

WRAP Exams · wrapexams.com

Prelims PYQ, Mains model answers, and copy evaluation. Write to the desk for this paper, a doubt, or the AI waitlist.

ask@wrapexams.com · +91 85951 84903 · wrapexams.com

Q7

Case study. An apparel manufacturing company having a large number of women employees was losing sales due to various factors. The company hired a reputed marketing executive, who increased the volume of sales within a short span of time. However, some unconfirmed reports came up regarding his indulgence in sexual harassment at the workplace. After some time a woman employee launched a formal complaint to the management against the marketing executive about sexually harassing her. Faced with the companies' indifference, in not taking cognizance of her grievances, she lodged an FIR with the police. Realizing the sensitivity and gravity of the situation, the company called the woman employee to negotiate. In that, she was offered a hefty sum of money to withdraw the complaint and the FIR and also give in writing that the marketing executive is not involved in the case. Identify the ethical issues involved in this case. What options are available to the woman employee?

UPSC Civil Services Mains 2019 · GS IV · 20 marks · Ethics Case Studies

Case Studies on above issues.

Core demand of the question

- Apparel firm with many women workers; a marketing executive raises sales; reports of sexual harassment; a woman files a complaint, then an FIR when management is indifferent; the firm offers her money to withdraw the complaint and to write that he is not involved
- Identify the ethical issues. What options are available to the woman employee?

Revision summary

A sales revival does not licence sexual harassment or a paid false exoneration.

Issues include dignity, employer indifference, inducement to lie, and a power gap.

Taking the money buys silence and endangers other workers.

The woman should refuse, keep the FIR, and use POSH (ICC or **Local Committee**), police, legal aid and women's commissions.

A fair inquiry for the accused is required; a purchased certificate of innocence is not.

Introduction

A company that was losing sales hired a marketing executive who restored volume. Unconfirmed reports of sexual harassment were ignored until a woman employee complained, then registered an FIR. The firm now offers her a large sum to withdraw the case and to write that the executive is innocent.

Body

Stakeholders

- The woman employee who complained and registered the FIR.
- Other women (and men) in the factory who may be at risk or who watched the indifference.
- The marketing executive, who has a right to a fair inquiry and no right to buy silence.
- Management, owners, and shareholders who want sales.
- The **Internal Complaints Committee** under the **Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013**.
- Police, courts, and the public that expects a workplace not to be a hunting ground.

Ethical issues

- Sexual harassment is a violation of dignity, equality (**Articles 14 and 15**), and the right to a safe workplace under **Article 21**, as the Vishaka judgment first framed and the 2013 Act now statutes.
- **Management's first indifference is a second wrong:** it treats a woman's body as cheaper than a sales graph.
- Offering money to withdraw an FIR and to sign a false exoneration is inducement to stifle a criminal proceeding and to lie. That is not a "settlement"; it is purchase of a false record.
- Conflict between commercial success and the duty of care to employees.
- Unconfirmed earlier reports that were not inquired into show a culture of wilful blindness.
- **Confidentiality versus publicity:** the woman needs safety, not a media circus, and the accused needs a fair hearing, not a mob.
- **Power gap:** a star executive versus a woman worker whose job and reputation can be threatened.
- **Values in collision if poorly named:** loyalty to the firm versus truth. The right naming is justice, courage, and non-violence toward the complainant.

Options for the woman employee

- **Option 1:** Take the money, withdraw the FIR, and sign that the executive is not involved.
- **Merit:** immediate cash, possible end of daily pressure, and a chance to leave quietly.
- **Demerit:** she signs a lie; the executive remains a risk to others; the firm learns that harassment is a price list; she may still be dismissed later; compounding a non-compoundable sexual offence is not hers to sell.
- **Option 2:** Resign and stay silent without taking money.
- **Merit:** exits a hostile room.
- **Demerit:** abandons her own case and leaves colleagues unprotected; unemployment may be the hidden punishment.
- **Option 3:** Fight only in the press and on social media, and drop the legal forums.
- **Merit:** speed and fear.
- **Demerit:** trial by crowd, possible defamation counters, and no enforceable protection order.

- **Option 4:** Withdraw the FIR but pursue only an internal "quiet apology".
- **Merit:** looks peaceful.
- **Demerit:** the firm has already shown indifference; without the criminal and POSH tracks, apology is theatre.
- **Option 5:** Refuse the hush money. Keep the FIR alive. Insist on a proper **Internal Complaints Committee** inquiry under the 2013 Act, independent of the sales star. Seek protection from victimisation, legal aid, and counselling. Cooperate with police. Do not sign a false statement.
- **Merit:** truth, deterrence, and a lawful door for herself and others.
- **Demerit:** delay, stress, and possible career cost; those costs are the firm's shame, not her ethical failure.

Reasoned action (what she should do)

- She should refuse the money and the false writing. A signature that the executive "is not involved" while she knows otherwise is a lie she should not own.
- She should keep the FIR and add, if not already done, a written POSH complaint so that the employer's statutory duty is on record.
- If the **Internal Complaints Committee** is captured by management, she should write to the **Local Committee** under the district officer, which the 2013 Act provides for this very capture.
- She should ask in writing for protection against transfer, dismissal, and workplace isolation during inquiry.
- **Lawful doors:** the POSH Act, 2013; the criminal process (sections on sexual harassment and outraging modesty in the Indian Penal Code, 1860, now corresponding offences in the Bharatiya Nyaya Sanhita, 2023); the **Labour Commissioner**; the National or **State Commission** for Women; and free legal aid under the **Legal Services Authorities Act, 1987**.
- She may accept a lawful, court-supervised outcome later; she should not sell the facts in a private room for a hefty sum.
- Colleagues who know should give truthful statements. Management's ethical path is to suspend the accused from unsupervised contact, run a fair inquiry, and stop treating sales as a licence.

Flow diagram

Harassment complaint -> Management indifference
 Management indifference -> FIR registered
 FIR registered -> Hush money offer
 Hush money offer -> Refuse false writing
 Refuse false writing -> POSH ICC or Local Committee
 POSH ICC or Local Committee -> Criminal process and legal aid

Conclusion

The ethical issues are harassment, corporate indifference, and the attempt to buy a false withdrawal. The woman's sound option is to refuse the money, keep the FIR, and use the **POSH Local Committee**, police, legal aid and women's commissions. Sales do not outrank dignity.

Facts & figures

Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

The POSH statute after Vishaka; **Internal Complaints Committee** and district **Local Committee** are the workplace forums.

Vishaka v. State of Rajasthan, 1997

Supreme Court guidelines that first treated workplace sexual harassment as a constitutional failure pending a statute.

Legal Services Authorities Act, 1987

Creates Legal Services Authorities that can give eligible women free legal aid so a hush fund is not the only lawyer in the room.

National Commission for Women

A statutory body that can receive complaints of women's rights violations and seek reports from employers and police.

Article 21, Constitution of India

Life and personal liberty, read to include dignity and a safe workplace.

WRAP Exams · Write. Read. Analyse. Practice. · <https://wrapexams.com/upsc/mains-answers/gs-4/2019/case-study-an-apparel-manufacturing-company-having-a-large-number-of-women-employees-was-losing-sales-due-to-various-factors-the-company-hired-a-reputed-marketing-executive-who-increased-the-volume-of-sales-within-a/> · ask@wrapexams.com · [wrapexams.com](https://www.wrapexams.com)