CHAPTER-IV

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Like other federal polities, the Union (Centre) and the constituent States, under the Indian Constitution, have their separate public services to administer their respective affairs. Thus, there are Central or Union Services to administer Union subjects, like defence, income tax, customs, posts and telegraphs, railways, etc. The officers of these Services are exclusively in the employ of the Union Government. Similarly, the States have their own separate and independent Services to administer State subjects like land revenue, agriculture, forests, education, health, etc. The officers and employees constituting the State Services are exclusively in the employ of the different State Governments. A unique feature of the Indian Administrative system, however, is the creation of certain Services common to both the Union and the States, namely, the All-India Services which, as a form of personnel organization, are perhaps unparalleled except in Pakistan. These Services are composed of officers who are in the exclusive employ of either the Centre or the States, and may at any time be at the disposal of either. These Services are recruited on an all-India basis with common qualifications and uniform scales of pay, and, notwithstanding their division among the States, each of these Services forms a single Service with a common status and a common standard of rights and remuneration.

WHY ALL-INDIA SERVICES?

Commenting on the need for the setting up of such Services, in a speech before the Constituent Assembly, B. R. Ambedkar, the Chairman of the Constitution-Drafting Committee, said "... It is recognized that in every country there are certain posts in its administrative set-up which might be called strategic from the point of view of maintaining the standard of administration... There can be no doubt that the standard of
administration depends upon the calibre of the civil servants who are appointed to these posts ..... The Constitution provides that, there shall be an All-India Service, the members of which alone could be appointed to these strategic posts throughout the Union." Ambedkar, thus, emphasized the contribution such a Service could make in bringing about greater efficiency in the administration of the Union as well as the States. There are others who emphasized the cohesive aspect of such Services, which, it is claimed, will ensure the uniformity of the administrative system throughout the country. The Simon Commission set up by the British Government in 1924 wrote: "A proper circulation (of Services) between the provinces and the Centre is essential if contact is to be maintained over so vast an area". In the words of A.D. Gorwala, "..... it would make a valuable contribution to the cause of national unity. Each province would, then, in its administration, present a replica of many of the elements that contribute to the varied richness of this ancient land. We, in India, are fortunate enough to be able to carry out, if we will, that experiment in large measure, thus providing an effective check to fissiparous tendencies and obtaining an essential uniformity." Further the high remuneration, authority, prestige, status and tradition attaching to this Service, secure for it recruits of a class for which other Services may have no attractions, it is tempting prize and the best products of the universities compete for it. Since the responsibility for the administration of a State, in the event of the breakdown of the normal constitutional machinery, is vested in the President, the existence in the State of a certain number of officers All-India Services occupying key posts in the administration will certainly be helpful to him. He can count more on the cooperation of officers, who, in the last analysis, are Union Government's employees, than on the officers of the State Government proper. It should always be kept in mind that the new All-India Services are but a continuation of the old arrangement.
HISTORY OF ALL-INDIA SERVICES

For the sake of convenience the development of these Services may be divided into three periods (1) pre-1947; (2) 1947-1950 and (3) present position after 1950.

The First Period - Pre-1947

Ever since the creation of Indian Civil Service in the days of the East India Company there has always existed in India an all-India cadre of service. Gradually, the all-India cadres were introduced almost in all departments of the Central Government. The number of all-India cadres and the strength of each one of them, as reported by the Lee Commission in 1924, was as follows:

<table>
<thead>
<tr>
<th>Name of Service</th>
<th>Strength</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Indian Civil Service (I.C.S.)</td>
<td>1,350</td>
</tr>
<tr>
<td>2. Indian Police Service (I.P.S.)</td>
<td>732</td>
</tr>
<tr>
<td>3. Indian Forest Service (I.F.S.)</td>
<td>417</td>
</tr>
<tr>
<td>4. Indian Service of Engineers (I.S.E.)</td>
<td>728</td>
</tr>
<tr>
<td>5. Indian Educational Service (I.E.S.)</td>
<td>421</td>
</tr>
<tr>
<td>6. Indian Agricultural Service (I.A.S.)</td>
<td>157</td>
</tr>
<tr>
<td>7. Indian Veterinary Service (I.V.S.)</td>
<td>53</td>
</tr>
<tr>
<td>8. Indian Medical Service (I.M.S.)</td>
<td>420</td>
</tr>
<tr>
<td>Total</td>
<td>4,278</td>
</tr>
</tbody>
</table>

These Services formed the highest rung of the bureaucratic ladder in India. The British Government in India, depending as it did for its strength primarily on its civil servants, loaded them with all kinds of favours, concessions and privileges. These Services, thus, were not even under the control of the Governor-General; they were directly under the Secretary of State for India and his Council. No all-India service officer
could be dismissed from his service by any other authority than the Secretary of State-in-Council. He had a right of appeal to that body if he was adversely dealt with in important disciplinary matters. The Governor of a province was required to examine the complaint of any such officer who thought himself wronged by an official superior, and to redress the grievance if he thought it equitable to do so. No order affecting his emoluments adversely, and no order of censure on him could be passed without the personal concurrence of the Governor, and orders for his posting to appointments also required the personal concurrence of the Governor. His salary, pension, etc., were not subject to the vote of any Indian legislature.

The Services, entrenched in their privileged positions and irresponsible to public opinion, found it difficult to adjust themselves to the reform-era introducing very limited responsible Government under the Government of India Act of 1919. Criticism of individual members of the Services by questions in the Provincial and the Central Legislatures, the 'ignominy' of working under Indian Ministers in the provinces, the Non-cooperation Movement of 1920-1922 putting the officers and their families in personal discomfort, the insufficiency of the salaries due to the high level of prices prevailing in the wake of the First World War—all these embarrassed and discouraged European members of these Services and many of them expressed a desire to retire. The Secretary of State-in-Council, therefore, adopted a scheme under which all-India officers, selected for appointments before January 1, 1920 and not permanently employed under the Government of India, were allowed to retire before they had completed the normal full service on a pension proportionate to their length of service actually rendered. Under this scheme by 1922, two hundred all-India officers had retired and by 1924 the number had risen to 345. Meanwhile, the pressure of Indians to enter these services in increased numbers could not be ignored for long. It was under these circumstances that the Royal Commission on the Superior Civil Services
in India, of which Lord Lee was the Chairman, was appointed. The Commission submitted its Report in 1924.

The Commission recommended the abolition of certain all-India services, particularly those dealing with departments that had been 'transferred' to Indian hands, namely, Indian Educational Service, Indian Agricultural Service, Indian Veterinary Service, and the Roads and Building Branch of the Indian Service of Engineers. It, however, recommended the retention of the Indian Civil Service, Indian Police Service, Indian Forest Service, Indian Medical Service and the Irrigation Branch of the Indian Service of Engineers. It also recommended the increasing Indianisation of these Services. The Commission further recommended that any British officer should be free to retire on a proportionate pension if at any time the department in which they were employed should be transferred to the control of responsible ministers. Effect was given to these recommendations.

Further changes were made in the position of these Services by the Government of India Act of 1935. Indian public opinion had always been demanding the abolition of the Secretary of State's Services. It was argued before the Joint Select Committee of the British Parliament considering the draft of the Act of 1935, and emphasized by the 'British India' delegation in their Joint Memorandum that further recruitment by the Secretary of State of officers serving under the Provincial Governments which were to be handed over to the popular control was incompatible, and that Services in future be recruited and controlled by the authorities in India. The Joint Committee, however, only partly accepted such demands, and recommended the continuance of Indian Civil Service (I.C.S.), Indian Police Service (I.P.S.) and Indian Medical Service (I.M.S.). This recommendation was embodied in Section 224 of the Act of 1935. Thus, at the time of transfer of power in 1947, recruitment was open only to two all India services, namely, the I.C.S. and the I.P.S., the recruitment to the I.M.S. has been suspended. Besides, there were the surviving
incumbents of the defunct All-India services. The most important and the
highest ranking of all such services was the famous Indian Civil Service
commonly known as I.C.S. which owing to its very high remuneration and
everous authority and prestige, was nicknamed as the 'Heaven-born
Service', and constituted the steel frame' of the British Government in
India.

The British Government, depending as it did for its strength on its
civil servants, loaded them with all kinds of favours, privileges and
concessions to the effect that public service grew to become a 'special
interest' and demanded safeguards for the protection of its privileged
position. As shown earlier, many British officers chose to retire
prematurely rather than serve under the Indian ministers after the
introduction of the 1919 reforms. The Government of India Act of 1935,
therefore, included the protection of the interest of the Public Services in
the list of the Special Responsibilities of the Governor General and the
Governors (Sec. 247 (9)). Thus, if any officer of the Secretary of State's
Services was affected adversely by an order relating to his conditions of
service, he had a right of complaint to the Governor (as the case may be),
and the latter was to deal with the matter "exercising individual
judgment", that is, acting without consulting his Minister. As a matter of
fact, the introduction of limited responsible government in 1920 and its
extension in 1937 had been marked by frequent clashes between the
Indian ministers and the British officers. Even a strong man of the stature
of the late Sardar Patel, the then Minister for Home Affairs in the Interim
Administration of 1946-47, was unable to take any action against a British
officer for a serious misconduct. Revealing his helplessness before the
Constituent Assembly, he said: "I tried to get the District Magistrate of
Gurgaon (a district in the Punjab) transferred. I could not succeed ...." I
tried hard. I wrote to the then Governor of the Punjab; I pleaded with
the Victory, but I found it difficult to remove him". All this happened just
a few months before the transfer of power.
The solicitude of the British Government for its civil service was carried during negotiations for transfer of power, and it insisted that before the transference of power, arrangements must be completed about the conditions of service of the officers of the Secretary of State’s Services to the satisfaction of the British Parliament, and that transfer of power could take place only when such guarantees had been given. Adequate guarantees were, thus, embodied in the Indian Independence Act of July 1947 (Sec. 10 (2)). Moreover, Indian leaders gave public assurances to the Services not to make any change in the conditions of the services to their disadvantage. Although some members of the Constituent Assembly protested against the continuance of the privileges of officers even in a free India, the Government was averse to repudiating its promises, and the Constitution of 1950 (Art. 314) provides, for protection of the rights of the existing officers of the Secretary of State’s Services. The prematurely retiring British officers were given general proportionate pensions.

The Second Period 1947-50

While guaranteeing the rights of the old Services, the new Indian Government had foreseen the need for replacing them with Services controlled and manned by Indians. In fact, as early as October 1946, Sardar Patel, the-then Home Member in the Governor General’s Executive Council, had secured the agreement of the provincial Governments to the formation of the two new all-India services, namely, the Indian Administrative Service (I.A.S.) and the Indian Police Service (I.P.S.), which were to replace the old I.C.S. and the I.P.S. The emergence of a free India on August 15, 1947 found the country facing a personnel crisis. Not only had the volume of work greatly expanded, but the new government had increased its functions also considerably. But while India’s requirements of trained personnel had, thus, increased greatly, the Administrative Services had seriously weakened. On the eve of Independence, most of the British officers had retired from service, and due to the partition the majority of the Muslim officers had opted for
Pakistan. Thus, nearly 600 members of the Indian Civil Service left India, leaving only about 400 officers in that Service. The Indian Police Service, too, suffered a similar depletion in ranks. The acute shortage of trained personnel can be judged from the fact that while the External Affairs Ministry needed some 300 officers to man its diplomatic posts, not more than 50 were available for the purpose.

The new government promptly and courageously set about the task of filling the gaps in the Services. The first step in this direction was to invite applications to fill about 200 to 300 posts in the newly created Foreign Service. The applications were invited from persons from all walks of life, and the age limit was specially raised to 45 years. The idea was to attract the best available talent to the Foreign Service from wherever it could be got. About 16,000 applications were received, and of these about 2,000 were called for interview by the Civil Service Commission. To suit the convenience of candidates, the Commission was split into groups to interview candidates at different centres in the country. The Commission was aided in its work by a high official of the External Affairs Ministry who sat at the interviews. The Commission, after a long and arduous series of interviews submitted its list of eligible candidates. Strangely enough, this list was never made public, and not many persons from it were appointed. The Ministry perhaps did not feel satisfied with the recommendations of the Commission, and made its own appointments. Thus was born the idea of setting up a Special Recruitment Board for filling the newly created posts in I.A.S. and I.P.S. This decision led to a controversy between the Federal Public Service Commission, which was the only legally constituted body under the Act of 1935 (still in force) to recommend candidates for appointment, and the Home Ministry which sponsored the idea of establishing a new Board to make emergency recruitment. The controversy was ultimately resolved by making the existing Commission the nucleus of the Board and adding a few more members to it including one or two public men. The new Recruitment Board was set up in 1948. Its task was to survey the available
administrative manpower in the country both inside and outside the ranks of the permanent services, and to select men of the requisite standard in order to, make good the deficiency in services. As in the case of the Foreign Service jobs, applications were invited from the open market, and about 350 to 400 appointments were made. Besides this recruitment from the open market, the recruitment was also made out of the Provincial Civil Services. Each Provincial Government recommended certain officers of its own Executive Service for promotion to the ranks of the I.A.S. and the I.P.S. Such persons were interviewed by the Special Recruitment Board and on a favourable recommendation by it were appointed. By this two-fold process, the critical gap in higher ranks of administrative service was met on an emergency basis. This was, however, merely a stop-gap arrangement, and the Special Recruitment Board came to an end with the inauguration of the new Constitution on January 26, 1950.

The Third Period - 1950 and after

The Constitution also provides for the all-India cadre. It adopts specifically the I.A.S. and the I.P.S. cadres which had already been created earlier (Art. 312 (2)). Besides, it empowers the Union Parliament to create more of such all-India services whenever it is deemed necessary or expedient in the national interest, provided the Council of States (the Upper House) passes a resolution to the effect supported by not less than two-thirds of the members present and voting (Art. 312 (1)). Since the Council of States is composed of the representatives of different States, its support will ensure the consent of the States to the creation of new Services. The Constitution also authorizes the Parliament to regulate by law the recruitment and the conditions of services of persons appointed to these Services. Accordingly, the All-India Service Act was passed by the Parliament in October 1951. Since the inauguration of the Constitution, the following new all-India services were planned but only one, namely, the Indian Forest Service, has been set up:
(i) Indian Service of Engineers (Irrigation, Power, Buildings and Roads);

(ii) Indian Forest Service; and

(iii) Indian Medical and Health Service.

It should be noted that not all-India services have the same pay-scales and status. Even the Indian Police Service (I.P.S.) which is an original all-India service, differs from its compeer the Indian Administrative Service (I.A.S.) — in two ways: (i) most of the officers in this Service work only in the States since there—are only a few police posts at the Centre; and (ii) its pay-scale and status are lower than those of the I.A.S. From the point of view of remuneration, status and prestige the topmost all-India service is the Indian Administrative Service. Thus, the only typical all-India service is the I.A.S. and it is this Service which we shall now consider at some length.

All-India Services and the Indian Constitution

The drafting committee of the Indian constituent assembly did not originally provide a constitutional base to the all India services. Explaining its view, the committee observed: The committee has refrained from inserting in the Constitution any detailed provisions relating to the services; the committee considers that they should be regulated by acts of the appropriate legislature rather than by constitutional provisions, as the committee feels that the future legislatures in this country, as in other countries, may be trusted to deal fairly with the services.

The draft constitution accordingly made no mention of the all-India services. Yet the Constitution which finally emerged from the constituent assembly not only embodied reference to it, but also included provision for the creation of new all-India services. The constituent assembly accepted these without demur. Such sudden solicitude for the all India services was due to the Home Ministry's special insistence on its inclusion in the supreme constitutional document of the land. A constitutional base was
deliberately preferred with a view to making it more lasting and less vulnerable. Vallabhbhai Patel, who was by then the Home Minister, was the principal advocate of this institution. The 'steel-frame of the whole structure', a sobriquet for the all India service, endeared itself to the Iron Man of India. The dominance of a unified political party like the Indian National Congress rendered its acceptance easy. Besides, the time was such that there was firm support for whatever appeared as an agent and symbol of centralism and national unity. As the nation was at this time passing through a critical period in her history in the wake of partition, communal riots and other disturbances, the constituent assembly itself, which originally contemplated a rather weak centre, ultimately plumped for an extraordinarily powerful Central Government. The constitutional provision for the all-India services was but one manifestation of the prevalent national mood.

GROWTH OF THE CONCEPT OF AN ALL INDIA SERVICE

A critical study of the Indian history invariably brings into focus an almost built-in centrifugal tendency which has resulted in external aggressions from time to time. Various reasons could be ascribed to this phenomenon like the size of the country, the language, religious and cultural diversities or a weak sense of national cohesion; yet the fact remains that all along the gamut of Indian history, strong central kingdoms have alternated with broken and weak principalities. The ancient lore of India describes vividly the attempts of rulers to become 'chakravarties', a stature which was considered an acme of achievement and yet these chakravarty-empires almost fell as inevitably as they were formed. When Alexander came in 326 BC, the country was divided into small janpadas and he had little difficulty in subduing the people; on the other hand, when his successor Seleucus tried to repeat the performance, the Mauriya Empire had already come into existence and he had to suffer a crushing defeat. As the Mauriyas weakened, the Kushans came and when Guptaas went under, the Shakas and Huns emerged on the scene.
After Harshavardh, there was almost a total dismemberment of the Indian sub-continent into small Rajput principalities that could not withstand the fierce Islamic attack. Once again, the cycle repeated and the Mogul power spread far and wide in the sub-continent, to weaken again by the time of Bahadur Shah and court aggression from various quarters, including the British. There cannot be two views that notwithstanding the formation of mighty and large kingdoms, the centrifugal tendency has asserted again and again and has always been a force to reckon with.

With their keen historical sense, the British attempted an administrative solution of this historical problem. Through the concept of All India Service competitively recruited, they strengthened the sinews of administration by arranging the posts at the district, regional and central levels into a comprehensive system. Through the method of rotation tenures and transfers, they eliminated the possibility of personal loyalties developing in any region for it were these personal loyalties to subedars and satraps which had always brought the downfall of central authority in Indian history. Over a period of time, an administrative structure arose which was impersonal, in touch with the grassroots and based on traditions which permeated all levels of authority. Further, to diminish individual variations, if not to eliminate them, they clothed authority in a framework of law, rules and regulations, with the result that cohesion of British administration became a byword and the Indian Civil Service came to be known as the 'steel frame'.

When Independence came, our national leaders were quick to see the advantages of this administrative system even in the changed context; while the British goals and the Indian goals were poles apart in other matters, they were identical so far as the country's integrity was concerned. In a federal and democratic structure, which they had decided to incorporate in the Constitution, the advantages of a Service operating at the districts, the State headquarters and the Union Government were
obvious and compelling. Sardar Patel⁸, speaking in the Conference of the Premiers in 1946, succinctly stated the advantages of such a Service.

"My own view, as I have told you, is that it is not only advisable but essential if you want to have an efficient Service, to have a Central Administrative Service in which we fix the strength as the provinces would require them and we draw a certain number of officers at the Centre, as we are doing at present. This will give experience to the personnel at the Centre leading to efficiency, and administrative experience of the district which will give them an opportunity of contact with the people. They will thus keep themselves in touch with the situation in the country and their practical experience will be most useful to them. Besides, their coming to the Centre will give them a different experience and wider outlook in a larger sphere. A combination of these two experiences should make the Service more efficient. They will also serve as a liaison between the provinces and the Government and introduce certain amount of freshness and vigour in the administration both of the Centre and the Provinces. Therefore, my advice is that we should have a Central Service."

Even on the question of much criticized security of this Service, Sardar⁸ was not prepared to compromise.

"There are parties and cliques outside which always, if you have got the power, put pressure on you to take action against an officer who is not willing to accept suggestions made by them which are not always wise, you will lay the Services open to many influences which are very undesirable.... Almost all of us have considered this question in the Interim Government and we unanimously came to the conclusion that the only way to secure an efficient Service is to give them protection from influences which will corrupt them."

The performance of the Indian Civil Service at the time of the transfer of power fully justified the confidence which the national leaders had placed in the system inherited from the British. The Indian element of the I.C.S, hitherto suppressed and discriminated against in a joint cadre with the British, rose to a pitch of patriotism and devotion, unknown in
the annuals of resurgent nations. The Service literally spelt the difference between order and chaos and gave such loyalty to Mr. Churchill's "men of straw" that in spite of a minor war in Kashmir, gigantic refugee problems, and break-down of administrative fabric due to the partition of the Services, the integrity of the Union was preserved. Whether it was external affairs or defence, public finance or Constitution making, rehabilitation of refugees or States Reorganization, there was no segment of Government activity which did not bear an imprint of their sustained endeavour. Speaking in the Constituent Assembly debates, Sardar Patel\textsuperscript{10} not only paid tributes to the Indian Civil Service, but also emphasized that in a federal constitution, there was no alternative to this administrative system.

"I wish to assure you that I have worked with them during the difficult period—I am speaking with a sense of heavy responsibility—and I must confess that in point of patriotism, in point of loyalty, in point of sincerity and in point of ability, you cannot have a substitute. They are as good as ourselves . . . . I wish to place on record of this House that if during the last two or three years, most of the members of the Services had not behaved patriotically and with loyalty, the Union would have collapsed .... the Union will go, you will not have a united India, if you have not a good All India Service, which has the independence to speak out its mind, which has a sense of security that you will stand by your word ... if you do not adopt this course, then do not follow the present constitution. Substitute something else. Put in a Congress constitution some other constitution or call it R.S.S.: constitution. Whatever you like, but not this constitution. This Constitution is meant to be worked by a ring of Service which will keep the country in tact. There are many impediments in this Constitution which will hamper us. But in spite of that, we have in our collective wisdom come to a decision that we shall have this model wherein the ring of Service will be such that will keep the country intact ... These people are the instruments. Remove them and I see nothing, but a picture of chaos all round the country."
Clearly, the model of the Indian Administrative Service, on the pattern of the Indian Civil Service, was adopted with great deliberation and forethought.

Distinguished foreign observers have admired the uniqueness of this system. Paul Appleby, who came from the land of "lateral entry and position classification", admitted:

"The absolutely first class character of the Indian Civil Service and the yet to be fully demonstrated but probable like character of the Indian Administrative Service are attributable chiefly, I think, to the developmental experience they have been subjected to. Personal tutelage in the early stages, rapid movement from post to post, high expectations and the early and constant assignment of responsibilities taxing their capacities caused extraordinary growth in competence."

The generalist superiority in the Government of India attracted Paul Appleby's attention and he warned against copying models from abroad in a different historical setting:

"Some elements of distinct superiority also should be cited, pointing to a general judgment of the Government as rating among governments of an advanced sort and not among those of backward nations; practices appreciative of the importance of the generalist—as opposed to the merely expert—control of government in high levels, associated with a widespread capacity for thinking in the relatively abstract terms of relationships. In handling highly complex affairs, these practices and this capacity are of great importance."

During the post-Independence period, one or the other aspect behind the concept of the I.A.S, was repeatedly emphasized. The States' Reorganization Commission thought of them as the cementing force in an otherwise dissipatory atmosphere. To some, their field experience eminently qualified them for higher policy jobs. Pandit Nehru, in 1960, stated:
"Inevitably administration, of course parts of it, specially in the Secretariat and the like, is apt to become cut off from the human side. It is not cut off if you are a District Magistrate; you deal with the human side all the time in a dynamic and moving society where you have to move and move along with masses of people. It is very important to have the human approach and I do not know how any school can teach the human approach."

Even Administrative Reforms Commission's own Study Teams have repeatedly emphasized the importance of the All India Service concept. The Setalvad Team on "Centre-State Relationships" summed up the proposition beautifully:

"The Indian scene has changed in many ways since then. But in this respect, the change that has occurred over the years serves only to confirm all that Sardar Patel said with prophetic insight many years ago. It should be needless to affirm the continued validity of all the objectives underlying the All India Services and yet, in a country in which the constituent parts are possessed with a preemptive desire to assert their separateness, such an affirmation is solely needed. The value of a system considered necessary for the administrative unity of the country, despite the ubiquity of Congress party rule and found indispensable for securing fair play and competence in administration, despite the acute awareness of their need in the most potent political figures at a time when their power was untrammeled and their writ ran through the length and breadth of the land, can in the less favourable conditions of today be ignored only on pain of perilous consequences. Continuity alone demands a system which can maintain links in administrative behaviour throughout the country while political changes visit different States and the Centre."

The Patil Study Team repeatedly emphasized the value of Indian Administrative Service.

"The Secretariat must have people who have knowledge of field problems and conversely, people in the field must have an understanding, if not actual experience, of the way in which policy makers function at the higher levels. Within the federal structure of our country, there is need
for inter-change between the Centre and the States; so that each unit of administration understands the problems of the other ... those whose experience is limited to routine functions during the formative period of their life, would be severely diminished in the intellectual and emotional qualities needed for the formulation of bold and broad programmes at the higher levels. They cannot become superior to the system in which they have grown. The tragedy is that when they emerge to the top, their personalities are so stunted that they are incapable of moving without complete assurance and are unwilling to incur risks .... In the context of the new situation in which the system of communication at the political level through a common political party is breaking down with the emergence of governments and administrations with different political shades in the country, the common administrative link for an uninterrupted exchange of information and experience of understanding among the different tiers of government appears to be all the more necessary .... Thus, not only do the original considerations on which the Indian Administrative Service was set up in the beginning hold good even today, but they apply even with greater force in some respects. There are also some additional reasons like the emergence of a new type of representative government, which make it necessary that the Service structure like the Indian Administrative Service should continue for the foreseeable future.”

To recapitulate, the assumptions behind the All India Service concept, which are valid even today, were:

(a) the usefulness of district experience for development of qualities of co-ordination, human understanding and man management, which are an asset for performing the secretariat functions of policy-making and co-ordination;

(b) early experience at sub-divisional and district levels in exercising choice between competing claims, which is useful in the secretariat where constraint of resources involves high selectivity;

(c) early legal training as magistrates and revenue officers, which again is of advantage in the secretariat where
Constitution has to be kept in view, laws have to be framed, rules and regulations prepared and parliamentary work of the Minister attended to;

(d) actual participation in the total tasks of development at the district level which helps build the right perspective for a meaningful contribution at the headquarters where such schemes are planned and projected;

(e) the feeling of belonging to an elite, which has a direct stake in the integrity and development of the country.

It is worth noticing that the value of the elite concept has been felt even in countries like the United States, which had no tradition of it. The Task Force on Personnel and Civil Service appointed by the Hoover Commissions visualized such a Service for United States of America (U.S.A) consisting of persons who:

"should be given an appointment, resembling that of a commissioned officer in the Armed Forces, in that they would have status, rank and salary as individuals and could be employed flexibly in a number of authorized positions calling for high administrative talents. The primary objective is to have always at hand in the government a designated group of highly qualified administrators whose competence, integrity and faithfulness cannot reasonably be questioned; who will make it easier for political executives to discharge their responsibilities . . . . Experience in more than one charge, experience in both staff and line, operating work and experience in both the departmental and field services."

In addition, it is common knowledge that in many big private industrial units, recruitment of an elite through the system of ‘Management Interns’ is quite in vogue. The above discussion is the historical growth of the All India Service concept.
The Union Public Service Commission

In this context it is appropriate and necessary to understand the vital role the Union Public Service Commission plays in the recruitment of All India Services and other Central Services.

The Union Public Service Commission is a constitutionally created body. Its members and the Chairman are appointed by the President of India. The Union Public Service Commission enjoys enormous prestige. Every year on the basis of the vacancy position provided by the Union Government the Union Public Service Commission, through notification throws open the posts for all eligible men and women. It conducts examinations and hold interviews, and finally it submits the lists of selected candidates to the Union Government.

Some of the important functions discharged by the Union Public Service Commission are given below:

The jurisdiction of the Commission extends to the Public services of the Union government and the centrally administered territories. It is also enjoined upon it that if requested by one, two or more states it should assist them in framing and operating schemes of joint recruitment for any service (Art.320). The functions of the Commission fall under two categories-administrative and advisory. Administrative functions include the conducting of examinations for appointments to the services of the Union government. Such examinations may be written or by interview or by both17.

Advisory functions include the Union government consultations with the Commission on the following issues:

1. Matters relating to methods of recruitment to civil services and civil posts.

2. Principles to be followed in making appointments to civil services and posts and in making promotions and transfers
from one service to another and on the suitability of candidates for such appointments, promotions and transfers.

3. All disciplinary matters affecting a person serving under the union government in a civil capacity including memoranda or petitions relating to such matters.

4. Any claim by or in respect of any such person who is serving or has served under the Union government in a civil capacity that the loss incurred by him in defending legal proceedings instituted against him in respect of their official acts should be paid out of the Consolidated Fund of India.

5. Any claim or award of a person in respect of inquiries sustained by Union government servants in the discharge of their official duties.

6. Any other matter which the President may refer to the Commission.

It should be kept in mind that in the above matters the Commission functions only in an advisory capacity and its advice is not binding on the government.

There are some other important provisions in the Constitution about the Commission which deserve special notice here. In the first place, the power to extend the function of the Union Public Service Commission vests in Parliament. An act made by it can bring the services of any local or autonomous body within the purview of the Commission.

Secondly, the President is authorised to make regulations specifying the matters relating to the reservation of appointments or posts for the backward classes, scheduled castes and scheduled tribes. The Commission is also not consulted with regard to selections for certain appointments such as: (i) membership or chairmanship of tribunals or commissions; (ii) posts of highest diplomatic nature; and (iii) a bulk of
class III and class IV employees who constitute about 90 per cent of the total number of government employees at Centre.

Finally, the Commission must submit to the President fairly Comprehensive Annual Report about the work done by it during a year. This report is placed before both Houses of Parliament for consideration. It is here that the Government has to defend its stand for non-acceptance, if any, of advice tendered by the Commission because all such cases are mentioned in details in its Annual Report. It is true that legally Government is not bound to accept the advice of the Commission, but, generally speaking, instances of non—acceptance of the Commission's advice by the Government are rarer. Long standing convention has made almost all advice given by the Commission as mandatory and there is no doubt that this convention is extremely beneficial to the social, moral and political health of the community. It is understood that all cases of non—acceptance of advice of the Commission have to be approved by the very high-powered "Appointments Committee" of the cabinet to which the President has delegated this function. 

Some of the major activities of the Union Public Service Commission are as follows:

1. **Examinations.** The main function of the Union Public Service Commission is recruitment to the Civil Service. Cadet entries in the various Defence Academies are also controlled by it to a large extent. The filling up of posts by the Commission is done as direct recruitment, promotion or transfer. Direct recruitment is made by a written test or an interview or by a combination of these two methods. It has been found that persons placed on the merit list resulting from a written examination followed by a personality test are appointed to posts according to their merits. For different services these examinations are conducted once a year and the selections are made on the basis of information given to the Commission about the approximate requirement in each of these
services by the Ministries of the Government of India. For the
recruitment to the Civil Services, a preliminary examination is held
comprising of one paper on General studies and other on optional
subject opted by the candidates. This examination carries 450
marks. A list is prepared in order of merit and the number of
candidates equaling ten times to the total posts are declared
qualified for the main examination. The main examination is a
comprehensive examination and carries 1800 marks. It comprises of
two papers on General Studies, four papers on any two optional
subjects offered by the, candidate, one qualifying paper on English
and one paper on the regional language offered by the candidate.
Again a merit list is prepared and the number of candidates
equaling three times to the total posts are retained for interview by
the Commission. The pattern of main examination is modified to
some extent by Satish Chandra Committee Report.

2. Direct Recruitment by Interview Apart from the established
services, there are a very large number of posts in the Central
Government for which recruitment has to be made. This is
generally done on the basis of interview. On an average, about three
thousand posts are filled annually by this method. The number of
applicants for such posts averages over 68000, per year of whom
about 19300 are called for interview after a careful preliminary
screening of the applicant has been conducted by the Commission
in consultation with the Ministry which is the controlling authority
for the posts. The interview boards are presided over either by the
Chairman or a member of the Commission and are composed of
very eminent persons and 'advisors'. The representatives of the
Ministry concerned are also present. Normally, decisions are taken
by consensus but in case of a difference of opinion, which is very
rare, the opinion of the President of the Interview Board is
regarded as final.
3. **Promotion.** The next method of recruitment is by promotion. It applies to the All India Services, all Centre Services and miscellaneous services controlled by the Centre. In the interest of the maintenance of morale of government employees and to build up a hard core of loyal and dedicated personnel, there is provision for advancement and promotions. A percentage of posts in almost every service controlled by the Commission is filled by promotion from below and this is done by 'Departmental Promotional Committees'. These Committees are presided over by either the Chairman or a member of the Union Public Service Commission. The proceedings of the Committees are submitted for approval to the Commission whenever necessary and the selections are finalised only when the recommendations of the Departmental Proceeding Committees as approved by the Commission has been accepted by the Government.

A few other points relating to recruitment may also be mentioned here. They are:

(i) A method of Personal Contact may also be used by the Commission in the cases of posts where a very high degree of professional skill or administrative competence is needed, and where mere advertisements in the press are not enough to attract suitable persons.

(ii) The UPSC also undertakes to recruit persons for certain statutory bodies such as Employees State Insurance Corporation, Employees Provident Fund Organization, Delhi Municipal Corporation, etc. It also gives advice to these bodies on all service matters when such advice is sought.

(iii) Selection for the 'pool' for temporary placement of Indian scientists and technologists and persons with high qualifications in humanities or social sciences are made on consultation with the Commission.
(iv) Though the Commission is under no statutory obligation to make recruitments to the Defence Services, it has undertaken this work as an extension of its functions. All cadet entries into the various Defence Academies are now practically controlled by the UPSC. The UPSC also tenders advice in all cases of appointments by transfer or deputation.

(vi) The Central Advisory Committee set up under the State Reorganisation Act, 1956, still continues to work. It is presided over by the Chairman of the UPSC and deals with residue work relating to the cases of integration of civil servants of the former 'Indian States' which merged with what was known as 'British India'.

(vii) The Commission is approached for advice on all service matters including seniority, recruitment roles, promotions, etc.

(viii) All persons selected by the Commission are generally put on probation when they enter service. They are confirmed only in consultation with the Commission.

(ix) The Commission also advises on the recognition of degrees/diplomas awarded by universities/institutions situated both in India and abroad.

(x) The Commission also initiates follow-up action in respect of personnel recruited by it. This is useful device for finding out how far the recruits sponsored by the Commission have been successful and also whether the relevant recruitment procedure needs modifications.

4. Disciplinary Cases: The Lee Commission on the basis of whose proposals the Commission was ultimately instituted, assigned to the Commission quasi-judicial functions connected with the disciplinary control and protection of services. In disciplinary cases, the UPSC has to be consulted before orders are passed by the President imposing any penalty on a Government servant. The Commission is
also consulted before the President passes an order on an appeal, petition or memorial against any disciplinary order passed by any authority subordinate to the President.

5. **Quasi-Permanency Cases:** Under the Civil Service (Temporary Service) Rules of 1949, employees are to be declared quasi-permanent on the completion of three years of approved service fulfilling other conditions. This Quasi-Permanency has to be granted by the government in consultation with the Commission wherever direct recruitment to the post in question is within the purview of the Commission.

6. **Transfers:** The Union Public Service Commission also advises the government on cases of transfer of personnel from one service to another.

7. **Reimbursements:** Act 320(3)(d) provides that the cases of the claims of legal reimbursements are to be dealt by the Commission. The reasonableness of the claims is judged by the Commission referring to the circumstances of each case and to advise the government as to the amount that should be reimbursed.

8. **Extraordinary Injury Pensions:** The Commission is required to be consulted on any claim for the award of a pension in respect of injuries sustained by government servants while serving under the government of India in a civil capacity and any question as to the amount of any such award.

9. **Temporary Appointments and Re-employments:** In order to fill up certain temporary posts the Commission is consulted. These temporary posts are for a fixed period and the same is reported to the Commission. Again if the persons are required to continue for more than that period, the Commission is again consulted. The advice of the Commission is also sought on cases of reemployment of retiring or retired officers\(^2\).
Nature of Functions

As observed above, the Commission is the recruiting agency and the Government is the appointing authority. Both are interdependent. The Commission acts as an advisor to the Government in certain matters such as pay, allowances, pensions, provident fund or family pension, leave rules and conditions of service and matters relating to recruitment, promotion, discipline etc. The Government consults Commission on these matters, but is not under any obligation to accept the advice rendered by the Commission. However, there is a long procedure to be observed by the Government before rejecting the advice of the Commission. When the Ministry or Department proposes to reject the advice of the Commission, the case goes back to the Commission for reconsideration. After the reconsideration of the matter by the Commission, if the Government finally decides not to accept the recommendation, it has to refer the case to the General Administration Department. It has to explain the reasons for not accepting the advice of the Commission.

The case is then referred by the cabinet to a committee consisting of Finance Minister or Home Minister, the Minister of the Department concerned and for the Chief Minister concerned. The number of recommendations, not accepted by the Government are recorded and included in ‘the annual report of the Commission. Of late, the number of such recommendations is on increase. Several candidates selected by the Commission, were not appointed for reasons best known to the Government.

All the functions of the Commission may be divided into three categories: regulatory, executive and quasi-judicial. Among the regulatory functions of the Commission are advising the government on the matters relating to method of recruitment, appointments, promotion transfers etc. The executive functions of the Commission relate to the conducting of examination and the judicial functions relate to the advising on matters relating to disciplinary actions, claims for compensation and claims for the
award of a pension in respect of injuries sustained by an employee and any question as to the amount of any such award.

Civil Services Selection Process

Selection for the combined civil services takes place in three stages: A preliminary examination, a main examination, and a personality test. The preliminary examination is a written test comprising of two papers. It is conducted every year in the month of June. The first paper (general studies) carries a maximum score of 150 points on 150 questions, with a time limit of two hours. It covers six topics - Indian History, Constitution of India, Geography, Economics, Science, and Current Affairs. The second paper is an 'optional' that is on a subject of the candidate's choice. This paper carries 300 points on 120 questions and is two hours long. Both papers are set in the objective type format. Around 10,000 candidates are selected after the preliminary exams, which are taken by approximately 1,50,000 students every year.

The main examination is also a written test, which is held around November / December every year. It comprises two language papers (one in English and the other in an optional Indian language). Marks gained in these papers are not computed in the total score, but passing in both is compulsory for qualification. There are also two general studies papers (300 marks each), and four papers on two optional subjects (300 marks each). Approximately 2,000 candidates are selected at the end of this stage, for the final personality test.

The personality test / interview, conducted in April / May every year, forms the final eliminatory stage. Conducted in the form of an oral interview, it enables an expert panel to judge first hand, the candidate's personality, ability and aptitude for the work. The personality test carries 250 points in a total of 2,050 points.

There is also a medical test, which is conducted before the allotment of services. It is an especially rigid test for those aspiring to join the IPS.
Roughly 800-900 candidates make it through the final selection each year, out of which the top ranking 100 candidates (approximately) are appointed to the IAS.

Selection to the Indian Forest Service, on the other hand, is on the basis of a written test held in the month of August every year. The test comprises: two compulsory papers (General English and General Knowledge); and additional papers in any two subjects chosen from the following options: agriculture / botany / chemistry / physics / geology / zoology / mathematics / agricultural engineering / chemical engineering / civil engineering / mechanical engineering excepting combinations of agriculture and agricultural engineering, chemistry and chemical engineering.

Training for Indian Administrative Service (I.A.S.)

Recruits to the All-India Services (including the Indian Forest Service) and central services numbering nearly 350 are required to attend a common course of training, called foundational programme, at the Academy, the underlying idea of which being that officers of all the higher services should acquire an understanding of the constitutional, economic and social framework in which they have to function, as these largely determine the policies and programmes towards the framing and execution of which they make their contribution. In addition, it also develops among the new recruits of various services a feeling of belongingness to common public service and a broadly common outlook. The subjects taught in the foundational course, which is of three and 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 this course there is an examination and the marks secured in it are added to the recruitment examination.
After completing this foundational course, the probationers of the services other than IAS leave their respective training institutes for subject-matter training, but the IAS probationers stay at the Academy to undergo further training—called the professional training—of eight months' duration introduced since 1969. After completing the first phase of professional training, the probationers go to the State of their allotment for district training the duration of which is one year. During 'district training' the probationers spend some time at the state training institute, and thus acquire knowledge of various aspects of life in the state of their destiny. They learn the language of the state. They are attached to districts where they obtain knowledge of various areas and levels of administration. They undertake socioeconomic surveys of villages and this exposure is particularly emphasized as they would be spending the initial period of their career in rural areas. During the period of district training, probationers remain in touch with the Academy as they have to report regularly to a faculty member37.

Training for Indian Police Service (I.P.S.)

Entrants to the I.P.S. are trained at the Sardar Patel National Police Academy which was earlier located at Mount Abu (Rajasthan), but was shifted to Hyderabad during the internal emergency (25 June, 1975—21 March, 1977). 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. The syllabus of training includes studies of crime psychology, scientific aids in detection of crime, methods of combating corruption and fire and emergency relief. After completing the year's training, the probationer passes an examination conducted by the U.P.S.C. 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 given practical training by requiring him to do the work of various subordinate officers, under guidance. It is only after this that he is appointed an Assistant Superintendent of Police38.
Arguments for and Against All-India Services

The plea for an all-India service is ostensibly based on three grounds. Firstly, an all-India service is considered to be a bulwark of national integration as its members possess an all-India outlook. Secondly, being based on all-India recruitment, it attracts the best talent in the country, a vital necessity for the accomplishment of national tasks. Thirdly, it reinforces the sense of independence and impartiality of its Members by affording protection against local pressures and influences. These arguments will be examined one by one below.

The argument that the members of an all-India, service possess an all-India outlook is neither supported by logic nor borne out by actual experience. The competence of a person as judged through the written examination and brief interview that form the initial basis of his recruitment, and an essentially cultural trait like all-India outlook are not directly related factors. No correlation need exist between recruitment to a particular service and an individual's outlook. To say that merely by being recruited to an all India service a person comes to possess an all-India outlook is highly conjectural. If this were so, the personnel of a State civil service could be thought to have a provincial outlook; and a university teacher to have only a university-based outlook. A cure to all these would then apparently be to create all-India services for every aspect of administration.

Membership of a particular service does make individuals absorb certain traditions and habits of thought, which in turn tend to influence their behaviour and perception of roles. The members of all-India services especially of the Indian Administrative Service, have become, if anything, too conscious of their membership of a particular service vis-a-vis the other services, too conscious of their status and privileges, too resistant to sharing their privileged position with members of other services. A consequence is that the members of the all-India services are dominated by feelings of exclusiveness and do not generally speaking, visualise their
role against the totality of operations. Internally too, the all-India services do not show much emotional cohesion. This is true even of the I.A.S, the direct successor to the Indian Civil Service. Unlike the I.C.S, the I.A.S is not homogeneous in character. It is composed of persons who hail from different geographic regions, belong to different social groups and economic classes, studied different courses in different universities, and often succumb to regional, linguistic and other pressures and rivalries. As recruitment to it is by many methods there is even a tendency among its members to form groups around the very mode of recruitment. The cumulative result is that the I.A.S and indeed any other all-India service, is made up of clusters defined by region, caste, language, mode of appointments, etc., with sharply identifiable loyalties to them.

Nor is an all-India outlook necessarily demanded from civil servants. The all-India services have been divided into State-wise cadres and members are initially posted to a particular State. Local influences-political and social-operate upon them during this period; they tend to project these influences during their service under the Central Government and this will militate against an all-India outlook. In a federation, disputes between the Centre and the constituent States are not uncommon. An all-India outlook for the members of the all-India services is of little avail when they are required under ministerial pressure to join in Centre-State or inter-State conflicts, and find themselves preparing briefs and memoranda claiming for their State something under dispute a town, a steel mill or an oil refinery.

Bureaucracy as an instrument of government and for the fulfillment of the objectives of the Constitution must, indeed, foster national integration through administrative policy and action, but its impact will necessarily be restricted: it can at best do little more than counteract fissiparous manifestations and disruptive forces. But the building up of cohesion is a positive process which depends more upon extra-governmental organizations like the national Parliament, political
parties, the press, academic institutions, voluntary organizations, and myriad professional and special interest groups. The contribution of the all-India services in this direction is bound to be peripheral. What is more, it may even be dangerous to single out one range of services for the performance of the difficult task of nation-building. Imperceptibly, but perhaps with more enduring benefits, trade, commerce, industry and the academic world have already begun to release forces and set in motion relations which inevitably result in greater intermingling of people of different regions, thus working towards national unity  

Closely related to the above is the aspect of leadership in administration. The members of the all-India services number over 5,000 from among the over 10 million persons who are presently employed in all the three levels of Government in India. Of the latter, a considerable number are employed at junior and middle level positions, never coming into direct contact with the top men of the all-India services. Where, indeed, leadership is desperately needed is at the middle operational and supervisory levels. The members of the all-India services man these positions early in their career and for comparatively short periods. It is the State civil services which remain at this level for long periods, and so it is the members of these somewhat neglected services that have to be utilised if at all, for leadership purposes in administration. It is too much to expect the limited personnel of the all-India services to provide leadership and cohesion in an administration employing 10 million persons. When it is further considered that each service is today bedevilled by inter-service and intra-service cleavages, the weakness of the claim that the all-India services, including the IAS, can act as leaven in administration becomes obvious.

The second argument behind the all-India services is that they attract talent. That a service should be enabled to recruit the ablest is unexceptionable. But India is so vast, and local diversities are so numerous and basic, not a deep insight into them should be considered an
essential rather than a merely desirable qualification for a successful public servant. A person who may have distinguished himself academically, but who cannot with ease converse in the regional language and has no deep understanding of local customs, culture and mores cannot make good civil servant. He will have no heart in the place and will always be on the lookout for an opening in the Central Government. Though formally he continues to be home on a State Government's cadre, most of his official life may be spent in the service of the Central Government. The State government remains deprived of his services in practice. This is precisely what is happening in the IAS today. Among the officers allotted to a particular State cadre of the IAS are those who have not been regular residents of the State; these officers are usually the keenest to come to the Central Government and are the most reluctant to go back to the State to which they are posted, and both psychologically and emotionally feel closer to the Central Government. Although half the vacancies to be filled by competitive examination in the State cadre of each of the all-India services have been, since 1957, set aside for persons who come originally from another State, the national integration which is hoped to be promoted in this way is more apparent than real. For instance, a person selected into an all-India service generally puts down his preference for posting in a neighbouring State. Thus, it is, for example, not common for a person from the north to seek a posting in a State in the south, and vice versa.

Taken even on its face value, the 'merit' criterion appears to be over emphasized. A majority of the candidates joining the all-India services in a particular year are but of average abilities, having graduated in the second division from their university. This is mainly because of bulk recruitment of candidates, but another reason is the prevalent practice of reservation of posts for the Scheduled Castes and Scheduled Tribes. All this is in addition to two other features marking recruitment to the all-India services. These are a relatively large intake from sources other than competitive examinations and, secondly, the provision of a sizeable quota.
Given the present conditions in the country, the disappearance of the all-India services may not cause any significant damage to the totality of the civil service. If there were no all-India services, the persons preferring government service to other forms of employment would surely be pulled into the State services, though admittedly some might be lost to well-paid business positions. Even today, a person appears simultaneously in several competitive examinations, including the State service examination. If the all-India services are abolished, the talent would get diverted to and absorbed by the State services, for the nation’s pool of talent does not expand with the setting up of an all-India service nor does it shrink with its closure.

Indeed, the State civil services, which today suffer from a feeling of inferiority, would be likely to acquire a better image if the corresponding all-India services were to be abolished. As all the senior positions in a State are, as a rule, held by members of the all-India services, particularly the IAS, the State civil service personnel always function in subordination to the latter. They are, in fact, perpetual ‘vice-presidents’ in the State administrative hierarchy, meant for lesser roles and receiving lower scales of pay. The senior positions in the State would become available to the members of State services if the all-India services disappeared, and this would automatically improve their career prospects. Such an incentive would help to sustain the morale of these services and, in the long run, prove more conducive to all-round efficiency.

There is also the Centre’s apprehension of a general politicization of the State bureaucracy if its recruitment and control were vested in the individual States. This, indeed, was the central argument advanced by Vallabhbhai Patel in his letter to Prime Minister in which he argued in favour of the all-India service and its enshrinement in the Constitution itself. He wrote:

"I need hardly emphasize that an efficient, disciplined and contented (civil) service, assured of its prospects as a result of diligent and honest work, is a sine qua non of sound..."
administration under a democratic, regime, even more than under an authoritarian rule. The (civil) service must be above party and we should ensure that political considerations, either in its recruitment or in its discipline and control, are reduced to the minimum, if not eliminated altogether. In an all-India service, it is obvious, recruitment, discipline and control, etc., have to be tackled on the basis of uniformity and under the direction of the Central Government which is the recruiting agency."

As this argument, which doubts the States' capability to develop an efficient, disciplined and contented civil service, is bound to offend their susceptibilities, it is not now much voiced publicly. On merits too, the argument is hardly tenable, as the Central Government may be equally subject to political pulls and pressures. After all, recruitment to political cadres of the Central and State Governments takes place from the same source and it would be incorrect to ascribe political foibles to the State level only. Indeed, if a country has not generally developed attitudes favourable towards the political neutrality of the civil services, it is unreasonable to assume that some services will remain immune to political influence and others will not.

Taken all together it is an error to exaggerate the benefits of the all-India service. It can activate itself only in the event of the President taking over the administration of a State under the emergency provisions of the Constitution, for the Central Government can justifiably count more on the loyalty of officers' of the all-India service who, in the last analysis, are its employees, than on the members of the State service.

The contrary is also clear. The, State Government may induce itself to repose more trust in State service personnel than in officers who remain subject to the remote control of the Central Government and whose loyalty is thus questioned. This is not unlikely thinking on the part of the units. When, however, the units come to be founded in a federal Constitution, the resistance to a centrally recruited and controlled civil service undergoes a qualitative change. The two governmental systems,
operating independently of each other, more so in a competitive policy, also postulate two separate civil services. The all-India service is incompatible with the federal character of the Indian Constitution, although it does find a mention in it. In the never-ceasing seesaw game of adjustment and bargaining between the Centre and the States in federal-cum-competitive polity, neither its all-India outlook, more its talent, nor even its supposedly steadfast loyalty to the Centre comes into active play. On the contrary, a lingering suspicion about its fidelity is likely to make it look like the proverbial mote in the States’ eyes as the latter gain a larger measure of self-confidence and self-assertion. Operating as it does under the ultimate control of the Central Government, it presupposes the superior excellence and wisdom of the latter vis-a-vis the States. While this was, or may have been, historically true, its validity as a concept in federalism is questionable. Also, the resultant relativity, established through the interchange of personnel with the prospect of their eventual retention by the Centre, may not affect the latter adversely, but tends to have a constraining effect on a more forward-looking State.

Indeed, the all-India services are already becoming suspect in the eyes of States ruled by political parties adopting a leftist or regional stance. Some at least of the constituent States are intensifying their opposition to the all India services and their number is increasing. E.M.S. Namboodiripad, the former Chief Minister of Kerala and a member of the Communist Party of India (Marxist), openly questioned while in office the validity of the all-India services, the members of which are recruited and trained by the Congress Government at the Centre and posted to States in many of which there are non-Congress Governments. M. Karunariidhi, the present Chief Minister of Tamil Nadu belonging to the Dravida Munnetra Kazhagam, a regional party confined to one State, sought control over all civil servants working in the State Government. Even Ajoy Kumar Mukheiji, leader of the Bangla Congress and former Chief Minister of West Bengal, pointed out: ‘The ICS and the IAS are too costly for the States, not commensurate with the supposed benefits from them.'
The Present All-India services should be gradually liquidated. It is significant that although the upper chamber of the Indian Parliament passed a resolution in 1963 in favour of the creation of two more all-India services—the Indian Education service and the Indian Agricultural Service—this proposal has been finally dropped in view of the States' revised... stand on the need for these services, One is not very sure whether the resistance to the all-India services is ideological or tactical. It may, for instance, be argued that opposition to the all-India services stems only from the prospect of coming into power at the State level in the foreseeable future.

Broadly, the arguments against the all-India services are as follows: First, the State ought to enjoy the right to recruit and control and civil service for the performance of tasks which have been allotted to them under the Constitution. An all-India service restricts the degree and sphere of their autonomy and patronage. Secondly, in order to attract people from all over the country, and also to, enable them to serve efficiently even in remote parts of the country, the scale of the all-India services is kept more favourable dim that of the State civil services. This imposes heavier financial burden on the States, leaving them with correspondingly less resources for development tasks. Thirdly, the all-India services keep the members of the State services alienated and thus have a demoralising effect on the totality of the civil service. Besides, the all-India services have to encounter from now on practical difficulties which may render them increasingly unworkable. Recruitment to these services through the medium of regional languages makes maintenance of a common standard for the candidates highly difficult.

Also, the States where the majority of the personnel of the all-India services are posted are increasingly switching over to working in the regional languages. Indeed, they have already started transacting an increasing volume of business in their own languages. A person selected to an all India service may not 'know the language of the State to which he has been posted. He may, to be sure, acquire working familiarity with the
regional language of the adopted State but may not become fully proficient in it. Besides, a member of the all-India services also comes to the Central Government from time to time on tours of duty.

As the language in vogue in the Central Government is English, he may not prove effective in it. Indeed, a member of the all-India service is likely to be effective only at one level because of the language itself. The adoption of regional languages as the medium of instruction in many universities is already producing a regular supply of young educated persons largely bereft of a knowledge to English. The Government too, has in part responded to this situation by agreeing to hold the competitive examination through the regional languages in addition to English and Hindi. As a result there is the risk of a person remaining 'frozen' into ineffectiveness if he does not know the language of the Central Government as well as that of the State to which he has been posted.

The foregoing analyses suggest that the institution of all-India services is unlikely to remain unscathed in the foreseeable future. Statesmanship lies in starting a meaningful dialogue with the States on this question. A suggestion has been made in connection with the working of Article 312 of the Constitution that an all-India service needs to be constituted only after its specific endorsement by the States is formally signified through a resolution of their legislatures. This would give it political legitimacy. It may even be that a politically acceptable solution would lie in entrusting the Central Government only with the recruitment and initial training of personnel and the State Government with complete control over them.

By the same token, the Central Government too must make alternative provision for the manning of positions that are presently being filled with officers of the all-India services. Already, it has a number of central civil services to draw upon for manning these posts. It could also, by bilateral arrangements, obtain officers from the States and vice versa. It is true that pay scales for Central Government personnel would be more
favourable but, on the other hand, employment under the State Government would offer opportunities of working closer to the people, which itself is an exciting experience with its own rewards.

In India, both the parliamentary form of government and federalism have, despite difficulties, established themselves. National unity is now no longer subject to serious challenge. These achievements have been associated with growing politicisation of the society and with a wider recognition of the need to mobilise as much political and administrative talent as possible at all levels of the system in support of the tasks of social and economic development. Yet, in the evolution of a set of institutions, some have come to be held more sacrosanct than others and indeed, have acquired such primacy as virtually to determine the location of the others in the system. This has been the case of the all India services. It is the changes achieved in the political environment in which these services operate that now make it necessary to challenge their continued primacy.
3. Article 356 of the Constitution.
7. Ibid.
9. Ibid.
12. Ibid.
15. Ibid.
18. Ibid., pp. 189-190.
19. Ibid., p. 192.


23. www.civilservicereforminindia.com


33. *Ibid.*, pp.139-140.
