

**Twenty-Fifth Lovraj Kumar Memorial Lecture**  
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**PUBLIC SERVICE – ETHICS IN  
THE TIME OF DISCONTENT**

by

**Shri Prabhat Kumar**  
Former Governor, Jharkhand

Organised By  
Lovraj Kumar Memorial Trust  
in association with  
Indian Institute of Chemical Engineers  
Northern Regional Centre  
New Delhi

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Way back in the eighties, when I was a Joint Secretary in the Union Government, we used to look up with awe at some civil service luminaries who stood out for their intensity and radiance in administration. Lovraj Kumar, a transformational leader who came into the civil service from outside like IG Patel, LK Jha and DV Kapur, was one of them. He made signal contribution to the hydrocarbon and related sectors. About him, IMD Little, the celebrated British economist, wrote “Unlike many, (Kumar) was always optimistic about Indian development. He was always enthusiastic about the causes he embraced and over-enthusiastic about the merits of his ancient Daimler car to which he attributed improbable speeds. If he ever felt cynical about the motives of bureaucrats or politicians he did not show it. He was good at choosing advisers and staff, and few failed to succumb to his quiet personal charm and good humour”. One wishes that there were more like him today.

So I was pleasantly surprised when my old friend and colleague BK Chaturvedi asked me to deliver the Lovraj Kumar Lecture of 2018. Being aware of my own inadequacy to think, I was a little ambivalent in responding to BK's offer. Bertrand Russell used to say that he had a habit of thinking once a week when most people do not think even once in a year. Fortunately, he did not say anything about bureaucrats for it would have been equally, if not more, disagreeable. So, like a weathered bureaucrat, I asked for time to respond hoping that he would take the cue and look for some more accomplished speaker. Sadly, he kept insisting. And that's how I am here.

Relying on your indulgence, I would like to share my thoughts with you on the twin issues of discontent in and around the civil service and the 'ethics of governance'. It would be appropriate to assert two caveats at the outset: one that I do not intend to cover the vast area of administrative or civil service reforms owing to my inherent inadequacy, and two, that Ethics Of Governance is different from Ethics In Governance, an issue to which I will come presently. Thus, we steer clear of the ideas of reforming the bureaucracy like 'closing the shop', 'creating a fearlessly independent civil service' to 'diluting Article 311' etc. and instead concentrate on getting rid of its discontents.

Popular discontent with the conduct of civil services being a universal phenomenon needs no elaboration. It is alleged that the citizen is asked to wait for his legitimate rights from the government, and he keeps waiting indefinitely. Common Cause, in one of its discussion papers, says. "It is not surprising that common citizens, harassed for decades, now have nothing but disdain, if not outright hostility, towards government and its officials". The despicable moniker 'Babu' coined by the mainstream media connotes an average inefficient civil servant, who is frequently corrupt too.

The views of the political leaders about the bureaucrat are almost always negative. We can give scores of examples of the distrust between the political bosses and permanent civil servants which have affected the quality of administration in the states and resulted in open conflict in several cases. The recent case of a Chief Secretary of a state accusing the Chief Minister and the Deputy Chief Minister of an assault on him in CM's residence highlights the relationship, which can at best be called 'a wobbly equilibrium'. While the exact happenings of the midnight meeting may be known after completion of the judicial process, the incident raises pertinent questions about state building in an otherwise stable democracy.

The other, and more perilous, manifestation of civil service discontent is discernible in the increasing dilution of the integrity of institutions. Though

nibbling at the state institutions started way back in the seventies, over the last two decades, we have witnessed faster weakening of institutional structure. Mrs. Gandhi subdued the institutions but did not abolish them. . “In retrospect, emergency was relatively mild and it did not last very long. Mrs. Gandhi proved to be at best a half hearted dictator”, says Andre Beteille. Whether current trend of encroaching on the institutions would be irreparable is to be seen.

As I started writing this paper, the unseemly mess in CBI happened as if to showcase the malady. The internal discontent of civil services has been appropriately exposed by the current untidy chaos in the Central Bureau of Investigations where a frightening sense of malfunctioning has been produced by individuals belonging to the same civil service.

It is tempting to take sides in the continuing spat between two top ranking bureaucrats in the CBI. And many of my colleagues are openly rooting for one or the other. The very fact that individual civil servants are beginning to consider themselves higher than the institution to which they belong shows that serious discontent has entered the services.

I am not unusually worried about the present mess in CBI, which as predicted by Meeran Borwankar is likely to boil over allowing the deep rooted institutional culture nurtured by the core of the organization prevail in the end. The Vice President also recently said that the ferment in institutions like CBI are 'internal issues' would be resolved by their internal self correcting mechanisms.

The culpability for the growing erosion of public institutions cannot in my view be put solely on the political executive. The mere occurrence of such incidents (and sadly, this is not a solitary case) shows that civil servants are increasingly showing contempt for the service in which they spend their life and one can no longer expect adherence to institutional ethics by them. The civil services or at least a significant part of the

permanent bureaucracy has also contributed to the downhill slide of some institutions. Their meek submission, passive acquiescence, status-quoism and often active collaboration of ambitious bureaucrats with politicians have added to the mess. Such incidents may lead to increasing tremors in the structure of civil services and need ethical correction developed within the services.

Now, many public servants have expressed a sense of demoralization and a loss of prestige as the institution in which they were called to serve is one of the targets of abuse and ridicule. Within this context, it is a crucial time to revitalize the public service and reconstitute its professionalism and ethics. A common thread in the strategies suggested by various thinkers is a shift in focus from public servants in positions of authority to one in service. However, they either aim to increase or rely on the professionalism of public servants

It was not always like this. Some of us present today have been witnesses to a bygone era of internal systemic consistency in government's work.

In the beginning, there existed an internal harmony between the political masters and the civil servants in the initial phase of Indian Democracy. That phase started with Independence and continued roughly till the end of the sixties or the beginning of seventies. The internal harmony rested on a sense of mutual admiration and respect. Sardar Patel was perhaps echoing the sentiments of many political leaders when he eulogized the conduct and performance of the civil service in the Constituent Assembly.

The civil servant respected the political leader, whether in or out of power, for his leadership qualities and his influence on the masses cultivated and nurtured during the freedom struggle. The politician was aware of the needs of the people at the micro level, could identify with them and feel their pulse. He was pragmatic and purposeful.

The politician respected the civil servant for his impartiality, adherence to lawful authority, uprightness, integrity and knowledge of the subject. He could

rely on the bureaucrat working under him for prudent advice and faithful implementation.

When the two started working together, it was expected that the respective roles would be defined and further refined. Intensifying democratic processes should have been accompanied by role definition, which unfortunately did not happen. Merely saying that 'the politicians take decisions and the bureaucrats advise and implement' was not enough. It left room for arbitrariness and sloth.

The vaguely defined rule of democratic supremacy of the political executive in decision-making unfortunately descended and permeated into the lower echelons of government, where the role of the civil servants was crucial to the implementation of the decisions taken upstairs.

Thus the synergy between the political executive and the permanent civil service that existed in the fifties and the sixties when the former was respected for his leadership and the latter was trusted for his impartiality and integrity has been largely eroded over the years. It has had a very deleterious effect on the quality of governance in the states and also in the central government. It has given way to mutual distrust and at times, even to open conflict. Nobody can hold a brief for either, but their relationship today is one of veiled distrust, if not open animosity.

I have seen the last days of this internal consistency between political masters and civil servants. Several instances come to my mind when career bureaucrats advised the ministers against their chosen course of action and their advice was heeded to. There are instances of the two sitting together and deciding on schemes and programmes for the people in the field. An elegant example of constructive cooperation between the two was the green revolution of the sixties. There were hardly any complaints of political favouritism or official corruption. District officers were not shifted at the behest of local politicians before or after elections. Political transfer of secretariat



officers was unheard of. Almost invariably an honest and upright district magistrate was supported by the state government.

Then something snapped. It did not happen suddenly. It was the gradual introduction of temptation in governance. It was an extraneous impulse mainly from emerging trade and industry. The take off time of Indian economy heralded an era of greed. Soon we were in a no-holds barred, all stops pulled game of profits.

Trust turned into distrust, mutual respect into uneasy coexistence with perilous consequences for the working of a democratic government. The politicians and the bureaucrats together brought down the monolithic structure like a pack of cards.

Another consequence or by-product of the functioning democracy has been a total disappearance of civil service leadership. The civil servants have always been in a privileged vantage position thanks to their education, training and status to provide leadership to the people, but they failed to assume the leadership role. They failed to give voice to the needs of the people. Ensconced in the security of their employment, they confined themselves to carrying out the dictates from above rather than venturing to ameliorate the economic and social injustices faced by the under privileged and the exploited. The rare examples of such civil servants are labeled 'outsiders' by their colleagues and politicians alike. They are not liked.

On the contrary, we find public leadership emerging in other professions. As democracy progressed, leadership qualities emanated from the ranks of media persons, economists, social activists and businessmen. Today, they form the bulk of icons sought to be emulated by the youth. Hardly any civil servant is included in the list of such icons. Whether therein lies a fair lesson for the future civil servants is a matter of some deliberation among them.

I believe that within the larger crisis of governance, there is a smaller crisis of the civil services that has been gathering over decades in our country. It is a

recognized fact that we have an almost incorruptible system of recruiting our higher civil servants based entirely on merit. They undergo rigorous training in their disciplines and are given enormous responsibilities from the first day of their postings. It is also true that the civil services have acquitted themselves rather efficiently in country's development. The uninterrupted march of democracy and stability of the Nation during the last six decades is not entirely without the contribution of our civil servants. I think that despite hiccups they have performed reasonably well in maintaining the stability of the nation and sanity of the system of governance.

But however much we may take pride in the quality of our civil servants, it cannot also be denied that they have suffered from a bias towards status quo, inability to learn from the future, working in compartments rather than trying cross-cutting initiatives and failing to be seen as people friendly. In fact, the media and public perception view the rusted 'steel frame' as a well-operated gang of corrupt and incompetent members.

That's the crisis of the civil services.

A pertinent question is whether senior civil servants committed mistakes in not realizing their relevance to the game of governance? I think they have.

The biggest mistake they committed was that there was no sense of urgency in the senior bureaucrats. Their complacency levels were very high, at least in the first three decades after independence. There was nothing that could displace the All India Services from the heights bestowed on them by the founding fathers of the republic. They reveled in the trust placed on us by Sardar Patel and kept repeating what he had said in his address to the probationers of the first batch of civil servants on 21 April 1947. They did not see the dangers and possibilities clearly. B K Nehru in 'Nice Guys come second', merely pointed out the follies of his colleagues and political bosses, but did not give a roadmap of what needed to be done.

They failed to create sufficient urgency in their transactions with the citizen. For them, there was no need to force changes in the mode of administration from the pre-independence era. They underestimated their designated role in the system and were happy to live in their comfort zones. They did not realize that their actions reinforced the status quo. They did not see the crisis that could develop by their lack of foresight. Without a sense of urgency, people do not put in the extra effort that is often essential. They would not make the needed sacrifices. Instead they would cling to the status quo.

Another major mistake of the senior bureaucrats was to act alone. Most of the brilliant officers, who could have set the standards of service, were loners. GG Somaiah in his memoirs thinks that the honest always stand alone. These leaders take pride in showing that they are special and different from their colleagues. Is it surprising that the colleagues do not like or support them? Even the initiatives taken by them were not shared with their teams. The civil hierarchy does not work like a machine.

The individual alone, however competent and charismatic he may be, does not possess the endowments to overcome the inertia of the system. Team building is essentially based on shared perspective and shared goals. A coalition of leaders is more effective than a solitary leader. The aggregation of seniority, reputations, knowledge, abilities and expertise has the power to drive the bulk of administration.

RP Noronha was a little more candid about the risks of acting in the way they did. "One of most common criticisms of the Service was that we were snobs. I do not think we were. The fact of the matter is that isolation or exclusiveness is a necessary insurance for anyone who wields the kind of power a member of ICS or IAS wields... But what were we like as people? Very ordinary I think. Neither plastic saints nor complete back guards, although some of us did try..." (A Tale told by an idiot)

Nobody realized that individual leaderships attract countervailing forces. A forceful boss can be able to start an initiative but cannot bring about behavioural change in his followers. After his departure, the initiative is either forgotten or is replaced by the initiative of his successor

If a strong guiding coalition had developed in the initial years of administration, its continuance in spite of change in the incumbents would have reduced, if not altogether removed, the massive inertia inherited from the colonial administration.

The third mistake was to ignore the requirement of a sensible civil service vision. The vision helps the constituents to understand their value and inspire positive action to realize the vision. Its reiteration is a constant reminder to the new entrants of their place in the sun. Without a cogent vision, the bureaucracy as a whole ended in a confusing array of disjointed and incompatible paradigms, destined to vapourise into nothingness.

It is surprising that even after 68 years of Indian Constitution having made provisions for the civil services; they have failed to build an identity of their own. Despite the privilege conferred on them by Articles 310-311, they have failed in developing a vision of their own. They have not fixed the benchmarks for their conduct and processes; they have not created safeguards against failing to deliver services to the people.

The net result is that there exists no harmony within any civil service. Unlike the defence services, the civil services have not been able to create a brand image of the Civilian' despite having virtually held sway over every nook and corner of a citizen's life.

I believe that there are significant lessons to be learnt from the experience of the last six decades. Perhaps the civil servants of today need to subvert their personal aspirations and start seriously thinking about the civil service of tomorrow. Too long we have toyed with conservative approaches to reform the civil service, which have had limited success in infusing vigour in its

functioning. The reforms suggested and implemented have lacked depth and have generally been unidimensional.

Today the in-betweenity of most civil servants is truly amazing. They want to do the right thing, but the luxury of relative security of employment guaranteed by the Constitution prevents them from getting into open hostility with the political masters. They are precariously balanced between a large measure of integrity and avoidance of open conflict with the politician. They conspicuously avoid performing their public duties for fear of being victimized. Benjamin Franklin said 'he that is secure is not safe', and it applies beautifully to the Indian bureaucrat.

Indian bureaucracy today needs a new narrative. It has to come out of the latent conservatism to discover a fresh idiom. Or is it too much to expect?

There is no silver bullet or single action point that can tackle the maladies of governance. Building institutions and enacting laws to counter corrupt practices is a long process. But almost all such initiatives need the will and support of the political establishment, which in the present set up, appears implausible. Pratap Bhanu Mehta says that '...it is really difficult to politically mobilize around the arduous task of institution building. So most anti-corruption politics will remain confined to a slash and burn exercise, useful for knocking down opponents, but with no lasting impact on the sinews of power'.

I believe it is unwise to expect any political establishment to sponsor or promote independent status of major institutions of governance. A rare political leader would allow the statutory and constitutional bodies the freedom and integrity of institutions of the state is not confined to any one country, much less in a country with vexing plurality like India.

In such a situation, it is necessary and rightful for the civil services to look for a space to restore its credibility. Among many alternatives for bringing about resurgence in its ranks, they will have to think of a fresh narrative independent

of political support or sustenance. And I believe that in ethics, they can find that narrative. Besides, Ethics becomes more relevant at the time of extreme discontent

Delivering the LKM Lecture, Soli Sorabji said, “A system of government which does not recognize or pay heed to ethical principles is more akin to a totalitarian regime rather than a genuine democracy. ... But a real difficulty for any democracy is how to maintain high ethical ideals. The individuals who compose it are generally persons who need to follow an ideal, not to set one”

For the past two decades or more, there has been a trend of promoting professional competence and integrity in the civil service. The efforts have mainly centered on the anti-corruption approach. It has ignored an ecological attitude of creating value based linkages between the service providers and their clientele. A cognitive structural exemplar of reorienting the attitudes of service providers has not yet emerged.

It would be appropriate to cite the example of a young administrator who had entered the civil service three years before it happened. While driving through a remote part of her subdivision; she noticed a large number of trucks carrying sand from river bed without any license or permit. There had been more senior officers who had seen this earlier but had chosen to ignore it. They knew that the unlawful activity was being carried out by a powerful political mafia close to ruling party. They knew that it was risky to take on them.

But this did not deter the young woman. She thought it was wrong not only from the point of view of law but also from the point of environment and was not also in the interest of people whose land was involved and the right thing was to stop it. That is what she did. She ordered the seizure of the trucks and filed cases against the defaulters without thinking of the consequences. What happened to her is widely known. She was victimized by the state Government but her story has become a part of the folklore of India's civil service.

This is ethics of governance. It is not merely following the letter of law but going beyond it. There are similar instances of civil servants going beyond their call of duty to do something to better the lives of many without any expectation of returns in any form.

In my view, to follow the provisions of various acts and regulation is only lawful. The violation of laws of the land constitutes an offence and is liable to be punished under the act. Ethics in the context of public service goes much beyond following the law. Ethics in public service should go beyond the normal meaning of integrity. Therefore, I am of the firm view that ethics for a civil servant needs to be looked deeper in concept and practice.

Unilateral ethical conduct of a significant mass of civil servants seems to have the potential of regenerating dormant energy in the bureaucracy. Of late, we are witnessing growing examples of such conduct especially among the younger ones. The collector of Kozhikode needed the endorsement of the people of his district, not political endorsement, for initiating Operation Suleimani to ensure that no one in the district goes to bed on empty stomach. The sub divisional officer of Manipur did not require political approval for building a difficult hill road by people's participation. A headmistress of a village school in Budaun did not need any approvals for spending money for building state of art lavatories and sanitary napkin incinerator in her school from her own salary. A young Foreign Service officer did not need permission from his political bosses to adopt a village in his district.

These and many other civil servants like them are dismissed as exceptions by cynics and as aberrations by sociologists. Our studies indicate that the number of such 'aberrations' is increasing by the day. They have a demonstration effect too. It is our hypothesis that the cumulative impact of these ingenious initiatives would compel the people and the media to view the civil services differently, and help in humanizing governance. Needless to say, it would have to be supplemented by training the civil servants both at the time of induction and in mid-career to make them more aware of the needs

and aspiration of the marginalized and unprivileged section of the societies. In this regard, National Training Policy of GOI has introduced a welcome feature to accord high priority to ethical training for civil servants.

I said earlier that Ethics of Governance (EOG) is different from Ethics in Governance (EIG). Much has been written on Ethics in Governance. The volume 4 of the ARC II report is fully devoted to it.

ARC on Ethics in governance said that an across the board effort is needed to fight deviations from ethical norms. The Commission believes that its report on Ethics in Governance is among the most important that the Commission has been called upon to write, because increased honesty in governance would have a major impact on the everyday lives of the people of India. The commission is of the view that there should be a set of public service values which should be stipulated by law. As in the case of Australia, there should be a mechanism to ensure that civil servants constantly aspire towards these values.

According to ARC, Public service Values towards which all public servants should aspire should be defined and made applicable to all tiers of government and parastatal organizations. Any transgression of these values should be treated as misconduct, inviting punishment.

The ARC tries to touch the nerve of 'ethics of governance' but stops at conventional moral values without engaging the act of governance. Aptly titled 'Ethics in Governance', it postulates the adoption of generally accepted mores of ethical conduct like 'objectivity', 'transparency' and 'accountability' etc.

Ethics of governance is qualitatively different from Ethics in Governance. In fact, nobody in my knowledge has bothered to talk or write on EOG which is a linguistic abstraction that has to be designed afresh. It is something fluffy like democracy, freedom, secularism or nationalism. Different people have been defining these words differently. There are sometimes violent disagreements



among intellectuals and activists on meaning and perception. Similarly, we can give the meaning to EOG that satisfies our requirements.

In my view, EOG is much wider and deeper than EIG. It accommodates EIG and goes further. In fact, it continues even after where EIG ends. Unlike EIG, EOG does not have a boundary.

With the benefit of my hindsight, which is 20-20, I realize that I could have done many more good things in various assignments that I held during a 37 year career in the All India Services. Though I have much to be satisfied with, but the thought that there was nobody to guide me when needed bothers me in reflection. I might have passed in the EIG test but failed in the EOG test.

Therefore, concluding what I had to say, I would like to give a rough definition of EOG as: Ethics of governance, in its widest connotation, includes the selfless exercise of the position, and the authority, power and influence that go with it, in the service of the people beyond the boundaries of one's job.

In my view, the civil servant, if she wants to redeem the lost public respect and reinforce her utility in the delivery of services to the citizen, she ought to go further than doing her job sincerely and honestly and do more than what is expected of her.



