

Modi Govt's New IAS Rules Is Another Tactic To Attack Opposition Govts

Jawhar Sircar

At the time of writing this, nine Chief Ministers have already opposed the Prime Minister's proposal to amend Rule 6 of the [Indian Administrative Service \(IAS\)](#) Cadre Rules of 1954. More states are likely to join the chorus of protest, thereby triggering a fresh round of Centre-state bitterness. The [Chief Minister of West Bengal](#) was the first to fire her salvo on this issue and she termed the Centre's move "draconian" and "against the foundations of our great federal polity and the basic structure of India's Constitutional scheme".

So, what exactly is the problem that has united so many states against two [apparently innocuous proposals from the Centre](#), which are couched in heavy bureaucratese? It all began when the Centre's Department of Personnel and Training (DoPT) sent a letter to all states on 20 December 2021, proposing an amendment to govern the deputation of IAS officers from the states to the Centre. The amended rule would henceforth compel all states to send complete lists of IAS officers for Central deputation.

While it is a fact that states have not usually sent the names up to 40 per cent of their total number of IAS officers for the 'Central Deputation Reserve', it is also true that the number of IAS officers is perennially short of the requirement.

States insist that further release of officers would lead to the collapse of their own administration.

A Leaf Out of Akbar's Mansabdari System?

The Centre plucks out officers from this list of names, but it is now demanding a bigger basket from states. This amendment will empower the Centre to determine not only the number that should be sent to it but also the date by which it should be sent.

It is quite like Akbar's *Mansabdari* system, demanding that a fixed number of troops and cavalymen be sent to the emperor, come what may.

However, until now, the Centre had never clamped down at this level, as the woeful shortage in the 'authorised cadre strength' of the IAS is also due to insufficient recruitment by the Centre.

It is a fact that many officers forgo the chance of an important position at the Centre, and even those who belong to Delhi or that region simply cannot leave the state. There are other overriding considerations, such as their children's education and ailing parents. Some states have also been too reserved in sending officers to the Centre, and there are cases of other petty behaviour as well, which happens everywhere.

But if the IAS rule is now amended, this flexibility and voluntary element would be under threat and states would be compelled to send whatever number of officers the Centre demands. Such use of force has hardly ever been resorted to in a federation as it injures the functioning of states. After all, a federal arrangement is supposed to work like

a marriage between equal partners. Some rulers have, however, lesser consideration (so to say) for their spouses. IPS

Though both the Centre and states have their own battalions of officials who report to the respective government, the British created the third layer, the All India Services (AIS) to act as a bridge between the two silos of governance. They required the two main AIS, the ICS and the Imperial Police, to hold this vast and complex subcontinent together. Their long experience in real hands-on administration from the lowest to the highest levels of state administration was an expertise that the federal government valued. It gave them a better understanding of regional differences and helped balance these considerations with Central priorities.

Ironically, Modi Goes Against Sardar Patel's Ideas

After Independence, there were repeated demands by those who had suffered at the hands of these services under the British rule to disband the two, but the redoubtable Sardar Patel prevailed upon the critics. “The Union will go, you will not have a united India,” he warned them in 1949, “if you have not a good All India Service which ... has a sense of security.” Independent India, thus, gave them a renewed and reinvigorated lease of life, as the Indian Administrative Service (IAS) and the [Indian Police Service \(IPS\)](#). It assisted national integration since half the number in the two services posted to a state consists of ‘outsiders’. The two services have been tested, time and again, during periods of very severe crisis, when protesters in certain states had called for violent movements and armed insurrection against the Centre, and even cessation from the Indian Union.

The second amendment that [Prime Minister Narendra Modi](#) wishes to carry out is spelt out in the DoPT’s letter of 12 January 2022, which tells states to agree to an additional amendment to Rule 6 of the IAS Cadre rules. If implemented, it will effectively mean that the present system of officers ‘opting’ for a Central posting, provided the state can afford to release them, goes for a toss. The Centre would decide how many IAS officers would have to be sent for Central posting and actually coerce the states to release them, even if they suffer badly.

Central posting does not necessarily mean a job in the Ministries in Delhi – it can be anywhere in India. It can be to any post that the Centre decides, even in non-government bodies. The fundamental premise that holds the federal balance, that IAS officers must be loyal to the state governments when they serve under them, will be destroyed forever as the Centre can intimidate them at the drop of a hat.

The intention is obviously to inject sheer terror among those IAS officers who are critical to the functioning of states. Needless to say, governments run by opposition parties would surely be targeted. The fear of being yanked out of one’s post in a state to be sent to, say, Ladakh or to some obscure quasi-governmental organisation in a remote corner of India would be enough to send shivers down the spine of most.

The Reality of the 'Shortage'

The logic of the Centre is that it is not getting sufficient numbers on deputation ignores the reality of shortage of IAS officers. It does not help matters if a blanket itself is too small. If it is pulled to cover the head, the feet will be exposed, and vice-versa.

A Central secretary, who has little business to speak on this issue as the DoPT is not in his charge, told the media that the number of IAS officers on Central deputation has

come down from 309 to 223 in ten years. What he and his boss fail to realise is that most IAS officers would rather work in less charming posts in states than getting bullied by someone at the Centre, who keeps threatening one and all and kicks Ministers and officers around.

How Modi as CM Had Refused to Release His Officers

The Prime Minister knew of this scarcity in the IAS in 2001, when he became a Chief Minister. Incidentally, he holds an all-time record in refusing to release his IAS officers from Gujarat for Central deputation. If he was even half sincere, he could have increased the number of direct recruitments of the IAS and filled up the 'promotion quota' from state services in his long tenure. Sadly, however, it is only hegemony that drives him, and the very Chief Minister who complained the most – non-stop for 14 years – about the Centre's 'bossism' (which was far less at that time) now wishes to set new depths in federal relations.

States have no option but to stand firm and fight the proposed rules in the court if push comes to shove. They must collectively refuse to capitulate before someone who is constantly hacking away at the load-bearing pillars of our Constitution — democracy, pluralism, human rights, and now, federalism.

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