

SUBSERVIENCE, NOT EFFICIENCY: MODI & CIVIL SERVICE 'REFORMS'

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After four years of relative peace, the Indian Administrative Service (IAS) in particular and the civil services in general are suddenly being targeted for overhauling — and, as expected, the resulting discussions radiate more heat than light. Not a week passes without some bright idea being floated or an order being issued and, in any case where the Prime Minister is concerned, “thin partitions their bounds divide”. Let us examine three such recent measures and try to figure out for ourselves whether they would usher in revolutionary improvements in the functioning of either the bureaucracy or democracy — better late than never. In 2014, when Narendra Modi became prime minister with an unprecedented mandate from the people he could have, and should have, pushed through the urgently-required structural changes or reforms to improve India’s proverbially conservative and rather negative bureaucracy. In fact, many who suffer the bureaucratic leviathan or sloth were looking forward to the new PM taking the bull of babudom by its horns and converting it from an elephant to a tiger. Most people were, indeed, rather disappointed when he did not. The central issue is not whether the civil services need some urgent restructuring or not — of course they do — but whether the present set of measures proposed are meant to improve bureaucratic functioning or to consolidate the iron grip of one person or a party.

From ‘day one’, Modi was quite comfortable with the creaky apparatus that he inherited as he had first hand experience in running it — at the state level — for over a dozen years. Though the two sets of administration are as different as chalk is from cheese, a fact that he is ultimately reading now — it is rather strange that Prime Minister Modi chose the last of his very secure five year term to tinker around with the massive structure. A brief history of the present would tell us that the main reason why Modi decided to lean heavily on the bureaucracy from May 2014 was that he needed some persons who could carry out his commands without question. He behaved as if his ministers, save a couple of lucky exceptions, were hardly worth relying upon, for widely differing sets of reasons. This is not a sweeping generalisation and one who was entrusted with the administration of a mammoth public institution for two and half years of the Modi regime can cite evidence after evidence to substantiate this observation. It was clear to everyone in Delhi that ministers in the Modi cabinet were certainly not his colleagues — and he was not *primus inter pares* or first among equals — they were decisively his subordinates. After all, it was he who had pulled his party through the hustings, almost single-handedly, with the biggest ever majority in parliament.

Though he kissed the (hopefully disinfected) steps of parliament quite dramatically for countless cameras to guzzle on, his subsequent actions did not reveal any sentimental fondness for parliamentary democracy. This is indeed a pity, as Pandit Nehru and other Prime Ministers, including Atal Bihari Vajpayee of his own party, had taken so many pains to establish and to nurture the iconic Westminster model on Indian soil. In fact, Modi's cohorts took their master's cue and publicly drooled over the boundless wisdom of moving India from the parliamentary system to the presidential. To the new PM, however, secretaries, not ministers, were the points-persons and cabinet ministers were told this quite emphatically. In effect, therefore, he let go the windfall opportunity to undo and re-do the machinery that avaricious post-Mughal rulers had exploited and then gifted to Warren Hastings and Cornwallis in the latter half of the 18th century — along with the reigns of power. The colonial duo, in turn, did place white men at the top but complicated this feudal bureaucracy for their own purposes of extortion, repression and facilitating unjust enrichment. The new 'nabobs', as the British overlords were called, built hundreds of 'circuit houses' to hold revenue courts in the interior — to strengthen their own control — and of course, 'inspection bungalows' so the rural India was under their thumb. The Mughals or their unworthy successors never dreamed of such direct linkage for extracting their revenue or ensuring hegemony and when Modi uses technology to seek explanations directly from District Magistrates in this 'federal polity' — bypassing constitutionally approved layers — one is reminded of Shakespeare's Shylock. Had he not said "The villainy you teach me, I will execute — and it will go hard but I shall better the instruction"? Herein lies his single minded obsession as a control freak not a reformer.

The moot point is that for the four years from 2014, Modi hardly touched the structure or the basic functioning style of the bureaucracy — despite his tall talk and fancy phrases — except in centralising all (repeat, all) decisions, postings and transfers to bizarre levels never seen before. Critical posts of heads of national-level institutions were kept vacant for several months and years — even as they went to seed — and all important boards and committees took even longer to fill up. Decisions were "told to wait in the queue" for his personal attention — which he located with considerable difficulty between his embarrassing bear-hugs with every foreign ruler on this planet during his never-ending travels and his over-frequent melodramatic addresses to his countrymen, when in India. Yes, he did introduce a new and considerably subjective '360 degree assessment system' — but this was to ensure that those he did not want were not promoted as secretaries or additional secretaries. So subtle was this 'selectivity' that it bore the stamp of cooler bureaucrats in his 'team' more than that of their master — who revelled not in sword-fencing but in clubbing with bludgeons. Along with this, he actually took special care to point out to every senior officer the sword of Damocles that hung so menacingly over her or his head. To ensure that it sent the right shivers down their battered spines, he brandished a weapon called 'repatriation' that had been used very rarely in the past. More IAS and IPS officers were sent out from the central government — back to their states — in four years than, perhaps, in the last four decades. While cabinet reshuffles were infrequent, reshuffling of secretaries, additional secretaries and joint secretaries became so regular that no one

knew where she or he stood the next day. In fact, these caused senior officers to sweat through sleepless nights and some actually decided to return to their own state cadres, to breathe a little more freely before the somewhat less mercurial chief ministers — even if the rewards were lower. But, these terror tactics do not qualify as structural changes.

The bureaucracy soon mastered the art of survival and many bent backwards, in contorted yoga postures, to applaud every ‘scheme’ that the leader pronounced. Most of these schemes were hardly original — they were largely rehashed from older ones — but they were renamed with much fanfare by the PM and his coterie. Their major problem was to devise new ‘acronyms’ for them, by playing all sorts of ‘scrabble’ with the English alphabet. These juvenile exercises were integrated into state policy and by now, all the alphabets must have been used up. So confusing is it, that even the PM himself has started making embarrassing spelling mistakes, on foreign soil. Obviously, the present dispensation demanded agreeability which was quite fine with all-weather bureaucrats, but then it also insisted on total ‘loyalty’ to one leader, at an obnoxiously personal level — which was and is faked by most. But these are no substitutes for efficiency and delivery — which is really sad. This situation also meant that no advice was either sought from (or given by) ‘professional administrators’ who had spent a lifetime in drafting and implementing complex schemes and projects. Or else, how could an administrative disaster called demonetisation of currency notes either be conceived or rammed through? It also explains why no senior official was held responsible for this Himalayan blunder — for the simple reason that no bureaucrat could really be pinned down. After all, it was he alone and his factotum from Gujarat — a short-stubbed secretary in finance ministry — who had decided everything in hushed whispers. It is this pair who are said to have let loose the Frankenstein of demonetisation so mercilessly upon an unsuspecting nation.

There are, however, reasons to believe that at the present juncture he is quite dissatisfied with this gentleman and that he was deprived of the promotion of his lifetime. His immediate boss, who was hitherto the only senior minister that Modi had reposed full faith in, appears to be slipping and his recent medical operation provided the perfect reason to releasing him from his top job — however temporarily. It is reported that PM did not find time to visit him in hospital even once, but our minister at large is busy shaking up both the mainstream and the social media — even as he recuperates. He pledges not only his everlasting loyalty to the leader but utilises his ample time and his celebrated cerebra in drafting ingenious arguments and strategies to pull up the sagging popularity of the PM. But the fact that the topmost government economist of India who was so loyal to the minister without portfolio has submitted his resignation to go back home — to the USA, like the former vice chairman of Niti Aayog — says a lot. When Modi is really wild over some issue, he adopts a stony silence and then he starts to deflect the blame for the disappointing performance of his government on others — and does not spare even his trusted men.

It is in this context that one is alarmed at Modi's proposal of 20th of May this year addressed to all the concerned ministries. It suggested, in short, to let the PM's own department of personnel and training decide the fate of candidates who successfully clear the extremely difficult civil services examination conducted by the Union Public Service Commission (UPSC). Modi feels that the UPSC need not allocate the service due to the successful candidates under its time-tested 'rank cum option' system — that we shall see in detail soon — but the training institutes to which he reports for the first 100 days that are more competent to decide. We are referring to the three All India Service (the IAS, the Indian Police and the Indian Forest Service) and the 17 to 20 Central Services. If the successful candidate qualifies for the three All India Services, where a 'state cadre' has also to be determined, it is, again, the training academies that will determine this, for the rest of his life, not the UPSC alone — as has worked so well for seven decades. By the way, it is the Prime Minister's own department of personnel and training that controls the main and subsidiary training institutes, so it implies that his own bureaucrats are capable of deciding the 'aptitudes' and 'competencies' of these trainees in just three months. This is when all officer-trainees undergo their common training, which is known as the Foundation Course or F.C. The hint is also that they could do it better than the UPSC even though this F.C. is held not only in one campus any more. As the 'mother' training institute, the Lal Bahadur Shastri Academy of Administration in Mussorie can no more accommodate the large number of successful candidates — 1000 to 1200 — quite a few officers undergo their F.C. at other training centres located in different cities of India. This is, indeed, a pity because the F.C. was the only time civil servants from different services stayed together and acquired life-long friends — beyond their own service or cadre.

It is not clear how these multiple training institutes will be able to standardise their assessment grading in just 3 months — between boring classes and PT lessons or other skills. The idea that the training academies can decide who will make a good IAS or a police officer or (say) a diligent accountant for the Indian Audit and Accounts Service is ridiculous, at least to some one who has worked in the bureaucracy for over 41 years. Besides, none of Modi's ministers have the gumption to differ with the PM's 'suggestion' and we cannot imagine someone actually daring to tell the emperor that "he is not wearing any clothes". Modi's 'decision' may, however, not pass the test of judicial scrutiny if it is carried out — as Article 320 of the Indian constitution empowers only the UPSC to recommend and decide the postings of officers to different services and state-cadres. Obviously, Modi does not appear unduly bothered about such constitutional mandates. Besides, if his case goes to a 'considerate bench' in the Supreme Court, anything can happen. Indira Gandhi bullied the judiciary and encouraged judges like AN Ray to crawl and be rewarded, but Modi has gone one step further. It looks like he has managed to actually split the highest court of the land and possibly won some 'friends'. This is evident from the unprecedented 'revolt' by four senior judges and many are really distressed at the open and brash manner in which he is messaging loudly to the judges that while they may recommend names for promotion, it is he who ultimately decides who will adorn the benches. The relevant issue, however, is that the PM chose to tell all civil servants once again that he is

actually the boss — even if the first experiment is likely to be after the next general elections. Even astrologers cannot predict who will be where then. What worries people is that successful candidates may spend the entire F.C. in currying favour of their trainers to get better assessment and move upwards in posting to more coveted services or careers. Or that open political jockeying will be the order of the day to take one last chance to jump from the middle of the list to the top — as Modi's department will then matter more than the UPSC.

Modi wanted to make exactly this point clear not only to serving officers (who surely know who is the boss) but also to all civil service aspirants and new recruits — that he would decide their fate and their future. As is well known, the UPSC has been following a very rigorous and transparent process for the last seventy years by inviting applications from some hundreds of thousands of aspirants to test their skills. In 2016, some 11,35,943 candidates applied for the UPSC's 'Preliminary' examination and 4,59,659 actually took the examination — these are really large numbers. From approximately 4.6 lakh candidates, only 15,445 were selected and could qualify and take the next very tough series of 'Final' examinations. After that, the UPSC constituted interview boards with very highly qualified senior experts — from vice chancellors and retired civil servants to top scientists and army generals or other specialists — to grill the cream of the candidates that emerged through these two stages. In 2016, only 2961 were called for the 'interviews' and 1209 lucky ones were finally recommended by the UPSC for appointment to the 20 to 23 services. Thus, only one out of every 940 initial aspirants made it to some service and 1 out of every 4000 or so 'general category' aspirants may have qualified for the IAS. It is important at this juncture to note there are four categories of 'posts' in each service, namely, those reserved for Scheduled Castes (SC), for Scheduled Tribes (ST), for Other Backward Castes (OBC) and the residual 'General' lot.

The UPSC has also to scrutinise the 'options' submitted by individual candidates for specific services of their choice (among the 20-23), in terms of vacancies available for each service under these four categories. For those who opt for and also qualify for the three All India services, there is the additional option for the state cadres they prefer and these choices have to be done precisely in conjunction with the limited number of posts available under each category (SC,ST, OBC, General) for each of the 20 to 23 services. We can well imagine how even computers must be straining to decide who would be recommended for which service and which state under each category. Even the UPSC does not claim that the system is perfect —but it has earned credibility and is the best we can get. Besides, the fact that the UPSC selected less than 200 for the IAS and the Indian Foreign Service out of 4.6 lakhs who appeared for the preliminary examination does not mean they are 'superior' — it just means that they scored better in specific set of tests.

The next 'bouncer' was lobbed before a month had passed, i.e, on the 19th of June — that 10 'professionals' are required to be inducted from the open market at the 'cutting edge' level of joint secretaries in the central government. By declaring these

10 posts to be contractual in nature — not permanent — government conveyed its intention to bypass the constitutionally laid down imperative to get the selection done only by the UPSC. It is true that earlier governments had brought in outside professionals like Manmohan Singh, Montek Singh Ahluwalia, Vijay Kelkar and Jairam Ramesh — without such fanfare — but they were highly qualified individuals with impressive educational and working experience — so no one raised a finger. They may have earned more had they chosen to stay abroad but no one knows what Modi is up to now. The civil services were never alarmed at their entry and hardly noticed the trickle until these three ‘professionals’ reached ministerial status and rose even higher. This time, however, hackles have been raised and no one would have objected if a qualified economist or professional was selected — or persuaded to work as secretary or whatever, — for a pittance compared to his real value. The advertisement is delightfully, or fearfully, vague and it looks as if “all the PM’s men” are just testing the waters before plunging into one of their several options. It is worth noting that the earlier crop turned out to become ‘political creatures’ and that is one of the several concerns expressed after the present advertisement was issued.

But to appreciate better why 10 joint secretary ranking market recruits are the subject of so much discussion, let us try to understand what this business is all about. The highest official in the government of India is the ‘secretary’ in charge of a ministry and there are usually around 70 to 80 such posts for a total of 50,000 civil servants — who, in turn, control some 60 lakhs government employees in the country of other grades. It is, naturally, the highest rank that any civil servant can aspire to reach. As 8 or so of these secretary-level are usually occupied by scientists and other specialists — like secretaries in charge of atomic energy, space or science & technology — the tens of thousands of top-level civil servants just cannot get anywhere near the 60 to 70 posts of “secretary to the Government of India”. The real cutting edge of the central government is, however, at a notch or two below, as the secretary is forever kept preoccupied with meetings, briefings, parliamentary demands, important policy decisions and ceaseless fire-fighting or attending to ministers. Thus, it is the ubiquitous joint secretary or JS, whose number is usually around 470 or so — who actually run each critical vertical in the central government. If 10 is too small a number to worry about — which it actually is — it is also too small a number to make a difference, if that is what Modi desires. But then, one never knows how much power they will be given because while Modi sincerely factors terror into his statecraft, he can be a blind Dhritarashtra where his few hand-picked acolytes are concerned. Pramod Mahajan’s position in this administration, for instance, is unabashedly reserved for a talkative civil servant — whose IQ and ‘knowledge base’ matches that of his boss — while others quake before the same Modi. That this crafty wordsmith has let down his two earlier governments (who were at two ends of the political spectrum) does not matter to Modi. The babu continues his trademark style of zapping political masters with the hoopla that highly over-paid publicity agencies create and then bowl them over with ‘tag lines’ sourced at atrocious prices. But then, which political potentate from Mofussil India to Lutyen’s Delhi’s wicked can resist ego massages by a Saville Row suited courtier — who sings exactly what the master wants to hear?

Where the issue of ‘10 professionals’ at the JS level is concerned, media is, however, not correct in declaring that the IAS is threatened, because it could not differentiate between the bureaucratic services — nor did it bother to find out more about those who are usually so obnoxious, anyway. It did not realise that the earlier monopoly or paramount position of the IAS at the level of JS is gone — as other services have procured their rightful positions and also because most states (like Gujarat, when Modi was its chief minister) are unwilling to let their officers go to the ‘Centre’. The opposition suspects this move as yet another attempt to ‘saffronise’ administration — which could well be true — as the UPSC is left out of the selection. This Commission has three time-tested modes of recruitment, namely, through public examinations; through promotions and through transfer of incumbents from one post to the other within the government set-up. The proposal to induct ten ‘professionals’ would come under the first mode and the Commission could conduct special but transparent examinations or it could just interview them, which is rather subjective and can lead to criticism. But a conservative body like the UPSC cannot be rushed into making selections and one remembers how it rose as a constitutional body to protest to the highest in the land when the culture ministry sought to fast-forward its process or take professionals from academia as heads of institutions that were lying vacant for a decade or more.

Government really needs lateral entrants at each level to bring in special skills and we already have two secretaries selected from the open market — no issue. At the same time, IAS and other officers — many of who are toppers from IITs and IIMs — need to be encouraged to specialise, after their district phase is over. But professional specialisation of IAS officers was never encouraged by Modi’s own tightly-controlled department of Personnel or by state governments. As a result, highly-qualified engineers, management graduates, economist and other university toppers (who constitute the bulk of the IAS) have to move from atomic energy to gobar gas. Even the present announcement for 10 professionals needs also to be fleshed out with details like what exactly government is looking for and for what skills. Transparent procedures for selection have to be devised before recruiting the 10 professionals and clarity is required about the quotas like SC, ST, and OBC. Besides, what are the safeguards to ensure that the selected joint secretary is actually not a stooge of a business house who will be rewarded by the house for extending favours to them — or changing policies to suit their business interests? What if he causes losses to the exchequer? There are many other areas that need clarity and the pompous pronouncement by Modi’s favourite factotum that more such recruitments will follow needs to be spelt out in great details and placed in the public domain or before parliament.

Last week, a third news item has started doing the rounds and it says that the central government has written to the states to agree to a rule that IAS officers at the level of secretary and additional secretary are henceforth to be assessed on their attitude towards weaker sections of the society. This is quite superfluous as this provision is not only embedded in the All India Services Conduct Rules for a long, long time, but

is one of the strict criteria on which their 'performance' is judged. If Modi needed to send placatory signals to the weaker sections — that are quite disappointed with him and his government — he could very well do so with theatricals in (say) his Man Ki Baat. It is doubtful whether Smriti Irani's scandalously insensitive handling of Rohith Vemula's suicide or the repression let loose on Dalits after the clash at their sentimental Bhima Koregaon anniversary or even the attacks and murder of carcass flayers will be forgotten, because such a legal provision is being reiterated. But the high handed manner in which the state partners in our federal set-up were literally ordered to agree immediately or face political humiliation is so characteristic of Modi's inglorious regime. The shots were, sadly, fired from the shoulders of the IAS.

Equally important is the mention that secretaries and additional secretaries would be assessed on both "financial integrity" and "moral integrity". But this was always done and in spite of such provisions, a small but viscous number managed to be promoted and prosper under corrupt political masters. There are exactly 5004 IAS officers in India (in a population of 125 crores) out of which some 65 to 70 make it as secretaries in the central government — and Modi has certainly missed the bus "to improve their efficiency". They are constantly under multiple surveillance, but the existing vexatious procedures for convicting any government official (not only those in the IAS, IPS or IFS) deter the most missionary of them from charging corrupt or thoroughly inefficient officers. This hyper-active PM could have consulted the 'reformist secretaries' (who are not too many in number) and just slashed through cobwebs that survive from the colonial era or the 'soviet' period before Liberalisation. The 'dreaded 3 Cs' — the CBI, the CVC (Central Vigilance Commission) and the CAG — are also not so effective as they are hamstrung by dilatory procedures. Until a complaint is made and almost sure to be proved, they can hardly take action. It is a bit like waiting for a rape or a robbery to actually happen and not doing anything before it happens — despite the track record of criminals who really enjoy immunity in the government.

A simple 'out of the box' solution, like holding secret ballots every six months or once a year in every government office, would help create a reliable database of those whose financial or moral integrity is terrible. Office colleagues know them but the honest or moral majority have to suffer in silence as these nefarious elements are always favoured by every regime — yes, every regime. Besides, these terrible officials are the most litigant ones and some also lead unions. They can make life miserable for their colleagues or superiors by manufacturing fake complaints against them. All of this is well known, yet rules do not encourage action against these poisonous few. Once this database is created, government could direct the investigating agencies to go after them on the basis of leads provided. These are all so do-able and all it required was a leader who was obsessed not with megalomania or narcissism but with real vision. This is only a small example of what could have been done — but, instead, we see how an officer like HC Gupta, former secretary of the coal ministry, was convicted with a jail sentence. All his colleagues swear that he was never corrupt and he may just have slipped up. After that, most officers follow the principle of the British monarchy — the

king does no wrong, as he does nothing. This is intolerable and if only Modi could look beyond everlasting loyalty and servitude, he could have done wonders. There are dozens of other steps that he could have taken — if only he picked on a fearless few to tell him where he was going wrong. The civil services are crying for reforms as under the present dispensation, it are the rule-obsessed pen-pushers or the boss-ingratiating ones or the political facilitators that prosper. Initiative needs to be rewarded not crushed by rules that take years and years to change — and a leader who encourages the slashing of Gordian knots would be remembered by history. .

If we agree that UPSC's highly competitive examinations still select the best candidates possible, we need to examine what happens thereafter. It is the system into which these young people are thrown and the manner in which they are brutalised by the political class and their own unscrupulous seniors that is largely responsible. Surely, every one who qualifies can not change overnight into a callous, corrupt, inefficient or lazy officer — unless the system has ensured this and no one could do anything to stop it. All governments are equally guilty of ensuring that its political class bullies civil servants and traumatises them into inactivity or connivance or even cash partnerships. Every government since Independence — including this most hyped one — has simply permitted the political class to ride rough-shod over the system and only unabashedly user-friendly babus could ever make it anywhere. The vast majority was simply numbed into compliance as each incoming government had 'massive programmes' to deliver what they had promised their voters and no one really has ever had the time to discuss problems relating to the engine. On the whole, Modi's regime will be remembered for its mind-boggling potential to institute permanent reforms that was destroyed because of other preoccupations and wrong priorities. It will go down in history as the one where chilling fear that was spread amongst terribly insecure babus (for no productive reason), and also as one where the imaginative and innovative ones were hardly rewarded — but sycophants prospered, as never before.