



Mains Practice Question

Q. You are a Municipal Corporation Commissioner of your city which is under heavy rainfall over the last few days. The boundary wall of one of the housing society collapses. The incident took place at midnight, leading to the death of 12 workers, including two children, sleeping in the shade beside the wall.

On the preliminary inquiry, it has been found that inspite of inappropriate soil conditions, the permission to construct wall was given by previous Municipal Commissioner, who happens to be your close friend. Also, irregularities in construction material have been found and the other officials in the department are trying to influence or manipulate you. The whole scenario seems like a nexus between the officials of the municipal department and builder. However, the builder is a close relative of one of the most powerful leaders of the party in power and is trying to threaten you.

(A) What are the ethical issues involved and the options available to you in such a situation?

(B) Also, suggest a course of action you would like to follow.

20 Sep, 2019 GS Paper 4 Case Studies

Case and Facts

- Loss of human lives due to wall collapse.
- Quality of construction material not ensured and checked by officials involved.
- The permitting officer (previous Municipal Commissioner) is my close friend.
- Pressure from colleagues and political party in power.

Stakeholders Involved

- The victims
- Previous Municipal Commissioner
- Colleagues
- Self
- Builder

Issues Involved

- **Neglect of human dignity**, no regard to the lives of poor people.
- **Personal v/s professional relations**: It would be difficult to investigate a close friend.
- **Political pressure v/s carrying out one's duty** to take action against the builder.

Options available are

- Initiating disciplinary action as well as proper criminal proceedings against the wrongdoers.
 - This will ensure **justice** as well as an opportunity **for fair procedure** in a court of law.
 - However, it would be challenging and detrimental for personal growth in the bureaucracy in

the long run.

- Allowing matter to calm down and letting police to investigate the case.
 - This would maintain good relations with the department members as well as the previous Commissioner, while simultaneously adhering to the wishes of political party leader.
 - However, this would create **dissonance** and affect mental peace as the conscience would not allow loss of justice to the victims.

Course of Action

- Providing **immediate medical support and compensation** to the victims should be the utmost priority.
- Analysing the evidence of corruption, cross checking and verifying them.
 - This will help to avoid any false or mistaken allegations.
- Following the **Standard Operating Procedures (SOP)** of disciplinary action and report it to the concerned higher authority.
 - **Dissociating self from the investigation** as friendship with previous Commissioner might influence the proceedings and create a conflict of interest.
 - This would help **avoid conflict of interest; ensure integrity, transparency and good governance.**
 - This would also help in breaking the nexus between the builder and the department members creating a **deterrence** effect.
- Initiate legal proceedings against the builder along with corrupt members of the department and not letting the political pressure affect the following SOPs.
- Finally, taking long term steps to **reform the administration** to avoid such instances in the future.
 - As the head of the organization, one must be **answerable** and **accountable** to **ensure transparency** in future construction contracts.
 - Social audits must be encouraged for effective governance.

Conclusion

The decision in such cases should not be based on friendly relations with colleagues. **Probity and integrity** should guide the decision in this case. The Municipal Commissioner must show **courage of conviction, leadership and fortitude**. The situation demands **ethical neutrality of Max Weber** so that personal relation is kept aside and civil service values are adhered.

Respect for human life is much above friendship and avarice for bureaucratic gains. As quoted by John Rawls in his theory of Justice, *"Rights secured by justice are not subject to political bargaining or calculus of social interests."* Thus, ensuring **social justice** should be the prime responsibility of the Municipal Commissioner.