
Introduction

Public service is one that the Government provides to people living within its jurisdiction, either directly (via the public sector) or by financing private provision of services. It includes the services provided, the interactions that occur as a result of those services, and the grievance redressal that occurs as a result of those services.

All aspects of daily life that the Government provides, such as health care, education, infrastructure, and law and order, fall under the purview of public service.

Historical Background of Public Service

The British Government established civil services with the primary goal of strengthening the British administration in India. During this time, the role of civil services was to expand British interests and was entirely regulatory. They later took on developmental roles as well.

The Indian Civil Service (ICS) has a modern history that begins with the East India Company.

Lord Wellesley recognized the need for higher education, expertise, and character in empire administrators as early as AD 1800. As a result, he established the College of Fort William, to which every employee of the Company was to be sent for a three-year course of education comparable to that of the universities of Oxford and Cambridge.

While accepting the proposal, the directors decided that the college should be located in England. Following that, for the next half-century or so, all civil servants were educated and given special training at the East India College in Haileybury, England. The method of recruitment was through a competitive examination, but the method of entry was through the Directors' nomination.

The ICS examination was held in London, and the

curriculum used to determine the merit of the candidates was such that Indians had little chance of competing successfully unless they were wealthy and attended a school in England.

The Indian National Congress's constant demand since its inception in 1885 has been to increase the number of Indians in the ICS. As a result, the curriculum was first broadened, and then, in 1922, a parallel examination was introduced in India. As a result, at the time of the power transfer, half of the members of the ICS were Indians.

All India Services

- ❑ All-India services are those that are shared by both the Central and state Governments. Members of these services hold top positions (or key posts) in both the Centre and the states, and they serve them alternately.
- ❑ There are currently three all-India services:
 - Indian Administrative Service (IAS)
 - Indian Police Service (IPS)
 - Indian Forest Service (IFS)
- ❑ The Indian Civil Service (ICS) was replaced by IAS in 1947, and the Indian Police (IP) was replaced by IPS, both of which were recognized as All-India Services by the Constitution. The Indian Forest Service was established in 1966 as the third all-India service.
- ❑ The All-India Services Act of 1951 empowered the Central Government to make rules in consultation with the state Governments to govern the recruitment and service conditions of All-India Service members.
- ❑ Members of these services are recruited and trained by the central Government before being assigned to different states for work. They are members of various state cadres, with the Centre lacking its own cadre in this regard.

- ❑ They serve on deputation for the Central Government and then return to their respective states when their term expires. The Central Government hires these officers on deputation through the well-known tenure system.
- ❑ It should be noted that, regardless of how they are divided among different states, each of these All-India Services forms a single service with common rights and status, as well as uniform pay scales across the country. The respective state Government pays their salaries and pensions.
- ❑ The Central and State Governments jointly control All-India Services. The central Government has ultimate control, while the state Governments have immediate control. Only the Central Government can take disciplinary action (impose penalties) against these officers.
- ❑ In the Constituent Assembly, Sardar Vallabhbhai Patel was the main proponent of all-India services. As a result, he became known as the "Father of All-India Services."

Central Services

The Central Government's Civil Services include both established services known as central civil service and civil posts created outside of established services, which comprise the general central service.

There are currently 62 Group 'A' Central services. Among them are:

- ❑ Central Engineering Service
- ❑ Central Health Service
- ❑ Central Information Service
- ❑ Central Legal Service
- ❑ Central Secretariat Service
- ❑ Indian Audit and Accounts Service
- ❑ Indian Defence Accounts Service
- ❑ Indian Economic Service
- ❑ Indian Foreign Service
- ❑ Indian Meteorological Service
- ❑ Indian Postal Service\Indian Revenue Service (Customs, Excise and Income Tax)
- ❑ Indian Statistical Service
- ❑ Overseas Communication Service

Railway Personnel Service

The majority of the aforementioned cadres of Group A Central services have corresponding Group B services.

Group C Central services are made up of clerical personnel, while Group D is made up of manual personnel.

Thus, officers in groups A and B are gazetted, whereas officers in groups C and D are not.

In terms of prestige, status, pay, and emoluments, the Indian Foreign Service (IFS) is the highest central service.

In fact, despite being a central service, it competes with All-India Services in terms of position, status, and pay scales. It is ranked second only to the IAS, and its pay scale is higher than the IPS.

State Services

The term "State Services" refers to state-level civil service. In India, not one, but two distinct sets of civil services operate at the state level.

One of these is the civil service, which is recruited by state Governments to handle a wide range of Governmental activities at the state level. These are referred to as State Civil Services or simply State Services.

The All-India Civil Services is the second set of civil services that serves the states. The number of services available in each state varies. The following services are provided by all states:

- ❑ Civil Service
- ❑ Police Service
- ❑ Forest Service
- ❑ Agricultural Service
- ❑ Medical Service
- ❑ Veterinary Service
- ❑ Fisheries Service
- ❑ Judicial Service
- ❑ Public Health Service
- ❑ Educational Service
- ❑ Co-operative Service

The civil service (also known as the administrative service) is the most prestigious of all state services.

Provisions

Part XIV of the Constitution (Articles 308 to 314)

contains provisions for All-India Services, Central Services, and State Services.

- ❑ **Article 309** empowers the Parliament and State Legislatures to regulate the recruitment and conditions of service of individuals appointed to public services and positions under the Centre and the states, respectively.
- ❑ Under this provision, the Parliament or State Legislatures can impose 'reasonable' restrictions on public servants' Fundamental Rights in the interests of integrity, honesty, efficiency, discipline, impartiality, secrecy, neutrality, anonymity, devotion to duty, and so on.
- ❑ Such limitations are outlined in conduct rules such as the Central Services (Conduct) Rules, Railway Services (Conduct) Rules, and so on.
- ❑ **Article 310** states that members of the defence services, the civil services of the Centre, and the All-India Services, as well as those holding military or civil posts under the Centre, hold office during the President's pleasure.
- ❑ There is an exception to this general rule of dismissal at pleasure. The President or the Governor may (in order to secure the services of a person having special qualifications) provide for the payment of compensation to him in two cases:
 - if the post is abolished before the expiration of the contractual period, or
 - if he is required to vacate that post for reasons not connected with misconduct on his part.
- ❑ Notably, such a contract can be made only with a new entrant, that is, a person who is not already a member of a defence service, a civil service of the Centre, an All-India Service or a civil service of a state.
- ❑ **Article 311** imposes two limitations on the aforementioned "doctrine of pleasure." In other words, it protects civil servants from arbitrary dismissal by providing two safeguards:
 - A civil servant may not be dismissed or removed by an authority that is subordinate to the one that appointed him.
 - A civil servant may not be dismissed, removed, or reduced in rank unless he has been informed of the charges against him and has been given

a reasonable opportunity to be heard on those charges.

- ❑ However, the second safeguard (holding inquiry) is not available in the following three cases:
 - Where a civil servant is dismissed or removed or reduced in rank on the ground of conduct which has led to his conviction on a criminal charge; or
 - Where the authority empowered to dismiss or remove a civil servant or to reduce him in rank is satisfied that for some reason (to be recorded in writing), it is not reasonably practicable to hold such inquiry; or
 - Where the President or the Governor is satisfied that in the interest of the security of the state, it is not expedient to hold such inquiry
- ❑ **Article 312** specifies provisions for All-India Services.
 - The Parliament can create new All India Services (including an all-India judicial service), if the Rajya Sabha passes a resolution declaring that it is necessary or expedient in the national interest to do so. Such a resolution in the Rajya Sabha should be supported by two-thirds of the members present and voting. This power of recommendation is given to the Rajya Sabha to protect the interests of states in the Indian federal system.
 - Parliament can regulate the recruitment and conditions of service of persons appointed to All-India Services. Accordingly, the Parliament has enacted the All-India Services Act, 1951 for the purpose.
 - The services known at the commencement of the Constitution (that is, January 26, 1950) as the Indian Administrative Service and the Indian Police Service are deemed to be services created by Parliament under this provision.
 - The All-India Judicial Service should not include any post inferior to that of a district judge. A law providing for the creation of this service is not to be deemed as an amendment of the Constitution for the purposes of Article 368.
- ❑ Though the 42nd Amendment Act of 1976 made the provision for the creation of All India Judicial

Service, no such law has been made so far.

- ❑ **Article 312 A** (added by the 28th Amendment Act of 1972) empowers Parliament to change or revoke the terms of service of persons appointed to the civil service of the Crown in India prior to 1950.
- ❑ **Article 313** deals with transitional provisions, stating that until otherwise provided, all laws in force prior to 1950 and applicable to any public service would continue to be in effect.
- ❑ The 28th Amendment Act of 1972 repealed Article 314, which provided for the protection of existing officers of certain services.

Significance of Public Services

- ❑ In developing societies, public services are an important tool for political modernization.
- ❑ Prior to electoral democracy, there must be a well-knit and well-organized public bureaucratic structure.
- ❑ It ensures the stability and continuity of the Government system.
- ❑ Civil servants, particularly All India Service officials, contribute to fostering a sense of belonging to a single nation, India.
- ❑ Civil servants must commit to building an inclusive society in which the poor and vulnerable are also beneficiaries of economic growth.
- ❑ It has a role to play in undoing years of colonial misrule. It promotes a welfare-oriented approach.
- ❑ It functions as an unbiased development agent in a heterogeneous, fissiparous, pluralistic, and diverse society. It advocates for democratic socialism.
- ❑ It works to ensure the rule of law by balancing political direction and legal provisions. It is useful for conflict resolution, change management, and crisis management.

Criticism

- ❑ Public services consume a large portion of Government budgets, but increased spending is not always matched by improved outcomes.
 - ❑ It has been observed on several occasions that corruption can disrupt public services, resulting in money intended for books, teachers, dispensaries, medical supplies, and infrastructure being siphoned off by officials or private contractors.
 - ❑ The lack of improvements in provider agencies, as well as the limited 'exit' options available to people, continue to make it difficult for the most vulnerable members of society to access these services.
 - ❑ Following independence, the Indian Civil Service or bureaucracy as a whole gradually evolved into a corruption-ridden system characterized by nepotism and corruption.
 - ❑ The system frequently suffers from excessive centralization issues, and policies and action plans are far removed from the needs of citizens. As a result, there is a mismatch between what is required and what is provided.
 - ❑ It is reasonable to conclude that corruption and nepotism in Indian bureaucracy have both political and administrative ramifications. It has become an integral part of the system's structure.
 - ❑ Red-tapism is a major impediment to India's socio-economic development. Because of these roadblocks, development-related projects are delayed, affecting the development process.
 - ❑ The mass transfer of bureaucrats that occurs with a change in Government in the modern era imposes certain tendencies on bureaucrats to seek the patronage and favour of politicians.
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