

CONTEMPORARY ETHICS CASE STUDY

Q. On a sunny day, a fishing boat, the 'Sea Sonora,' set sail with a group of unsuspecting tourists on board. Little did they know that their voyage would end in a devastating tragedy. Captain Santosh, the fishing boat's owner, had illicitly converted it into a tourist vessel without obtaining the necessary safety certifications. He ignored regulations in his quest for quick profits, cutting corners to save costs and maximize his gains. The misdeed didn't stop there. Inspector Vikas Naidu, a government official responsible for ensuring safety, had been bribed by Captain Santosh to turn a blind eye to the illegal conversion.

As the Sea Sonora sailed further into the open sea, disaster struck. The boat encountered rough waters and quickly succumbed to the treacherous waves. Panic ensued as the boat capsized, plunging its passengers into the cold, unforgiving depths of the ocean. Tragically, twenty innocent lives were lost that day, their hopes and dreams extinguished by the greed and negligence of those responsible for their safety.

News of the incident spread like wildfire, sending shockwaves through the community. The families of the victims demanded answers and justice. The corrupt alliance between Captain Santosh and Inspector Vikas Naidu began to unravel as investigations were launched to determine the cause of the accident.

You have been given the task to look into the matter and come up with the root cause of the problem. You must provide guidelines and safety protocols to all the tourist boat owners who operate in your jurisdiction.

- Discuss the ethical issues involved in the case.
- Suggest ways to empower local communities dependent on tourism-related activity.
- What standard operating procedure must be followed?

(Answer in 250 words) 20 marks

Material:

Introduction:

When tasked with the Investigation of the incident, the following can be the root cause of the incident:

- **Negligence and Greed:** Captain Santosh's pursuit of quick profits led to cutting corners and ignoring safety regulations to save costs, which contributed to the tragedy.
- **Illegal Conversion:** The illicit conversion of the fishing boat into a tourist vessel without obtaining the necessary safety certifications was the initial breach that compromised the boat's safety.
- **Lack of Oversight:** The failure of Inspector Vikas Naidu, the government official responsible for ensuring maritime safety, to properly inspect and enforce regulations allowed the illegal conversion to go unnoticed.

Guidelines and safety protocols:

- They should obtain the necessary safety certifications and licences before operating as tourist vessels.
- Conduct regular inspections to ensure compliance with safety standards.
- Employing qualified and well-trained crew members.
- Equipping all tourist vessels with appropriate safety gear.
- Strictly adhering to passenger limits and load capacities.
- Boat owners must closely monitor weather conditions and avoid sailing in adverse weather.
- Establishing a clear reporting mechanism for passengers to provide feedback, raise concerns, or report incidents.
- Ethical practices that prioritise passenger safety over quick profits should be encouraged among boat owners.
- Regulatory oversight and enforcement should be strengthened.

(a) The ethical issues involved in the case:

- **Integrity:** Both Captain Santosh and Inspector Vikas Naidu displayed a lack of integrity. Captain Santosh chose to ignore regulations and operate the boat illegally for his financial gains, while Inspector Vikas Naidu accepted bribes and turned a blind eye to the illegal conversion, betraying the trust placed in him as a government official responsible for ensuring maritime safety.
- **Responsibility:** Both Captain Santosh and Inspector Vikas Naidu failed in their responsibilities. Captain Santosh should have ensured the boat was safe and compliant with regulations before taking passengers on board. Inspector Vikas Naidu was responsible for enforcing maritime safety standards and should have acted impartially and diligently to prevent such tragedies.
- **Honesty:** The lack of honesty is evident in the corrupt dealings between Captain Santosh and Inspector Vikas Naidu. They concealed the illegal conversion and bribery to deceive the authorities and the public.
- **Accountability:** The values of accountability and responsibility were compromised as those responsible for the boat's safety and the enforcement of regulations failed in their duties.
- **Corruption:** The collusion between Captain Santosh and Inspector Vikas Naidu highlights corruption within the maritime safety and regulatory system. This type of corruption undermines the integrity of regulatory bodies.
- **Empathy and Compassion:** The lack of empathy and compassion is evident in the actions of those involved. Captain Santosh prioritised his financial gain over the lives of the passengers, while Inspector Vikas Naidu showed indifference to the potential consequences of his actions on innocent people.

(b) Ways to empower local communities dependent on tourism-related activity:

- **Community Involvement in Tourism Planning:** Involve local community members in the planning and decision-making processes. Seek their input and ideas to design sustainable and responsible tourism initiatives that align with their cultural values and traditions.
- **Capacity Building and Training:** Invest in capacity building and skill development programs for members of the local community. Offer training in various tourism-related activities, such as hospitality, tour guiding, handicraft making, culinary arts, and other services that can enhance employability within the tourism sector.
- **Promote Cultural Preservation:** Encourage the preservation and celebration of local culture and heritage. Organise cultural events, festivals, and exhibitions that showcase traditional arts, crafts, music, dance, and folklore, thereby generating income for local artists and artisans.
- **Create Local Tourism Enterprises:** Provide financial support and mentorship programs for local entrepreneurs interested in starting tourism-related businesses. Offer guidance on business planning, marketing strategies, and financial management to help them succeed.
- **Responsible Tourism Practices:** Promote responsible tourism practices that prioritise sustainability and respect for the environment. Encourage local communities to adopt eco-friendly initiatives, reduce plastic waste, and protect natural resources to ensure the longevity of tourism in the region.
- **Benefit-Sharing Mechanisms:** Create benefit-sharing mechanisms where a portion of tourism revenue directly contributes to community development projects. This can fund schools, healthcare facilities, clean water projects, and other initiatives that improve the quality of life for residents.
- **Collaborative Partnerships:** Foster partnerships between local communities, government agencies, NGOs, and private sector stakeholders to leverage resources and expertise for sustainable tourism development.
- **Education and Awareness:** Raise awareness among tourists about the importance of supporting local communities and respecting their cultural norms. Encourage visitors to make responsible choices that contribute positively to the local economy and environment.

(c) Standard operating procedure to be followed:

The following Standard Operating Procedure (SOP) should be followed in tourism-related shipping by the local community:

- All the tourist boats should be **registered and certified** by the competent authorities digitally, with a device on the boat to relay signals about location to the authorities.
- The tourism boats should **undergo regular inspection** and maintenance every year to ensure that the safety equipment, engine and communication are working well or repaired in case of any damage.
- There must be a **mandatory provision of life jackets and other safety equipment**, such as first aid kits and flares so that they can be used in emergencies. The passengers and crew should be instructed on how to use the equipment in case of emergency.
- The **capacity and weight limits should be promptly displayed on the boat** at multiple locations so that the people who embark on the boat step down themselves in case of overload. This will prevent overloading and sinking, even if the boat owner wants to encourage overloading.
- All **tourist boat owners and drivers** should have a valid license and qualification to operate the boat. The process of certification should have adequate training and experience in navigation, communication and emergency procedures.
- The license renewal should be made online so that there is very limited scope of bribery to the maritime safety official. Any attempt to bribe the officers should be discouraged and heavily penalised for both the boat owner and the official.
- There should be **regular weather monitoring, and this information** should be relayed to the boat in real time so that they can avoid going into troubled waters during adverse weather conditions.

The above case study highlights the lack of values such as empathy, selflessness and obedience to law. Moreover, the financial conditions of the boat owners encourage them to break the laws on safety regulations. Efforts to educate tourists and tourism operators about the safety guidelines are essential to prevent any such tragedy from repeating in future.

Q. In the sprawling city of Kanpur, a deep-rooted corruption network thrived, with the mafia and criminals working hand in hand with government officials to exploit the local public. At the heart of this web of deceit was Chandan Singh, a charismatic and ruthless mafia boss who had carved out an empire of crime in Kanpur. With his iron grip on the city, Chandan Singh had managed to infiltrate key government agencies, ensuring that his operations went undetected and unimpeded.

Under the guise of legitimate businesses, Chandan Singh's criminal enterprises thrived, ranging from drug trafficking and extortion to illegal gambling dens and prostitution rings. He knew that to maintain his stranglehold on the city, he needed the cooperation and protection of government officials.

Enter Police Commissioner Suraj Kumar, a highly respected and influential figure within the law enforcement community. Unbeknownst to the public, Suraj Kumar had struck a Faustian bargain with Chandan Singh, exchanging his loyalty and influence for a share of the criminal empire's profits. With Suraj Kumar in his pocket, Chandan Singh's criminal activities flourished. Police raids on his operations were conveniently bungled, evidence mysteriously disappeared, and his criminal associates walked free. The local public suffered as the mafia's grip tightened, their lives torn apart by violence, drugs, and fear.

One fateful day, a young and determined journalist named Rekha stumbled upon a crucial piece of evidence linking high-ranking government officials to Chandan Singh's criminal empire. She uncovered a network of bribes, kickbacks, and illicit deals that reached the highest levels of power. Government officials, entrusted with safeguarding the public's welfare, had become willing accomplices in the mafia's schemes.

As her investigation gained momentum, Rekha's life was threatened. She faced intimidation, surveillance, and even physical attacks. The public's faith in the government began to waver as Rekha's exposes hit the front pages of newspapers. Protests erupted, demanding accountability and an end to the reign of the mafia and their government collaborators.

Under mounting pressure, an independent commission was formed under you to investigate the allegations. Since you have known Suraj Kumar from your college days when he was your junior in the same college. He has approached you and requested to let go of the investigation; otherwise, his family members and relatives will be targeted by the goons.

- What are the ethical issues involved here?
- What are the options available to you in this situation? Evaluate all the options before taking any decisions.
- What are the permanent solutions to this problem as such mafia exist in almost every nook and corner of our country?

Material:

Introduction:

In the above case study, the fundamental problem of corruption and bureaucracy-criminal nexus is highlighted. It also raises an ethical dilemma when the investigation officer is approached by Suraj Kumar, who was his junior in college, to let go of the investigation.

A. Ethical issues involved in this case study are:

- **Corruption and collusion:** The primary ethical problem is the widespread corruption and cooperation between lawbreakers and public servants, especially the Police Commissioner. As a result, the public loses faith in the government and law enforcement's ability to uphold the rule of law.
- **Rule of Law:** The entire network of corruption undermines the rule of law, with criminals and corrupt officials evading accountability and enjoying impunity for their actions.
- **Responsibility:** Suraj Kumar, as a high-ranking law enforcement official, shirks his responsibility to uphold the law and protect the public from criminal elements.
- **Personal and Professional Ethics:** The passage explores the clash between personal ethics and professional responsibilities. Your friendship with Suraj Kumar could potentially influence your objectivity and impartiality in conducting the investigation.
- **Safety of Journalists:** The fact that Rekha's life is in danger as a result of her inquiry emphasises the moral concern for the security and well-being of journalists and whistle-blowers who reveal corruption and illegal activity.
- **Conflict of interest:** A potential conflict of interest exists because the investigator has a personal past with Suraj Kumar. This can cast doubt on your objectivity and ability to carry out a fair investigation.
- **Accountability and Justice:** A major ethical concern is the absence of accountability and justice in dealing with the mafia and corrupt politicians. The safety and rights of the general people are jeopardised, which causes a breakdown of law and order.

A. Options Available:

Recuse yourself: Given your relationship with Suraj Kumar, you might recuse from the probe to allay any sense of prejudice. This would include standing aside and giving the investigation's direction to someone else, and it could delay the investigation. Also, it may allow the corrupt activities to persist.

- **Pros:** It would avoid a conflict of interest situation. It would help me have a clear conscience.
- **Cons:** It would show me as an irresponsible person or someone with an escapist attitude.

Protect Rekha: Put the journalist's safety first by ensuring she is shielded from threats and coercion. She confronts dangers, alerts the appropriate authorities, and urges them to ensure her safety. Ensuring her safety and anonymity can encourage more individuals to come forward with information, strengthening the case against the corrupt individuals involved.

- **Pros:** Fulfilling my role as a public servant will have a positive implication on society.
- **Cons:** Can jeopardise my relationship with my junior. They can become a target of the goons.

Conduct an Independent inquiry: Regardless of the personal relationship, resolve to carry out a fair and in-depth inquiry into the charges of corruption. Utilise information and evidence while acting professionally and impartially. By maintaining professionalism and objectivity, you can focus on uncovering the truth, bringing criminals to justice, and holding corrupt officials accountable.

- **Pros:** Keeping my integrity intact.
- **Cons:** Can become the target of mafia groups.

Request External review: To guarantee the investigation's objectivity and fairness, ask for outside review. This can entail asking an impartial group to examine the investigation's methods and conclusions. This move would provide an additional layer of credibility and reduce the chances of any interference or manipulation.

- **Pros:** Keeping my values intact.
- **Cons:** This shows a dereliction of duty on my part and might cause complexities and delays.

The course of action: First of all, I would protect Rekha as she is a key source in this case, and then to ensure that this process is transparent and accountable, I will request an independent external review to avoid any conflict of interest. I will keep my oversight on this review to ensure it is conducted just and fairly and to ensure the credibility of the investigation commission. I would try to convince the retired judge of the Supreme Court or High Court to join the investigative commission so that the trust in the report of the commission is intact.

B. Long-term solutions to this issue:

One of the interesting transformations was from Mumbai. **Mumbai** has had a history of being influenced by the underworld and organised crime. During the decades of 1990s, the city saw some notorious gang wars, which put the reputation of the city at stake. The law enforcement agencies in Mumbai then conducted several operations targeting criminal networks and drug trafficking, which have led to the arrests and convictions of some prominent criminals. This was aided by the Police encounters and some famous acts like MACOCA, POTA, TADA etc.

Another **example is Tokyo, Japan**. The yakuza, Japan's organised crime syndicates, have historically been influential in some cities, including Tokyo. However, the Japanese government has implemented strict laws and regulations to **target the yakuza's financial activities and reduce their social standing**, resulting in some weakening of their influence.

One such law is the **Organized Crime Control Act, also known as the Boryokudan Countermeasures Law**, which was enacted in 1992. This law allows authorities to take legal action against yakuza groups and their members, enabling asset seizures, restrictions on financial transactions, and the dissolution of front companies associated with criminal organisations.

As visible from the above examples of two cities, the long-term solution to stop these organised crime nexus is the effective and **proper enforcement of laws**. In a society, no Chandan Singh can be created on its own until it gets support from a few sections of society in the name of caste, religion or personal greed.

The scenario portrayed underscores the difficult moral dilemmas associated with battling organised crime and corruption in the government. It is crucial to fortify institutions, encourage responsibility, and foster a culture of integrity within society to find a longer-lasting solution. Building a more just and open society necessitates a collaborative effort from all stakeholders, including the government, civil society, and individuals, to combat corruption and organised crime.

Conclusion: To combat organised crime and corruption, strengthen institutions like the judiciary, law enforcement, and anti-corruption bodies. Create awareness about the harmful effects of corruption and the importance of reporting unlawful activities. Enact stringent laws to protect whistleblowers and promote accountability through open data, citizen involvement, and open audits. Provide ethics training to government employees. Encourage community participation and collaboration with law enforcement to ensure safety and integrity. Initiatives like the Janamaithri Suraksha Project, Joint Patrolling Committees, and Meira Paibi exemplify community involvement in fighting crime and corruption.

Q. In a government-run sports academy aimed to nurture talented young female athletes. Because of this, women's sports had gained popularity in this region. However, behind the scenes, a culture of sexual exploitation had quietly emerged. Senior players and officials within the academy took advantage of their positions of power and influence to exploit vulnerable girls who aspired to make a mark in the sporting world. The exploitation ranged from verbal harassment and abuse to more severe forms of sexual misconduct. As rumours and whispers started circulating within the local community, a group of courageous girls gathered the strength to share their harrowing experiences with their parents. Shocked and outraged, the parents decided to take action and bring the perpetrators to justice.

Anand Ahuja, who is the administrator of the sports academy authority, came to know about such activity. Instead of taking strict action against the culprits, Mr Ahuja started threatening the female athletes about losing their place in the academy and tarnishing their image as well. Mr Ahuja has a high reach at the top of government tables; therefore, he is using his power to quell the protest. However, as media organisations have picked up the story, the government has no option but to order an enquiry into the matter.

You have been appointed as the investigating officer since you have represented sports at the national level. You have good relations with Mr. Ahuja, who has helped you greatly during your preparation in the past. When Mr Ahuja came to know about you, he called you and asked you to submit the report without investigation.

(Answer in 250 words) 20 marks

- Examine the ethical dilemma involved in the case.
- Under the given conditions, what options are available to you as an investigating officer?
- Do a critical analysis of the options, and choose the best option by citing reasons for it.

Material:

Introduction: The present case study is a classic example of sexual harassment in the workplace. It is a pervasive and distressing issue that affects individuals across various industries and professions.

Stakeholders involved-

- Young female athletes
- Senior players and officials in the academy
- Anand Ahuja, administrator at sports academy authority
- As an investigating officer
- Society at large

A. Examine the ethical dilemma involved in the case.

- Conflict of interest-** The situation presented in this case involves a significant ethical dilemma for the investigating officer. On the one hand, there is a duty to uphold justice and protect the rights and well-being of vulnerable female athletes who have been subjected to exploitation. On the other hand, there is a pre-existing personal relationship with the administrator of the sports academy, Mr Anand Ahuja, which could potentially create a conflict of interest.
- Objectivity in the investigation-** Objectivity and unbiasedness in the investigation could be compromised. Due to the antecedent relationship of the investigation officer and Mr Anand Ahuja, there might be indirect coercion and influence over the outcome of the investigation.
- Justice delivery-** the case in hand demands justice delivery of the right order for both the parties, the victim and the accused.
- Sense of security and safety-** security and safety of female players is of utmost importance. If a wrong precedent is set, it can discourage aspiring sportspeople and create a negative connotation around it.

B. Under the given conditions, what options are available to you as an investigating officer?

Option 1: Submit the report without investigation as influenced by Mr Ahuja: This option involves ignoring the allegations against senior players and not conducting a thorough investigation into the matter. This results in the officer being complicit in covering up the wrongdoing and allowing the exploitation to continue without any checks.

Option 2: Conduct a biased and skewed investigation to protect Mr. Ahuja and the accused interest: under this step, an inquiry would be conducted, to protect the interest of Mr. Ahuja and others who are accused. This would be an unethical choice as it would betray the trust of the victims and their parents and undermine the pursuit of justice.

Option 3: Recuse oneself from the case and decision-making: In this step, the officer rescues himself from the conflicting situation and chooses to step aside by giving the investigation to another colleague. This could help preserve officers' values but would not directly address the issue of exploitation within the sports academy. Further, it may lead to the continuation of events.

Option 4: Conduct an impartial and thorough investigation: This option involves conducting a fair, just and impartial investigation into the allegations of sexual exploitation within the sports academy. This ensures pursuance of justice for the victims and holds the perpetrators accountable.

A. **Do a critical analysis of the options, and choose the best option by citing reasons for it.**

Option 1-Submit the report without investigation as influenced by Mr. Ahuja:

Pros	Cons
It will help in maintaining a cordial relationship with Mr Ahuja	It will violate the rule of law and compromise constitutional morality
	It will result in a crisis of inner conscience for the investigating officer.
	There will be acute maladministration of justice

Option 2-Conduct a biased and skewed investigation to protect Mr. Ahuja and the accused interests:

Pros	Cons
The investigation report is prepared	The biased investigation will give biased results in favour of the accused, leading to erosion of faith in the institutions.
	Objectivity and impartiality of the investigation will be compromised

Option 3-Recuse oneself from the case

Pros	Cons
Conflict of interest between public duty and personal relationships is avoided.	The issue at hand is not addressed and shows a weakness of character.
	No surety that future investigations will be free from such biases and prejudices.

Best option-Option 4- Conduct an impartial and thorough investigation.

Investigation of the case should be done without any prejudices. Personal relationships should not be a hindrance to delivering justice in the required manner. Professional ethics warrants law to be followed in letter and spirit.

Pros of this option-

- Impartial investigation and justice delivery
- Accountability of the perpetrators is ensured
- Setting right precedent for future incidents
- Providing a safe environment for budding sportspersons
- The inner conscience of the investigator is not compromised

Cons of this option

- Relationships with Mr. Anand Ahuja would be compromised, along with that, there might be threats on a personal or family level.

However, the advantages of this option heavily outweigh the disadvantages of this option. Hence this is the most suitable strategy to go about this situation.

Factoring in the situation, the investigation officer shall also provide comforting measures for the victims and their families-

1. Provide counselling to the victims and their families to ensure their mental health.
2. Provide institutional, and legal help as victims are part of the organisation, and the alleged harassment is done at the workplace.
3. Ensure the investigation done is transparent and free from external influences.

How to prevent such situations in future

1. **Strict adherence to sexual harassment policy-** Developing a written policy that prohibits sexual harassment in consultation with staff and relevant unions. Along with this, regularly distribute and promote the policy at all levels of the organisation.
2. **Implementation of Protection of Women from Sexual Harassment (PoSH) Act-** timely formed and functionally constituted Internal Complaints Committees (ICCs), Local Committees (LCs), and Internal Committees (ICs) under the Act.
3. **Information training and sensitization-** Conduct regular training sessions for all staff and management on sexual harassment and the organisational policy. This training should be behaviourally based, which means it should increase knowledge and understanding of specific behaviours that may amount to sexual harassment

Conclusion

The following case study highlighted various dilemmas one faces at the workplace. The different dynamics of relationships at a time lead to ethical dilemmas where choosing an option becomes difficult. But such scenarios demand to take decisions for the larger good and adhering to constitutional principles.