



**B.A. PART-II
SEMESTER-III**

**PUBLIC ADMINISTRATION
PAPER-I**

UNIT - 2

**Department of Distance Education
Punjabi University, Patiala**

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LESSON NO :

- 2.1 : Agencies and Process of Recruitment in India
- 2.2 : Training : Concept and Pattern in India
- 2.3 : Promotion : Principles and Pattern in India
- 2.4 : Employer-Employee Relationship and Joint Consultative Machinery
- 2.5 : Morale : Concept and Importance
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NOTE : Student can download the syllabus from department's website www.dccpbi.com

AGENCIES AND PROCESS OF RECRUITMENT IN INDIA**Structure**

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2.1.0 Objectives :

After studying this lesson, you shall be able to :

- * describe the recruitment process in civil services;
- * analyse the functions of Union Public Service Commission and State Public Service Commission;
- * critically review the role of Union Public Service Commission and State Public Service Commission

2.1.1 Introduction :

In India, services are divided into three main categories - All India Services, Central Services and Central Secretariat Services. To perform the recruitment function, under Article 315 of the Indian Constitution, there is a provision to set up Public Service Commission.

Emphasizing the need for setting up such an independent agency, the Royal Commission on Superior civil services (Lee Commission) observed: Wherever democratic institutions exist, experience has shown that to secure an efficient civil service it is essential to protect it, so far as possible from political or personal influence and to give it that position of

stability and security which is vital to its successful working as the impartial and efficient instrument by which governments of whatever political compulsion, may give affect to their politics, As a result of it, Central Public Service Commission was set up in 1926. Under the Government of India Act, 1935 it was redesignated as Federal Public Service, Commission which, infact, came into existence in 1937. Under the said Act, provision was also made for setting up a separate Public service Commission for each province. The Federal Public Service Commission continued to function till independence and even after that till the inauguration of the Indian Constitution in 1950.

All India Services are common to the Union and the states. At present there are only three such services-India Administrative Services, Indian Police Service, Indian Forest Service. An All India Service can be created only in accordance with the provisions of Art 312 of India constitution. Incumbents of these services man higher and basically significant posts both under the Union government and the government of the states.

The Central Services are solely under the Central Government and are concerned with the administration of Union subjects like Income Tax, Central Tax, Central Excise and Customs Defence, etc. Before independence, these services were known as Federal Public Services. The personnel belonging to these services normally man middle management posts. The day-to-day administration of these services rests with individual ministry and for the management of general conditions of service, the Department of Personnel and the Ministry of Finance are also involved.

Central Secretariat Services were previously known as Imperial Secretariat Services. These are meant to man posts in the Central Secretariat and the attached offices. It has four grades and now a selection grade also exists. These services are meant to be positioned at middle management and lower management level. The Central Secretariat Stenographers Service was recognized in 1969 and was divided into four grades: Selection grade-grade I, II and III.

The Indian Recruitment system is based upon the findings of the Macaulay Committee appointed in 1854 to enquire into the mode of recruitment to the civil services of the East India Company. Following are some of the main principles recommended by this committee :

1. The recruitment to civil services must be based solely on the merit principle and merit should be determined through open competition.
2. The examination should be confined to subjects of liberal education.
3. The machinery for recruitment should be independent of the government and free from all type of political influences.
4. The marks ought to be distributed among the subjects for examination in such a way that no special class of person~ shall furnish servants to the East India Company.

2.1.2 Process of Recruitment in India :

In 1969, Administrative Reforms Commission recommended :

- (a) Single combined competition for All India and Central Services (I) Non-Technical.
- (b) For about five years advance projection of recruitment of personnel be made.
- (c) Age limit should also be raised. For department of Agriculture and Education, personnel from among state employees should also be recruited.

(b) & (c) recommendations were accepted by the government but holding single combined competition for two services was not accepted initially. On Kothari Committee emphasis in 1977; from the year 1979, government implemented this recommendation also.

2.1.2.1 Eligibility for Appearing in the Exam :

Graduation Degree in any discipline from a recognized University is required to set for the examination.

2.1.2.2 Age Limit :

Any candidate of General Category between 21-32 years of age is eligible. He/she can make six attempts. Certain categories of people like scheduled castes/tribes etc. are allowed relaxation in the upper age limit which in their case is 37 years. Candidates belonging to BC categorie can avail nine chances till the age of 37 years.

2.1.2.3 Nationality :

Any Indian national or those migrated from Pakistan, Bhutan, Bangladesh or Nepal can compete but non-Indian nationals are debarred from competing for these posts/services.

Stages of Examination :

1. Preliminary Examination
2. Mains Examination
3. Interview

1. Preliminary Examination

It is meant to test the intellectual qualities, aptitude and interests of the candidate. It has been renamed as CSAT. In this examination there are two papers. General studies and General Aptitude Test. If a candidate in preliminary examination answers 60 percent of the questions correctly, he becomes eligible to compete for the main examination.

2. Main Examination

The main examination consists of 9 papers. The first paper is on any of the Indian languages; the 2nd is on English, these are of qualifying nature; the 3rd and 4th are the General Studies and the remaining four are left to the option of the candidates who can choose from the long list of optional subjects and one on essay. However, some of the subject combinations such as Commerce and Accountancy, and Management and Public Administration are not allowed. The candidates can choose any recognised Indian language as the medium of their examination, one paper is to write an essay on any one topic out of four given in the question paper. The successful candidates are called for interview so as to judge their mental calibre.

3. Interview

It is not an assessment of their intellectual qualities, rather their awareness about some special field of academics and social traits, and their interest in current affairs, the technical and purposeful conversation. It is intended to reveal the mental qualities of the candidate. Immediately after the interview is over, each candidate is required to write a resume summarising the discussion which took place during the interview. For this he is allowed a 15 minutes time.

Finally on the basis of the performance of the candidate in the main examination and interview, the separate merit lists-one for the reserved category and the other for the general category, are prepared. Vacancies in the All India and Central Services are filled on the basis of these lists. It may also be mentioned that about 25% of the posts in the All India and Central Services are filled through promotion from lower cadres i.e. the

State Services and the Central Class II and services respectively.

Self-Check Exercise-I

1. What is the age limit for appearing in the Examination for recruitment to civil services conducted by UPSC?
2. How many papers are there in preliminary exam? Is it a qualifying only or its marks are added to the mains examination?
3. Marks in mains examination and interview are added for preparing the final merit list. Yes / No

For recruiting personnel to the Central Secretariat Services, the direct and the indirect methods of recruitment are adopted. Appointments to selection grades are made by indirect recruitment from the officers of Grade I, on the basis of merit and a similar method is adopted for recruitment to Grade I from Grade II. (Selection Officers) Recruitment to grade II is partly through promotion from Grade III and partly direct recruitment. Recruitment to grade III is also partly through indirect method and partly through direct method. The minimum educational qualifications are a University Degree. Since 1962, the Department of Personnel administration is the controlling authority in the case of Selection Grade and Grade I of the Central Secretariat Service, Control over other grades rests with the administrative ministers.

2.1.3 Recruiting Agency

Under the provisions of the Constitution of India, the Federal Service Commission was renamed as the Union Public Service Commission (U.P.S.C.) Article 315 of the constitution provides for three categories of Public Service Commissions viz.

- (a) The Union Public Service Commission to serve the needs of the services of the Union; and
- (b) a State Public Service Commission for those of a state.
- (c) a Joint Public Service Commission to serve the needs of services of two or more states.

However, the Union Public Service Commission with the approval of the President of India may also serve all or any of the needs of a state. While the U.P.S.C. and Public Service Commissions of the states were to come into existence immediately after the inauguration of the Constitution. However, a Joint Commission may be set up by an Act of Parliament only

after the passage of regulation by the state Assemblies of the state concerned.

2.1.3.1 Composition of Public Service Commissions

Composition of Union Public Service Commission :- The Constitution does not specify the numbers of the members of U.P.S.C. and the Joint Public Service Commission. However, the President under the Constitution is authorised to determine the number of members of these commissions. In 1950, when the U.P.S.C. was set up, it consisted of four members including the Chairman. In 1956 the number of members rose to nine. However, at present the Commission comprised of a Chairman and eight other members.

Under Article 316 (I) of the Constitution, the chairman and other members of the commission are appointed by the President. Administrative Reforms Commission in its report recommended :

2.1.3.2 Composition of State Public Service Commission :- The composition and functions of the State Public Service Commission are almost similar to that of the Union Public Service Commission. The Composition and some of the duties and the number of members of State Public Service Commission vary from state to state. However, every service Commission is composed of a chairman and four to six others members. In Punjab, the Public Service Commission consists of a chairman and four other members with a provision to increase the number upto a maximum of five. Article 316 (1) of the Indian Constitution provides that the chairman and the other members of a State Commission are appointed by the Governor of the State. It may be remembered that like the Union Public Service Commission, the A.R.C. (Administrative Reforms Commission. Report on Personnel Administrative, p. 21) also make recommendations with report to State Public Service Commissions as :

- (i) In making appointment to a State Public Service Commission, the Governor should consult the Chairman of the Union Public Service Commission.
- (ii) At least one member of the State Public Service Commission should belong to a different state.

2.1.3.1.1 Qualifications of the Members of UPSC

In order to become members of the U.P.S.C. the Constitution requires the President to see that as nearly as may be one half of the total number of members shall be persons who at the date of their respective appointments

have held office for atleast ten years either under the Government of India or under the Government of a State." The A.R.C. in its report further observed:

- (a) Members selected from non-officials should have practiced atleast for ten years in any of the recognised profession like Teaching, Law, Medicine, Engineering, Science, Technology, Accountancy or Administration.
- (b) The minimum academic qualification for membership of commission should be a University degree.

Qualifications of the Members of SPSC : There is a provision in the constitution that like the Union Public Service Commission, as nearly as may be one half of the members of every Public Service Commission shall be persons; who at the dates of their respective appointments had held office for atleast ten years either under the Government of India or under the Government of the state.' .

Atleast one member of the State Commission should belong to either scheduled castes or scheduled tribes.

Terms and Conditions :

UPSC

Under the Constitution, the members of the U.P.S.C. are appointed for a period of six years or till they attain the age of 65 years whichever is earlier. The office of chairman or members may fall vacant earlier on the following grounds :

- (i) If he dies;
- (ii) If he tenders his resignation to the President;
- (iii) He may be removed from his office by an order of the President on the ground of 'misbehaviour' after Judicial enquiry conducted by a Judge of the Supreme Court proves the charge levelled against him.

The President may remove the chairman or members from their office on grounds mentioned below :

- (a) If he is adjudged as bankrupt by a competent court, or
- (b) If he engages himself during the term of his office in some employment outside the duties of his post, or
- (c) If he is in the opinion of the President unfit to perform his

duty on account of infirmity of mind or body.

2.1.3.2.2 SPSC

The term of office of the chairman and other members is six years (like the members of U.P.S.C.) or until he attains the age of 62 years (65 years in case of UPSC) whichever is earlier. The office of the chairman or members may fall vacant earlier on the grounds mentioned below:

- (i) If he dies;
- (ii) If he resigns;
- (iii) The Governor may suspend from office the chairman or any other member in respect of whom a reference has been made to the Supreme Court under clause (1) of Article 317 until the President has passed orders on receipt of the report of the Supreme Court on such reference.

Besides this, the President may by order remove from office the chairman or any other member if he;

- (i) is adjudged an insolvent; or
- (ii) engages during his term of office in any paid employment outside the duties of his office; or
- (iii) in the opinion of the President, unfit to continue in office by reason of infirmity of mind or body.

Likewise the chairman or any other member can be also be removed from office if he becomes in any way concerned or interested in any contract or agreement made by or on behalf of the Government of India or the Government of the state or participates in any way in the profit there of or in any benefit or, emolument arising there of otherwise than as member and in common with the other members of the incorporated company, he shall be deemed guilty of misbehaviour under clause (I) of this article.

2.1.3.1.3 Functions of Union Public Service Commission : The jurisdiction of Union Public Service Commission extends to the public services of the union government as well as the union territories. In addition to this the commission may also render advice regarding the recruitment to state service if it is requested by two or more state governments. The functions of Union Public Service Commission can be classified into two major categories viz Administrative and Advisory. Administrative function include the conduct of examination for appointments to the service -of the Union Government. Such examinations

may be written or by interview or by both. Under the advisory function the Union Government may consult the Commission on the following issues :

- (i) Matters relating to the method of recruitment of civil services.
- (ii) Principles to be followed in relation to appointments, promotions and transfer of civil services.
- (iii) All disciplinary matters against civil servants working under the union government.
- (iv) Any claim by or in respect of any such person who is serving or has served under the union government in a civil capacity that the loss incurred by him in defencing the legal proceedings instituted against him in the performance of his official duties should be paid out of the Consolidated Fund of India.
- (v) Any other matter which the President may refer to the Commission.
- (vi) It may be mentioned here that the Parliament is empowered to enlarge or curtail the jurisdiction of the Union Public Service Commission. The Parliamentary Act may bring the services of any local or autonomous body under the purview of the Commission. Besides this the union government without consulting the Commission, may take necessary steps for reserving certain seats in various services for the candidates of scheduled caste and scheduled tribes. The Commission may also not be consulted in many other appointments such as members or chairman of Tribunals or Commissions, posts of diplomatic nature and a bulk of class III and class IV employees who constitute about 90 percent of the total number of employees of the Union government. The President is also empowered to consult the Commission on any matter other than those specifically referred to in the Constitution.

1. Administrative Functions :- As is discussed above, the Union Public Service Commission is empowered to conduct written examinations followed by interviews for the recruitment of All India Services and Central Services. It may be mentioned here that originally U.P.S.C. used to hold one written examination but with the increase of aspirants the commission has introduced a preliminary examination to eliminate the non-serious candidates. For every one seat, ten candidates are selected for the main examination. The successful candidates at the main examination are called for interview. Then the merit list is prepared on the basis of the

performance in the written test as well as interview. While allocating various services the choice of candidates' is also given due consideration. Besides the recruitment of civil services, the Commission also makes necessary arrangements of examinations or entry into Defence Academies such National Defence Academy (N.D.A.) and Indian Military Academy (I.M.A.) located at Dehradun.

2. Interview for Direct Recruitment :- There are a big number of Central Services which are filled by Union Public Service Commission on the basis of interview only. The commission performs this function through its various Interview Boards. Such Interview Boards are normally headed by the chairman or a member of the commission. These Boards also include some specialists as advisors. It may be remembered that the representatives of the ministers in which various appointments are to be made are also included in the Boards normally, the appointments are made by consensus. However, if the differences exists amongst the members, the decision of the chairman ultimately prevails upon. However, such differences rarely arise.

3. Recruitment through Promotion :- The commission also makes recruitment through promotions. It covers All India Services, central services and other miscellaneous services controlled by the Centre. A certain percentage of posts in almost every service controlled by the commission is filled by promotion from below. The Commission constitutes Departmental Promotion Committees to undertake this job. Such committees are also headed by the chairman or some other member of the Commission. The proceedings of these committees are submitted for approval to the commission.

The Commission also undertakes to recruit persons for statutory bodies such as Employees State Insurance Corporation, Employees Provident Fund organisation, Delhi Municipal Corporation, etc. It also renders advice to these bodies on all service matters when such advice is sought. Selection for the "pool" for temporary placement of the Indian scientists and technologists and persons with high qualifications in humanities or social sciences are made in consultation with the commission. The Commission also gives advice in all cases of appointments by transfer or deputation.

In disciplinary cases, the UPSC has to be consulted before orders are passed by the President imposing penalty on a government servant. The Commission is also consulted before the President passes an order on any

appeal, petition or memorial against any disciplinary order passed by any authority subordinate to the President.

Staff of the State Public Service Commission :- The establishment wing of the Commission is composed of the secretary and such other personnel whose salaries and other allowances are determined by the Governor of the state. Normally the secretary is appointed from amongst the I.A.S. Cadre but sometimes the senior officer of the state Civil Service is also assigned this job, The Commission can, if it so desires, have its own staff but normally it draws its personnel from the Government who are replaceable after regular intervals. The salaries, other allowances, pensions etc. of the chairman, members and other staff are charged upon the Consolidated Fund of the State. It may be remembered that like the Consolidated Fund of India, the Consolidated Fund of the state is also not subject to vote by the state legislature.

2.1.3.2.3 Functions of State Public Service Commission :- Power and functions of the State Public Service Commission are almost like that of Union Public Service Commission, subject to the jurisdiction of its respective state. Under administrative functions, State Public Service Commission conducts preliminary examination and the main examination of the candidates who are declared successful in the preliminary examination of state civil services. They are also called for the verbal examination i.e. interview. On the basis of performance in the written list and interview merit is proposed and on the basis of it the State Government is recommended for the recruitment of personnel for state civil services. Besides, these are many other posts for which the commission holds only interview. There are many other posts for which recruitment is made by promoting the personnel. The Commission also performs certain advisory function such as :

- (i) to advise the State Government with regard to the appointment, promotions and transfer of personnel of State Civil Service.
- (ii) to advise the state government for taking disciplinary action against the personnel of State Civil Service.
- (iii) to advise the state government regarding claims of compensation and pension by personnel of Civil services.
- (iv) Any other matter which the Governor may refer to the Commission.
- (v) Besides the above mentioned advisory functions of the Commission the Constitution empowers the state legislature to enlarge or

curtail the jurisdiction of the Commission. In addition to it, the services of local government, Corporate bodies and other Public Service Commission. Moreover, the jurisdiction of the Commission can also be curtailed by keeping certain services out of its purview. It is to be noted that the state government is not under an obligation to consult the commission for securing reservation in state services for scheduled castes and scheduled tribes. However, the state Government is under an obligation to seek approval of the state legislature regarding the rules framed by the State Governor. In this connection, the ARC recommended that the, "Government decisions on the exclusion of certain matters from the purview of the Public Service Commission should be taken after consulting the Commission."

The regulations of the Punjab Public Service Commission Regulations 1958 states.

- (i) The Commission is to be consulted only if the appointment is to be made for class I and class II services or the post provided that the appointment is by direct recruitment and not mentioned in the list of posts excluded from the purview of the Commission.
- (ii) Secondly, all promotions or transfers with regard to Class I and class II recruited directly can be made by the Government in consultation with the Commission.
- (iii) Third, all order of the Government in connection with disciplinary cases will be passed after consulting the Commission.
- (iv) Fourthly, without the approval of the Minister concerned no reference shall be made to the Commission. However, the Administrative Secretary of the Ministry concerned shall be responsible to ensure that all cases in which it is necessary to consult the Commission are to be brought to the notice of the Minister. No case in which a reference to the Commission is not compulsory shall be referred to the Commission without the approval of the Minister concerned and the Chief Minister.
- (v) In disciplinary cases, the advice of the Commission is sought in which an original order is to be passed by the Punjab Government and in an other case in which an appellate order is to be passed by the Government against the order or a subordinate authority.

- (vi) In all cases including those relating to recruitment, the Commission shall be only informed of the action taken on their recommendation.

Similarly many other provisions are there regulating the working of the commission and its relations with the state governments. It may be remembered that such regulations however, vary from state to state.

2.1.3.1.4 Independence of Union Public Service Commission :- The Constitution provides for the Independence of Union Public Service Commission i.e. the Commission is kept independent from the control of Parliament and Executive. There are many provisions in the constitution under which the U.P.S.C. is allowed to function independently and impartially. These provisions are:

- (i) The chairman and members of U.P.S.C. are appointed by prescribed procedures under the Constitution.
- (ii) Under Article 318, the conditions of service of member of Public Service Commission shall not be varied to his disadvantage after his appointment.
- (iii) The expenses of the Commission which include the salaries, allowances pensions etc. of members and employees are charged on the Consolidated Fund of India. It may be mentioned here that this fund is not subject to vote of Parliament. In this connection commission enjoys parity of treatment with that of Supreme Court of India and the Comptroller and Auditor General of India.

Provisions with regard to the reappointment of members of U.P.S.C. :- In order to maintain the independence of the Commission :-

- (i) The chairman of the U.P.S.C. is debarred from further employment under the Government of India or any State Government.
- (ii) A member of the U.P.S.C. (other than the chairman) may be appointed as the chairman of the U.P.S.C. or any State Public Service Commission. However, he is ineligible for further employment under the Government of India or any State Government.

2.1.3.2.4 Independence of State Public Service Commission :- Like the Union Public Service Commission, the State Public Service Commission also performs their duties independently from the control of the state legislature and executive. The constitution provides certain provisions

under which the independence of the Commission is secured:

- (i) The chairman and members of the State Public Service Commission appointed in accordance with the prescribed procedure under the constitution.
- (ii) The conditions of service of the member of the commission cannot be varied to his disadvantage during the tenure of his office.
- (iii) The salaries, allowances and pensions etc. of the members and other personnel of the commission are charged on the Consolidated Fund of the state. It may be remembered that all expenses incurred under this Fund are, no doubt, presented in the state legislatures but the legislature neither can propose any cut in the expenses nor can vote on it.
- (iv) The chairman of the State Service Commission may be appointed as Chairman or member of the UPSC or a chairman of any other State Public Service Commission. But in no case he is appointed on any other post either under the Government of India or any state government.
- (v) A member of the State Public Service Commission (other than the chairman) may be appointed as chairman or member of the UPSC or as chairman of that or any other State Service Commission. But it is to be noticed here that like the chairman he cannot be appointed on any other post either under the government of India or any state Government. In the constituent Assembly, Dr. B.R. Ambedkar, chairman of the Drafting Committee remarked: "One way of making them independent of the executive is to deprive them of any office with which the executive might tempt them to depart from duty."

The above constitutional provisions are essential for maintaining the independence of the commission so that no political pressure is exerted on the members.

Annual Report of Union Public Service Commission :- At the end of each year Union Public Service Commission submits its final report to the President who causes it to lay before Parliament. No doubt, it is not obligatory for the Government to accept the recommendations of the Commission because of its advisory character. But, in fact, the Government

normally accepts the recommendations of the Commission. In case if the Government does not accept any of its recommendation, it will have to

Annual Report of the State Public Service Commission :- There is no doubt, that the State Public Service Commission is an independent body, but it submits its annual report to the Governor of the state as to total work done by the commission. The Governor causes it to lay before the State Legislature. As is discussed above, the commission is an advisory body which renders advice to the state government. It is for the 'government either to accept or reject such an advice of the commission. Normally, the state government accepts the advice of the commission. However, in case the government intends not to accept advice of the commission on any issue, the government will have to assign reasons for not accepting. It may be remembered that any such report unacceptable to government is subject to discussion in the state legislature where the government has to face tough time at the hands of opposition.

2.1.3.1.5 Critical evaluation of the U.P.S.C. :- Union Public Service Commission is a constitutional body which specifies its composition, duties, responsibilities and functions. It is neither under the control of Parliament nor under the executive. Where as the Public Service Commission in many countries like U.K. and the U.S.A. are the creation of the legislature under the Constitution the Commission in India performs only functions relating to recruitment and renders advice to the Government when consulted. But in certain matters the Government on many occasions has tried to reduce the utility of the Commission.

For example, theoretically, recruitment to various kinds of civic posts is to be done by the Commission, but the Constitution has empowered the executive to exclude certain posts from the purview of the Commission. The Government has often been criticised for being misusing this constitutional provision. Besides this, the Government can also make some urgent appointments temporarily without consulting the Commission. Initially these appointments are made for a period of less than a year but continuing them in that manner for many years and then seeking concurrence of the Commission to make them regular. This practice is certainly against the principle of merit for making recruitment.

Besides this, there is a general complaint that the recruitment by the Commission is subject to enormous delay. In some cases, the interval between the date on which a candidate is sent to Commissions and the,

date on which he is finally selected extends to more than a year. Then there is tendency on the part of the government to issue orders of appointment very late. Such delays cause a lot of confusion. The candidates recommended for appointment may secure alternative appointments. The Commission is then requested to recommend the next available candidate and if no such candidate is available to re-advertise the post.

In order to improve the image of the Commission, the Government instead of interfering in its activities should allow it to function independently and impartially. Such a step will help the Commission to recruit personnel of high calibre.

2.1.3.2.5 STATE PUBLIC SERVICE COMMISSION

Unlike the Public Service Commission in United Kingdom and United State of America, the composition, service conditions, powers and functions of UPSC and State Public Service Commission find mention in the Constitution of India. That is why they enjoy the constitutional status. Under the constitution the Commission performs functions relating to recruitment and advises the government when consulted. But in practice, the state governments have tried to reduce the utility of the Commission. For example, the Commission makes recruitment to various civil posts but at the same time the Constitution also empowers the State Government to exclude certain posts from the purview of the commission. The State Governments are often criticised for misusing this constitutional provisions for their political ends. In addition to it the State Governments can also make urgent appointment temporarily without consulting the commission. All such appointments are initially made for a period of less than a year but allowing them to continue for many years and then seeking concurrence of the commission to regularise their services.

There is also a general complaint that the recruitment by the commission is subject to enormous delays. In some cases the interval between that date on which a candidate is sent to commission and the date on which he is finally selected extends to more than a year. Then there is a tendency on the part of the Government to make delays in issuing appointment letters which creates confusion. In case the candidates recommended for appointment may secure alternative appointment, in such an event the commission is requested to recommend the next available candidate and if no such candidate is available to re-advertise the post.

Besides this the relationship between the state government and the

commission has not been very cordial in a number of states.

This is also true that the quality of members of the state public service is deteriorating day by day. The state government prefers to appoint retired politicians, members of backward classes, schedule castes and schedule tribes and retired officers as members of the State Commission. Such patronage by the State Government deprives the Commission of the really competent and persons of integrity.

Another serious drawback is that in most of the cases, the State Public Service Commission have indulged in corrupt practices. Members of these commissions have become the tool of the State Chief Minister and "other ruling party leaders. In this connection the views of Prof. D.R. Chodhary an ex-member of the Haryana Public Service Commissions are worth mentioning. According to him. "The Public Service Commissions have lost credibility and ceased to be accountable to the Public (My) experience as a member convinces that the state governments treat the commissions as ordinary departments and temper with their autonomy at will. Most of the appointments are made with the intention: of packing the commissions with persons who can be useful in the manner of recruitment. The academic worth, mental calibre and integrity, of a person are hardly taken, into account." Similar views were expressed by Mr. Kuldeep Singh Virk, former chairman of Punjab Public Service Commission," there are cases where the chairman and members have been susceptible to other considerations and have got rapid promotions because they happen to fall in line with the wishes of the Chief Minister or a Minister."

The study team of the ARC on Center-State Relations also noted with great concern that the root cause of decline appears to be due to a tendency on the part of some state executive to pack their commissions with sub-standard members, often for political reasons. Thus it opined that there is a clear need for evolving a national policy regarding the State Public Service Commissions, which should ensure that they function with independence and a high degree of competence.

Although the Kothari Committee has recommended sufficient improvements in the system of recruitment, yet it is not free from defects. Some of these are :

- (a) The exclusion of certain posts from the purview of the UPSC gives extra leverage to the government for recruiting persons without any healthy competition.
- (b) The recommendations of the commission are not mandatory and

can be rejected by the government.

- (c) Even the new system is time and money consuming as two examinations and one interview are spread over a year's time; and
- (d) The system of reservation undermines administrative efficiency and lowers the morale of the services. It perpetuates caste and class distinctions. Such a provision looks more ridiculing when its fruits are enjoyed only by the well to do depictions among their scheduled caste and tribes.

self-check exercise-II

1. Write functions of Union Public Service Commission.
2. Write composition of State Public Service Commission.
3. Critically evaluate the role of Union Public Service Commission.

2.1.4 Conclusion :

In this chapter you have learnt about the system of recruitment to civil services in India, though recruiting authority is the government of India i.e. Ministry of Home Affairs, yet the recruitment process is implemented by Union Public Service Commission for All India Services, Central Services, Central Secretariat Services. States have their own state level civil services and their own state level Public Service Commission to perform the functions.

2.1.5 Suggested Readings :

M.P. Sharma & Sarana	:	Theory & Practice of Public Administration
Sahib Singh, Swinder Singh	:	Personnel Administration
Rumki Basu	:	Theory of Public Administration
S.L. Goel	:	Public Personnel Administration
Pigours and Mayers	:	Public Personnel Administration
Fadia	:	Public Administration

2.1.6 Answers to Self-Check Exercises :**Exercise-I**

1. 21-30 years. For details see 2.1.2 of your lesson under the heading Age Limit (2.1.2.2)
2. 2 papers of objective type - one of general studies and other optional paper. It is qualifying examination only.
3. Yes. For more details, see the study material under the heading 'Stages of Examination'.

Exercise-II

1. Answer to this question is given in your lesson at 2.1.3.1.3.
2. Answer to this question is given at 2.1.3.2 of your lesson.
3. 2.1.3.1.5 of your lesson contains answer to this question.

TRAINING - CONCEPT AND PATTERN IN INDIA**Structure**

- 2.2.0 Objectives
- 2.2.1 Introduction
- 2.2.2 Meaning
- 2.2.3 Objectives of Training
- 2.2.4 Methods
- 2.2.5 Types
- 2.2.6 Pattern of Training in India
- 2.2.7 Conclusion
- 2.2.8 Suggested Readings
- 2.2.9 Answers to Self Check Exercises

2.2.0 Objectives :

After studying this lesson, you shall be able to :

- * explain the meaning of training
- * understand the objectives of training
- * describe the methods of training
- * discuss the difference between training and education

2.2.1 Introduction :

To run the administration of any organization efficiently and economically, it has to enhance its administrative capability. To solve varied issues and problems, technical skill, knowledge, ability and willingness is required. Proper training of the staff is very essential to improve their skill and capability. Efficiency of the individuals and the organization at large depends upon the quality of the training they receive. Training methods and types mainly depend upon the needs of the employees and scope of the functions to be performed the organization.

2.2.2 Meaning :

E.N. Gladden defines training as a conscious effort made to improve or

increase person's skill, power or intelligence and to develop his attitude and scheme of values in a desired direction.

Milton M. Mandell describes training as 'day-to-day guidance and instruction given to employees generally by supervisors.'

William G. Torpey defined it as the process of developing skill, habit, knowledge and attitudes in employees for the purpose of increasing the effectiveness of employees in their present government positions.

Report of Administrative Reforms Commission holds that training is an important means of improving human potential and increasing the efficiency of personnel. Dictionary meaning of training is 'instruction and discipline in a particular art, profession or occupation.'

2.2.3 Objectives of Training :

Training aims at providing knowledge of work culture, administrative management and to develop the skill and capability to enable him to give his best performance.

1. Attitudinal Change
2. Improving Job Skill
3. Getting knowledge of new methods and techniques aiming at better performance.

1. Attitudinal Change :

Training is essential for enhancing competence and commitment. According to Marshall, "it is essential to develop rational thinking, objective thinking, social understanding, practical abilities, aesthetic responsiveness and putting memory in action."

Training is a planned process to impart knowledge, develop skills and modify attitude of the work force through learning processes to achieve the effective performance in any activity or range of activities. Knowledge, skills and attitudinal components are required for performance improvement. Thus any training programme or course must have balanced mix of these components.

The role of training as described in the Ascheton Committee report submitted to British Chancellor of Exchequer in 1944 is as follows :

- a) To produce reliable work skill in the employee.
- b) To save him from mechanisation, by making him community conscious.
- c) To fit him for higher duty and responsibility.

- d) To attune the public servant to the task in a changing world, and
- e) To broaden the mind of the trainee and to inculcate the basic principle, that he is a public servant and not a master.

2. Improving Job Skill :

Training Programmes aim at developing knowledge and skills that will be useful to employees in performing their present job or preparing them for their future assignments.

Kantz says that administrative capability for development involves the ability to mobilize, allocate and combine the actions that are technically needed to achieve development objective. To enable the employees to perform their best, their capacity, capability and ability should be upgraded and enhanced through proper training programmes in which training to them be provided timely and adequately.

3. Getting knowledge of new methods and techniques aiming at better performance :

First hand knowledge is very essential orientation of their mindset on usage of new techniques and methods is required. To equip oneself with the latest technical know-how, it's important to have the willingness and time and adequate resources.

2.2.4 Methods of Training :

1. Case Study Method

The trainees are given cases to study. These cases are first studied individually by all the trainees and discussed under the supervision of a faculty member.

2. Conference or group discussion

In the conference method the trainees do not receive any formal lectures from the instructor. They themselves discuss the matter, compare notes with one another and put forward their own view-points. This group discussion during the conference is confined to trainees along. The discussion on the selected problem is held in which trainees themselves are the principles particulars.

3. Personal tuition by senior officers

Training may be imparted in the form of formal lectures of instructions in administrative academics of training schools. Like students in the classroom, the public personnel may be trained in the work which they are supposed to do. Such instructions may be imparted by senior or experts in the subject concerned.

4. Circular Training

This is another method of in-service training. This consists of frequent reassignment of the employees to different divisions of the organization where they first work under a senior man of the service with staff duty only.

Training to the members of state civil service in India is given mainly through the circulatory system. A new recruit is first asked to sit along with a district office, to watch the operation. He is in this way attached to all the departments of the district administrations one by one. Then, he himself is given some work of minor importance and as the progresses in experience, he is transferred to positions of higher responsibility.

5. Incidence Method

Under this method important facts regarding the administrative problems are provided to the trainees. On the basis of these facts the trainees are required to find solution to the problem and write it down on a piece of paper. After every trainee has written down his decision then each decision is discussed one by one, and each trainee has to defend his 'decision while others have to find lacuna or fault in the decision.

6. Role Play and Management Games

By this method, an actual field situation is simulated in the class room and the trainees are made to play specific roles pertaining to their posts. After the role has been played the group converts itself into a discussion session where the role as well as behaviour of each participant is discussed, Management games are played in decision making activities of the trainees.

7. Communication

Another method of training of the employees is that they may be informed through communications about the nature of the work and rules and regulations of the departmental in which they have to work. The department may circulate information to its employees about their obligations, the general code of conduct etc. Such a training may may be done through periodic conferences. Circulation of office bulletins, rule books or informative booklets or the use of films and specialized department library.

8. Vestibule Training

This method of training is adopted for in service training. It aims to offer an introductory series of lectures and then send lectures scripts to the department and field stations so as to give them a first hand knowledge of different aspects of the services. It is followed in the training of senior

Forest Service officers in India.

9. Syndicate Method

It is method of assigning topic relevant to the field of training to small groups of trainees and making them conduct in depth, the study of that subject under the guidance of the faculty members. Syndicate may either be problem solving or knowledge gathering.

2.2.5 Types

The type of training largely depends upon its duration, method, level of promotion, duties or responsibilities and functions involved, technology or knowledge based, resources like time, money etc., the agency or resource person imparting training. Following are the various methods of training :

1. The Department and Central Training

Training is called departmental when arrangements are made for it within the department or the office itself. Training is called Central, when it is imparted by some general training institutions e.g. training imparted by Lal Bahadur Shastri Academy of Administration, Mussorie to new LA.S. recruits. The departmental training are organised for its own specialized requirements and the Central trainings are organized for less specialized varieties of tasks.

2. Short-Term and Long-Term Training

The classification is based on the basis of duration of training. If the training is imparted for a short term, it is known as short-term training. On the other hand if the period of training is long, it is termed as long term training. The best illustration for such are, the arrangement of weekly or for nightly refresher courses at Indian Institute of Public Administration, New Delhi for short-term training; and the arrangements of nine months or one year training at IIPA come under long term training.

3. Formal and Informal Training

Formal training is a training given to an employee with regard to his work which he has to do through lectures or instructions given by the departmental heads. It may also be given by administrative schools or academic. Informal training is by experience which the employee gradually acquires in the course of the actual doing of the work of his job. An employee gets informal training when he actually comes into contact with files, papers and officers. In other words, he gets informal training about

his job when he actually does it.

4. Skill and Background Training

The skill training is also called vocational training. The employee is trained in the specialized technique or skill which is essential for his vocation as for example, the police officer's training in the income tax law and procedure etc. On the other hand the purpose of background is not to give particular training in any skill to the employee. Its purpose is to broaden the mind. It seeks to teach certain subjects which help the trainee to understand the political, administrative, economic and social background of the society.

5. Pre-service Education (Pre-Entry) and Inservice Training

The training which is imparted to public services is of two types, namely pre- entry education and in service training, the degree of B.A. from University and the training at a Police Training College are the best illustrations of these two types. On a close examination of the problem, we find that the general education training is generally intended to broaden the mental horizon of a candidate for public services so that he may pass the general qualifications test and may have success in the performance of his work. Inservice training is imparted after a person has entered service and that is intended to equip him properly for the performance of the job entrusted to him. For in-service training, some special provision has therefore to be made for example, the policemen are to be trained in police duties at police training schools established for the purpose.

Self-Check Exercise-I

1. Define Training
2. Write any four types of training.
3. Mention any five methods of training.

2.2.6 Pattern of Training in India

Mr. Horner has described seven steps for planning, designing and directing a training programme, which are as follows :

1. Training required for present and for the foreseeable future needs determination of specific skills and abilities required for the desired performance in the job.
2. Assessment of the abilities possessed by the employees as related to the job.

3. Determining the training needs of the individual employees and the group.
4. Assessing the available training resources.
5. Planning of detailed programme to develop the required skill.
6. Directing and evaluating the training programme in operation, and
7. Evaluation of the results of the training through measurement of post-training job performance.

In India, the pattern of training has undergone series of changes.

The impetus training of public personnel comes from the emergence in 1965 of a separate training division in the Union Ministry of Home Affairs. Later on, this division was shifted to Cabinet Secretariat.

Indian Administration Service is an All India Service constituted under the provisions of the constitution as supplemented by All India Service Act of 1950 and the All India Services rules. The recruits of the I.A.S. undergo, at present for three and half months foundation course along with the recruits to the Central Services at Lal Bahadur Shastri National Academy of Administration, Mussoorie. Other recruits leave the institution at the end of foundation course and the I.A.S. probationer is taken through what is called the professional course. This course is of the sandwich pattern. The first part lasts for two months and is followed by training of probationers for about one year in the field. Thereafter they return to the academy to complete professional course. The second part of this institutional training lasts for four months.

In the foundation course, the subjects taught are Public Administration, Law, Political Theory and Constitution, Economics and Five year Plans, Indian History and Culture and Hindi. There are a set of written examinations to be passed by the probationers. A further dose of lectures on Public Administration, Political theory and Economics is administered to the probationers in the two months professional course preceding the field training. More examinations follow. The field training of the probationers in different states is far from uniform. Some states training their officers in special schools while many states do not have these schools. Periods of attachment to the state secretariat, agriculture University etc. and that of field training in development administration and land records also vary widely from state to state.

At present there is no organized programme for I.A.S. officers. Inservice training is imparted after they complete six or seven years of field duty in

order to equip them for higher responsibilities.

A number of institutes have been organizing training courses for public administrations.

The list of all such organizations operating at the central level is as follows:

1. Lal Bahadur Shastri National Academy of Administration, Mussoorie.
2. The Indian Institute of Public Administration, New Delhi.
3. Administrative Staff College, Hyderabad.
4. Asian Institute of Educational Planning and Administration, New Delhi.
5. Central Emergency Relief Training Institute, Nagpur.
6. Customs and Central Excise Training School, New Delhi.
7. Family Planning Training and Research Centre, New Delhi.
8. Indian Audit and Accounts Staff Training College, Simla.
9. Indian Institute of Foreign Trade, New Delhi.
10. Indian Institute of Mass Communication, New Delhi.
11. Institute of Applied Manpower Research, New Delhi.
12. Indian Revenue Service (Income-Tax) Staff College, Nagpur.
13. National Institute of Community Development, Hyderabad.
14. National Institute of Administration and Education, Delhi.
15. National Institute of Training in Industrial Engineering, Bombay.
16. Sardar Patel National Police Academy, Hyderabad.
17. Railway Staff College, Baroda.
18. Secretariat Training School, Delhi.
19. Small Industrial Extension Training Institute, Hyderabad.
20. Vaikunth Mehta National Institute of Co-operative Management, Poona.

Training for State Civil Services :

At the state level many state governments have their own training institutes e.g. Rajasthan has H.C.M. State Institute of Public Administration, Jaipur, Bihar has Institute of Public Administration; Himachal Pradesh has its own institute of Public Administration at Simla. Punjab has Mahatma Gandhi Institute of Public Administration at Chandigarh. So, most of the States have realized the importance of in

service training of civil servants and other are on their way to follow suit. At the state level for local government there was, for long no arrangement for training of local government staff except the All India Institute of Local Self Government, Bombay. In 1967 Union government moved forward to set up four regional Centres for training in municipal administration, in addition to a centre of urban studies set up in Indian Institute of Public Administration, New Delhi. On the side of rural local government the National Institute of Community Development is the apex organisation for training, various state governments have their own training centres also for training rural bureaucracy.

Shortcomings in the Training System :

1. Firstly, it is doubtful if the entire syllabus from the beginning of foundation course upon the end of the second half of the professional course has been prepared with single integrated perspective.
2. Secondly, not all the written examinations are necessary.
3. Thirdly, lecture method of training needs great modifications.
4. Fourthly, we find that a similar critical examination of the syllabus, the professional course also reveals some ambiguities, vagueness, repetition and avoidable topics.
5. Fifthly, it is felt that the period of two months for the first part of sandwich professional course is far too less to impart an adequate amount of professional knowledge to the I.A.S. probationers that will be used to them before they undertake their field training.
6. Lastly, few shortcomings in the present scheme of field training of I.A.S. probationers are also noticed e.g. the large divergence in the duration of training in various areas and substantial difference in emphasis is on different aspects of training in the state etc. However Kothari Committee on I.A.S. Recruitment Methods set by U.P.S.C. has recommended certain modifications in the training scheme involving also the recognition of the L.B. National Academy of Administration, Mussoorie.

Education and Training :

Training is a continuous process and therefore it is many a time confused with the process of education. Education in the words of Tuckett E.J. includes, "the complete upbringing of the individual from the childhood, the formation of character, habits and manners and of mental and physical

attitude." On the other hand training is more specific and has narrower scope. It is intended to increase a person's skill in some particular kind of work, while education aims at the broadening of the mind. The two are however closely interrelated and even overlap each other. According to Dr. M.P. Sharma, the working distinction between the two, as understood in the context of public administration, is that training is rather specific and occasional, intended to increase a person's skill in some particular type of work, while education is general and aims at the broadening of mind."

William G. Torpey in his book "Public Personnel Management" wrote that Training is the process of developing skills, habits, knowledge, attitude in employees for the purpose of increasing the effectiveness of employees in the present position as well as preparing employees for further Govt. positions. There is no well-concerted and co-ordinated plan of training for the public personnel either in the Centre or in the State Govts.

Self-Check Exercise-II

1. Write a detailed note on Pattern of training to Civil Services in India.
2. What do you mean by Sandwich Pattern of Training?

2.2.7 Conclusion :

It can be concluded that training is very essential for improving and upgrading the skills, capacity, capability and ability of the personnel in any organization. In the lesson, various objectives, methods and types of training has been discussed. The sandwich pattern of training imparted to Civil Services in India has also been described.

2.2.8 Answers to Self-Check Exercises :

Exercise-I

1. Read various definitions given in your lesson at 2.2.2. From examination point of view, you should memorize and understand any four definitions.
2. Answer to this question is given at 2.2.5 of your lesson. Any four types out of given types, you should write.
3. At 2.2.4, methods of training have been mentioned. Write any five out of these methods.

Exercise-II

1. At 2.2.6 of your lesson, the pattern of training has been discussed in detail.
2. Sandwich Pattern of Training means where there are different layers of training course like to Civil Services in India whereby first layer is foundation course, 2nd layer is professional which is further divided into 2 sub-layers and 3rd layer is common to all civil services. For details see 2.2.6 of your lesson.

PROMOTION : PRINCIPLES AND PATTERN IN INDIA**Structure**

- 2.3.0 Objectives
- 2.3.1 Introduction
- 2.3.2 Meaning
- 2.3.3 Principles of Promotion
 - 2.3.3.1 Merit Based
 - 2.3.3.2 Seniority Based
- 2.3.4 Pattern of Promotion in India
- 2.3.5 Conclusion
- 2.3.6 Suggested Readings
- 2.3.7 Key Words
- 2.3.8 Answers to Self Check Exercises

2.3.0 Objectives :

After studying this lesson, you shall be able to :

- * explain the meaning of promotion;
- * differentiate promotion from increment;
- * discuss merit based and seniority based principle of promotion;
- * describe the promotion policy as adopted in India for civil services.

2.3.1 Introduction :

Promotion is important to maintain the employees in the organization. It holds importance as it helps in boosting the morale of the employees. It motivates them to perform better. It not only satisfies their desire, their need of achievement but encourages them to give their best to the organization. It is essential for the organization to understand this need of the employees, frame right promotion policy, implement it unbiasedly and well in time so that the employees remain satisfied.

Each and every civil servant who joins service very much wants to be promoted at the earliest. His pleasure and prestige increases with every promotion and so is the case when power increases. When the chances of promotion are slow and do not exist, or the promotion is not given on the basis of merit but on patronage, although higher posts being very few, only limited number of employees can be promoted to such posts create much of heart burning among the staff. The chances of discontentment are always more than those of satisfaction.

2.3.2 Meaning :

Promotion means something beyond regular graded increment and is understood to mean giving higher duties and responsibilities with better emoluments and position. Promotion implies larger salary, its essence is getting into a post of higher duties and responsibilities, although promotion leads to increase in salary but sometimes it may bring about no immediate financial advantage to the employee. For maintaining incentive and initiative, it is essential that there should be regular and adequate chances of promotion. Such a channel is quite different from giving regular increments in that graded pay scale.

Promotion in the words of L.D. White means an appointment from a given position to a more difficult type of work and greater responsibility accompanied by change of title and usually an increase in pay.

According to Prof. Willoughby, "To the employees promotion is of direct significance as a reward or possible reward. Actual promotion is a reward, while the opportunity for promotion is a possible reward.

In the words of Fulton Committee, "The right promotion at the right time is an essential part of the process of developing to the full the talents of men and women in the service."

"The public service should be carried on by the admission into its lower ranks of a carefully selected body of young men, who should be employed first based upon work suited to their capacities and their education, and should made constantly to feel that their promotion and future prospects depend entirely on the industry and ability with which they discharge their duties, that with average abilities and reasonable application they may look forward confidently to a certain provision for their lives, that with superior powers they may rationally hope to attain the highest prizes in the service, while if they prove decidedly incompetent, or incurably indolent they must expect to be removed from it", Northcote-Trevelyan Report 1854. According to the Report, merit should be the factor for

promotion.

Promotion means act of raising in rank or position.

It essentially means loading a person with higher duties and responsibilities and giving an employee more powers, responsibilities and possibly more emoluments.

Promotion should be distinguished from advancement and increase in Compensation. Advancement or what is also called, "administrative promotion, has been defined as a personal administrative device which pertains to an advance in pay by a prescribed increment within the scale of pay appropriate to a given position, the employee enters the service in a fixed grade and as he progresses in his service and accumulates more experience, he goes up higher in the scale of his salary. It should be noted that it differs from proper promotion such as it does not entail any change in status duties or responsibilities.

Promotion must be distinguished from transfer. An employee is transferred from one place of work to another in the same grade and not the same position whereas promotion upgrades him and makes him share heavier and greater responsibilities.

2.3.3 Principles of Promotion

The application of the cardinal principles of "equal opportunity for and "a fair field to merit without favour" is to be assured not only in the initial selection of officers but in service promotions also. Two main systems of promotion are merit system and system based on seniority.

2.3.3.1 Merit System : It aims at promoting the best person to the higher post based on some specific criteria.

Advantages : It leads to hard work and efficiency and high morals. It helps identify the best and most suitable person for the job. It ensures better job performance. There are various methods for testing the Merit.

Methods of Testing Merit of the candidate are as follows :

1. Written Examination : Written examination is conducted where the number of the candidates are large. It helps in judging accurately their aptitude and knowledge and also helps in preparing fair and transparent merit list. Examination can be of two types - objective or subjective or both. In objective examination, candidate is asked multiple choice questions.

2. Service Records : Records should be regularly maintained and updated so that adequate information about the employee's biodata as

well as performance should be readily available at the time of considering his case for promotion. Service records known as service book, personal record, annual confidential reports are part of old system of evaluating one's performance in civil services.

In Britain, the system of maintaining service records was introduced in 1921 on the recommendation of Whitley Council. According to this system, an Annual Report is maintained in respect of all officers based upon their pay scale. It is quality-based report having ten points which is rated on five point scale :

1. Knowledge of the branch
2. Personality and force of character
3. Judgement
4. Power of taking responsibility
5. Initiative
6. Accuracy
7. Address and tact
8. Power of supervising staff
9. Zeal, and
10. Official conduct.

These above said ten qualities are rated in the category of (a) Outstanding (b) Very good (c) Satisfactory (d) Indifferent (e) Poor

The total helps in determining the fitness of the candidate for promotion. The Reporting officer's rank has to be two grades higher than the officer being report upon. In case of adverse report, employee has to be conveyed of it.

3. Efficiency Rating Method : Efficiency Rating method which originated in U.S. is based on the scientific assessment of service record of the employees.

(i) Through Production Records : Mechanical work of typist, stenographer, machine operators etc. can be assessed. It is often combined with the evaluation of service records of employees with regard to their personal traits like punctuality hard-work etc.

(ii) Graphic Rating System: Certain characteristics of traits of the employees are evaluated into different categories like bad, good, very good, excellent etc.

(iii) Personality Inventory: It is a sort of form containing vast number of traits out of which the judging authority is to choose only those, which concerns the employees job performance. Efficiency Rating Method is relevant only where the employees job involves manual work. In many cases, its too difficult to evaluate and assess one's performance in terms of quantity accurately and precisely and without prejudices or bias.

In other words, it's too difficult to judge the human character scientifically or mechanically.

4. Judgement of the Head of the Institution : Being the Head of the institution or department or the organization concerned he is considered to be the best judge of his employees as they are working directly under him. But it's possible only where the organisation is simple and the number of employees very limited. But modern organizations being large and complex, It's not possible for the Head to know each and every employee personally so in such a situation, he can't be considered as the best judge. Moreover, he is being a human being, there is very likelihood that his judgment may be biased due his personal likings or disliking. He may succumb to pressures. Such decisions often creates unhealthy rivalry and atmosphere of suspicious among the employees. Thus this method can't be considered foolproof. To overcome the draw backs of this method:

- There should be a board comprising three to five members instead of having one member selection committee.
- Though the power of selection for promotion should lie with the head of the department concerned but there should be provision to make appeals against the whole process to some outside agency.,
- There should be set and prescribed form on which the head should give his views or opinion.

Limitations :

Where the above-said methods help in testing the merit of the candidate, they also have the limitations which are -

1. There is always a possibility of biased attitude in judging or rating the employee as all are human beings and tendency of biased attitude is inherent in the human nature. Personal feelings, jealousy, emotional or irrational thinking on the part of the judging officer leads to adverse remarks in the record or report, which effects the career of the employee.

2. Even examination system has the drawbacks like candidates

may have adequate knowledge and is perfect for the job but unable to cram or memorize or write sufficiently.

Thus merit rating system holds its importance but should not be solely depended upon for promotion purposes in any organization.

Self-Check Exercise-I

1. Define promotion.
2. What is the difference between promotion and increment.
3. Write methods of merit based promotion.
4. Name the two principles of promotion.

2.3.3.2 Seniority Based Promotion :

It is considered simplest method as in any organization, all the members know the date of joining of each thus a record is maintained and after fulfilling the prescribed criteria of length or experience of service, an employee is automatically promoted to the higher position.

Advantages :

This method of promotion brings harmony, eliminates the chances of corruption, favouritism and reduces unnecessary rivalry among the members of any organization or department concerned.

Disadvantages :

1. The person being promoted on the basis of seniority may or may not be the best suitable person for the job.
2. It brings demoralisation, discontentment among the employees and may lead to drain of the best talent available.
3. It encourages mediocrity. This method may not be used to fill the higher posts demanding special qualities and involving specialized tasks to be performed.
4. Promotion is a service matter in which both management and employees are deeply effected. If efficiency and morale of the service are the guiding factors in promotion policy, promotion involves advancement to employees in the terms of money and status.

The above-discussed points reveal that, in the words of Dr. Finer, "it is automatic and avoid the need of making invidious distinction between one person and another, of placing the young over the old, of measuring the responsibility for the result of promotion."

2.3.4 Pattern of Promotion in India :

A good promotion policy keeps the employees morale high and they take interest in the job. It is essential that the importance of promotion system must be based on sound lines. A non-planned promotion system harms the service not merely by pushing ahead unqualified persons but also by undermining the moral of the whole group. The influence of a good promotion system is all-pervasive. It is an importance phase of a career service. The failure to establish a good promotion system would give rise to number of evil consequences.

Whereas the existence of a proper promotion system is vital for attracting talented persons to public services and preventing them from migrating to private one, on the other hand lack of promotion system has a marked retroactive effect on all the processes of personnel administration. It has a discouraging effect on new recruitment also. It tends to deter ambitious and capable workers from entering the public service it is noticed that frequently the better type of workers leave the public service for getting better jobs in the field of private enterprise and again it also discourage the working from further studies and training which could prove useful for public services.

In India, Posts are filled through direct as well as through promotion. Upto 55% of posts of Class-I service are filled through direct recruitment and remaining 45% are filled through promotion from Class-II (Gazetted). 65% posts are reserved for direct recruitment and the remaining are to be filled from promotion, class-III posts are usually filled by promotion from within. There is some fixed promotion quota from Class IV to Class III posts. As early as in 1957, the Ministry of Home Affairs suggested that appointments to selection grade posts should be on the basis of seniority. The Selection Committee should however, before hand decide the area of selection and those who are considered unfit should be excluded. On the basis of their service record, in order of preference, the employees should be classified as "outstanding", very good and satisfactory. This grading should however, be done at a higher level. In India the work of advising the government of making promotion, except in the case of class-III and IV employees, has been assigned to the Public Service Commissions. The class of promotion of departmental employees are considered by departmental promotion committee. Every department has a Junior Department Promotion Committee and also a Senior Department Promotion Committee. The former considers only the cases of junior officers due for

promotion while the latter is concerned with the promotion of senior officers. With each committee representative of UPSC is attached in so far as central government employees are concerned. For promotion to top most senior posts e.g. those of secretaries and Joint Secretaries there is "Pool System". For the pool, officers are selected with the approval of the UPSC or State Service Commission. Minister is allowed to select Secretary for his ministry from among the pool officers. For promotion to these posts usually advice of Ministers of finance and Home affairs is sought. On the basis of Merit-cum-Suitability there is a provision for promotion from state service to IAS. There is also an Appointment Committee of the Cabinet Secretary.

The governing principles of promotion policy in India are seniority cum merit but they are not observed uniformly in all cases of promotion. In some administrative departments, seniority is given more weight and in other merit. But seniority is the general rule. As for the suitability of these two principles of promotion in the various departments, the recommendations of the Central Pay Commission are that "for a many situations, specially those in which long familiarity with office work is itself adequate training, the rule of seniority may generally be followed. In higher grades or service, consideration of fitness must have precedence over the claim of seniority." Broadly speaking the promotion making authority in our country is the government or the head of the department concerned, but promotion in higher posts are generally made in consultation with public service commission both at the centre and in the states. It is provided in our constitution that the Public Service Commission may be consulted on the principles to be followed in making promotion, transfer from one service to another and on the suitability of candidates for such appointments, promotions and transfers. So far as promotion to other grades of service are concerned, there is no uniform procedure. In some cases, promotions are made by Departmental Heads themselves, in some the public service commission has also to be consulted and still in some other cases the approval of finance department is also needed.

The system with regard to other posts in some departments is that the selections are made by a Departmental Promotion Committee or board consisting of a member of the Public Service Commission as chairman and senior officers of the ministry of department who have personal knowledge of the work.

The recommendations of the Promotion Committee are placed before the Public Service Commission for ratification. The head of department makes

promotions according to the confirmed list and if he has to make any deviation from it he has to apprise the Public Service Commission of the change together with reasons. Sometimes, selection for promotions from State Civil Service to the IAS is also made. It is done by special committee for each state which consists of a chairman or a member of the U.P.S.C. and some IAS senior most officers of the state as members of the committee. It prepares a list of officers of the State Civil Service suitable for promotion to the IAS on the basis of merit and suitability in all aspects with due regard to seniority. The list is then submitted to the Union Public Service Commission for approval and promotions are made from the approval list as vacancies arise.

Shortcomings

1. The Heads of the departments have been given too much discretion in recommending names out of which selection is to be made.
2. There have been many complaints by some claimants whose names not forwarded to the Promotions Board by the head of the department for the reasons best known to him.
3. The system of evaluating the efficiency of the employees is also not satisfactory.
4. The entries made in their records by their immediate officers are not shown to them except when they are against them. Nor is there any appeal against adverse remarks.
5. Promotion boards or committees do not exist in every administrative department and in the absence of such of discretionary promotions are haphazard and arbitrary. The aggrieved candidates have no means of effective appeal either.
6. Promotions not given within the time leads to demotivating spirit on the part of employees.

Suggestions :

1. Cases of promotion should be considered by some board and not by an individual senior officer.
2. Board constituted for considering promotion cases should consist of such officers who are not under influence or obligation of the head of the department.
3. The staff should be given adequate time for preparation if the promotion is desired to be made by interview.
4. If the recommendations of the board in respect of a person for

promotion are not accepted, the person concerned should be given adequate reasons and chances for explaining his position.

5. More chances for competitive examination should be provided when promotion proposed to be made through direct recruitment.
6. Opportunities for planned career should be provided.
7. Method of promotion should be clearly spelled out and adhered to and use of discretion should be reduced to the minimum.
8. Promotion system should be decentralised.
9. Promotion pools for all grades and cadres should be created.
10. It is suggested that an effective machinery should be created for listening to appeals from the employees who have been over-ruled or not considered fit for promotion.

Self-Check Exercise-II

1. Write a detailed note on Promotion Policy in India.
2. Mention the shortcomings in Promotion pattern of civil services in India.
3. Give any six suggestions to improve the promotion system.

2.3.5 Conclusion :

There is no doubt that it is difficult to evolve a satisfactory promotion system. Neither the seniority principle nor the merit can be considered the best. Anyhow a suitable machinery and procedure is possible whereby chances of injustice should be minimised too. The Central Pay Commission has accordingly recommended that the use of promotion boards or committees should be as widely adopted as possible, it being the safest and most convenient method. The staff representatives should also be associated with such boards. The official records and evaluation of efficiency report of the employees should be kept in a systematic way and the effective machinery for appeal against suspicious promotions should also be provided. When there is lack of promotion avenues, the workers indulge in all sorts of indisciplined activities and there is lack of a good will and enthusiasm among employees with the result it becomes difficult for the establishment to maintain high standards. It lacks individual and group efficiency. Thus a good promotion system is thus the only system through which the employees can be kept satisfied. In case this system is defectively operated, there is bound to be dissatisfaction and discontentment among the employees. Needless to say, that even there is

bound to be adverse effect on the efficiency of the organisation which will result in its desertion. It is, therefore, very much desirable that utmost care should be taken while making promotions.

2.3.6 Suggested Readings :

1. Tyagi, A.R. : Public Administration : Principles and Practice.
2. Sachdeva and Sogani : Public Administration : Concepts and Application.
3. Sharma, S.K. : Studies in Indian Administration
4. A.R.C. : Report on Personnel Administration
5. Sahib Singh, Swinder Singh : Personnel Administration
6. Rumki Basu : Public Administration
7. Sharma, M.P. : Public Administration in Theory and Practice
8. Bhambri, C.P. : Public Administration (Theory and Practice)
9. Avasthi and Maheshwari : Public Administration

2.3.7 Keywords :

Promotion - Rise, upgrading, Moving up, advancement, Boosting Elevation, preferment, Furtherance Encouragement, Backing, Support, development, Progress

2.3.8 Answers to Self-Check Exercises :

Exercise-I

1. Answer to this question is given at 7.2 in the lesson. From examination point of view, you should learn any four definitions. You can learn more definitions from text books on the subject (you can borrow books from the Deptt. Library).
2. At the end of 7.2 in your lesson, this difference has been mentioned. Read the lesson carefully and then write the answer.
3. 7.3.1 in your lesson discusses the methods of merit based promotion.
4. Promotion -
 1. Merit Based
 2. Seniority Based

sometimes former is also known as Direct and latter is known as Indirect Method.

Exercise-II

1. Answer to this question is provided at 2.3.4 of your lesson.
2. 2.3.4 of your lesson has a sub-heading 'shortcomings'.
3. 2.3.4 of your lesson has another sub-heading 'suggestions'.

For all the above questions, read the lesson carefully, understand it and then write it after memorizing. Avoid copying.

EMPLOYER-EMPLOYEE RELATIONS AND JOINT CONSULTATIVE MACHINERY

Objectives

When you have completed this unit/lesson, you should be able to :

- Understand the significance of employer-employee relations and that of unions and associations;
- Compare the employee rights in various countries;
- Make out the working of joint consultative machinery in India and the system in a few select countries;
- Evaluate the effectiveness of JCM;
- List the objectives of Unions and associations.

Structure

- 1 Introduction**
- 2 Meaning and Concepts**
- 3 Significance of Sound Employer-Employee Relations**
- 4 Employee Rights**
- 5 Joint Consultation or Collective Bargaining**
- 6 Machinery for Joint Consultation (JCM)**
- 7 JCM in India**
- 8 Compulsory Arbitration**
- 9 Employee Unions and Associations**
- 10 Summary**
- 11 References/Further/Readings**

1 Introduction

‘Employer-Employee relations’ is generally regarded as one of the most important areas of personnel administration. A harmonious employer-

employee relationship is essential for the effective functioning of every organization. Infact, no administrative set up can fulfil its obligations if it is not supported whole heartedly by the employees at all levels. The harmony among employees is needed like the various musical components in an orchestra. However, the prevalent state of employer-employee relations in a country depends, besides other things, upon the immediate socio-economic and political environment.

2 Meaning and Concepts

Before looking into various aspects of employer-employee relations we need to look into the meaning of various terms such as employer, employee, industrial relations and so on.

2.1 Employer

The term employer has also been defined under various Acts and government notifications. For instance, under the *Industrial Disputes Act 1947*, “Employer means (i) in relation to any industry carried on by or under the authority of any department of the Central Government or a State Government, the authority prescribed on this behalf or where no authority is prescribed, the head of the Department, (ii) in relation to an industry carried on by or on behalf of a local authority, in chief executive officer of the authority.”

In the case of industries or other enterprises the owner is the employer. The word employer includes among others “an agent of an employer”. Thus the government is the big employer in the case of all the public organizations; and the heads of the departments, public corporations, companies, boards etc. are the agents of the government. The owner is an employer even for the persons employed by a contractor.

2.2 Employee

In the Employees Provident Fund Act, 1952, “Employee means any person who is employed for wages in any kind of work, manual or otherwise, in or in connection with the work of an establishment and who gets his wages directly or indirectly from the employer and includes any person employed by or through a contractor, or in connection with the work of the establishment.”

In the Minimum Wages Act, 1948, “Employee means any person who is employed for hire or reward to do any work, skilled, manual or clerical, in a scheduled employment in respect of which minimum rates of wages have been fixed and includes an out-worker to whom any articles or materials are given out by another person to be made up, cleaned, washed, etc. for the purpose of the trade or business that of the other person...; and also includes an employee declared to be an employee by the appropriate government; but does not include

any member of the Armed Forces of the Union.”

As defined in various Acts or other documents two common features highlighted of an “employee” are ;

- (i) that a person has to be 'employed' in order to be a worker that is to say he must stand in relations to an employer as an employee.
- (ii) that persons in managerial, administrative or supervisory capacity are excluded from the category of employees and in some cases distinction has been drawn on the basis of the quantum of salary received for the purpose of exclusion from the category of worker or employee.

2.3 Employer-Employee Relations

In the area of employer-employee relations a few other terms are also used such as industrial relations, ‘human relations’ or personnel relations.

According to *ILO*, “Industrial relations deal with either the relationships between the State and employer’s and worker’s organization or the relation between the occupational organization themselves. The *ILO* uses the expression to denote such matters as freedom of association and the protection of the right to organize, the application of the principles of the right to organize and the right of collective agreements, conciliation and arbitration and machinery for cooperation between the authorities and the occupational organizations at various levels economy.”

According to V.B. Singh, “Industrial relations are an integral aspect of social relations arising out of employer-employee interaction in modern industries, which are regulated by the state in varying degrees, in conjunction with organized social forces and influences by prevailing institutions.”

Employee-employer relations in public administration are essentially the industrial relations in government. In other words, employee-employer relations should be understood in terms of industrial relations or in the sense of labour management relations. “It involves attempts at workable solutions between conflicting objectives and values between incentive and economic security, between authority and freedom, between bargaining and cooperation.”

3. Significance of Sound Employee-Employer Relations

For any organization to work efficiently, it is necessary that there exists good relationship between the employer and employees. Government being the largest single employer in most of the countries, it becomes all the more important that its relationship with its employees should be harmonious

conflict free, frictionless based upon mutual understanding and goodwill. Infact the creation and maintenance of good working relationship between the employees and the government is the very basis of democratic administration.

3.1 Broad Objectives

A few basic objectives of sound employer-employee relations may be listed here.

- (i) To safeguard the interest of the employees as well as the government by securing the highest level of mutual understanding and goodwill between all selections in administration.
- (ii) To avoid conflicts and develop harmonious relations, which is essential for productive efficiency for all the officials for the overall progress of the country.
- (iii) To bring about efficiency, effectiveness and economy in the administration.
- (iv) To establish and maintain democratic administration based on employees' participation in various decisions affecting their welfare, working conditions, etc.
- (v) To bring down strikes, gheraos, demonstrations by providing better and reasonable salaries, improved working conditions and other benefits to the employees.
- (vi) To educate the employees for their healthy development and to enlighten them towards their rights, duties and responsibilities.

The significance of employee relations which was extensively developed in private sector before the Second World War, first gained recognition in government during the War and then chiefly in some of the larger industrial establishments. Various mechanisms were developed in order to maintain peace and sound relations. Lessons were taken from industrial sector to introduce similar measures in government and which proved quite beneficial over the years.

3.2 Merits of Effective Relationship

The process of effective human relations which link people together involves development and exchange of feelings, attitudes and adjustments, which is a natural activity of living, thinking and feeling human beings. Effective leaders may attempt to steer the process towards better coordination, performance and job satisfaction. Besides this other likely effects are :

- Better productivity and efficiency
- Better morale

- Reduction of tension and increasing satisfaction
- Better Mutual Respect and Unison
- Shared understanding (Better Communication)
- Overall peace and better society
- Higher ethical and moral standards

4. Employee Rights

In order to examine the nature and conditions of employer-employee relations we must look into the kind of rights the employees may enjoy. These rights may vary from country to country, which determine the nature of relations. Here we will examine two basic rights; right to form association and right to strike.

4.1 Right to Form Association

The nature and practice of this basic right differ from country to country. In U.K. civil servants have the right to form service associations and can be members of recognized associations. From 1927 to 1946 the Trade Dispute Act forbade a permanent civil servant to become a member of the association which had any re-affiliation outside trade union or with any political party. But the Labour Government of 1945 repealed the Act of 1927 in 1946 by which the re-affiliation of civil service unions to the Trade Union Congress was permitted. As regards the affiliation to political parties the civil service associations have to go through a prescribed procedure before they are able to join a political party.

In the United States the Federal employees have right to be the members of any association subject to the condition that such a body does not impose upon them condition to go on a strike against the Government.

In India, the Constitution confers on all citizens a right to form Associations or Unions. But the civil servants cannot join or continue to be members of any association which has not either been recognized by the Government within 6 months of its formation or recognition which has been refused or withdrawn by the Government. It is discretionary power of the Government to grant or withhold recognition and the Government uses this power to withdraw recognition of such association which took active part in the last strike. It indicates that right of civil servants to form associations is bound by stringent condition of India.

4.2 Right to Strike

The nature and practice of this right too differs from one country to another. In the USA strikes are prohibited as per Taft-Hartly Labour Management

Relations Act of 1947. On the other hand in UK there is no such ban under any law but the striking employees are not free from any disciplinary action. The government in UK may take any disciplinary action as per the demand of situation.

In Japan, Switzerland and Australia, strikes for government employees are illegal.

In India, the position regarding the right to strike is the same as in the United Kingdom. A strike by the Government Servants is not prohibited by law; it only constitutes a breach of discipline. However, the government has right to declare any service as an essential service. At the same time a few categories involved in essential services have been prohibited to go on strike. Also the government as per Supreme Court ruling follows the policy of no work no pay.

An analysis of legal position and practice in various countries leads us to conclude that strikes by the public servants are never liked anywhere. The main reason for this is that a major part of government servants perform those functions, which are essential for the existence and well being of the community as a whole. If the police or army goes on strike we can imagine drastic results thereof. We witnessed the U.P. Armed Police's strike which turned so violent that army had to be called to disarm the revolting policemen. There were number of casualties on both sides. Railway Locomen's strike in 1974 disrupted foodgrains supply to the draught affected areas of Maharashtra and Gujarat. The position regarding strikes in India have changed considerably. On 16th September, 1981, the Lok Sabha passed the keenly contested Essential Services Maintenance Bill. The bill gives the government sweeping powers to dismiss strikers and erring employees, arrest them without warrant try them summarily and imprison them. Defending the bill the Government was trying to prevent stoppage of work. More and more services are falling under Essential Service Act, since then.

5. Joint Consultation or Collective Bargaining

Proper communication between the employer and employees is essential for the health of organization. The establishment of a system in civil service for the joint consultation between employees and government is an initiative of state to provide full opportunity to its employees for ventilating their grievances in peaceful manner.

Collective bargaining has been defined as the technique that was been adopted by unions and management for compromising their conflicting interests. According to the *Encyclopaedia of Social Sciences*, collective bargaining is a

process of discussion and negotiation between two parties, one or both of whom is a group of persons acting in concert. The resulting bargain is an understanding as to the terms and conditions under which a continuing service is to be performed.....More specifically, collective bargaining is a procedure by which employers and a group of employees agree upon the conditions of work.

The phrase 'collective bargaining' is said to have been coined by Sydney and Beatrice Webb; and Great Britain is said to be the 'home of collective bargaining'. The idea of collective bargaining emerged as a result of industrial conflict and the growth of the trade union movement and was first given currency in the United States by Samuel Gompers. In India the first collective bargaining agreement was concluded in 1920 at the instance of Mahatma Gandhi to regulate labour management relations between a group of employers and their workers in the textile industry in Ahmedabad—at that time the only instance of collective bargaining in India. In government, collective bargaining is the cutting edge in the field of organized employee relations, for it is the dominant issue around which others—such as morale and motivation—revolve. But perhaps, more important than that, it touches crucial issues of public policy relating to many aspects of public safety from health and sanitation to police and fire protection at the lower levels of government and to national security at the higher ones.

6. Machinery for Joint Consultation (JCM)

As noted earlier in order to establish healthy relations between employer and employees there must be proper communication and regular interaction between both the parties. This is possible only by making some institutional arrangement or setting up of some joint consultative machinery. The idea behind its establishment is mutual benefit or advantages for both parties. The National Institute of Industrial Psychology, London recognizes the purpose of joint consultation as below :

- (i) Joint Consultation gives the employees a chance of airing their grievances;
- (ii) It provides a means for employees to have some say concerning their welfare;
- (iii) It provides the means of getting employees suggestions;
- (iv) It provides the means for building up a sense of common purpose by giving information about the various aspects of their organization;

- (v) It provides the means of improving relationship and building up morale;
- (vi) It provides to every group, in the organization an opportunity to participate intelligently in the solution of all types of problems and thereby develop a sense of responsibility.

It would be of some interest to examine the nature of such machinery in some countries such as UK, USA, France and India.

6.1 JCM in U.K. (Whitley Councils)

In the U.K., employer-employee relations are regulated through its well-established institution popularly known as the Whitley Councils after the name of Mr. J.H. Whitley.

A committee was appointed under Sir Malcom Ramsay and after some modifications which were recommended the Committee, Whitley Councils were formed in each of the government departments. According to Prof. L.D. White, "Perhaps the most significant changes in the British Civil Service in present generation is the establishment of the Whitley Councils. These bodies are representatives in equal members of the official and staff sides and have provided a valuable agency for presenting the views and criticism of the staff, for conciliation and for the adjustment of many points of difference." The formation of such councils where both the employees and the Government were equally represented was a great event in the history of Public Services. This Whitley machinery for negotiation and consultation has also been known as : Whitleyism.

6.1.2 Aims : The aims of these councils are, (1) to provide machinery for redressing grievances; (2) to establish cordial and co-operative relations between management and staff so as to increase the efficiency in public services; (3) to make the management and staff work together to solve the problems mutually to the benefits of the both sides.

6.1.3 Organization : This machinery is organized at the following levels:

- (i) National Council
- (ii) Department Councils, and
- (iii) District Committees,

National Councils : It is meant for general classes of civil service. It has fifty four members. Half the members are appointed by the Government to represent the official side and the other half is filled by the representatives of various staff associations. The Chairman is always from the official side and the Vice-Chairman is from the staff side. There are four Secretaries, two each from both sides. The Council works through its standing committees

which take up particular subject like promotions, working conditions etc.

Departmental Councils : These councils are organized at the department levels. The official side is appointed by the Minister of the department and the staff fills its seats by elections organized by the respective unions or associations. The Chairman is usually the head of department and the Secretary usually a member of the establishment division. They mostly deal with their departmental councils and are not under the supervisor or control of the National Council.

District Committee : These committees are formulated at the district level according to the procedure followed by the Departmental Council. They mainly deal with the problems at the local level and have proved useful in averting many local disputes.

6.1.4 Proceedings : The ordinary meetings of National Council, according to the Constitution, “shall be held as often as necessary and not less than one in a quarter. A special meeting of the Council shall be called by the Chairman or the Vice-Chairman as required”. In practice, the National Council rarely meets. Its business is transacted mainly by committees and a great deal of it by personal contacts between the staff side and the leading members of the official side. The meetings are always presided over by the representative of the official side. The Vice-Chairman belonging to the staff side never presides.

6.1.5 Its Position : Whitley Councils deserve praise from all quarters. They have provided success in developing an atmosphere of ease and friendship in employer-employee relations. No doubt, the Whitley Councils have been very useful in removing all the possible strains which may occur from time to time but these Councils have no authority. If the Council reaches some agreement, well and good, but if it is not able to reach any agreement then the final word always lies with the head of the department.

6.2 JCM in U.S.A.

Due to the prevalence of the system of separation of powers, it is the legislature which is responsible to a great extent to regulate conditions of service of staff. As such, in the USA no institutionalized arrangements are made for the negotiations (and redressal of grievances) between the management and staff. But there are some informal ways to make the management a participative and co-operative one. The representatives of organized unions are asked to express their views regarding the personnel policies, safety of service, working conditions, promotion, methods of redressal of grievances, terms of duty, rates of pay etc. The views are mutually discussed by the officials and representatives

of the organized unions and then the policies and procedures are published for circulation between management and staff.

6.3 J.C.M in France

In France there is a formal consultative machinery set up at national, regional and local levels consisting of equal number of staff and government representatives or consultation and negotiation. There is a provision for the Joint Administrative Commission for each body of civil servants, a joint technical committee to look after the interests of a department and the higher council for public office consisting of 29 members to coordinate the activities of the Joint Administrative Commission and Joint Technical Committee and appellate body for disciplinary decisions.

6.4 J.C.M in India

In India there is a comprehensive system for establishing consultation between the representatives of staff and government. There is a well developed machinery in this regard and which is being taken up in the next section.

7. Joint Consultative Machinery in India

Setting up of machinery for joint consultation in India, is a post independence development. There has been repeated demand to set up Whitley councils in India during the British rule but to no avail. Accepting the recommendation of the First Pay Commission, the Central Government in 1952 announced the setting up of Whitley type machinery in India. The scheme came into operation in 1954 and by 1958, a total number of 19 staff committees were set up in various ministries in the Central Government. Each Ministry and its Attached offices were required to constitute two separate Staff Committees, one for staff other than class IV (Senior Staff Committee) and the other for Class IV employee only (Junior Staff Committee). The objects of the Staff Committees were :

1. To consider suggestions for improving the standards of work.
2. To provide to the members of Staff a machinery for making their points of view known to government of matters affecting their conditions of service; and
3. To provide means of personal contacts between officers and Staff with a view to develop cordial relations between them and to encourage them to take keener interest in their work.

The Staff Committees bore purely advisory characters. They used to discuss matters relating to the conditions of service, the welfare of the staff and

improvement of efficiency and standards of work. Individual cases could not be discussed.

In 1957, the Staff Committees were renamed as Staff Councils. In addition, welfare officers were attached to each ministry and their functions included organization of social activities, recreation centres, provision of facilities for indoor sports, improvement of working conditions, assistance to government servants in regard to contributory health scheme, transport, housing, gratuity, etc. It was noted that the system was not working well as the stipulated meetings were not actually taking place. Meanwhile the Second Pay Commission recommended another body to be set up and to work effectively “with compulsory arbitration as a necessary complement to joint machinery for negotiation etc.” Also due to the general strike in July, 1960, government wanted an enduring solution in setting up a scheme/machinery for joint consultation at national, regional and local levels.

The Scheme of Joint Consultative Machinery came into operation in 1966. The inauguration of the Joint Consultative machinery was described by the then Cabinet Secretary as ‘opening of new chapter’ in the history of employer-employee relations in India. It was hoped that it would lead to the creation of mutual goodwill and promote favourable atmosphere for resolving disputes through peaceful means, mutual discussion and negation. The scheme was considered to be the outcome of the new developments in the field of civil service unionism the changing social environments, the changing concept of the government and the evolution of human relations approach.

Scope : The Scheme covers all regular civil employees of the Central Government, non-industrial and industrial, except :

- (a) The Group A Services
- (b) The Group B Services other than the Central Secretariat Service and the other comparable services in head quarters organization of the Government.
- (c) Person in industrial establishments, employed mainly in managerial or administrative capacities and those “who, being employed in supervisory capacities, draw their salary in scales the minimum of which is Rs. 2,900 p.m.
- (d) Employees of the Union Territories, and
- (e) Police personnel.

Objectives : The basic objectives of JCM are to :

- (i) Promote harmonious relations between the Government and its employees.
- (ii) Secure the greatest measure of co-operations between the Government in its capacity as employer and the general body of its employees in matters of common concern, and
- (iii) Increase the efficiency of the Public Services through a collaborative endeavour to narrow the area of unresolved differences and widen the ambit of agreement on substantive, issues of common concern.

The scope of council at different levels includes matters relating to conditions of service and work, welfare, improvement of efficiency and general principles of recruitment, promotion, discipline etc.

The set up discussed below is three tiered, but not hierarchically linked. All the tiers are separate and independent from each other.

7.1 National Council

The National Council is the apex level body consisting both official side and the staff side. The official side consists of 25 members who are appointed by the Central Government. The side has maximum membership of 60 who are nominated by the recognized staff associations, the distribution of seats being fixed by the Chairman of the Council in consultation with them. The Cabinet Secretary is the Chairman of the National Council. The Staff side elects a leader from amongst its members. The constitution of the Council provides for a permanent secretariat of the Council, which functions under the control of the Chairman.

The Council may set up two standing committees, one for the industrial staff and other for non-industrial staff to deal with their respective matters. The Council may delegate any of its power, if considered necessary and deemed fit, to the Standing Committees for the expeditious disposal of its business. The Council and Standing Committees can further appoint sub-committees to study and report on any matter falling within their scope. Generally, National Council deals with matters, affecting Central Government employees such as :

- (i) Bonus to the Central Government employees.
- (ii) Payment of gratuity to the Central government employees.
- (iii) Increase in the Family Pension Scheme of 1964.

- (iv) Ad-hoc allotment in the name of near relations of retiring government employees.
- (v) Relief to the Central government pensioners.
- (vi) Revision of overtime rates.
- (vii) Raising upper pay limit etc. etc.

However, NC (National Council) does not deal with matters of Interests to employees of a single department. The national council is required to meet at least once in four months; however ordinary meetings may be held as often as necessary. Special meetings may also be called by the Chairman. Once a matter, is disposed of by the council cannot find a place on agenda during the next 12 months, unless the Chairman permits. In actual practice, however, the council on an average has been meeting not more than twice a year. Still the national council has been able to achieve its objectives to a good extent.

7.2 The Departmental Council

For each Department there is a provision for a Departmental Council but also there can be a single council for two or more departments under a ministry. The Departmental Councils are concerned with the problems of employees who are working in a ministry/department and the subordinate and attached office of the Department. The Secretary of the ministry concerned represents the official side and is the Chairman of the Departmental Council. The official Side is nominated by the Government and may not have more than 10 members. The Staff Side has a membership ranging between 20 and 30, the exact number depending upon the total strength of the staff and the number of grades and services in the department. The Staff Side is elected by the staff associations for a term of 3 years.

The Departmental Council may meet as often as necessary but not less than once in three or four months. A special meeting may be called by the Chairman. The quorum is 1/3 each of the strength of the official and staff sides. Consultations are limited to matters of the general principles only. Individual cases are not considered.

7.3 Regional/office Councils

These councils deal only with regional or local matters relating to conditions of work, welfare, improvement of efficiency and standards of work and are set up only where the structure of a department permits such a course. The office councils consist of not more than 5 members on the official side and 8 members on the staff side. The Joint Secretary (Administration) acts as a

Chairman of the council and the Under Secretary (Welfare) acts as a Secretary for the official side. The staff side elects its leader for one year and appoints a Secretary from amongst its members. The Council is required to meet at least once in two months and the quorum is 1/3 of both sides. If there is no agreement between the two sides on an issue and that matter is arbitrable, it is placed before the Departmental Council concerned.

7.4 Working of JCM in India

The story of JCM in India is that of a mixed success. Over the years, the scheme has brought closer the representatives of Union and those of employer and afforded them an opportunity to know each other's point of view. It has been able to Work as a safety-valve to avoid the explosions and was able to keep the cool, yet it has not been able to come up to the high expectations. It has not been very successful due to lack of knowledge and training of the members in the art of negotiation. Also there has been lack of faith and cooperation besides undue political interference.

8. Compulsory Arbitration

The Joint Consultative Machinery Scheme provides for compulsory arbitration in the event of a disagreement between the two sides. But the compulsory arbitration is limited to (i) pay and allowances (ii) weekly hours of work, and (iii) leave of a class or grade of employees. Compulsory arbitration is the essence of the JCM Scheme. A Board Arbitration was set up in 1968. The Board has three members, one from the official side and other from the staff side. The third member is independent and is also the Chairman. Although, the recommendations of the Board are binding on both the sides, government is vested with the final authority or say. However, Parliament has the power to modify or reject the recommendations of the Board on the grounds of economy and social justice.

9. Employees Unions and Associations

In the area of employer-employee relations, unions and associations play very significant role. A distinction is generally made between the two terms : Unions and associations.

9.1 Meaning and Definition

In the words of Sidney and Beatrice, "A trade union is a continuous association of wage earners for the purpose of maintaining and improving the conditions of their working lives". According to Paul Pigous and Charles A. Mayers, "Unionism springs from the basic aspiration of wage earners who become convinced that they can get more satisfaction by membership in a union than

by going alone". Thus, the above definitions indicate that unions and associations have common characteristics. The only distinction is in their composition and in operative part. The associations are constituted by the higher grade of employees such as doctors, engineers; university teachers etc. Generally, they don't use militant methods to press upon their demands rather they form associations to meet periodically and discuss their problems by exchanging ideas and experiences of their respective fields. These professional associations are sometimes consulted by the government to bring reforms and improvements in the administrative organization. Unions, on the other hand, are constituted by employees of lower grade such as clerks, peons etc. These unions pressurize the government to accept their demands in regard to employees salary, their working conditions and other service benefits. If their demands are not accepted they may resort to strikes and use other militant means to force the government to accept their demands. So the difference lies in the outlook and methods, adopted to safeguard employees' own interest and not in kind.

Unions and Associations of public employees have become an important sphere of public personnel administration. Besides having their own functions these organizations remain in touch with administrative officials, civil service commissions, political leaders and legislatures,

9.2 Aims and Objectives

According to L.D. White, the objects of the professional associations are :

- (a) "to promote personal acquaintance among individuals with common interests and problems";
- (b) to promote research in the profession by organizing periodical conferences for the exchange of ideas and experience so that the best ideas may be selected and applied in order to improve the efficiency of administration;
- (c) to give their suggestions for reform and improvement;
- (d) to issue literature for the spread of the latest information relating to their field;
- (e) to bring the employees hearer to those in whom they can confide for their failures and success;
- (f) to disseminate professional knowledge among a large number of people and stimulate joint and individual researches and help in solving many a ticklish problems pertaining to profession".

The objectives of unions on the other hand are not much similar. Unions work to pressurize the authorities to accept their demands relating to pay, promotion, working conditions, service benefits and so on. In the words of Prof. Stahl, it is perhaps the following circumstances or factors which explain why unions hold and increase their membership :

1. The union makes it possible for employees to express their point of view to the legislative branch and to management as a whole.
2. A corollary to this collective purpose of unionism on over all policy matters is the convenience to management that a union provides when management honestly wants to secure the real opinions of the employees as a group.
3. A union is something belonging to the employee. It provides a feeling of identification with the securing of certain personnel objectives.
4. A voluntary employee organization provides as outlet for natural social aspirations of employees which the work in office or shop may not make possible.

9.3 Growth of Unions and Associations

In USA, government servants were not allowed to enter the field of unions and associations till 1912. But after that when this law was removed the union activity in the service gained rapid popularity and very soon the employees organized themselves. To day, the right of government servants to have unions and associations is admitted in USA. Presently there exist two types of employee organizations to be found in USA. The first category of unions is simple employees associations, which are organized and self-governing but are not unions and are not affiliated, with industrial and craft unions like American Federation of Labour Congress of Industrial Organization (AFL-CIO). The second category is such unions, which have characteristics of industrial craft unions and are affiliated to AFL-CIO.

In Britain, an Act of 1871 had although legalized trade unions but their real activities came into being in a real swing much later. In 1906, Mr. Sidney Buxton made a new policy announcing reorganization to all properly constituted associations. After this, many associations came into being and by 1914 the principle of bargaining by collective efforts was well recognized in civil services.

In India employee unions/associations in government is largely a post independence phenomenon. During the British rule there was not much scope for government servants to associate and safeguard their interests. It was only

after the First World War when political and economic conditions in the country, caused by the freedom struggle launched by Mahatma Gandhi and his followers and partly by drain theory advocated by Dada Bhai Naroji and the poverty of India roused new feelings in the minds of public servants to form associations. Later on, International Labour Organization motivated the idea of unionism in India and the employees of Post and Telegraph and Railway began to organize themselves into Unions. All India Federation (1920) was the outcome of all these urges. Further, the enactment of the Trade Union Act, 1926, gave more flexibility to the employees to form unions. However, due to various other hurdles there was not much growth of unions/associations. It was only the implications of Second World War and the independence which hastened the growth of unionism. The independence brought substantial changes in economic, social and psychological conditions of workers. While the industrial workers were able to increase their salaries through protests, the white collared workers were facing the rising prices with meager income. Thus under depression and tight circumstances, "white collared" employees also thought of unionism. In 1942, the influence of communists started increasing on the trade union movement and they captured the All India Trade Union Congress. In 1947 the Congress formed another. All India Body known as the Indian National Trade Union Congress. In 1948 the socialists left the congress and they constituted the Hind Mazdoor Sabha. In 1948, Prof. K.T. Shah and others formed another union known as Union Trade Union Congress. In May 1970 the Communists (Marxists) broke away from the All India Trade Union Congress and formed a new trade union organization known as the Centre of Indian Trade Unions.

Articles 19 and 309 of the Indian Constitution are concerned with the legal status of the public employees associations. Clause (1) of Article 19 confers on "all citizens" the fundamental right of freedom of speech, expression, assembly and association etc. but clause (2) empowers the State to impose 'reasonable restrictions' on the exercise of these rights 'in the interests of the security of the State. Article 309 empowers the legislature to regulate the recruitment and conditions of service of persons 'appointed to public-services and posts'. And as the interests of the State demand from its employees honesty, impartiality, efficiency and discipline and like qualities. State is thus authorized to impose these reasonable restrictions on the unions of public servants. Despite the restriction there exist a large number of unions and Associations including the National Federation of Post and Telegraph Employees. All India Railway men's Federation. All India Defence employees' Federation, etc.

These unions and associations have served as useful pressure machinery in getting their genuine demands met with. These associations generally resort to demonstrations, processions, strikes, gheraos, etc. to express their opinions and aspirations. Over the years many irritants existing between the employer-employee relations have been sorted out through dialogue with these associations.

10. Summary

Employee-employer relations have been rightly regarded as one of the most crucial areas of personnel management. There is no country today where these relations can be entirely a matter of tradition or custom; not is there any country where the government and employees do not interact to build up a sound relations system. Relations between the two sides depend upon the nature of employee unions and associations, nature of machinery for joint consultation besides the prevailing social, economic and political conditions. Same factors hold good in India too. The three tiered machinery for Joint Consultation in India has bagged mixed success since its inception in 1960s. Numerous employee unions, staff associations, civil service and political parties have influenced its working and effectiveness in one or the other way.

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Self Test Questions

1. Name two basic probable rights to employees discussed here.
2. Try to distinguish the terms employer and employees.
3. Memorise the list the objective of sound employer-employee relations.
4. Give basic objectives of Whitley Councils.
5. Give basic structure of JCM in India.
6. Name a few national level unions/federations.

Answers

1. Right to Strike, Right to Associate. (2 & 3) consult lesson.
4. Redressal of grievances, mutual benefit, cooperation & improvement.
5. National Council, Departmental Councils and Local Councils.
6. INTUC, Hind Mazdoor Sabha. All India Trade Union Congress.

MORALE : CONCEPT AND IMPORTANCE**Structure**

- 2.5.0 Objectives
- 2.5.1 Introduction
- 2.5.2 Meaning
- 2.5.3 Factors Influencing Morale
- 2.5.4 Reasons for Low Morale Among Employees
- 2.5.5 Methods for boosting Morale
- 2.5.6 Importance and Conclusion
- 2.5.7 Suggested Readings
- 2.5.8 Answers to Self Check Exercises

2.5.0 Objectives :

After studying this lesson, you shall be able to :

- * define morale;
- * describe the factors which have direct influence on morale;
- * discuss the reasons of low morale particularly among civil services;
- * explain the methods for boosting morale;
- * analyse the importance of morale.

2.5.1 Introduction :

Personnel in any organization are most important asset that's why the term, in present times, used is Human Resource rather than mere manpower. The efficient and effective functioning largely is dependent upon the thinking, behaviour and outlook of the staff. Any person seeks job in the organization to earn but that's not his sole purpose. As these days, job is a career which means one spends a major part of his life serving the same organization. It is particularly true in case of civil services in India where bureaucrats enter at a prescribed age and keep performing their job till they get retired. Civil services are backbone of the administration. It's very essential to attract the best talent but its equally

important to retain them in the service. They should inculcate the values of commitment towards nation, serving the citizens rather than becoming their masters and maintain political neutrality. This high degree of commitment and to think above the self is possible only if their morale is high and are encouraged and motivated.

2.5.2 Meaning

It refers to *esprit de corps*, a feeling of enthusiasm, zeal, confidence in individuals or groups that they will be able to cope with the tasks assigned to them.

To Dr. L.D. White, morale is, "both an index of a sound employment situation and a positive means of building up an efficient organisation." It reflects "a socio-psychological situation, a state of mind in which men and women voluntarily seek to develop and apply their full powers to the task upon which they are engaged, by reason of the intellectual or moral satisfaction which they derive from their own self-realisation, their achievements in their chosen field, and their pride in the service."

Keith Davies define morale as "the attitude of individuals and groups towards their work environment and towards voluntary co-operation to the full extent of their ability in the best interest of the organisation."

Professor Ralph C. Davis says, "good organisational morale is a condition in which individuals and groups voluntarily make a reasonable subordination of their personal objectives to their organisation."

Morale has been defined by Alexander Leighton as, "the capacity of a group of people to pull together persistently and consistently in pursuit of a common purpose. "It is something intangible and refers to an inner possession of an individual, as well as of a group, each interacting upon the other."

Darwin B. Flippo has described morale : as a mental condition or attitude of individuals and groups which determines their willingness to co-operate. According to Dale Yoder and Raul D. Standohar, "morale means evident" commitment, that is, demonstrated spirit, enthusiasm, and confidence in the organisation's policies, programmes, and accomplishments. Morale is revealed in what individuals and groups say and do, to show an interest in understanding personal identification with team-work's survival and success."

Morale is a self-stimulating incentive created within the minds and hearts

of the workers. It induces them to for superior efforts in their respective fields of work than greed of money or fear of punishment does. It adds force and energy which make for achievement. A wholesome morale stimulates loyalty: co-operation and team-work, all of which are so essential for the smooth Coordination of many individuals in a single organisation.

2.5.3 Factors Influencing Morale :

Bradshaw and Krugman have listed the following factors which according to them profoundly influence morale:

- (a) food and physical welfare;
- (b) desire for achievement and getting over difficulties;
- (c) reproduction (home-making)
- (d) desire for safety, variety and novelty;
- (e) release from emotional tension;
- (f) security of job and status;
- (g) worthwhile group membership;
- (h) sense of personal worth ; and
- (i) a sense of participation.

These factors are policies of the administration, inspection, working conditions, leadership, motivation, inter-employee relations, wages, family and family life of the employee, his social life, outlook of higher authorities, labour organisations, promotion, demotion, reward, suspension, security, cultural background of the employees etc.

These above said factors influence the outlook, thinking and behaviour-attitude of the employees in the organization.

Broadly speaking, morale depends on five factors, which may be present in a particular situation in varying proportions. Morale is like a table with five legs. If one of these legs is broken, the table will lose some of its stability. According to Dr. Leighton, the following five factors are :

- (i) The faith and confidence of employees in the aims of organization.
- (ii) The full faith in the leadership at every level, and the ability and concern of the leadership for them.
- (iii) Full faith of each group of organization. This faith created a feeling of security among the employees.
- (iv) Full faith of individual in his group.

- (v) Full faith of employees in management ability.

Some external factors like behaviour of the employer, absenteeism among labourers/workers, their demands/grievances redressal etc. have also strong bearing on their morale. In measuring the morale, the entire situation should be kept in mind. It is a psychic study which requires a scientific approach.

The attitude of employees are significantly influenced by the way in which they perceive a number of important factors, such as:

1. The Organisation : The organisation influences the attitude of a worker towards his job. The public reputation of an organisation may build up, or better or worse, his attitude towards it.

2. Perception about Self-influences their attitudes to the organisational environment. For example, the morale of individuals who lacks self-confidence or who suffer from a poor physical or mental health is generally low.

3. Nature of Work : The nature of the work he is called upon to perform influences his attitude to it. For example, repetition and short-term cycles, large impersonal organisational structure, lack of understanding of organisational goals, obsessive thinking create a situation of stress for an employee.

4. Personal Needs : The satisfaction of personal needs of workers does effect their morale. An increase in pay, however, may not motivate them to increase production.

5. Role of Supervisors : The actions of the management exercises a tremendous influence on the morale of the employees.

6. Fellow workers : The influences and pressures of a formal or informal group have a significant effect on the morale of workers.

7. Employee's Activities : The relationship of an employee with his family and work group does influence his behaviour and his attitude while he is on job. His off the job activities (whether his family life is happy or whether he is given to drinking etc.) affect his performance on the job, and therefore, his morale.

Thus, morale does not depend on anyone of these factors but on their preponderance in anyone situation. One or two of these factors may be missing; and yet the morale of the employees may be fairly high.

2.5.4 Reasons for Low Morale :

According to McFarland, "low morale exists when attitudes inhibit the

willingness and ability of an organization to attain its objectives. Low morale may be like lack of interest, laziness, apathy, bickering, jealousy, quarrelsome, pessimism etc.

Dale Yoder and others have pointed out the following as signals of low morale :

1. Employee unrest
 2. High rate of absenteeism
 3. Tardiness
 4. High employee turnover
 5. Grievances
 6. Strikes and Sabotage
 7. Lack of pride in work
 8. Fatigue and monotony
 9. Indiscipline
1. Insufficient or inadequate division of work leads to low morale among employees.
 2. Higher salary or incentive for performing lesser significant job as compared to other often causes friction in relations.
 3. If employee is reprimanded for some minor mistake or if someone committing blunder gets away without or insignificant punishment, it has adverse effect on the minds of other employees.
 4. Physical fitness is important. Lack of it also has direct bearing on the morale of the employees.
 5. Non-adherence to rules, principles of organization like authority, responsibility, non-observance of communication channels etc. also are the causes of low morale among employees.
 6. Lack of co-ordination, team spirit also causes low morale.
 7. Faulty recruitment, selection policies, lack of adequate, requisite training facilities for skill improvement.
 8. No or less promotion avenues, delayed promotion adversely affects the morale.

2.5.5 Methods for Boosting Morale :

The building of morale is 'not a mechanical problem that could be solved by either rewards or punishments. Morale has two interactive aspects, one in its individual form. It is built upon the opportunity to acquire

distinction, prestige and personal power, the right to be considered successful and to be respected and the second institutional where it sustains on attractive personal association, an opportunity for enlarged participation in the organisation and a condition of communion which is a sense of belonging to a group to which one is loyal and dedicated. Each of dissatisfaction in one will have adverse effect on other groups.

Morale depends upon the relations between expectations and reality. The closer the individual's environment comes to provide the kind of rewards he expects the better will be his morale.

1. The employee's background: which includes his level of intelligence and education; and his type of personality largely determines the way in which he seeks to fulfill his needs for belonging, esteem, and self-realisation. High morale hinges on the satisfaction of these needs.
2. The employee's personal environment : which encompass an employee's relations with his family, friends and neighbours. The employee's carries with him the thoughts of his family and social life to his place of work and these influence his thinking and attitude while on job.
3. Management practices influencing morale include policies or procedures with regard to wages, promotions, service benefits, working conditions redressal of grievances, incentives and punishments.

High Morale can be built among the employees by :

1. Placing employees in the right job according to their merits, aptitudes, interests and abilities.
2. Provide and practise a fair compensation plan for all employees.
3. Provide job security by removing the Damocle's sword hanging over the employee's head about his future prospects.
4. Provide a good congenial working environment.
5. Provide an honest and competent leadership to win over the confidence and cooperation of the employee.
6. Find out what the employees grievances are, their conflicting interests and dissatisfactions, and remove these immediately.
7. Delegate, and assign properly, authority and responsibility in order to avoid confusion and conflict.
8. Design and effective communications channel.

9. Respect the individual be courteous and just and fair in dealing with the employees.
10. Remember that morale cannot be purchased or ordered. Any attempt to buy it would prove abortive. It has to be earned or deserved.

Morale building is a continuous process in the organisation and is a responsibility of the manager. In general, the management can take some specific steps to improve morale in the organisation; such as :

1. Team Spirit : The first element in building up morale in public services is that each service should be constituted as a production team instead of an official hierarchy, which should function under a team spirit rather than a line of authority every effort should be made to create among the officer or managers and employees of an organisation team spirit, esprit de corps, singleness of purpose and unity of interest.

2. Human-Relations Approach : Human relations approach suggests that every individual should be treated as human being in the organisation. Thus, no one group or individual is more important than others, rather the contribution of each should be recognised. In this kind of environment, employees are given an opportunity to develop to the fullest potential and there is an attempt to make work exciting and challenging, consequently leading to more satisfaction to employees.

Thus in human-relations approach, trusting, authentic relationships develop among people which result in increased inter-personal competence, inter-group co-operation, flexibility and the like.

3. Participation in Management : Participation is a management and behavioural concept that has been advanced by human relations and organisation theorists as a way of improving employee morale and effectiveness. The superior subordinate relationship emphasises that superior takes the decisions and subordinates implement them. However, in such a decision making process, subordinate does not feel very enthusiastic in implementing the decisions. As such, the subordinate should also be associated with decision-making process. Mr. Gregor defines participation as a natural way of management by means of integration and self-control. He considers participation as a range of possible managerial actions. It depends upon many factors in situation. Including the nature of the problems involved or issues to be decided, the kind of people involved, and the manager's skill philosophy.

4. Loyalty and Devotion : Loyalty and devotion are other factors

which build up morale amongst the employees. Loyalty to the office is certainly essential, as it is reality loyalty to the work. Therefore, the officer should somehow win the loyalty of his subordinates. He should behave with his subordinates in such a manner as to create in them a confidence in him, so that they may come to accept him as their natural leader. He must possess the sense of judgement when to reward or punish an employee.

5. Organisation Design : Organisation structure has an impact on the quality of employee's relations, particularly on the level of morale. Generally organisation of large size tend to lengthen their channels of vertical communication, and to increase the difficulty of upward communication. Therefore, the morale tends to be lower. As against this, flat structure increases level of morale, by shortening the length of vertical communication. Such phenomenon is supported by research findings also.

6. Promotional Opportunities : Promotions have a salutary effect on the morale of an employee. Promotions reduce discontent and unrest and also afford an opportunity for greater self-actualisation. It need not be emphasised that the promotion and maintenance of high morale are possible. When certain positive measures are taken to bring job satisfaction to the employees and reconcile individual interests with the interests of the organisation.

7. Proper Working Conditions : It is an important factor to build up high morale in the employees that most appropriate working conditions be provided to them, so that they may adopt an enthusiastic, co-operative and sympathetic attitude towards the work and the organisation. This includes wages, conditions of services such as leaves, pension, gratuity and other retirement benefits etc.

8. Conflict Handling : Conflict appears in many aspects of organisational behaviour, and it occurs in varying degrees. Basically, conflict refers to the clash of opposing demands. It is not necessary that conflict is dysfunctional. The existence of conflict can be reviewed as a necessity, indeed a healthy characteristic of organisation life. However, excessive and sustained conflict generates potential for low morale. Therefore, conflict resolution is an important leadership responsibility. Morale building effort includes conflict resolution and can be considered as means preventing excessive conflict. The management can set procedures for effective handling of conflict in the organisation through collective bargaining, grievance handling and joint consultations etc.

9. Confidence in the Integrity of Superiors : Confidence of the employees in the integrity and good intent of their superiors is a very effective means of building employee morale. Where officers are suspected of corruption favouritism, nepotism and other mal-practices, employees get demoralised and the whole service falls down in public esteem, on the other hand the honesty and efficiency of the superiors build up the prestige of the organisations even outside which in due course of time, becomes a tradition with in.

10. Job Enrichment : It involves greater use of the factors which are intended to motivate the employee rather than to ensure his continuing satisfaction with the job he performs. It provides opportunity to overcome monotony, fatigue, disinterest and create an environment to satisfy high order needs, thus leading to higher morale. Job enrichment also opens for the employee an opportunity for greater recognition, growth, advancement and responsibility.

Thus, characteristics of high morale are :

1. **Team Spirit :** Success of one is the success of all is feeling which is called team spirit, esprit de corps. Here the word 'we' takes the place of 'I'. Instead of a competitive attitude, a co-operative attitude is adopted, in team spirit.
2. **Staying Quality :** Staying quality means that the employees do not divert themselves from their course even in impregnable and abstruse circumstances. It is a confidence rather than thinking. It is a spirit of standing together and giving mutual encouragement rather than being dependent and gullible.
3. **Zest or Enthusiasm :** Pleasure in work and interest in performance are the signs of high morale. Here the employees do not care for high wages but they work, out of their interest and seek pleasure in performing duties.
4. **Resistance to Frustration :** It is a mental state to face disappointment due to failure. It is neither a hostile mob nor panic. It believes in getting struck in work.

2.5.6 Importance and Conclusion :

Joseph D. Mooney describes morale as the sum total of several psychic qualities which includes courage, fortitude, resolution and above all confidence.

Good or high morale is evidenced by employee's enthusiasm, voluntary

confirmance with regulations and orders and willingness to co-operate with others in the accomplishment of an organisations objectives. On the other hand, poor or low morale is evidenced by surliness, insubordination, a feeling of discouragement and dislike of the job, company and associates. Morale is the spirit and confidence with which the employee performs his job. It is a complex psychological quality that. is impossible to force on someone, difficult to measure, and easily destroyed.

Self-Check Exercise

1. Define Morale.
2. Different methods for boosting morale.
3. Causes of low morale.
4. Detailed note on the importance of morale.

2.5.7 Suggested Readings :

- M.P. Sharma and Sadana : Theory and Practice of Public Administration
- Sahib Singh, Swinder Singh : Personnel Administration
- S.L. Goel and Rajneesh : Public Personnel Administration
- A.H. Leighton : Human Relations in a Changing World
- Haimann : Professional Management Theory and Practice
- Padma Ramachandran : Public Administration in India
- Shriram Maheshwari : Administrative Theory : An Introduction

2.5.8 Answers to Self-Check Exercise :

1. 10.3 of your lesson contains answer to this question.
2. Answer is given at 10.5 in the lesson. You can add more points.
3. Various causes have been described at 10.4 in the chapter.
4. In this answer, you have to start your answer with meaning of morale, few causes of low morale, methods of boosting it as it is of great importance for the successful functioning of any organization.

CONDUCT RULES AND DISCIPLINARY PROCEDURE

Structure

- 2.6.0 Objectives
- 2.6.1 Introduction
- 2.6.2 Public Services - Constitutional Provisions
- 2.6.3 Conduct Rules
- 2.6.4 Causes of Disciplinary Action
- 2.6.5 Forms (Formal and Informal) of Disciplinary Action
- 2.6.6 Procedure of Disciplinary Action
- 2.6.7 Power to take Disciplinary Action
- 2.6.8 Conclusion
- 2.6.9 Suggested Readings
- 2.6.10 Answers to Self-Check Exercise

2.6.0 Objectives :

After thorough study of this lesson, you shall be able to :

- * understand the conduct rules of civil services;
- * explain the meaning and causes of disciplinary action;
- * describe the procedure of taking disciplinary action;
- * discuss the various forms of disciplinary action.

2.6.1 Introduction :

Civil services are powerful instrument of the administration in modern times. They are vested with massive power to take major decisions and rule the nation.

Political neutrality of the public servants is a fundamental requirement of the organization of the modern civil services and conduct rules are necessary also to ensure that. For these reasons, nowadays, all governments formulate and enforce a code of rules to regulate the conduct of the employees.

Conduct rules for government employees generally relate to the following kinds of matter : -

- (i) Maintenance of correct behaviour towards official superiors, and of loyalty to the State.
- (ii) Protection of the integrity of the officials, by placing restrictions on their engaging in private trade, or business, contracting of debts, acquisition and disposal of property etc.
- (iii) The observance of a certain code of ethics in the official, private and domestic life, and
- (iv) Regulation of political activities of the public servants including public speaking writing in the press, and publication.

The conduct rules may go beyond the ordinary law of the country in placing restrictions on the activities of the public servants. They may curtail their citizen rights in certain matters. Since a position in the public services brings with it certain advantages and privileges not available to the ordinary citizen. There is nothing unreasonable in asking the public servant to submit to certain extra obligations, which his position makes necessary. The restrictions imposed on a public servant by the Conduct Rules are not regarded as abridgement of his fundamental rights. In the words of Justice Holmes of the U.S.A. Supreme Court, 'the petitioner may have a constitutional right to talk politics, but he has no constitutional right to be a policeman.'

2.6.2 Public Services (Constitutional Provisions)

In India, Constitution provides for the recruitment procedure as well as describe the method of regulating and safeguarding the interests of civil services. Article 309 empowers Parliament and the State Legislatures to regulate the recruitment and the conditions of Service of the Public Services and posts under the Unions and the States, respectively. Until this was done, the President and the Governors may make rules for regulating the recruitment and conditions of service. In this context the ARC was of the view that rules relating to the recruitment and other conditions of service of Government employees serving the Union may continue to be made by the President in the exercise of his powers derived from the constitution. The rules should, however, be placed, before Parliament. A similar procedure should be adopted in the States also. This would avoid rigidity, inconvenience, delay. *The Constitution itself provides for the creation of the Public Service Commission for the Union and the States to assist in the recruitment of Public Services (Article 315).*

Law-making power of the Legislature and the rulemaking power of the executive should be in consonance with the Articles of the Constitution such as Articles 14, 15, 16, 19, 32, 98, 146, 187, 229, 234(i), 301, 311, 320, etc., otherwise these can be declared null and void by the judiciary.

Article 310 of the constitution incorporates the Common Law doctrine of England popularly "known as 'Doctrine of Pleasure'. It stipulates that all persons who are the members of the Defence Services of the Union or All India Services hold office during the Pleasure of the President. Likewise, members of the State Services hold office during the Pleasure of the Governor. However, this doctrine as envisaged in Article 310 is not absolute and is subject to many constitutional limitations contained in Article 311 and in the Fundamental Rights.

However, the tenures of the Supreme Court judges (Article 124), High Court judges (Article 218), Auditor General of India [Article 148(2)], The Chief Election Commissioner (Article 324) and the Chairman and Members of the Public Service Commission (Article 317) are not dependent on the pleasure of the President or the Governor, as the case may be.

Article 311(1) provides that a Civil Servant cannot be dismissed or removed by any authority subordinate to the authority by which he was appointed. It also means the same if the removing authority is of the same or co-ordinate rank as the appointing authority.

Article 311(2) provides that a civil servant holding a civil post cannot be dismissed or removed or reduced in rank unless he has been given reasonable opportunity to show cause against the action proposed to be taken against him. In *Khem Chand v. Union of India*, the Supreme Court held that the "reasonable opportunity" envisaged by Article 311 includes:

- (1) an opportunity to deny his guilt and establish his innocence which can be only done if he is told what the charges against him are and the allegations on which such charges are based;
- (2) an opportunity to defend himself by cross-examining the witnesses produced against him and by examining himself or any other witnesses in support of his defence; and also
- (3) an opportunity to make his representation as to why the proposed punishment should not be inflicted on him, provided the gravity of the charges tentatively proposes to inflict one of three major punishments and communicates the same to the Government servant.

2.6.3 Conduct Rules

Civil Services Conduct Rules :- In view of the allegations of increased corruption and nepotism in the public services as a result of the conditions created by the war, Government Servants' Conduct rules have been considerably stiffened in India recently. The revised All-India Services (Conduct) Rules,

1954 . The revised rules while incorporating many of the provisions of the older rules, include a few more relating to investments' borrowing and lending by Government servants, engaging in trade or business, acquisition or disposal of movable and immovable valuable property, acceptance of gifts and presents, vindication of the acts and character of the members of the services, bringing of political or outside influence to bear on superior, authorities to further one's service interest, and bigamous marriages.

(I) Central Civil Services (Conduct) Rules have been made by the President. The following matters have been mentioned which are to be followed by the government servants strictly :

- (i) Maintenance of correct behaviour towards officials.
- (ii) Loyalty to the state,
- (iii) Regulation of political activities to ensure neutrality of the personnel.
- (iv) Enforcement of a certain code of ethics in official private and domestic life.
- (v) Protection of the integrity of the officials by placing restrictions on investments, borrowings, engagement in trade or business, acquisition or disposal of moveable and immovable valuable property, acceptance of gifts and presents.
- (vi) Restriction on more than one marriage.

(II) Regarding acquisition, etc., of property, every member of the service is required, on his first appointment to the service, and thereafter at the interval of every 12 months, to submit a return of all immovable property owned, acquired or inherited by him or held on lease or mortgage either in his own name or in the name of any member of his family or other person. Further, he may be required at any time to furnish a complete statement of movable or immovable property held by him or a member of his family, together with details as to the means by which or the source from which it was acquired.

(III) Regarding acceptance of gifts and presents made or given to him on such occasions as weddings, anniversaries, funerals, or religious functions, these must be reported by the public servants to the Government, except where they are of trifling value and the Government may order their disposal in such manner as it thinks fit.

(IV) As regards borrowing and lending no member of the service may, save in the ordinary course of business with bank or a firm of standing borrow money or otherwise place himself under pecuniary obligation to any person within the 'Local limits of his authority, nor without the previous sanction of the Government, permit, any member of his family to do so. A temporary loan of small amount free of interest from a friend or relative, or operating of credit accounts, with bonafide tradesman does not however, come under the restrictions imposed by this rule. Lending money by a member of the services to any person possessing land or valuable property within the local limits of his authority, with or without interest, is also forbidden.

The rules also provide that no Government servant shall expect with the previous sanction of the Government, engage directly or indirectly in any trade or business or undertake any employment.

(V) As for vindication of his acts and character/the public servant is forbidden, except with the previous sanction of the Government to have recourse to any court or to the press for the vindication of any official act which has been the subject matter of adverse criticism or attack of defamatory nature. This, however, does not apply to the vindication of his private character or acts.

The rules place restrictions on the Civil servant's freedom to express his views through the press or the radio. Except with the previous permission of the Government, no civil servant may edit a newspaper or periodical, contribute articles or write letters to the press, or participate in radio broadcasts, unless the contribution happens to be of a purely artistic or scientific character. No statement of fact or opinion through public speech, radio or press, which has the effect of an adverse criticism of the policy or action of Government or is capable of embarrassing the relation of Government with foreign powers permitted. The Civil servant is, however, free to express his views officially in the due performance of his official duties.

(VI) Persons having more than one wife living are -disqualified for appointment to All-India Services. No officer may marry a second wife

while the first is still living, except with the permission of the Government, which is not given unless there are special grounds.

(VII) **Political Rights :** Government servants are forbidden to participate in politics or to criticize the government through public speeches, press, or publications. The relevant rules governing the matter are that no government servant shall take part in, or subscribe in aid of, or assist in any way, any political movement in India or relating to Indian affairs. Political movement includes any movement or activities tending directly or indirectly to excite disaffection against or embarrass, the government as by law established or to promote feelings of hatred or enmity between the different classes of citizens or to disturb public peace. A government servant must not permit any person dependent on him to participate or assist in subversive activities. A whole-time government servant should not canvass or otherwise interfere with, or use his influence in connection with election to a legislative body, but he may exercise his right to vote without indicating the manner in which he proposes to vote or has voted. He is forbidden to become a candidate for any legislative body or to issue addresses to the electors, or even for a local without permission of competent authority.

2.6.4 Causes of Disciplinary Action

According to Spriegel, "Discipline is the force that prompts an individual or a group to observe the rules, regulations and procedures which are deemed necessary to the attainment of an objective. It is force or fear of force which restrains an individual or a group from doing things which are deemed to be destructive of group objectives. It is also the exercise of restraint or the enforcement of penalties for the violation of group regulations.

Disciplinary action means the administrative steps taken to correct the misbehaviour of the employee in relation to the performance of his job.

Disciplinary action means punishment meted out to Government employees for lapse of duty or Violation of the rules of conduct. Professor White lists the causes or occasions for disciplinary action against public servants under the following heads :

- (1) Inattention to duty expressing itself as tardiness, laziness, carelessness, breakage or loss of property etc.
- (2) Inefficiency
- (3) Insubordination, i.e. violation of laws or rules, or disloyalty.

- (4) Immorality.
- (5) Lack of integrity i.e., bribery, corruption, etc., and
- (6) Violation of the recognized code of ethics, e.g., failure to pay debts, appearing in public in an intoxicated condition, failure to show proper deference to official supervisors, and due courtesy to colleagues and members of the public, and being guilty of conduct unbecoming of an officer generally.

Misconduct in service may lead to taking disciplinary action against the erring official :

- (a) Embezzlement,
- (b) Falsification of accounts not amounting to misappropriation of money,
- (c) Fraudulent claims (e.g., TA),
- (d) Forgery of documents,
- (e) Theft of government property,
- (f) Defrauding government,
- (g) Bribery,
- (h) Corruption,
- (i) Possession of disproportionate assets, and
- (j) Offences against laws applicable government servants
- (k) Disobedience of orders
- (l) Insubordination
- (m) Misbehavior:
 - (1) with Superior officers,
 - (2) with colleagues,
 - (3) with subordinates, and
 - (4) with members of public
- (n) Misconduct:
 - (1) violation of conduct rules,
 - (2) violation of standing orders,
 - (3) intrigues and conspiracy, and
 - (4) insolvency.

2.6.5 Forms of Disciplinary Action

Disciplinary action may be Informal or formal. Informal disciplinary action

does not result in overt punishment but conveys to the guilty official the displeasure of his superior through cold relations, reassignment of less desirable work, closer supervision, loss or withholding of privileges, failure of consultation in relevant matters, rejection of proposals or recommendation, etc. Such action is taken where the employee's offence is too subtle to be proved.

Where the offence can be proved, formal disciplinary action follows. The Indian Civil Service (Classification, Control and Appeal) Rules enumerate the following forms of it:-

- (i) censure
- (ii) withholding of increments or promotion, including stoppage at the efficiency bar.
- (iii) reduction to a lower post or time scale, or to a lower stage in time scale.
- (iv) recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of order.
- (v) suspension.
- (vi) removal from the service which does not disqualify for future employment.
- (vii) dismissal from service which ordinarily disqualifies from future employment.

Some other forms which disciplinary action may take are warning, an adverse entry in the employee's record, fines, compulsory retirement with reduced pension etc. In every serious case offence, criminal, prosecution of the offender may also be launched.

2.6.6 Procedure for Disciplinary Action

As officers and their subordinates are the servants of a common master, the people. An official superior cannot, therefore, punish or dismiss his subordinate in a summary fashion as one can do in case of one's private servants. There is a well established procedure which must be followed in all disciplinary cases particularly those likely to result in removal or dismissal. The successive steps of this procedure are:-

- (i) calling for an explanation from the employee to the subjected disciplinary action:
- (ii) if the explanation is not forthcoming, or is unsatisfactory, framing of charges;

- (iii) suspension of the employee if his continuance in his position is likely to prejudice the coming forth of evidence against him;
- (iv) hearing of the charges and giving reasonable opportunity to the accused to defend himself;
- (v) findings and reports
- (vi) punishment order or exoneration; and
- (vii) appeal, if any.

Originally, the reasonable opportunity to defend was provided to civil servants under Article 311(2) at two stages, at the inquiry stage and at the punishment stage after the charges have been proved by inquiry and the punishment proposed is either dismissal, removal or reduction in rank. The 42nd Constitutional Amendment Act, 1976 has abolished the right of a civil servant to make representation at the 2nd stage through a newly added proviso to Article 311(2).

The protection of Article 311 (2) for giving reasonable opportunity is not available in the following circumstances:

- (i) where a person is dismissed or reduced in rank on the ground of misconduct which has led to conviction or criminal charge;
- (ii) where it is impracticable to give the civil servant an Opportunity to defend himself but the authority taking action against him shall record the reason for such action; and
- (iii) where the interest of the security of the State is at stake it is not expedient to give such an Opportunity to the Civil Servant.

The employee has still two remedies available where the second Proviso to Article 311(2) applies:

- (i) departmental appeal under the relevant service rules to show that the charges against him are not true; and
- (ii) remedy of judicial review, where the Court will examine whether the penalty imposed on the aggrieved employee is excessive or arbitrary or was not warranted by the facts and circumstances of the case.

Steps involved in the Disciplinary Procedure -

1. Framing charges, allegations and conveying these charges/ allegations in writing to the employee concerned. If he refuses to take the charge-sheet, may be sent through registered post or be published through public-notice in the newspaper or be pasted

outside his place of residence.

2. Giving the employee an opportunity to explain.
3. Issuing the Notice of Enquiry
4. Conducting the Enquiry
5. Preparing the Enquiry Report containing :
 - the statement of charges/allegations framed against the employee
 - his explanation, if any
 - evidences produced in favour and against the charges
 - findings on the charges
6. Decision of the Authority
7. Conveying the Final Order in writing to the concerned employee.

2.6.7 Power to take Disciplinary Action

Like the power to appoint and promote, the power to punish also is usually vested in the Head of the Department, but since the number of employees to be dealt with is large, in practice there is a wide delegation of this power to the principal subordinates at the various steps of the departmental hierarchy. Disciplinary cases concerning the employees in a particular office or branch are thus dealt with in the first instance by the head of that office or branch subject to the employee's right of appeal. In case he feels aggrieved by the decision of his immediate superior to some officer higher up the hierarchy, and in the last resort to the Head of the Department himself.

So far as India is concerned, Article 311 of the Constitution provides that no person who is a member of a Civil Service of the Union or an All-India Service or a Civil Service of the State shall be dismissed or removed by an authority subordinate to that by which he was appointed. Since the appointing authority ranges all the way from the President or the Governor in case of the Union and State Services respectively to heads of departments and of officers subordinate to them, the power of removal and dismissal also is vested in these heads and officers. Broadly speaking, the position is that the members of the All India services and commissioned officers of the armed forces can be removed or dismissed by the President only, while the power to take lesser kinds of disciplinary action in case of these, and all kinds of disciplinary action in case of other classes of civil servants is vested in the Government, Central or State, under whose administrative control the officer concerned may be serving, in an authority empowered by them.

An alternative arrangement which is advocated by certain people and which is also in vogue in certain jurisdictions in the U.S.A. and some other countries is to vest the power of disciplinary action or at any rate, of hearing appeals against such action in an independent outside body like the Public Service Commission or some other tribunal. This is demanded in the interest of impartiality and fairness to the employee, the argument being that since the departmental authorities in such cases are the accusers, they should not be also the judge.

In the opinion of experienced administrators, however, a successful and efficient public service can never be developed on such a philosophy. The evils of bringing in an outside authority to sit in judgement on the action taken by the disciplinary authorities, are many. In the first place, it undermines the authority of the Head of the Department who is responsible for the efficiency and discipline of the employees of his department. Secondly, lay outside authorities like the Civil Service Commission are often swayed by considerations of humanness and abstract justice towards the individual employee rather than due appreciation of the logic of administration and management. The real question involved in disciplinary proceedings is not however, of abstract justice but one of expediency whether it would be in the best interests of the service and the public to allow a particular individual to continue in a particular official position. Finally, reversal of the decision of the departmental authorities by an outside authority is embarrassing in the highest degree to those authorities as well as the individual employee reinstated, and imparts a tone of litigiousness and contentiousness to personnel administration.

In Britain, the Tomlin Commission expressed itself strongly against the proposal to create a Central Board to hear appeals against disciplinary orders and affirmed that the power of departmental authorities in the matter must remain unimpaired, and in India the Central Pay Commission took the same attitude. "We do not think", it said "that it will be desirable or practicable in public interest to insist on the intervention of an outside body in disciplinary matters."

All this, of course, does not mean that consideration of fairness of justice to the individual employee under disciplinary action should be lost sight of. On the contrary, every care should be taken to eliminate the possibility of personal prejudices coming in the play leading to victimization, by the creation of a suitable machinery and procedure within the department itself.

As regards the power to hear appeal, a person appointed by the President has no right to appeal from an order passed by the President. A member of an all-India service may appeal from the order from the order of a State Government to the President. A member of central or specialist services appointed by the President may appeal to him from an order passed by an authority subordinate to the President. A member of central service appointed by an authority subordinate to the President may appeal to such authority from an order passed by an authority subordinate to it, and to the President from an original order passed by the authority which appointed him. A member of the State service or a specialist service under the administrative control of the State may appeal to the Government or from an order passed by the State Government Members of lower grade services (Class III and IV) other than those specified above may appeal to the authority which made the rule to which the order under appeal relates, but in view of the large of lower grade employees, the power of disciplinary action is in practice delegated far down the hierarchy to junior officers. Whenever a subordinate authority is empowered to impose a penalty, however, provision exists for at least one appeal to a higher authority.

The authority deciding a disciplinary case can withhold appeal in certain circumstances.

No appeal is against the withholding of an appeal by competent authority. Thus, it will be seen that in connection with the disciplinary orders or appeals against such order, no outside authority intervenes at any stage. The Constitution no doubt provides for consultation with the Union of the State Public Service Commissions, as the case may be, on all disciplinary matters affecting a person serving the Government of India or of a State in a civil capacity, but the rules limit such consultation to cases in which the disciplinary order is to be passed by the President or the Governor (whether as an original order or as an appellate or revisional order). Consultation with Public Service Commission in these special class of cases is justified on two grounds which do not apply to other kinds of disciplinary orders, viz., (i) that generally there is no appeal or other remedy against the orders of the President and the Governor and hence the need for special treatment and (ii) that these heads of the State cannot be expected to look into all the papers themselves and hence the need for advice.

2.6.8 Conclusion

In this lesson, you have studied various conduct rules prescribed to be

followed by the civil servants while performing their services. If there is any breach of conduct on their part, they are liable to disciplinary action as per the laid procedure which involves proper steps to be followed before prescribing major disciplinary punishment. As is evident, there are limitations to its successful and impartial implementation. Lack of knowledge of the organization, employees and sometimes even of the procedure involved is a serious problem. Moreover, human bias and negative approach towards employees also creates trouble. Complicated procedure, lack of proper application, unnecessary delay, framing charges etc. makes the process cumbersome. Thus approach should be to not punish but reform the employees from making wrongful and abuse of their power and authority. The aim should be to follow it in transparent and fair manner so as to bring efficiency in the administrative system by raising the moral standard of the civil servants thus adding to the prestige of the nation.

Self-Check Exercise

1. List Conduct Rules for civil Services in India.
2. What do you mean by a disciplinary action?
3. Write various types of disciplinary action.

2.6.9 Suggested Readings

- Sahib Singh, Swinder Singh - Personnel Administration
M.P. Sharma - Theory and Practice of Public Administration
O. Glen Stahl - Public Personnel Administration
Central Civil Services (Conduct) Rules
Padma Ramchandran - Public Administration in India

2.6.10 Answers to Self-Check Exercise

1. Answer to this question is given at 10.3 of your lesson (10.2 also provides information regarding constitutional provisions which is for your information only).
2. Definition has been given in the beginning of 10.4 in the chapter.
3. 10.6 point of your lesson gives answer to this question. You can further elaborate each point.

CORRUPTION- CONCEPT, TYPES, REASONS AND MACHINERY TO COMBAT

Structure

- 2.7.0 Objectives
- 2.7.1 Introduction
- 2.7.2 Meaning
- 2.7.3 Types
- 2.7.4 Reasons
- 2.7.5 Machinery to combat corruption
- 2.7.6 Conclusion
- 2.7.7 Key Words
- 2.7.8 Suggested Readings
- 2.7.9 Answers to Self- Check Exercise

2.7.0 Objectives:

After studying this lesson, you shall be able to :

- i. understand the meaning of the term 'corruption';
- ii. explain the types of corruption;
- iii. analyse the reasons for ever spreading corruption;
- iv. describe various remedial measures through legislations and the machinery to enforce the same.

2.7.1 Introduction:

In India the government performs vast functions over a wide range of areas of public concern. Decisions are taken at various levels of government in which discretionary power may be involved. The present situation is that there is general lack of accountability in administration. Almost everyone in the public services is accountable to no one and is considered above the law. Respect for the rule of law is woefully uncommon and it is often noticed that those who violate the law in the most blatant fashion are the ones who get away the easiest.

According to N.S. Venkataraman, correspondent with The Hindu, Corruption in India has assumed such large proportions and variegated forms that large numbers of the public have come to believe that it is impossible to get rid of this malaise. In such an atmosphere of pervasive cynicism, one of the things that the guide repeatedly emphasises - and quite correctly - is that the scourge can be managed or controlled. Other countries have been notoriously corrupt in the past (for example, Britain in the 18th century) but have succeeded in tackling the problem through a mixture of administrative and electoral reform. The situation in America during the late 19th century vis-a-vis corruption bears a strong causal resemblance to that which exists in India and many other developing countries today. In dispelling the gloomy but widespread notion that corruption in India cannot be curtailed, the Citizens' Guide notes that even Botswana, according to a World Bank report, has improved the probity in its public life.

India is one of the most corrupt countries on the world map. The latest Corruption Perception Index conducted by Transparency International, a Berlin-based NGO which conducts an annual survey which attempts to aggregate perceptions of corruption within countries, ranks India a lowly 72 out of a list of 91 nations. It is small comfort that nations such as Bangladesh or Uganda rank lower in this list of infamy. As early as 1964, the Santhanam Committee, which was set up to examine the increasing menace of corruption in the administration, observed that the "tendency to subvert integrity in the public services instead of being isolated... is growing into an organised well-planned racket". If anything, it has grown much larger and become even better organised since. The war against corruption is formidable and not going to be easy to win, but the CVC or anyone else who fires a few salvos deserves to be cheered for engaging the enemy.

2.7.2 Definitions:

The act of corrupting or making putrid, or state of being corrupt or putrid; decomposition or disorganization, in the process of putrefaction; putrefaction; deterioration.

The act of corrupting or of impairing integrity, virtue, or moral principle; the state of being corrupted or debased; loss of purity or integrity; depravity; wickedness; impurity; bribery.

The act of changing, or of being changed, for the worse; departure from what is pure, simple, or correct; as, a corruption of style; corruption in language.

A definition of corruption , " Large-scale corruption is supported by *power networks*.

In order to function and survive, power networks require five capabilities: economic, technical, political, physical, and ideological. Large-scale corruption is an emergent social process. The same governing factors that sustain large-scale corruption are in direct opposition to efforts to promote development.”

According to Law on the Campaign against bribery and administrative corruption, Islamic Republic of Afganistan,

“*Administrative Corruption*: is an illegal act that is undertaken by civil servants and the entire government public service employees for the purpose of personal or factional gains that occurs in the following types:

- o Fraud and embezzlement
- o Stealing documents
- o Damaging records and official documents
- o Transgressing beyond the legal scope of authority
- o Power and resource exploitation for personal purposes
- o Refusing to perform duties without a legal justification
- o Concealing the truth and reality
- o Forging documents and deception
- o Pretending to have the power to do or refuse to do an act which is outside the scope of the public servant’s official power.
- o Receiving any kind of gifts to perform job in the related affairs
- o Delay and negligence in performing the entrusted duties.
- o Misbehavior of public servants towards individuals
- o Bribing, illegally recommending, requesting and lobbying
- o Involving ethnic, regional, linguistic, partisan, gender and personal consideration into the selection and employment processes.”

United Kingdom Public Bodies Corrupt Practices Act, 1889 and the Prevention of Corruption Act, 1906 defines corruption as -

- “ a gift of consideration given or offered by one party to another;
- “ a gift of consideration given or received as an inducement or reward for services to be rendered or already rendered in relation to official duties and;
- “ any transaction taking place corruptly.

2.7.3 Types

Corruption is often a symptom of institutional failure, of sickness of a democracy - corruption itself is not the sickness. Corruption is a very complex problem, can be tackled effectively only after understanding its root causes:.

Delivering the keynote speech, Former Central Vigilance Commissioner N. Vittal started by defining corruption as understood by the World Bank i.e. it is the 'use of public office for private profit.' In our country, there are five major players on the corruption scene, interdependent, strengthening and supportive of the vicious cycle. They are the corrupt politician (Neta); the corrupt bureaucrat (Babu); the corrupting businessman (Lala); the corrupt NGO (Jhola); and the criminals (Dada).

According to Loksatta- a social party, "Broadly speaking there are two types of corruption - one is extortionary corruption, in which the citizen has no choice: If he doesn't pay up he will end up losing time and money on a much bigger scale. And this is what bothers us most on a day-to-day basis.

Example : If I go to a government office to obtain a birth certificate and the clerk demands a bribe of 50 rupees and if I don't pay up, I will end up going to the office some twenty times in the next one month and I may miss a dead line to apply for my child's admission or face some other problem. (Loksatta)

When it comes to day-to-day corruption, the extortionary type, there is no choice but to assert collectively with knowledge. For this to happen the citizens must be mobilized at the local level and they must understand in what manner the public services are supposed to be delivered. They should then learn to assert in a very creative and constructive manner to change the situation. A lot of improvisation in procedures, for instance computerization of railway and airline reservations and certain procedural changes like queue system properly implemented with transparency - all these will certainly help.

The other type is collusive corruption, where the person who is paying up is in collusion with the public authority to fleece the general public. This is the case in contracts, tenders and projects etc. Money often changes hands and ultimately the loser is neither the public servant nor the person who pays but the general public, because in a different form the cost of public service goes up or the efficiency goes down."

When it comes to the grand corruption i.e. the collusive type, one needs to have right to information and also strong instruments to ensure accountability like an independent anti-corruption mechanism, speedy justice mechanism and transparency in most public decision making, instead of the very obscure and complicated procedures that are being followed now.

Through effective decentralization, we can curb corruption more easily. At the local level, we can also resist abuse of power and corruption much better. Moreover,

responsibility can be pin-pointed.

2.7.4 Reasons

Earlier, corruption used to be confined only to a certain section of society with large sections remaining untouched. Now, corruption appears to have percolated down to every single section of the society. It's hard to point out where corruption is not present. Bofors gun deal, Bihar's fodder scandal, the defence coffin scandal, hawala scam, cricket match-fixing, securities scandal involving Harshad Mehta & Ketan Parikh, BJP's Bangarau Laxman, nuclear deal trust vote...emphasises that corruption is rampant and growing at an alarming pace in the country. If it goes unchecked, the nation is in peril.

Political Reasons

This elaborate and multi-layered apparatus to control corruption could hardly make a dent on the situation because of lack of political commitment on the part of political leadership in the states and at the center. It is more than clear all these institutional arrangements to combat corruption can be useful only if correctives come from the political class which is the final legislative and executive authority in a parliamentary democracy. The waywardness of the politicians can be curbed only from within, there is no agency which can continuously impose probity from outside. Unless the politicians are made to differentiate private conscience from public morality, and personal profit from national interest, the ongoing unrestrained plunder of the exchequer cannot be stopped. The case of Bihar, Tamil Nadu etc. during the past decade shows that all anti-corruption instruments and strategies become meaningless against a political leadership which has a vested interest in continuing corruption because of the political patronage accorded to corrupt practices.

Political office is one of the primary means of gaining access to wealth in less developed countries. If corruption occurs on the top level and the political leadership of the country does not set a good example with respect to honesty, credibility, transparency, integrity and the persecution of offenders, citizens become disillusioned and offenders are not deterred from entering into corrupt practices.

Administrative Reasons

There is lack of accountability of the civil services. Too much unchecked power corrupts is a well known saying. The present situation is that there is general lack of accountability in administration. Almost everyone in the public services is accountable to no one and is considered above the law. Respect for the rule of law is woefully uncommon and it is often noticed that those who violate the law in the most blatant fashion are the ones who get away the easiest.

Half-hearted implementation of Decentralization : A highly centralized government

breeds corruption and inefficiency.

Absence of rules, regulations, policies and legislation

All organisations, whether public or private sector, must have rules, regulations and policies that guide management and other employees in terms of acceptable behaviour and conduct within the organisation. Rules, regulations and policies are instrumental in organising people, steering them towards a common goal and ensuring that everyone is treated fairly and equally. In order to be effective, such rules and policies must be clearly communicated to all individuals in order to be understood and applied objectively. Corruption is more likely to flourish in an organisation that does not have a wide range of rules, regulations or policies that guide employees in their work.

Political - Administrative Nexus

Corruption follows a vicious cycle, with the root cause lying in a corrupt political system. There is a nexus between corrupt politicians and corrupt bureaucrats.

Low salaries

Corruption is often attributed to the low salaries of civil servants. This differentiates between need driven (satisfying basic requirements for survival) corruption and greed driven corruption (satisfying desires for status and comfort that salaries cannot match).

Corrupt practices flourish in systems where employees have high job security; where the level of professionalism in the public service is low; and hence officials rather serve their own interests than perform their duty to serve the public. However, low salaries are not a valid reason for and do not justify corruption.

Authority without Accountability

Corruption takes place in institutions where public officials: • have great authority; • can exercise discretion with respect to interpretation and application of regulations; • are not required to be accountable to anyone; and • are driven by greed. Therefore, an environment with a higher range of discretion without accountability is more conducive to corruption.

Administrative Delay

Administrative delay is one of the major causes of corruption. To reduce or control corruption, it is necessary to eliminate such delays. For that it is essential that office procedures should be simplified and levels of hierarchy reduced. In the Indian situation the persistence of archaic structures has played havoc with the developmental initiatives.

Public Administration : Paper-I

After Independence the country framed an entirely new political and economic agenda and this required new, matching structures for effective implementation, as the old administrative and legal systems clashed with the substance and spirit of the new agenda. And it is this mismatch between politico-economic agenda on the one hand and the administrative and legal structures on the other which is primarily responsible for the poor performance of the government.

Lack of Transparency

Where there is no transparency in an organisation, i.e. where tasks and functions are conducted in secret and are not open to examination by other government officers or the public, the opportunity for corruption increases.

Inefficiency and corruption in the areas of infrastructure development makes the whole socio-economic system unstable. Instead of the present system in which official files take rounds of several offices before a decision is taken, new pattern of decision-making, which is transparent and simple, needs to be evolved. This requires reorganisation of government departments . Such simplification and rationalisation is specially necessary with regard to all developmental projects in the infrastructure areas.

Peculiar Problems of less developed countries

Although corruption is a universal phenomenon and exists in all countries, it is a more serious matter in less developed countries. The conditions of these countries are such that corruption is likely to have different causes and consequences than in more developed countries. The socio-economic conditions in low income countries are more conducive to the growth of corruption.

Weak Institutional Systems

Corruption is a symptom of deep-rooted economic and political weaknesses and shortcomings in the legislative and judicial system of the country. To aggravate the situation, accountability in these countries is generally weak, the chances of being caught are small and the penalties when caught are negligible.

Lack of Awareness among the People

Ultimately corruption thrives as long as people are ignorant or apathetic. And only when ignorance and apathy are combated can corruption be effectively controlled. Through its many functions, civil society can create pressure for policy reform and improved governance, as well as explicitly monitor the state's actions for fighting corruption and abuse. In other words, the civil society addresses the will of the

state to operate in an accountable, transparent and responsive manner. The family and schools are the two indispensable social institutions, which must be activated to fight for the revival of our value system. Functioning of these institutions at high ethical level could perhaps usher in a revolution- a revolution to change the mind set of both the giver and the taker. However, the pressure must come from the public.

Former CVC Vittal elaborated that in our system corruption flourishes because of five basic reasons: one, scarcity of goods and services; two, red tape and complicated rules and procedures; three, lack of transparency in decision-making; four, legal cushions of safety for the corrupt under the 'healthy' principle that everyone is innocent till proved guilty; and five, tribalism among the corrupt, those who protect each other. Corruption, according to him is a two-way street. For every bribe taker, there is a bribe giver. While the debate on corruption in our country has focused on the demand side of corruption, there has been a thundering silence on the supply side i.e. who bribes the public servants and politicians.

2.7.5 Machinery to combat corruption

Even before Independence, the colonial rulers had established the Delhi Special Police Establishment (DSPE) to control corruption which surged during the Second World War.

The Prevention of Corruption Act was passed in 1947, and an Administrative Vigilance Division (AVD) created in the home ministry in 1955. Vigilance officers were appointed in each ministry to enquire into charges of corruption against employees in these organisations.

Then, owing to mounting public criticism, a Committee on Prevention of Corruption was appointed in 1962 under K. Santhanam to examine this issue in depth and recommend remedial measures. As a result of its recommendations, the Central Vigilance Commission (CVC), independent of ministerial control was set up in 1964.

Another important measure during the early decades was the creation of the Central Bureau of Investigation (CBI) in 1963, which incorporated DSPE as the Investigation and Anti-Corruption Division.

Another essential component of anti-corruption strategy is the strict enforcement of the principle of accountability at all levels.

The judiciary has a key role in ensuring that political and administrative power is used only in accordance with law and every one is held accountable for wrong doing or misuse of authority. Recent decisions given by the judiciary have created a hope for corrective action. The apex court and several high courts have upheld cases against political and administrative functionaries at the highest levels. The

cases involving former chief ministers of Tamilnadu and Bihar are illustrative of judicial activism that has come to the rescue of rule of law against the custodians of law themselves. The recent action of the Central Vigilance Commissioner of putting the names of administrative and police service officials on the internet against whom charges of corruption are pending has also gone a long way in instilling the sense of responsibility and accountability among these officials.

Other Measures

a. There is need for singlewindow-decision system for all industrial projects, both in manufacturing and service industries. Official forms have to be brief and simple so that unnecessary complications do not hamper time-bound implementation of projects. Latest management techniques and methods need to be incorporated into the functioning of all public services and public sector projects so that their efficiency and productivity keeps up with their social obligations.

b. Active role of NGO's

In recent years a growing number of structures, institutions and associations-outside state apparatus and profit-making businesses-have evolved in India for the joint pursuit of shared interests. Such associations fulfil certain functions essential for aggregating and expressing societal interests, including social integration, social participation in state governance, and promoting the democratic values.

For example - The Report Card methodology developed by the Public Affairs Center in Bangalore is an innovative instrument to track down and expose corruption in public services. Similarly, the Common Cause in Delhi has done considerable work in the area of public interest litigation which has served the purpose of dragging corrupt officials to the courts.

The Mazdoor Kisan Shakti Sangathan in Rajasthan has done commendable work in making public information regarding development projects in the state. Such information has served to expose instances of bureaucratic corruption.

c. The Government of India too has now become aware of the need to integrate public policies with public participation. At a Conference of Chief Ministers of Indian States in May 1997, the Department of Administrative Reforms and Public Services evolved an "Action Plan on Effective and Responsive Administration", based on the responses and reactions from officials, experts, voluntary agencies, citizens' groups, media, etc. Among the various steps initiated in this respect, a core group was formed for the formulation and monitoring of Citizen's Charter by identified Ministries with substantial public interface.

d. The development and use of an interactive web site by the Central Vigilance Commission since January 2000 is a positive step in the direction of keeping people informed and involved in the framing and implementation of anticorruption strategies comprising -

- (i) simplification of rules and procedures;
- (ii) greater transparency and empowerment of the public and
- (iii) effective punishment.

The former Vigilance Commissioner suggested a three-point plan to check corruption: simplification of rules and procedures, empowering the public and bringing in greater transparency and effective punishment.

In this strategy citizen participation has a key role. The civil society could participate in these efforts through the NGOs by bringing corrupt practices to the notice of the powers that be and also effectively help in operations like the trapping of corrupt persons or informing the CVC about the disproportionate assets of the corrupt public persons against whom raids can be undertaken by the CBI and the Income Tax Department.

e. Active involvement of citizens in the formulation and monitoring of anti-corruption strategies may help in mitigating/curbing the problem of corruption in the country.

Thus, identifying key institutional reforms in India, and mobilizing support for such reforms, needs to be fully integrated into the participatory process so as to promote a better balance between prevention and enforcement measures in addressing corruption. Until recently, the pendulum was firmly in the “enforcement” corner. The gradual swing towards middle ground has taken place due to recognition of the limitations of ex- post legalistic enforcement measures, since rule of law institutions themselves are currently part of the corruption problem in India. (National Centre for Advocacy Studies)

In the article , ‘Combating Corruption’, published in The Hindu,

While agencies such as the CVC can play a vital role, any comprehensive strategy to combat corruption would have to involve other bodies such as NGOs and the print and electronic media. The most disquieting aspect of the widespread corruption in India is the fact that it is not anymore confined to politicians or the government machinery alone. It is prevalent amongst almost every section of the society at every level.

As the practice of corruption is a dishonest act, one has to think that most of the Indians are dishonest, which could be different only in degree between the individuals. As the reason for the dishonesty is greediness and the desire to get

things done at any cost one can think that most of the country men are greedy and do not anymore think that the means should justify the ends. The fact is that most of the Indians are involved in corrupt practices in one way or the other, either due to greed or due to so called compulsion. In any case, the willingness to sacrifice for the sake of not getting involved in corrupt dealings is conspicuous by its absence amongst the most. This kind of corruption in the national polity and public and private life cannot go on for ever, without disturbing the overall peace in the society. The authorities in charge of the nation today do not appear to realise this and still are merrily going ahead with their dealings unconcerned about the harm that it would inevitably do to the larger national cause.

The authorities need to realise the gravity of the situation and the kind of attention it demands.

Self- Check Exercise:

1. Define corruption.
2. Mention the reasons for spreading of the corruption in civil services.
3. Explain various measures to combat corruption.

2.7.6 Conclusion

In this chapter, you have studied various aspects of the ever increasing problem of corruption. Various reasons of low morale and resorting to corrupt practices among civil services and the suggestions to minimize this problem have also been discussed.

As published in **The Economist** (9th Oct 2003) an article on the perceived corruption-

India ranks 83 in the list of least-corrupt countries. Finland is the least corrupt and ranks first; Singapore is fifth; Botswana is ranked 30th — thus leading India by about 50 places.

Civil society organisations have a key role to play in combating corruption. In fact, the task of ensuring sustained political commitment, administrative accountability, and procedural simplification can be achieved more quickly if vigilant and active civil society organisations take up the responsibility of interacting with the government organisations.

Transparency is a prerequisite for democracy in which sovereignty is vested in the people and the conduct of civil servants must be open to examination. It is therefore vital that citizens in general and the media (radio, television, newspapers) in particular are guaranteed the right to freedom of speech; the media can inform citizens of any action by a civil servant that might be corrupt in nature and appropriate calls for

action can be made. A transparent system deters corruption as the conduct of civil servants is under constant scrutiny.

2.7.7 Key Words

1. **dishonesty for personal gain** : dishonest exploitation of power for personal gain
2. **depravity** : extreme immorality or depravity
- 3.. **corrupting of something** : the corrupting of something or somebody, or the state of being corrupt
- 4.. **rotting** : rotting or putrefaction, or the state of being rotten or putrid (archaic)

2.7.8 Suggested Readings:

- | | |
|------------------------------|---|
| Sahib Singh, Swinder Singh : | Personnel Administration |
| S. L. Goel | Public Personnel Administration |
| S.K. Das | Public Office, Private Interest :
Bureaucracy and
Corruption in India |
| Ali Farazmand | Handbook of Globalization, Governance
and Public Administration |
| Various Anti | Corruption Laws in India |
| R. Carvagal | Large Scale Corruption : Definition,
Causes and Cures |

2.7.9 Answers to Self- Check Exercise

1. Read 15.2 of your lesson carefully and answer the question.
2. Answer to this question is given at 15.4 in the lesson. Read it , understand it and write in your own words after memorizing it.
3. Brief description about the machinery provided for curbing and combating corruption in the country has been given at no.15.6 of your lesson.

Type Setting :
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