



ADMINISTRATIVE ETHICS IN INDIA: A STUDY

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Abstract

Administrative ethics denotes the professional moral code for public administrators. These codes of conduct form the moral backbone of civil service. These ethics are important for the functioning of the state and ensuring public trust in the government. These ethics are meant to be upheld by not only the administrators but the entire community at large. However, these ethics, themselves, are influenced by the changing society and social values. As the society has shifted from an undemocratic outlook to a democratic one, so have the social values. One can understand the true nature of a society through its public administration ethics. Today, these ethics generally apply to the civil servants of a nation and not the politicians. The modern world has seen a rise in interest on administrative ethics, however, despite said development, the essence or crux of such ethics are yet to be found. This paper seeks to analyse the administrative ethics in Indian administrative system.

Keywords: *Ethics, Public administrators, Government, Civil servants, Development.*

Introduction

Administrative ethics denotes the professional moral code for public administrators. These codes of conduct form the moral backbone of civil service. These ethics are important for the functioning of the state and ensuring public trust in the government. Understanding administrative ethics, components of administrative ethics, what are the prerequisites to ensure the practice of administrative ethics, corruption, and measures taken to control corruption?

The word administrative ethics is made up of two words administration and ethics. The meaning of administration is the process of managing an organisation or its public affairs or the government. While the definition of ethics is how we distinguish between right and wrong and act on what we take to be right. Therefore, administrative ethics means the professional code of morality in civil services that is the moral fibre of a civil servant.

Administrative ethics can also be described as the set of moral norms and requirements for those in the public administration to aim their professional activity at attaining commonwealth and effective use of moral values.

Components of Administrative Ethics

The list of various elements of administrative ethics are

1. Integrity
2. Honesty
3. Devotion to the duty
4. Sense of public good
5. Efficiency
6. Non-partisan attitude
7. Humility
8. Loyalty to the nation
9. Non-corruptness



10. Fairness
11. Sincerity
12. Secrecy
13. Neutrality
14. Anonymity
15. Impartiality

In India, there are various Civil Services Conduct Rules, which contain all the elements of administrative ethics. A few of the important Civil Services Conduct Rules are

1. Central Services (Conduct) Rules, 1955
2. Railway Services (Conduct) Rules, 1956
3. All India Services (Conduct) Rules, 1954

International Codes in Public Administration

Public administration is a profession in which there are several opportunities to make moral or immoral decisions. Their role is traditionally idealised as part of an interconnected structure that exists alongside but outside the private organisation. The general principles for public officials according to the international code are:

1. A public office is seen with trust, and it has to act in the public interest. Thus, the ultimate loyalty of public officials should be towards their country's public interest.
2. Public officials shall be impartial, fair, and attentive in performing their functions.
3. Public officials should ensure that they perform their functions and duties effectively and efficiently with integrity, following the law and administrative policies.
4. Public officials must ensure that public resources are managed properly, most efficiently, and effectively.

Prerequisites to Ensure the Practise of Administrative Ethics

Faith and determination

For public services to have the best performance, they must develop ethical standards. Once an organisation develops and implements certain standards, it will also influence the behaviour of new entrants to the organisation. Establishing standards will also help the administrator avoid developing an inflated sense of self-importance or arrogance.

Infusion of ethics into politics

The most common problem in public administration comes from political corruption and interference. The trustworthiness gap between the political and administrative leaderships is increasing. HV Kamath, one of the founders of the Indian Constitution, always regretted that the devaluation of moral values and ethical ideals in public life and administration gave way to unhealthy competition for position, power, and wealth by any means.

No organisation can grow until its political leaders are honest, fair, and impartial. Therefore, the political elite must show integrity and instil faith among their subordinates about their impartiality and fairness.

Character building

One of the most important parts of the general morality of the community is administrative morality. The success of any government pivots upon the effective cooperation of its citizens, and therefore, it depends upon civic consciousness. This can be done only through the educational system and mass



media. If the country's citizens are literate, they can cooperate with the personnel in the public service better, and the administrative personnel in the public service are better-equipped to work towards development.

Impartiality

Civil servants must be completely impartial and avoid favouritism and corruption to maintain the public office's dignity and authority. They must implement the policies and programmes of the government strictly in accordance with the law, regulations, and rules.

Political neutrality

In a democracy, political neutrality is essential to uphold the integrity and efficiency of the administration. It means that the civil servant should give free and frank advice to the government, which is impartial and without any political consideration.

Importance of Ethics in Public Services

1. The utilisation of public resources: The responsible use of resources guarantees that society develops efficiently and effectively without corruption. It holds those in positions of public trust responsible for their actions.
2. Impartiality and objectivity are ethical norms that bring merit to an institution. As a result, predictability improves, which enhances economic efficiency.
3. When public officials make judgments equitably and on merit, rather than being influenced by personal or private interests, society improves, and the administration gains from commitment and dedication to work.
4. Public confidence and assurance: All members of the public, regardless of race, religion, or caste, must be treated fairly, and ethics ensure just and equitable administration.
5. Social assets: A just and ethical administration will be credible and will assure citizen engagement in administration. The resulting trust facilitates and synergizes administration.
6. Preventing corruption: Increasing efficiency and breaking the unholy nexus between the government and anti-social elements.
7. Incorporating compassion into day-to-day tasks has a significant impact on the lives of vulnerable people.
8. Ethical management also aids in the development of international relations and the economy
9. The administration becomes more attentive to the public's needs and desires. For example, in West Bengal, a separate public market for roadside vendors was established before their expulsion.

To establish guidelines and standards that will help unify the interaction between city employees and the executive branch of government.

Status of Ethical Standards in Indian administration

The Indian civil services suffer from strange paradoxes:

Poor self-actualization

Rigid adherence to procedure combines with a ready susceptibility to personal pressure and intervention. While a bureaucrat may give the appearance of being preoccupied with correctness and propriety, in practice he may be committing endless irregularities and improprieties.



One size fits all approach

An apparent pursuit of the uniform application of absolute justice may contain glaring anomalies. It is a curious reflection on their attitudes and thinking that Indian bureaucrats are willing to tolerate such contradictions between theory and practice.

Ethical issues in Indian administration

Excess of personal authority or rank position: Intentionally, officials make actions that are out of their position responsibilities and rights that, finally makes damage to the interests of state or certain citizens. Negligence: A public official either does not perform his professional responsibilities or performs them in a delinquent manner, causing damage to the state or community. This is mostly because of the lack of interest that one has in one's duties and responsibilities.

Bribery

Bribery and corruption have come to become an acceptable part of the society, as a necessary evil greasing the wheels of the economy.

Complacency replaces the hard work

Although there is a core of exceptionally hardworking, dedicated and conscientious officers, they stand today overwhelmingly outnumbered by the complacent, who are obsessed with status, rank and emoluments and addicted to habits of personal luxury and indolence.

Psychology of evasion

When confronted with a difficult decision, the Indian bureaucrat seldom makes any attempt to tackle the problem with initiative and imagination. Instead, he will refer the matter to another department or make a series of unnecessary references to subordinates to gain time.

Patronization

The post-retirement assignment of senior officers to Regulatory bodies and other important posts is largely done on patronage with no set guidelines.

Administrative Secrecy- Secrecy is the hallmark of bureaucracy. In the name of public interest private interests are served while maintaining secrecy. Transparency therefore is one of the most vital virtue of Ethical Governance.

Nepotism

The practice of nepotism (the appointment of relations and/or friends to public positions, thereby ignoring the merit principle), may lead to the downgrading of the quality of the public service.

Lack of compassion

Indifference towards the feelings or the convenience of individuals and by an obsession with the binding and inflexible authority of departmental decisions, precedents, arrangements or forms, regardless of how badly or with what injustice they work in individual cases.

Corruption in civil services

The deflection of a civil servant from normal standards due to the lack of integrity takes various shapes in the form of corruption, patronage, and undue influence.

Corruption can be defined as considering and misusing one's position, status, or resources directly or indirectly. It could be for personal use in terms of material gain or enhancement of power, prestige, or influence beyond what is legitimate or sanctioned by commonly accepted norms. Corruption usually tends to be detrimental to the interests of other persons or the community as a whole.

Prevention of Corruption

A few of the steps that were taken to prevent corruption in India are:

1. Formation of Central Bureau of Investigation(CBI)
2. Prevention of Corruption Act, 1947
3. All India Services (Conduct) Rules, 1954
4. Central Civil Services (Conduct) Rules, 1955
5. Railway Services (Conduct) Rules, 1956
6. Santhanam Committee on Prevention of Corruption, June 1962
7. Central Vigilance Commission (C.V.C.)
8. State Vigilance Commission
9. Institutions of LokPal and LokAyukta.

Existing Framework for Ethical Standards in India

India inherited the colonial bureaucratic structure and with time functional and structural unethical behavior started to appear. Important ethical standards were therefore created to improve the quality of administration.

Some of the key Ethical standards in India are as follows

Central Civil Services (Conduct) Rules 1964 Conduct rules governing the conduct of India's bureaucracy largely ensure that officers do not divulge confidential information or criticise government policy, and remain politically neutral.

No mention of values or Code of ethics

While the Central Government has issued conduct rules for government employees known as Central Civil Services (Conduct) Rules 1964, it does not lay down the values, which civil servants should follow or a code of ethics. • Nature of the Rules: The rules are more in the nature of "do's" and "don'ts". The Conduct Rules cover matters such as property transactions, acceptance of gifts, joining non-political organizations and a host of other issues covering almost every activity, which a normal individual undertakes.

Draft Public Service Bill 2006 In 2006 the Department of Personnel drafted a Public Service Bill which enumerated fundamental values of Public Services, a Code of Ethics, a Management Code etc. with the object of developing public services as a professional, politically neutral, merit based and accountable civil service.

The main values by which the Public Servants shall be guided are as follows

- Allegiance to the Constitution and the law, democracy, nationalism, sovereignty, integrity of India and the security of the nation;
- Function in apolitical manner
- Act objectively, impartially, honestly, equitably, and in a fair and just manner
- Act with integrity and in a courteous and just manner

- Establish high standards, and ensure quality service, effective working and prompt decision making
- Be accountable for the decisions;
- Establish merit as the fundamental principle in employment, promotion and placements;
- Discharge functions with due regard to diversity of the nation/community and religion but without discrimination of caste, community, religion, gender or class and duly protecting the interest of poor, underprivileged and weaker sections;
- Provide honest, impartial and frank advice to political executive;
- Ensure that public money is used with utmost economy and care; One problem with the draft bill was that it intended to fulfil too many objectives. Apart from values and ethics, the Bill envisaged laying down principles of management of public services, principles which should govern appointment to public services, performance indicators for public services etc. With such wide ranging and diverse coverage of matters relating to service matters, it is difficult to reach consensus and secure legislative approval. As such, the bill lapsed for want of both political will and societal will.

Second ARC Recommendations with respect to Code of Conduct and Code of Ethics

1. Civil Service Values which all public servants should aspire, should be defined and made applicable to all tiers of government and parastatal organizations.
2. Any transgression of these values should be treated as misconduct, inviting punishment”
3. In order to create a regime under which quick disciplinary action can be taken against delinquent Government servants, the ARC has recommended deletion of Article 311 of the Constitution, with a proviso that legislation under article 309 be made to protect public servants against arbitrary action.
4. The Commission has also suggested certain measures to protect honest Civil Servants against malicious complaints.

Strengthening of Ethical and Moral Values in Governance The discontent with respect to bureaucracy has shown a sharp rise in recent past. There have been protests to oppose the glaring fall in the ethical conduct of the public servants. Not surprisingly, there is a great deal of scepticism concerning the morality of governmental action and the ethics of its officials, and unless public trust and confidence are restored, moral government will remain a distant dream.

Conclusion

Administrative ethics are the set of moral norms and requirements for the attainment of commonwealth and effective use of moral values. Administrative ethics helps a country to grow. In order to control corruption, the government of India has taken various measures from time to time to prevent corruption in the country. Developing a better balance of ethics training between the compliance (low road) approach and the integrity (high road) approach emphasizing public values, moral principles and moral character. More effective use of both fictional and real case studies and thought experiments to promote critical thinking and encourage appreciation of moral reasoning, moral theories, and moral dilemmas.

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