

10. Civil Services In India

INTRODUCTION

The term 'Civil services' covers the large number of permanent officials required to run the machinery of Government. The core of Parliamentary Government, which we have adopted in India, is that the ultimate responsibility for running the administration rests with the elected representatives of the people called Ministers. These Ministers are accountable to the Legislatures which are also elected by the people on the basis of universal adult franchise. Thus, we can say that the Ministers are indirectly responsible to the people themselves. But the handful of Ministers, however wise and efficient they may be, cannot be expected to deal personally with the manifold problems of modern administration. Ministers lay down the policy. It is for the civil servants to carry out this policy.

Classification of Services: The Constitution of India provides for two classes of services in the country.

These are

- (i) Central services; and
- (ii) State services

The Central services are concerned with the administration of Union subjects such as foreign affairs, defence, income tax, customs-, posts and telegraphs, etc. Officers of these services are recruited by and work under the authority of the Union Government.

The subjects within the jurisdiction of the States such as land revenue, agriculture, forests, education, etc. are manned by the State services. Officers of the State services are recruited by different States through the State Public Service Commissions.

In addition to these two grades of services, the Constitution also provides for All-India services. These services are common to the Union and the States and are composed of officers who are in the exclusive employ of neither and may at any time be at the disposal of either, e.g. IAS, IPS, etc. Parliament may by law provide for the creation of one or more All-India services common to the Union and the State and regulate the recruitment and conditions of service of persons appointed to any such service.

RECRUITMENT TO ALL-INDIA AND

CENTRAL SERVICES

Recruitment is a process which is of vital importance to the administrative system as a whole, for it determines the tone and calibre of the public services, and on it rests the usefulness and relevance of the machinery of Government to the society. Direct recruitment to the administrative and most of the executive services is made on the basis of a competitive examination conducted by the Union Public Service Commission. The examination includes :

- test of intellectual ability and scholastic attainment through a written examination in a

- certain number of subjects (optional papers);
- a written test, common to all candidates, designed to test their capacity for effective thinking, sentence formation, power of clear and lucid expression, and general knowledge (compulsory papers); and
- An interview to assess a candidate's personal qualities, including some intellectual qualities which a written examination cannot test.

A combined examination, called the civil service examination is held annually by the Union Public Service Commission for recruitment to the All-India services (Indian Administrative Service and Indian Police Service), Indian Foreign Service and Central Services (Group A and B). In Group A there are services like the Indian Defence Accounts Service, Central Information Service, Indian Railway Traffic Service, Indian Income Tax Service, etc. In Group B, there are services such as Central Secretariat Service, Railway Board Secretariat Service, Indian Foreign Service (Section Officers Grade) and services for Union Territories of Delhi, Andaman and Nicobar, Pondicherry and Daman and Diu, etc.

Candidates who are Indian nationals, between the age of 21 years and 30 years (relaxable in certain cases like Scheduled Castes and Scheduled Tribes, O.B.Cs. and the upper age limit for the post of Assistant Commandants, Group A in CISF is 28 years only) and holding a university degree are eligible to apply for the examination. Each candidate is permitted four chances at the examination. This restriction however, does not apply to SC/ST candidates. The candidates in the OBC category are given seven chances to appear at the examination.

Plan of the Examination : The civil services examination comprises of two successive stages :

- (i) Civil Services (Preliminary) Examination, objective type test for the selection of candidates for main examination; and
- (ii) Civil Services (Main) Examination, written and interview tests for the selection of candidates for the various services.

The preliminary examination is held annually in May/June and the main examination in November/ December. The preliminary examination consists of two papers of objective multiple choice questions and carry a maximum of 450 marks. This examination is meant to serve as a screening test only. The marks obtained in the preliminary examination by the candidates who are declared qualified for admission to the main examination will not be counted for determining their final order of merit. The number of candidates to be admitted to the main examination will be about twelve to thirteen times the total approximate number of vacancies to be filled in the year in the various services and posts. Only those candidates who are declared by the Commission to have qualified in the preliminary examination in a year will be eligible for admission to the main examination of that year.

The main examination consists of a written examination and an interview test. The written examination will consist of 9 papers of conventional essay type in the subjects set out by the Union Public-Service Commission. Each paper carrying 300 marks, and an essay paper which has 200 marks only. Candidates who obtain such minimum qualifying marks in the written part of the main examination as may be fixed by the Commission shall be summoned for an interview for a personality test. However, the papers on Indian languages and English will be of qualifying nature. The marks obtained in these papers will not be counted for ranking.

The number of candidates to be summoned for interview will be about twice the number of vacancies to be filled. The interview will carry 300 marks (with no minimum qualifying marks). Marks thus obtained by the candidates in the main examination (written part as well as

interview) would determine their final ranking. Candidates will be allotted to the various services keeping in view their ranks in the examination and the preference expressed by them for the various services and “posts.

The candidate will be interviewed by a board who will have before them a record of his career. He will be asked questions on matters of general interest. The objective of the interview is to assess the personal suitability of the candidate for a career in public service by a board of competent and unbiased observers. The test is intended to judge the mental calibre of a candidate. In broad terms, this is really an assessment of not only his intellectual qualities but also social traits and his interest in current affairs. Some of the qualities to be judged are mental alertness, critical powers of assimilation, clear and logical exposition, balance of judgement, variety and depth of interest, ability for social cohesion and leadership, intellectual and moral integrity.

The technique of the interview is not that of a strict cross-examination but of a natural, though directed and purposive conversation which is intended to reveal the mental qualities of the candidate. The interview test is not intended to be a test either of the specialised or general knowledge of the candidates which has been already tested through their written papers. Candidates are expected to have taken an intelligent interest not only in their special subjects of academic study but also in the events which are happening around them both within and outside their own State or country as well as in modern currents of thought and in new discoveries which should rouse the curiosity of well educated youth.

UNION PUBLIC SERVICE COMMISSION

Article 315(1) of the Constitution lays down that “there shall be a Public Service Commission for the Union and a Public Service Commission for each State.”

Composition : The Constitution has not fixed the number of members of the Union Public Service Commission, and has left the matter to the President (which means the Government). The members of the Commission are appointed by the President. The President determines the salary and other conditions of service of the members of the UPSC through regulations. The entire expenses of the UPSC are charged on the Consolidated Fund of India. At least half of the members should be persons with a minimum of ten years’ experience in Government service.

Tenure : The tenure of office of a member of the UPSC is fixed for six years or until the attainment of 65 years of age, whichever is earlier. A member of the UPSC may resign from office by writing addressed to the President.

Removal : A member can be removed from office only by an order of the President on the ground of insolvency, infirmity of mind or body, or engagement in paid employment outside the duties of his office. He may also be removed on the ground of misbehaviour, if, following a reference to and inquiry by the Supreme Court, the Court has upheld the cause of removal. The Constitution provides that any concern or interest in any contract or agreement made by the Government of India, or participation in any way in the profits thereof will be sufficient proof of misbehaviour.

Provisions for Securing Independence of the Commission

1. The Chairman or a member of the UPSC can be removed from office only in the manner and for grounds specified in the Constitution.

2. The conditions of service of members of the Commission are determined by the President, but these cannot be varied to the disadvantage of the members during their term of office.
3. All the expenses of the Commission, including the salaries of members, are charged on the Consolidated Fund of India. This means that they are not required to be submitted to the vote of Parliament.
4. The Constitution provides that upon ceasing to be member in due time, the incumbent will be ineligible for any further appointment in the same office or in any office under the Government except a higher appointment in the same Commission.
5. The Commission has its own staff for carrying out its functions. Its senior staff includes a Secretary, a Controller of Examinations, a Joint Secretary, 18 Deputy Secretaries, an Officer on Special Duty, a Director (Data Processing), 41 Under Secretaries and one Finance and Accounts Officer.

Functions of the UPSC

1. To advise the Government on all matters relating to the method of recruitment and principles to be followed in making appointment to civil services either directly or by promotion.
2. To conduct examinations for appointments to the All-India and Central services like the combined examination for IFS, IAS, IPS, other allied and Central services; the Engineering Services Examination; the Indian Economic Service Examination; the Joint Services Wing Examination; and the Ministerial Services Examination.
3. To interview candidates for direct recruitment.
4. To advise the Government on the suitability of candidates for promotion and transfer. Recommendations for such promotions are made by the department concerned and the Commission is requested to ratify them.
5. The Commission is also consulted on matters like temporary appointments for periods exceeding one year but not exceeding three years, grant of extension of service, and re-employment of certain retired servants.
6. To advise the Government on disciplinary matters affecting civil servants.
7. The Commission is also consulted on matters like regularisation of appointments, claims for the award of pension, claims for reimbursement of legal expenses incurred by Government servants in defending legal proceedings instituted against them in respect of acts done in the execution of their official duties, claims for pension or compensation in respect of injuries sustained while on duty.
8. To advise the Government on any other matter specifically referred to it by the President. The Constitution also provides for an extension of the functions of the Commission if Parliament passes a law to that effect. The Constitution requires the Commission to submit to the President an annual report on the work done by it during the year. The report, accompanied by a memorandum explaining the action taken by the Government on the recommendations of the Commission, is to be placed before the Parliament. The memorandum should explain the reason for the non-acceptance of the recommendations of the Commission by the Government, if there are such cases.

TRAINING OF CIVIL SERVANTS

[Details are given in Chapter 7 of this book]

In 1959 itself the two sister institutions, IAS Training School, Delhi, and IAS Staff College, Simla, were amalgamated to start a National Academy of Administration — now (since 1972) called the Lai Bahadur Shastri National Academy of Administration — at Mussoorie. The Academy started functioning at Mussoorie from September 1, 1959. Each organised service today has its own training institution to impart training to the new recruits.

Training for Indian Administrative Service (IAS)

Recruits to the All-India services (including the Indian Forest Service) and Central services are required to attend a common course of training, called foundational programme, at the Lai Bahadur Shastri Academy of Administration. The subjects taught in the foundational course, which is of three and a half months' duration, are :

1. Basic Economics for Administrators,
2. History and Indian Culture,
3. Law,
4. Political Concepts and Constitutional Law, and
5. Public Administration, Management and Behavioural Sciences.

At the end of the foundational course there is an examination and the marks secured in it are added to the recruitment examination.

After the completion of the foundational course, the probationers of the services other than IAS leave for their respective training institutes for subject-matter training. The IAS probationers numbering nearly 150 stay at the Academy to undergo further training, called the professional training, of eight months' duration. It was first introduced in 1969.

After completing the first phase of professional training, the probationers go to the State of their allotment for district training. Its duration is one year. During district training, the probationers spend some time at the State training institute. They, thus, acquire knowledge of various aspects of life (including the language) of the State of their destiny, especially of the districts to which they are attached. They undertake socio-economic survey of villages. This aspect of training is particularly emphasised as they spend the initial period of their career in rural areas. During the period of district training, the probationers remain in touch with the Academy and report regularly to a faculty member.

Training for Indian Police Service (IPS)

Training for IPS personnel is conducted at the National Police Academy at Hyderabad. The IPS probationers have been undertaking two courses of in-service training since 1986.

The syllabus of training includes studies of criminal psychology, scientific aids in detection of crime, methods of combating corruption and fire and emergency relief. The subjects of study and the training in drill, handling of weapons, etc., have a direct bearing on the normal work of a police officer.

After the completion of one year training, the probationer passes an examination conducted by the UPSC. He is, then, appointed as an Assistant Superintendent of Police. But, before this appointment he has to undergo a year's programme of training. He is imparted practical training by requiring him to do the work of various subordinate officers under guidance.

GENERALISTS AND SPECIALISTS

Generalist: A generalist may be defined as a public servant who does not have a specialised background and is easily transferable to any department or branch of Government.

A generalist has also been defined as a civil servant who belongs to the managerial class and who is well up in rules, regulations and procedure of administration. He generally performs POSDCORB functions, namely, planning, organising, supervising, directing, coordinating, reporting and budgeting. Specialist: By 'specialist' is generally meant a person who has special knowledge or skill in a specific field, e.g., agriculture, medicine, engineering, education, etc. The specialist can be easily distinguished on the basis of his education and training.

Two points may be noted in this context:

1. Expert or specialist is a relative term. For example, the generalist medical practitioner is an expert in relation to the patient, but is only a generalist in relation to a surgeon, dentist or ophthalmologist. In other words, there are degrees of expertise.
2. There is equally a problem between the working engineer in the field and his counterpart in the laboratory or the university. The Indian Administrative Reforms Commission has chosen to call such specialised services as 'functional services'.

'Functional services' include not only 'services' which are charged with a technical function for which pre-entry vocational education is required (e.g., the various Engineering Services), but also those which specialise after entry in a particular area of administration for which no pre-entry vocational qualification is prescribed (such as, Accounts, Income-Tax). The Commission distinguished the 'functional services' from 'a general purpose' service. For example, members of IAS start their service in the districts, but soon get dispersed to various posts which cover different functional areas. The IIPA Conference on Personal Administration attempted a detailed definition of the term 'generalist officer' and 'specialist or technical officer'.

A generalist officer is one who has received a liberal college education (in whatever subject) and after receiving initial training in the field is appointed to a middle level supervisory post for which an educational qualification in technical or professional subjects — engineering, medicine, etc. — has not been prescribed as compulsory. In due course, he is appointed to higher administrative positions irrespective of his previous experience and training. A specialist or technical officer is appointed to a middle level supervisory post for which a technical or professional educational qualification has been prescribed as compulsory. He is excluded from areas where his specialised knowledge or training may not find direct application.

Position in India : The public services in India are characterised by the superior position of the generalist. By and large, the 'policy formulation' and the 'consideration' levels in the Central and State Secretariats are manned by the members of the generalist services. Although the technical services constitute about fifty per cent of the total strength of Class I officers, they are generally excluded from holding Secretariat appointments. A good portion of the posts (of Deputy Secretary and above) in the Central Secretariat are held by civil servants in the IAS. In general, positions in the field are filled by the specialists. But there are many instances of the IAS officer working as Director of Education, or Director of Health, or Director of Agriculture, or even Chief Conservator of Forests in various State Governments. At the district level, there is the generalist Collector leading a team of technical district officers who are heads of technical departments at the district level. The Panchayati Raj administration, too, has not escaped this

phenomenon. Thus, the Chief Executive Officer of the Zila Parishad is an IAS officer, who is the head of a team of technical officers.

Reasons for the superiority of Generalists :

1. The belief that the high calibre of recruits to the Indian Administrative Services and the wide and varied experience gained as a result of their postings to a diverse variety of jobs, equip these services with qualities needed for the performance of the senior management level jobs.
2. “Another justification for the predominance in the higher administrative position of services primarily recruited for the general administration, is the facility which this system seems to provide for contact with the grass-roots of administration.” (IIPA Conference).
3. Administration in India has traditionally been based on the principle of ‘area administration’ and the Britishers continued this tradition. In independent India the village, the block, the tehsil, the district, the division continue to remain the units around which the administration at that level revolves. The case for the generalists is that there should be a manager at all levels to perform the managerial functions of planning, directing, coordinating, etc., and that only an experienced administrator can fulfil this role with success.
4. The generalists emphasise the need for a Secretariat at the headquarters, predominantly manned by generalists, to act as an intermediary and link between the specialists in the field and the amateur Minister at the top.
5. The generalist Secretary is considered to be in a much better position to tender correct and proper advice to his Minister because he usually has complete understanding of the total effect of various factors on a particular policy decision.
6. Generalists charge the specialists of being parochial and narrow-minded. Specialists, according to this view, are prone to display bias and a restricted view of matters. After all, the specialist is one who knows more and more of less and less and they quote the authority of Paul Appleby, according to whom, “the price of specialisation of every kind is parochialism.”

Criticism

1. In the conditions prevailing in India before Independence, there were few attractive openings for the talented, outside the higher administrative services, and so the best products of the universities tried to get into what was then known as the ‘heaven-born service’. The situation has changed materially since 1947.
2. With the emergence of the Welfare State with emphasis on development administration, the demand for specialised and technical talent has been rapidly rising and the best talent is now being attracted to these technical positions including industry, commerce, banking, insurance, and other business.
3. It is no longer true that IAS is the only repository of talent and merit.
4. There has occurred a big change in the functions of the Government, which have not only multiplied in number but have also become very complicated and technical.
5. The needs of contemporary society and the aspirations of the public demand that civil servants today have to be equipped to tackle the political, scientific, social, economic and technical problems of our time. They have to keep up with the rapid growth of new know-ledge and acquire new techniques to apply to it. In short, the civil service is no place for the amateur. It must be staffed by men and women who are professionals.
6. Questions have been asked as to what constitutes the ‘district experience’ and why should the experience in land revenue administration, magistracy and general

administration alone be regarded as field experience. The experience at the operation 'doing' level can as well as be acquired in other departments like agriculture, industry, health or police.

7. It took ordinarily eight to ten years before ICS officers could rise to the position of the Collector and District Magistrate, and in general, an officer worked for about fifteen years in the district before being sent to the Secretariat. However, in independent India, in many cases, it takes only three to five years for an IAS officer to be appointed a Collector and he is sent to the Secretariat soon after. In other words, the so called district experience is rather limited in the case of IAS officers now.
8. It is being increasingly realised that 'district experience' is really not called for in the type of activities now carried on by the Central Government, and that the work of Ministries/ Departments calls for continuity of specialisation rather than periodic renewal of field experience in districts. Thus, in 1939 a Finance and Commerce Pool was constituted as 'an expert cadre of officers with special knowledge, experience and outlook' for dealing with the specialised needs of departments dealing with economic matters. The creation of the Central Secretariat Service soon after independence to man a certain proportion of superior posts in the Secretariat was another step in the direction of weakening the Tenure System (introduced by Lord Curzon) as well as the setting up later of special cadres like the Industrial Management Pool to fill superior positions in the management of public undertakings. The Central Administrative Pool was also set up as reserve for manning senior administrative posts of and above the rank of Deputy Secretary.
9. Even though the tenure system still exists on paper, there are many officers in the Central Secretariat who have not, for one reason or the other, gone back to their original posts in the States.
10. The foremost grievance of the specialist service is the discrimination in pay and allowances as between the IAS and their services, and the greater and quicker chances of promotion for the IAS.
11. A large majority of top posts both in the Union Government and the State Governments are manned by the members of the IAS.

Steps taken by the Government of India to resolve the problems :

1. Weakening of the Tenure System.
2. Creation of new specialist All-India and Central Services. Article 312(1) of the Constitution authorises the Union Parliament to provide for one or more All-India services common to the Union and the States, if the Council of States declares by a resolution supported by not less than two-thirds of the members present and voting that it is necessary or expedient in the national interest to do so. On the eve of independence, there existed only two All-India services — the Indian Civil Service and the Indian Police Service. Of these, the IPS was retained and the old ICS was replaced by the new IAS. Several new services have been added to the list, namely, the Indian Engineering Service, the Indian Forest Service, the Indian Statistical Service, Indian Economic Service etc. All these services aim at giving better status and emoluments to specialists. In the States, provision has been made in many cases to give better grades to technical services.
3. Appointment of specialists to positions of administrative responsibility. The trend is visible in most departments. Thus we have Assistant, Deputy and Joint Advisers in the Ministry of Education working side by side with the generalist Under/Deputy/Joint

Secretary. The Planning Commission is almost exclusively manned by specialists and professionals.

One way of achieving the same objective is by combining the role of the Secretary to and the head of the executive agency in one integrated office. “A composite office will permit more specialisation in the division of work than would be possible in separate offices, ensuring that every aspect of the work to be done is handled by persons chosen for their competence in that aspect, reducing the dependence on ‘generalists’, whether they are generalists in the sense that their educational background and experience have no direct relevance to the jobs given to them, or in the sense that they are utilised to perform other jobs, though their qualifications at the time of their recruitment were relevant to the generality of the technical or specialist jobs which they were expected to do.” (Madhya Pradesh Administrative Reforms Commission.)

Another way of achieving the same objective is the method of giving the specialist head of department ex officio status of Joint/Additional/full Secretary to Government, e.g., the Railway Board members while remaining heads of the operating departments are also ex officio Secretaries in the Railway Ministry.

Various other solutions to the problem have been offered from time to time. Thus, Central Administrative Reforms Commission (1966 to 1970) has in its report on personnel administration recommended functionalisation of all services including the IAS. It also recommended that senior management posts in functional areas should be filled by the members of functional services.

MINISTER-CIVIL SERVANT RELATIONSHIP

[Details are given under the sub-heading ‘Relations of the Civil Servants with the Political Executive’ in Chapter 7 of this book.]