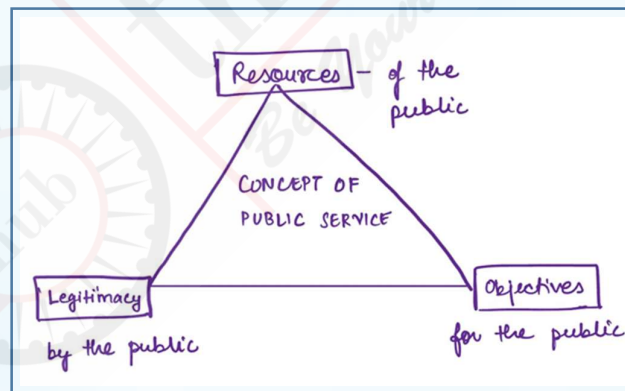


THEME 2: Public/Civil Service Values and Ethics in Public Administration

1. **Concept of Public Service**
2. **Foundational Values for Civil Service:** Integrity, Impartiality and Non-partisanship, Objectivity, Dedication to Public Service, Empathy, Tolerance and Compassion towards the weaker-sections.
3. **Public/Civil Service Values and Ethics in Public Administration:**
 - a. Status and Problems;
 - b. Accountability and Ethical Governance;
 - c. Strengthening of Ethical and Moral Values in Governance;
 - d. Laws, Rules, Regulations and Conscience as Source of Ethical Guidance -> Link to Codes of Ethics, Codes of Conduct, Citizen's Charters, PCA, Art 311 of Constitution, 2nd ARC etc.
4. **Probity in Governance:**
 - a. Philosophical Basis of Governance and Probity;
 - b. Information Sharing and Transparency in Government, Right to Information,
 - c. Codes of Ethics, Codes of Conduct,
 - d. Citizen's Charters,
 - e. Work Culture,
 - f. Quality of Service Delivery,
 - g. Utilization of Public Funds,
 - h. Challenges of Corruption - Prevention of Corruption Act

Concept of Public Service



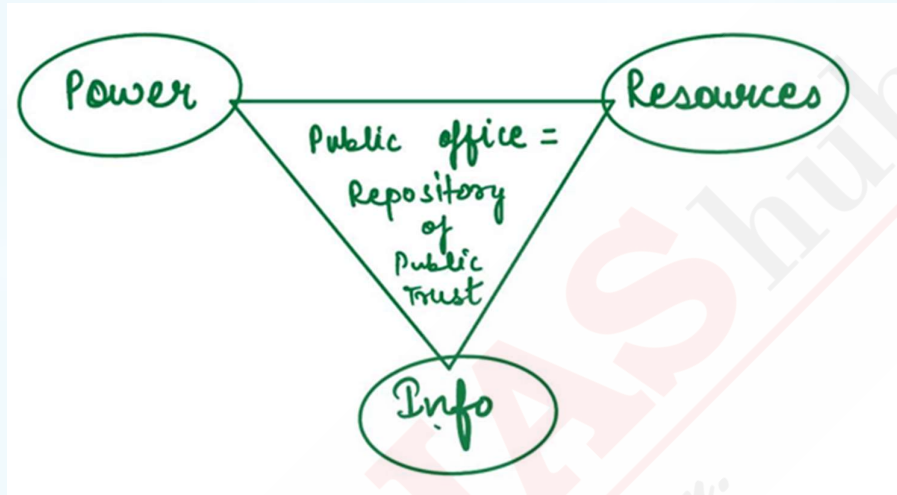
"Govt is a trust, people are trustees." - Locke

2nd ARC - All public functionaries are trustees of the people. The trusteeship relationship between the public and the officials requires that the authority entrusted to the officials be exercised in the 'public interest'.

Refers to utilities offered by govt and its agencies to people living in its jurisdiction. E.g. Electricity, Law and Order, Education. Their functioning shapes trust in Government. Also fulfill the FRs rg. Right to Water, Health.

Foundational Values for Civil Service, Integrity, Impartiality and Non Partisanship, Objectivity, Dedication to Public Service, Empathy, Tolerance and Compassion Towards the Weaker-sections.

Why do we need any of the above foundational values in civil servants?



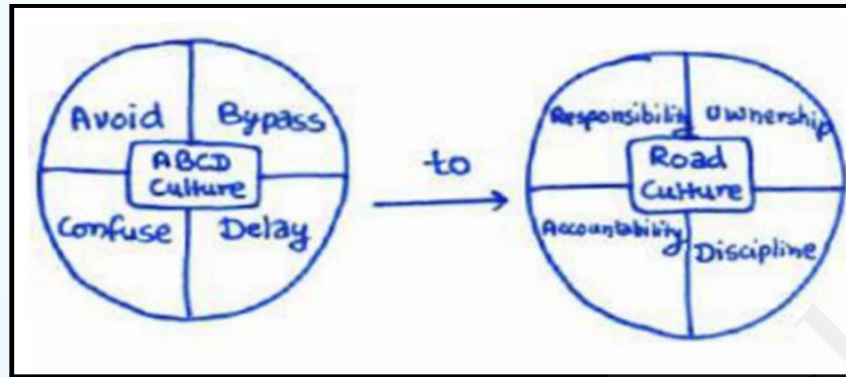
Ethics in Public administration:

Status and problems;

- CIT: Corruption, Inefficiency, and Transparency issues.
- RIP: Resistance to change, Inadequate training, and Political interference.
- 3O: overburdened, outdated, overlapping functioning
 - Work culture lacking commitment and excellence
- DND: Dereliction of duty, Nepotism (Favoritism and patronage for promotion and postings), Discretion
 - Negligence and Dereliction of Duty = CORRUPTION
 - Nepotism and Patronage - Self advancement - favoritism based promotion and postings.
 - Spoils system - colonial legacy, ivory tower syndrome
 - Scope for discretion - 2nd ARC defn of Corruption = Monopoly+ discretion- accountability
- Red Tapism due to 4C (CBI, CVC, CAG, Court)- Compliance rather than outcome.
- Lack of ART - Poor Grievance redressal and accountability mechanism
- But good examples also - R Anandakumar - Erode district collector - sent his daughter to govt school; IAS Kiran Pasi in Godda district, Bihar delivered her baby boy in Govt. hospital

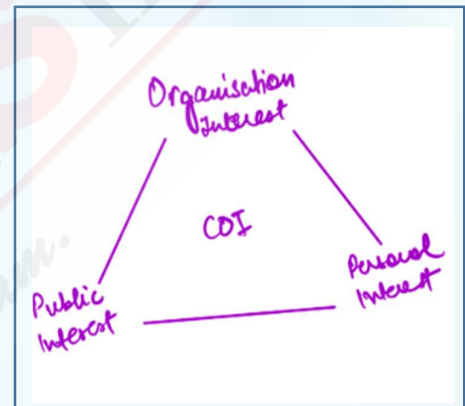
PM Modi - Civil services require change in attitude and work culture from ABCD where A-Avoid, B-Bypass, C-Confuse, D-Delay

To 'ROAD' where R-Responsibility, O-Ownership, A-Accountability, D-Discipline

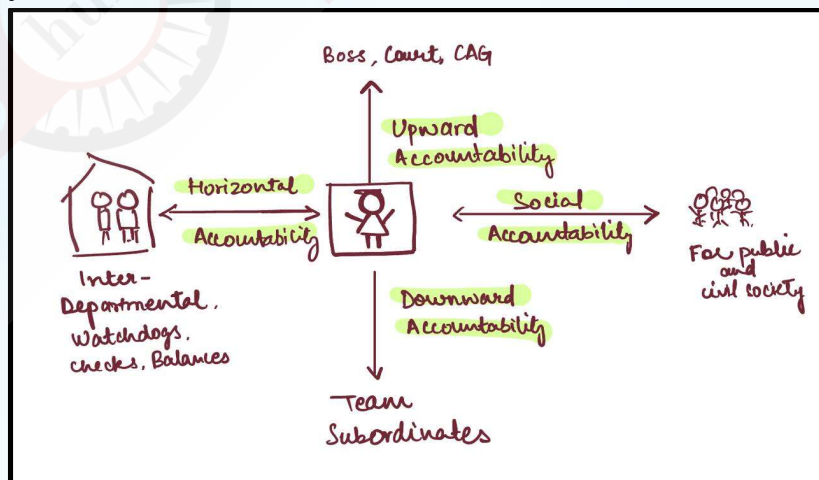


Ethical concerns and dilemmas in government

- CONFLICT OF INTEREST,
- Conflict of duties
 - Constitutional mandate vs Political mandate
 - Two duties - District Magistrate has to handle a law and order situation during a communal riot, but is also the Returning Officer for elections scheduled the same day.
 - Duty towards work vs family
 - Duty towards organisation/ Department vs Public interest
- Crisis of conscience
 - National security vs torture of Terrorist
- Triage - Resource Allocation under Resource constraints - Eg. Remdesivir during COVID
- Ethical Considerations and Dilemmas - RUP J VS COLD4

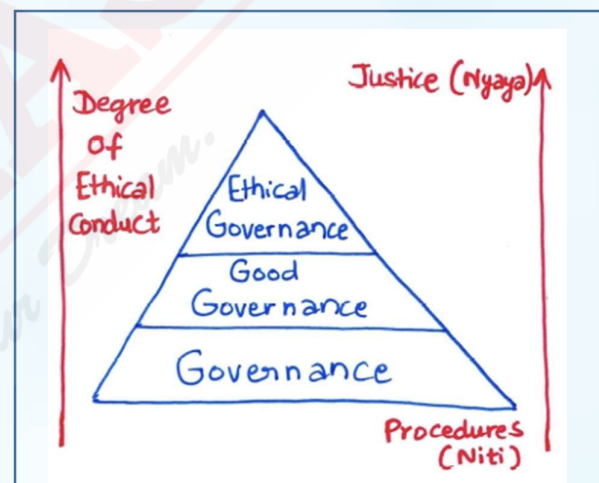
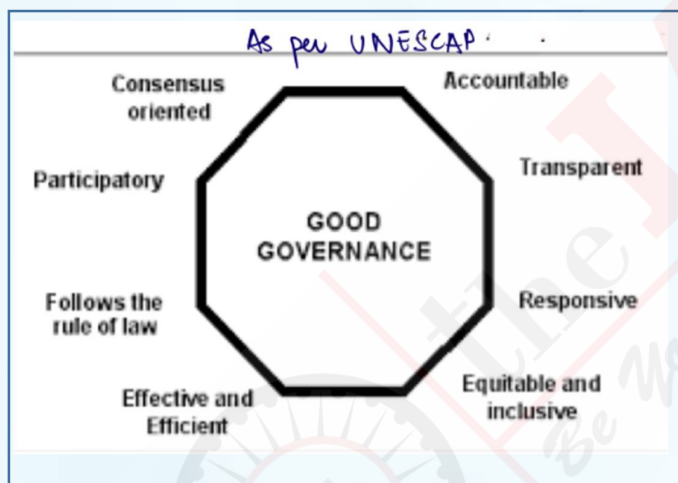


Accountability and Ethical Governance



Social Accountability
shift from "vote to voice"

POLICY STAGE	TOOLS
Policy formulation	<ul style="list-style-type: none"> • Participatory planning • Citizen's charter • Forum for public suggestion
Policy implementation	<ul style="list-style-type: none"> • <u>Social Audit</u> • <u>Expenditure Tracking</u> • <u>Grievance Redressal Mechanism</u>
Impact	• Citizen's report card



2nd ARC on Ethics in Governance

1. World Bank's Six Governance Indicators

- Voice & Accountability - Citizen participation, freedom of expression
- Political Stability & Absence of Violence - No coups, stable regime
- Government Effectiveness - Quality of public services
- Regulatory Quality - Ease of doing business, low red tape
- Rule of Law - Contract enforcement, judicial independence, control of crime
- Control of Corruption - No bribery, clean bureaucracy and judiciary

2. Rule of Law goes Beyond Courts

- Punishment for crime
- Enforceability of contracts

- Black market curb
 - Property rights
 - Tax evasion levels
 - Judicial independence
 - Citizens' ability to hold the State accountable
3. Integrity ≠ Financial Honesty Alone.

Integrity includes:

- Professional competence
- Avoiding conflict of interest
- Ethical judgment

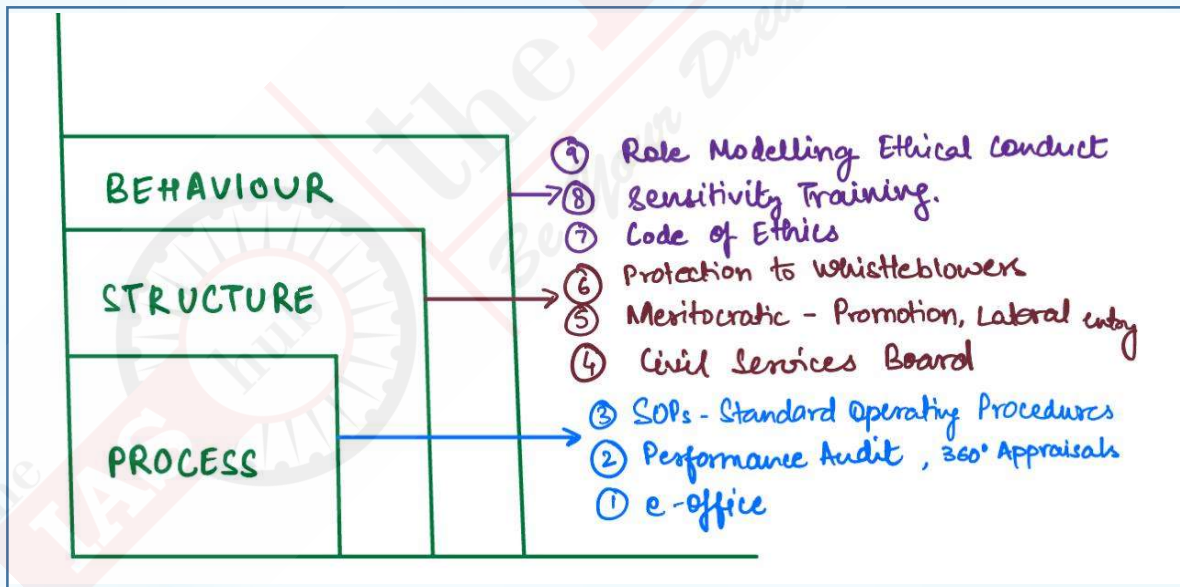
Example: An engineer permitting a defective dam = Removal on grounds of incompetence. A tax officer doing non-criminal misconduct should face service exit.

4. Art 311 - While the honest have to be protected, the dishonest seem to corner the full benefit of Article 311. CVC Data (2004): Many cases pending >3 years = soft-peddling due to patronage.

Report	Title	Download
1st Report	Right to Information: Master Key to Good Governance	Download (1.27 MB)
2nd Report	Unlocking Human Capital: Entitlements and Governance	Download (2.67 MB)
3rd Report	Crisis Management	Download (1.2 MB)
4th Report	Ethics in Governance	Download (1.69 MB)
5th Report	Public Order	Download (10.08 MB)
6th Report	Local Governance	Download (25.54 MB)
7th Report	Capacity Building for Conflict Resolution	Download (12.74 MB)
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15th Report	State and District Administration	Download (1.2 MB)

Strengthening of Ethical and Moral Values in Governance

PSB



Laws, Rules, Regulations and Conscience as Source of Ethical Guidance

- Constitution
- Laws like Prevention of Corruption Act
- Codes of Ethics, Codes of Conduct

- Citizen's Charters
- Art 311 of Constitution
- 2nd ARC

Probity in Governance:

- complete and confirmed integrity
- having strong moral principles and being upright in character and action



Philosophical basis of governance and probity;

- **Satyanishta** is probity
- Yogah Karmasu Koshalam - Gita (Probity in work itself is a source of satisfaction)
- "Civil servants must be Karmayogis – committed to duty, not reward." - PM Modi, Mission Karmayogi launch (2020)

PYQ 2014

What do you understand by 'probity' in public life? What are the difficulties in practicing it in the present times? How can these difficulties be overcome?

[Answer Hints: Status and Problems, Ensuring Probity + PSB]

Information Sharing and Transparency in Government; Right to Information, Citizen's Charters

Right to Information is an effective tool to control corruption and the arbitrary exercise of power, and establish that the Government has to be accountable to its people. This can bring about a basic change in the relationship between the people and the Government.
- Aruna Roy (RTI Activist)

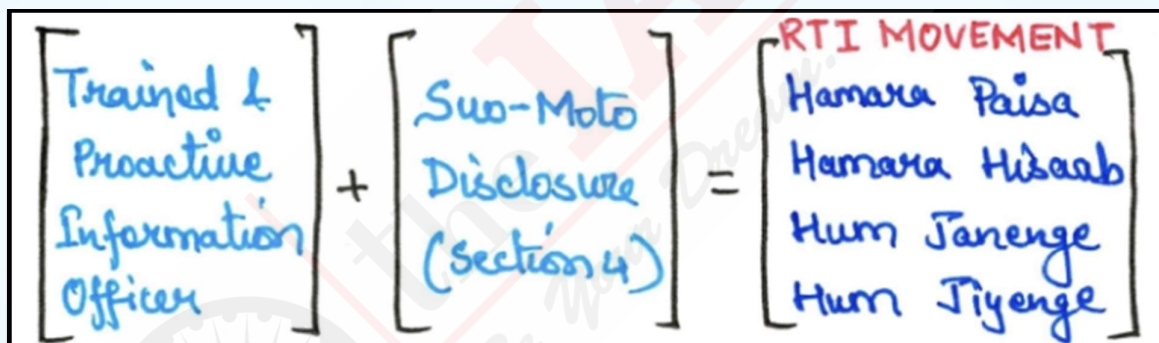
"Sunlight is the best disinfectant" - former CJI D Y Chandrachud.

Examples

Recent RTI exposed 3 IAS officers extending their France holiday

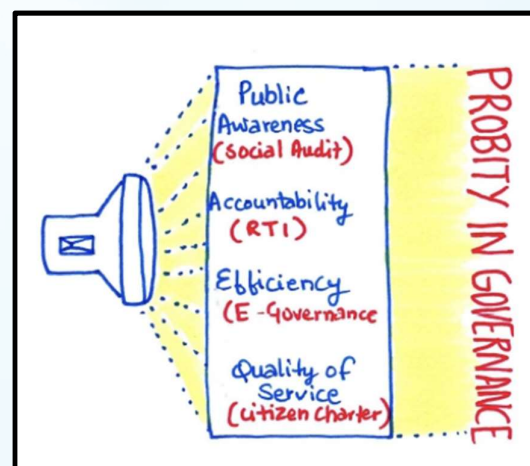
RTI Reveals Vacancies in Lokpal and Anti-Corruption Bodies (2022-2023)

2019 Rafale Papers Leak Case - Government claimed OSA protection on leaked defence procurement files



Ethical Dilemmas in RTI

- **Transparency vs. Efficiency:** Officers fear backlash or media trials.
- **Transparency vs Confidentiality:** Official Secrets Act
- **Accountability vs. Initiative:** Even honest decisions are second-guessed.
- **Empowerment vs. Misuse:** RTI used for harassment, blackmail; media sensationalizes issues.



Code of Ethics

1. **2nd ARC** - A code of ethics would cover broad guiding principles of good behaviour and governance while a more specific code of conduct should, in a precise and unambiguous manner, stipulate a list of acceptable and unacceptable behaviour and action.
2. A draft 'Public Service Bill' under consideration of the Ministry of Personnel, Public Grievances and Pensions seeks to lay down a number of generic expectations from civil servants,
 - a. Allegiance to preamble
 - b. Apolitical functioning
 - c. Duty to act objectively and impartially
 - d. Accountability and transparency in decision-making
 - e. Maintenance of highest ethical standards
 - f. Ensuring **economy** and avoidance of wastage in expenditure
 - g. **Provision of healthy and congenial work environment**
 - h. **Communication, consultation and cooperation in performance of functions i.e. participation of all levels of personnel in management**
3. **Conclusion** - puts moral pressure on public functionaries, but they need to be backed by an effective monitoring and enforcement regime.

Code of Conduct

It implies a systematic documentation of acceptable and unacceptable behavior, do's and don'ts.

Code of conduct for All India service officer is codified in **AIS (conduct) rules 1969** and Central Civil Services (Conduct) Rules-1964:

1. Ensure high standards of integrity
2. Accept gifts only from friends /relatives which do not have official dealing.

Should not Accept lavish hospitality from any third party

3. Express views in a public media only after clarifying that the views are his own
4. **Should not** use his official position to obtain employment to his or her family with any organization or NGO
5. **Should not** take part in politics or any political party
6. **Should not** speculate in stock market
7. CCA Rules envisage 'Disciplinary proceedings' and two kinds of penalties.
 - o Minor penalties consist of "Censure", "Withholding of promotion for a specified period", and "Withholding of increment, recovery from the salary of whole or part.

General:

- (1) Every Government servant shall at all times -
 - (i) maintain absolute integrity,
 - (ii) maintain devotion to duty; and
 - (iii) do nothing which is unbecoming of a Government servant
- (2) (i) Every Government servant holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all Government servants for the time being under his control and authority;
 - (ii) No Government servant shall, in the performance of his official duties or in the exercise of powers conferred on him, act otherwise than in his best judgment except when he is acting under the direction of his official superior and shall, where he is acting under such direction, obtain the direction in writing, wherever practicable, and where it is not practicable to obtain the direction in writing, he shall obtain written confirmation of the direction as soon thereafter as possible.

- Major Penalties comprise reduction in rank through reversion to a lower scale of pay or to the parent cadre etc, compulsory retirement, removal or dismissal from service. Imposed only after a detailed inquiry except in cases of conviction for a criminal offence, on grounds related to security of the state etc.

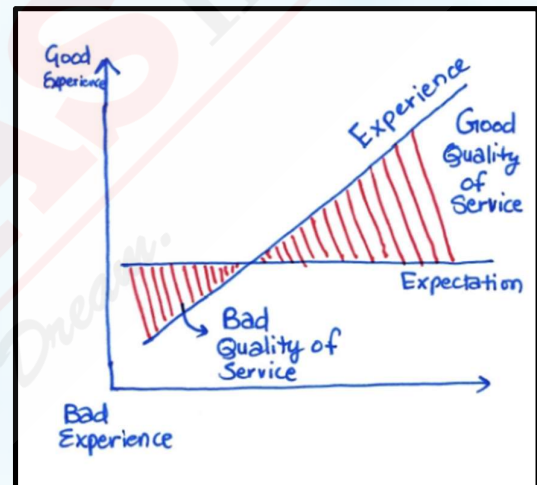
Issues

- 2nd ARC - Present codes of conduct are not direct and to the point. They are full of vague sermons that rarely indicate prohibitions directly. ["The devil lies in the details"]. General norms like 'maintaining integrity and absolute devotion to duty' and not indulging in 'conduct unbecoming of a government servant'

Quality of service delivery

Can be gauged as the difference in customer expectations and stronger Experience.

- Right service reaching the Right beneficiary at the Right time.
- Servqual model - RATER
 - **Reliability:** perform the promised service dependably and accurately. Eg Passport Seva, DBT
 - **Assurance:** Competence, knowledge and courtesy of employees and their ability to inspire trust and confidence Eg. Grievance Redressal, CSC
 - **Tangibles:** The appearance of physical facilities, equipment, personnel, and communication materials. Example: A Government hospital has modern, clean infra. It can enhance customer satisfaction even before the actual service begins.
 - **Empathy:** Caring, individualized attention to citizens. Eg Accessibility guidelines on Government websites, translators for non-native speakers
 - Responsiveness - promptness, time-bound and convenient eg. Twitter Rail Seva, 24/7 helpline



Right to Service Bill (2011) - 4 Key Provisions:

1. **Time-bound Citizen Charter** - Mandates publication within 6 months, with annual updates for enhanced transparency.
 2. **Grievance Redressal System** - Appointment of Grievance Redress Officers (GROs) within 6 months to handle citizen complaints efficiently.
 3. **Strict Accountability Measures** - If a complaint isn't redressed within 30 days, the GRO must report it to a Designated Authority; penalties up to ₹50,000 may be imposed on erring officials.
- Citizen Empowerment Tools** - Establishment of Information & Facilitation Centres, and multi-member Redressal Commissions to ensure institutionalized support and appeal mechanism.

How to improve Service Delivery

Supply-Side Interventions

1. **Objective Service Standards** - Through Citizen Charters, Sevottam, etc., to ensure measurable performance.
2. **Human Capital Development** - Recruitment, training, and appraisal systems to build efficient, empathetic public servants.

Demand-Side Interventions

1. **Information Dissemination:** Ensuring citizens are well-informed about services and entitlements.
2. **Citizen Engagement:** Grievance Redressal, RTI, and platforms that enable participatory governance.

Good examples

1. Passport Seva Kendra (PSK) with TCS partnership - Timely passport disbursement, trained staff, world class infra, priority counters for special needs, speedy grievance redressal.
2. Rajasthan's Jan Soochna Portal proactively discloses service delivery timelines, scheme-wise entitlements, and real-time status—fulfilling the spirit of the Right to Service.

Utilization of public funds, challenges of corruption

Members holding public offices should use public money in such a manner as may lead to public good.

Corruption: Act of abusing public resources or position for a personal gain

As per 2nd ARC, Monopoly + Discretion - Accountability = Corruption

- **Reasons (2nd ARC)**
 - **Coercive corruption** - for services that citizens are entitled to.
 - **Collusive corruption** - collusion between the bribe giver and corrupt public servant. Both parties benefit at immense cost to society. eg. Awarding of contracts for public works and procurement of goods and services.
 - ranging from **grand corruption** involving persons in high places to **retail corruption** touching the everyday life of common people
 - Colonial legacy of Power asymmetry, unchallenged authority and arbitrary authority
 - **Culture of acceptance** - Starts with Small "White lies" and Half-truths
 - Weak enforcement of laws
 - Immunity under Art 311
 - **Corrupt leaders** - corrupt politicians, bureaucrats, judiciary.
 - **Corporate lobbying and liaising** - Speed money and Greasing hands
- **2 approaches to deal with corruption -**
 - Values and character
 - human intrinsically good, some people deviant; deter bad behaviour with institutions.
 - Both values and institutions matter.

Prevention of Corruption Act, 1988 – Issues & Reforms (2nd ARC)

Issue	2nd ARC Recommendation
1. Prior Sanction Delay (Sec 19)	Remove sanction in red-handed caught/ disproportionate asset cases
2. Slow Trials (2/3rd cases pending >10 years)	Special courts + SC/HC guidelines to prevent adjournments
3. Asset Forfeited after conviction (get time taken hide assets)	Allow CVC to seize assets before conviction
4. No Whistleblower Protection	Enact law for anonymity, protection, and punishment for retaliation
5. Private Sector Exclusion	Include PPPs, NGOs under PoCA; amend Companies Act
6. Weak Vigilance Mechanism	National vigilance database, officer profiling, capacity building
7. Lack of Tech Use	Deploy AI, blockchain, audit trails

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