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Q12

Case study. Honesty and uprightness are the hallmarks of a civil servant. Civil servants possessing these qualities are considered as the backbone of any strong organization. In the line of duty, they take various decisions, at times some become bonafide mistakes. As long as such decisions are not taken intentionally and do not benefit personally, the officer cannot be said to be guilty. Though such decisions may, at times, lead to unforeseen adverse consequences in the long term. In the recent past, a few instances have surfaced wherein civil servants have been implicated for bonafide mistakes. They have often been prosecuted and even imprisoned. The instances have greatly rattled the moral fiber of the civil servants. How does this trend affect the functioning of civil services? What measures can be taken to ensure the honest civil servants are not implicated for the bonafide mistakes on their part? Justify your answer.

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

Case Studies on above issues.

Facts & figures for this PYQ only.

Numbers move. Confirm the latest Budget, Economic Survey or census round. This sheet is for revision, not a substitute for the model answer.

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Prevention of Corruption Act, 1988, amendment 2018

Narrowed criminal misconduct toward dishonest intention and undue advantage, which should guide the line between error and loot.

Section 197, Code of Criminal Procedure, 1973

Requires prior government sanction to prosecute a public servant for acts in the supposed discharge of official duty; the application of mind is the ethical core.

Speaking order

Recorded reasons that show what the officer knew then; the best later defence of a bonafide decision.

Article 311, Constitution of India

Process protection against arbitrary dismissal; part of the same family as not treating every error as a crime.

Second Administrative Reforms Commission

Warned that a climate of fear and indiscriminate vigilance harms honest decision-making; asked for a balance of accountability and courage.

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