

Political Interference and Administrative Acquiescence

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Abstract—Administration within democratic framework is by no means an easy task. Since independence, the civil servant has been working in a democratic polity in which the people have become aware of their rights and vested interested have developed into pressure groups. Pressures on administration are many and varied. The civil servant today works in an unsympathetic and unrewarding, environment.

Index Terms—Civil service, Administration, Cabinet System, Political Interference, Administrative Acquiescence.

I. INTRODUCTION

Administration within democratic framework is by no means an easy task. Since independence, the civil servant has been working in a democratic polity in which the people have become aware of their rights and vested interested have developed into pressure groups. Pressures on administration are many and varied. The civil servant today works in an unsympathetic and unrewarding, environment. There appears to be among Members of Parliament of general distrust of civil servants and a feeling that the Government machinery is invariably inefficient. Such an attitude tends to demoralize civil servants. Public expectations have gone up and when they are either not fulfilled or ill-fulfilled, they resort to criticism of administration and begin to exercise whatever pressure they can. Public relations being weak on the official side, the people are unaware or even ignorant of the difficulties of administration. Very often they insist on personal contact with high officers, at times even at odd hours.

Criticism of civil servants on the floors of the legislatures by ministers is becoming all too frequent. This goes against the very ingredient of civil service neutrality in a parliamentary democracy. The exasperated civil servant seeks escape from it by not taking decisions or evading responsibility or passing

the buck. Political interference in administration is increasing. The members of the central and state legislatures, particularly of the ruling party and office-bearers of the ruling party organization at various levels think it their right or even duty to influence or advice the officers on all and sundry matters. The civil servant today has become in a real sense the servant of the public. He works in a political atmosphere; even postings and transfers take place on a political basis. These factors adversely affect the morale of the civil servants and further deteriorate conditions in times of political instability or with every change of ministers. Since most officers joined the Civil Service as a lifetime career, the management of the cadre posed many challenges: to sustain and monitor the quality of performance over long periods, to upgrade and update existing skills as well as to add new capacities to meet contemporary needs, ensure future career prospects, maintain a high level of motivation and integrity, and above all to make fitments and give assignments. The study took up the task of addressing the management issues through all stages, from induction to retirement. Without seeking to enumerate the many faults, the study also approached the theme in the spirit of its assessment of the current context of governance, and as an issue which was substantially internal to the Service.

In the cabinet system, a clear distinction should be made between the political executive and the permanent administrators. The former normally performs the following functions: (i) represents the Government's policy within the administration; (ii) brings the viewpoint of the general public to bear on the administrative decisions; (iii) provides leadership in developing national policy; and (iv) exercises statutory powers vested in him. On the other hand, the functions of career administrators are: (a) execution of laws and government decisions; (b) providing expert guidance, information and managerial assistance to the

political executive, where necessary; (c) maintaining the continuity of administration; and (d) helping the political executive to understand the probable consequences of alternative courses of action.

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

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

"Unfortunately, many officers are accepting a diminished role of themselves by becoming agents of exploitation in a state structure which is callous to the needs of the poor. In the process, they would become totally indistinguishable from other rent seeking parasites politicians, inspectors... they are taking too much from the system and contributing too little".

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

case in point. Seshan has often referred to the senior bureaucrats as 'backbone-less wonders, and received tremendous public support, especially in urban areas and amongst the middle class.

The first two decades of Independence saw the blooming of a service, highly dedicated and devoted not only to the requirements of a democratic and welfare state, but also to being an effective instrument of social change through responsible and responsive functioning. As a result of one-party domination (Congress party) both at the Centre and in most of the States, during the first two decades after Independence, the Indian Administrative Service rivalry.

Two developments in the late 1960s dramatically altered the scenario. In the 1967 elections to the state legislatures, several non-Congress parties were voted to power. This heralded a new chapter in centre-state relations. The new Dravida Munnetra Kajagam (DMK) Chief Minister of Tamil Nadu was among the first to raise the banner of revolt by informing the Central government that 'it did not require any more Indian Administrative Service officers. In the changed political scenario, the relevance of the All-Indian Services as part of the federal framework came to be increasingly questioned by the non-Congress chief ministers. Indian Administrative Service officers were often caught in the political crossfire between competing parties. In the context of federal governance and centre-state tensions, officers belonging to the All-India Services, were often viewed as agents of the centre.

Weakness of Existing Relationship:

In India the relations between the Ministers and Civil Servants have not been cordial, as they should be, for these reasons: (i) Ministers do not often appreciate the value of independent advice which is unpalatable to them, they rather think that civil servants are putting hurdles. (ii) Some officers are in the habit of criticizing individual ministers or their policies in private and in social circles. (iii) There is also lack of proper understanding of their respective roles on the part of ministers and secretaries both. Ministers in their zeal have been known to interfere in the petty matters of the department; secretaries, on the other hand, put through 'half-baked' proposals before the ministers or do not bring to their notice such letters or correspondence as are of important nature. Proper relations cannot grow if either side does not appreciate

the correct position, i.e., the secretary must give full facts to the minister who must have the last word. (iv) Ministers' ways of dealing with certain politicians are also known to damage their relations with their secretaries. For example, sometimes the ministers are in the habit of giving an impression to the politicians, legislators and others that they (Ministers) are prepared to do a certain thing but they are helpless because the officers of their departments are putting unfavourable notes.

As a result of the above factors, the proper relationship has not grown between the ministers and secretaries. Besides they have proved great hurdles in the way of 'civil servants' functioning as honest and independent public servants. The fact to-day is that in a good number of cases the civil servants do not act as civil servants, because they do not express their frank views for fear of consequences.

It would be interesting to look at the roots of nexus between these two major players in Indian polity. Before independence, the relations between the members of Indian National Congress, which was at the centre of Indian freedom struggle, and the members of the Indian Civil Service were not cordial and the legacy of mutual distrust continued during the early years of Independent India. Jawaharlal Nehru, India's first Prime Minister had aired his views in his Autobiography, way back in 1936: 'No new order can be built in India so long as the spirit of the Indian Civil Service pervades our administration'. His views did not change in the initial years of independence. However, it was the then Deputy Prime Minister and Home Minister of India, Sardar Patel, who cautioned against such a negative view and pleaded of trusting the political neutrality of the Indian Civil Service. Patel's views eventually prevailed. And, the uneasy relationship in the early years, however, soon gave way to a healthy understanding between the politicians and civil servants.

The second phase of relationship between the politicians and the civil servants was that of collaboration and mutual respect for each other's roles. The civil servants were expected to give their independent advice on files and the Ministers generally went by this advice. Civil servants were also conscious of the political compulsions of their political masters. Hence there were hardly any tensions in the relationship between the two. This situation continued till the beginning of Emergency in 1975.

The third phase of politician-civil servant relationship emerged during the period of Emergency (1975-977) when the harassed civil servants, afraid of losing their jobs, positions or respect, voluntarily surrendered before the powerful politicians. This phase of civil service subordination and obsequiousness heralded the birth of an unholy nexus between politicians and civil servants. The latter were willing to kowtow to their political masters and in the process, also gain undue benefits from governmental decisions and deals.

The Emergency ended in 1977, but it divided the civil service into two groups: those who were seen as aligned with Indira Gandhi and Sanjay Gandhi and those who were ignored or punished during the Emergency. The chasm had its reflection in the state level governance systems as well. Affiliations and alienation led to different alliance and this unfortunate trend has continued since then. With the erosion of independence of civil servants, the system of checks and balances in the governance system suffered immensely, thus leading to a stage of political hegemony in crucial segments of decision-making in governments at the Central as well as state levels. Politicians who needed money for survival and sustenance, found in their civil service associates willing partners for engaging in just or unjust, legal or illegal moral or immoral collaboration.

As per the norms of the government, the Ministers of various government departments are not authorized to issue any operational orders on their own. They have to give their sanction or deny it on the proposals made by senior civil servants on government files. Besides, they cannot issue any orders of appointment or transfer of government employees or of any corporation. Therefore, in case they want the fulfillment of their desire to help or harm anyone, they need the assistance of their administrative subordinates. This is a clear reason why the politicians are compelled to develop a nexus with their civil servants in order to extract any undue benefits out of governmental decisions and actions. Even when the politicians accept funds in a legitimate or an illegitimate manner from individuals or corporations, they have to rely on the help and advice of administrators while reciprocating the favours to the donors. With the massive expenditure incurred on elections, the politicians' dependence on such visible or invisible donations has been mounting. Resultantly, their reliance on administrators for granting favours to their benefactors has also been

increasing. Robert Wade in his study of canal irrigation in South India, observed: "Politicians... really forced junior engineers to raise illicit funds through distributors of canal water and allocation of maintenance contracts and offer them a share of these.

To find out the reasons as to why civil servants succumb to the pressures of their political masters to align with them in the pursuit of unfair gains is not difficult to comprehend. There are three specific reasons that cause the cementing of this nexus between politicians and administrators, albeit with politicians calling the shots in this process of this unholy collaboration.

The first and the foremost cause of obsequiousness of civil servants is that the power to transfer of civil servants is centralized in the hands of politicians. Before the Emergency, the situation was a little different. A higher civil servant at the Central government level was protected against undue political pressures by the Cabinet Secretary and at the state level by the Chief Secretary. Over the years, however, these top-level officials have not performed their roles as the heads of civil service in their respective jurisdictions in an effective manner and have allowed political pressures to run amuck in matters of postings and transfers. Resultantly, civil servants themselves search for security and stability and make efforts to develop nexus with political masters.

If an officer is not willing to toe the line of a Master in making and implementing illegitimate governmental decisions, the former is most likely to be transferred and sent to a place which could be most inconvenient to him and his family. No civil servant likes to be posted on positions that are low in esteem, status, power or lucrative ness. In India, politicians at all levels-block, district, state and nation want pliable and malleable civil servants who would be most helpful to them in carrying out their whims and wishes through fair or foul means. There is always a great pressure on the Prime Minister, the Cabinet Secretary, the Chief Minister, Chief Secretary, the Personnel Secretary and top political leaders for convenient placement of 'resourceful' civil servants on selected positions and territories. It has been sarcastically remarked that 'in India, before independence, the politicians wanted transfer of power, but after independence, they just want power of transfer'. The policy of transferring

officers holding key positions with a change in the ruling party increasingly became the norm.

In the state of Uttar Pradesh, the political leadership, created a record of sorts with regard to the transfer of senior bureaucrats. If, during the 15-month tenure of the Bharathiya Janatha Party (one of the national parties) government (June 1991 to December 1992), 460 senior bureaucrats were transferred, the Samajwadi party (a regional party) which came to power subsequently, effected 321 transfers during its 18-month tenure. The Bahujan Samaj Party (another national party) government, during its first one month in office itself, transferred 190 senior officers, and during its short three-month tenure as many as 1263 officers were transferred. With the six-month sharing-of-power arrangement worked out by the Bharathiya Janatha Party and Bahujan Samaj Party in Uttar Pradesh in early 1997, the trend of mass transfer of Indian Administrative Service officers in the State with the coming to power of a new chief minister became even more pronounced when Mayawati was sworn in March, 1997, and later handed over power to Kalyan Singh after six months, in September, 1997.

Alarmed at the spate of transfers, eight senior Secretaries to the union government and ten states' Chief Secretaries (all Indian Administrative Service officers) met the Cabinet Secretary in July, 1995, to urge the Prime Minister to revamp the administrative system and provide greater stability of tenures. In a subsequent note to all Chief Ministers, the Personnel Minister wrote that frequent transfer of officers 'may have (a) demoralising effect on the morale of officers and ultimately on the quality of administration.

The frequent transfer of bureaucrats, and attempts to place 'pliable officers' in critical positions is also linked to the phenomenal increase in governmental activity and expenditure in development related sectors, and the wide scope it provides for corrupt practices. The reality of the large government and the resultant influence that the wielder of power comes to enjoy is a case in point. Every corrupt politician, it has been alleged, 'generates a multiplicity of corrupt officials'. Certain positions in the administration were considered to be 'strategic' from the perspective of the scope that they offered for indulging in corrupt activities. Corrupt politicians were keen to fill such positions with those bureaucrats who actively colluded in making this possible.

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

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

II. CONCLUSION

At the Central government level, despite occasional normlessness in making placement and transfers, there is a reasonably stable relationship and understanding between ministers and civil servants, for at that level, there is a time-honored convention of giving to the senior civil servant's tenure of three to five years. Conversely, at the state level, healthy traditions in this realm are rare. The 'desire' system, under which the politicians can seek transfers and postings of civil servants as per their choice, has vitiated atmosphere in the governance system.

The second power generally misused by the politicians is that of suspension. Since the Indian Legal System does not consider suspension, a punishment, a civil servant can be suspended by a higher authority without even specifying any charge. To avoid harassment at the hands of their political masters, civil servants are compelled to accede to their whims and wishes. A few honest administrators who have shown courage of conviction and have challenged the mighty forces of wealth and power, have generally been marginalized and even punished through suspensions. G.R. Khairnar of Mumbai Municipal Corporation is one such individual who refused to bow before the political powers while taking drastic action against the land mafia. And, he accepted to suffer ungrudgingly for his fortitude. Khairnar was suspended from service but strong public opinion and media support in his favour brought him back to the forefront. Thus, honest and firm civil servants, known for their hard work and idealism, might get sidelined when they prove to be uncomfortable to the ruling political elite, yet their rehabilitation gets facilitated on account of the awe

that hard-core integrity still commands in certain sections of Indian society.

Suspensions generally continue for long, since the enquiries conducted against a suspended employee are time-consuming. A suspension invariably erodes the reputation and financial sustainability of a government employee. Such a measure is generally used against employees at the middle and the lower rungs of administration, and the senior administrators are rarely brought under its net. The third power of the Ministers that can be misused is the denial of promotion to a civil servant. When a legitimate promotion is not granted to an employee at the right time, it has an adverse impact on his career and even on future prospects. The Ministers have the authority to give their comments on the performance appraisal of senior officers and in case they do not give most favourable remarks, the chances are that an officer may not get his promotion on the basis of merit.

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