
Reinventing Higher Civil Services : Necessities of Administrative Reforms in India

Dr. Md. Reyaz Ahmad

*Assistant Professor, and Co-cordinator, Department of Public Administration
Babasaheb Bhimrao Ambedkar (CENTRAL) University, lucknow*

ABSTRACT

Public administration is a continuous process and in this sense it is always undergoing reforms. Thus, in public administration, 'reform is a journey rather than a destination'. Reforming a system implies a modification in its 'form', but it does not mean that administrative reforms deal with only structural changes in a system. It is much broader in scope and includes in its ambit improvements in structures, processes and behaviour of the administrative system and its components. The Indian administrative system has been facing an unending series of problems and challenges, which have their roots in over-population, poverty, economic underdevelopment, social backwardness and social exclusion, communalism, regionalism, parochialism, secessionism, criminalization of politics and other negative indicators of a society that has, for centuries, been ruled over by monarchical despots, feudal lords, invaders and colonialists. On the other hand, there are problems having their origin in the growing economic prosperity-rising social consciousness, increasing political participation and globalization and liberalization of the socio-economic and cultural life. When a nation gets the opportunity for self-governance after a long period of external domination, it learns the art of self-governance only by trial and error, Hence, the strategy of reforms also becomes incremental, gradualist and cautious. In this Paper, focus would be on analysing the different aspects of higher civil services of India in present context which required Reforms Such as; Management of higher civil services and their recruitment, placement, training, performance appraisal and their role in a inclusive development. Accordingly, discussion would be on, various committee/commission recommendations to redesign and reform our delivery mechanisms in an innovative manner based on past experience and best practices, and lastly suggestions would be given accordingly for accountable, transparent and citizen-friendly administration.

Key words: *Administrative Reforms, Fixation of Tenure, Domain of knowledge, transparent and citizen-friendly administration.*

INTRODUCTION:

Public administration is a continuous process and in this sense it is always undergoing reforms. Thus, in public administration, 'reform is a journey rather than a destination'.¹ Reforms are an obvious response to the new challenges confronting state institutions managing public affairs.ⁱⁱ Reforming a system implies a modification in its 'form', but it does not mean that administrative reforms deal with only structural changes in a system. It is much broader in scope and includes in its ambit improvements in structures, processes and behaviour of the administrative system and its components. The underlying assumption behind such reforms is that only an administrative system that revitalizes itself constantly

gathers the capabilities to respond to and even direct its socio-economic environment of which the most crucial part is its clientele. Unless this process of reforms becomes incessant, the administrative system is likely to lose its effectiveness.ⁱⁱⁱ

The Indian administrative system has been facing an unending series of problems and challenges, which have their roots in over-population, poverty, economic underdevelopment, social backwardness and social exclusion, communalism, regionalism, parochialism, secessionism, criminalization of politics and other negative indicators of a society that has, for centuries, been ruled over by monarchical despots, feudal lords, invaders and colonialists. On the other hand, there are problems having their origin in the growing economic prosperity-rising social consciousness, increasing political participation and globalization and liberalization of the socio-economic and cultural life. When a nation gets the opportunity for self-governance after a long period of external domination, it learns the art of self-governance only by trial and error, Hence, the strategy of reforms also becomes incremental, gradualist and cautious.^{iv}

Following the onset of globalisation, the traditional bureaucratic model appears to have lost its significance presumably because of the growing importance of non-state actors in administration. The instrumental view of administration does not therefore appear to be tenable for reasons connected with ‘the pluralisation of the state’. Given the increasing role of transnational forces even in domestic administration, state - centered theories of bureaucracy seem to be inadequate in addressing the radical metamorphosis of public administration both in developed and developing countries.^v It may be said that the twentieth century was the age of organisation, the twenty-first century has ushered in an era of ‘network-based organisation’ drawn on neo-liberal values.^{vi}

In recent times, there has been accelerated changes globally, brought about by technological advances, liberalisation, greater decentralisation and social activism. A primary challenge before the government is to exploit the advantages of globalisation and international interdependence to foster economic growth while preserving sovereignty and remaining focused on economic development. The ramifications of global changes are being felt by the government in the form of increasing citizen expectations for better governance through effective service delivery, transparency, accountability and rule of law. The civil service, as the executive arm of government, must keep pace with the changing times in order to meet the aspirations of the people. The purpose of reform is also to raise the quality of public services delivered to the citizens and enhance the capacity to carry out core government functions, thereby, leading to suitable development.^{vii}

The paramount need of the day obviously is to take purposive action to restore confidence in national institutions and to re-establish the credibility of higher civil services. Performance alone will reverse the trend and restore faith in administration. The bureaucracy must cleanse itself, refashion its operating culture and offer convincing proof of its ability to handle situations and solve problems. Also, it has to show itself to be more sensitive, responsive and vulnerable to the changes in the socio-economic environment and to the urges and aspirations of the common masses. Instead of spending a disproportionately large part of its time in dealing with contingencies it must be alive to emerging situations and deal with unanticipated turn of events. It means that it has to be seriously taken to research in policy planning. Today, the entire area of policy making in India remains unchanged and in many sectors of national life it is difficult to say if a definite policy does exist.^{viii}

THE STATEMENT OF PROBLEM:

Due to the process of globalisation and its impact on the higher civil services, their merits and demerits gained prominence roles in the process of Governance, Hence, what could be the need and necessities of administrative reforms in the present scenario, to make Indian civil services more accountable, people- friendly and an efficient system to fulfill people aspirations and achieve the national goals in a democratic manner?

PURPOSE OF THE STUDY:

To understand and analyse the various Personnel aspects of higher civil services of India, which needs reforms.

To discuss and evaluate management of higher civil services of India, such as; recruitment, training, placement/posting, promotion, accountability, efficiency and effectiveness.

To analyse the various challenges, constrains and pressures before civil services reforms in India.

To outline brief historical pace of reforms and analyse recommendations of various committee/commission for civil services reforms.

METHODOLOGY:

The study would be based on secondary sources that are various journals, books, articles and other source of secondary sources.

ANALYSIS OF THE STUDY:

The experiences of higher civil service reforms in post-Independence period are full of half-hearted and feeble attempts. The framework of reforming civil services should be holistic and also include questions regarding integrity, competencies and accountability of the services. Any piecemeal approach, as in the past, is bound to prove futile. The Civil Services Examination Committee (Y. K. Alagh Committee) in its report submitted in 2001 observed;

“..... That recruitment, training and management of the civil services are interrelated components of the same system and one cannot succeed without the other. Any effort to rectify only one aspect to the exclusion of others will mean trying to cure the symptom rather than the disease.”^x

I

Since independence, there must have been, on a rough count, more than seven hundred committees and commissions at the central and the state levels, which could be considered under the broad rubric of administrative reforms.^x In this, though the bigger share has been of the state governments, the scope and impact of the central government’s reform efforts have been broader and more far-reaching. In the kind of administrative federalism that we have in India, the state administrative reforms have been substantially affected by the central initiatives. The main committees and commissions set up since independence for introducing administrative reforms in India.^{xi} An in-depth analyses of the various committee reports

appointed from time to time reveals an interesting pattern in that some core themes are found to recur over and over again. One such question is the issue of providing lateral entry which has been receiving attention since the '60s. The Estimates Committee, in its 93rd Report (1965-66), recommended a central administrative pool to provide officers for manning senior administrative posts under the central government and suggested that the pool should be developed into the main source from which officers may be drawn to man senior administrative posts under the central government.^{xii} The ARC was also in favour of the lateral entry of persons with certain skills and expertise which may not normally be available within government departments. This was specially true in the area of Science and Technology where a larger number of entry points were in evidence.^{xiii} Even after four decades this issue continues to be debated with both the Second ARC and the Sixth Pay Commission revisiting it. The Second ARC recommends the setting up of a Central Civil Services Authority which, among other things, would formulate guidelines for appointments at the 'Senior Management Level' in Government of India. It would also identify posts which could be open for recruitment from all sources. For positions at a higher level, it would, in consultation with Government, earmark positions for which outside talent would be desirable.^{xiv}

II

Civil service recruitment and promotion hinge on several factors such as patronage versus merit; the relative importance of ethnic, religious, regional and caste preferences. Even where countries adopt a merit-based system, various practices militate in favour of these biases. An explicit political dimension becomes pronounced not only at the highest level of policy and programme formulation, but also at the lowest levels of regulatory and control activities.

Such political pressures are most pronounced in countries with diverse ethnic, religious and cultural groups. The stress on recruitment and promotion becomes severe where economic growth has not opened up job opportunities for the employable, either educated or unskilled and the government becomes the employer of the last resort. However, where economics expand, public employment tends to shed bias restrictions and even to use private sector practices to induct qualified people into the civil service.

The changes in our economy create a need for specialists at various jobs. With rapidly advancing technology and high degrees of specialisation in every field, the country can no longer afford to put generalists in positions requiring specialised skills. The entry and exit of civil servants from public service to private sector and vice versa, will make the civil servants' jobs more attractive, thus making it a new economy job. This may create the risk of competition feeding into the civil services even more insidiously than it already has. But that will at least help enforce accountability and be beneficial in the long run.

There are different opinions regarding the extent to which the civil service will benefit from the entry of outsiders. On the positive side, many maintain that lateral recruitment practices will help bring fresh ideas and skills into government, and that it will also provide incentives for current civil servants to perform better or risk being passed over for the prime postings. Yet a number of factors have to be balanced against these advantages. The response of the organised sector to the deputation of its senior management and professionals to Central and state governments is not clear. Karnataka's Administrative Reforms Commission cautions about the need to ensure that the skills which lateral entrants are expected to bring in were not

otherwise available within the civil service, which is needed to avoid the risk that the selection process becomes ad hoc and ends up demoralising existing personnel. The other sensitive issues are the offer of market related salaries and the process of selection. It is necessary to lay down an open and uniformly enforced process of eligibility criteria, selection and assessment to avoid charges of arbitrary and politically biased appointments.

The challenges confronting expanded use of lateral recruitment are important, but not decisive. The issue must be addressed carefully in a phased and systematic manner, which will allow governments to take full advantage of the benefits in terms of improved skills and motivation while mitigating against some of the costs in terms of political favouritism and demoralisation. Building a motivated and capable civil service requires merit-based and non-discriminatory recruitment, which rests on the absence of political patronage, transparent rules and procedures, open competition and selection by an independent agency. Subsequently, important elements in meritocracy and the motivation of employees are the opportunities for promotion, recognition and reward for performance, inter-sector mobility, placement in right jobs and the scope for skill upgrading and self-improvement. It is equally important to address demotivating factors like frequent and arbitrary transfers, a poor work environment, decrepit housing and health care.

facilities, as well as special factors affecting women in office and field jobs. Civil service does not function in vacuum; civil service reforms require a relook at the entire management of human resources in government and the incentives and disincentives facing the public service from top to bottom.^{xv}

III

In the final assessment, promotion – with its higher emoluments and enhanced status – remains a key element of motivation. There are differing approaches to the use of seniority and merit as criteria for promotion in countries following a similar hierarchical, ‘mandarin’ structure of civil service management. Singapore consistently promotes people entirely according to merit and it is common to see younger officers supersede more senior, but less competent, officers. Malaysia follows a system of promotion and annual salary progression based upon a new performance appraisal and remuneration system.^{xvi}

The National Commission to Review the Working of the Constitution has recommended the creation of a statutory body: Civil Services Board (CSB) to look into issues such as transfers and promotion of civil servants (NCRWC, 6.7.1). This will help in reducing political pressures on the careers of civil servants and better use of civil service resources. Sanjoy Bagchi observes, “The Commission must be invested with such functions that would increase professional competence and strengthen political neutrality of the IAS. There would be strong resistance from the politicians who would hate to lose their control over the service. The state governments are more likely to insist on the retention of their existing power for the sake of proper implementation of their programmes. These arguments are valid to some extent. But at the same time it has to be conceded that the overall performance of the service has reached such low depths that a change in controlling structure has become imperative..... The Commission must be entrusted with the total management of the service and it must have last word in all respects”^{xvii}.

Since in the present day personnel system, the need for posting a person according to his aptitude is not fully met, the placement policy of Government should be revised and in spite of the present rigid Service barriers, opportunities should be provided for inter-Service mobility in accordance with the aptitudes and skills of persons, the Study Team pointed out.^{xviii}

The selection of candidates for these posts, it suggested, should be made from amongst all the technical, professional, specialist and non-technical Services, on the basis of an examination to be conducted by the Public Service Commission in which those who have put in nine to twelve years of service may compete and for this purpose, the bio-data of the eligible persons should be maintained by the Personnel Agency entrusted with the selection.^{xix}

The Surendra Nath Committee suggested that assignment of Domains could be made a part of the empanelment process at JS/AS levels wherein officers due for consideration may submit a write-up indicating their academic background, training courses undergone, research experience and other significant achievements and recognitions relevant to the Domain areas. The Empanelment Committee assisted by eminent experts/academics in the concerned areas may then scrutinize the write-ups.^{xx}

The need to assign domains continues to receive attention in the absence of Government taking any decision in this regard. The Second ARC suggests that the Central Civil Services Authority should assign domains to officers of the All India Services and the Central Civil Services on completion of 13 years of service.^{xxi} Thus, committee after committee has been emphasizing the need to specialize. This indicates not only that the issue needs urgent attention but also the failure on the part of successive governments to take tough decisions while framing personnel policies.^{xxii}

The second ARC's line of thinking on tackling this very important issue of specialization in the Civil Services, is through providing channels of (a) lateral entry; (b) liberal revolving door policy; and (c) creation of a Senior Executive Service (SES) wherein positions will be filled up by applying the merit principle at higher levels and not just the entry level. This also includes providing the selected person a fixed term contract of 5 years and with differential remuneration packages depending upon the job to be performed. It visualizes the setting up of a body such as a Merit Protection Authority to ensure that the Merit Principle is strictly followed and to hear complaints. This work could also be assigned to the UPSC. On the pattern followed in the Armed Forces, people not making it to the SES can retire at the lower level.^{xxiii}

IV

The provision of fixed tenures to civil servants calls for immediate attention. It has to be borne in mind that frequent changes of government, both at the state and central levels does not involve rotation of officers with each change. Unless fixed tenures are assured, specialization will remain a distant dream and the market will ultimately be the main beneficiary, lapping up bright officers to the detriment of public administration.^{xxiv}

Providing fixed tenures is again a recurring theme over the decades. Fixed tenures are important not only from the point of view of building specializations but also for ensuring the accountability and neutrality of the Civil Service. The Hota Committee emphasizes to ensure good governance, civil servants be appointed to posts on the basis of objective criteria, be

assured of minimum tenures and be held accountable for performance.^{xxv} However, providing fixed tenures should not be restricted to officers of the All India and other higher Civil Services. The havoc caused by mass scale transfers of IAS and IPS officers gets reported. What happens when there are mass scale transfers at all levels in the hierarchy, down to the Block Development Officers, goes largely unnoticed.

The Second Administrative Reforms Commission in its Report on “Refurbishing of Personnel Administration” has made some important suggestions. These include:

Stage of Entry: National Institutes of Public Administration should be established to offer Bachelor's Degree Courses in public administration/governance/management. These courses should include core subjects such as the Constitution of India, Indian Legal System, Administrative Law, Indian Economy, Polity, History and Culture. Graduates of these special courses would be eligible for appearing in the Civil Services Examination. Graduates in other disciplines would also be eligible provided they complete a ‘Bridge Course’ in the core subjects from the same selected National Institutes/Universities.

Stage of Entry – interim period: Pending implementation of the reform measures suggested above, the existing structure of Civil Services Examination needs to be changed for compressing the examination cycle. For this, the Preliminary and Main Examinations need to be conducted together and evaluation of papers for the Main Examination should only be done in case of candidates securing a threshold level of marks in the Preliminary Examination.

Alternatively, the number of candidates selected for appearing in the Main Examination could be restricted to two to three times of the number of vacancies available so that the Personality Test and the Main Examination are conducted simultaneously.

Age of Entry/Number of Attempts: The permissible age for appearing in the Civil Services Examinations should be 21 to 25 years for general candidates, 21 to 28 years for candidates from OBC and 21 to 29 years for candidates from SC/ST and physically challenged candidates. The number of permissible attempts should be three, five, six and six respectively. In case of officers from the State Civil Services, the Union Public Service Commission should conduct an annual examination for officers who have completed 8 to 10 years of service in Grade ‘A’ posts.

Civil Services Law: A new Civil Services Law needs to be enacted which would incorporate civil service values, code of ethics, recruitment and conditions of service. Fixation of tenures, dismissal, removal etc. of civil servants, creation of executive agencies etc. The Civil Service Law should also provide for the constitution of a Central Civil Services Authority which would review the implementation of Civil Service Values. Assign domains to officers of the All India Services and the Central Civil Services on completion of 13 years of service. Formulate guidelines for appointments at ‘Senior Management Level’ in the Government of India. Recommend names for posting at the ‘Senior Management Level’. And identify the posts therein which could be open for recruitment from all sources. For placement at the Middle Management Level, the Central Civil Service Authority should invite applications from all officers who have completed the minimum qualifying years of service, for assignment of domains. The Department of Personnel and Training should identify all vacancies at this level in advance and the concerned Ministries should give a brief job description for these vacancies. On receipt of nominations, the DoPT should prepare an offer

list and seek approval from the competent authority. For placement at the Top Management Level, the Central Civil Services Authority should invite applications from eligible officers of the All India Services and Group 'A' Central Services participating in the Central Staffing Scheme. This would be applicable for positions at the Joint Secretary/SAG level. For positions at a higher level, the Central Public Service Authority should, in consultation with Government, earmark positions for which outside talent would be desirable. The Authority would stipulate the eligibility criteria, the required domain expertise etc. and short list suitable officers for these posts. Government should make the final selection on the basis of the short list. Performance Management System: Performance Appraisal Systems for all Services should be modified on the lines of the recently introduced PAR for the All India Services. The format should be made job specific. Performance Appraisal should be the year round and provisions for detailed work plan and a mid-year review introduced. Annual Performance Agreements should be signed between the departmental Minister and the Secretary/Heads of Departments providing details of the work to be done.^{xxvi}

V

There cannot be any two views on the importance of the training for public services. All jobs in public administration, whether high or low, involve an element of skill and they are to be performed at optimum efficiency, such skills have to be methodically and systematically cultivated.^{xxvii} Every Government Servant should undergo a mandatory training at the induction stage and also periodically during his/her career. Successful completion of training should be necessary for confirmation in service and promotions. A strong network of training institutions at the Union and State levels needs to be created.^{xxviii}

The pre-service IAS training curriculum prepares a common person to be a professional in the administrative field. This course includes both theoretical and practical parts. It is found that the course suffers from imbalance whether either theoretical or practical part is given greater importance. Foundation course is not experience based and research oriented.

One or two weeks 'general module' of management with behavioural science inputs in training programmes needs to be substituted by more in-depth training in the area. Training needs to be more focused in developing competencies in the functional areas along with the generalised module. It should revolve around creating professional personality, which has three aspects, namely: (i) Competencies (ii) Performance and (iii) Commitment.^{xxix}

The present system of induction training for the IAS probationers is divided into four parts: Foundational Course, Professional Course Phase – I, District Training and Professional Course Phase – II. The scheme of breaking up the professional training of the IAS into bits and pieces was conceived by the ARC whose proposal was surprisingly accepted by the government quickly without much examination. This was the 'sandwich course' with the district training sandwiched between two spells of the training in the academy. The initial period of seven months of professional training was effectively reduced to mere 26 weeks (out of which 9 weeks are being taken up by Bharat Darshan Study Tour outside Mussoorie), which was hardly sufficient to fulfil the knowledge needs of the probationers. A large number of them came straight to the Academy from technical institutions. Having never been to the university, they had hardly any acquaintance with social sciences or the humanities that would be essential for their professional work in future. Others, in spite of their knowledge of the humanities would need to deepen their understanding and familiarise themselves with

totally new areas like the intricacies of criminal and revenue law and jurisprudence, principles of public administration, administrative structures and systems, etc. The initial 17 weeks hardly enough for this pedagogy, would be interrupted by the departure for the district training. The second part of the professional training in the Academy was intended by the ARC to be ‘problem oriented’ and devoted to mutual exchange of ‘experience and observations of the trainees in the states’. The probationers have not yet completed their district training; they have yet to obtain a complete picture of district administration; and they have hardly any experience of practical working. How can this part of the training be problem oriented? What sort of experience will they share with each other?^{xxx}

The efficacy and the quality of the district training depend upon the supervision by the Collector. During colonial days, the British attached a lot of importance to the quality of district training of the young ICS. They were usually posted to particular district which were known as training districts where experienced and competent collectors were posted so that they could impart proper training. The British system broke down after Independence because suitable trainers were no longer available and the number of trainees exceeded the training districts and had to be accommodated elsewhere. The Collectors being the kingpins of the administration have always been terribly busy ever since the programme of rural development began. From the 1980s, they were even more hard pressed. Earlier they have always been the coordinators of various departments being the principal agents of the government. Now they also became the target chasers, holding innumerable meetings everyday to push the government programmes. The cabinets expanded and ministers became peripatetic, expecting the Collectors to dance around them. The mobile phone was another curse, which chased the Collectors everywhere. Amongst their multifarious tasks they could hardly pay attention to the training needs of the probationers. Many of them found it embarrassing if the youngsters overheard their conversations with the ministers or were hanging around during delicate deals with local people. The intimate relationship between the Collector and the trainee that had existed in the past was now a part of history. Therefore an alternative could be to post the probationers at divisional headquarters where Commissioners could supervise the district training. The Commissioners have the knowledge, the experience and the time to devote for the probationers. They would be in a position to create the much needed *esprit de corps* in the new generation. They are not as preoccupied as the Collectors and could also undertake the teaching of professional ethics and standards of behaviour by their own examples.^{xxxii}

CONCLUSION:

The pertinent question is why successive governments have been appointing committee after committee to examine the same burning issue and putting the suggestions in ‘cold storage’. The “incremental” approach which has dominated the theory and practice of Public Administration basically implies a step by step process, fails to capture the Indian situation. These include the question of providing domain expertise; providing lateral entry into the civil services; downsizing the bureaucracy and reducing the levels of consideration, to name a few. We will have to innovate a new “static model” of administration wherein nothing changes.^{xxxii}

The foregoing analysis highlights that recurring issues have dominated the reforms agenda. One major recurring theme centres around the need to provide “domain” expertise. It was the

first Administrative Reforms Commission which emphasized that the road to the top should be open to every competent public official. That for manning higher positions in the Secretariat, talent had to be drawn from every cadre and class of personnel. Accordingly, the Commission envisaged entry into the middle and senior management levels in the secretariat from our services. It felt that where regularly constituted services already existed to attend to specific functions, the middle and senior level posts in the corresponding areas in the secretariat had to be normally manned by members of the concerned functional services. However, in non-functional areas, middle level personnel were to be drawn through a mid-career competitive examination from all sources, on the basis of equal opportunities for all. These personnel were to be required to acquire knowledge of, and experience in, one of the following broad areas of specialization such as economic administration; industrial administration; agricultural and rural development administration; social and educational administration; personnel administration; financial administration; and defence administration and internal security and planning. The Surendra Nath Committee (2003) came up with similar domain areas for civil servants to specialize.^{xxxiii}

Similarly, the Second Administration Reforms Commission has suggested that for placement at Middle Management level, the Central Civil Service Authority should invite applications from all officers who have completed the minimum qualifying years of service, for assignment of domains. Four decades after the first ARC's recommendation in this direction, it continues to remain a recurring theme.

A similar dilemma has been dodging various committees so far as the levels of consideration is concerned. A major recommendation of the first ARC was on reducing the number of hierarchical levels traditionally involved in decision-making in the government. It suggested that there should be only two levels of consideration below the minister. Each level should be required and empowered to dispose of a substantial amount of work on its own and be given the necessary staff assistance. The Second Administrative Reforms Commission (2008) has recommended that the number of levels through which a file passes for a decision should not exceed three. In cases where the minister's approval is required, the file should be initiated by the Deputy Secretary/Director concerned and should be moved through the Joint Secretary (or Additional Secretary/Special Secretary) and the Secretary (or Special Secretary) to the Minister. Cases requiring approval of the Secretary should go through just two levels (e.g. either US and Director, US and JS or Director and JS). Cases requiring approval of the JS/Director/DS should come through just one level.

It has also been found empirically that "there is no relationship between the career path of the IAS officer and the nature of the training programmes for which he is sent during his career." There is even reluctance to utilise the past specialised experience in future assignments. It is also reported that 'the pattern of sponsorship of IAS officers shows that there is no relationship between the status – role of the officers and the training for which they are sponsored. In these circumstances, training has to be focussed on 'management of policy formulation, programme development and programme implementation; sensitisation to the implications of policy formulation as well as management of human and technical resources.^{xxxiv}

The Issue of providing fixed tenures has again been a burning issue and several committees have highlighted the importance of providing fixed tenures to civil servants. The Hota Committee pointed out that if civil servants are given tenures and targets and the political

executive respects neutrality, integrity and hierarchy of service, the civil service can be expected to play its proper role in a parliamentary democracy.

A Bench of Justices K.S. Radhakrishnan and Pinaki Chandra Ghose, giving a series of directions while disposing of a public interest writ petition filed by 83 retired civil servants and others said civil servants should not act on verbal orders given by politicians and suggested a fixed tenure for them. Writing the judgement, Justice Radhakrishnan said “the Civil Service Board (CSB), consisting of high ranking service officers, who are experts in their respective fields, with the Cabinet Secretary at the Centre and Chief Secretary at the State level, could be a better alternative (till the Parliament enacts a law), to guide and advise the State government on all service matters, especially on transfers, postings and disciplinary action, etc., though their views also could be overruled, by the political executive, but by recording reasons, which would ensure good governance, transparency and accountability in governmental functions.”^{xxxv}

The Bench said “We notice, at present the civil servants are not having stability of tenure, particularly in the State governments where transfers and postings are made frequently, at the whims and fancies of the executive head for political and other considerations and not in public interest. The necessity of minimum tenure has been endorsed and implemented by the Union Government. In fact, we notice, almost 13 states have accepted the necessity of a minimum tenure for civil servants. Fixed minimum tenure would not only enable the civil servants to achieve their professional targets, but also help them to function as effective instruments of public policy”.^{xxxvi}

Mechanisms for enforcing accountability continue to remain one of the most elusive issues in Public Administration. As the recent study of Asian Countries reveals, Indian bureaucracy has been rated as the most corrupt. However, the silver lining on the horizon is the Right to Information Act and the avenues it offers for citizens to hold civil servant accountable. At the same time the RTI could make the civil service more rigid and rule bound in the Weberian sense in that they may opt to exercise minimum discretion. The RTI, in combination with IT enabled services, may lead to improved governance. However, IT is no magic wand unless there is a concomitant change in the attitudes of the civil servants.

REFERENCES:

- i *Governance in Transition: Public Management in Reforms in OECD Countries, OECD, Paris, 1995,p.2*
- ii *Chakrabarty. B, reinventing Public Administration; The indian Experience, Orient BlackSwan,2007,p.107*
- iii Arora, k. R and Goyal, R, *Indian Public Administration; Institutions and issues, new Age International Publishers,2013,p.735*
- iv *ibid, p.737*
- v *Chakrabarty. B, reinventing Public Administration; The indian Experience, Orient BlackSwan,2007,p.2.*
- vi *ibid,p.2.*

-
- vii ibid, p.70
- viii Fadia Kuldeep, *Reforming india's higher Civil Services: Agenda for 21st Century Reforms*, Indian journal of Public Administration, Vol. IX, No.1, January-March 2014,Pp. 61-62.
- ix *Report of the Civil Services Examination Review Committee* (Y. K. Alagh Committee),p. 4, 2001.
- x Arora, k. R and Goyal, R, *Indian Public Administration; Institutions and issues*, new Age International Publishers,2013,p.737.
- xi See the detail of committees and commissions set up since independence. Arora, k. R and Goyal, R, *Indian Public Administration; Institutions and issues*, new Age International Publishers.
- xii Government of India, Estimates Committee 93rd Report, *Third Lok Sabha 1965-66*.
- xiii Hanumanthaiya, K. (1969). *Report on Personnel Administration, Administrative Reforms Commission*, Government of India.
- xiv *Refurbishing of Personnel Administration – Scaling New Heights*, Second Administrative Reforms Commission, Tenth Report, Department of Administrative Reforms and Public Grievances, Ministry of Personnel, Public Grievances & Pensions, Government of India, November 2008.
- xv Fadia Kuldeep, *Reforming india's higher Civil Services: Agenda for 21st Century Reforms*, Indian journal of Public Administration, Vol. IX, No.1, January-March 2014,Pp. 64-65.
- xvi Ibid.
- xvii Sanjoy Bagchi, *The Changing Face of Bureaucracy: Fifty Years of the Indian Administrative Service*, New Delhi, pp. 491-92, 2007.
- xviii Nagarkatti, K.N. (1967). *Report of the Study Team on Promotion Policies, Conduct Rules, Discipline and Morale Administrative Reforms Commission*, Government of India.
- xix Ibid
- xx Nath, Surendra (2003). *Report of the Group Constituted to review the system of Performance Appraisal, Promotion, Empanelment and Placement for the 'AIS' and other group 'A' services*, Department of Administrative Reforms, Government of India.
- xxi *Refurbishing of Personnel Administration – Scaling New Heights*, Second Administrative Reforms Commission, Tenth Report, Department of Administrative Reforms and Public Grievances, Ministry of Personnel, Public Grievances & Pensions, Government of India, November 2008.
- xxii Singh Sujata, (2009) *Reforming in Governance: Six Decades of Administrative Reforms*, Theme Paper for the Fifty-third Members' Annual Conference of the IIPA New Delhi.
-

-
- xxiii Singh, Sujata (2007). Civil service Reforms Report of the Workshop organized jointly by the Administrative Reforms Commission and Indian Institute of Public Administration.
- xxiv **Singh Sujata**, (2009) *Reforming in Governance: Six Decades of Administrative Reforms*, Theme Paper for the Fifty-third Members' Annual Conference of the IIPA New Delhi.
- xxv Hota, P.C. (2004). Report on Civil Service Reforms, Cabinet Secretariat, Government of India.
- xxvi *Refurbishing of Personnel Administration – Scaling New Heights*, Second Administrative Reforms Commission, Tenth Report, Department of Administrative Reforms and Public Grievances, Ministry of Personnel, Public Grievances & Pensions, Government of India, November 2008.
- xxvii Fadia Kuldeep, *Reforming india's higher Civil Services: Agenda for 21st Century Reforms*, Indian journal of Public Administration, Vol. IX, No.1, January-March 2014,p.72.
- xxviii *Refurbishing of Personnel Administration – Scaling New Heights*, Second Administrative Reforms Commission, Tenth Report, Department of Administrative Reforms and Public Grievances, Ministry of Personnel, Public Grievances & Pensions, Government of India, November 2008.
- xxix Fadia Kuldeep, *Reforming india's higher Civil Services: Agenda for 21st Century Reforms*, Indian journal of Public Administration, Vol. IX, No.1, January-March 2014,p.72.
- xxx Sanjoy Bagchi n. 4, pp. 508-509.
- xxxi *Ibid*, p. 5.
- xxxii Singh Sujata, (2009) *Reforming in Governance: Six Decades of Administrative Reforms*, Theme Paper for the Fifty-third Members' Annual Conference of the IIPA New Delhi.p.63
- xxxiii *Ibid*
- xxxiv Jerome Joseph and Liza Thomas, “A Study of the Management Training Needs of IAS Officers in the Context of a Changing Environment,” *The Indian Journal of Training and Development*, 22(5), p. 28, 1992.
- xxxv Fadia Kuldeep, *Reforming india's higher Civil Services: Agenda for 21st Century Reforms*, Indian journal of Public Administration, Vol. IX, No.1, January-March 2014,p.75.
- xxxvi J. Venkatesan, “In Major Reform, SC Orders Fixed Tenure for Bureaucrats”, *The Hindu*,November 1, p.7, 2013.
-