

# Lateral Entry in the Steel Frame of India: Policy, Pandemonium and Paradox

Dr. Vijay K. Verma\*  
Dyal Singh College, University of Delhi, Delhi.

## Abstract

Indian Civil Services in common parlance known as Indian Administrative Services or IAS is rightly labeled as 'Steel Frame of India' for the services it has rendered to the nation both pre & post-independence specifically in the domain of effective administration and formulation and implementation of public policies. The importance of Indian Civil services can be gauged from the fact that the examination for the entry into these services conducted by Union Public Service Commission is considered as the toughest examination of the India and dream of youth from every socio-political background. This paper attempts to analyze the pandemonium and paradoxes associated with the policy of Lateral Entry in the higher bureaucracy at the ranks of Joint Secretary and Directors in various Departments of Government of India purely on the basis of personal interaction without any recruitment examination or established procedure. This paper also attempts to analyze the very origin and nature of Indian Civil Services along with the various reasons which necessitated the need to reformation and out of the box thinking for promoting greater transparency, efficiency and accountability.

**Keywords's:** Indian Civil Services, IAS, Union Public Service Commission, Lateral Entry, Policy, Bureaucracy, Efficiency & Reforms.

## Introduction

Governor general of Bengal during British rule Lord Cornwallis, often regarded as father of civil services in Indian subcontinent initiated the formal organization and structuring of civil services through his Cornwallis' code.<sup>1</sup> The Charter Act of 1833 on papers theoretically allowed the native of British India to compete for civil services but it was Queen's Proclamation of 1858 after the of revolt of 1857 that opened the gates for Indians to enter the higher bureaucracy.<sup>2</sup>

In 1863 a young Indian from Bengal Satyendra Nath Tagore breaks the shackles and opened the flood gates by becoming the first native to crack Imperial Civil Services (ICS) examination held in London which was held purely in English language. Since its inception the very character of the examination and services exhibiting British attitude and arrogance remain elitist, exclusionary and dominant producing bureaucrats who are abhorrent and detested from general masses whom they intended to serve.

Constituent Assembly of India, post-independence witnessed heated debates and comprehensive deliberations regarding the future of Indian Bureaucracy with many prominent members opposing the services. Shri M. Ananthasayanam Ayyangar openly lamented that this service is "heaven-born service of the previous regime and will continue to be heaven-born service...they were the rulers under the under the old regime and they will continue to be so in this regime".<sup>3</sup> However, it was due to efforts of Sardar Vallabh Bhai Patel that civil services continued in India with changed name of Indian Administrative Service.

On the floor of the parliament during Constituent Assembly Debates Sardar Patel acclaimed that "I wish to be recorded in this house that during the last two or three years if most of the members of the services had not been serving the country efficiently, particularly the Union would have collapsed".<sup>4</sup> It's the 'Iron

\*Corresponding Author: Email: vijayvermadu@gmail.com • Mobile No. 9810626397

Man of India' who has consolidated the 'steel frame of India' and often lamented as 'Patron Saint' of the Indian Administrative Services.<sup>5</sup>

### Need for Reform

Indian Civil Servants although public servants recruited to serve the poor and ignorant masses hardly realize their duties and instead become an elite class of professionals striving to preserve their monopoly over the structures of power and enhance their socio-economic gains. There is a saying that in India there are only three important positions of power are: PM, CM & DM, where DM (District Magistrate) is the exclusive club of IAS or state PCS officers.

J.C. Johari characterizes Indian Civil Services as the "steel frame of administration, a pressure group in itself, vehicle of change, an elite class".<sup>6</sup> Morris Jones called them "exclusive, closed, elite heaven-born class with an aura of itself"<sup>7</sup> who remains detached from the society but enjoying special status along with close links with the rulers.

Mohan S. Kashikar called Indian bureaucracy 'a white elephant' which appropriated the major chunk of national resources without proportionate contribution in the socio-economic development of nation.<sup>8</sup> He criticizes the bureaucracy for developing a "strong sense of fraternity and indulges in self-aggrandizement and vehemently opposes any attempt to curtail its powers or cutting it to size".<sup>9</sup>

The overburdened bureaucracy seldom involved in innovative thinking as they are exhausted in unproductive routinised work such as writing notes, taking stocks of politically important programs of present dispensation, arrangements for politicians etc. which kills their resourcefulness and creativity and many a times creates avenues for unethical practices and corruption, thus steel frame loosing 'stainlessness'.<sup>10</sup>

The demand for reforms in the civil services is never a new phenomenon, it can be traced long back to Raja Ram Mohan Roy who was the first one to demand such reforms.<sup>11</sup> Independent India is considered as the unique example of large industrialized country where an elite group of generalist monopolizes all the specialist jobs with assured career progression with least transparency and accountability.<sup>12</sup> There developed a politician-bureaucrat nexus generating a widespread corruption, apathy towards masses, waste of scarce resources on unproductive expenditure along with red-tapism.<sup>13</sup>

### Lateral Entry into Civil Services

Lateral entry is the process of directly appointing the specialist from private sector into government organizations at the higher posts which are traditionally reserved for carrier bureaucrats coming through a strict and close system of appointment and promotions & postings. Earlier in the February, 2021 the Union Public Service Commission, Constitution body responsible for recruiting the top officers in the Union Government and rightly known as watchdog of 'Merit System' in India has Advertisement No. 51/2021 seeking application "from talented and motivated Indian nationals willing to contribute towards national building to join the Government at the level of Joint Secretary or Director, Group 'A' in various Ministries and Departments"<sup>14</sup> for the 30 posts.

Earlier also in June, 2018 the Union government has released a similar Advertisement for 10 posts challenging 160 years old Merit System of Examination and Appointments causing apprehensions of introducing 'Spoils System' by 'Extra -UPSC' entries. The Government has appointed "8 Joint Secretaries through the lateral entry against the posts in the Ministry/Department of Civil Aviation, Commerce, Economic Affairs, Environment Forest and Climate change, Financial services, New and Renewable Energy, Road Transport & Highways and Shipping respectively".<sup>15</sup>

"The present system of recruitment of Joint Secretary level post through contract system is completely arbitrary and irrational. An IFS officer with more than 17 years of experience (which in actual practice is 22 years) would not be able to get an opportunity to work as Joint Secretary in the same sector of Environment and Forest, while anyone from private sector with having much less experience of 15 years would be eligible"<sup>16</sup> said IFS Officer who has challenged these appointments in the Central Administrative Tribunal and similar are the expressions of the many senior Bureaucrats.

It should be mentioned that the post of 'JOINT SECRETARY' occupies the third highest rank in the official Administrative hierarchy, only after the Secretary and Additional Secretary and is appointed by the 'Cabinet Appointment Committee'. NITI Aayog in its "Three-year Action Agenda" report recommended the induction of "personnel at middle and senior management levels in the central government... These 'lateral entrants' would be part of the central secretariat which in the normal course has only career bureaucrats from the All-India Services/Central Civil Services."<sup>17</sup>

The 'Constitution Review Commission', 2000 in its report on 'Administrative Reforms' has also endorsed the very idea and recommended that "Above a certain level - say the Joint Secretary level - all posts should be open for recruitment from a wide variety of sources including the open market. We should specialize some of the generalists and generalize some of the specialists through proper career management, which has to be freed from day-to-day political manipulation and influence peddling...The administrative structure and systems have to be consciously redesigned to give appropriate recognition to the professional and technical services so that they may play their due role in modernizing our economy and society. The specialist should not be required to play second fiddle to the generalist at the top. Conceptually we need to develop a collegiate style of administrative management where the leader is an energizer and a facilitator, and not an oracle delivering verdicts from a high pedestal".<sup>18</sup>

In 2016 Prime Minister has himself declared that "India cannot march through the 21<sup>st</sup> century with the Administrative system of 19<sup>th</sup> century".<sup>19</sup> It is also worth noting that as compared to G-20 countries, the size of Indian Bureaucracy is thinner and still they are efficiently administering the country of 1.3 billion people. Professor Lant Pritchett of Harvard University once complemented that the "The IAS is full of officers who have passed an entrance examination and selection process that makes getting into Harvard look like a walk in the park. I have worked for the World Bank and it employs really brilliant people. I think the Indian elite and many Indian government officials in the IAS are even better than the World Bank brains".<sup>20</sup>

However, there remains critical unanswered concerns and questions like there is no provision of Constitutionally mandated Affirmative Action for the SC/ST/OBC or Women as vacancies under lateral entry are 'unreserved' creating apprehensions in the minds of depressed section of the society. Further it is unclear how in the short duration of 3/5 years a lateral entrant would infuse fresh energy, expertise and innovation in the static and rigid system as "it takes three years to be effective, 1<sup>st</sup> goes in understanding & planning, 2<sup>nd</sup> in implementation and third actually vindicates results".<sup>21</sup>

It should also need to be recognised that that today one of real concern is rising rate of unemployment and as per youth study by Lokniti-CSDS 'the first choice of Indian youth is Government Job'<sup>22</sup> and IAS in particular. Many experts like Dhiraj Nayyar cautiously advised that "Lateral entry into administration is a reform that needs to be better implemented".<sup>23</sup>

### Conclusion

The idea and policy of Lateral entry is not new to senior bureaucracy as several eminent personalities like M.S. Swaminathan, Dr. Manmohan Singh, Montek Singh Ahluwalia, Vijay Kelkar and many more had served the nation but the fact remains that they were directly recruited as Secretaries and not below that. It should be recognised that IAS is not only the steel frame of nations integrity but also the 'Steel frame of Dreams' of millions of youths mainly from marginalized sections to improve their socio-economic and political worth in the highly hierarchical society.

There are numbers of young highly qualified professionals like Gaurav Agarwal (UPSC topper-2013), Kanishk Kataria (UPSC topper-2018), Vishaka Yadav (UPSC-2019) who have held the position of reputed & higher managerial rank in private sector but had left their lucrative packages to join the Indian bureaucracy. The Government needs to focus more on training and capacity building of its bureaucratic cadre to increase their output and efficiency along with insulating them from undue political interferences.

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