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Q7

Case study. Sunil is a young civil servant and has a reputation for his competence, integrity, dedication, and relentless pursuit of difficult and onerous jobs. Considering his profile, he was picked up by his bosses to handle a very challenging and sensitive assignment. He was posted in a tribal-dominated district notorious for illegal sand mining. Excavating sand from river belts and transporting it through trucks and selling them in the black market was rampant. This illegal sand mining mafia was operating with the support of local functionaries and tribal musclemen who in turn were bribing selected poor tribals and had kept the tribals under fear and intimidation. Sunil being a sharp and energetic officer immediately grasped the ground realities and the modus operandi followed by the mafia through their devious and dubious mechanism. On making inquiries, he gathered that some of their own office employees are in hand and glove with them and have developed close unholy nexus. Sunil initiated stringent action against them and started conducting raids on their illegal operations of the movement of trucks filled with sand. The mafia got rattled as not many officers in the past had taken such steps against the mafia. Some of the office employees who were allegedly close to mafia informed them that the officer is determined to clean up the mafia's illegal sand mining operations in that the district and may cause them irreparable damage. The mafia turned hostile and launched a counter-offensive. The tribal musclemen and mafia started threatening him with dire consequences. His family (wife and old mother) were stalked and were under virtual surveillance and thus causing mental torture, agony, and stress to all of them. The matter assumed serious proportions when a muscleman came to his office and threatened him to stop raids, etc., otherwise, his fate will not be different than some of his predecessors (ten years back one officer was killed by the mafia). - Identify the different options available to Sunil in attending to this situation. - Critically evaluate each of the options listed by you. - Which of

the above, do you think, would be the most appropriate for Sunil to adopt and why?

UPSC Civil Services Mains 2021 · GS IV · 20 marks · Ethics Case Studies

Case Studies on above issues.

Core demand of the question

- Sunil, a young civil servant known for competence and integrity, is posted in a tribal-dominated district notorious for **illegal sand mining**. The mafia, with local functionaries and tribal musclemen, bribes selected poor tribals and rules by fear. Some office staff are in nexus. Sunil's raids rattle the mafia. His wife and old mother are stalked. A muscleman threatens that his fate will match a predecessor killed ten years ago
- (a) Identify the different options available to Sunil
- (b) Critically evaluate each option
- (c) Which option is most appropriate and why? Do not stop raids from fear

Revision summary

Sunil's raids hit a sand mafia that stalks his wife and mother and threatens a repeat of a killing.

Stopping raids, cowboy heroics, a first leak to TV, and dumping the file on a junior all fail.

The right option is documented continuation with police, written intimation to CS and government, NGT/NHRC/criminal and anti-corruption forums, team rotation and witness protection.

Fear is managed by security, not by silence.

Poor tribals are victims and witnesses, not the face of the mafia.

Introduction

Illegal sand is a river, a treasury and a set of lives being stolen. Sunil's family is being hunted to buy his silence. Withdrawing from lawful raids is not an option. Lone cowboy raids without backup are not the other option. The path is continued enforcement with institutional force and family security.

Body

Stakeholders

- Sunil, his wife, and his old mother under surveillance.
- Poor tribals used as a shield and as cheap labour, and those who fear the musclemen.
- Honest staff and the employees already in the nexus.
- The river belt, downstream farmers, and the public buyer of black-market sand.
- Local functionaries, the mafia, and the memory of the officer killed ten years ago.
- Police, Forest, revenue, courts, and the political executive.

(a) Options

- **Option 1:** Withdraw raids, go slow, and seek a quiet transfer so the family can sleep.
- **Option 2:** Go as a lone cowboy: more surprise raids with no paper trail to seniors, no police requisition, and personal confrontation with musclemen.
- **Option 3:** Leak names to the press first and fight the mafia on television.

- **Option 4:** Hand the entire case to a junior and leave the district without a record.
- **Option 5:** Document, seek police and armed protection, inform the Collector/SP, Chief Secretary and competent political executive in writing, move NHRC/NGT or a court where the facts fit, rotate the raid team, protect witnesses, and continue lawful raids with the institution, not with bravado alone.

(b) Critical evaluation

- **Option 1 merit:** stalking may ease for a week; the mother may eat without fear tonight.
- **Option 1 demerit:** you join the nexus by omission; the next officer reads that fear works; the river keeps dying. Rejected.
- **Option 2 merit:** speed and a reputation for guts.
- **Option 2 demerit:** you reproduce the dead predecessor's tactic; staff in the nexus will leak the naka; the family becomes a softer target. Rejected as theatre.
- **Option 3 merit:** sunlight can deter.
- **Option 3 demerit:** sources burned, trial by media, possible contempt of a live inquiry, and tribals named as a bloc. Media is a careful later tool, not the first raid.
- **Option 4 merit:** personal exit.
- **Option 4 demerit:** abandonment; the junior is offered as a cheaper victim.
- **Option 5 merit:** raids continue, the file survives a killing or a transfer, protection is a State duty, and poor tribals are treated as witnesses and victims, not as the mafia.
- **Option 5 demerit:** promotion delay and residual risk; those are reasons for witness-protection style cover, not for stopping the trucks.

(c) Most appropriate course

- Do not stop raids because a muscleman visited. Fear is a fact to manage, not a legal order.
- Write a contemporaneous record of the threat, the stalking, the staff names, and the raid findings. Copies outside the captured office.
- Requisition police for every raid; ask the Superintendent of Police in writing for protection of residence and movement, including for wife and mother.
- Inform the District Magistrate if Sunil is not himself the DM, the Chief Secretary, and the competent minister in a speaking note: illegal mining, nexus, threat to life, request for a specialised team.
- Where the environment and river are injured, use the **National Green Tribunal** and pollution and mining statutes; where life is threatened, criminal law and, if public servants are bought, the **Prevention of Corruption Act, 1988**.
- NHRC or the State human rights commission for the threat and for tribals held in fear.
- Team rotation so a single constable cannot sell the plan; surprise with sealed orders; GPS and weighbridges rather than a body in front of a truck.
- Witness protection for poor tribals who talk, and livelihood alternatives so the mafia's small bribe is not the only cash in the hamlet.
- Media as sunlight only after the file is with a competent forum, without communal framing of the tribe.
- If an illegal oral order comes to stop raids, refuse in writing. A transfer may follow; the file must already be upstairs.
- **Family:** lawful relocation of the mother if needed, official security, and no private bargain with the muscleman.

Flow diagram

Lawful sand raids -> Continue with team
Continue with team -> Police SP protection
Continue with team -> CS CM NGT NHRC
Withdraw from fear -> Nexus wins
Lone cowboy -> Repeat of killed predecessor

Conclusion

The mafia wants a quiet officer. Sunil should stay loud on paper and on the river, with police, seniors, courts and protection for his family. Withdrawal is surrender. Cowboy raids are a second funeral. Institutional enforcement is the ethical mean.

Facts & figures

Illegal sand mining

Extraction without lawful permit injures rivers, revenue and often bonded tribal labour; it is a crime, not a local custom.

Prevention of Corruption Act, 1988

Applies where public servants in the office or local bodies take a bribe to bless trucks.

National Green Tribunal

A forum for environmental injury to river belts when administrative raids are being politically slowed.

National Human Rights Commission

A channel when an officer's family is stalked and when tribals are held under intimidation.

Witness and officer protection

Threats to a public servant in the course of duty are a State security task; they are not a private family problem to be settled by withdrawing the case.

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