

**Bangladesh Public Service Commission: A Critical Study
of its Role in Recruitment of Civil Servants**



Khandker Md. Abdul Hye

**Department of Public Administration
University of Dhaka
Dhaka, Bangladesh
2012**

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**Bangladesh Public Service Commission: A Critical Study
of its Role in Recruitment of Civil Servants**

Ph.D Thesis

by

Khandker Md. Abdul Hye



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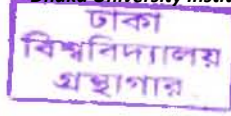
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স্বাগত

Department of Public Administration

University of Dhaka

Dhaka, Bangladesh

2012



**Bangladesh Public Service Commission: A Critical Study
of its Role in Recruitment of Civil Servants**

A thesis submitted to the
University of Dhaka
in Conformity with the requirements
for the Degree of
Doctor of Philosophy

by
Khandker Md. Abdul Hye

**Under the Supervision of
Professor Dr. Syed Giasuddin Ahmed
Vice Chancellor
Jatiya Kabi Kazi Nazrul Islam University
Trishal, Mymensingh**

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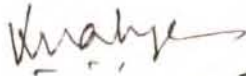
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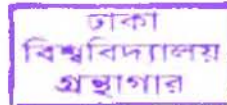
2012

DECLARATION

To the best of my knowledge, I confirm that this thesis contains no material previously published or written by another person except by way of quotation and duly acknowledged. It is based on my own research work and has not previously been submitted for a degree or diploma of any University at home or abroad.


31-12-2011

Khandker Md. Abdul Hye



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CERTIFICATION

Certified that the work incorporated in this thesis entitled "Bangladesh Public Service Commission: A Critical Study of its Role in Recruitment of Civil Servants" by Khandker Md. Abdul Hye was carried out by the candidate under my supervision. Information culled from other sources has been duly acknowledged in the thesis.


(Supervisor) 31/12/2011

Prof. Dr. Syed Giasuddin Ahmed
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CERTIFICATION

With regard to the thesis entitled "Bangladesh Public Service Commission: A Critical Study of its Role in Recruitment of Civil Servants" by Khandker Md. Abdul Hye for the Ph.D. degree in Public Administration, at the University of Dhaka.

I certify that

- i) He has carried out study under my direct supervision and guidance and that the manuscript of thesis has been scrutinized by me.
- ii) He has completed his research work to my satisfaction.
- iii) And the final type copy of the thesis, which is being submitted to the University office has been carefully read by me for its material and language and is to my entire satisfaction. The thesis is worthy of consideration for the award of the degree of Doctor of Philosophy in Public Administration.

Mahbub 15.1.12

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ABSTRACT

The Bangladesh Public Service Commission (BPSC) is one of the vital constitutional bodies in Bangladesh. It has a very substantial role in promoting excellence in future public administration and good governance by selecting the most competent persons for the public services of the Republic. The Bangladesh Public Service Commission (BPSC) is almost the most important pillar of the National Integrity System having a key role in promoting excellence and integrity in the public service and administration of the country. PSC's independence, political neutrality, transparency, accountability, integrity and effectiveness are fundamental prerequisites for carrying out its functions which include holding of competitive examinations for recruitment to the public service, recommend recruitments, promotions, discipline, employee appeal and other related matters. Lack of credibility and integrity of this vital constitutional body may lead to undermining the merit-based appointment in the public service.

As a constitutional body, its primary responsibility is to recruit persons for various services and posts in the government. It is also involved in decision making processes relating to other service matters such as promotion, posting, transfer, discipline, and appeal of the government servants. As a legacy of the British India as 'civil' or 'public' service commission, is to ensure that all decisions relating to recruitment and other service matters are made consistent with the principles of merit and equity.

The research at hand deals with the policy taken in Bangladesh for direct recruitment to civil service especially the cadre services called Bangladesh Civil Service (BCS). It also deals with how far this policy is consistent with the principle of equality in job opportunity and efficiency. The research reveals that sound recruitment policy for civil service does not exist in Bangladesh. Proper or fair recruitment policy gives emphasis on merit rather than any other considerations. In the recruitment to the civil service of Bangladesh, merit is not given due importance. Majority posts of civil service are reserved for preferred groups through quota. The thesis recommends some measures to get rid of this situation in order to create an impartial, efficient civil service that may contribute towards good governance in Bangladesh.

ACKNOWLEDGEMENTS

In the course of preparing this thesis I have received invaluable help, assistance and guidance from many individuals and institutions to whom I now wish to put on record my sincere thanks.

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ABBREVIATIONS

ACC:	Anti- Corruption Commission
Adm:	Administration
ASCR:	Administrative and Services Reorganization Committee
BAC:	Bureau of Anti-Corruption
BCS:	Bangladesh Civil Service
BGP:	Bangladesh Government Press
BPATC:	Bangladesh Public Administration Training Center
BPSC:	Bangladesh Public Service Commission
BSR:	Bangladesh Service Rules
CEC:	Chairman of the Exam Committee
CPSC:	Central Public Service Commission
CSP:	Civil Service of Pakistan
CSRC:	Civil Administration Restoration Committee
CSS:	Central Superior Services
EPCS:	East Pakistan Civil Service
EPPSC:	East Pakistan Public Service Commission
EPSS:	East Pakistan Secretariat Service
FF:	Freedom Fighters
GM:	General Merit quota for District
GOB:	Government of Bangladesh

ICS:	Indian Civil Service
ILA:	Implementing Lead Authority
LC:	Lee Commission
ME:	Ministry of Establishment
MLCOS:	Martial Law Committee on Organizations and Orders
MLJPA:	Ministry of Law, Justice and Parliamentary Affairs
MWCA:	Ministry of Women and Children Affairs
NIPA:	National Institution of Public Administration
NPA:	National Personnel Authority
PAES:	Public Administration Efficiency Study
PARC:	Public Administration Reforms Commission
PATC:	Public Administration Training Center
PCS:	Provincial Civil Service
PPSC:	Pakistan Public Service Commission
PSP:	Police Service of Pakistan
PSC:	Public Service Commission
SCS:	Senior Civil Service
SSP:	Senior Service Pool
TIB:	Transparency International Bangladesh
UPSC:	Union Public Service Commission

Bangladesh Public Service Commission: A Critical Study of its Role in Recruitment of Civil Servants

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Chapter One: Introduction

1:1 Statement of the Study

The Public Service Commission (PSC) is an important pillar of the national integrity system¹ (NIS). It has a substantial role in promoting excellence in public administration by selecting the most competent persons for the services of the state. The core idea of a public service is based on the philosophy of recruitment of civil/public servants on the basis of merit.² The first PSC in this subcontinent was established in British India at the central level in 1926 and the Bengal PSC at provincial level in 1937 under the Government of India Acts of 1919 and 1935, respectively.³ These PSCs carried out their functions as prescribed in the legal mandates with reputation, integrity and proficiency. This tradition continued even during the period of United Pakistan (1947-1971). Immediately after the emergence of Bangladesh, two separate PSCs were established by merging the entire set-up of East Pakistan PSC and the Regional Office of Central PSC on 9 May 1972 in Dhaka.⁴ Later, on 22 December 1977, these two PSCs were merged into one single PSC named Bangladesh Public Service Commission (BPSC) to perform all functions previously entrusted to the two defunct PSCs.

The initiative of merit-based recruitment of civil servants in place of political patronage was first introduced in the Ancient Imperial China during the Han dynasty (206 BC – 220 AD).⁵ The Chinese system was known to Europe in the mid-18th century, and it is believed to have influenced the creation of merit based civil services in Europe. The establishment of civil service commission in England was influenced by a number of factors. In the middle of the 19th century, the East India Company for the first time requested the King of England to establish an independent commission for selecting competent persons based purely on merit. Accordingly, the Northcote-Trevelyan Committee, led by Sir

Stafford Northcote and Sir Charles- Trevelyan, was formed. Thus based on the relevant recommendations of this committee, the first ever Public Service Commission was constituted in England on 21 May 1855 based on the recommendation of this committee. The term was first used in designating the administration of British India. Its first application was found in 1854 in England.⁶

According to Ahmed, the main objective behind constituting a PSC is to ensure that all decisions relating to recruitment, promotion, discipline, employee appeal and other important service matters are made strictly on merit and not on patronage or other grounds. The PSC has two basic purposes: first, elimination of patronage in the civil service; and second, recruitment of the best persons available and their selection. Based on the philosophy of 'merit based recruitment system' and 'free from all sorts of political patronage and nepotism', the PSC emerged at the mid and late 19th century in Britain and USA, respectively. In the USA, the Civil Service Commission was established by Congress in 1871 and was abolished in 1878.⁷ After the assassination of the US President Garfield by a disappointed job seeker in 1881, the movement for re-establishing the 'merit based recruitment system' in place of the 'spoils system' began once again. As a result, the Federal Civil Service Commission was re-established in 1883, in USA under Pendleton Act of 1883 and continued until 1978.

The structure and functions of PSCs during Pakistan period were very much based on the structure and functions of the similar institutions existing at partition in British India both at central and provincial levels. No substantial changes were made with regard to structure, composition and functions of PSC since its establishment in the Indian sub continent in 1926 and in Bengal in 1937. The status of PSC as an advisory body, as well as a Constitutional body still continues

in dealing with the recruitment, promotion and disciplinary matters of the government officers of the People's Republic of Bangladesh since its inception. According to the present structure, the Ministry of Establishment in Bangladesh is the central public personnel management authority which regulates civil service of the country, controls and supervises internal civil service management and handles the problems of general public service management (Ahmed, 1990). On the other hand, PSC has no executive power in taking any decision for regulating civil service of the country and its power is limited to give advice and recommendations on recruitment, promotion, employee appeal, and disciplinary matters of public service in Bangladesh. It should be mentioned here that PSC, like its predecessors in British India (i.e., Federal Public Service Commission) and United Pakistan (i.e., Central Public Service Commission and East Pakistan Public Service Commission), is a Constitutional body whose structure, status, power and functions are firmly based on the Constitutional mandates of the People's Republic of Bangladesh.⁸

However, from the very beginning of their activities, the PSCs in Bangladesh faced criticism. Alleged partisan influence through politically biased appointment of Chairman and Members of the Commission, recruitment of ruling party activists and supporters, and various other forms of irregularities and corruption have led to erosion of trust upon this Constitutional body. Such allegations include leakage of BCS question papers, selection of civil servants on political connection,⁹ and nepotism and corruption of few members, officials and employees of the PSCs. The irregularities in the whole BCS recruitment process have tainted the image of the constitutional body, as well as its past glory in the recruitment process. The PSC is now considered, to a great extent, as the gateway of the ruling party activists to enter into the civil service. The credibility of this constitutional body does not remain above controversy.

1:II Objectives

The objectives of the study are:

- (1) To review the Constitutional and Legal mandates and present functions of Bangladesh Public Service Commission (BPSC)
- (2) To undertake a comprehensive study on the growth and development of the civil service in Bangladesh from a historical perspective.
- (3) To analyze the roles of PSC in the recruitment of BCS officers.
- (4) To examine the merits and demerits of the existing methods of recruitment of civil servants in Bangladesh.
- (5) To find out the nature, extent and implications of irregularities in PSC with a special focus on recruitment of BCS officers.
- (6) To study the recruitment policies and practices.
- (7) To analyze the merits and demerits of quota system for civil service recruitment in Bangladesh.
- (8) To identify the factors those have undermined the image of PSC.
- (9) To suggest appropriate remedial measures in light of the lessons and findings of this study.

1:III Significance

Keeping the objectives of this study in mind, following areas/issues are planned to be covered in this study:

1. Review of PSC's constitutional and legal mandates institutional structure, administrative and financial management, governance and operations.
2. An overview of the recruitment process of civil servants including the problems, and irregularities. Basically civil servants include all officials working under various ministries/departments/offices of the government.

So it is a big term. For the convenience of this study, the focusing area of the research will be the recruitment of BCS officers by the PSC only. The study will also cover the features of recruitment policy in the light of Islam.

1:IV Methodology

Data analysis is an important step for a survey research. When a researcher collects primary data through questionnaires from the field, he has to present that data in a form which can be used to draw a reliable conclusion. The present study has been conducted through participatory approach and supplemented by information collected through questionnaires.

(a) Data Collection

In every research, data are the raw material for the research work. Two types of data, the primary data and secondary data, have been used to develop the dissertation.

1. Primary data: Properly designed questionnaires have been used for collecting primary information.
2. Secondary data: Extensive literature survey has been conducted which covers reviews of various books, journals, periodicals, observation etc.

(b) Sources of Data

Every survey research follows sampling technique to collect data from the selected field. Most of the time, the whole population cannot participate for data collection because it is so large to conduct survey with them. In

this research, the stratified sampling technique is followed for data collection. The strata of sample is classified by the occupational characteristics of the respondents. They include university teachers, students, politicians, government officials and the civil society members.

(c) Data Processing

A careful and systematic processing of data and information facilitates comparison and renders it for further statistical analysis and interpretations. Data processing include editing, coding, classifications and tabulation.

(d) Data Analysis

Data analysis means the computation of certain indices or measure along with researching for patterns of relationship that exists among the data groups.

- Both qualitative and quantitative techniques are used for analyzing the data.
- Various statistical tools such as measures of central tendency, measures of dispersion, measures of relationship etc. have been used for data analysis.

1:V Limitations of the Study

The researcher did not receive any official response or co-operation from the PSC authority and PSC Secretariat. A section of high officials in the PSC, bureaucrats, and BCS cadres refused to give interview or to participate in the discussions.

The very nature of this required admittance by the BCS candidates as well as the other party (ies) involved in extra-legal transaction for ensuring selection for the BCS cadre. Unfortunately, as it is a win-win situation, neither the service receivers nor the involved official of the PSC admitted to be indulged in such affair. Therefore, this study has to rely largely on information provided by key informants, which are not necessarily substantiated by evidence.

The available official documents 17 cover only a section of the information with regard to the successful candidates. There is a serious dearth of information with regard to quota, sex, and religion and cadre specific data. As a result, the trend of the representation of women and minority community in Bangladesh Civil Service since 1972 could not be identified. The collection of gazette notifications was very challenging and their sorting was also labour-intensive.

Another crucial constraint was to get access to the ministries without prior approval from the concerned authority. Since civil servants are quite busy with their respective daily functions, they can hardly provide opinion freely.

This research has covered many aspects of Bangladesh Civil Service that need recent information of different issues. For want of available information and relevant books, it has been difficult to finish this research in time with satisfaction.

In sum, research in any developing country is a difficult task. Data are scattered unwieldy and not easily available. In spite of these drawbacks, the author of this thesis collected data with topmost care and tolerance. At the same time, recent data of foreign countries are not easily accessible to conduct a quality thesis. Therefore, books and journals written on the perspective of other developed and developing countries are comparatively back dated recent data containing

contemporary facts and information are not available. Consequently, on the wake of all kinds of obstacles and limitations, the researcher of this thesis carried out such significant study within a reasonable time.

Notes and References:

1. Transparency International, 'Corruption and Aid Effectiveness', *Working paper No. 4-2006*, September 20, 2006, P. 14-15. The concept of the National Integrity System (NIS) has been developed and promoted by TI as part of its approach in preventing corruption. The NIS consists of the key institutions, laws and practices that contribute to integrity, transparency and accountability in a society. The NIS approach provides a framework with which both the extent and causes of corruption in a given national context, as well as the adequacy and effectiveness of national anti-corruption efforts can be analysed.
2. www.u-s-history.com/pages/h965.html/ accessed on 15 November 2006.
3. Syed Giasuddin Ahmed, *Bangladesh Public Service Commission*, Dhaka University Press, Dhaka, 1990, P. 28.
4. *PSC Annual Report*, 2005, P. 1.
5. *The Columbia Electronic Encyclopaedia*, 6th ed. Copyright © 2006, Columbia University Press.
6. *The Columbia Electronic Encyclopaedia*, Sixth Edition Copyright © 2003, Columbia University Press, Licensed from Columbia University Press.
7. When a political party comes to power, its leaders tend to place many of their faithful followers into important public offices. The use of public offices as rewards for political party work is known as the "Spoil System." www.u-s-history.com/pages/h965.html/accessed.
8. Article 137-141, Part IX, *The Constitution of The People's Republic of Bangladesh*, Chapter II – Public Service Commissions (Modified up to May 31, 2000), P. 55-57.
9. *The Daily Shamokal*, January 28, 2007; *The Daily Star*, March 04, 2005.

Chapter Two: Theoretical Framework

2:1 Review of the Literature

Many studies have been conducted on public administration and civil service in Bangladesh by several nationally and internationally renowned scholars of that field. But only a few in-depth studies have been made on the Bangladesh Public Service Commission (BPSC) and its role in the recruitment of civil servants in Bangladesh. As of today, Syed Giasuddin Ahmed and A. M. M. Shawkat Ali have worked in detail on this subject matter.

Syed Giasuddin Ahmed, (1986), in his *Public Personnel Administration in Bangladesh*, elucidates the public personnel administration of Bangladesh exploring the organizational structure for managing the government bureaucracy in Bangladesh. Especially, it discusses in detail about the arrangements and functions of Bangladesh's two major central personnel organs: the Ministry of Establishment and the Bangladesh Public Service Commission. The study contains three salient objectives: first, to explore a detailed description of the composition and organization for personnel administration in Bangladesh. Second, to determine the extent to which Bangladesh public personnel administration has been influenced by its antecedents in United Pakistan; and third, to evaluate the process of public personnel administration in Bangladesh from the perspective of prescriptive model.

Syed Giasuddin Ahmed of Dhaka University, has conducted a robust study on the Bangladesh Public Service Commission that was published in June 1990, in the form of a book titled "Bangladesh Public Service Commission". In this book, he initially presented a comparative perspective of PSCs in developing countries to

provide the theoretical setting against which structure and functioning of the PSC in Bangladesh are to be viewed. Afterwards, he probes the formative phases of the BPSC focusing on such aspects as post-liberation attempts at improving on the existing system of civil service establishment of two separate PSCs in 1972 for the recruitment of civil servants. His works specially emphasizes on constitutional and statutory basis of BPSC's structure, its power and functions, composition and the offices of establishment, and relations with the executive authority. Finally he highlights the "real world" operations of the BPSC in the light of its formal structure and functioning.

A. M. M. Swakat Ali, (2002) has explored the structure as well as functions of Public Service Commission of Bangladesh and the quality of Bangladesh civil service management mentioning the outcome of research conducted mainly from the Annual Report of the Public Service Commission. Having reviewed the role of the PSC, he demonstrates merits and demerits of prevailing recruitment process and related matters and examines the reform measures already undertaken. At the same time he identifies areas of further reform. The author displays a great deal of critical insight in assessing how the civil service of Bangladesh is managed and the discharge of PSC's duties in relation to its constitutionally mandated recruitment and related functions.

A. M. M. Shawkat Ali, former secretary to the Government of Bangladesh, made a massive study on civil service and the system of recruitment to Bangladesh civil service, which was published in 2007 in the form of a book titled "Civil Service Management in Bangladesh: An Agenda for Policy Reform". Shawkat Ali's work emphasizes on the conceptual basis of the civil service management resting on a number of clearly defined areas. Through the study, he attempts to delineate some basic areas of civil service management including size, recruitment, pay and pension, employment, career planning and management, disciplinary control,

promotion and openers versus secretary in government. Along with these, he briefly discusses the role of the Bangladesh Public Service Commission in the recruitment of civil servants. He has highlighted on the fact that each successive political government ever since independence viewed the civil service as an agency subordinate to the whim of executive authority. In view of this deplorable circumstances prevalent within the civil service in Bangladesh, he suggests massive reforms to be brought in the defined areas of civil service to make the civil service efficient enough to discharge its assigned job without being politically biased. But he lamented that although the government is ready to implement the donor-driven reform measures but it shows much negligence in case of home grown studies on civil service reforms.

Muzaffer Ahmed Chowdhuri, also made an important study on the civil service in Pakistan that was first published in April, 1963 and the revised edition in May, 1969 in the form of book titled "The Civil Service in Pakistan". In his book, he emphasized the importance of civil service in Pakistan, because heavy responsibilities were imposed on the civil servants for the economic and social development of Pakistan. He discussed at length the first chapter of the book is concerned with the evolution of the civil service in Pakistan from the beginning of the seventeenth century in order to put it in its proper historical perspective, and the rest of the chapters dealt with organization, equipment, conditions of work and standards of conduct for the civil servants in Pakistan. In this book, an attempt has been made to study the organization of the civil servants-all Pakistan and central civil services-working under the central Government of Pakistan in order to find out whether adequate reorientations has been brought about to meet the requirements of an administration geared to the economic and social development of the country.

Habib Mohammad Zafarullah and Mohammad Mohabbat Khan (1989) in their study, "Towards Equity in Public Service Employment: the Bangladesh Experience", discussed the background and working of quota system and also highlighted the debate centered round quota reservation policy in the context of Bangladesh. In this study they stress the need of reconciling merit and equity though the reconciliation of these two terms for the positive results are difficult. The writers further highlight the drawbacks of quota management and stress the importance of monitoring system. The backgrounds of inadequate representations of various societal groups including geographic representation of different areas of Bangladesh have also been discussed in this study. In this work writers mentioned the findings of survey conducted on students, civil servants and people of different geographic areas in order to find the outcomes of reserved quotas.

Syed Noor Hossain, (1993) "The Elite Bureaucracy: Dedication to Development" in *"Japan: Not in the West: A South Asian Perception of Japan Today"*. In this volume he elucidates a detailed picture of Japanese elite bureaucracy dating back to the period of Tokugawa up to the late twentieth century. The author discusses recruitment process in government administration during the regime of Tokugawa. He highlights that the recruitment method and promotion criterion during the regime of Tokugawa was not based on merit and qualification but rather on vassalage and birth. Ascription prevailed in lieu of achievement in matters relating to the recruitment system. During the waning period of Tokugawa, since the Samurai class started acquiring elitist education, bureaucracy began to evolve in the modern sense resulting decisively from the Commodore Perry's gunboat diplomacy in 1854, where reasonable changes in government bureaucracy was brought. On the other hand, Meiji Restoration (1868-1912) reshuffled the previous bureaucratic structure and founded both modern education as well as a bureaucracy based on elitist nature. The author proposes some

recommendations in his book for the bureaucracy of South Asian countries with special reference to Bangladesh.

M. Shamsur Rahman, (2000:423) in his book, *The Administrative Elite in Bangladesh: A Study of their Attitudes towards Development*, attempted to determine the nature and attitude of administrative elite as well as their family background and socio-economic status that influence the education, their entry into service and their career prospects. The author attempted to explore whether the socio-economic background of administrative elites influence their attitudes towards development as well as their attitudes towards job motivation, administrative accountability, corruption and administrative reforms as well as social change.

Akbar Ali Khan and Kazi Rakibuddin Ahmad, (2008) in their study *Quota System for Civil Service Recruitment in Bangladesh: An Exploratory Analysis*, analyzed the historical background of quota, its effects and mentioned comparative analysis with other developing countries. In this study, authors analyze four types of quotas: freedom fighters, female, tribal groups and district quotas. The legality of the existing quota system, implementation and monitoring mechanism has also been analyzed in this study. The authors further critically analyze the prevailing thirty percent freedom fighters category of quota and their legal basis while provide arguments in favor of existing tribal and female quotas. At the same time the importance of Merit in the selection process has also been given emphasis in this study.

The Government of the People's Republic of Bangladesh, Ministry of Women and Children Affairs, (2002) in its *Review of Quota utilization Reserved for Women*, published by Policy Leadership and Advocacy for Gender Equity (PLAGE) Project, of Bangladesh. In this study, female quota has been analyzed

including the female representation in different BCS examinations. This study also argues the justification of female quota in all government services including Bangladesh Civil Service. But other quota policy of freedom fighters, tribal groups and regional reservation has not been mentioned here.

Ishtiaq Jamil (1997), in his *Administrative Culture in Bangladesh*, discussed the administrative culture on the theoretical basis and analyzed the Japanese miraculous development that had largely been influenced by the administrative culture of Japan. He also discussed the 'good governance' and administrative culture of Bangladesh specially the culture of 'todbir' which affects the policy making process including recruitment.

Habib Mohammad Zafarullah, (2000) in his article, "Through the Brick Wall, and the Glass Ceiling: Women in the Civil Service in Bangladesh", explains the female recruitment including the quota reservation policy earmarked for female candidates. This article also analyses the role of the PSC about the recruitment systems and the adverse outcomes of prevailing quota policy.

Jor S. T. Quah, (1989): "Equal Employment in the Singapore Civil Service". In this article, the writer explained the civil service recruitment system of Singapore. According to him, Singapore established equal employment system for civil service positions in the midst of ethnic diversification. He also underscored the significance of merit and the role of PSC to protect the same in the selection process. He further discussed the functions of the PSC for the recruitment operations of Singapore Civil Service.

Jain, Harish C. and Ratnam C. S. Venkata, (1994): in their article "Affirmative action in employment for the scheduled castes and the scheduled tribes in India",

writers analyze the quota system of Indian Civil Service emphasizing on the quota reservation system of scheduled castes and scheduled tribes.

Mohammad Mohabbat Khan, (1988): in his article “Reforms in the Singapore Civil Service: Lessons for Bangladesh”, analyzed the recent reforms in Civil Service of Singapore and proposes the cardinal features that can be applied in the context of Bangladesh Civil Service.

Mohammad Mohabbat Khan (1980): in author book, *Bureaucratic Self-Preservation: Failure of Major Administrative Reform Efforts in the Civil Service of Pakistan*, mentioned the historical background of Civil Service of Indian sub-continent including Bangladesh and highlighted the reasons behind the failure of major administrative of Pakistan Civil Service.

Mohammad Mohabbat Khan (1998) in his work *Administrative Reforms in Bangladesh*, tries to explore almost all cardinal aspects of public administration and a brief recommendation of merit has been mentioned. He highlighted not only the administrative reform proposals brought in different regimes but also discussed the causes of failures behind the implementation of those reform measures. At the same time he prescribed various recommendations for effective implementation of reform proposals.

Mohammad A. Hakim (1991): in his article “Specialist-Generalist Relationship and the reform Commissions of Bangladesh”, discussed the specialist versus generalist relations with background and highlighted various reform proposals brought in different regimes of Bangladesh. He also analyzed those in detail and discussed causes of failures behind the implementation of reform measures.

Emajuddin Ahmed (2000), in his book, *Bureaucratic Elites in Segmented Economic Growth: Pakistan and Bangladesh*, discussed exclusiveness of bureaucratic elites and their nature in the Pakistan period. He also analyzed the historical background of representativeness in the two wings of Pakistan: East and West. The above mentioned review of literature has largely assisted to conduct the research work.

2:II Bangladesh Public Service Commission

Bangladesh Public Service Commission a constitutional body was established primarily to recruit persons for various services and posts in the government. It is also involved in decision processes relating to other service matters such as promotion, posting, transfer, discipline, and appeal of the government servants. The main purpose of constituting such a body, designated in most countries of British heritage as 'civil' or 'public' service commission, is to ensure that all decisions relating to recruitment and other service matters are made consistent with the principles of merit and equity. In Bangladesh, this body is presently designated as the Bangladesh Public Service Commission (BPSA).¹

A commission called Public Service Commission was first established in India in 1926, when it was entrusted with functions almost similar to those of its British counterpart in London, particularly in matters of recruitment of public servants of the central government of British India. Similar provincial level commissions were subsequently established, including the Bengal Public Service Commission in 1937, following the formation of responsible governments in the provinces in pursuance of provisions made in the Government of India Act, 1919, and thereafter in the Government of India Act, 1935. After the partition of India in 1947, replicas of the Public Service Commission in British India were created in Pakistan, both at central and provincial levels. Hence a body designated as Public Service Commission, Eastern Pakistan (renamed later East Pakistan Public

Service Commission) came into being in East Bengal (later named East Pakistan) in August 1947.²

After the emergence of Bangladesh two separate commissions, namely the Public Service Commission (First), and the Public Service Commission (Second), were initially established in May 1972 under provisions made in President's Order No. 34 of 1972. But to give effect to the provisions on public service commissions in the Constitution adopted in November 1972, a fresh Presidential Order (President's Order No. 25 of 1973) was promulgated in March 1973 which in effect formally regularised the establishment of the two commissions in existence since May 1972. However, in November 1977 the government promulgated another ordinance to establish a single commission in place of the existing two commissions, which, in effect, came into being on 22 December 1977 and was designated as Bangladesh Public Service Commission.³

The most important characteristic of the BPSC is its constitutional rather than statutory basis. The Constitution of Bangladesh defines the composition and functions of the commission in a chapter (2 of part IX) of five articles. The chairman and members are appointed by the President (in practice on the advice of the Prime Minister) for five-year terms, or for periods not exceeding the appointees' age of sixty two. Number of members to be appointed is not constitutionally specified, but is fixed by a Presidential ordinance issued in 1977, at fifteen (minimum being six) including the chairman. There are no special qualifications for appointment except the requirement that at least one-half of the members must be persons who have held offices in the government service for at least twenty years. Normally, the chairman and members who come from the government service are senior officers and those from outside are mostly senior academicians. A member from the government service is not eligible for further employment in the government service (including in the BPSC) after retirement, except the chairman who is eligible for re-employment for one additional term as

chairman, and a member who may be re-employed in the BPSC either as a member or as chairman.⁴

Any member can be removed from office but only in like manner and on like grounds as a judge of the Supreme Court is removed under provisions made in the Constitution. The rank numbers of the BPSC's chairman/members in the warrant of precedence tend to constitute an index of their status in relation to officials in the executive wing of the government. The existing Warrant of Precedence ranks the chairman of BPSC with a full secretary to the government, although the chairman precedes everyone listed in that rank number, ie, number 17. On the other hand, members of the BPSC have been given the rank number of an officer holding the status of an additional secretary.⁵

The Constitution specifies that BPSC shall conduct tests and examinations for selection of persons for appointment to the government service, advise the President (ie the government) on certain matters on which the commission is consulted, and perform such other functions as prescribed by statutes. The matters on which the President is obligated constitutionally to consult the commission include methods of recruitment, principles of appointment and promotion, principles of transfer, terms and conditions of service, and discipline. In practice, however, the responsibility of BPSC is not as extensive as it may appear, for the President may, by order made after consulting the commission, exclude any of the constitutionally specified matters from the commission jurisdiction. Moreover, while he is otherwise obligated to consult the commission, there is no obligation to accept the commission's advice in all cases. In fact, a number of presidential orders issued so far have progressively excluded important categories of employment from BPSC's jurisdiction. The Bangladesh Public Service Commission (Consultation) Regulations of 1979 is one such order.⁶

BPSC usually performs the following functions: (i) to conduct competitive examinations and/or interviews for direct recruitment of persons in the government service; (ii) to conduct psychological and intelligence tests for candidates who qualify in the competitive examinations seeking selection to the various civil service cadres; (iii) to conduct tests and/or interviews for promotion of government servants from one service to another (eg, from class II to class I); (iv) to select candidates from among the serving temporary government servants for appointment to permanent posts; (v) to endorse *ad hoc* appointments made under various ministries/divisions; (vi) to advise on matters in respect of framing necessary recruitment rules as well as the principles to be followed in making recruitment, promotions and transfers in the government service, including the determination of *inter se* seniority position of government officers; (vii) to examine and approve rules and syllabi of various departmental and professional examinations as well as conduct such examinations for government servants; (viii) to advise on matters affecting the terms and conditions of service of government servants; and (ix) to advise on disciplinary and appeal matters affecting government servants. In addition, BPSC also performs functions in the field of personnel research, such as to compile data and analyse statistically the aptitudes (including academic, socio-economic, regional and institutional backgrounds) of persons seeking government employment.⁷

The Constitution stipulates in specific terms that BPSC shall, not later than the first day of March each year, prepare and submit to the President an annual report on the performance of its functions during the previous year. The report shall be accompanied by a memorandum setting out (i) the cases in which the advice of BPSC was not accepted by the government and the reasons furnished by the latter for non-acceptance of such advice; and (ii) the cases in which BPSC ought to have been consulted, but was not consulted, and the reasons of such deviation. The President shall cause the report and memorandum to be laid before Parliament at its first meeting held after March 31 of the year of submission of the

report. This provision is designed basically to ensure that consultation with BPSC is not overlooked, and that its advice is accepted as a rule. At the same time, it implies due freedom for the government in cases where it considers the matter of sufficient importance to follow its own judgement, provided the government is prepared to justify its action before Parliament.⁸

To assist BPSC in discharging its functions, there is an establishment called the Bangladesh Public Service Commission Secretariat. Structurally, it is part of the Ministry of Establishment, a ministerial portfolio of the Prime Minister, and is accorded the status of a ministerial division. The business in the headquarters of BPSC, located in the capital city, is conducted in ten functional sections, including establishment section, accounts section, examination section, recruitment section, psychology section, research section, and library section. In addition, there are six zonal offices of which five are located in the outlying five divisional headquarters, and the remaining one, meant for Dhaka division, is accommodated in the same building where the headquarters of the BPSC Secretariat is housed. These zonal offices, in effect, acts as liaison offices. The Secretariat has an officer designated as secretary who acts as its chief executive officer. He is an additional secretary to the government placed in BPSC on deputation. The secretary's senior aides include a joint secretary, controller of examinations, chief psychologist, two deputy secretaries, and seven directors.⁹

2:III The Origin of Civil Service

Civil service of a country generally includes all permanent functionaries of government which distinctly excludes defence service, although some civil servants work in defence ministry and its various departments. A member of civil service is not also a holder of political or judicial office. The civil servants of a state collectively called civil service. According to Finer civil service is a professional body of officials, permanent, paid and skilled. Policy formulation is

the function of cabinet/ministry, but policy implementation, the main aspect of development is the function of the civil servants. Although policy formulation is the jurisdiction of cabinet/ministry, it depends largely on civil servants for the data of policy formulation. According to a British writer, in ninety nine cases out of one hundred, the ministers simply accept the views of civil servants, and sign their names on dotted line. So a state may run without ministers, but it cannot run a day without civil servants.¹⁰ Here lies the importance of recruiting the best talents for civil service in order to make public sector a relevant, dynamic and powerful force of change.

The origin of Civil Service goes far deep into the past. It originated in the “water works civilization” i.e. the valley of the Nile, the Ganges and the Euphrates. Since the civilization depended on large-scale water works, either by way of control of inundation or irrigation, large number of men was employed to look after these. To quote Sarder Panicker, “water civilization grew up first in the river valley of India, Egypt, China, it was difficult to say, and for when our historical vision opened in the middle of the third millennium organized states were seen existing in all those areas.” Thus the civil service may be said to be as old as the civilization itself. As far back as 2000 BC the Chinese had organized a civil service, recruitment to which was based on principles of merit.¹¹

The British Indian civil service traced its origin to December 31, 1600 when Queen granted a charter and authorized the East India Company for private trading. For about 150 years the English merchants conducted mainly trading in India. But after the middle eighteenth century, the company became the ruler of a vast area in India. Then the servants of the company, in addition to their trading functions, performed some other activities such as collection of revenue and tax, judicial, political and administrative tasks.¹²

The term 'Civil Service' was first used to designate those servants of the East India Company who were engaged in mercantile work in order to distinguish them from those whose duties were of a naval and military nature. Thus the term 'Civil Service' acquired a new meaning "controlling not the status of non-combatants but the work of civil administration in which its members were engaged."¹³

It has already been stated that at the beginning the company was a body of merchants with no responsibilities other than those of trade. But when it acquired political status and power, the trading operations were replaced by governmental functions. In this way, the servants of the company were transformed from traders into administrators.¹⁴

The term 'Civil Service' was introduced for the first time in India during the reign of the British rule. The British rulers at the wage of their own necessity developed the civil service in India. Under the British rule, civil service was defined as "except political administration and employees of the judiciary." Government employees employed in the civil works whose salaries are given from grants approved by the parliament are included in civil service. Traditionally civil service refers to the body of appointed officials who carry out the functions of government under the direction and supervision of the need of the government. In rare case, military officials are included as part of civil service, although their wages and other costs are included as part of civil service, while in others they are excluded depending on the justice system a country follows, but in both cases they are included in the civil service wage bill of the government.¹⁵

Several methods can be used to identify features of a competent civil service, including internal characteristics of the system; output orientation of the system; and its relationship with the political system and the society. Such a list would be

quite lengthy and may reflect biases, as there will be great difficulty in agreeing on the criteria of a competent system. However, there are many sound systems that deserve to be recognized. There is a compelling need to avoid this route in a performance-focused study, and to try to suggest some common features, combining the internal, output and relationship angles of the civil service system.¹⁶

In this context, it seems appropriate to note what was endorsed by the United Nations General Assembly, in its Resolution 50/225 in May 1996, on public administration and development. The General Assembly noted, “the rapid pace and interdependence of global, political, social and economic developments and their implications for all countries, particularly the developing countries”, and emphasized that there is “a critical need for improved efficiency and effective public institutions, administrative procedures and sound financial management to harness these challenges in support of sustainable development in all countries”. It also recognized that “effectiveness of government requires an efficient and effective public administration in all countries that responds to the needs of the people, promotes social justice, ensures universal access to quality services and productive assets, and creates an enabling environment for sustainable people-centered development.” The General Assembly reaffirmed “that democracy and transparent and accountable governance and administration in all sectors of society are indispensable foundations for the realization of social and people – centered development”; and it recognized the need that “governments in all countries should make their procedures transparent in order to avoid and combat all acts of corruption.” The General Assembly further the need for public administration system to be “sound, efficient and well equipped with the appropriate capacities and capabilities... through public sector administrative and management reforms, with emphasis on enhanced efficiency and productivity,

accountability and responsiveness of the public institutions”, and it encouraged, where appropriate, “decentralization of public institutions and services.”¹⁷

Key features of an effective civil service system include:

The focus is on objective criteria in selection and promotion of civil servants that are allowed to function without fear or favour, in keeping with the public interest within the framework of laws and regulations.¹⁸

The focus on a minimal number of levels and categories of civil servants to provide movements and career opportunities without creating internal tensions and stresses, and to promote an ethos of unity and oneness among civil servants. Due attention to size is needed, as both an excess amount and very limited number can adversely affect the overall performance of a group or organization. In the case of bloated size, the service may not be able to pay adequate salaries to all the civil servants who are critical to establishing and sustaining an efficient and relatively corruption-free civil service.¹⁹

In this context, the relevance of a compression ratio within the levels of civil service salaries needs to be balanced with adequacy of support services, such as transport, housing health and education and equitable job challenges, openings for advancement and training facilities that are available and fairly administered in the system. It should be remembered that individuals who join the public service might not be motivated by monetary incentives alone. The civil service system must therefore seek to preserve and support those values and aspirations that attracted civil servants to join in the first place through job challenges, no monetary rewards and adequate support services.²⁰

It is very important that transparent accountability systems for the proper functioning of the civil servants should be clearly established within the level and

administrative framework and be overseen in strict conformity to laws and regulations. Such accountability systems and practices are supported by establishing a professional code of behaviour and ethics in guiding civil servants' actions and service behaviour with citizens, clientele and other groups. A corruption – laden civil service is not able to maintain its competence, efficiency and responsiveness over time, although limited corruption in the very short term contributes somewhat to certain socio-economic goals (for example, approval of productive projects). Persistent and pervasive civil service corruption has eaten away the benefits of reform in many cases, and undermined the sustainability to democratic and development gains.²¹

To be efficient and effective, a civil service system needs to have internal autonomy of operations, especially with respect to personnel recruitment and advancement within the legal and administrative framework, guaranteed by a national constitution. Such autonomy needs to be buttressed by appropriate values of neutrality and service so that the system can protect itself from undue interface from the political process and political rulers. However, the need for autonomy has to be equally balanced with the requirement for responsiveness to the needs and wishes of people, as expressed through various elective and participatory mechanisms and processes. Similarly the issue of representation as it relates to the ethnic, linguistic, and cultural and gender background of civil servants is very important, especially in countries with diverse ethnic and national groups and limited female participation in the public service.²²

Purposeful and relevant training for updating and acquiring skills and proper orientation for changing needs in the administration and for purposes of promotion and for carrying out public services are very useful. Similarly, the recent focus on performance and related incentive systems deserves careful consideration. Although sophisticated and highly publicized methods are used in

performance-focused programs in many developed systems, it is not certain if the individually focused monetary incentive systems have worked, or if services have really improved. What has been accepted is that funds and personnel (the inputs) have either been reduced or held constant while services have been provided at previous or higher levels. It has been seen that individual centred monetary rewards and resulting competition tend to erode the group values of public service, while group or agency based incentives reinforce the spirit of public service. Nominator recognition seems more appropriate for individual centred incentives in the public service. Recent reinventing and restructuring movements, mostly located in developed countries, focus on creating competitive pressures in the civil service, including opening the system up to external, especially private sector environment, both in terms of ideas, approaches, modalities and hiring personnel at almost all levels. While full-scale embracing of this openness seems inappropriate for public administration in any developing country, a selective approach of openness, especially with respect to methods and practices and certain categories of jobs at certain levels may be useful to inject freshness and dynamism in the public service system.²³

2:IV Recruitment

Recruitment is the process of searching for prospective employees and stimulating them to apply for jobs in the organization.²⁴ No element of the career service system is more important than the recruitment policy” (Commission of Inquiry on Public Service Personnel, 1935:37).²⁵ Recruitment is the cornerstone of the whole personnel structure. Unless recruitment policy is soundly conceived, there can be of little hope of building a first rate staff.²⁶ Broadly, there are two major methods for recruitment to civil service: (a) merit system through competitive examination and (b) spoils system. Under the typical civil service law, the central personnel agency commonly called Public Service Commission is responsible to conduct

competitive examination. Spoils system (also known as a patronage system) is an informal practice where a political party, after winning an election, gives government jobs to its voters as a reward for working towards victory, and as an incentive to keep working for the party—as opposed to a system of awarding offices on the basis of merit, independent of political activity.²⁷

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Chapter Three: Background Study of the Public Service Commission

3.1 Background

The significance of a unified and integrated direction, control and coordination mechanism in maintaining adequate standards of management of the civil service, thereby ensuring efficiency, economy and effectiveness in administration cannot be just overlooked. In order to ensure an efficient civil service, it is essential to protect it as far as possible from political influence, and to give it that position of stability and security which is vital to its successful working as the impartial and effective apparatus by which government may give effect to its designed policies and programmes. These demands have led to the development of a centralised personnel management system of the civil service for the task of recruiting and retaining the qualified and committed personnel for the service itself, and controlling and coordinating its staffing pattern and promoting efficient conduct of business. In many countries of the world, both developed and the developing countries, there exist more than one central agency for handling the personnel affairs of the civil service. In Bangladesh, for instance, there are two key agencies - the Ministry of Establishment (MoE) and the Bangladesh Public Service Commission (BPSC) and they are vested with the bulk of responsibilities for managing and coordinating the service. The former, an executive arm of government, is the premier agency for all critically important decisions pertaining to the management and coordination of the civil service and is responsible for initiation and execution of any legislation relating to the terms and conditions of the service. The latter, an independent and quasi judicial body, is primarily responsible for conducting open competitive examination for the selection of suitable persons for appointment to the civil service and for offering advice generally on matters relating to personnel affairs including those of disciplinary

actions. In course of discharging these responsibilities it is not the Commission but the Ministry which constitutes the ultimate central personnel authority. Following the Westminster Convention, however, it is the Commission which normally plays an important advisory role in these matters and any case of refusal on the part of the government is admitted and explained categorically in its Annual Report which is presented to the Parliament by the President. Although the government since independence in 1971 has reorganised considerably all important personnel affairs of the service including its structural and operational characteristics, recruitment policies and promotion and remuneration processes, the central management system of the service has not been materially changed. This is true in the case of the BPSC. Since the focus of the present study is on BPSC and its recruitment policy, a brief overview of its evaluation and historical antecedents would be pertinent.

In the South Asian subcontinent, provision for open competition in recruitment of civil service officials was first made by the Charter Act of 1853, which stipulated that appointments to higher positions must not be allowed to remain in the hands of the Court of Directors of the East India Company. The Act empowered by the Board of Control to frame regulations defining the eligibility criteria and admission test of candidates.¹ After the promulgation of the Act, a committee was appointed under the chairmanship of Lord Macaulay to submit a plan for future recruitment. Roughly during the same period, the Northcote-Trevelyan Committee was constituted in the United Kingdom with almost similar terms and conditions. Based on their identical recommendations, in 1855, a central board for holding competitive examinations, designated 'The Civil Service Commission' was established, but the examinations were conducted in England, and not in India. The Board of Control appointed examiners who framed their own rules for holding competitive examinations for recruitment to the civil service in India. The first examination was held on July 16, 1855. The Macaulay Committee acted as a

BPSC although it did not itself conduct the examination. Thus the genesis of the BPSC in Bangladesh can be traced back to British rule in India when the Macaulay Committee as well as the Northcote-Trevelyan report laid down two basic principles, highlighting the ethos of merit in the recruitment to the civil services. These were:

- the Commission should be detached from the political government.
- the recruitment to service should be by open competition, based on ideals of a non-partisan career civil service.²

The rationale behind such step was significant as first, the protection of merit in the recruitment of superior services and second, protection of services from political influence.³

The Royal Commission on Superior Civil Services in British India known as the Lee Commission made a recommendation that the members of the BPSC should be men of the highest standing and, to the extent practicable, dissociated from all political associations. It had further laid down that out of the four members, at least two should possess high judicial or legal qualifications.⁴ It was also recommend that "the Members of the BPSC would not be eligible for further employment in the service of the Crown in India. However, the Members of the provincial BPSC(s) could be eligible for further employment in the central BPSC or another provincial BPSC." On the basis of the reports of this Commission, the first Public Service Commission was established in October 1926 in this sub-continent. After the partition of British India in 1947, successive regimes of Pakistan, following the British tradition, reinvigorated the proposition that a BPSC under the leadership of experienced civil service can act as an effective recruiting authority on very vital but complicated service matters. The status of the Commission continues to be an advisory, as well as a quasi-judicial body in

dealing with the recruitment, promotion and disciplinary actions of civil services throughout the entire era of Pakistan.⁵

After the Independence in 1971 the constitution of Bangladesh, which came into effect from December 16, 1972, contained almost the same provisions as the President's Order No. 34 of 1972. The order formally constituted the two separate commissions. Initially, the BPSC (first), consisted of a chairman and three other members and the BPSC (second), comprised five members including a chairman.⁶ To give effect to the relevant constitutional provisions relating to the BPSCs, the government promulgated afresh an order called the Bangladesh Public Service Commissions Order, 1973 (President's Order No. 25 of 1973) on March 30, 1973, which in effect formally regularised the establishment of the two BPSCs already in existence since May 1972. According to the Order, the BPSC (first) should consist of not less than four but not more than twelve members, including a chairman, and the BPSC (second) should consist of not less than five but not more than 15 members including a chairman. Subsequently in November 1977, the government promulgated the Bangladesh Public Service Commission Ordinance 1977, with a view to establish one single Public Service Commission in place of the existing two commissions. The ordinance came into effect on December 22, 1977, and the Bangladesh Public Service Commission was established to perform all functions previously entrusted to the PSC first and the PSC second.⁷ The BPSC was entrusted with the responsibility to keep partisan considerations and nepotism out of appointments to the civil service and to safeguard the merit system in recruitment.

3:II Public Service Commission in British India

The idea of establishing a public service commission for recruitment to and control of the civil service in British India was first mooted in a Memorandum

presented by the Government of India to the Committee on Division of Functions. This Committee on Division of Functions was actually appointed in late 1918 by the Secretary of State for India to inquire into questions connected with the division of functions between the central government and the provincial governments, on the one hand, and between the members of the executive council and ministers in the provincial governments, on the other. The report of this Committee was finally submitted on 26 February 1919.⁸

The Government of India reiterated its stand on the question of establishing a public service commission in what seems its First Despatch to the Secretary of State (5 March 1919) on the Indian Constitutional Reforms suggested by the Montagu-Chelmsford Report (Mont-Ford Report) of April 1918. Paragraph 55 of the Despatch states as follow:

In most of the Dominions where responsible government has been established, the need has been felt of protecting the public service from political influences by the establishment of some permanent office peculiarly charged with the regulation of service matters. We are not prepared at present to develop the case fully for the establishment in India of a public service commission: but we feel that the prospect that the services may come more and more under ministerial control does afford strong grounds for instituting such a body. Accordingly we think that provision should be made for its institution in the new Bill. The Commission should be appointed by the Secretary of State, and its powers and duties regulated by statutory rules to be framed by the same authority; we shall make detailed suggestions upon the matter in our despatch on the Bill.⁹

The principle which underlay the recommendation contained in both the Memorandum and the Despatch was that, under the proposed Constitutional Reforms embodied in the Mont-Ford Report of April 1918, it was necessary to protect the services from political influences. Section 96 (c) (2) of the Government of India Act of 1919, which was adopted in the British Parliament in

December 1919 based on the Constitutional Reforms suggested by the Montagu Report, provided for the establishment in India of a public service commission. As envisaged under this Act, the commission was to discharge such functions in regard to recruitment and control of the civil service in India as might be assigned by rules made by the Secretary of State in Council.¹⁰

The dominant theme of the constitutional provision relating to the establishment of a public service commission was that a commission, appointed and controlled by the Secretary of State, would afford an essential safeguard in the working of the Constitutional Reforms incorporated in the Act of 1919, including a check on certain undesirable features that might accompany the reforms. The proposed commission was intended to act as a sort of “watch-dog” on civil service management of the Government of India, especially in the sphere of recruitment to and control of the services. It was to remain close to the Secretary of State so as to enable him to secure for the civil service stability and security which were considered vital to the civil service’s successful working as the impartial and efficient instrument of a government of any complexion.¹¹

After coming into force of the Government of India Act of 1919 in March 1921, discussions proceeded for sometimes towards establishing a public service commission. The functions proposed for the commission at that time were practically restricted to recruitment for the services in India. In other words, the proposed commission was to discharge recruitment function exclusively in relation to the services over which the provincial governments had full control. All powers relating to recruitment to and control of the All-India and Central Services were still then controlled by the Secretary of State with the assistance of the Civil Service Commission in England. But as the provincial governments generally resented any extension of powers of the proposed commission to cover

recruitment for the Provincial Services, its establishment was held up for sometimes.¹²

In 1923, a new commission called the Royal Commission on Superior Civil Services in India (or Lee Commission) was appointed under the Chairmanship of Lord Lee of Fareham. This Lee Commission revived the proposal of establishing a public service commission in its report submitted in 1924. The Lee Commission not only supported strongly the establishment of a commission, but it also suggested a considerable extension of such commission's functions beyond the supervision of recruitment which had been the dominant theme of the earlier discussions on the proposal.¹³

More specifically, the Lee Commission stressed that the proposed public service commission under the Government of India Act of 1919 was to be an All-India body in so far as it might be invited by the local governments to assist in dealing with the problems of the Provincial Services. The functions of the proposed commission were suggested to include mainly (i) the recruitment of personnel for those services over which the Secretary of State for India would divest himself of most powers of control under the new Constitutional Reforms envisaged in the Government of India Act of 1919 (*i.e.*, the Central Services to be recruited in India and the transferred All-India Services for which recruitment by the Secretary of State would cease eventually) and the establishment and maintenance of proper standards of qualifications for admission into such recruitment examinations/tests; and (ii) the quasi-judicial functions connected with the disciplinary control and protection of the services.¹⁴

The Lee Commission made a point quite clear that the proposed public service commission should primarily be concerned with the All-India and Central Services. It should not be normally concerned with the Provincial Services, other

that serving a general responsibility with regard to the determination of standards of qualifications and methods of examinations.¹⁵

The recommendation of the Lee Commission on the establishment of the public service commission was indeed considered one of the cardinal features of its report. This particular recommendation also formed an integral and essential part of the whole structure of its proposals for the future of the services in British India.¹⁶

It is true as well that the recommendation of the Lee Commission constituted an important subject for consideration by both the Government of India and the Secretary of State. The authorities in India and England were eventually convinced to establish a public service commission in 1926 pursuant to section 96c of the Government of India Act of 1919. The commission was formally inaugurated in the autumn of 1926 under the name "Public Service Commission".¹⁷

The commission called Public Service Commission was actually first established in India in 1926, when it was entrusted with functions almost similar to those of its British counterpart in London, particularly in matters of recruitment of public servants of the central government of British India. Similar provincial level commissions were subsequently established, including the Bengal Public Service Commission in 1937, following the formation of responsible governments in the provinces in pursuance of provisions made in the Government of India Act, 1919, and thereafter in the Government of India Act, 1935.¹⁸

The Government of India Act of 1935 extended and defined more precisely the structure and functions of the Public Service Commission. It was redesignated as Federal Public Service Commission (FPSC) under the new Act. One important distinguishing feature of the provisions relating to the FPSC under the Act of 1935 was that it vested the power to appoint the Chairman and Members of the

FPSC in the Governor-General acting in his own discretion, whereas such power had been vested in the Secretary of State in Council under the Government of India Act of 1919. At least one half of the Members of the FPSC were required to be persons with ten years of service under the Crown in India.¹⁹

After coming into force of the Government of India Act of 1935 with effect from 1st April 1937, the reconstituted FPSC was made responsible for recruitment to such All-India Services as the ICS, IP, Indian Service of Engineers, Indian Educational Service, Indian Medical Service, Indian Agricultural Service, and the Indian Veterinary Service. The FPSC was invested with almost full responsibility with regard to selection of persons into all the Central Services, both class I and class II. The Secretary of State continued however to make part of the recruitment to the ICS, IP and the Indian Medical Service (Civil) with the assistance of the British Civil Service Commission.²⁰

In addition, the FPSC also had a statutory responsibility to advise the Government of India on methods of recruitment to all posts, the principles of appointments, promotions and transfers (including on suitability of candidates for such appointments, promotions and transfers), disciplinary matters, claims for legal costs incurred by the civil servants in defending their official acts in courts, claims for injury pension, and on any other matters which the Governor-General might refer to the FPSC. Among other matters stipulated to be referred to the FPSC for its advice were cases of domicile, compensation to affected persons after the abolition of their posts, seniority and extension of service beyond retiring age. After the Second World War, the FPSC had increasingly been concerned with promotion functions and with the absorption of war veterans in various services. Normally a Member of the Commission was invited by the appointing authorities in the central government to preside over a departmental promotion committee.²¹

It should be noted here that the Governor-General was duly empowered to exclude in his own discretion any type of case or cases from the FPSC's purview. The Governor-General did in fact exercise this authority as envisaged in the Act of 1935. He promulgated on 15 April 1937 a set of regulations called the Federal Public Service Commission (Consultation by the Governor-General) Regulations, thereby specifying the cases in which it was not necessary for the Governor-General to consult the FPSC.²²

Although the Civil Service Commission in England stopped recruitment to the British Civil Service during World War II, the ICS competition continued in London and India until 1943. The examinations for recruitment in India to the ICS, IP and the Central Services were being held under the supervision of the FPSC till that year. But for about two years thereafter normal recruitment to the services was kept in abeyance. In pursuance of a policy adopted at that time most of the vacancies were reserved for competition among the war veterans. In 1945, when recruitment to the most services resumed, the work of the FPSC increased considerably. The strength of staff of the Commission jumped from 30 to 80 for the task of post-war recruitment.²³

The Government of India Act of 1935 provided that there be a public service commission for each province. This Act also provided that two or more provinces might agree among themselves to constitute a joint public service commission to serve the needs of the provinces bound up with such agreement. When the Government of India Act of 1935 came in force from 1st April 1937, the following provincial public service commissions were gradually established or reconstituted on and after that date:

1. Madras Public Service Commission.
2. Bengal Public Service Commission.

3. Assam Public Service Commission.
4. Bombay and Sind Public Service Commission.
5. The Central Provinces and Berar, Bihar and Orissa Public Service Commission.
6. The Punjab and North-West Frontier Province Public Service Commission.
7. The United Provinces Public Service Commission.

Each provincial public service commission had two to four members including the chairman. The members of the commission were appointed and removal by the Provincial Governor in his discretion. The Governor was empowered to frame rules regarding the conditions of service of the chairman and members. He could also exclude any service, post and matter from the purview of the commission.²⁴

3:III Public Service Commission in Pakistan (1947-1971)

Pakistan at partition became a federation consisting of four governor's provinces, one chief commissioner's province (Baluchistan), and a number of small princely states and tribal areas with its central government in Karachi in the West (now in Islamabad). There were provincial governments in North-West Frontier Province (NWFP), West Punjab, Sind, and East Bengal were governed from the centre by its appointed chief executive officer designated as chief (commissioner) Secretary.

Both India and Pakistan retained substantially the main framework of British rule and there was much in common in the area of administration of the two countries, particularly in the field covered by the public service commissions.

The main purpose of this chapter is to relate in detail the structure and functions of the public service commission (PSC) at central level in United Pakistan (c. 1947-1971). In more specific terms, the chapter is to probe the genesis and development of the PSC in United Pakistan, the constitutional basis of its composition and functions, its relations with the authorities in the executive hierarchy, the pattern of its membership and staffing, and the rationale why the early leaders in Pakistan adjudged the PSC basically as an advisory body. The chapter also includes a brief narrative of the provincial public service commission in East Bengal/East Pakistan.

It seems appropriate however to describe below in some detail the structure of services in United Pakistan preceding the detailed discussion on public service commissions.

There were in the main three types of class I posts in the central government of Pakistan. First, posts which were included in a regularly constituted service or cadre. Second, posts which were not in regular services or cadres but which formed part of contain identifiable groups, *e. g.* economists, scientists, magistrate-lawyers, deputy/assistant educational advisers, deputy/assistant chiefs in the Planning Commission. Third, and economic pool consisting of 130 posts in the economic ministries, *e.g.* Finance, Industries, and Commerce.²⁵

In Pakistan at central level, a replica of the federal Public Service Commission (constituted in British India in 1937) was created immediately after partition in 1947 in accordance with provisions of the Government of India Act of 1935 as adapted for Pakistan. Initially it was known as the Pakistan Public Service Commission (PPSC), but when the 1956, its designation was changed to Federal Public Service Commission (FPSC). The 1962 constitution, made effective from 8

June 1962, designated this commission as the Central Public Service Commission (CPSC).

Apart from the PSC at central level, there were also three provincial public service commission at partition. One was in East Bengal, one in Sind, and the other was a joint commission for the Punjab and NWFP. The joint commission for the Punjab and NWFP was set up in 1937. At partition the eastern part of the Punjab went to India, but its capital city Lahore remained and the framework of its administration continued in Pakistan. Hence the Joint Punjab-NWFP Commission remained in Pakistan with a chairman and two members, one of whom represented NWFP.²⁶

Before partition there was a joint public service commission for the provinces of Bombay and Sind. This arrangement continued till 1st August 1947, when Sind decided to have a separate commission of its own. At partition therefore the Sind Public Service Commission also remained in Pakistan with its office located in Karachi. It had a chairman and two members at that time.²⁷

When Bengal was divided in 1947, about a dozen Muslims in the Bengal Public Service Commission left Calcutta for Dacca to form the nucleus of the East Bengal Public Service Commission. It had a chairman but no other members for the first year.²⁸

By far the most important characteristic of the PSCs in British India and Pakistan had been their constitutional rather than statutory basis. The Government of India Act (1935) made elaborate provisions for the PSCs (both central and provincial) in chapter III (sections 264-284). The 1956 constitution of Pakistan included equivalent provisions in articles 184-190, which underlay the basic principles for the composition and functioning of all the commissions (central and provincial) in

Pakistan. Although the powers of both the central and provincial commissions were identical, their sphere of authority differed significantly. The 1962 constitution of Pakistan, like its predecessors, defined the composition and powers of the PSCs in a fairly long chapter.

Evidently, the foregoing constitutional provisions relating to the composition of the FPSC were based on the relevant provisions included in the Government of India Act of 1952. The authors of the 1956, constitution of Pakistan seemed duly concerned to provide for certain “safeguards” to ensure that the FPSC (including the provincial PSCs) could discharge its responsibilities with probity, efficiency and a fair, measure of independence. First and foremost, the provision relating to the appointment of the chairman and members by the President at his own discretion was essentially designed to make the FPSC independent of political influence and intimation. In making such appointments, the President was expected to abide by a standing convention, a result of the Lee Commission’s recommendations, that members of the PSCs should be drawn from men of the highest public standing, detached as far as practicable from all political associations. It is generally believed that the authority in Pakistan (Governor-General/President), invested with discretionary powers to appoint members of the PSCs, did and large maintain this valued “convention”.²⁹

The provisions relating to FPSC under the 1956 constitution contained features to ensure its both “Independence” and “expertise”. First the rigid procedure for removing a member of the FPSC was actually a safety measure to ensure the members security of service, including freedom of action in the discharge of his constitutional responsibilities in recruitment and civil service management. This in effect accorded the Commission a position of high respect as given to the judges of the High Court and Supreme Court. Second, the retention of the provision that at least one half of the FPSC’s members should be drawn from

among persons in the civil service was good common sense. In general terms, this provision seems to have two potential bearings on the PSC's functioning in that (i) a PSC manned partly or fully by experienced civil servants can act as an expert authority on many vital but complicated service matter, and (ii) it can as well tender advice to the authorities in the hierarchy along no-partisan lines. Third, the ban on seeking further employment in the government service by the Commission's members was a recognition of the undesirability of returning to "executive" duties by persons who had held quasi-judicial office in the Commission, sitting in judgment on their junior service fellows, with access to such sensitive matters as confidential reports and deliberations within the Commission. To have members of the Commission being considered by the government for other appointments might have aroused the possibility of an "ingratiated relationship" between the appointing authority and the Commission's members. It is clear that the job of the Commission envisaged by those drafting the original provisions was work of a quasi-Judicial kind requiring great knowledge and experience, mature judgment and freedom from concern of politics and personal ambition. In other words, it was work for which the best qualified persons might well be civil servants nearing the age of retirement, rather than energetic, ambitious younger men anxious to display their fitness for further office and further promotion.³⁰

It may be noted that the 1956 constitution of Pakistan remained in force for less than three years from the date of its enforcement on 23 March 1956. It was scrapped on 7 October 1958 by Pakistan's first martial law regimes. However, the basic structure and functioning of the FPCS, constituted under the 1956 constitutions, remained unchanged until coming into force of the 1962 constitution on 8 June 1962. Again, the provisions of the 1962 constitution relating to the PSCs (Central and provincial) were almost Identical with those of the 1965 constitution.³¹

In early 1960, the martial law government in Pakistan constituted a commission called Constitution Commission to suggest a new constitution for the country. The Commission most provisions of the 1956 constitution relating to the PSCs. It however suggested certain modifications as well. The suggested modifications were as follows:

1. The chairman of a PSC should be appointed in consultation with the retiring chairman and other members should be appointed in consultation the chairman in office.
2. Both chairman and members of a PSC should be appointed on non-renewable seven-years terms.
3. The PSC members appointed from the civil service should be entitled to higher rates of pension if they were within five years of retirement at the time of their appointment.
4. The non-official members of a PSC should receive a lucrative gratuity on completion of their respective terms of office.³²

None of the modifications suggested by the Constitution Commission was finally accepted by the marital law government. Yet the 1962 constitution framed by that government retained most provisions of the 1956 constitution relating to the PSC with such amendments as that: (i) the term of office of both the chairman and members of the PSC would be three years; (ii) a person appointed from the civil service would not be ineligible for further appointment in the government service, and (iii) an official member would no longer be required to have working experience of a certain number of years before his appointment to a PSC.³³

Presumably, the innovations made under the 1962 constitution were based on the past experience of the PSCs both before and after partition. Although the revised three-years term of office seemed a short period for a chairman/member to acquire due expertise in the discharge of his responsibilities in the PSC, this could

be remedied by extending the term of office of that chairman/member if the appointing authority was willing to give such extension. Moreover, the omission of both the “ban on further appointments” and the “requirement of 15 years of service” removed substantial discouragement from the minds of the civil servants in accepting appointment in the PSCs as well as provided due scope to appoint mid-level, energetic civil servants.³⁴

When Bengal was divided in 1947, about a dozen Muslim staff of BPSC left Calcutta in or about the third week of August (1947) for Dacca to form the nucleus of a PSC in the eastern part of Pakistan. More specifically, about eight class II and class III non-gazetted Muslim staff and three class IV employees of the BPSC opted for the service in Pakistan at partition. They therefore left Calcutta for Dacca (new provincial capital of East Bengal) on or about 17 August 1947.³⁵

3:IV Bangladesh Public Service Commission (1971-2005)

The government machinery and the constitutional and administrative norms of Bangladesh have been subjected to tremendous stresses ever since the liberation of the country in 1971. One such stress was the extraordinary trauma of the birth of Bangladesh. By contrast, a peaceful transfer of power by the British in 1947 had left the underlying structure of government relatively undisturbed and its style relatively unquestioned.

More specifically, the liberation of Bangladesh in December 1971 found an improvised administration in Dacca (former provincial capital of East Pakistan) striving to cope, in the aftermath of the liberation war, with demands of administering a new sovereign state. To compound these difficulties there was a direct repudiation of the existing administration by the returning Bengali

politicians and functionaries of the government-in-exile set up in Calcutta during the liberation struggle (c. March 1971-December 1971). Not unnaturally, they claimed sole legitimacy as heirs of that struggle and as properly constituted governmental authority. They were pressing to reject, as collaborators with Pakistan's military regime, those who had remained in post in East Pakistan during the liberation war. The returning exile's considered that those functionaries serving in East Pakistan during the period of the liberation struggle should be deemed displaced, hence requiring their fresh absorption in the set-up of the government-in-exile).

Bangladesh was a province of federal Pakistan until December 1971. At that time the provincial government was virtually a small replica of the central government. It had a secretariat, similar to that of the centre, consisting of several departments headed by ministers when there was a popular government. The secretariat departments had their respective attached directorates and subordinate offices on the pattern of the central government. But the main distinguishing feature of the provincial administrative structure was that it had several units of field administration organized hierarchically on a geographic basis: division, district, subdivision Thana/development circle.³⁶

Therefore, immediately after liberation, the main concern of the new government in Bangladesh was to devise appropriate measures to transform the existing structure of the provincial administration into a national government administration. What seems to have happened, however, was that the old provincial secretariat became overnight, after 16 December 1971 date of liberation, the central secretariat of a national government, while the existing attached directorates and subordinate offices remained much as before, and no change whatsoever was made in respect of the units of field administration.³⁷

To fill what seemed an includable void in the sphere of recruitment and civil service management, the government of Bangladesh issued on 8 April 1972 a legal instrument called the Bangladesh Public Service Commissions Order, 1972 (Presidents Order No. 34 of 1972), which provided for the establishment of two separate public service commissions (PSCs). One of the two commissions provided in Presidents Order No. 34 of 1972 (PO 34 of 1972) would be called Bangladesh Public Service (First) Commission of BPSC (First), (Second) Commission of BPSC (Second).³⁸

In November 1978, the President issued an amendment ordinance called the Members of the Public Service Commissions (Terms and Conditions of Service) (Amendment) Ordinance, 1978 (Ordinance No. XL VIII of 1978) with a view to amending certain provisions of Act No. XXI of 1974 following the implementation of a new national pay structure effective from July 1977 and the establishment of a single public service commission in December.³⁹

Bangladesh is a unitary state. It has no sub national units like the states or provinces as in India and Pakistan. Usually it is in a federal state that one finds more than one PSC. But in Bangladesh two separate commissions were constituted after liberation within the framework of one national government. Perhaps the initial Bangladesh decision was taken for two circumstantial reasons, first Bangladesh inherited at liberation two separate commission establishments, *i.e.*, the entire machinery of the provincial PSC and a regional branch office of Pakistan's CPSC with its building, staff and other facilities. Hence, it was likely that the Government of Bangladesh did not want to disturb the existing separateness of the two-commissions establishments other than adding the numerical terms "First" and "Second" in redesignating the two newly-restituted PSCs. Second, unlike the pre-liberation system as well as the policy what seems to have been in operation in most other countries PO 34 of 1972 (including PO 25

of 1973) entrusted the PSCs in Bangladesh with additional functions of recruitment to and control of the services and posts in the statutory bodies. Certainly it would have been a very difficult task for a single commission to handle this additional load of functions in relation to the statutory bodies. For Bangladesh at liberation inherited a large number of statutory bodies whose magnitude increased further with the addition there to of a large: number of private banks, insurance companies, industries, and enterprises nationalized immediately after liberation. According to an official survey made in 1972, all statutory bodies – (including railways but excluding the universities) had as many as 191, 701 officials and employees as against 3,96,837 officers and employees in the government offices throughout the country. Obviously this number went on swelling in subsequent years because of the scarce job opportunities in the dwindled private sector.⁴⁰

Considering the magnitude of the personnel problems emanating from factors directly or indirectly linked to the post liberation circumstances and public policies, perhaps the new government in Bangladesh had justifiable grounds for its decision to establish the two separate commissions. For the establishment as such made it possible to apportion between the two commissions the responsibilities in recruitment and other service matters pertaining to the national civil service and the services and posts under the statutory bodies.⁴¹

Nevertheless, even the establishment of two commissions seemed inadequate. In particular/BPSO (First) had repeatedly been complaining about the deficiency of its stall, office accommodation, and other facilities in dealing with the increased functional responsibilities reposed in it.⁴²

Moreover, the inclusion of the services and posts of the statutory bodies within the jurisdiction of the commissions seems to have created some practical

personnel management problems. First, the very object of conferring flexibility on a statutory body in its operation, especially in the sphere of its personnel administration, was negated by the legal measure of including its services and posts within the jurisdiction of the PSCs. It seems to have the effect of restricting such a statutory body from selecting its own personnel freely and expeditiously in keeping with its special needs. Second, speaking in general terms, personnel management principles in most statutory bodies are determined in view of the job specialties needed in each organization, the availability of potential personnel (especially in technical and professional fields) and the lack of job security and social status usually, accorded to civil servants, which considerations perforce call for maintaining provisions for compensatory service conditions such as higher emoluments, lucrative annual bonus, and retirement gratuity for services and posts in statutory bodies. In such circumstances, there may have to be a good deal of variation in respect of personnel matters among the various statutory bodies, on the one hand, and between statutory bodies and the civil service, on the other. It seems likely that the members of the PSCs in Bangladesh were not fully conversant with the special needs of recruitment and personnel management in the statutory bodies, which in turn presumably led to tardy selection of personnel, improper staffing, and inefficient functioning in most of the statutory bodies. Third, during the AL regime in Bangladesh from January 1972 to August 1975, most senior appointments in many statutory bodies, especially in the nationalized banks, insurance companies, industries, and other enterprises, were largely, made on the basis of nepotism and favoritism shown to the supporters and sympathizers of the AL leaders. It was therefore likely that during this period in particular the PSCs were precluded from exercising effective jurisdiction in respect of recruitment and other service matters of the statutory bodies. However, in April 1976, the government had to take a legal measure by promulgating an ordinance called the Bangladesh Public Service Commissions (Amendment) Ordinance, 1976 (Ordinance No. XX of 1976) with a view to remedying what seemed a latent

dysfunction stemming from vesting the PSCs with recruitment and other functions in relation to the statutory bodies. This ordinance at last relieved the PSCs of their existing responsibilities relating to recruitment and other service matters, of the statutory bodies. After this measure it soon became apparent that the existing two commissions did not have enough functions to perform. Moreover, the policy-makers the government also finally concluded-that there could be no justification to retain two separate commissions in a unitary state. Hence, in November 1977, the government promulgated the Bangladesh Public Service Commission Ordinance, 1977 (Ordinance No. LVII of 1977), purporting to establish one single PSC in place of the existing two commissions. Ordinance No. LVII of 1977 came into force on 22 December 1977. Accordingly, a new commission named Bangladesh Public Service Commission (BPSC) was established with effect from this date to perform all functions previously entrusted to BPSC (First) and BPSC (Second). The BPSC Ordinance of 1977 also fixed the number of members of the new commission between six (minimum) and fifteen (maximum), including the chairman. At the time of its inception on 2 December 1977, the membership of BPSC consisted of a chairman and eleven other members.⁴³

After Ordinance No. LVII of 1977 came into force on 22 December 1977, which in effect provided for the establishment of a single commission in place of BPSC (First) and BPSC (Second), the newly established single commission called Bangladesh Public Service Commission (BPSC) comprised a chairman and eleven other members, namely, M. Moyeedul Islam (Chairman), A. B. M. Mokshed Ali, A. Hannan Chowdhury, Shamsuddin Ahmed, Hafez Habibur Rahman, Dr. Shafia Khatun, Ekramul Haque, M. A. Awal, Azharul Islam, Begum Mahmuda Rahman, Joy Gobinda Bhowmick and Begum Azizun Nessa.⁴⁴

Dr. B. Karim, chairman of the defunct BPSC (First), completed his term of five years on 15 December 1977 and was replaced by Moyeedul Islam who in effect

took over the chairmanship of the newly established BPSC with effect from 22 December 1977. M. Islam was formerly the Chairman of Bangladesh Life Insurance Corporation which comprised several life insurance companies nationalized in 1972. Immediately before liberation he was the Managing Director of Pakistan Insurance Corporation whose headquarters was in Karachi.⁴⁵

It is not that Dr. Karim was unwilling to continue as chairman for an additional term! He did have the age to get an extension of his term. But the new regime of General Zia seemed not in favour of giving Dr. Karim such an extension. Perhaps Dr. Karim's close link with the AL regime cost him his chairmanship. He resumed teaching at the University of Dhaka immediately after leaving the chairmanship of BPSC (First).⁴⁶

Newly appointed Chairman M. Moyeedul Islam had never held a post in the civil service either in the Government of Pakistan or under any of the provincial governments. He had, however, served as an Instructor in Pakistan Military Academy in Kakul (West Pakistan) at about the same time General Zia had been a trainee in that Academy. It is generally believed that Moyeedul Islam's earlier acquaintance with General Zia helped him to secure the dignity of chairmanship of BPSC.⁴⁷

Ali, Chowdhury, Ahmed, Rahman, and Dr. Khatun, who had been members of BPSC (First), were reappointed as members of the newly constituted BPSC to serve for the unexpired periods of their respective terms of office. Similarly, Haque, Awal, Azharul Islam, and Begum Mahmuda Rahman, all previously of BPSC (Second), were reappointed to the new Commission for the remaining periods of their terms of office. Two new members, namely, Joy Gobinda Bhowmick (an ex-district sub-judge) and Begum Azizun Nessa (an ex-Joint Director of Public Instruction) were appointed for the full term of five years with

effect from 22 December 1977. It is noteworthy that the membership of the new Commission drew none from the CSP.

Moyeedul Islam relinquished the chairmanship of BPSC on 21 December 1982 on completion of his term of five years, although he had no previous experience in civil service management and never held a high civil post in the government, he was by no means an ineffective chairman. He ran BPSC better than before. He was known to be a man of high personal integrity and honesty as well as of intellectual knack. He also; proved to be a man of commanding personality. The report goes that he on many occasions faced boldly the authorities in the executive hierarchy in asserting-the decisions of-BPSC.⁴⁸

Moyeedul Islam was succeeded by Fayezeuddin Ahmed on 22 December 1982 who had been the Establishment Secretary of the Government of Bangladesh immediately before he became fine chairman of BPSC. Fayezeuddin was an ex-EPCS. He joined the government service-in 1948. He defected the service of the Government of East Pakistan and joined the government-in-pxile in Calcutta during the war of liberation in 1971. –SII, Fayezeuddin was the first chairman of a PSC in Bangladesh appointed from among the generalist civil servants. In fact, it was the general practice both in British India and United Pakistan to [appoint the chairmen of the PSCs (both in the centre and the provinces) from among either senior or retired civil servants, mostly the generalist civil servants (*i.e.*, ICS, CSP, EPCS). Besides, Fayezeuddin Ahmed was directly involved in civil service management as Establishment Secretary for about four 1 years from September 1978 to December 1982. He also had *i.e.* Id the secretary ship of some other important ministries/divisions before he took over the office of secretary of Establishment Division in September 1978. He left BPSC on 31 May 1986 after reaching the age of sixty-two years. p: Present Chairman S., M. Al-Husseiny graduated from Shibpur Engineering College (West Bengal) in about 1950. He is

the first technocrat civil servant appointed as chairman in a PSC in Bangladesh. He was the Managing Director of the Bangladesh Krishi Bank immediately before his appointment as BPSCs chairman. He also had been a member 15 the Bangladesh Planning Commission, and had held secretary ships of some ministries/divisions of the Government of Bangladesh.⁴⁹

BPSC had a chairman and eleven other members at the time of its inception on 22 December 1977. During the period from January 1978 to December 1988, as many as twenty-six held offices in BPSC on varying terms, excluding the chairmen. But beginning in late 1978 the size of membership of BPSC gradually dwindled, mostly through the exodus of some members after their terms of office expired. Besides, the martial law government of General Ershad took a decision in 1985 to fix the size of membership of BPSC at eight (including the chairman) as part of its drive to minimize administrative costs.⁵⁰

A survey of the chairmen/members holding offices in BPSC from 1978 to 1983 has revealed that in December 1978 the BPSC comprised a total of ten members including the chairman, in December 1979 it consisted of a chairman and eight members, in December 1980 a chairman and five members and this size of six constituted a continuing pattern in December of 1981, 1982 and 1983. In December 1984, it had a total of seven members including the chairman. The membership has remained static at eight (including the chairman) from December 1935 to December 1938.⁵¹

In December 1933, BPSC consisted of a chairman and seven other members, namely, S. M. Al-Husseiny (Chairman), Dr. Mohammed Abdur Raquib (formerly he was the Vice Chancellor of the University of Rajshahi), Brigadier (Retd.) A. K. M. Shamsul Islam (an ex-Director-General in the Education Directorate), Dr. Shafia Khatun (formerly a Professor of IER at the University of Dhaka),

Badruddin Ahmed Chowdhury (an ex-Additional Chief Engineer of the Roads and Highways Department), Professor Mohammed Abul Hossain (an ex-Professor of Medical Colleges), Lt. Col. (Retd.) Khandakar Mahbubur Rahman (ex-Chairman of Bangladesh Parjatan Corporation), and Mohammed Abdul Hai (ex-EPCS and a retired Joint Secretary to the Government of Bangladesh).⁵²

Interestingly, no one from the erstwhile CSP has so far been appointed in BPSC either as chairman or a member. Except for the inclusion of only one member from the ex-PSP (M. A. Awai), even any members of other erstwhile Central Services have not yet been appointed as chairman or members of BPSC. This seems quite contrary to what had been the practice in United Pakistan. The PSC in the centre in particular from 1947 to 1971 drew chairmen/members mostly from the CSP and other Central Services.⁵³

It seems necessary to note once again that two members, namely, Dr. Abul Quasem and Dr. M. A. Halim, were removed from BPSC in 1985 by the President in exercise of an authority conferred upon him under sub-paragraph (4) of paragraph 10 of a schedule annexed to the Proclamation of Martial Law of 24 March 1973. This authority empowered the President alone to remove a member of BPSC without assigning any reason. But article 98 of the Constitution, which remained under suspension when the President used this martial law authority, requires the approval of the Supreme Judicial Council before removing a member of BPSC.⁵⁴

Both Dr. Abul Quasem and Dr. M. A. Halim belonged to the medical service of the government. Dr. Quasem was removed on 27 January 1973 and Dr. Halim on 6 August in the same year. Dr. Quasem had previously served as Principal of the Dhaka Medical College. He was holding the post of President of Bangladesh Medical Association (a professional association of the medical practitioners)

about the same time he was a member of BPSC from 16 July 1983 to 27 January 1985. Dr. Halim was an ex-Professor in Medical Colleges. He was an Additional Secretary in the Ministry of Establishment immediately before his appointment as a member of BPSC on 10 February 1985.⁵⁵

The government gave no-reason whatsoever for removing both Dr. Quasem and Dr. Halim. But the story goes that Dr. Quasem was removed as he was holding an elective office of a national professional association especially at a time when the professional civil servants (*i.e.*, the members of the medical, engineering and agricultural services) were on strike in protest against disadvantageous service conditions offered to them under the existing service structure. On the other hand, Dr. Halim was removed as he was not keeping in with his fellow colleagues in the Commission.⁵⁶

The ordinance came into effect on December 22, 1977 and the Public Service Commission was established to perform all functions previously entrusted to the PSC first and the second. The BPSC was entrusted with the responsibility to keep partition considerations and nepotism out of appointments to the Civil Service and to safe guard the merit system in recruitment.⁵⁷

Notes and References:

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2. H. Siedentopf, ed., *Public Personnel Management in Asian Civil Services*, Mainz, W. Germany, V. Hose & Koehler Verlag, 1983, pp. 78-80.
3. See Syed Giasuddin Ahmed, *Public Personnel Administration in Bangladesh*, Dhaka, University of Dhaka, 1986, pp. 14-18.
4. See United Nations, *The Central Organs of the Civil Service in the Developing Countries* (hereafter cited as Central Organs of the Civil Service), New York, 1969, pp. 1-2.
5. Syed Giasuddin Ahmed, "Public Personnel Management: A Model Organization Schema", *International Review of Administrative Sciences*, vol. 50, no. 4, 1984, pp. 291-293.
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7. Syed Giasuddin Ahmed, *Bangladesh Public Service Commission*, The University of Dhaka, Dhaka, 1990, p. 26 and also see Raksasataya and Siedentopf, eds., *Asian Civil Services*, p. 544.
8. For detailed see Syed Giasuddin Ahmed, *Ibid*, p. 25 and also see chapter two.
9. See *East India (Constitutional Reforms)*, Cmd. 123, London, HMSO, 1919, p. 19.
10. See Section 96C (2) of the Government of India Act of 1919.
11. Cf. *Report of the Royal Commission on the Superior Civil Services in India (hereafter cited as Lee Commission Report)*, Cmd. 2128, London, HMSO, 1924, para 24.
12. Cf. B. B. Misra, *The Administrative History of India, 1834-1947*, New Delhi, Oxford University Press, 1970, p. 240.
13. See "The Memorandum presented to the Committee on Division of Functions by the Government of India" in *East India (Constitutional Reforms: Lord Southbarough's Committee)*, Cmd. 141, Despatch to the Secretary of State by the Government of India in *East India (Constitutional Reforms)*, Cmd. 123.
14. See *Lee Commission Report*, p. 14.
15. *Ibid*, p. 16.
16. *Ibid*, para 31.
17. See C. J. Hayes, *Report on the Public Service Commission of British Commonwealth Countries*, London, Civil Service Commission, 1955, p. 143.

18. See *Memorandum Submitted by the Government of Madras to the Indian Statutory Commission*, vol. 6, pp. 618-624.
19. Bhalerao, pp. 12-15; Sir W. R. Barker's Memorandum submitted to the Indian Statutory Commission, vol. 15, *Extracts from Official Oral Evidence*, pp. 210-211.
20. *The Report of the Indian Statutory Commission*, vol. 2, p. 294.
21. Bhalerao, p. 13.
22. See S. B. Bapat, "Public Service Commission- An Indian Approach", *Indian Journal of Public Administration*, vol. 2, 1956, pp. 57-58.
23. See *Report of the Bengal Administrative Enquiry Committee, 1944-45*, reprinted as *Rowlands Committee Report*, Dhaka, National Institute of Public Administration, 1962, pp. 105-106.
24. *Ibid*, p. 15.
25. See *Memorandum Submitted to the Services Reorganization Committee (1969)* by the CSP Association (hereafter cited as the *CSP Association Memorandum of 1969*), reprinted in *Administrative Science Review or ASR* (Dacca), vol. 4, no. 1, March 1970, pp. 208-211.
26. See C. J. Hayes, *Report on the Public Service Commissions of British Commonwealth Countries*, London, Civil Service Commission, 1955, p. 197.
27. *Annual Report of the Sind Public Service Commission, 1947-48*, Karachi, The Government Press, 1951, p. 1.
28. C. J. Hayes, p. 183.
29. Cf. *Report of the Royal Commission on the Superior Civil Services in India*, Cmd. 2128, London, His (on Her) Majesty's Stationery Office (HMSO), 1924, para 25.
30. Ali Ahmed, *Role of Higher Civil Servants in Pakistan*, Dacca, NIPA, 1968, pp. 276-77.
31. Cf. Articles 180-185 of the 1962 Constitution of Pakistan.
32. Pakistan Government, *Report of the Constitution Commission*, Karachi, GPP, 1962, pp. 110-112.
33. Cf. *The Establishment Manual*, vol. 2, pp. 12-19.
34. Also see Syed Giasuddin Ahmed, *op.cit*, p. 70.
35. *Ibid*, p. 71.
36. *Ibid*, p. 72.
37. Syed Giasuddin Ahmed, "Ten Years of the Bangladesh Polity", *The Dhaka University Studies*, vol. XLI, Part A, December 1984, pp. 130-131.
38. See Syed Giasuddin Ahmed, *Public Personnel Administration in Bangladesh*, pp. 281-282.

39. Full text of Ordinance No. XLVI of 1978 was published in *The Bangladesh Gazette*, Extraordinary, 21 November 1978.
40. Cf. Sections 5 and 6 of PO 25 of 1973; Sections 8 and 9 of PO 34 of 1972.
41. See Bangladesh, *National Pay Commission, Report*, vol. 1 (Main Text), annexure 5, p. 192.
42. Cf. BPSC (First), *Annual Reports*, 1972-76.
43. Syed Giasuddin Ahmed, *Public Personnel Administration in Bangladesh*, p. 249.
44. BPSC, *Annual Report for 1977*, Dhaka, 1978, pp. 1-2.
45. Also see Syed Giasuddin Ahmed, *op.cit*, p. 135.
46. This assumption is based on an interview with Dr. A. Q. M: Bazlul Karim and also see Syed Giasuddin Ahmed, *op.cit*, p. 134.
47. Also see Syed Giasuddin Ahmed, *op.cit*, p. 136.
48. This impression is based on interviews with Moyeedul Islam as well as with others who worked under Chairman Islam and also see Syed Giasuddin Ahmed, *op.cit*, p. 135.
49. See BPSC, *Annual Report for 1986*, Dhaka, 1987, p. 1.
50. Information on BPSC's membership was supplied by the Ministry of Establishment.
51. See BPSC, *Annual Reports for 1978 to 1986*, Dhaka, 1979-1987.
52. Also see Syed Giasuddin Ahmed, *op.cit*, p. 137.
53. *Ibid*, p. 137.
54. Also see Syed Giasuddin Ahmed, *op.cit*, p. 137.
55. *Ibid*, p. 138.
56. For a selected list of demands placed before the government by the aggrieved professional civil servants, see *The Bangladesh Observer*, 25 December 1986.
57. The Bangladesh Public Service Commission (Officers and Employees) Recruitment Rules, published in *The Bangladesh Gazette (Extraordinary)* on 22 April 1982, provide in clear terms that the secretary of BPSC should be selected from among suitable officers of the government service. There remains however a scope for selecting one of the directors of BPSC for that post until the availability of such a government officer.

Chapter Four: Bangladesh Public Service Commission : Constitutional and Legal Framework

4:I(a) Constitutional and Legal Framework

The position, status, scope and functions of PSC have been clearly determined by the Constitution of Bangladesh. Articles 137 to 141 of the Constitution of the People's Republic of Bangladesh set out in clear and unambiguous terms the scheme for the establishment of the Commission(s), appointment and re-appointment of Chairman and Members, conditions of appointment, terms of office, provisions of resignation, functions of the Commission, and annual report. Any sort of addition, alteration, substitution of the existing provisions can only be made through act(s) passed by the national parliament through certain special amendment procedures specified in the Constitution.

4:I(b) Establishment of the Commission

Article 137 of the Constitution of Bangladesh gives mandate to establish one or more Commissions for the public services of the republic. Accordingly, the Government of Bangladesh established two Commissions titled PSC First and PSC Second on 9 May 1972.¹ The present PSC called 'Bangladesh Public Service Commission' was established on 22 December 1977 by merging the existing two Commissions.²

4:I(c) Number of Members

The total number of Members of PSC has been fixed at six (minimum) and 15 (maximum), including a Chairman.³ An amendment was made in 1997 for fixing the number of Members at 11.

4:I(d) The Appointing Authority

Under the existing Constitutional mandates, the President of the People's Republic of Bangladesh appoints the Chairman and Members of the PSC with due advice from the Prime Minister.⁴ According to the Constitution, the terms of office of the Chairman and other Members of PSC expires five years after the date on which she/he entered the office, or when she/he attains the age of sixty-five years, whichever is earlier.⁵

4:I(e) Qualification and Eligibility Criteria for Chairman and Members

According to the Constitution, not less than one-half of the Members of a Commission shall be persons who have held office for twenty years or more in the service of any government, which has at any time functioned within the territory of Bangladesh.⁶ However, the Constitution has not prescribed any transparent procedure for appointment of PSC Chairman and Members.

Figure: 1 Procedures Followed in Appointing Chairman and Members

The interested candidates contact with the high command of ruling party (policy maker of ruling party, Prime Minister's Secretary, PM's Political Adviser and powerful bureaucrat, influential leaders of pro-ruling party professional bodies)

The interested candidates meet with the above mentioned persons and try to manage them by saying that he/she would be the best choice for serving the interest of the ruling party

A Set of bio-data is collected for the vacant position

A short list of prospective candidate is prepared

Previous political background and contribution to the ruling party and level of loyalty is collected through special branch personnel

The final name is confirmed either by PM's political adviser or PM's political secretary

The proposed name(s) is sent to the Prime Minister for approval

Finally the names are sent to the President for Appointment

4:I(f) Rank of the Chairman and Members

Under the existing Warrant of Precedence (1986), the Chairman of PSC is equivalent to the Secretary of the Government (i.e., number “16”) and the ranks of PSC Members is “20” which is equivalent to Additional Secretary of the government. It is noteworthy that the ranks of the Attorney General and Auditor-General of Bangladesh (both of these are also constitutional positions) are ranked “16”. On the other hand, the ranks of the Chief Election Commissioner and Judges of the Supreme Court.⁷

4:I(g) Terms and Conditions of Service

The law titled Members of the Bangladesh Public Service Commission (Terms and Conditions of Service)⁸ has determined the terms and conditions of the services of Chairman and Members of PSC. The law determined (a) the salaries of the Chairman and Members, (b) entitlement to residential, transport, and telephone facilities, and (c) leave, gratuity, provident fund, travelling allowance and medical facilities.⁹

4:I(h) Conduct of Business

The PSC (Conduct of Business) Rules (1981) made certain legal provisions for regulating the conduct of its business, e.g. proceedings of the Commission, procedure of the Commission in regard to recruitment to the public services, procedure of the Commission in regard to the disciplinary and other matters.

4:I(i) Removal and Termination

The Constitution mentioned that the Chairman and other Members of PSC should be removed from office like a judge of the Supreme Court.¹⁰ Further, a Chairman

or other Members of the PSC may resign his office by writing under his own hand addressed to the President. However, the Constitution has given mandates for re-appointment of a Chairman/Member(s) for further one term in PSC if his or her age is found eligible.¹¹

4:I(j) Safeguards of the PSC

The Constitutional and legal mandates and documents on PSC may be termed as safeguards for the Commission. The good governance of PSC, its recipient-friendly operations/services and the credibility of the Commission depend on the proper utilization of these safeguards by the concerned authority and personnel.¹²

4:II(a) Institutional Structure

The term good governance¹³ is one of the widely used development concepts in the recent era. Today, it is acknowledged that poor governance is the root cause of irregularities and corruption in any public service delivery organisation, institution or any other entity. PSC is not an exception in this regard. One central focus of this study is to unearth the root causes of irregularities and corruption in PSC. While doing this, it has been found that the deficiencies in the governance of PSC opened the frontiers of irregularities and corruption to a great extent.

4:II(b) Organogram of the PSC

There are two management lines in PSC i.e., the Commission and Secretariat. The Chairman of PSC is solely responsible for its administration and overall management. According to the present structure,¹⁴ there are in total eight constitutional posts – one Chairman and seven (7) Members at the PSC. However, it should be noted that four new Members were appointed in 1997.¹⁵ According to

the organogram, the Members are to work under the Chairman. Four Directors work under four Members, and the Chief Psychologist works under one of these four. The Secretariat of the PSC is assigned to one Member.

4:II(c) Procedure of Work of the Commission

The Chairman of the Commission control overall administration and policy making activities of PSC. The Chairman also issues necessary orders for making the work schedule and distribution of work among the members and officers of the Commission's Secretariat after due consultation with all other members.¹⁶ The Chairman can assign any member to perform any particular work of the Commission.

4:II(d) Professional Background of PSC Chairman and Member

During the Pakistani period between 1947 and 1971, eight Chairmen were appointed for the Central PSC, while seven were appointed for the PSC of East Pakistan. The Chairmen of the CPSC and EPPSC were mostly appointed from government officers. However, after the independence of Bangladesh, so far ten (10) Chairmen have been appointed till date. Six of the Chairmen have been appointed from non-civil service background – five professors from Dhaka University and one college teacher. Since 1991, all the successive Chairmen of the PSC have been appointed from University teachers.¹⁷

Similar trend can be identified in the appointment of Members to the PSC. During the British and Pakistani periods, majority of the Members came from the civil service (47.8% and 69.2% respectively). On the other hand, since the independence, PSC Members were largely from universities and colleges (45.57%).

4:II(e) PSC Secretariat

The Secretary is the administrative head of the commission's secretariat. The Chairman and Members of the Commission, in fact, give all sorts of policy decisions/directions to the Secretariat of the Commission. The PSC Secretariat is responsible for implementing the decisions taken by the Commission. The Ministry of Establishment sends all correspondences to the Chairman and Members of the Commission through PSC Secretariat. An Additional Secretary of the Government of Bangladesh is given appointment as Secretary to the PSC Secretariat. The Commission has no power to compel the concerned ministries or departments to implement its recommendations / advice. The authorities may or may not accept PSC's recommendations.

4:II(f) Financial Issues

The PSC is a constitutional body. However, its budget is approved by the Ministry of Finance. The annual audit is done by the Office of the Comptroller and Auditor General (CAG). From the available data, it is observed that during 1997 and 2005 in most of the years the PSC overspent according to its income.¹⁸ The net budget received from the state treasury was 14% to 31% during the same period. However, only in 2002 the PSC had surplus income (17%) more than that of its internal expenditure. All types of procurement in the PSC also need sanctions by the concerned ministry. All earnings of the PSC (e.g., application fees and examination charges realised from the examinees) go to the government treasury. Moreover, the PSC always has to depend on the Ministry of Establishment's patronage for the sanction of house rents, travelling allowances and medical benefits for its Chairman, Members and staff.

Allegations were made about the grabbing of internal entertaining allowance and special remuneration for the Commissions over years. It was further alleged that

the audit team of CAGB is managed with bribe. Key informants from the PSC informed that there is very special budget which varies between Tk. one lac to five lac (Tk 1,00,000 – Tk 5,00,000) for managing the audit team.

It may be noted that the Commission is able to meet all of its expenditures with its earnings. This can only be made possible through the proper utilisation of the Commission's annual expenditures in a fair, transparent, justified and accountable way.

4:III(a) Functions of the PSC

PSC, like the FPSC during British India and CPSC and EPPSC during Pakistani period (1947-1971), is a Constitutional body with advisory status and functions. The scope and functions of the PSC have been designed largely in keeping with PSC rules under the Government of India Act of 1919 and 1935, and East Pakistan Public Service Commission (EPPSC) with little bit modification by the government of Bangladesh. According to the existing Constitutional and legal provisions, PSC is essentially an advisory, consultative and 'quasi-judicial' body rather than an executive one. In other words, PSC was not given executive power to control civil services as contemplated by the Act of 1919 and Lee Commission.¹⁹ The scope and functions of the PSC is limited to giving recommendations and advice on civil service management related issues e.g., framing recruitment rules and procedures; recruitment, promotion, transfer, discipline, and give advise the President on any matter related to the civil service. However, the PSC may ask the concerned ministries or authorities which does not accept its advice to explain (a) the reasons why it was not accepted; (b) the cases where the commission ought to have been consulted but was not consulted, and (c) the reasons why it was not consulted. In this connection, Ahmed viewed that the effectiveness of the PSC depends on the unwritten but firmly established convention that the advice of a Commission is accepted as a matter of course.

Although PSC is an independent Constitutional body, and its independence and autonomy have been guaranteed under provisions made in the Constitution and President's Orders, as per Schedule I of the Rules of Business (issued in 1975), the Ministry of Establishment solely controls the policy decisions, composition, administration and financial matters of the Commission. The Establishment Division of the ministry interprets and determines the broad scope of functional responsibilities of PSC through issuing various orders, instructions, memoranda, circulars and so forth.²⁰ The functional jurisdiction of the Commission now covers only gazetted Class I and Class II officers belonging to government bodies.

4:III(b) Framing Recruitment Rules

The role of PSC in framing recruitment rules for both cadre and non-cadre officials are clearly specified in the Constitution. Accordingly, in January 1981, the Ministry of Establishment made a comprehensive set of recruitment rules titled The Establishment Manual of 1980 with due consultation with the PSC. In fact, as the first ever in Bangladesh, this manual clearly fixed the number of posts in cadre services, specified recruitment methods, age limit and qualifications of the candidates. As an advisory body, the PSC gives advice to the various ministries/divisions and attached departments on framing recruitment-related rules for the services/posts under their control including matters relating to (i) the determination of qualifications for and methods of recruitment to such services/posts; (ii) principles to be followed in making recruitments, promotions and transfers to and within such services/posts under the government.²¹

4:III(c) Recruitment of Suitable Candidates for the Public Services

The PSC is responsible for conducting competitive tests and examinations for the selection of most competent persons for the 1st class gazetted and non-gazetted posts/positions of the Republic.²² The PSC has the legal mandate to select the

suitable persons and give recommendation for appointment to the concerned ministry or departments.²³ This is being done through the following methods since 1972.

4:III(d) Examinations

No recruitment policy or procedure was made till 1981 for recruitment of first class gazetted civil servants of the republic. As a result, PSC arranged competitive examinations for the recruitment of 1st class gazetted officers in different names during 1972-1981. The recruitment rules for the selection of civil servants were made in 1981. Under these rules, the first BCS examination was conducted in 1983. Similar examinations have continued till today. From the beginning of PSC, the Commission recommended a total of 41,413 persons (including 39,431 persons through BCS exams and 1982 through BCS equivalent exams held until 1982) for 1st class gazetted cadres through competitive tests and exams.²⁴

4:III(e) Selection/Interview

Interview is a widely practiced method for recruitment of civil servants for the republic. The available information shows that the PSC has selected a total number of 18,011 persons through interview during 1972-2005. It has been observed that about 55 percent of all recruitments through interview have been done by the governments during 1977-1985. Since 2002, no information on this type of recruitment has been found.²⁵

4:III(f) Promotion

This type of recruitment is conducted by giving promotion to persons belonging to non-gazetted and Class I posts. In such cases, the ME sends list of the proposed

candidates to the Commission together with their service documents, service records (Annual Confidential Reports - ACR) and recruitment rules. The Commission gives advice to the President in respect of the candidates who are recommended depending on whether they have the requisite character and ability for the service or post for which they are proposed for appointment. The PSC recommended in favour of 22,911 persons for promotional recruitments during 1972 to 2005.²⁶

4:III(g) Transfer and Ad-Hoc Appointments

For appointments by transfer and deputation of persons from one service to another and to recruit persons on *ad hoc* basis, the concerned ministry/departments seek recommendations from the PSC via the ME. The Commission advises the President in respect of any candidate nominated if his/her qualifications are sufficient and if his/her record proves him/her to have the requisite character and ability for the post. The PSC has recommended in favour of 24,230 candidates for their appointment on *ad hoc* basis during 1973 to 2000. It was observed that about 95.33% *ad hoc* appointments were made within six years of the independence of Bangladesh.

4:III(h) Giving Advice on Disciplinary Appeal and Memorial Matters

As per provision made by the Constitution of Bangladesh,²⁷ PSC carries out departmental inquiries into disciplinary and appeal matters of the public services and gives recommendations to the concerned ministries for necessary departmental actions.⁴¹ It was found that about 82.34% of the disciplinary cases referred from the Ministry of Establishment have been disposed by the Commission since 1972, while about 17.66% cases were kept pending during the same period.²⁸

4:III(i) Annual Report

Preparing annual report on the performance of Commission's functions (year long activities of the PSC) and then submitting it to the President of the Republic is a mandatory function of the PSC. A number of limitations was identified with regard to the annual reports of the PSC.

- It was observed that the annual reports of successive years same issues are repeated.²⁹ This reflects the fact that preparation of annual report by PSC is almost as a routine work. The measures for ensuring the quality of the report get a little priority.
- Information about the number of recommendations under quota is absent.³⁰
- The reports hardly have detail discussion on (a) the cases, if any, in which its advise was not accepted and the reasons why it was not accepted; (b) the cases where the Commission ought to have been consulted and was not consulted, and the reasons why it was not consulted.
- The annual report provides only a descriptive list of the Chairman and Members, officers and staff but contains no information about their job description and previous professional background as well as their outstanding achievements.

From the above discussion, it is evident that the PSC works as an '*advisory*', '*consultative*' and '*quasi-judicial*' body rather than an executive one. The functions are clearly described by constitutional mandates, government orders and establishment manuals of the country. However, there are a number of constitutional and legal limitations. In the Constitution, there is no mention about its independence. The qualification and eligibility criteria of the Chairman and Members are insufficient. The recruitment procedure of the Chairman and Members is not transparent. There is absence of accountability measure – the role

of parliament is not clear, the mechanism for removal and termination of Chairman and Members is weak. There is no operations principle (core values), scope and functions specified in any supporting law. There is no provision for budget in the Constitution. Access to information is not guaranteed in the Constitution, and such access is limited/restricted by different regulations. Moreover, there is no provision for making challenges against the decisions taken by the PSC.

4:III(j) Personal Research

The PSC performs some functions in the field of personnel research though the Constitution makes no specific provision there-for. It has a small functional unit called Research and Statistics Section which is charged with carrying out the relevant functions in this field. In the main, the PSC's personnel research is centered round compiling data and computing statistical analyses relating to persons seeking employment in the government service. Compilation of data consists of retrieving comprehensive information regarding the number of vacancies occurring in various ministries/divisions within the English calendar year, the number of applicants for such vacancies, number of candidates who appear at the recruitment examinations and/or interviews, including the numbers who qualify at such examinations/interviews and who finally receive appointments in the government service. Other related facts such as the candidates' academic institutions, qualifications, age, parental occupations, place of birth (including the places where they have spent the greater part of their lives) are also collected and compiled in due format. The work of statistical analysis consists of computing, e.g., what percentage of applicants for a particular post or group of posts (including posts which are filled through combined competitive examinations) actually appear at the scheduled examination/interviews, and what percentage finally succeed and receive appointments. Efforts are also made to

compute correlations between the successful candidates (especially those who receive appointments in the superior posts after being successful at the combined competitive examinations) and their academic institutions, places of residence, etc.³¹

The Research and Statistics Section also does all work relating to the preparation and publication of the PSC annual reports.

The PSC itself considers that its current personnel research functions are deficient in both nature and scope. This deficiency is solely attributed to the existing inadequacy of qualified staff in its Research and Statistics Section. In suggesting some measures for improvement in the sphere of its current personnel research functions, the PSC specifically underscores that its existing Research and Statistics Section should be replaced by an upgraded functional unit to be called “Integrated Research Development Division”. This should be headed by a senior-grade professionally qualified officer, who is to be assisted by other adequate junior-grade research officers and statisticians with suitable qualifications and experience in the field of personnel research. In effect this proposed organizational measure purports to set up a highly effective personnel research unit within the PSC establishment which, apart from carrying out its routine functions, should be able to provide valuable assistance to other government agencies, especially the Establishment Division, Ministry of Education, and the Planning Commission, in fixing priorities in their respective plans for development in the spheres of civil service, manpower resources, education, etc.³²

Notes and References:

1. President Order No. 34 of 1972. PSC First was mainly responsible for conducting examinations and tests for selection of suitable persons for appointment to gazetted and non-gazetted civil services (including Class I & II) and civil posts. PSC second was responsible for conducting tests and exams for selection of persons for the non-gazetted services (e.g., Class III services and posts in the statutory bodies).
2. This was done under PSC Ordinance No. LVII of 1977.
3. PSC Ordinance No. LVII of 1977.
4. *The Constitution of Bangladesh*, Article 138(1).
5. *Ibid*, Article 139.
6. *Ibid*, Article 138(2).
7. See Annex 3 for details on Warrant of Precedence.
8. Act No. XXI of 1974.
9. In February 2006, on the basis of Article 138(2) of the Constitution, the existing act was revised titled *The Members of the Bangladesh Public Service Commission (Terms and Conditions of Service) (Amendment) Act 2006* increasing the salary of PSC Chairman and Members under a new Act.
10. *The Constitution of Bangladesh*, Article 139(2). It states that, "The chairman and other members of such a Commission shall be removed from office except in like manner and on he like grounds as a judge of the Supreme Court". Article 139(3) states that, "A chairman or other members of a Public Service Commission may resign his office by writing under his own hand addressed to the President".
11. *The Constitution of Bangladesh*, Article 139(1)(4). On ceasing to hold office, a member of a public service Commission shall not be eligible for further employment in the service of the Republic, but, subject to the provisions of clause (1) – a chairman so ceasing shall be eligible for re-appointment for one further term; and (b) a member (other than the chairman) so ceasing shall be eligible for re-appointment for one further term or for appointment as chairman of a PSC.
12. See Annex 4 for details on laws, rules and procedures concerning the formation and functions of the PSC.
13. Report of the Memoranda Submitted by the Government of India and the India Office to the Indian Statutory Commission, vol. v. Part II, London, HMSO, 1930, p. 1312-1330.
14. *The Establishment Manual*, vol. 1, 1980, pp. 99-114.
15. *The Constitution of Bangladesh*, Article 140.
16. *BPSC Annual Report*, 2001, p. 15-16.

17. See Annex 5 for an overview of BCS or equivalent recruitments since 1972.
18. See Annex 6 for details on recruitments through interview.
19. *The Bangladesh Public Service Commission (Conduct of Business) Rules, 1981*, p. 4.
20. See Syed Giasuddin Ahmed, *op.cit*, p. 20.
21. *Ibid*, p. 303.
22. Prepared on the basis of Gazette Notifications of ME; Ali and PSC Annual Reports, 2002.
23. This is the total number of BCS (or equivalent) cadre officers since 1972. But for determining the sample size, a total of 19 BCS exams (out of 25) were considered. It was not possible to collect information on the remaining BCS exams (e.g., 1-4th, 6th, 12th, 23rd) during this study.
24. Clause 2 (d), Article 140, *The Constitution of Bangladesh, 2000*.
25. *The Bangladesh Public Service Commission (Conduct of Business) Rules, 1981*, p. 5. It States that “The records of such cases shall be forwarded to the Commission and the opinion given by the Commission shall be part of the record of the case and shall be communicated to the officer concerned along with the orders of the authority empowered to pass orders in the case”.
26. See Annex 8 for details on disposal of disciplinary cases by the Commission.
27. Ali, 2002:263.
28. According to some of the key informants, the Commission hides the information on the recommended candidates under quota intentionally in order to save the persons involved in the irregularity that act as a bar against the selection of candidates from minority community.
29. The term is used here to refer to governance which is transparent, accountable, equitable and responsive to the needs to the people, rule by law and free from any sort of irregularity and corruption, free from all types of negative influences and promotes excellence in governance practices.
30. As approved by the President of the People’s Republic of Bangladesh on 24 December 1988 and then notified in the Gazettes No. SM/New Appointment/1E-4/86-32, 6 February 1989. For details see Annex ix.
31. It was not possible to collect the latest organizational structure of PSC from PSC as the concerned authority in PSC refused to provide any information on the organogram.
32. See Syed Giasuddin Ahmed, *op.cit*, p. 133.

Chapter Five: Genesis of Bangladesh Civil Service

5:1 Background of Civil Service

It has been said that the process of Filipinisation of the civil service system was mainly influenced by three factors. There are however, striking differences in case of Indianisation of the civil service. In case of India, the political demand for greater participation of governance encompassing higher representation in senior civil service positions appear to be the main driving forces that induced changes in the structure and composition of the civil service. First, the period between 1747 and 1833. Second, the period from 1833 to 1853. Third, the period from 1853 to 1892. Fourth, the period between 1900 and 1947. The early years are marked by what is known as the system of patronage. In 1806, the EIC established Haileybury College to educate nominees to the "Writerships". The selected "Writers" had to undergo a course of four terms covering a six-month's period. In 1826, by an Act of Parliament two changes in the system of recruitment was made. First, to provide a regular yearly test for candidates for EIC's service without having to undergo the six-months course. This was done to meet the increasing demand for personnel as the EIC expanded its territorial possessions in India. Second, to appoint a four-Member Board of Examiners to select the candidates. The development of civil service during the first phase exhibits change from a system of selection by patronage to a system of more objective selection by a board of academicians. The second phase (1833-1853) of the development of civil service began with the Act of 1833 passed by the British Parliament. This Act introduced several major changes. This strengthened the governmental authority to certify the total number of candidates to be nominated for admission to the Haileybury College. The framework of the admission into the College and eventual selection of candidates was resisted by the EIC, as it

tended to curtail their authority of patronage for recruitment. Consequently, the new scheme of things was kept in abeyance until 1837. One of the significant features of the Charter Act, 1833 was the non-discriminatory clause providing equal opportunities for entry into civil service irrespective of race, religion and caste. The Charter Act of India, 1853, first introduced the principle of open competition. The Act abolished the privileges and powers of the Court of Directors to nominate their own candidates for entry into the ICS. The Act empowered the Board of Control to frame regulations defining the eligibility criteria and admission test of candidates seeking admission into the College. The Board of Control appointed a five-Member Committee headed by Macaulay, to provide necessary guidelines to the Board for framing regulations for entry into the civil service. Based on the recommendations made by the Committee, the Board of Control framed the regulations for holding the competitive examinations. This Commission, chaired by the Lieutenant Governor of the Punjab, Sir Charles Aitchison, consisted of 15 Members and a Secretary on 15 Member 1887. The Aitchison Commission's most important recommendation related to the constitution of the PSC and it came to be known by the name of the province to which it belonged i.e. Bengal Civil Service, the Punjab Civil Service etc. Consequent upon the constitution of the PCS as part of the recommendations of the Aitchison Commission, it did not, however, lead to an end of the problem. To deal with the increasing political demand for larger representation of the Indians in public service, a Royal Commission on Public Services was constituted with Lord Islington as Chairman. This was done in 1913. The Islington Commission recommended the simultaneous holding of the competitive examinations in England and India. It was in the wake of these changes that another Royal Commission on Superior Services was constituted which came to be known as Lee Commission after the name of its Chairman. First, the All-Indian Services which included the ICS, the Indian Police Service (IPS), and the Irrigation Branch of Indian Service of Engineers. Second, All-India Services,

which were “Provincialised” being in the transferred sphere. Third, the Central Departments under the government of India such as the Political Department, the Ecclesiastical Department and the Customs Department, some of which were left under the control of the Secretary of State while others either under joint control or solely under the control of the provincial governments. The trends in the development of civil service during this period are largely marked by continuity of the inherited tradition of the structure and functions of the services that existed prior to 1947. The CSP and the other central services until 1956 were constituted under the provisional Constitution Order, 1947. With the adoption of the Constitution in 1956, separate provisions for services had to be made. The 1962 Constitution also referred to All-Pakistan Service or a civil service of the centre or of a province. On October 30, 1961, the government created a new service called “EPCS (Executive)” Class II 12. The recruitment to this service was to be made up to 50 percent of the vacant posts by direct recruits through the Provincial PSC and the remaining 50 percent by selection from as many as 20 different categories of officers. The period is characterized by the attempts at reconstruction of a war ravaged economy and the search for a civil service system suited to the needs of a new-born country based on the ideals of nationalism, secularism, democracy and socialism, which were the guiding principles of the Constitution of 1972.

The important developments of this period include:

- Introduction of grading systems and half-hearted attempt at reorganisation of services.
- Politicisation of the entry-level recruitment into BCS and some parts of the public sector.
- Declaration of the Interim Recruitment Policy with less attention to merit and more attention to wider representation including special dispensation to the freedom fighters; and

Introduction of laws to remove civil servants at will. This period witnessed efforts at amalgamation of the cadre of CO (Dev) and EPCS (I), restructuring of services through the recommendations of National pay and Services Commission (NPSC), induction of defence services officers and creation of Senior Services Pool (SSP) and finally, changes in recruitment policy as well as seniority. Like the previous, this period initially started with martial law and later transformed into a civilian rule but with the same CMLA as the President. This period witnessed the introduction of draconian law for purge in the civil service, continued efforts at redesigning the SSP and its eventual elimination, induction of military officers with special dispensation for seniority, politics of promotion and continuation of the presidential authority for appointment on contract up to ten percent of the pool posts. This period is marked by continuation of the previous policies with regard to the management of civil service. This in effect meant that management of civil service, in particular personnel administration, continued to be guided by political rather than administrative or efficiency and merit considerations. After the change of the government in 1996, the same tradition continued. The AI government after 1996 had similarly promoted a large number of Deputy Secretaries, posted them as OSD first and then hunted for regular post outside the Secretariat including post in the field administration.

5:II The Civil Service of Pakistan (CSP, 1947-71)

After the independence of Pakistan it became almost difficult to build up a new service structure due to the paucity of both human and material resources. At that situation the Civil Service of Pakistan (CSP) was framed “as the pivotal service around which the entire administration-Central and Provincial-was organized”.¹ The CSP had elevated status that they were regarded as the ‘Brahmins’ (the upper cast) while the other services were treated as lower caste. “The reservation of the bulk of the policy level Secretariat posts for the CSP helped to create a distinct

privileged 'class' within the Civil Service with higher emoluments, extra privileges, power and prestige. This gave rise to hatred against the CSPs amongst the members of other services".²

Therefore, it is mentionable here that during the period of Pakistan, "the CSP constitutes the *corps d'elite* within the civil service, like the Administrative Class in Britain". The CSP occupy the most important key positions in the Provincial and central secretaries. In Pakistan, two-third posts of the Deputy Secretaries and 60 percent of the posts of under-secretaries were reserved for the CSP officers at the centre.³ On the other hand, "the erstwhile CSP officers in liberated Bangladesh were found to have occupied more than 75 percent posts of Joint Secretary and above, despite the protest rose by the specialist and functionalists".⁴ Consequently it has been clear that the generalists have more or less been able to sustain their domination in administration as they had in the Pakistan days. Therefore, the government of Bangladesh took initiatives in order to launch administrative reforms once and again to recognize the administrative structure befitting with the demand of newly independent country.

With the partition of India in 1947, two independent states – Pakistan and India emerged with the same tradition of British rule; later on India developed democratic tradition while Pakistan lapsed to military regime. During his period, (1958-1969), Ayub Khan ruled Pakistan with the co-operation of civil and military bureaucracy while political parties survived with restrictions. "Ayub's political regime was a depoliticized constitutional system backed by top bureaucrats and generals who (as an inner cabinet) took vital decisions. Bengalis were totally excluded from the decision-making process".⁵ He strengthened his popular support with the introduction of basic democratic system, which was promulgated as a decade of Development. Unlike Ayub Khan, Yahya ruled (1969-71) under a collective leadership. He selected Zonal Martial Law

Administrators (ZMLA), abolished the constitution, central and provincial assemblies and governments, nullified the electoral role of BD but kept the system for local development work while political parties were unchanged.

The leading bureaucrats of Pakistan were an exclusive elite group both in regional and societal terms. From the societal point of view, it means that they were separated from the rest of the people due to their western education, their origins from the higher classes especially from the business and landowning families. Again, from the regional point of view, it means that they were from a special region: West Pakistan. Bureaucrats were largely discriminated in regard with regional representation, since most of them were recruited from West Pakistan.⁶ There was a great imbalance from the time of independence in respect of regional representation. Majority of bureaucrats were recruited from the West Pakistan while the East Pakistan was comparatively poorer in terms of representation. "At the time of partition there were only 2 ICS officers from East Pakistan, and up to 1950 only 17 new recruits entered the Civil Service of Pakistan out of a total of 175 such officers".⁷

5:III(a) The Civil Service of Bangladesh (1971-2000)

The administrative machinery that Bangladesh inherited at independence possessed all salient features of colonial bureaucracies. Zafarullah maintains, it was elitist in nature, isolated from the people, narrow in outlook, as well as corrupt and unresponsive to the people and politicians. Consequently, critics of the structure that functioned in Pakistan before 1971 criticized the bureaucrats for disregarding the needs of the changing sociopolitical milieu, assigning unthinking significance to their functions and responsibilities, and hobbling with power politics.⁸ Consequently the government of Bangladesh attempted to reorganize the civil service through administrative reforms in different periods. Therefore, the

administrative apparatus of Bangladesh experienced various changes in different regimes by many governments according to the needs of time and socio political milieu. As a result the nature of administrative elites has been seriously affected by the nature of government.

5:III(b)The Creation of the Senior Services Pool (SSP)

The aforementioned politico-administrative situation facilitated the ground of Services Act. Therefore, the Services (Reorganization and Consultation) Act was introduced in 1975.⁹ As a result, the Pay and Services Commission was formed by the government in 1976 and it submitted a Report in 1977 to the government of Bangladesh. Among other things, it recommended for the formation of 28 cadres in addition with an apex cadre consisting of posts which requires administrative leadership with experiences of multidimensional grounds and top level coordination. This cadre would be staffed by the members collected from different cadres based on merit and capability after being proved by appropriate criterion. This apex cadre was previously named as Superior Policy Pool. "On the strength of the Services Act, the government issued a gazette notification to constitute Senior Policy Pool, more or less on the line recommended by the Pay and Services Commission of 1976... This notification was superseded by another notification in 1979 to constitute the Senior Service Pool (SSP).¹⁰ Consequently, by dint of the SSP order, the government was authorized to employ the personnel without consulting with the commission regardless to age limit as well as duration of service.

Later on it was decided that, after December 1979, access to the SSP would be only at the level of Deputy Secretary and the date was further extended to January 1, 1981. Subsequently, the government continued extending the date up to January 1985 and recruited a lot of Deputy Secretaries without any consultation

with the Commission. “In addition, between the years 1980 and 1985, the government also appointed some officers, including the officers from the armed forces directly to the post of Joint Secretaries”.¹¹ In the recruitment of the SSP, the government gravely violated the notion of merit principle violating the autonomy of the Commission even after the enactment of constitutional provision in matters with the recruitment process based on merit criteria free from executive interference. “It is significant that while the government kept on the process of recruitment to various cadres constituted in 1980, it remained silent on the issue of recruitment to various cadres constituted in 1980, it remained silent on the issue of recruitment to SSP on the basis of prescribed tests through the Commission. In this process, the politics in the recruitment to public service appeared in its naked form”.¹²

In the long run the SSP could no longer hold the acceptability as it possessed during the initial periods. During 1980 to 1985 various cadres showed resentments against the SSP mainly on the five grounds. “First, career blockage in the respective cadres. Second, preponderance of the administrative cadre officers (ex-CSP, ex-EPCS, ex-PML, and ex-CSS officers) in the SSP. Third, SSP did not provide them the higher policy making posts. Fourth, they had hardly any representation in the early level in the SSP. Fifth, the seniority rule was in favor of the Administrative service”.¹³ All these causes resulted to the abolishment of SSP in 1989.

5:III(c)The Creation of BCS Cadres

As stated earlier, after the independence of Bangladesh, ‘Administrative and Services Reorganization Committee’ (ASRC) was established to recommend a suitable structure for the civil service system of Bangladesh. But ironically, with the termination of government, in August 1975, the ASRC’s recommendations

could not be materialized. Consequently, in the following year, Pay and Services Commission (Rashid Commission) was established which recommended a four-tire structure of services along with 28 cadres.¹⁴ In January 1981, largely according to the recommendations of the Rashid Commission, the government also created 14 cadres and 14 sub-cadres as constituents of a 'unified' national civil service designated as the Bangladesh Civil Service (BCS). Consequently, in 1985, two other cadre services were created to the existing the introduction of this system, recruitment to class one posts of the government were made through combined competitive examination.¹⁵ Again it was provided in the BCS Recruitment Rules promulgated in January 1981. "The Commission made arrangements in 1982 to recruit candidates to BCS cadre and sub-cadres and accordingly examination for recruitment was held during that year. With the constitution of the cadres, the Commission ceased to recruit candidates for what it called superior services".¹⁶

Because of the immense discrepancy between the innumerable amount of unemployed people and the vacant posts, the Commission introduced a screening process termed as preliminary test in 1989 to deal with the number of letters received and dispatched. In the following table-1, the BCS education cadre places the first position followed by the health cadre while the administrative cadre occupies the third largest position respectively comparing to other cadres. The present cadre system is entangled in controversies due to the attack from all groups of professional civil servants. A controversy has long been persisted among the generalist and specialist cadres of the higher civil services.

Table: 1 List of 29 BCS cadres and their cadre strength

Cadre	Strength
Bangladesh Civil Service (Administration)	6004
Bangladesh Civil Service (Agriculture)	2009
Bangladesh Civil Service (Answer)	227
Bangladesh Civil Service (Audit and Accounts)	280
Bangladesh Civil Service (Cooperative)	149
Bangladesh Civil Service (Customs and Excise)	143
Bangladesh Civil Service (Economic)	531
Bangladesh Civil Service (Family Planning)	322
Bangladesh Civil Service (Fisheries)	659
Bangladesh Civil Service (Food)	219
Bangladesh Civil Service (Foreign Affairs)	230
Bangladesh Civil Service (Forest)	159
Bangladesh Civil Service (General Education)	8510
Bangladesh Civil Service (Health)	8313
Bangladesh Civil Service (Information)	581
Bangladesh Civil Service (Judicial)	626
Bangladesh Civil Service (Livestock)	1479
Bangladesh Civil Service (Police)	769
Bangladesh Civil Service (Postal)	159
Bangladesh Civil Service (Public and Health Engineering)	196
Bangladesh Civil Service (Public Works)	631
Bangladesh Civil Service (Railway Transportation) Bangladesh Civil Service (Commercial)	61
Bangladesh Civil Service (Roads & Highways)	544
Bangladesh Civil Service (Statistical)	107
Bangladesh Civil Service (Taxation)	358
Bangladesh Civil Service (Technical Education)	762
Bangladesh Civil Service (Tele-communication)	476
Bangladesh Civil Service (Trade) (cadre strength is not available)	476
Total	---
	34,848

Source: Mohammad Mohabbat Khan, *Administrative Reforms in Bangladesh*, Dhaka, UPL, 1998, p. 51 and also see Md. Mahbubur Rahman, *op.cit*, p. 55.

Notes and References:

1. Esrarul Huq Chowdhury, *The Law on Service: in Bangladesh*, 1999, Second Edition, Dhaka Law Reports, p. 64.
2. Farhad Hossain, "Scope of E-Governance in Bangladesh: Present Challenges and Future Possibilities", in Aminuzzaman ed. *Governance and Development: Bangladesh and Regional Experiences*, Shrabon Prokashoni, Dhaka and also see Md. Mahbubur Rahman, *op.cit*, p. 65.
3. Esrarul Huq Chowdhury, *op.cit*, p. 65.
4. Farhad Hossain, *op.cit*, p. 34.
5. A. N. Shamsul Haque, *Politics Administration and Development in Bangladesh*, 2002, Sonali Printers, Rajshahi, p. 157.
6. Emajuddin Ahmed, *Bureaucratic Elites in Segmented Economic Growth: Pakistan and Bangladesh*, 2000, Dhaka: Gatidhara, Banglabazar, p. 47 and also quoted in Md. Mahbubur Rahman, *op.cit*, p. 48.
7. *Ibid*, p. 64.
8. Habib Mohammed Zafarullah, "Public Administration in the First Decade of Bangladesh: Some Observation on Developments and Trends", *Asian Survey*, vol. 27, no. 4 (April), p. 459.
9. Emajuddin Ahmed, *op.cit*, p. 126.
10. A. M. M. Shawkat Ali, *The Lore of the Mandarins: Towards a Non-Partisan Public Service in Bangladesh*, 2002, Dhaka: University Press Limited, p. 126.
11. *Ibid*, p. 127.
12. *Ibid*, p. 127.
13. Farhad Hossain, *op.cit*, p. 35.
14. *Ibid*, p. 35.
15. A. M. M. Shawkat Ali, *op.cit*, p. 116 and also quoted in Md. Mahbubur Rahman, *op.cit*, p. 54.
16. *Ibid*, p. 128.

Chapter Six: Civil Service in South and Southeast Asian Perspective

6:I Background

The arena of civil service is considered as a nerve centre for any state because in modern times the state apparatuses have been governed by the well organized bureaucratic system behind the scenes. The recruitment process of the civil servants varies from country to country but every country under the globe follows the merit-based exam system. Bangladesh has also followed some steps to recruit the civil servants.

A civil servant or public servant is a person in the public sector employed for a government department or agency. The term explicitly excludes the armed services, although civilian officials will work at "Defence Ministry" headquarters. The term always includes the (sovereign) state's employees; whether regional, or sub-state, or even municipal employees are called "civil servants" varies from country to country. In the United Kingdom, for instance, only Crown employees are referred to as civil servants, county or city employees are not. Many consider the study of civil service to be a part of the field of public administration. Workers in "non-departmental public bodies" (sometimes called "QUANGOs") may also be classed as civil servants for the purpose of statistics and possibly for their terms and conditions. Collectively a state's civil servants form its Civil Service or Public Service. Administrative institutions usually grow out of the personal servants of high officials, as in the Roman Empire.

This developed a complex administrative structure, which is outlined in the *Notitia Dignitatum* and the work of John Lydus, but as far as we know appointments to it were made entirely by inheritance or patronage and not on

merit, and it was also possible for officers to employ other people to carry out their official tasks but continue to draw their salary themselves. There are obvious parallels here with the early bureaucratic structures in modern states, such as the Office of Works or the Navy in 18th century England, where again appointments depended on patronage and were often bought and sold.

An international civil servant or international staff member is a civilian employee that is nominated by an international organisation. These international civil servants do not resort under any national legislation (from which they have immunity of jurisdiction) but are governed by an internal staff regulation. All disputes related to international civil service are brought before special tribunals created by these international organisations such as, for instance, the Administrative Tribunal of the ILO. Specific referral can be made to the International Civil Service Commission (ICSC) of the United Nations, an independent expert body established by the United Nations General Assembly. Its mandate is to regulate and coordinate the conditions of service of staff in the United Nations common system, while promoting and maintaining high standards in the international civil service.

6:II(a) Civil Service in India

The Indian Civil Service (commonly known as the Imperial Civil Service (ICS) or British India Civil Service) was the civil service of the Indian Government under the British colonial rule in India. They were appointed under Section XXXII of the Government of India Act of 1858 to posts which were reserved for them alone. This service still continues in the contemporary Civil Services of India, though these are now organised differently post-independence.

In the 1860s after the takeover of the East India Company over India, the British Civil Service came to India. In the beginning, the British civil service was a part

of a police state where its major task was that of carrying out law and order functions. There was no code of conduct developed by any of the British-India provinces. The different provinces had different civil services. To make a clear distinction between the government officials from the army officials, the term civil service was used by the British government in undivided Punjab in the later part of the 18th century. The British government set up the Indian civil service in 1911, primarily with the objective of strengthening the British administration in the United Kingdom. Under the East India Company administrators of their controlled territories were engaged. These became the Honourable East India Company Civil Servants (HEICS)

The competitive examination for entry to the civil service was combined for the Diplomatic, the Home, the Indian, and the Colonial Services. The candidates age limit was between 21 and 24 which gave everyone three chances for entry. The total marks for the examination was 1,900.¹

After having been chosen, one underwent one or two years probation in England according to whether you had taken the London or the Indian examination. This period was spent at the University of Oxford, University of Cambridge, or the School of Oriental Studies in London where one studied Law and procedures of India consisting of criminal and the Law of Evidence which all gave the knowledge and the idea of the revenue system, reading Indian history and learning the language of the province to which one was assigned.

There were two exclusive groups of civil servants during this formative stage of British rule in India. The higher employees who entered into covenants with the Company came to be known as "covenanted" servants, whereas those not signing such agreements came to be known as "uncovenanted". The latter group generally filled the lower positions. This distinction between the covenanted and the

uncovenanted virtually came to an end with the constitution of the Imperial Civil Service of India based on the recommendations of the Public Service Commission, 1886–87, though the phrase covenanted continued to be used of anyone in a salaried position with a long term contract — including boxwallah peddlers. The name Imperial Civil Service was changed to Civil Service of India. However, the term Indian Civil Service (ICS) persisted. The acronym ICS continued to be used to denote the covenanted civil servants.

A third group, the Statutory Civil Service which functioned in the second half of the nineteenth century, was disbanded by the beginning of the 1890s. To this group were recruited young men from respectable and affluent Indian families. This service was replaced by the provincial civil services, which was constituted on the basis of the recommendations of the Aitchison Commission. It consisted of two cadres, Provincial Civil Service and Subordinate Civil Service. Further developments took place as a result of the application of the scheme of cadre organization to the administrative departments. Thus, for example, the departments of Forest and Public Works had both the imperial, and provincial branches. The basic pattern of the cadre system in the civil service was thus established following the recommendations of the Aitchison Commission.²

In 1912, the Islington Commission was appointed but its report could be published only in 1917, when the recommendations contained in it became outdated due to the First World War and the August Declaration of 1917. Therefore no consideration was given to them. By 1934, the system of administration in India came gradually to consist of seven All India Services and five Central Departments, all under the control of the Secretary of State, and three Central Departments under joint Provincial and Imperial control. The ICS and the Indian Police (Service) were in the 'transferred field', that is, the authority for the control of these services and for making appointments were transferred from the Secretary of State to the provincial governments. It seems relevant to mention that

the All India and class I central services were designated as Central Superior Services as early as 1924 in the Lee Commission's report.

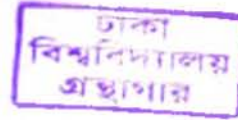
6:II(b) After Partition of India

After the partition of India, the Republic of India retained the name Indian Civil Service and the Islamic Republic of Pakistan were renamed Civil Service of Pakistan (CSP) in Pakistan.

Part B - Main Examination - Optional Subjects

Paper-I	One of the Indian Languages to be selected by the candidate from the 22 languages included in the VIIIth Schedule to the Constitution (Qualifying Paper)	300 Marks
Paper-II	English (Qualifying Paper)	300 Marks
Paper-III	Essay [in the medium you choose]	200 Marks
Papers IV & V	General Studies (300 Marks for each paper)	600 Marks
Papers VI, VII, VIII & IX	Any two subjects (each having 2 papers) to be selected from the prescribed optional subjects (300 marks for each paper)	1200 Marks
Total Marks for Written Examination		2000 Marks
Interview Test [in the medium you choose]		300 Marks
Grand Total		2300 Marks

The Indian Administrative Service (IAS) is the administrative civil service of the executive branch of the Government of the Republic of India. The officers of the

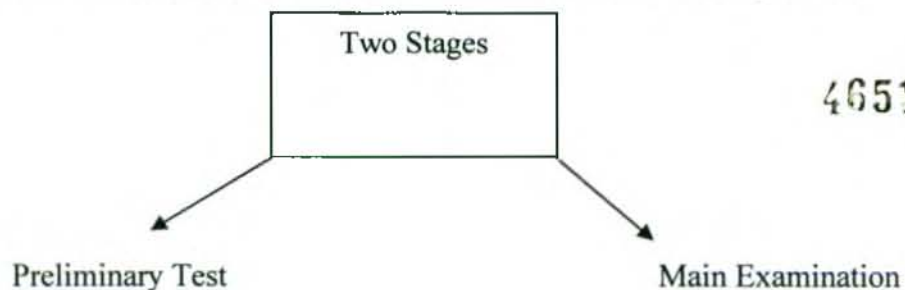


IAS play a major role in managing the bureaucracy of both the Union Government (Central Government) and the state governments, with its officers holding strategic posts across the country. It is one of the three All India Services.³

6:II(c) Independence of the Civil Service

The Constituent Assembly of India intended that the bureaucracy should be able to speak out freely, without fear of persecution or financial insecurity as an essential element in unifying the nation. The IAS officers are recruited by the Union government on the recommendation of the Union Public Service Commission (UPSC) and posted under various State governments. While the respective State Governments have control over them they can not censure or take disciplinary action against IAS and other All India Services officers without consulting the Union Government(Central) and the UPSC. This independence has been sometimes severely criticized by many quarters of civil society.

There shall be a single examination organised by the U.P.S.C.(Union Public Service Commission) for I.A.S.,I.F.S. and Central Services Groups A+B.



The Civil Services Examination is used for recruitment for many Indian administrative bodies. Civil Service Exam is conducted by Union Public Service Commission. It has three stages Preliminary Exam, a Main exam, and an interview - and is known for being extremely challenging. Recently the

preliminary exam pattern has been changed. There used to be 23 optional subjects along with a general studies paper. Now there will be no optional subjects in the preliminary examination. Instead there will be a second paper which will be common for all candidates. It will check the administrative aptitude of candidates—hence its name - the Civil Service Aptitude Test [CSAT]. It comprises of Aptitude, General Mathematics, Comprehensive English, etc. Entry into the IAS is considered to be very difficult; most applicants rank the Indian Administrative Service as their top choices because of the high prestige, salary, and benefits that come with such positions. For example, in the 2005 batch, of the 425 selected candidates, 398 indicated IAS as their first preference, 18 chose IRS and just nine chose IPS. But when it came to second preference, 200 candidates had marked IPS as their choice, while only 195 had marked IRS as their second choice. Repeated attempts are allowed up to four times for General Merit candidates, seven times for OBC candidates. There is no bar on the number of attempts for SC/ST candidates. The upper age limit to attempt the examination is 35 for SC/ST and 30 years for the General Merit Candidate. The candidate should not be older than 30 years of age as on 1 August of that year. The minimum age is 21 years. About 850 candidates are finally selected each year out of the nearly 300,000, but only a rank i.e. top 50 guarantees an IAS or IFS selection—an acceptance rate of 0.001 percent, which makes it the most competitive exam in the world.⁴

After being selected for the IAS, candidates are allocated to "cadres." There is one cadre in each Indian state, except for three joint cadres: Assam–Meghalaya, Manipur–Tripura, and Arunachal Pradesh–Goa–Mizoram–Union Territories (AGMUT). The "insider-outsider ratio" (ratio of officers who are posted in their home states) is maintained as 1:2. as 'insiders'. The rest are posted as 'outsiders' according to the 'roster' in states other than their home states. Till 2008 there was no choice for any state cadre and the candidates, if not placed in the insider

vacancy of their home states, were allotted to different states in alphabetic order of the roster, beginning with the letters A.H.M.T. for that particular year. For example if in a particular year the roster begins from 'A', which means the first candidate in the roster will go to the Andhra Pradesh state cadre of IAS, the next one to Bihar, and subsequently to Chattisgarh, Gujarat and so on in alphabetical order. The next year the roster starts from 'H', for either Haryana or Himachal Pradesh.(if it has started from Haryana in the previous occasion when it all started from 'H', then this time it would start from Himachal Pradesh). This highly intricate system has on one hand ensured that officers from different states are placed all over India, it has also resulted in wide disparities in the kind of professional exposure for officers, when we compare officers in small and big & also developed and backward state, since the system ensures that the officers are permanently placed to one state cadre. The only way the allotted state cadre can be changed is by marriage to an officer of another state cadre of IAS/IPS/IFS. One can even go to his home state cadre on deputation for a limited period, after which one has to invariably return to the cadre allotted to him or her. The centralizing effect of these measures was considered extremely important by the system's framers, but has received increasing criticism over the years. In his keynote address at the 50th anniversary of the Service in Mussoorie, former Cabinet Secretary Nirmal Mukarji argued that separate central, state and local bureaucracies should eventually replace the IAS as an aid to efficiency.⁵ There are also concerns that without such reform, the IAS will be unable to "move from a command and control strategy to a more interactive, interdependent system".⁶

6:II(d) Functions of the Civil Servant

A civil servant is responsible for the law and order and general administration in the area under his work. Typically the functions of an IAS officer are as follows:

- To handle the daily affairs of the government, including framing and implementation of policy in consultation with the minister-in-charge of the concerned ministry.⁷
 - Implementation of policy requires supervision.
 - Implementation requires traveling to places where the policies are being implemented.
 - Implementation also includes expenditure of public funds which again requires personal supervision as the officers are answerable to the Parliament and State Legislature for any irregularities that may occur.
- In the process of policy formulation and decision making, officers at various levels like joint secretary, deputy secretary make their contributions and the final shape to the policy is given or a final decision is taken with the concurrence of the minister concerned or the cabinet depending upon the gravity the issue.

Sardar Vallabhbhai Patel is remembered as the "Patron Saint" of India's civil servants for establishing modern all-India services. In an unprecedented and unrepeated gesture, on the day after his death more than 1,500 officers of India's civil and police services congregated to mourn at Patel's residence in Delhi and pledged "complete loyalty and unremitting zeal" in India's service.⁸

Designations

Position in the Government Of India	Equivalent Position in the State Government
UNDER SECRETARY (4)	DEPUTY SECRETARY ADDL. DISTRICT MAGISTRATE (Entry)
DEPUTY SECRETARY (9)	JOINT SECRETARY DISTRICT MAGISTRATE DEPUTY COMMISSIONER (6)
DIRECTOR (12)	SPECIAL SECRETARY HEADS OF DEPARTMENTS (HODs) (9)
JOINT SECRETARY (20)	SECRETARY (16)
ADDITIONAL SECRETARY (30)	PRINCIPAL SECRETARIES FINANCIAL COMMISSIONERS (24)
SECRETARY (34)	CHIEF SECRETARY (30)
CABINET SECRETARY	NO EQUIVALENT (Constitutional Authority - ranked 11th in the Table of Precedence)
<p>1. Figures in brackets indicate minimum years in the IAS to achieve said designation, though not the only criteria.</p> <p>2. As discernable, it takes a longer time to achieve equivalent positions at the Centre due to lack of vacancies and slower rate of promotions.</p>	

Most IAS officers start their careers in the state administration at the sub-divisional level as a sub divisional magistrate. They are entrusted with the law and order situation of the city along with general administration and development work of the areas under their charge. The post of District Officer is also known as District Magistrate, District Collector or Deputy Commissioner. Since it is the most identifiable position in the IAS services, it is also the post which most people identify with IAS. At the top of the hierarchy of IAS officers at the Centre is the Cabinet Secretary followed by Secretary/Additional Secretary, Joint Secretary, Director, Deputy Secretary and Under Secretary. These posts are filled

according to seniority. The details on the amount of salaries can be found in the recommendations and associated documents of the Sixth Pay Commission report.⁹

Transparency International, a global watchdog body, ranked India at a low 73 out of the 102 countries in its Corruption Perception Index, later in the 2008 survey, it ranked 85th in a 128 country list. The World Economic Forum on the other hand, ranked India 44 among 49 countries surveyed. A 2009 survey of the leading economies of Asia, revealed Indian bureaucracy to be not just least efficient out of Singapore, Hong Kong, Thailand, South Korea, Japan, Malaysia, Taiwan, Vietnam, China, Philippines and Indonesia; further it was also found that working with the India's civil servants was a "slow and painful" process. This ranking, done by 1,274 expatriates working in 12 North and South Asian nations, ranked Asian bureaucracies in the following order: Singapore, Hong Kong, Thailand, South Korea, Japan, Malaysia, Taiwan, Vietnam, China, Philippines, Indonesia and India. By the 1990s, the economic liberalization of the Indian economy and the end of the license raj, gradually opened up the economic skies and the end to the regulatory regime which flourished during previous era, loosened its hold over the resources. Though this brought to surface the practices of kickbacks, both during disinvestment and offering government contracts, and while setting up of industries by foreign businesses were soon employing same corrupt practices used by Indian businesses for decades.

Over the years, several reasons have been cited by various scholars regarding the sustained existence of corrupt practices within the Indian bureaucratic system,^[11] also known as *babudom* colloquially, leading among them is its nexus with political corruption,¹⁰ lack of accountability and low regulatory controls. Others have suggested a rigid bureaucracy with a exclusivist process of decision making in a overly-centralized government as the reason its pervasiveness despite the passing years. In fact surveys have found it to be most resistant to transformation

in its ways of functioning, even after repeated efforts by successive governments.¹¹ Some experts believe that a fall out of the existing corruption and red tapism can be detrimental to the Indian economy in the long run, as foreign investors in a rapidly global, economies of the world still view entering into India as a challenge and plagued as it remains both with political and bureaucratic corruption as well systematic inefficiency which leads to long turn around period as project delays cause cost escalations in volatile market economies. Also in the recent years, several corrupt economies of Asia have faced setbacks, after the wave of economic upturn faded, this makes the urgency of corrective measures more than evident, they make it an imperative.¹²

As on March 31, 2010 a total number of 84 IAS officers were facing trial on criminal charges in Central Bureau of Investigation cases. The extent of corruption is high in the IAS like in a house raid in 2010 illegal assets of over ₹3,000,000,000 (US\$66,600,000) was amassed by 1979-batch IAS officers of Madhya Pradesh cadre husband-wife duo in Madhya Pradesh. In an another instance in May 2011 a 1988-batch IAS officer of Chhattisgarh cadre was found with illegal assets of ₹2,530,000,000 (US\$56,166,000).¹³ Some eminent people of India have called for reformation and even elimination of the IAS. Founder of Infosys Technologies N. R. Narayana Murthy states that today's bureaucrats are trapped in a colonial mindset and feel they are the masters and there is no need to show fairness and transparency. Murthy feels that bureaucrats are completely out of touch with the dynamics of the current world. He considers to abolish the system of generalised administrators under the Indian Administrative Service (IAS) and replace it with specialists under a new Indian Management Service. Father of White Revolution Dr. Verghese Kurien insists on abolishing the IAS. He asks for how long could the country depend on them to frame the policy of the country. He states that IAS officers are greedy people who are always looking at what post to grab.¹⁴

6:II(e) Recruitment

Under Article 320 of the Constitution of India, the Commission are, inter-alia, required to be consulted on all matters relating to recruitment to civil services and posts.

Under the Constitution one of the functions of the Commission is to conduct examinations for appointment to Civil Services/Posts of the Union. In addition, competitive examinations are also held by the Commission under arrangements with the Ministry of Defence for entry to certain Defence Services, through the National Defence Academy, Indian Military Academy, Naval Academy, Air Force Academy and the Officers Training Academy. The Commission usually conducts over a dozen examinations every year on an all India basis. These include Examinations for recruitment to services/posts in various fields, such as Civil Services, Engineering, Medical and Forest Service, etc.

For an overview of examinations regularly held by the Commission. See "Overview of Examination" under this Chapter. At present the Union Public Service Commission conduct their examinations at numerous venues spread over 42 regular centers throughout the country.

Recruitment by Selection is made by the following methods:

By Interview Only

By Recruitment Test Followed By Interview

Where the number of applicants is very large, it is not practicable to call for Interview all the applicants who fulfill the minimum eligibility conditions prescribed. The Commission, therefore, shortlist the candidates to be called for the interview on the basis of certain pre-determined criteria related to the job. A

large number of recruitment cases is handled by the Commission by the method (1) above.

In this category, there are two types of procedure followed: An objective-type written and/or practical test to test the skill of the candidates followed by Interview, the final selection being decided by Interview, aided by the performance of the candidates in the written test and/or practical test. An objective-type written and/or practical test to screen candidates to be called for interview, the final selection being decided by Interview only.

In accordance with the procedure decided by the Government, in consultation with the Commission, Chairman or a Member of the Commission presides over the Departmental Promotion Committee Meetings to consider promotions from Group B to Group A and from one grade to another within group A, where promotion is to be made by Selection.

The Recruitment Rules for a number of posts provide for appointment by Transfer on Deputation (including short term contract) and Transfer. When the field of consideration consists of Central Government as well as State Government officers, prior consultation with the Commission is necessary for selection of an officer. When the file for consideration is made more broad-based and consists of not only Central/State Government officers but also officers from Non-Government Institutions, the selection has to be made in consultation with the Union Public Service Commission.¹⁵

6:II(f) All India Services

The All India Services Act, 1951 and Rules and Regulations framed thereunder regulate the recruitment and conditions of service in respect of the All India

Services viz. Indian Administrative Service, Indian Police Service and Indian Forest Service. As far as direct recruitment to the Indian Administrative Service and Indian Police Service Examination are concerned, it is done through the Civil Services Examination and for the Indian Forest Service through the Indian Forest Service Examination held by the Commission. The relevant Rules and Regulations provide that 33% of the vacancies in the IAS/IPS/IFS should be filled by promotion from amongst the officers of the State Service in consultation with the Commission. The Selection Committee presided over by Chairman/Member of the Commission consists of senior Government representatives of the Central Government and the State.

The Commission have recently undertaken a project called "SAMPERA" (Screening and Mechanised Processing of Examination and Recruitment Applications). A simplified single sheet common application form for all the examinations has been devised which will be scanned by using OMR/ICR technology. The implementation of this project will mainly help in high speed scanning of data from forms eliminating manual entry. Other benefits will be accurate and faster generation of Admit Cards, Attendance lists with photo replica and signature facsimile of each candidate, and Error-free list of doubtful cases. The main aim of this project is to cope with the increasing volume of applications through innovations and mechanised handling so as to reduce the processing time and send communications faster to minimised errors. The cases of impersonation/malpractices will also be eliminated and wasteful expenditure will be reduced.¹⁶

In accordance with the provisions contained in Article 320 of the Constitution read with the provisions of Union Public Service Commission (Exemption from Consultation) Regulations 1958, Recruitment Rules of all Group 'A' and Group 'B' posts in various Ministries/Departments of Government of India are required

to be framed in Consultation with the Commission. Consultation with the Commission is also necessary for framing/amending Recruitment Rules for certain categories of posts under the Employees State Insurance Corporation, The Delhi Municipal Corporation, The New Delhi Municipal Council, Employees Provident Fund Organisation etc. under the relevant Acts made by Parliament in pursuance of the provisions of Article 321. All proposals for framing/amending Recruitment Rules are examined keeping in view the cadre structure of the organisation and the circulars issued by the Govt. from time to time. After approval, the Commissions' advice in the matter is communicated to the Ministry/Department concerned. More than 14000 Recruitment Rules have been framed/amended so far.

Under Article 320(3) of the Constitution the Commission are required to be consulted on the quantum of penalties in disciplinary cases affecting a person serving under the Government of India in a Civil Capacity.

Article 321 also empowers the Parliament to extend the functions of the Public Service Commission to any local authority or other body corporate constituted by Law or by any public institutions

In order to exempt some posts which for reasons of National Security or some other reasons may not be required to be referred to the Commission for their advice, the Union Public Service Commission (Exemption from Consultations) Regulations were issued on September 1, 1958, under Article 320(3)(a) and (b) of the Constitution. These Regulations are amended or revised as and when the need arises.

The Provisions as contained in Article 309 & Article 311 of the Constitution are also required to be read in conjunction with the provisions as contained in Article 320 of the Constitution.¹⁷

A convention has been established by the Government of India, that in the following classes of the cases referred to the Commission, the recommendations made by them shall be accepted, save in exceptional circumstances. Quasi-judicial cases. Selection for appointments of candidates. Appointment of a candidate on a higher initial pay than that of a minimum pay of the posts. Claims of expenditure incurred by the Government servants in defending legal proceedings instituted against him in respect of acts done or purporting to be done in the execution of his duty.

The Commission have a duty, under Article 323 of the Constitution to present annually to the President a Report as to the work done by the Commission and on receipt of such report, the president shall cause a copy there of together with the Memorandum explaining, as respect the cases, if any, where the advice of the Commission was not accepted, the reasons for such non-acceptance to be laid before each House of the Parliament. Back to General Information.

6:III(a) History of Civil Service in Pakistan

Civil Bureaucracy is a colonial legacy in this part of the world. British used to rule the native population through Indian Civil Service (ICS) and most of the officers in ICS were British themselves. It was in the early 20th Century that the Indians also started competing against the British and many Indians eventually made it to the ICS. With the partition of India in 1947, the term 'Central Superior Services' was used in Pakistan and the concept of All-Pakistan Services continued. The latter consisted of the Civil Service of Pakistan and the Police

Service of Pakistan, whereas the Central Services included the Pakistan Foreign Service and a broad category of Finance and other services. The Finance category included the Pakistan Audit and Accounts Service, Pakistan Railway Accounts Service, Pakistan Military Accounts Service, Pakistan Taxation Service, and the Pakistan Customs and Excise Service. The Central Services other than these included the Pakistan Postal Service, Pakistan Military Land and Cantonment Service, Central Secretariat Service, and Central Information Service. Each of these services had its own cadre and composition rules, specifying the total cadre strength in terms of its number of positions. With the Civil Services Reforms of 1973 a new system of Common Training Program or CTP was introduced and all of these occupational groups (12 at that time) were required to go through a mandatory combined training at Civil Services Academy (CSA), Lahore. The batch of officers who attended CSA in 1973 is recognized as "1st Common". Up till 5th Common the allocation of occupational groups was done after the culmination of Common Training Program but from 6th Common onwards this task has also been assumed by FPSC. Even till this day it is an official procedure that once the Probationary Officers successfully complete their CTP then they undergo some further Specialized Training Program (STP) in their own professional academies.

"In pursuance of Section 7.A read with section 10 of the FPSC Ordinance, 1977, Chairman FPSC with the approval of the Federal Government has made, in supersession of competitive Examination Rules, 2006, the following rules for regulating the conduct of the competitive Examination, 2007"

- Police Service of Pakistan
- District Management Group
- Foreign Service of Pakistan
- Customs and Excise Group
- Income Tax Group

- Pakistan Audit & Accounts Services
 - Commerce & Trade Group
 - Postal Group
 - Railways Group (Commercial & Transportation)
 - Information Group
 - 2. (i) Places of the Examination.—The examination will be held simultaneously at Abbottabad, D.I. Khan, Faisalabad, Hyderabad, Islamabad, Karachi, Lahore, Larkana, Multan, Peshawar, Quetta and Sukkur.
- (ii) The Commission reserves the right to finally decide the place where the candidates would be examined or interviewed.
- (iii) The Competitive Examination comprises the following:-
- (a) Written Examination
 - (b) Medical Test
 - (c) Psychological Test: and
 - (d) Viva Voce.

6:III(b) Civil Servant Recruitment Process

The examination will be conducted by the Federal Public Service Commission in accordance with the following Rules, subject to such changes as may be decided by the Government before finalizing appointments on the basis of this examination.

4. (i) A candidate for admission to the examination must have attained the age of 21 and must not have attained the age of 28 on 1st July 2007 (candidates born earlier than 2 July, 1979) and later than 1st July 1986 will not be eligible).[This is for 2007 exam]

(ii) The upper age-limit will be relaxed as follows:-

(a) By two years up to the age of 30 years in respect of the Candidates belonging to

(i) the Scheduled Caste and Buddhist Community.

(ii) the recognized Tribes who are permanent residents of the areas mentioned below and whose families have been living in these areas:

(iii) Balochistan

(iv) Tribal areas of D. I. Khan and Peshawar Divisions (including former Frontier States of Dir, Swat, Chitral and Amb)

(v) Former excluded (Baluch) area forming part of the Dera Ghazi Khan and Rajanpur Districts.

(vi) Former tribal areas of Mardan and Hazara Divisions.

(vii) Upper Tanawal area of Hazara Division.

(b) By two years up to the age of 30 years in case of the candidates who are permanent residents of Azad Kashmir Territory and Northern Areas (which include Gilgit, Diamir, Baltistan, Ghizar and Ghanche) or candidates of Jammu and Kashmir States who live in either of the aforesaid areas or any other part of Pakistan.

(iii) By two years upto the age of thirty (30) years for Government Servants, including the Government servants of AJ&K, who have rendered not less than two years continuous Government service as on 1st July 2005.

(iv) The date of birth accepted by the Commission is that entered in the following documents:

- (a) Matriculation Certificate
- (b) Secondary or Higher Secondary School Leaving Certificate:
- (c) Certificate of birth from the Principal/Headmaster of the School from where a candidate has passed his/her GEC. '0' level or equivalent examination, showing the date of birth in the School Admission Register:

(4) In case of Christian candidates, Baptismal or birth registration certificate.

(v) The decision as to which of the certificate is equivalent to Matric Certificate rests with the Commission.

(vi) Once a date of birth has been claimed and accepted by the Commission for the purpose of admission to an examination, no change will be allowed at a subsequent examination or selection.

(vii) Candidates claiming to belong to a scheduled caste will be required to submit a certificate from the District Magistrate in support of their claim.

(viii) Candidates belonging to the Buddhist Community will be eligible for the concession mentioned at (a) above on production of certificate from District Magistrate, Political Agent or Deputy Commissioner, as the case may be, in support of their claim.

(ix) Only those candidates who are permanent residents of these areas mentioned at 4(ii) (a) (ii) above and whose families have been living in those areas will be eligible for the concession and in each case certificate from the Political Agent or the Deputy Commissioner will be required in this behalf. (Annexure 'B').

(x) Candidates claiming to belong to Azad Jammu and Kashmir will be required to submit a certificate from the Kashmir Affairs Division, Government of Pakistan.

(xi) Candidates claiming to belong to Northern Areas will be required to submit a certificate from the Deputy Commissioner or Political Agent.

(xii) The applications of Government Servants will also be governed by the Government Servants (Application for Services and Posts) Rules 1966 except that the chances will be not be allowed irrespective of the provisions of the Government Servants (Application for Services and Posts) Rules, 1966.

(xiii) The relaxation in age-limits prescribed in paragraph 4 (ii) and (iii) above shall be permitted up to the maximum period of an individual concession and not by the total period of the concessions taken together, if admissible in any case.

5. (i) A candidate must hold at least a Bachelor degree in any faculty of one of the Pakistani Universities or an equivalent degree or comparable educational qualifications of a foreign University. (The candidate must have acquired the requisite qualification, on or before 1st July, 2007).

(ii) No candidate who has obtained a Third Division (or 'D' grade where result is declared under Semester System) in his Bachelor's Degree will be eligible for the Examination except in cases where he/she has obtained a higher Division in Master's or Law Degree or where, from time to time, the Federal Government may relax the condition in respect of under developed under represented areas. For the Competitive Examination, 2007 this relaxation would be admissible to candidates from the following areas/regions

(a) Sindh (Rural)

(b) Balochistan

(c) Federally Administered Tribal Areas as defined in Article 246 of the Constitution of the Islamic Republic of Pakistan and Northern areas.

(d) Azad Kashmir

(iii) The decision as to which foreign degrees or comparable educational qualifications are equivalent to corresponding Pakistani degree rests solely with the Commission.

6. (i) The candidate for the examination must be a citizen of Pakistan or a person deriving his/her nationality from the State of Jammu and Kashmir.

(ii) A Woman-candidate who is otherwise eligible can also compete in the examination.

(iii) (a) In the case of candidate whose father belongs by birth or by origin to a Pakistan province/area it is immaterial where he/she has received his/her education or has resided. Such a candidate will be considered for appointment against the quota of vacancies reserved for the province/area to which his/her father belongs/belonged.

(b) A candidate who has acquired the citizenship of Pakistan by registration under the Pakistan Citizenship Act and the Rules made there under should attach to the application the certificate (attested copy thereof) of citizenship. A candidate who has not been registered as a citizen of Pakistan but claims that he/she should be deemed to be Citizen of Pakistan under the Pakistan Citizenship Act should submit proof to the effect that he/ she fulfils the conditions on the basis of which he/she claims to be deemed as a citizen of Pakistan. A candidate who derives his/her nationality from the State of Jammu and Kashmir should attach to the

application a certificate issued by the Kashmir Affairs Division in support of his/her claim.

(c) A migrant candidate, whether residing in Pakistan or abroad will be admitted only against the quota of the province/region where his/her parents are domiciled and where they have resided for at least 3 years. However, the condition of 3 years residence would be deemed to have been fulfilled if the parents are officially domiciled in a particular province/region but have been living in some other areas for a number of years due to exigencies of service. For this purpose the candidate will be required to produce a domicile certificate from a competent authority that his/her parents are domiciled in the province/region concerned. In case the parents of migrant candidate have not migrated to Pakistan he/she would be admitted against the quota of the province/region where he/she himself/her self is domiciled and has resided or has been educated for a continuous period of three years immediately before applying for admission and consideration against the quota of a province/region.

(d) A candidate who belongs to a province/area by migration should submit a certificate of domicile along with the domicile certificate of his/her father (attested copies only) in the form prescribed in Appendix XIV of the Pakistan Citizenship Rules 1952, and should also furnish proof of 3 years residence or education in the province/area concerned.

(e) A candidate claiming his/her father as dead should submit an Affidavit in support of the fact of his/her father's death, on Court stamp paper duly attested by Notary Public/Oath Commissioner He/she should also clearly state as to what was the place of domicile of his/her father before (father's) death. In case a candidate submits the domicile certificate obtained earlier of his/her deceased father there is no need to submit Affidavit.

(f) The domicile of a married female candidate will be accepted to be the same as that of her husband. However, in the case of a widow or divorced candidate, she will be considered for appointment against the domicile of her father, provided she submits an Affidavit including place of domicile of her ex-husband along with a certificate from the Union Council/Civil Judge in support of her statement.

(g) Only those candidates shall be considered for vacancies reserved for Azad Jammu and Kashmir whose application forms for the Competitive Examination are accompanied by the domicile certificate along with Permanent Residence Certificate, issued by the Kashmir Affairs Division of that territory. No such certificates shall be accepted at any later Stage.

(h) The domicile once claimed and accepted by the Commission for the purpose of admission to an examination, no change will be allowed at a subsequent examination or selection.

(i) The domicile claimed by a candidate and accepted by the Government at the time of entry into Government service shall be treated as final throughout his/her service career and no subsequent change in his/ her domicile will be recognised for the purpose of terms and conditions of his/her service including his/her allocation and liability to transfer.

(j) The cut off date for determining the eligibility of the candidate in terms of age, qualifications, domicile etc. is 1st July 2003.

(iv) A candidate who has married a person who is not a citizen of Pakistan shall not be eligible for appointment provided that a person who marries an Indian national with the prior permission of Government may be regarded as eligible for appointment.

(v) A candidate will not be allocated to the Foreign Service of Pakistan if his/her spouse is also a candidate for this or previous Competitive Examination and has been or likely to be allocated to some service/occupational Group. An undertaking will be obtained in this regard at the time of viva Voce/Psychological Tests.

7. (1) A candidate must satisfy the Federal Public Service Commission that he/she is suitable in all respects for employment under the Government.

(ii) No candidate will be admitted to the examination who does not hold a certificate of admission from the Commission.

(iii) The decision of the Commission as to the eligibility or otherwise of a candidate for admission to the examination shall be final.

(iv) Candidates are cautioned that if an application which is not signed and or is received incomplete or wrongly filled in and is not accompanied with any of the documents mentioned in sub-paragraphs (i) to (vii) of para 12 of the Instructions to Candidates it will be summarily rejected and no appeal against its rejection will be entertained.

(v) Caution-A candidate who knowingly furnishes any particular which is false, or suppresses material information or attempts to influence the Commission, officers or members of the staff of the Commission or to obtain support for his/her candidature by improper means, or deliberately submits forged certificates or tampers with the entries in his/her age and educational certificates, or misbehaves in the examination hall or uses unfair means or found guilty of misconduct during medical and V. V. tests may be disqualified for this and/or subsequent examinations/selections held by the Commission or criminally prosecuted and debarred from employment under Government.

(vi) A candidate who, even after his appointment, is found to have knowingly furnished any particulars which are false or to have suppressed immaterial information will be liable to dismissal from Service.

(vii) Certificates of age and educational qualifications in which any entry is overwritten, altered erased. Mutilated or tampered with in ally way or the genuineness of which is otherwise doubted will be liable to be impounded till such time as the Commission considers it necessary.

(viii) Answer papers in all the subjects Of examination are secret documents and cannot, therefore, be permitted to be seen by the candidates or their representatives nor re-examination of answer books/scripts is allowed under any circumstances A candidate desirous of getting of his/her marks, awarded by the examiners re-counted may submit his request for the purpose within one month from the date of issue of result card/marks sheet along with a Treasury Challan of Rs. 100/- per paper as fee for re-checking re-counting marks only Thereafter, no such request will be entertained.

(ix) The Answer books of the Candidates will be retained in the office of the Federal Public Service Commission for one year only and thereafter the same will be destroyed. Candidates are, therefore, cautioned that any query relating to their Answer books should be made within the specified period thereafter, no request in this regard will be entertained.

(x) The candidates are cautioned that wrong selection of subjects will lead to summary rejection under para 7 (iv) and no appeal will be entertained against this rejection. Change of optional subjects is not allowed.

(xi) Grace marks are not allowed.

8. (i) A candidate seeking admission to the examination must apply to the Federal Public Service Commission, Islamabad on the prescribed form of application and the same must reach the Commission on or before the closing date. No extra time is allowed for postal transit etc.

(ii) Government servants who fulfil the conditions laid down in these rules are eligible for admission to the examination if permitted by the competent authority in their departments or offices. No Government servant shall be competent to apply without the permission in writing of his/bet' department/office as the case may be and such permissions must accompany the application. Candidates who join Government service after submitting their applications for admission to the examination should also submit the departmental permission immediately thereafter.

(iii) Armed Forces candidates to route their applications through proper channel of their Services. Applications not routed through proper channel will be rejected summarily.

(iv) A candidate who after submitting such Departmental permission, joins Civil Service Academy or is transferred to another department, should also obtain the permission of that Department and submit the same to the Commission as soon as possible.

(v) A candidate who has left Government service should submit with his/her application the original as well as a copy of his/her discharge/service certificate.

(vi) Number of Attempts. No candidate will be permitted to attempt more than thrice at the examination.

Explanation: A candidate shall be deemed to have attempted at the examination if he/she actually appears in any one or more papers.

(vii) If a candidate who took the Competitive Examination of 2002 wishes to apply for admission to the of 2003 he/she must submit an application by the prescribed date without waiting for the result of 2002. If subsequently it is not necessary for him/her to take the 2003 written examination his/her examination fee will not be refunded.

(viii) No plea that an application form or a letter concerning such form, has been lost or delayed in the post, will be entertained unless the person making the allegation produces a post office registration receipt.

(ix) The maximum number of candidates to be admitted to this examination may, in the discretion of Government be limited to such number as Government may decide. If a limit is imposed and the number of candidates exceeds that limit, the Commission shall select from amongst the applicants those who shall be admitted to the examination and in doing so, shall have regard to the suitability of the applicants and to adequate representation of the Provinces/Areas of Pakistan as well as of the various age concessions.

9. The subjects for the competitive examination will be as given in.

10. Candidates must pay fees as prescribed in Appendix II. No claim for refund of any fee will be entertained nor can the fees paid be held in reserve for another examination or selection.

11. The approximate number of vacancies in BS-I7 to be filled on the results of this examination will be announced later. The Government however, reserve the right to fill a smaller or larger number of vacancies than that announced

12. Subject to the Recruitment policy explained in Appendix-III of these Rules. Candidates securing the highest places on the combined results of the written

Examination, Psychological and Viva Voce tests and eligible for appointment will be appointed upto the number of vacancies available. No candidate will, however, be considered for appointment to any of the Groups/Services for which he/she has been declared “not suitable” by the Commission at the time of Viva Voce test.

13. (i) Success in the examination confers no right to appointment. Appointments will be made only after the Government is satisfied, after such inquiry as may be necessary, that the candidate is suitable in all respects for appointment to the Public Service and subject to the availability of vacancies.

(ii) “Candidates will be considered for those groups/services only which they indicate in the application form. No candidate will be considered for the groups/services which he/she will not mention in the form. Candidates will however. Be given a chance to revise their choice of occupational groups at the time of the viva voce test. Preferences SC) revised at the time of viva-voce test shall be treated as final and no subsequent change will be allowed under any circumstances.

14. The Commission reserves the right to change the schedule of the examination as well as to cancel any paper/papers or the entire Competitive Examination without assigning any reason.

15. The Government reserves the right to allocate a candidate against any Group/Service irrespective of his/her preferences, in the public interest. No appeal against the decision of the Government will be entertained.

6:IV(a) Public Service in Malaysia

The Malaysian Public Service formerly known as the Malayan Civil Service (MCS) has assumed a significant key role in the economic and social development of the country. Shaped by the country’s historical development and

its social and political institutions, the Malaysian Public Service has had a remarkably interesting record. During the pre-independent period, the British introduced structures and practices to help provide various basic services to the public in order to maintain law and order which were aligned to the economic and political activities of the time. Those structures and practices set the foundation of the Malayan Civil Service. With the aim of progressing towards self-determination after independence, the Malaysian Public Service has undergone many changes to re-orientate and evolve into a civil service structure that is relevant and progressive through the introduction of planned improvements and innovations to cope with the developments at that time as well as future needs. To date, the Malaysian Public service has staff strength of 1.2 million employees covering 28 schemes of service including the Federal Public Service, the State Public Services, the Joint Public Services, the Education Service, the Judiciary, the Legal Service, the Police and Armed Forces.

The Malaysian Civil Service inherited its legacy from the British Public Service with significant fundamental changes taking place over the last 50 years. Tracing briefly the history of the Malaysian Public Service, its establishment began in the late 1700 when the British East India Company acquired Penang. At that time the civil service attracted the best and brightest scholars from England to be appointed as administrative officers. The Northcote-Trevelyan Report of 1845 laid down the public service ethos which emphasised that a politically neutral civil service means complete loyalty to the government of the day regardless of its political complexion. A professional public service, should offer impartial and appropriate advice, devoted to the public interests and obedient to the Minister and Cabinet. Finally, the public service should provide continuous stability when there is a change in government. This basic tenet sets the tone of the Malaysian Civil Service for the past 50 years since independence. The late 1800 saw the amalgamation of the civil services in the Federated Malay States and that of the

Straits Settlements into a single unified service known as the Federated Malay States Civil Service (FMS). This was to provide a centralised administrative power with a common recruitment procedure that would allow officers to be appointed and deployed to the various Malay states. With this centralisation, the recruitment procedures were streamlined attracting equal if not better qualified candidates for appointment into the service which marked the beginning of a well organised and professional civil service.

The FMS expanded and opened its doors to Malay officers to form a subordinate service known as the Malay Administrative Service. By 1903, there were 332 Malays out of 6,607 employees in the government service. Raja Chulan b. Raja Abdullah who had earlier joined the government service as a Settlement Officer in Perak became the first Malay District Officer in Upper Perak, thus breaking the control of Europeans in the Service. Under the expansion of the FMS and the Malay Administrative Service, many administrative reforms were introduced to upgrade and improve the service. Among others the Sterling Scheme, Stubb's Salary and Classification and the Bucknill Commissions continued to define and refine the principles of service relating to the systems of remuneration, leave and pension and other terms of service. When the British left Malaya during the Japanese occupation in 1941, the mettle of 85 of these officers who were of the Malay Administrative Service were tested when the administration of the country was left in their hands. They managed the country well and they continued to play an important role towards the nation's independence in the 1950's. The beginnings of the formation of a unified public service started when other Colonial services such as the Medical, Education, Legal, Police to name a few were combined to establish the Colonial Administrative Service of which the MCS was now a component. The MCS later evolved into what is now known as the Administrative and Diplomatic Service (ADS), a premier service whose changing roles from that of a developmentalist to a facilitator and now as an

innovator has been seen as instrumental in moving the country forward in attaining economic dominance, enhancing human capital development, addressing socio-economic inequalities, improving and sustaining life quality and strengthening institutions and implementation capacity. The ADS generally described as 'elite' and 'prestigious' provides almost all the senior administrative officials at the federal and state levels. Its 'generalist' character where an officer will serve and function as administrators and policy implementers in various government agencies or ministries provides a general purpose perspective with a non-partisan role as advisors to the political appointees. This 'generalist' character of the ADS has had an adverse effect on the performance of the officers. As recent as the late 1990's, the policy to recruit officers from multi-disciplinary academic backgrounds and emplacing them in relevant ministries or agencies has lessened to a certain extent the 'generalist' image of the ADS. The MCS has its roots in the colonial administrative system established by the British. Thus, Malaysia "inherited" the civil service characterised by professionalism, ethos and not least the contribution of expatriates who remained in Malaysia in the 1950s and 1960s. Unlike some other colonial systems, the British preserved the traditional social structures and political institutions of the day with some adjustments. Even before independence, the British ensured that the Malay aristocracy and political elites were groomed for their roles in the colonial administrative system. A significant move during the early years of independence was the policy of Malayanisation of the Public Service. This was in the forefront of the Alliance government's agenda with the objective of completing Malayanisation by 1 July 1960. Finally on August 15, 1968, the Federal Establishment Office which was renamed the Establishment Office of Malaysia in 1967 adopted Public Service Department as the agency to oversee all matters relating to creation and restructuring of services to better serve the country's developmental agenda. The Public Service continued to play an important role in the years following Merdeka. Through the difficulties following the early years

after Independence such as the Emergency, the troubles in 1969, and accommodating the needs of racial diversity of the population, the Public Service has been the steady guiding hand planning, maintaining, and executing government policies and programs aimed at achieving economic growth and social equity in the nation's journey towards development and modernisation. The Public Service has had a strong role in policies introduced and implemented in the industrial, agricultural and social sectors through the various 5-Year Plans and the New Economic Policy introduced in 1970 which helped maintain the balance between rural and industrial development, provided the impetus for further economic growth while managing the social implications of an ethnically diverse nation.

Throughout those years, the Public Service has evolved and met the challenges faced by the nation, adjusting, adapting and fine-tuning government political, economic, and social programs that contributed to the nation being one of the most modern and developed in the region. Not only has it kept the pace of development going, it has facilitated the nation's thrust into the ranks of the higher income developing countries. Since independence the Malaysian public service has assumed a multitude of roles in meeting the needs and expectations of the public and other stakeholders. The public service, with the strength of 1.2 million members, has assumed the roles of negotiator, controller and facilitator. In addition, it has also become the pace setter and the change agent for the country. In assuming these roles the public service needs to perform numerous duties which include delivering services, handling public interest, ensuring public security and safety, and community programmes. Significantly the Malaysian Civil Service has over the years carved its name and is recognised as one of the best in the regions. It is credited for playing a key role in Malaysia's development and modernisation. Generally, the governmental efforts made during the past decades, have produced favourable impacts in improving governance and the

quality of services in the public sector. In its efforts to meet the expectations of both the National Vision Policy and the National Mission spanning from 2001 to 2020, the Malaysian Public Service continues to redefine itself in these challenging times. Through the various tag lines such as “No Wrong Door Policy”, “Business is not as Usual” and the creation of PEMUDAH for improving public service delivery system by reducing bureaucratic obstacles and providing productive, creative and innovative services, it aspires to become a strong partner with the different sectors in creating wealth for the nation. All in all the Public Service has sought to be world-class and meet international benchmarks of performance and excellence. “Last two decades have witnessed a number of changes and innovations in Malaysian civil service. A former Chief Secretary, a staunch supporter of reform describes the situation as a paradigm shift.”

6:IV(b) Civil Service in Malaysia

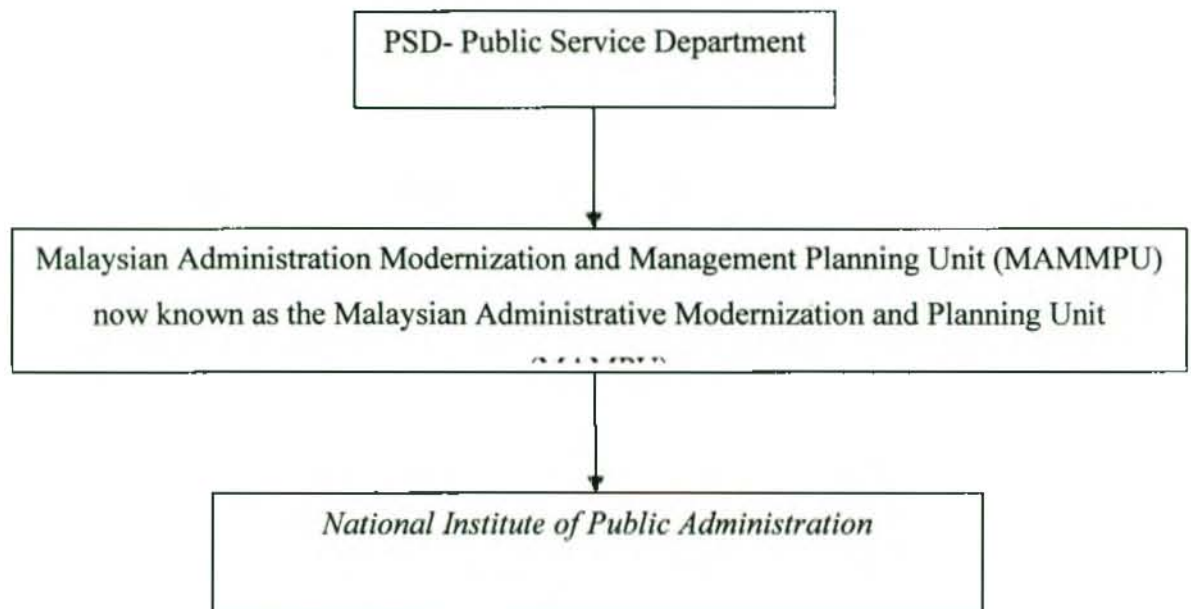
Article 132 of the Constitution of Malaysia stipulates that the Public Service consists of:

- the General Public Service of the Federation
- the State Public Services
- the Joint Public Services
- the Education Service
- the Judiciary and the Legal Service
- the Armed Forces¹⁸

To all intents and purposes, Statutory Bodies and the Local Authorities are also considered as part of the Public Service. This is because both these autonomous bodies resemble the Public Service in many respects since they adopt the procedures of the Public Service pertaining to appointments, terms and conditions of service and the remuneration system. Besides that, their officers and staff also

receive pension and other retirement benefits similar to the employees in the Public Service.

However, with the implementation of the separation concept under the New Remuneration System which became effective on 1 January 1993, several public sector agencies were given the freedom to institute their own policies and procedures. These agencies, whose activities were akin to that of businesses and were in good financial stead, were allowed to determine their own policies and procedures pertaining to appointments, terms and conditions of service. In the 1970s number of reform measures were introduced.¹⁹



The MAMPU was established with the goal of increasing the capacity and effectiveness of all public agencies in the formulation and implementation of policies and development programmes through training.²⁰

6:IV(c) Public Agencies

Public agencies are agencies in the Public Service at the Federal, State and the Local Government levels. Federal agencies consist of Ministries, Federal Departments and Federal Statutory Bodies. Each Ministry is headed by a Minister and the executive officer is known as the Secretary General. The Prime Minister's Department is also a ministry. Typically there will be a number of departments and possibly one or more statutory bodies as well under a ministry. Head of departments are given the title Director General. Head of statutory bodies are called chairman while the chief executive officer who is a civil servant is called the General Manager. There are statutory bodies headed by the executive chairman who also functions as the General Manager as is the case in the Employees' Provident Fund.

State Agencies consist of state departments, state statutory bodies and local governments (City, Municipal and District Councils).

The term Public Service does not include special institutions like the Judiciary, Public Service Commissions, the Election Commission and like institutions whose members are appointed by the Yang DiPertuan Agong (King). Nevertheless, the organizations providing support or secretarial services to these institutions are public agencies whose officers and staff are from the Public Service. The Public Service also excludes off-budget agencies which are formed under the Companies Act or the Society Act and do not follow policies and procedures of personnel management in the public sector.

Central Agency in Malaysia is important, as it assists the government in formulating policies, coordinating, controlling and monitoring the various development programs and projects. Among the main responsibilities (objectives) of the Central Agency are:

To formulate public policies with regard to economic planning of the state.

- To formulate and provide the basis and needs of various government agencies and departments, such as, formulating and providing public servants and positions,
- To provide the basis for public budget (or public funding) for the various development programs and projects.
- To provide necessary services that is required by the Operation Agency.
- To ensure that public policy are implemented and executed accordingly by the Operation Agency, and the smooth running of various development programs and projects.²¹

As such, the coordination and control by the Central Agency (over the various Operation Agency) tend to encompass a few crucial aspects or functions:

- Examine and scrutinize the estimate annual budget of state.
- Examine public servant services scheme, public servant grades, and positions.
- Examine and scrutinize the annual economic development programs and projects of state, and also the Five-yearly economic policy of state.
- Enforce financial regulations and public services.
- Coordinate the formulation of public policy, programs, and projects, and also its implementation.
- To analyze and investigate public complaints and feedback, with regard to the various governmental programs and projects.²²

Central Agencies are also Federal agencies responsible for formulating the national financial and economic policies, the public sector human resource policies and the monitoring and supervising the implementation of these policies.

The central agencies are:

- The Treasury
- The Economic Planning Unit (EPU)
- The Implementation Coordination Unit (ICU JPM)
- The Malaysian Administrative Modernisation and Management Planning Unit (MAMPU)
- The Public Service Department (PSD)

In 2010 Senator Datuk T. Murugiah, a Deputy Minister in the Prime Minister's Department, denied in a parliamentary press conference that the government was only focusing on hiring ethnic-Malay civil servants. "People always criticise us for hiring only those from one race to work in the service but it is not true. The percentage of non-Bumiputeras hired by the Public Service Commission has increased in the past few years," he stated. According to Murugiah 58.2% of the 1,559 Chinese applicants interviewed as of 15 June 2010 have been hired and that the number of Chinese employed in 2010 shows an increase of 9 percent over 2008. 1,833 ethnic Indians were interviewed as of 15 June 2010 and 42.7% of them hired. In 2008 6,106 ethnic Indians were interviewed of which 38.8 percent were hired. "There is no bias there. All races are given opportunity for top management positions. There is no quota system," added Murugiah.²³

6:IV(d) Appointing Authorities

Each of the services have their respective appointing authorities as follows:-

Service/Agency	Appointing Authority
Federal Public Service (excluding the Education Service, Judiciary & Legal Service, Police and Armed Forces)	Public Service Commission (Federal)
Education Service	Education Service Commission
Judiciary and Legal Service	Judiciary & Legal Service Commission
Police Service	Police Service Commission
Armed Forces	Armed Forces Council
Public Services in the states of Selangor & Penang	Public Service Commission (Federal)
Other State Public Services	Respective State Public Service Commissions
Federal and State Statutory Bodies	Respective Management Boards
Local Authorities	Respective Management Boards

Among civil service agencies in Malaysia are:

- Royal Malaysian Police
- Fire and Rescue Department Malaysia
- Malaysian Civil Defence Force
- Malaysian Prison Department
- Malaysian Anti-Corruption Commission (MACC)
- Election Commission of Malaysia
- RELA Corps
- Malaysian Search and Rescue Team

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Chapter Seven: Recruitment of Civil Servants

7:1(a) Recruitment during British Period

It has been seen in the foregoing chapters that having been historically originated as the governing offshoot of the mercantile-administrative edifice of the East India Company, the Bangladesh Civil Service (Administration) cadre, inherits a legacy of the [British] Indian Civil Service and its Pakistani version, the Civil Service of Pakistan. However, it is equally evident that, under the clout of the unified civil service structure, there have been a number of tributaries that contributed to quite a large BCS (Administration) cadre of the present day. Quite now and then, the controversies, debates and noises around the cadre bewilder many curious onlookers. The pattern of recruitment in the cadre, especially in the recent years, is equally perplexing, if not more. The system of recruitment to the civil service is studied in some detail in this chapter. Recruitment is the process of securing new employees to an organization for filling posts required for the conduct of its work.¹ Although there are various modes of recruitment to public administration, the most widespread among them are the direct recruitment and recruitment by promotion. The first of these two categories of recruitment is the principal subject of this part of the study. Many of its ills may be ascribed to the peculiar pattern of recruitment in the cadre. In the beginning, only men of humble origin and status entered into the Company's services. The new recruits, under a covenant, had to bind themselves to the effect that they would contribute to a pension fund, would not take any Unwarranted present, and they would remain ready to serve anywhere in India without complaints, and the like.² This is the reason why the service was termed as the *Covenanted Civil Service*. The Company's policy was 'not to employ any gentleman in any place of charge.' The representatives of the Company's shareholders used to recommend candidates for employment in the service. After the Restoration, there was a friendly relationship

between the Company and the Court. However, men of good birth began to be recruited only in the 18th century and, by 1838, the character of the service was entirely changed. It was now swarmed by men who had high birth and great interest, but no recommendation.³ These changes in the patterns of induction in the civil service, set in motion in the British days, have not yet ceased to bewilder the practitioners and scholars.

7:I(b) Recruitment under the Company

For more than one hundred years, the Crown periodically granted the East India Company a Royal mandate for monopolistic trade in the East Indies. Since 1674, when it saw an immediate prospect for future expansion of their lucrative trading, the Company enunciated the rules for civil employment. It followed a policy of employing and maintaining a large staff on nominal pay. In the lowest ladder of the service, an Apprentice was appointed for a term of seven years, on completion of which he might be retained for another three years. There was, however, no dearth of aspirants for a possible position in India, because the Company granted its servants a right to private trading alongside their official duties. The next higher grade was a Writer's, whose qualifications were limited to good penmanship and willingness to serve in India without complaint. A Writer could prove his worth and be promoted to higher grades, i.e., as Factor, Junior Merchant and Senior Merchant. These appointments were based on recommendations of somebody having influence on the Company's Court of Directors. The salary of those civil servants may be seen from the following table.

Table: 2 Salary Structure of the Company's Civil Servants in the Beginning

<u>Name of Post</u>	<u>Annual Salary</u>			<u>Remarks</u>
	<u>First 5 years</u>	<u>Next 2/3 years</u>	<u>Another 3 years</u>	
Apprentice	£ 5	£10	£20	The post was dropped in 1694.
Writer	£ 10	£20		
Factor	£ 20			
Junior Merchant	£ 30			
Senior Merchant	£40			

Source: B. B. Misra, *The Bureaucracy in India – An Historical Analysis of Development up to 1947*, Delhi, Oxford University Press, 1980, p. 42 and also quoted in Sk. Abdur Rashid, *op.cit*, p. 61.

Before all such appointments, each candidate had to sign a *Covenant*, undertaking to serve the Company with loyalty and good conduct. Thus, there grew a career service, where the principle of seniority was the basis for promotion unless the exigencies of business demanded otherwise. After 1682, qualifications for appointment as Writers were extended to general education, with some knowledge of book-keeping and commercial accounting. The patron-centered recruitment in the Covenanted Civil Service and almost unfettered rights to private trade begot endemic troubles. The Court of Directors introduced an improved selection process in 1714, when it put for scrutiny all applications to its Committee of Accounts, whose reports were decided in the Court by ballot. The finally selected candidate, before sailing for India, would furnish two securities of £500.⁴

The Court was generally reluctant to pay attention to the administrative issues unless they had a strong bearing on their business interests. But, several years

after the Diwani in 1765, the Company felt it necessary to strengthen its administrative system. Governor General Warren Hastings sought to bring about discipline in the service and his efforts were largely successful. The Regulating Act of 1773 established some kind of parliamentary control on the Company's rule and distinguished its civil and commercial functions. Later on, Pitt's India Act of 1784 put an end to the monopolistic trading rights in the Company's territorial possessions in India, which had already begun to be termed as *impend dominions*. The Act raised the minimum and maximum age limits for appointment as Writer at 15 and 18 years respectively. Hastings's successor, Lord Cornwallis, was more successful in bringing about a relatively synchronized civil service structure. He was particularly undaunted in his persistent refusal to allow improper appointments. The Charter Act of 1793 provided: "all officers, places or employments in the Civil Line of the Company's Service in India from time to time shall be filled up and supplied from among the Civil Servants of the said Company," i.e., from the Covenanted Civil Servants.⁵ The Act established the general principle that posts in the civil administration should be filled up by the civil servants. Moreover, it prescribed restrictions as to the length of residence in India required for posts carrying a certain salary.⁶ The maximum age for appointment as Writer was raised to 22 years. Paying attention to serious consequences of mischievous nominations, the Directors were now required to take an oath that they would not fake any gratification against nominations made by them.⁷ When Wellesley succeeded Cornwallis, the rationale for a strong bureaucratic system was all the more evident because of the strong imperialistic outlook of the new Governor-General and the Court of Directors in London. More and more territories were being annexed to the Company's domain. He dispatched his famous* Minutes of 10 July 1800, where he considered the rule of India as a "duty, policy and honour" and implored his bosses in England to accept it that the Indian realm must be considered as a permanent possession. Wellesley made it clear that the success in that mission lay in a civil service capable of an

inexhaustible supply of knowledge, cultivated talents and disciplined morals. Thence, he set up the Fort William College in Calcutta to inculcate those qualities in the young Englishmen destined to rule the subcontinent. The aim of the College was to put the new recruits to the Covenanted Civil Service to a comprehensive three-year training programme in humanities, general science and Indian subjects. Skeptic from the beginning, the Court of Directors soon got the grandiose programme of the College closed in License for revenue administration including tax collection and law enforcement in that connection.

1803 and established the East India College at Hertford in 1805, patterned after the very principles and practice of the Fort William College.⁸ Four years later, it was moved to Haileybury. The College at Calcutta lived in an attenuated form for another half a century only to give the Europeans an opportunity of learning oriental languages.

The College was run to ensure that every candidate, nominated for the covenanted service, was to successfully undergo a three-year probationary training. The Charter Act of 1813 confirmed this regulation. The candidates' results in the examinations of the College were crucial for the placement of the successful ones. Discipline was a strong tenet in the whole affairs. However, the Court of Directors enjoyed and exercised a system of patronage under which they could nominate their candidates for admission into the Haileybury College. Patronage was not confined to relatives of Directors alone. Between 1809 and 1850, among those admitted into the College, as much as 23 percent came from 'relatives', while 55 percent were from the 'friends' category.⁹ The India Act of 1833 sought to reduce the extent of patronage and, as was expected, the Court showed a stiff' opposition to the proposed change of their special privilege. Major components of the reforms envisaged in the Act had to K- suspended in 1837. The Court of Directors, however, voluntarily adopted a set of restrictions regarding patronage. They also allowed Greek and Latin, history, geography, philosophy, mathematics,

arithmetic and geometry to be included in the syllabus for admission test. Classical literature, history, mathematics and political economy too were duly stressed in the programme.¹⁰ Quality of selection received a very high premium and the Board of Control assumed a more decisive role. Each student of the College had to pass four terms of six months each. Notwithstanding the diverse backgrounds of students, the College could implant a strong *esprit de corps* among the recruits, who were interested soon more in the Service than in the country they served. From the Indian point of view, it was not a welcome phenomenon, but it suited the purpose of the rulers. The College, especially after the India Act of 1833, contributed to the introduction of an open competition under the Charter Act of 1853.¹¹

7:I(c) Stationary Civil Service

Against rising demands for Idealization of the civil service, a committee appointed by the Secretary of State for India in 1860 recommended in favour of simultaneous examinations in India, But, the government remained opposed to it. Moreover, the lowering of the maximum age for candidates from 21 years to 19 worsened the prospect of Indian participation. A scheme of granting nine three-year scholarships each year was introduced for young Indian students aspiring to join the Indian Civil Service or any other dignified profession in the Indian public life.¹² However, could not change the scenario, Moreover, the lowering of maximum age for recruitment to *the* civil service reduced the number of English candidates as well. Indians now began to raise two-fold demands: simultaneous examination and the raising of age-limit. The heedless authority had enacted a law in 1870 authorizing appointment of Indians to high offices by nomination or promotion. The rules mode hereunder in 1879 allowed one-sixth of the vacancies in the covenanted civil service to be filled by nominations and promotion. Indians of a maximum age of 25 years could be inducted under the scheme. All

nominations had to be sanctioned by the Governor General and the civil servants recruited this way had to undergo a two-year probationary period. These officers, however, would not be appointed to key positions without a previous sanction of the Governor General. This clever ploy of recruitment of Indians in the civil service through nomination was adopted to allay the hard feeling of educated Indians. Governor General Litton held tempt if they could get hold of young men of good family for the service through nomination. 'It will secure along with them all the members and all the influence of their family; and this will ramify far and wide'.¹³ However, things did not mark any substantive change. Hence, the governments of different presidencies were allowed to choose candidates by any manner they thought it fit, with the proviso that if a candidate's worth was not tested through services, his educational attainments could be considered. Accordingly a limited competition was evolved involving (a) officers in the service of the Government, or (b) holders of a bachelor's degree from the Calcutta University, or (c) persons of proved merit and ability in the practice of a profession. From 1879 to 1886, only 9 persons were inducted in the service (Including 3 on intellectual grounds and 2 on promotion) and only one of the four gentlemen inducted in the uncovenanted service in the manner up to 1884 'successful' by passed through the probationary process.¹⁴ Only 69 *statutory civilians* were appointed under the system. But the- new Service had neither the status nor the prestige of the covenanted service. The new incumbents, all men of educational and aristocratic worth, viewed the statutory service as a secondary and lower service, incapable of meeting the aspirations of the educated Indians.

Table 3 shows the clear dominance of English officials in the subordinate services in Bengal, especially at their higher levels.

Table: 3 Grade-wise Strength in Subordinate Executive Service in Bengal in 1881

Nationality	Grade I	Grade II	Grade III	Grade IV	Grade V	Grade VI	Total
European	7	7	9	14	28	8	73
Indian	2	5	3	12	32	31	85
Total	9	12	12	26	60	39	158

Sources : Anwadha Chanda, *Public Administration and Public Opinion in Bengal (1854-1885)*, Calcutta, K. P. Bagchi and Company, 1986 p. 49 and also quoted in Sk. Abdur Rashid, *op.cit*, p. 64.

The high officials too were opposed to the government's policy of employing more Indians in impartial positions.¹⁵ Illustrates the theme in great details to show their inherent disavowal. The total strength of the uncovenanted executives in India in 1881 was 4,082, among whom 2,058 were still English.

Corresponding with the rules of 1879, the number of appointments made by competitive examination in the covenanted civil service was reduced by one-sixth in 1886. However, as the salary and status of members of the statutory civil service was no match for those in the covenanted civil service, and as the former did not belong to any organized service, the statutory service was not favored by the educated Indians. The growth of western education and consequent influx of European ideas stimulated their aspirations. The Indian National Congress, since its very inception in 1885. Started demanding simultaneous examination in India. The Government felt it incumbent to cause a public inquiry of the subject and related issues. It led to the appointment of Aitchison Commission in 1886, which was to devise a scheme that possessed necessary clerical of finality and do full justice to the claims of the natives of India to higher and more expensive employment in the public service. But, the Commission rejected the idea of simultaneous examinations for many reasons. It maintained that as the needed

able men of distinctively English character and English education, only the stimulating and invigorating atmosphere of Britain could ensure a kind of education and examination suitable to that service. The uneven spread of English education in different Indian society would lead to a more spectacular inequality. Third, the Commission maintained, simultaneous examinations could generate a naked competition India to shape (heir courses to suit the civil service examination. It was also apprehended that secrecy of examination papers would be extremely difficult and that qualified examiners were rarely available in India. These problems, however, were not entirely irresolvable. But they could effectively block a quick Idealization of the Indian civil service.

Despite the Commission's recommendation for naming the Covenanted Civil Service as the Imperial Civil Service, it was soon officially renamed as the Civil Service of India. However, it assumed the popular epithet, the Indian Civil Service (ICS). The government accepted the Commission's major recommendations for creating Provincial Services and for raising the numbers for Sanskrit and Arabic in recruitment examinations. The provincial services were to succeed the *statutory services*, which had proved inadequate for and unattractive to Indians. The Provincial Civil Service was to be initially encoder against posts made surplus from reduction In the reservations for the Covenanted Civil Service. Such posts were to be lllled on a local basis with recruitment of officers under the authority of individual provinces. Thus, the ICS was encoder from the ranks of the reformed Covenanted Civil Service, i.e., after deducting the posts assigned to the newly created Provincial Civil Service. The Uncovenanted Civil Service was divided into two groups on the basis of relative statuses of posts. The higher group constituted the Provincial Civil Service, while the lower administrative cadres were encoder as Subordinate Civil Si.'fvlce, Al that time, the central governments service structure contained 17 departments, on top of which was the

Indian Still Service. Again, the ICS and the Forest Department were composed of two branches of each - imperial and provincial.¹⁶

When the Public Service Commission, popularly known as the Aitchison Commission, was set up in 1885 to review the question of recruitment of Indians in the sense, there were 2600 uncovenanted officers vis-a-vis 940 covenanted ones in India. The Commission tried to make a distinction on the basis of places of recruitment. Those recruited in England were to be regarded as members of the Imperial Civil Service and remunerated in a distinctly higher scale. On the contrary, officers recruited in India would be members of Provincial Civil Services and they would rise to more and more important positions, commensurate with a progressive reduction of covenanted service posts. Unlike the all-India scenarios, the Commission's recommendations brought about some positive changes in the provincial scene. In 1870, the executive branch of Menhirs provincial service was composed of 231 members of whom 81 officers were Europeans, librarians and Americans. In 1893, the corresponding figures were 368 and 38.¹⁷ This shows a marked improvement as far as induction of Indians in the government's services was concerned. However, throughout India, imperial designs on the one hand, and Indian obstinacy and apathy on the other, were largely responsible for a very meagre induction of Indians in the uncovenanted services, not to speak of the covenanted services. Later on, acting on the Islington Commission's recommendations for reserving 25 percent of the ICS posts for the 'Misted post' holders, the Indian Civil Service (Temporary Provisions) Act of 1915 authorized the Secretary of State for India to make rules for admission to the Service [without examination] of British subjects possessing of such qualifications as might be prescribed. The provisions for recruitment to civil service without examinations were necessitated by the exigences. Created by the World War I, during which recruitment remained for the most part suspended.¹⁸

Narrates how the Montague-Chelmsford Reforms increased the combined quantum of nomination for and promotion to 33 percent of the ICS posts. On 1 December 1920, the government of India, in a Resolution, laid down five principles of recruitment to the Indian Civil Service: a) through an open competitive examination in London, b) through a separate competitive examination in India, c) through nomination, d) through promotion from the Provincial Civil Service, and e) through appointment from the Bar.¹⁹ These provisions were used in later years to recruit in the civil service the veterans of the War in Europe. As of then, Indians were free to join the *Service* if they could go to England and pass the competitive examination, which was in essence purely literary in character. The demands for holding the examination in India were not being conceded to. There was a rising concern for the deterioration of the standards of recruits and on the conduct of civil servants, particularly young ones. Suggestions were put forth for scrutiny of character through involving the school headmasters, university teachers and civil servants. But these were not acted upon in a regular way. However, in 1921, a *viva-voce* test was introduced for candidates who came out successfully in written examination, as an additional test of character and personality.

7:I(d) Simultaneous Examination

Notwithstanding the introduction in 1855 of the open competitive recruitment system for the Covenanted Civil Servants of the Company and the retention of the system under the imperial assumption of the realm in 1858, the entry of Indians into the positions of responsibility and authority was very scanty. Queen Victoria's pledges for allowing greater entry of Indians in India's high civilian positions was unfulfilled. Among the principal causes for the poor representation of Indians in the civil service was the fact that the examinations used to be held in London only. It was impossible for average eligible Indians to go to England at a

very tender age and acclimatize with the local environment before sitting for the examination in London. Hence, a cry for holding the examination simultaneously in England and India was constantly aired by educated Indians, especially its intelligentsia. But, the authority remained heedless on different pleas including, lack of competent examiners, problems of confidentiality, and a possibility of a rat race among local institutions keen for tutoring students for the competitive examinations (hereby disregarding the students' real needs. The Government of India even defied the Parliament, which resolved on 2 June 1893 that all open competitive examinations heretofore held in England alone for appointments to the Civil Services of India shall henceforth be held simultaneously both in India and England, such examinations in both countries being identical in their nature, and all who compete being finally classified in one list according to merit.²⁰ The Government of India, in its response to the Secretary of State for India on 1 November 1893, summarized some *reasons* for which they were 'unable to adopt the proposal embodied in the House of Commons' resolution'. The reasons included the lack of necessity for the fulfillment of the *so-called pledges* upon which the claim stood. The practical difficulties of introducing a system of simultaneous examinations were also termed as extremely serious. Next, they held that simultaneous examinations would run counter to the indispensability of a minimum number of European officials for the sake of efficient government. They also refused to consider reducing the existing minimum of such officers. The Government spoke against open competition among the Indians on count of relative backwardness of certain sections and races of people who were accustomed to rule and possessing of exceptional strength of character, but deficient in literary education. Lastly they held that simultaneous examinations would lead to injustice to the officials recently appointed to provincial services.²¹

The situation seemed to be assuming a welcome turn for the Indian educated class in the early years of the next century. Against the long and continuous demand for

simultaneous examination for recruitment to the public services in India, the government's policy showed a perceptible shift. In this regard, although it caused ample rifts among the top functionaries. These demands and several other factors led to the appointment of a Public Service Commission in 1912 under the chairmanship of Lord Islington. It may be mentioned that Lord Harding, the Viceroy at the time, was more favourably disposed towards the cause for a speedier induction of Indians in the important public offices and public services.²² The Commission, in its report, laid paramount importance on (a) the need for high standards civil administration, (b) the mortify imperial interests, and (c) the desirability of satisfying reasonable aspirations of Indians for promoting harmony between Indians and Europeans. The Commission recommended creation of four categories of Civil Services (Imperial, Central, Provincial and Subordinate). It also asked for simultaneous examination in England and India, though of an experimental and tentative character, for the recruitment in most of the services. It also recommended the method of promotion to a limited extent with a warning that too much emphasis on promotion might jeopardize the civil servants' initiative, vigour and freshness of outlook.²³ The Commission boldly maintained, "If responsible government is to be established in India there will be a far greater need than is even dreamt of at present for persons to take part in public affairs... lessen the burden of Imperial responsibilities if a body of capable Indian administrators could be produced.... We cannot rely on the present method of recruitment in England to supply a sufficiency of Indian candidates. "That system must be supplemented in some way or other: and we propose to supplement it by fixing a definite percentage of recruitment to be made in India..."²⁴ The Government was positive on the main suggestions, but it was not in a mood to take immediate measures on all these recommendations owing to its preoccupation with the First World War. Subsequently, on 20 August 1917, the House of Commons adopted another resolution which stated (that His Majesty's

government favoured gradual development of self of many Institutions lot progressive realization of responsible government in India.

The Montague-Chelmsford reforms of 1919 in a way recognized that Idealization of the higher public services had been lukewarm. After the enactment of the Government of India Act 1919, the Government finally gave in and, for the first time, in 1922, the examination was held in Allahabad as well as London. As the civil service is a living organization, the recruitment examination naturally underwent a change of posture. New subjects were incorporated along with reallocation of marks. Indeed, the growth of new knowledge and the experiences of the War gave birth to new ideas and principles. It created an impact on this important socio-political institution. For the first time, subjects were distributed into compulsory and optional categories. A 500-mark compulsory part contained five papers each carrying a total of 500 marks: (a) Essay, (b) English, (c) Present Day questions on contemporary social and political subjects, (d) Science - questions on general principles, methods and applications of Science including Geography, and (e) Translation from one of the languages included in but not taken from the optional part. A 300-mark optional examination was included in the compulsory part. Under the optional part, candidates could offer subjects that carried a total of 1,000 marks from among a host of 61 subjects each carrying 100 or 200 marks. Subjects were arrayed in a wide range of branches - Language, Literature, History, Law, Social Science, Mathematics, Science etc.²⁵

The Indian Civil Service by this time began to lose much of its charm among the English young men and the number of candidates for positions in India was progressively on the wane. At the same time, the pace of Idealization was being considered too slow and illiberal. The political scenario too was volatile with symptoms like non-cooperation movement and civil disobedience campaign. In 1924, another royal commission on the Indian superior services under Lord Lee of

Forehand suggested that some central services like Indian Civil Service, Indian Police Service, Indian Service of Engineers (Irrigation Branch) and Indian Forest Service should continue to be reformed and controlled by the Secretary of State for India. These all-India services were to handle affairs for which the Secretary of State for India was still responsible to the Parliament in London. For other central services and the provincial services, it was recommended that the Government of British India and the provincial governments would exercise certain amount of powers. In certain spheres like political, ecclesiastical and imperial customs departments the Secretary of States would continue to recruit officials and in senior positions of railway and post and telegraph departments he and the Government of India would share the same authority. In line with the proposition for Unionization of the civil service, the Commission recommended that twenty percent of the vacancies in the Indian Civil Service should be filled by promotion from the Provincial Civil Service, while the rest be filled by direct recruitment of Europeans and Indians in equal numbers. Such measures were expected to bring the numbers of Indians and the English in the Services on an equal footing in a few years.²⁶ The government accepted with small modifications these recommendations along with host of other ones in different aspects of the Indian statecraft.

Like the Civil Service Commission in Britain, a permanent Public Service Commission was set up in India in 1926. It was entrusted with the tasks of recruitment to services and advising the government on issues relating to discipline and protection in services. However, the Government of India continued to take measures to ensure representation of different communities, castes and tribes in different services under its disposal. The bosses in Delhi and London could thus exercise subjective predisposition and biased inclinations for one or the other group of people. The situation became more and more complex, because in Bihar politics, class is important in Bengal. If Hindu-Muslim is a

factor in Uttar Pradesh, Brahman-non-Brahman conflicts assume a great importance in Madras'.²⁷ Correspondingly, the of the educated British young men to join Indian services was progressively on the decline, The authority had to strike a suitable balance for all these factors. Under the circumstances, the Simon Commission and the Joint Parliamentary Committee on Indian Constitutional Reforms expressed their views in favour of continuing to recruit Indians and Europeans in TCS under the Secretary of State for India. They also called for retaining the TCS and the Indian Police as the only two all-India Services under the direct charge of the Secretary of State.²⁸ For the Civil Service and the Police, a strong British element and scopes for representation of different sections of people were regarded essential for handling the intense cleavages and bitter animosities among Indians. Moreover, as Ashok Chanda²⁹ had it, 'the recruitment and control, and the terms and conditions, of the all-India services were so determined as to ensure the How of young British university graduates, which was considered ussunliul iiii innuing such services,' The Commission held that, in view of the communal tensions in hid In, English officers wqre all the more required for the sake of neutrality. Moreover 'Indian political life would gain from the advice and service of men in whom the practice of British democracy is instinctive'.³⁰ All the parties regarded the maintenance of adequate standards of recruitment to civil service as essential for the sake of an efficient administration in India.³¹ The Government of India Act 1935 contained safeguards for such standards of recruitment and sustained the proportion of Europeans and Indians for recruitment as recommended by Lord Lee, and reiterated by the subsequent bodies. As a consequence of the British policy in favour of those *adequate standards*, by 1939, out of a total of 1,299 posts in the Indian Civil Service, only 540 were held by Indians.³²

Recruitment to the Indian Civil Service continued in the manner throughout the end of the British rule India. There was a temporary halt in the beginning of the

Second World War. In the last decade of Thai rule it was becoming evident that civil servants were to forget about much of the past glory enjoyed by their predecessors or even by themselves. The increasingly volatile situation in the socio-political from und installation of progressively powerful political functionaries marked a decay of omnipotent bureaucrats. They now had to start learning how to live with and work under the suzerainty of those political leaders who had often been very critical of these very bureaucrats' high-handedness. India was approaching a chaotic situation and the Indian Civil Service officials were to face it. Socio-political factors intruded in a big way into civil service recruitment. The authority had to strike a balance among the aspirations and interests of different groups, seats rind communities. It was no more wholly true that recruitment was always made through open competition on the basis of merit alone.³³

Reservations of quota for various sections of people were definitely to militate against the principle of merit. Bui, the authority, on this plea or the other, had to take recourse of such reservations. The whole process tended to become somewhat perplexing and subjective. Against such a background, enthusiasm for being a member of the elite body was not as intense as it had been a few decades ago. Macaulay's educated gentlemen, who had shown brilliance in the universities, were considered competent to run the administration. Specialization of any kind was not appreciated in the new recruits. But the brilliant young men sensed both prospective and real threats to the dominance of merit. So many exceptions were completed that many brilliant graduates were convinced of an impending compromise with the j Micelles of merit. To the government, clearly merit was not always the sole decider amidst various significant sociopolitical factors.³⁴ Different sections of people and nationalities had to be satisfied in some way or other and the principle of merit in civil service recruitment was tempered mostly by political considerations. In the few years up to 1947, many superior service recruits of India entered the services on (he basis of an implicit quota.³⁵

Probably it was not unnatural in a literally maniple society where the ends of numerous sections of people Family did not hover a chance to meet under universal arrangements. To suit the interests of different communities and groups, painstaking efforts had to be made.

7:II(a) Recruitment during Pakistan Period

Pakistan started with a parliamentary form of government as provided for in the Government of India Act 1935. The new country substantially retained the main framework of British rule.³⁶ On the eve of independence of Pakistan, the service structure of the central government of India was composed of four categories of Services: a) All-India Services (10 regular Services including ICS and IPS), b) Central Services, Class i only (11 regularly constituted Services including the Indian Audit and Accounts Service), c) Central Services, Clauses I and If (seven regularly constituted Services including Geological Service and Income Tax Service), and d) Central Services, Class If only (12 regular Services like Imperial Secretariat Stenographers Service). However, the spotlight around which the Mai/lure stood WHO the ICS. The new Hite were interested to retain it.³⁷ In Independent Pakistan, another elite service - the Civil Service of Pakistan (CSP) - was created find I he power of the then Secretary of Stale in respect of recruitment to its predecessor, the ICS, came to an end. The CSP, along with the Police Service of Pakistan (PSP), was made an all-Pakistan service and it became an important, role-player in the new state. Only 82 members of the former Indian Civil Service and Indian Political Service came to Pakistan in 1947, The representation of East Bengal, the most populous province, was worse off. Only two Muslim officers from East Bengal were among them. Some English men-hers of the TCS were invited to serve in Pakistan. The government had to induct in CSP some non-ICS officers too. Kennedy³⁸ states that, out of the strength of 175 CSP officers in 1950, only 94 were from former ICS. The authorities in Pakistan

embarked upon induction of public officials in sufficient numbers. The Government of India Act 1935 provided for continuation of the Public Service Commissions (PSCs). The Act remained in force until the first Constitution of the new country was framed in 1956. Meanwhile, 338 officers were recruited on the basis of their results in the Superior Services Examinations from 1950 to 1953 under the aegis of PSC. One-fifth of them were recruited on merit alone, and the rest on quota reservations. Out of these 68 officers recruited on the principle of merit, 38 were from various parts of Pakistan, and the rest 30 from different parts of former British India. Again, of the 38 officers recruited from the inhabitants of Pakistan, only 6 from East Pakistan could find a berth. The corresponding figures for other provinces and areas were: Punjab 25, Sind 2, North-West Frontier Province 2, Khairpur 1 and Karachi 2.³⁹ A disturbing disquiet and feeling of despondent was being created and felt by a negative discrimination in the pattern of recruitment in the civil service.

7:II(b) Quota System

Despite a higher literacy rate in East Pakistan vis-a-vis West Pakistan on the eve of independence, the circumstances of Partition left the former with inadequate institutions of Higher learning. Most successful candidates for the higher services were thus found to be coming from West Pakistan.⁴⁰ Hence, there was an increasing outcry of the poor representation of East Pakistan in the service. A persistent demand for remedial measures followed. In its "Directive Principles", the first Constitution of Pakistan in 1956 (Article 31) enunciated that "steps shall be taken to achieve in the representation of East Pakistan and West Pakistan" in all non-defense spheres of federal administration. Similar provisions were made subsequently in the Constitution of 1962 (Article 16) as "Principles of State Policy". A diluted quota arrangement was evolved under the principles. It allocated 40 percent vacancies to East Pakistan, 23 percent to the Punjab and Bhawalpur, 2 percent to Karachi (federal territories), and 15 percent to a

conglomerate of areas like Sind, Khairpur, NWFI' and Frontier States and tribal areas, Baluchistan, Azad Kashmir and refugees from (Indian-administered) Kashmir. The rest, i.e., the first 20 percent of the vacancies were to be filled up from those who lopped the list of successful candidates on the basis of merit without any regard to provinces or areas of their origin.⁴¹ In this portion, vacancies were to be apportioned equally between East Pakistan and West Pakistan. Communal representation in the service was abolished. However, 6 percent of the vacancies in the centrally recruited services were reserved for the members of the [Hindu] scheduled castes. This reservation was to count as a part of the allotment of the province or area from where the low-caste Hindu candidates appeared in the competitive examination.⁴² This provision had a bearing on East Pakistan as almost all the Hindu population of the country hailed from there. From an account it is amply found that the position of East Pakistan regarding the recruitment of officers in the important Civil Service of Pakistan (CSP) was very poor from the beginning and that it marked an expected level of improvement only at the last years of united Pakistan. The next table explains the case.

Tale: 4 Representation of Provinces in Recruitment to CSP

Year.	East Number	Pakistan Percentage	West Number	Pakistan Percentage	Total
1950	4	36.4	7	63.6	11
1951	5	29.4	12	70.6	17
1952	3	23.0	10	77.0	13
1953	7	28.0	18	72.0	25
1954	5	29.4	12	70.6	17
1955	11	52.4	10	47.6	21
1956	7	35.0	13	65.0	20
1957	10	41.7	14	58.3	24
1958	12	48.0	13	52.0	25
1959	10	33.3	20	66.7	30
1960	11	39.2	17	60.8	18
1961	12	44.5	15	55.5	27
1962	13	46.5	15	53.5	28
1963	13	41.9	18	58.1	31
1964	14	42.2	19	57.8	33
1965	15	50.0	15	50.0	30
1966	14	46.7	16	53.3	30
1967	13	65.0	7	35.0	20
1968	11	55.0	9	45.0	20
	190		260		450

Sources: Emajuddin Ahamed, "Dominant Bureaucratic Elites in Bangladesh," M. M. Khan and H. M. Zafarullah (eds), *Politics and Bureaucracy in a New Nation – Bangladesh*, Dhaka: Center for Administrative Studies, pp. 149-175 and also see Sk. Abdur Rashid, *op.cit*, p. 65.

It justifies the resentment in the then East Pakistan about the injustice meted out to it in the years after the Partition. The above figures may give a more readily striking appreciation of facts if they are presented in a graphical form. Based on the above data, the next yaps shows the trendy representations of the two wings of Pakistan relating to the recruitment of officers in its elite corps - the Civil Service of Pakistan. It may also give out a poor state of affairs meted out to the most populous and more educated province of a peculiarly created and administered country.

It becomes clear that the recruitment policy of Pakistan was largely based on reservation, inflicting a serious blow to the principle of universal criteria. "Pakistan was indeed a state of compromises and in (he midst of so many centrifugal forces, it possibly had no option but to adopt such measure. A sheer injustice was experienced by East Pakistan, the province inhabited by more than a half of Pakistan's population, but which provided merely a minority of elite public administrators. In the military too, the scene was equally bad or even worse off. These aspects of depredation dented a fatal blow to the dream for a united nationhood in Pakistan.

7:II(c) The Recruitment Examination

After the initial acts of adjustments in the wake of partition, and consequent upon the departure of many experienced civil servants, the Public Service Commission started conducting yearly Central Superior Services (CSS) Examinations for recruitment to the all-Pakistan and central services. The CSS examination was 'combined' for recruitment to all superior services till 1957, when the FPSC made an experiment of holding three separate examinations - one for CSP, another for PSP, and the third for all other services. This short-lived experiment was abandoned in 1961 and the examination became combined once again.⁴³ The yearly vacancies in the Central Superior Services were around 70 including some 20 in the CSP. Candidates had to be Pakistani nationals and their age limit was fixed between 21 and 24 years, except for those from the Hindu scheduled castes and from tribal areas and some other specific backward sections. Chaudhuri⁴⁴ shows that the upper limits of the eligible age group were changed several times, but the lower limit remained static. In the mid-1960s, the upper limit was raised to 25. Relaxation for three years was allowed for qnmlldatos from Hindu scheduled castes, Buddhists, tribal areas in West Pakistan, excluded areas of Bust Pakistan and A/,ad Kashmir and those from Jammu and Kash.nir who now lived in

different areas of Pakistan. Again, a two-year relaxation was made for the candidates who had served in Pakistan's armed forces except on a regular basis.⁴⁵ This latest provision was made to facilitate the entry of 1965 Indo-Pak war veterans. To the bright young university graduates, the CSS Examination was becoming *the examination*, which contained several phases - written, viva voce, psychological test and a medical test. In the initial years, an average of 600 university graduates showed active interest for CSS examination, and generally a little more than 10 percent of them would be successful in landing in any of the coveted services, most preferably in the CSP, if possible. The CSS examination for the Civil Service of Pakistan (CSP) was of 1400 marks including 300 allocated for an interview (subsequently followed by a formal psychological test). The candidates for recruitments; a CSP officer had to take a test of (1) an essay in English (100 marks), (2) ability to comprehend and write English (200 marks) and (3) grasp of General Knowledge and Pakistan Affairs including current affairs and elementary science (200 marks). These *compulsory subjects* together carried a total of 500 marks. There was a host of some 30 *optional subjects* (20 of 200 marks each and 10 of 100 marks each) from which candidates, under detailed clustering arrangements, could choose and take several subjects that carried a total of 600 marks.⁴⁶ All possible subjects like, e.g., classical literature, history, natural and biological sciences, agriculture, commerce, social science, etc were placed on the list of optional subjects. The minimum standard of the subjects in the examination was equivalent to that required for a baccalaureate honours degree from any university of the country. The pass marks for written test

Were fixed at 40 percent of the full marks. Candidates securing more than that level were called in to an interview and psychological test. In 1956, the pass marks were raised to 50 percent. Candidates would get no credit for a subject if they secured less than 25 marks in it.

The Public Service Commission conducted a 300-mark interview or viva-voce test of the candidates who came out successful in the written examination. The interview was held in Karachi, Lahore, Dhaka, London and Washington. Different committees or boards were constituted with the Chairman and Members of the Commission, senior government officers, prominent educationalists, Chairmen of the Provincial Public Service Commissions and representatives of the elite services like CSP, PFS, and PSP etc. For the test in London and Washington, a member of the Civil Service Commission or similar body in the host country was invited on the board. A retired ICS officer was frequently invited on the board in London. The object of the interview was to assess the candidates' suitability for the service in terms of different qualities like alertness, intelligence, vigour, strength of character and leadership potential. The extra-curricular activities were also taken into consideration. While conducting the interview, their records were placed before each member of the interview board. Generally speaking, questions thrown to the candidates from a board reflected the interests and experiences of the members of such a board. Every probable subject under the heaven could surface during the interview, which was very crucial for any candidate because of the very meager margins among his peer competitors who, like him, had succeeded in the written test. It was likely that candidates having the same bias like those of the interviewers would be doing better in the interview. Again, since the members of the interview board were senior and experienced people in their fields, it was not unlikely that the environment of the interview would have a generalist bias, thereby making a better chance for candidates with humanities and social science background. However, if one failed to secure 100 of the 300 marks allocated for the interview, he would be considered to have failed in the entire examination, no matter how excellent he had fared in its written part. Failure in the interview was not very few and far between. As Chaudhuri⁴⁷ slates, out of the 546 candidates who secured qualifying marks in the will can examinations in a period from 1951 to 1952, as many as 271 failed while 275 passed in the vivu-

voccc test. Hence, interview was more, or at least equally, crucial as the written examination. There was no numerical weight put in the psychological test. It was about the assessment of character, moral strength and attitude of the candidates. In other words, the Psychological test was designed to assess their inherent tendencies and capabilities, their personal qualities and traits of character with regard to their prospective role and position in the prestigious service of the republic. However, it was not impossible for the Commission to suggest, based on the recommendations of the psychologist(s) appointed for the purpose of conducting such tests, that such and such candidates were found to be not psychologically suitable for the civil service job. Quite often such things happened.

Scores in all stages were totaled after the examination was over and, subject to the number of vacancies and observance of different quotas, a list of successful candidates was sent to the government. The Commission also made recommendations as to who should get which service. The Establishment Division of the Cabinet Secretariat arranged a physical test to ensure that they were physically fit for the discharge of their duties as civil servants. Again, a verification of the applicants' antecedents had to be made before a final decision was reached on their recruitment. This was to eliminate candidates hostile to the existing civil service system and whose previous records disclosed their involvement in harmful activities or organizations.⁴⁸ When the Government was satisfied at the end of the lengthy process, the Establishment Division issued appointment letters and the appointees were assigned to different occupation groups, according to PSC's recommendations.⁴⁹ Candidates appointed to different services became the concern of respective Ministries. The CSP remained the charge of the Establishment Division. Thus the recruitment process came to an end althnui'h a nominal hurdle of one-year probation was left on the young officers, whose services had Ui be confirmed after they fulfilled a number of requisites.

During the first years, Pakistan had a very narrow base of education, and the proportion of university graduates was still smaller. Only male graduates were eligible for application for positions in CSP and most of the remaining superior services. The prospective candidates from East Pakistan had to pass an additional hurdle. The whole process had to be carried out in English and in an all-Pakistan competitive arena. It should be taken in light of the Muslim Bengalees' comparative backwardness in the recruitment to the Civil Service of India in the pre-partition days. In the early years, young men having graduated from non-descript educational institutions could hardly dream of a success even if they dared to sit for the competitive examination. High able graduates were progressively on the increase. Moreover, the CSS examinations were in many respects more important than the university graduation examinations, because the former required the candidates to be adequately well-versed in a number of standard subjects. A large number of candidates began to vie for the vacancies in the higher services, especially the Civil Service of Pakistan (CSP). Although a separate account of the recruitment in CSP is not readily available, the trend of manifested intention for joining in and recruitment to the Central Superior Services may be found from the following table:

Table: 5 Year-wise Recruitment of Officers in the Central Superior Services

Year Number of Candidates Percentage				Year Number of Candidates Percentage				
Appeared		Qualified	of Success		Appeared		Qualified	of Success
1949	555	140	23	7	1957	630	168	26.7
1950	622	124	19	9	1958	1016	264	26.0
1951	417	68	16	3	1959	788	187	23.7
1952	486	84	17	3	1960	1031	327	31.7
1953	385	63	16	4	1961	771	118	15.3
1954	422	81	19	2	1962	854	303	35.5
Jan								
1955	3R2	69	18	1	1963	1242	266	21.4
IW	530	82	15	5	1964	1259	253	20.1
1956	676	102	\	¹⁵ 1				

Source : Mozaffar Ahmed Chaudhuri, *The Civil Service in Pakistan*, Dhaka: NIPA, 1969, p. 110.

However, alongside persistent claims for greater representation of East Pakistan in the recruitment of civil servants, reservations were also aired against recruitment in large numbers, lest quality was compromised. Maulvi Farid Ahmed, an outspoken parliamentarian from East Pakistan questioned in the National Assembly about the validity of recruiting 20 to 25 officers in the CSP. On 15 February 1957 he told in the House. "Are we to suppose that there is such abundance of talent in our country that all of a sudden overall availability of talent in the country is on the increase?"⁵⁰ Notwithstanding the fact that the recruitment base was becoming progressively bigger, it was quite evident from such expressions that public leaders were also sensitive to different sides of the recruitment of the country's civil servants. The civil service was still regarded as the kingpin of the statecraft. A scholar, while analyzing the background of the military coup in the late 1950s, was constrained to remark, 'There were the hirflcKinl men who had found their way into the service and, by various devices, have even secured advancement'.⁵¹ Despite repeated suggestions by a number of

recommendatory bodies and personalities, it is alleged, the government did not go for a completely merit-based recruitment and promotion systems and for a restructuring of the administrative apparatus.⁵²

The above trend continued up to the end of the unified Pakistan. There was a notable exception in that, since 1959, the authority began to take special measures to make for a better representation of East Pakistan in the higher services. A number of East Pakistani officers were given promotions along their service ladder and adequate care was taken to ensure that quota reservations for (he province were not left unmet in any year. The quota system (in merit and provincial reservations) gradually improved the participation of East Pakistan in the civil service. As found earlier at section 3.5.1 above, Jahan⁵³ shows that the representation of East Pakistan in CSP was raised to 24 percent in 1958, and further to 34 percent in 1966. The military regime installed in 1958 seemed more inclined towards it balanced representation of the two wings of the republic in its civil service as well as the armed forces. During this period, a departure was made in terms of eligibility of the candidates. It was decided in 1967 that thenceforth no candidate who obtained a third division in his Bachelor's degree examinations would be eligible for CSS examination, except in cases where he obtained a higher division in his Master's or law degree.⁵⁴ This may be reasonable in the aftermath of establishment of a number of universities, which were producing more and more graduates. However, East Pakistan, the province that had majority of the country's population, still had a very poor share in decision-making position including those in the civil service. In 1969-70, only three Pakistani officers attained the rank of Secretary to the central government. At the time, there were a total of 20 such officers in the government. Promotion of those three officers to that level under the personal intervention of General Yahya Khan, the new martial law President, as a concession to the East Pakistan demand for greater representation in the civil service, could not gain full effectiveness since all the

officers under them were from West Pakistan.⁵⁵ The reciprocal mistrust between the two parts of the country was evident from that. In such an environment, recruitment to the civil service was never to be up to an expected level for this part. In this context⁵⁶, describes that the strength of the CSP rose in 1970 to 473 officers, of whom 188 were presumed to have opted for *Hangladosh* in or after 1971. Thence, at the end of 23-odd years under the 'federal state' of Pakistan, one could see that not more than around 40 percent of the elite CSP officers were from East Pakistan. In (his regard, the most populous province of the republic was given to hold a despondent view akin to the view held by the educated Indians about a hundred years ago against the British rulers. A feeling of deprivation was all the more visible in the psyche of the education youth who constituted the most vociferous section of (he already politically electrified population of Mast Pakistan.

7:II(d) Different Tributaries

In addition to the premier administrators of the Civil Service of Pakistan (CSP), there were some other sources of personnel for BCS (Administration) cadre, which is the subject: of this study. Foremost among them was the Provincial Civil Service that had come into being in the 1880s as a pacifier for the educated Indians. The background of its creation is narrated in section 4.1.5. The Bengal Provincial Services Recruitment Rules 1930 made it possible for recruitment to the services by competitive examination, by promotion or by selection. It was also possible on exceptional circumstances to recruitment provincial civil servant un the government's nomination. The provincial services were (1) Bengal Civil Service (Executive) or the BCS (Executive), (2) Bengal Junior Civil Service (BJCS), (3) Bengal Excise Service, and (4) Bengal Junior Excise Service. Half of the vacancies in the BCS (Executive) were filled by direct recruitment on the basis of a competitive examination, and the rest by promotion from members of the BJCS. In terms of (he hierarchy of status, the BCS (Executive) ranked just

next to ICS and the proportion of its Muslim officers was much smaller than their ratio in the population of the province.⁵⁷ The said Rules also prescribed that separate lists of successful candidates would be prepared for (a) the Muslims, (b) the Hindus, and (c) the Minority Communities and Backward classes, which were composed of 85 groups or sections of people.⁵⁸ The age of the candidates for direct recruitment was fixed at between 22 and 25 years, while the age for promotion from Bengali Junior Civil Service officials was fixed initially at 40 years. It was subsequently extended to 50 years in 1952. After independence, the Government promulgated the East Pakistan Civil Service (Executive) and East Pakistan Junior Civil Service Amalgamation Rules of 1958. This legal instrument merged the two services under the name of the former service, and provisionally fixed the strength of this service in 780 posts. The Rules were devised to resolve many contentious issues relating to the interests of the two services, and they provided that 12 percent of the vacancies in the EPCS (Executive) would be kept reserved for promotion from a number of specific feeder posts. In 1901, the Governor made the Rules for East Pakistan Civil Service (Executive) which provided that 50 percent of the vacancies at any time in the said service would be filled by direct recruitment through a competitive examination to be conducted by the East Pakistan Public Service Commission (EPPSC), from among candidates who were graduates and who were between 22 and 25 years of age. The remaining vacancies at any time would be filled, in consultation with the provincial Public Service Commission of East Pakistan, by promotion from the feeder services. In a nutshell for the purpose of recruitment of officers in the then East Pakistan Provincial Civil Service, the following posts were declared as *feeder posts*:

- (i) Inspectors of Registration;
- (ii) Departmental District Registrars;
- (iii) District Sub-Registrars;
- (iv) Sub-Registrars;

- (v) Development Officers;
- (vi) Sub-Divisional Managers of Government Acquired Estates;
- (vii) Revenue Circle Officers; (viii) Settlement Kanungoes;
- (ix) Revenue Officers (on deputation to work as Circle Inspectors);
- (x) District Kanungoes;
- (xi) Revenue Circle Inspectors;
- (xli) Sub-Divisional Relief and Rehabilitation Officers; (xiii) Special Relief Officers; (xiv) Cooperatives Inspectors and Auditors;
- (xv) Sub-Divisional Controllers of Food; (*vi) Chief Inspectors of Food;
- (.vlll) Inspectors of Food; (xvlH)Subordinate Agriculture Service, Class I;
- (xix) Graduate Project Supervisors of National Development Organization;
- (xx) Relief Officers.

For both direct recruitment and promotion categories the candidates had to be citizens of Pakistan and domiciled in East Pakistan. For promotion, a candidate had to be less than 50 years of age and had a minimum of 7 years of service in feeder posts. These provisions held good with no substantial modifications. Officers were posted in field administration and similar places and were accorded occasional promotions to still higher positions.

Another service that merits some mention in this respect is the Lands and Cantonment Service. The British established in India a good number of cantonments which were administered by the military personnel until 1924, when most of the relevant posts began to be transferred to civilian control. There were two branches of the Cantonment Department - Land Branch and the Cantonment Executive Service (CES). The former used to look after the expanses of land under the disposal of each cantonment and garrison, while the military areas were administered by the CES in the fashion of municipalities. In 1947, the two branches were combined into Pakistan Military Lands and Cantonment Service

(PMLCS) and the existing officers were absorbed into it. Its subsequent vacancies were filled through open competitive examination under the Public Service Commission like other central superior services. Its members used to remain confined in the professional areas of the cantonments, while a few of them would occasionally occupy some senior positions in the Ministry of Defense. The affairs remained like that till the dismemberment of united Pakistan and independence of Bangladesh.⁵⁹ There were 41 officers in the service in 1961. Commensurate with the expansion of the armed force!), in 1970, the strength of the service rose to 46 officers, out of which 15 opted for Bangladesh, during and after 1971? They were subsequently absorbed in the administrative service of the new state.

The other major contributory for BCS (Administration) cadre of today is the former secretariat services - central and provincial. The first martial law regime of Pakistan sought to introduce changes in many fields and secretariat management was not an exception. The G. Ahmed Commission, appointed for (he purpose of recommending measures for reforming the secretariat management, suggested that a Section Officer's scheme be introduced by redesigning Assistant Secretaries and Under Secretaries as Section Officers with a greater power to dispose of cases. The existence of those two officers under the supervision of a Deputy Secretary was regarded as wasteful, cumbersome and dilatory. The commission followed the principles of the Tottenham Report of 1946, which called for creation of the Imperial Secretariat Service. G Ahmed Commission recommended some other measures too. First, members of the central superior services should be made eligible for promotion as Section Officers. Secondly, 70 percent of the remaining vacancies should he filled by promotion from Superintendents, Assistants and other class II posts. It was also suggested that the remaining 30 percent posts would be filled by direct recruitment. These proposals were accepted by the Government and the Section Officer's Scheme was introduced in 1959. As Kennedy⁶⁰ has it, notwithstanding the debates about the efficacy of the scheme, the Central Secretariat Service (CSS) was officially encadred in 1965.

The strength of the service rose to 576 officers in 1970. However, he states that almost all officers of CSS were Section Officers and that no CSS officer was reported to have held a charge higher than that of Deputy Secretary up till 1970. Alongside the Central Secretariat Service, there was also a provincial version of that service, the East Pakistan Secretariat Service (PSS). Its strength was fixed at 130 officers (2 Joint Secretaries, 11 Deputy Secretaries and 117 Section Officers in the provincial secretariat), of which 2 posts of Deputy Secretary and 17 posts of Section Officer were kept reserved as a separate pool for Finance Department. The others, i.e., the majority of officers constituted a common pool, from where transfer; could be and were often made from one department to another.⁶¹ Two-thirds of the vacancies in the service were meant to be recruited through a competitive examination conducted by the East Pakistan Public Service Commission, while the remaining posts would be filled, in consultation with EPPSC, by promotion from Head Assistants, Upper Division Assistants and Stenographers. For direct recruitment to the service, 22 to 25 year old citizens of Pakistan and resident or domiciled in East Pakistan were eligible to be candidates if they were university graduates, and possessed sound health. Some members of CSS and BPSS also got transferred periodically to and from central and provincial secretariats. They were also returned to their respective places in course of time usually after a stint of two years or so. Officers if those two services were not promoted to positions above that of the Joint Secretary. Obaidullah's⁶² description that two of the Secretariat Service officers were holding the ranks of Secretary/Additional Secretary to the government of East Pakistan needs to be construed in the sense that those two officers belonged to the CSS, not the JPSS. Officers of the all-Pakistan and central superior services used to be conferred ranks higher than their substantive ranks while being posted in the provincial secretariats or under the provincial governments. For example, a Secretary to the provincial government would hold the rank and status of a Joint Secretary or rarely an Additional Secretary to the central government.

7:III(a) Experiments in the first decade of Bangladesh

In the Pakistan days, Bangladesh-experienced an unenviable position with regard to administrative system in general and personnel issues in particular. In the wake of independence, Bangladesh got not only a war-ravaged economy and physical infrastructure; it had to start with a crippled and atrophied administrative system too. The government of the new country had to restore an administrative set-up through incorporating the personnel of diverse sides like the former all-Pakistan services, former central superior services, former provincial services and a host of officials who were employed under the government in exile during the sanguinary liberation war. Their diverse interests and aspirations had to be met, keeping in view the policies and orientations of the newly installed government in a just-independent war-torn country. For a week or so after the victory, there was indeed no semblance of order and the entire political leadership including the Ministers of wartime government was absent. Rehabilitation of the administration could be taken up with the help of such personnel who could be collected hastily on the basis of the existing set-up. It was like the repetition of the 1947 experience. On 27 December 1971, ten days after the victory, the Government appointed a Civil Administration Restoration Committee (CARC).

7:III(b) Recruitment (1972 to 1981)

It is mentionable that certain written competitive examinations were held for the selection of the competent candidates in 1970 conducted by the Central and Provincial Public Service Commissions for both Central and Provincial services. “In most cases the results of these written examinations were announced before 25 March 1971. But the viva voce, psychological and intelligence tests were held after 25 March 1971 and the candidates who finally qualified in these examinations / tests were offered appointments in both the central and provincial services”.⁶³ However, after liberation, the government of Bangladesh did not accept all these appointments in the central and provincial services considering

the examinations as invalid (BPSC first, 1974). Consequently, due to the demand of the Establishment Division, these candidates were called for the interview by the Commission once and again. Upon completing their interview, 103 candidates were qualified. Therefore, under the Government instruction, the commission in 1974 (Table- 6) recommended 68 candidates from the Former East Pakistan Civil Service, 38 candidates of the erstwhile central Superior Services and other six Police Service Probationers for a combined training.⁶⁴ Ironically “a good number of the previously successful candidates, especially those who had before liberation accepted appointments in the erstwhile Central Superior Services (CSS), PSP, and Accounts Services or PA & AS, opted to abstain from seeking fresh recruitment in Bangladesh”.⁶⁵

Table: 6 Recruitment Status of the Candidates of Pre-Bangladesh Period

Category	No. Posts	No. Qualified	No. Recommended
Central Superior Service	38	103	38
Special Examination of Provincial Service	68	667	68
Police Service of Pakistan	6	6	6
Total	166	776	166

Source: *Annual Report of PSC, 1974* and also quoted in A. M. M. Shawkat Ali, *op.cit*, p. 83.

Since the departure of a large number of non-Bengali government officials who were previously staffed in provincial establishment of the Eastern wing of Pakistan, a vacuum was automatically created immediately after the independence. “To fill the void, the Bangladesh government decided on a crash staffing program. However, it was guided by political considerations and instead of opening the doors to all those qualified to enter public service, the country’s

first recruitment scheme centered on a particular group of people”.⁶⁶ Therefore, in October 1972, the first special superior service examination was held. It was exclusively based on a competitive oral test and meant solely for the freedom fighters having at least a bachelor’s degree. Therefore, in the test, about 2351 freedom fighters appeared and almost all of them were finally elected and thus offered jobs in class I and class II gazetted services and posts”.⁶⁷ The examination was conducted for recruiting only those who enthusiastically took part in the independent war. “Appointments were made on the criterion of patronage and not on the basis of performance, even in these tests. And when no places could be found for many of those selected for the public service they were provided with jobs in the nongovernmental sector”.⁶⁸

In this connection it is important to note that, “in 1972, arrangements were made to recruit through a special competitive examination meant exclusively for the non-freedom fighters and another examination meant exclusively for the freedom fighters”.⁶⁹ “This was a better organized test but its standard still was well below that of the civil service examinations that had been held in Pakistan”.⁷⁰ In accordance with the report of the Commission that candidates including to the category of non-freedom fighters had to wait for four years before the final appointment. “Thus out of 1,074 candidates, the Commission had recommended that 511 candidates be permitted in order go pre-entry training. Out of this number, 393 candidates went through the training and 363 candidates were qualified”.⁷¹

But it is not the end of drama. In the report, it was further mentioned that out of 363 candidates who became succeeded in the pre-entry training, 308 candidates had been recommended for appointing to different posts regarding grades V and VI. Again, “on October 20, 1976, the Commission received a request from the Establishment Division for cancellation of the recommendations made because of some confusion regarding the number of posts. The Commission accordingly

cancelled its recommendations”.⁷² Thereafter, the Commission sent its recommendation second time on November 10, 1976, for the appointment of 317 candidates to various posts in the aforementioned grades. “On December 9, 1976 the Commission received from the Regulation Wing of the Establishment Division a memorandum providing for allocation of posts. On December 13, 1976, the Establishment Division requested the Commission to send fresh nominations in the light of the memorandum it had sent on December 9, 1976”.⁷³ As a result, having reviewed the previous nominations the Commission sent it third time by stating that “since the number of posts was changed and along with it the allocation procedure, the Commission had to send its recommendations more than once”.⁷⁴

From the aforementioned discussion, it is evident that the Commission acted in accordance with the will of the Establishment Division. Despite being an autonomous body based on strong constitutional provision, the Commission could not function autonomously. So the notion of merit principle was totally ignored. Ali maintains, “This trend of arbitrary decision with total disregard to laws and regulations, convention and precedence has the combined effect of creating either ‘rebel’ or subservient civil servants, subservient to the political authority that was at that time or would be in future”.⁷⁵

7:III(c) An Interim Recruitment Policy

In order to solve the prevailing administrative problems, an interim recruitment policy was promulgated by the government of Bangladesh in September 1972. It set up the notion of quota system in the recruitment process to ensure equitable representation of different divisions, districts, freedom fighters, as well as underprivileged sections of the society including women and tribal groups. This interim policy had two salient objectives: First, to reward the freedom fighters for their heroic participation in the liberation war and those who had been wounded

or affected otherwise in the war. And second, to guarantee the proper as well as equitable representation of people in the services of the republic from all regions of the country. “The interim recruitment policy provided however that 20% of all vacancies in class I services and posts should be filled on merit, 30% quota of vacancies would be reserved for the freedom fighters, 10% for the affected women and the remaining 40% would be filled on the basis of district/division quotas”.⁷⁶ It was not anticipated that the interim recruitment policy would solve the prevailing problems of post liberation situation of Bangladesh forever. The interim recruitment policy was introduced just to meet the emergency needs emphasizing on ‘expedient arrangement’ without paying much heed on rational consideration. Considering the situation of liberation war and its aftermath, such kind of recruitment policy had been formulated.

The BPSC first made a strong recommendation that every year a combined competitive examination should be held premised on the pattern of the CSS examinations held in Pakistan to fill the vacancies of superior posts under various ministries/departments. Finally, in October 1976, the government of Bangladesh acceded to the recommendation made by BPSC (first) in its annual report of 1974. Accordingly, the government framed the Superior Posts (Examination for Recruitment) Rules of 1976, which laid down detailed provisions as regards the intending candidates’ age limit and academic qualifications, including the syllabi of such examination.⁷⁷

After more than seven years of independence the first initiative to systematize the recruitment process in order to recruit higher civil servants was taken at the behest of the regime of Ziaur Rahman. There were two superior posts examinations in 1977 and 1979 were conducted by the Public Service Commission. The examinations were administered to employ candidates through open competition for specific posts “rather than for organized cadres within a single service. The first parliament (1972-75) did not move to enact legislation regarding the

organization and management of civil service of the country. The military regime filled the void through an executive order issued in 1976. This was revised in 1982 when the third examination was held”.⁷⁸

7:III(d) Recruitment from 1981 to 1990

In pursuance of the Service Act, “an order was issued by the government on September 1, 1980”.⁷⁹ In accordance with this order, 14 cadres regarding sub-cadres were formed. This was further revised in 1986 wherein 16 sub-cadres were given separate status. Consequently, in 1985, two other cadre services were created to the existing cadres in 1985 and the total number stood cadres at that time, the BCS had 30 cadres in total. Before the introduction of this system, recruitment to Class 1 posts of the government were made through combined competitive examination.⁸⁰ “The Commission made arrangements in 1982 to recruit candidates to BCS cadre and sub-cadres and accordingly examination for recruitment was held during that year. With the constitution of the cadres, the Commission ceased to recruit candidates for what it called superior services”.⁸¹

Because of the immense discrepancy between the innumerable amount of unemployed people and the vacant posts, the Commission introduced a screening process termed as preliminary test in 1989 to deal with the number of letters received and dispatched. With the introduction of the BCS cadre, there were 8 general BCS examinations and 4 special examinations were held from 1981 to 1990 (table: 7). The total number of civil servants in the examinations of 8 BCS general cadres stood at 9930. On the other hand, in the 4 special BCS examinations the number stood at 1199 where a special examination of the BCS administration cadre was also included. In this special examination, 650 administrators (magistrates) were recruited which was the largest in terms of posts comparing to all other BCS examinations (table: 7).

Table: 7 Different BCS and other competitive examinations from 1971 to 2000 and the No. of vacant posts as well as their applicants.

Serial No.	Years of Exam.	Name of Exam.	Number of Exams.	No. of Posts	Number of Applicants	No. of Posts Recommended
	1972-80	SSP (special exam.)	2	1824	7195	1814
		Superior service exam.	2	335	14,706	266
		Munchif employment & other exams.	6	276	4249	246
		Total	10	2435	26150	2326
	1981-90	General B.C.S. exams.	8	14815	172428	9930
		Special B.C.S. exams.	4	2379	41743	1199
		Total	12	17194	214171	11729
	1991-2000	General B.C.S exam	7	11148	492506	7743
		Special B.C.S. exam	4	4638	35780	3788
		Total	11	15786	528286	11531

Source: *Annual Report of PSC, 2000* and also quoted in Md. Mahbubur Rahman, *op.cit*, p. 66.

The above table-7 provides the number of recruited candidates from the independence of Bangladesh till 2000. For the civil service positions the above

table clearly suggests that there are 10 examinations held during the 1972 to 1980 from the 1981 to 1990 there were 12 examinations and from 1991 to 2000 there were 11 examinations held.

The following table: 8 indicates the total number of BCS examinations, recruits and recommended candidates in different BCS since its inauguration.

Table: 8 Total number of B.C.S examinations, recruits and recommended candidates

Year	Name of Examinations	No. of Posts	No. of Applicants	Recommended Posts
1982	1st BCS	2671	10393	901
1983	2nd BCS Special (Administration)	650	28505	650
1983	3rd BCS Special (Health)	1492	6781	1001
1984	4th BCS Agriculture & Engineering	197	396	108
1984	5th BCS	1400	13876	795
1985	6th BCS (Special)	897	1376	700
1985	7th BCS	3376	22897	2531
1986	8th BCS	2298	33504	2121
1988/89	9th BCS	1838	37348	1165
1989/90	10th BCS	1247	28419	1022
1990/91	11th BCS	1225	24616	695
1990	12th BCS (Special)	40	6061	40
1991/92	13th BCS	1394	37596	1178
1992	14th BCS (Special)	1969	16267	1885
1993/94	15th BCS	1127	54386	858
1994	16th BCS (Special)	1373	18664	1348
1995/96	17th BCS	1475	65502	1708
1996/97	18th BCS	1879	80213	1757
1998	19th BCS	587	849	555
1998	20th BCS	3076	83277	2242

Source: *Annual Report of PSC, 2000*, p. 98 and also quoted in Md. Mahbubur Rahman, *op.cit*, p. 67.

7:III(e) Recruitment Since 1989

In order to upgrade the examination system according to the demand of time and to reduce the burden of applications some important measures have been undertaken in the examination system. Therefore since 1989, the BCS entry examination covers the four parts: (1) a preliminary selection test; (2) a written examination; (3) psychological and oral test; and (4) finally, medical examination. As the number of applicants is very high compared with the number of vacancies, a preliminary objective test of 100 marks covering multidimensional knowledge has been introduced in order to screen out mediocre candidates. Consequently, the written examination is composed of a total of 1000 marks divided between optional and compulsory subjects. The compulsory part of the examination is designed to test the applicants command on English, Bengali and general knowledge of international affairs (100 marks), Bangladesh Affairs (100 marks) and elementary mathematics / every day science. On the other hand, the optional part of the written examination is designed to test the applicants' knowledge in a self-selected academic discipline.⁸²

7:III(f) Syllabus of the Examination

A candidate can select three papers from optional subjects. Previously the number of optional subjects was 73 which have now been reduced from 73 to 59. The minimum qualifying marks 45% have been fixed for the written examinations. Any candidates securing less than 25% marks in any optional and compulsory subject is deemed to have secure no marks in that subject. Candidates wishing to qualify in the written examinations have to appear for a psychological test which is designed to evaluate their personal qualities and traits of character in regard with special aptitude for the post. Previously from 1976 to 1985, BCS applicants had to appear at a written psychological examination as well as group discussion. Presently to assess and evaluate the psychological aspect of candidates a psychologist has been included in the interview board. But no mark is awarded for

the psychological test at present; only a pass or fail is decided in this test. “A board of officers is constituted by the PSC in order to interview successful candidates in the written test. The interview is said to attach particular importance to intelligence, alertness of mind, vigor, strength of character and potential leadership qualities of the candidates. The board is supposed to take into consideration extra-curricular activities, such as the candidates debating skills, hobbies, etc”.⁸³

Any eligible candidate with specialist background willing to join the respective specialist cadre has to appear for the compulsory subjects and the psychological and oral test only. The subjects of the compulsory examination are the same for both technical and not technical cadres. Candidates for the technical cadres do not have to appear at the examinations for the optional subjects. Their academic attainments are marked in rating rate of 300 marks.

Table: 9 Comparison of Syllabus of BCS Exam of Different Years

Year	General Bangla	General Bangla	Eng. I	Eng . II	Math	General Knowle	Optional	Psy Test	Oral Test	Total
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)
1972										*300
1973										**500
1977	100	100	100	100	100	200	600	100	200	1600
1979	100	100	100	100	100	200	600	100	200	1600
1982	100	100	100	100	100	200	600	100	200	1600
1983										*300
1983										*100
1984	100		100		100	100	200	100	200	900
1985-1990	100	100				300	300	Pas s / Fail	200	1000

Sources: Farhad Hossain, “Scope of E-Governance in Bangladesh: Present Challenges and Future Possibilities,” in Aminuzzaman, ed., *Governance and Development, Bangladesh and Regional Experiences*, Dhaka, Shrabon Prokashani, 1994, p. 98 and also see *Annual Report* of PSC, 2004.

According to the above table-9, the PSC could not follow a consistent policy in order to select and recruit candidates in civil service positions. The assessment standard was inconsistent which led to the recruitment of mediocre candidates, even it was below the minimum standard set for the East Pakistan Civil Service and Central Civil Service of Pakistan. The low grading of officers with lower qualification recruited during different periods which bear testimony to the popular belief that variation in standard of syllabi led to selection of people with varying caliber. “The higher academic qualifications and grade of examination of the candidate selected during the Pakistan period is higher than those selected through these examinations between 1972-1984. Academic qualifications and grading of exams of the batches of 1985-1990 periods are higher than those selected during 1972-1984”.⁸⁴

The following table-3.8 highlights the existing syllabi of the BCS recruitment process and divides some subjects between general and professional cadres. This table also shows a remarkable aspect of numbering in the viva voce test excluding 100 marks earmarked for the viva voce. This is a positive step ensuring the principle of merit in the recruitment operations in the sense that there is less possibility of partiality in the recruitment operations. The higher the marks in the viva voce test, more is the possibility of politicization in the recruitment of civil service which eventually curtails the ethos of merit.

Table: 10 Existing Syllabi for Recruitments to BCS examination

BCS (General) Cadre	Marks	BCS Technical and Professional Cadre	Marks
Bengali	200	Bengali	100
English	200	English	200
Bangladesh Affairs	200	Bangladesh Affairs	200
International Affairs	100	International Affairs	100
Mathematical Reasoning and Mental Ability	100	Mathematical Reasoning and Mental Ability	100
General Science and Technology	100	Post Relevant Subjects	200
Viva Voce	100	Viva Voce	100
Total	1000	Total	1000

Source: *Annual Report of PSC, 2005* and also quoted in Md. Mahbubur Rahman, *op.cit*, p. 72.

The interview system has been adopted by many countries for selecting candidates like Bangladesh and Japan. Some scholars criticized this system by indicating its adverse outcomes. For example, Professor Eysenc in the UK criticized selection through interview as abortive and useless, or in some other cases worse than useless.⁸⁵ They argued selection by interview simply reflects the personal prejudices of the interviewer. Nevertheless they did not offer any alternative suggestion to the interview. “Though most countries of the world discarded the final selection of candidates through psychological testing and interview, Bangladesh still considers these to be acid tests for entry into civil service”.⁸⁶

The interview system has been severely criticized in Bangladesh because people who conduct the interviews never received appropriate training. On the other hand, trainers lack professionalism (Khan, 1998). Therefore, “interviews should

be structured to maintain consistency in measuring the standards. It would be better if some sort of rating form were used for the interview. Rating terms help to avoid the so called 'halo' effect, i.e., the tendency for the interviewer to form a broad overall impression of a candidate often overlooking important weak or strong points".⁸⁷

On the other hand, the written examination system is not free from drawbacks like the selection by interview. Quoting Robson⁸⁸ noted that "The greatest defect of the written examination is, however, the fact that it can at most test but a single aspect of an individual's general capacity as a potential civil servant. Of his character and power of endurance, of his address and resourcefulness, of his general demeanor and discretion, of his moral courage and loyalty, of his honesty and tactfulness, of his powers of cooperation and of creative invention, above all of his quality of mind and outlook-of these vitally important elements the written papers take no account." In stead of the above inherent disadvantages, the written examination for recruitment of government officers is mainly academic biased. This system largely fails to extract hard core intellect of the candidates, their administrative problem solving capacity and their level of understanding as well as there level comprehension.⁸⁹

"The method of recruitment followed in the BCS is still patterned on the model of the British Indian Civil Service. The British have discarded many procedures and methods produced by them in the British India and Britain before 1947. But the ex-British Colonies still maintain them. The BCS Entry examination is one of these legacies inherited and maintained by Bangladesh. Bangladesh still follows the principle of preference for generalists. This is reflected in two ways: in recruitment and in preeminence enjoyed by the generalist cadres. At the time of recruitment into the civil service, a university graduate in natural sciences, social sciences, humanities, engineering, medicine and other subjects is treated at par

and receive no preference for relevance. ... It is believed that a candidate who has done well in the university examinations is likely to do equally well in any branch of government activity. The origin of this principle goes back to the middle of the nineteenth century”.⁹⁰

The role of the PSC is important to fit a candidate to a suitable cadre according to his knowledge. “The PSC has vital role of fitting a person to the job to which he or she is best suited. PSC maintains a dossier for successful candidates showing his or her academic, extra academic, social and psychological background. It then assigns all successful candidates into one pay grade and one stream, irrespective of his or her performance in the qualifying tests”.⁹¹

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Chapter Eight: Management and Legal Procedure of Recruitment

8:I(a) Procedure of Recruitment

Recruitment is regarded as the cornerstone of personnel administration in a government bureaucracy. The quality of all other personnel variables including promotion training and other personnel disciplines is severely curtailed unless recruitment is based on sound and effective manner. Therefore, effective recruitment system is essential in civil service to pick up deserving candidates. Different countries follow their own methods in order to employ candidates to the civil service positions. In Bangladesh the Public Service Commission (PSC) is authorized with executive power in matters pertaining to recruitment operations and the Establishment Ministry also plays vital role for the successful execution of recruitment functions. In the recruitment system of Bangladesh civil service the Ministry of Establishment is informed of the vacant posts by respective Ministry and thus forwarded to the PSC for administering the recruitment operations. Thereafter, the PSC advertises the number of vacant posts by inviting eligible candidates through the national newspapers for applying against the available posts.¹

Recruitment and selection process of civil servants in Bangladesh have been and is significantly moulded by the constitution as well as governed by policy pronouncements of the government from time to time in the form of executive orders.² The Constitution envisages that-

Article 29(1): There shall be equality of opportunity for all citizens in respects of employment or office in the service of the Republic.

(2): No citizen shall, on grounds only of religion, race, sex or place of birth, be ineligible for, or discriminated against in respect of, any employment or office in the service of the republic.

(3): nothing in this article shall prevent the state from-

- a. making special provision in favour of any backward selection of citizens for the purpose of securing their adequate representation in the service of the office.
- b. giving effect to any law which makes provisions for reserving appointments relating to any religious or denominational institution for persons of that religion or denomination.
- c. reserving for members of one sex of any class of employment or office on the ground that is considered by its nature to be unsuited to members of the opposition sex.³

Article 133: Subject to the provisions of this commission parliament may by law regulate the appointment and conditions of service of persons in the service of the Republic:

Provided that it shall be completed for the president to make rules regulating the appointment and conditions of services of such persons until provision in that belt is made by or under any law, and rules so made shall have effect subject to the provisions of any such law.

Article 134: Except as other wise provide by this constitution every person in the service of the Republic shall hold office during the pleasure of the President.⁴

The constitution further outlines a framework, which is the basis of a sound recruitment policy in the civil service system of the country.⁵

Sound recruitment policies are necessary to raise the quality of the personnel leading there by to an improvement in the tone of administration.⁶ The object of a sound recruitment policy should be to find out and induce the most suitable candidates for appointment to the public service. In this sub- cabinet including Bangladesh the task has been traditionally entrusted to the Public Service Commission. The compositions and functions of which have been laid down in the constitution.⁷

In Bangladesh, the recruitment policy has elements of both merit and quota system. Merit system with certain variations now prevails in all progressive countries.⁸ The term merit system is commonly used not only to convey a form of selection for entrance to the service but also to embrace other aspects of the personnel system such as promotion on merit, pay related to the nature of the job and desirable working conditions etc.⁹ Thus “the greatest security offered by the merit system, in which removals are to be only for the sake of administrative efficiency, lends further attraction to civil service careers.¹⁰ But the principle of merit has been modified in Bangladesh. The quota system of recruitment constituted a major departure from the system of recruitment on the basis of merit alone.¹¹ In certain services quotas are reserved for appointment by promotion from “feeder” post services.¹²

It may be mentioned that in the civil service of Pakistan, the recruitment system was characterized by the reservation of posts for specific classes or regions to ensure their adequate representation.¹³ In Bangladesh special attention has been given to the freedom fighters, women and backward areas while determining the quota system. The Interim recruitment Policy of 1972 set the guidelines¹⁴ in this regard, which is time. The government is strictly following the quota system of recruitment, which has been ascribed as one of the reasons for gradual decline in administrative efficiency.¹⁵ Because the system of recruitment on the basis of

quota is against efficiency in administration. It also affects adversely the incentive of the intended candidates.¹⁶

Both the Administrative Service Reorganization Committee (ASRC)¹⁷ and Pay & Service Commission (PSC) were against the quota system and observed that – this system would defeat the purpose of building up a first rate civil service which the country needs most.¹⁸

The Public Service Commission over the years has setup certain procedures of recruitment. It is a constitutional body with defined power and functions (Article 137-141 of the Constitutions of the People's Republic of Bangladesh) guided and some time controlled by the ministry of establishment.¹⁹ Rules, regulations and instructions concerning recruitment and selection emanate from establishment ministry, which also ensures their proper pursuance by other agencies or personnel or government including the PSC.²⁰

Basically there are three type of recruitment system in the recruitment rules of the public sector. These are:

- Direct recruitment.
- Direct through promotion.
- Recruitment through transfer or deputation.

8:I(b) Method of Recruitment

In the appointment rules, there are three types of recruitments. These are: first recruitment by direct appointment through competitive examinations, second, appointment by promotion, third, appointment by transfer or deputation.²¹ The appointment by direct recruitment through competitive examinations involves two types of methods. One is an examination that includes both written test and interview. The other is based entirely on interview.²² The direct recruitment

includes four types of examinations, which are specified for the higher civil services. For example, competitive preliminary test, written test, psychological test and finally viva voce test with the reservation of quota for the higher civil service. On the other hand, another type of recruitment was ad hoc system. Immediately after the independence of Bangladesh, this ad hoc system was in operation to meet the impending situation. Such kind of appointment to any service or post could be made by the relevant appointing authority in cases where the PSC cannot make expeditious appointment due to non-availability of suitable candidates.²³

Like all other democratic countries, Bangladesh Public Service Commission (BPSC) advertises posts in leading dailies for the services of the republic to attract the competent candidates to the government job. This advertisement is the precondition of recruitment. In the several times, the advertisements are placed in national newspapers and announcements are made over the State Television inviting applications for civil service examination. Any candidate fulfilling the prescribed age and educational criteria is eligible to apply.²⁴ Preliminary test system has been introduced to alleviate the pressure of a huge number of letters received and dispatched. “To deal with the question of unusually large number of candidates applying for posts through competitive examinations, the Commission introduced in 1989, a system of screening through what it called preliminary test”.²⁵

The following table (Table-11) indicates the flood of unemployed candidates who are aspiring for the government jobs. In the 1989/90 examination, the total number of candidates from whom applications were received stood at 28419. Out of this the number who appeared in the preliminary test was 24489, of which 7539 number of candidates qualified in the preliminary test and were considered qualified for the written test.

Table: 11 Status of Preliminary Test

BCS Examinations	No. of Posts	No. of Applicants	No. qualifying for appearing in the preliminary test	No. Appeared	No. Qualified in Preliminary test
1988/89	1838	37348	28419 (100)	24489 (86)	7539 (31)
1989/90	1247	28419	24550 (100)	22340 (91)	7286 (33)
1990/91	1156	24616	5987 (99)	5627 (94)	188 (3)
1990/special	40	6061			

Sources: A. M. M. Shawkat Ali, *The Lore of the Mandarins: Towards a Non-Partisan Public Service in Bangladesh*, Dhaka: UPL, 2002, p. 130 and also quoted in Md. Mahbubur Rahman, *op.cit*, p. 87.

To select the candidates from among a lot of aspirants a written test system was introduced in the examination process as in many other countries. Unfortunately, immediately after independence of Bangladesh, due to the pressing need of post war period and the lack of proper recruitment rules in some cases examinations were not held. As a result, employees were included in the job on ad-hoc basis.

After the liberation of Bangladesh, the recruitment policy formulated in 1980 was the remarkable step of introducing a systematic recruitment practice for selecting the government officials on the criterion of merit and performance. In order to ensure the equitable representation quota system was introduced to guarantee representation of backward districts, freedom fighters, women as well as hill-tracks. However, a lot of things are to be done to establish an effective

recruitment system. In the current examination process of Bangladesh higher civil service, there are two systems in operation, one is for the general cadre and the other is for technical cadre. For the general cadre, five compulsory subjects have been designed including Bangla, English, Bangladesh Affairs, International Affairs, General Mathematics as well as Everyday Science. Further other three subjects are to be selected from a list of 64 subjects. On the other hand, for the BCS technical and professional cadres, there is no optional subject with the exception of academic attainment including their previous academic results.

Table: 12 Existing Syllabi for Recruitments to BCS

BCS (General) Cadre	Marks	BCS Technical and Professional cadre	Marks
Compulsory subjects 5 (General Bengali, General English, Bangladesh Affairs, International Affairs, General math & everyday science).	500	Compulsory subjects 5 (General Bengali, General English, Bangladesh Affairs, International Affairs, General math & everyday science).	500
Three optional Subjects According to choice (from among 64 subjects)	300	Academic attainment	300
Viva Test	200	Viva Test	200
Total = 1000		Total = 1000	

Source : *Annual Report of PSC 2002* and also quoted in Md. Mahbubur Rahman, p. 89.

In the recruitment process, there are both Psychological (written) as well as Viva voce test for the candidates who have successfully passed the written part of the examination. For Psychological test, 100 marks are assigned which would 200 be included in the whole existing marks of a candidate while for viva test, 200 (now, 100) marks are allocated. Both psychological and written test are of unavoidable importance for examining a candidate's psychological ability, personality, behavior, mode of presentation, tolerance, as well as ability to express himself/herself. Admittedly both caliber and personality do not exist in all individuals in equal which eventually results in the differences of individual qualities. The people with unique intelligence and dynamic personality are better than those who do not deserve such trails. The candidates who have successfully passed all the examinations ranging from preliminary, written, psychological as well as viva voce tests are finally recommended by the Commission. But what is unpredictable is the candidates quality of practical work in their respective field.²⁶

Table: 13 Number of Candidates in the Viva test during the 1990s

Name of examinations & years.	No. of candidates for viva test	No. of recommended candidates
13 th BCS, 1991	3831	1178
14 th BCS, 1992	8037	1885
15 th BCS, 1993	8202	858
16 th BCS, 1994	8964	1348
17 th BCS, 1995	8292	1708
18 th BCS, 1996	6402	1757
19 th BCS, 1998	760	555
20 th BCS, 1998	9853	2242

Source: *Annual Report* of PSC and also quoted in Md. Mahbubur Rahman, *op.cit*, p. 90.

8:I(c) The Role of the Ministry of Public Administration

Though the PSC has constitutionally provided authority to conduct test and examination for recruiting all gazetted offices, the role of the Ministry of Public Administration plays a significant role for laying down the basic recruitment policies, including a general oversight in order to guarantee that all recruitments are made in conformity with the broad constitutional guidelines and established recruitment rules.²⁷ Within the framework of constitutional provisions and the basic policy guidelines formulated by the Ministry of Public Administration in conformity with the provision of Constitution, each ministry and division can formulate its recruitment rules and put them into practice after being approved by the Ministry of Public Administration division, PSC and the Ministry of law. The ministries /divisions have also authority to recruit their own personnel after the proven quality through competitive examination conducted by the PSC. “ To delineate more especially the operational role of the Establishment Division in the realm of recruitment, especially the recruitment made so far through combined competitive examinations, it should be stated here that the PSC conducted all the examinations at the request of the Establishment Division”.²⁸

8:I(d) The Role of the PSC for Recruitment Process

Public Service Commission of Bangladesh (BPS) is a statutory body whose functions and structures are strongly premised on constitutional provisions. All these provisions could not be changed overnight without enacting an amendment of the same provision passed in the parliament through some legal procedures written in the constitution. The PSC has been authorized to perform certain constitutional duties in matters of conducting tests and examinations to select the suitable candidates for the services of the republic. This central recruiting agency also performs some other functions including the determinations of the service conditions disciplines and promotion matters.²⁹

8:I(e) The Selection of the PSC Chairman & Members

It has been mentioned earlier that the constitution of the PSCs in Bangladesh was made through a PO (PO 34 of 1972). This was done on April 8, 1972 before the Constitution came into force in late 1972. This was later substituted by another PO (PO 25 of 1973), promulgated on March 13, 1973. The rationale for promulgation of two successive POs have already been explained and need not be repeated. Prior to the framing of the Constitution, PO 34 simply provided that the Chairman and other Members of the Commission shall be appointed by the President on such terms and conditions as the President may determine. It also provided that not less than one-half of the Members of the Commission will be the persons who have held the offices of Bangladesh for not less than 15 years. In this stipulation some kind of qualification criteria for at least one half of the members have been made explicit. This provision was kept unchanged under article 138 (1) of the Constitution adopted in late 1972, except for the fact that the persons to be appointed from the services of the Republic would have a length of service of twenty years in any government, which at any time had functioned within the territory of Bangladesh. This provision re-echoes similar provision in the Constitution of Pakistan 1956 which has already been discussed. It is significant that the qualification criteria for the other half of the Members including the Chairman to be drawn from person outside the service of the Republic have not been laid down either in the POs or in the Constitution. For this category, the qualification criteria has been left absolutely at the discretion of the government. Implicit in such a provision is the fact that the President in a Presidential form of government can pick and choose persons to be appointed as Chairman and Members of the Commission with or without due regard to any qualification criteria. In a Cabinet form of government, as the government then was in 1972 until mid-1975, the President had to appoint Members and Chairman on the advice of the Prime Minister. In either case, a blanket authority was given to the executive branch of the government to appoint Chairman and Members.³⁰

In this context, it is important to mention that in providing this blanket authority to the Head of the State or government, the people of the Republic have placed full trust in that office. It is again a continuation of the British colonial legacy as adapted later by the Pakistan (Provincial Constitution). Order, 1947. In that order the Governor-General was given the authority to appoint Chairman and Members of FPSC.³¹

References have been made earlier to the views of the ASRC. ASRC was constituted on March 15, 1972, but it could submit its recommendations to the government in April 1973. By that the Constitution has already been adopted. ASRC has shown remarkable courage in suggesting that (a) the Chairman and Members of the PSC should be appointed by the President acting in his discretion and (b) the qualification criteria of the Members to be drawn from the non-official category should be clearly laid down. In respect of (a) above, ASRC has acknowledged that the Chairman and Members to be appointed should be above party politics and, therefore, the phrase “acting in his discretion” which does not occur in article 138(i) of the Constitution should be amended to incorporate the same phrase in order to preserve and protect the independence and impartiality of the Commission. In respect of (b) above, ASRC has recommended that for the non-official category, a person to be appointed as a Member should at least be a graduate in arts or science and should be and have been a bonafide practitioner for a period of 15 years in such profession as education, medicine, science, technology, engineering, law, accounting, public administration and administration of nationalized enterprises. It has also suggested that there should be one or two lady have to employ women in large number in future.³²

In order to secure the neutrality of recruitment process, it is necessary to know how the authorities i.e. the PSC members engaged in recruitment are selected. It is mentionable that the selection of the PSC members has been explained in chapter

four. Bearing this salient issue in mind, a band of scholars from different disciplines are hired in the PSC who are assumed to work independently and thereby secure a neutral recruitment system based on equity and merit principle. This was in the sense that, firstly, in Bangladesh, government job holds unparalleled attraction for a lot of growing number of educated unemployed candidates. There is a great gap between the number of candidates and the number of posts advertised. As a result, the central responsibility of the PSC is to recruit candidates who should be politically neutral. The PSC itself should be truly autonomous so that a fair and equitable recruitment system can be secured. According to Ahmed, as the basic responsibility for conducting examinations and selecting candidates is in the hands of an autonomous statutory body, the PSC should be really independent from political pressures and should and should consist of persons with long and wide range experience in various fields of administration, profession and learning is considered to be in a good position to handle recruitment and other technical and complex service matters (1990). Elsewhere, the same author elaborated it further.

“The framers of the Constitution in Bangladesh seem to have been well aware to the merit of an independent body for the purpose of recruitment and control of certain important service matters. Accordingly they envisaged the PSC as machinery outside of the executive branch purporting to limit or qualify the degree of control over civil servants exercised by various executive agencies. In regard to the composition of the PSC, the pattern was designed to ensure weight to the viewpoint of public servants themselves. Thus the appointing authority is bound under the constitution to see that at least half the members of the PSC are persons who have been themselves in the ranks of public servants for at least twenty years. To ensure the independence of the PSC, the framers of the constitution thought fit to provide that the persons who have been members would be debarred from any employment under the government”.³³

8:I(f) Eligibility of Candidates for Recruitment

The method and conditions of eligibility for entry into various civil service cadres including those outside the cadre are all codified in the shape of various rules framed from time to time. These rules apply only to government servants as distinguished from those in public statutory bodies. These bodies have their own rules for recruitment. The rules so codified derive their strength from the constitutional provisions relating to the appointment and conditions of service of persons in the service of the Republic. The Constitution requires that consistent with its provisions, parliament may by law regulate the appointment and conditions of service. It also lays down that until such a law is made, the President may make rules regulating such appointment and conditions of service and the rules so made shall have effect subject to the provisions of any such law. The rules have also to be consistent with the provisions of the Constitution.³⁴

Parliament has not made any law governing the appointment and conditions of service relating to the services of the Republic. The only law made by Parliament relates to the reorganisation of services by way of creation of new services or amalgamation of existing ones, which may include variation, and reocation of conditions of service. In the absence of any specific Act governing the appointment and other terms and conditions of service, the rule-making authority of the President has been put in place to fill up the void. This again is symptomatic of the changing boundaries between the executive and legislative branches of the government. The role of the parliament in governance of the Republic is steadily loosing importance and relevance.³⁵

The rule for recruitment to civil service cadres followed the framing of rules for creation of BCS cadres in 1980. The recruitment rules were notified in January, 1981. These rules mainly dealt with the procedure for recruitment, the period of probation and conditions of confirmation in service. There are two methods of

recruitment such as (a) direct recruitment to be made on the recommendations of the PSC and (b) recruitment or appointment by promotion. Direct recruitment again can be made on the basis of open competitive examinations followed by interview and also selection by interview only.³⁶

The remarkable features of the recruitment rules relating to the eligibility of candidates in matters relating to direct recruitment have been mentioned below.

- a) Appointment to service by direct recruitment has to be made upon the recommendations of the PSC
- b) Only the citizens of Bangladesh are eligible.
- c) Anyone who is married to or entered into a promise of marriage with a person who is not a citizen of Bangladesh can not be appointed.
- d) Medical fitness to be certified by an officially appointed medical board.
- e) Verification to be made of antecedents of the person selected for appointments by appropriate agencies.
- f) All applicants seeking selection for appointment must be in a prescribed form to be submitted within the date fixed as such.
- g) In case of a person already in government service or in the service of local authority, such person must apply through his official superiors.¹⁷

Some other conditions have to be followed by a candidate even after getting appointment to the job. Having been selected to the post of the civil service a person has to undergo a period of two years job which is named as probationary period. If a person selected for the appointment can not satisfactorily complete the period of probation, in that case such period such period may be extended for a further period not exceeding two years. In this connection Ali further mentions that, “The explanatory note relating to the period of probation provided for in the rules state that if no order is made by the day following completion of probation period, the period of probation shall be deemed to have extended. If a probationer

is found unsuitable for retention in the relevant service, the agency terminates his/her appointment without consultation with the PSC".³⁷

8:I(g) Different Steps in the BCS Examination System

The Bangladesh Public Service Commission (PSC) administers the recruitment operations maintaining the following procedures while selecting a candidate:

- (1) The PSC requests the Ministry of Establishment to send cadre wise vacancy list and then on the basis of such requirements, the Ministry collects vacancy list from the cadre controlling Ministries. Getting vacancy lists Ministry of Establishment send the cadre wise vacancy list to the PSC.
- (2) PSC arranges to print application forms, OMR answer scripts and other associated forms and papers from BG press.
- (3) Getting vacancy list from Ministry of Establishment PSC advertised on the basis of the BCS (Age, Qualification and Examination for Direct Recruitment) Rules 1982 mentioning cadre wise number of vacant posts, fees, educational qualification, age limit, place of examination, tentative date of preliminary test, last date of submission of application forms etc. and invites applications from the eligible candidates through national dailies. Candidates are asked to specify the name of cadres in order of preference in the application for which they are applying for.
- (4) At the same time PSC distributes Printed application forms and other associated papers to the divisional and district level 29 Sonali Bank branches throughout Bangladesh. On behalf of PSC Sonali Bank sells application forms to the candidates.
- (5) Completed application forms submitted by the candidates are scrutinized by BPSC (Manually and by computer) to ensure that whether candidates have required educational qualification are attached along with the and the application forms are correctly signed by the candidates.
- (6) Simultaneously PSC nominates the name of question setters, question moderators for Preliminary test and make necessary arrangements for printing question papers and other relevant documents before Preliminary test.
- (7) Computerized application forms filled and submitted by the candidates along with the application forms are then scan by the OMR. After scanning and scrutiny BPSC prepare list of eligible and ineligible candidates.

- (8) Getting eligible and ineligible lists (with registration numbers) from the computer section registration numbers are then assigned manually on the application forms.
- (9) Admit cards are then issued to the eligible candidates for preliminary test.
- (10) PSC then arranges examination halls in Dhaka, Chittagong, Rajshahi, Khulna, Barisal and Sylhet centers to conduct the Preliminary Test.
- (11) Publishes centre wise seating arrangement mentioning the date, time, examination halls and registration numbers through national dailies.
- (12) Question papers for preliminary Test are printed in Press. Printed sealed packets of questions keeping in a sealed steel trunk receive from the Press by BPSC and bring it to the volt room of BPSC building.
- (13) Senior officers of PSC carry the sealed steel trunk of questions papers to the divisional centre by Biman with police escort. For Dhaka centre sealed trunk of question papers are send on the examination day to the respective halls by the PSC officers with Magistrates and police escort.
- (14) The eligible candidates have to appear at preliminary Test. They have to answer 100 multiple choice questions (MCQ) in one hour covering five areas as Bangla, English, General Knowledge Bangladesh Affairs, General Knowledge International affairs, Mathematics and everyday science.
- (15) After Preliminary test answer scripts are scanned by the OMR and computer. On the basis of scanning report prepared by the computer section, BPSC then decides the number of candidates qualifying by the Preliminary Test.
- (16) Candidates qualifying in the preliminary test are considered eligible for written examination. According to the BCS (Age, Qualification, and Examination for direct recruitment) Rules-1982 Candidates of General cadres and candidates of Technical/Professional cadres have to appear in the written examination of the following subjects.

Table: 14 Subjects for General Cadres

Sl. No.	Name of the Subjects	Total Marks
1	Bangla	200
2	English	200
3	Bangladesh Affairs	200
4	International Affairs	100
5	Mathematical reasoning and mental ability	100
6	General Science and technology	100
7	Viva voce	200
Total Marks =		11000

Source: *Annual Report of PSC, 2005*, p. 43 and also quoted in Md. Mahbubur Rahman, *op.cit*, p. 97.

Table: 15 Subjects for Technical and Professional Cadres

Sl. No.	Name of the Subjects	Total Marks
1	Bangla	100
2	English	200
3	Bangladesh Affairs	200
4	International Affairs	100
5	Mathematical reasoning and mental ability	100
6	Relevant Post graduate subjects	200
7	Viva voce	200
Total Marks =		11000

Source: *Annual Report of PSC, 2005*, p. 43 and also quoted in Md. Mahbubur Rahman, *op.cit*, p. 97.

- 17) Time allotted for each subjects is 3 hours
- 18) Before written examination PSC confirm the printing of required number of answer scripts.
- 19) PSC arrange examination halls for written examination required in the 6 divisional centers, prepare examination schedule and publish in the national dailies mentioning the date and time of examination halls.
- 20) PSC prepares subjects wise lists of examiners. After written examination PSC send the answer scripts to the examiners, simultaneously BPSC appoint scrutinizer to scrutinize the answer scripts. After scrutiny litho code mark sheet forms are then send to the computer section for scanning. Candidates those who obtain 45% marks in aggregate in written examination are declared qualified for the viva voce and intelligence test. Candidate who scores less than 25 percent in any subjects deemed to have secured to marks in that subject. Computer Section then prepares written examination result in the number of qualified candidates in the written examination on the basis of the BCS examination rules 1982. Prepared result then submit to the Commission's meeting for approval. Getting approval of the Commission cadre wise (General and Technical) results then publish in the national dailies.
- 21) The total marks of viva voce and intelligence test is 100. The minimum qualifying marks in viva voce is 40%.
- 22) BPSC prepares cadre wise viva voce schedule, publish it through national dailies and send viva card to the candidates.
- 23) Requests the Ministry of Establishment to send departmental experts to the viva board not below the rank of Joint Secretary to the Government.
- 24) At the same time BPSC nominates and invites experts to help the commission in the viva board.
- 25) Preparation of merit list and allocation of post to candidates

Merit List:

- a) The merit list is prepared on the basis of the marks a candidate obtained in the written examination and viva voce examination. Their total score therefore is out of 1000 marks for general cadre, 1000 marks for Technical cadre and 1100 marks for general technical cadre.
- b) The allocation of posts
There are two main factors through which post will be allocated to candidates, such as:

- i) The cadre preferences given by the candidates and
- ii) The quota system

Posts are allocated to candidates on the basis of their positions in the merit list. Concerned government curricular specifies that 45% of the posts will be allocated on merit basis and the remaining 55% of the posts will be allocated according to quotas for particular groups of candidates.

The candidates are provided posts according to merit list. The candidates who are higher up the merit list should be allocated their first preferences if there are posts available. If candidates first preference is not available then they should be allocated their second preference, if post available.

- 26) The list of cadre wise selected candidates for appointment is then placed before the full commission meeting for approval. After approval of the PSC, a list of cadre wise selected candidates is then published through the national dailies and recommended to the ministry of establishment by Bangladesh Public Service Commission.
- 27) Candidates who are allocated posts are required to appear before Medical board for physical examination arranged by the health Directorate. After the medical examination, selected candidates are required to have police verification report. The police report is introduced to determine whether there is any criminal records against these candidates and whether the candidate is engaged in any activity subversive of the state. It takes 2 to 3 months to complete the process of police verification.
- 28) Getting satisfactory police report of the selected candidates, Ministry of Establishment sends the cadre wise list to the President for approval. After getting approval from President, appointment letters are issued to the selected candidates by the Ministry of Establishment directing them to join their cadre controlling ministries.³⁸

Table: 16 Time required from advertisement to recommendation, (25th) BCS

Job Statement	Time/Date
1. Date of publishing advertisement	-28-2-2004
2. Last date of Submission of application	-20-5-2004
3. Preliminary test held on	-03-9-2004
4. Date of publication of preliminary test result	-15-9-2004
5. Written examination begins	-07-2-2005
6. Written examination ends	-06-4-2005
7. Written examination published on	-12-9-2005
8. Psychological exam held on	-21-10-2005
9. Viva voce Starts	-25-10-2005
10. Viva voce ends	-30-1-2006
11. Date of recommendation	-13-4-2006
12. Total time required	2 years 1 month 15 days

Source: Above information have been collected from the official document of Bangladesh Public Service Commission and also quoted in Md. Mahbubur Rahman, *op.cit*, p. 100.

The above mentioned table-16 highlights the lengthy recruitment process of Bangladesh. It is another reason why promising candidates avoid career in civil service. In the context of Japan, recruitment in the civil service is completed within a year. It can hardly exceed more than one year time.³⁹ This is one of the vital reasons that led Japan to establish an effective recruitment system. The above table-4.6 provides a long process consuming more than two years time. It means that the recruitment process of PSC can not be effectively operated.

8:I(h) An Assessment of Recruitment System

Though it has been a policy of every government of the country to streamline the civil service system but the government has failed to build up a sound recruitment system in civil service. “There are a large number of vacancies in the cadre services. There is no regular recruitment procedure followed by the ministries/divisions and for that matter by the PSC. As a result there is a generation gap”.⁴⁰ No unified recruitment rule has been framed by the government, which can be followed by the PSC. As a result it has become impossible to maintain standards of the candidates. For example, there are certain batches of recruits who were selected for the service only on the basis of oral test. On the other hand there are some batches that had to face 2200 marks examination in stages.⁴¹ The following table shows these shifting tendencies in examinations procedure and inordinate delay in appointment.

Table: 17 Variations in Recruitment Procedure

Year	Type of Examination	Total Marks	Method	Number Recruited	Time Taken
1972	Special Examination for Freedom Fighter	---	Oral	353	1 year
1973	Special Examination for Non-Freedom Fighter	100	Written on condense syllabus	1314	1 year
1977	Regular Examination for Superior Posts	1600	Written / Psychological / Viva / Medical	129	About 3 years
1979	Regular Examination for Superior Posts	1600	Written / Psychological / Viva / Medical	130	2 years
1982	Regular Examination for Superior Posts	1600	Written / Psychological / Viva / Medical	765	1 years
1983	Two Special Examination	300	Viva / Written	727	1 years
1984	Regular Examination	900	Written / Psychological / Viva / Medical	795	1.5 year
2000	Regular Examination	1000	Written / Psychological / Viva / Medical	1263	2 years
2001	Regular Examination	1000	Written / Psychological / Viva / Medical	934	1 year 7 months

Source: Ministry of Establishment, Government of Bangladesh, Recruitment Section and also quoted in Md. Reazul Haque, *op.cit*, p. 74.

The Public Service Commission is often blamed for delay in the finalization of the selection of candidates by interviews.⁴² The PSC also faces criticism that advertisements for different posts are not drafted in an effective and attractive way.⁴³ On the other hand, PSC has also emphasized the need for holding BCS examinations in every year by saying that unless these examinations are held regularly the tenanted and young graduates will not be able to join the cadre service due to over age and unemployment situation in the country.⁴⁴ It has been observed that in some cases there are still adhoc appointments, which for various reasons resulted in poor performance and inefficiency of officers.⁴⁵ There is also a controversial issue on the encadrement of outsiders in the regularly constituted BCS cadres as a method of lateral entry, which creates discontents among some of the cadre services. They allege this tendency will not create a healthy and congenial atmosphere in the civil service sub-system in the country.⁴⁶ In respect of promotion the mode of assessment through percent ACR system is not proper and accurate. This system is not keeping up with the modern trend in many countries of the world. It has no encouraging effect at all on the officers concerned.

Considering the above facts it is beyond doubt that recruitment procedures need considerable improvement and streamline. But an observer who was associated closely with the system expressed that “no system of recruitment can fundamentally change the character of the civil service when standards of education deteriorated at all levels and values have sharply declined.”⁴⁷

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Chapter Nine: Quota System in Bangladesh Civil Service

9:I(a) Recruitment by Quota System

The quota system in Bangladesh was introduced by Establishment Division on the 5th September 1972 through an office memorandum stipulating that future vacancies in all posts and services of the Republic would be filled in district-wise according to the population of the districts. Only in class 1, posts and services, 20 percent posts would be filled up on the basis of merit. The remaining vacancies would be distributed by district/division. 30 per cent vacancies were reserved for Freedom Fighters (FF) and 10 per cent for women affected by the War of Independence. This is, however, subject to the condition that this 40 percent quota should be calculated on an overall basis without affecting the district quota. The stated objective of the policy was to achieve more equitable representation of the people of all districts of Bangladesh in the various services and posts under the Government (including the Defense Services), Autonomous and Semi-autonomous organizations and the Nationalized Enterprises (including Financial, Commercial and Industrial Organizations). This was described as an interim measure, to fill future vacancies by the candidates from all districts on the basis of population. It also provided that when the number of vacancies is so small that it cannot be distributed district-wise; the vacancies shall be distributed division-wise on the basis of population.¹

The articles, in respect of employment or office in the services of the Republic came into force without any discrimination on grounds of religion, race, cost, sex or place of birth. It, however, provides an enabling clause for the State to make special provision in favor of any backward section of citizens for the purpose of securing their adequate representation in the services of the Republic. There is,

however, no provision in the Constitution for proportional representation of districts in the services of the Republic. A quota could be provided for any backward section of citizens. Article 152(1) of the Constitution describes a district as “an administrative unit”. A district cannot be construed as a backward section of citizens. It is extremely difficult to make a convincing case for constitutionality of district quota. The Constitution does not also make any provision for rewarding any group of citizens despite their noble contributions and supreme sacrifices. The “freedom fighters” do not necessarily belong to backward sections of citizens, though a case could be made out for the eligibility of quota for “affected women” and “disabled freedom fighters”.² It is interesting to speculate why the constitutionality of the quota system was not debated after the promulgation of the Constitution. One of the framers of the Constitution was interviewed for this study. He observed that emotions were so high and nerves so raw in the wake of a sanguinary liberation war that nobody dared to discuss these issues in the public. The quota system was presented as a *fait accompli* and commanded the acquiescence of the public without any debate.

It is to be noted that the 1972 Interim Recruitment Policy provided that quota distribution principles outlined in the policy would override the provisions of the existing recruitment rules, i.e. they would be deemed to have been modified to the extent necessary to implement the policy. Through an administrative decision of the government, the above interim recruitment policy sought to override the recruitment rules in force at that time.³

The interim recruitment policy also asked all appointing authorities to send their present and anticipated vacancies to the PSC, to enable it to prepare annual or biannual plans. It appears that the power of enforcement of quota rules was given to the PSC. It is interesting to note that there were repeated reminders to various appointing authorities to follow the quota system. Even warnings were issued that

the violators would be punished. These indicate that there were apprehensions of resistance or unwillingness to implement the policy.⁴

In July 1985, the Policy was further amended. It abolished the quota for affected women introduced in 1972 and raised the merit quota from 40 per cent to 45 per cent for class 1 and class II posts. 30 per cent quota for freedom fighters and 10 per cent quota for women were kept unchanged. It also introduced a new 5 per cent quota for the tribal people. Since qualified candidates were no longer available to fill the 30 per cent freedom fighters quota, the Government in 1997 decided to reserve this quota for the sons and daughters of the freedom fighters and Shaheed freedom fighters. Again in 2002, the Government decided that if qualified candidates from wards of freedom fighters and Shaheed freedom fighters were not available, qualified candidates from the merit list would be eligible for these vacancies.⁵

According to Article 29(3) of the Constitution, the Government has the power to prescribe quota for any backward section of citizens in the service of the Republic. The Constitution does not differentiate between classes of government employees. The Government framed virtually two types of quotas – one for classes 1 and II officers and the other for Class III and IV employees.⁶

Table: 18 Comparison of Quota Systems of Different Classes of Employees

Type of Quota	Percentage for Class I & Class II Officers	Percentage for Class III and IV Employees
Merit	45	0
Freedom Fighters	30	30
Women	10	15
Tribal	5	5
General District Merit	10	30
Orphan and Disabled	0	10
Ansar and VDP	0	10

Source: Akbar Ali Khan and Kazi Rakibuddin Ahmed, Quota System for Civil Service Recruitment in Bangladesh: An Exploratory Analysis (Unpublished), 2008.

There is no merit quota for class III and IV employees. The quota is distributed in three stages. In the first stage, all non-gazetted posts are first distributed district-wise as per their population. In the second stage, the special quota for FF 30 per cent, Women 15 per cent, Tribal 5 per cent, Orphans and Disabled 10 per cent and Ansar – VDP 10 per cent are filled up according to their merit from respective groups. In the third stage, the home districts of selected candidates are ascertained and the unfilled posts earmarked for each district are filled from the qualified candidates from respective districts.

The main argument for not prescribing any merit quota for Class III and Class IV employees is that most of the jobs are unskilled and it is not possible to measure accurately merit of candidates for such posts. This argument is, however, partially valid. There are many class III posts (such as typists, computer operators), which involve skills. It may not, therefore, be fair to eliminate merit altogether as a criterion for recruitment. The quota for disabled is justified on firm constitutional ground. However, it will be difficult to administer the quota for orphans because it may be abused by the wealthy and undeserving. The experience in Ansar and

VDP training could be made a requisite or additional qualification for certain jobs. However, the quota for Ansar and VDP is not consistent with the provisions of Article 29(3) of the Constitution because they cannot be classified as “backward section of citizens”. It is interesting to note that though there is no quota system for commissioned officers, the defense forces follow implicit and explicit quota in respect of district of origin and wards of ex-servicemen for non-commissioned posts.⁷

Though the 1972 recruitment policy was termed as an interim one, no time limit was set for its expiration. Even after 36 years of independence the interim recruitment policy was not replaced by a regular policy for recruitment. The issues involved in the quota reservation for districts and freedom fighters were highly political and emotive. In spite of repeated recommendations from the Public Service Commission as well as from other Commissions and Committees formed from time to time, to do away with the freedom fighters’ quota, no government mustered enough courage to face the reality. When freedom fighters were no longer available, their wards were made the beneficiaries of this quota. When it was found that enough wards of freedom fighters were not available, the Government reluctantly agreed in 2002 that these vacancies could be filled from the merit list. The quota system continues to be a sacrosanct issue in Bangladesh politics. There has been no serious effort on the part of the Government to assess objectively the actual impact of the quota system either on the preferred and non – preferred groups or on the administration as a whole.⁸

9:I(b) Principle of Quota System

It has earlier been mentioned that the rationale for the introduction of the quota system had its roots in the political policy for recruitment to public service that was adopted in September 1972.⁹ At that time the government had formulated

what it called the Interim Recruitment Policy. The stated objective of the policy was to achieve more equitable representation of the people of all the districts of Bangladesh in various services and posts including Defense Services, autonomous and semi-autonomous organizations and nationalized enterprises. This was to be based on the allocation of quota to each district on the basis of population. If the number of posts were so small as could not be distributed on the basis of districts, then the basis for distribution of quota would be the administrative divisions. It was further stated that if the number of vacancies was smaller than four, then the division having least representation in a particular service should be given weight age in such recruitment.¹⁰

It was laid down in the Interim Policy that for all Class 1 posts and services, 20 percent would be filled up on the basis of merit alone. The remaining vacancies would have to be distributed by district/division. However, 30 percent of the vacancies would be reserved for freedom fighters and ten percent for women affected during the war of liberation. This is, however, subject to the condition that this 40 percent quota should be calculated on an overall basis without affecting the district anticipated vacancies to the PSCs to enable the Commissions to prepare the annual or bi-annual plans. It was further laid down in the relevant office memorandum that the existing recruitment rules would be deemed to have been modified to the extent it was necessary to comply with these instructions. The Interim Recruitment Policy never graduated into a full blown policy for recruitment. This was probably due to the fact that BCS recruitment rules were made in January 1981.¹¹

It is necessary to point out that the Interim Recruitment Policy declared and made public in 1972 had referred to the fact that the quota distribution principles outlined in the policy would override the provisions of the existing recruitment rules i.e. they would be deemed to have been modified to the extent necessary to

implement the policy. This reflects a number of procedural deficiencies. First, no consultation was made with the PSCs in bringing about new principles of recruitment although consultation with the PSCs was mandatory. Second, a memorandum which outlined the recruitment policy was, for all intents and purposes, an administrative decision that sought to override recruitment rules.¹²

Instances such as these, are not uncommon in the administrative history of Bangladesh for the subsequent periods. When some action is to be taken pursuant to a political decision, executive instructions, by whatever name these may be called, ride roughshod over rules and regulations. This is done probably to satisfy the political decision-makers in terms of proving the efficiency of the government.¹³

9:I(c) Justification of District Quota

Regional quota is easy to justify in countries where regions differ from each other on the basis of race, religion and language or level of economic development. In such societies, discrimination against minority or dominated groups may exist on economic or non-economic grounds such as the employer's personal bias.¹⁴ Describes the non-economic bias as the 'discrimination coefficient'. Because of extraordinary homogeneity of the people in Bangladesh, there is no such perceptible discrimination coefficient against the residents of particular districts in Bangladesh. The only justification for such quota could be lack of opportunities in terms of earnings and education in backward districts. In the first two decades after independence, northwest and southwest areas of Bangladesh were cutoff from the capital and the major port Chittagong by mighty rivers. The isolation from the rest of the country coupled with limited opportunities of economic development created strong resentment in these areas against the Center. However, the situation has changed dramatically with the completion of the

Jamuna Bridge that has put an end to centuries-old isolation of these areas. Furthermore, balanced economic development reduced regional disparities. Economic theory predicts that under such circumstances there would be convergence in per capita income and rate of literacy among the districts.¹⁵ In fact, the variation among districts in terms of income and education is so low that there is no justification for presuming that it is at all a significant problem in Bangladesh. It was argued at the time of introducing district quota that districts like Comilla and Noakhali had excessive representation in the civil service at the expense of backward districts in Rajshahi and Khulna divisions. Ironically, the per capita income of Comilla district is now lowest in the whole country and the per capita income of Noakhali district is lower than that of nine out of ten districts in the erstwhile Khulna and Rajshahi divisions.¹⁶ The district quota system now hurts the poor districts while benefiting the affluent districts. It is very difficult to defend the present district quota system on the basis of usual arguments of affirmative action.

Table: 19 Trends in COV of Per Capita Income and Literacy Rate in 17 old District

Year	COV of Per Capita Income (at current prices)	Year	COV of Literacy Rate
1980-81	0.572	1981	0.285
1990-91	0.468	1991	0.227
1999-2000	0.294	2001	0.188

Source: Akbar Ali Khan and Kazi Rakibuddin Ahmed, *Quota System for Civil Service Recruitment in Bangladesh: An Exploratory Analysis*, (Unpublished), 2008, p. 37.

The district quota system was designed to redistribute jobs from districts, which were over-represented in public service, to districts, which were proportionately underrepresented. It was based on the notion that a few districts had monopolized

class 1 posts on the basis of merit. This observation is partly valid if this generalization is based on the regional distribution of the elitist cadre CSP (Civil Service of Pakistan). However, the fast stream elitist cadre was discontinued after the birth of Bangladesh and a mainstream BCS (Admn.) was constituted by merging the following cadres: CSP, EPCS (East Pakistan Civil Service) class 1 and Class II, Military Land and Cantonment Service and Central and Provincial Secretariat Services (CSS & EPSS). The district-wise distribution of BCS (Administration) officers who were inherited from Pakistan was much less concentrated than that of the CSP. Because the CSP was a small cadre based on merit (within East Pakistan), the representation of districts in this service was highly skewed.¹⁷ Nevertheless, 16 out of seventeen districts were represented in this cadre; the only district, which had no share in this cadre, was Chittagong Hill Tracts that had less than half percent population. In 1970, Rajshahi and Khulna (which included present Barisal division) had 44 percent population and their share in the constituent services of the BCS (Adm) was 35.4 percent. In other words, these divisions had about 20 per cent less share in the civil service than what would have been warranted on the basis of strict proportionality of population. In 2007, the share of the erstwhile Khulna and Rajshahi divisions in total population decreased to 42.6 percent from 44 percent in 1974 while the representation of the BCS (Administration) increased from 35.4 percent in 1970s to 42 percent in 2007. However, it will be wrong to conclude that the district quota reduced regional disparity in service for two reasons. First, the share of erstwhile Rajshahi division (which had 24.2% people) in BCS (Administration) remained virtually static. The increase can be attributed solely to rise in the share of Khulna division.

Table: 20 District Wise Distribution of Posts in the BCS

Old District / Present Division	% of Population in 1974	% of CSPs in 1971 (Total Sample - 175)	% in Constituent Services of BCS (Adm.) in 1971 (Total Sample- 1753)	% of Population in 2001	% of BCS (Adm.) Officers in 2001 (Total Sample- 4075)
Dinajpur	3.6	2.9	2.2	3.8	2.5
Rangpur	7.6	2.2	3.0	7.3	5.0
Rajshahi	6.0	3.4	5.9	6.1	4.8
Bogra	3.1	1.2	2.5	3.1	2.6
Pabna	3.9	3.4	4.6	3.9	3.5
Rajshahi Division	24.2	13.1	18.2	24.2	18.4
Kushtia	2.6	0.6	1.3	2.7	2.6
Jessore	4.7	4.0	3.5	4.5	6.0
Khulna	5.0	1.7	3.1	4.6	5.9
Khulna Division	12.3	6.3	7.9	11.8	14.5
Barisal	7.5	7.4	9.3	6.6	9.1
Barisal Division	7.5	7.4	9.3	6.6	9.1
Dhaka	10.7	16.6	12.6	13.9	13.5
Mymensingh	13.6	5.2	9.2	12.7	11.7
Faridpur	5.7	8	6.7	4.8	6.4
Dhaka Division	30.0	29.8	28.5	31.5	31.6
Chittagong	6.0	5.7	5.4	6.7	5.3
Chittagong Hill Tracts	0.7	-	0.8	1.1	0.7
Noakhali	4.5	9.1	8.7	4.3	5.6
Comilla	8.1	17.1	13.8	7.5	10.1
Chittagong Division	19.3	32	28.7	19.6	21.7
Sylhet	6.7	11.4	7.4	6.4	4.7
Sylhet Division	6.7	11.4	7.4	6.3	4.7

Source: Akbar Ali Khan and Kazi Rakibuddin Ahmed, *op.cit*, p. 169.

2001 was 11.8 percent while its share in the BCS (Administration) was 14.5 percent. This clearly suggests that Khulna division had higher than its proportionate share in the quota reserved for merit exclusively. This hypothesis is supported by a disaggregated analysis of merit and quota candidates. Khulna division with 11.8 percent share of population had 19.1 percent of merit posts while Rajshahi with 24.2 percent population got only 15.4 percent of merit post. The district quota system based on the share of population in the district did not play any significant role in redistribution of jobs. On the contrary, it created a highly opaque and almost ungovernable system, which eroded the confidence of people.¹⁸

Table: 21 Analysis of Recruitment on Merit and Quota basis
in 21st, 22nd and 25th BCS, Examinations

Division	% in total population in 1991	% in merit quota (N=775)	% in district quota (N=601)	% in total recruitment (N=1376)
Rajshahi	24.2	15.4	21.5	18.0
Khulna	11.8	19.1	13.6	16.7
Barisal	6.6	9.5	8.8	9.2
Dhaka	31.6	31.4	30.8	31.1
Chittagong	19.6	23.2	21.3	22.4
Sylhet	6.3	1.4	4.2	2.6

Source: Akbar Ali Khan and Kazi Rakibuddin Ahmed, *op.cit*, p. 38 and also quoted in Md. Mahbubur Rahman, *op.cit*, p. 64.

9:I(d) Justification of Women's Quota

According to census of 2001, women constitute 48.1 percent of population in Bangladesh, while their share in the public service including autonomous bodies is only 11.1 percent (see Table VI.4). However, a disaggregated analysis of data suggests that women are overwhelmingly concentrated in the traditional jobs in teaching, medicine and nursing. 68.2 percent of women are employed in traditional jobs in Ministries of Education (48.3 percent of their employment) and Health (19.9 percent). Excluding Ministries of Education and Health, the share of women's employment in public service is only 4.78 percent. The enforcement of a quota of 80 percent for women increased women's share in jobs in primary education during last two decade.

Table: 22 Class-wise Number of Female Officers and Employees
in Bangladesh, 2001

Class	Secretariat	Department	Autonomous Bodies	Total	Total Women Officers as % of Total Officers
Class I	299	5284	3488	9071	9.8
Class II	202	1240	2452	3895	7.6
Class III	279	70272	6712	77263	13.1
Class IV	258	10400	3311	13069	6.4
Total	1038	87196	15963	104197	11.1

Source: *Statistical Yearbook of Bangladesh, 2005*

Glaring discrimination against women is also evident from socio-economic indicators on gender inequality. According to *Human Development Report 2006*, the average earning of women in Bangladesh is less than half (only 46 percent) of that of men. Women in Bangladesh have much less opportunities for higher

education than men. The gross tertiary education enrolment ratio of women stands at 50 percent of that of men. There are uneasy signs of deterioration in economic status of women. Between 1990 and 2004, female economic activity rate (the share of the female population aged 15 or older who supply or are available to supply labor for the production of goods and services) has declined by 16 percent. The existing socio-economic status and their current share in public employment justify fully quota for women in public service. Articles 28(3) and 29(3) of the Constitution would also validate such a measure.

Prior to the liberation of Bangladesh, the jobs in the public sector except a few jobs in education and health sectors was an exclusive preserve of the male. This prompted earmarking of 10 percent jobs for women in 1976. A comparison of the share of women between 1987 and 2001 may be seen in Table 23.

Table: 23 Comparison of Share of Women in Public Sector
Employment, 1987 and 2001

Class	Total Female Officers in 1987	% of Female Officers in Total in 1987	Total Female Officers in 2001	% of Female Officers in Total in 2001
Class I	2592	3.4	9071	9.8
Class II	1302	3.6	3895	7.6
Class III	42903	8.4	77263	13.1
Class IV	6201	1.9	13069	6.4
Total	52988	5.6	104197	11.1

Source: A. M. M. Shawkat Ali, *op.cit*, p. 71.

On the face of it, the share of women in public service has more than doubled between 1987 and 2001. But it will be wrong to attribute this to 10 percent quota for women in class I posts. Much of the increase occurred in class III posts

because of reservation of 80 percent jobs of primary teachers for women. Though the share of women in class 1 posts increased significantly, it is doubtful whether it could be attributed to quota. Available data suggest that women's share is much more than what would have been warranted by 10 percent quota. In order to analyze the effects of quota on selection of women for the BCS, the results of three batches of the BCS were examined and the findings of this analysis are presented in table VI. 6. In the 21st BCS examination, about 5 percent women were recruited on the basis of merit. The share of women in merit quota increased to 13 percent in 22nd BCS examination. It was further raised to 16.8 percent in 25th BCS examination. If women continue to perform so well in the competitive examinations, quota system is likely to be an obstacle rather than a special facility for them. Women get fewer jobs under quota system than what they would have got without any reservation. In order to reach firm conclusion on this possibility, further research on women candidates who passed the examination but failed to get jobs is necessary. It is obvious that ten percent quota for 48 percent population is grossly disproportionate and inadequate. The adequacy of the quota for women needs to be examined.

Table: 24 Analysis of the Results of Women Candidates
in 21st, 22nd and 25th BCS Examinations

Batch of BCS	Sample Size	Total Female Recruits	Females Recruited on Merit	Females Recruited on Quota
21 st BCS (1999)	801	130 (excluding 10 recruited as F.F.)	42	88
22 nd BCS (2000)	2335	424 (excluding 5 female FF and 1 female tribal)	306	118
25 th BCS (2004-2006)	2722	640 (excluding female FF, female tribal 2, female district quota-9)	437	203

Source: Also see Akbar Ali Khan and Kazi Rakibuddin Ahmed, *op.cit*, p. 41.

9:I(e) Justification of Freedom Fighter's Quota

The main justification of freedom fighter's quota was to reward those who made sacrifices for the liberation of the country and to restore social stability by absorbing the guerillas into the mainstream of the society. However, there is no constitutional provision for reserving posts with a view to rewarding any section of the community. Article 29(3) of the Constitution permits special provision in favor backward section of citizens. No data on the social background of freedom fighter recruits are available. It is, therefore, difficult to make out a case in favor of quota for freedom fighters. Furthermore, the High Court Division has held that the division of society into freedom fighters and non-freedom fighters is not legally tenable.¹⁹

It was originally believed that with the passage of time, quota for freedom fighters will be phased out as the freedom fighters will cross the minimum age requirement for entry into government service, they will be ineligible to compete. As Table 25 shows, the number of successful freedom fighters dwindled in the 1980s.

Table: 25 Trends of Recruitment of Freedom Fighters, 1982-1992

Year	Quota Reserved for Freedom Fighters (%)	Actually Available Freedom Fighters (%)
1982	30	7
1983	30	3
1984	30	8
1985	30	5
1986	30	1
1989-90	30	1

Source: *Annual Report PSC, 1990* and also quoted in Md. Mahbubur Rahman, *op.cit*, p. 172.

The quota for freedom fighters was given a fresh lease of life in 1997 when the wards of freedom fighters and Shaheed families were made eligible for freedom fighter's quota. The constitutional validity of this move has not been challenged as yet. However, the legality of this measure is dubious. The recent trends in the recruitment under freedom fighter category may be seen in Table 26.

Table: 26 Recent Trends in Recruitment of Freedom Fighters

BCS Examination	Sample Size	Male FF	Female FF	Total FF	Total FF as % of Total Sample
21 st BCS (1999)	801	77	10	87	10.8
22 nd BCS (2000)	2335	48	5	53	2.2
25 th BCS (2004-06)	2722	100	42	142	5.2

Source: Also quoted in Akbar Ali Khan and Kazi Rakibuddin Ahmed, *op.cit*, p. 42.

From the above analysis, four pertinent issues emerge. First, the actual recruitment from this category is far less than 30 percent. Freedom fighters and their wards constitute much less than one percent of total population. The quota for freedom fighters is disproportionately larger than their share in population (which is less than one percent) and this is why, adequate candidates from this category are not available. The size of the quota should be reduced in the light of historical experience. Secondly, the size of women's quota is ten percent though they constitute 48 percent of population while freedom fighters, who comprise less than one percent of population, enjoy reservation of 30 percent posts. The larger freedom fighters' quota has harmful effects on women's quota because where the number of vacancies are small the posts are reserved for the category of larger quota and the smaller quota is crowded out. Thirdly, candidates whose performance is poorest in comparison with other quota categories fill up the posts in the category of freedom fighters. A comparison of the performance of the last selected candidate from freedom fighter's category and women's category in 25th BCS (2004-06) may be seen in Table 26.

The following table 27 highlights the comparison of performance of the last selected candidate from the category of freedom fighters and female group. In the

25th BCS examination the last selected candidate from the female category stands at 882 while from the freedom fighters category stands at 5401.

Table: 27 Comparison of the Standing of the Last Selected Candidate from Female and Freedom Fighter's Category in 25th BCS Examinations (2004-2006)

Cadre	Standing of the last Candidate from Women's Quota	Standing of the last Candidate from FF Quota
BCS (Adm)	882	5401
BCS (Audit)	281	5354
BCS (Coop)	473	2193
BCS (Foreign)	30	1611
BCS (Police)	2423	5377
BCS (Post)	454	5284

Source: *Annual Report* of PSC and also quoted in Akbar Ali Khan and Kazi Rakibuddin Ahmed, *op.cit*, p. 44

9:I(f) Justification of Tribal Quota

Tribal population constitutes about one percent of the population. They are ethnically different from the rest of the population. They deserve the benefits of 'backward section of citizen' as prescribed by Article 29(3) of Bangladesh Constitution. There is also groundswell of discontent among the tribal population in Chittagong Hill Tracts, which prompted the Government to sign a peace accord with them.

The quota for tribal population is five percent. It is so low that hardly any post could be earmarked for them unless the number of vacancies is large. Thus the

actual recruitment under this quota is much too low compared to the prescribed quota.

Table: 28 Recruitment under Tribal Quota in 21st, 22nd and 25th BCS Examinations

BCS Examination	Total Sample	Recruitment of Tribal Male	Recruitment of Tribal Women	Total Tribal Recruitment	Total Tribal Recruitment as % of Sample
21 st BCS (1999)	801	2	-	2	.0024
22 nd BCS (2000)	2375	3	1	4	.0016
25 th BCS (2004-06)	2722	3	2	5	.0018

Source: *Annual Report of PSC* and also quoted in Akbar Ali Khan and Kazi Rakibuddin Ahmed, op.cit, p. 45.

The actual recruitment under the tribal quota is far short of the official target of 5 percent. In order to encourage the participation of tribal candidates, the upper age limit for them was fixed at thirty instead of twenty-five. However, the relaxation of age limit is not the real solution for low recruitment of tribal candidates. The present quota is a hindrance for tribal candidates. Their priority in the district quota is the lowest; as a result, they would not get jobs even though their performance is better than other quota candidates from the district. They are likely to benefit more if one percent post is earmarked for them nationally rather than reserving five percent posts for them within district quota.

9:I(g) Indirect of Quota System

It is widely argued that the quota system lowers the efficiency of the government by recruiting less qualified candidates by excluding the meritorious applicants from non-preferred groups. There are two major problems with this argument. First, this assertion is based on the assumption that “merit in the form of talent is measurable”.²⁰ In fact, merit is not susceptible to precise quantification. For example, there is no consensus among psychologists themselves about the exact meaning of intelligence or talent. Secondly, even if we assume that merit of the candidates can be measured accurately, what is the guarantee that meritorious candidates will use their talent for the welfare of the society?²¹ A priori, it cannot be argued that the performance of meritorious recruits is superior compared to those recruited on quota.

One way to examine the effects of quota on the efficiency of the government is to compare performance ratings of individual employees hired on the basis of quota with those recruited on merit. However, in many cases these ratings turn out to be biased.

An analysis of performance appraisal reports or ACRs (Annual Confidential Reports) of Class 1 officers in Bangladesh suggest that they do not serve any useful purpose for identifying the superior and above average officers. As Table 29 shows, the overwhelming majority of executives in government service in Bangladesh get very high ratings irrespective of their performance.

Table: 29 Distribution of Rating of Class 1 Officers in Bangladesh, 1966-69

Period	Sample Size	Category 5 (Excellent)	Category 4 (Very Good)	Category 3 (Good)	Category 2 (Average)	Category 1 (below Average)
1966-69	300	15.2	54.9	29.0	0.0	0.0
1979-81	300	23.5	60.3	11.8	0.3	4.1
1982-84	300	25.7	49.7	21.7	1.7	1.2
1985-86	300	25.2	37.1	35.1	2.6	0.0
1995-2000	116	5.03	50.0	34.4	7.7	2.6

Source: Also quoted in Akbar Ali Khan and Kazi Rakibuddin Ahmed, *op.cit*, p. 45.

About 90 percent of class 1 officer was rated as good or better during the period 1995-2000. The corresponding percentage was higher in the previous period. It is not, therefore, likely that ACR ratings could be used fruitfully for differentiating the relative worth of candidates recruited on merit from those selected on quota. It is, therefore, not possible to establish any differential impact of quota system on the efficiency of the government.²²

9:I(h) External Effects of Quota System

The effects of quota system in Bangladesh were not limited to redistribution of jobs from preferred groups to non-preferred groups and employment of less qualified persons to the exclusion of more qualified persons. It had two debilitating effects on the perception about the public service. First, because the administration of such a complex system of quota (with 257 types of quota) in public service involved discretion in allotment of jobs where vacancies are few, it is alleged that government jobs are traded by the dishonest elements in the Public Service Commission. This image was reinforced by the PSC itself by discontinuing the practice of disclosing marks to candidates. Since the

introduction of open competition by the British rulers, the candidates were routinely notified about their results for more than 120 years. The Public Service Commission in Bangladesh made a sudden departure from this practice because it feared that it might not be able to justify its results if they are challenged in a court of law. This lack of transparency coupled with alleged corruption has significantly undermined the credibility and effectiveness of the PSC.²³ There are two types of complaints about manipulation of quota: giving a more coveted job to an undeserving candidate on the pretext of quota or recruiting somebody who would not have got a job at all by misinterpreting the quota rules. However, the examination of the validity of such allegations would require detailed audit including the results of those who were recruited, of those who qualified and were not recruited and the application forms of all candidates. Because of lack of resources and time, these issues were not examined in this report. Furthermore, there are also allegations that many candidates file false statements to take advantage of quota. Such complaints are rampant in the case of district quota and FF quota. Thus the quota system has undermined the credibility of all recruitment to public service in Bangladesh.

Another crippling effect of the quota system is that it discourages many brilliant candidates from investing their time and resources for participating in a competitive examination. From a survey of 58 young university teachers in 9 public and private universities who themselves were eligible for public service in the last decade, it appears that most of them prefer private service (59 percent) and jobs abroad (22 percent) to public service (17 percent) in Bangladesh. In their view, their students also do not prefer government service (about 10 percent prefer public service). Most of them (53 percent), however, believe that brilliant students should join the Government service. One of the main reasons for the failure of the government to attract the best candidates to public service is that the quota system has destroyed the esteem and the pride of being selected on merit.

The above analysis suggests that most of the quotas had very little effect in redistributing jobs to backward citizens from the more privileged. It is more likely that quota discriminates against the candidates from small districts and divisions. Women and tribal candidates in many cases are harmed by the quota system. Though it is not possible on the basis of available data to establish that the quota system has contributed to deterioration in the quality of public service, it has created a widespread public perception that the country is run by less qualified and under-qualified persons. One of the inevitable upshots of a highly complex and unenforceable quota system is that there are widespread complaints about irregularities and rent seeking. Most of the brilliant candidates, who lack confidence in the recruitment system that bars the entry of more qualified candidates on the pretext of quota, do not at all participate in competitive examinations. Thus in the long run quota is causing irreparable loss to public administration in Bangladesh. In spite of these inherent risks, the politicians uphold quota system on the ground that it has not rocked social stability.

Notes and References:

1. Akbar Ali Khan and Kazi Rakibuddin Ahmed, *Quota System for Civil Service Recruitment in Bangladesh: An Exploratory Analysis* (Unpublished), 2008, p. 19.
2. See Akbar Ali Khan and Kazi Rakibuddin Ahmed, *op.cit*, p. 21.
3. *Ibid*, p. 22.
4. *Ibid*, p. 23.
5. *Ibid*, p. 22.
6. See Akbar Ali Khan and Kazi Rakibuddin Ahmed, *op.cit*, p. 24.
7. Habib Mohammad Zafarullah, *Under Standing Bureaucracy: A Premier*, Dhaka, Academic Publishers, p. 82.
8. See Akbar Ali Khan and Kazi Rakibuddin Ahmed, *op.cit*, p. 32.
14. Gary S. Becker, *The Economics of Discrimination*, Chicago, Chicago University Press, 1968, p. 92.
15. See Akbar Ali Khan and Kazi Rakibuddin Ahmed, *op.cit*, p. 33.
16. Habib Mohammad Zafarullah, *op.cit*, p. 82.
17. See Akbar Ali Khan and Kazi Rakibuddin Ahmed, *op.cit*, p. 37.
18. *Ibid*, p. 38.
19. *Ibid*, p. 38.
- 20.
21. See Akbar Ali Khan and Kazi Rakibuddin Ahmed, *op.cit*, p. 44.
22. *Ibid*, p. 45.
23. TIB, 2007.

From the above Table 30, it is found that the respondents have various types of opinion about the performance of the PSC in the recruitment process of Bangladesh civil servants. Among 120 respondents 45.83% (55) respondents opinioned as they are satisfied to the performance of PSC. In contrast only 12.50% (15) respondents expressed their dissatisfaction to the performance of PSC. A close figure 41.67% (50) represented 'overall' opinion about the performance of PSC.

Figure: 2

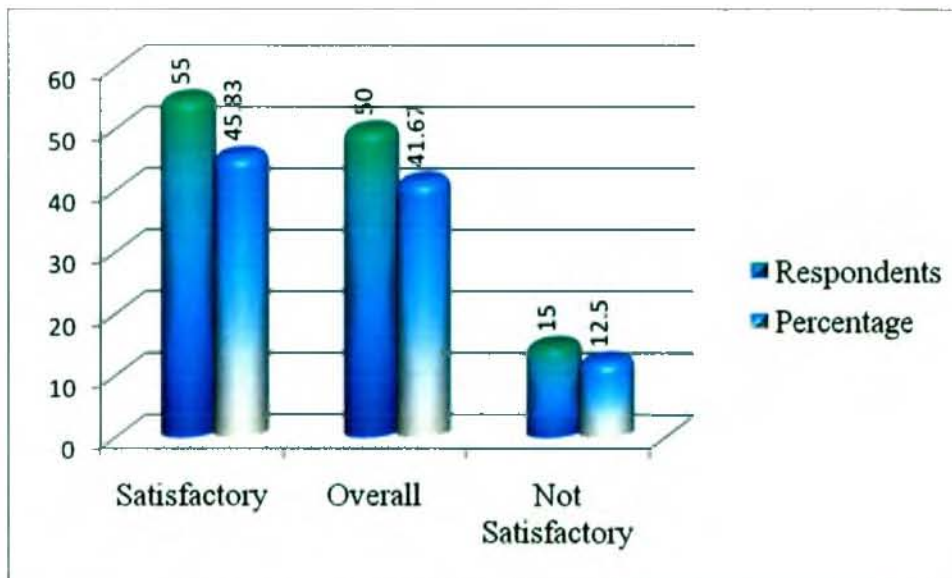


Table: 31 Transparency of PSC

Opinion	Respondents	Percentage (%)
Transparent	65	54.17
Not transparent	25	20.83
No comment	30	25.00
Total	120	100

Source: Field Survey 2011

Table: 31 shows, the opinion of respondents towards the transparency of PSC. 120 respondents were asked the question to provide their opinion about the transparency of PSC. Among them most of the respondents 54.17% (65) said that the PSC is transparent in recruiting civil servants. On the other hand only 20.83% (25) respondents identified that PSC is not transparent in recruiting civil servants. And 25% (30) respondents refused to put any comment in this regards.

Figure: 3

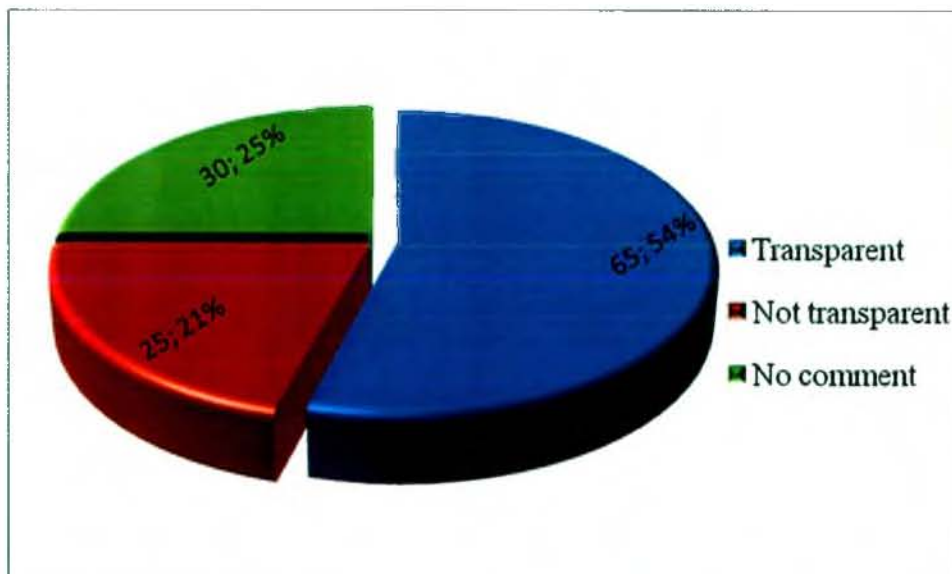


Table: 32 PSC Related Information System

Opinion	Respondents	Percentage (%)
Information is not up to date	65	54.17
Too many partial source of information	20	16.67
Other reason	35	29.16
Total	120	100

Source: Field Survey 2011

In the above Table: 32, the respondent’s opinion of PSC related information system is represented. Among 120 respondents 54.17% (65) respondents said that, the information of PSC is up to date. But 16.67% (20) respondents refused this and said that there are too many partial sources of information. Again an influential portion of the respondents 29.16% (35) identified ‘other reasons’ about the PSC related information system.

Figure: 4

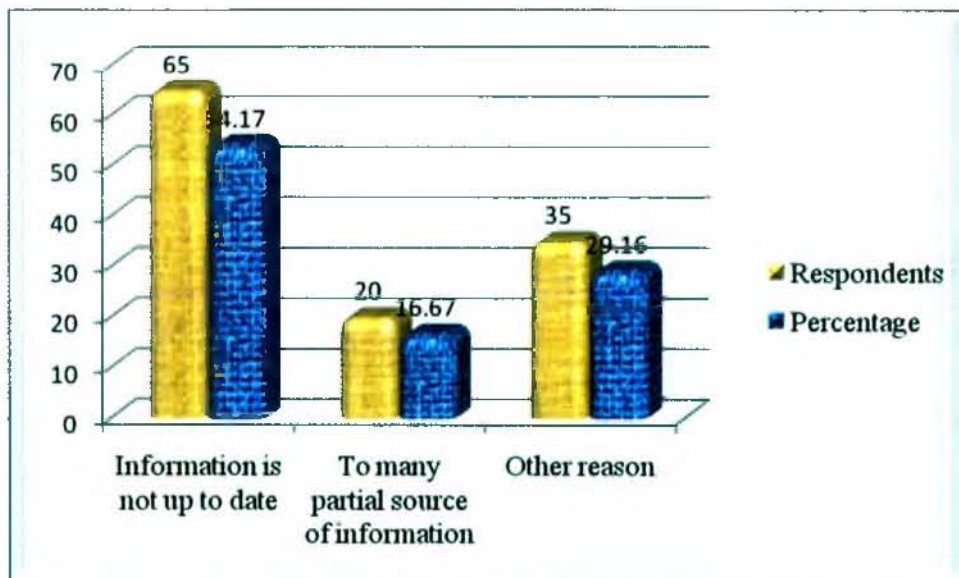


Table: 33 How PSC can be made more effective

Opinion	Respondents	Percentage (%)
Free from ruling government	20	16.67
More autonomous	27	22.50
Must be transparent	20	16.67
New examination system	35	29.16
Effective recruitment system	18	15.00
Total	120	100

Source: Field Survey 2011

The following Table: 33, shows the opinion of the respondents about how the PSC can be made more effective. Among 120 respondents 29.16% (35) said, a new examination system can be useful to make the PSC more effective.

Only 15% (18) respondents opined that the recruitment system should be more effective to increase the effectiveness of PSC. In order to make the PSC more effective a close figure 22.50% (27) opine that the autonomy of PSC may contribute towards effectiveness of the institution. On the other hand, 16.67% (20) respondents said, the PSC must be transparent and another group of respondents 16.67% (20) recommended that, the PSC should be free from control of the ruling government.

Figure: 5

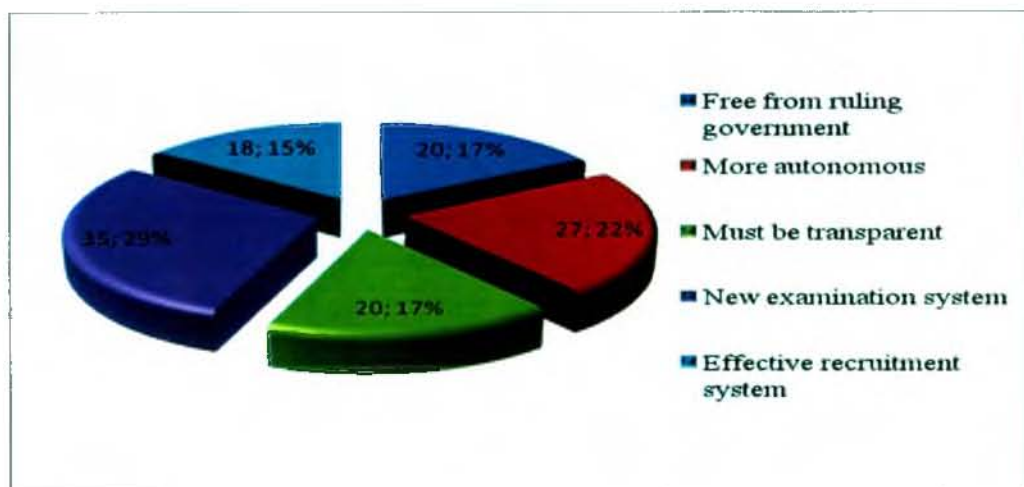


Table: 34 PSC is successful to attain its goal

Opinion	Respondents	Percentage (%)
More than 90%	15	12.50
Less than 90%	25	20.83
Less than 70% but more than 50%	67	55.84
Less than 50%	13	10.83
Total	120	100

Source: Field Survey 2011

The Table: 34, shows the opinion of the 120 respondents about the success of PSC to attain its goal. Highest score of the Table 55.84% (67) characterizes the support of the respondents that the success of PSC to attain its goal is less than 70% but more than 50%. In contrary only 10.83% (13) respondents supported that the PSC's success is less than 50% to attain its goal.

Again it is found from quantitative analysis that, 12.50% (15) respondents supported that the success of PSC is more than 90% and 20.83% (25) respondents said that the PSC is less than 90% successful to attain its goal.

Figure: 6

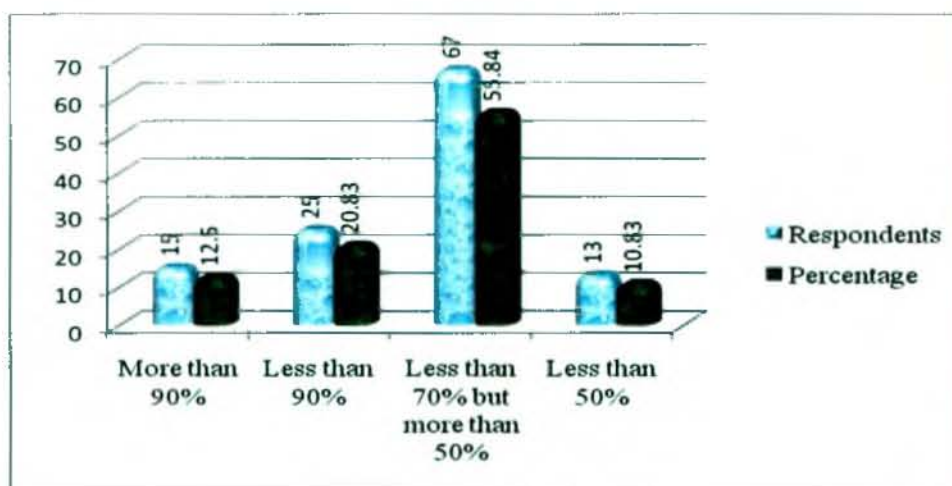


Table: 35 Evaluate the role of PSC

Opinion	Respondents	Percentage (%)
PSC is successful in achieving its goals and objective	75	62.50
PSC is partially successful in achieving its goals and objectives	15	12.50
PSC is not successful in achieving its goals and objectives	12	10.00
No response	18	15.00
Total	120	100

Source: Field Survey 2011

To evaluate the role of PSC the respondents were asked their opinion and they showed different opinion. Most of the respondents 62.50% (75) respondents supported that the PSC is successful in achieving its goals and objectives. But refuting this opinion 10% (12) respondents said that, the PSC is not successful in achieving its goals and objectives. 12.50% (15) respondents said that, the PSC is partially successful in achieving its goals and objectives. And the rest of the respondents 15% (18) denied to response this question.

Table: 36 Appointment of PSC Chairman and Members

Opinion	Respondents	Percentage (%)
Appointment is politically biased	55	45.83
Appointment is neutral	35	29.17
Present system is acceptable	15	12.50
Not responses or responded is silent	15	12.50
Total	120	100

Source: Field Survey 2011

In Table: 36, the 45.83 percent of the respondents are of the opinion that, appointment of the PSC Members is politically biased or they are recruited on political considerations. On the other hand, 29.17 percent of the respondents viewed that the PSC Members are neutrally recruited. Again, 12.50 percent of the respondents are of the opinion that the present system is acceptable or applicable even though the recruitment is politically biased. While the remaining 12.50 percent respondents remained silent to express their opinions in favour or disfavour of the appointment procedure.

Figure: 7

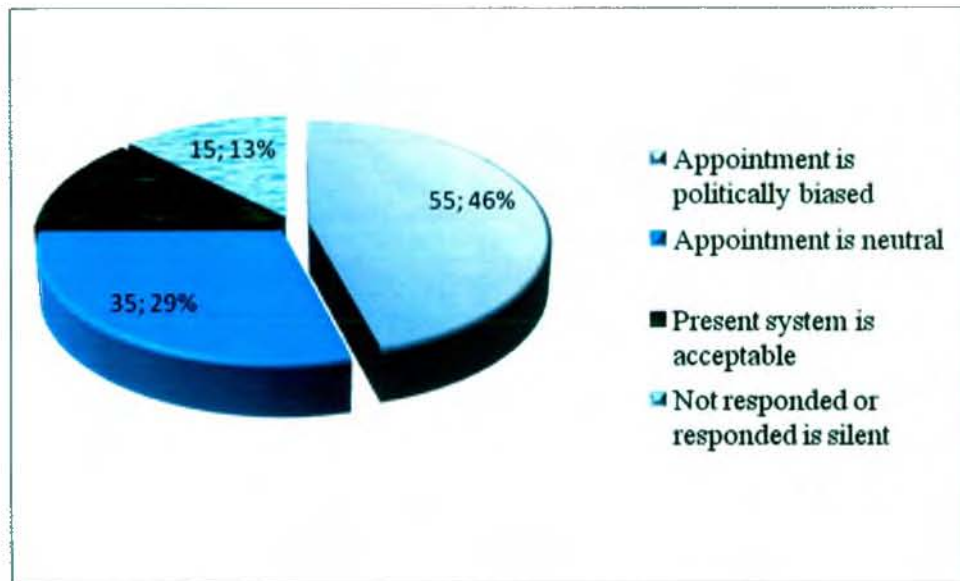


Table: 37 Autonomy and neutrality of PSC Members

Opinion	Respondents	Percentage (%)
PSC members play neutral role	75	62.50
Politically biased	25	20.83
No response	20	16.67
Total	120	100

Source: Field Survey 2011

In Table 37, the autonomy and neutrality of the PSC Members have been reported. The countries that emerged from the British colonial heritage have established their central personal agency more or less as an independent organ free from political influence. In the following Table, members of respondents supporting the neutral role of the PSC or the

PSC Members in matters with recruitment process are counted as 62.50 percent on the other hand, 20.83 percent respondents viewed that the PSC Members are politically biased. Again some respondents remained silent without any response.

Figure: 8

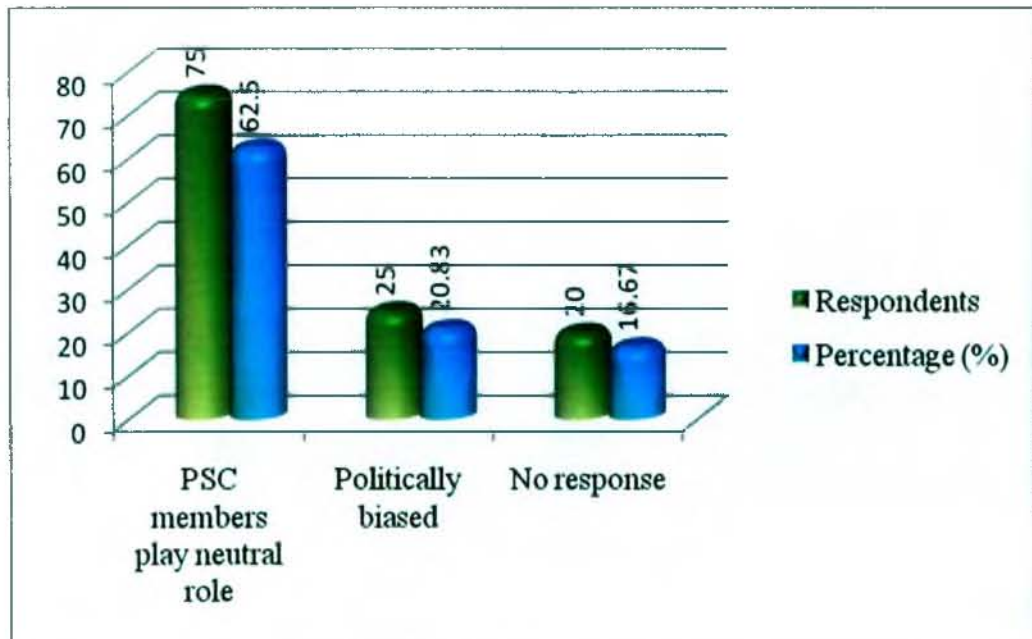


Table: 38 Change in society's attitude towards Civil Service

Opinion	Respondents	Percentage (%)
Positive change	25	20.83
Negative change	80	75.00
No change	15	12.50
Total	120	100

Source: Field Survey 2011

Society is a complex system in which people from different classes and educational and occupational backgrounds interact. In a modern state, people from all walks of life interact with Civil Servants. That a change has occurred in society's attitude towards the Civil Service. The desired change is yet to come about.

In the given Table 38, it shows that among the 120 respondents 20.83% (25) said the society's attitude towards Civil Service has a positive change but in contrast 75% (80) respondents supported the change as negative in type. Again 12.50% (15) respondents said there is no change in the society's attitude towards Civil Service.

Figure: 9

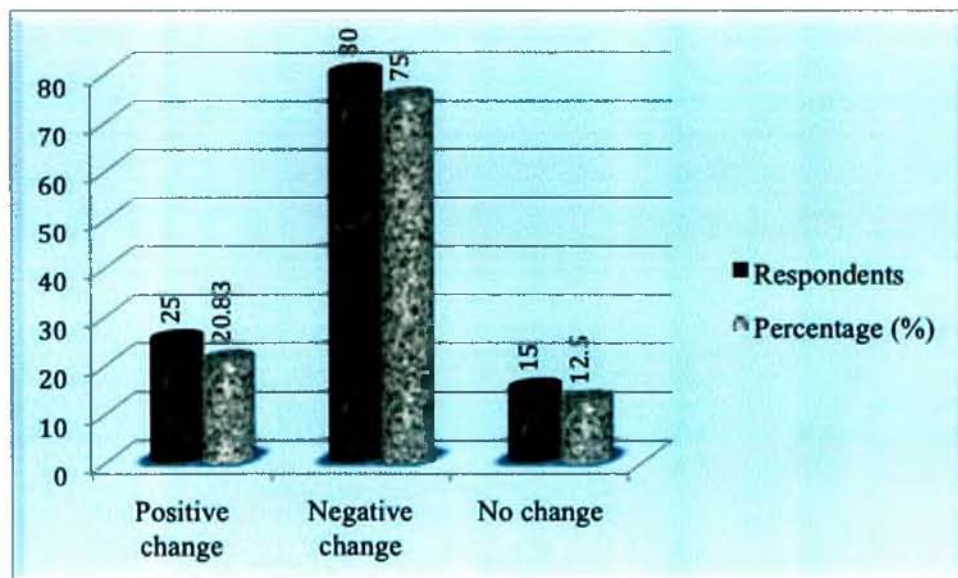


Table: 39 Recruitment system of the PSC

Opinion	Respondents	Percentage (%)
Good	25	20.83
Average	75	62.50
Back Dated	20	16.67
Total	120	100

Source: Field Survey 2011

The given Table 39 depicts the opinion of the respondents regarding the recruitment system of the PSC. Only 20.83% (25) respondents supported the recruitment system of the PSC as good but most of the respondents 62.50% (75) said, the recruitment system of the PSC was average in quality, whereas 16.67% (20) respondents negated the current recruitment system as out dated.

Figure: 10

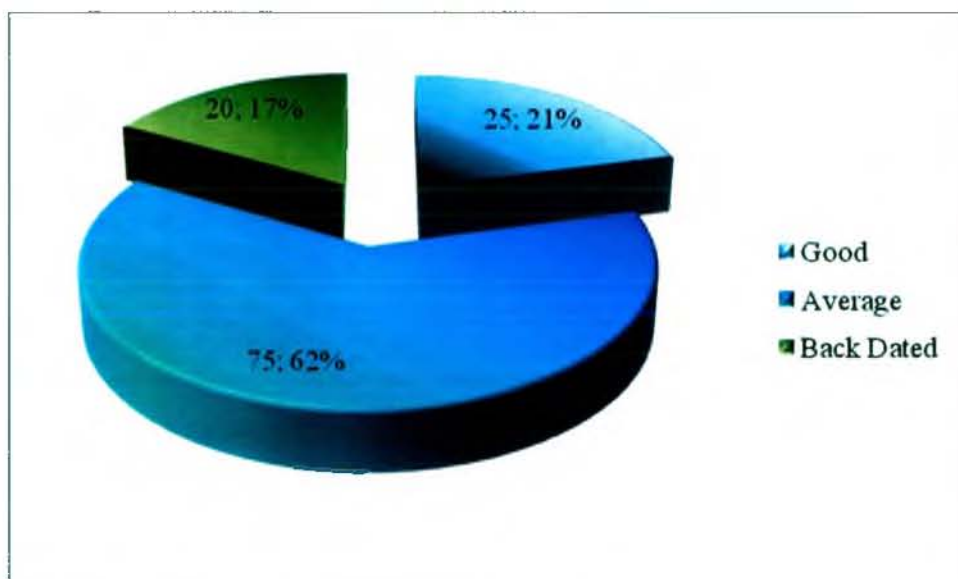


Table: 40 PSC is transparent regarding recruitment

Opinion	Respondents	Percentage (%)
Very Transparent	10	8.33
Transparent	100	83.34
Not transparent	10	8.33
Total	120	100

Source: Field Survey 2011

The 120 respondents were asked about the transparency of PSC regarding recruitment of Civil Servants. The above Table 40 shows the result of the respondent’s opinion about this question. Among the total respondents, 83.34% (100) respondents said, the PSC was transparent and only 8.33% (10) respondents said PSC was quite transparent regarding recruitment. But rest 8.33% (10) respondents doubted about the transparency of PSC and they said that the PSC was not transparent regarding recruitment of Civil Servants.

Figure: 11

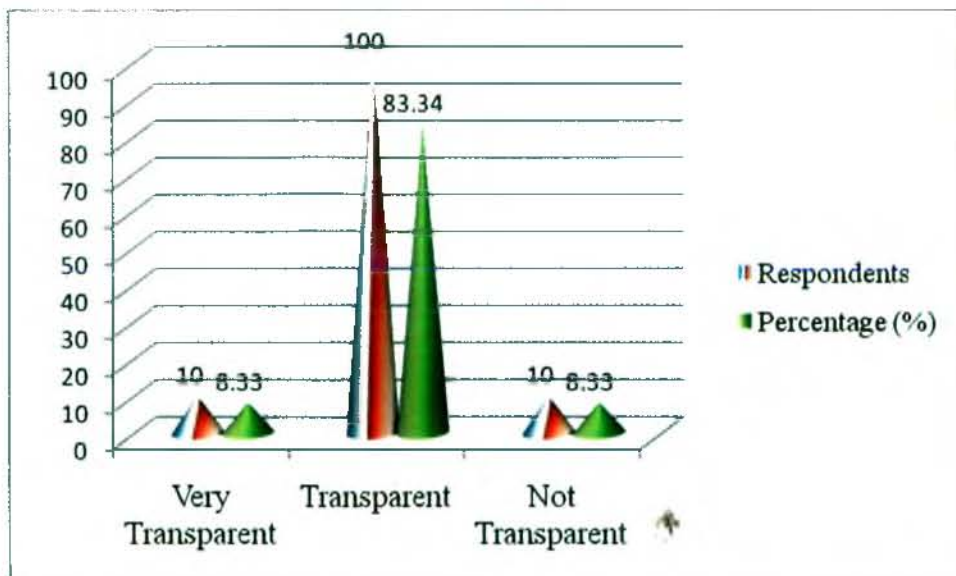


Table: 41 The present recruitment process may be lengthy

Opinion	Respondents	Percentage (%)
Yes	100	83.34
No	05	4.16
No comments	15	12.50
Total	120	100

Source: Field Survey 2011

Table 41 portrayed the opinion of the respondents about the present lengthy recruitment process. There most of the respondents 83.34% (100) supported the question and said the current recruitment process might be lengthy. Only 4.16% (5) respondents did not support this contention and they did not agree with the view that the present recruitment process was not lengthy, whereas 12.50% (15) respondents did not comment on this question.

Figure: 12

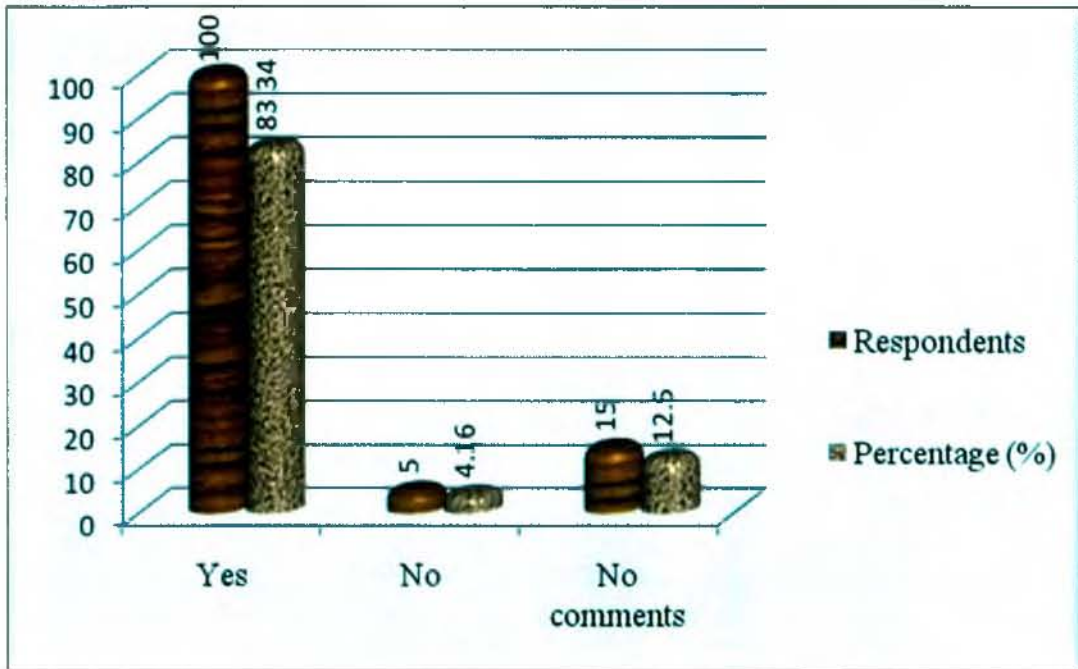


Table: 42 The examination system of PSC

Opinion	Respondents	Percentage (%)
Not satisfactory	15	12.50
Somewhat satisfactory	70	58.33
Satisfactory	35	29.17
Total	120	100

Source: Field Survey 2011

The respondents were asked about their opinion regarding current examination system of the PSC. The Table 42 given above shows the opinion of the respondents regarding this question. Among 120 respondents a large number of respondents 58.33% (70) supported

the current examination system as somewhat satisfactory, but 12.50% (15) respondents did not support this opinion and said that the current examination system was not satisfactory. On the other hand, 29.17% (35) respondents supported completely the current examination system and said that the system was satisfactory.

Figure: 13

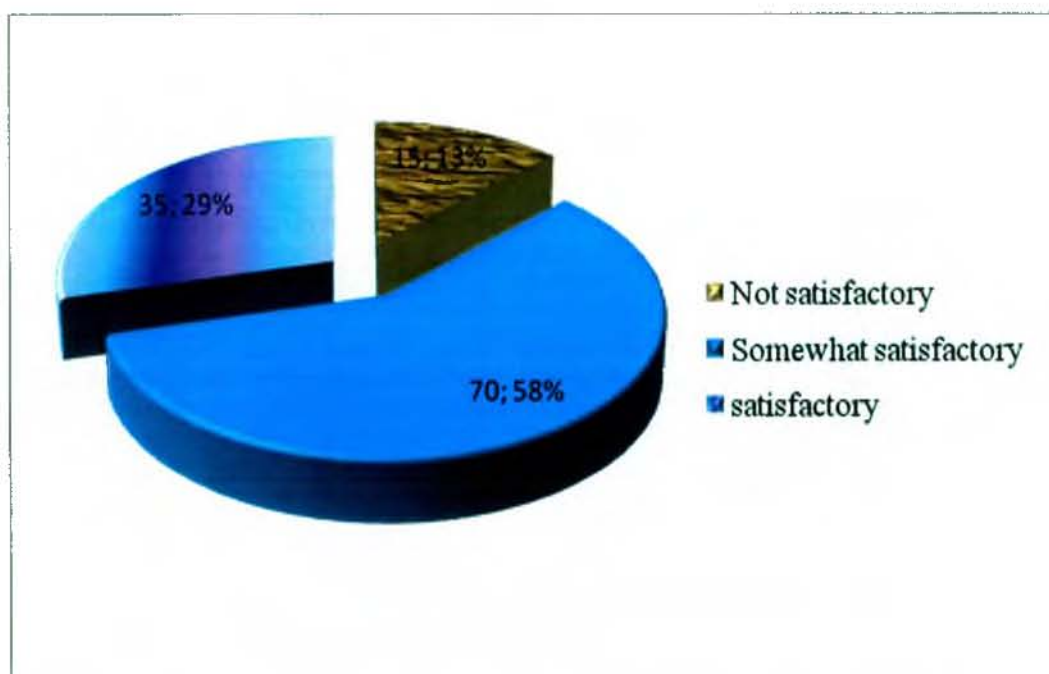


Table: 43 Examination system of the PSC and how it can be more effective

Opinion	Respondents	Percentage (%)
Should be similar with educational background	20	16.67
More academic	35	29.17
Job oriented examination	65	54.16
Total	120	100

Source: Field Survey 2011

The given Table 43 shows the opinion of 120 respondents on examination system of the PSC and how it can be more effective. Among the respondents 54.16% (65) said, the examination system should be job oriented whereas 29.17% (35) respondents emphasized on the examination should be more academic in nature. Rest 16.67% (20) respondents said, current examination system of the PSC should be similar with educational background.

Figure: 14

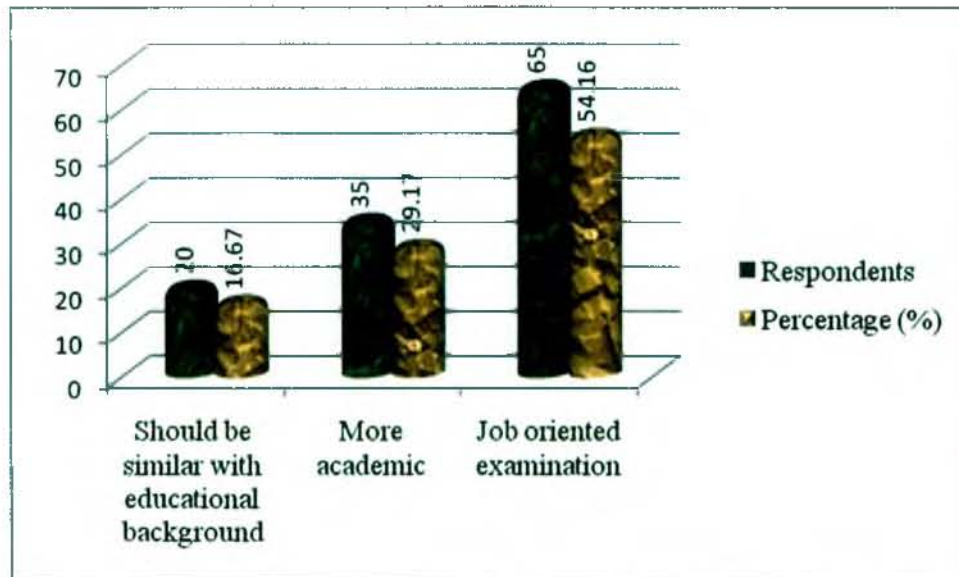


Table: 44 Opinion of respondents about 200 marks from viva test

Opinion	Respondents	Percentage (%)
Present marking should be reduced	65	54.16
Present marking should be applicable	40	33.34
No response	15	12.50
Total	120	100

Source: Field Survey 2011

In the recruitment of Civil Servants, viva board plays a vital role for fair selection process. The PSC Members are authorized to evaluate a candidate within 200 marks out of 1000 marks. These marking affect the final grading or the merit list of a candidate. Thus, the recruitment methods plays a pivotal role in the selection process. In the question of fairness and neutrality, this marking comes first. It is observed that the amount of marks designed for viva voce may determine the merit of the candidates. It is maintained the marks for viva voce should not be more than 100 marks. Because, if there are more marks designed for the viva voce, the higher may be the possibility of disregarding the principle of merit. The 200 marks in viva affect the grading of candidates and thus affect merit list. Current 200 marks viva test may be an issue of argument and the respondents were asked to put their opinion about the new increased marks in viva. The following Table, 44 explains the opinions of respondents about the 200 marks of viva voce 54.16 percent respondents opinion to reduce the marks designed for viva voce, while 33.34 percent respondents expressed their opinions that present marking system should be maintained and 12.50 percent respondents became silent.

Figure: 15

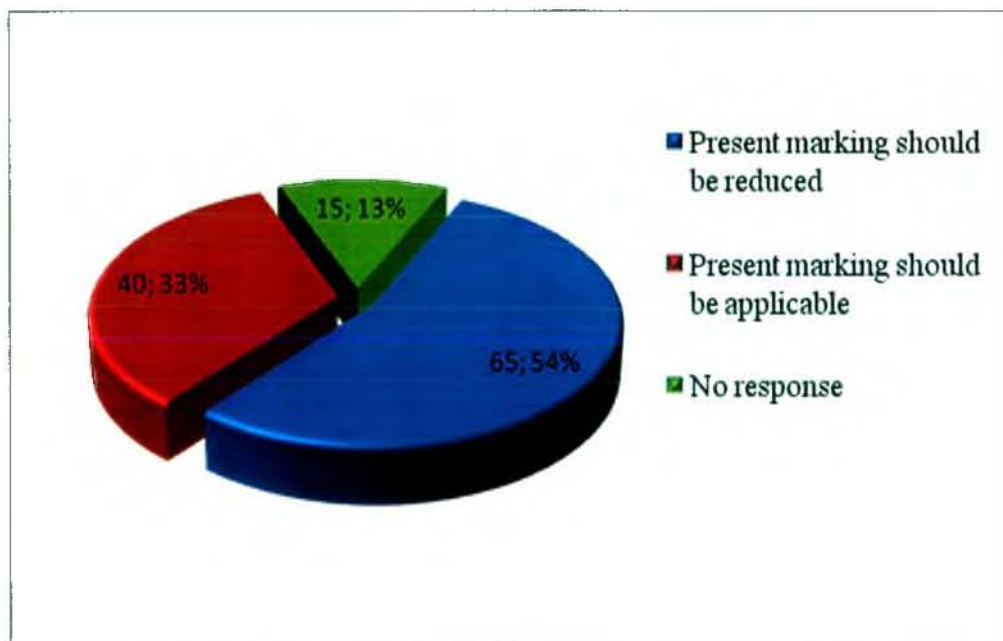


Table: 45 Opinion about present 64 subjects in the written test

Opinion	Respondents	Percentage (%)
Optional subjects should be reduced	85	70.83
No optional subjects	20	16.67
Present 64 subjects are acceptable	15	12.50
Total	120	100

Source: Field Survey 2011

Table 45, reports the existing optional subjects in the recruitment process. The 64 number of optional subjects in the Civil Service examination was a debated issue in the contemporary recruitment system. This table highlights the opinions of the respondents about the reasonable number of optional subjects in Bangladesh Civil Service examination.

The above Table represents the opinion of the respondents about present 64 subjects in the written test. Among 120 respondents 70.83% (85) respondents said, optional subjects should be reduced. 16.67% (20) respondents said, no optional subjects should be tested in the written test. Rest 12.50% (15) respondents supported present 64 subjects were acceptable.

Figure: 16

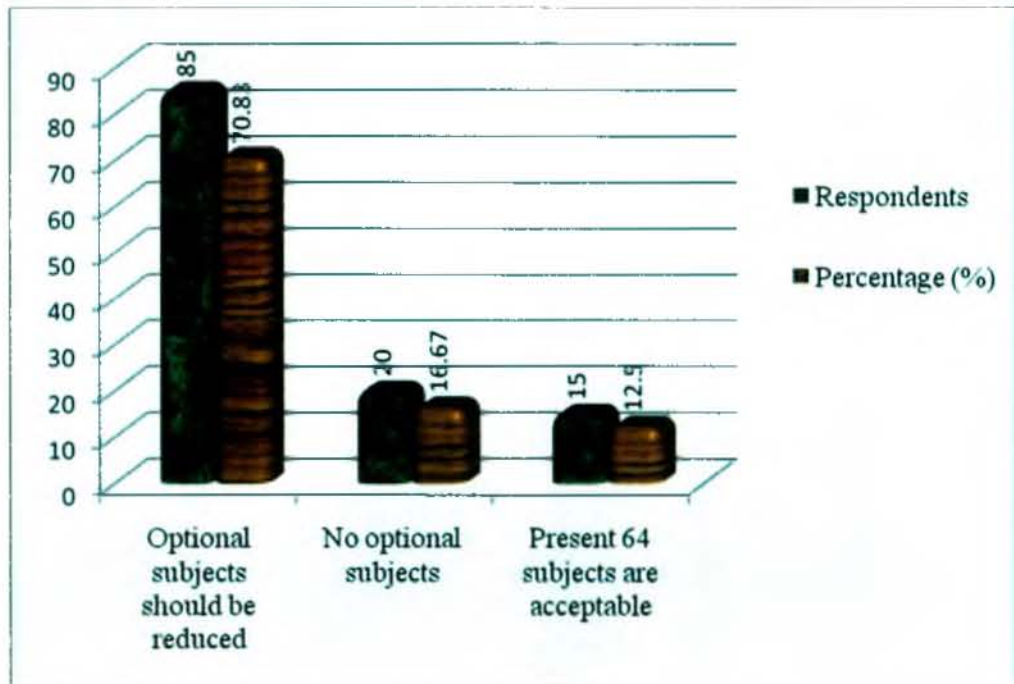


Table: 46 Criteria of selection

Criteria	Respondents	Percentage (%)
Merit	55	45.83
Quota	27	22.50
Merit cum quota	38	31.67
Total	120	100

Source: Field Survey 2011

The Table 46 shows the opinion of the respondents on criteria of selection in BSC examination. Among the respondents 45.83% (55) said, merit was the criteria of selection and 22.50% (27) respondents supported Quota as the criteria of selection. And 31.67% (38) said, merit cum quota was the criteria of selection.

Figure: 17

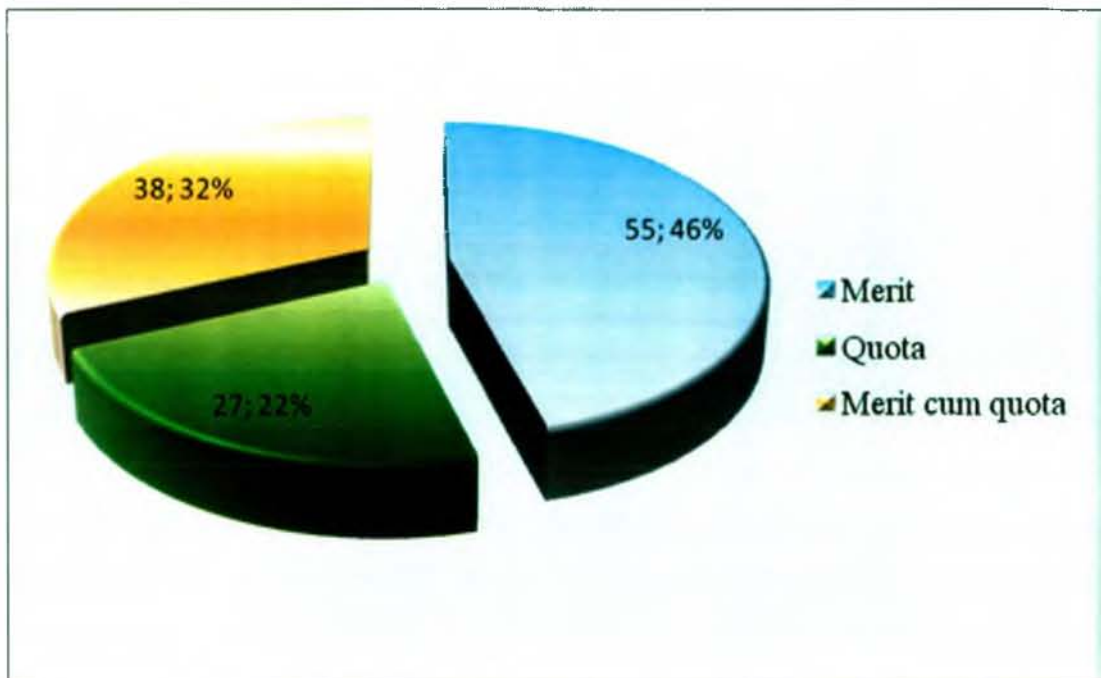


Table: 47 Present Quota System

Opinion	Respondents	Percentage (%)
Present quota will continue	18	15.00
Immediate withdrawal	12	10.00
Progressively withdrawal	55	45.83
No response	35	29.17
Total	120	100

Source: Field Survey 2011

The Table 47 denotes perception of the respondents about present quota system. Among 120 respondents 15% (18) said that the present quota should continue. 10% (12) respondents suggested the immediate withdrawal of current quota system. A more acceptable response was found from 45.83% (55) respondents while they supported a progressively withdrawal of current quota system. Rest 29.17% (35) respondents did not response to this question.

Figure: 18

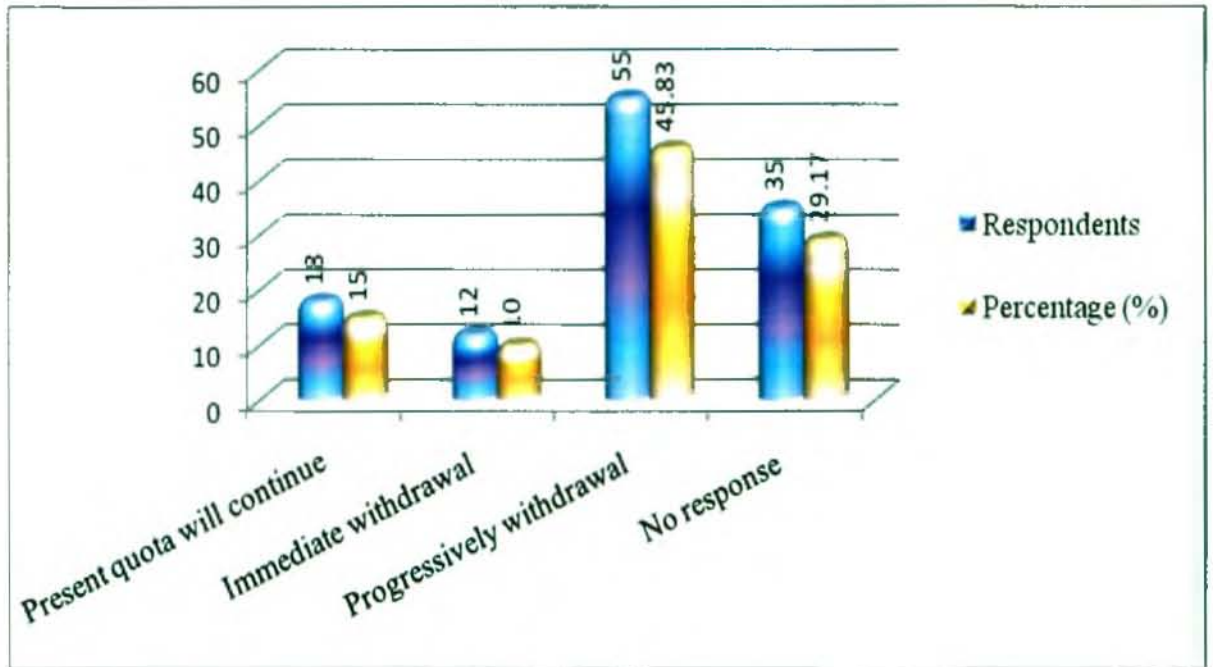


Table: 48 Government policy for reserving quota

Opinion	Respondents	Percentage (%)
Political Policy	18	15.00
Right policy	44	36.67
No response	58	48.33
Total	120	100

Source: Field Survey 2011

It is found from the Table 48 that most of the respondents 48.33% (58) felt embressed to answer the question on Government policy for reserving quota and thus they remained silent. But 15% (18) respondents said that the current policy for resrving quota was a

political policy while 36.67% (44) respondents maintained that the present quota system was a right policy.

Figure: 19

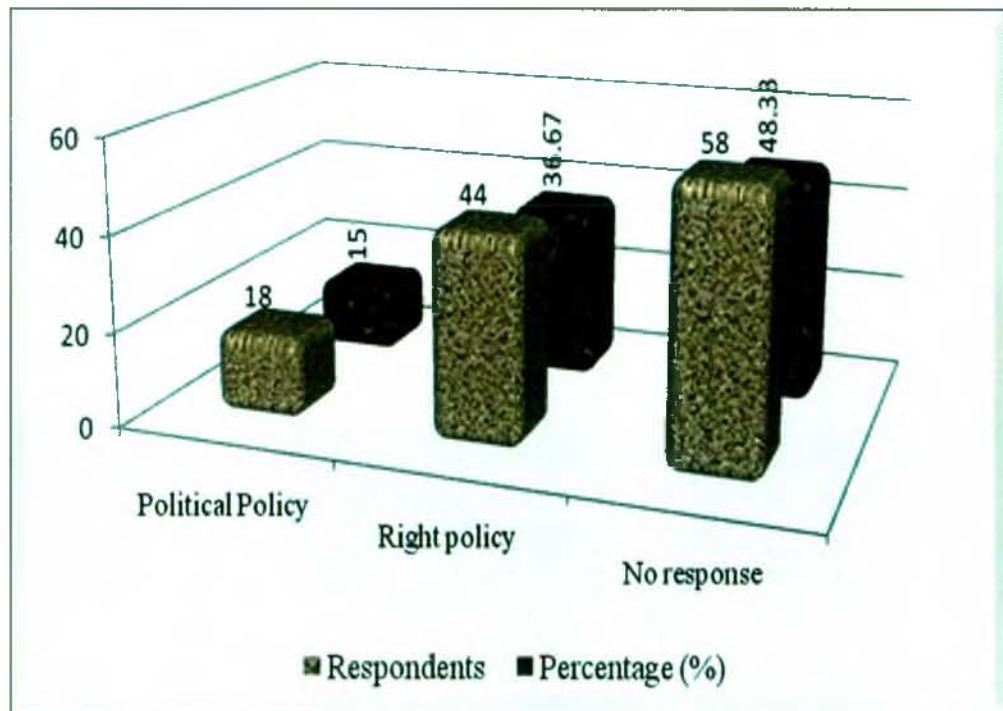


Table: 49 Quota Distribution Policy

Opinion	Respondents	Percentage (%)
Policy is completely Transparent	68	56.67
Policy is not completely transparent	28	23.33
No response	24	20.00
Total	120	100

Source: Field Survey 2011

The Table 49 given bellow shows the opinion of the respondents regarding quota distribution policy. Among total 120 respondents 56.67% (68) respondents said that the quota distribution policy was completely transparent. But opposite to this group 23.33% (28) respondents said that the quota distribution policy was not completely transparent. Rest 20% (24) did not provide any opinion and remained silent.

Figure: 20

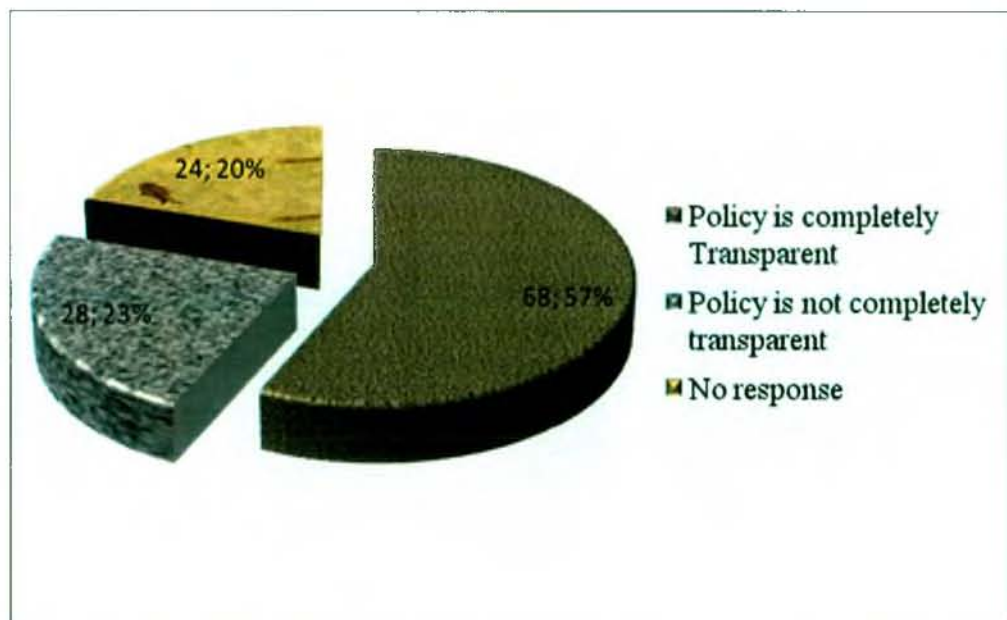


Table: 50 The impact of merit and equity on quota reservation policy

Opinion	Respondents	Percentage (%)
Yes	86	71.67
No	14	11.66
No response	20	16.67
Total	120	100

Source: Field Survey 2011

The respondents were asked about their opinion on the impact of merit and equity on quota reservation policy. The opinion is represented in Table 50. The Table shows that, 71.67% (86) respondents supported this question and only 11.66% (14) respondents did not support this question. Rest 16.67% respondents did not provide any response.

Figure: 21

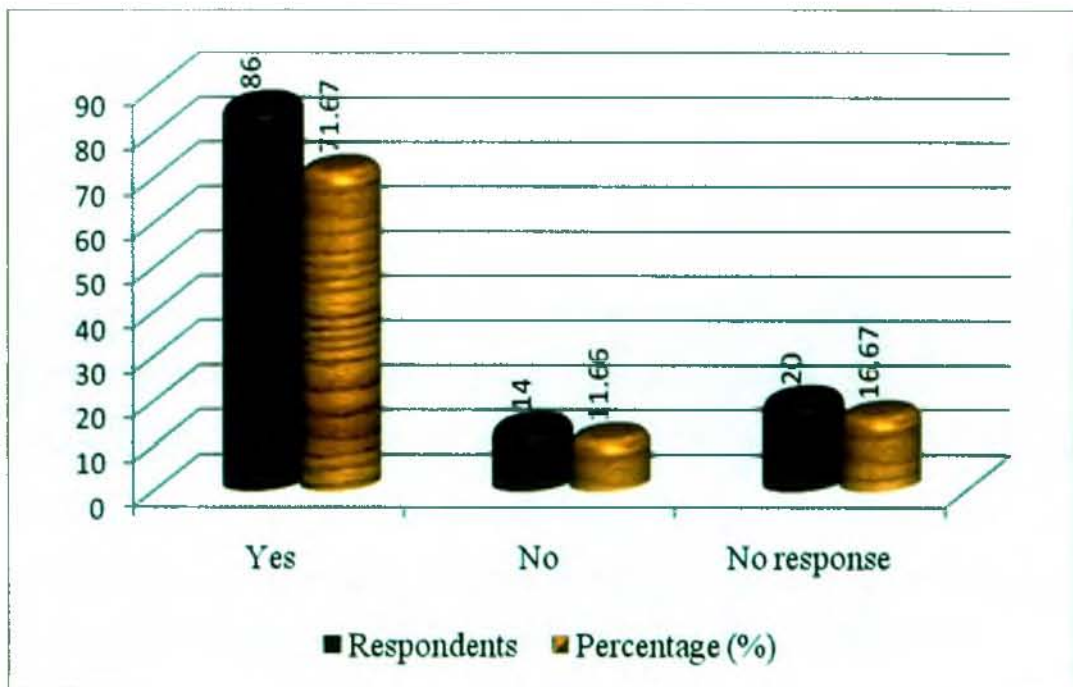


Table: 51 Quota reservation policy impact on BCS recruitment operations

Opinion	Respondents	Percentage (%)
Yes	78	65.00
No	35	29.17
No response	07	05.83
Total	120	100

Source: Field Survey 2011

In the given Table 51 respondents opinioned about the quota reservation policy and its impact on BCS recruitment operations. Among 120 respondents 65% (78) supported the quota system and 29.17% (35) did not support the system because the quota reservation policy might have an impact on BCS recruitment operations. Rest 5.83% (7) respondents were silent regarding this question.

Figure: 22

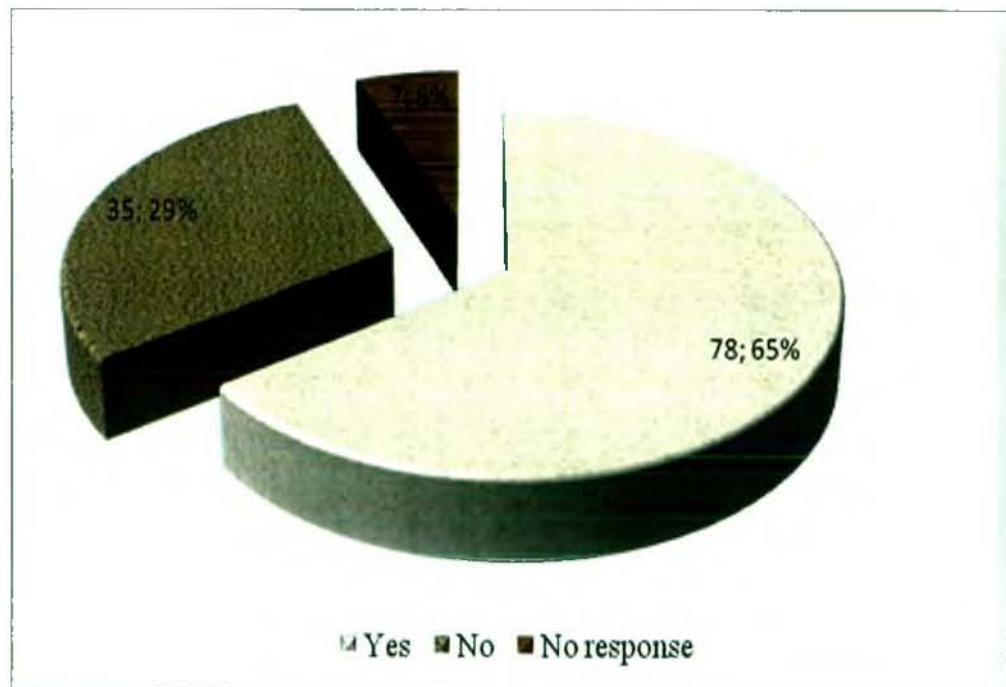


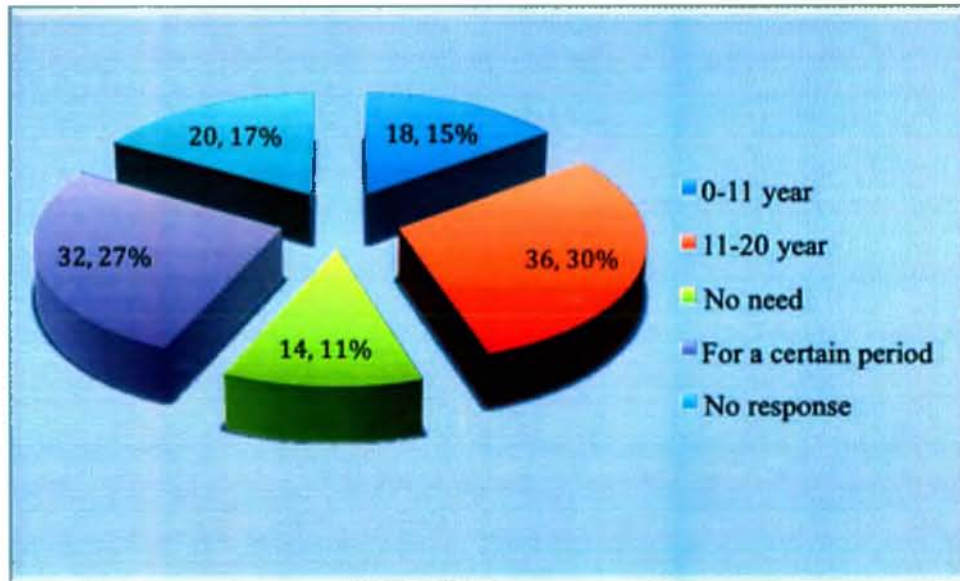
Table: 52 Duration of quota system

Opinion	Respondents	Percentage (%)
0-11 year	18	15.00
11-20 year	36	30.00
No need	14	3.33
For a certain period	32	18.33
No response	20	16.67
Total	120	100

Source: Field Survey 2011

The Table 52 shows that, the respondents had different opinion about the duration of quota system in the PSC recruitment. 30% (36) respondents said that the quota system should be reduced form the PSC within next 11-20 years and 15% (18) respondents identified that the quota system should be removed from the PSC within next 11 years. Among the rest of the respondents only 3.33% said there is no need of the current quota system and 16.67% (20) respondents did not response against this issue of quota criteria.

Figure: 23



To sum up this chapter which has been designed to obtain the opinion of the cross-section of the people regarding the appointment and recruitment policy as well as procedure of the Bangladesh Public Service Commission. The data collected mainly from the primary sources i.e. questionnaires and interviews were analysed and adjusted by means of SPS system and finally they have been tabled into 23 Tables.

The main thrust of this chapter was related to the recruitment procedure of the different cadres of the Civil Service and its quota system.

The given data reveal that most of the respondents were of the opinion that the current quota system may be abolished as it might undermine the quality and standard of the Civil Service. On the other hand, a large number of the respondents picked up a vital question of the total marks allocated for the viva voce. They were of the opinion that viva voce marks may be reduced to 100 marks from the current system of 200 marks and more marks may be kept for written test.

This step of reducing viva voce marks may contribute towards reducing political influence in one hand and on the other quality as well as standard of the recruitment policy of the Public Service Commission may be maintained.

Chapter Eleven : Conclusion

11:1 Recommendation and Concluding Remarks

Bangladesh is a unitary state consisting of 150 million people. It is neither possible for a central government located at Dhaka to serve this huge number of population properly nor it is easy for a single Public Service Commission (PSC) to recruit officials in time for the administration of the country. In addition to recruitment, PSC has to perform other functions as well. Consequently it is almost impossible on the part a single PSC to complete lengthy process of competitive examinations in time. Hence it becomes a time consuming. According to a study, average time spent for completing the process of a general Bangladesh Civil Service (BCS) examinations was 24.75 months and for special 14 months.¹ This indicates that a single PSC is not enough for holding BCS examinations regularly and in time. This paves the plea for government to recruit officials on an ad-hoc basis and it becomes obligation for the PSC to regularize them, something ignoring the quality of recruitment.

It is maintained that, for better services to the peoples as well as for good governance a device of a federal government for Bangladesh consisting of six provinces in place of existing 6 divisions may be considered. There may be two PSCs. One is for central PSC responsible to recruit officers of two categories, namely All Bangladesh Services for centre and provinces; and central service meant for only centre. The other is for provincial PSC meant for recruiting officers for provincial administration. In place of federal system, the present single PSC should be divided into PSC (First) and PSC (Second) like the earlier. The PSC (First) may recruit all cadres of BCS including other Class 1 officers;

and PSC (Second) for Class II officers. Otherwise, the present existing system may deteriorate further; and that may squarely affect the regular and timely recruitment procedure in one hand and on the other smooth administration in the country may be affected.

Since the inception of PSC, with a few exceptions, the chairmen and members were appointed on political considerations. As a result there were allegations of recruiting candidates aligned to the ruling party. In a third world country like Bangladesh, political consideration may not be avoided totally, but the appointment of chairman and members of an institution like PSC may be from among the persons of high integrity, strong moral courage, personality and commitment with sufficient knowledge and experience on administration.

The quota policy as enshrined in the Constitution is an exception for the advancement of backward sections of the people in the society. Hence quota in no way can supersede the universal principle of merit for ensuring equal employment opportunities for all citizens without any discrimination. So quota of 80-55 percent as practiced in Bangladesh with different executive orders/rules is against the spirit of the Constitution. Since after liberation in 1971 till date majority posts of the civil services have been reserved for the people of preferred groups under quota. Moreover, it is alleged that the quota has always been implemented without transparency. It is surprising that the appointments under quota have never made public either by PSC or by MOE in official document/gazette. The PSC annual reports do not provide adequate information on the appointments under quota.

Quota may be necessary for the advancement of backward sections of the people in the society, but it may not be allowed to continue for indefinite period as has been seen in Bangladesh. Due to quota policy relatively poor caliber candidates get entry into the Civil Service as a result long term bad impact of quota system is

evident on the Civil Service of Bangladesh. It may be suggested that the general quota system in civil service may be abolished excepting for tribal people (5%) minus the Chakmas who on the average are financially better off than the general people of Bangladesh. Moreover, their literacy rate is also higher around 75 percent which is higher than the national literacy rate.

The 30 percent quota for the wards of freedom fighters “though sanctioned by a wave of sympathy and gratitude” has not a legal leg to stand on unless the beneficiaries proved to be disadvantageous. It may be maintained that for the betterment of the wards of freedom fighters state may ensure their better education by providing stipend as it was done for female education which has yielded good results. As for women quota, it may be said that civil officers are mainly recruited from the graduates of Universities. There is no female quota for admission to the Universities in Bangladesh. Both male and female students get admission to the Universities on merit. A large number of female students are pursuing their studies in the Universities. It is observed that the female students are doing well in the University education. Similarly, there is no female quota in appointing University teachers. Both female and male teachers are appointed on the basis of merit. There may not be any justification of female quota in civil service recruitment. For the less developed or backward districts, quota is not a proper solution; rather government should take measures to improve the schools and colleges so that the students of these districts come out with capability to complete with the students from developed areas or districts. In short, quota system has created a negative impression among the people because merit is not given due importance in recruiting officers, and thus, causes deterioration of the quality of services delivered by them. If quota is unavoidable, it may continue in recruitment to the case of Class II officers and in no way in the case of the BCS recruitment.

If proper measures have been taken and the recommendations suggested for may be implemented, it may be expected an impartial, efficient civil service that may contribute towards good governance in Bangladesh.

11:II Appendix

Appendix- I

PSC in the Constitution of Bangladesh

Article 137.	Establishment of Commissions
	Provision shall be made by law for establishing one or more public service commissions for Bangladesh, each of which shall consist of a chairman and such other members as shall be prescribed by law.
138.	Appointment of Members
	(1) The chairman and other members of each public service commission shall be appointed by the President. Provided that not less than one-half of the members of a commission shall be persons who have held office for twenty years or more in the service of any government which has at any time functioned within the territory of Bangladesh. (2) Subject to any law made by Parliament the conditions of service of the chairman and other members of a public service commission shall be such as the President may, by order, determine.
139.	Term of Office
	(1) The term of office of the chairman and other members of a public service commission shall, subject to the provisions of this article, expire five years after the date on which he entered upon his office, or when he attains the age of sixty-five years, whichever is earlier; (2) The chairman and other members of such a commission shall be removed from office except in like manner and on like grounds as a judge of the [Supreme Court]. (3) A chairman or other member of a public service commission may resign his office by writing under his hand addressed to the President. (4) On ceasing to hold office a member of a public service commission shall not be eligible for further employment in the service of the Republic, but, subject to the provisions of clause (1)- (a) a chairman so ceasing shall be eligible for re-appointment for one further term; and (b) a member (other than the chairman) so ceasing shall be eligible for re-appointment for one further term or for appointment as chairman of a public service commission.
140.	Functions of Commissions
	(1) The functions of a public service commission shall be- (a) to conduct tests examinations for the selection of suitable persons for appointment of the service of the Republic; (b) to advise the President on any matter on which the commission is consulted under clause (2) or on any matter connected with its functions which is referred to the commission by the President; and (c) such other functions as may be prescribed by law. (2) Subject to the provisions of any law made by Parliament, and any regulation (not inconsistent with such law) which may be made by the President after consultation with a commission, the President shall consult a commission with respect to- (a) matters relating to qualifications for, and methods of recruitment to, the service of the Republic; (b) the principles to be followed in making appointments to that service and promotions and transfers from one branch of the service to another, and the suitability of candidates for such appointment, promotions and transfers; (c) matters affecting the terms and conditions (including person rights) of that service; and (d) the discipline of the service.
141.	Annual Report
	(1) Each commission shall, not later than the first day of March each year, prepare and submit to the President a report of the performance of its functions during the period ended on the previous 31st day of December. (2) The report shall be accompanied by a memorandum setting out, so far as is known to the commission- (a) the cases, if any, in which its advice was not accepted and the reasons why it was not accepted; (b) the cases where the commission ought to have been consulted and was not consulted, and the reasons why it was not consulted. (3) The President shall cause the report and memorandum to be laid before Parliament at its first meeting held after 31st March in the year in which the report was submitted.
Article 137-141, The Constitution of the People's Republic of Bangladesh, 2000 and also see Transparency International Bangladesh, Bangladesh Public Service Commission: A Diagnostic Study, Website: http://www.ti-bangladesh.org .	

Appendix- II

PSC in the Constitution of Bangladesh

Major Historical Events Since Emergence of PSCs in British India and United Pakistan	<p>PSC in British India</p> <ul style="list-style-type: none"> • 1853: The Charter Act introduced the principles of recruitment of public servants on open competition. • May 21, 1855: The first ever PSC was constituted in England. • January 26, 1855: The Board of Control framed regulations for conducting competitive exams to recruit civil servants in India. • July 16, 1855: The first open competitive exam was held in England. • April 1918: Montagu-Chelmsford Committee recommended to protect the public services from political influences. • 1919: Section 96 (c) (2) of the Govt. of India Act created an opportunity for establishment of PSC in British India. • 1922: First ICS Exam was held in England and India simultaneously. • 1924: Lee Commission recommended to establish PSC both in central & province level in British India. • October 01, 1926: The first ever PSC inaugurated In India. • 1937: PSC was redesigned at the centre as Federal Public Service Commission (FPSC), Provincial PSC under The Government of India Act, 1935. • 1947: FPSC renamed as Union PSC in India & Provincial PSCs as State PSCs. • January 26, 1950: The Constitution of India gave constitutional and autonomous status of FPSC. 	<p>Bengal PSC</p> <ul style="list-style-type: none"> • May 20, 1930: Famed rules for Bengal Provincial Public Services. • April 01, 1937: Bengal PSC was established under the Government of India Act, 1935.
	<p>PSC in United Pakistan (Central PSC)</p> <ul style="list-style-type: none"> • 1947: FPSC of British India was re-named as Pakistan PSC (PPSC). • March 23, 1956: PPSC re-named as Federal PSC under the new constitution of Pakistan. • June 8, 1962: PPSC was re-named as Central PSC (CPSC) under the new Constitution of Pakistan. 	<p>PSC in United Pakistan (Provincial PSC)</p> <ul style="list-style-type: none"> • 1947: Bengal PSC was renamed as PSC in East Bengal. • Sept. 1955: Bengal PSC renamed as East Pakistan PSC (EPPSC) & continued till 1971.
Major Changes Occurs in BPSC Since December 16, 1971	<p>The Bangladesh Public Service Commission Dec 16, 1971: Bangladesh inherited the entire setup of the EPPSC & Regional Office of CPSC in Dhaka.</p> <p>Two Commissions</p> <ul style="list-style-type: none"> • April 8, 1972: President's Order No. 34 of 1972 was issued for establishment of two commissions (including a provision on composition, appointment of member & Chairman and functions). • May 9, 1972: BPSC First to conduct competitive exams for selection of the 1st & 2nd class gazetted civil servants and to give advise on civil service related matters to the president, and BPSC Second for selection of non-gazetted services and to give advise to the President were established. • December 16, 1972: The Constitution of Bangladesh acknowledged the existence of PSC(s) and promulgated the establishment, structure, appointment of Chairman/Members, functions, etc. • 1974: The Parliament enacted the Members of PSCs (Terms & Conditions of Service) Act of 1974. <p>Single Commission</p> <ul style="list-style-type: none"> • December 22, 1977: The Bangladesh Public Service Commission (BPSC) was officially emerged; • 1981: The Bangladesh Public Service Commission (Conduct of Business) Rules, 1981. • December 26, 1990: BPSC Officers & Employees Recruitment Rules, 1990. • January 16, 1997: Government again fixed a total of 11 members & a Chairman of BPSC. 	

Syed Giasuddin Ahmed, Public Personal Administration in Bangladesh, Dhaka, University of Dhaka, 1986 and also see Transparency International Bangladesh, Bangladesh Public Service Commission: A Diagnostic Study, p. 58.

Appendix- III

Laws Rules and Procedures Concerning the Formation and Functions of PSC

- The Constitution of the People's Republic of Bangladesh, 2000 (Article 137-141, Chapter II, Public Service Commissions, Part IX, page 55-57). These articles have been guaranteed the mandates on establishment, structure, terms of office of Members and Chairman, functions of BPSC, etc.
- The submission of annual reports by BPSC to the National Parliament is one of the safeguards (Ahmed, 1990:177).
- Bangladesh Public Service Commission Ordinance No. LVII of 1977 of the Government of Bangladesh (The Bangladesh Gazette, Extraordinary, 28 November, Dhaka).
- BPSC Consultation Regulations of 1979; (for establishment of a single PSC in place of two Commissions).
- The Bangladesh Public Service Commission (Conduct of Business) Rules, 1981.
- BCS Recruitment Rules of 1981; (for recruitment of class I and II posts only).
- BPSC Officers & Employees Recruitment Rules, Government of Bangladesh, Chief Martial Law Administrator Secretariat, Establishment Division, Recruitment Section, Notification, Dhaka April 21, 1982.
- BPSC Officers & Employees Recruitment Rules, Government of Bangladesh, Ministry of Establishment, Administration Section, Notification, Dhaka, November 21, 1990.
- Ministry of Establishment, Notification No. S.R.D. 445 A-L/86/ME/EU/S-9/86, December 01, 1986.

Transparency International Bangladesh, *op.cit*, p. 62.

Appendix- IV

Candidates Recruited Through BCS and BCS Equivalent Exams

Type of Exams	Name of Examinations	Recommended Persons
BCS Examinations	1 st BCS Examination, 1982	901
	2 nd BCS (Special, Admin Cadre: Recruitment of Magistrate) Examination, 1983	650
	3 rd Special BCS (Health) Cadre Examination, 1983	1,001
	4 th Special BCS (Agriculture & Railway Engineering) Examination, 1984	108
	5 th BCS Examination, 1984	795
	6 th Special BCS Examination (Cadre & Sub Cadre), 1985	700
	7 th BCS Examination, 1985 (Cadre & sub-Cadre)	2,531
	8 th BCS Examination, 1986	2,121
	9 th BCS Examination, 1988-89	1,165
	10 th BCS Examination, 1989-90	1,022
	11 th BCS Examination, 1990-91	695
	12 th Special BCS (Police) Examination, 1990	40
	13 th BCS Examination, 1991-92	1,178
	14 th Special BCS (General Education) Examination, 1992	1,885
	15 th BCS Examination, 1993	858
	16 th Special BCS (General Education) Examination, 1994	1,348
	17 th BCS Examination, 1995-96	1,708
	18 th BCS Examination, 1996-97	1,757
	19 th BCS Examination, 1998	555
	20 th BCS Examination, 1998	2,237
	21 st BCS Examination, 2001	1,370
	22 nd BCS Examination, 2001	2,230
	24 th BCS Examination, 2002	5,224
	25 th BCS Examination, 2004	2,722
	26 th BCS (General Education) Examination, 2004	1,063
	27 th BCS Examination, 2006	3,567
	Total	1,982
BCS Equivalent Examinations	Examination for Appointing Merit, 1980	40
	Examination for Appointing Merit, 1979	25
	Bangladesh Superior Service Examination, 1979	131
	Examination for Appointing Merit, 1978	24
	Bangladesh Superior Service Examination, 1976	135
	Special Superior Service Examination for the Non-freedom Fighters, 1973	313
	Special Superior Service Examination for the Freedom Fighters, 1972	1,314
	Total	1,982
Grand Total		41,413

A. M. M. Shawkat Ali, *The Lore of the Mandarins: Towards a Non-partisan Public Service in Bangladesh*, Dhaka, UPL, 2002, pp. 298-300 and also see Bangladesh Public Service Commission, Annual Reports, 1972-2005.

Appendix- V

Gazette Notifications on New Appointment of BCS Cadre (finally appointed by Ministry of Establishment)

BCS	Date of Gazettes	No. of Gazettes	Date of the Bangladesh Gazettes Published	Page No.	Date of Commission's Recommendation
5 th	31/12/1985	No. EM/Recruitment/1-4(4)/85-475	09/01/1986	21-29	1985
7 th	31/12/1987	No. EM/New Appointment/1- 2/87-390	14/01/1988	32-61	14/11/1987
8 th	1989	No. EM/New Appointment/1- 8/88(Part-1)255	23/11/1989	671-700	13/05/1989
9 th	22/12/1990	No. EM/New Appointment/1- 6/90(Part-1)-315	10/01/1991	21-38	14/06/1990
10 th	13/11/1991	No. EM/New Appointment/1- 4/91-222	28/11/1991	1226-1242	22/04/1991
11 th	16/02/1993	No. EM/New Appointment/1- 7/92(Part-1)-38	25/02/1993	273-283	14/09/1992
13 th	23/03/1994	No.EM/New Appointment/1-10/93(Part-1)-46	14/04/1994	401-416	31/10/1993
14 th special	20/10/1993	No. EM/New Appointment/1- 6/93(Part-1)-248	04/11/1993	1383-1403	07/07/1993
15 th	7/10/1995	No. EM/New Appointment/1- 4/95-122	26/10/1995	1199-1211	01/07/1995
16 th special	04/07/1996	No.EM/New Appointment/1-8/95-67	08/08/1996	749-767	06/11/1995
17 th	14/01/1998	No. EM/New Appointment/1- 16/97-10	09/07/1998	570-584	15/09/1997
18 th	20/12/1998	No.EM/New Appointment/1-8/98-211	15/04/1999	381-404	20/08/1998
19 th special	20/09/1999	No.EM/New Appointment/1-4/99-111	09/03/2000	181-188	11/05/1999
20 th	29/04/2001	No.EM/New Appointment/1-12/2000-30	17/05/2001	656-677	07/12/2000
21 st	30/04/2003	No.EM/New Appointment/16/2002-82	08/05/2003	421-452	04/01/2003
22 nd	17/11/2003	No.EM/New Appointment/10/2003-184	04/12/2003	1385-1415	24/08/2003
24 th	13/06/2005	No.EM/New Appointment/2005-107	07/07/2005	1251-1307	24/02/2005
25 th	31/07/2006	No.EM/New Appointment-01/2005-107	31/07/2006		22/05/2006
26 th special	01/03/2006	No.EM/New Appointment-02/2005-37/	01/03/2006	1-12	01/09/2005

Transparency International Bangladesh, *op. cit.*, p. 64.

Appendix- VI

Recruitment by Interview (1972-2005)

Year	Recruitment Through Interview
1972	131
1973	0
1974	436
1975	68
1976	966
1977	2,104
1978	704
1979	979
1980	1,403
1981	163
1982	115
1983	937
1984	1,347
1985	2,218
1986	252
1987	435
1988	138
1989	356
1990	419
1991	287
1992	660
1993	472
1994	788
1995	319
1996	781
1997	306
1998	314
1999	410
2000	274
2001	229
2002	0*
2003	0*
2004	0*
2005	0*
2006	0*
Total	18,011

A. M. M. Shawkat Ali, *The Lore of the Mandarins: Towards a Non-Partisan Public Service in Bangladesh*, Dhaka, UPL, 2002 and also see Bangladesh Public Service Commission, Annual Reports, 1999-2001.

Appendix- VII

No. of Persons Recommended by BPSC for Promotional Recruitments

Year	Recruitment Through Interview
1972	133
1974	229
1975	698
1976	421
1977	253
1978	355
1979	531
1980	337
1981	378
1982	381
1983	820
1984	578
1985	639
1986	656
1987	652
1988	472
1989	593
1990	908
1991	582
1992	1,022
1993	469
1994	1,020
1995	866
1996	809
1997	1,054
1998	955
1999	537
2000	986
2001	705
2002	580
2003	1,273
2004	1,506
2005	1,513
2006	0*
Total	22,911

A. M. M. Shawkat Ali, op.cit, pp. 91, 116, 159 and also see Bangladesh Public Service Commission, Annual Reports, 2005.

Appendix- VIII**Background of PSCs Chairman (prior to join PSC) since 1947****List of Chairman of PSC in the Centre in Pakistan (1947-1971)**

Term of Service	Chairman	Previous Profession
October 1948-30.09.1952	Mr. Mian Mohammad Afzal Hossain	Teacher College
20.10.1952-19.10.1957	Mr. Zakir Hossain	IPG
27.10.1957-April 1958	Mr. Mian Aminuddin	ICS
14.01.1958-15.06.1963	Lt. Col. A.S.B. Shah	Army
15.06.1963-28.03.1965	Mr. Kazi Anawarul Haque	IP/DIG of Police
20.04.1965-25.02.1966	Mr. Agha Abdul Hamid	ICS
08.03.1966-01.05.1969	Mr. Nazir Ahmed	ICS
09.05.1969-1971	Mr. Ali Asghar	ICS

List of Chairman of PSC in East Pakistan (1947-1971)

Term of Service	Chairman	Previous Profession
15.08.1947-15.03.1951	Mr. Sir Arthur Jules Dash	Divisional Commissioner
05.04.1951-15.10.1953	Mr. Khan Bahadur Mohammad Mahmud	Asam Civil Service
09.11.1953-08.11.1956	Mr. Dr. Syed Moazzem Hossain	Teacher (University)
06.12.1956-11.03.1961	Mr. Dr. Mahmood Hasan	Teacher (University)
15.12.1961-14.12.1966	Mr. MA Bary	Government Servant
December 1966-Early 1970	Mr. Noor Mohammad Khan	Judge
08.03.1966-01.05.1969	Mr. Dr. MA Rashid	Teacher (University)

List of Chairman of PSC in Bangladesh (1972-2006)

Term of Service	Chairman	Previous Profession
15.05.1972-15.12.1977	Prof. A.Q.M. Bazlur Karim (BPSC First)	Teacher (University)
15.05.1972-14.12.1977	Mohiuddin Ahmad (BPSC Second)	Police
22.12.1977-21.12.1982	M. Moyeedul Islam	Teacher (College)
22.12.1982-31.12.1986	Fayezuddin Ahmed	Civil Servant
01.06.1986-01.05.1991	S.M. Al-Hussainy	Civil Servant
01.02.1993-06.03.1993	Amin Mian Chowdhury (acting)	Civil Servant
14.09.1991-31.01.1993	Prof. Dr. Eajuddin Ahmed	Teacher (University)
07.03.1993-5.03.1998	Prof. Dr. S.M.A. Faiz	Teacher (University)
25.03.1998-22.01.2002	Prof. Dr. Md. Mostafa Chowdhury	Teacher (University)
09.05.2002- to date (March 2007)	Prof. Dr. Zinnatun Nessa Tahmida Begum	Teacher (University)

Syed Giasuddin Ahmed, Bangladesh Public Service Commission, University of Dhaka, Dhaka, 1990 and also see Transparency International Bangladesh, *op.cit*, p. 69.

Appendix- IX

Background of PSCs Members (prior to join PSC) since 1947

Members of PSC in East Pakistan (1947-1971)

Term of Service	Chairman	Previous Profession
15.09.1948-01.10.1953	Mr. MA Mridha	Member of Parliament
19.11.1948-22.12.1953	Mr. Abdus Sobhan Mahmud	Bengal Civil Service
30.11.1953-01.12.1956	Mr. Khan Bahadur Mahbubuddin Ahmed	Bengal Civil Service
05.03.1954-02.06.1956	Mr. Khan Bahadur Abdul Hye Chowdhury	Asam Civil Service
02.06.1956-01.06.1961	Mr. Jogesh Chandra Das	Asam Civil Service
05.08.1957-04.08.1952	Mr. Makbul Ahmed	Teacher (College)
17.06.1961-16.06.1966	Mr. AKB Karim	Bengal Civil Service
06.08.1962-05.08.1967	Mr. Mofassiluddin Ahmed	East Pak Senior Edu Service & Teacher (College)
12.07.1966- Early 1970	Mr. NM Khan	District and Session Judge
08.09.1967- Early 1970	Mr. KAFM Abdul Quasem	East Pak Senior Edu Service
03.11.1969-1971	Mr. M Anawaruzzaman	Chief Engineer of RHD
1969 - 1971	Mr. Abdus Sobhan Khan Chowdhury	East Pak Senior Edu Service
25.01.1967- 1971	Mr. Alimdad Khan	Bengal Civil Service

Members of BPSC from 1972 to March 2007

Term of Service	Member	Previous Profession
15.05.1972 - 14.12.1977	Mohiuddin Ahmed (BPSC First)	Civil Servant
15.05.1972 - 11.12.1976	Mohammad. Anwaruzzaman (BPSC First)	Engineer
15.05.1972 - 12.12.1977	Awlad Hossain (BPSC First)	Engineer
15.05.1972 - 01.11.1974	Alimdad Khan (BPSC First)	Civil Servant
15.05.1972 - 29.02.1976	Bazlur Rahman (BPSC 2nd)	Police
15.05.1972 - 30.10.1974	Ekramul Kabir (BPSC 2nd)	Civil Servant
15.05.1972 - 15.12.1977	Joadur Rahim Jahid (BPSC 2nd)	Civil Servant
15.05.1972 - 12.12.1977	Santosh Bhushan Das (BPSC 2nd)	Teacher (College)
15.05.1972 - 15.12.1977	Begum Mahmuda Rahman (BPSC 2nd)	Teacher (High School)
26.05.1972- 15.12.1977	Shree Shiva Prasanna Lahiry (BPSC First)	Teacher (College)
21.12.1972 - 21.12.1977	Bipin Behari Das (BPSC 2nd)	Police
24.04.1973 - 08.06.1976	Dr. Skeikh Md. Mobarak Hossain (BPSC 1st)	Teacher (College)

Term of Service	Member	Previous Profession
14.11.1973 - 21.12.1977	ABM Moksed Ali (BPSC First)	Teacher (College)
04.12.1973 - 21.12.1977	Abdul Hannan Chowdhury (BPSC 1ST)	Civil Servant
23.12.1974 - 21.12.1977	Ekramul Hoque (BPSC 2nd)	Civil Servant
26.11.1974 - 1.03.1975	Adeluddin Ahmed (BPSC First)	Lawyer
18.04.1975 - 21.12.1977	Shams Uddin Ahmed	Civil Servant
07.07.1975 - 21.12.1977	M. A. Awal (BPSC 2nd)	Civil Servant
07.08.1975 - 21.12.1977	Hafez Habibur Rahman (BPSC First)	Teacher (college) cum Politician
17.07.1975- 21.12.1977	Azharul Islam (BPSC 2nd)	Lawyer
22.12.1977- 21.12.1982	Begum Mahmuda Rahman (BPSC 2nd)	Teacher (Hi School)
22.12.1977- 07.07.1990	Azharul Islam	Lawyer cum Politician
22.12.1977- 07.08.1980	Hafez Habibur Rahman (BPSC First)	Teacher (College) cum Politician
22.12.1977 - 30.04.1979	Ekramul Hoque (BPSC 2nd)	Civil Servant
22.12.1977 - July 1980	M. A. Awal (BPSC 2nd)	Civil Servant
22.11.77 - 3.5.82 26.7.77	Dr. Shafia Khatun (BPSC First)	Teacher University)
22.12.1977 - 31.10.1981	Joy Gobinda Bhowmick	Civil Servant
1977 - 01.07.1982	Begum Azizun Nessa	Govt. Servant
22.12.1977 - 13.11.1978	A.B.M. Moksed Ali (2nd term)	Teacher (College)
22.12.1977 - 03.12.1978	Abdul Hannan Chowdhury (BPSC First)	Civil Servant
22.12.1977 - 17.09.1994	Shams Uddin Ahmed	Civil Servant
04.09.1981 - 03.09.1986	Dr. Abdul Baten Khan	Scientist
31.10.1981 - 26.01.1982	A.H. Nural Islam	Civil Servant
01.03.1982 - 01.03.1987	M. Nurus Safa	Teacher (College)
01.03.1982 - 16.06.1983	Dr. M. Akram Hossain	Teacher (College)
06.05.1982 - 31.12.1984	Shamsul Huq	Government Servant
08.03.1982 - 31.12.1983	Salim Uddin Ahmed	Civil Servant
15.07.1983 - 28.01.1985	Dr. Abdul Quasem	Teacher (College)
19.12.1984 - 18.12.1989	Brig. Retd. AKM Shamsul Islam	Teacher (University)
19.12.1984 - 31.03.1988	Prof. Dr. M. Sirajul Islam	Teacher (University)
07.08.1990 - 31.12.1994	Brig. Retd. AKM Shamsul Islam	Army & College Teacher
19.12.1984 - 31.03.1989	Brig. Retd. AKM Shamsul Islam	Army & College Teacher
10.02.1985 - 06.08.1985	Professor M. A. Halim	Teacher (College)
18.04.1985 - 17.04.1990	Badaruddin Ahmed Chowdhury	Government Servant
15.12.1985- 14.12.1990	Professor Abul Hossain	Teacher (College)
14.09.1986 - 13.09.1991	Brig. Retd. K. M. Rahaman	Army Personnel
08.04.1987 - 13.04.1989	Mohammed Abdul Hai	Civil Servant
07.04.1988- 31.07.1992	Professor. Mohammad A. Raquib	Teacher (University)
03.07.1989 - 06.06.1994	Amin Mian Chowdhury	Civil Servant
10.02.1985- 06.08.1985	Professor Dr. Shafia Khatun	Teacher (University)
14.09.1986 - 13.09.1991	Lft Con. Rtd. K. M. Rahman	Army personal

Term of Service	Member	Previous Profession
01.04.1990 -31.12.1994	Prof. Dr. Abdul Mannan	Teacher (University)
*	Gias Uddin Ahmed	Engineer
*	A.M. Abdul Mannan Bhuiyan	
*	Prof. Dr. A.Z.M. Mizanur Rahman	Teacher
*	Prof. Zerina Zaman	Teacher (University)
*	Mr. Md. Abdur Raqib	Civil Servant
*	Prof. M. Azhar-Uddin	Teacher (University)
06.02.1995 - 03.02.2000	Begum Khodeza Azam	Teacher (University)
31.12.1995 - 01.12.1999	Ziaul Haq Kutub Uddin	Civil Servant
31.12.1995 - 13.02.1999	C.K.Md. Abdullah	Geologist
-02.03.2002	Arun Kanti Adhikari	Civil Servant
-06.01.2002	Md. Farhad Hossain Khan	Engineer
2000 to 30.10.2001	Prof. Mujibur Rahman Bishwash	Teacher (University)
22.05.2002-22.05.2002	Prof. Dr. K. Bazlul Hoque	Teacher (University)
14.02.2000-14.02.2000	Prof. Naiyer Sultana	Teacher (College)
29.02.2000- 30.12.2003	Kazi Golam Rasul	Civil Servant
19.04.1999 - 4.11.2000	S.M. Afaz Uddin	Civil Servant
19.04.1999 - 31.08.1999	Abdul Latif Shikder	Government Servant
19.04.1999 - 18.04.2004	Prof. Dr. M. Mohabbat Khan	Teacher (University)
21.09.1999 - 13.08.2003	Md. Siraj Uddin Ahmed	Civil Servant
21.09.1999 - 20.09.2004	Prof. Dr. Md. Sohrab Ali	Teacher (University)
14.02.2000 - 21.01.2002	Prof. Hamida Banu	Teacher (University)
-26.02.1999	Prof. Dr. Kazi Moshir Rahman	Teacher (University)
28.02.2001 - 28.02.2006	Md. Yahihia Mollah	Civil Servant
02.12.2001 - 01.12.2006	Md. Mozammel Hoque	Civil Servant
10.01.2002 - 08.06.2005	Prof. Dr. Hasanuzzaman Chawdhury	Teacher (University)
23.05.2002 - 29.01.2004	Prof. Dr. Nurul Islam	Teacher (University)
10.09.2002 to date	Prof. Md. Mahfuzur Rahman	Teacher (University)
04.03.2003 to date	Md. Abdur Rouf	Engineer
07.02.2004 to date	Latifur Rahman	Civil Servant
25.04.2004 to date	Col (hon.) Retd. Prof. Mahmudur Rahman	Army Doctor
30.05.2004 to date	Prof. Dr. Md. Ashrafur Islam Chowdhury	Teacher (University)
14.10.2004 to date	Prof. Dr. Md. Nurul Islam	Teacher (University)
31.10.2004 to date	Muhamman Ashraf	Civil Servant
07.06.2005 to date	Prof. Shahdat Hossain Mondal	Teacher (University)
06.03.2006 to date	M. Anwarul Hoq	Teacher (College)
17.10.2006 to date	Prof. Dr. Fazlul Hoq	

Syed Giasuddin Ahmed, op.cit, pp. 201-227 and also see Transparency International Bangladesh, op.cit, p. 71.

Appendix- X

List of BCS Cadres

Name of the BCS Cadre
1. BCS (Administration)
2. BCS (Police)
3. BCS (Foreign)
4. BCS (Agriculture)
5. BCS (Livestock)
6. BCS (Health & Family Planning)
7. BCS (General Education)
8. BCS (Public Works)
9. BCS (Road and Highways)
10. BCS (Public Health Engineering)
11. BCS (Trade)
12. BCS (Telecommunication)
13. BCS (Ansar)
14. BCS (Food)
15. BCS (Cooperative)
16. BCS (Railway Engineering)
17. BCS (Railway Trade and Commerce)
18. BCS (Fisheries)
19. BCS (Education: Technical)
20. BCS (Economic)
21. BCS (Statistics)
22. BCS (Audit and Accounts)
23. BCS (Customs & Excise)
24. BCS (Taxation)
25. BCS (Information)
26. BCS (Judicial)
27. BCS (Postal)
28. BCS (Forest)

A. M. M. Shawkat Ali, Bangladesh Civil Service: A Political Administrative Perspective, Dhaka, UPL, 2004 and also see Ministry of Establishment Gazette Notifications (1980-2002).

Appendix- XI

Types of questions asked in the BCS viva board

Responses	Percentage of response
Subject studied at graduate and post graduate level	60.9
Rationales on favour of preferred cadre/ Cadre focused questions	30.8
General knowledge	30.6
Personal/family/telling about self/career plan	26.1
International affairs/bilateral issues (India-Bangladesh)	13.9
Current affairs	9.0
Tell about success and failure of political issues	8.4
On religion	5.7
English conversation, translation/spelling	4.0
Social and political problems/issues/economic problems or issues	4.0
To tell about own area or locality	3.5
Constitution of Bangladesh	3.0
On literature	2.5
Hierarchy of cadres preferred by the examinee	1.5
Taking bribe	1.2
Foreign affairs of Bangladesh	1.0
Present job	1.0
Freedom fight/Liberation War of Bangladesh	1.0
Psychological issues	0.8
Bangali and Bangladeshi Nationalism	0.7
Sura-karat /Islamic issues/sura from the quran	0.7
About reading newspaper	0.7
Can not remember	0.7
Rationale for attending BCS exam	0.5
Robindra Songeet songs/ cultural issues	0.2
Historical issues	0.2
Total Informants	402*

Transparency International Bangladesh, op.cit, p. 79.

Appendix- XII

Income, Expenditure & Net Budget Received from Government Treasury at a Glance

Year	Income	Expenditure	Net budget received state treasury
1997	2,31,26,644	3,24,64,424.38	93,37,780 (-28.76%)
1998	2,74,06,573	3,96,82,879.53	1,22,76,306 (-30.94%)
1999	3,33,38,067	3,87,17,578.38	53,79,511 (-13.89%)
2000	4,03,62,807	4,88,58,067.95	84,95,261 (-17.39%)
2001	3,56,41,579.21	4,82,19,965.37	1,25,78,386 (-26.09%)
2002	5,64,24,483.5	4,67,66,803.9	96,57,680 (+16.94%)
2003	5,02,34,478	5,26,53,153.45	24,18,675 (-23.71%)
2004	5,76,72,366	6,80,27,004.83	1,03,54,638 (-15.22%)
2005	5,14,11,348	6,58,44,758.18	1,44,33,410 (-21.92%)

Transparency International Bangladesh, *op.cit*, p. 70.

Appendix- XIII

Table Income of BPSC in various years:

Year	Sector	Amount (Taka)	Reference
1997	Examination Fee	2,06,32,100.00	Annual Report 1999, page 80
	Application Fee	24,35,410.00	
	Others	59,134.00	
	Total	2,31,26,644.00	
1998	Examination Fee	2,18,91,875.00	Annual Report 1999, page 80
	Application Fee	54,79,320.00	
	Others	35,378.00	
	Total	2,74,06,573.00	
1999	Examination Fee	2,80,61,100.00	Annual Report 1999, page 80
	Application Fee	51,76,020.00	
	Others	100,947.00	
	Total	3,33,38,067.00	
2000	Examination Fee	3,91,98,161.00	Annual Report 2001, page 93
	Application Fee	10,62,200.00	
	Others	1,02,446.00	
	Total	4,03,62,807.00	
2001	Examination Fee	2,99,05,135.00	Annual Report 2001, page 93
	Application Fee	57,04,750.00	
	Others	31,694.21	
	Total	3,56,41,579.21	
2002	Examination Fee	4,77,62,494	Annual Report 2002, page 66
	Application Fee	80,23,110	
	Usage of Public Vehicles	57,369	
	Selling Tender Schedule	27,000	
	Selling backdated Vehicles	5,39,856	
	Tax at Source	14,627.50	
	Total	5,64,24,483.50	
2005	Examination Fee	3,87,19,025.00	Annual Report 2005, page 13
	Usage of Public Vehicles	1,21,180.00	
	Selling Tender Schedule	28,800.00	
	Used Products	13,59,878.00	
	Various & Revenue Collection	1,08,59,690.00	
	Income Tax	1,08,565.00	
	Vat	2,14,210.00	
	Total	5,14,11,348.00	

Transparency International Bangladesh, *op.cit*, p. 71.

Appendix- XIV

**Quota Characteristics in Bangladesh
and Five Developing Countries**

Country	Vertical Quota Characteristics	Basis	%	Horizontal Quota Characteristics	Basis	%
India	Total No- 4 1. Scheduled Caste 2. Scheduled Tribes 3. Other Backward Classes 4. General	Caste	15% 7.5% 27% 50.5%	1. Disability 2. Ex-service personnel 3. Legal heirs	Disability Reward for Past Service Compassionate	3% 10% of lowest jobs 5% Vacancies at Lowest Level (C&D)
Malaysia	1. Bhumiputra 2. Non-Malayan	Ethnic	80% 20%	Handicapped Persons	Disability	1%
Nigeria	1. 36 States 2. Federal Capital Territory	Regional	2.6 1%			
South Africa	1. Blacks 2. Whites	Race	Minimum 50% (to be raised gradually)	1. Women 2. Disabled	Sex Disability	30% new recruits 2%
Pakistan	1. Merit 2. Punjab 3. Rural Sindh 4. Urban Sindh 5. Northern Areas & FATA 6. Azad Kashmir		10% 50% 11.4% 7.6% 4% 1%	1. Disabled	Disability	1%
Bangladesh	1. Merit 2. 64 Districts		45% 55%	1. Freedom Fighters 2. Women 3. Tribes 4. District Merit	Recognition Sex Ethnicity Population	30% 10% 5% 10%

Akbar Ali Khan and Kazi Rakibuddin Ahmed, *Quota System for Civil Service Recruitment in Bangladesh: An Exploratory Analysis* (Unpublished), 2008, p. 26 and also quoted in Md. Mahbubur Rahman, *op.cit.*, p. 285.

Appendix- XV

**Preferences of Candidates
with Technical Degree for BCS (general) Cadres**

Years	No. of Candidates with Technical Degree in Terms of Preference Order for General Cadres			No. of Candidates Recommended		
	First	Second	Third	For General Cadres Posts	For Technical Posts	Total
8 th BCS (1986)	280 (17)	238 (15)	249 (15)	83 (5)	1539 (95)	1622
9 th BCS (1988)	150 (21)	153 (22)	139 (20)	64 (9)	643 (91)	707
10 th BCS (1989)	151 (21)	144 (20)	151 (21)	67 (9)	657 (91)	724
11 th BCS (1990)	195 (47)	185 (44)	174 (42)	61 (15)	354 (85)	415
13 th BCS (1991)	350 (52)	314 (45)	196 (29)	102 (15)	573 (85)	675
15 th BCS (1993)	117 (21)	115 (20)	112 (20)	60 (11)	505 (89)	565

A. M. M. Shawkat Ali, *The Lore of the Mandarins: Towards a Non-partisan Public Service in Bangladesh*, Dhaka, UPL, 2002 and also quoted in Md. Mahbubur Rahman, *op.cit*, p. 286.

Appendix- XVI

Literacy Rate in the Districts of Bangladesh (1981, 1991, 2001)

SL	District	1981		1991		2001	
01.	Barguna	34.9	79.39	40.14	59.91	53.58	68.23
02.	Barisal	38.58	158.5	43.04	113.21	56.80	131.79
03.	Bhola	21.19	23.04	23.95	71.40	36.59	76.21
04.	Jhalakati	45.04	362.9	51.19	353.06	65.85	421.48
05.	Patuakhali	33.1	50.55	36.41	16.08	51.57	39.06
06.	Pirojpur	46.5	420.66	48.61	262.76	63.30	323.28
07.	Bandarban	15.85	102.82	23.82	73.62	28.07	297.56
08.	Brahmanbaria	20.3	32.38	26.59	33.76	36.62	75.69
09.	Chandpur	32.06	36.84	37.81	29.27	49.61	18.40
10.	Chittagong	33.54	57.0	43.20	116.64	54.93	92.35
11.	Comilla	25.88	0.01	33.14	0.55	46.35	0.001
12.	Cox's Bazar	14.8	125.22	21.89	110.46	28.90	269.62
13.	Feni	30.87	23.81	40.65	68.06	53.35	64.48
14.	Habigonj	19.35	44.09	24.55	61.62	53.35	64.48
15.	Khagrachari	19.50	42.12	26.62	33.41	37.00	69.22
16.	Lakshmipur	27.18	1.42	32.25	0.02	42.17	9.92
17.	Maulvi Bazar	23.25	7.51	30.84	2.43	42.96	5.57
18.	Noakhali	30.03	16.32	37.07	21.81	41.26	16.48
19.	Rangamati	27.08	1.19	36.48	16.65	50.16	23.43
20.	Sunamganj	17.53	71.57	22.29	102.21	41.81	12.32
21.	Sylhet	25.02	0.94	33.85	2.10	33.79	132.94
22.	Dhaka	45.40	376.75	53.89	21.49	64.26	358.72
23.	Faridpur	23.18	7.90	27.84	20.79	40.35	34.70
24.	Gazipur	27.2	1.46	36.61	17.72	56.39	122.55
25.	Gopalganj	30.14	17.22	38.23	33.99	50.52	27.04
26.	Jamalpur	16.34	93.12	21.48	119.25	31.20	204.49
27.	Kishorganj	17.92	65.13	23.27	83.36	37.60	59.60
28.	Madaripur	21.2	22.94	32.56	0.03	40.63	22.00
29.	Manikganj	20.45	30.69	29.91	30.14	40.05	27.77
30.	Munshiganj	28.90	8.47	35.82	11.70	51.65	40.07
31.	Mymensingh	20.13	34.34	25.47	48.03	36.63	75.52
32.	Narayanganj	30.41	19.54	39.84	55.35	50.77	29.70
33.	Narshingdi	22.30	13.62	29.57	8.01	42.71	6.81
34.	Netrokona	19.14	46.92	25.97	41.35	32.25	170.83
35.	Rajbari	21.10	23.91	26.43	35.64	40.41	24.11
36.	Shariatpur	18.88	50.55	24.41	68.84	38.19	50.84
37.	Sherpur	15.55	108.99	19.49	166.67	31.15	200.79
38.	Tangail	22.04	15.6	29.42	8.88	38.82	42.25
39.	Bagerhat	39.08	171.35	44.33	142.33	57.89	158.01
40.	Chuadanga	18.58	54.91	25.24	51.27	40.41	24.11
41.	Jessore	27.80	3.28	33.37	0.94	51.20	34.57

SL	District	1981		1991		2001	
42.	Jhenaidaha	21.31	21.90	25.85	42.90	44.36	0.92
43.	Khulna	36.30	106.30	43.86	131.33	52.34	49.28
44.	Kushtia	19.69	39.69	25.77	43.96	39.89	29.49
45.	Magura	24.78	1.46	28.21	17.56	43.88	2.07
46.	Meherpur	16.34	93.12	23.11	86.30	37.60	59.60
47.	Narail	27.70	2.92	35.65	10.56	47.68	5.57
48.	Satkhira	26.40	0.17	30.54	3.46	44.95	0.14
49.	Bogra	25.22	0.59	28.41	15.92	41.74	12.82
50.	Dinajpur	25.49	0.25	29.85	6.50	45.56	0.06
51.	Gaibandha	19.87	37.45	24.34	64.96	34.49	117.29
52.	Joypurhat	24.74	1.56	30.17	4.97	47.85	6.40
53.	Kurigram	17.23	76.74	22.33	101.41	32.46	165.38
54.	Lalmonirhat	19.95	36.48	23.81	73.79	41.03	18.40
55.	Nogaon	25.08	0.83	28.36	16.32	44.29	1.06
56.	Natore	22.95	9.24	26.95	29.70	40.89	19.63
57.	Nawabganj	18.57	50.06	23.84	73.27	34.48	117.51
58.	Nilphamari	20.26	32.83	25.35	49.70	37.31	64.16
59.	Pabna	21.58	19.45	26.83	31.03	41.77	12.60
60.	Panchagarh	21.29	22.09	30.58	3.31	44.00	1.74
61.	Rajshahi	22.30	13.62	30.59	3.28	47.43	4.45
62.	Rangpur	21.78	17.72	26.70	32.49	40.00	28.30
63.	Sirajganj	20.77	27.25	27.00	29.16	39.18	37.70
64.	Thakurgaon	21.70	18.40	27.34	25.60	41.22	16.81
	Bangladesh	25.99	-	32.40	-	45.32	-
		-	3455.11	-	3407.29	-	4588.37

Bangladesh Statistical Yearbook 2004 and 2005 and also quoted in Akbar Ali Khan and Kazi Rakibuddin Ahmed, *op.cit*, p. 55.

Appendix- XVII

District wise distribution of component cadres of BCS Administration in 1970

District	CSP	*EPCS	Lawyer Magistrate	*EPCS II	Total	Percentage
Dinajpur	5	23	1	9	38	2.2
Rangpur	4	35	0	14	53	3.0
Rajshahi	6	60	10	28	104	5.9
Bogra	2	23	0	18	43	2.5
Pabna	6	47	2	26	81	4.6
Kushtia	1	13	0	9	23	1.3
Jessore	7	40	4	10	61	3.5
Khulna	3	37	4	10	54	3.1
Faridpur	14	68	3	33	118	6.7
Barisal	13	101	5	44	163	9.3
Dhaka	29	140	5	47	221	12.6
Mymensingh	9	101	3	48	161	9.2
Chittagong	10	62	2	20	94	5.4
Chittagong HT	0	8	0	5	13	0.7
Noakhali	16	92	1	44	153	8.7
Comilla	30	125	3	85	243	13.9
Sylhet	20	71	2	37	130	7.4
Total	175	1046		487	1753	100

Akbar Ali Khan and Kazi Rakibuddin Ahmed, *op.cit*, p. 58.

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