CHAPTER III

III. PROSPECT
The Devani was conferred on the East India Company by the Mughal Emperor in 1765. The term Civil Service was first used by the East India Company as a name for its establishment of non-military or civilian employees in India, but in the present context to quote O'Malley "The term Civil Service..... is now applied to the general body of persons employed on non-combatant work connected with the administration of a state....." The term civil servant was a general name for all grades of Company's servants viz. Writers, Factors, Junior Merchants, Senior Merchants etc. The term had gained due currency by 1765. Since such employees had to enter into a Covenant or indenture the Service was also known as the "Convenanted Civil Service of India". The Charter Act of 1793 divided the civil service of India into three distinct parts by providing that vacancies in a particular presidency should be filled in by civilians serving in that presidency alone. The three branches were named Bengal Civil Service, Bombay Civil Service, and Madras Civil Service after the names of the three presidencies. But as O'Malley says,

"Collectively and officially, the service was known as the Convenanted Civil Service of India...." Lord Salisbury, in 1878, directed that "....every convenanted civil servant is bound to serve wherever the government at any period of his career, requires him to go". O'Malley writes, "The name 'the Civil Service of India' did not obtain general recognition; few members even of the service itself knew that this designation has been officially prescribed. The name Indian Civil Service is general, both in official and popular use." The term Indian Civil Service had come into use much early, as far back as 1876.\(^3\)

**Administrative Service**

The early civil servants were classified into 6 grades i.e. Writers, Factors, Junior Merchants, Senior Merchants, Councillors and Governors. Every writer had to enter into a convenanted or indenture which was a long document. It contained many conditions including faithful, honest, diligent and careful carrying out all and every orders of the Company end of the ..... Board of Directors.\(^5\) Writers were usually promoted to higher positions. From time to time new convenanteds had to be executed

\(^3\) Ibid, P.85.
\(^4\) Ibid,

depending upon situation in each case. For the due performance of the covenants all classes of civil servants had to produce two sureties in England.

The service was commercial in the beginning but later, it acquired its first territorial possession of Burdwan, Midnapore and Chittagong, which were ceded to it by Mir Kasim Ali Khan. Then onwards, the civil service of the company had growing administrative duties to perform. The grant of Divani 5 years later, in 1765, increased the administrative duties of the civil servants of the company. In 1772 the directors decided to stand as devans themselves and took the administration in their own hands. Warren Hastings appointed Europeans as Collectors to look after revenue collection and civil judicial business which is still the main duty of a collector. The last quarter of the 18th century was an era of rapid development. The Charter Act of 1833 completely prohibited trade and commerce. Nevertheless, the designations of Merchants, Factors etc. continued till 1842 though they performed no commercial duties. They were no longer agents of a commercial concern but, in fact, the ministers and officers of a powerful sovereign required to discharge the functions of magistrates, judges, ambassadors and governors of provinces, and carrying on duties which were those of statesmen in other parts of the world.

The unwillingness on the part of Indian rulers to negotiate with men of humble status, began the employment of gentlemen in important positions. "Nevertheless, it was not till the beginning of the 19th century that men of good birth were recruited to the Company's service in any numbers. By 1838 the character of the service had changed completely. It was filled with men who "had no recommendation but their high birth and great interest."..."

**Civil Service under the Company**

The Company started by following policy of maintaining a large staff on nominal pay. The credit for purifying the service, and creating a real civil service goes to Warren Hastings. He set the revenue administration in order, purified trade and took measures to check corruption. O'Malley thinks "he laid the foundations" of a civil service in the modern sense (so far as India is concerned). His successor in office too spared no pains to organise the service on sound foundation. He effected all-round reforms. Staff in excess was dispensed with and unauthorized.

8. Ibid., P. 31.
gains were stopped. No officer could hold office in two
departments. His fearless refusal to make improper appoint-
ments is really praiseworthy.\textsuperscript{11} The creation of a civil
service in the modern sense of the term may be said to have
been the work of both Warren Hastings and Lord Cornwallis.
The former laid the foundations on which the latter built
up the super structure.\textsuperscript{12}

The civil service was becoming popular and efficient.
Sir John Shore believed that "there were, ..., more honesty,
principles and humanity comparatively speaking in India
than in England and no country in the world where the
officers of government devoted more time and attention
to public business."\textsuperscript{13} J.W. Kaye, thinks "The Company's
servants had everything to learn as administrators and
those great lessons were not to be learnt in a day. But
considering the strangeness of the duties which then
devolved upon them, the magnitude of the labour imposed, and
the extreme difficulty of acquiring a competent knowledge of
the language, the institutions, the usage and the character
of the people in all their multiform social aspects, they
acquitted themselves very well."\textsuperscript{14} During the Company's regiments

\textsuperscript{11} Keith, A Constitutional History of India, (1600-1935),

\textsuperscript{12} Ibid, P. 42.

\textsuperscript{13} Ibid.

\textsuperscript{14} J.W. Kaye, The Administration of East India Company,
A History of Indian Progress, Allahabad, 1966, P. 80.
higher services were purely European and Indians were appointed to non-convenanted posts. The service retained mostly foreign character but in 1853 a competitive examination was introduced, though no Indian could enter the I.C.S. till the services were transferred under the control of the Crown.

Service under the Crown

Consequent upon transfer of power in 1858 the civil service of the company became the civil service of the Crown. Formerly they were responsible to the Court of Directors, but now they were responsible to the Parliament through the agency of the Secretary of State. They became part and parcel of Her Majesty's establishments abroad. Recruitment was made by means of competitive examination in London, and though theoretically open to Her Majesty's subjects in India also, yet practically it was a preserve of the sons of English Gentlemen, educated at Oxford and Cambridge. Covenant still continued to be executed. Other conditions of service also remained almost unaltered. To quote O'Malley, "The transfer of the Government of India to the Crown was constitutional change which made practically no difference to the position and prospects of the Indian Civil Service. To a certain extent there was a sense of greater security owing to the discontinuance of the periodical commissions of inquiry into the administration which had preceded the renewal of Company's Charter." 15 The monopoly of the members

15. O'Malley, op.cit, P.86.
of the I.C.S. for all important civil appointments was maintained by the Indian Civil Service Act 1861.

Aitchinson Commission 1887

Aitchinson Commission recommended that the Public Services in India be divided into three classes. First, the Imperial services which included services like I.C.S., I.P.S., I.M.S., I.F.S., and other All India Services. Appointment to these services were made by the Secretary of State in England. The second was the Provincial services which included some of the less important former Covenanted posts and some of the more important uncovenanted posts. The rules for admission to this class were to be framed by provincial governments subject to the approval of the Government of India. Thus the terms covenanted and non covenanted services came to an end. The lower posts previously borne on the cadres of non-covenanted services were designated as the Subordinate Services. In the Subordinate and provincial Services Indians entered in large numbers. The same threefold classification obtained in the case of P.W.D., Forest and other technical services.

Islington Commission 1912

Islington Commission was appointed to report on the conditions of service, i.e., salary, leave, pension of the higher Civil Services and enhanced entry of the Indians therein. As regards
salary, they propounded the theory "that a government should pay so much only to its employees as was necessary to obtain recruits of the right stamp and to maintain them in such a degree of comfort and dignity as would shield them from temptation and keep them efficient for the term of service."

For I.C.S., I.M.S., and certain other services they recommended equal pay for Europeans and non-Europeans but for services which were to be recruited in India they recommended different scales of pay for Europeans and non-Europeans. Instead of graded system, they recommended incremental system of pay, but were opposed to the grant of increment as a matter of right. They also recommended two classes in the services under the Government of India over the subordinate services i.e. Class I and Class II.

**Montford Reforms 1918**

The I.C.S. was the seniormost amongst the services of the Crown in India tracing its origin from the days when the British owned a few trading posts only. Its members filled all posts involving general supervision. They could serve in any department, say Income Tax, Excise, Land Revenue. Certain specified posts could be held by the officials of the I.C.S. cadre only. Often they were appointed as members of executive councils of the Governor-General and Governors.

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The service was very powerful than a corresponding service in any other independent country. Pandit H.N. Kunjru said, "it is much more than a service. It is the Government of India itself." Since they were controlled by distant power, very large initiative and discretion had to be left to them. Moreover, the I.C.S. was not responsible to the Indians who paid for their salary, pension and allowances, but to the Secretary of State and the British Parliament.

In 1917 the British government announced the increasing cooperation of Indians in administration to be their policy. The idea of being responsible to the natives to whom they had played a sovereign lord created fear in the minds of civil servants. In order to give them a sense of security the Act of 1919 held out certain protections:

1. The Secretary of State in Council was authorised to make rules regulating recruitment, conditions of service, pay and allowances and pensions. He could also delegate this power to the Government of India or the local governments. Persons appointed by him before the Act came into force were guaranteed pre-existing and accruing rights in service matters.

2. All persons appointed by the Secretary of State were to be governed by rules in force at the time of passing the Act, in matters of pension, scale and conditions of pay. These could be altered to their disadvantage only by the Secretary of State.

(3) Dismissals could not be made by an authority lower than the appointing one. Right to be heard in defence was guaranteed. The Secretary of State was empowered to reinstate an officer dismissed.

(4) Salaries, pensions and payments to the officers appointed by or with the approval of the Crown or by the Secretary of State in Council were non-votable items.

(5) Certain posts were reserved for the members of the I.C.S. only. The post borne on the cadre of all-India services could not be left vacant for more than three months without the sanction of the Secretary of State.

(6) Members of the Secretary of State services could file an appeal to the Governor against the orders of their superior authority and the Governors were directed to examine the complaint and do the needful. Appeals against disciplinary order of the authorities in India could be preferred to the Secretary of State also.

(7) Matters affecting pay and pension, censure, unfavourable reply to memorials and posting of all-India service officers required personal concurrence of the Governor. It held good even in case of transferred departments. Each government was obliged to appoint officers of Indian Medical Service so that medical attendance may be available to the officers.¹⁸

The Act also provided for a Public Service Commission of not more than five members on lines of similar commissions in

¹⁸ Keith, op.cit, P.270-71.
United Kingdom and other dominions. The functions of the Commission were left to be determined by the executive.

Lee Commission (1921)

This Commission recommended that the recruitment for the all India services that were to serve in the transferred departments under the popular ministers should be stopped. Power to recruit, organise and control other central services was to be delegated to the Government of India. Those serving in the reserved departments continued to be recruited and controlled by the Secretary of State. Civilians serving in the transferred departments could either retain their existing status like those in the reserved departments or could enter into new contracts with the Provincial Governments, or could retire on proportionate pension.

The commission noted the changed political order and existing scales of pay and allowances. "In the minds of the services the uncertainty of the political future of India, continued with attacks on them in the press and platform and their steadily deteriorating financial conditions produced feeling of anxiety and discontent." Consequently it recommended financial concessions. The exchange rate was made more favourable and

overseas allowances were increased. During their whole term of service officers and their wives could get 4 return passes each and one single pass for each child. Families of officers who died in India were sent home at government expenses. Section 96(e) of the Government of India Act provided for a Public Service Commission to discharge, "in regard to recruitment and control of Public Services in India such functions as may be assigned thereto by rules made by the Secretary of State in Council."20 As yet the Commission had not been created. The Commission suggested immediate creation of a Public Service Commission of 5 non-political members, qualifications for appointment and conditions of service were left to be determined by the Secretary of State. The Lee Commission suggested a two fold function for the Public Service Commission. First, its function as the recruiting agency, which may be said to be the first and foremost function of every public service commission and secondly, quasi-judicial functions arising out of appeals and interpretations of conditions of service.

The term All India Service is a distinguishing mark as it is distinguished both from the central services and the provincial services. The Joint Committee on Indian Constitutional Reforms (1933–34) described the identification marks of All India Services as, "the All India Services, though they work no less than the provincial services under the provincial governments, are all

appointed by the Secretary of State and he is the final authority for the maintenance of their rights. Each All India Service is a single service and its members are liable to serve anywhere in India, but, unless transferred to service under the Central government, the whole of their career lies ordinarily in the province to which they are assigned on their first appointment."

**Services under the 1935 Act**

In India detailed provisions were made to protect the services from the onslaught of new legislators and ministers who were destined to come into power as a result of the Act. Prof. Keith observes, "The Act provides elaborate safeguards to secure in part that the existing civil servants shall not suffer through the political changes more than is inevitable, and in part that future servants shall be recruited under conditions which will as far as possible maintain sound traditions." 24

The Act of 1935 authorized the secretary of state to continue appointing officers to the I.C.S. 22 Main provisions of the Act in regard to these were as follows—

(i) no member of the service could be dismissed by an authority lower than the appointing authority.

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24, Keith: op. cit., P.414.
22, Ibid, P.415.
(ii) None was to be dismissed or reduced in rank unless reasonable opportunity of showing cause has been given except:
(a) Where action is taken on ground on which he has been convicted in a court of law.
(b) Where the officer is satisfied that it is not practicable to do so.

Persons serving on contract were entitled to compensation if made to vacate their office before expiry of the due date for no misconduct on their part.

(iii) Section 249 authorised the Secretary of State to pay compensation out of the revenues of the Federation of the State to any officer appointed by him, who in his opinion had suffered because of passing of the Act.

(iv) An alteration in the conditions of service affecting adversely officers who served before provincial autonomy was introduced, could be brought about only by such authority who could do it on the 6th March, 1926.

(v) In the event of imposing penalties, removal before date of retirement or alteration of rules to disadvantage, the civil servant had a right to appeal as before the new set up was introduced or to such authorities as the Secretary to State may direct. Every officer was to have at least one right of appeal provided the order to be appealed against was not passed by the Governor or the Governor-General. It meant that the services were out of control so far as the democratic elements were concerned. The Act also provided for the consultation with the Public Service Commission in regard to disciplinary matters, cost of legal proceedings and award of pension for injuries.
(vi) Posts borne on the cadres of central service class
I and II and railway service class I and II or a provincial
service could not be abolished if their abolition
affected such incumbents adversely as held the office
before the commencement of the provincial autonomy.
Though the Governor and Governor-General could make
rules and orders affecting adversely the pay, allowances
and pensions of officers serving before the commencement
of the provincial autonomy, these could not affect the
Secretary of State service. They were subject to the
rule making authority of the Secretary of State alone.

(vii) The Act granted full indemnity to officers for their
acts of the past. Section 270 provided that, "No
proceedings civil or criminal shall be instituted
against any person in respect of any act done or
purporting to be done in the execution of his duty as a
servant of the Crown in India or Burma before the
relevant date, except with the consent, in the case of
a person who was employed in connection with the affairs
of the Government of India or the affairs of Burma, of
the Governor General in his discretion and in the case
of a person employed in the connection with the affairs
of a province, of the Governor of that province in his
discretion." Sub-section 2 of the same section directed
the Courts to dismiss the cases against officers for
their acts "unless the court is satisfied that the acts
complained were not done in good faith." Thus the services
had a twofold indemnity. In the first place the
Governor-General or the Governor would not accord sanction.
If ever the sanction was accorded the officer would
secure acquittal by showing that what he did was in
good faith.
(viii) Section 247 charged the expenditures for pensioning the officers of the secretary of state services on the revenues of the Federation i.e. it was a non-votable item. If paid abroad they were exempt from Indian taxes also. It was a special responsibility of the Governor-General to protect the legitimate interests of the officers and to secure them and their dependents rights provided or preserved by the Act.

(ix) Securing to officers and their dependents rights provided or preserved by the Act of 1935 was a special responsibility of the Governor-General or the Governor as the case may be. 23

Under this Act, besides British subjects, persons from tribal areas and native states too could enter into services if the head of the Government or the Secretary of State chose to authorise. 24 The Act also provided for a Federal Public Service Commission. The members of the commission were to be appointed by the Governor-General acting in discretion. The expenses of the Commission were charged on the revenues of the Government of India. The Commission was to conduct examination for recruitment to the services. Usually they were to be consulted on matters relating to personnel management like recruitment, appointment, promotion, transfer and disciplinary matters.

It is true that historically speaking, the All India Services were formed when India had a centralized governance and unitary form of Government. The latter events posed various challenges. Before Lord William Bentinck the higher civil services were completely British. In the early days of the Company rule Warren Hastings favoured Indians giving responsible positions, but his successor in office followed another. When the company annexed territories they dispensed with all the existing paraphernalia of the Indian rulers, including the officers and European officers took over the charge. In 1831 Bentinck created a higher grade of Indian Civil Judges and two years later in 1833 Indians were made eligible for the office of deputy collector. The Parliamentary Committee on the eve of renewal of Charter of 1833 strongly recommended the case of Indians. "At present natives are only employed in subordinate positions in revenue, judicial and military departments. They are said to be alive to the grievances of being excluded from a larger share in the executive government. It is amply borne out by the evidence that such exclusion is not warranted on the score of incapacity for business or the want of application or trustworthiness; while it is contended that their admission, under European control, into the higher offices would strengthen their attachment to British dominion, would conduce to a better administration of justice and would be productive of a great
saving in the expenses of Indian government.\textsuperscript{25}

The Government accepted the recommendations. The Charter Act of 1833 provided that "No native of the British territories in India nor any natural born subject of His Majesty resident therein should, by reason only of his religion, place of birth, descent, colour or any of them be disabled from holding any place, office or employment under the Company."\textsuperscript{26}

Though the covenanted services remained closed to Indians they were employed in lower positions. In 1843 they were for the first time given office in the criminal branch of judiciary.

Under the Act of 1853 the practice of nomination by the directors was replaced by the competitive examination. Indians were free to sit at the competitive examinations held at London. Eligibility to sit at competitive examination did not help Indians much. It was not an easy job for the Indians to go there and take the examination because of financial and religious difficulties. Blunt in his I.C.S. remarks, "There is, however, more truth in the criticism that competition whilst nominally throwing open the service to Indians, actually debarred them from entering it, because their caste custom forbade them to go overseas."\textsuperscript{27}

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27. Blunt, op.cit, P.46.
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The principle of competition as adopted could not satisfy the Indian aspiration. The proclamation of Queen Victoria that the services will be open without considerations of race and creed held out promises that could not materialise. Consequently agitation started both in India and in England. In England the East India Association submitted a memorandum to the Secretary of State demanding simultaneous examination both in India and England in 1867.

Gladstone's first government took up the claims of Indians for entry into service. In 1870 an enactment authorised the appointment of Indians "to any office, place, or employment in the civil service in India without reference to any statutory restrictions but subject to rules made by the Governor-General in Council with the sanction of the Secretary of State in Council." 28 Thus the Government of India were empowered to admit Indians into the civil service even when they had not taken the competitive examination in England. Nine years later, i.e., 1879, during Lord Lytton's government, rules under the above enactment were made, 1/6 posts reserved for covenanted services were to be given to Indians and consequently the appointment in England was reduced to that extent in 1880.

The System of Statutory Civilians had its own shortcomings. They were paid less than the European officers. Men from good

families could not be attracted because "the new service had neither the status nor the prestige of the covenanted civil service. It was regarded as a secondary and lower service."

On the breakdown of the System of statutory civilians, the Aitchinson Commission was appointed "to do full justice to the claims of natives of India to higher employments." The Commission recommended the creation of a provincial service. This service was to include 103 posts reserved for the I.C.S. and higher posts in the former noncovenanted service. However, the full quota was never allowed. In 1923 there were only 98 listed posts. On the first January, 1930 their number stood at 153. Lower grade posts in the non-covenanted services were renamed as subordinate services. Now the services were divided into three classes, i.e. Imperial, Provincial and Subordinate. Appointments to imperial services in all branches of the administration were made by the Secretary of State in England and the Commission could do little to force their entry into the Imperial Services. They were opposed to simultaneous examinations in India, but favoured the restoration of former age limits. In the remaining two classes, the Indians entered either by nomination or by examination and sometimes by promotion as well.

29. Ibid, P.151.
The recommendations of the Commission could not satisfy the Indian sentiments which insisted on entry into I.C.S. and demanded examination to be held both in India and England. In 1893 the House of Commons passed a resolution to that effect but it could not be given effect because of the supposed disorder consequent upon reduction of British elements and the alleged opposition of the Muslims. The Government of India observed: "The necessities of our position in the country continues to limit the possibilities of such admission."\(^{32}\)

Islington Commission of 1912 divided the public services into three categories:

(i) Where British and Indian elements were desirable like Education, Finance, Medicine.

(ii) Where there was no reason for recruiting a large number of officers from England like the scientific and technical services.\(^{33}\)

For the I.C.S. the Commission suggested that 25% of higher posts be given to the Indians which came to 189. This they distributed as follows:

40- District and Session Judgeship to be recruited from the bar.

41- from Provincial Services.

108- To be directly recruited in India 9 a year, 2 by examination and 7 by competitive examination.\(^{34}\)

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32. Ibid, P.221.


34. O'Malley, op.cit, P.222.
These recommendations could not be implemented because of outbreak of World War I.

The Secretary of State's announcement of August 1917 put in the "forefront the contemplated increased association of Indians in every branch of administration and the introduction of responsible government.″ Consequently the Montford report recommended a greater proportion of the Indian element in the service. On their recommendation, examination began to be held in India also and a fixed percentage of candidates were to be appointed from candidates examined in India. 33% posts on the cadre were to be filled by the Indians and an annual increase of 12% was allowed for 10 years. To the extent of 1/3 reserved for Indians, the government could make nomination to secure fair representation of different communities and provinces. Members of provincial services could also be promoted to the I.C.S. Even after examination began in India, Indians were allowed to sit at the London examination.

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Lee Commission suggested the following formula for giving greater representation to Indians in various Imperial services.  

<table>
<thead>
<tr>
<th>Services</th>
<th>Indians</th>
<th>Europeans</th>
<th>Promotion</th>
</tr>
</thead>
<tbody>
<tr>
<td>I.C.S.</td>
<td>40%</td>
<td>40%</td>
<td>20%</td>
</tr>
<tr>
<td>Indian Police</td>
<td>30%</td>
<td>50%</td>
<td>20%</td>
</tr>
<tr>
<td>Indian Service of Engineers in Irrigation Branch</td>
<td>40%</td>
<td>40%</td>
<td>20%</td>
</tr>
<tr>
<td>Indian Service of Engineers, Madras</td>
<td>45%</td>
<td>33%</td>
<td>22%</td>
</tr>
<tr>
<td>Indian Forest Service</td>
<td>75%</td>
<td>25%</td>
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</tr>
</tbody>
</table>

The Government of India accepted these recommendations and the arrangements continued till the outbreak of World War II, when there was a cessation of the British elements.

Central Pay Commission 1926

The Government of India, appointed a commission to look into the adequacy of existing pay scales and allowances to the various classes of the employees of the Central Government and other conditions of service like leave, conditions of retirement etc. The Commission took note of the changed economic conditions and aspirations of the low paid employees to improve their lot.

Consequently the Commission fixed Rs.3,000 as the highest salary. They observed, "Posts above the level of Rs.2000 should be very few and should only be posts carrying heavy administrative or technical responsibilities. Posts now carrying a maximum salary upto Rs.3000, must as far as possible be filled into the selection grade of Rs.1600 to 2000." The Commission suggested 12 typical scales for class III and 3 for class IV.

Independence and After

When the British were leaving India there were 10 all-India services and 22 Central Services. The Government of India gave certain guarantees in matters of pay, pension and disciplinary matters. They were to draw the same pay scale which they drew prior to Independence. If unwilling to serve they could retire on proportionate pension.

Before actual transfer of power, the Government felt it necessary "to ascertain....the wishes of individual officers ....in regard to continuation of service after the transfer of power." In cases, where these officers were serving under provincial governments, the governments were advised as to the desirability of releasing the officers who had decided to quit as early as

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38. Schedule to Classification Control and Appeal Rules.
possible. The provincial governments had a liability to pay compensation in case of officers who were willing to serve but the government did not like them to continue. Most of the European members of the services decided to leave.

After Independence the structured services underwent a change in their structure. The number of all India services was reduced to two only, i.e., the Indian Administrative Services and the Indian Police Service. The Indian Administrative Service replaced the former Indian Civil Service. However, the members of the Indian Civil Service continued to be known by their former designation. The Council of State by majority of members present and voting could create more all-India services.\(^4\) Indian Police came to be designated as Indian Police Service.\(^4\)

Certain guarantees were made part and parcel of the constitution.\(^5\) Article 311 guaranteed rights in regard to disciplinary matters similar to those provided under the Act of 1935 with slight modifications. The Federal Public Service Commission under the Act of 1935 was reconstituted as the Union Public Service Commission and the position of the members was made stronger than under the 1935 Act.\(^6\)

\(^4\) Article 312, Constitution of India.
\(^5\) Schedule to classification Control and Appeal Rules.
\(^6\) Article 314, Constitution of India.
The cadre of services was seriously depleted because of wholesale exodus of European and Muslim officers. Various new departments which were established made the shortage of officers still more acute. With a view to reducing the acute shortage of experienced officers, special recruitment was made. For it there was no written test. Officers were selected by the Special Recruitment Board by means of scrutiny of service records and interview. The Special Recruitment Board prepared a list of officers whom it considered fit for appointment to the All India Services within a period of five years. They were to be offered appointment within the prescribed period if their work was found to be satisfactory. The Special Recruitment Board was authorised to fill the remaining vacancies from the open market candidates for which higher age limits were prescribed.

The Constitution came into force in 1950 and until a law was enacted the IAS and IPS were governed by non-statutory executive orders. The All India Services Bill was introduced in 1951 and speaking on the occasion one member said, "The All India Services is a matter of supreme importance for the country, but it is more specially so in a country of the size of India with various sectors and factors which compose the Indian community....The British Government ruled this country as well and for so long because of the All India Services they had organized...we used to abuse the steel frame and we used often to say that our own people were enslaving us for the benefit of the British people."
Nonetheless, when we achieved independence we cannot only not do without the All India Services, but I for one would suggest that it should be made as strong a steel frame as it was in the past.\(^4\)

The Bill became the Act the same day and regulates the recruitment and the conditions of service of persons in the All India Services. The Act has authorised the Central Government to make rules and regulations, in consultation with the State Governments. These rules and regulations are required to be laid before each house of Parliament for a period of thirty days and it is only at the end of this period that they can come into force.