

**1. Can a person of high integrity be a successful lawyer? Critically examine.****Introduction**

Integrity is the practice of being honest and showing a consistent and uncompromising adherence to strong moral and ethical principles and values. It is regarded as the honesty and truthfulness or accuracy of one's actions.

Example: Gandhi pertained an extensive amount of integrity throughout his lifetime; he was a non-violent civil rights leader in India. Gandhi took back chauri chaura movement when a large group of protesters, participating in the Non-cooperation movement, clashed with police, who opened fire.

**Body****Integrity issues related to lawyers**

- Confidentiality
- Corruption
- Lack of anti-corruption awareness
- Economic incentive
- Compromised independence
- Misuse of attorney-client privilege
- Weak internal policies and controls
- Vested interests

**Person of high integrity and successful lawyer**

Professional ethics encompasses an ethical code governing the conduct of persons engaged in the practice of law as well as persons engaged in the legal sector. All members of the legal profession have a paramount duty to the court and towards the administration of justice. In carrying out their duties, they are required and expected to deal with other members of the legal profession with courtesy and integrity.

**Examples:**

- Famous lawyer Harish Salve was claimed misusing his position as amicus curiae in the Gujarat Riots case, by simultaneously lobbying for companies with state government officials, who were part of the investigation he was overseeing for the court.
- In the recently held Kulbhushan Jadhav case Harish Salve represented India before the International Court. Jadhav was sentenced to death by a Pakistani military court on charges of spying. Due to his efforts, the International Court of Justice has ordered a provisional stay on Jadhav's execution until a final verdict is declared. For this case he charged only ₹1 (INR) in legal fees.
- In N.G. Dastane v. Shrikant S. Shind, where the advocate of one of the parties was asking for continuous adjournments to the immense inconvenience of

the opposite party, it was held by the Supreme Court that seeking adjournments for postponing the examination of witnesses who were present without making other arrangements for examining such witnesses is a dereliction of the duty that an advocate owed to the Court, amounting to misconduct.

Professional ethics can also be stated as the duties that have to be followed by an advocate during his profession. These are moral duties and the very basic courtesy which every person in this field should know. An advocate who does not work with sincerity and does not follow the rules of conduct is said to have violated the code of ethics of this profession.

**Duties to client:**

- Protection of the interest of the client.
- Proper estimation of the value of legal advices and services.

**Duties to court:**

- Honesty and respect.
- Preparation of the case.
- Duties to Public.
- Service.
- Loyalty to law and justice.

**Duties to colleagues:**

- Fellowship.
- Fairness.
- Duties to self.
- Systematic study.
- Prudence and diligence.

**Conclusion**

We need lawyers who think about the ethical, reputational, and enlightened self-interest of their client or the institution they are leading, not just about what is strictly legal or advantageous in the short term. Exposing and analyzing these extra-legal issues is a critical function for lawyers.

**2. Why is impartiality an important attribute for a civil servant? Discuss.**

**Introduction**

Impartiality as a principle of justice prescribes to public servants that decisions should be based on objective criteria, rather than on the basis of bias, prejudice, or preferring the benefit to one person over another for improper reasons, it is necessary for promoting equality in the society.

**Body**

**Impartiality is to be seen in two contexts:**

**Public Impartiality:** A public servant will serve as an instrument of government. Provide services without discriminating on the basis of caste, religion and gender. Give due regard to the diversity of the nation.

**Political Impartiality:** Principle of working without reservation and with devotion to the success of every government and its policies

**Importance of Impartiality as an attribute for a civil servant:****Maintaining constitutional values:**

- Impartiality lets a public servant uphold constitutionalism and rule of law.
- It prevents tendencies of cronyism, nepotism and factionalism. Thus it ensures productive use of limited resources.
- For eg, In case a leader puts pressure on a civil servant to favour somebody, impartiality will help her to take action which is ethical.

**Work culture:**

- The officers themselves enjoy high morale since they believe they will be rewarded for their merit and not for their political considerations.
- It will, therefore, help in the efficient implementation of programmes. It will thus create a positive and conducive work culture

**Efficient handling of situations:**

- In case of riots, communal violence or any ethnic conflict, a civil servant with neutral attitude will be able to take the right action as she is free from any type of religious, political or social prejudices.
- To offer free and frank advice on policy matters using the powers of delegated legislation to ensure optimal utilisation of resources

**Controlling corruption:**

- It will keep oneself free from nepotism, political-corporate nexus and corruption

**Professionalism:**

- Provides professionalism and permanence as opposed to reluctance to change.

**Conclusion**

Present-day civil servants need to perform multiple functions of giving suggestions to political representatives, addressing public grievances, the institutionalisation of the

socio-economic changes, delivering goods and services. Hence a value committed and impartial bureaucracy is need of the hour.

**3. Differentiate between the terms ‘objectivity’ and ‘neutrality’ with the help of suitable examples. Also explain their significance for a public servant.**

**Introduction**

Objectivity refers to basing our advice and decisions on rigorous analysis of evidence. Whereas, Neutrality means decisions that are not based on basis of bias, prejudice or preferring the benefit to one person over another for improper reasons. Both Objectivity and Neutrality are part of foundational value of civil services (as mentioned by 2<sup>nd</sup> ARC) and are necessary for promoting equality in society.

**Body**

Objectivity	Neutrality
1. Decisions are based on strong evidence and do not have political biases.	1. Decisions sometimes might not be based on evidence but based on political executive order (Passive Neutrality).
2. Helps maintain equity and inclusivity.	2. Sometimes, may have to follow/implement appeasement policies of government, despite knowing it. <b>Ex-</b> Implementing the reservation policies that are aimed at particular section of people.
3. Will instill confidence in public and ensure their support for future activities (public cooperation).	3. Particular section of people might not approach public servant (if facing issues due to present day government policies).
4. Policies that address larger sections of people would be implemented efficiently, irrespective of the	4. The policies of previous government, might find a backseat. <b>Ex-</b> the decrease in budget allocations

government of the day.	for previous government schemes.
5. Sometimes, civil servant might not agree with government of the day and this leads to poor implementation of policies and wastage of resources.	5. The durability of the public servant will ensure effective implementation of public policies.

**Significance of objectivity for a public servant:**

- Civil servants take decisions on the merit of the case and take account of expert and Professional advice.
- Provide information and advice including the advice to ministers on the basis of evidence and accurately present opinions and facts.
- Decisions based on merits and facts lead to an impartial decision making.
- This would ensure efficient use of resources and enhance the transparency in public domain.

**Significance of Neutrality for a public servant:**

- Provides professionalism and permanence as opposed to reluctance to change.
- It assures the public that their current aspirations will be faithfully served by the Government.
- The elected ministers are assured of loyalty of the civil servants.
- The officers themselves enjoy high morale since they believe they will be rewarded for their merit and not for their political considerations.
- To offer free and frank advice on policy matters using the powers of delegated legislation to ensure optimal utilisation of resources.

**Conclusion**

The values of objectivity and neutrality are complementary to each other. They ensure effective implementation of public policies in line with the government’s mandate “Sabka sath, sabka vikas, sabka vishwas”.

**4. Employees in the private sector can earn much more than a civil servant. Yet a career in the civil services is widely desired and revered. Why? Substantiate.**

**Introduction:**

Both the private sector and civil services are important as they both contribute for the growth of the nation in their respective capacities.

**Body:**

Both have their advantages and disadvantages, but still, Civil services are widely desired and revered over private sector in India for the following reasons:

Factors	Civil Services	Private Sector
Job Security	Surety of job security and no fear of being fired anytime.	No such security of the job. It depends on market fluctuations.
Growth	Fixed prospects of growth irrespective of efficiency on the basis of seniority	Growth depends on performance basis.
Area of Work	Policy making and welfare work. Can serve public and bring positive change in the life of every strata of society, specially the marginalized and downtrodden Have the chance to shape policies that affect the nation's future.	Work for one self and materialistic gains. Works for the higher profit of the companies, corporate and Big MNCs.  No satisfaction of contribution to the society.
Scale of Work	One can have impact on a scale that far outstrips what is possible in the private sector.	Limited circle of influence.
Respect and Recognition	Huge recognition as it is about dealing with public on daily basis.	Don't get such recognition.
Social status	Higher social status	Not as much as Civil servants
Perks, Privileges and allowances.	Perks and benefits are available such as servants, accommodation and travel expenses. Benefits continue even after retirements such as pensions	Perks not available at lower level, and only managerial level post gets some benefits. It is more about higher salary that too on performance basis. No pension.
Work life balance	Can have work-life balance in most of the services as only IAS and IPS are hectic jobs.	More hectic schedule and compromised work-life balance.
Considered Noble Profession	Service to mankind is considered as service to God.	No such nobleness attached to private sector.

There are certain negatives reasons for which Civil services are admired most in India, such as Corruption opportunities and Abuse of power. These need to be eliminated by moral values such as honesty and integrity in civil servants.

### Conclusion:

The best private sector employers do have strong values and powerful mission statements. But few can rival the Civil Service for the power of values – integrity, honesty, impartiality and objectivity – and the satisfaction that civil servant derives from serving the government of the day in seeking to make the nation safer, more prosperous and more unified.

### 5. Can a person without dedication to public service be a successful civil servant? What if he/ she consider the civil services yet another 'job'? Explain.

#### Introduction:

In India, civil servants perform the regular administration and also play an important role in socio-economic development of the nation as a whole. The real spirit of the work of a civil servant is dependent on a moral base of benevolence to all citizens. Thus, public service is a concept that has dedicated service inherent to it.

#### Body:

Even though the motivation stems from various factors like the urge to serve the nation, job respect and prestige, inspiration from elders, or money itself, a civil servant can be successful only when dedication to public service is underlying all of it.

- **Ability to arrive at a useful solution:** A civil servant may encounter several obstructions like social opposition against any programme, lack of support from political executive and complex situations that need utmost care and precautions. Without dedication to help, he/she may never be able to arrive at the best solution. **For example:** Schemes for promoting family planning are generally opposed in rural areas as they consider contraceptives as taboos. Without personal assurance and dedicated outreach, implementation of the scheme may never be realised.
- **Preparedness to face challenging problems:** Public service often entails unforeseen or sudden situations that require one to be ready and provide quick assessment. A dedicated civil servant is aware of this and always devoted to give his best efforts in such situations.
- **Credibility and efficiency:** A true civil servant ensures that no policy or action is taken at the cost of the welfare of public at large. Devoted to public service is what ensures an officer to oversee a credible and efficient policy formulation and implementation. **For ex:** One's colleagues may be involved in

corruption, at the cost of a larger destruction to social welfare. Commitment to foundational values and concern for public will prevent this.

**Public service as a journey may be non-exciting and unwanted at times. One who considers civil services as just another job faces dislike and deterrence all along the way:**

- He/she does not exert the required efforts to implement a policy, and hence fails to see the improvement, resulting in subsequent hindrance to welfare.
- Considering it just as another job fails to encourage him/her to come up with innovative techniques and solutions to problems.
- For example: In the remote areas of Manipur, the two villages of Tusem and Tamenglong were inaccessible with no road, connectivity and the locals had to either walk for hours, or swim across the river. IAS officer Armstrong Pame decided to get the road built, he wrote to the government of Manipur, but was refused funds. This, however, did not deter his plan and Armstrong began gathering support through social media. He collected Rs 40 lakh for the construction of the 100km road.

Had he considered his position as just another job, the villages would have never seen the light of the road now popularly called as People's Road.

- In India, where a large population are poverty-ridden, many are victims of social disadvantage and vulnerability, treating civil services as just another job may not give the civil servant the required encouragement and urge to eliminate this from the society. Only when the perseverance and dedication to service is inherent, can one effectively contribute.

However, dedicated civil servants often are in a fix to balance their duty and personal lives. But one must remember that for public service to be an end in itself, it is important to establish a meritocracy that values strength of character and personal morality, above all. To work for common good is the greatest good should be his/her motivation.

**Conclusion:**

The power to impact public welfare in a strong and efficient manner that a civil servant evokes is unique and unparalleled to other professions in the country. Dedication, honesty, empathy, integrity and selfless service from civil servants can go a long way in assuring a wholesome growth and inclusive welfare of the common people.