Updated Value Addition Material 2020

GOVERNANCE

Role of civil services in a democracy
ROLE OF CIVIL SERVICES IN A DEMOCRACY

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1. Introduction
In the process of governance, which involves several sets of activities to deliver effective services to people, civil services play a pivotal role in providing shape to policies that reflect people’s needs and put their suggestive, analytical and informative roles to implement the policies. It is recognized that civil services play a crucial role in all societies. In the modern administrative state, public administration has become so significant that our development, upliftment and progress depend mainly upon the efficient functioning of civil services that are the bedrock of public administration. Civil services have assumed more important role in democracy to ensure good governance, both in developing and developed countries. Civil Services form a part of bureaucracy, wherein the roles of civil servants are determined by written rules. It’s an impersonal system operating on the basis of calculable rules and staffed by full time appointed officials. Usually, the civil servants are selected on basis of their technical qualifications, receive fixed salaries, have a defined sphere of competence and work under a clearly defined hierarchy of offices.

2. Role of Civil Services in Governance
A Civil Service in any country have the following roles in general-

2.1. Basis of Government
Civil services form the basis of the governments. No government can exist without administrative machinery. All nations, irrespective of their system of government, require some sort of administrative machinery for implementing policies. E.g. Democracies like India and Communist countries like China have their own forms of civil services.

2.2. Policy Making & Implementation
The role of Civil Servants across the domains of policy making and policy implementation is critical to the development process. They assist in identifying major policy areas such as preparing major policy proposals, analyzing various alternatives and solutions to societal problems requiring urgent attention, dividing the major policies into sub-policies, determining program of action and suggesting modification in the existing policy on the basis of its experience on the implementation front.

- They engage in collection of relevant data and information in order to identify core issues. The type of information required, the extent of substance in the information so collected and assimilation of the information is the task of the Civil Servants. They then assist the government in terms of providing relevant data for substantiating policy proposals.
- Owing to their enormous administrative expertise and capability of the civil services, they are privy to various problems and issues facing the country. Their knowledge and experience so acquired is then put to use by assuming the role of the ‘think-tank’ of the government. The Civil Servants assist the political executive in identifying policy issues by suggesting the nature of problems and the need for taking them up for consideration at higher levels.
- The civil service engages itself in examining the issue taken up for policy formulation, it frames and reframes policy proposals keeping in view its viability, future prospects, resources available, acceptability, etc. It is also the responsibility of the civil services to analyze policy proposals in relation to the provisions of the Constitution, the laws framed by the Parliament, and other existing rules and regulations. In this way the civil services help in framing sound and effective policies.
- Civil servants are responsible for implementing the laws and policies of government. By carrying out laws, it regulates the behaviour of the people in society. The ideals and objectives of government may be very popular, the plans for national development may be extremely progressive and the resources of the country may be abundant, but without civil
services, not much can be achieved. An efficient civil service can avoid waste, correct errors, limit the consequences of incompetence or irresponsibility while implementing laws and public policies.

2.3. Providing Services to People

Public administration run by civil servants provides a large number of services to the people such as:

- **Protective Functions:**
  - They protect the life and property of the people by maintaining law and order. The survival and progress of human beings depend on the proper enforcement of laws against lawbreakers. E.g. Preventing and controlling organized crime in any region.
  - In recent times, protection of the environment is added to the protective functions of the government. As a result of rapid industrialisation, there is the problem of environmental pollution which threatens our lives. Now almost all the governments are making efforts at the enhancement of environmental quality. E.g. Ensuring that industries abide by the air, water, solid waste and other norms under the various acts enacted in the country.

- **Management of public enterprises:** Civil servants are also managing public enterprises and public utilities in the interest of socio-economic justice. Public utilities are either publicly owned or strictly regulated in most countries. Government also imposes controls over private economic and business activities in the public interest. E.g. Former IAS Officer Dr. P. D. Shenoy optimized the performance of the Karnataka State Road Transport Corporation (KSRTC), which had made losses continuously for 13 years until he became its Managing Director and in that year the corporation made profit.

- **Welfare services:** The welfare services provided for the people include social security, old age pensions, welfare of the weaker sections, poverty alleviation etc. E.g. Various efforts by civil servants are being appreciated in the management of COVID-19 pandemic in India.

2.4. Maintain Continuity in Administration

Civil services carry on the governance when governments change due to elections etc. Ramsay Muir has remarked that while governments may come and go, ministers may rise and fall, the administration of a country goes on forever. It is needless to say that civil services form the backbone of administration. E.g. In India, when the President’s Rule is imposed in a state, the Governor runs the state through the Chief Secretary and other civil servants.

2.5. Other functions performed by Civil Services

- Assisting ministers in fulfilling their responsibilities towards the parliament and its committees.
- Handling financial operations of the state.
- Reforming and improving administration through O and M (i.e. organization and methods).
- Performing the role of administrative adjudication, which is a quasi-judicial function. The civil servants settle disputes between the citizens and the state. For this purpose, the Administrative Tribunals, with civil servants as judges are established. For example: the Income Tax Appellate Tribunal.

3. Importance of Civil Services in Modern Day Democracy

A number of factors have contributed the increasing importance of civil service in modern day democracy:

- **The scientific and technological development:** They have led to revolutionary changes in transportation and communication system. The invention of telephone, telegraph, railways and airways has made big government and large-scale administration possible.
• **Industrial revolution**: It brought about certain changes in society. It led to the growth of large-scale industries and factory production, overcrowded industrial towns and urban slums. The factory system also resulted in certain evils such as growth of capitalism, large-scale unemployment, exploitation of labour etc. In the interest of socio-economic justice, governments in the developed and developing countries have to assume new responsibilities to set right the bad effects of the above evils. The tasks and responsibilities as well as the importance of civil service have thus vastly increased.

• **Economic Planning**: Modern governments have resorted to planning as a method of achieving economic development and goals of welfare state. The new responsibilities relating to planning activities, i.e., plan formulation and implementation and creation of elaborate necessary administrative machinery have naturally widened the scope of public administration. However, in the new liberalized economic reforms, planning as a method of economic development and the administrative functions relating to it are gradually getting diminished.

• **Calamities and crisis**: Natural calamities such as earthquakes, floods, droughts and cyclones have also enhanced the importance of civil services. In the event of occurrence of such natural calamities, the public administrators have to act quickly and undertake rescue operations in order to prevent loss of life and property of the affected people. Thus, crisis management is an important function of public administration.

• **Population and the problems of metropolitan cities**: The rapid growth of population in almost all the countries of the world, especially in developing countries, has complicated the problems of providing food, shelter, education, health and sanitation etc. to the people. Also, the growth of metropolitan cities has created certain problems peculiar to them. Some of the problems include congestion, growth of slums, housing scarcity, insufficient water supply, increasing urban crime rate etc. The responsibility for tackling these acute social and economic problems has resulted in the increase in the sphere of activity of civil service.

• **Emergence of welfare state**: As a welfare state, governments have to perform major functions such as dispenser of social services, a provider of essential commodities, a manager of key industries and banking services and a controller and regulator of private economic enterprises and activities. This has naturally increased the importance of civil service.

Civil Servants play pivotal role in modern day democracies in the following ways-

### 3.1. Interface between State & Citizenry:

The citizen has become the focal point of the administrative and development discourse. As one of the foremost agents of governance, the Civil Services form the connecting bridge between state and the society. This interface is critical to both administration of programs and acquiring inputs as feedback. This gains currency especially since policy areas are interlinked in multiple ways and citizen has become the core focus. Most government programs are today managed by the civil services and allow citizens access to quick and personalized grievance redressal mechanisms. Hence, they assume importance particularly in terms of eliminating the gulf between expectations of the electorate and the outcomes of government initiatives. E.g. They participate in public hearings, framing of citizen charters among others.

### 3.2. Critical Role in developing countries

The developing nations like India are mostly traditional and poor agricultural societies without adequate basic amenities of good life. These nations are struggling to achieve modernisation of society and economic development and realize welfare goals. The state is called upon to achieve these goals. These objectives have placed challenging tasks on public administration such as formulation of economic plans and their successful implementation to economic growth and social change. The accomplishment of these goals requires honest and competent civil servants. The civil servants perform the following functions:
• Setting right development goals and priorities in areas of education, health, communications etc.
• Formulation and implementation of strategies and programmes for the development and modernisation of the nation. E.g. Formulation of plans at district, state and national levels.
• Creation of new administrative organisations and improving the capacity of the existing ones for the developmental purposes.
• To develop agriculture, civil servants have to properly manage community resources such as land, water resources, forests, wetlands and wasteland development. E.g. the District Collector of Dewas, Umakant Umrao helped the farmers in Madhya Pradesh to fight against drought by constructing over 16,000 ponds.
• To facilitate industrial development, infrastructural facilities such as roads, electricity, communications, market centres etc. have to be provided. In these countries, the civil service manages government owned business, industrial enterprises and public utility services. E.g. IAS officer Ritu Maheshwari, installed new electricity smart meters to tackle the prevalent electricity theft in Kanpur.
• Development and mobilisation of natural, human and financial resources and their proper utilization for accomplishing developmental objectives. E.g. P Narahari, as district collector in Madhya Pradesh, worked towards building a barrier-free environment that ensures that people with disabilities can move about safely and independently.
• Securing the support of the people for developmental activities by involving them in the process of development by creating appropriate attitude towards the socio-economic changes that are taking place in society. E.g. IAS Officer, Smita Sabharwal, popularly known as 'the people's officer', launched a campaign called “Fund Your City” in Warangal. She appealed to residents to help her build the infrastructure of Naxal-affected areas, which resulted in the construction of traffic junctions and foot over-bridges.
Some instances of role played by civil servants in the country

1 Eco-villages in Odisha

- An Indian Forest Service (IFS) officer, Anshu Pragyan Das, worked to develop Muduligadia into the first village in Odisha to attain self-sustainability with zero-waste and 100% eco-friendly initiatives of livelihood.
- Through active awareness and education, the community was persuaded to set up toilets in their houses and turned their village Open Defecation Free in 2019.

Previously, household garbage would be thrown astray at the roadsides or even into the Mahanadi river, leading to abject pollution. Now, the villagers themselves have decided on a “No-Litter” policy and installed several common public dustbins along the village roads.

2 North Eastern Region Community Resource Management Project

- An Indian Administrative Service (IAS) officer, Devansh Yadav, has empowered local self-help groups (SHGs) to start endeavours like sanitary pad making unit and a bamboo furniture unit.
- The people employed in these SHGs are making sofa sets, plates, office stationery items, cups, tables, study lamps, water jugs and various household items made of cured bamboo. These units are currently tying up with local shopkeepers and selling their produce to locals.
- As a result, the state government, in partnership with NERCORMP, also started to mobilize people into cluster farming. In every MLA constituency, there are two-three clusters, and within them, the SHGs will be producing their farm produce in bulk. The state government is also offering agriculture input support to these SHGs.
Lastly, one of the critical roles played by civil services in democracies is that of developing a sense of nationhood. Several divisive forces such as communal and ethnic conflicts, caste feuds and regional rivalries often threaten the national unity. In order to develop a sense of nationhood among the people of these countries, the civil servants have to resolve the sub-national and sub-cultural differences among the people.

4. Relationship between Civil Services and Democracy

The relationship between civil services and democracy is both paradoxical and complementary.

4.1. How are they paradoxical?

The relation is paradoxical because on one hand, civil services are typically conceptualized as necessary for the effective administration of public programs, but as being legalistic and largely indifferent to the wishes and demands of individual citizens. Whereas, on the other hand, representative democratic institutions are assumed to be responsive to the wishes of the public, and to be attempting to map those preferences of the public into positive outcomes for their citizens.

Further, civil services also tend to be associated with hierarchical and even authoritarian forms of governing with a conservative outlook. They work on the basis of institutionalizing a form of governing which seeks to ensure equal treatment of citizens, and to provide authorities with records and justifications for the decisions being made about them within the public sector. On the other hand, democracy is associated with participation, consensus making and an accommodative outlook. Taking all the sections in account requires one to have some flexibility, dynamism without limitation of much rules and regulations.

Democracy in theory demands a principle of change, whereas the civil services in theory demands principles of consistency and regularity, which automatically limits the civil servant’s capacity to adapt to changing circumstances.
4.2. How are they complementary?

Bureaucracy & Democracy may appear to be antithetical, but they are both necessary for providing effective and responsive governance. They provide complementary benefits for society. The responsiveness of democratic governing must be balanced with the predictability and impartiality, which assumed to exist within bureaucratic institutions.

The civil services are required to minimize the arbitrary actions in which governments might otherwise be tempted to engage for their vote banks. Likewise, the democratic process is important to confer legitimacy on the governing process. Elected representatives of people uphold the accountability of civil servants through various means.
Lastly, the emphasis on efficiency and use of market in public service delivery underlines the extent to which the values of formalized bureaucracy may be important for the effective functioning of a democracy.

5. Evolution of Civil Services in India

5.1. Civil Services in Ancient India

The Indian civil service system is one of the oldest administrative systems in the world. It had its origin in the Mauryan period during ancient India. Kautilya's Arthashastra lays down the principles of selection and promotion of the civil servants, the conditions of loyalty for appointment to the civil service, the methods of their performance evaluation and the code of conduct to be followed by them.

5.2. Civil Services in Medieval India

In medieval India, the Mughals set up their own civil service systems which centred on the management of land revenue, administration of government factories and establishment of the patrimonial state. During this period, Akbar founded and nurtured the civil service. During his period, he initiated land reforms (1457 AD), and established the land revenue system which later became a major constituent of the Indian taxation system. His civil service had welfare and a regulatory orientation.

5.3. Civil Services in Colonial Era

The East India Company had a civil service specifically responsible for carrying out commercial functions. They were detached from the common people. Initially it was part of the police state with its main task being that of carrying out law and order functions. The office of the District Collector was created for the first time in 1771 by Lord Warren Hastings. However, it was Lord Cornwallis, who is regarded as the founding father of modern Indian Civil Services. He created police service, judicial service and revenue services, formulated the code of conduct for civil servants and laid down the procedure for their promotion. Indians were barred from high posts from very beginning.

In 1800 Lord Wellesley founded the Fort William College to train civil servants. However, from 1806, the Fort William College was replaced by Hailey Bury College in London to train civil servants. The 1813 Charter Act the office of civil servants as the civil service with an annual salary of 500 ponds. Lord William Bentinck restored, and revived magisterial powers of district collector which was divested by Lord Cornwallis. Charter act of 1853 ended the companies’ patronage and provided for open competition in recruitment. Although theoretically it was made open, but the relevant provisions were never really implemented until 1858.

The British government set up the Indian civil service in 1911. Initially the recruitment to the Indian civil service was confined only to the British. However, due to pressures and demands raised by the Indian National Congress in 1921, Indians were allowed to take the examination. In 1935 the British government decided to establish interim rule in the various provinces of India, which resulted in an exodus of the British subjects as civil servants and as a result, the number of Indian subjects in the Indian civil service increased tremendously. Though initially the British government set up only the Indian civil service, later on they added a statutory civil service and central civil services. In the course of time the statutory civil service was weeded out and there remained on the scene only the remaining two services, namely, the Indian Civil Service and the central civil services.

5.4. Civil Services in Independent India

At the time of independence, besides the Indian Civil Service there were nine central civil services in the country. The independence of the country posed new challenges to the civil servants. They were no more expected to perform the role of a police state. The welfare of the
Indian subjects was viewed as the central task to be performed by the Indian state and hence they were to be an instrument to carry out welfare functions which, among other things, included the settlement of refugees and providing minimum conditions for their day-to-day living, safeguarding the national borders from external aggression and promoting conditions responsible for internal peace.

Under this concept, civil service posts are grouped into distinct homogenous cadres under a common Service named on the basis of specific functions attached to the posts in question. The various Civil Services at the Union and State levels can be classified in different ways.

- **Firstly**, they can be categorized into three broad groups – **Central Civil Services, All India Services and the State Civil Services**. The Central Services function under the Union Government and are generally engaged in administering subjects which are assigned to the Union under the Constitution. All India Services are common to the Union and the States and the State Services function only under the State Governments respectively.
- **Secondly**, the Union and State Services can be classified into **Group A, B and C categories** based on their role and responsibilities.
- **Thirdly**, these can also be classified into **technical and non-technical services**. E.g. Indian Administrative Service as non-technical and Indian Economic Service as technical service.

### 6. Role of Civil Services in the Post-Liberalisation era in India

The years before liberalisation were marked by “Licence Raj”, stagnation of economy, inefficiency of public sector, heavy regulations and bureaucratic hurdles for private entrepreneurs. The failure of mixed economy to combat the twin problem of poverty and economic backwardness, ushered in the era of deregulation and economic liberalization.

**Liberalisation** was brought in to remove unnecessary controls and restrictions. Efforts were made to create an economic environment in which the industrial and business enterprises could be enabled to work smoothly and contribute in the process of economic and social development.

In the context of economic liberalization, the civil services should act as a facilitator, coordinator and catalyst of change in order to:

- Facilitate **progressive integration with the global economy** and aggressive participation in it.
- Move away from over-extended and inefficient public sector in commercial activities towards a clearly focused public sector, performing the core functions of defence, health and education among others.
- Ensure **well-functioning market** and allow a more efficient private sector to take up the growth momentum.
- Provide space for the **budding of the entrepreneurs**
- Provide for ‘Ease of doing business’ and ‘easy exit’. For e.g. bankruptcy laws’ have provided space for risk taking and new ventures by private players.
- The **73rd and 74th Amendments** to the Constitution have brought about a major change. Rural and urban local governments have to be enabled to become institutions of self-government.
  - Though more than twenty-five years have passed, the progress remains very slow and local governments are ‘local’ only in ‘form’ but are ‘central and state in content’.
  - To bring this about, the existing system of administration at the district level has to undergo fundamental changes.
- With the passage of time, the role of civil society organisations, in governance, has increased with demands for better governance. The same can be said of the private sector,
which is increasingly providing services in several areas, which hitherto were the exclusive preserve of the public sector.

There is need to shift from **pre-eminence of government** to **effective governance** with a focus on decentralization and citizen-centricity. Consequently, civil servants are expected to view civil society organisations and the private sector as **partners in the process of the country's governance**.

### 7. Issues with Civil Services in India

It is widely recognised that the civil services have contributed to stability in terms of maintenance of peace, the conduct of fair elections, managing disasters and the preservation of the unity of the nation, providing stability and maintaining order in a vast country prone to various conflicts – ethnic, communal, regional etc.

Nonetheless, various committees including the Second Administrative Reforms Commission (ARC II) have pointed out that, there are **certain criticisms with respect to the performance of the civil services**, towards realizing a results-oriented government. Some of them are:

- **Systemic Rigidities** - The **over-centralization** in the policy and management structures within which the civil service functions are **too complex** and often too constraining.
  - The structures are based on hierarchies and there are a **large number of veto points to be negotiated** for a decision to eventually emerge.
  - To compound it, the size and the number of ministries and departments have both **overloaded the decision-making system** and diminished the capacities of the individual civil servants to fulfill their operational responsibilities.

- **Political Interference** - There has been regular political interference in the functioning of civil servants to further narrow political agenda, which undermines the public welfare at large.
  - Fear of **transfer** and lure of **promotion** sometimes impairs judgement of civil servants making them **politically compliant**. E.g. IAS Officer, Ashok Khemka, has been transferred 53 times in 28 years.

- **Disproportionate Representation** - It has been observed that in recent decades, appearing in the English medium now dominate the selection numbers, though students can appear in all the languages, recognised by the Constitution.

- **Transparency and Accountability** - Various committees and surveys have observed that the **corrupt practices** have become prevalent in the civil services and there is a loss of public perception in terms of their uprightness, neutrality and honesty. E.g. the former Chief Secretary of Uttar Pradesh was **convicted by a CBI court in 2012**, for corruption and possessing disproportionate assets.

- **Lack of openness** - There is a culture of **secrecy/ closedness** rather than culture of openness.
  - The civil servants are found to be hesitant towards a **collaborative governance**, with inputs from members of civil society, private sector, think tanks, universities, other states.

- **Lack of dynamism** - It has been pointed out that the Civil Service in India is more concerned with the internal processes than with results.
  - Rapid and fundamental changes are taking place in the country in terms of rapid economic growth, urbanization, environmental degradation, technological change and increased local awareness and identity. The **response time to adapt to these changes is much shorter** than it used to be. As instruments of public service, civil servants have to be ready to manage such change.
On the other hand, the perception is that civil servants resist change as they are wedded to their privileges and prospects and thereby have become ends in themselves.

8. Lateral Entry- Debate of Generalists vs. Specialists

Lateral Entry refers to the direct induction of domain experts at the middle or senior levels of administrative hierarchy, rather than only appointing regular civil servants through promotion.

- The debate of generalists vs. specialists has been an old one in the discussions of governance reforms.
  - Various professionals, commissions and political commentators have argued in favour of Lateral Entry in India.
- Earlier in India, experts have been brought by the Government of India, at specific posts such as the Reserve Bank of India, Chief Economic Advisor, NITI Aayog among others. But till now it has not become an institutionalised mechanism of recruitment. E.g. Montek Singh Ahluwalia, Raghuram Rajan, E. Sreedharan.
  - The Government of India recruited nine joint secretaries from the private sector in 2019.
- Now there is a proposal to hire as many as 400 directors and deputy secretaries in Government of India through the process of lateral entry

8.1. Need of Lateral Entry

- Bring new dimensions and fresh talent in Policy Making: It is essential to have people with specialized skills and domain expertise in important positions as policy making is becoming complex in nature.
  - The IAS officers see the government only from within, lateral entry would enable government to understand the impact of its policies on stakeholders — the private sector, the non-government sector and the larger public.
- Increase in efficiency and governance: Career progression in the IAS is almost automatic which could put officers in comfort zone. Lateral entrants could also induce competition within the system.
  - NITI Aayog, in its Three-Year Action Agenda for 2017-2020 had said that sector specialists be inducted into the system through lateral entry as that would “bring competition to the established career bureaucracy”.
- Increasing complexity in governance: requires specialists and domain expertise, due to emergence of new issues like globalisation, digitalisation of governance, financial frauds, cybercrime, organized crime, terrorism, climate-change among others.
- Fill the vacancy gap of officers: According to a report by Ministry of Personnel, Public Grievances and Pensions there is a shortage of nearly 1,500 IAS officers in the country. The Baswan Committee (2016) had also supported lateral entry considering the shortage of officers.
- Entry and retention of talent in Government: Justice BN Srikrishna-headed Sixth Central Pay Commission report (2006) said lateral entry could "ensure entry and retention of talent in the government even for those jobs that have a high demand and premium in the open market".
- Will help widen the talent pool for appointment: Recruitment of IAS officers at very young age makes it difficult to test potential administrative and judgment capabilities. Some who are potentially good administrators fail to make it, and some who do make it, fall short of the requirements.
8.2. Challenges faced with Lateral Entry

- **Scope of utility** - i.e. how far the government can leverage the expertise of entrants. Much will depend on how far the political executive is willing to facilitate the functioning of these external experts and whether an enabling environment is created for utilizing their full potential.

- **May face resistance from the Bureaucracy** -
  - **Lack of cooperation** - as existing officials might resist functioning with outsiders and inevitable tensions between generalists and specialists may surface.
  - **Difficulty in adjusting to the bureaucratic work culture** - including manners of addressing each other, speed of working, knowledge of rules, punctuality among others.
  - **May demotivate the existing officials** - as they won’t have reasonable assurance of reaching top-level managerial positions from now on. By suggesting a contract-based system for positions of joint secretary and above, the signal would be sent out that only mid-career positions would be within reach in about 15-18 years of service and there would be considerable uncertainty about career progression thereafter.

- **Transparency in Recruitment** - Political interference in the Selection process may occur and it may promote Nepotism and Spoils System (an arrangement that employed and promoted civil servants who were friends and supporters of the political group in power).

- **Lack of long-term stakes** - The advantage with the current civil service is that policy makers have long-term interests in government.

- **Difficult to ensure responsibility and accountability** - for the decisions taken by the private people during their service, especially given the short tenures of 3 to 5 years.

- **Lack of field experience** - Officers who will join might score on domain knowledge, but they may fall short on the experience of working in the “field”.

- **Issue of Reservation** - It is unclear whether there would be reservation for recruitment through Lateral Entry or not.

9. Civil Services Reforms in India

A number of Committees and Commissions were set up to make recommendations on various aspects of civil services. These recommendations are included in the

- Report on Public Administration by A.D. Gorwala, 1951;
- Report on the Public Services (Qualifications for Recruitment) Committee, 1956 – also known as Dr. A. Ramaswami Mudaliar Committee Report;
- Report on Indian and State Administrative Services and Problems of District Administration by V.T. Krishnamachari, 1962;
- Report of the Committee on Recruitment Policy and Selection Methods, 1976 – also known as the D.S. Kothari Committee Report;
- Report of the Committee to Review the Scheme of the Civil Services Examination, 1989 – also known as the Satish Chandra Committee Report;
- Report of the Civil Services Examination Review Committee, 2001, also known as Professor Yoginder K. Alagh Committee Report;

9.1. Recruitment

Reforms are required in the field of recruitment of civil servants so that right people could be recruited who can ensure smooth functioning of democracy.
Recommendations of ARC II

- A National Institutes of Public Administration should be established to run bachelor’s degree courses in public administration/governance/management.
  - Selected Central and other Universities should also be assisted to offer graduate level programmes in these courses which will produce graduates to further expand the pool of eligible applicants to the civil services. These graduates would be eligible for appearing in the Civil Services Examinations.
  - Further, graduates in other disciplines would also be eligible to appear in the Civil Services Examination provided they complete a ‘Bridge Course’ in the core subjects mentioned above.

- Structure of Examination: Either of the following two models may be adopted for compressing the examination cycle.
  - The Preliminary and Main Examinations for the Civil Services Examination would be conducted together on two to three consecutive days. Evaluation of papers for the Main Examination should be done in case of only those candidates who have secured a threshold level of marks in the Preliminary Examination. The personality test would follow thereafter.
  - Based on the results of the Preliminary Examination, candidates eligible for taking the main examination and the personality test would be short listed in accordance with their rankings. Only these short-listed candidates would be eligible for appearing in the Main Examination, which would be conducted within two months of the Preliminary Examination. The short list would be limited to about two to three times of the number of vacancies available. Thus, it would be possible to start the Personality Test and the Main Examination almost simultaneously.

- The induction of officers of the State Civil Services into the IAS should be done by the UPSC on the basis of a common examination.

Other Recommendations

- The Yoginder K. Alagh Committee favored testing the candidates in a common subject rather than on optional subjects.
- The Hota Committee Report, 2004 recommended that aptitude and leadership tests may be introduced for selection, and that probationers may be allowed one month’s time after commencement of training to exercise their option for Services.
- The Basawan Committee (2016) recommended appropriate norms for determining IAS cadre strength. A meaningful assessment should be done about the requirement of IAS officers every year to send a realistic requirement of Direct Recruits to the Government of India each year, and to monitor the vacancies under the promotion ceiling.
- To fulfill the requirement of IAS officers for the next 10 years, the intake through the civil service examination will needed to be limited to a certain number to maintain quality and to the balance the demand of different cadres. This number should be fixed on a realistic basis according to the cadre gap.

9.2. Training

Training of civil servants should be able to bring about behavioural and attitudinal changes.

Recommendations of ARC II-

- Every government servant should undergo a mandatory training at the induction stage and also periodically during his/her career. Successful completion of these trainings should be a minimum necessary condition for confirmation in service and subsequent promotions.
- A monitoring mechanism should be set up for overseeing the implementation of the National Training Policy.
• The objective of **mid-career training** should be to develop domain knowledge and competence required

• Public servants should be encouraged to **obtain higher academic qualifications** and to write papers for reputed and authoritative journals.

• The composition of governing bodies of the national training institutions such as the LBSNAA, SVPNPA, IGNFA and also the State Administrative Training Institutes should be broadened by inducting eminent experts.

• A **National Institute of good governance** may be set up by upgrading one of the existing national/state institutes. This institute would identify, document, and disseminate best practices and also conduct training programmes.

**Other Recommendations**-

• The **Yugandhar Committee, 2003** recommended the need for three mid-career training programmes in the 12th, 20th and 28th years of service. Trainings at these 3 stages was suggested as there is a “major shift” in the nature of work of the officer, at these stages of their career.

The Government of India has made the training mandatory for all government servants at induction stage as well as at mid-career stages. Further, the National Training Institutes have been provided with greater autonomy.

**9.3. Domain Expertise**

• The **first ARC** classified higher civil service posts into two categories: posts in the field, and (b) posts at headquarters.
  o The field posts were held by the members of the ‘functional’ services which included not only the various engineering services but also services such as accounts and income tax. The first ARC noted that the only service that was not functional but occupied most of the higher posts in the civil services was the IAS.
  o The first ARC recommended that the IAS should be converted into a functional service.

• The **Surinder Nath Committee Report, 2003** suggested the following 11 domains - Agriculture and Rural Development; Social Sectors (Education, Health, Tribal Welfare, etc.); Culture and Information; Natural Resources Management including Environment (green side); Energy and Environment (brown side); Communication Systems and Connectivity Infrastructure; Public Finance and Finance Management; Industry and Trade; Domestic Affairs and Defence; Housing and Urban Affairs; Personnel and General Administration.
  o The Committee suggested that officers may be assigned to a maximum of three domains out of the eleven listed.

• The **Hota Committee** had recommended that domain assignment should be introduced for civil servants to encourage acquisition of skills, professional excellence and career planning.

• The **ARC II** recommended that in posting officers in Government of India, the primary consideration should be to select the **most suitable person for the post** that is on offer.
  o Domains should be assigned by the **Central Civil Services Authority** to all officers of the All India Services and the Central Civil Services on completion of 13 years of service.
  o State Governments should take steps to constitute State Civil Services Authorities on the lines of the Central Civil Services Authority.

The Government of India accepted the recommendations, however decided that, domain assignment should be done at **completion of 18 years of service as it may not be possible to identify domains during the first 13 years of service**, as most of the officers are on the field assignments in the first 10 years of career. All services should be identifying the domains where specialization is needed, and **domain assignment should be done in consultation with the officers**. While placing officers in Government of India, efforts should be to match experience and specialization with job requirements.
9.4. Autonomy

• The second ARC suggested that there is a need to **safeguard the political neutrality and impartiality** of the civil services. The onus for this lies equally on the political executive and the civil services. This aspect should be included in the Code of Ethics for Ministers as well as the Code of Conduct for Public Servants.

• It reiterated its recommendation made in context of the definition of corruption under the Prevention of Corruption Act, 1988. It recommended that “abuse of authority unduly favouring or harming someone” and “obstruction of justice” should be classified as an offence under the Act.

• It also recommended **risk profiling of jobs** and officers in a more systematic and institutionalised manner in all government organizations.

• It further recommended each Department/Ministry to undertake a review of the particular service of which it is the **Cadre Controlling Authority** to ensure that officers of the service are used optimally, promotion prospects for them are adequate and skill levels of officers are upgraded periodically.

• Civil servants should be encouraged to move laterally to nongovernment organizations.

• The Central Civil Services Authority should review the adoption, adherence to and implementation of the Civil Service Values in the departments or organizations under the Central Government and send reports to the Central Government; formulate norms and guidelines for appointments at ‘Senior Management Level’ in Government of India etc.

9.5. Efficiency

There has been a succession of Committees that were asked to recommend measures for increasing the efficiency of the civil services.

• The **Appleby Report** (1953) contained recommendations relating to the establishment of O&M machinery and an Institute of Public Administration. These two recommendations were implemented by Government.

• The **Fifth Central Pay Commission** (2000) stressed upon the need to optimise the size of the government machinery.

• The **Expenditure Reforms Commission** (2001) emphasised on a drastic downsizing of the government staff strength for securing modern and professional governance and also reducing the increasing salary bill of the Government of India.

• The **Hota Committee**, 2004 emphasised the use of information and communication technologies (ICT) to transform Government by making it more accessible, effective and accountable. It stressed on the need to recognise that e-governance is about discarding old procedures and transforming the process of decision making and that technology is merely a tool and a catalyst for such transformations.

9.6. Accountability

• The Committee on Prevention of Corruption (Santhanam Committee) made a range of recommendations to fight the menace of corruption.
  o It recommended the constitution of the **Central Vigilance Commission**, and administrative vigilance divisions in all Departments and major organizations of the Government.
  o **Changes were also suggested in Article 311** of the Constitution of India for conducting disciplinary proceedings against government servants. It was also recommended that offering of bribes should be made a substantive offence.

• The **first ARC** recommended that the departments and organizations which were in direct charge of development programmes should introduce performance budgeting.
o It also recommended the establishment of two special institutions, the **Lok Pal** to deal with complaints against the administrative acts of Ministers and Secretaries to the government at the Centre and the **Lok Ayuktas** to deal with such complaints in States.

- **The Hota Committee** recommended that Sections 13 (1) (d) and 19 of the Prevention of Corruption Act and Section 197 of the Code of Criminal Procedure may be amended to protect honest civil servants from malicious prosecution and harassment.

- It also recommended that a **Code of Ethics** should be drawn up for civil servants incorporating the core values of integrity, merit and excellence in public service. Another recommendation of the Hota Committee was that each department should lay down and benchmark services to be delivered, methods of grievance redressal and public evaluation of performance.

- It also recommended that a **Model Code of Governance** should be drawn up benchmarking the standards of governance to be made available to the citizens.

### 9.7. Performance Appraisal

- **The Surinder Nath Committee, 2003** recommended that performance appraisal should be primarily used for the overall development of an officer and for his/her placement in an area where his/her abilities and potential can be best used.

- Only those who can **demonstrate a credible record** of actual performance and possess the necessary knowledge and skills required for higher responsibilities should be promoted.

- There is no benefit in retaining officers who lack demonstrated competence, or who are unqualified, or of doubtful moral or financial integrity or who are in unacceptably poor health.

- **The Hota Committee** on Civil Services Reforms, 2004, recommended replacing the ACR with a system of performance assessment in which greater emphasis is placed on objective assessment against agreed work plans.

- In the case of **disciplinary proceedings**, consultation with the UPSC should be mandatory only in cases involving likely dismissal or removal of a government servant.

### 9.8. Cadre Policy

- The Government of India, finalised the **new Cadre Policy** for the All India Services in 2017.

- Earlier, the officers of the three All India Services were allocated a cadre state or a set of states to work in.

- However, **various concerns** were raised against it such as:

  - Some states such as Nagaland, Assam-Meghalaya, Manipur, Tripura, Sikkim received less officers.

  - The distance of assigned cadre from home cadre had decreased.

  - The major reason behind this was the highly correlated preferences of officers over state cadres they would like to serve in, and the differences across state cadres’ successes at producing exam toppers.

- In the new policy, the existing 26 cadres were divided into **five zones**, as follows:

  - **Zone-I** - It consists of AGMUT (also known as Arunachal Pradesh-Goa-Mizoram and Union Territories), Jammu and Kashmir, Himachal Pradesh, Uttarakhand, Punjab, Rajasthan and Haryana.

  - **Zone-II** - It consists of Uttar Pradesh, Bihar, Jharkhand and Odisha.

  - **Zone-III** - It consists of Gujarat, Maharashtra, Madhya Pradesh and Chhattisgarh.

  - **Zone-IV** - It consists of West Bengal, Sikkim, Assam-Meghalaya, Manipur, Tripura and Nagaland.

  - **Zone-V** - It consists of Telangana, Andhra Pradesh, Karnataka, Tamil Nadu and Kerala.

- This policy will ensure **national integration** of the civil servants from different parts of the country as officers will get a chance to work in a state which is not their place of domicile.
10. Civil Services in India- Going Ahead

Various reforms apart from institutionalised lateral entry are the need of the moment such as:

- **Greater Convergence**- There is a need to break down the silos within Government to unlock productivity and outcomes.
  - The focus should be accorded on cross departmental working, inter-departmental engagements, and lateral communication among and within departments.
  - **Shared services model** may be adopted for services such as IT, Finance, procurement etc. so that there is no duplication in effort and cost.

- **Connected Civil Services**- There is a need for the civil servants to be connected within and globally to imbibe the best practice.
  - Need to be globally connected with the counterpart organizations and have horizontal networks across the world. **Understanding global best practices** will help our civil servants to develop world class acumen.
  - **Horizontal Connectivity between the State Departments**, where they share the learning and best practices with their counterparts in other states.

- **Lateral Entry and Exit**-
  - **Need to learn from earlier experiences**: The past experience of inducting private-sector managers to run public-sector enterprises has not been particularly satisfactory. For e.g. Air India, Indian Airlines etc.
  - **Move towards longer tenures of lateral entrants**- to allow them sufficient time to settle, learn and implement their approach, blueprint for work.
  - **Deputation to Private Sector**- A Parliamentary panel has recommended deputation of IAS and IPS officers in private sector to bring in domain expertise and competition.
  - **Remove the non-performers**- The civil servants who are found to be non-performing should be dismissed or given pre-mature retirement. This will help curb complacency, harness competitive spirit and develop efficient & result oriented outlook in the civil servants. E.g. Recently, the Government of India, has compulsorily retired 27 senior officers from the prestigious Indian Revenue Service (IRS) under **Fundamental Rule 56 (j)** of Central Civil Services (Pension) Rules, 1972, which provides for compulsory retirement of government staff in public interest on account of corruption or bribery.

- **Longer tenure of Secretaries**- Currently, by the time an officer is promoted from Additional Secretary to Secretary, usually she has two years or less left before retirement. This feature creates two important inefficiencies. One, with a time horizon shorter than two years, the officer is hesitant to take any major initiatives. Two, and more importantly, to the extent that any misstep may become the cause for charges of favouritism or corruption post retirement, the officer hesitates to take decisions on any major project.

- **Set up public administration universities** for aspiring and serving civil servants: It can create a large pool of aspiring civil servants as well as enable serving bureaucrats to attain deep knowledge of the country’s political economy, increased domain expertise and improved managerial skills.

- **Institutionalize goal setting and tracking** for each department- Each Ministry and government agency should set outcome-based goals with a clear timeline.

- **Implement an HR system for government employees**- Human Resource Management needs to be a strategic function in the government. It should be implemented through a unified single online platform that covers employees from the time they are hired to when they leave service.

- **Continuous skill upgradation**- The civil servants in a modern day democracy also require be sufficiently trained and evolve themselves in the contemporary domains like the Industrial Revolution 4.0, Climate Change, Circular Economy, Cyber Security among others.
11. Important Articles related to Civil Service

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12. Civil Services Board

12.1. Introduction

The Civil Services Board (CSB) is a panel, headed by the cabinet secretary at the national level and chief secretaries at the state level, formed to regulate transfers and postings of higher ranking civil services officers in the country. The Department of Personnel Rules 2016 made it mandatory for all states to setup such boards, following the recommendations of the Hota Committee (2004), 2nd ARC and Supreme Court (SC) judgement in T S R Subramanian and others v. Union of India case, 2013.

12.2. Issue of frequent transfers of civil servants

The problem of frequent transfers of civil servants continues to be one of the most vexatious governance problems facing India. Its magnitude is highlighted by following facts:

- Number of IAS officers spending less than a year in their respective postings has ranged from 48 to 60 per cent of the total strength of the IAS over the years (1978-2006).
- On the contrary, the number of IAS officers who spend more than three years in their respective postings is consistently less than 10 per cent of the total strength of the IAS (1978-2006).
- An IAS officer is still averaging only about 15 months in a posting, which is a considerable distance away from the standard of three to five years that is commonly spoken of in organizational and human resource contexts.
- IAS officers like Ashok Khemka, Durga Sakthi Nagpal and Kuldip Narayan, among others, have allegedly been victims of arbitrary suspensions and transfers.

12.3. Drawbacks of frequent transfers

- It adversely affects governance because civil servants are not allowed to stay in a position long enough to acquire adequate knowledge and experience of their job, and an understanding of the culture in which they have to function and the problems they need to redress.
  - Civil servants are unable to build the required mutual confidence and understanding, which takes time to develop and is necessary for administrative leadership.
  - Absence of a fixed tenure for officials is one of the important reasons for tardy
implementation of government policies.

- Frequent transfers and postings lead to lack of accountability and corruption.
- It prevents civil servants from staying in a position long enough to institute or sustain reforms and it is both demoralizing and demotivating when civil servants are not in a position long enough to see the fruits of their efforts which could be a source of enormous satisfaction to them.
- The Civil Services Survey report noted that frequent transfers adversely affected civil servants’ job satisfaction, children’s education, and family togetherness and placed officers at the mercy of corrupt influences.

### 12.4. Views of various expert committees/commissions

- **National Commission to Review the Working of the Constitution (2000)** made the observation that “arbitrary and questionable methods of appointments, promotions and transfers of officers by political superiors led to corrosion of the moral basis of its independence.”

- **Surinder Nath Committee (2003)** - The Committee recommended that Parliament may enact a Civil Services Act setting up a Civil Services Board for the Union Government which will perform functions presently being done by the Central Board presided over by the Cabinet Secretary.

- **P C Hota committee (2004)** - It also recommended the establishment of civil service boards/establishment boards comprising senior civil servants. It urged that a Civil Services Act be enacted to make these boards at the Centre and states as statutory bodies. In its proposed set-up at the Centre, an appointments committee of the cabinet would be the final authority on the transfer of administrative personnel who came under the central staffing scheme.

- **2nd Administrative Reforms Commission (ARC)** – It points out that the trend of frequent transfers can be said to have taken root in the country, especially in recent years. When a new government is formed after an election, one of the first actions the political executive carries out is transferring civil servants. These transfers are often made on the basis of caste or community reasons or for monetary considerations. This leads to an erosion of morale in the bureaucracy and, more worryingly, reinforces caste and communal divisions within it.
  - It held all issues to do with personnel policy, including placements, promotions, transfers, and fast-track advancements, be managed by autonomous personnel boards, which would function on the lines of the Union Public Service Commission.

### 12.5. Supreme Court directives

In 2011, a public interest writ petition was brought by over 80 retired bureaucrats before the SC requesting it to order the government to implement three specific recommendations that had been put forward by a number of expert committees over the years that were aimed at reforming the civil services:

- Create an independent civil service board at the Centre and in the states for promotions and transfers of bureaucrats;
- Provide fixed tenure in postings to civil servants (to give them some protection against indiscriminate or biased transfer by politicians);
- Require all civil servants to record all directions they receive from their administrative superiors, and also from political authorities or business interests.”

The Supreme Court Bench, in T S R Subramanian and others v. Union of India case, 2013, asked the Parliament to enact a **Civil Services Act under Article 309** of the Constitution setting up a CSB, “which can guide and advise the political executive in transfers and postings, disciplinary action, etc.” The Bench directed the Centre, state governments and the Union Territories to
constitute such Boards, if not already constituted, till the Parliament brings in a proper legislation for setting up CSB.

- The SC expressed that though the views of CSB also could be overruled by the political executive, but by recording reasons, which would ensure good governance, transparency and accountability in governmental functions.
- Deprecating repeated transfers, the SC Bench said minimum assured tenure ensures efficient service delivery and also increased efficiency.
- The Court directed that civil servants respond to only recorded instructions and refrain from acting on oral instructions of political bosses, except in certain exceptional circumstances.
  - By acting on oral directions, not recording the same, the rights guaranteed to the citizens under the RTI Act could be defeated and would give room for favoritism and corruption.
  - If the civil servant is acting on oral directions or dictation of anybody, he/she will be taking a risk, because he/she cannot later take the stand that the decision was in fact not his/her own.
  - Recording of instructions, directions is, therefore, necessary for fixing responsibility and ensuring accountability in the functioning of civil servants and to uphold institutional integrity.

12.6. Criticisms against the SC verdict

- Some of the scholars/critics argue that to discharge the responsibilities of the executive effectively, the power of transfer and posting of the officials should be with the government.
- It appears as if the primary legislative power in this case is with Supreme Court and it has asked the Parliament to make a new law in the form of a delegated legislation, which undermines the legislative authority of the Parliament. Though the intention may not be this, but clearly, by directing the Parliament to make new laws, the Court is assuming the primary legislative power for itself, which can have serious consequences.
- Any administrative reforms should come through a proper legislative process. Some of the states may not be in favour of these reforms and the process of consulting and consensus can be painfully slow. This is being witnessed in Punjab, where several MPs/MLAs have expressed questions over the formation of a CSB for IAS transfers.

12.7. Role of CSB in appointments to higher civil services

The procedure for empanelment for senior positions in the government of India is prescribed in the Central Staffing Scheme. Under it, the superior officers submit Annual Performance Appraisal Reports (APAR) of their subordinate officers by grading them on a scale of 0–10 on different parameters, such as “work output, personality traits and functional competency of the individual.”

An expert panel, which is constituted for every service and comprises retired secretaries to the central government, reviews the appraisal reports of shortlisted candidates. Under the 360-degree appraisal, the expert panel is required to speak to a minimum of five persons, including subordinates, peers, or even stakeholders who may have a say or who came in contact with the officer. The expert panel looks into six parameters during the 360-degree review—integrity, behavioural competencies, functional skills, domain expertise, delivery, and potential. After considering the past performance records, the multi-source feedback and vigilance status, the expert panel makes its recommendations to the Civil Services Board.

The Civil Services Board, comprising four secretaries—the cabinet secretary, the personnel secretary, an establishment officer of the status of additional secretary, and a secretary to the government of India—reviews this shortlist and makes its final recommendations for
empanelment to the **Appointments Committee of the Cabinet**. Finally, this committee determines the list of civil servants who are empanelled for appointment.

### 12.8. Measures taken by the Government

The Union Government has initiated several measures in order to ensure security of tenure to civil servants. The Rules governing the All India Services (AIS) have been amended and provision made for fixation of tenures of posts encadred with the AIS. As per the rules, the Central Government, in consultation with the State Government or State Governments concerned, may determine the tenure of all or any of the cadre posts specified for the State.

More specifically, the Central government, in 2010, amended the Indian Administrative Service (Fixation of Cadre Strength) Regulations, 1955, that provides for a minimum tenure for postings for civil servants in all States.

Maharashtra came out with a **specific law** — the “Maharashtra Government Servants Regulation of Transfer and Prevention of Delay in Discharge of Official Duties Act, 2005.” It provides for a minimum tenure of three years for all IAS officers and some State government employees. Any violation of the Act may be referred to the Maharashtra Administrative Tribunal with appeal lying at the Bombay High Court.

### 12.9. Importance of Civil Services Board

- It helps in **shielding the bureaucracy from political interference** and put an end to frequent and arbitrary transfers of civil servants, which is a major reason for the declining morale of civil servants and standards of administration.
- Security of tenure and apoliticisation is crucial to provide stability to the civil servants, which can ensure **good governance** in the country.
- It will also help bring the **neutrality and objectiveness** in the functioning of civil servants.

### 12.10. Limitations of the Civil Service Board

- **Recommendatory nature**: The governments may amend, modify or reject the recommendation of the civil services board for the reasons to be recorded in writing.
- **Lack of Compliance**: Only 20 states have formed a CSB so far, latest being Punjab in 2020. States such as Madhya Pradesh and Tamil Nadu have not complied with the mandatory rules on setting up the board.
- **Conflict of Interest**: The board is to be headed by the bureaucrats who might have a conflict of interest in the process.

### 12.11. Conclusion

Various commissions have rightly pointed out the shortcomings in personnel management in the Indian civil services and advised measures to introduce much-needed changes. It has been time and again observed that the frequent transfer of civil servants has a negative effect on governance and stands in the way of them delivering efficient and effective services to the people.

The fact of the matter is that no commission or committee report has so far contested the need for fixed minimum tenures, but the government continues to drag its feet. Now, it is important that the recommendations of the Civil Services Board aren’t rejected by the governments on frivolous grounds. Also, all states must constitute Civil Service Boards at the earliest. The Parliament may bring a legislation in this regard as well. This would ensure the independence of civil services, aiding their impartial and non-partisan functioning, which is a prerequisite to good governance in India.
13. UPSC Previous Years’ Questions

1. “Traditional bureaucratic structure and culture have hampered the process of socio-economic development in India.” Comment.

2. Initially Civil Services in India were designed to achieve the goals of neutrality and effectiveness, which seems to be lacking in the present context. Do you agree with the view that drastic reforms are required in Civil Services? Comment.

3. Initially Civil Services in India were designed to achieve the goals of neutrality and effectiveness, which seems to be lacking in the present context. Do you agree with the view that drastic reforms are required in Civil Services? Comment. (2017)

14. Vision IAS Previous Years' GS Mains Questions

1. Explain the role of civil services in a democracy like India. Why is it argued that the civil services need reforms to keep pace with current realities?

   **Approach:**
   - List the various roles played by civil services in India.
   - Highlight key issues with the functioning of civil services in India.
   - Suggest reforms and quote recent examples.

   **Answer:**

   The Imperial Civil Services served as the ‘steel frame’ of colonial rule in India. Post-independence, though the broad structure of the colonial bureaucracy was retained, the policing role gave way to developmental role.

   **Role of civil services:**
   - **Limbs of the Government:** It mans the administrative machinery, and helps the government execute its programs through coordination and service delivery.
   - **Expert opinion** during ideation, and policy formulation. It is also responsible for delegated legislation.
   - **Socio-economic Development:** Being trustees of public resources, civil servants acts as leaders, and decision-makers in almost all spheres of governance.
   - **Continuity of Good Governance:** It provides continuity in administration during political transition.
   - **Promote uniform administration** and standards of governance in a diverse country, like India.
   - **Crisis Handler:** They are the first responders in the event of disasters – whether natural (earthquakes, cyclones) or man-made (law and order).

   It is often argued that to realize the vision of a ‘New India’ it is critical to reform our civil services in light of current realities. For instance:

   - **Administer States, but responsible to the Centre:** The civil servants occupy all critical positions in the State, yet can be disciplined primarily by the Centre. This needs to change in the spirit of co-operative federalism and decentralization.
   - **Lack of specialization and training:** The foundational course, mid-career trainings focus primarily on *esprit de corps*, and have not been reengineered to meet modern day challenges or impart sector-specific expertise. As a result, ‘generalists’ lead India’s efforts in the 21st century knowledge economy.
   - **Constitutional and statutory safeguards** like Article 311, which are meant to shield honest civil servants also breeds incompetency, and inaction which slows down developmental agenda.
   - **Monopoly and License-raj:** Though officially dismantled in 1991, the license raj continues in other forms. This leads to corruption, poor accountability, and
inefficient resource allocation and utilization in post liberalization era thereby creating alienation of the civil servants from the public.

- Political interference and administrative compliance, arbitrary and whimsical transfers impede institutionalization.

**Realizing the need for reform, the government has taken some positive steps:**

- Operationalizing the existing Service Conduct Rules to sack officers for incompetence.
- Lateral Entry of ten specialists in key sectors.
- Enhance accountability through use of technology, periodic reviews, 360 degree performance evaluation.
- End monopoly of few services like IAS, and promote equitable sharing of central posting with other central services.

Despite rampant criticism, civil servants have been the harbingers of change in India.

2. **Discuss the changes that have taken place in the role of the state, and in particular the bureaucracy, in the post-liberalization era in India.**

**Approach:**

- Introduce by mentioning conventional role of state and bureaucracy.
- Briefly explain the rationale of liberalization.
- Discuss the changes that have taken place in their roles in post-liberalization era and conclude accordingly.

**Answer:**

India initiated wide ranging economic reforms in 1991 marking the beginning of the era of liberalization. Before liberalization, the state and in particular the bureaucracy assumed the dominant role in socio-economic transformation of the country. The bureaucracy apart from maintenance of law and order and provision of public goods played a central role in almost all domains of service delivery, including production. This led to over-bureaucratization leading to hurdles for private entrepreneurs and inefficiency losses in the public sector.

Liberalization sought to remove unnecessary controls and enable enterprises to work smoothly and contribute in the process of economic and social development. This has led to change in the role of state viz.:

- **Shrinking Role of State**
  - In Economic Sphere: State has concentrated on ensuring suitable ecosystem for encouraging private sector with de-licensing of many sectors and privatization of PSUs.
  - Some roles of the state such as advocacy and mobilization are also now increasingly performed by non-state actors such as private sector and civil society.

- **New set of functions:** The bureaucracy has come to assume new roles such as in ensuring fair market conditions by establishing Competition Commission of India.

- **From Regulator to Facilitator:** The state has assumed the task of facilitating other developmental partners in policy formulation and developmental planning. For e.g. hangouts and hackathons conducted by ministries, democratic decentralisation under the 73rd and 74th constitutional amendment Acts.

- **Result orientation:** The state has moved from the dominant concern of procedure orientation to result orientation, accountability and participation of people in their activities.
Now the popular slogan advocated is Minimum Government Maximum Governance. Hence, the role of bureaucracy is increasingly shifting from inward looking administrative wheel to being the facilitator of welfare services on one hand and promoting free market ethos on the other.

3. **Give an account of the areas of potential conflict in the relationship between the political executive and civil servants. Also discuss why a healthy working relationship between the two is critical for good governance.**

**Approach:**
- Briefly introduce with nature of relationship between political executive and civil servants.
- Discuss the areas of potential conflict between them.
- Also discuss why a healthy relationship is required between the two.

**Answer:**

In India, the relationship between political executive and civil servants is based on the principle of civil service anonymity and ministerial responsibility. The power is exercised through elected representatives who hold ministers accountable and in turn, civil servants are accountable to Ministers. Thus, civil servants and Ministers work together.

**Areas of potential conflict**
- **Violation of neutrality principle:** Many civil servants are seen as affiliated to one or the other political party.
- **Advisory role of civil servants in policy making:** Civil servants have to make a trade-off between opposing goals such as long-term social payoffs versus short term political gain for the political executive.
- **Interference in the statutory roles of the civil servants:** Senior functionaries, both in the civil services as well as elected representatives, put pressure on civil servants, which leads to friction between them.
- **Principle of subsidiarity is not followed:** By this principle power should be delegated, but due to ministerial responsibility, there is an increasing tendency in government departments to centralize authority and interfere in decision making.
- **Appointments/Transfers and postings of civil servants:** Arbitrary and questionable methods of appointments, promotions and transfers of officers by political superiors also leads to corrosion of the moral basis of independence of civil servants.

An attempt should be made to maintain a healthy working relationship between Ministers and civil servants as it is critical for good governance because of the following reasons:
- **Efficient utilisation of limited resources** is possible only if civil servants are able to give objective and impartial advice to their Ministers without the peril of being humiliated or penalized.
- **Effective implementation:** Implementation is the achilles heel for Indian administrative system. If political-will gets combined with civil servant’s determination, outcomes of the schemes would be on expected lines.
- **Rapid socio-economic development:** Ease of doing business and smooth economic activities can be ensured by integrity and coordination on part of civil servants and ministers.
- **Less instances of policy failure:** Public policy cycle is continuous and requires close cooperation between the prerogative of political executive and expertise of permanent executives.
- **Achievement of strategic national priorities** will need trust and good working relationship between the two and upholding of constitutional values. It will also act as a unifying force in vast and culturally diverse nation such as ours.

The relationship between ministers and civil servants should be one of mutual dependence. The parliamentary democracy shall flourish only if both ministers and civil servants endeavour to understand each other’s point of view, objectives and requirements. In India’s case, this is essential because it has embarked on the reforms process.

Thus, steps such as establishing autonomous board for appointment, postings and transfer of civil servants, clear division of responsibility, adopting framework in which responsibility and accountability is well defined etc. should be undertaken.

4. **An important aspect of curtailing corruption is to minimize the discretionary powers available to government officers.** Analyze. Also, **suggest ways in which this can be achieved.**

**Approach:**

- Give a brief background of discretionary powers and the reasons for their existence.
- Analyze the link between discretionary powers and corruption.
- Discuss the various controlling mechanisms in place and suggest measures to curtail their misuse.

**Answer:**

Legislation conferring powers on the executive is usually drafted in broad and general terms. This leaves large area of choice to the administrator to apply the law to actual, specific and factual situations, i.e. from case to case. “Discretionary powers” arise due to the necessity to individualize the exercise of power by the administration.

Discretionary power enables the official to evaluate situations according to their own subjective knowledge and understanding. Hence, it gives leeway to use as well as abuse and misuse of such powers. This may lead to despotism and arbitrariness. Discretion breeds corruption in one form or the other as:

- It gives opportunity to nepotism and bribery to creep in. For example, in cases of a lack of fixed criteria there is misuse of discretionary power during interview for the selection lower staffs.
- Personal prejudice and favors often lead to irrational decisions. For example handling law and order situation involving social or religious conflicts.
- It may lead to officials violating the fundamental rights of citizens. For example, misuse of police power to arrest, search and seizure, checking license etc.

It may lead to financial general rules. Even though controlling mechanisms both at internal (administrative review by superior officers) as well as external (legislative and judicial control along with media checks) levels are already in place, yet more needs to be done.

- **Ways through which misuse of discretionary powers of government officers can be minimized** indiscipline and irregularities in the administrative works.

However, discretionary powers are a necessary evil due to the complexity and varied nature of present day problems, which do not fall within the straight jacket formula of:
• Supervisory officers to carry out inspections and specifically comment on how an officer has used her discretionary powers.
• Adequate weightage to be given to the performance appraisal system in promotions.
• Precise legal drafting to avoid vague interpretation
• When violations of norms are noticed, damages must be awarded to the citizen for the wrong suffered, upholding personal responsibility of the official concerned.
• Foundational and in-service training courses could lay more emphasis on the norms to be observed when such powers are invoked.
• Promote citizen awareness and empowerment along with encouraging participative democracy and rule of law.
• A transparent media can serve as a forum for mobilizing public opinions concerning governmental activities.
• Formulation of a code of conduct and a code of ethics to guide the decision making process.

5. The bureaucracy in India is facing a number of serious challenges from diminishing human capital to political interference that, if left unaddressed, will lead to further institutional decline. Discuss. How can these challenges be addressed?

Approach:
• State the challenges that the bureaucracy in India faces.
• Mention the consequences if these challenges remain unaddressed.
• Discuss the reforms that are required to address the challenges.

Answer:
Indian bureaucracy is mired by several obstacles, which can lead to its institutional decline and have far-reaching consequences, if left unaddressed. These are:

Challenges faced by the bureaucracy and their consequences include:
• **Shortfall in personnel:** Overall shortage of personnel, especially in mid-level and higher level services as highlighted by the Baswan Committee Report (2016) leads to delay in service, burden on existing staff, etc.
• **Undue political interference:** This often results in frequent transfers of those who challenge the political executive, de-motivating others from taking a stand, thus undermining public’s faith in bureaucracy.
• **Lack of specialized skills among bureaucrats:** In decisions regarding promotion and staffing, general competency is valued. However, lack of specialised skills can make them redundant in a fast changing world..
• **Detachment from the public:** This leads to a gap in policy formulation and implementation especially regarding welfare activities, if bureaucrats are unaware of the ground reality.
• **Increased corruption:** High level of corruption in bureaucracy is associated with low levels of investment and growth.
• **Lack of transparency and accountability:** This can result in discretionary decisions by officers for their personal benefits.
• **Resistance to change:** Bureaucracy has often been criticized for its resistance to change towards adopting technology and decentralization of governance.

Reforms required to address the challenges:
• Implementing a fixed tenure for bureaucrats.
• Proper compensation and privileges to curb corruption. Further, there should be strict vigilant mechanisms and proper implementation of anti-corruption laws.
• Digitization in the administrative process and communication of bureaucratic decisions to the public thereby ensuring proper channelization of resources.
• Lateral entry of experienced officers.
• Strengthening accountability mechanisms by intensive reviews at mid-career stage and comprehensive evaluation mechanisms to rank officers on their functional skills, domain expertise, behavioural competence and integrity.
• Officers should be assigned to different departments early in their careers to develop specific domain expertise. They should also go on regular field visits in order to assess ground reality.

Hindrances to bureaucratic functioning should be adequately addressed so that bureaucracy remains a steel frame that holds the country together.

6. The recent decision of the government to open up positions at the senior levels in bureaucracy through lateral entry is an important but only small step in the direction of much needed reforms in the higher civil services. Analyse.2018-1067-15

Approach:
• Briefly introduce about the government decision of lateral entry.
• Mention the further reforms along with proper reasoning which are required in this regard.

Answer:
Recently, the DoPT has invited applications for 10 joint secretary level positions. The decision has come after a growing realization that civil services can’t continue to deliver without developing specialization in various domains of governance. It will ensure attracting new talents and it will bring efficiency into governance by induction of competition within the system. It has been successfully implemented in RBI and Niti Aayog.

Due to a serious governance deficit caused by an archaic bureaucratic system, this is only a small step in the required reforms in civil services at senior levels. The other required reforms are:
• **Accountability measures:** The 2nd ARC recommends that a system of two intensive reviews – one on completion of 14 years of service, and another on completion of 20 years of service should be established for all government servants. The services of public servants, who are found to be unfit after the second review at 20 years, should be discontinued.
• **Performance management system:** The present promotion system in civil service is based on time-scale and is coupled by its security of tenure. The promotions should be merit based and the respective authorities have to benchmark the best practices and evaluate the performance of the civil servants both qualitatively and quantitatively with a variety of parameters.
• **Specialist Knowledge:** Apart from the lateral entry, civil servants themselves should become specialist in domain experts. Even, ARC recommends that the civil servants should choose an area for developing expertise after some years.
• **Transforming work culture:** Most government departments suffer from poor work culture and low productivity. In order to provide cost-effective efficient services, there is a need to downsize the government, improve work environment and privatize some of the services.
• **Annual Confidence Reports (ACRs):** A non-transparent, subjective and unilateral character of Annual Confidence Reports (ACRs) in all states has reduced its utility for public agencies. Transparent performance appraisal is required, so that better performance is fairly and accurately reflected in the appraisal.
• **Stability of tenure:** There is usually a reshuffling of officers with change in government. This ever present threat of transfer also affects the morale of the officers. A fixed tenure of at least three years for an officer of the higher civil service along with annual performance targets is the need of the hour.

• **Placements at middle and Top Management level:** As per 2nd ARC, a Central Civil Services Authority should be constituted to deal with matters of assignment of domains to officers, preparing panels for posting of officers at the level of Joint Secretary and above.

• **Disciplinary proceedings:** The present oral inquiry process should be converted into a disciplinary meeting or interview to be conducted by a superior officer in a summary manner without the trappings and procedures borrowed from court trials.

7. **Give an account of the issues that arise due to short tenure of civil servants in India. Critically discuss the move of setting up a civil services board in order to address this problem.**

**Approach:**

- Give a brief picture of issue of tenure of civil servants in India.
- Then explain issues associated with the short tenure of civil servants in India.
- Then bringing out concept of setting up of civil service boards and discuss if it will effectively resolve the persisting issues citing both benefits and concerns.

**Answer:**

Stability of tenure to Civil Servants is a rarity, particularly in states, where transfer and postings are made frequently, at the whims and fancies of the executive head.

Following issues are associated with short tenure of civil servants:

- Short tenure and dependence on political class for postings leads to the **patronization of political class** by civil servants giving rise to other menace like corruption, conflict of interest, nepotism.
- Lack of security of tenure for important posts in India had greatly hampered the **morale and efficiency** of civil servants.
- Short tenure leads to less effective performance measurement and appraisal of the civil servants.
- Arbitrary transfer of civil servants holding important post sometime goes **against the principles of public interest and good governance.**
- Stable tenures are necessary for enabling the incumbent to learn on the job, develop his own capacity and then contribute in the best possible manner.

Thus to bring the civil service out of politicization and patronization, the second ARC as well the Supreme Court in 2013, recommended the setting up of the Civil Service Board with the following objectives:

- To isolate the bureaucracy from political interferences and put an end to frequent transfers of civil servants
- To look into the managements of transfers, postings, and inquiries, process of promotion, rewards, punishment and disciplinary matters.
- To provide stability to the civil servants and will uphold the neutrality and objectiveness in the functioning of civil servants.

But there are some issues that might hamper the purpose of setting up of the Civil Service Boards:
• The competent authorities, i.e. Prime Minister in case of Centre and Chief Minister in case of State may amend, modify or reject the recommendation of the civil services board for the reasons to be recorded in writing.
• The board is to be headed by the Chief Secretary of the State who might have conflict of interest in the process.

Thus, apart from setting up of Civil Service Board, its political seclusion is required too. Further, some measures, like clearance from Lokayukta in case of premature transfer, could be introduced into the setup.

8. The idea of Civil Services Board has been widely hailed as a key civil services reform, however it is not without its own limitation. Comment.

Approach:
• Introduce by explaining the Civil Services Board.
• Briefly mention why it is widely hailed as key civil services reform.
• Discuss its criticisms and conclude with a way forward.

Answer:
The Civil Services Board is a panel, headed by the cabinet secretary at the national level and chief secretaries at the state level, formed to regulate transfers and postings of higher-ranking civil services officers in the country. The Department of Personnel Rules 2016 made it mandatory for all states to setup such boards, following the recommendations of the 2nd ARC and Supreme Court directive in TSR Subramanian Case, 2013.

Civil Services Board has been widely hailed as a key civil services reform as:
• It helps in shielding the bureaucracy from political interference and put an end to frequent transfers of civil servants.
• The frequent and arbitrary transfers of officers is a major reason for the declining morale of civil servants and standards of administration.
• Security of tenure and apoliticisation is crucial to provide stability to the civil servants, which can ensure good governance in the country.
• It will also help bring the neutrality and objectiveness in the functioning of civil servants.

Limitations of the Civil Service Board:
• Recommendatory nature: The governments may amend, modify or reject the recommendation of the civil services board for the reasons to be recorded in writing.
• Lack of Compliance: States such as Madhya Pradesh and Tamil Nadu have not complied with the mandatory rules on setting up the board.
• Conflict of Interest: The board is to be headed by the bureaucrats who might have a conflict of interest in the process.

Apart from following the SC ruling and mandatory rules, the states can also introduce measures like clearance from Lokayukta to curb premature transfers, placing eminent bureaucrats from outside the state to ensure neutral recommendations by the board.
Heartiest Congratulations to all successful candidates

7 IN TOP 10 SELECTIONS IN CSE 2019
FROM VARIOUS PROGRAMS OF VISION IAS

2 AIR
JATIN KISHORE

3 AIR
PRATIBHA VERMA

6 AIR
VISHAKHA YADAV

7 AIR
GANESH KUMAR BASKAR

YOU CAN BE NEXT

9 IN TOP 10 SELECTIONS IN CSE 2018

1 AIR
KANISHK KATARIA

2 AIR
AKSHAT JAIN

3 AIR
JUNAID AHMAD

4 AIR
SHREYANS KUMAT

5 AIR
SRUSHTI JAYANT DESHMUKH

7 AIR
KARNATI VARUNREDDY

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