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Q1

Conflict of interest in the public sector arises when (a) official duties, (b) public interest, and (c) personal interest are taking priority one above the other. How can this conflict in administration be resolved? Describe with an example. (150 Words, 10).

UPSC Civil Services Mains 2017 · GS IV · 10 marks · Ethics in Public Administration

Public / Civil service values and Ethics in Public administration: Status and problems; ethical concerns and dilemmas in government and private institutions; laws, rules, regulations and conscience as sources of ethical guidance; accountability and ethical governance; strengthening of ethical and moral values in governance; ethical issues in international relations and funding; corporate governance.

Core demand of the question

- **Conflict of interest** in the public sector arises when official duties, public interest and personal interest take priority one above the other. How can this conflict in administration be resolved? Describe with an example

Revision summary

Conflict of interest is a clash among official duty, public interest and personal interest, not only a caught bribe.

Public interest must lead; duty is the lawful means; personal interest must be last and declared.

Resolution uses disclosure, **recusal**, reduced discretion, speaking orders and enforcement of Conduct Rules.

An example is a District Magistrate who recuses from a mining lease in which a relative has a stake.

A medical officer steering patients to a spouse's lab is the same conflict in a smaller room.

Introduction

- **A public office holds three pulls at once:** the duty written in the post, the welfare of the public, and the private life of the officer. **Conflict of interest** begins when those three are stacked so that the private claim wins.

Body**What the conflict is**

- **Official duty is the work the statute, the posting and the file require:** a licence, a tender, a transfer, a relief list.
- Public interest is the lawful welfare of the community, including people who will never meet the officer.

- Personal interest is money, kin, caste, friendship, future employment, or a quiet favour owed to a patron.
- **Conflict of interest** is not only a proven bribe. It is a situation where a reasonable person would doubt that the decision was made for the public.
- When personal interest sits above duty, the stamp becomes a family shop.
- When a misread "duty" sits above public interest, the officer hides behind a circular while a village is hurt.
- Resolution is not a speech about honesty. It is a set of habits and rules that keep the three in the right order: public interest first, duty as the lawful means, personal interest last and declared.

How administration can resolve it

- **Declare:** a written disclosure of property, relatives in the jurisdiction, and any private link to a bidder or a beneficiary, as service rules and the Lokpal framework expect.
- **Recuse:** if the file touches a spouse, a sibling, a former employer or a plot you own, leave the chair and put the reason on the note.
- **Reduce discretion:** published criteria, e-procurement, direct benefit transfer and a visible queue make it harder to sell a yes.
- **Separate roles:** the person who inspects should not also award; the person who recommends should not also audit.
- **Speak on the file:** a speaking order lets a court and a citizen test whether public interest or a cousin won.
- Train with cases, not slogans, so a young officer practises **recusal** before the first wedding invitation from a contractor.
- **Enforce:** the **Central Civil Services (Conduct) Rules, 1964**, the **All India Services (Conduct) Rules, 1968**, and the **Prevention of Corruption Act, 1988** must have real inquiries, not a transfer as a reward.
- **Culture:** a secretary who recuses in public teaches more than a hundred integrity pledges.

Example

- A District Magistrate must decide a mining lease. A brother-in-law is a silent partner in one company. Duty is to process the lease. Public interest is water, forest and lawful revenue. Personal interest is the relative's profit.
- **Wrong resolution:** stay on the file, "be fair in the heart", and award on a technicality.
- **Right resolution:** disclose the relation, recuse, send the file to the next competent authority, and keep a copy of the disclosure. The lease may still be granted if it is lawful; it will not be granted by a judge in his own family cause.
- Another daily example is a medical officer who refers patients only to a diagnostic centre owned by a spouse. Duty is treatment; public interest is honest diagnosis; personal interest is the commission. The fix is a published panel, a ban on such referrals, and disciplinary action if the pattern continues.

Flow diagram

Duty public interest personal interest -> Conflict of interest

Conflict of interest -> Disclose

Conflict of interest -> Recuse

Conflict of interest -> Less discretion

Disclose -> Public interest first

Recuse -> Public interest first

Less discretion -> Public interest first

Conclusion

Conflict of interest is resolved when public interest leads, official duty is the lawful path, and personal interest is declared and parked. Disclosure, **recusal**, less discretion and real punishment turn that order from a wish into administration.

Facts & figures

Conflict of interest

A situation in which a public decision-maker has a private stake that could reasonably be seen to bias the decision, even before a bribe is proved.

Central Civil Services (Conduct) Rules, 1964

Union conduct rules on integrity, gifts, private trade and conduct unbecoming, which frame how personal interest must be kept off the file.

Prevention of Corruption Act, 1988

Criminalises abuse of office for private gain; the hard edge when a conflict becomes a crime.

E-procurement and DBT

Systems that cut face-to-face discretion in tenders and welfare, shrinking the market in which personal interest can be sold.

Recusal

The ethical and administrative act of leaving a file because of a personal link, with the reason recorded, so that another officer decides.

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