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Q14

Case study. You are the manager of a spare parts company A and you have to negotiate a deal with the manager of a large manufacturing company B. The deal is highly competitive and sealing the deal is critical for your company. The deal is being worked out over a dinner. After dinner the manager of manufacturing company B offered to drop you to the hotel in his car. On the way to hotel he happens to hit motorcycle injuring the motorcyclist badly. You know the manager was driving fast and thus lost control. The law enforcement officer comes to investigate the issue and you are the sole eyewitness to it. Knowing the strict laws pertaining to road accidents you are aware that your honest account of the incident would lead to the prosecution of the manager and as a consequence the deal is likely to be jeopardised, which is of immense importance to your company. What are the dilemmas you face? What will be your response to the situation?

UPSC Civil Services Mains 2017 · GS IV · 20 marks · Ethics Case Studies

Case Studies on above issues.

Core demand of the question

- You manage spare-parts firm A and must seal a critical deal with manufacturing firm B over dinner. B's manager drives you, speeds, hits a motorcyclist badly. You are the sole eyewitness. An honest account likely prosecutes him and jeopardises the deal. What dilemmas do you face? What will be your response?

Revision summary

- **Dilemmas:** an honest account may prosecute the driver and sink a critical deal; silence or a lie may save the deal and abandon the rider.

Stakeholders include the victim, both firms, the officer and future road users.

Rejected options are amnesia, a silence-for-signature bargain, and flight.

Response is medical help, a true statement of speed and loss of control, no coaching, and honest report to one's own company.

A deal that requires perjury is not a deal worth keeping.

Introduction

A bleeding stranger, a speeding host, and a deal that your firm needs are three duties in one car. The law of the road does not pause because a purchase order is unsigned.

Body

Stakeholders

- The injured motorcyclist, whose life and evidence window are closing.
- The manager of company B, who drove fast and lost control.
- You as the sole eyewitness and as manager of company A.
- Company A's workers and owners, who need the deal.
- Company B's owners, who did not authorise a hit-and-lie.
- The investigating officer and the court, who need a true witness.
- Other road users, who will meet this driver again if tonight is buried.

Ethical issues and values

- Right to life and justice for the injured versus loyalty to a commercial deal.
- Truth-telling versus a profitable silence.
- **Integrity:** an eyewitness who lies is an accessory to a false case, not a clever negotiator.
- **Conflict of interest:** your firm's gain is now tied to a man's escape from the **Motor Vehicles Act, 1988** and criminal law.
- Compassion for the victim first; even the driver is a person, but he is not entitled to your perjury.

Dilemmas

- **Truth versus deal:** an honest statement may end the dinner contract and hurt your plant; a lie may save the contract and bury the rider.
- **Loyalty to employer versus loyalty to law:** the company pays your salary; it did not buy your tongue.
- **Gratitude versus justice:** he offered a lift; a lift is not a right to your silence.
- **Certainty versus fear:** you saw speed and loss of control; a lawyer may later twist you; fear of cross-examination is not a moral veto.
- **Immediate rescue versus remaining to watch the story:** if you only "manage the deal" while the rider bleeds, you have already chosen.

Options

- **Option 1:** Tell the officer you saw nothing, or that the motorcyclist was at fault, to save the deal.
- **Merit:** possible contract.
- **Demerit:** false evidence, possible later prosecution of you, and a victim without a witness. Rejected.
- **Option 2:** Bargain privately: you will stay silent if he signs tonight.
- **Merit:** looks like leverage.
- **Demerit:** extortion wearing a contract; still a lie to the police. Rejected.
- **Option 3:** Flee the scene to "avoid involvement".
- **Merit:** none that is ethical.
- **Demerit:** illegal and cowardly; you were in the car.
- **Option 4:** Ensure medical help, give a true statement of speed and loss of control, cooperate, inform your own company honestly, and pursue the deal later through another officer of B if B is still a lawful firm.

- **Merit:** life, law, and a clean career.
- **Demerit:** this deal may die; that is a cost, not a duty to lie.

Response

- **First, the person on the road:** first aid, 112 / 108, do not let the car leave if it is needed as evidence and if staying is safe.
- Do not accept coaching in the back seat. If he asks you to "say the brakes failed" or "the rider came from nowhere" when that is false, refuse once, clearly.
- **To the law-enforcement officer:** state what you perceived - high speed, loss of control, your position as passenger, lighting and road as you remember. Do not add what you did not see. Do not subtract the speed.
- You are not the judge of sentence. You are a witness. Strict accident law is the legislature's choice; it is not yours to nullify for a spare-parts order.
- **Inform your senior in company A the same night:** the deal is at risk because of an accident and because you will not lie. Ask to reopen with B's leadership, not with a frightened manager's secret.
- If B's firm punishes the truth by killing a lawful contract, that is information about B's ethics. A deal bought with perjury would have been a bad partner anyway.
- Do not sell the story to a newspaper for pressure. Process first.
- Support the victim's hospitalisation as a human being if you can do so without contaminating evidence or seeming to buy silence.

Justification

- The **Motor Vehicles Act, 1988** and the Indian Penal Code / Bharatiya Nyaya Sanhita provisions on rash driving exist so that a commercial dinner is not a licence to maim.
- Professional ethics for a manager includes not committing or abetting an offence in the firm's name.
- The stem's "immense importance" of the deal is a test of whether importance can launder a lie. It cannot.

Flow diagram

Speeding hit -> Aid the rider
 Speeding hit -> Truth versus deal
 Truth versus deal -> Honest eyewitness account
 Truth versus deal -> Save the contract
 Save the contract -> False evidence
 Honest eyewitness account -> Deal via clean channel or no deal

Conclusion

The dilemmas are truth versus contract, gratitude versus justice, and employer loyalty versus the injured stranger. Rescue, tell the speed as you saw it, refuse a coached story, and let the deal live or die in daylight. A purchase order is not worth a false witness.

Facts & figures

Motor Vehicles Act, 1988

The principal statute on driving, accidents and related penalties; speed and rashness are not cancelled by a business dinner.

Duty of a witness

An eyewitness who wilfully lies to an investigating officer risks becoming an accused in the false story, not a clever manager.

Good Samaritan / accident-scene help

Helping the injured is a first duty; helping is not the same as rewriting the cause of the crash.

Conflict of interest

When your firm's profit depends on a man's escape from the crash file, you must name that conflict and still tell the truth.

Corporate ethics

A company is not entitled to a contract obtained through an employee's perjury; leadership should be told the same night.

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