

**COALITIONS AND FEDERAL GOVERNANCE:
THE CASE OF UTTAR PRADESH**

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21 July 2004

CERTIFICATE

Certified that the dissertation entitled “**COALITIONS AND FEDERAL GOVERNANCE: THE CASE OF UTTAR PRADESH**” submitted by **Ashok Kumar** in partial fulfillment of the requirements for the award of the degree of **Master of Philosophy (M.Phil)** of the University, is his own work and has not been submitted for the award of any other degree of this University or any other University. To the best of our knowledge this is a bonafide work.

We recommend that this dissertation may be placed before the examiners for evaluation.

(Prof. Balveer Arora)
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Dedicated
To
My Parents

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CHAPTER – I

INTRODUCTION

1.1 Introduction to the Study

Past theories on politics and the bureaucracy suggest certain a priori expectations about the nature of bureaucratic adaptations. For example, some scholars have been very thoughtful in coming to conclusions that bureaucracies are large, powerful entities that are resistant to change and are often unresponsive to external pressures. Other scholars claim that bureaucracies do respond to external pressures, but only under certain circumstances. In fact, it is widely accepted that bureaucracy now play a major role in policymaking as the political executive. Several theories try to explain empirically the forms of political-bureaucratic interaction; that is, they purport to explain how and to what extent bureaucracies adapt to changing political conditions.

One issue concerning the form of political-bureaucratic adaptation is who, if anyone, controls bureaucracies. In other words does the bureaucratic process respond to elite influence, pluralist influence, or neither of these? Since the early 1950s the dominant paradigm, still prevalent in some academic circles, has been that the bureaucratic process is dominated by a triumvirate of policy actors: in its simplest form, an interest group, a bureaucracy, and a political leadership that oversees the agency. This is the so-called iron triangle, sub-system or capture theory, to highlight some of the various labels that have been applied to this alleged phenomenon throughout the years.¹

Various other controversies over politics and the bureaucracy emerged from this proposed politics-administration dichotomy, especially when the prescriptions of the dichotomy are taken to their full conclusions. The dichotomy implies that the relation between elected institutions and the bureaucracy should be purely top-down and essentially static through time.

¹ B. Dan Wood, and Richard W. Waterman, *Bureaucratic Dynamics- The Role of Bureaucracy in a Democracy*, West View Press, 1994, pp.13-18.

Politics and administration are assumed to be separable, hierarchically arranged endeavours. Elected politicians make policy for administration through their non elected subordinates in the Bureaucracy. However, these subordinates should not be susceptible to any political influence beyond initial lawmaking.²

According to B. Dan Wood and Richard W. Waterman, the politics-administration dichotomy has given birth to at least two highly visible continuing normative controversies in political science. In the first controversy scholars have disagreed over how much policymaking authority should delegate to the bureaucracy. The politics-administration dichotomy suggests that none should be delegated. However, this has not been a viable option given the highly technical and inter-dependent nature of problems in modern society.

According to B. Dan Wood and Richard W. Waterman, the second normative controversy concerns whether a purely top down model of political-bureaucratic relations is really appropriate. In an age of highly technical problems, it may not make much sense for all policymaking to be the exclusive domain of legislators. In other words, do elected officials derive a greater benefit from bureaucrats who are purely responsive or from bureaucrats who share the official expertise in the policymaking arena? Those favouring neutral competence believe that the role of politics in administration should be limited, whereas those favouring responsive competence believe that political processes benefit from a bureaucracy that plays a more active role.

Taking the debate further, developments in recent years in our country have brought out many serious problems which relate to political, administrative and social spheres of public life. Today's society and polity are pluralistic. The new pluralistic society of institutions poses many political, social, economic and administrative challenges. Many perceive that institutions and administrative systems have suffered a great decline in India. The guiding concepts and shared values of our cultural and social

² *ibid*, p.14.

integrity seem to be missing from our lives. Governance has become difficult. The politician feels he does not have the required instrumentalities for effective implementation of public policies and programmes. The bureaucrat feels he is being used as a convenient means of achieving narrow party and sectarian objectives. The citizen is the major victim of this sad confusion and lack of mutuality and interface. There is need to discuss these issues to gain some clarity and hopefully, identify measures necessary for improving the situation.

The Indian polity as also the administrative systems are both passing through tough times. While a new economic agenda is being evolved and implemented the difficult political and social situation and the severe strains that the institutions of governance are undergoing have made our development tasks very onerous. It is widely perceived that political power and its instrumentality, administration, are not meshed and geared to serve the common citizen well. The ideals of service have become clouded; the equations have lost trust, complementarity and purpose. Practically most institutions of public life have got undermined. Everybody feels concerned. The problem is what can be done? The ship of the state has to be steered back to a coherent and purposive cause. The study as the title suggest looks at coalitions and its impact on federal governance, especially the functioning of bureaucracy vis-à-vis advent of coalition politics. With this as a backdrop, I will move onto the objectives of the study.

1.2 Objectives of the Study

As discussed earlier, the relationship between politicians and bureaucracy is a debatable one but at the same time it has attracted attention of academics from time to time. There have been various studies on this issue involving various dimensions and paradigms. This study intends to look afresh at various new aspects related to bureaucracy and politics. The study gains significance at a time when many strategic changes are taking place both in politics and governance. Changes in politics i.e., advent of coalitions and its impact on federal governance, political instability, etc and

changes in governance i.e., emergence of New Public Management, new role of state (steer not row), reform in bureaucracy catering to various needs of time have generated new and more intense attention to these issues.

The study begins with the traditional and modern theories of bureaucracy and then moves to the evolution of bureaucracy and coalitions in India. Attention will be given to bureaucracy-politics relationship involving some important aspects and dimensions.

Indian political system is a federal system, therefore it becomes pertinent to have an overview of the administrative set up. The federal dimensions of bureaucracy-politics need special attention as it constitutes the major portion of the study. The study involves case study of a federal state i.e., Uttar Pradesh. The objective of taking Uttar Pradesh as a case study is to obtain indepth analysis of the issues that arise in a specific context of functioning of bureaucracy vis-à-vis politics. Prominent issues would include, type of power sharing, administrative instability, transfers, corruption, emergence of coalitions etc.

The problem of appointments will be dealt in detail taking up issues like awards, punishment, kickbacks, caste factor, corruption etc. This would be followed by the empirical analysis of transfers and related issues in a specific period.

The latter part of the study would concentrate on the problematic areas and solutions. Administrative reforms have not taken place in India, as a result a serious thought on the issue of good governance along with the future of bureaucracy will be discussed.

The objectives of the study can be better represented in form of research questions.

Research Questions

The research design that will be used will attempt to understand the details of the various issues which have affected the administrative stability and its functioning in a federal polity. The research will also help in understanding the impact of political changes i.e., advent of coalition on

governance; an issue of great academic importance today. It should also provide insights of new dimensions of bureaucracy-politics which have come in recent times so as to enable all concerned to have a fresh and objective look.

Questions

1. How does advent of coalition and new types of power sharing affect the functioning of the bureaucracy?
2. What is the link between political instability and administrative instability.
3. What are the factors which play crucial role in affecting transfers.
4. To what extent the politicians and the bureaucracy work for the welfare of people or join hands for their own mutual benefit?
5. What is the perception of bureaucracy and politicians towards each other.
6. What are the changes or reform required to improve governance in a federal polity.

The aim and purpose of the study is the analysis of coalitions and their impact on federal governance through the answers to the above questions.

1.3 Methodology and Research Approach

This study envisions a research approach that involves usage of primary and secondary resources, supplemented by some empirical data. While some of the data needed for developing an overall framework was available with officials reports and other documentary sources, much of the data used is from secondary sources. The resources at Indian Institute of Public Administration (IIPA), New Delhi, Lucknow branch of the IIPA, Library of Jawaharlal Nehru University (JNU), World Bank Library were used for the study.

In order to have a meaningful empirical focus, Uttar Pradesh was taken up as a case study, keeping in view factors such as political and administrative set up. The study envisages an in-depth study of the issue in

Uttar Pradesh. The empirical data or field research includes informal discussions with some bureaucrats, politicians, citizens and research scholars.

This methodology was appropriate as it helped to capture the dynamics of the change process quickly. This methodology relies on multiple sources of information: informal interviews, observation, and analysis of documents.

Other Sources of Data:

Existing Empirical Studies on Bureaucracy and Politics

Apart from these works, journals like the Administrator, The Indian Journal of Public Administration were really helpful and provided valuable information and articles related to the study.

Oral Histories

There is a wealth of information collected from senior civil servants who have shaped and observed the changes that have occurred in past. Many of them though requested not to be quoted but their information was really an encyclopaedia on the study.

Official Documents

The Fifth Pay Commission Report, World Bank's Report, Appointment Department Report of Uttar Pradesh Government, Reports of Department of Administrative Reform and Public Grievances, Government of India and Government of Uttar Pradesh provided facts and other data which helped in analyzing the issue.

1.4 Theoretical Framework of Bureaucracy

'Bureaucracy is a giant mechanism operated by Pygmies'.

- Honore De Balzac *Epigrams*³

Modern society is marked by the predominance of formal organizations regulated by the bureaucracy. But much remains to be done

³ Andrew Heywood, *Politics*, New York: Palgrave, 1997, p. 339.

towards arriving at a better understanding of the concept of bureaucracy. A comprehensive definition of the term bureaucracy has been provided by Blau. According to this definition, "Bureaucracy is a type of hierarchical organization designed to accomplish large scale administrative tasks by rationalistic and systematic coordination of masses of individuals in a multiplicity of occupations."⁴

Bureaucracy is, in everyday language, a pejorative term meaning pointless administrative routine, or 'red tape'. In the social sciences, the concept of bureaucracy is used in a more specific and neutral sense, but refers to phenomena as different as rule by non-elected officials, the administrative machining of government, and a rational mode of organization. Despite disagreement about its location and character, it is generally accepted that abstract organization and rule-governed professional administration are features of bureaucracy.

The term 'bureaucracy' has been included in, but also contrasted with, the more general concept of administration. Sometimes this is done by seeing bureaucracy as a formal and impersonal mode of administration where administrators (the bureaucrats, the officials) have become the real rulers, arrogating to themselves privilege, power and control, and thus prejudicing, as Laski put it, the liberties of ordinary citizens or the power of their nominal ruler(s). Not only administrative forms or staff, but whole societies have been described as 'bureaucratic' on that basis.⁵

'Bureaucracy' is an overworked concept and often an unclear one. It is, as Martin Albrow has put it 'a term of strong emotives overtones and elusive connotations'.⁶ Albrow identified no fewer than seven modern concepts of bureaucracy:⁷

- bureaucracy as rational organization
- bureaucracy as organizational inefficiency
- bureaucracy as rule by officials

⁴ Peter M. Blau, *Bureaucracy in Modern Society*, New York: Random House, 1985, p.14.

⁵ Eugene Kamenka, *Bureaucracy*, Oxford: Basil Blackwell, 1989, p. 157.

⁶ Martin Albrow *Bureaucracy*, London: Macmillan, 1970, p. 13.

⁷ *ibid.*, pp. 84-105.

- bureaucracy as public administration
- bureaucracy as administration by officials
- bureaucracy as organization
- bureaucracy as modern society.

To some extent, these contrasting concepts and usages reflect the fact that bureaucracy has been viewed differently by different academic disciplines. Students of government, for example, traditionally understood bureaucracy in a literal sense to mean ‘rule by the bureau’, that is, rule by appointed officials. In *Considerations on Representative Government*, J.S. Mill therefore contrasted bureaucracy with representative forms of government, in other words, rule by elected and accountable politicians.⁸ Bureaucracy in this sense can be found not only in democratic and authoritarian states, but also in business corporations, trade unions, political parties and so on. Economists, on the other hand, sometimes, view bureaucracies as specifically ‘public’ organizations.⁹

The question of bureaucracy engenders deep political passions. In the modern period, these have invariably been negative. Liberals criticize bureaucracy for its lack of openness and accountability. Socialists, particularly Marxists, condemn it as an instrument of class subordination, and the New Rights, for its part, portrays bureaucrats as self-serving and inherently inefficient. In order to make sense of these various usages, these various usages, three contrasting theories of bureaucracy will be examined.

- bureaucracy as a rational-administrative machine;
- bureaucracy as a conservative power bloc;
- bureaucracy as source of government oversupply.

1.4.1 Rational – Administrative Model

The academic study of bureaucracy has been dominated by the work of Max Weber. It will be worthwhile here to have a look into the classical

⁸ Cited in Andrew Heywood, *Politics*, New York: Palgrave, 1997, p. 340.

⁹ *ibid.*, p.340.

model of 'legal rational' or 'ideal type' of bureaucracy developed by Max Weber, if only to see how some of the traits or elements held valid in the Weberian exposition hold good today, what value do they command, and what deviations are necessary in the new context.

The Weberian model can be regarded as basically a 'theoretical construction, an abstraction from reality, which serves as a frame of reference for social research into bureaucratic realities'.¹⁰ It is "virtually synonymous with rationality and objectivity in the administration of large scale organization."¹¹ Accordingly to Weber, a purely bureaucratic administrative organization is capable of attaining the highest degree of efficiency and is, in this sense, formally the most rational means of carrying out positive control over human beings, precision, speed, knowledge of files, continuity, unity, subordination, reduction of friction, and material and personal costs. These are raised to the optimum point in a strictly bureaucratic organization specially in its monocratic form.

Weber's theoretical postulates of bureaucracy typify the essence of legal rational authority. The whole administrative staff under the supreme authority consists of, in the purest type to individual officials who function according to the following criteria.¹²

- They are personally free and subject to the authority only in respect of their impersonal official obligations.
- They are organized in a clearly defined hierarchy of offices.
- The office is filled by a free contractual relationship. There is free selection.
- Candidates are selected on the basis of technical qualifications. They are appointed; not elected.
- Each office has a clearly defined sphere of competence in the legal sense.

¹⁰ Bran A. Van, *Bureaucracy* (Mimeo) cited in Bata K. Dey, *Bureaucracy, Development and Public Management in India*, New Delhi: Uppal Publishing House, 1980.

¹¹ Sayre S. Wallace, "Bureaucracies: Some Contrasts in Systems", *The Indian Journal of Public Administration*, vol. X, no. 2, 1964.

¹² Max Weber, *The Theory of Social and Economic Organizations* (Translated) A.M., Henderson and T. Parsons, New York: The Free Press, 1968.

- They are remunerated through fixed salaries, for the most part with a right to pension.
- The office is treated as the sole, or at least the primary occupation of the incumbents.
- It constitutes a career; and has a system of promotion.
- The official work is entirely separated from the ownership of the means of administration and without appropriation of his position.
- He is subject to strict and systematic discipline and control in the conduct of the office.

These theoretical postulates evolved by Weber have been the starting point of the exposition and formulation of the theory of bureaucracy. After his contributions some of the sociologists have joined issues with him. Sociologists like Etzioni and Talcott Parsons have used the term organization instead of bureaucracy. Etzioni prefers the term organization to bureaucracy because the latter has more of a negative connotation for the beneficiary whereas the term organization is more on the neutral side¹³. Parsons treats organization as subsystem of a bigger social system. These subsystems are constructed and reconstructed to acquire certain goals which are in tune with the bigger social systems.¹⁴

For Weber, bureaucracy was nothing less than the characteristic form of organization found in modern society, and, in his view, its expansion was irreversible. Not only was this a result of the technical superiority of bureaucracy over other forms of administration, but it was also a consequence of significant economic, political and cultural developments. The development of bureaucratization was closely linked to the emergence of capitalist economies, in particular, to the greater pressure for economic efficiency and the emergence of large-scale business units. The development of the modern state, and the extension of its responsibilities into the social

¹³ Amitai Etzioni, *Modern Organization*, Eaglewood Cliffs, New Jersey: Prentice Hall, 1964.

¹⁴ Talcott Parsons, *Structure and Process in Modern Societies*, Glenoe, Illinois: The Free Press, 1960.

and economic spheres, also led to the growth of powerful government bureaucracies.

In Weber's view, the growth of bureaucratization was further stimulated by the pressures of democratization, which weakened ideas such as tradition, privilege and duty, and replaced them with a belief in open competition, and meritocracy. He believed that the process of 'rationalization' would ensure that all industrial societies, whether nominally capitalist or communist, would increasingly resemble each other as they adopted bureaucratic forms of administration.

Weber was nevertheless aware that bureaucracy was a mixed blessing. In the first place, organizational efficiency would be purchased at the expense of democratic participation. Bureaucratization would strengthen hierarchical tendencies, albeit ones based on merit, meaning that command would be exercised from above by senior officials rather than from below by the masses. This would destroy the socialist dream of a dictatorship of the proletariat, which, Weber (accurately, as it turned out) predicted, would develop into a 'dictatorship of the official'. In this respect, Weber drew conclusions similar to those of his friend Robert Michels, who developed the iron law of oligarchy on the basis of his study of political parties.

However, Weber was less pessimistic than Michels about the prospects for liberal democracy. Although he recognized the tendency of bureaucrats to seek the perpetuation of bureaucracy and to exceed its administrative function, he believed that this could at least be resisted through the use of liberal devices such as electoral competition and institutional fragmentation. The other potential danger that Weber highlighted was that the domination of the bureaucratic ideal could bring about a 'pigeon-holing of the spirit' as the social environment became increasingly depersonalized and mechanical. Reason and bureaucracy could therefore become an 'iron cage' confining human passions and individual freedom.

Max Weber treats Bureaucracy as the most appropriate means of administrative functioning. But it has been felt that in practice this is neither

feasible nor necessary, except perhaps in military organizations. Over emphasis on rules and regulations raises the possibility of the displacement of goals.¹⁵ Blau argues that a bureaucratic system perpetuates ritualism. This tendency of ritualism grows due to a feeling of insecurity and fear of superiors among subordinates.¹⁶ Lipset while discussing bureaucracy observes that bureaucrats have their own vested interests in the existing legal order, and therefore are resistant to change. This is where bureaucracy is attacked as an impediment both to democracy, and more particularly to change.

An important point of criticism which emerges from Merton's discussion is that while bureaucracy emphasizes a rational and secondary relationship between functionaries and beneficiaries, the beneficiaries who are to be served by the bureaucracy want to establish a primary group relationship with the bureaucrats so that they can get things done. Yet another shortcoming of the bureaucratic system is that very often it is difficult to pin down responsibility on any particular individual. And the irony of it is that the bureaucracy can turn down any programme of reform when it does not want to accept it by refusing to act immediately. It tries to serve its own interest and for this a general slackness in the system becomes part of its functioning.¹⁷

In addition to these criticism of bureaucratic functioning the Weberian model has been questioned for being a theory per se.¹⁸ Hall observed that it is presented as a finished tool where as it is a set of hypothesis to be verified by empirical findings.¹⁹ The attributes need to be first established before accepting as a universal model. Another criticism which appears to be very relevant in the context of the present study is that

¹⁵ R.K. Merton, *Bureaucratic Structure and Personality in Reader in Bureaucracy* (ed., R.K. Merton), The Free Press, 1952, pp. 361-377.

¹⁶ Peter M. Blau, *Bureaucracy in Modern Society*, New York: Random House, 1956.

¹⁷ Seymour M. Lipset, *Bureaucracy and Social Change*, in Reader in Bureaucracy (ed., R.K. Merton) The Free Press, 1959, pp. 321-332.

¹⁸ Stanley H. Udy, "Bureaucracy and Rationality in Weber's Organization Theory: An Empirical Study", *American Sociological Review*, vol. 24, 1959, pp. 415-418.

¹⁹ R.H. Hall,, "The Concept of Bureaucracy – An Empirical Assessment", *American Journal of Sociology*, vol. XIX, 1963, pp. 32-40.

the Weberian model is preoccupied with only the formal, instituted aspects of bureaucracy and ignores the informal relations and unofficial patterns which develop within the formal framework.

Thus, it is obvious, that the Weberian model is not accepted universally. The bureaucratic pattern has been considered to be especially repugnant in a democratic set up. Blau²⁰ for example has criticized bureaucracy for unduly concentrating power and being responsible for undermining democracy. Similarly Damle²¹ observes that it would not be desirable to have a technocratic rule in a democracy, particularly when modernization and social change are the goals. Democratic process requires that people should be involved in the new changes in all walks of life.

In a democratic set up, it is desirable that the bureaucracy be more sensitive to people's needs and criticism. A healthy communication pattern has therefore to be built within the system, and with the beneficiaries. Under the conditions, the bureaucratic model would be more open and flexible behaviorally.²²

Power-Bloc Model

The view of bureaucracy as a power block stems largely from the socialist analysis, and particularly from Marxism. Although Marx developed no systematic theory of bureaucracy in the manner of Weber, the outlines of a theory are discernible in his writings. Rather than seeing bureaucracy as a consequence of the emergence of a complex industrial society, Marx linked it to the specific requirements of capitalism. He was thus concerned less with bureaucratization as a broader social phenomenon, and more with the class role played by the State bureaucracy. In particular, he saw the bureaucracy as a mechanism through which bourgeois interests are upheld and the capitalist system defended.

²⁰ Peter M. Blau, *Bureaucracy in Modern Society*, New York: Randon House, 1956.

²¹ Y.B. Damle, *A Framework for the Study of Bureaucracy in Pubic Services and Social Responsibility* (ed., S.C. Dube), Vikas Publishing House: New Delhi, 1979, p. 17.

²² Damle, op cit., pp. 17-20.

This analysis of class biases running through the state bureaucracy has been extended by neo-Marxists such as Ralph Miliband. Particular attention has been paid to the capacity of senior civil servants to act as a conservative veto group that dilutes, even blocks, the radical initiatives of socialist ministers and socialist governments. As Miliband put it, top civil servants 'are conservative in the sense that they are, within their allotted sphere, the conscious or unconscious allies of existing economic and social elites'.²³

According to Andrew Heywood, Miliband believed that the most important factor reinforcing the conservative outlook of higher civil servants in their ever-increasing closeness to the world of corporate capitalism. This has been a consequence of growing state intervention in economic life, ensuring an ongoing relationship between business groups and civil servants, who invariably come to define the 'national interests' in terms of long term interests of private capitalism. The implication of this analysis is that, if senior bureaucrats are wedded to the interests of capitalism, a major obstacle stands in the way of any attempt to achieve socialism through constitutional means.

One of the flaws of the Marxist theory of bureaucracy is that it pays little attention to the problems of bureaucratization in socialist systems. For Marx and Engels, this problem was effectively discounted by the assumption that the bureaucracy, with the state, would 'wither away' as a classless, communist society came into existence. This left Marxism open to criticism by social scientists such as Weber and Michels, who argued that bureaucracy is a broader social phenomenon, and one that the socialist emphasis on common planning could only strengthen. The experience of twentieth century communism made it impossible for Marxist thinkers to continue ignoring this problem.

The most influential Marxist analysis of post-capitalist bureaucracy was developed by Leon Trotsky. In the *Revolution Betrayed* (1937), Trotsky

²³ Heywood, op cit, p. 342.

highlighted the problem of 'bureaucratic degeneration'.²⁴ In his view, a combination of Russian backwardness and the proletariat's lack of political sophistication had created conditions in which the state bureaucracy could expand and block further advances towards socialism. While Trotsky saw the bureaucracy as a social stratum, that could be removed by a political revolution, the Yugoslav dissident (and former colleague of Marshal Tito), Milovan Djilas (1911-95) portrayed it as a 'new class'. For Djilas (1957),²⁵ the power of the bureaucracy in orthodox communist regimes stemmed from its control of productive wealth, and this meant that communist social systems increasingly resembled a form of state capitalism.

1.4.2 Modern Approach: Bureaucratic Oversupply Model

The idea that critics of bureaucracy come exclusively from the left has been overturned by the emergence of rational choice and public choice theories. These have had considerable impact on the New Right, and in particular have helped to shape its views about the nature of the state and the emergence of 'big government'. Central to this model of bureaucracy is a concern with the interests and motivations of bureaucrats themselves. Rational choice theory is based on the same assumptions about human nature as those in neo-classical economics, that is, that individuals are rationally self-seeking creatures or utility maximizers. Public choice theory, particularly prominent in the USA and associated with the Virginia School of political analysis, applies this economic model of decision-making to the public sector.

In *Bureaucracy and Representative Government* (1971),²⁶ William Niskanen argued that senior bureaucrats, regardless of their image as public servants, are primarily motivated by career self-interests and thus seek an expansion of the agency in which they work and an increase in its budget. This is because bureaucratic growth guarantees job security, expands promotion prospects, improves salaries, and brings top officials greater

²⁴ *ibid.*, p. 343.

²⁵ *ibid.*, p. 343.

²⁶ *ibid.*, p. 343.

power, patronage and prestige. For the New Right, the ability of appointed officials to dictate policy priorities to elected politicians goes a long way towards explaining how state growth has occurred under governments of very different ideological complexions. Similarly the image of bureaucrats as nature's social democrats has important implications for New Right governments intent on rolling back the frontiers of the state. They believe that, quite simply, unless bureaucratic power can be checked or circumvented, any attempt to pursue free market policies is doomed to failure.

This New Right critique also focuses attention on the non-market character of state bureaucracies, and draws an unflattering comparison between private-sector and public-sector bodies. In this view, private-sector bodies such as business corporations are structured by a combination of internal and external factors. The principal internal influence on a business is the quest for profit maximizations, which impels the firm towards greater efficiency through the exertion of a constant down-ward pressure on costs. Externally, businesses operate in a competitive market environment, which forces them to respond to consumer pressure through product innovation and price adjustment.

In contrast, bureaucracies are not disciplined by the profit motive. If costs exceed revenue, the tax payer is always there to pick up the bill. Similarly, state bureaucracies are usually monopolies, and are therefore, in no way forced to respond to market pressures. The result is that bureaucracies (in common with all public-sector bodies) are inherently wasteful and inefficient. This 'private, good; public bad' philosophy of the New Right not only dictates that state bureaucracies should be scaled down, but also that, when this is not possible, private-sector management techniques should be introduced.

Critics of public choice theory usually argue that it is flawed because it abstracts the individual from his or her social environment. A conservative value bias, so the argument goes, is built into the theory by the assumption that human beings are always rationally self-interested. Others, however,

have used a public choice approach but reached very different conclusions. Dunleavy²⁷ (1991), for example, argued that if individual bureaucrats are rational actors, they are more likely to favour bureau – shaping strategies than as conventional public-choice theory suggests, budget-maximizing ones. Clearly, top officials concerned about bureau-shaping would operate in a very different way from the empire builders of New Right demonology. As an extension of the modern approaches, it will be fruitful to look at New Public Management which represents a powerful critique of Weber’s ideas about bureaucracy.

New Public Management

‘Government is not the solution to the problem, government is the problem’.²⁸ This famous declaration by Ronald Reagan is one inspiration behind the New Public Management (NPM), a creed which swept through the Anglo-American world of the public administration in the final decades of the twentieth century.

The best way to approach New Public management is to consider Osborne and Gaebler’s *Reinventing Government* (1992) an exuberant statement of the new approach. Substituted ‘how the entrepreneurial spirit is transforming the public sector’, this American best seller outlined ten principles which government agencies should adopt to enhance their effectiveness.

Steer, don’t row! Osborne and Gaebler’s 10 principles for improving the effectiveness of government agencies.

- Promote competition between services providers
- Empower citizens by pushing control out of the bureaucracy into the community.
- Be driven by goals, not rules and regulations.
- Redefine clients as customers and offer them choices – between schools, between training programmes, between housing options.

²⁷ *ibid.*, p. 344

²⁸ cited in Rod Hague and Martin Harrop, *Comparative Government and Politics*, New York: Palgrave, 2001, p. 264-265.

- Prevent problems before they emerge, rather than offering services afterwards.
- Earn money rather than simply spend it.
- Decentralize authority and embrace participatory management.
- Prefer market mechanisms to bureaucratic ones.
- Catalyze all sectors – public, private and voluntary into solving community problems.

The underlying theme in such anecdotes is the gains achievable by giving public servants the flexibility to manage by results (that is, 'managerialism'). And the significance of this, in turn, is the break it represents with Weber's view that the job of a bureaucrat is to apply fixed rules to cases. The rise of New Public Management and the contract culture is one reason why the accountability of public officials has become more complex. When something goes wrong with a service provided by an agency operating under contract to government, who should take the blame: the supplier or the department?

The complexities of accountability in a reformed civil services lead some critics to suggest that 'a huge hole now exists in the operations of British democracy' (Campbell and Wilson, 1995, p. 287).²⁹ Public servants are becoming more responsive downwards, to their users, and also more open to scrutiny from alternative political authorities, such as parliamentary committees. Probably, these developments represent a change in accountability rather than a decline. Control is melting away from the minister's office to a diffuse set of agencies and their clients. Weber's hierarchy of control based on direct provision by departments is giving way to a looser network based on persuasion rather than order giving. Governance is replacing government.

²⁹ *ibid.*, p. 265.

1.5 Survey of Literature

The study involves two important aspects, viz., coalitions and federal governance. Therefore it was pertinent to use literature which provided in-depth analysis of these two aspects. In this endeavour, I used Balveer Arora's article "Negotiating Differences: federal coalitions and national cohesion" in Francine, R. Frankel; Zoya Hasan; Rajeev Bhargava; Balveer Arora (eds.) book *Transforming India- Social and Political Dynamics of Democracy*. The article provides loads of information on coalitions and makes an attempt to evaluate coalition governments and their significance in the Indian context through an analysis of the coalitional experience that followed the 1998 Lok Sabha elections.

Another article by Balveer Arora, "The Political Parties and the Party System: The Emergence of New Coalitions" in Zoya Hasan (ed) book *Parties and Party Politics in India* also provided information on one of the most important change in Indian politics i.e. advent of coalitions. The article looks at the various stages in development of the party system and their impact on political institutions. The article is significant as it gives some reflections on the emergence of new coalitions.

It was felt that looking at earlier studies on bureaucracy and politics would increase the rationality of the work, study, hence attempt were made to study relevant works. C.P. Bhambhri's book, *Bureaucracy and Politics in India* is a pioneer study which provided a great deal of support..

In the book Bhambhri looks at framework of the bureaucracy-politics interaction at the apex level in India. The book provides a descriptive background of the political and administrative system as it exists in India. The book helped me in understanding the bureaucratic system at national level and also its relationship with politicians. Bhambhri takes up various questions related to bureaucracy and politicians and also seeks to answer them. This provided me various aspects of bureaucrat-politician relationship which helped in taking up fresh issues for the study.

In the book, Bhambhri has made it clear that in developing society formal institutional set up is not enough to control bureaucracy. It must be

stated very clearly that the position of the author is not anti-bureaucracy, but he believes that bureaucracy must function under the complete control and directions of the political leadership. This is an interesting issue, which will be taken up in the course of this study.

An important empirical investigation has been made in the book, *The Changing Role of the All India Services* (editors, Balveer Arora and Beryl Radin). The book is the result of an empirical study undertaken by Centre for Policy Research. The book tries to answer the challenge to the working of Indian federal constitution posed by the administrative system. This particular work helped me in taking up federal dimension of bureaucracy-politics relationship.

In the study, I have taken Uttar Pradesh as a case study to obtain an in-depth understanding of the issues that arise in a specific context of functioning of bureaucracy vis-à-vis politics. In this context, T.N. Dhar's various works have been really helpful. The book *2000 And Beyond: Challenges of Governance in India* discusses various debates revolving around the complex problems of governance and administration. The chapter, Indian Administrative Service in Uttar Pradesh provides lot of resourceful information on bureaucracy and politics in Uttar Pradesh. The Chapter deals with various aspects of bureaucracy viz., transfers, corruption, bureaucrat-politician relationship, role of caste and other factors.

The Citizen, the Bureaucrat and the Politician an edited book by T.N. Dhar is a compilation of different articles relating to the relationship between bureaucrat and the politician. The arguments in the book helped me in the endeavour of analyzing the bureaucrat-politician relationship to great extent.

An in-depth understanding of relationship between the politician and the administrators was provided in the book, *Relations Between Politicians and Administrators at the District level* by Shanti Kothari and Ramashray Roy. The book presents empirical study at district level in great detail.

The study also envisages to look at the modern approaches to bureaucracy. In this effort the book, *Reinventing Government* by Osborne

and Gaebler was used. The book gives a new approach in new public management where government has been advised to steer and not row to meet the challenges. The ten principles for improving the effectiveness of government agencies are important and can be incorporated in Indian context. Apart from these, several others books and articles have been used for this study.

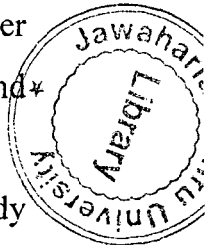
1.6 Chapterization

Though coalitions and federal governance is a dynamic concept, the present study is an attempt to analyse advent of coalitions in Indian politics and its impact on federal governance. The first chapter introduces the objectives of the study and discusses the theoretical framework of bureaucracy. The survey of literature in the same chapter surveys some of the important articles and books related to coalitions and governance. The second chapter provides a descriptive background of the evolution of the bureaucracy and coalitions in India. The chapter also discusses the change in politics and its impact on the functioning of the bureaucracy. The chapter takes up an important phase of Indian democracy i.e., emergency period and tries to explore new dimensions in bureaucracy-politics relationship.

In chapter three, an investigation has been made involving case study of Uttar Pradesh. The study as already mentioned looks at the various dimensions of bureaucracy-politics relationships at federal level. Therefore, Uttar Pradesh was picked up for this purpose as Uttar Pradesh provides ample opportunities to investigate the various dimensions. The other reason is that Uttar Pradesh is a politically volatile state and manifests the changes in politics in a way which is reflective of India. The period taken for study is 1989-2004. This was done as 1989 was beginning of coalition era and administrative instability. Emphasis is given to the period 1997-2004 to make the study focused.

Chapter four is an extension of chapter three and is completely devoted to study transfers as an instrument of control. The chapter is very

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interesting as it examines the politics of transfers, the basis of transfers; caste, party purposes, monetary factor etc.

Chapter five, titled Reinvigorating Governance takes up the problems relating to governance and discusses the agenda for good governance. The last chapter sums up the study. It involves the findings of the study i.e., how emergence of coalitions have affected federal governance. An attempt has been made to keep the normative predilections away while analyzing the issues, but unconscious intermeshing of normative and analytical exercise might have happened.

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CHAPTER – II

COALITIONS AND GOVERNANCE IN INDIA

2.1 Coalitions: An Analysis

Changes in the party system have profoundly altered the working of the Constitution over the last fifty four years. They have transformed the functioning of state institutions. In fact, it is well recognized that the political process, which is principally animated by political parties, is a powerful instrument of constitutional change believes Balveer Arora.

According to Arora, in the development of the party system, federal nationalism has played a major role. As a concept, it arises from the linkages of nationalism with democracy on the one hand, and with federalism on the other. The end of congress party dominance and the lack of clear single-party majority since the assassination of Indira Gandhi in 1984 ushered in an era of coalition politics in the context of a fragmented party system. The growth and increased prominence of state-based or regional parties introduced a new element in the working of the federal system.¹ The situation is best described by Balveer Arora:

“The difficulties of building and sustaining coalitions have been accorded considerable significance in the theorization on federal solutions to the problems of diverse societies. Federal coalitions differ in important ways from other strategies for power –sharing through coalitional means, such as caste/class or religious coalitions. They seek to reconcile territorially-based identities within a cohesive frame even in the absence of shared ideologies”.²

The coalitional experience in India clearly reveals that most state-based parties have risen to prominence by building anti-Congress coalitions.(eg. in Uttar Pradesh, details in next chapter). According to Arora,

¹ Balveer Arora, “Political Parties and the Party System: The Emergence of New Coalitions” in Zoya Hasan (ed) *Parties and Party Politics in India*. Oxford University Press, New Delhi, 2002, pp.504-505.

² Balveer Arora, “Negotiating Differences: federal coalitions and national cohesion” in Francine, R. Frankel et al, *Transforming India-Social and Political Dynamics of Democracy*, Oxford University Press, New Delhi, 2000,p.176.

“the fragmentation of parties for reasons which are sometimes ideological but frequently not is one of the major developments of the last few decades. One of the mainsprings of this fragmentation has been the articulation of interests by state based parties”.³

Coalition as a principle was not part of Indian politics. Political parties were left with no option but to have coalition to garner power. There is also question of political stability which remains a puzzle. The point is whether coalitions can produce stable government. The National Democratic Alliance (NDA) which is a coalition of many parties did complete its term in the 13th Lok Sabha. One of the most significant shift in Indian party system has come from Congress, which never believed in coalitions, but the necessity (i.e. fragmentation of party system) forced Congress to adopt coalition as a political strategy. At present (2004 general elections, 14th Lok Sabha) the Congress is heading the coalition government i.e, United Progressive Alliance (UPA). Here it is important to note according to Balveer Arora:

“coalitions are likely to remain unstable till such time as one of the core coalition-making parties adopts the coalitional strategy on a durable basis as a deliberate political option. As long as both view them as transitory arrangements in the chimerical quest for single-party majority, they will fall prey to the power maximization calculations of smaller partners who will quite naturally take full advantage of the situation. The cycle of repeated elections and elusive majorities can only be broken by bold reorientations”.⁴

Post 2004 general elections, Congress led UPA government has provided an alternative to BJP led NDA. It is in this light that one can say that coalitions are there to stay in India and is finding accommodation within Indian political system. The issue of coalitions at federal level will be dealt in next chapter.

³ *ibid.*, pp. 181-182.

⁴ *ibid.*, p.200.

2.2 Bureaucracy in India

Bureaucracy is the 'great fourth branch' of our democratic system. For success of our democracy, it has a major role to play. With the passage of time, this has attracted attention of various sections of the community-politicians, sociologists, political scientists, and the civil servants themselves.

The origin of Indian bureaucracy can be traced to the day of feudal kings of Hindu mythology. The kings and feudal lords had their small army of officials who were engaged in defending their boundaries and collection of revenue. These functions are found to be discharged in an organized way during the days of king Ashoka, who maintained a galaxy of civil servants for administration of his empire. The 'Rajukas' maintained peace and collected revenue under provincial governors. This system was also adopted by Guptas. But Sher Shah gave up this provincial governor system and instead divided his empire into various circles like those of modern districts, under one officer, each directly responsible to the headquarters. During Akbar's rule, this system was done away with because he found it impossible on his part to confront the districts directly from the headquarters. He, therefore, introduced the system of governorship that was in existence during Ashoka's time.

During the rule of the East India company, another system for stable government was developed. Warren Hastings adopted Sher Shah's system of district governors and posted European officers as head of the districts. For a short period, this system was given up and was again reintroduced in 1781 with the addition of the provincial revenue councils to control the activities of the district officers. Final shape was given to it by Lord Cornwallis, who made the districts as definite units of administration. After the Sepoy mutiny, when administration of India was taken over by the British Empire, the civil service became a powerful force to discharge governmental functions and tried to preserve, protect and defend the empire. Lord

Macaulay first introduced the system of recruitment of civil servants through competitive examination in India in 1853. The main function of the civil servants in early British days was collection of revenue and maintenance of law and order. Hardly any major development works were taken up and hence the functions of civil servants and their retinue were practically very limited.

According to Basudev Panda, but immediately after independence, the civil servants in the country along with their subordinates had to bear terrible stresses and strains. The immediate problem before them was to deal with communal riots that took place owing to partition of India. They immediately faced number of challenges, like smooth conduct of elections, census etc. They could, of course, prove their worth in dealing with the historic changes but soon after the rot started. Men of straw wanted to become men of power because of their sacrifice in the freedom movement. Everybody wanted to scale the ladder to be leader of the people by enhancing the poor peasantry, by convincing them through animated speeches and gesticulations his chivalry in pushing out the British from the Indian soil. These were the people who were to control the civil servants and the results was a widespread confusion and the civil servant with his retinue, one step below the line, began to behave differently. The new masters started interfering in the administration and compelled the civil servants to work in a different fashion. The result was widespread degeneration of the standard of efficiency in administration.⁵

2.2.1 Bureaucracy in a Federal Polity

After independence the structure of civil services underwent a change. Three types of services viz., All India Service, Central Services and state services were created. Two All India services existed even before the

⁵ Basudev Panda, *Indian Bureaucracy*, Uppal Publishing House, New Delhi, 1978, pp.1-7.

dawn of the independence. They were the Indian Civil Service and the Imperial Police.

All India Services

Sardar Patel, the architect of modern India, spoke in favour of All India Services i.e., after the independence a question arose as to whether all India services be disbanded or retained; thus Patel said:

“It is not advisable but essential if you want to have an efficient service, to have a Central Administrative Service in which we fix the strength as the provinces would require them and we draw a certain number of officers at the Centre, as we are doing at present. This will give experience to the personnel at the centre leading to efficiency and administrative experience of the District which will give them an opportunity of contact with the people. They will thus keep themselves in touch with the situation in the country and their practical experience will be most useful to them. Besides, their coming to the centre will give them a different experience and wider outlook in a larger sphere. A combination of these two experiences would make the services more efficient. They will also serve as a liaison between the provinces and the government and introduce certain amount of freshness and vigour in the administration both at the centre and provinces”.⁶

It was decided not to make further recruitment to the ICS and IP but two new analogue services called the Indian Administrative Service and Indian Police Service were established in 1949. The framers of the constitution inserted a special provision on All India Services in the Constitution Article 312 states that:

“... if the council of states has declared by resolution supported by not less than two-thirds of the members present and voting that it is necessary or expedient in the national interest so to do, Parliament may by law provide for creation of one or more All India Services (including an All India Judicial Service) common to the Union and the States...”⁷

The main objectives of the founding fathers in providing for the All India Services were:

- to facilitate liaison between the Centre and the states.

⁶ Government of India, Ministry of Finance, *Fifth Central Pay Commission Report*, 1997, p.512.

⁷ See P.M. Bakshi, *The Constitution of India*, New Delhi: Universal Law Publishing Company Private Limited, 2002, p. 269.

- to maintain certain level of uniformity in standards of administration.
- to enable the administrative machinery at the Union level to keep in touch with the ground realities in the states.
- to help the state administrative machinery to acquire a broader outlook and exposure and provide them with the best possible talent for manning senior position; and
- to ensure that political considerations, either in recruitment or in discipline and control were reduced to the minimum, if not eliminated altogether.

How for these objectives have been attained is the crucial point. We have travelled a long distance from the time when H.A.L. Fisher could confidently declare that the Indian Civil Service “is the Government of India”. Even though the Indian Administrative Service (IAS) has been described as the direct successor of the ICS, and while in some critical aspects, major components of the ICS structure were bequeathed to the IAS, it had from its very inception to work in a vastly changed politico-administrative environment. Thus, whatever may have been the inclinations and self-perceptions of individual members of the IAS, they had to, and they did, come to terms with the basic political reality of the federal democracy underlying the Constitution of India.⁸

According to G.K. Arora, the federal solution to the problems of political governance of independent India was in the minds of the founding fathers, linked powerfully with constitutional mechanism that would prevent any subversion of the design of national unity. The concept of federalism, as it has found expression in our Constitution, has been criticized from different standpoints. Moreover, in addition to the theory of Indian federalism, the practice of Indian federalism itself has been attacked in

⁸ G.K. Arora, “The All India Services and Federalism : New Equations”, in *The Changing Role of the All India Services* (eds.), Balveer Arora and Beryl Radin, Centre for Policy Research, New Delhi, 2000.

stronger terms as a major betrayal of the promise of the autonomy of the states constituting the union.

There has been a gradual but definite change in the character of the AIS. The change is essentially a reflection of the seamy political culture of the country. During the Nehru era, the AIS were in the process of adjusting themselves to the nationalistic ideals of its leaders and the aspirations of the people for progress and development. There was, on the whole, good rapport between the minister and the bureaucrat. "National leaders who were at the helm... conducted the affairs of the Government with great vision and wise statesmanship and set down patterns of conduct and inter-relationship between the political leadership in Government on the one side and the civil service on the other. Though not precisely defined, their respective roles were mutually understood fairly well and followed in practice. While the civil services had the benefits of lead and guidance in policy from the political leadership having in view the expectations and aspirations of the public, the practical masters had the benefit of professional advice from the civil services regarding the different dimensions of the problems they had to solve."⁹

Unfortunately, however, by the time Jawaharlal Nehru died, the rot had already set in. The 1967 general elections, when the Congress was ousted from power in eight states, proved to be a turning point.¹⁰ At this point it is important to look at thrust areas of bureaucracy politics-relationship.

2.2.2 Thrust areas in Bureaucracy-Politics Relationship

The nature of relationship between the two important institutions of a polity, that is, political leadership and administration, has very significant

⁹ Government of India, Ministry of Home, Second Report of *The National Police Commission*, 1982, p.20.

¹⁰ Prakash Singh, "All India Services: Dilemmas of Change", in *The Changing Role of the All-India Services*: eds. Balveer Arora and Beryl Radin, Centre for Policy Research, New Delhi, 2000.

bearing on systematic goal gratification in emerging nations like India. The relationship between the administrator and the politician in a country like ours has rarely been explored. The study shows to what extent, in the absence of a meaningful analysis, the relationship assumes the character of blind men describing the elephant.

Relationship between politicians and bureaucracy is a much talked about and hotly debated subject. I am, further, confining myself with the higher civil service at the level of policy making in constant interaction with the political executive democratically chosen and in position as a government. While, deliberating upon the subject, we should keep in a mind that ours is a functional democracy with a written Constitution as its charter. In constitutional theory and by established conventions it has an independent role protected by constitutional provisions to ensure its security of service.

The conventional concept of the relationship between the administrator and the politician visualizes such a relationship purely in terms of a neat division of labour between the two: the politician formulates the policy and the administrator executes them. In the process of decision-making and implementation – collection of facts, formulation of policy alternatives etc., - the administrator is supposed to be objective, impartial and neutral. The conventional maxim insists that ultimately determination of public policy is the responsibility of political leaders. It aims to hold administration to an instrumental role. Whatever merit this maxim may have as a statement of behavioural norms, it fails absolutely to guide the behaviour of either the administrator or the politician in complex situations of interaction between the two.

According to Shanti Kothari and Ramashroy Roy, apart from the fact that the changed context in which bureaucracy has to operate means the acquirement of new orientations, new motivations, new commitments, and new workways, a changed relationship with political leaders who claim to have a stake in developmental plans is also indicated. It is true that the realm

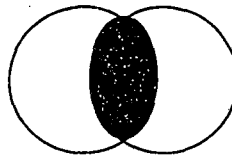
of the bureaucrats and that of the politician differ in many respects. However, the nature of relationship between them depends on the types of normative referents each of them feels himself bound to take into account while adopting a course of action and how each defines his role in regard to the institutional set-up he operates in as well as in relation to the person occupying the counter-position. To be more precise, as Kothari and Roy notes, it can be hypothesized that an administrator, who feels himself too much bound by the legal rational norms of bureaucracy, will tend to define his role in terms of a functionary whose official conduct must reflect his abounding faith in the rightness of bureaucratic standards for his behaviour. In other words, such an administrator is likely to interpret his role as strictly following administrative rules and regulations in handling particular situations.

It is not unlikely he will be rigid, officious and conservative in performing his role. This role conception is most likely to incline him to visualize the role of the politicians as subordinate to that of the administrator, if not superfluous. As a consequence, his relationship with the politician is likely to be characterized by misunderstanding, distrust and conflict.

According to Kothari and Roy, similarly, the politician may be inclined to view his own role as a superior to that of the administrator and, as such, may not think it improper to exploit administrative structure for furthering partisan and parochial interests. And, if his commitment to democratic norms is weak or he gives his allegiance to undemocratic principles, it can be expected that he will have little respect for administrative procedures. Further, even if he is not moved by the considerations of furthering partisan and parochial concerns, he is likely to be stand-offish, impatient, uncooperative, and intolerant in his dealings with the administrator. Admittedly this conception of politician role is least

conducive to a good working relationship between the politician and the administrator.

As Kothari and Roy says, it should be enough to show the importance of exploring and examining the normative referents and role perception of both the administrator and the politician for a better understanding of their relationship. It should, however, be emphasized here that what we are interested in is not the totality of conception of one's role but only that part of one's role that has relevance for the relationship between the administrator and the political leader. This can be shown as below.



**Diagram Showing the Area of Interaction between
the Administrator and the Politicians**

Source: Shanti Kothari and Ramashroy Roy, *Relations between Politicians and Administrator at the District Level*.

According to Kothari and Roy, both the administrator and the politician have their separate universe of role-sets. When they interact, only a part of their role universe becomes relevant for relationship between the administrator and the political leader. Normative referents, conceptions of role and reciprocal image perceptions provide us only with those elements that help us in identifying the contours that interaction between administrators and political leaders may take. They did not allow us to definitely ascertain the nature of such interaction. What they allow us to say is: given the dispositions administrator and political leaders manifest towards their own roles as well as towards each other, their interaction is likely to be of such and such character. On the basis of these, we cannot say whether it is so. The relationship between bureaucrats and political leaders has, however, a behavioural dimension. That is, both interact in concrete situations and their relationship is also influenced by the

kinds of problems and demands political leaders bring to administrators, the pressures and the way administrators respond and react to political leader's demands and pressures.¹¹

There are different school of thought having their view on the relationship between bureaucrats and politicians. One school of thought subscribes to the framework of mutually supportive working relationship between the political executive and the senior bureaucrats. The advocates of this view feel that the bureaucrats has a very crucial role in apprising the Minister with the structure, working principles, priorities and urgent policy matters of the Ministry in an appropriate manner not creating any impression that the senior bureaucrat was there to teach the Minister. Secondly, the senior bureaucrats has to advise the Minister about the administrative implications and the desirability of the political programmes, ideas and initiatives that the Minister would be cherishing as per his party's political agenda. The basic feature of this theme of thinking is that unless the minister is clear about what the issues are and what the available options are, he cannot possibly take the right decisions. The final responsibility for the decision lies with the Minister. The Minister should not subsequently get away with it, if things go wrong, by saying that the senior bureaucrats or the secretary misled him. If the Minister shirks this final responsibility the system cannot function. Similarly, once a decision is taken by the Minister, then it becomes the duty of the bureaucrat to forget his own reservations, if any, and implement the decision faithfully. Another prominent school of thought, however, does not share this view. They hold the view that the administrative culture of more recent years is widely believed to be different. There is a general feeling that though formally the bureaucracy is only an instrumentality for carrying out the wishes of the political executive, in reality it is the true centre of power. Behind the façade of the

¹¹ Shanti Kothari and Ramashray Roy., *Relations between Politicians and Administrator at the District Level*, Indian Institute of Public Administration and the Centre of Applied Politics, New Delhi, 1969.

constitutional fiction of an obedient servant the bureaucrat singly and collectively is the real decision maker.

There is also a view that the ministerial attitude matters much in evolution of a healthy functional relationship between the Minister and the secretary. The Minister's prerogative is to make policy and the civil servant's duty is to execute, it appears, somewhat unreal. In some of the states, the political bosses seem busy with transfers and posting round the year and this has resulted in politicisation of services which poses threats and challenges before the bureaucracy. The change of administrators with the change of party has become a norm of behaviour. Administrators also sometimes take on more of a political role either in defending policies in public or attempting to enforce them through mobilization of public support or trying to align themselves with the political bosses. In such a scenario, the politicians demand bureaucrats who can accomplish such type of role enthusiastically, consequently, slight restructuring of administration has taken place. The values of neutrality, and impartiality which were considered to be the hall-mark of bureaucracy, have become tarnished.

There is a rapid emergence of a breed of politicians who believe in political victimization, who are known for their political whims and who try to use the bureaucrats as a tool of repression and torture of their political adversaries. As already mentioned, 1967 elections were turning point, it also started the process of deterioration and introduced not only a damaging but also a very dangerous element of politicization.

Post 1967 presents a fascinating and interesting study of the relationship between bureaucracy and politics. It was this period where, started the process of political interference in the internal working of the bureaucracy. Consequently, the bureaucracy also started losing its political impartiality. This deteriorating stage in bureaucracy became very clear from mid 1960's onwards. A non-Congress government in many states consciously tried to remove the so-called Congress influence in bureaucracy

through various means, like promotions, giving prized postings to their favorites, Kickbacks. It is a sad reflection that the bureaucracy could not withstand this and succumbed to the pressures. This brings us to the period considered as the turning point in Indian democracy, i.e. Indira Gandhi's period. This period as mentioned earlier, witnessed politicization of bureaucracy, concept of committed bureaucracy came in and all crucial emergency.

2.3 Indira Gandhi's Period: A Study of Bureaucracy vis-à-vis Politics

One of the important norm of Weberian model of bureaucracy is neutrality, but this period saw this norm getting eroded. The social role of bureaucracy as a neutral instrument in the hands of political masters gained acceptance under certain political and cultural circumstances. Neutrality meant a kind of political sterilization, the bureaucracy remaining unaffected by the changes in the flow of politics. Three important preconditions of neutrality are:

- cultural or class congruence between the ruling political group and the administrative elite,
- absence of any fundamental disagreement over societal core values, and
- presence of a shared belief system.

Neutral vs. Committed Bureaucracy

Neutral bureaucracy, like the concept of bureaucracy itself, seems a highly idealized notion. In actual management of public affairs, the civil servants, especially those of higher echelons of administration are professionally involved in political decision making. Reality in administration, therefore, refutes neutrality. Moreover, bureaucracy as a group has its own aims and interests. Like any other interest group in society, the bureaucracy is actively involved in the political process in pursuit of class interests.

Prime Minister Indira Gandhi, at one stage, characterized the administrative machinery, as the stumbling block to national progress and wanted "government servants with commitment-to the development of the country and personal involvement in the tasks".¹² A rather unclear concept of 'committed bureaucracy'¹³ was born out of this debate over unsatisfactory bureaucratic performance. It came to be looked at as an attempt to create a 'politicised' bureaucracy, and commitment was interpreted in terms of acceptance of an ideology and attachment to one political party. Clarifying her stand, Prime Minister Indira Gandhi emphatically denied that she wanted politically committed or servile government employees.

Commitment, in such circumstances, assumes a new meaning and a new significance. The civil servant need not be partisan in his approach, but he must have the empathy to understand the mind of a bonafide politician seeking seriously to find a way out of centuries of underdevelopment and exploitation. If the concept of committed bureaucracy stand for the social sensitivity of the civil servant, it is much better to have a committed civil servant than an insensitive, neutral one.

A 'politicized bureaucracy' in a multi-party democracy is an administrative aberration and exemplifies deviant behaviour, if by politicization is meant¹⁴ involvement of the civil service in party activities and bending the laws, rules and regulations for the promotion of narrow party interests. Of course, the darkest period was the Emergency during 1975-77. The philosophy of committed bureaucracy reached its highest point during this period. The whole bureaucratic machine became a pliable tool in the hands of an unscrupulous political set-up which in addition was extra constitutional.

¹² R. B. Jain, *Contemporary Issues in Indian Administration*, Vishal Publications, Delhi, 1976, pp.175-6.

¹³ T. N. Chaturvedi, *Commitment in the Civil Service*, Government of India, Department of Personal Training, Monograph, 1975.

¹⁴ R.B. Jain, "Politicization of Bureaucracy: A Framework for Comparative Measurement", *The Indian Journal of Public Administration*, Vol.XX, no. 4, October-December, 1974.

The Congress was voted out of power in 1977 but the new Janata Party Government could achieve nothing much in cleansing the bureaucracy. According to S.S. Gill, when Mrs. Indira Gandhi returned to power in 1980, we witnessed the process of rehabilitation which was nothing but euphemism for interference in the internal working of the bureaucracy. Favourites and pliable civil servants were brought back and given prized postings in the name of rehabilitation, and conversely deserving and efficient civil servants were shifted because they were upright and could stand up to political interference.

The other prominent issue during the Indira Gandhi's tenure, which generated lot of debate was corruption. Indira Gandhi's oft quoted remark that corruption is a global phenomenon is supposed to show her casual and amoral attitude to graft. A development which led to the spread of corruption was the imposition of the emergency in 1975. It not only traumatized the nation, it also eroded the institutional checks on the arbitrary exercise of state power. With the suspension of Fundamental Rights and other legal safeguards available to the citizen, and delegation of excessive powers to government functionaries, every petty official became a potentate in his little territory, and the country came to be ruled by hordes of tyrants.¹⁵

Real damage was done to the system when the government of the highest level started using the official machinery for manifestly unlawful activities. In the assessment of Indira Gandhi's direct contribution to the spread of corruption and its near institutionalization as part of India's political culture, two development merits need attentions. One, the rise of her younger son, Sanjay Gandhi, as an all-powerful extra constitutional authority and two, the methods adopted by her for raising party funds.¹⁶ It was at this point, that Indian bureaucracy was at cross roads. Since then

¹⁵ S.S. Gill, *The Pathology of Corruption*, HarperCollins Publishers India, 1998.

¹⁶ *ibid*, pp. 64-65.

corruption in bureaucracy has in no way come down. As a matter of fact, politicisation has bred more and more corruption.

2.4 Advent of Coalitions and New Type of Power Sharing and Its Impact on the Functioning of Bureaucracy

With the unscrupulous inconsistency with which political leaders are playing their role, the schizophrenia that is characterized by the open declaration on public forums which is at variance with performance in the field of action, the whole Indian political system especially after 1989 has been subject to great strain. How far is the Indian political system which is said to be going through the process of political and economic modernization able to assimilate these demands created by the new orientation in the form of coalitions and political instability is to be analysed.

1989 is an important year in Indian politics for various reasons. The most important reason is that it introduced coalitions in Indian politics, both at national and state level and also new types of power sharing. The purpose here is to understand, what are these new types of power sharing and their impact on the functioning of bureaucracy.

The general election of 1989 resulted in hung parliament and since then all general elections have resulted in hung parliament. This pattern is also seen in most states, the perfect example being Uttar Pradesh. Political scientist attribute decline of Congress as the main reason for these new developments in Indian politics.

Beginning of 1990's witnessed emergence of Bhartiya Janta Party (BJP), regional parties like Bahujan Samaj Party (BSP), Samajwadi Party (SP) and Congress began to loose its vote base to these parties. This resulted in fragmented polity and to an extent society. The only alternative in this scenario was coalition (alliance), to come to power. This contributed to political and administrative stability both at national and state level.

The important issue, here in the context of the study is how advent of coalition has affected the bureaucracy. Frequent transfers or administrative instability is an outcome of political instability. This has had a negative impact on the governance.

It is significant to note the role played by caste and politician-bureaucrat nexus (corruption) in lieu of all developments. Rotation of political offices is a new trend in Indian politics which has changed the way of governance. The new dimensions of Indian politics vis-à-vis bureaucracy at federal level i.e. Uttar Pradesh requires an in-depth analysis. Along with all these issues, governance in a federal polity involving issues like transfers, corruption, casteisation of politics, etc will be taken in next few chapters, which will help in understanding bureaucracy-politics relationship better. And would also focus on new trends closely.

CHAPTER – III

BUREAUCRACY AND POLITICS: A CASE STUDY OF UTTAR PRADESH

3.1 Overview

In the earlier chapters, coalitions, theoretical framework of bureaucracy, various approaches and a broad- overview of coalitions and bureaucracy in India had been discussed. At this stage, it would be impertinent to have a close look of bureaucracy in a federal polity. Taking various factors into consideration, Uttar Pradesh was chosen for the study.

Objective of taking a federal unit or a state as a case study is to obtain an in-depth understanding of the issues that arises in a specific context of functioning of bureaucracy vis-a-vis politics. Uttar Pradesh provides ample opportunity for the study of bureaucracy and politics. Uttar Pradesh is the largest state of India, demographically and is politically important and volatile. It is not without reason that it is called laboratory of politics.

Before moving on to the study of Uttar Pradesh, it would be fruitful to acquaint ourselves with national and state bureaucracies under federalism. This would not only help in understanding bureaucratic set up in a federal polity but would also give the study a meaningful and better framework.

3.2 National and State Bureaucracies under Federalism

According to Ajit Mazoomdar, it is generally assumed that the federal principle requires the national and state bureaucracies to be wholly independent entities, functional within their areas of constitutional competence, each consisting of various agencies administering laws particular to that level of government. Bureaucracies at the two levels should thus enjoy equal status. It is believed that the administrative systems in the classical federations reflect this conception of functional separation, and any departure from the norm is to be deplored. The conventional view is based

on the premises that federalism implies a clear demarcation of the functions of national and state governments, and the public services are integral parts of political executives.

Even a cursory examination of the structure and working of governments in federal systems- in the classical mould of the US, Canada and Australia, as well as in the post-war federations of Germany and India shows that they depart significantly from this simple theoretical model, and the reasons are not difficult to find.

In the first place, according to Mazoomdar the functional separation between national and state administrations has been progressively eroded in all federal systems by the growth of national authority in areas which were earlier of exclusive state concern- by constitutional evolution and preemptive national legislation and by the steady enlargement of federal financial assistance to the states. All national governments now have bureaucracies engaged in coordinating, planning and aiding state activities within the areas of their legal competence.

Clear functional separation prevails only in a few areas such as defence, foreign affairs, immigration and citizenship and schools, rural health and communications, local commerce and services. In all other areas, what prevails is interdependence, with varying degrees of federal state sharing of responsibilities. This has been called "executive federalism", where state legislatures have little say, and the federal bureaucracy has a dominant role.

Second, as Mazoomdar observes, to avoid the multiplication of bureaucracies, federal constitution provide for state governments to execute national laws. Third, only a part of the bureaucracy at either level can be identified with the administration of national or state laws, like revenue officials, police, regulators of industry and commerce or welfare officials. Large areas of public service have only a tenuous connection with federal or state laws, and lack well-defined constitutional responsibilities. Federal

officials are separate from state officials only because they serve different governments, not because their legal and functional responsibilities can be clearly distinguished.

Fourth, a large part of the bureaucracy in modern states consists not of civil servants directly employed by the government, but of staff of semi-autonomous agencies established for regulatory and welfare or developmental purposes.

Thus, the governments of federal states do not present a picture of two distinct levels of administration, of civil servants who are integral parts of political executives, each level responsible for well-demarcated functions, executing separate laws, with complete autonomy. The reality is that the administrations of federal polities are complex networks of national and state agencies. In the Indian federal system, the authority of the national government over state administration is exercised directly and indirectly in different forms, which may be categorized into constitutional and non-constitutional.

The pattern of federal authority under the Indian constitution, and the degree of federal intervention in matters within the state's spheres of responsibility, mean that the federal bureaucracy has more power, and the state bureaucracies less than in the US, Australia and Canada. The German federal system, however, with its emphasis on land administration as federal agents, and its concept of "joint tasks" undertaken by the two levels, closely resembles Indian practice.

3.2.1 India's Administrative Culture and Distinctive Structures

The All-India Services (AIS), though unusual in federal systems, are only one among many instruments through which the national government exerts influence on the states. The experience of 56 years of the working of the IAS and IPS in independent India does show that the system has much to commend it. According to Ajit Mazoomdar, some of the advantages and disadvantages are:

Advantages

- These services provide executive and policy-making support to state governments of higher quality than would be available to all but a few large states if their personnel were recruited only from among residents of the state.
- The members of the services are less likely to be parochial in outlook. They are less identified with the particular religion and caste division in the states, and so are perceived by the people to be acting as representatives of the state rather than agents of interest groups when they enforce the law, allocate resources or deliver benefits.
- Because they can look to preferment under the federal government at later stages of their careers, and can appeal to that government against penalties imposed by state governments they deem unfair, IAS/IPS officers can more easily maintain their independence against any illegitimate party-political pressures. (of course, some may still seek preferment within state administrations through political, or even factional alignment, or wrongly identify the interest of the party in power at the centre as the national interest, or seek preferment in the central government by identifying with that party).
- The system of rotation of IAS and IPS officers provides the central government with an information base for policy making wider than would be available if its secretariat consisted entirely of officers of the central services. Their reservoir of grass-roots and state level experience is particularly important in a country of wide cultural diversity.
- Rotation also provides state governments with service advisers who have been exposed to policy analysis at the national level. This is important because ministers in state cabinets are drawn purely from local elite, with limited exposure to national issues.

- Coordination of policies and actions between the national and state governments is facilitated by a common corps of IAS and IPS officers, who are thus important instrument of cooperative federalism.

Disadvantages

- Recruitment on a national basis may mean that administrators and policemen in a state coming from another region cannot, at least at first, communicate with the people in their own language, and may not understand the local culture and hence may lack in a sympathetic approach to local culture and problems.
- The hierarchy within the state administration places IAS/IPS officers in positions of authority early in their careers over officials of the state-services performing similar tasks, which inevitably causes some resentments and tensions may persist.
- The system of dual control is seen by the political leadership in states as likely to encourage insubordination by IAS/IPS officers. However, over the years the number of cases where the central government or the UPSC has overturned penal action by the states against officers of the AIS has been quite small.
- State governments may have fears that in matters of dispute between the state and the centre, AIS officers could be lukewarm in supporting the state's point of view. Again, experience should have belied these fears.
- There seems to be no evidence of IAS/IPS officers ever having colluded with the central government in bringing about the imposition of President's Rule in a state.

As Mazoomdar notes, these perceived or hoped-for benefits of the system are often referred to as "national integration". This is too large a claim, and also misleading, as the phrase is sometimes seen as implying single-party dominance of the political system. The IAS and IPS, and the

nationally recruited civil services generally, however, do play an integrative role within India's plural democracy.

Out of India's cultural diversity- cleavages by region, religion, caste and tribe- a federal polity has been structured around ethno-linguistic states. These states are under pressure to assert their identity. At the same time, each state has considerable cultural heterogeneity, and has to meet the claims of religious and caste groups, and sometimes demands from tribal and other groups for some form of territorial autonomy. In devising strategies to contain these conflicting pressures, the state's political leadership can receive valuable advice and support from IAS/IPS officers who come from outside the state, or have experience of other parts of the country and so can be more objective than their colleagues from within the state.¹ This is the broad framework of federalism vis-à-vis bureaucracy in India.

3.3 Bureaucracy and Politics in Uttar Pradesh

As already mentioned, the objective of taking Uttar Pradesh as case study is to obtain an in-depth understanding of the issues that arises in a specific context of functioning of bureaucracy vis-à-vis politics. The political and administrative history of India, and of Uttar Pradesh, can best be understood in the context of the politico-administrative environment in its totality. The colonial heritage, naturally, meant a carry over of the colonial bureaucratic traits such as elitism, authoritarianism, aloofness and paternalistic tendencies. What we inherited was an apolitical administrative system operating under a strict chain of command.

The social background of the bureaucrats (IAS/IPS) clearly manifest their urban background. Though of late there is a gradual change. The same pattern is visible in their educational endowment. An analysis of 444 IAS

¹ Ajit Mazoomdar, "National and State Bureaucracies Under Federalism", in *The Changing Role of the All-India Services* (eds.), Balveer Arora and Beryl Radin, Centre for Policy Research, New Delhi, 2000.

officers of Uttar Pradesh cadre in respect of whom information about their educational backgrounds is readily available, as many as 26 had doctorates, 326 had post-graduate qualifications and 92 were degree holders in one or more subjects.² It seems that, in spite of high and diversified educational background, a majority of the cadre officers manning top positions have not kept themselves abreast of the latest developments in many areas of public administration.



Source: *The Times of India*, November 18, 2002, Lucknow, p.12.

The relationship between bureaucrats and politicians have been changing. One can easily see the changes that have taken place over the years. In this perspective the views expressed by civil servants will be of

² P. Singh and A. Bhandarkar, *IAS Profile: Myths and Realities*, Wiley Eastern, 1994.

great value. N.B. Bonerji, who became the Chief Secretary of UP under the second Congress Ministry before Independence and resigned the post, wrote of the deterioration in the administrative system after the departure of the British. In *Under Two Masters* (1970) he stated that many officials were able to raise funds for two or three houses and for business purposes. He spoke of administrative degeneration and observed, "The administrative merits of officials ceased to be the criticism and one minister went even so far as to pass orders that no postings should be made to his home district without his specific consent... many factors like personal friendships, family relations and caste affiliations began to over-shadow public duty". He further said, "the politics of power, present and potential, seems to have gone deep into the working, and now, the soul of bureaucracy; it was neither policy nor public principles that determined the action but whatever maintained and enhanced personal position."³

T.N. Kaul (ICS) of the Uttar Pradesh cadre had this to say in the 1990's, "... the efficiency and effectiveness of bureaucracy is today at its lowest. The reasons are many but the main one is the interference of and pressure of politicians with a view to granting undue favours to those who give them money and muscle support during elections".⁴ And, yet again, another senior civil servant belonging to the UP cadre of the IAS vented his feelings candidly in 1990 when he said, "Bureaucrats have learnt to adjust to the compulsions of the politicians. In fact, the more enterprising among them have learnt to lean backwards. They have made it into a fine art anticipating the wishes of the political masters and delivering unasked, whatever is asked for their personal and political welfare. It is this species of bureaucrats who earn a reputation and get ahead in life".⁵

³ V.B. Bonerji, *Under Two Masters*, Oxford University Press, 1970.

⁴ T.N. Kaul, *The Citizen, The Bureaucrat and the Politician*, Lucknow, IIPA, UP Regional Branch, 1994.

⁵ Anand Swarup, "Bureaucracy and Politics", *The Times of India*, New Delhi, January 6, 1990.

Table 1: General Elections 1989-2004, Uttar Pradesh (Party Position)

Party	14 th General Elections 2004	13 th General Elections 1999	12 th General Elections 1998	10 th General Elections 1991	9 th General Elections 1989
Congress	09	10	00	05	15
BJP	10	29	57	51	08
BSP	19	14	04	-	-
SP	35	26	20	-	-
RLD	03	02	-	-	-
JD(U)	01	00	-	22 ^d	54 ^d
SJP (R)	01	01	01	-	-
NLP	01	-	-	-	-
CPI	00	-	-	01	02
CPM	00	-	-	-	01
Others	-	02	02	05 ^c	03
Independent	01	01	01	-	02
Total seats	80 ^a	85	85	84 ^b	85

Source: Statistical Reports, Election Commission of India, New Delhi (www.eci.gov.in)

Notes:

^a – Reorganisation of States 2000- Uttranchal got 5 Lok Sabha Seats. UP was left with 80.

^b – One Seat countermanded

^c – Janta Party-4

^d – At that time Janata Dal.

Uttar Pradesh, today, is known for its political and administrative decline, though this decline is also seen in other parts. The first two decades after independence saw fairly good governance with mature leadership of able leaders like G.B. Pant, Sampurnanand and C.B. Gupta. Issues of democratic decentralization and reorienting of administration got raised and the system was still coping in most respects. Uttar Pradesh was, at the time, one of few states in India which was devoid of cataclysmic issues. It was not as if socio-economic issues and political struggles had abated for good. Those issues would certainly crop up in later years. It was, however, in 1967 that “the first serious salvo against the Congress was fired”. A Sanyukt Vidhayak Dal (SVD) government was formed and the period of political instability began in the state. Governments came in and went out with increasing frequency. In a period of nine years (1967-76) UP had six Chief Ministers with four spells of President’s rule. Then came the difficult days

of 1976 when the state, “more than any other one, bore the brunt of the Emergency with its load of rumours, fears, and ominous silences”.⁶

From 1977 onwards, following lifting of the emergency, Uttar Pradesh witnessed nearly 17 changes in the government till 2003 with varying durations of the President’s rule in between. The year 1967 and 1989 were watershed years both for national and state politics and the situation of uncertainty and instability appeared on the political horizon in Uttar Pradesh which continues to prevail even now. The social cauldron was on the boil. Political and social fragmentation was on the rise, both in magnitude and intensity. Caste and communal factors assumed dominance. All this had inevitable impacts on the bureaucracy. An analysis of table 1 reveals that polity and parties in Uttar Pradesh have fragmented. Prominent reasons are Mandal issue, Ayodhya temple, economic reforms and decline of Congress. Since 1989, no party has been able to secure majority and in the mean time has witnessed emergence of BJP (at its pinnacle in 1998 with 57 Lok Sabha Seats, UP), and state parties based on caste lines such as BSP and SP.

The other significant thing to be noted here is, since UP sends 80 members (after 2000) to Lok Sabha, it is bound to make an impact on national politics. Earlier, i.e., till 1989 Congress had majority in UP and was easy for it to form government at the centre. But the fragmentation of parties in UP has ensured that at national level too no one gets to clear majority. As a result emergence of coalitions and a new type of power sharing is witnessed.

Responding to the quick and unanticipated shifts in power structures and unfortunate deterioration in the political culture, cracks started appearing in the bureaucracy. Loyalties kept shifting and officers gradually, began to be identified with different political parties, factions or individuals. For some cadre officers, seeking the political umbrella, became, at first, a

⁶ Violette Graff, *Memeographed Write-up*, 1995.

convenient choice, and for a smaller number a necessity. Favourable treatment like cosy and privilege laden posting, out-of-turn house allotments, quicker promotions, etc were mouth watering possibilities and capable of being achieved through compromise and genuflection. In turn, the beneficiary hoped to succeed in enlisting powerful political support. With the passage of time, officers began, covertly and overtly, to be identified with particular political leaders/ parties, caste and class factions and group interests. What was lost were, integrity, independence, objectivity, fairness and impartiality that constitute the essential strengths of the service.

In administration, one could observe the growing level of venality, self-interest, and self-aggrandizement, severe decline in professionalism, more sycophancy, loss of neutrality and absence of transparency. Thus, a kind of spoils systems emerged that, in the parliamentary democracy we follow, is destructive of the essential qualities of sound administration, namely, continuity, credibility, fearlessness and impartiality. C.D. Deshmukh had diagnosed the malaise much earlier and his observation would aptly fit the Uttar Pradesh situation even now. He said of political pressures, “few indeed have been men enough to resist these, and most have learnt to become courtiers and fight shy of accepting personal responsibility”.⁷

3.3.1 World Bank Report on Governance in Uttar Pradesh

The most effective way to improve the way that government works for the poor is to improve the way government works. The government of Uttar Pradesh serves India’s largest state, and one of its poorest. Uttar Pradesh’s development challenges loom large; the state administration has been slow to respond and there has been a continuing decline in overall effectiveness.⁸

⁷ C.D. Deshmukh, *The Course of My Life*, New Delhi, Orient Longman, 1974.

⁸ *Document of the World Bank*, “Governance and Poverty Reduction in Uttar Pradesh”, Chapter 3, Poverty in India the Challenge of Uttar Pradesh, Washington D.C., 2002.

The deterioration in the administration of Uttar Pradesh have many complex reasons and operate on multiple levels. There are four of particular importance:

- The increasing politicization of administration, which has severely eroded stability of tenure and undercut managerial authority. (Issue of stability of tenure will be dealt in detail in next chapter).
- The fragmentation of the administrative apparatus, which has lead to a proliferation of senior positions had complicated the task of policy and administrative coordination;
- A related growth in the number of civil servants, which –in-light of weak revenue mobilization- has placed a squeeze upon the capital budget, and operations and maintenance expenditures and let to a growth in the wage bill that was unmatched by any concomitant growth in productivity; and
- The failure due to poor expenditure management practices, to obtain maximum value for money from remaining resources.

Politicization of Administration

There are three major political realities that fundamentally shape the exercise of political power in Uttar Pradesh. The first is its size. At 160 million, it is the largest and politically the most important state within India. Uttar Pradesh sends the largest number of representatives to the Lok Sabha or lower house of Parliament –80 members. A large number of historic temples, mausoleums and sacred rivers can be found in the state, and it also contains dangerous flash points- such as the temple of Ayodhya- that are deeply symbolic of broader Indian political hopes and fears. Ayodhya factor i.e, the disputed land at Ayodhya, has changed Uttar Pradesh politics. Although the dispute is an old issue but it was December 6, 1992, the day when Babri Masjid was demolished, changed the entire political and social equilibrium of the country. The then Kalyan Singh government was dismissed and President's rule was imposed.

This incident is significant in various aspects but the most important is that it polarized the society and polity. There was fragmentation. It was this time when Bhartiya Janta Party (BJP) was beginning to garner public support. This is evident from the 1996 elections when BJP was a huge success in Uttar Pradesh and emerged as the single largest party at national level, though it did not get majority and also its base was primarily Hindi heartland (Uttar Pradesh, Madhya Pradesh, Rajasthan, Himachal Pradesh). On the other hand, decline of “umbrella” Congress party witnessed emergence of caste based political parties, such as Bahujan Samaj Party (BSP) and Samajwadi Party (SP). All this meant fragmentation and also political instability, as no party could get majority which resulted in coalitions and new types of power sharing. An interesting power sharing understanding was reached between BJP and BSP, where it was decided that for six months the Chief Minister will be from one party and for the next six months another party will have its chief minister. This was an exercise (rotation of political office) which was seen for the first time, not only in India but elsewhere too.

Second, UP’s political landscape is highly fragmented. Political allegiances and affiliations tend to run either to the national or local level or to be framed along tribal or ethnic lines, and there is no provincial name equivalent to Bengalis, Punjabis etc. to identify the state’s inhabitants. This social fragmentation has strong manifestations in the political sphere. In the wake of the loosening of the Congress party’s grip upon power in the 1980s Uttar Pradesh has experienced chronic political upheaval and no fewer than nine Chief Minister tenures interspersed with periods of home rule from New Delhi. No single, broad-based party has arisen to dominate the political horizon within Uttar Pradesh, with the result being that fractious coalition politics has typically been the rule of the day.

The third important factor is the emerging role of caste in shaping Uttar Pradesh’s political landscape. Lower castes are becoming organized

politically and voting in increasing numbers. As many knowledgeable observers have noted, while India's founders had dreamed half a century ago of a casteless society, caste has proven a resilient force. Paradoxically, this hierarchical, hereditary system that has oppressed the lower orders of society has also become an organizing principal that the marginalized themselves have seized on to forge their own political identity and to seek electoral power.

The result is a complicated *mélange* of political manoeuvring, in which short-term tactical alliances are common and the defection of a few coalition partners can bring down a government. Considerations of personality and patronage are more important than ideology and politics is typically more about the division of the fruits of power than conflicting policy prescriptions and divergent views about the optimal organization of society.

Administrative Fragmentation

The second fundamental problem with Uttar Pradesh's administration relates to the expansion of posts and fragmentation of departments. One of the most important tasks that governments face is that of organizing themselves to provide effective services for all of their citizens, particularly the most vulnerable.

The requirements of coalition politics and the pressures of accommodating a host of senior bureaucrats in a rank-in-position (as opposed to a position classification scheme) have taken a heavy toll upon the efficiency and effectiveness of Uttar Pradesh's bureaucracy. The proliferation of departments and posts has been particularly deleterious upon the efficient delivery of goods and services. Uttar Pradesh's current organizational structure bears witness to decades of political and administrative compromises. Assignments are parceled out to maintain fractious coalitions or to provide suitable postings for senior staff in a

fashion at variance with any rationale breakdown of functions and responsibilities.

The result has been a fragmentation of accountability and authority. The division between the secretariat and field departments has become blurred, as the secretariat has expanded into areas previously reserved for the line departments. Coordination has suffered, and field departments have found their operational freedom increasingly circumscribed. This expansion has been accompanied by a proliferation in departmental rules and regulations, further expanding government's involvement into everyday life and complicating efficient service delivery.

The deterioration in the quality of public services affects all citizens. However, the burden of poor governance falls disproportionately upon the poor. This burden can fall directly, in terms of greater vulnerability to predatory behaviour on the part of government officials, and particularly the police; higher exposure to the costs of corruption; reduced access to goods and services, many of which are of lower quality; the diversion of resources intended for poverty reduction to the wealthy and politically well connected, and a greater risk of prolonged incarceration. One thing, however, is unexceptionable. The needed decisions on issues in reference cannot brook delay if Uttar Pradesh has to come out of the nightmare of political skullduggery, moral degradation and administrative paralysis. The power of choosing good and evil is within the reach of all. The good needs a strong constituency and deserves it too. Many centuries ago, the famous Roman historian, Plutarch, recalled what Pittacus of Losbos had said, "The best state is that in which bad men are not allowed to hold office and good men are not allowed to hold office".⁹ Have we not reached a situation in Uttar Pradesh where this aphoristic comment aptly reflects the deep dilemmas we are facing? Or else, some years back, why would the Union Home Minister tell

⁹ cited in T.N. Dhar, *2000 and Beyond: Challenges of Governance in India*, Indian Institute of Public Administration, Lucknow, 1999, p.57.

the parliament that this state was heading towards “anarchy, chaos and destruction”.¹⁰ Here it would be relevant to have a look on the perceptions about IAS/IPS officers of Uttar Pradesh.

3.3.2 External and Internal Perceptions about IAS/IPS Officers

The number of studies about IAS/IPS cadres in Uttar Pradesh is rather limited. C.P. Bhambhri in (1973) did a pioneer work, which still is relevant and resourceful. The general findings about IAS / IPS officers are that the Indian Administrative Service is elitist in character, low on values of modernization, sticks to bureaucratic behavioural values of formal authority, is rule oriented and impersonal and displays poor accessibility. It does not undertake risks, lacks initiative and is inadequate in responsiveness.

Table 2: External and Internal Perceptions About IAS

Sl. No.	Aspect on which response was sought	Response from non-IAS persons (N-528)	Response from IAS officers (N-289)
1.	Projects self as an expert on most things	75	17.65
2.	Concern-focus on own career	68.94	21.45
3.	Self-opinionated	66.29	8.65
4.	Power hungry	58.33	4.50
5.	Shrewd and manipulative	56.82	7.96
6.	Procedure and rule focused	54.17	10.73
7.	Arrogant	53.79	19.03
8.	Inaccessible	48.11	22.49
9.	Action and result focused	31.71	61.59
10.	Intellectually high calibre	22.73	66.82
11.	Trustworthy	15.33	48.44
12.	Innovative/creative	8.71	52.25
13.	Visionary and transformational	8.32	44.98

Source: P. Singh and A. Bhandarkar, IAS Profiles, 1994.

¹⁰ ibid.

The above table shows that the response items have been so structured as to generate two broadly opposing streams of reactions. In the eyes of co-professionals and non-officials, the image of the IAS is by and large negative. The IAS officers are perceived as conceited, interested in self advancement and characterized by poor orientation towards public service and community needs. On the other hand, the IAS cadre officers, within themselves, are very conscious of their high intellectual caliber, organizational commitment, result orientedness, rationality, qualities of trust and capacity for innovation.

The IAS/IPS officers in Uttar Pradesh believe in assiduity and prefer the doer style, but the majority is reconciled to drifting with the current. As for difficulties experienced, the officers, illustratively, articulate them as follows. Initially, it was tried to get comprehensive listing and in the second stage respondents were asked to rank the difficulties according to their preferences (listing is based on ranking / preferences). Here it is important to note that 40 per cent of the respondents had unanimity on corruption and nepotism being the top difficulty. Political interferences and pressures came second as 30 per cent of the respondent believed it to be second. Criminalization of politics was third with 40 per cent of respondents ranking it as third difficulty. Short life of governments and short tenure came fourth and fifth respectively. The analysis of the preferences reveal that, overall there was unanimity among officer on these top five difficulties.

- corruption and nepotism
- political interference and pressures
- criminalisation of politics
- short life of governments and absence of continuity
- short tenures.¹¹

¹¹ The Listing is based on informal discussions with several IAS/IPS officers of Uttar Pradesh cadre.

New Political and Administrative Trends: a summing up

As already mentioned, Uttar Pradesh is characterized by fragmented polity, society which has resulted in fractured mandate. As a result coalition politics has emerged and has contributed political and administrative instability. Question of administrative instability (transfers) will be dealt in next chapter. For now, we will have a look at the new trends which have emerged out of political instability, casteisation of politics and administration.

- The politicians now seek a greater involvement in the distribution of benefits and selection of beneficiaries. Since the resources are limited, the party in power uses these to enlarge its support base.
 - There is an overwhelming desire to use the governmental system for political advancement and personal improvement, rather than for public good.
 - The support of political parties at the field level is weakening, and quite often support is sought from the civil servant to make up such deficiencies.
 - The political leadership therefore desires to have a more committed civil service at all levels. This helps politicians to identify specific officers to serve them, who are willing to work to their dictates.
 - It is obvious from politician's actions that they do not support a neutral civil servant.
 - Very few politicians want frank opinion from civil servants, they only want facilitators.
 - The qualities: neutrality, security, impartiality, anonymity and meritocracy required of a good bureaucrat are least in demand.
- The intolerant style of top political executives during the last few years, has completely changed the attitude of the civil service. The distinction

between the ruling party's own vested interests and the responsibilities of the state administration has become blurred.

New Trends : Administrative	
RISING	FALLING
• Corruption	• Team spirit
• Shortened tenures	• Tenure of elected governments
• Opportunities for politicians to pick officers	• Image of public servants
• Caste, creed considerations	• Ministerial responsibility
• Cadre strength	• Image of politicians
• Costs of elections	• Loyalty and regard for seniors
• Number of departments	• Service Brotherhood
• Variety and choice of jobs	
• Promotion prospects	
• Facilities	

At this juncture it can be said that the situation of Uttar Pradesh in terms of its polity and administration is fragile. If it has to overcome, it requires bold and immediate response not only from politicians but also from bureaucrats and citizens.

CHAPTER – IV

TRANSFER AS AN INSTRUMENT OF POLITICAL CONTROL

The chapter discusses the concept of political control of bureaucracy in general with special emphasis on transfer as an instrument of control. Various factors involved in transfers will be analyzed taking Uttar Pradesh for the study.

In recent times, bureaucracy has not only been criticized for its penchant to enjoy power while shrugging off accountability but also for almost everything – rising prices, crime-rates, indifference and insensitivity to public needs and grievances; scams, economic offences and all-pervading corruption.

4.1 Bureaucratic Accountability in a Democracy

In a democracy, it is axiomatic that the government be held accountable for all its action. Accountability is the core characteristic of a democratic system. How can control be exercised over those to whom power is delegated? Democratic theory in the past implied that since power emanates from the people and is to be exercised in trust for the people within the government, each level of executive authority should be accountable to the next higher rung, right up to the top, of the hierarchy. The executive authority as a whole is supposed to be accountable to the legislature and, thus to the people. In modern times, however, this simple equation of accountability has undergone some radical changes.

Most of business of modern politics is executed through public bureaucracies which perform a variety of tasks ranging from provision of goods and services to a particular groups and individuals to the regulation of stability of the society and socio-economic growth. Today, we not only live in an “organization society”, but are increasingly coming to live in one dominated by public bureaucratic organizations. Public bureaucracies and

the officials, who populate them, often end to be self aggrandizing, negligent, wasteful and unresponsive, hence the often negative connotations of the term 'bureaucratic'.

Bureaucracies have become powerful political actors, and often that power is used in ways that deviate from the collective democratic intent. Bureaucracies – and the power they wield – thus often elude political control. The most challenging issues that faces a democratic state and the administrative reforms today is not only be accountability of public bureaucracy per se, but also the ways it could be made responsible and responsive.¹

4.2 Political Control of Bureaucracy

The system of political control over bureaucracy that operates in India mainly follows the traditional orthodox model of parliamentary government, where citizens control their representatives in the legislatures, and the representatives are supposed to control cabinet and the ministers and through them to public servants. In the development of Indian polity since independence during the last five decades, this orthodox classical model of responsibility has been reiterated time and again, both by public official and quasi-judicial pronouncements.

However, such a view of accountability based on the twin principles of ministerial responsibility and civil service anonymity is becoming increasingly unworkable in most parliamentary system. Over the last few decades, the doctrine of ministerial responsibility has weakened, the practice of ministerial resignations for deeds of civil servants has almost disappeared, while there has been a constant erosion of the anonymity of civil servants as they have begun to be named in both public inquires and other documents. Parliamentary committees have also required presence of senior civil servants when the matters connected with their departments are under discussion. At the same, the complexity of modern governments and the

¹ John P. Burke, *Bureaucratic Responsibility*, Baltimore, John Hopkins University Press, 1986.

amount of work handled by each department is so great that no minister can possibly supervise all the administrative acts of even a very small department. Hence, it is unrealistic to expect ministers to be accountable for every act of their civil servants. Moreover, a minister's control over the bureaucracy is 'dependent upon his political strength' which in itself depends on the strength of the party system in a democratic country. Thus, the relevance of the doctrine of ministerial responsibility is being questioned in the present-day context of management of public programmes. While one may not go so far as to say that the concept of ministerial responsibility is now defunct, there is no doubt that it has become an ineffective convention, although both ministers and senior civil servants still wish to retain it.

4.2.1 Mechanism of Political Control Over Indian Bureaucracy

Let us now turn to an analysis of the operation of control mechanism in India. While the external aspects of such mechanism largely relate to the legislative, judicial and public accountability, the internal control system operates within the realm of the executive branch and encompasses both the formal and informal restraints that affect bureaucratic behaviour.

Legislative Control

The problem of ensuring bureaucratic accountability to the legislature in a parliamentary system of government, like that of India, is one which is largely a matter of politics and not of law. Of the many functions of the legislatures, one of the most important is the control and overview of administration. The classical model of legislative activity which held that legislatures were essentially involved in law making has now been replaced with one which takes into account the role of the individual legislatures. Yet, however, legislators operate under some constraints, notably the influence of the executive on the extent of the involvement of the legislators in a given matter.²

² Allan Kornberg and Loyd Musolf, *Legislatures in Development Perspective*, Allan Kornberg (ed.), Durham (N.C.), Duke University Press, 1970.

The notion of legislative control over bureaucracy has been subject to two different interpretations. It may mean general political control or a detailed examination of governmental activities.³ General political control implies that the legislature has a right to express its agreement or disagreement with the way the government intends to orient or has oriented its activities. The second interpretation involves detailed examination of government activities, which may cover both preliminary intervention, such as before a policy is adopted, and ex post facto scrutiny, such as after the policy has been implemented.⁴ The instruments of control are, parliamentary questions, motions for adjournment, debates and discussion, Parliamentary Committees and Comptroller and Auditor General.

Internal Control Mechanism

The internal control mechanism to secure accountability of public officials consists of two interrelated dimensions. In the first, control is exercised by either superior over subordinate or by parallel agencies in the executive branch of the government, which can be vertical or horizontal or both. This gives rise to the more relevant problems in terms of exercise of bureaucratic power, whether administrative decisions are based on full and accurate information and proper assessment of the individual case and whether the result, though not totally unreasonable, is less preferable in terms of individual fairness than some other course of action. The second is control exercised by public servants on themselves, in dealing with the numerous ambiguous situations not covered by legislations, ministerial directives or departmental manuals, and where they have only their professional judgment and conscience as a guide.

Although a variety of writers have agreed in the past several decades that bureaucracy has become too powerful to be controlled wholly by external institutions, and that, therefore, public servants need to possess a

³ Christina Dominice, "Parliament's Role and Mission", *Parliamentary Studies*, 1966, p.128.

⁴ Bernard Crick, *The Reform of Parliament*, London, Weidenseld Nicolson, 1968, p.79

subjective or moral sense of responsibility, yet there has been no agreement on what such code of responsible bureaucratic behaviour should contain and how the values it enshrines might best be nurtured in the public service.⁵

The first dimensions of internal control mechanism is more viable, in as much as in its nature and content it consists of directing, regulating, supervising, advising, inspecting, evaluating, prodding and if necessary, punishing the derelict. Such a control mechanism may express itself in the ministerial control at the top and concomitant administrative control within the hierarchy of an organization.

So far as the punitive internal control mechanism in the government of India is concerned, apart from the traditional institutions of the Comptroller and Auditor General of India, which is a constitutional authority to conduct audit of accounts of the Government of India and report on maladministration of funds or unauthorized or inappropriate expenditure, the two other institutions involved in such a process are the Central Bureau of Investigation (CBI), established under a Government of India resolution in April 1973, and the Central Vigilance Commission (CVC) established on the recommendation of the Santhanam Committee Report on corruption in Indian administration of 1964.

The efforts of the Central Government to install an ombudsman like institution to hear public grievances against use or misuse of authority have not met with any success. Despite the introduction of various bills, no consensus has yet emerged on the desirability of such an institution at the Union Government level. The experience of Lok Ayuktas appointed in a number of states has also been far from satisfactory, and it seems to support the view held by some scholars in the context of a developed nation like Canada that:

at best an ombudsman can only provide symbolic reassurance that the bureaucracy is under control and at worst, it could lead to complacency about the problem. Therefore, no useful purpose can be served by

⁵ R.B. Jain, "Public Service Accountability in India" in Joseph G. Jabbara and O.P. Dwivedi (eds.), *Public Service Accountability: A Comparative Perspective*, West Hartford (Con.), Kumarian Press, 1988, pp. 86-100.

creating an office whose efforts depends on the illusory force of persuasive efforts, because the cases in which he fails will be the very cases in which for his appointment to be effective, he should be able, but has not the power to succeed. Persuasion is a poor weapon against entrenched bureaucracy.⁶

From the Indian experience, it must be added that it is an institution that can become a pawn in the games that politician play.⁷

4.3 Transfer as an Instrument of Control

In the realm of the theory of public personnel administration, transfers of officials serve as tool of human resources management to train officials in different facets of work of an organization, to provide the required exposure to acquire varied experience and to help them in career advancement. Although there are policy guidelines existing in all departments spelling out the principles to be adopted while affecting transfer, but in the past few years all these guidelines have been flouted by politicians and at their behest by senior officers to, use transfer as a tool of punishment (kickbacks) to tyrannise upright officials and to break the rule of non-compliant and non-cooperative ones.

It is a common sight in the states and the centre that MLAs and MPs seek transfer of officials purely on ground of personal aggrandizement. So much so that getting officials transferred at their will has become part of the pre-requisites of a politician. According to S. Subramanian, one Chief Minister has even streamlined this by fixing a quota of requests for transfer an MLA is entitled to and communicating this to heads of departments orally and informally. In this scenario, the command and control of subordinate officials pass on to the politicians. Senior officials are unable to use transfer as a tool of public administration.⁸ To escape the consequence of arbitrary

⁶ R.M. Willer Chitty, "The Case Against the Appointment of a Federal Ombudsman", *The Globe and Mail (Tornado)*, July 7, 1996, quoted in Robert P. Adie and Paul G. Thomas, *Canadian Public Administration. Problematical Perspective*, Scarborough (Oufario), Prentice-Hall, 1987, pp. 142-45.

⁷ R.B. Jain, *Contemporary Issues in Indian Administration*, Delhi, Vishal Publications, 1976, pp. 390-97.

⁸ S. Subramanian, "Tyranny of Transfers", *The Hindustan Times*, February 16, 1996, p. 13.

transfers they either resign or approach politicians. Each favour given has a quid pro quo and the politician extracts his pound of flesh at an opportune time.⁹ As one senior retired IAS official has put it:

This is the lunatic level to which we have brought political interference in administration. I state with some authority that no senior civil or police officer in this country today enjoys any genuine control over his subordinates because they have found lateral and parallel links outside the official hierarchy, through which they have their work done and which they exploit to cover their own wrong-doings. Therefore, far from being an excessively powerful and obstructive bureaucracy, we now face a situation in which the bureaucracy as a delivery system has virtually disintegrated.¹⁰

Before moving on to the situation of transfers in Uttar Pradesh, I will try put forward the actual drama that takes place in offices, departments, ministries.

Transfer is A Quiz in Service

'Transfer is the hotly debated topic in all offices. For some, it is pastime whereas for others, it is question of 'do or die'. The customers, or public are unmoved because they find that things do not change much in an organization with the change of guard or personnel. Earlier on, there used to be lot of concern about transfers as lot of public stake was involved. Now a days, after experience of more than 50 years of independence, the public finds that almost all the office bearers have the same bureaucratic colour with a slight modification here and there. Therefore, the public is not concerned whether an organization has some well established principles of transfers or a definite transfer policy. In USA, it is the prerogative of the management which cannot be challenged. In India, there should be well laid down policy before hand for transfers as each transfer involves displacement of a person and his family. Apart from his physical inconvenience to shift himself and his family members, it involves problem of mental and psychological adjustment. Being at a place for some time, a person learns,

⁹ Julio Reberio, "People Lose Faith When An Honest Officer Resigns", *The Times of India*, February 23, 1996, pp. 11:1.

¹⁰ M.N. Buch, "Bondage of Bureaucracy", *The Hindustan Times*, February 10, 1996, p. 13.

unlearns and then relearns and ultimately adjusts himself if not for himself, for the sake of convenience of his family. In the process, due to his long association at once place, he develops a vested interest at the place of posting.

In India, the principles of transfers are there in every organization but these are followed more in breach than in observance as there are medical problems and problem of education of children as good ground for not going on transfer. During the months from March to May, the government officers develop a phobia of transfer. Some want to be transferred whereas others do not want to be transferred. Both are equally preoccupied during these months. Some are transferred just because another person is to be adjusted in his place. For some persons in power, it is a good industry.

'A' was the victim of such a transfer. 'A' was posted in a large organization which had been limping for a long time. When 'A' joined, his Ministers told him, "you will have complete freedom in your field of duties. But please mend the employees of the organization, stop the infighting of the union and deliver good to the public. So far you work for the mission of the organization, I shall support you".

'A' started working zealously. He found that the work culture in this organization was at a very low ebb. No employee or officer could be punished for late-coming or indiscipline as the union will make allegations that he was becoming prejudicial against them. 'A' pleaded, "How can I inspect all persons at one time? I only conduct surprise inspections. Whosoever is found absent or late, is punished". But his argument was not paid any heed. And the union leaders belonging to the Minister's party kept on poisoning the mind of the minister constantly. However, 'A' was so impartial, sincere and objective that the union leaders could not find support to bulldoze 'A'. the minister was also impressed with the effectiveness of 'A'. What could not be done so far, was being done then. In the enthusiasm, the minister ordered, "The officers who have not gone to the remote places, should go to the remote places. And the persons who are posted to remote

and interior places should be brought back near the district headquarter or nearby or at the state capital. Posting in remote and difficult regions should be fixed for three years and the officer shall be transferred even without a substitute. Further, an employee will be transferred from the dry place to the wet place and vice-versa”.

‘A’ asked the office to make a list for transfers. There was an upheaval. Efforts were made so that facts were tilted at the lower levels and their names did not figure in the list of transferees. But there were some obvious names, the hardened ones who had been enjoying good postings as long as for a decade. Those persons constituted a powerful lobby. Some of them got exemption on the ground that they were office bearers of the unions. To avert the transfers, some new unions sprang up at once.

However, a list of transfers was out. It was a bombshell for peaceful or status quo loving officers. Some went on medical leave whereas some others invented new grounds for staying on the old places. But ‘A’ did not budge an inch. The ministers got many recommendations for ‘transfers’ or for staying ‘transfers’. The minister resisted a lot. Then, senior bureaucrats were caught hold of. They only succeeded partially. Then, ‘A’ was directly threatened by the local politicians and the union leaders. But ‘A’ did not bow down.

In the process, the Minister had so many complaints against ‘A’ that he was finding it no longer politically wise to keep ‘A’ at his place of posting. He knew that ‘A’ had no fault. But when minister’s brother ministers started complaining against ‘A’ to push their own candidates in place of ‘A’, the minister started suspecting bonafide of ‘A’. One of the reasons was that ‘A’ was indulging into corruption by giving indulgence to his coterie of officers. Later on few officers close to minister also grew jealous of ‘A’s performance and complained against ‘A’ to the minister and showed some of the orders or reports of ‘A’ which had few mistakes.

The Minister decided to change ‘A’ but by giving him a promotion so that the minister was not criticized by the media. ‘A’ was transferred on

promotion but his new minister did not allow him to join the new posting as he was very suspicious of 'A' s straight-forwardness. 'A' started doubting his own caliber and ability as an officer. It was very painful for him until he got an alternative posting after two months. Thus, the one who had attempted to transfer somebody was transferred himself. Really, transfer is a great joke.

4.3.1 Situation in Uttar Pradesh

Civil service tenures, which have tended to become shorter and shorter in Uttar Pradesh, as also uncertain, pose a serious problem for those whose task is to ensure the quality and efficiency of administration. There was a time when a three year term was considered to be the minimum required for getting to know the job and then achieving results on the basis of that knowledge. The situation in this context has now become quite serious. The instability of tenures is an acute malaise leading not only to a lack of sense of involvement on behalf of the affected officers but also to their sheer inability to make any meaningful contribution in terms of public service and public good. Theoretically, transfer is not deemed as punishment. The fact of the matter, however, is that, in actuality, an inconvenient transfer after a very short-duration posting can be highly traumatic and upsetting. It is generally perceived as a penal, humiliating act that settles scores with the victim and is discerned, in the perception of the politician, as a deterrant and a tool to command compliance from others who may seem to be intransigent.

In this respect, the Uttar Pradesh situation has developed into that a chronically and acutely sick patient. Figures speak eloquently of the sorry pass to which things have come to. It is estimated that during last fifteen years (1989-2004) over 7,000 IAS/IPS officers have been transferred.¹¹ Table 3 summarises the position.

¹¹ Amit Sharma, "Shuffle Game: Mulayam Sets A Record", *Indian Express*, Lucknow, November 11, 2003.

Table 3: Transfers of IAS/IPS Officers in Uttar Pradesh (1989-2004)

Sl. No.	Period	Chief Minister / Governor (President's Rule)	Coalition partners / Government headed by ^a	Approx. No. of IAS/IPS Transferred
1.	1989-91	Mulayam Singh Yadav	Janata Dal ^b (headed by Janata Dal)	595
2.	1991-92	Kalyan Singh	BJP (headed by BJP)	814
3.	1993-95	Mulayam Singh Yadav	SP-BSP (headed by SP)	580
4.	June-Oct 1995	Mayawati	BSP-BJP (headed by BSP)	578
5.	Oct-April 1996	Governor M.L. Vohra	President Rule	314
6.	1996-97	Governor Romesh Bhandari	President Rule	410
7.	March-Oct. 1997	Mayawati	BSP-BJP (headed by BSP)	358
8.	1997-2002	Kalyan Singh, R.P. Gupta, Rajnath Singh	BJP ^c (headed by BJP)	1,500
9.	2002-2003	Mayawati	BSP-BJP (headed by BSP)	900
10.	August 2003 onwards	Mulayam Singh Yadav	SP, Congress, RLD (headed by SP)	1200

Source: Amit Sharma, "Shuffle Game: Mulayam Sets A Record", *Indian Express*, Lucknow, November 11, 2003.

Notes:

- ^a – Sudha Pai (2002) "Electoral Identity Politics in Uttar Pradesh" in *Economic and Political Weekly*, vol. XXXVII, no. 14, April 6-12, p. 1337.
- ^b – At that time Mulayam Singh Yadav was in Janta Dal.
- ^c – All the BJP governments depended upon defectors from the Congress and BSP.

The system of transfer is reported to have undergone a distinct modification in recent times. Most of the proposals for transfers of IAS/IPS and other senior offices are said to emerge not from the Department of the government charged with the function of preparing proposals but from the CM's office. It is claimed by the government that transfers are based on merit and performance. This claim is belied both by facts and evidence. It is because of frequent transfer according to the whims of the powers that be, that an increasing number of bureaucrats has been seeking deputation to either the Central Government or to other states. T.N. Dhar, retired IAS of Uttar Pradesh remarks, "the transfer industry is perhaps the only flourishing industry in the largest populated state of India".¹² The Chief Secretary of

¹² T.N. Dhar, *2000 and Beyond: Challenges of Governance in India*, IIPA, U.P. Regional Branch, Lucknow, 1999, pp. 22-23.

Uttar Pradesh, V.K. Mittal issued a letter dated 3.6.2004 to all Principal Secretaries / Secretaries, Head of Departments addressing them to follow the transfer policy adopted by government of Uttar Pradesh for the year 2004-2005. The policy clearly lay down guidelines to be followed while affecting transfers. Despite all this, it can said that in Uttar Pradesh policies are only meant for completing formalities and not for implementation.¹³

Impact of Coalition on Federal Governance

A close analysis of table 3 clearly reveals that advent of coalitions (1989 onwards) have resulted in :

- Frequent change in the Government (Political instability)
- New types of power sharing / rotation of offices.
- Change in government witnesses mass transfers (administrative instability)
- Poor governance.
- Incompletion of development works.

Another significant point to note is that in post 1989 era or coalition era the number of transfers are more during the coalition government than president's rule. Various factors are responsible for this phenomenon. Under coalition government, administrative instability is a common feature because different partners in the government exert pressure on the chief Minister for their own interests. Coalition compulsion have seriously eroded the concept of good governance.

4.3.2 Politics of Transfers

We have seen earlier in the chapter that transfer is used as an instrument of political control. Here the endeavour is to look at real causes or politics of transfers which will help in answering the question why transfers. Also the impact on bureaucracy and how do they respond.

¹³ Letter of Chief Secretary to all Principal Secretary / Secretaries, Head of Department regarding adoption and implementation of transfer policy (2004-2005), no. 1/3/96 -4/2004, June 3, 2004, Government of Uttar Pradesh.

According, to T.N. Dhar (retired, IAS of Uttar Pradesh Cadre), transfer is used as a means for taming bureaucracy, for partisan action and for furthering the causes of a political party or political individual in power. The prevailing perception is that bureaucrats are used as pawns or tools by the party in power to settle scores with its rivals. Those considered to be loyal, pliable and convenient are utilized to focus resource use in on the programmes of the ruling party's preference in terms of locations or pre-determined sets of beneficiaries. Some say senior officials are used even for raising party funds and money is exchanged before granting of 'plum' postings.

The steel frame is truly shaking. Political interference has increased to such an extent that officials hold office at the pleasure of MP's and MLA's. Today top posts are actually political appointment meant for pliable and willing offices who would carry out the bidding of the politically powerful and influential', says former Information and Broadcasting secretary Bhaskar Ghosh. According to Javid Chawdhary, former revenue secretary, the whole appointment procedure is skewed. "Rarely are factors like competence, aptitude, past experience and public spirit taken into account while making appointments to responsible posts. Instead, these attributes, are often a disqualification. Pliable functionaries, who are not overburdened with ethics, are handpicked for plum posting". Are there no untouchables (read incorruptible) then? An officer who stands up to a corrupt politician is becoming increasingly rare. "There is a general acceptance that toeing the line is better than standing up for principles and paying a price", says Ghosh.¹⁴

Is the new age bureaucrats less idealistic, more pragmatic? Has corruption and casteism, corroded the steel frame too? S.N. Shukla, former chairman U.P. Vigilance Commission, analyses the problem: "Political corruption is the fountainhead of administrative corruption. The earlier

¹⁴ cited in *Times of India*, From Steel Frame to His Master's Voice, May 4, 2003, New Delhi

generation, of politicians were products of the freedom struggle. Today, it is a profession to grab power and make a fast buck.”¹⁵

The whole situation can be summed up by what VN Garg, UP Cadre IAS had to say “the biggest survival mantra I have discovered during my 23 years of service in UP is to relinquish all attachment. As long as you run after prime postings and plum assignment, life can be unbearable. At times, political pressures act as a major irritant. I decided to take up a project which was against the wish of a local MP. He requested me to drop the idea. One day it became a blunt ultimatum: If you do this I will have you shifted out. I asked him to go ahead and he had me out within six hours. I have realized that if you are straight and principled, the political bosses respect you more than those who play courtiers.”¹⁶

As already mentioned that Uttar Pradesh has fragmented polity, the primary reasons being caste. This has transformed Uttar Pradesh politics into a system where coalitions have become the order of the day. A close analysis of transfers also reveals correlation of caste and transfers. Emergence of BJP, SP, BSP, have shown how castes plays a crucial role in Uttar Pradesh politics as well as administration. Whenever, new government is installed it means shunting out the officers appointed by the previous government. Officers considered close to the old guard, even if they were not actually are given insignificant posting. Caste plays a role and the new government appoints ‘its’ officers i.e., caste and political loyalty being the key factors. Therefore, what is happening is that frequent change in government also means frequent change in administration. No policy guidelines are followed and only caste, monetary, political loyalty are taken into consideration. The rise of spoils system is manifested in rewards and kickbacks of the officers, in terms of their postings.

While all this has been happening, in between, bureaucrat show their morality and frustration. IAS cadres planned public interest litigation against

¹⁵ *ibid.*,

¹⁶ *ibid.*,

transfers during Mayawati's tenure.¹⁷ Many of them had their arms up against the chief Minister Mayawati's suspension spree and a delegation decided to meet the then Prime Minister Atal Behari Vajpayee for his intervention. This shows that the bureaucrats are not happy with the affairs and the way they are treated by politicians, yet they do not show unity and are not willing.

4.4 The Conundrum Continues

In his well known essay *Of Seditious and Troubles*, Francis Bacon, nearly four centuries ago, said when any of the pillars of government are mainly shaken or weakened men have need to pray for fair weather. Most government's degenerate when its citizens cease to be vigilant and concerned.¹⁸ That is the situation Uttar Pradesh is facing at present. In governance, there is lack of perspective, continuity and vision. All around one comes across a desperation, by means fair or foul, to seek, gather and stick on to power. The political system has become ad hoc, coercive and confrontation. There is a preponderance of narrow, short sighted ad hocism all around and crass populism is practiced without compunction to net in the vote banks. Politics has come to depend more and more on money and muscle power. From the periphery, the criminals have been moving into political centre-stage and the impression that is going around is that these offenders of law in the power stream are above law. The politically powerful and the economically rich are in the control of the official apparatus.

The metaphors of criminality and corruption have been incorporated with conscience-free resignation and acceptance into the cultural, political, social and economic discourse and critiques of our society and, if there is one, civilization. Government machinery is used, with impunity by politicians, and even officials, for protection and furtherance of personal

¹⁷ Srawan Shukla, "IAS Cadre Plans PIL Against Transfers," *The Times of India*, November 27, 2002, Lucknow.

¹⁸ T.N. Dhar, *2000 and Beyond: Challenges of Governance in India*, Lucknow: Indian Institute of Public Administration, 1999, p. 60.

interests and for downing the foes. The politicians in power have become impatient and intolerant. They want their orders, right or wrong, to be carried out instantly and without any questions asked. And what has been the impact of all this on civil servants? They are facing difficult time. Many have become increasingly inward looking, officious and self justificatory. This is what Kuldip Nayar has to say of Uttar Pradesh, "In fact the entire bureaucracy has got so contaminated over the years that the word 'objectivity' has been dropped from the official jargon".¹⁹

Here it is important to note that the Prime Minister of India Dr. Manmohan Singh, has written to all the Chief Ministers, inviting attention to the need to reform the public institutions at the State and the Central levels. According to Dr. Singh, the reforms of public systems "involved energizing institutions of governance and ensuring accountability in the provisions of public services, transparency in handling of public funds and aligning incentives with desired outcomes".²⁰

In his first letter to the Chief Minister, Dr. Singh said: "Maintenance of law and order is critical in providing an atmosphere conducive to economic development and social harmony." In this respect, he drew attention to the Chief Ministers' exercise of their favourite power of transferring officials. "Frequent transfers of public servants have a debilitating impact not only on their performance and morale, but also on the whole process of governance. Development administration also involves learning that to a large extent depends on the regularity of tenure. "Therefore, I urge you to ensure stability of tenure to officials in key positions in order to ensure effective administration and proper delivery of public services," he wrote.

The thrust of the letter is on a vibrant collaboration between the Centre and the State. While "the Centre can generate funds for development

¹⁹ *ibid.*, pp. 60-61.

²⁰ Harish Khare, "Reform Public Systems, says Manmohan", *The Hindu*, New Delhi, July 19, 2004.

programmes, their success is dependent on the efficacy of implementation which entirely in your hands,” he said. That meant “collective endeavours in the true spirit of an abiding partnership in the best traditions of cooperative federalism.”²¹ This significant initiative by the Prime Minister of India is a positive one and one can hope and expect for a better system of governance in near future.

²¹ *ibid.*

CHAPTER – V

REINVIGORATING GOVERNANCE

5.1 Challenges and Problems

In chapters 3 and 4, we have discussed the situation of bureaucracy and politics in Uttar Pradesh, new trends, new issues, problems, politics of transfers etc. This chapter envisages to look at the developments that are taking place in Uttar Pradesh under Mulayam Singh Yadav government (3rd term as Chief Minister). The chapter discusses various issues related to bureaucracy and politics under Mulayam Singh Yadav's government. An attempt is made to analyze the problematic areas and address issue of corruption and good governance.

Beginning from where we left in the last chapter, it can be said that the situation in Uttar Pradesh needs serious introspection. As already mentioned that since 1989 (year which saw beginning of coalition era and political-administrative instability) the situation in Uttar Pradesh has deteriorated on a regular basis. Coalition era has witnessed frequent changes in government (resulting in frequent transfers of officers) and as a result following issues have been undermined.

- Governance
- Reforms
- Development work
- Poverty alleviation programmes.

It is not without reasons that Uttar Pradesh is country's one of the most backward state economically and socially. It has fallen into debt trap. Repeated warnings of World Bank and other international monetary agencies has not deterred Uttar Pradesh. Criminalization of politics, politicization of administration, power hunger, lack of perspective,

unwillingness to change, casteisation of politics-administration and corruption are the features which characterize Uttar Pradesh.

Since the beginning of the coalition era i.e., 1989, Uttar Pradesh has not had a single government which has completed its five year term. This does confirm that coalition governments are not stable and also not good for governance. In August 2003, Mulayam Singh Yadav took over as the Chief Minister of Uttar Pradesh for the third time heading a coalition government (Rashtriya Lok Dal, Congress and other small parties have given support).

Earlier Mayawati (BSP) and her alliance with BJP, yet again did not last and defection ensured formation of an alternative government. One of the most striking features of the coalitions in Uttar Pradesh has been defections. Every time there is a fractured mandate (hung assembly) parties go to any extent to garner majority. There is bargaining, horse trading and what not. MLAs have their prices to switch over their allegiance and loyalty. All this has manifested in frequent change in the government and rotation of political offices. Bureaucrats (majority of them) have become flexible and adapt themselves according to the changing situation. This has led to deterioration in governance, public belief in government / officers. Values like honesty, integrity, impartiality, neutrality are almost invisible both at political and administrative level.

5.2 Mulayam Singh Yadav's Government and Bureaucracy

In this section, an attempt would be made to analyze Mulayam Singh Yadav's government and 2004 general elections and their impact on bureaucracy. Mulayam Singh Yadav's Samajwadi party has become the single largest party in the state displacing BJP but has never secured majority. Rise of SP is attributed to its pro minority ideology which has helped it have majority support from the minority. But like any other political party, MLA's keep swinging according to the 'political wave'. Therefore, no coalition government is secure and constantly faces threat of withdrawal of support (bargaining tactics). As mentioned earlier, casteisation

of politics and administration is a major factor for political and administrative instability.

Caste plays a very important role in all the aspects of politics and administration. Some of these aspects are,

- Administrative appointment
- Formation of Cabinet
- Allocation of tickets.

This argument can be substantiated by a report in a leading national magazine titled “Yes, Chief Minister”.¹ It said that in unstable politics of Uttar Pradesh, one of the most affected parties is the bureaucracy. But they are not innocent victims. The bureaucracy in the state is almost completely compartmentalised along political and caste lines. Lately, given the transient nature of the parties, many bureaucrats are committed to individuals and not political parties.

With Mayawati’s exit in August 2003, followed by Mulayam Singh Yadav’s entry, the Lucknow Secretariat was waiting for a major upheaval. And the most worried were those who had received a flood of congratulations when Mayawati was all set to become Chief Minister. Some officers, however, manage to weather all sorts of regime. P.L. Punia is a prime example. In 1993-95, he was principal secretary to Mulayam, then served Mayawati in the same office. In 1997, Mayawati brought him back. The “most wanted” IAS officer was even picked by Jagdambika Pal when he became Chief Minister for a day in 1998. But he reached the pinnacle of power during, Mayawati’s third term. If MLAs are to be believed, he was the defacto Chief Minister. “It was Punia we reported to and he managed the political show”, says Rae Bareli MLA Akhilesh Singh. And when Mulayam took over, Punia was shunted out to an in-significant post. This particular incident reflects the entire situation of bureaucracy and politics in Uttar Pradesh.

¹ Bureaucracy, ‘Yes, Chief Minister’, *India Today*, September 15, 2003.

Bureaucracy the Trusted Weathercock

In August, 2003, as the winds of change continued to last the corridors of power in Uttar Pradesh, a political storm took over Lucknow. At that time too, the state bureaucracy remained the perfect weathercock to point the direction in which the political wind was blowing.² Bureaucrats from particular caste were sure to get coveted posts. A senior Yadav IPS who has good rapport with Mulayam found it easy to chair the posts of an Inspector General of Police (IGP) of his choice. Most districts during Mayawati's regime were headed by schedule caste officers and during Mulayam's regime it is OBC's (other backward castes) reign. Caste really has become dominant factor which is not good for Indian democracy and its polity and administration.

Though Mulayam Singh denies the charges of impartiality on the basis of caste and political loyalty, one can easily observe the realities at ground. In fact, Mulayam Singh in his third term as Chief Minister had commented a lot about bureaucracy, implicitly proving to be political statements. He also faced controversy over politicisation of administration when a police officer resigned saying that he was frustrated because politicians never allowed him to work independently (details will follow later).

The role of elite IAS and IPS officials in Uttar Pradesh came under cloud in the assembly last year (2003) when Chief Minister regretted that they had lost much of their credibility. It's well known, he said, that they use to pay hefty sums for securing plum postings during the 15 month rule of Mayawati led BSP-BJP coalition in the state. "Never before the state witnessed such a moral decay of its officials of the country's premier services, as it was during the time of my predecessor", Yadav said.³

² cited in *Times of India*, "Bureaucracy the trusted weathercock", August 29, 2003, Lucknow.

³ cited in *Times of India*, "Civil Servants in UP have lost credibility, says CM", Lucknow.

He disclosed that a large number of officials had admitted to him that they had got their postings after paying hefty sums in return of it. Imagine what kind of administration could be expected in such a situation, Yadav wondered. The trend, the CM said, needed to be checked urgently as this had done irreparable damage to the image of the state. "The government comes and goes, but the most important is the mark left by it on the sand of time for the posterity", he said. But what has happened since this remark were made is open for one's own analysis. It is precisely this gap between saying and doing, which has hampered the reforms needed to rectify the conundrum.

Although Mulayam claimed that transfers would be done on pure merit without taking into consideration any other factor, but the fact remains that caste, loyalty are the main factors taken into account for effecting transfers. Infact, Mulayam Singh has done more transfers than Mayawati did (Refer Table 3). The same Mulayam who once criticized Mayawati for "shuffling the bureaucracy like a pack of cards" has left the BSP chief far behind in UP's game of musical chairs.⁴ The state has seen more than 9,000 transfers since 1990, at an average of almost two daily, according to *Bureaucracy on Wheels*, a book written by Vaishali Saxena. "Things were not bad before the coalition era but now the bureaucracy is engaged in a perpetual game of musical chairs," says Saxena.

In Journey's Through Babudom and Netaland – Governance in India, a book written by T.S.R. Subramanian, he quotes the Uttar Pradesh Chief Minister, Mulayam Singh Yadav addressing a conclave of IAS Officers, "You all have such excellence minds and education; some of you are scholars; some of you have Nobel Prize minds; you will all succeed in any walk of life, wherever you turn your attention to; you have good jobs; you can educate your children well; and you are all respected by society; - (and then, the clincher, raising his voice) – why do you came and touch my feet? Why do you come and lick my shoes? Why do you come to me for personal

⁴ Amit Sharma, "Shuffle Game: Mulayam Sets a Record", *Indian Express*, November 3, 2003, Lucknow.

favours? When you do, I will do as you desire and then extract my price from you.”

Subramanian adds, “It was an amazing statement because it succinctly summed up the situation and pinpointed the reason for the collapse of the steel frame”.

5.2.1 Bureaucrats Reaction

The way bureaucrats are handled by politicians have perturbed many. Bureaucracy in Uttar Pradesh has become a pliable tool in the hands of politicians. Mayawati during her second term as Chief Minister petrified IAS/IPS officers by transferring and suspending them and even humiliating them. As a Political Scientist, it can be said that whatever has happened or whatever is happening, the blame goes to both politicians and bureaucrats. If a bureaucrat is honest and values integrity then he cannot be deterred by temporary political executives except that the bureaucrat will be transferred and given an in-significant post. The same principle applies to politician; if they are determined and want their bureaucracy to work efficiently and deliver, it can be done easily. The only need is enlightenment of both bureaucrats and politicians, which appears to be a difficult task, though not impossible.

A recent event of the malaise in Uttar Pradesh was seen when a Deputy Superintendent of Police resigned, after leveling allegations that “criminalisation of politics had left no scope for him to perform his duty in an honest manner.”⁵ The officer in his resignation letter sent to the Governor said, he had been feeling during the past ten years of his service that criminalisation of politics had tightened its grip to such an extent that the administration and police had come under the direct control of criminals. He had been feeling suffocated because of the aberrations in the system and was

⁵ cited in *The Hindu*, DSP’s resignation letter raises a storm in U.P. House, February 13, 2004, New Delhi.

forced to resign, he concluded. What the officer expressed is merely the tip of the iceberg, the ground reality is even worse.

5.3 General Elections – 2004: Impact on Uttar Pradesh's Politics

Elections 2004 were eye opener for those who only promised but not delivered. The results of 2004 elections clearly shows that politics in Uttar Pradesh is highly fragmented and strategic castes alignments are key to win an election. Samajwadi Party (SP) emerged topper with thirty five seats followed by Bahujan Samaj Party (BSP) nineteen and Bhartiya Janata Party (BJP) third with only ten. Interestingly Congress, the ruling party at the centre came fourth with only nine seats. Elections 2004 have disproved the popular belief that the way to Delhi is essentially via Uttar Pradesh. Despite this no party can afford to neglect Uttar Pradesh for it sends eighty members to House of People (Lok Sabha). And, this argument is now clear by recent actions of Congress. Congress knows if it has to come to power at the center of its own then it must regain or improve its performance in Uttar Pradesh.

After the Congress and its allies formed the government, the relationship between congress and SP have been bitter; though not without reason. Both the parties bank on minority votes and at present the majority of minority votes goes to SP. Therefore congress wants to isolate itself from SP to which it is supporting in UP and is getting support at Centre, because they feel the cost or burden is too much. Recent remarks made by leaders of both the party has yet again brought the fear of change (in government) in Uttar Pradesh. The future of Samajwadi Party government is uncertain, as the future of Uttar Pradesh.

Table 4: 2004 General Elections: Party Position (Uttar Pradesh)

SP	35	NLP	01
BSP	19	JD(U)	01
BJP	10	SJP(R)	01
Congress	09	Independent	01
RLD	03		
Total Seats : 80			

Source: Statistical Report, Election Commission of India, New Delhi (www.eci.gov.in)

The other significant point to note about Mulayam Singh and his treatment of bureaucrats is the Election Commission's recommendation (before elections) to remove certain IAS/IPS officers. Though Mulayam removed all the officers mentioned by Election Commission but after the code of conduct came to an end, he reinstated all officers to their previous posting (e.g., Aradhana Shukla, District Magistrate, Lucknow; Superintendent of Police, Pratapgarh etc). This shows that ethics and neutrality are missing both in bureaucrats and politicians. With this, we come to the issue of corruption, which is one of the most important factor for all evils.

5.4 Issue of Corruption

Lord Acton's insightful remarks "Power corrupts and absolute power tends to corrupt absolutely"⁶ appears to have universal validity. Corruption has always been a primary concern, if not a problem, of all systems of governance at all times. It is a multi-headed hydra, with no Hercules in sight to slay it.⁷ Corruption is so obvious and yet so mysterious. Little wonder, efforts to capture it in a systematic definition have not met with total success. Only some dimensions of corruption are identifiable, the rest remain concealed even from the most perceptive eyes.

⁶ cited in Ramesh K. Arora and Rajni Goyal, *Indian Public Administration - Institutions and Issues*, New Delhi: Wishwa Prakashan, 2000, p. 593.

⁷ *ibid.*

Corruption has been defined as “the use of public power for private profit in a way that constitutes breach of law”⁸ and dishonesty and illegal behaviour in position of authority and power”.⁹ In other words, it implies the exploitation of one’s official position for one’s own interests at the cost of public good. Joseph Nye perceives corruption as a behaviour which deviates from the formal duties of a public role because of private – regarding influence.¹⁰ Like wise, Carl J. Freidrich argues that corruption

is a kind of behaviour which deviates from the norm actually prevalent or believed to prevail in a given context, such as the political. It is deviant behaviour associated with a particular motivation, namely that of private gain at public expenses... such private gain may be monetary one, and in the minds of the general public it usually is, but it takes many other forms.¹¹

The Santhanam Committee gives an interesting twist to the definition of corruption in public systems. “Any action or failure to take action in the performance of duty by a Government Servant for some advantage is corruption.” Thus, the scope of corrupt activity is expanded by including within its ambit action as well as non action, though the motivation in both cases is similar.

Corruption, thus, involves:

- misuse of official position or authority,
- deviation from rules, laws and norms,
- non-action when action is required,
- personnel gain for selfish motives,
- monetary or non-monetary forms, and
- harm to public good.

⁸ C. Aikin, “Corruption”, *Dictionary of Social Science*, New York, 1964, p. 142.

⁹ Collins Cobuild English Language Dictionary, London: Collins, 1990, p. 318.

¹⁰ Joseph Nye, “Corruption and Political Development: A Cost-Benefit Analysis” in A.J. Heidenheimer, et al., *Political Corruption*, New Brunswick, NJ, Transaction Books, 1967, p.967.

¹¹ Carl J. Friedrich, “Corruption Concepts in Historical Perspectives,” in Arnold J. Heidenheimer, Michael Johnston and Victor T. Levine, eds., *Political Corruption: A Handbook*, New Brunswick: Transaction Publishers, 1989, p. 15.

It is commonly accepted that corruption is dysfunctional to the system of governance and to society as a whole. It promotes illegality, unethicalism, subjectivity, inequity, injustice, waste, inefficiency and inconsistency in administrative conduct and behaviour. In addition, it erodes the faith of the common man in the legitimacy of the politico-administrative system and eventually saps the idealism of those in public service and destroys the moral fabric of society.

There is a counter-view that corruption may indeed be eufunctional in certain situations. Samuel Huntington observes that corruption may help in assimilating new groups into the system and thus serve as a substitute for reform. Myron Weiner sees corruption reducing the rigidities of bureaucracy and making it relatively flexible. And, of course, there is the functionalist view that the beneficiary of a corrupt activity would find it "useful".¹² But these views have only limited currency and acceptance. Corruption appears to be a regular, repetitive and integral part of the organizational society.¹³ According to Ralph Braibanti, government corruption is found in all forms of bureaucracies in all periods of time.¹⁴ Further, corruption appears to be a phenomenon common to democratic as well as non-democratic regime. Edward Gibbon, the great historian of the Roman Empire, remarked: "Corruption is the most infallible symptom of constitutional liberty."

The Indian Experience

Starting with Gunnar Myrdal, there has been much discussion about India being a 'soft state'. We seek remedy for all ills in legislation, without having the will to implement the laws thus enacted, or hurt the vested interests to whose detriment those laws would operate. The same soft

¹² See on this point, among others, Samuel Huntington, *Political Order in Changing Societies* (New Haven, Yale University Press, 1968), pp. 59-71; and Myron Weiner, *The Politics of Scarcity*, Chicago, Chicago University Press, 1962, p. 253.

¹³ J.C. Scott, *Comparative Political Corruption*, Englewood Cliffs, N.J., Prentice-Hall, 1972, p.3

¹⁴ Ralph Braibanti, "Reflection on Bureaucratic Corruption," *Public Administration*, Winter, 1962, p. 357.

attitude is adopted towards punishing errant officials. Consequently, venality and mal-administration are undermining the rule of law, and the situation in the state like Uttar Pradesh has become exceedingly worrisome.

The corruption scenario in Uttar Pradesh is at all time low. Though debates took place in the IAS association of Uttar Pradesh, but nothing substantive could be achieved. The association at least felt deeply perturbed and highly disturbed by the behaviour and response of its members and the falling standards of governance and administration in the state. There is a feeling within that corruption has infected the UP cadre in an increasing measure. The UP IAS association is searching for ways in which it could set its house in order and persuade the state Government to respond to its difficulties. It took the extreme step of organizing a secret ballot to identify three of its members perceived to be the most corrupt. One may disagree with this method of identifying the most abhorrent which does not have a basis in law or principles of natural justice. The exercise is, however, a unique act of generating peer pressure and symbolizes the agony of the cadre and its quest for self correction. Political corruption has been discussed during the course of the study.

5.4.1 Measures for Containing Corruption

During the British times, an awareness of the importance of curbing corruption through legal means had become manifest through Section 161 of the Indian Penal Code of 1860. The Prevention of Corruption Act, 1947 supplemented the earlier legal provisions concerning corruption, including the Indian Penal Code.

During the primeministership of Jawaharlal Nehru, corruption had started permeating the whole body politic. There was a continuing demand for initiating effective measures to contain corruption in public service. In pursuance of this demand, the committee on prevention of corruption was set up in 1962, under the Chairmanship of eminent parliamentarian K. Santhanam, with four other MPs and two senior officers. The Santhanam

Committee, as it came to be called, was asked to give suggestions to prevent corruption in government departments, but not on minister's corruption. The committee, in its report submitted on 31 March 1964, made its recommendations; some of them are,¹⁵

- Article 311 of the constitution should be amended in a manner that legal action on matters involving corruption could be expedited.
- Special precaution should be taken while making appointments and promotions. Cases involving responsibility should be entrusted only to people with sound character.
- Adequate pay and accommodation facilities should be provided to government offices so that they may not be tempted to accept bribes.
- All civil servants, legislators and ministers should declare their private assets.
- Information and accounts regarding the donations given to various political parties by the private sector should be made public.
- A vigilance commission should be appointed in the central government.

The Santhanam committee, however, did not offer any suggestions regarding ministerial level corruption. After the Santhanam committee, it was only the Administrative Reforms Commission which looked into the problem of politico-administrative corruption. At this stage, let us examine some of the administrative machinery presently existing for the prevention of corruption.

Central Vigilance Commission

At the level of Central Government, the principal agency for preventing corruption is the Central Vigilance Commission, which was created on the recommendation of the Santhanam Committee. The commission was set up in order to advise the Central Government on all matters pertaining to the protection of integrity in administration.

¹⁵ cited in Ramesh K. Arora and Rajni Goyal, *Indian Public Administration: Institutions and Issues*, New Delhi: Wishwa Prakashan, 1995, pp. 601-602.

Central Bureau of Investigation

Central Bureau of Investigation (CBI) is the principal investigating agency of the Central Government which plays a major role in preventing corruption and in providing assistance to the Central Vigilance Commission.

There is heterogeneity in the structure of the anti-corruption machinery at state level in India. In Uttar Pradesh, the machinery includes Vigilance Department, Economic Offence Wing (EOW), Anti Corruption Organization (ACO) and Lok Ayukta.

The Ombudsman System: Lok Pal and Lok Ayukta

An ombudsman is generally considered as a person commissioned to protect citizens against any possible mal-administration.¹⁶ In India, it was Administrative Reforms Commission which in its first report presented in 1966, recommended the appointment of a Lok Pal and a Lok Ayukta at the centre and of a Lok Ayukta in every state. It is unfortunate that our Parliament has not made a legislation for the enactment of Lok Pal, despite, it being tabled several time in Parliament.

In Uttar Pradesh, the institution of Lok Ayukta was created in 1975 and is responsible to the legislature. Its annual report is presented in the legislature and as per conventions his recommendations are generally accepted by the House. A close look at the performance of Lok Ayuktas in Indian states does not create a very positive impression. There is much that could have been done and much that should have been avoided.

The analysis makes it clear that administrative corruption is rooted in administrative as well as non-administrative sources. The need is to catalogue all the possible factors impinging on the problem of corruption and then tackle those which fall within the zone of feasibility. What is perhaps a most significant priority in the battle against corruption is to initiate and sustain systematic as well as systemic administrative reforms

¹⁶ *Royal Bank of Canada Monthly Newsletter*, vol. 52, no. 11, November, 1971.

which can directly or indirectly contribute to the mitigation of corruption. In a country like India, where the level of literacy is low and the share of rural population is very high, administrative procedures require maximum possible simplification; less comprehensible procedures lead to over-dependence on the bureaucracy.

With the universalization of corruption, what is needed is a global approach. Gerald Caiden presents a trans-national strategy to combat corruption. His scheme of fighting against systemic corruption comprises a global fostering of democratic ethos, universal ideology of public service, and public service ethics, education and training.¹⁷

5.5 The Role and Performance of the Bureaucracy in the Context of Governance: An Assessment

The role that came to be assigned to the officers belonging to the All India Services of the IAS and IPS both at the federal and the state level has often been described as something unique and a truly 'remarkable feature' of the Indian politico-administrative system.¹⁸ The study team of the Administrative Reforms Commission on centre-state relationships rightly pointed out that :

... an all-India Service that serves the needs of the states but is controlled ultimately by the union is an unusual feature ... (and) cuts across the true federal principle and ... it must have been inserted by the makers of the Constitution for consideration strong enough to override the classical federal set-up.¹⁹

Any assessment of the role and performance of the Indian bureaucracy in India's governance needs to take into account the political environment and social reality in which the administrative system has operated. Michael Oakeshott rightly asserted :

¹⁷ Gerald Caiden, "Further Light on Combating Administrative Corruption" in Ramesh K. Arora and S.L. Kaushik, eds., *The Universe of Public Administration: Essays in Honour of Sudesh K. Sharma*, New Delhi, Associated, 1994, p. 130.

¹⁸ David C. Potter, *India's Political Administrators*, Oxford: Clarendon Press, 1986, p. 163.

¹⁹ Government of India, *Administrative Reforms Commission*, 1967, vol. 1, pp. 237-238.

we acquire habits of conduct not by constructing a way of living upon rules or precept learned by heart and subsequently practised, but by living with people who habitually behave in a certain manner; we acquire habits of conduct in the same way as we acquire our native language.²⁰

As mentioned earlier, a wide range of factors were responsible for a special status being accorded to IAS/IPS in the governance of the country. These included the nature of the service as an abiding national network; its exposure in the broadest spectrum of public administration through live handling of issues at the centre and in the states; and its merit and capability.

Today, bureaucracy is confronted with enormous challenges that have come up as a result of coalition politics. Bureaucracy often argue that the ills associated with the bureaucracy are largely caused by the interference of the political leadership, who prevent the civil servants from functioning independently. The bureaucrats often appear to be a part of a process over which they have little control.

The two related, but distinct trends with regard to the role of the higher civil services in the administrative system, have occupied the spotlight of attention. In the first place - recent controversies involving minister-civil servant relationship have raised doubts - both in academic circles and in the public mind - as to who controls and directs governmental activity. Secondly, the increasing politicisation of the higher Civil Service appears to have seriously undermined the credibility of the administration. The near abandoning of the Weberian 'neutral competence' and the resultant integration in terms of 'group objectives', between the elite Civil Service and the political leadership is increasingly being witnessed.

In an extremely frank and forthright analysis, the Director of the Lal Bahadur Shastri Academy of Administration, Mussoorie, stated :

Unfortunately many ... officers are accepting a diminished role of themselves by becoming agents of exploitation in a state structure which is callous to the needs of the poor. In the process, they would become totally indistinguishable from other rent seeking parasites - politicians,

²⁰ Cited in R.K. Dar, *Governance and the IAS: In Search of Resilience*, New Delhi; Oxford University Press, 1997, p. 249.

inspectors... they are taking too much from the system and contributing too little.²¹

The fall-out of the increasing politicisation of the IAS/IPS, its apparent insensitivity, and the changing contours of minister - civil servant relationship, is clearly reflected in two important developments. In the first place, 'bureaucratic activism' has today become fashionable and has often been appended both by the media and the public. Setting aside Civil Service regulations, serving officers have publicly criticized both the political leadership and their 'erring colleagues' for the forging of an unholy nexus between the two. These 'activist bureaucrats' have seemingly assumed the role of 'educating the people at large on the corrupting influence, rapidly corroding the moral and ethical standards of society'. Several retired bureaucrats too, have launched vigorous campaigns to expose both the political leaders and the bureaucracy.

5.5.1 Major Concerns

The problems of administration have to be considered in their totality and in historical as well as environmental contexts. The difficulties public administration is facing in the country are well known. Some of these may, perhaps, be 'in-house' problems but that, at best, is only a small part of the story. The sickness is far more widespread and has strong political, social and administrative contexts. The public perception about politicians and civil servants is negative at present. People are deeply concerned about the nexus and collusion between politicians, officials and criminals. This concern is reflected in low levels of performance, absence of transparency and poor accessibility in administration. To a considerable extent, civil servants have lost respect, credibility and public trust.

²¹ *ibid.*, p. 254.

Protection from Politicization

First major concern should be to protect the bureaucracy from getting politicised. As a matter of fact, this is the problem of every civil servant in any democratic polity. In a democratic polity, the administrative machine has to be politically impartial. No doubt it implements government's policies but then this is done without associating itself with the political philosophy of the party in power. This is based on the assumption that in a democracy the same political party may not be in power continuously and that different political parties can come to power at different periods of time. In that case the new party in power will like to have the governmental machinery not associated with any particular political philosophy. Otherwise the party in power and the administrative machinery would work at cross purposes and the casualty would be public interest.

Not only this but if the administrative machine gets identified with a particular party then even involuntarily it does not play fair with members of the public not belonging to that particular political party. This is very unfair as the administrative machine is supposed to serve members of the public whatever may be their views or convictions or political affiliations. It also leads to another very serious consequence. Every change of government sees that the whole machinery is shuffled and transfers are made on a massive scale. This is exactly what is happening in Uttar Pradesh.

Need to Specify Duties and Minimum Term of Posting

In India, especially Uttar Pradesh, political parties have come to notice that successive changes in government have seen the political parties coming to power misusing administrative machinery in their own selfish interest and also to harm the interests of their opponents. In a developing country like ours, civil servants continue to play very influential and decisive role in running the government. The political parties, therefore, tried to control the civil servants and even to make them subservient. The most widely misused weapon in this regard has been ordering of transfers,

with holding promotions of upright officers and giving plush jobs with wide responsibility to favourites.

In Uttar Pradesh, since 1989 i.e. advent of coalitions, the political leadership created a record of sorts with regard to the transfer of the IAS, IPS and other officials. (For data, refer Table 3). The frequent transfer of bureaucrats, and attempts to place 'pliable officers' in critical positions is also linked to the phenomenal increase in governmental activity and expenditure in development related sectors, and the wide scope it provides for corrupt practices. The reality of the large government, and the resultant influence that the wielders of power come to enjoy is a case in point. Every corrupt official, it has been alleged, 'generates a multiplicity of corrupt officials'. Certain positions in the administration were considered to be 'strategic' from the perspective of the scope that they offered for indulging in corrupt activities.

The patronage network with its sweeping influence has been explained by Andre Beteille in terms of the social reality in which the system operates :

Why has it proved so difficult to keep administration insulated from the small and large demands of patronage? Part of the answer lies in the turn taken by democratic politics in India. But there are deeper causes, embedded in the structures of Indian society. Ours is a society in which claims of kinship, caste and community are strong, not to say irresistible, and ties of patronage often emerge as concessions to those claims.²²

The Vohra Committee has vividly described the nexus that has developed between unscrupulous elements in the political, bureaucratic and business worlds. It is of the utmost importance that this nexus be broken and steps urgently taken to strengthen and even restore the backbone of the AIS officers.

Fifth Pay Commission Recommendations²³

²² Andre Beteille, *Experience of Governance*, National Level Workshop on Experience of Governance, Mussoorie, NSDART, 1997.

²³ Government of India, Ministry of Finance, *Fifth Pay Commission Report*, 1997, p. 516.

- There should be a minimum tenure for every post. No premature transfer from a post should be allowed except after following the procedures suggested below.
- Postings of officers in the states should also be made in the same manner as is laid down for the centre. There should be a Civil Services Board to recommend postings and an Appointments Committee of the Cabinet to approve them. This will reduce the whimsical nature of postings and transfers.
- A premature transfer should be affected only when the procedure on Transfer Policy has been followed. This involves submission of a case of premature transfer, along with reasons therefore, to the Civil Services Board.
- Each transfer order should contain the average tenure of AIS officers in the state, as modified by that particular order. This would provide immediate warning signals in case too many premature transfers are being ordered.
- No transfer should be based on the recommendation, verbal or written, of anyone except the designated authorities in the civil service. All other recommendations, whether by politicians or by bureaucrats, should be filed. Departmental action should be taken against officers who bring such outside pressure to bear on the system.²⁴

The changing dynamics of center-state relations needs to be borne in mind, and the administration must respond to the emerging trends in these relations. A basic change that needs to be initiated is to reduce the over-riding powers of the center with regard to the AIS.

Changing Mind-Sets of Civil Servants

One of the crucial change that should be made by the civil servants itself is the change in the mind-set. This is very important since, even if

²⁴ *ibid.*, p. 516.

everything else as mentioned is achieved, the civil service would still not deliver the goods if it harbours the same old mind-set, arrogantly assuming that it knows the best and it alone can execute. This is why even though the process of liberalisation might be implemented, though with hiccups, the process of de-regulation had not taken off. The civil service still thinks that it should not give up its authority and discretion and it must be added here itself that this is also a very critical area, which breeds corruption.²⁵

All modern governments suffer from the persistent preoccupation with procedures and functional rationality to the exclusion of ethical values and standards. It is not surprising, then, to see that public servants view their domain as a rational, objective, and value-free, where expediency and technical considerations dominate the policy decisions of vital socio-economic consequences. Ethical dilemmas faced by a public servant include many issues of contention, for example, if there is a conflict between an individual's privately held convictions and publicly held obligations, as determined by his organisation, what should he do? Should he interpret government policies and programmes according to his personal sense of right and wrong? Or, when a public servant feels that there is a clear-cut conflict between what he is required (by his senior officials or by the political leadership) to do and what he really thinks is right, where should his loyalty lie?²⁶

What should an employee do when he finds certain indications of deliberate inefficiency, protection of incompetence, extravagant and unreasonable use of public funds, use of government equipment and machinery for personal use or subjective criteria used in recruitment or in the award of government grants or favours?²⁷

²⁵ B.G. Deshmukh, *Indian Bureaucracy - Facing the Future*, text of Eighth T.V. Chidambaram Memorial Lecture, delivered on January 31, 1998 at SIES College of Arts, Science and Commerce, Mumbai.

²⁶ R.B. Jain, *Political Control of Bureaucracy in India*, Revised version of a paper prepared for presentation at the IPSA-RCQ Conference on "Political Control of Bureaucracy in Democratic Systems", at Ben Gurion University of the Negev at Beir-Shena, Israel, February 16-18, 1997.

²⁷ O.P. Dwivedi and R.B. Jain, *India's Administrative State*, New Delhi, Gitanjali Publishing House, 1985, pp. 257-258.

To what extent, should a public servant support the political ideology practised by the political leadership of the government? Or, when a person accepts public service employment, how much should he subordinate or abdicate his claims to private life, property and values?²⁸ Obviously, neither the traditional concept of 'bureaucratic neutrality' nor a 'code of bureaucratic conduct' can cover all such situations or resolve such dilemmas. As Dwivedi has so emphatically put it, "public responsibility" is multi-dimensional in nature, it flows upward and downward as well as outward and inward. Such a complex notion is bound to create dilemmas; consequently a responsible administrator would be well advised to be on guard against forces which might attempt to influence him to act otherwise.²⁹

Here it can be said that no measure will be of any avail unless the political executive, particularly in the state, first accepts and honours the basic principles of ministerial responsibility, service neutrality, fair treatment of civil servants, particularly at the decision-making levels, and a transparent willingness to be advised honestly and impartially by the Civil Servants.

5.6 A Quest for Good Governance

The responsibility for the sharp fall in the standards of governance and public administration lie with the whole system of the politico-social-economic reality. Here it would be important to address the issue of governance. The concept of governance needs to be viewed from a multitrack perspective. In its broadest sense, it implies system or arrangement designed to administer and cater to the needs of those it was essentially meant to serve. Any system of governance would have to be considered against the backdrop of the ideological values the political system has come to accept, and the socio-economic conditions in which it operates.

²⁸ *ibid.*

²⁹ O.P. Dwivedi on Terry L. Cooper, *The Responsible Administrator : An Approach to Ethics for the Administrative Role*, by Port Washington (NY), Kennikat Press, 1982, published in *Public Administration and Development*, vol. 3, no. 4, 1983, p. 384.

A survey of the history of the growth of political ideas and institutions clearly demonstrates that the issue of governance has been central to political discourse. During the early days of constitutionalism, Locke stressed that in society, power was meant to be used for the common good, and those entrusted with this responsibility were bound "to govern by established standing laws.... and not by exemplary decrees... (and) directed to no other end but the peace, safety, and public good of the people". The concept of common good was further elaborated by TH Green when he stated that will, not force, should be the basis of the state and the maintenance of common good would not be possible without the active involvement and participation of the people.

Governance, in spite of all its diverse implications, essentially involves the making of choices - the most fundamental being which social problems will become public and which will be left to individual decisions, or to the decisions of other institutions.

The complexities of governance also need to be appreciated in view of the wide range of issues the system is required to address and cater to. As modern democratic societies have come to be characterized by 'irreversible pluralism', the emphasis on the need for the 'legitimation of difference' is clearly evident.

Table 5: India's Governance – Recent Score Card

Achievements	Concerns and Challenges
Economic Governance	
<ul style="list-style-type: none"> • India is among the ten fastest growing economies of 1990s; • Substantial forward movement in industrial, trade and aspects of fiscal policy reforms; • Tax reforms – rationalization of tax rates, exemptions and simplification of tax administration; • Reasonable price stability; • Comfortable balance of payments, growing foreign exchange reserves; • Significant decline in incidence of poverty; • Self-sufficiency in food grains with unprecedented public food stocks; • Steady improvement in most social indicators; • Impressive gains in demographic transition for many States. 	<ul style="list-style-type: none"> • Growth disparities across States have increased in 1990s as compared to 1980s; • Implementation problems remain in many areas and parallel action is needed in most States; • Less than 0.5 per cent of population pays income tax, under reporting of income widespread; • Stagnating tax – GDP ratio; • Central and State governments running unsustainable fiscal deficits; • About 260 million persons or about 26 per cent of population still below the normative poverty line; • Pockets of hunger and acute deprivation still an unfortunate reality; • Critical gaps remain, a little less than half of women still illiterate, high infant mortality rates; • Population growth still high, unsustainable and persisting adverse sex-ratios in some States.
Political Governance	
<ul style="list-style-type: none"> • A resilient democracy supporting the emergence of a multi-party polity at various tiers of government; • Politics of coalition consensus is beginning to find its feet; • Broad political consensus on nature and direction of economic reforms and national foreign policy; • Movement on decentralisation of power from the Centre to States, districts and village; • Positive discrimination, reservation in political bodies at grass-root level, social mobilisation of the marginalised and competitive elections have created opportunities for popular participation in decision making; • Independent and a proactive judiciary on issues of larger public interest. 	<ul style="list-style-type: none"> • Recourse to competitive populism, the use of money-power, particularly during elections, compromising decisive political action; • Absence of institutional framework for sustaining (coalition) governments for their term, once elected to office; • Disruptions in parliamentary proceedings delaying timely and informed legislative work; • Excessive compartmentalization of the executive, into ministries resulting in a narrow development perspective, vested interests and preventing the rightsizing of a bloated bureaucracy; • Criminalisation of public life, politics of vote bank, communal violence, and corruption are major challenges for improving governance in the country; • Too much state presence in some areas, too little in others.
Civil Governance	
<ul style="list-style-type: none"> • Primacy of basic human and civic rights; • Rule of law; • Freedom of expression, free press and electronic media; • Considerable non-governmental and civil society initiatives in various spheres of social and public life; • Institutional framework/agencies for checking corruption in high public offices. 	<ul style="list-style-type: none"> • In practice, some like women and deprived are less equal than others, particularly, in their social and economic rights; • Persisting law and order problems in some areas; • Mobilisation of people for better work ethics, civic responsibilities and environmental protection; • Poor conviction rates, delayed justice, backlog of cases, particularly in subordinate judiciary; • Distorted, perverse incentive structures in civil services encouraging mediocrity and corruption.

Source: National Human Development Report (2001), Planning Commission, Government of India, p. 117.

The World Bank has recognised the following factors as being crucial to any scheme of governance in contemporary societies :

- the form of political regime
- the process by which the authority is exercised in the management of a nation's economic and social resources for development;
- the capacity of government to design, formulate and implement policies and discharge functions.³⁰

The global trend with regard to governance reveals a distinct pattern and approach. With increasing emphasis on deregulated government, a customer friendly administration appears to be the norm. Private management concepts are gradually being applied in public administration, giving rise to the concept of 'New Public Management'. Many have referred to this trend as the 'marketisation of the state'. The above changes are also reflected in the changing perspectives on governance of the political leadership.

The discourse on governance in India has been shaped by several factors and developments. Soon after independence, in the context of the socio-economic conditions of the country, it was hoped that the instrumentalities of governance would work in the direction of realising Gandhiji's dream of Swaraj for the hungry and spiritually starving millions. A state-sponsored scheme of development, which emphasized the importance of a mixed economy and planning was vigorously pursued.

It is in the light of these developments that a spate of social empowerment movement gained strength and attempted to refocus the discourse on governance in the context of the needs and aspirations of the citizens. At another level, in response to global changes, the government has embarked on an ambitious policy of economic liberalisation, which entails a serious second look at the role of the state and instrumentalities of governance.

³⁰ *World Bank Report*, Washington D.C., 1994 : XIV.

According to S.C. Arora, "The need for good governance, in India, has always been indispensable for delivering goods and services to the masses. However, its indispensability has assumed utmost significance considering the present changed national and international scenario."³¹

India's massive bureaucracy is maintained at huge cost by the country's tax payer whose average income is among the lowest in the world. But the governance he gets in return is dismal. The public perception about the members of the civil services, who function at cutting edge and higher coordinating and policy making levels, is that they are 'burdensome low-performers' heading a highly bloated bureaucracy, which is perceived to be corrupt and inefficient in governing the country.

The Ailments Afflicting India's Civil Services are:

- Lack of professionalism, lack of aiscal recruitment, training and cadre allocation that are out of tune with the governance needs of the country;
- Outmoded civil service rules which enforce "terror of silence" rather than "proactive contribution" towards fair and just governance;
- Unjust promotion and empanelment system wherein corrupt politicians and bureaucrats can damage the career of any upright and outstanding civil servant who dares to be different and reward the corrupt and the incompetent;
- Arbitrary and whimsical transfers wherein efficient and conscientious officers are kicked around and even put on 'compulsory wait' by power wielding politicians and bureaucrats.
- Severe dilution of service over a period of time giving upper hand to elements who do not share common values and standards required of an elite service.

It is in this context, civil service reforms need to be analysed and implemented.

³¹ S.C. Arora, "Good Governance at the Grassroot Level" in Noorjahan Bava (ed.), *Public Administration in the 21st Century*, New Delhi: Kanishka Publishers, Distributors, 2004, p.314.

Reforming Civil Service: An Overview of Administrative Reforms in India

Administrative reforms is a process that involves enhancement in the capacity of an administrative system to achieve its assigned goals. It involves "artificial inducement of administrative transformation against resistance".³² Reforming a system implies a modification in its 'form', but it does not mean that administrative reforms deal with only structural changes in a system. It is much broader in scope and includes in its ambit improvements in structures, processes and behaviour of the administrative system and its components. The underlying assumption behind such reforms is that only an administrative system that revitalizes itself constantly gathers the capabilities to respond to and even direct its socio-economic environment of which the most crucial part is its clientele.

The major subjects of concern of administrative reforms have been :

- Enhancement of efficiency and economy
- Updating administrative technology
- Creation of new institutions to undertake additional functions of administration.
- Stressing structural and functional specialization.
- Redesigning of administrative structures with a view to enhancing their effectiveness.
- Improving intra-agency and inter-agency co-ordination to prevent frittering away of resources and facilitating a concerted action for goal achievement.
- Rationalizing the personnel system in a manner that would promote merit-oriented recruitment and performance-based career development.
- Ensuring higher levels of integrity in public services and frightening the control and surveillance system.

³² Gerald Caiden, *Administrative Reforms*, Chicago, Aldine, 1969, p.1.

- Inculcating and sustaining in the administrative system a spirit of responsiveness to people's need and ensuring adequate accountability of government organizations.
- Strengthening the bases of decentralization, delegation and democratization in administration at the macro as well as at the micro levels.

An overview of administrative reforms in independent India presents five different phases. The first phase called the "Evolutionary Phase" started at Independence and lasted approximately two decades. The next was the period of experiment and is again a long period lasting almost a decade and a half. The third is the transitional phase, followed by the phase of reform. The last and current phase has been called the "Mainstreaming Phase".

Evolutionary Phase (1947-69)

The period from 1947 to almost 1970 saw the evolution of the civil services into not only the AIS but also into various Central service (specialised services like the Indian Audit and Accounts Service, Indian Revenue Service, Indian Railway Traffic Service and so on) as well as the provincial services formed by various provincial governments. The question of recognising and making bureaucracy more efficient was an issue that occupied the attention of the political leadership. As early as 1949, N. Gopaldaswami Ayyengar recommended various suggestions for the improvement in methods of government. The A.D. Gorwala Report of April 1951 pointed out that a clean, efficient and impartial administration was the first condition for the success of democratic planning. The period also saw the rapid expansion in the departments of government and the total size of the bureaucracy. Paul H. Appleby carried out one of the first systematic and in-depth study of public administration in India, at the invitation of the Central Government. Appleby in his report emphasised the need for the establishment of a central office charged with the responsibility of reviewing structures, management and procedures in government. The result was the

setting up of the Organisation and Methods Division in the Cabinet Secretary's office and the publication of the first Manual of Office Procedure common to all ministries and departments of the Central Government. A report by T.T. Krishnamachari dwelled on the importance of training for the civil service and improvements in the district administration. K. Santhanam addressed the issue of corruption very early in a report in 1964.

The 1960s saw the inadequacy of the bureaucracy to deal with the challenges being thrown up by the development activities. The growing feeling that the bureaucracy was not being able to deliver and at the same time the need to have a fresh look at all aspects of public administration in India led to the setting up of the Administrative Reforms Commission (ARC) in January 1966. The ARC was tasked with giving full consideration to the need for ensuring that the highest standards of efficiency and integrity in the public services, for making public administration a fit instrument for carrying out the social and economic goals of development and making administration responsive to the people.

In the period between 1966 and 1970, the ARC gave 20 reports and these contained 581 recommendations both big and small. They covered a number of suggested changes, in all areas of administration and stimulated further thinking on a variety of administrative problems leading to newer and more far-reaching reforms. The evolutionary phase ends with the submission of the recommendations of the ARC to government in 1970.

Experimental Phase (1970-84)

This phase is termed 'Experimental' because the realisation was there that everything was not all right with the administrative set-up, but how this was to be addressed was not very clear. Moreover the phase witnessed war, and the most important was the emergency of 1975-76 which was watershed in Indian democracy and so also was it a crisis for the civil service. The Shah Commission, which went into the excesses during the emergency, was highly critical of the role of the bureaucracy and this had a deep impact on

the civil service. The important reform in this phase was the setting up of Departments of Personnel and Administrative Reforms at the state government levels.

Transitional Phase (1984-91)

In January 1985, the Prime Minister announced measures aimed at making administration an instrument of social and economic transformation. As a follow-up of this the government introduced the concept of Annual Action Plans (AAPs) for all ministries and public enterprises. One of the lasting benefits of the transitional phase was introduction of Information Technology for more efficient working of government and for increasing the pace of economic growth.

The most striking feature of this phase was setting up the Commission on Centre-State Relations under the chairmanship of Justice Sarkaria to take a fresh look at the whole question of the working of the federal polity. It produced its very voluminous and detailed report in 1988-89, which covered all aspects of the relationship between the Union and the states. The Sarkaria Commission also came out in strong support of the AIS and stated that any move to disband the AIS or permit any state government to opt out of the scheme must be regarded as retrograde and harmful to the larger interests of the nation.³³

Reformist Phase (1991-95)

The beginning of the 90s was characterized by financial stresses, compounded by the fact that the foreign exchange situation was also becoming very critical. In 1991, the government of India ushered in an era of economic reforms, characterized by conscious policies of liberalisation, privatization and globalisation. The role of the command and control structure of the government received a new meaning in the regime of

³³ Government of India, Commission on Centre-state Relations, Part-1, p. 224-25.

economic reforms. The reform packages argued for increased privatization, delicensing and decentralization.

The phase was very important from the perspective of decentralization. Gow and Van Sant define decentralisation as, "Decentralization implies the devolution of decision-making authority and control over management of development initiatives and resources from the center toward the periphery."³⁴ Although decentralization had been paid lip service right from the beginning of Independence very few state governments had actually taken any concrete steps to operationalize this concept.³⁵

In 1992 the 73rd and the 74th Amendments amended the Constitution and local self-government bodies in both rural and urban areas were sought to be revived. The experience after 1993 has been that while in some states the movement towards empowering local bodies has made good progress, other continue to drag their feet over the implementation.

Mainstreaming Phase (1996-Present)

The implementation of the New Economic Policy packages revealed the various bottlenecks that continued to haunt the effective governance and smooth delivery of services in the public sector. The Government of India organised a Conference of Chief Secretaries of States/Union Territories on Effective and Responsive Administration in November 1996. This was followed by a Conference of Chief Ministers in May 1997 on Responsive Administration. These Conferences reiterated the need for greater involvement of the people in public governance to ensure more efficient functioning of the government machinery.

³⁴ D.D. Gow and Jerry Van Sant, *Decentralization and Participation: Concepts in Need of Implementation Strategies*, and eds., Morss and Gow, Westview Press, 1985.

³⁵ S.V.S. Juneja, "Panchayati Raj - A Survey", *The Indian Journal of Public Administration*, vol. XIX, No. 1, January-March, 1973.

5.6.2 An Agenda for Good Governance

The Document prepared by the Ministry of Personnel, Public Grievances and Pensions, Government of India, entitled "An Agenda for Effective and Responsive Administration" argued that governance must extend beyond conventional bureaucracies and empower the citizens to actively involve themselves through autonomously elected local administration agencies for more effective delivery of services of government agencies. According to the Agenda³⁶, "the public administration and the Civil service at all levels are passing through difficult times in terms of eroded credibility and effectiveness of the civil service, growing public perception of an unholy nexus between certain elements among politicians and civil servants and criminals (as elaborated in the Vohra Committee Report), and increasing criticism of the low level of honesty, transparency and accessibility to the political and bureaucratic elements in charge of administration". A major outcome of the Responsive Administration Conferences was the adoption of Citizens' Charters and the Right to Information.

This period also witnessed a greater role of the application of information technology in governance known as E-Governance.³⁷ The debate in India is now in the open and the realisation is finally there that unless drastic changes are made in the working of administration it would be impossible to compete globally. "Good Governance" is now not the latest catch phrase but a serious goal that needs to be seriously pursued and followed.

The Need Today

The need today is for forward looking, proactive governance that can pull the desolate nation out of the rot of corruption and communalism that is

³⁶ Department of Administrative Reforms and Public Grievances, *An Agenda for an Effective and Responsive Administration*, New Delhi, Government of India, November 1996.

³⁷ Gireesh Pradhan, "Civil Service Reform in Independent India : An Overview", *Indian Journal of Public Administration*, vol. XLVII, no. 4, October-December 2001.

ravaging its polity and destroying its edifice. For this the static and sterile civil service and political executive that is administering the country should transform itself. In this regard Madhav Godbole and E.A.S. Sarma (both Retd.IAS) have initiated a path breaking step i.e., by filing a PIL (Public Interest Litigation) in Supreme Court on the state of Civil Service in the country. Though the PIL was rejected by Supreme Court, but then it is an opening which should see positive response from everyone concerned with good governance. Godbole and Sarma in their introduction of PIL make it clear that:

“It is not enough to declare good governance as a fundamental right and independent, apolitical, neutral and fearless civil services as one of the instruments for its realization since not all fundamental rights are a part of the basic structure of the Constitution. It is necessary to declare the right to good governance as a part of the constitution.”³⁸

Despite the PIL being rejected the suggestions for good governance are worthy of getting incorporated in the system.

According to T.N. Dhar, without cleaning the political system, the scope for cleaning the administrative system is limited. Before we go over the brink, all political parties in the country must get together and initiate a serious and meaningful dialogue amongst themselves that must transcend party and self-interests and generate a consensus on political and administrative reforms.

The Department of Administrative Reforms and Public Grievances in the Ministry of Personnel Public Grievances and Pensions, the nodal agency of the Government of India for administrative reforms aims to facilitate the pursuit of excellence in governance through promotion of:

- Improvement in Government Structures and Processes;
- Citizen-friendly initiatives including redressal of public grievances;
- Documentation, incubation and dissemination of best practices;
- Codification and simplification of procedures; and

³⁸ Madhav Godbole and E.A.S. Sarma, “A Quest for Good Governance”, *Advocacy Perspectives*, National Centre for Advocacy Studies, Pune, Working Paper Series, No. 20, May 2004, p.13.

- networking with various agencies.³⁹

In this regard Government of India has constituted a Committee under the chairmanship of Shri P.C. Hota, former Chairman, UPSC and former secretary, Ministry of Personnel, Public Grievances and Pensions to examine the whole gamut of Civil Service reforms. The Committee consists of several Secretaries to the Government of India and senior retired civil servants.

The committee would give specific recommendations on:

- Making the Civil Service responsive and citizen friendly, transparent, accountable and ethical in its (a) actions and (b) interface with the people.
- Making the civil service e-governance friendly.
- Putting a premium on intellectual growth of civil servants and on upgrading their domain knowledge.
- Protecting the Civil Service against wrongful pressure exerted by administrative superiors, political executive, business interests and other vested interests.
- Changes, if any necessary, in the various All India Services rules and Central Service Rules to provide a statutory cover to the proposed Civil Service reforms.
- Changes in rules governing the disciplinary proceedings against civil servants to decentralize the process as far as practicable, and to make the disposal of such proceedings timebound.
- Any other matter that the committee may consider relevant to the subject of Civil Service reforms.⁴⁰

The committee is under process and due to submit its report sometime in August 2004.

³⁹ India, Government of India, *Annual Report*, Administrative Reforms and Public Grievances, Ministry of Personnel, Public Grievances and Pensions, 2002-2003, p. 68.

⁴⁰ *Indian Express*, March 6, 2004, New Delhi.

CHAPTER - VI

CONCLUSION

6.1 Advent of Coalitions and its Impact on Federal Governance: A Conclusion

In Chapter-I, I have discussed the objectives of the study in form of research questions, which have been answered during the course of the study. Here I have taken advent of coalitions and its impact on federal governance and polity so as to arrive at some sort of conclusion or findings of the study, which is central theme of the study. At the same time one must remember that Indian democratic polity (since 1989) is witnessing new dimensions and new problems have come up; which requires serious endeavour to meet the challenges. The new system, at least for the time being, has thrown up a dynamism in which major parties or party-like formations the Congress, the BJP and its allies- seem to be almost equally poised for competition. The left and regional parties may play a balancing role. In this multipolarity it also seems that Indian politics has entered a coalition phase at least for the near future. In September-October 1999 Lok Sabha elections, it was for the first time that a pre-electoral alliance obtained a clear majority. State parties aggressively pursuing the developmental interests of their respective states joined hands with the BJP after the dissolution of the 12th Lok Sabha in an alliance which marks the advent of what Balveer Arora calls, "*electoral federalism*".¹

General Elections 2004 resulted in yet another hung parliament with no party gaining clear majority. But this time Congress came up with a coalition which now appears to be an alternative of NDA. The challenges which have come up as a result of advent of coalitions can be seen both on governance and polity.

¹ Balveer Arora, "The Political Parties and the Party System: The Emergence of New Coalitions" in Zoya Hasan (ed.), *Parties and Party Politics in India*, New Delhi: Oxford University Press, 2002.

Impact on Governance

- Administrative Instability
- Casteisation of administration
- Politicisation of administration
- Bureaucratic values getting eroded
- Weak Decision Making

Impact on Polity

- Fragmented Polity
- Political Instability
- Has increased
 - Corruption
 - Casteisation
 - Defections
- Development work sidelined
- Lack of strong decisions

6.2 A Time of Coalitions

The above-mentioned points are findings of the study i.e., how coalitions have affected federal governance. There is another belief which looks at the coalitions entirely from a different point of view. Paranjoy Guha Thakurta and Shankar Raghuraman in their book, *A Time of Coalitions Divided We Stand* argues against two commonly held beliefs. Their basic premise is that India has come a long way from the time when a single party, the Congress, dominated our polity. Instead, it has given way to multi-party configurations or coalitions, which, they demonstrate, are neither temporary nor an aberration- coalitions are here to stay, they say, at least in the foreseeable future. Second, they expertly dismiss the view that India's polity is essentially bipolar, led by either of the two largest parties- Congress and BJP- and that other political parties have no option but to choose which of these two they will align themselves with. They do subscribe to the proposition that at the state level, it is clear that Indian politics is becoming

more fragmented with the rise of caste-based and regional parties (mentioned in earlier chapters).

What perturbs me is their conclusion which I find it to be unique: they believe coalitions are not a negative feature of India's polity but, instead, have had a positive influence on the working of the country's democratic structures. The authors take the view that coalition governments are in fact better equipped to deal with the tensions of a divided society while single-party governments tend to both centralize and homogenize. Another view of the authors which I categorically reject through my study is that political coalitions have led to better governance, brought about a greater degree of federalism, and reduced the incidence of corruption. Today India is passing through one of those phases where governance and coalitions run parallel to each other and both require due attention to arrive at some sort of valid conclusion or paradigm.

6.3 Future of Bureaucracy in a Democratic Federal Polity

The bureaucracy in Uttar Pradesh, even nationally is at cross roads. The need is to mount as much pressure as possible through debate, dialogue, interactions, media articulation and by other legitimate means for speedy political and administrative reforms. It is heartening to see that introspection is taking place and will to reform is there. What needs to be ensured is that the momentum is not lost and some cardinal decisions are obtained from the highest political levels as quickly as possible. The country has to shift from governance through regulation and control to enabling forms of development administration. From the foregoing discussion, we may draw following broad conclusions :

First, public bureaucracy is as much required as private bureaucracy; it is not absolutely incompatible to democracy which ultimately decides what powers and responsibilities are to be given to bureaucracy. Even the direct recruitment of the bureaucracy may be mixed, including both merit-based and protective discrimination (reservation) in favour of the excluded.

Second, democracy does control bureaucracy not only through final policy decision-making by the Minister but also through Parliamentary Committees. Further, there may be decentralisation to local self-government, and bureaucracy ultimately adapts to it accordingly if proper leadership is provided.

Third, in an asymmetrical society, bureaucracy is more likely to serve the deprived through various programmes, otherwise their interests may be marginalised by the ruling dominant groups or market imperfections. So long as markets operate imperfectly, monopoly of private sector is to be avoided, and rights and interests of the deprived are to be protected, State will continue to exist (more as a facilitator) and, therefore, an efficient and effective bureaucracy, too, will be needed to help citizens.

Finally, in a politically unstable developing country, permanent bureaucracy does provide stability, unity and integrity to the country by controlling crimes, and maintaining law and order.

In conclusion, the civil service is a key institution in our system of governance. And our system of governance is built essentially around the state. The role of the civil service will keep changing according to changes in the role of the state in India. Since the nature of the state is essentially a product of the political process, there are certain functions which it alone can perform, and must perform better. The present is one such period where we need to reorient the civil service to deal more effectively with the process of economic reform and challenges of democratic federal polity, wherein the civil service will have to do some things better than it does today, and give up some things which it is not designed to do. These are the goals that must be striven for. It is a tough challenge but then it is also an opportunity.

Here researcher has tried to give a comprehensive note on the topic, but despite all this, the dissertation has some limitations. It deals with coalitions and federal governance in a general way as it involves dynamism. Nevertheless, this dissertation can benefit to those readers and scholars interested in the area.

ANNEXURE – I

**Text of the letter issued by Chief Secretary
(Government of Uttar Pradesh, Lucknow) regarding the
Annual Transfer Policy for the year 2004-2005**

संख्या-1/3/96-का-4/2004

प्रेषक,

वी०के० मित्तल,

मुख्य सचिव,

उत्तर प्रदेश शासन।

सेवा में,

1. समस्त प्रमुख सचिव/सचिव
उत्तर प्रदेश शासन।
2. समस्त विभागाध्यक्ष/प्रमुख कार्यालयाध्यक्ष,
उत्तर प्रदेश।

कार्मिक अनुभाग-4

लखनऊ दिनांक 3 जून, 2004

विषय :- सरकारी अधिकारियों/कर्मचारियों की वार्षिक स्थानान्तरण नीति।

महोदय,

सरकारी अधिकारियों/कर्मचारियों के सम्बन्ध में पूर्व में जारी स्थानान्तरण नीति विषयक समस्त शासनादेशों को अवक्रमित करते हुए शासन द्वारा वर्ष 2004-2005 के लिए निम्नवत् स्थानान्तरण नीति निर्धारित की जाती है :-

1. सामान्यतः कोई स्थानान्तरण नहीं किया जाएगा, किन्तु :-
 - (क) प्रशासनिक दृष्टि से आवश्यकतानुसार स्थानान्तरण किये जा सकेंगे।
 - (ख) प्रोन्नति, सेवा समाप्ति, सेवा निवृत्ति आदि स्थितियों में स्थानान्तरण किये जा सकेंगे।
 - (ग) किसी अधिकारी/कर्मचारी के व्यक्तिगत कारण, जैसे- चिकित्सा या बच्चों की शिक्षा इत्यादि के आधार पर स्थान रिक्त होने पर या दूसरे

अधिकारी/कर्मचारी के सहमत होने पर स्थानान्तरण/समायोजन किया जा सकेगा बशर्ते कि उन पर प्रशासनिक आपत्ति न हो।

- (घ) यदि पति-पत्नी दोनों सरकारी सेवा में हों, तो उन्हें यथासम्भव एक ही जनपद/नगर/स्थान पर तैनात करने हेतु स्थानान्तरण किया जा सकेगा।
- (ङ) कोई प्रतिकूल तथ्य न होने पर दो वर्ष में सेवानिवृत्त होने वाले समूह –“ग” के कार्मिकों को उनके गृह जनपद में तैनात किया जा सकेगा।
2. लखनऊ को छोड़कर अन्य जनपदों में जो समूह “क” एवं “ख” के प्रशासनिक एवं पुलिस अधिकारी अपनी सेवाकाल में कुल 10 वर्ष पूर्ण कर चुके हैं, को उक्त स्थानों से स्थानान्तरित कर दिया जाय, किन्तु लखनऊ स्थित विभागीय मुख्यालयों एवं उत्तर प्रदेश सचिवालय में यह प्राविधान लागू नहीं होंगे।
 3. प्रत्येक विभाग में उक्त आधारों पर स्थानान्तरित अधिकारियों/ कर्मचारियों की संख्या विभाग के समस्त अधिकारियों/ कर्मचारियों की संख्या के 10 प्रतिशत तक सीमित रखी जाए तथा जहाँ इस निर्धारित संख्या से अधिक स्थानान्तरण की आवश्यकता हो वहाँ समूह–“क” एवं “ख” के लिए मा0 मुख्यमंत्री जी का अनुमोदन प्राप्त कर लिया जाए तथा समूह “ग” एवं “घ” के लिए मा0 विभागीय मंत्री का अनुमोदन प्राप्त कर लिया जाय।
 4. आय-व्ययक में स्थानान्तरण यात्रा व्यय मद में प्राविधनित धनराशि की सीमा के अन्तर्गत ही स्थानान्तरण किये जाये किन्तु यदि अपरिहार्य कारणों से प्राविधानित सीमा से अधिक धनराशि व्यय होती है, तो मा0 विभागीय मंत्री जी के अनुमोदनोपरान्त, वित्त विभाग की सहमति से पुनर्विनियोजित कराकर आय-व्ययक में अतिरिक्त धनराशि का प्राविधान कराया जाय।
 5. समूह “ख” के कार्मिकों के स्थानान्तरण सम्बन्धित विभागों के विभागाध्यक्षों द्वारा किये जायेगे।
 6. शासन स्तर, विभागाध्यक्ष स्तर, मण्डल स्तर एवं जिला स्तर के समस्त स्थानान्तरण यथा सम्भव दिनांक 20 जून, 2004 तक पूर्ण कर लिये जाये।

दिनांक जून, 2004 के उपरान्त शासन स्तर से कोई स्थानान्तरण नहीं किये जायेंगे, जब तक मा० विभागीय मंत्री जी के माध्यम से मा० मुख्य मंत्री जी का अनुमोदन न प्राप्त कर लिया गया हो, इसी प्रकार समूह "ख" के अन्य कार्मिकों के स्थानान्तरण हेतु मा० विभागीय मंत्री जी का अनुमोदन तथा समूह "ग" एवं "घ" के कार्मिकों के स्थानान्तरण के लिए निर्धारित स्तर से एक स्तर उच्च अधिकारी का अनुमोदन प्राप्त करके ही स्थानान्तरण करना अनुमन्य होगा।

7. यदि किसी विभाग द्वारा विभाग की विशिष्ट आवश्यकताओं के क्रम में स्थानान्तरण नीति में कोई परिवर्तन अपेक्षित है तो दिनांक 10 जून, 2004 तक मा० विभागीय मंत्री जी के माध्यम से मा० मुख्यमंत्री जी का अनुमोदन प्राप्त कर लिया जाय।
8. अन्य मार्गदर्शक सिद्धान्तः—
 - (1) संदिग्ध सत्यनिष्ठा वाले कार्मिकों की तैनाती संवेदनशील पदों पर कदापि न की जाए।
 - (2) मानसिक रूप से विक्षिप्त बच्चों के माता-पिता कि तैनाती अधिकृत सरकारी डाक्टर के चिकित्सा प्रमाण-पत्र के आधार पर, विकल्प प्राप्त करके ऐसे स्थान पर की जाय, जहाँ चिकित्सा की समुचित व्यवस्था उपलब्ध हो।
 - (3) समूह "क" एवं "ख" के अधिकारियों को उनके गृह जनपद को छोड़ते हुए समीपवर्ती जनपद में तैनात किया जा सकता है।
किन्तु प्रतिबन्ध यह है कि उक्त प्राविधान केवल जनपद स्तरीय विभागों/कार्यालयों में लागू होंगे।
 - (4) पदोन्नति के कारण स्थानान्तरित किये गये कार्मिक के कार्यभार ग्रहण न करने पर उसे पदोन्नति को "फोरगो" करने के सम्बन्ध में लिखित रूप से प्रार्थना-पत्र लेकर तदनुसार उसके सेवा अभिलेखों में उल्लेख कर दिया जाय।
9. स्थानान्तरित कार्मिक को अवमुक्त किया जानाः—

(1) स्थानान्तरण आदेशों में कार्मिकों के कार्यमुक्त करने की तिथि के बारे में यह निर्देश अंकित किये जाने चाहिए कि वे आदेश जारी किये जाने की दिनांक से अमुक तिथि/ एक सप्ताह के अन्दर प्रतिस्थानी की प्रतीक्षा किये बिना कार्यभार ग्रहण कर लें, और सम्बन्धित प्राधिकारी स्थानान्तरित कार्मिकों को तदनुसार तत्काल अवमुक्त कर दें। स्थानान्तरित कार्मिकों को निर्धारित समय में कार्यमुक्त न किया जाना अनुशासनहीनता मानी जायेगी, और जो अधिकारी स्थानान्तरण आदेशों का पालन न करते हुए, सम्बन्धित कार्मिक को कार्यमुक्त नहीं करेंगे, उनके विरुद्ध विभागीय कार्यवाही की जाएगी।

(2) स्थानान्तरित किये गये कार्मिकों के द्वारा तैनाती के स्थान पर कार्यभार ग्रहण न करने पर उनके विरुद्ध अनुशासनिक कार्यवाही की जाये।

(3) बुन्देलखण्ड क्षेत्र में तैनात कार्मिकों को उनके नियंत्रक प्राधिकारियों द्वारा तब तक अवमुक्त न किया जाए, तब तक कि उनके प्रतिस्थानी कार्यभार ग्रहण न कर लें। यह प्रतिबन्ध आई०ए०एस०/आई०पी०एस०/पी०सी०एस० एवं पी०पी०एस० अधिकारियों पर लागू नहीं होगा।

10. सरकारी कर्मचारियों के मान्यता प्राप्त सेवा संघों के पदाधिकारियों के स्थानान्तरण:-

सरकारी सेवकों के मान्यता प्राप्त सेवा संघों के अध्यक्ष/सचिव, जिनमें जिला शाखाओं के अध्यक्ष एवं सचिव भी सम्मिलित हैं, के स्थानान्तरण, उनके द्वारा संगठन में पद धारित करने की तिथि से दो वर्ष तक न किये जाय। यदि स्थानान्तरण किया जाना अपरिहार्य हो, तो स्थानान्तरण हेतु प्राधिकृत अधिकारियों से एक स्तर ऊपर के अधिकारी का पूर्वानुमोदन प्राप्त किया जाय। जिला शाखाओं के पदाधिकारियों के स्थानान्तरण-प्रकरणों पर जिलाधिकारी की पूर्वानुमति प्राप्त की जाय।

11. स्थानान्तरण रोकने के लिए प्रत्यावेदन एवं सिफारिश:-

स्थानान्तरित कार्मिकों के स्थानान्तरण रोकने सम्बन्धी प्रत्यावेदनों को अग्रसारित न किया जाय। यदि कोई सरकारी सेवक ऐसे आदेशों के विरुद्ध दबाव

डलवाने का प्रयास करे, तो उसके इस कृत्य/आचरण को सरकारी कर्मचारी आचरण नियमावली-1956 के नियम-27 का उल्लंघन मानते हुए उसके विरुद्ध "उत्तर प्रदेश सरकारी सेवक (अनुशासन एवं अपील) नियमावली-1999" के संगत प्राविधानों के अनुसार कार्यवाही करते हुए, निलम्बन के सम्बन्ध में भी विचार किया जाय। निर्धारित अवधि में कार्यभार न छोड़ने पर उस अधिकारी/ कर्मचारी के वेतन का भुगतान न किया जाय तथा उसकी सूचना सम्बन्धित कोषाधिकारी को दे दी जाय।

12. चार्ज नोट:-

नवीन स्थान पर कार्यभार ग्रहण करने के उपरान्त सम्बन्धित- "क" एवं "ख" के अधिकारी को कार्य की जानकारी होने में किंचित समय लगना स्वाभाविक है, अतः स्थानान्तरित अधिकारी को चाहिए कि वे महत्वपूर्ण प्रकरणों/ विकास कार्यक्रमों/ परियोजनाओं आदि के सम्बन्ध में एक चार्ज नोट बना दें, ताकि नये अधिकारी को कार्य सम्पादित करने में सुविधा हो।

13. जनहित में मा० मुख्यमंत्री जी द्वारा कभी भी किसी कार्मिक को स्थानान्तरित किये जाने के आदेश दिये जा सकेंगे।

14. यह स्थानान्तरण नीति, जबतक शासन द्वारा विखण्डित न कर दी जाय, यथावत् लागू रहेगी। इस नीति में विचलन, कार्मिक विभाग के परामर्श के उपरान्त मा० मुख्यमंत्री जी के आदेश प्राप्त कर, किया जा सकेगा।

भवदीय

(वी.के. मित्तल)

मुख्य सचिव

ANNEXURE – II

List of Civil Servants (IAS/IPS) whose opinions were elicited for this study:

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Dr. A.K. Singh, IPS, IG (Adl. Dir. Vigilance), Lucknow, Uttar Pradesh

Dr. D.S. Ashok, IPS, SP Vigilance, Lucknow, Uttar Pradesh

Dr. Ram Lal Ram, IPS, IG (Adl. Dir. Vigilance), Lucknow, Uttar Pradesh

K. Fateh Bahadur Singh, IAS, Secretary Planning, Lucknow, Uttar Pradesh

K. Rama Mohana Rao, IAS, Special Secretary Home, Lucknow, Uttar Pradesh

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Sanjay Bhoosreddy, IAS, Special Secretary Housing, Lucknow, Uttar Pradesh

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No specific information / citation is attributed by name to any of the above officials in this dissertation, as they did not wish to be so identified.

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