

**A STUDY ON ETHICAL DECISION MAKING BY
INDIAN BUREAUCRATS**

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**NATIONAL RESOURCE CENTRE FOR VALUE
EDUCATION IN ENGINEERING
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A STUDY ON ETHICAL DECISION MAKING BY INDIAN BUREAUCRATS

by

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Dedicated to —Maa-Papa

CERTIFICATE

This is to certify that the thesis titled “**A Study on Ethical Decision Making by Indian Bureaucrats**”, submitted by **Nanditesh Nilay** to the Indian Institute of Technology Delhi for the award of the degree of **Doctor of Philosophy**, is a record of the original, bonafide research work carried out by him. He has worked under our supervision and has fulfilled the requirements for submission of this thesis, which has attained the standard required for Ph.D. degree of the Institute. The results presented in this thesis have not been submitted elsewhere for award of any degree or diploma.

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ABSTRACT

Ethics are a set of principles and rules that guide us towards right conduct, while governance is essentially about decision making. In a democratic country like India, bureaucrats are the hub of governance and influence and impact the last person in the country through the execution of government policies. Hence, in the Indian context, a study of ethics in governance can be directly mapped onto a study of various factors affecting the manifestation of ethics in decision making by bureaucrats. Various governments including the Indian government are taking cognizance of the violation of ethics by the civil servants leading to inefficiency and paving way for organized corruption. Hence studying the ethical issues in bureaucracy is the need of the hour. In this context, the present work is focused on understanding different aspects of ethical decision making in Indian bureaucracy.

The work has been carried out through three studies on Indian bureaucrats, two of which are qualitative and the third one is quantitative. Considering the gaps in the literature, each of these studies addresses one aspect of ethical decision making by Indian bureaucrats. The first qualitative study explores the kind of ethical dilemmas the Indian bureaucrats are confronted with. The second qualitative study was aimed at determining the cognitive logic used by the bureaucrats while taking decisions in situations of ethical dilemmas. The third study, which was a quantitative one was taken up with the objective of assessing the presence and role of individual and contextual factors in the ethical decision-making process.

The first study involved personal interviews with 20 officers of the Indian Administrative Service (IAS) and the State Administrative Services (SAS). Besides, determining the types of ethical dilemmas faced by the Indian bureaucrats, the study also ascertained the differences between the types of dilemmas faced by the senior and junior officers as also the similarities between the ethical dilemmas faced by Indian bureaucrats and administrators/managers of other organizations? The respondents were selected using snowball sampling and the data were analyzed using the method of content analysis.

Analysis of the situations of ethical dilemmas narrated by the respondents resulted in the identification of four categories into which different situations of ethical dilemmas could be grouped. These categories correspond to the following themes in which the concerned bureaucrat

has the dilemma of choosing between two options, both of which are a part of the expectations of a bureaucrat.

Type A: Implementation of a Government ruling versus considering its adverse impact on a disadvantaged section of the society.

Type B: Enforcement of law and order versus avoiding casualties.

Type C: Following orders from superiors when they are not in accordance with one's personal conscience versus following one's conscience

Type D: Carrying out one's duty when personal safety is at stake versus being effective as an administrator.

The study also showed that senior officers faced dilemmas related to policy-oriented situations while junior officers had to deal with dilemmas associated with the implementation of rules on the ground. Type A and B dilemmas could be identified to be unique to bureaucrats while type C and D could be faced by administrators of other organizations as well.

The second study is also a qualitative one involving personal interviews of 15 officers from IAS or SAS. The respondents in this study were different from those in the first study. This study focuses on the *Why* factor in the choices made by a bureaucrat by exploring the cognitive logic used by a bureaucrat while taking a decision in the face of an ethical dilemma. The convenience sampling method is used initially followed by snowball sampling

Each of the 15 respondents shared a situation of an ethical dilemma that he/she had experienced, talking about the decision taken by them and their reasons behind taking that decision. Interestingly, all these cases could be linked to one or more categories of ethical dilemmas identified as part of the first study.

The two main cognitive logics which emerged from the study are: (i) Compliance with the rules and (ii) Universal ethical principles which include duty, concern and care for others, justice and the like. There was unanimity in all responses over the need to give prime importance to "Compliance with the Rules". Accordingly, in not even a single case reported here were the rules violated by the concerned officer. Most importantly, these officers were driven by their sensitivity to the Universal Ethical Principles and hence they went beyond mere compliance with rules to ensure the welfare of all concerned parties by resolving the ethical dilemma through "out of the box" solutions. In all the cases reported, their strong intent to follow Universal Ethical

Principles required the officer to go out of the way to put in very high effort to meet the desired objective or risk one's career progression or even one's life. The study clearly brought out the prevalence of deontological normative logic corresponding to Kant's Categorical Imperative in all the respondents who exhibited characteristics corresponding to the 6th level of Kohlberg's moral development level.

The study also brought out several antecedents such as the voice of conscience, personal integrity, commitment, the spirit of service and moral courage which have a bearing on the cognitive logic applied by a bureaucrat in situations of an ethical dilemma. The responses also emphasized that they derived their moral courage and strength primarily from their upbringing while the training imparted to the bureaucrats does not help them in dealing with situations of ethical dilemmas nor is the work environment of Indian bureaucrats conducive to taking tough ethical stands.

The third study involved an online survey to assess the presence and role of individual and contextual factors in ethical decision making among Indian bureaucrats. The instrument used 11 constructs taken from the literature along with items on the role of family and 2 situations pertaining to ethical dilemmas. The construct "Intent towards Whistleblowing" was assumed to represent "Ethical Decision Making" by bureaucrats and was considered as the dependent variable. The independent variables included individual and contextual variables, the former covering personal conscientiousness, personal integrity, mindfulness, public service motivation and moral courage. The contextual variables considered were organizational honesty and integrity, code of conduct, ethical leadership, and repercussions of whistleblowing. The data from 103 respondents from IAS, SAS and the Allied Services was subject to Confirmatory Factor Analysis, validity, and reliability tests, followed by testing the dependence between variables. However, the data did not provide any clear correlation of Intent toward Whistleblowing with different independent variables. On the other hand, public service motivation was found to have a dependence on traits such as personal conscientiousness, mindfulness, code of conduct and ethical leadership.

Analysis of the data using the method of descriptive statistics indicated that the majority of the respondents would not ignore an unethical practice but would prefer to handle it using internal mechanisms rather than using the whistleblowing route. Even when a superior is involved in an unethical practice, the majority of them preferred to confront him/her privately. The three studies put together constitute a significant step in the development of a framework for ethical decisions

making among bureaucrats. The outcomes of this work also point toward the need for developing scales that were more relevant to the context of bureaucrats.

The work specifically has practical relevance since the outcomes of the qualitative studies can be used in the expansion of the code of conduct as well as the training material so as to include guidelines on handling the conflicting situations of various types of ethical dilemmas as highlighted in this study. The work also highlights the need for improving the ethical climate in Indian bureaucracy to strengthen the moral courage of the officers required for ethical decision making. It is hoped that the outcome of this work can be used to have a positive influence on ethical decision making among the Indian bureaucrats.

सार

नैतिकता सिद्धांतों और नियमों का एक समूह है जो हमें सही आचरण की दिशा में मार्गदर्शन करता है, जबकि शासन अनिवार्य रूप से निर्णय लेने के बारे में है। भारत जैसे लोकतांत्रिक देश में, नौकरशाह शासन और प्रभाव के केंद्र होते हैं और सरकारी नीतियों के निष्पादन के माध्यम से देश के अंतिम व्यक्ति को प्रभावित करते हैं। इसलिए, भारतीय संदर्भ में, नौकरशाहों द्वारा निर्णय लेने में नैतिकता की अभिव्यक्ति को प्रभावित करने वाले विभिन्न कारकों के अध्ययन पर शासन में नैतिकता के अध्ययन को सीधे मैप किया जा सकता है। भारत सरकार सहित विभिन्न सरकारें सिविल सेवकों द्वारा नैतिकता के उल्लंघन का संज्ञान ले रही हैं क्योंकि इससे एक तरफ अक्षमता बढ़ रही है और दूसरी ओर संगठित भ्रष्टाचार का मार्ग भी प्रशस्त हो रहा है। इसलिए आज नौकरशाही में नैतिक मुद्दों का अध्ययन समय की आवश्यकता है। इस संदर्भ में, वर्तमान शोध भारतीय नौकरशाही में नैतिक निर्णय लेने के विभिन्न पहलुओं को विस्तार से समझने पर केंद्रित है।

भारतीय नौकरशाहों के नैतिक निर्णय के विभिन्न पहलुओं को समझने के लिए यह शोध मुख्य रूप से तीन अध्ययनों पर केंद्रित है, जिनमें से दो तो गुणात्मक अध्ययन हैं और तीसरा अध्ययन मात्रात्मक है। विभिन्न पुस्तकों और शोध पत्रों नैतिक निर्णयों को लेकर जो गैप नजर आए हैं उनको देखते हुए इस शोध का प्रत्येक अध्ययन भारतीय नौकरशाहों द्वारा नैतिक निर्णय लेने के तमाम पहलुओं को संबोधित करता है। पहला गुणात्मक अध्ययन भारतीय नौकरशाहों के सामने आने वाली विभिन्न तरह की नैतिक दुविधाओं की पड़ताल करता है। दूसरे गुणात्मक अध्ययन का उद्देश्य नैतिक दुविधाओं की स्थितियों में निर्णय लेते समय नौकरशाहों द्वारा प्रयुक्त संज्ञानात्मक तर्क का निर्धारण करना है। तीसरा अध्ययन जो मात्रात्मक रहा, वह अध्ययन नैतिक निर्णय लेने की प्रक्रिया में व्यक्तिगत और प्रासंगिक कारकों की उपस्थिति और भूमिका का आकलन करने के उद्देश्य से लिया गया है।

पहले अध्ययन में भारतीय प्रशासनिक सेवा (आईएएस) और राज्य प्रशासनिक सेवा (एसएस) के 20 अधिकारियों के साथ व्यक्तिगत साक्षात्कार शामिल थे। इसके अलावा, भारतीय नौकरशाहों द्वारा सामना की जाने वाली नैतिक दुविधाओं के प्रकारों का निर्धारण करते हुए, अध्ययन ने वरिष्ठ और कनिष्ठ अधिकारियों द्वारा सामना की जाने वाली दुविधाओं के प्रकारों के बीच अंतर का भी पता लगाया और साथ ही भारतीय नौकरशाहों और अन्य संस्थाओं के प्रशासकों / प्रबंधकों द्वारा सामना की जाने वाली नैतिक दुविधाओं के बीच समानताबाय विभिन्नता का भी पता लगाया। उत्तरदाताओं का चुनाव स्नोबॉल नमूनाकरण का उपयोग करके किया गया और विषय विश्लेषण की विधि का उपयोग करके डेटा का विश्लेषण किया गया।

उत्तरदाताओं द्वारा बताई गई नैतिक दुविधाओं की स्थितियों के विश्लेषण के परिणामस्वरूप चार श्रेणियों की पहचान हुई जिसमें नैतिक दुविधाओं की विभिन्न स्थितियों को समूहीकृत किया जा सकता है। ये श्रेणियां निम्नलिखित विषयों के अनुरूप हैं जिनमें संबंधित नौकरशाह को दो विकल्पों के बीच चयन करने की दुविधा है, और वे दोनों विकल्प नौकरशाहों की अपेक्षाओं का एक हिस्सा भी हैं।

टाइप ए: समाज के वंचित वर्ग पर इसके प्रतिकूल प्रभाव को देखते हुए सरकार के फैसले का कार्यान्वयन।

टाइप बी: कानून और व्यवस्था का प्रवर्तन बनाम हताहतों की संख्या से बचना।

टाइप सी: वरिष्ठों के आदेशों का पालन बनाम अंतरात्मा की आवाज़

टाइप डी: एक प्रशासक का कर्तव्य बनाम व्यक्तिगत सुरक्षा

अध्ययन से यह भी पता चला कि वरिष्ठ अधिकारियों को नीति-उन्मुख स्थितियों से संबंधित दुविधाओं का सामना करना पड़ा, जबकि कनिष्ठ अधिकारियों को जमीन पर नियमों के कार्यान्वयन से जुड़ी दुविधाओं का सामना करना पड़ा। टाइप ए और बी दुविधाओं को नौकरशाहों के लिए यूनिक माना जा सकता है जबकि टाइप सी और डी का सामना अन्य संगठनों के प्रशासकों द्वारा भी किया जा सकता है।

दूसरा अध्ययन भी गुणात्मक है जिसमें आईएस या एसएस के 15 अधिकारियों के व्यक्तिगत साक्षात्कार शामिल हैं। इस अध्ययन के उत्तरदाता प्रथम अध्ययन के उत्तरदाताओं से भिन्न थे। यह अध्ययन एक नैतिक दुविधा की स्थिति में निर्णय लेते समय एक नौकरशाह द्वारा इस्तेमाल किए गए संज्ञानात्मक तर्क की खोज करके नौकरशाह द्वारा किए गए विकल्पों पर केंद्रित है। सुविधा नमूनाकरण विधि का उपयोग शुरू में करते हुए स्नोबॉल नमूनाकरण का प्रयोग किया गया।

15 उत्तरदाताओं में से प्रत्येक ने अपने द्वारा लिए गए निर्णय और उस निर्णय को लेने के पीछे के कारणों के बारे में बात करते हुए एक नैतिक दुविधा की स्थिति को साझा किया जिसका उन्होंने अनुभव किया था। दिलचस्प बात यह है कि इन सभी मामलों को पहले अध्ययन के हिस्से के रूप में पहचाने गए नैतिक दुविधाओं की एक या एक से अधिक श्रेणियों से जोड़ा जा सकता है।

अध्ययन से उभरे दो मुख्य संज्ञानात्मक तर्क हैं: (i) नियमों का अनुपालन और (ii) सार्वभौमिक नैतिक सिद्धांत जिनमें कर्तव्य, दूसरों की देखभाल, न्याय आदि शामिल हैं। "नियमों के अनुपालन" को प्रमुख महत्व देने की आवश्यकता पर सभी नौकरशाहों प्रतिक्रियाओं में एकमत था। तदनुसार, यहां रिपोर्ट किए गए एक भी मामले में संबंधित अधिकारी द्वारा नियमों का उल्लंघन नहीं किया गया। सबसे महत्वपूर्ण

बात यह है कि ये अधिकारी सार्वभौमिक नैतिक सिद्धांतों के प्रति अपनी संवेदनशीलता से प्रेरित थे और इसलिए वे;आउट ऑफ द बॉक्स; समाधानों के माध्यम से नैतिक दुविधा को हल करके सभी संबंधित पक्षों के कल्याण को सुनिश्चित करने के लिए नियमों के अनुपालन से परे चले गए। रिपोर्ट किए गए सभी मामलों में, सार्वभौमिक नैतिक सिद्धांतों का पालन करते हुए अपने मजबूत इरादे के लिए अधिकारी को वांछित उद्देश्य को पूरा करने या करियर की प्रगति या यहां तक कि अपने जीवन को जोखिम में डालने के लिए बहुत अधिक प्रयास करने की आवश्यकता थी और जो उन लोगों ने किया भी। अध्ययन ने स्पष्ट रूप से उन सभी उत्तरदाताओं में दार्शनिक कांट के श्रेणीबद्ध अनिवार्यता के अनुरूप सिद्धांत संबंधी मानक तर्क की व्यापकता को सामने लाया, जिन्होंने कोहलबर्ग के नैतिक विकास स्तर के छठे स्तर के अनुरूप विशेषताओं का प्रदर्शन किया था।

अध्ययन ने कई पूर्ववृत्तों को भी सामने लाया जैसे कि अंतरात्मा की आवाज, व्यक्तिगत अखंडता, प्रतिबद्धता, सेवा की भावना और नैतिक साहस जो एक नैतिक दुविधा की स्थितियों में एक नौकरशाह द्वारा लागू किए गए संज्ञानात्मक तर्क पर असर डालते हैं। प्रतिक्रियाओं ने इस बात पर भी जोर दिया कि उन्होंने अपने नैतिक साहस और ताकत को मुख्य रूप से अपने परिवार और पालन पोषण से प्राप्त किया, जबकि उनको दिया गया प्रशिक्षण उन्हें नैतिक दुविधाओं की स्थितियों से निपटने में कोई खास मदद नहीं करता है और न ही भारतीय नौकरशाही का कार्य वातावरण एक नौकरशाह के कठिन नैतिक निर्णय के लिए अनुकूल है।

तीसरे अध्ययन में भारतीय नौकरशाहों के बीच नैतिक निर्णय लेने में व्यक्तिगत और प्रासंगिक कारकों की उपस्थिति और भूमिका का आकलन करने के लिए एक ऑनलाइन सर्वेक्षण शामिल था। इस उपकरण में परिवार की भूमिका और नैतिक दुविधाओं से संबंधित 2 स्थितियों के साथ-साथ साहित्य से लिए गए 11 निर्माणों का उपयोग किया गया था। नौकरशाहों द्वारा "व्हिसलब्लोइंग की ओर इरादा" का निर्माण "नैतिक निर्णय लेने" का प्रतिनिधित्व करने के लिए किया गया था और इसे आश्रित चर के रूप में माना जाता था। स्वतंत्र चर में व्यक्तिगत और प्रासंगिक चर शामिल थे, और इंडिविजुअल या व्यक्तिगत चर में व्यक्तिगत कर्तव्यनिष्ठा, व्यक्तिगत अखंडता, दिमागीपन, सार्वजनिक सेवा प्रेरणा और नैतिक साहस शामिल थे। संगठनात्मक ईमानदारी और सत्यनिष्ठा, आचार संहिता, नैतिक नेतृत्व और व्हिसलब्लोइंग के नतीजे माने जाने वाले प्रासंगिक चर थे। IAS, SAS और संबद्ध सेवाओं के 103 उत्तरदाताओं का डेटा पुष्टिकारक कारक विश्लेषण, वैधता और विश्वसनीयता परीक्षणों के अधीन था, इसके बाद चर के बीच निर्भरता का परीक्षण किया गया। हालांकि, डेटा ने विभिन्न स्वतंत्र चर के साथ व्हिसलब्लोइंग के इरादे का कोई स्पष्ट संबंध नहीं दिया। दूसरी ओर, सार्वजनिक सेवा प्रेरणा की निर्भरता व्यक्तिगत कर्तव्यनिष्ठा, माइंडफुलनेस, आचार संहिता और नैतिक नेतृत्व जैसे लक्षणों पर पाई गई।

वर्णनात्मक आँकड़ों की पद्धति का उपयोग करते हुए डेटा के विश्लेषण से संकेत मिलता है कि अधिकांश उत्तरदाताओं ने किसी अनैतिक घटना की अनदेखी नहीं की, और आंतरिक तंत्र का उपयोग करना ज्यादा उचित समझा लेकिन व्हिसलब्लोइंग को उचित नहीं माना। यहां तक कि जब उनके कोई वरिष्ठ अनैतिक व्यवहार में शामिल होते हैं, तो अधिकांश नौकरशाहों ने निजी तौर पर उनके सामने अपनी बात रखने की मंशा प्रगट की। नौकरशाहों के बीच नैतिक निर्णय लेने के लिए एक रूपरेखा के विकास में एक साथ रखे गए तीन अध्ययन एक महत्वपूर्ण कदम हैं। इस कार्य के परिणाम भी ऐसे पैमाने विकसित करने की आवश्यकता की ओर इशारा करते हैं जो नौकरशाहों के संदर्भ में अधिक प्रासंगिक हों।

कार्य की विशेष रूप से व्यावहारिक प्रासंगिकता है क्योंकि गुणात्मक अध्ययन के परिणामों का उपयोग आचार संहिता के विस्तार के साथ-साथ प्रशिक्षण सामग्री में किया जा सकता है ताकि विभिन्न प्रकार की नैतिक दुविधाओं की परस्पर विरोधी स्थितियों से निपटने के दिशा-निर्देशों को इसमें शामिल किया जा सके। यह कार्य नैतिक निर्णय लेने के लिए आवश्यक अधिकारियों के नैतिक साहस को मजबूत करने के लिए भारतीय नौकरशाही में नैतिक माहौल में सुधार की आवश्यकता पर भी प्रकाश डालता है। यह आशा की जाती है कि इस कार्य के परिणाम का उपयोग भारतीय नौकरशाहों के बीच नैतिक निर्णय लेने की क्षमता पर सकारात्मक प्रभाव डालने के लिए किया जा सकता है।

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