



CHANGING FORM OF CIVIL SERVICES IN INDIA

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Abstract

Historically the country had a great past of civil services. At the time of Independence, India lacked strong institutional arrangements to preserve political and administrative unity. The civil services are the backbone of administration and governance of the country, and their competence and capacity building has to be given due attention. The Indian civil service, with its national character, has been a strong binding force and it has greatly contributed to the national development. Wide-ranging reforms are necessary to transform the Indian civil service into one which epitomises best practices, is committed to continuous improvements. But for necessary transforming or reforming the civil services, need to know the historical nature of Indian civil services. This article is an attempt to studying the historical background of civil services, how this term coined. Also, focus on changing the form of civil services in India from ancient era to contemporary time.

Introduction

The Civil Service System is the strength of the administrative machinery of any nation through which the will of the state is executed. The Indian Administrative Service (IAS) acts as the center of the administrative machinery of our country. India has pluralistic political system i.e. having three tiers of administration, namely, Central, Provincial, and Local. Historically the country had a great past. There is no account of the organization of the civil service pertaining to the ancient Indian state. However, in the Mauryan period (313 BC), Vishnugupta (also called Kautilya) authored the treatise known as Kautilya's Arthashastra. Kautilya laid down the qualifications of the civil servants for appointment to the court. He described the views of various experts on this issue. In his view, loyalty and sincerity were to be the two main qualifications in a person to be appointed as a civil servant. Kautilya also suggested some checks and balances on the appointment of civil servants. He prescribed a clearance by the vigilance department of the state for the appointment of civil servants. He recommended a continuous watch on the functioning of the civil service, and a briefing to the king on the performance of the civil servants on a regular basis¹. Kautilya talked of the various heads of the different branches of the civil service. The superintendent of trade (Panyadhyaksha) was to head the commercial service, including internal and external trade, and in that capacity was expected to organize an array of functionaries engaged in such service. The superintendent of agriculture (Sitadhyaksha) was the head of the department of agriculture, in which capacity he had to look after the state farms, government lands, and regulation of the lands belonging to individuals. His primary job was that of formulating the agriculture policy and ensuring its implementation. The superintendent of chariots (Rathadhyaksha) was the head of the defense department. Besides ensuring the security of the people from foreign aggression and preserving the safety of the borders, he was responsible for the matters related to defense production, which invariably had to take place in the defense factories owned by the state. He had to deal with the matters relating to the army and appointments of the heads of the defense factories. The superintendent of audit (Lokadhyaksha) was the chief of the audit. He had a cadre of officials supporting him in the task of auditing the state accounts and examining the state budgets. Kautilya laid down a code of conduct for the civil servants who prescribed swift promotions for efficient and effective officials and severe punishment for those who were corrupt. It indicates that an existence of performance appraisal system also in the ancient period. Kautilya also talked of the responsiveness of the civil servants since he believed in the view that the power of the state came from its subjects.

During the Medieval Period, Akbar the Great founded and nurtured the civil service. During his period, he initiated land reforms (1457 AD) and established the land revenue system which later became a major constituent of the Indian taxation system. The Mughal period of the country introduced some administrative measures, including a land revenue tax collection system, local manufacturing of industrial goods, and exports of arts and crafts to the other nation states. For holding the relation with nobility and army, Akbar introduces the mansabdari system. Under this system, every officer was assigned a rank² (mansab). The lowest rank was 10, and the highest was 5000 for the nobles. Princes of the blood received higher mansabs. And for the organization of the government, he divided the territory into pargana and sarkar. The chief officers of sarkar were the faujdar and the amalguzar, the former being in charge of law and order, and the latter responsible for the assessment and collection of the land revenue. The territories of the empire were divided into jagir, kalisha and inam. Akbar organise the central machinery of the administration on the basis of the division of power between various departments, and of checks and balances. Like the head of the revenue department called wazir, sometimes called diwan who was responsible

¹ Mishra R.K., *National Civil Service System in India: A Critical View*

² The ranks were divided into two- *Zat* and *Sawar*. The word *Zat* means personal. It fixed the personal status of a person, and also the salary due to him. The *Sawar* rank indicated the number of cavalryman (*sawars*) a person was required to maintain.



for all income and expenditure, and held control over khalisa, jagir, and inam lands. The head of the military departments was called the mir bakshi. He was also the head of the intelligence and information agencies of the empire. Intelligence officers (barids) and news reporters (waqia-navis) were posted to all part of the empire. The third important officer was the mir saman. Another important department was the judicial department headed by the chief qazi. Thus orderly government based on the principal of checks and balances was extended to the provinces.³ Thus the civil service had welfare and a regulatory-orientation. It shows that not in the present only, but there was an importance of administrative services in the ancient and medieval period also.

The East India Company (1600-1858) with the decline of the Mughal era saw the rise of the East India Company in the 16th century, which ruled the country for more than 200 years. The British government took over the reins of the country from the East India Company. During its 200-year rule, it created an Indian state, introduced an education system, laid down foundations of very strong administrative and bureaucratic structure.

Phases of Civil Services from 1600 to 1858

A Merchant Service: 1600-1772

The term civil service, which is now applied to the general body of persons employed on non-combatant (soldier) work connected with the administration of a state, was first used to designate those servants of the East India Company who were engaged in commercial work. Employees of the company were called its servants, and those who conducted its trade overseas were known as civil servants so as to distinguish them from those whose duties were of a naval or military nature. As the character of the company changed and its trading operations were first supplemented by territorial dominion and eventually replaced by the responsibilities of Government, its civil servants were transformed from traders onto administrators. The term civil service consequently acquired a new meaning, connoting not the status of non-combatants but the work of civil administration in which its member was engaged. The Indian civil service is, however, not altogether a civil service in the English sense of that term. It is only one, but the highest of the public services in India, a *corps d'elite* (a group of the best people in a category) responsible for the higher branches of the administration and filling judicial as well as executive offices.⁴ It is not merely an executive agency of Government but helps to formulate and direct policy, for some of its senior members are Governors of the province and are members of both of executive and legislative councils. The men who were sent to India to carry on the company's trade in the early years of its existence were called Factors,⁵ a word meaning simply commercial agents, and the trading stations in which they lived were known as factories; they were the headquarters of Factors and not a place of manufacture. The Factors responsible for large factories were called Agents,⁶ and those in charge of the chief factories to which the others subordinate were dignified by the title of President and were assisted by the council of senior merchants. The writer, Junior Merchant, Merchant and Senior Merchant were regular gradations in the official hierarchy of the Dutch East India Company, which also had a system of President and Councils.⁷

Creation of a Civil Service: 1772-93

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 a superstructure. To Warren Hasting belongs the credit of reorganizing the revenue administration, remodeling the judicial system, and freeing trade from its abuses. He had scarcely assumed office as Governor of Bengal in 1772 when he received a letter from the Directors announcing their decision to undertake the management of the revenue system by the agency of the company's servants. After 1786 a single officer combined the offices of Collector, Judge, and Magistrate, the duties of the last until 1791 being mere to apprehend and not to try dacoits, robbers, and other offenders. In a few years, it was found that the duties of the Judge and Magistrate were neglected when they interfered with those of the collector. The system by which revenue cases, or cases affecting rights in the soil, were tried in the civil and not the revenue courts had been given up, and they were now exclusively cognizable by the collector. The latter looked upon the collection of revenue as his chief duty, and naturally so, for failure in collections might entail dismissal. To remedy this defect, judicial powers were withdrawn from the collectors in 1793 and transferred to the civil courts.⁸ Before Cornwallis's administration ended, a civil service in the modern sense of the world had been organized.

³ Chandra Satish., 2012, *History of Medieval India, Delhi: Orient Blackswan Private Limited, Pp. 233-242.*

⁴ O'Malley L. S. S., 1965, *The Indian Civil Service 1601-1930, Landon: Frank Cass & Co. Ltd., p.1.*

⁵ Loc. Cit. Sir C.P. Lucas, 1917, *The Beginning of British Overseas Enterprise, p. 19.*

⁶ *The bigger places act as parent factories to their neighboring smaller ones, and the latter are grouped under the parent factory into an administrative unit under a European manager, who is called an 'agent'.*

⁷ See Sir Georg Birdwood, 1891, *Reports on the Old Records of the India Office, p. 55 note, and Introduction, 1929, by Professor Geyl to Journal of the East India Voyages of Bontekoe of Hoorn, p. 16.*

⁸ O'Malley L. S. S., 1965, *The Indian Civil Service 1601-1930, Landon: Frank Cass & Co. Ltd., p.38.*



Under the Company: 1793 -1858

In 1786, when Cornwallis's government began, the extension of the duties of the civil service came to be divided into different branches, viz., judicial, political, revenue, and mercantile. Political was the name which was, and is still, applied to what is known as diplomatic work. The distinction between judicial and revenue was weakened by the transfer of magisterial work from the judge to the collectors in 1831 when the modern system of district administration under a District and Sessions Judge and a Magistrate – Collector came into being.⁹ There was a province of Regulation and Non-Regulation. The provinces in which military officers were employed were known as Non-Regulation, while Civilians were exclusively employed in the Regulation Provinces.

At the time of the transfer of government from the Company to the Crown, the framework of the organization of the civil service was in many respects the same as at present. The Secretariats of the Regulation province differed in strength, but all were numerically small. Bombay had a Chief Secretary, and three other Secretaries, Bengal and the North-West Provinces had each only one Secretary, who dealt with all departments. The Secretaries were selected exclusively from the Civil Service, and each had a junior Civilian as his Deputy Secretary.¹⁰ Because of the magisterial functions of the judges were transferred to the collectors in 1831, thus making the District Judge the judicial and the District Magistrate and Collector, the chief executive officer in each district of the Regulation Provinces. This arrangement was soon given up in Bengal, where the offices of the District Magistrate and Collector was separated in 1837, as it was found the heavy duties developing on the Collector in connexion with the resumption of revenue-free tenures; this was a temporary difficulty which was treated as if it was permanent. The separation of two offices was condemned by Dalhousie in 1854 as injurious both to the administration and the interests of the people. The District Magistrates were junior officers overworked and inadequately paid, and their experience was insufficient to qualify them for their responsibilities. The Collectors, on the other hand, who were senior men, were well paid and had not enough work. The arrangement consequently gave color to mischievous and exaggerated phrases such as Collectors "shaking the pagoda tree," "boy judges," etc. It was finally given up in 1859 when Bangle comes into line with other provinces by having its district under a District Officer filling the offices of District Magistrate and Collectors.

Indianization of Civil Services under the Crown

Changes which have taken place in the nomenclature of the service since the transfer of the government of India to the Crown. Warren Hastings had been in favor of employing Indians in the administration, both revenue and judicial, but an opposite policy was followed by Lord Cornwallis. The effect was to exclude Indians from offices of trust and power in British India. The Government had, in the words of Lord William Bentinck, "the iron hand of power on the one side, monopoly, and exclusion on the other." Lord William Bentinck himself was able to associate Indians more closely with the Government. In 1831 he created a higher grade of Indian civil judges, and two years later he threw open the office of the Deputy Collector to Indians, who were thus induced to responsible, but still subordinate, office in the executive branch of the administration.¹¹ The British civil service came on the Indian scene after the takeover of the East India Company in the 1860s. Initially, the British civil service was a part of a police state, where its major task was that of carrying out law and order functions. It was disjointed as the different provinces had different civil services. There was no code of conduct developed by any of the British-India provinces. Officials were handpicked both from the army and non-army fields.

The British government set up the Indian civil service in 1911, primarily with the objective of strengthening the British administration in the UK. However, it could not succeed in that, but very usefully retained the idea for strengthening the administration of its colonial base in India. Initially, the recruitment to the Indian civil service was confined only to the Britishers. The minimum age of entry was kept for 19 years, and the maximum age was prescribed as 21 years. The language of the examination was English. The only center for conducting the examination was London. It was regarded as a deliberate attempt to blast the prospects of Indian candidates for the Indian Civil Services.¹² However, due to pressures and demands raised by the Indian National Congress in 1921, Indians were allowed to take the examination. In 1922 one Indian passed the Indian Civil Service Examination. Later, by the recommendations of the Aitchison Committee, the minimum, and maximum ages were increased from 19 and 21 years to 20 and 22 years respectively. The candidates were allowed to take the examination both in London and India. A ratio of 50:50 was decided by the British and the Indian people for intake in the Indian civil service. Initially the British government set up only the Indian civil service; later on, they added a statutory civil service and central civil services. In the course of time, the statutory civil service was weeded out, and there remained on the scene only the remaining two services, namely, the Indian civil service and the central civil services.

⁹ See article, 1903, on Factor in Hobson-Jobson, p.345.

¹⁰ O'Malley L. S. S., 1965, *The Indian Civil Service 1601-1930*, London: Frank Cass & Co. Ltd., Pp.65-66.

¹¹ O'Malley L. S. S., 1965, *the Indian Civil Service 1601-1930*, London: Frank Cass & Co. Ltd., Pp. 205-206.

¹² Sir Banerjea S. N., 1925, *A Nation in Making*, p.44.



After Independence

At the time of independence, India lacked strong institutional arrangements to preserve political and administrative unity. In view of the vastness of the country, its diversities of cast, creed, language, social customs, and practices some degree of administrative uniformity and coordination was desirable to strengthen centre-state administrative linkages and national unity. The recruitment and induction training of all India services officers was arranged by the central government keeping in mind that they should have an all-India outlook. Well organized and well structured civil service comprising of personnel with sound professional knowledge, competency, and skill endowed with character and spirit of service are the pre-requisites for good governance and administration. The Preamble of the Indian Constitution highlights that the Indian state should secure to all its citizens:

- Justice social, economic and political;
- Liberty of thought, expression, belief, faith, and worship;
- Equality of status and opportunity and to promote among them all;
- Fraternity assuring the dignity of the individual and the unity and the integrity of the nation.

These are the primary goals and ideals that need to be kept in view while enacting laws, formulating policies and programs for the governance of the country and its socio-economic development.

To achieve these lofty goals, in a democracy like India, its political leaders representing “we the people” after being voted to power through free and fair elections have to provide bold and dynamics leadership. They have to be genuinely committed to serve the country and the people with honesty and sincerity and also inspire and motivate the civil servants belonging to various civil services engaged in diverse fields of governmental activities. These ‘permanent’ public servants are permanent in the sense that they do not change with the change of any political party in power. They are recruited through independent state public service commission at the state level and UPSC at the Central level.

Article 312 of the constitution also provides for All-India Services like IAS and IPS which are “common” between the center and states. Some such common services were considered desirable by our eminent Constitution makers. They had good knowledge of Indian history and knew when and how India had faulted in the past in solving common socio-economic problems of the country. This led to set up All-India Services. Similar considerations had also led to provision for a common Election Commission, a common Comptroller & Auditor General (C&AG) and a common higher judiciary in India’s federal polity. According to the agreed arrangements between the central and the state governments recruitment to the All India Services (presently only three services, i.e. IAS, IPS, and IFS) is done by the Central Government through UPSC and after that officers are allotted to different states¹³.

To highlight the need and importance of the All India Services (AIS) for the country’s good governances Sardar Vallabh Bhai Patel, the then Home Minister of India had made the following observations in the Constituent Assembly:

It needs hardly to be emphasized that an efficient, disciplined and contented 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 service must be above party, and we should ensure that political considerations, either in its recruitment or its discipline and control, are reduced to the minimum, if not eliminated.

Also with the views of Prime Minister Manmohan Singh while speaking to a group of editors and media persons in June 2011. He had said, “what surprises me is not that there are corrupt civil servants but that despite all the temptations so many of our civil servants remain honest and lead frugal lives.” He himself a former civil servant is an admirable example of honesty and simplicity. For necessary competence and capacity building among civil servants, the several challenging problems discussed here have to be kept in mind. As stated by Prime Minister Manmohan Singh on Civil Service Day, April 21, 2012- Civil Service Reforms is an on-going process. He said:

The need to refashion our civil services as effective instruments for delivery of services and agents of improved governance is an on-going process.

Civil Services are facing various challenges in India as well as in other developing countries since early 1990’s especially due to the onset of the process of liberalization, privatization, and globalization¹⁴.

¹³ *Ibid.*, p.333.

¹⁴ Sharma. Subhas., July-September 2014, ‘Competency Framework in Public Administration’ in, *The Indian Journal of Public Administration*, Vol. LVIII., No.3. Pp.366-367.



In the early 1980s, the Indian state had its first experience with the severe resource crunch, which deepened by the end of the 1980s. This led to the emergence of a new economic policy in 1991, which saw a rollback of the state in economic activities both at the macro and micro levels. Meaning thereby formulation of such macroeconomic policies which spurred a favorable environment for private sector participation, and reforms at the macro-level leading to the contraction of the public enterprise system, and the existence of only healthy public sector units. In other words, the 1990s foresee for the state a facilitator's role. Thus the civil service in the 1990s and beyond would have to do this new role for itself, which means the Indian Administrative Service, the Indian Forest Service, and the Indian Police Service, as the three All-India services, and 29 other central services in the country, will have to have a new orientation. The provincial civil services will have to go well with.

Conclusion

To sum up the above discussion, it is clear that in ancient India, the civil servants acted as personal servants of the rulers, in the medieval age, they became state servants as they were in the state employees, and in British-India the civil servants acquired the complexion of public servants. During this period, the civil service also became a protected service, as in 1861 the first Indian Civil Service Act in India was passed which gave many privileges to the then civil servants, including their recruitment, promotion, termination, pension, payment of salaries, etc. The ethos of the civil service in independent-India changed from welfare-orientation in the late 1940s to development-orientation between the 1960s and 1980s, and finally to the facilitator's role in the 1990s, as dictated by the environmental challenges.

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