Ethics & Morality · GS - IV

"In doing a good thing, everything is permitted which is not prohibited expressly or by clear implication". Examine the statement with suitable examples in the context of a public servant discharging his/her duties.

EXAM YEAR	PAPER	SUBJECT
2018	GS - IV	Ethics & Morality

MARKS	WORD LIMIT
10	~150 words

Answer Hint

Legality versus morality; discretion; constitutional values; public interest; administrative innovation; procedural fairness; accountability

Model Answer

Introduction

The statement suggests that public servants may exercise discretion in pursuit of good outcomes unless the law expressly or implicitly prohibits an action. However, lawful discretion must also satisfy ethical and constitutional standards.

Arguments in Favour

1. **Administrative flexibility:** Officials need discretion to respond to emergencies and unforeseen situations.
2. **Innovation:** A public servant may simplify procedures or coordinate departments to deliver services more effectively.
3. **Public welfare:** Reasonable initiative can help vulnerable citizens when rigid procedures create avoidable hardship.

Limitations of the Statement

1. **Legality:** Public servants must act within their lawful authority; absence of an explicit prohibition does not itself confer power.
2. **Constitutional morality:** Actions must respect equality, dignity, non-discrimination and fundamental rights.
3. **Fairness:** Decisions must not favour particular individuals or groups.
4. **Proportionality:** The means used should be appropriate to the objective and should not impose unjustified harm.
5. **Accountability:** Decisions must be documented and open to review.

Example

During a flood, an officer may coordinate emergency transport and relief distribution using lawful discretion. However, diverting funds without authority or denying relief to a particular community cannot be justified merely by claiming a good intention.

Conclusion

Good intentions are not a substitute for legality and ethics. Public servants should exercise initiative within the law, guided by constitutional values, proportionality, transparency and accountability.

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