

Indianization of the Civil Services that led to Indians belonging to different castes and religions seeking positions in this most prestigious Service of the country.

Section I

Today, there is little unanimity about when exactly the Indian Civil Service was bornⁱⁱ. The British East India Company called its employees working on the civil side ‘servants’ in contrast to those employed for military and naval duties (Maheswari 2005:4). Although called civil servants, they were mainly traders, arranged in four grades – president, merchant, factor and writer. The earliest denomination was ‘factor’, which meant an agent transacting business as a substitute for another in mercantile affairs. A trading station with a number of Factors residing in it was called a ‘Factory’. A ‘Settlement’ was a number of factories grouped together under the administration of an Agent and Council. The agent at Surat came to be called President in 1616 and later on, the Agents of Fort St. George, Bombay and Fort William were similarly called. The royal charter of 1661 authorized the Company to appoint ‘Governors’ to the Presidencies of Madras, Bombay and Fort William. The Governors performed judicial functions within the limits of the Presidency towns. In terms of executive administration, all power was in the hands of the President and Council jointly and all decisions were taken by a majority of votes.

The development of the civil service under the East India Company witnessed three broad phases. We discuss each of these three phases in some detail –

The first phase (from 1600 upto 1765) – The first phase of the development of the civil service began with the coming of the East India Company to India sometime in 1600 and ended with the grant of the diwani in Bengal in 1765. Before 1806, there was no regular provision for giving elitist and special education to the junior civil servants. There was a system which required Writers, on their arrival in the country to stay at the Presidency towns and pass examinations in law and the local languages before commencing their public duties. After passing the examinations, they were entrusted with a wide variety of ‘masculine’ tasks. For example, in addition to their regular duties of book-keeping, accounting, warehouse management, bursary, the charge of proceedings and correspondence and keeping record of stores, imports and exports, the Covenanted Civil servants also had to go on trade missions to the courts of princes and governors with requests and petitions. Apart from serving on juries, the Covenanted Civil Servants sometimes did a little soldiering as well, and received military commissions.

The second phase (1765 - 1798) – In 1765, the Mughal Emperor granted the Diwani of the three Mughal provinces of Bengal, Bihar and Orissa to the East India Company. This led to its emergence as a territorial power and made the East India Company responsible for civil administration on a large scale. From 1772 onwards, the British Parliament started enacting measures which not only periodically reviewed the Company’s affairs in India, but also provided for the disciplinary control of its civil servants. Lord Cornwallis further reorganized the civil service, incorporating structural changes into it. He established a strong government, with a highly organized network of judicial and executive administration. He ensured that civil servants received handsome salaries and did not engage in trade or receive presentsⁱⁱⁱ. His tenure marked the beginning of the modern administrative system in India.

The third phase (1798 - 1858) – In the 19th century, the bureaucracy had a body of land legislation enacted and a record of rights prepared for different provinces. These enactments governed agrarian relations and reduced the scope of arbitrary proceedings on the part of landlords. When Wellesley became the Governor-General of India in 1798, the involvement of the British in wars with Indian powers necessitated the establishment of a strong and trained bureaucracy.

The control of the East India Company ended in 1858, with the transfer of power to the Crown. Although the control of the East India Company ended, the civil servants appointed by them consolidated their hold over the entire administration of British India. The civil servants were ‘gifted laymen, who moved frequently from job to job within the service, could take practical views on any problem, irrespective of

subject matter, in the light of their knowledge and experience of the government machine' (Misra 1977:385).

Section II

Post 1858 -

The transfer of the Company's Government to the Crown brought India directly under Imperial control. In 1858, both the Court of Directors and the Board of Control were abolished by the Government of India Act of 1858. Recruitment to the Indian Civil Service became centralized in the office of the Secretary of State for India in Council. Queen Victoria proclaimed in 1858 that there would be complete equality between Indians and Europeans in the Civil Services. The Queen's Proclamation issued in 1858 reaffirmed the provision of the Government of India Act of 1833 which had stated that no Indian would, by reason only of **his** religion, place of birth, descent, colour, or any of them, be disabled from holding any place or employment under the Government of the East India Company. However, Queen Victoria's assurance remained a dead letter. The Covenanted Civil Service remained exclusively European, with no Indian getting employment even for the other services recruited in England.

Indians were, on the other hand, mainly employed in the Un-Covenanted Service meant especially for them. This service was not an organized service at all. It was a much more numerous body that would carry out all the details of civil administration and whose members would be locally recruited from India at reasonably cheap rates. There was no uniformity in the mode of recruitment or qualification for appointment to the Un-Covenanted Service, no fixed scales of pay, no security of tenure. Though appointed to respectable posts, especially in revenue and judicial departments, Indians were not allowed to rise above subordinate positions. They were not associated with higher administration, which was the monopoly of Europeans, more especially of covenanted civilians (Misra 1977: 89). When compared to the members of the Covenanted Civil Services, the members of the Uncovenanted Services not only suffered from gross inequality in terms of status and salary, but also found their prospects blocked by rigid service systems.

With the formal introduction of the English language as a part of the school curriculum in India and the introduction of open competitive examinations in London as the mode of public recruitment for the Indian Civil Services, the English educated Indian youth started making demands for the employment of Indians in the ICS. They argued that it was practically impossible for the Indians to undertake the long voyage to London to sit for the civil service examinations. Satyendranath Tagore entered the Covenanted Civil Service in 1864. In 1868, the British Indian Association presented through the Government of India a memorial to the Secretary of State, requesting that the competitive examinations be held simultaneously in India and that a definite percentage of covenanted appointments be set aside for that examination.

Under pressures of this type, in 1879, the Statutory Civil Service was formed under the Parliamentary Statute of 1870 to provide employment to Indians^{iv}. The reason behind its formation was to provide an alternative to the 'simultaneous' competitive examination in India demanded by educated Indians to secure extended employment in the Covenanted Civil Service. However, the Statutory Civil Service was later abandoned.

In 1885, the Indian National Congress prayed and petitioned the British authorities to make the service recruitment procedures to the Covenanted Civil Service less rigid and difficult so that more and more Indians could be a part of it. Pressure from educated Indians forced the Government of India to appoint a Committee in 1878 to draft rules for the appointment of Indians to offices ordinarily held by members of the Covenanted Civil Service.

Under these rules established in 1879, each local Government was allowed to nominate Indians for employment in the Covenanted Civil Service. Nomination to Covenanted posts would be of two distinct classes – first, probationers or men under 25 years of age, who were to pass some examination unless specially exempted; and, secondly, those above 25 years of age who, having proved their ability either in the public service or in the practice of a profession, were not required to serve any period of probation. Young

men of aristocratic, respectable and noble families would get a chance to be appointed to the Covenanted Civil Service. Selection of these young men were to be determined on the ground of position of the candidate's family, including the services rendered by it to the Government. Although the professional attainments of the candidates and their efficiency, if they were already in the public service mattered in their final selection, the choice of candidates remained heavily weighted in favour of noble families who were supportive of the British rule in India.

In 1886, the Aitchison Commission was appointed under the Government of India (Home Department) Resolution. The scope of its inquiry was limited to the question of employment of Indians, both in appointments reserved by law for members of the Covenanted Civil Service and in the Un-covenanted Service^v. According to the recommendations of the Aitchison Commission, the Covenanted Civil Service was denominated as the Indian Civil Service, to be recruited by open competition in England and open to all natural-born British subjects as before. The Un-covenanted Service came to be called the Provincial Civil Service^{vi}. The Aitchison Commission recommended that recruitment to the Provincial Civil Service should be made partly by promotion from the subordinate civil service and partly by direct recruitment, preferably through a competitive examination for the executive branch and by nomination under certain conditions for the judiciary.

The civil service of the country thus, came to be divided into two main categories – The Indian Civil Service (I.C.S) and the Provincial Civil Service (P.C.S). In both the Indian Civil Service recruited in England and the Provincial Civil Service recruited in India, there were, at this time, two groups of appointments – executive and magisterial on one hand and judgeships on the other. In spite of it all, problems remained in the entry of Indians to the Indian Civil Service. This was because there were a number of conditions attached to the entry of Indians to the Indian Civil Service. For example, if an Indian was selected for the Indian Civil Service, he had to prove his 'absolute and proved fitness' to the local Government concerned. Not only would he have to give proof of his distinguished service over a long period of time, but he had to be 'comparatively young' and possess physical vigour required for such employment.

It was at around this time that we find the issue / question of a representative bureaucracy arising in the official correspondence of the Secretary of State to the Government of India. The Secretary of State made it clear to the Government of India that, in appointing Indians to the Indian Civil Service, care must be taken to secure the due representation in the public service of the different classes of the native community. He feared that recruitment to the Provincial Service on pure competition would give a decided advantage to Bengalis, more especially to 'the Brahmins', who 'with their inherited literary aptitude' had gained a 'preponderant position in the public service, to the prejudice of other classes', not equally developed intellectually though possessed of other qualifications for which the Brahmins were less fitted (Misra 1977:142).

The Islington Commission (1912-25) for the first time began the process of Indianization of the civil services. The Islington Commission deliberated upon the fixing of a ratio of Indians to be admitted to the superior civil services of India. The Islington Commission's recommendation was for a minimum of 25 per cent Indians in the superior posts of the Indian Civil Service. This was to include all appointments made by the promotion of officers from the Provincial Services, as well as direct appointments to superior judicial posts from the Bar. The decision to have part of the superior judiciary recruited from the legal profession in India led to the entry of a few women in it^{vii}. However, the Islington Commission excluded Indians who succeeded in the competitive examination in London.

By its Resolution of 1st December 1920, the Government of India laid down five methods of recruitment for the Indian Civil Service, including appointments to posts ordinarily held by its members. These methods were – a. Open competitive examination in London under Section 97 of the Government of India Act b. Separate competitive examination in India c. Nomination in India d. Promotion from the Provincial Civil Service and e. Appointment from the Bar. Following this Resolution, significant steps were

taken to appoint Indians by nomination to Indian Civil Service vacancies that had accumulated from 1915 to 1920.

Following the resolution of 1st December 1920, it was decided to hold examinations in India. The objective of a separate examination in India was to accelerate the pace of Indian recruitment to the I.C.S. In 1922, the competitive examinations to the ICS were held for the first time in India at the Law College in Allahabad^{viii}. It commenced on 27th February 1922 and continued till 13th March 1922. All this clearly indicates the difficult scenario which women aspiring to enter the Civil Service faced.

The separate examination in India contributed to the increasing Indianization of the Civil Service. It however, also tended to cause a cultural gap between Europeans and Indians in the I.C.S.; a kind of gap which became reflected politically in the organization of separate colour-based Service associations. The unity of the I.C.S as a professional and administrative staff was affected in spite of the similarity of Service conditions.

The Lee Commission on the Superior Civil Services was appointed in 1923. It made its recommendations in 1924. It raised the scale and recommended a fifty-fifty cadre for the ICS in about 15 years, all to be recruited directly. A number of Imperial Services which had once been recruited in England for special departments also came to be provincialized in 1924. The Lee Commission divided the main services into three classes – All-India, Central and Provincial. **The All-India Services** were those recruited by the Secretary of State. Though assigned as a rule to one province, their members were subject to being transferred to any province or borrowed by the Government of India for the discharge of central functions. Their conditions of pay, leave and pension were all laid down by the Secretary of State in Council. **The Central Services** dealt with the Indian States and foreign affairs; the administration of government railways; posts and telegraphs; customs, audits and accounts and with scientific and technical departments.

Thus, the Provincial Services were developed in such a way that they would increase gradually and members of the corresponding All-India Services would cease to be available. The two services would continue to co-exist so long as any member of the All-India Service remained. The Lee Commission made another significant recommendation to secure by promotion from the Provincial Civil Service more Indians for the Indian Civil Service. However, one of the most noteworthy legislations recommended by the Lee Commission was the setting up of a Public Service Commission (PSC) for each province or a group of provinces in India.

Following these measures, men from comfortable professional and service-class family backgrounds started entering the Civil Services in small numbers^{ix}. Mainly Brahmins and Kayasthas, they were the offspring of the literary classes of Calcutta, Madras and Bombay. The ones who could afford the long and expensive travel to London were mostly young, upper class and upper caste Indian men, educated in western styles. In spite of the fact that there was a considerable increase in the number of Indians in all the Imperial Services, there were very few women at around this time, except of course for a sprinkling of them in the Indian Educational Service – 39.4%.

After 1927, recruitment for the Indian Civil Service in India was transferred to the Public Service Commission, which held its first examination in Delhi in 1928. With the approval of the Secretary of State in Council, new rules were framed for the conduct of the examination. At around this time, the Indian Civil Service began to lose its attraction to the bright graduates in Great Britain. In 1935, for instance, 20 out of 25 European candidates among the first 40 successful candidates in the ICS competition refused to enter the Service. The attraction for appointments in the Colonial Service and in large business houses became much greater, appointments which not only increased in number but were frequently made available and filled earlier in the year.

Both the Royal Commission on Decentralization (1907-1909) and the Islington Commission (1924) had also remarked that the quality of recruits to the Indian Civil Service had definitely deteriorated over the years. Although attempts were made to make the ICS attractive for European officers by combining the I.C.S

examination with the more popular Home Civil Service examination, promising young men did not opt for the Indian Civil Service anymore.

Thus, the cumulative effect of increasing Indianization was a corresponding reduction in the number of Europeans in the Indian Civil Service which in turn, weakened the ICS itself as a Service. Under the pressure of politics in India, the Civil Services ceased to be viewed as an integral group of professionals bound together to carry on the business of government independently of social or political compulsions. They were being identified as Europeans and Indians, not as administrators, a tendency which encouraged the growth of separate Service associations for each group.

After the formation of the Dominion of India under the Indian Independence Act, the India (Provincial Constitution) Order of 1947 introduced certain structural changes in the constitution of the Civil Services. The Secretary of State ceased to make recruitments to the Services or to exercise any authority even in respect of those who, having been earlier appointed by him continued after the establishment of the Dominion to serve under the Crown in India.

This created confusion among the members of the Indian Civil Services. They were reduced to a state of uncertainty about alternative employment they might have to seek in case they were not prepared to enter into a contract with the new Government. After the Interim Government was formed in 1946, the Prime Ministers of Provincial Governments met at a Conference in New Delhi in October to discuss the question of forming in place of the ICS an All-India Service. It was decided to have a centrally controlled All-India Service organized on the model of the ICS that would be efficient, impartial and free from local and communal bias, party allegiance or political influence.

The Draft Scheme prepared at the Conference created the Indian Administrative Service by executive order and a similar All-India organization for police administration known as the Indian Police Service. Thus, was created the IAS, replacing the ICS. Dr. Ambedkar described the Service as of strategic importance in that it was designed to man all superior posts and maintain the standard of administration in the whole of the country. Article 312 of the Indian Constitution regularized the existence of the IAS, laying down that there shall be an All-India Service recruited on an all-India basis with common qualifications, with uniform scale of pay and members of which alone could be appointed to these strategic posts throughout the Union.

Section III - Demands for representation!

It would be pertinent to point out here that the demand for Indianization of the Civil Services led to various sections of Indians seeking positions in this most prestigious Service of the country. The emphasis on job distribution according to communities was one of the immediate results of dyarchy, of the downward filtration of education as well as franchise. There were members of the armed forces, statutory and other nominees, members of the Bar for judicial posts and later, minority communities. The National Muhammadan Association had time and again, pressed Lord Dufferin to have seats reserved for Muslims in the Indian Civil Service. But, Lord Dufferin kept telling them repeatedly that no Muslim candidate could be exempted from public competition or educational and other tests required for entry into the Service. The Indian Councils Act of 1892 recognized no claims of religion, not even of wealth or social position.

A perusal of the questions raised in the Central Assembly on the subject of employment in the public service after 1921 establishes beyond doubt the preoccupation of legislators to secure an ever increasing number of jobs for members of their own communities, caste or religion. Regional and provincial considerations were also there. In March 1925, Sir Alexander Muddiman, the Home Member, pledged in the Council of State that one-third of the total direct recruitment to the Indian Civil Service, the Indian Police, the Indian Service of Engineers and the Indian Forest Service should be made from among representatives of the minority communities if candidates with adequate qualifications were available. The Government of India accepted this and the Secretary of State not only agreed, but also advised that the operation of the Muddiman Pledge be extended to the Central Services. Thus, the Muslims were the first minority community

to seek special rights. A resolution was passed by the Government of India that fixed 25 percent of the posts in the civil service to be directly recruited by the Muslims (Maheshwari 2005).

The Resolution of 1934 recognized yet another principle which further extended the scope of reservation. Since the existing position of Anglo-Indians was at the instance of the Secretary of State to remain more or less unaffected, they continued to have eight and one-third percentage of the direct appointments reserved for them, the remaining 25% being left untouched for Muslims. The sanctioned limit of thirty and one-third percent for all minorities was thus covered between Muslims and Anglo-Indians alone. To safeguard the interests of minorities other than Muslims and Anglo-Indians, therefore, it was decided that an additional six percent reservation of the direct recruitment be set apart from them.

While the Muslim League made conscious efforts to increase the representation of Muslims in the civil services, the Poona Agreement of 1932 also recognized the importance of securing a fair degree of representation in the public services for the depressed classes. But, given their level of education, it was felt that no useful purpose could be served by reserving for them any definite percentage of vacancies out of the number available for Hindus as a whole. Nomination, was therefore, suggested as a means to absorb such qualified candidates as could not compete successfully. But, the position of the Scheduled Castes showed very little improvement during 1934-43 when two candidates were selected to the ICS, one in Bengal and the other in Assam. In 1943, a Government of India Resolution reserved eight and one third of vacancies in favour of Scheduled Castes. This percentage was increased to 12 in May 1946, subject of course to the availability of suitable candidates.

The principle of reservation, however, did not apply to promotion, which continued to be determined purely by considerations of merit. It was a job-oriented political remedy to social and economic disabilities. It had certain advantages in as far as it succeeded in encouraging higher education among the lower castes, which in turn brought about changes in the traditional patterns of occupation, standard of living and social relationships.

Although the issue of representation of women in the Civil Services of the land did not occur in anyone's minds during this time— Indian or European, man or woman; we find that there was a gradual increase in reserved categories and constituencies – especially SC's and Muslims.

CONCLUSION

The ICS, right from its very inception in the 1600s was home to upper class, Christian British men. It ruled the country with a firm determination and iron will. During the latter part of the 19th century, however, with the demand for Indianization of this prestigious Service, the reputation and glamour associated with the ICS gradually faded away. Although after the Second World War in 1942, native Indian men entered the ICS in significant numbers, the environment in the ICS till the very end was very much alien to the inclusion of native men in the colonial bureaucracy. Although the process of Indianization of the Civil Services led to the entry of some upper class and upper caste men into this prestigious body, women were, in general, relegated to the role of 'unofficial representatives of the Raj'.

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NOTES

ⁱ The Company was broadly an organisation of the bourgeoisie in as much as it promoted overseas trade, urbanization, a money economy, lay education (especially in science and technology) and contract law.

ⁱⁱ Some trace its birth to the year 1600, when the East India Company received its charter from Queen Elizabeth and the Company started recruiting ‘factors’ for its ‘factories’ in India. Others ascribe the birth of this Service to the year 1769, when its members began to perform functions so characteristic of it and inseparable from its nomenclature. Yet others consider the year 1853 to be the year of the birth of the Indian Civil Service, when merit as judged through an open competitive examination was made the basis of recruitment.

ⁱⁱⁱ John Zephania Holwell, Governor of Fort William, in the mid-eighteenth century, is on record complaining from Britain in 1763 to Nawab Mir Qasim that he had only received fifty thousand rupees of his promised present of two hundred thousand rupees.

^{iv} Nomination to this Service – for posting within the province exclusively – was made by the Provincial Government, subject to the approval of the Secretary of State for India.

^v This would include the lower administrative appointments also – executive and judicial, as well as all special departments like Accounts, the Archaeological Survey, Customs, Education, Forests, Posts and Telegraph, Police, Public Works and so on.

^{vi} This service was entirely locally recruited and ‘inferior’ to the ICS in power and status.

^{vii} The Islington Commission took care to have certain specific judgeships reserved for members of the legal profession, for whom 40 Indian Civil Service posts of District and Sessions Judge were to be set aside and filled in accordance with rules to be framed under the Statute of 1870.

^{viii} The papers set for the competitive examination were, however, different from those set for the London examination, though the examination was conducted by the British Civil Service Commission.

^{ix} The Covenanted Civil Service was reserved for Europeans only.



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