



Indian Administrative System: Some Reformative Measures

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Abstract: Since Independence administrative reforms have been a major concern for Government of India. Successive Central Governments have expressed need for reforming the administrative machinery. Number of committees and commissions were constituted to look into this matter and make suitable recommendations. However on the basis of these recommendations there have been only incremental reforms and many of the recommendations involving basic changes have not been acted upon and therefore the framework, system and methods of working of Government machinery based on the colonial model remains largely unchanged. The major hurdles with the implementation of recommendations for basic changes have been bureaucratic stronghold over administrative reforms and lack of political will to surmount the the internal resistance of bureaucratic lobby. Today our country is passing through a deep socio-economic crisis. The major share of this situation rests at the doors of the administrative set up of the country in as much as though the Political leadership takes the final decision but the administrative machinery plays an important role in the formulation of policies and later on their implementation. The failures of our administrative system include professional incompetence, lack of responsive work culture, lack of accountability and corruption. In fact our government machinery has lost the confidence of people at large who often perceive the government machinery an agent of exploitation rather than provider of service and feel that public services are meant to benefit public servants and not the public. Therefore there is urgent need to initiate administrative reforms for making, the administrative machinery professionally competent, effective, result oriented and responsive to the people. This paper contains, in brief, background information, reformation efforts and reasons of their failures, shortcomings of the existing system and measures to improve the situation.

1. INTRODUCTION

Today our country is passing through a deep socio-economic crisis. This compels us to review the performance of the last seven decades. Undoubtedly, we have made enormous progress in various fields after independence yet the fact remains that we were expected to do better and we could have done better had we utilized our resources of man, material and capital in an optimum manner. Certainly, we have failed to do it. The major share of this failure rests at the doors of administrative set up of the country in as much as though the

political leadership takes the final decision but the administrative machinery plays a pivotal role in the formulation of policies and programs and later on their implementation. Admittedly our machinery failed to meet the challenges of the country effectively and squarely. One of the major failures of our administrative system is its professional incompetence leading to inept handling of the problems that bedevil the Nation, inability to innovate and come up with imaginative solutions to difficult questions that confronts us. The second major failure is that the administrative machinery has lost the confidence of people at large. They feel that public services are meant to benefit public servants and not public. The then Hon'ble Prime Minister, Sri Atal Behari Bajpai, while addressing the National Development Council Meeting on 19-2-1999, rightly summed up the situation as follows:

"People often perceive the bureaucracy an agent of exploitation rather than a Provider of service."

Infact reasons for failures are in built in our administrative structure itself which we inherited from a colonial state and we could not reform it in spite of recommendations of various commissions and committees. Today there is urgent need to reform the colonial ordained system to meet the requirement of a democratic and developing country. This paper contains briefly the background information, reformation efforts and reasons of their failure, shortcomings of the existing system and remedial measures to achieve the goal.

2. BACK GROUND INFORMATION

1. General

We all know that independent India adopted a parliamentary—federal form of government and superimposed it over the administrative structure largely inherited from the British colonial State. This is also true that the Britishers had created and developed this system to meet their colonial interests and to continue with this system in an independent, democratic and development oriented country was not a wise step .Of course the principal challenge faced by our constitution founding fathers was to devise a new system to serve the country or to reorient the colonial bureaucratic apparatus to the tasks of adapting to a parliamentary-federal

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constitution, changing the work culture from ruling class to the servants of people and undertaking the responsibilities of socio-economic development with honesty justice and equity. Unfortunately no serious exercise was conducted to devise a new system commensurate with the changed **circumstances and a colonial ordained system was adopted without incorporating basic changes** to meet our requirement. Perhaps our political leaders felt that constitutional and political changes were of major consequences that will automatically make government machinery undergo the requisite transformations under its impact. However the fact remains that such transformation never really happened.

2. Basic Features of British System

Structure

The Civil Services in British India had mainly three tiers. The top tier was the All India Services below them provincial services were created. Under provincial services subordinate civil services were created. In addition to this some Central Services were also there. Besides Indian Civil Service there were other All India Services created as and when required including Indian Police Service, Indian Forest Service, Indian Engineering Service, Indian Medical Service, Indian Veterinary Service, Indian Agriculture Service etc. The initial appointment and terms of conditions of All India Services and Central Services were settled by the Secretary of State for India, a member of the British Cabinet. Provincial Services and Subordinate Services were under the control of Governors. The structure continued as such till 1920. But the First World War had a great impact on the British Imperial power. The war undermined the imperial strength. There was resurgence of Indian Nationalist and revolutionary movements. Government of India Act 1919 was the result of these developments. The act introduced diarchy in provincial governments; ride of two- executive councilors (Head of Different Departments) and popular ministers - was introduced. The Governor was to be the executive head in the province. Subjects were divided into two lists "reserved" which included subjects such as law and order, finance, land revenue, irrigation etc. and "transferred" subjects such as education, health, local government, industry, agriculture, excise etc. "The "reserved" subjects were to be administered by the Governor through his executive council of civil servants, and the "transferred" subjects were to be administered by ministers nominated from among the elected members of the legislative council. The Secretary of State and the Governor General could interfere in respect of "reserved" subjects. However, this act failed to make any impact on the Indian National Movement and the Indian struggle against Imperialism took a decisive turn towards a broad-based popular struggle. This compelled the Britishers to formulate the Act of 1935. It provided formation of an All India Federation which never came up. The act introduced diarchy

at Central level and provincial autonomy at provincial level. At Central level, subjects were divided into "reserved" and "transferred" subjects. Reserved subjects — foreign affairs, defense, tribal areas and ecclesiastical affairs — were to be administered by the governor general on the advice of executive councillors who were not to be responsible to the central legislators — Transferred subjects included all other subjects and were to be administered by the Governor General on the advice of ministers elected by the legislator. The bicameral legislature was introduced at the Central level. Provincial autonomy replaced diarchy and granted separate legal identity to provinces.

In the light of these developments the British Government lost interest in socio-economic development activities and focused on law and order and general administration, revenue and regulatory activities. On the recommendations of Lee Commission (1924) it was decided to stop the recruitment to All India Services which were administering the subjects transferred to the control of Governors acting with their ministers. The Government gradually abolished All India Services except ICS and IPS with the provision that provincial services should develop and increase gradually as members of the All India Services cease to become available. Meanwhile the two services will continue to exist side-by-side as long as their remains any member, whether British or Indian recruited on an All India basis for these departments. After 1935, these posts were replaced by Class-I provincial services and erstwhile provincial services were designated as Class-II provincial services.

After independence, ICS and IP were retained as IAS and IPS. Later on, Indian Forest Service was also created. In some States, some Class-I and Class-II services were amalgamated into one service- Junior scale and Senior scale. Inadvertently, disparities in career value and status were created amongst these services and those services which still had All India Services over them.

3. ROLE/ POSITION OF ICS IN BRITISH INDIA

Though there were 8 All India Services in British India but the ICS was the core Institution to manage the colonial state from its beginning to end, unlike British civil service which is the product of responsible political government. The remark of Lord Dalhousie, Governor General quoted below makes the fact very clear:

"A member of civil service in England is a clerk, a member of civil service in India may be proconsul."

In British India, the ruling hierarchy consisted of Secretary of State— Governor General-Governor- Commissioners - District Magistrate. Small provinces were ruled by Lt Governors and Chief Commissioners. Road up to Lt

Governors were open to members of ICS. In fact, they were the actual rulers of this country. Even than British Government maintained a balance in between ICS and other All India Services. Heads of departments of these services were also functioning as Secretaries and Members of Governor and Governor General Councils and there were marginal differentials in their career value in comparison with ICS. But the organized structure and role of the ICS made India a Bureaucratic State and the service made itself over time the real authorities of the Colonial State and political elements like Secretary of State, Indian Council, Governor Generals and Governors could pretend to have powers over the ICS, but in real, the bureaucracy made itself the most effective organized power in the Colonial State. In the eyes of all, British and Indians, the members of ICS appeared to be "**Heaven born sons**" ever pampered, ever privileged and practically above law. The story continues even after independence. The trend in the development of the Civil Services during this period is largely marked by the continuity of the inherent tradition of the services that existed prior to 1947. This culture must change to suit the democratic values and over all development of the country. The erstwhile ruling hierarchy has been replaced by the elected leaders and sovereign power now rests with the people and through them with the elected leaders. However the IAS maneuvered to retain lot of power with them which has created imbalances in the system.

Secretary/Secretariat

During British Period, by and large, all Heads of Departments used to work as Secretaries as well. The position of Public Works Department, manned by Engineers, was better due to importance of their works. There were separate P.W.D. Secretariats at Central and provincial levels. Chief Engineer PWD was also Secretary of the Department at the Central level. Same arrangement was in practice at provincial level. PWD Secretariat was merged with Civil Secretariat in 1924 and later on post of Chief Engineer and Secretary was separated. This was the fall out of freedom struggle as now the British Govt. changed its focus from development works. Now all the posts of Secretaries were given to ICS. The system continued after independence wherein most of the Secretariat posts are occupied by IAS the legacy of ICS. Induction of professionals, if made, has not been very successful on account of collective internal opposition of IAS lobby. This has been the case of various public undertakings. It is pertinent to note that in British India Heads of Departments — Secretaries were also members of Councils of Governor General and Governors. Therefore, their status was that of a Minister of a Cabinet. After Independence, the Council consists of elected representatives only and a Secretary cannot retain his earlier status and authority. Still, the Secretary retains lot of authority which is causing imbalances in the system. It may be pointed out that the system in British India

was different from the system working in Britain where Secretary was a Minister and only political leader could occupy this post. Bureaucrats could occupy the post of Permanent Secretary, a post different from secretary in power and status. Incidentally, in U.S. and number of other developed countries, the Secretary is a political person. Therefore, after Independence, institution of Secretary in present form with monopoly of one service (IAS) was not required.

Cabinet Secretariat

Cabinet Secretariat, in present form, was created by interim Government in 1946 on the recommendations of an I.C.S. officer. It has developed into a powerful instrument in due course of time. Cabinet Secretariat is now responsible for the administration of Govt. of India under the Transaction of Business rules 1961 and the Government of India Allocation of Business Rules 1961. It is responsible for-

- a. Cabinet Meetings
- b. Inter-Ministerial Co-Ordination
- c. Monitoring
- d. Co-Ordination
- e. Promotion of new policies initiatives

It is headed by an I.A.S. Officer and includes Secretaries and other officials. It works under the Prime Minister of India. By-and-large, this is a bureaucratic instrument and yields enormous power and position. Cabinet Secretariat in present form does not reflect democratic culture or a platform for collective wisdom.

It appears that structures of British Cabinet Secretariat and erstwhile executive council of Governor General were in the background of the formation of this instrument. But a close scrutiny of both these institutions reveals that those were structured on the basis of democratic norms and the principle of collective management instead of bureaucratic monopoly. Following facts will make this analysis very clear.

- i. In Great Britain, the Cabinet Secretariat is manned by a Secretary who is a Minister in the Cabinet. Dy. Secretaries are also political person. A bureaucrat is there but as a permanent Secretary. He is the Accounting Officer of the department, meaning that he is answerable to Parliament ensuring that the department spends money granted by the Parliament appropriately. His status is lower than the political secretary.
- ii. In British India, before the adoption of the portfolio system, all governmental business was disposed by the Governor General in Council. The Council had six members pertaining to following functional fields :-

- a. Finance
- b. Legal Expert
- c. Military (Commander-in-Chief)
- d. P.W.D. (Engineer)
- e. Home and Revenue (ICS)
- f. Foreign Office (Dealt by Governor General)

The Council used to function as a joint consultative board. As the amount and complexity of work increased, the work of departments was distributed amongst various members. More important cases were dealt by the Governor General or the Council collectively. The procedure was legalized in 1861, during the time of Lord Canning leading to the portfolio system and the inception of Executive Council of the Governor General. The Secretariat of the Executive Council was headed by the Private Secretary of Governor General but he did not attend the council meetings. Lord Willington first started the practice of having his private Secretary by his side in the meetings. Later, this practice continued and in 1935, the Vice Roy's private Secretary was given the additional designation of Secretary to Executive Council. It may be pointed out that the status of Secretary in British India was equivalent to a Minister. The Constitution of interim Government in 1946 brought a change in the name and the executive Council's Secretariat was then designated as Cabinet Secretariat. It seems, however, that at least in retrospect, that Independence brought a change in the function of Cabinet Secretariat. It no longer remained concerned with only the passive work of circulating the papers to Ministers or Ministries but developed into an organization for effecting co-ordination between the Ministries. This change necessitates that Cabinet Secretariat should be restructured into a democratic instrument in place of bureaucratic instrument. It should be headed by a minister and include experts of various fields.

District Administration

District is the basic unit of administration in India. The District Collector also known as Deputy Commissioner and District Magistrate is the head of district administration. In British India his main role was to collect land revenue and general administration, to maintain law and order with the help of police, and to carry out other regulatory works. In the later period of British rule one of his main responsibilities was to suppress the national movement for independence and augment war efforts. He was the government and rightly called, "**the eyes, the ears, the mouth, and the hands of the British Government . For a common man he was the Mai-Bap.**" After independence the role of district administration has changed completely in as much as all the activities which touch the welfare of the people are performed at district level. Today the District collector is overburdened officer. The

expansion of socio-economic activities, the change in emphasis and quality- from the regulatory to development — and the altogether context of work in a free and democratic system, combine compels us to review the system of district administration and to redefine the role of District magistrate .

3. Efforts of Administrative Reforms and Causes of Failures

It is pertinent to note that since Independence, administrative reforms have been a major concern for Government of India. Successive Prime Ministers have expressed need for reforming the administrative machinery. As a consequence of which number of Committees and Commissions were constituted to look into this matter and make suitable recommendations. On the basis of these recommendations, there have been incremental reforms such as: creation of a separate department of Administrative Reforms, setting up of the Indian Institute of Public Administration and Central Vigilance Commission, constitution of Lokayukts in States and Lokpal at GOI level, citizen's charter and strengthening of citizens grievances redressal machinery, training and restructuring of the recruitment process, modifications in the performance appraisal system etc. But many of the recommendations involving basic changes have not been acted upon and therefore the frame work, system and methods of working of government machinery based on the colonial model of the mid-nineteenth century remains largely unchanged. Irony of the situation is that at the cost of public interest, the Institutional group of I.A.S. lobby has so far maneuvered to forestall the basic reforms recommended by first Administrative Reform Commission. For example, gist's of some of the basic recommendations made by first Administrative Reforms Commission that are relevant to this proposal are quoted below:-

1. Entry into the middle and senior management level in top administrative ranks and secretariat should be made from all services and practice of monopolizing such positions by the generalist JAM to the blockage of specialist services must be done away.
2. Secretariat should shed functions of executive nature which it has been performing.
3. Abolition of the position of a Divisional Commissioner intermediate between the District Magistrate and secretariat.
4. Replacement of the Board of Revenue by the Secretariat itself for its Administrative and advisory function and transfer of the appellate functions to a revenue tribunal.
5. A functional field must be carved out for the IAS. Multifunctional District Magistrate to be left with regulatory functions including Land revenue etc.

6. A unified grading structure based on qualifications and nature of duties and responsibilities.

There were many more other recommendations to bring basic changes. However, these recommendations were turned down due to lack of political will and bureaucratic dominance over implementation of the recommendations. Only those recommendations have been implemented which pertained to administrative improvements in the existing structure. Even the ARC recommendation of LOKPAL was accepted but implemented after 50 years. There is a need for reforms which were recommended by ARC-1. For this, Government of India should constitute a Committee of eminent political persons and experts to review the stage of implementation of accepted recommendations and examine the other recommendations as to why these cannot be accepted and during this process, bureaucrats should be kept away.

The major hurdles with the implementation of recommendations of commissions and committees are:

1. Lack of political will to surmount the internal resistance of bureaucracy.
2. Bureaucratic stronghold over administrative reforms. The bureaucrats serve on the highest echelons of state administration as well as in the union administration on periodic deputation and occupy key positions in the Ministries and higher levels. They examine all such reports before submitting to the minister or to the cabinet. By-and-large, a bureaucrat would never pass any recommendation that is uncomfortable for him and his class. Admittedly, any recommendation for basic change is bound to be uncomfortable to the ruling class of bureaucrats, so it is killed at the very beginning. So far, the bureaucratic lobby has given preference to their vested interests over the national interests.
3. Lack of long term strategizing agency for administrative reforms. At present, the department of Personnel and Administrative Reforms under Home Ministry of GOI looks after this job. Similar departments are working under State Governments. These are manned by career bureaucrats who would not pass hard reform measures and will be content with soft ones. This department of GOI is supposed to determine the policy relating to administrative reforms in India but it is carrying out the work of improvement of existing structure only. It is rather unfortunate that officers manning these departments are far away from actual problems of administration and are just performing clerical duties.

4. Lack of awareness among public at large regarding their right and responsibilities of administrative machinery towards them and importance and urgency of reforms.

4. Shortcoming of exiting systems and proposed Steps for Administrative Reforms

1. Underutilization of best available talent and experience at key levels of management and policy making

In a democratic set up, a minister as a political head of the department, lays down policies and programs of the department. However, he requires expert advice on all such matters. The secretariat plays the role of advisory body and the secretary is the principle adviser of the minister on all the matters pertaining to the ministry.

So far our elected leaders have relied almost entirely upon the general administrators (IAS) for this advisory role. The statistics reveal that more than 90% posts at secretariat level and for administrative level are filled by the officers of the General Administrative Services (IAS).

This system deprives the elected leadership from expert opinion at key levels of management and policy formulations because one single service or cadre is neither capable nor expert to render advice on various activities of the State. A Ministry of Steel, Irrigation, Roads, Defense Service, Science and Technology etc. should not be left to the charge of a Secretary who has absolutely no background about such matters. The present day requirement is that the Secretary or the Manager must know a good deal about the field with which he is working before he can make wise judgments about cost, policy, planning and advise the Minister. Today it is no longer enough to be expert in bureaucratic negotiations or the management of papers. Moreover, this system offers almost no opportunity for participative management and the specialists though fully accountable and responsible to produce results have no say in the decision-making process. Due to this considerable delay takes place in processing the case. Technical proposals drafted and scrutinized at the highest level in the executive departments are further checked in the Ministry / Secretariat at lower levels. This only delays the decision-making process without adding much to the quality of end result.

To retrieve this situation following reforms are required:-

- i. The Cabinet Secretariat should be restructured and should be headed by a political person and should include experts from various fields. This system is working in Britain from where we have inherited our system.

- ii. The personnel and administrative reforms department should be managed by human resource experts from outside instead of I.A.S. to ensure fair deal to all services.
- iii. The Secretariat should not be the preserve of I.A.S. cadres only. The talent and experience of personnel from all activities should be pooled and utilized for polio' planning and management. Officers from different services and disciplines should be inducted in the Secretariat. All the posts of technical fields should be manned by technical personnel only Dichotomy of the secretariat and department should be scavenged off and offices of heads of department and secretary be merged. All head and middle level posts of technically based undertakings, boards, statutory bodies be manned from corresponding technical personnel.

This will ensure expert and correct opinions at key levels of management and policy formulations, will eliminate dual checking of cases and avoid delay, decisions will be fast and taken by broad based body of experts, will ensure healthy and better interaction between different functionaries of the administration and will end monopoly of one or the other class of government servants and ensure rational basis of accountability and authority.

2. Non-equitable distribution and development of talent amongst various functions of the Government

In a developing country, like ours, besides general administrative services, the State. essentially requires services of engineers, doctors, educationists and other specialists to serve it and implement its plans and programs. A very important fact concerning government services is that attraction should be provided to the civil servants so that they may adopt government service as a permanent career. The purpose of the career services is to attract and retain men and women of talent and ambition in government employment according to their aptitude and natural abilities. To establish government career services and to attract and ensure equitable distribution of talent, certain essential are to be observed. These are:-

- a. There should be adequate attraction amongst important services to those citizens may join the services of their choices as per their aptitude and qualifications.
- b. There should be equal pay for equal work.
- c. There should be equal opportunity for promotion and advancement in different services.

The present system does not observe the above essentials. At present, glaring disparities exist in the career value of :

professional services and general administrative services, in between different All India Services, and in between Central and State services . The pay structure of different services is not based upon level of productivity and value of work. As a matter of fact, general administrative services are much better placed in respect of status and emoluments to the services of engineers, doctors and other specialists. Though, the position should have been otherwise in a developing country like ours. Following points need consideration while resolving this issue :

1. Ours is a development oriented state and not merely a regulatory state . Therefore there is no justification to rate LAS higher than other All India Services or Central Services. This disparity is perpetuated due to the reason that Central Pay Commissions are dominated by LAS officers. Further recommendations of the commissions are drafted by the IAS officers and then studied by Cabinet Secretariat, Department of Personnel and Training and Department of Expenditure all are headed by IAS officers .Therefore they are in a position to manipulate higher career value and status .
2. After abolition of erstwhile All India Services their higher responsibilities posts were encadred in class-1 or senior scale posts of state services. Re designation of these posts did not change their responsibilities and contribution. In view of the articles 14 and 39(D) which provide fundamental right to equality and equal pay for equal work there is no justification to compare these cadres with other state services which have All India Services over and above them. These state services with the machinations of IAS lobby have been able to devalue the concerned services. Unfortunately most of these services are carrying out development works.
3. The Central services play their role inseparable from the State services in taking advantage of their resources, contribution to the economic conditions and meeting the requirements of development in the States. The natural as well financial resources of the States contribute towards the growth of the financial resources of the Central Government and inversely the central Government provides lion's share of the financial resources to the State governments to meet their requirements either developmental or otherwise. Moreover, the expenditure on the education, marriage and other essential items of the Central Government employees are similar to those of the State Government employees. As educationists, scientists, engineers are concerned their case is further genuine because most of their activities have no regional or state boundaries, Major load of the development, which is a national goal, are the responsibilities of State services. The job

requirement and responsibility of professionals of different States are similar and similar to their counterparts in Central services.

4. As a matter of fact, the existing disparities amongst various services have created sub-system conflicts and lead to agitations and strikes. Thus, the administrative system has become inefficient and unhealthy. The technical personnel are frustrated and demoralized. There is a brain-drain to foreign countries from amongst the technically qualified people. There is brain towards the general administrative services.

To retrieve this situation following reforms are required:-

- i. "A national wage policy should be evolved and disparities between pay-scales of State and Central services, administrative services and technical services, IAS and other MI India Services be dispensed with in the best interest of the community. This will ensure adequate attraction to technical personnel to adopt government service as a career and remove the demoralization and frustration prevalent amongst the serving professionals. It will ensure equitable distribution of talent for various government services and minimize the brain-drain of technical personnel. It will minimize sub-system conflicts within the administrative structure of States and Central government. It will be conducive for the interstate exchange of experience which is very important for the technical fields."
- ii. It will also be appropriate to exclude a bureaucrat from Pay-Commissions and other similar Committees to ensure fair deal to other serving cadres.
- iii. There should be unified grading structure for the entire Civil Service so as to facilitate the movement of officers from one area to another for which they are qualified and in which they may be required .

3. Authority must co-exist with responsibility

Authority in an organization means the power to take decisions, communicating them to the subordinates for implementation and thus, influencing their behavioral pattern. For the successful functioning of an organization, authority must be commensurate with responsibility for which certain conditions need to be fulfilled. Adequate authority should be given to realize the purpose of organization. An individual

should have all the means at his disposal to achieve the objectives for which he has been made responsible. He should not be handicapped in the performance of his responsibilities for the lack of authority. One should have authority to take action in order to meet a particular situation. One who exercises authority is also held responsible for the exercise of that authority but cannot be held accountable if his powers are less than what the occasion demands.

Unfortunately, our present administrative structure does not fulfill these conditions because here there is concentration of powers in general administrative services at district, region and state level. For example, the responsibility of execution of a project lies with the head of department but he has little power to take decisions in the matter of financial and administrative sanctions of even small aspects of the project. This is the jurisdiction of secretariat manned by IAS.

Timely availability of land is an essential parameter for the expeditious completion of projects. It is the district magistrate who has to carry out this job. As the things stand today, large number of development projects has been delayed on account of non-availability of land on time but nobody can make the district magistrate accountable for this delay.

In the pre-Independence period, the activities of the State were limited and most of them were carried-out through the general administration. After Independence, activities of State have increased manifold and large number of services and departments have been created to carry out these responsibilities. However, these new services have not been empowered adequately and the powers are still retained by the administrative services.

To improve this situation, I propose as under :-

"The duties and powers of each job should be defined clearly and in detail on the basis of a scientific analysis of work content. The arrangement of various positions and powers within an administrative organization should be determined primarily by the nature and content of administrative tasks and functions to be performed. Decentralization of powers from general administrative services should be made and these should be given to related specialist services at district, regional and state level. The role and powers of Secretary and Secretariat should be redefined to suit the present democratic requirements. Some of the financial and administrative powers should be decentralized from the Secretariat and given to heads of executive departments."

This will lead to a system where the authority and responsibility will co-terminate, co-equal and be defined.

4. Problems in the law and order and general administration and development works at district level

There has come about a radical change in the fundamental aims of the district administration. Now the functions of the district administration may be broadly classified as below:

1. Land Revenue

The district collector is the head of the revenue department of the district. In this capacity he possesses the power of general supervision and control of land records and their staff. He is responsible for collection of land revenue, canal dues and other government dues, distribution of taqavi loans, distribution of distress taqavi during losses to crops caused by natural calamities, relief of fire sufferers, payment of rehabilitation grant, remission of revenue in case crops are destroyed due to floods or droughts or other reasons, managing government properties, assessment and realization agriculture tax, supervision of treasury, enforcement of stamp act, ensuring that rights of land are held and enjoyed and passed from one party to another within the jurisdiction of law. He also looks after land acquisition work and matters relating to work.

However land revenue function is in bad shape on account of involvement of District Magistrate in development works and law and order.

2. General administration and other regulatory works

Besides land revenue function District Magistrate performs numerous other functions of regulatory nature some of them are listed below:

1. Establishment of revenue staff.
2. Issuing tour programs of ministers and VIPs. To act as a protocol officer. To make arrangement for stay of VIPs.
3. Compiling and submitting annual administration reports of the district.
4. Enforcement of Press act.
5. Issue of certificates of domicile, scheduled and backward classes etc.
6. Elections.
7. Conduct of census operations once in ten years.
8. Civil defence work.
9. Supervision of local government institutions.
10. Liaisoning with military authorities and look after the welfare of armed forces in the district.
11. Management of Nazul lands.
12. Co-ordination with other district officers

There are more than 50 district level officers in a district and it is not possible for a single officer to co-ordinate with them and to carry out his regulatory functions.

3. Law and order

Administration of law and order is a complex phenomenon which includes many activities, such as protection of life and property, enforcement of multifarious laws, internal security detection and prevention of crimes. Being a state subject the primary responsibility of peace and order falls on the state governments. The major functions of police include, prevention of crime, investigation of crime, maintenance of order. Presently District Collector is assigned an important role in the law and order function of the district as District Magistrate. As District magistrate he is the head of criminal administration in the district. He can inspect the police stations and ask for any information, statement, record and register dealing with crime. The police officers are duty bound to obey his orders. Is the legal responsibility of the S.P to inform him any apprehension of breach of peace and order. As a District Magistrate he grants licenses for explosives, possession and sale of all types of poisons and poisonous substances. He can issue warrants for the arrest of a suspected offender and a fugitive criminal. He can ban the assembly of five or more persons if it is likely to cause danger to peace. He may impose curfew in a particular locality or localities for a specific period. As the District magistrate he has the power to disperse unlawful assemblies and issue orders under section 144 of the CRPC.

In fact the administration of Law and Order in India, by and large, is of a dyarchical in nature as the police organization is subject to the control of the District Magistrate. This system leads to delay and inefficiency in decision making. In this connection National Police Commission has proposed that the police should be made solely responsible for the maintenance of law and order to the exclusion of the District Magistrate. It may be added here that, in Britain all regular powers of law are vested in police officers. The same was the practice adopted in the presidency towns of Calcutta, Madras, Bombay in British India This might have changed under the impact of National Movement. However this system is being used at some parts of the country.

4. DEVELOPMENT FUNCTIONS

Development functions of the District administration include; agriculture, extension, education, health, animal husbandry, control of population growth, spread of co-operative institutions, implementation of panchayat raj, strengthening of local self institutions, various rural development programs implemented by District Rural Development Agency. Chief Development officer, an IAS, looks after this function under the supervision of District Collector. It is rather surprising that

the system pays more attention on construction activities at the cost of its primary function to look after education, health, agriculture and extension in general and that of rural India in particular. As a consequence of this neglect small countries like Sri Lanka, Bangla Desh etc are now ahead of us in the Human Development Sector.

Development (Engineering Activities)

Besides above large number of engineering activities are going on the district. Important of them are, irrigation, buildings and roads, water supply, energy, housing etc. These officers work under the control and supervision of their respective departmental heads. District Collector supervises and co-ordinates their works also. However this leads to confusion instead of effective co-ordination.

Thus in the present set-up, the district magistrates have been empowered and entrusted with the task of management and co-ordination of development activities besides their own areas of activities. Their involvement in development works is adversely affecting the efficiency of law and order and general administration is on the one hand and development works on the other hand. The co-ordination of development works by the district magistrates relate to more or less 40/50 departments for various functions having wide jurisdiction. The district magistrates have neither knowledge nor expertise for the co-ordination of developmental activities. The arrangement lacks co-ordination at functional level leading to confusion and inefficiency and resulted in more paper work and meetings and less field work. Moreover, wide powers given to district magistrates in the name of co-ordination have made the other services sub-ordinate to one service which is against the participative co-ordination. There is another important aspect which needs consideration. Most of the works taken up through rural development and similar programs pertain to construction of roads, buildings and drains etc. In some of the States, the district magistrates are executing these works through non-engineering departments such as cane department, soil conservation department etc. These nontechnical departments have no technical know-how or experience to carry out such works. This, sometimes results in faulty construction of works. For example, these non-technical departments often ignore drainage aspect while constructing road network which results in jacketing of those very rural areas leading to water-logging during Monsoons.

Thus, there is no matter of doubt that in view of the present law and order conditions and day-to-day increasing pressure of regulatory functions, it is jeopardizing people's welfare to burden district magistrates with development activities.

To improve the situation, following reforms are required as :-

"Activities at district level should be divided into following sectors.-

- i. Revenue and Regulating Work
- ii. Law and Order
- iii. Development including welfare and extension.
- iv. Development (Engineering

Officer from respective fields should manage and co-ordinate these sector. District Collector should manage revenue, regulatory works and general administrations. The present Chief Development Officer should be renamed as District Development Officer and he should manage Development including welfare and extension sector. There should be district engineer in each district who should manage technical sector. Law and order should be managed by officer of Police department who should be renamed as District Police Officer. The overall co-ordination between these four sectors should be entrusted to political executives instead of District Collector.

5. OUTDATED WORKING PROCEDURES, CODES AND CONDITIONS OF DEVELOPMENT ACTIVITIES

Technical services contribute about 80% of the total activities of our planned efforts. It is apparent, therefore that the success of our plans and programs depend largely upon these services. Under the present set up, technical persons are struggling to fulfil their responsibilities against numerous handicaps and obstacles inherent in the present management and administrative set up which was inherited from the Britishers.

Major technical services in the country were created in the pre-Independence period. To suit their own purpose, the Britishers centralized the authority at head quarter in each organization. Due to excessive centralization, the services developed the diseases of remoteness, inflexibilities, insensitiveness, clumsiness and complacency. This disease is very harmful for technical activities which need to be time based and result oriented. Hence, there should be decentralization of authority from headquarter to field units in these activities and powers and responsibility of each post should be reviewed thoroughly and defined clearly. Secondly, rules and procedures were formulated to carry out the functions of technical organizations. Many of these rules and procedures have become outdated resulting in wastage of time, delay in work and red tape. For delivery of goods efficiently, economically and timely, these procedures and rules need to be improved significantly. Thirdly, in different States, new technical organizations have been created after Independence. Most of them are working on adhoc procedures and rules. Their working is even worse than the old departments. In some of the States, more than one technical organization is

working for the similar functions. At some places, the general administrators have developed a tendency to carry out the development works through non- technical departments leading to technical problems. Personnel management of State Technical Services is in a mess and there is no defined policy. In most of the States, technical organizations lack adequate infrastructure for planning, monitoring, design, research, development and experimentation which is very vital for dynamic and economic working in this present world or advancing technology. In most of the States, technical organizations do not have adequate infrastructure for monitoring, inventory control and operation of equipment and machinery. This is resulting in under utilization and uneconomical utilization of equipment. The norms, practices and facilities for maintenance of technical works are also outdated and inadequate. This is why the consumer is not getting desired level of service. These norms need to be improved in the changed circumstances. In some States, technical organizations dealing with the same source or similar activities are placed under different Ministries. Lastly, technical officers in different States are faced with problem of law and order in their day-to-day working. Contractors often use strong arm tactics to intimidate the officers during tender openings or execution of works. In Uttar Pradesh and Bihar, a large number of technical officers have already laid down their lives at the hands of bad elements when they did not succumb to their pressures to accept low quality of works. Unfortunately, district administration has often failed to come to the rescue of technical officers.

To improve the situation, following action is required :- "To make the technical organizations dynamic and result oriented, it is very much essential that these are restructured and modernized on scientific basis to meet the new challenges. Improvements in the rules, procedures and practices are also essential for efficient working. For this purpose, a high powered committee or commission needs to be constituted to make suitable recommendations about following aspects

- i. Restructuring*
- ii. Personnel Management*
- iii. Financial Management*
- iv. Technical Management*
- v. Administrative Procedures*
- vi. Equipment Management*
- vii. Maintenance norms and procedures*
- viii. Problem solution of law and order faced by the technical persons*
- ix. Procedures for enquiry and disciplinary proceedings*
- x. Decentralization*
- xi. District Level Planning*

xii. Apparatus for Removal of Public Grievances

If with proper re-organization, we could make the efforts of our human resources working in technical organisations, go to 20 to 20% further than it is today, then we have a better chance of going towards our goal of achieving higher economic growth. "

6. In-efficient working of public Corporations and undertakings_

The reports of Public Accounts Committee and the various enquiry committees appointed from time-to-time have shown that public corporations and undertakings in India have not fared well. Sometimes, voices are raised to close these organizations. This is not in public interest in as much as these are important innovations in political organization and constitutional set up and destined to play a significant role in the changing India of the future. However, it is essential that the mistakes made in the past are examined honestly and rectified to make these organizations dynamic and result oriented. The main defects pointed out by Chagla Committee, A.R.C., Krishna Menon Committee of the existing system are as follows :- i. The Board of Directors has a preponderance of official members which reduces the corporation to the position of a department of a Government. These official members have neither the time nor the entrepreneurial skill. Sometimes, the same person is appointed in number of Boards. All this retard the work of the Board and causes uncertainty and drift in the policies of corporations.

ii. The corporations / undertakings are autonomous only in name, actually they are regarded as government departments. As observed by Estimate Committee, these Bodies have become adjuncts to ministries and are treated more or less on the same lines as any subordinate organization or office which has a harmful effect on the productivity of these organizations as these are subjected to all the usual red tape and procedural delays common to a government department with serious consequential effect on production.

For the better management of these Bodies, following suggestions are proposed:-

- a. The Management Board of corporations should comprise of full time functional directors. Nor more than two part-time government representatives; and two or three part-time members from outside the government. The government representatives should be selected on the basis of their qualifications and experience and not by virtue of the office which they hold in a particular ministry. The managing director must be a specialist of the area of activity of the Body. The Chairman should preferably be a specialist.*

- b. *No officer of the ministry should be made Chairman of these Bodies for should a Secretary of ministry be included in its Board of Management.*
- c. *Each organization should prepare as comprehensive programme to embrace the entire organization. A small technical cell should be set up in each ministry concerned to assist in the scrutiny and evaluation of feasibility studies and detailed project reports and for the analysis and utilization of progress reports and returns received from public undertakings.*
- d. *These should be systematic appraisal of the performance of all public bodies.*

6. ABSENCE OF ALL INDIA SERVICES IN RESPECT OF IMPORTANT SUBJECTS WITH NATIONAL BEARINGS

As already pointed out, Britishers, under the impact of First World War and Indian Freedom Movement, abolished various All India Services carrying out development works. Even after Independence, except I.F.S., no other All India Service was created. To meet the National requirement of the country, there is urgent need to create All India Services of Engineers, Agriculture and Medical etc. Admittedly, Water Resource Management, Road and Transport and some other subjects have National bearings. Incidentally, States Reorganization Commission had also recommended creation of Indian Service of Engineers, Indian Medical and Health Services and Indian Forest Service. Only Indian Forest Service was created and creation of other services is still pending.

7. BUREAUCRACY AND COMMON MAN

In the colonial days relation between the bureaucracy and people was that of ruler and ruled.

Democracy has changed the scene theoretically. Now, it is the government of people, by the people and for the people. But the work culture of bureaucrats has not changed and most of them still consider and behave like rulers and treat the common men with contempt and do not feel responsive towards them. They still consider themselves masters instead of servants of people. This work culture suited imperial purpose well since it was an efficient way of collecting taxes and of maintaining law and order. But it left a tradition of detachment and paternalism that remains evident today. This must change in a manner that the government machinery works in a responsive and citizen friendly manner.

Following steps are required to move in this direction:

- i. Each department should specify standards of service and time limits that the public can reasonably expect. There should be independent watch dog to monitor the results.
- ii. There should be inbuilt mechanism for prompt and effective redressal and independent monitoring.
- iii. Each department should conduct an exercise for simplification of existing laws, regulations and procedures to suit the common man.
- iv. A reformation of laws should also be taken up to remove the hurdles in the way of poor and weaker sections.
- v. Efforts should be made to reduce the time and cost of the disposal of cases in civil and criminal courts.
- vi. No government servant should be authorized to administer the Panchayat Raj Institutions.
- vii. Strict action should be taken against a government servant who ill treats a common man or exploits him.

5. Proposed Action

A committee of eminent political persons and experts should be constituted to examine this matter. The committee should also review the stage of implementations of accepted recommendations of ARC-1 and other commissions and examine the other recommendations as to why these cannot be accepted. During this process bureaucrats should not be associated with this committee as, at the cost of public interest, the institutional group of bureaucrats has so far maneuvered to forestall the basic reforms recommended by first administrative reforms commission in as much as basic changes are bound to be uncomfortable to the ruling class of bureaucrats.

REFERENCES

- [1] The Indian Civil Service 1601-1930 by L S 5.0, Malley
- [2] The District Officer In India 1930-1947 by Roland Hunt & John Harrison
- [3] The Ruling Cast- by David Gilmour
- [4] Under Two Masters by N.B. Bonarjee
- [5] Governance In India by M. Laxmikanth
- [6] The Everyday State And Society In Modern India edited by C.J. Fuller Veronique Benet
- [7] Indian Administration by Maheshwary
- [8] Public Administration In India by Padma Ramchandran
- [9] Reports of Administrative Reform Commissions