CHAPTER VII

STAFF ASSOCIATIONS AND RELATIONS

With the expansion of the staff in the modern state, personnel management assumes an ever-increasing importance and the administrative leader cannot achieve the best results unless he has an easy means of discovering the views of his subordinates and of preparing their minds, on numerous occasions, to the acceptance of new methods whose introduction they may often be disposed, at first, to resent. In a small organization such matters can be talked over in a friendly informal atmosphere. But in large-scale organizations regular formal channels of communication have to be constituted. "The administrative leader, who does not recognize that his most promising ideas spring as bright particles in the minds of a hundred colleagues", as Dr. Gladden has said, "is already doomed to sterility. It is only by making full use of the ideas and experience of all who are in direct contact with the day-to-day activities of the organization that the most efficient administration can be achieved......." The methods so far devised to establish such communications between the Government and their employees are two, namely, the "staff associations" and the "joint consultation committees" or "Whitley Councils", as they are called in the United Kingdom. In this chapter, we propose to study how far these channels of communication are built up in the Panjab administration and how they have been affecting the character and efficiency of the civil service.

I. GROWTH OF STAFF ASSOCIATIONS

"Unionism may exist", says Robert Hoxie, "Whenever in

society there is a group of men with consciousness of common needs and interests apart from the rest of the society. During the British rule, consciousness of common needs and interests among the civil servants remained largely submerged with the common aspiration of the people for independence. There were, of course, highly organized associations of the higher civil servants, such as the Amalgamated Society of Railway Servants of India and Burma formed in 1897, the Indian Civil Service Association etc., which exerted an important influence not only upon the public personnel policy of the Government but also upon the constitutional reforms of the country. But as these services were mostly manned by the Britishers and Anglo-Indians, they are, in the present context, only a subject of historical interest. As Government used to rely, in those days, mainly upon authoritarian methods, the general mass of lower and middle level civil servants remained unorganized.

After the First Great War, however, political and economic conditions in the country began to change. The lower grade employees of some business departments of the Government of India i.e. Railway and Post and Telegraph Departments, began to organize themselves into unions. The Indian Trade Unions Act, passed in 1926, gave legal recognition to these unions and since then, definite combinations of workers and low-paid employees began to come into existence.

These developments affected the State employees also and low-paid technical employees in the Public Works Department began to form unions since the early thirties.

2. Under clause (b) of section 2 of the Indian Trade Unions Act, only workmen and persons employed in trade and industry are authorized to form Trade Unions and to engaged in trade union activities.
4. Information secured from the Establishment Branch of the Chief Secretary's Office.
the mid-thirties, the Government school teachers, and employees in the Co-operative Societies and Agriculture Departments also began to organize themselves. Inspired by their example, the ministerial staff in the Secretariat and Headquarters of the various departments also began to form associations, although none of them appears to have had a continuous existence for long. In 1937 the Government issued an executive order providing for the conditions and procedure for the recognition of Government Servants' Association. The main conditions were:

1. Association must consist of a distinct class of employees.

2. Ordinarily Government will not object to non-officials being office-bearers, but it reserved the right, in particular cases, to refuse recognition to associations having non-officials as its office-bearers.

3. Representations were to be received only on general questions of common interest to the class concerned.

4. Government required the regular submission for its information of copies of the rules of association and the annual statement of accounts.

5. The associations were prohibited from furthering the interests of their members by such objectionable means as seeking the help of Members of the Legislature, holding of public meetings, exhibition of grievances in the Press, approach to political parties or to political candidates during elections.

With the commencement of the Second World War, the economic conditions of the employees began to deteriorate. Since 1940 the cost of living spiral began to ascend rapidly and this made the life of the low-paid employees unbearable. They started agitation for getting the amelioration of their conditions of service. While this gave some fillip to their organizational activities, Civil Service Unionism did not actually set on a sound path because communalism still was now.

damaging the tradition of impartiality of the Civil Service.

In 1947 came the partition of the State and this threw the entire life of the community out of gear. It was only since the fifties of the century that normal conditions began to reappear and gradually all classes of government servants began to organize themselves into associations. This time it were not only the non-gazetted employees who formed associations but all classes of officers, higher as well as lower, got their own associations and some of them became quite active and militant. The Patwaris' Association and the Primary School Teachers' Association acquired greater prominence because of their agitational activities.

This sudden effusion of their zeal for unionism seems to have unnerved the Government which developed quite a strict attitude towards associations. Early in 1955, the Government issued Civil Service Conduct Rules which imposed severe restrictions upon the civil servants' right to associate and other trade union activities. This caused further difficulties in the relations between the Government and the employees. The acute inflation of the Fifties made the conditions of lower and middle classes of employees and wage earners more difficult. The pressure of claims, representations and protests from various sections of the employees, which were hit hard by the rise of the cost of living, increased. The piecemeal approach of the Government to meet the demands of different classes of services, instead of diminishing their discontent, actually increased it. A few associations even resorted to strike and other extreme agitational types of activities which further exasperated the Government who now took severe punitive and retributory action against the union leaders and other agitators. The recommendations of the First and, later on, of the Second
Central Pay Commissions regarding better conditions of service and freedom of trade union activities raised in the minds of the employees higher hopes which dashed against the increasing stringency of the Government and thus, caused greater frustration amongst the employees.

Thus, the history of civil service unionism in Punjab is a story of increasing grievances and resentment on the part of the staff associations and the increasing strictness on that of the Government. The result is the growth of frustration among the ranks of the employees. Independence and the democratic constitutional reforms raised their expectations but, to their dismay, they found that the attitude of the Government towards them was not sympathetic. It is obvious that Government has not yet realized the utility of staff co-operation. There appears to be little appreciation of the fact that participation in personnel management stimulates interest among the employees in their work, that it creates among them an esprit de corps and builds up their morale and that it may also help in preventing abuses on the part of the directing heads and in safeguarding the merit principle in public services. It is with a view to these advantages that the Government in U.K. encourages its civil servants to join staff associations as a means for representation of employees' points of view on conditions of service. But the Government here appears to be in no mood of seeking their co-operation.

2. In a recent speech the Chief Minister justifying the large-sized Council of Ministers said that so many Ministers were needed to shepherd the lakhs of clerks who sit idle in the offices. Chief Minister's Inaugural speech at the Annual Conference of the Patwaris' Association held on 29th March, 1962 at Rupar, Tribune dated 30-3-1962.
In fact, it gives the impression that it has been tolerating them as a necessary evil. The result is, as the first Pay Commission reported, that there is "an absolute distrust on the part of many grades of public servants as to their ever receiving a fair response from the Government to their representations".

It is not only the strict attitude of the Government which has kept the relationship in a rather unhappy state, but the attitude of the superior officers also is partly responsible for it. According to the opinion of the Government itself, "at present the attitude (of senior officers) seems to be authoritarian, often unnecessarily abrupt and cryptic, rather as if orders are being conveyed on parade". The acute rank consciousness and the hierarchy of values built up in the civil services are drifting the higher and lower services apart and have been vitiating the staff relationships. In fact, here we find our personnel administration standing at the cross-roads. Temperamentally the civil service is still tied down to the old-time concept of official hierarchy bound in a chain of command and operating through the circumlocutionary method of orders and circulars issued from 'ivory towers'. But the needs of the present-day administration require a democratization of all the management practices. Democratic administration, as Ordway Tead has said, is "that direction and oversight of an organization which assures that aims are shared in the making, that working policies are agreed to by those involved, that all who participate feel both free and eager to contribute their best creative effort, that stimulating personal leadership 1. Wadachariar Commission Report, 1947, p. 119. 2. G.O. No. 4662-58/11906, clause (5).
is assured and that, in consequence, the total outcome maximizes the aims of the organization while also contributing to the growing selfhood of all involved in terms of clearly realized benefits. Herein, administration becomes a cooperative partnership in which none is more important than the other but in which every one performs willingly and carefully his part of the appointed duty. We have a Plan covering all fields which go to make a nation prosperous and if progress in any one field does not keep pace with progress in other fields and if every level of the Government machinery, from the highest to the lowest, does not function efficiently, it is likely to affect the over-all progress of the Plan. Every level of every activity has, thus, its own importance and it is only in this light that relationship between superiors and subordinates should be based.

This big gap between theory and practice and between the needs of the situation and supply available to it is so wide that one cannot predict with any stretch of imagination when the present tension might ease and healthy staff relationship might begin to develop. In fact, by a close study of the present attitudes of the Government and their employees one gets an impression as if our Administrative State is standing on a volcano which, happily for the present Government, would remain dead until alternate employment opportunities for the educated youths grow up to cope with the spread of education. But the things, as they are today, are bad enough for the society, because on the one hand, they are a cause of inefficiency in the Government and, on the other, they drift the youthful section of the community towards extremist lines.

It is not a healthy sign that for a body of about two lakh eighty and odd civil servants there are only about one hundred and odd staff associations which represent hardly thirty to forty per cent of the members of the classes which they purport to represent. The rest are either passive to any collective union activity or have already drifted towards extremist channels. The situation is not the same today as subsisted in the pre-independence days when civil service unionism was yet on its prenatal stage. There is wide awakening among the civil servants today. They consider a fair wage and other conditions of service as a matter of right and some of their associations, for example, the Patwaris Association, went to the extent of striking work, obstructing Government work and indulging in other activities of the kind. A strict attitude on the part of the Government, therefore, cannot restrain the growth of unionism. It can, however, cripple their normal development and set them in wrong tracks.

II. SOME SPECIFIC PROBLEMS OF CIVIL SERVICE UNIONISM

Having made this brief survey of civil service unionism in Panjab, it would be worthwhile to take up its specific problems for a detailed study. These problems fall under the following three categories:

1. Civil Servants' right to association.
2. Their right to collective bargaining, and arbitration.
3. Their right to strike.

1. Information got from the Establishment Branch of the Chief Secretary's Department.
2. For example, Resolution No. 5 passed by the Panjab Civil Secretariat (Asstt. and Clerks) Association adopted in its meeting held on 11-7-1961 at Chandigarh demands this.
We saw above how the Indian Trade Union Act of 1926 recognized the workers' right to organize and to engage in other trade union activities. But while the right was conceded to the state's industrial employees, it was not fully given to the civil, that is, non-industrial, employees of the Government. So, since the very beginning there has been a difference between the nature and status of the State Industrial Employees' Unions and the Non-industrial Employees' Unions. In fact, it is only the former which are called 'Unions', being the latter/called, 'Civil Service Associations'. While the former enjoy all the trade union rights and are registered under the Trade Union Act, the latter are not so registered, nor do they enjoy all the trade union rights.

The civil servants' right to trade unionism is governed by Rule 24 of the Government Servants' Conduct Rules, 1955 and by departmental orders issued from time to time. The rule concedes the right to civil servants to associate amongst themselves provided the association fulfills the following conditions:

(a) Its membership is confined to a distinct class of Government servants and shall be open to all Government servants of that class.

(b) It is not in any way connected with or affiliated to any association which does not or any federation of associations, which do not satisfy condition (a).

(c) It is not in any way connected with any political party or organization, or engage in any political activity.

(d) It does not (i) issue or maintain any periodical publication except in accordance with any general or special order of the Government and (ii) except with the previous sanction of the Government publish any representation on behalf of its members, whether, in the press or otherwise.
(e) It does not in respect of any election to a legislative body or to a local authority or body whether in India or elsewhere (i) pay or contribute towards any expenses incurred in connection with his candidature by a candidate for such election (ii) by any means support the candidature of any person for such election or (iii) undertake or assist in the registration of electors or the selection of a candidate for such elections.

(f) It does not (i) maintain or contribute towards the maintenance of any member of a legislative body or of any member of a local authority or body whether in India or elsewhere or (ii) pay or contribute towards, the expenses of any trade union which has constituted fund under section 16 of the Indian Trade Unions act 1926 (XVI of 1926).

Thus, while the Government has not deprived the civil servants of their right to associate, it does not allow them the formation of such unions as do not adhere to the pattern of organization and activities set up for them by it. There are at present about eighty recognized associations of Civil servants in the Panjab and, so far as could be ascertained, about twenty-two unrecognized associations. Despite the multiplicity of these associations, there is considerable uniformity of their organization, purposes and activities. Their constitution follows the following pattern.

(a) Associations are organized class-wise or grade-wise. In bigger departments, having their offices scattered over a large area, associations are sometimes organized regionally.

(b) Membership of the associations is based on the basis of payment of membership fee which ranges from one rupee per annum to twelve or even more rupees.

(c) The general body meets once or twice a year and exercises all the powers not expressly delegated to any other authority of the association.

2. A list of associations as in 1961 is given in Appendix V.
3. These conclusions are based on the factual study of the constitutions of large number of associations registered with the various Government Departments.
(d) For looking after the day-to-day activities of the associations, there is an Executive Committee comprising of a President, a Vice-President, a General Secretary (often also a Joint Secretary and also Local Secretaries in case of bigger associations having regional branches), a Treasurer and two to six other members, all elected annually by the general body of members. There is, however, in most of the associations studied, continuity of personnel for the executive offices.

The objectives which these associations endeavour to accomplish are:

(i) Securing and promoting the common interests and the fulfilment of legitimate demands of their members.

(ii) Inculcating in the members a sense of co-operation, friendliness and fraternity;

(iii) To establish and maintain cordial relations between the department and the employees; and

(iv) To carry on the general welfare activities for the well-being of the members.

There are, of course, variations in emphasis from one to the other association. But, on the whole, these four are the main aims of the staff associations in Panjab. So far as the unrecognised associations are concerned, their main points of difference with the recognized associations are: they retain outsiders, such as, M.L.A.s or party workers in their executive bodies and they appear to be better informed and more interested in the personnel policies of the Government. They, however, have no right of representation to the Government and hence have to depend mostly on the agitational methods.

An examination of the concrete programmes of these associations leads one to the impression that they are

1. In fact, membership of an unrecognized association is a disciplinary offence under Rule 24 of the Panjab Government Servants' Conduct Rules, 1955.
more concerned with the individual grievances of the class or grade which they represent than with the evolving or influencing of any policy of public personnel management. Their usual demands are: revision of pay-scales, increase in dearness and other allowances, housing facilities, facilities for pursuing further university education, adoption of the seniority principle in promotions, filling in more posts through promotions than through direct recruitment, and better provision for welfare and such other amenities. Almost all these demands relate to personal interests of each grade or class. No endeavour is made to integrate them into any acceptable system of policy or principle. In fact, sometimes one demand contradicts the principle of another demand of the same organization, as, for instance, the Civil Secretariat Staff Association's demand for better in-service training and its opposition to the New Section Type system which was introduced in some offices in 1960 as a pilot project.

The main activities engaged in by the respective classes of associations for the accomplishment of their purposes are:

(a) Representation of employees before administrative heads;
(b) Educational and propagandist activities;
(c) Welfare and benevolent activities, and
(d) Social and recreational activities.

The main purpose for which these associations are formed is to make joint representations to the officers regarding their common grievances. Cases of individual grievances

1. A conspicuous exception to this conclusion are the proceedings of the Commissioners' and Deputy Commissioners' Conference.

are taken by the individual employees themselves; they are not taken up by the associations. But cases which affect the conditions of service or interest of the whole class, or section thereof, are taken up by them. The usual course of representation is that of stating their points of view and demands, if any, in the form of resolutions and submitting them to the appropriate authority. In matters of greater or urgent importance, or where the first method does not bear fruit, associations appoint, from amongst their own members, deputations which wait upon the authority to discuss the points of differences between the department and the employees and convey the feelings of the latter to the officers at first hand.

Representations are, in the first instance, made to the head of the office or branch. If the petitioner is not satisfied with the decision of this office, an appeal may be made, through proper channels, to the next higher authority and if not satisfied even then, then to the Head of the Department. Ordinarily, no appeal can be made to any authority above the Head of the Department, but in rare cases, an appeal may be made, with the permission of the Head, to the Minister concerned. In exceptional cases, even the Chief Minister may agree to receive deputations of employees.

Under the system of ministerial responsibility Government servants cannot be allowed to make representations to any outside authority except to the Government through proper channels. Therefore, civil servants in Punjab are prohibited from approaching any member of the Punjab State Legislature or of Parliament with a view—

(a) to having a question put or resolution moved to on a matter connected with his conditions of service or any disciplinary action taken against him, or
(b) to further any object which is capable of embarrassing the Government.

They are not only individually debarred from lobbying but their associations cannot in respect of any election to a legislative body or to a local authority or body, whether in India or elsewhere,

(i) pay or contribute towards any expenses incurred in connection with his candidature by a candidate for such election,

(ii) by any means support the candidature of any person for such election, or

(iii) undertake or assist in the registration of electors or the selection of a candidate for such elections and further, they cannot maintain or contribute towards the maintenance of any member of a legislative body or of any member of a local authority or body, whether in India or elsewhere.

They cannot even issue an appeal to or publish any representation on behalf of their members in the Press.

However, association leaders do in actual practice make informal contacts with Members of the Legislature, more especially with teacher-members of the Legislature and ventilate their grievances through interpellations and short hour discussions. Although staff associations cannot be

2. Ibid, Rule 24, clause (b).
3. Ibid, Rule 24, clause (f) (i).
4. Ibid, Rule 24, clause (d) (ii).
5. There are six representatives of the Teachers in the Legislative Council and also some members in the Legislative Assembly who belong or have belonged to the teaching profession. They take kindly to the grievances of the teachers. Similarly there are members in the Assembly who belong to the All-India Trade Union Congress and other Trade Union Organizations who lend their ears to the grievances of technical and lower-grade employees.
reckoned as a pressure group of any significance, yet it
cannot be denied that legislative members do play to the
galleries to woo amongst others, the Government employees.

Staff associations have also, in the past, made appeals to the people through demonstrations and processions and even through the press and publicity. They assumed rather ugly shape during the years 1953 to 1955 when the Patwaris' Association and the Primary School Teachers' Association organized their strikes. All these activities are now specifically banned under Rule 24(d) (i) and (ii) of the Conduct Rules and the circular orders issued from time to time, yet lapses, and some of a very serious nature, have occurred since independence.

The second type of activity which staff associations perform are educational and propagandistic. "Unity is Strength" has always been a catchword of all trade unionism. So to achieve unity in their ranks, these associations engage in propaganda activities. They try to awaken among the employees a consciousness of fellow-feeling and brotherhood and they are made aware of their common needs and interests. This is done by means of holding meetings and conferences of the members and circulating pamphlets and posters. None of them publishes any journal or periodical, as they are prohibited from issuing or maintaining any periodical publication except in accordance with any general or special order of the Government, and to date, there is no general order to this effect.

A few associations also perform some benevolent and welfare activities for their members. For instance, the 1. Ibid, Rule 24, clause (d) (1)
Excise Non-gazetted officers' Association runs a scheme of mutual benevolence fund. But such activities are very rare among these associations.

RIGHT TO AFFILIATE: Until 1966, there was no rule or instruction regarding affiliation of civil service associations. But there seems to have existed a self-imposed rule among these associations barring their affiliation with non-government employees' Unions. Since the enactment of the Conduct Rules, affiliation with recognized government servants associations is permitted. If any association affiliates with any unrecognized association or with a trade union, then its recognition is liable to be withdrawn and its members are liable to be punished for breach of Conduct Rules. Some years back, some associations of ministerial and subordinate services had organized a Federation of Subordinate Civil Service with headquarters at Chandigarh. But the Federation has since been lying in a moribund condition. It appears to be quite an improper restriction that an employee should be liable to disciplinary action merely for having become a member of an unrecognized association or federation of associations, irrespective of the aims and objects of the association or its activities. The discretion to grant or with-hold and withdraw recognition rests entirely with the Government and there is not even a right of appeal against an order of with-holding or withdrawal of recognition. The Second Pay Commission has held with regard to similar rules at the Centre that "as regards recognition of associations the rules framed by the Government of India appear to us to be rather stringent". They have, instead, recommended that
1. Ibid, Rule 24(c).
membership of an unrecognized association should not, as such, be a disciplinary offence and that the rules of recognition should be conceived and recognition granted in a liberal spirit. Another condition for recognition of staff associations requiring prior permission of the Government for issuing or maintaining any periodical publication seems to be unnecessary and unreasonable, for the Government can discontinue the publication of any periodical if it considers it prejudicial to the interests of the Government.

In fact, the whole set of recognition rules are coached in such prohibitive terms that they, together with the Government's attitude of indifference to staff associations, have created in the services such a suffocating atmosphere as to cripple the growth of civil service unionism, and it appears that the unification of all associations under a single banner with a high sense of imagination and high standard of performance, like that of the British Society of Civil Servants or the National Civil Service League of U.S.A., is a distant dream. The civil servant is already losing the world over his personality under the concept of "legally created homunculus". No other being is bound by so many legal restrictions as he. In the political life he has hardly any personality independent of the iron-cast bureaucracy to which he is tied as an automaton. If he loses even the right of self-expression in matters concerning his own work conditions and social welfare as is sought to be done by the blanket restrictions imposed by Rule 24, then that would be a sad day not only for him but also for the community. The best way to save the situation from

1. Ibid.

further deterioration is to accept the approach as suggested by the Second Pay Commission. "The approach in our view", they said, "should not be to place a general ban on public expression of views and then to provide for some exceptions; the approach should be to recognize a general freedom of intelligent expression and to impose only such specific restrictions as are necessary to meet the requirements of the public service." In fact, the best way to develop in the civil servants a sense of professional reticence is to throw on each one of them individually the onus of deciding when to use his right and when not and to reserve to the Government only the right of punishing those who have actually transgressed the limits of civil service decency.

2. Right to Collective Bargaining and Arbitration:

The universally recognized procedure in the Trade Union world for redress of employee grievances is known as collective bargaining. This term has the following connotations:

(i) An employee union as separate from the management officially recognized by the management as representative of the employees as a whole;

(ii) Employer-employee relationship formalized through negotiations in written agreement, called Contract, and

(iii) The settlement of current disputes under the contract through a grievances system in which union officers deal directly with the management.

Collective bargaining, as thus understood, cannot be applied in public services because, as President Roosevelt once said, "the very nature and purposes of Government l. Commission of Enquiry on Emoluments and Conditions of Service of Central Government Employees 1957-59 Report, p. 525."
make it impossible for administrative officials to represent fully or to bind the employer in mutual discussion with Government employee organization and also because here the employer is the whole people who speaks by means of laws enacted by their representatives in the legislature. However, this right is fully conceded to the employees of the state industrial enterprises where the Board of Directors have the authority to enter into formal agreements with the employee Unions.

Even in the civil services, there are, in the United Kingdom and other Western European countries, now set channels through which Government seeks the co-operation of employee associations in determining the conditions of work and other matters of personnel policy. These channels are usually of two types viz., one, the joint representative councils of management and employees, such as, the Whitley Councils in U.K. and the other, the courts of arbitration and conciliation after the model of industrial disputes and wage courts.

In India, however, collective bargaining in the public services is still in the preliminary stages. A beginning has been made in the Central Administration but it has not touched the Punjab as yet. It was for the first time in 1946 that the first Central Pay Commission had been authorized by its terms of reference to consider, among other things, the machinery for negotiating and settling questions relating to conditions of service which may arise out of differences between the Government and its employees.

1. President Roosevelt's letter to the National Federal employees dated 26th September, 1937 quoted by L.D. White in 'Introduction to the study of Panjab Administration.'
The Commission had recommended that every effort must be made to secure co-operation, consultation, discussions and negotiation between the staff and the Government. This, they said, "can be best achieved if some machinery is kept in constant operation through frequent meetings. A state of harmony can result only from the constant association of representatives of both sides in an inter-change of views and suggestions so that discussion even over contested matters may result in friendly compromise. Both sides must meet on terms which enable free discussion to take place. The rank and file of Government Servants should feel that questions affecting them are being looked after in an orderly way through discussion between their representatives and senior officials; and even when the officials are not able to agree with the staff representatives they will do well to explain the reasons why. The Commission went further and enunciated four principles for the guidance of the Government and the staff for developing harmonious employer-employee relationships. They were:

(a) In the adjustment of differences between the State and its employees, the best course is to prevent such differences developing into a dispute;

(b) Even when a question has developed into a dispute, it is desirable to secure its settlement by negotiation between the two sides.

(c) If, however, it becomes necessary to secure outside help, it must rather be for the purpose of mediation and consultation than for adjudication; and finally

(d) if all attempts at consultation fail, adjudication should be sought by voluntary settlement rather than by compulsory reference.

1. Ibid, p. 123.
The Government of India had, of its own accord, considered the question of establishing a machinery similar to the Whitley Councils of U.K. for fostering better relations between the Government and its employees and had deputed the Secretary of the Pay Commission to study the Whitley system of Great Britain and to report upon its adaptability in India. The Government discussed the question in 1948 again. But it was felt that in view of the changes which were impending in the structure of the Secretariat Services it was premature to introduce such councils generally in all the offices. However, Staff Committees were introduced as an experimental measure in the Ministry of Finance and the Ministry of Works, Housing and Supply. In 1954 the Government reviewed the work of these Committees and felt encouraged to extend them to all the Ministries and Attached and Subordinate Offices of the Government of India. In 1957 the Staff Committees were rechristianed as Staff Councils.

The Staff Councils have the same aims as the Whitley Councils of Great Britain. Their main aim is to secure the largest measure of co-operation between the Government and its employees and increased efficiency in the public service combined with the welfare of Government employees. There are two Staff Councils in each Ministry and Attached Office, one in respect of the Class IV employees and the other, in respect of staff other than the Class IV employees. Staff representatives are elected by the employees on the basis of one representative for every twenty employees in a class. The Government representatives are appointed by the Government. The Chairman

of the Council is appointed by the Government from amongst the official side, while the Secretary is nominated by the Chairman in consultation with the staff representatives from amongst them. The Councils are authorized to consider all matters relating to:

(a) The conditions under which the members of the staff are required to work;
(b) General principles regulating conditions of service;
(c) The welfare of members of staff, and
(d) Improvement of efficiency and standards of work.

The Councils can discuss only general principles involved in these matters but cannot discuss or consider individual cases. No other matter regarding the personal administration can at all be discussed by them. Thus, questions of discipline, promotions etc. cannot be discussed. The Councils have only advisory powers. They can make only recommendations to the Government. Only such decisions of the Councils are regarded recommendations as have been agreed to by a majority of the staff representatives, on the one hand, and a majority of the Government representatives, on the other. The recommendations of the Councils are considered by the Ministries and whatever action is taken by the Government with regard to them is announced by the Chairman at the next meeting of the Council.

As the success of these Councils at the Centre would determine their extension to the State administration, it would be worth-while to make an estimate of their working. According to the statement of the Government placed on the table of the Parliament in December, 1959, the total number of senior Staff Council meetings in all the Ministries taken
together from the time of their establishment to the end of 1959 was two hundred and five. They made seven hundred and sixty-three recommendations of which six hundred and four were accepted by the Government and five hundred and fifty-eight were implemented. In regard to junior Staff Councils, there were, during the same period, one hundred and forty-one meetings. The number of recommendations made was four hundred and forty-seven, of which three hundred and ninety-three were accepted by the Government and they were implemented in three hundred and seventy-two cases.

These numbers make an impressive list which would indicate the existence of a harmonious relationship between the Government and its employees. But the course of events which has actually taken place during this period does not prove so. During the period of 1954 and 1961, twice there have been threats of general strike by the Confederation of Government Employees' associations and federations and both the times the Government had to resort to punitive laws. The Second Ray Commission, which received evidence from nine hundred and fifty-six associations representing nearly 7,00,000 employees and also from certain eminent persons appearing as witnesses, summed up their impressions in clear and categorical words. They observed: "that the will was lacking on the part of the Government to accept the principle of joint consultation as an effective instrument for the prevention of disputes; that even where the machinery was well-conceived it was not being worked efficiently; that meetings

were not being held regularly; that some of the officers representing the Administration did not have the right attitude towards the machinery which they were supposed to work. Some of the employees' associations referred with regret to the effect that the Varadachariar Commission's recommendations in this matter had not been accepted by the Government and in proposing that the present situation required the establishment of machinery which, fully in spirit and largely in form, followed the Whitley machinery in the U.K., they appeared to us to represent the general feeling amongst employees' organization. Some of the staff associations, in fact, wanted participation of the staff in management and administrative processes including a voice in promotion and disciplinary cases. There was almost a unanimous support from amongst them for the establishment of a permanent machinery for consultation, negotiation and settlement of disputes.

There is obviously a wide gap between the estimate of the Government with regard to the functioning of the staff councils and that of the Lay Commission. The explanation for this is simple; namely, that the recommendations accepted and implemented, though large in number, did not touch the problems to which the staff attaches importance, that the recommendations accepted in principle but not implemented were such as could not be rejected outright, as they might have been in consonance with the declared policy of the Government, yet to implement which the Government did not have the heart and that the problems which essentially matter for the rank and file were 1. Ibid, pp. 545-46.
2. Ibid.
not allowed to be discussed in the council meetings or were not accepted by the official side. In fact, a study of the working of these councils at once leads one to the conclusion that they have utterly failed to square up with the real Whitley spirit.

In the first place, the staff councils function neither as negotiating and settlement machinery nor even as full consultative machinery. They may be said to have functioned, at the best, merely as "forum for the staff representatives to ventilate their grievances and put forward their point of view to the nominees of the Government." Although the objects of these councils have been laid down in wide and laudable terms, yet their powers and procedures limit their effectiveness. Most of the problems regarding conditions of service are of a general nature and relate to the services as a whole. But in the absence of a central staff council, such problems get lost in the Department-wise discussions. Even the utility of the departmental decisions is very often lost because of the considerable delay which is usually caused in transmitting it to the staff side. "The Official Side has no authority," as the Jagannathdas Commission has noted, "to make any commitment on behalf of Government and its members can, at best, express their personal or provisional views without binding the Government in any manner." Thus the councils cannot be described as a machinery for negotiation. Not only this, but they do not even function as a consultation machinery because, as the Commission observed, "Government does not refer any problems or proposals to the councils for 1. Second Pay Commission; The Report, op. cit., p. 549.
advice In fact, the Commission has expressed the opinion that the negotiating machinery functioning in the Ministries of Railways, Transport and Communication and Defence are better fitted to fulfil the role of an agency of negotiation and consultation than the existing Staff Councils.

In the second place, the establishment of these Councils has, instead of developing mutual trust and confidence between the Government and its employees, actually increased their distrust. Two factors appear to be responsible for this; first, staff representatives to the Councils are directly elected by the employees and not by staff associations as is the case in U.K., with the consequence that while in Great Britain, staff associations have become an indispensable part of the Whitley machinery, in India they have become superfluous and hence, inactive. This has given rise to a suspicion in the minds of the employees that the staff councils have been introduced by the Government to hamper the growth of unionism in the civil service. There is also a feeling among the employees that the senior officials play an undue part in the elections of the staff representatives with a view to keeping those, who are frank and fearless, out and to take others who are docile and submissive, thus making the Staff Councils a 'show boy,' of the Ministries. They feel that the Government lacks in the will to accept the principle of joint consultation as an effective instrument for prevention and settlement of disputes.

1. Ibid, p. 549.
2. Opinion expressed by some staff leaders in the course of informal talks with the writer.
As against this, the Whitley Councils, in Britain, are an effective and potent force in the maintenance of proper personnel relationship. In the words of William Mosher, "they have introduced a well nigh revolution in the sphere of staff relations". For, as another American authority has indicated, "these councils have become a well-established and characteristic feature of the British Civil Service, providing the machinery through which virtually all phases of public personnel policy are discussed and the clash of contending interests ameliorated". This is so because of the fact that the Whitley Councils enjoy a real authority and good will in all personnel matters relating to conditions of service, promotion and discipline. The constitution of the Whitley Councils lays down that "the decision of the Whitley Council shall be arrived at by agreement between the two sides, shall be signed by the Chairman and Vice-Chairman and shall be reported to the Cabinet and thereupon shall become operative". This, says Douglas Houghton, for a long time Chairman of the Staff Side in the National Whitley Council, "is the heart of Whitley Plan". This means that the Official Side which functions as an indivisible block has a greater freedom to negotiate with the Staff Side. Each side discusses the issues at hand amongst its own members first and having thus chalked out a united course of action beforehand, comes in the Whitley Council meeting to negotiate with the other side. Formal meetings of the Councils are fewer now, as most

of the business is done through informal discussions which are based on mutual respect and confidence. This has increased the effectiveness and usefulness of the Whitley system. As Dr. Gladden has observed, "the whole atmosphere has changed from a situation in which the master-servant relationship predominated to one in which the official elements are first and foremost in encouraging co-operation and condemning those who stand aloof."

Thirdly, the smooth functioning of our Staff Councils is also being hampered by the interposition of the Co-ordination Committee - a unique institution, which though presuming the place of the Central Whitley Council, is actually an official body comprising of three senior officers of the Ministries of Home Affairs, Finance and Works, Housing and Supply. It was constituted to deal with matters which remain unresolved at the meetings of Staff Councils. But as the Committee has no representatives of the staff, nor even a neutral Chairman, it is actually neither a joint-staff council nor an arbitration tribunal. In fact, the council with its members having neither any authority to negotiate nor any power to give anything to the staff, is an unnecessary adjunct which may make the official side less amenable to the points of view of the staff and may, thus, actually detract from the Whitley spirit. To ward off the growth of such a tendency, it is essential that the Co-ordination Committee should be replaced by a National Staff Council with full powers of negotiation, consultation and settlement of the mutual disputes of a general nature between the Government and

1. E.N. Gladden: Civil Service or Bureaucracy; Staples Press, London 1956, p. 121.
employees. Speaking about the advantages of such a machinery, the Second Pay Commission observed, "The different branches of the Civil Service would be brought together and the various grades obliged as a matter of practical necessity, to consider the problems and needs of one another and this might, in course of the time, develop among the employees the feeling of belonging to a single service". Besides, the Council may also help in the development of a uniform personnel policy in all matters of pay and emoluments, promotions and superannuation, and control. There is no gainsaying the fact that our system of personnel administration stands in an urgent need of recasting and reforming of the principles and methods of management. The system needs to be redefined and adjusted not only to the new environment of democracy and welfare administration but also to be reformed and resettled in terms of the new 'Human Relations Theory of Management'.

Finally, and more significantly, in Britain it is the Labour Ministry which handles all the problems of government-employees relationships, whereas in India it is the Ministry of Home Affairs. Amongst all the Ministries of the Government, the Ministry of Home Affairs is the least conditioned to handle the delicate problem of staff relationships, for, since its very inception, this Ministry has functioned as the employer and rodmaster of the Government employees and is, therefore, least fitted to play the new role of democratic leadership. Moreover, staff relationship is essentially a part of the general labour policy of the Government and hence, like other employer-employee relationships, must be handled by the Labour Ministry. The Second Pay Commission has observed

very aptly that "as a matter of policy, the Government now seeks to influence, through the Ministry of Labour, the wage structure and conditions of employment in the private sector. It is, therefore, only right if the general labour policies of Government are to apply in spirit, if not always in form, to their own employees, that the Ministry of Labour should be associated with other Ministries in dealing with the matters concerning Government employees. It is natural for the employing Ministries to look at the problems of their employees primarily from the employer's angle; the Ministry of Labour would bring to bear on those problems the Government's general labour policy. And what is equally important the employees themselves would view matters thus: This reform, most of all, may bring about the much-needed change of spirit in working out the Staff Councils system.

The process of democratization of the personnel administration has, as would appear from the above analysis, now set in in India and it may not take very long for the Staff Councils to enter the administration of the State Governments. But the important point is whether there exist proper conditions for the success of this system. The success of a system of joint management, like the one above, depends upon the development of mutual confidence and understanding on the sides of both the management and the employees. The working of the existing system of joint representations indicates that the situation is not so conducive to the growth of right attitudes and relationships as the system would envisage. The Government receives representations only when made by the recognized associations through proper channels. Recognition

rules are strict and union spirit is still not fully developed, with the result that all the grievances of the employees are not adequately represented. Viewed from this point of view, the civil service can be divided into four classes. At the top are the Class I Officers who are themselves in the position of employers, and as such, have little difficulty in meeting the Heads of Departments freely and having their grievances or representations properly attended to. They, therefore, do not have very great need of associations and although all the senior services here have their associations, they mostly serve as cultural and professional organizations rather than as trade unions. The second category comprises of Class II officers who by virtue of their offices and number wield a sufficiently strong influence in administration. Moreover, their outlook is very much like that of the Class I officers whom they hope to succeed some day. Therefore, this class also is able to safeguard its interest in the ordinary way and does not have much interest in any association activity. The rest of the services can be divided into two classes. The one consists of those civil servants who, by their education, occupation and outlook, share the mentality of the Class II officers whom they endeavour to succeed. In this category fall college lecturers, medical and health and P.W.D. officers. They mostly count on individual efforts and as such, do not have much interest in union activities. The state of their associations is, more or less, like that of the Class II officers; although they do not have even half as much influence in the administration as the Class II has. The rest of the Class III services and the whole Class IV services fall under the fourth category. In terms of numbers and problems, this category forms the most crucial sector of the civil service.
It generally suffers from low wages and poor conditions of service and a serious inferiority complex. While all employees in this category are conscious of their deplorable condition, all the services do not have unions and all employees are not members of unions. Outsiders are not allowed to organize government servants' unions and civil servants do not have sufficient capacity to organize themselves well. They work mostly by fits and starts and may make, at best, only a demonstrative show. It is usually the ill-organized associations which make representations to the Government which hardly feels any pressure to look into their representations promptly. The changes made in the pay scales of different services since 1947 do not appear to have close relation with the publicly expressed demands of the associations and, as the Civil Secretariat Staff Association 1 asserts, while the salary scales of certain services have been revised twice or even thrice, those of certain others have not improved much. The ill-organized nature of these associations is mainly responsible for the present-day complications and difficulties in staff relationships. The first step necessary to create healthy atmosphere is for the Government to encourage unionism among civil servants. A sense of responsibility can develop only by experience and power and responsibility cannot be developed unless civil servants are well-organized. The Staff Councils can develop into effective joint-consultation machinery only when a sound base of civil service associations has been built up.

1. There are, however, some well-organized unions of technical civil services. But they do not fall within the compass of our study.

2. Taken from the text of a representation prepared in the General Body meeting held in December, 1961.
An experienced civil servant of Britain suggests the indispensability of an effective system of joint consultation to modern administration. "Had the civil service staff movement (in Britain) not arisen in its present form on a surge of spontaneous enthusiasm in the years following the First World War and become consolidated into the effective system of joint consultation that now exists," he observed, "it is no exaggeration to suggest that the Administration itself would have had to introduce some such system. The fact is that when an administrative organization develops large-scale characteristics, so that it is no longer possible for contacts between administrators at the top and the rank and file to be conducted on a paternalistic basis, some effective form of consultation becomes an absolute necessity to administrative efficiency."

It is, however, not aimed to suggest/the idea of establishing Staff Councils should be put off until civil service associations are well-organized. What is, in fact, aimed is to emphasize that the establishing of joint consultation machinery, which is so urgently needed, should be preceded by a change/attitude on the part of the Government and senior officials towards staff associations.

RIGHT TO ARBITRATION: Not only this, but the Government should not hesitate even in recognizing the civil servants' right to arbitration which until now exists neither here nor at the Centre. If the normal machinery of settling mutual disputes fails, then there are only two alternatives left to the employees. Either they would try to force the hands of the

Government by such means, as going on a strike or go slow at work etc., or the two parties would agree to submit the dispute to an umpire. The consequences of the first step are detrimental to the national interest and therefore, such a step is usually considered prohibitory. But can a prohibitory law solve any tangle? Strikes in public services have been outlawed in several countries. And yet there have been many strikes in those countries. It is not law which checks the occurrence of strikes but the adequacy of the redress-of-grievances procedure which is capable of meeting any emergency. Such a machinery is a system of arbitration. As the Second Pay Commission has put it, "if a proposal that Government servants should give up the strike weapon is to have a just basis and is to secure reasoned acceptance by them, there should be set up an adequate machinery for negotiation, redress of grievances and settlement of disputes and there should further be provision for arbitration to which recourse can be had, should a difference on a question of remuneration or some other particularly important conditions of service, such as, leave and hours of work, remain unresolved. It is only thus that the Government would be discharging the obligation towards their employees which they would be assuming by requiring them to give up the right to withhold their labour. If it is in the public interest that Government servants should not use a weapon which, in the hands of other employees, is an effective instrument for securing fair remuneration and satisfactory conditions of employment, it is only just and right that the Government servants should have an alternate...

1. Ibid, p. 541.
legitimate for the civil servants to have an alternative of submitting such of their disputes, as fail to be resolved through the joint-consultative machinery, to compulsory arbitration.

Arguments are often advanced that the State, being a sovereign authority, cannot surrender its sovereignty to arbitration or that the Government, as the representative of the tax-payer, cannot put public interest at the mercy of the public servants. But are public servants not a part of the people? Moreover, it are not questions of a legislative character which are subjects of mutual discussion and settlement, but only questions of administrative discretion, such as, questions of leave, allowances, pay, hours of work and the like. And even in these questions, arbitration is not the sole means of resolving disputes; but it is the last resort when mutual settlement fails. Thus, it is a constitutional and convenient machinery which comes to the rescue of the disputant parties at a time when their relations have reached an impasse. It is usually on small, but personal, matters that bitterness and rancour arise. Difficulties in the settlement of disputes arise usually owing to the obstinacy of officers or staff leaders. So, the settlement of such disputes through arbitration is in the best interest of the State and also of the officers and staff. Moreover, the Government, as the U.K. Government has done, may reserve to itself the right not to submit to arbitration any particular case "on grounds of policy" and may, further, provide that the Government's commitment to give effect to arbitral awards is subject to the over-riding authority of Parliament. But while these reservations are constitutionally
necessary, they should not, in practice, be used frequently, otherwise the advantages of having a system of arbitration would be reduced if not altogether nullified. The acceptance of the awards by the Government should depend upon convention. There exists such a convention in Britain where the Government has so far refused the arbitral award on only one major policy issue, namely, that of the equal pay for men and women.

Panjab has already accepted the principle of arbitration in industrial labour and it cannot on principle be denied for long to the non-industrial labour.

3. Right to Strike:

Strike is the last weapon in the armoury of the Trade Unions and it is made use of only as a last resort to get redress of their grievances. Until 1959, there was no restriction in Panjab on the civil servants’ right to strike. But since independence strikes gained a startling frequency. Not only strikes, but even hunger strikes, sit-out strikes, go slow at work and other practices, unthought of in other progressive countries, have been employed by public employees in this as well as in other States of India and, more especially, in the Central Government. In Panjab the Patwars’ strike which dragged on from 1955 to 1957 and the Government. Teachers union’s strike which occurred in 1957 have been more noteworthy. In some cases, the Government has been punitive, but in some, quite lenient and in some others, even conciliatory.

In 1959 the Government made an amendment to the Government servants’ Conduct Rules to the effect that no government servant shall participate in any demonstration or
resort to any form of strike in connection with any matter pertaining to his conditions of service. The Central Government and some State Governments even passed legislation to outlaw strike from public service. As a result of these developments the question of strike in public service has become, in this country, a subject of public controversy and also of some legal interpretations. In March, 1958 in the Patna Ministerial Association Vs. the State of Bihar, the petitioner argued that the right to strike and to demonstrate were necessary adjunct to the fundamental rights to form association and of freedom of expression. The High Court, however, ruled out the contention on the ground that so far as the Government servants were concerned, the freedom guaranteed under the Constitution did not include freedom to strike and demonstration publicly. According to the Court, the way in which Government servants conducted themselves was a matter of public importance and interest. The public interest would suffer if Government servants resorted to strike and demonstration. In another case, the Madras High Court held likewise. They held that the characteristics of the trade unions, their rights and privileges, would be wholly inappropriate in the case of civil servants under the Government. Employees of the Government were the servants of the state, most of them having powers by virtue of their office. Public interest required that their loyalty and fidelity should be undivided and unquestioned. The provisions of Article 19(1) (c) concerning the right to form associations or

2. The Tamilnad Non-gazetted Officers Union Vs. the state of Madras, the case as reported in the ‘Civil Affairs’, Vol. VI, No. 8 (March 1959), pp. 34-35.
union of employees do not apply to Government servants' associations to the same extent to which they apply to others for they are refused registration under the Trade Union Act. Similarly, the Andhra Pradesh High Court dismissed a writ petition filed by the Andhra Pradesh Long-gazetted Officers Association questioning the show cause notice issued by the State Government as to why the association's recognition should not be withdrawn, following the publication of a press statement by its General Secretary containing certain observations on the action of the Chief Minister and the policy of the Government. It was now settled, the Court observed, that the rules prohibiting Government servants from certain conduct pertaining to the conditions of service did not violate any of the guarantees in Article 19(1) (a) (i.e. the right to freedom of speech and expression and the right to form associations or unions).

In order to meet the threat of strike from its employees in 1960, the Government of India promulgated the Essential Service Maintenance Ordinance on July 8, 1960. The validity of this ordinance was questioned in the Madras Chief Presidency Magistrate's Court on the ground that it contravened the provision of Article 19(1) (c) of the Constitution of India. It was contended on behalf of the petitioners that the Article empowered the Government only to impose reasonable restrictions on the right of association but that it does not enable it to suppress the right totally. However, the Court did not give any decision on this question as the Ordinance had expired on September, 1960 by virtue of Article 123(2) (a) of the Constitution for the Ordinance was not accepted into law during the session of Parliament which began in August.

and ended on September 9, 1960.

The official view in this country, thus, appears to be drifting towards the extreme authoritarian theory, according to which strike against Government, as the sovereign power of the State, is tantamount to treason. This view was thus stated by President Roosevelt in a letter addressed to the President of the National Federation of Federal Employees in 1937:

"Particularly, I want to emphasize my conviction that militant tactics have no place in the functions of any organization of Government employees. Upon employees in the Federal Service rests the obligation to serve the whole people whose interests and welfare require orderliness and continuity in the conduct of Government activities. This obligation is paramount. Since their own services have to do with the functioning of the Government, a strike of public employees manifests nothing less than an intent on their part to prevent or obstruct the operations of Government until their demands are satisfied. Such action looking towards the paralysis of Government by those who have to support it, is unthinkable and intolerable."

There are other weighty arguments which are given against the right to strike for public servants. It is argued, for instance, that Government servants can be legitimately deprived of this right as the State being free from the profit motive and being itself responsible or preventing exploitation of any section of the community, can be relied upon to be fair to its own employees and that in any case there is Parliament to safeguard the legitimate interests of Government servants. It is further contended that the very possession of the right to strike would have an adverse psychological influence upon those who possess it, as it fortifies their will as well as their power to resist, by offering an alternative to negotiations with the good will of the other party. The American system is a typical 1. Second Pay Commission; Report, op. cit., p. 293.
example of this school of thought.

As against this there is the unionist point of view, according to which the right to strike is an inalienable fundamental right of the employees. The protagonists of this school of thought distinguish between state as the sovereign authority and state as the employer and, on this assumption, are not prepared to concede to the state, as employer, any more rights or immunities than is available to the other employers. The case is thus stated by a protagonist: "The basic fact is the power - the physical power to strike. This any one can exercise alone or in combination if he be determined enough. The law cannot say him nay. It can only tell him that if he does strike, he or the combination, to which he belongs for strike purposes, will suffer legal penalties. There would be much stronger case for prohibiting the bakers from striking than from prohibiting civil servants." Even apart from the sentimental support, there is a theoretical justification given in support of this contention. The Government is, no doubt, free from the profit motive in the usual sense, it is contended and even in Government's industrial and commercial undertakings the profit motive is subordinated to wider considerations of the public interest, but the community's pressure to keep down taxes and the desire for economy in governmental expenditure may sometimes have the same effect as consideration of profit among private employers and, though divergently inspired, the ultimate result in both cases may be identical, resistance to reasonable demands for increased remuneration or for improvement in conditions of service. And, therefore,

the right to strike is as much justified in public service as in private service. Moreover, with the government increasingly undertaking business and industrial functions and with the consequent increasing in the proportion of public employees, the distinction between public employer and private employer is getting blurred. It is, further, contended that the threat of strike is a symptom of a serious defective personnel system and hence the outlawing of strike instead of curing the disease actually thrusts it inside the body politic. As Prof. William Mosher has said, "The public employees' strike is nearly always a measure of desperation; if conditions are sufficiently bad, it will be employed whether or not its use is legally recognized and to deny to any groups of employees the right to strike against intolerable conditions is to reduce them to a form of slavery." The followers of this view get support from the British system where civil servants enjoy in law co-equal trade union rights with their non-government compatriots and yet where strikes in the civil service never occur.

In-between these extreme points of view, there is a third one which though accepts the advisability of restraint on the part of the civil servants in the use of the weapon of strike, yet would prefer to have it by convention rather than by law. Here the analogy of the British system is more in order. There the right to strike is, as Houghton says, "vetoed by custom and not by law." The Second Pay Commission of India also preferred the same approach. They maintained that "It is wrong that public servants should resort to strike or

threaten to do so and that persons entrusted with the responsibility for operating services essential to the life of the community should seek to disorganize and interrupt those services in order to promote their interests. Apart from these moral aspects, there is little doubt that in Indian conditions in which there is often a possibility of eruption of indiscipline in an ugly form in one section of the community or another, a strike or even demonstrations by Government servants cannot but be a factor making for indiscipline generally. But it would like the change "to be brought about by the employees themselves themselves abjuring the use of the strike weapon and demonstrations and the Government accepting a convention that they would refer to arbitration any dispute concerning important matters, such as, pay and allowances, leave entitlements and hours of work, which are not settled by negotiations. It is obvious that the growth of such a situation would depend upon a healthy and vigorous development of civil service unionism and the fullest use of the machinery of negotiation, conciliation and arbitration. Sterling Spero, after a remarkable analysis of the problem of strike in public service, gives a fitting close with these words:

"Fundamentally these problems are a phase of the perennial conflict between authority and liberty in a free society. The issue admits of no final solution but only of working arrangements which leave intact the basic claims of each party. If Government presses its sovereign authority to its logical end, it may destroy freedom. If the employees of Government fully exercise their collective pressure in their own behalf, they may undermine the public security upon which freedom rests. The life of a free society depends upon the maintenance of freedom and authority in delicate balance. The preservation of this balance depends, in turn, upon mutual restraint on the part of both, Government and its employees founded upon the recognition of the fact that in real life there is neither complete liberty nor absolute sovereignty."

1. Ibid, p. 542.
Civil service unionism in Panjab is still in its infancy. It is passing through the formative period of its life. Any hurdle put in its way at this stage may cripple its normal growth. It may deform its body structure and may, even, develop certain complexes which would colour its vision and perspective permanently. It is, therefore, most essential for the sake of public personnel management and also for the welfare of lakhs of citizen employees in public service that staff associations develop a normal and healthy life, so that they may be fully competent to take their due share of the responsibility of a democratic administration. For this, it is necessary that the attitudes at present prevailing on both sides must give place to those of co-operation and cordiality. Suspicion begets suspicion and thus a vicious circle is created.

What appears to be most needed at present is a change in attitude on the part of the administrative officials who form the link between the Government and the employees. On their part, there must be willingness to accept the employees as partners in the common enterprise of public administration. It is not to suggest for a moment that the lines of authority should be blotted or that the hierarchical organization should be demolished. What is urged is only this that the officer must consult with his staff frequently, that he must give them a chance to express themselves to think with him in arriving at a decision rather than just to receive decisions, and to explain the aims and objects lying behind such decisions of the Government as cannot be discussed with the staff. The change required is to develop an attitude of democratic leadership.

It is not idealism to talk of democratic approach
to public administration. But it has been proved by experiments conducted both in factories and university laboratories that the democratic approach is the right approach to all problems of personnel management. For instance, a study conducted by some researchers of the Harvard University in the Hawthorne Plant of the Western Electric Company of Chicago established the thesis that a worker's efforts are affected more by his attitudes than by physical surroundings. Researches carried on by the Institute of Social Research of the University of Michigan have indicated the same results; namely, where supervision is democratic rather than authoritarian and where more emphasis is put on employee participation in management and on employee welfare rather than upon straight production work, there efficiency rate is highest, both quantitatively and qualitatively. This thesis holds good not only in industrial work situations but it equally holds good in governmental departments. Paul Appleby, with his vast experience in the fields of research as well as governmental administration, has observed that "the spirit of consideration for the citizen affected by governmental action must be fostered first in the administration of the department itself. Administration used to be thought of simply as giving orders and getting compliance. But it has already been shown that organization

1. The management of this company was experimenting upon the effect of lighting on the efficiency of the workers. First lighting was increased step by step over a period of time and production increased gradually. Later they diminished lighting step by step but to their surprise, production continued to rise until the light was diminished to the scale of moonlight. The University psychologists were called in to study the situation at this stage and the researches discovered that the attention being given to the workers in the last groups was such that they had a feeling of not being 'bossed.' This attitude enabled them to work with increasing efficiency until the physical environments affected their physical capacity to work seriously.


2. 'Productivity, Supervision and Employee Morale; Human
cannot actually be so run. In recent years, recognition has been growing that, by themselves, mechanical co-ordination and legal delegation can never call forth the full zeal of an organization or get the full advantage of the abilities of all its personnel. And that is the newer goal. Government departments which are themselves responsible and consider a diversity within their own staffs are only the ones that can hope to be able to have their personnel take a similar attitude with respect to the public with which they deal.

Equally important is the need of a change in the mentality of the employees. There appears to be more emphasis on the personal material gain on their part. What Appleby has called 'Government mindedness' is utterly lacking in them. The whole energy of their associations and their leaders is directed towards a movement for increase of pay and emoluments of this grade or that. There is hardly any discussion in their proceedings of broad principles of personnel policy or the significance of their role in the administration of the country. And this, in spite of the fact that they are engaged in the near revolutionary activities of turning a poor backward agricultural community of the biggest democracy of the world into a modern industrially advanced socialist society. Can there be a better opportunity for a citizen to enjoy the fruits of a kinship of culture combined with the kinship of purpose made sacred by common devotion and common sacrifice at

Relations Series I, Report I, University of Michigan, 1948.
the alter of the Motherland? How aptly the sage has sung:

यस्य सत्याचार भूतविन वाजपेयिन्तु पश्चातः
लक्ष्मीवीर्य: एँ; लोकु

क्रांतिकालपुष्करः ||

There is need for realization to dawn on the minds of the staff leaders that no democracy can be run by mercenaries, that it can progress only through the ungrudging services of its public-spirited officials and workers. It is only when they have realized this that staff associations can play a constructive role in the public personnel programme of the State.

Lastly, a change in the attitude of the citizen also needs to come. The old attitude of looking upon the Government as 'they' is still persisting in our country. Until the people change this attitude towards the Government and begin to take it to be a part of their own self, the bulk of civil servants cannot themselves change their own attitude for the better. In a democratic welfare state, the sense of belongingness is necessary not only for its officials and employees but also for its citizens who really form the base of the administration. Hence it is time that the people begin to consider the state as a part of their own existence and to follow or challenge the policies of the Government in that mood of thinking.

1. How can there be ignorance and misery for one who sees one
   sees one Universal soul pervading in all beings.

2. It will be relevant here to note that a social psychologist for
   long engaged in the psychological studies in personnel manage-
   ment, says on this point: "........there is no magic by which
   consent can be converted into will, if the administrative offi-
   cial wills, it will be for ever the will of the expert or
   administrative official, there is no will of the people except
   through the activity of the people, and will and activity do
   not dwell in separate spheres. Consent is not the technique of
democracy. We want information of expert of official not to
   turn us into rubber stamps but as the formulation for the
social process." Harry Parker Follett: Creative Experience,
p.235.