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Q11

Case study. Rakesh was working as a Joint Commissioner in Transport department of a city. As a part of his job profile, among others, he was entrusted with the task of overseeing the control and functioning of City Transport Department. A case strike by drivers' union of City Transport Department over the issue of compensation to a driver who died on duty while driving the bus came up before him for decision in the matter. He gathered that the driver (deceased) was plying Bus No. 528 which passed through busy and congested roads of the city. It so happened that near an intersection on the way, there was an accident involving the a middle-aged man. It was found that there was altercation between the driver and the car driver. Heated arguments between them led to fight and the driver gave him a a blow. Lot of passerbys had gathered and tried to intervene but without success. Eventually, both of them were badly injured and profusely bleeding and were taken to the nearby hospital. The driver succumbed to the injuries and could not be saved. The middle-aged driver's condition was also critical but after a day, he recovered and was discharged. Police had immediately come to the spot and FIR was registered. Police investigation revealed that the quarrel in was started by the bus driver and he had resorted to physical violence. There exchange of blows between them. The City Transport Department management is considering of not giving any extra compensation to the driver's (deceased) family. The family is very aggrieved. depressed and agitated against the discriminatory and non-sympathetic approach of the City Transport Department management. The bus driver (deceased) was 52 years of age, was survived by his wife and two school-college going daughters. He was the sole earner of the family. The City Transport Department workers' union took up this case and when found no favourable response from the management, decided to go on strike. The union's demand was two fold. First was full extra compensation as given to other drivers who died on duty and secondly employment to one family

member. The strike has continued for 10 days and the deadlock remains. (a) What are the options available to Rakesh to meet the above situation? (b) Critically examine each of the options identified by Rakesh (c) What are the ethical dilemmas being faced by Rakesh? (d) What course of action would Rakesh adopt to diffuse the above situation?

UPSC Civil Services Mains 2022 · GS IV · 20 marks · Ethics Case Studies

Case Studies on above issues.

Core demand of the question

- **Rakesh, Joint Commissioner, Transport:** a bus driver dies after a fight he started with a car driver; the union strikes for extra on-duty compensation and a job for a family member; deadlock on day 10
- (a) Options
- (b) Examine each
- (c) Dilemmas
- (d) Course of action to defuse

Revision summary

The driver died after starting a fight, not in a driving accident; the union wants on-duty extra pay and a job after ten days of strike.

Mass punishment, a false martyrdom package, force without talks, and delay all fail.

Dilemmas are compassion versus truth, commuters versus strike, and equality with real on-duty deaths.

Rakesh should pay statutory dues at once, add labelled **ex gratia** help, consider only lawful compassionate hiring, restart buses, and not kill the FIR.

Road-rage training and cameras are the follow-through.

Introduction

Bus No. 528's driver died after a street fight he began, not after a crash in the line of driving. The union wants the same extra compensation as a **death on duty**, plus employment for a kin. The city has had no buses for ten days. Compassion for the widow is mandatory. Falsifying the death as a martyrdom in service is not.

Body

Stakeholders

- The deceased driver, his wife, and two school- and college-going daughters.
- The injured car driver and passers-by who witnessed the fight.
- The drivers' union and the remaining bus staff.
- Commuters, especially workers and students, after ten days of strike.
- Rakesh as **Joint Commissioner** and the City Transport Department.
- Police and courts seized of the FIR.

(a) Options

- **Option 1:** Refuse every rupee beyond the exact statutory minimum, wait the union out, and threaten mass dismissal.
- **Option 2:** Grant full extra "died on duty" compensation and a job, identical to a crash while driving, to end the strike.
- **Option 3:** Use police force to break the strike without a talk.
- **Option 4:** Stay silent and send the file to a committee with no date.
- **Option 5:** Separate lawful dues from extra grace; do not relabel a fight as on-duty death; talk with the union; restore buses with an interim humane package and a written principle for the future.

(b) Examination of each option

- **Option 1 merit:** protects the rule that violence is not a service injury.
- **Option 1 demerit:** a sole-earner family is left in a pit; the city stays angry; the union hardens.
- **Option 2 merit:** buses may restart tomorrow.
- **Option 2 demerit:** it lies about the facts, rewards a brawl, and invites the next staged "on duty" claim. Rejected as a false precedent.
- **Option 3 merit:** fear.
- **Option 3 demerit:** injury, hatred, and no settlement of the family's rent.
- **Option 4 merit:** personal safety for Rakesh.
- **Option 4 demerit:** day 11 of a dead city; ethics of office is decision, not delay.
- **Option 5 merit:** truth in the record, buses moving, children not abandoned.
- **Option 5 demerit:** both hawks will call it incomplete; that is the sign of a public settlement.

(c) Ethical dilemmas

- Compassion for a widow and daughters versus honesty about who started the violence.
- Equality with other families who lost a driver in a genuine on-duty accident versus a special political surrender.
- Commuters' right to move versus workers' right to strike in a democracy.
- Union loyalty among drivers versus the injured car driver's right to a fair story.
- Speed of settlement versus the police case that is still live.
- Personal image of a "tough" or "kind" commissioner versus a speaking order that can be defended.

(d) Course of action to defuse

- **Call a recorded meeting the same day:** management, union, labour officer, and a family representative. Put the police brief on the table: the quarrel was started by the bus driver.
- **Pay immediately every undisputed statutory amount:** wages due, provident fund, gratuity, and any insurance that the policy actually covers. Do not hold the funeral rupee as a bargaining chip.
- **Extra compensation:** create a humanitarian, *ex gratia* head that is explicitly not "death on duty while driving", so the precedent stays clean. Size it so that school and college do not collapse, using welfare funds, not a fake classification.
- **Employment of a family member:** consider only if recruitment rules allow a *compassionate appointment* and a suitable vacancy exists; do not create an illegal post as the price of a strike. If no post is lawful, fund skill training and a stipend for a fixed period.

- Restore essential buses with a written return-to-work, no victimisation clause, and a deadline. Keep a skeleton service even during talks if the law on essential services so requires.
- Do not drop the FIR as a bargain. The car driver's case proceeds; the department cooperates with police.
- **Communicate to the city in plain language:** the family will not be abandoned; a street fight will not be rewritten as a crash.
- After service resumes, issue a conduct circular on road rage, counselling for drivers, and cameras on buses, so the next intersection is not another death.

Flow diagram

Ten-day strike -> Recorded tripartite meeting
Recorded tripartite meeting -> Immediate statutory dues
Recorded tripartite meeting -> Ex gratia not on-duty death
Recorded tripartite meeting -> Restore essential buses
Call it death on duty -> False precedent
Zero extra -> Daughters abandoned

Conclusion

Defusing the strike means telling the truth about the fight, paying lawful and humane money without a false "on duty" stamp, restoring buses, and leaving the criminal case intact. Kindness is the daughters' education. Kindness is not a forged service-death.

Facts & figures

Death on duty

A service category meant for injury arising out of the job, such as a crash while driving; a brawl started by the driver is not the same legal story.

Ex gratia

A humanitarian payment that does not rewrite the cause of death and does not bind the department to a false precedent.

Compassionate appointment

A regulated, vacancy-based mercy recruitment; it cannot be invented as an illegal post to end a strike.

Essential city transport

Buses are a public good for workers and students; a **Joint Commissioner** must restore a minimum service while talks continue, as rules allow.

Pending FIR

Police findings that the bus driver started the violence must not be bargained away as the price of a union settlement.

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