

**Institutions of Accountability
Public Service Commission**

Background paper

2007

**Institute of Governance Studies
BRAC University**



Bringing Value to Public Life

Research Team

Dr. Ferdous Jahan, Team Leader
Asif Mohammad Shahan
Niloy Ranjan Biswas

Additional support

Manzoor Hasan
Director, Institute of Governance Studies

Dr. Rizwan Khair
Dr. Shahnaz Karim
Dr. Theodore H. Thomas
Dr. Beata Czajkowska
Haydory Akbar Ahmed

CONTENTS

<u>TITLE</u>	<u>PAGE NO.</u>
1. Introduction	4
1.1 Methodology	6
2. Historical Background	6
2.1 Public Service Commission during the British and the Pakistani Period	6
2.2 The Post-Independent Public Service Commission	7
3. PSC- Functions and Indicators	8
3.1 A System Model of PSC	8
3.1.1 A Functional Matrix of PSC	10
3.2 Independence	12
3.2.1 The Relationship between PSC and the Executives/Politicians	12
3.2.2 Administrative and Political Independence of PSC	13
3.2.3 Financial Independence of PSC	15
3.2.4 Competence and Status of the Commission Chair/Members	16
3.3 Accountability	17
3.3.1 Relationship between the President (holder) and PSC (giver)	18
3.3.2 Relationship between the Commission (holder) and the PSC Secretariat (giver)	18
3.3.3 Relationship between Citizens (holder) and PSC (giver)	19
3.4 Effectiveness	20
3.4.1 The Structural Dimensions of PSC's Effectiveness	20
3.4.2 Managerial Incompetence of PSC	24
3.5 Efficiency	26
3.5.1 The Internal Organizational Set Up of PSC	27
4. Learning from Others	32
4.1 Independence	33
4.2 Accountability	35
4.3 Efficiency	36
4.4 Effectiveness	37
5. The Missing Link and Concluding Remarks	39
References	43

Bangladesh Public Service Commission: Perceptions, Problems and Predictions

1. Introduction

In last several decades, a number of new forces have emerged in the environment within which the public service functions. Forces like globalization, information technologies have, to a large extent, "...transformed the way we think about governance, the role of government and the work done by the public sector institutions" (Bourgon, 2005: 13). Moreover, meeting the development challenges of a twenty-first century developing country also largely depends on the quality of its' public personnel administration (Amin, 1985: 1). Thus, there is a thriving need for Bangladesh to have an efficient and effective public administration.

A competent administration requires independent statutory bodies like Public Service Commissions to conduct competitive examination and select candidates for the government service. The success and/or failure of the Public Service Commissions (PSCs) in case of selecting the personnel, in fact, determine the success or failure of the government itself. Besides, certain other responsibilities of PSCs, like, "...formulation of recruitment policies, promotion, discipline, determination of government servants' intense seniority, employee appeal, and the matters affecting the terms and conditions of service" shape the nature of response of the governments to the ever changing demand of the people (Ahmed, 1990:3).

In Bangladesh, the public personnel administration is conducted by two central personnel agencies- the Ministry of Establishment (MoE) and the Public Service Commission (PSC). Of them, PSC enjoys the status of a constitutional body and is responsible, along with other duties, to conduct examinations to select personnel to be recruited to the cadre services of the administration.

The Public Service Commission (PSC) has become the centre of attraction and controversy for last several years. Surge of allegations of corruptions and politicization has overwhelmed this constitutional body and tarnished its image. Getting jobs in BCS cadre services based on transaction of bribe and political affiliation has become rampant. Allegations have also been made against the Chair and Members of PSC. Moreover, PSC had to cancel one of its preliminary examinations due to an alleged leakage of question paper and the *viva-voce* of the last BCS examination due to alleged corruption and politicization.

In this situation, it is necessary for PSC to go through a rigorous reform process and re-establish its image. The post 1/11 caretaker government has already taken some useful measures. A new Chair and five new Members have been appointed. Under the new leadership, PSC has decided to modify the examination procedure and make the BCS examination results available to candidates. These attempts have been widely appreciated. Within this context,

the Institute of Governance Studies (IGS) aims to provide a number of policy recommendations to strengthen the PSC reform initiatives. This background paper analyzes the present state and problems of PSC to facilitate the deliberation process (to be held on August 16-17 August 2007) to formulate policy recommendations.

The paper focuses on four issues- **independence** (how free PSC is from the executive control); **accountability** (the accountability mechanism followed by PSC regarding its functions and its internal accountability mechanism); **efficiency** (the capacity of the secretariat staff of PSC to carry out their respective duties) and; **effectiveness** (the measurement of the relationship between the results obtained and the objectives of PSC).

While analyzing the issue of independence, primary emphasis has been on understanding the existing formal and informal relationships between PSC and Ministry of Establishment (MoE) and between PSC and the Ministry of Finance (MoF). At the same time the study recognizes the fact that a strong and able leadership is necessary for PSC to uphold its constitutional status. Thus, attempts have been made to evaluate the criteria followed at different times, including the Pre-independence (the British and the Pakistani period) and the post-independence period (the autocratic and the democratic regime) in case of appointing Members and Chairs of PSC and how these appointments affect the independence of the organization.

Based on Mulgan's (2002) "holder-giver" relationship, where holder is some person or institution that has the right to seek information about, to investigate and to scrutinize the actions of the giver, the person or institution who is held responsible, the accountability issue has dealt with three sets of "holder-giver" relationship.

Regarding efficiency, the primary emphasis has been to find out the secretariat-commission relationship. At the same time, attempts have been made to analyze the recruitment process conducted by PSC for its own employees. By interviewing all levels of secretariat staff we have tried to gauge the intensity of their "resistance to change" attitude and if a new set of management techniques is applied, whether the "resistant to change" attitude will wither away or not.

In case of effectiveness, the study has concentrated on the question pattern of the BCS examination. At the same time, due emphasis has been given on the reasons behind the alleged ineffectiveness of the examination process. Moreover, the study has looked at whether qualified persons are being recommended for promotion or disciplinary matters.

Finally, the study has looked at PSCs of the other countries, to find out what they have done to ensure their institutions' independence, accountability, effectiveness and efficiency and what we can learn from them.

1.1 Methodology

For the purpose of the paper, we have extensively studied existing literature and reports. Moreover, we have conducted an empirical study and interviewed 25 key informants including present and ex-Chairs and Members of PSC, academics, officials from MoE and MoF and PSC secretariat.

2. Historical Background

2.1 Public Service Commission during the British and the Pakistani Period

In 19th century England, with the establishment of a parliamentary democracy, there had been a need to place more responsibilities in the hands of officials. The administrative thought in England at this period came up with two solid solutions recommended by the Northcote-Trevelyan report (TIB, 2007). First, a clear distinction between politics and administration was made to bring an end to the system of patronage and, second, preference was given towards generalist over the specialist personnel. The countries and/or regions that were under the British rule followed these two principles. The Northcote-Trevelyan report also recommended the establishment of a central board for conducting competitive examination of all the candidates for the Public Service (Amin, 1985:22). As a result, from 1855, the Board of Control started to take examination to fill up the vacancies in the then Indian Public Service. The British Civil Service Commission took charge of these examinations from 1858. Thus, the Northcote-Trevelyan report paved the way of establishing PSCs on this subcontinent.

Following the Government of India Act 1919, and the Lee Commission of 1923, the Indian PSC started functioning from 1926. However, it did not work as an independent institution; rather it was a subordinate body of the Home Department. This subordinate status hampered the effective functioning of the commission. When the Simon Commission for administrative reform was appointed in 1927, the then Chair of PSC, Sir Ross Barker submitted a memorandum to the commission pointing out the problems he faced due to the government's control over the recruitment process. In 1935, based on the recommendations of the Simon Commission, the Government of India Act 1935 laid the foundation of a central PSC and a PSC for each province. Though the PSC remained an advisory body, a convention was made that the advice of PSC was to be implemented. Its structure and functions were clearly outlined under this Act. Members and Chairs of PSC were to be appointed by the Governor General and one half of the Members were required to be persons with ten years of service under the crown (Ahmed, 1990; Amin, 1985: 10-19).

After the end of the British rule in 1947, the provisions of the Government of India Act 1935 was followed in Pakistan, and a central PSC and three provincial PSCs were established. Up to 1956, the Governor General was required to consult with the cabinet before appointing the Chair and Members of the central PSC

(renamed as Pakistan Public Service Commission). However, the Constitution of 1956 gave the sole responsibility of appointing Members and Chair to the President. The constitution also specified the functions and structure of the commission. The term of office of the Chair and Members were five years and provision was made that at least half of the Members were to be civil servants with ten years of service. A further change was made regarding the composition and function of PSC under the constitution of 1962. It was renamed as the Central Public Service Commission and was given the responsibility of conducting examinations and tests for the appointment to the services and posts of the central government and also to advise the President on any service matter on which PSC was to be consulted. The term of office of Members and Chair was three years.

2.2 The Post-Independent Public Service Commission

In April 1972, through 'Bangladesh Public service Commission Order' (President's Order No. 34 of 1972), two separate PSCs were established, namely BPSC (First) and BPSC (Second). The President had to appoint the Chair and Members as well as determine their numbers. Provision was also made so that half of the Members, including the Chair were required to hold office in the service of Bangladesh government for at least fifteen years. Later the President's Order No. 25 of 1973 determined the number of Members. The BPSC (First) was to consist of four to twelve Members and BPSC (Second) five to fifteen. In 1977, the government through the promulgation of Bangladesh Public Service Commission Order, 1977 decided to establish one PSC instead of two. The number of Members was also fixed by the ordinance.

The Constitution of Bangladesh contains 'provisions embodying the basic principles relating to the composition and function of the PSC' (Khan, 2005:98-102; Ahmed, 1990: 92-93). Articles 137 to 140 of the Constitution state the basic functions and compositions of PSC. According to article 138, the President would appoint Members and Chair of PSC. Half of the Members must have held office in the service of Bangladesh for more than twenty years. Article 139 determines the five-year term (renewable for one additional term) of the office of the Chair and Members. After completion of their term, they have been barred from further employment in the service of the Republic. However, Members can be appointed as Chair of the commission. Article 140 specifies functions of the commission.

The functions of PSC are-

- (a) To conduct tests, examinations for the selection of suitable persons for appointment to 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.

Clause 2 of Article 140 provides that the president shall consult PSC 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.

However, the functional jurisdiction of PSC has been circumscribed by the BPSC consultation Regulation of 1979. At present, only gazetted class I and class II officers are under the purview of PSC (Khan, 2005:103).

3. PSC- Functions and Indicators

3.1 A System Model of PSC

A constitutional entity should be independent from administrative and political pressure; should be accountable to the legislature and citizens; should carry out its functions effectively and efficiently. Therefore, to be functional, PSC should be independent, accountable, effective and efficient. Independence is the immunity of PSC from external pressure; accountability is the access to information regarding PSC; effectiveness is performing delegated activities with the highest degree of professionalism and; efficiency is the optimum performance of PSC employees (These indicators are elaborated later).

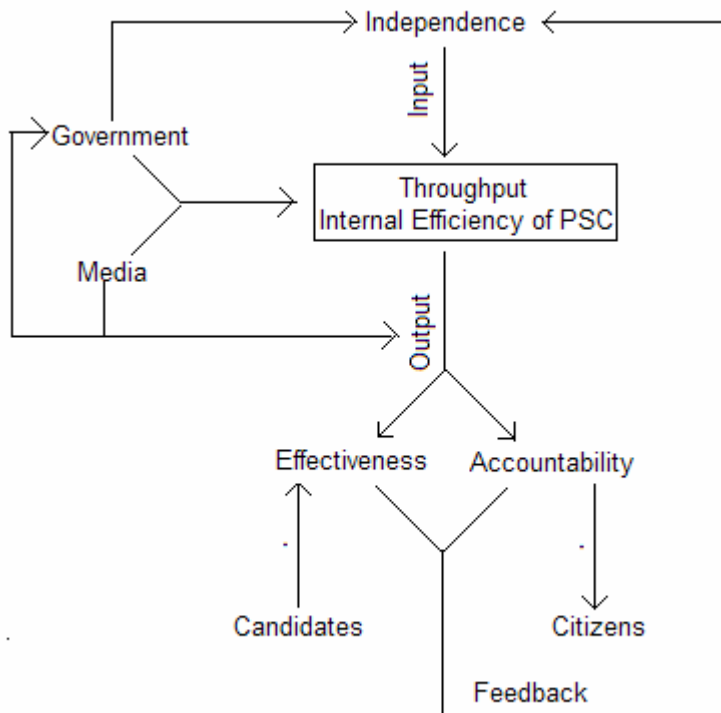
These four indicators may be analyzed based on a 'system' model. A state functions through a system of activities and PSC is a part of this system. David Easton provided the basic 'system' model to analyze the political activities of a state in 1965. The Easton's model has been modified for the purpose of this paper. Generally, a system is comprised of three elements- inputs, throughputs and outputs. Thereby, to analyze a system, it is necessary, "...to identify the inputs and the forces that shape and change them to trace the processes through which they are transformed into outputs, to describe the general conditions under which such processes can be maintained, and to establish the relationship between outputs and succeeding inputs of the system" (Easton, 1970: 8).

Easton opined that input should be two-dimensional- demands and support. In case of PSC, the inputs include the constitutional provision made for PSC; the freedom enjoyed by the institution which allows it to function remaining outside the executive control and; the control of PSC over its own financial management.

Altogether these inputs cover the issue of institutional independence. The throughput is the internal efficiency of PSC. The analysis of throughput includes the competence of employees and; the procedure of staff selection, promotion and disciplinary actions. Finally output includes accountability and effectiveness.

The following diagram reflects the system model in details:

Figure 1: A System Model of PSC



For PSC, the expected outputs are the final recommendations made by PSC regarding disciplinary actions and matters related to promotion and the credibility and reliability of BCS examinations. The output also includes PSC's obligation to both the legislature and citizens for the results it is providing.

The effective operation of a system demands constant feedback from the environment. As an institution, PSC has to interact with different actors, has to cope and respond to pressure imposed on it and also has to change its modus operandi, if necessary. From a system's perspective, every element of PSC (i.e., input, throughput or output) has to go through tremendous pressure. Though independence of PSC is ensured by the constitution and supplemented by different rules, regulations, acts or ordinances, pressure from the party in power can make these safeguards difficult to maintain. In case of PSC, effective functioning of its input will be hindered if the institution cannot sustain the pressure imposed on it by the government; if rules are enacted to limit its

functions and authority; if there is a lack of a clear guideline for the institution and; if political leaning becomes the only basis of appointing Members and Chair. If any of these occurs, we can say that the 'input' has been a malfunctioning one.

An input regardless of being functioning or mal-functioning has to go through the throughput. Throughput's performance is of utmost importance as it determines the nature of output. For example, if an independent PSC does have employees whose efficiency is not sufficient, the possibility of achieving acceptable output becomes difficult. PSC's efficiency has to face pressure from the government, as the government takes major employment decisions regarding PSC staff. Media also influences efficiency by reporting 'mistakes' to citizens. Besides, a mal-functioning input may further derail the expected level of efficiency.

For PSC, both accountability and effectiveness may be considered as outputs. The independent status of PSC and its internal managerial mechanism reflect the outcome derived from the institution. Looking at the responsibilities allocated to PSC, the outcome should be a valid, reliable and credible examination process through which officers of the administration of the country are selected. The effectiveness of examinations is subjected to the pressures posed by the increasing number of candidates and by the conscious scrutiny of the media. Moreover, PSC has to submit an annual report to the President which may act as an accountability mechanism for the organization. Therefore, accountability, in terms of output maintains a two-way relationship with the government. On the one hand, PSC notifies the government what it has done, what are the problems faced while discharging its duties and also what it thinks should be done to ensure effective functioning of the institution. On the other hand, the government should pay heed to the recommendations, discuss them in the Parliament and finally take necessary measures according to the suggestions made. However, PSC's accountability to citizens has been unclear. Access to PSC related information has been a somewhat troublesome experience for citizens and the Parliament does not discuss PSC's annual report. Media is also an important actor to hold PSC accountable.

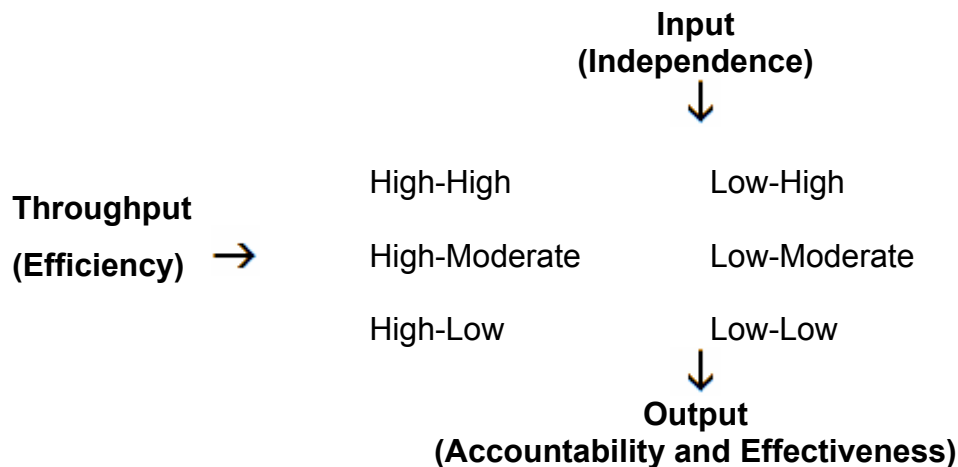
3.1.1 A Functional Matrix of PSC

Considering the system model of PSC, we may attempt to formulate a functional matrix in order to identify the impact of different kinds of pressures on PSC. While interacting with the environment, pressures on PSC may affect its inputs or throughputs and thus can create obstacles in producing the desirable output. To measure the status of input and output, three types of values have been used- high, low and moderate; where "high" indicates the optimal level of performance and "low" indicates the opposite. "Moderate" means that the value is satisfactory.

Now, the values are attributed based on PSC's vulnerability to pressures. In case of each issue, if pressure imposed on PSC disrupts the expected state of affairs, then the value attributed against that particular issue will remain 'low'. On the

other hand, if the pressure does not derail PSC from its natural status or activities, the value will be 'high'. If the vulnerability is acceptable, then the value will be considered as 'moderate'. Thus, the values attributed to input and throughput would enable us to predict the quality of output. For instance, if PSC is not vulnerable to pressure, the independence of PSC will be high and so will be the value attributed to input. At the same time, if PSC's employees are capable of performing their duties that will award a 'high' value to efficiency or throughput. Now, this background will present a 'high-high' value for output, which means that the PSC is effective to select the best possible officials for the country and the accountability mechanisms are well exercised. The change in values will reflect PSC's degree of vulnerability to different pressure and at the same time the level of output achieved.

Figure 2: Functional Matrix (PSC)



According to the matrix, the low-low situation is the opposite of the high-high scenario and the institution is bound to fail to perform in a low-low situation. However, if the value of independence is low or moderate, empirical evidence suggests that despite of a high efficiency value, the institution will not be able to perform the roles assigned to it. Therefore, for effective functioning of the institution, the value of "independence" should always remain high. But, so far the empirical evidence does not suggest how the institution will perform if the value of "efficiency" remains low or moderate. Thus, we will try to explain the impact of efficiency on the overall performance of the PSC elaborately in section 3.5.

The following sections attempt to assess the state of the four indicators (independence, accountability, effectiveness and efficiency) as reflected in the existing literature and as identified in our empirical study. Referring to the functional matrix will make it easier to determine where PSC stands at present and in which sector we can suggest reforms to ensure the institution's optimum functioning.

3.2 Independence

The word, 'independence' in case of PSC means that it is free from the influences of persons or institutions in the executive and legislative branches of the government and from the persons and organizations outside the government in discharging its duties and responsibilities. Within an independent PSC, orders, decisions, and activities are carried out on the basis of law, established principles, rules, and norms. Therefore, in order to be independent-

- PSC should enjoy executive power
- Members and Chair of PSC should be detached from any form of political association and also be free from any political pressure
- PSC should be free from control of other ministries/departments
- PSC should be able to make its own budgetary and procurement decisions
- Members and Chair of PSC should enjoy the status which should be higher than that of the highest authority of the administrative machineries.

In Bangladesh, PSC does not enjoy these provisions absolutely as it performs as an advisory body. The following sub-sections analyze different aspects of independence of PSC in depth.

3.2.1 The Relationship between PSC and the Executives/Politicians

Historically, during the British era, a convention was followed where advice of PSC were generally accepted (Amin, 1985; Ahmed, 1990). During the Pakistan period, PSC's authority and independence were limited. Though the 1962's constitution asserted that while taking decision regarding the methods of recruitment, promotion, transfer, disciplinary matters and matters affecting terms and conditions of the service, the President was required to consult PSC, "...there is no obligation to accept the commission's advice" (Braibanti, 1966:120). In 1960, a former PSC Chair pointed out how difficult it was for the commission to maintain its independent status. According to him, "The government of the day did not permit the commission to publish their reports from 1948 to 1952" (Husain, 1960:17).

The situation became worse after the independence. It almost became a custom for the government not to pay any attention to recommendations of PSC. For instance, it took PSC ten years to make the government understand the importance of a simple modification of the quota reservation policy (Ali, 2004:124-126). The ruling and other dominant political leaders were against the elite character of the administrative machinery. Ahamed describes "Bureaucracy was in fact a much hated word in the political lexicon of Bangladesh. Sheikh Mujib often became livid with anger when he denounced bureaucracy. Moulana Bhasani, another prominent Bengali leader, did not complete a public speech without making a stinging attack on the bureaucracy" (Ahamed, 2004:106). Moreover, after liberation, the bureaucracy was divided into two groups and engaged in a 'war' within itself. In the one side were the bureaucrats who

remained in Bangladesh during the liberation war and on the other side were the bureaucrats who worked with the government-in-exile. Therefore, this environment gave opportunity to the political leaders to violate the standing convention of political non-interference in recruitment and routine civil service management. Instead, they started to politicize the bureaucracy to establish control over bureaucrats.

The negative attitude towards bureaucracy and the desire to exercise control over bureaucrats were reflected in selecting Members and Chairs of PSC. Moving away from the convention established by the Lee Commission, the government started to appoint PSC Members and Chairs on political basis. In 1972, at least three Members of BPSC (Second) have allegedly been selected on political consideration. The latter governments also followed this new convention. In 1977, a new Chair of the PSC was appointed based on his alleged close relationship with the then President (Ahmed, 1990: 126-129). However, in 1982, the Martial Law Committee on Organizational Setup stressed that the Chair of BPSC would be, "...an eminent person with proven personal integrity and administrative ability, high academic attainments, and who held twenty years of service in class I position in the government or semi-government organizations in the rank of a secretary to the government. Preferably he should be a generalist civil servant with vast experience in the government service" (MLCOS, 1982:4). Despite these recommendations, the government followed political and personal allegiance while recruiting persons to constitutional positions (Ahmed, 1990:130-131).

3.2.2 Administrative and Political Independence of PSC

One of the key issues of our study has been to identify the current relationship between MoE and PSC. Theoretically, in spite of being an organization whose activities are part of business of MoE, PSC may not be considered as an attached or subordinate organization of the latter. But, while we tried to determine the exact relationship between the two entities, our interviews with key informants as well as existing literature have found conflicting opinions.

Ahmed (1990) suggested that generally MoE does not influence the activities of PSC. The general findings also suggest that after the establishment of the secretariat within PSC, the relationship between the two has been positive. However, there are certain issues, which create obstacles in PSC's functions. One ex-Member noted, "MoE many a times creates unnecessary delay in providing the list of vacant posts to PSC. Even in some cases, they change the total number of vacant posts that they requested beforehand, which creates a lot of problem for PSC." But according to another interviewee, "This delay is not unnecessary. MoE has to collect the list of the vacant posts from different ministries/divisions. Moreover, the ministries quite often change the number of the vacant posts. So, MoE is not to blame".

Another issue is that PSC until recently used to perform all its duties through MoE. An ex-Member complained that the dilly-dallying attitude of the bureaucrats of MoE made PSC's activities difficult to conduct. Considering this problem, an academic commented, "That is why we need a career bureaucrat as the Chair of PSC. It is easier for a bureaucrat to get things done through MoE." It appears that because of the incompetent leadership and incapable staff of PSC, conventionally MoE controls policy decisions and financial matters of PSC. Consequently, the demarcation line between an independent institution and being an attached department is not clear (TIB, 2007:10-11; Ahmed, 1990:142). The present Chair, however, has refused to follow the conventional practice because of his vast experience in administrative arena and strong leadership.

According to rules and regulations, PSC does not need to perform its duties or contact other ministries through MoE. More importantly, other ministries also can directly contact PSC. However, the past PSCs preferred to discharge its duties through MoE. An ex-Member and a current director commented that it is up to the Chair whether he would conduct business through MoE or not. One current employee also noted, "The possible reason behind depending on MoE may be, the unawareness of the Chairs about due process. Unless the Chair is a bureaucrat or is aware of administrative laws, he or she would prefer to perform everything through MoE." An ex-Member is also of similar view, "If you appoint a person who has no knowledge about the administrative rules and regulations or administrative mechanism, you can always expect that he/she will make a mess." When asked if this incompetence of PSC Chair/Members help MoE to have an influence over PSC's activities? "Of course it does. I must say, we do have some undue influence on PSC," commented a civil servant currently working in MoE. Moreover, the bureaucrats of MoE have a perception that it is their 'right' to have some control in the overall administrative mechanism of Bangladesh. One Deputy Director, (currently on deputation in PSC) echoed this view, "In MoE, we believe that we are the 'Guardian Ministry' in Public Administration of Bangladesh. So, whether you like it or not, we do have certain authority on all sorts of administrative machineries of the country."

An important mechanism through which MoE exercises a certain degree of influence on PSC is the appointment of civil servants on deputation. Due to incompetence of the in-house staff Members, deputation has always been a welcomed option for the commission. Thereby, it allows MoE to have control over the PSC as according to the Rules of Business 1996, the terms and conditions of officers on deputation are determined by MoE. (Detailed analysis of the impact of this deputation practice is provided in 'efficiency' section).

One important finding of this study is that neither the PSC employees nor the bureaucrats of MoE have clear idea about the PSC-MoE relationship. However, bureaucrats of MoE have recognized the fact that they do exercise influence over PSC; on the other hand, PSC's employees have denied that their activities are being influenced. Moreover, PSC employees are little confused about the

autonomy enjoyed by the PSC secretariat. On the one hand, one Director said, “PSC’s secretariat is completely independent and it is not controlled by any ministry.” On the other hand, another Director said, “Our secretariat is a part of MoE.” Yet another Deputy Director said, “PSC’s secretariat is a division of MoE but it enjoys an autonomous status.” The bottom-line is if PSC’s employees do not have any clear idea about a nature of the relationship between PSC-MoE that allows MoE to exercise influence over PSC.

3.2.3 Financial Independence of PSC

It is also important to analyze the relationship between PSC and the Ministry of Finance (MoF), as the latter has the authority to approve the budget prepared by PSC. The existing literature also does not help in understanding the impact of this financial dependence on the independence of PSC. For example, the study found two completely different views regarding the budget making process. Several ex-Members and a senior bureaucrat of MoE noted that generally PSC prepares its own budget estimates, submits it then to MoE and finally the allocated budget for PSC comes through MoE. To some ex-Members and academics, this process is quite troublesome. An ex-Member said, “The fact is, PSC’s budget is in reality a part of MoE’s budget. The government allocates money to MoE and PSC gets it through MoE.” A current civil servant confirmed it: “MoE is directly involved with the budget making process of PSC. PSC sends the draft budget to the ministry, and then its budget is allocated as a fraction of the total budget of MoE. Afterwards, MoE places the budget to MoF. MoF disburses the required amount to MoE. Finally PSC gets it through MoE.” The informants inside PSC presented a completely different scenario. According to a current Director, “We do not need to go through MoE. PSC’s secretariat has direct access to MoF. What we need is to place our budget to MoF and MoF disburses it to us.”

It is indeed difficult to assess the real picture when MoE demands that the budget goes through it and PSC demands that it does not need to go to MoE. However, a possible conclusion may be that there is no need for PSC to go through MoE; but, the previous Chairs may have followed a convention of going to MoE which makes the ministry think that PSC needs the ministry. An ex-Member is of this opinion: “The problem is, in most cases the Chair or Members are not aware of the procedure that should be followed. Their ignorance always makes them dependant on MoE.” There can be another possibility, i.e., the existence of a ‘hidden mechanism’ which allows MoE to exercise control over PSC’s budget about which PSC is not aware of. Due to time constraint, we could not conduct a detail analysis of this issue but this is indeed an important issue to determine the independence of PSC.

On the issue of PSC finances, an academic added, “PSC has no control over its own earning. It has to submit its earning to the government treasury.” Another ex-Member said, “For its day to day expenses, PSC has to depend on the

Ministry of Finance (MoF). It is simply frustrating. If I decide to treat my guests with tea and biscuits, I have to seek permission for these expenses from MoF and in most cases; the time for approving expenses is too long.” To an ex-Member this lack of financial control is the main obstacle to ensure PSC’s freedom. He said, “This is ridiculous. If an institution is to be independent, that institution should have the authority to charge its own fund whereas in our country, PSC has to go to MoF for its budget and its earnings are sent to the government treasury.” We inquired how financial autonomy of PSC can be ensured. According to that ex-Member, “It is not that complex. There should be a separate account for PSC. It will charge a certain amount of money to the government and after a discussion in the Parliament the government will appropriate the money required for PSC’s function.”

There are counterviews, however, and many support the existing financial system. An ex-civil servant said, “This is the standard procedure and this is what should be done.” An ex-Member made an interesting comment, “The ideal decision is not always the right decision. Take it from me, if you allow PSC to have financial autonomy, the consequence will be further spread of corruption. PSC staffs are completely corrupt and money will not be well-spent.”

3.2.4 Competence and Status of the Commission Chair/Members

We have identified issues worth of discussion regarding the status and pay structure of PSC Chair and Members. The present Warrant of Precedence ranks the Chair of PSC with that of a secretary of the government which is lower than the cabinet secretary. The Members have the privilege of the rank equivalent to that of an additional secretary. But, the rank number of other constitutional post holders is higher than those of PSC. For instance, the rank number of Comptroller and Auditor General or Ombudsman is 15, whereas the PSC Chair’s rank number is 16 (Khan, 2005:104; Banglapedia). The rank of the Chair of PSC in the Warrant of Precedence should be higher than that of the administrative heads, i.e., the secretaries of the ministries. It is necessary for two reasons. First, if the rank of the Chair is higher than that of the secretary of MoE, it will allow the Commission to get an edge over MoE. Second, it will help PSC to regain its status as an independent body (Braibanti, 1966: 121-122). One ex-Member said, “As a Member my rank status is equivalent to an additional secretary, therefore, whenever I had to deal with them, I found them quite reluctant to take my advice.” However, an academic opposed this overall emphasis on the Warrant of Precedence- “It does not matter what is stated in the Warrant of Precedence. What it matters is who the Chair is, and who the Members are.”

Another important factor is, according to the pay scale for PSC Chair and Members, the Chair gets Tk. 23,750 per month and the Members get Tk. 20,700 per month. However, there is a provision that if the salary they were getting from their last job is higher than the stated amount then they will be provided with the amount of money they were getting from the last job. An ex-Member observed,

“Let me tell you something, if I am drawing a salary which is less than a secretary, than what is the meaning of holding a constitutional post and how can I make sure that the bureaucrats will listen to my advice?”

Regarding external pressure, we have found that political pressure is not new for PSC and has been present since the Pakistani era. However, the nature of the pressure has changed. What had been previously a “request” from politicians now has become a “demand” that must be met. Moreover, if a Member or a Chair decides to bend before political pressure expecting something in return, the standard of PSC activities would inevitably decline. “Well, if you see that the Members or the Chair is spending most of their times in party offices or by paying visit to the ministers, what else you can expect”, commented an ex-civil servant. We have also found that, during democratic regimes, PSC faced more political pressure than that of autocratic regimes. It is also a widespread opinion of the key informants that the autocratic governments made requests to PSC Members but at the same time, they appointed the persons who knew how to handle these requests.

Moreover, with the change in degree of submission to political pressure, change has also occurred in the nature of corruption as described by one academic, “Favouritism or nepotism has always been a common scenario in PSC. However, incident like taking bribe by PSC Members is comparatively a new phenomenon for this institution.”

We also attempted to find out who should be appropriate for the posts of PSC Members and Chair. An academic posed an interesting suggestion, “The constitution says that at least 50 percent of the Members should be civil servants and that does not create obstacles in appointing all of them from the civil service. I think that is what should be done. It is not possible for an academic to know the ins and outs of the bureaucracy. As PSC has to deal with the bureaucracy in a number of matters, appointing the career bureaucrats will be an added advantage for PSC.” However, all interviewees do not share this perspective. An ex-Member said, “Well, the truth is, it is not possible for a career bureaucrat to deal with everything related with the BCS examination. We need academics.” Most of them are of opinion that there should be a perfect ‘blend’ of academics and the civil servants. “There should be civil servants with brilliant academic background and academics with great deal of knowledge about handling administrative matters,” commented an ex-civil servant.

3.3 Accountability

The word “accountability”, in its strictest sense, refers to a relationship between two parties- one is the “holder of accountability” and the other is the “giver of accountability”. Therefore, whenever a relationship is established in which the “holder” has the right to seek information about, to investigate and to scrutinize the actions of the “giver”, we can term that relationship as accountability (Mulgan,

2002:3). In case of PSC, the analysis of accountability demands three sets of “holder-giver” relationships-

- relationship between the President (holder) and PSC (giver)
- relationship between the Commission (holder) and the PSC Secretariat (giver)
- relationship between citizens (holder) and PSC (giver)

Based on this understanding, this section deals with the above mentioned three sets of relationships.

3.3.1 Relationship between the President (holder) and PSC (giver)

According to Article 141 of the Constitution, PSC has to submit its annual report to the President within 1 March each year. The annual report is prepared by the research unit of the Commission. The Members provide suggestions about the report materials. The final approval of the report comes from the Chair. The existing studies conducted on PSC have pointed out a number of limitations of the annual reports. First, the annual reports of the successive years repeat the same message and issues. Second, the Commission intentionally hides information regarding recommended candidates following the quota system. Thirdly, though clause 2 of Article 141 states that the report shall be accompanied by a memorandum setting out the cases, in which its advices were not accepted or where the Commission should have been consulted and was not consulted. In practice, the reports hardly follow this process. Fourthly, the annual report does not provide information about the job description of the Chair and Members. Moreover, after submitting this report to the President what happens to it is in fact a mystery that is yet to be solved (TIB, 2007:13; Siddiqui, 2006:160).

Though it is mandatory to place the annual report before the Parliament, it is not mandatory for the parliamentarians to discuss the report. One academic commented, “The reports are generally placed before the Parliament. The problem is, our Members of the Parliament are hardly interested in discussing about it.” However, an ex-civil servant made an interesting comment- “It is true that the reports are monotonous, PSC’s reports are not discussed in the Parliament and recommendations are not implemented by the government but the fault is of PSC too. PSC should follow-up recommendations of its own report. Government would not implement any recommendation unless PSC wanted them to be implemented.”

3.3.2 Relationship between the Commission (holder) and the PSC Secretariat (giver)

The accountability structure between the Commission and the secretariat follows a hierarchical chain. The secretariat is headed by the secretary (joint secretary or above of the government), who is posted on deputation from other cadre

services. The officers below him are accountable to him and the secretary is accountable to the Chair of PSC. Within the Commission, the assistant directors are accountable to the directors and the directors are accountable to the Members. However, the problem is, in most cases there had been complete absence of a control mechanism over the PSC staffs. The PSC staffs knew that whatever they did nothing could be done against them. This negative attitude and the absence of clear rules regarding disciplinary actions of the secretariat staff, in fact, hamper the internal accountability mechanism. The situation becomes more complex when the incompetent employees remain unpunished in spite of constantly proving their inefficiency.

Another basic problem with the accountability mechanism is the accountability procedure that is followed for the officers on deputation. As mentioned earlier, the secretary of the PSC secretariat is a career bureaucrat who should be at least a Joint Secretary. The present secretary is an additional secretary whose rank status, according to the Warrant of Precedence, is equivalent to that of a Member. This equivalence creates a problem for Members to communicate with the secretary. However, an ex-Member said, "It does not matter what the Warrant of Precedence says. I used to enjoy a constitutional status and I never let the secretary forget that." Another scholar noted, "The Chair (if he is not capable enough) many a times fails to control the civil servants posted on deputation." The insiders also agreed. One Director said, "It is tough for a fickle-minded Chair to hold the secretary accountable." Another Deputy Director added, "The hard fact is, for a university professor, it is really a tough job to exercise control on civil servants and when the Chair fails to do so, it becomes even tougher for the Members to deal with civil servants."

Another issue is that the Commission has no authority in disciplinary matters about the officers on deputation. An ex-Member told us, "The problem is, the officers on deputation are not recruited by us. Their recruiting authority is their ministry. As a result, if they show gross negligence in performing their duties, we practically can do nothing."

However, our key informant interviewees have repeatedly commented that if the Chair is willing and able, everything is possible. As one ex-Chair recalled, "During my tenure, I decided to take action against one director. While doing so, I made sure that my decision would not be overruled by the Ministry of Establishment."

3.3.3 Relationship between Citizens (holder) and PSC (giver)

Another issue regarding the accountability of PSC is the access of citizens to the PSC related information. In most cases, PSC is a 'restricted' place for citizens. They hardly get access inside the PSC premises. The Third and Fourth class employees of PSC creates problems for citizens, as one ex-Member added, "Out of nothing, the PSC staffs portrayed me as someone who was quite a hard nut to crack, unresponsive and arrogant person to visitors." To solve this problem,

another ex-Member proposed to set up an information desk in front of PSC-
“Yes, access within PSC is indeed a hurdle for citizens which they fail to cross. There should be an information desk to provide necessary information regarding PSC, to understand the need of the visitors and to take necessary measures. However, a well-educated person should be placed in charge of that information desk.”

The basic findings regarding the accountability mechanism point out that the ultimate authority to make PSC accountable is the Chair. One scholar expressed, “Corruption follows a top-down approach. If the upper portion is corrupt, it will definitely infect the lower portion and there will remain no accountability mechanism.”

3.4 Effectiveness

Effectiveness is defined as the measurement of the relationship between the results obtained and the objective laid down from the beginning. In case of PSC, its objectives are- recruiting personnel for the civil service (for class I gazetted posts), recommending personnel for promotion after examining their Annual Confidential Report (ACR) and considering their seniority, and taking decisions regarding the disciplinary matters. Therefore, to be effective, PSC must ensure that-

- Only the best among the candidates have been selected to be recruited to the civil service
- The qualified persons have been recommended for promotion
- Disciplinary matters are dealt with according to the rules.

The effectiveness of PSC should be measured from two dimensions: the structural dimension and the managerial competence. Discussion regarding structural dimension evolves around the examination procedure, the question pattern, the quota system, the length of the examination, and other related issues. Managerial competence concentrates on the role of the Chair and Members of the Commission.

3.4.1 The Structural Dimensions of PSC’s Effectiveness

The structural problems that PSC encounters in conducting the BCS examinations are not new. Following the present structure, an advertisement is made and interested candidates apply to PSC for jobs in different cadre services following a prescribed application form. (Ali, 2004; Khan & Zafarullah, 2005; GoB, 2005). PSC reviews the application forms and selects the applicants who are eligible to sit for the preliminary screening test.

In the next step, PSC conducts a preliminary test of 100 marks. All qualified applicants are allowed to take part in this test. There are 100 Multiple Choice Questions (MCQs) each containing 1 mark. The questions are on: English, Bangla, general knowledge, Bangladesh and international affairs, science and

technology etc. A certain number of candidates are selected through this preliminary test to sit for the BCS written examination (Siddiquee, 2003: 39). Usually, PSC follows a 1:10 ratio in selecting successful candidates in the preliminary screening test. For example, if the total number of candidates sitting for the preliminary examination is 10,000, the first 1000 will be selected for the written examination based on their performance in the preliminary examination. However, there is no certain passing benchmark in the preliminary examination. At the next step, the candidates selected through the preliminary test have to sit for the written examination. At present, the distribution of marks and subjects for the written examination are as follows:

Subjects	Distribution of Marks	
	General Cadre	Professional and Tech. Cadre
Bangla	200	100
English	200	200
Bangladesh Affairs	200	200
International Affairs	100	100
General Science and Technology	100	--
Mathematics and IQ	100	100
<i>Viva Voce</i>	100	100
Academic Results	--	200
Total Marks	1000	1000

Source: CGS, 2006

Each candidate has to get at least 45 percent marks to pass the written test. Only the candidates who pass in the written examinations are called for the *viva-voce*. The pass mark in *viva voce* is 40. Finally, PSC publishes the final list of successful candidates based on the results of the written test, *viva voce* and quota reservation. The successful candidates have to go through medical tests and police verification. Based on the medical test and police verification report, the final appointment offer is made by MoE.

There is a clear division of responsibilities between the Commission and the secretariat while conducting the examination. The Commission has the main responsibility in this process including identifying the question setters and

examiners, preparing the examination, distributing invigilation responsibilities, selecting the examination centres, checking the answer scripts, forming *viva* boards etc. The secretariat provides necessary logistic support only. However, our empirical study has pointed out that there is a number of concerns worth of attention in this examination process. These are:

i. Setting of Question Papers

The questions of the BCS examinations (both preliminary and written) are prepared through an informal examination committee, which is headed by a Member. The Member normally requests at least three academics to prepare three sets of questions. Then he/she or an assigned moderator by the committee goes through the questions; either picks one set or compiles the questions to prepare a final set of questions to be given for the examination. He has the sole responsibility in finalizing the questions and is not authorized to show these questions to anyone including the Chair of the PSC. The question paper is kept in a vault, access to which is strictly limited. In this situation, if an incident of question leakage takes place, the assigned Member (who is also the Chair of the examination committee) cannot deny his responsibility. Also, the PSC Chair and the academics have to be extremely careful and uphold their integrity in this regard. However, the printing press may also be a source of leakage of the questions.

ii. The Standard of Questions

The standard of questions to select the best candidates has always been an issue of discussion. In 1988, the questions were criticised for favouring the “impetuous” and “shallow-knowledged” candidates (Zafarullah et al, 2005). Our interviews with key informants suggest that both academics and practitioners feel the urgency of further modification of question patterns and types for selecting competent candidates. One ex-Chair commented, “The questions are more or less sub-standard, changes that are made are good but still not good enough”. However, the prospective candidates are satisfied with the existing question pattern (Jahan, 2006:20).

iii. The Screening Process in Selecting Candidates

Another issue, which is more important than the question pattern is the screening process that the PSC performs in selecting candidates. At present, any graduate student with a second-class degree, with at least one first division in SSC or HSC is eligible to apply for a BCS first class job. Furthermore, the benchmark to succeed in the written test is only 45 percent. This lenient and inclusive policy allows many not-so-competent candidates to apply for jobs as well as to be successful in the preliminary test and written examinations. In our interviews, the key informants repeatedly suggested that the passing mark for the written examinations should be 50 percent instead of 45 percent. One ex-Member suggested, “We should let only those students apply for the BCS job who have first division in both the SSC and the HSC”. An ex-civil servant said, “There is no logic in selecting the candidates who got 45 percent marks in written examinations to sit for the *viva-voce*. The threshold limit should be at least 60

percent marks”. A current Member though supports the increase in threshold limit, to him, 60 percent is too high. Fifty percent can be a better option. There is a need to carefully study the written examination marks of successful candidates in last several BCS intakes and based on this study a new threshold may be set up. If this change is done, the BCS examination process will become more reliable. Besides, as fewer candidates will qualify for *viva voce*, that will make the examination process less lengthy.

iv. Lengthy Selection Process

Complaint about the BCS examination is that the process is too long. On an average, the completion of a BCS examination requires 22 months. According to the recent UNDP report, after submitting the application, usually an applicant has to wait for three and a half months before sitting for the preliminary test. Again, the gap between the date of preliminary test result and the starting of written examination is four and a half months. The written examination continues for two months, the examinees have to wait for five months for their results, after getting their result, they have to wait for one and half months to sit for the *viva voce* and the *viva voce* continues for three months (UNDP, 2007: 33). According to PSC, the number of candidates is too many to make the BCS examination less lengthy. Different Chairs tried to solve this problem in different ways. For instance, one ex-Chair tried to conduct the medical test of candidates along with their *viva voce*. However, it created confusions as the candidates who went through medical test thought that they were already selected. When they did not find their name in the final result, they concluded that they were deprived. As a result, the then Chair decided to discontinue this procedure.

UNDP also has suggested a number of ways to make the examination procedure shorter. These include- setting a limit on the number of reapplications, having separate competitions for different technical cadres, adopting efficient recruitment and assessment methods etc. However, it is necessary to analyze whether these recommendations are feasible or not. For instance, one Member said, “having separate competitions for different cadres can be a good suggestion but it will take more time for PSC to complete the examinations. Therefore, it can increase the credibility of the BCS examination; however, the examination will become even lengthier.”

v. Quota System

The continuation of a faulty quota system has become an important obstacle in recruiting the competent persons in civil service. According to the present policy, the merit quota is only 45 percent, while the district quota is 55 percent, which is further superimposed on by special quotas, which are 30 percent for freedom fighters’ children, 15 percent for women and 5 percent for tribal people (Siddiqui, 2006:97-98). The existence of quota for freedom fighters’ children is a major source of controversy. For instance, in the last BCS examination, a candidate who stood 7000th in the merit list has finally been selected as he/she is a child of a freedom fighter (The New nation, March 11, 2007). The demand for modification of the existing quota system is found in every research and recommendations about the PSC.

Also in our interviews, all the ex-Members, ex-Chairs and scholars opined that the quota system should be modified. All of them agreed that there is no reason to continue the existing 30 percent reservation of posts for the children of the freedom fighters. An ex-Member provided an example on how quota system indeed creates hindrance in case of recruiting competent personnel in the civil service –“Suppose, we are to recruit officers in the Foreign Service cadre. First, we go through the merit list and select a certain number of them. Then we go through the quota reservation policy and select the remaining personnel appropriate for the cadre. The problem is, when we look at the final list, we find that we are denying access to the Foreign Service cadre to candidates who are much better than the first person selected from the quota list.”

About the district quota, two different sets of opinion were collected. For instance, one ex-Member said, “I support the district quota. If there were no district quota, only people from some limited districts would be selected for the civil service.” However, one ex-Chair said, “Yes, if we look at the civil service, we will see that most of them are representing certain districts. Well, if they do have the competence, what is the problem in that?” One academic, however, is against all sort of quota. His point is, “If certain section of the society is in a disadvantageous condition, it is the duty of the state to work for their welfare, to bring them to an advantageous condition; the state should not infiltrate incompetence into the civil service.” Our study has found that a significant informal change has occurred in the quota distribution system. The ‘District Quota’ has now become ‘Divisional Quota’. A Deputy Director described it in this way, “According to the existing quota policy, we have to distribute a certain number of posts to candidates of certain districts. The problem is, quite often we do not have required number of candidates from certain districts. As a result, we have to select a number of candidates from different districts of the same division.” The existing quota policy has no certain guideline for this kind of situation which allows the concerned unit to act according to its wish. However, almost all the interviewees agreed that quota reservation should continue for women and tribal people.

3.4.2 Managerial Incompetence of PSC

The managerial negligence, incompetence and, corruption on the part of the Commission have been burning issues, the repercussion of which may be disastrous. In this area, at recent times, the role of PSC has raised many questions. The BCS examination has been proved to be a fertile ground of corruption and “a gateway of ruling party activists to enter into the civil service” (TIB, 2007:1). The main problems are discussed below.

I. Problems of the PSC Secretariat

PSC’s secretariat plays an important role in case of conducting the examination. Through our empirical study, we have found that the secretariat’s efficiency is necessary in the following cases-

- The answer scripts are normally kept in Controller's office before sending them to be examined. If the controller's office is not careful enough, there remains a possibility of corruption (i.e. changing the answer scripts before sending it examiners).
- The third or fourth class staffs have access to information about the examination centres, where the answer scripts are sent and other related issues. There had been allegations that in exchange of money, the third and fourth class employees were able to prepare a sitting arrangement which would provide undue privilege to some candidates.
- Allegations were made against PSC staffs that in exchange of money they disclose information to the examinees about where their answer scripts were sent.

II. Controversy Surrounding the Viva Boards

During the tenure of the last democratic government, the *viva* board and its activities have drawn much attraction as a source of corruption. According to different studies and media reports, the problem starts after a candidate enters the room to face the *viva* board (CGS, 2006; TIB, 2007). One ex-Member remembered, "What I noticed, out of no reasons, the Members of the *viva* board showed a hostile attitude to candidates. To most candidates, the *viva*-board experience is nothing but of sheer harassment." To one ex-Chair, the reason behind this sort of attitude is- "Most of the Members of the *viva* board do not know how to conduct a *viva-voce*. I strongly felt the need of an interview manual during my tenure." The problems are created in assigning *viva-voce* marks too. Favouritism or nepotism has always been an issue. One ex-Member mentioned, "It is true that regionalism played an important part during my time too. Well, generally we had the full record of a candidate when he walked inside the room. What I made sure was that no one would go through his papers until he was assigned marks for his performance."

III. Leakage of question papers

Serious allegations of leakage of question papers have been made against the Public Service Commission (PSC). PSC had to cancel the 24th BCS preliminary test due to the alleged leakage of question papers (The Daily Star, August 11, 2003). Later, PSC decided to form a probe committee to investigate this leakage incident. The probe committee, at that time found no evidence of question leakage and termed the whole incident as baseless. But, it is important to mention that the then Chair decided not to make the report public (New Age, April 6, 2005). However, one of the Members of the probe committee has recently told that the reason behind not making the report public was that the committee, in fact, found the proof of question leakage (The Daily Star, March 12, 2007).

The 24th BCS examination, held in 2003, was not the only incident where allegation was made of question leakage. Again, a strong allegation of leakage of the question papers of 25th (held in 2004) and 27th BCS examinations (held in 2005) rocked the organization. Existing literature also supports the leakage of question paper (CGS, 2006; TIB, 2007).

IV. Corruption in BCS Examination

The presence of corruption in the recruitment and selection process has become quite evident nowadays. A recent study conducted by TIB presented a detailed picture of this malpractice. According to the study, contractual selection based on transaction of bribe is quite unbridled. Even if a candidate fails to make it to the merit list by paying an amount of Tk. 8-10 lakh, he/she can find him/herself selected for the administration/police cadre. If he pays Tk. 10-12 lakh, he may be selected for the customs/tax cadre and in order to get himself selected for the professional cadre, he has to spend Tk. 3-5 lakh. However, if he succeeds to make it to the merit list, with exchange of money, he can choose his own cadre (TIB, 2007).

A recent newspaper report claimed that a number of Members were directly involved in taking bribe from the candidates and thus awarded them undue privilege in *viva-voce* examination (The Daily Shamokal, January 27, 2007). Our empirical study also has found support for this allegation. There had been incidents where a Member of a *viva* board demanded money from a candidate in front of the whole board. Not only that, some Members went through the curriculum vitae of the candidates to find out their home phone number and later, the Members contacted the candidates offering them their desired cadre in exchange of money. This 'money can buy any cadre' attitude seriously tarnished the credibility of the civil service examination and the new caretaker government had to cancel the *viva voce* examination of the 27th BCS examination. Not only that, one of the Members' name has been included in the suspected corrupt persons' list prepared by the Anti Corruption Commission.

V. Corruption in Promotion and Disciplinary Actions

Not only the recruitment process, the matters related with promotion and disciplinary actions also are not immune to corruption. "Promotions were sold at Tk 5-10 lakhs, while corruption cases against government officials—which must be first vetted by PSC—were dropped for sums as high as Tk 2 crore in the past five years" (New Age, "How Greed Destroyed the Public Service Commission", February 16-22, 2007).

3.5 Efficiency

In the existing literature, perhaps, the most overlooked indicator, while analyzing the role of PSC, is likely the efficiency. The vision of PSC as a well functioning

institution may not come true unless and until the institutional structure of PSC is efficient. The classical definition of efficiency attempts to measure the relationship between committed resources and the produced goods and services. Following the Weberian model, to be efficient, an organization must have four attributes- specialization and/or division of labour, expertise (well-trained personnel with significant job experience), rules which define structures, procedures, and individual responsibilities and hierarchy (Gajduscsek, 2003:711). However, the emergence of New Public Management (NPM) has shed new light on the concept of efficiency. NPM demands that to be efficient, organizations should be post-bureaucratic, i.e., flexible, more informal and less elitist. It also demands that to be efficient, administrators should have risk-taking attitude rather than being risk-averse and also should ensure the optimal utilization of resources rather than simply wasting it (Kernaghan, 2000:92; Hughes, 1994:44-46). Drawing from the literature, we can say that the measurement of efficiency of an institution depends on two dimensions. First, the internal organizational setup with which the organization attempts to achieve its goals and second, whether results are obtained compared to the means mobilized.

3.5.1 The Internal Organizational Set Up of PSC

The number of literature on efficiency of PSC is very limited. In fact, there is only one comprehensive study conducted in 1990 on this topic (Ahmed, 1990). In the meantime, the organizational setup of PSC has changed significantly. At present, there are two management lines in PSC- the Commission and the secretariat. Existing literature mainly deals with the Commission and a detailed study on the secretariat does not exist.

This is what we know about the PSC:

- There is one central PSC and five regional branches and the central PSC in Dhaka does not have its own building of its own and it has to carry out its activities with inadequate facilities and resources. However, the construction of a new PSC building is underway and is expected to be completed by 2009.
- The secretariat is divided into eleven sections/units; their presumed duties and responsibilities and issues of who is in charge of these sections/units are not clearly understood.
- The Commission makes policy decisions and the secretariat implement the decisions taken by the Commission
- The recruitment procedure of the PSC staff (i.e., 1st class non-gazetted officers) is conducted by PSC itself (TIB, 2007:14-17).
- PSC prefers to maintain a distance from the outsiders. This 'closed-system' mechanical outlook is further strengthened by the fact that the officers and employees of PSC are not transferred to other ministries/departments. The transfer of 1st class officers are only limited to

regional offices. As a result of this non-transferability, there is resistance to change within PSC (WB, 1996; UNDP, 2007: 22, 48-49, TIB, 2007:17).

These are the 'unknowns' about the PSC:

- Are the officers and employees of PSC capable enough to carry out the functions of PSC?
- What is the exact relationship between the Commission and the secretariat? Do they listen to each other?
- If a new set of management techniques is applied, will the "resistant to change" attitude let it be a successful one? How intensive is this "resistance to change"?
- How the policy decisions are made within the Commission? What is the nature of mechanism through which the secretariat implements these decisions?

In our empirical study, we have tried to collect as much information as possible regarding the above mentioned issues and questions. The findings are described below.

i. Compromising Best Results due to Inefficiency

As mentioned earlier, the Public Service Commission consists of two parts- the Commission and the Secretariat. Before analyzing the current state of efficiency of PSC employees and issues related to it, it will be helpful to take a look at the internal organizational structure of PSC. A current Director has provided a clear picture, "PSC is a constitutional body. However, the Commission, in its strictest sense, comprises of the Members and Chair and they enjoy the constitutional status. We (Directors and below) are here to help the Commission and in that sense, we are part of the Commission. On the other hand, the secretariat has been established to conduct the personnel management issues and considering that we are part of the secretariat too."

Prior to 1988, the Commission's secretariat was in MoE. Each decision of the Commission had to go to MoE for implementation. This practice created procrastination and the Commission had to face unnecessary delays while performing its duties. The then Chair, after having a discussion with the then President decided to establish a secretariat within PSC. Since then, for implementing Commission's decisions, PSC does not require to go to MoE. PSC secretariat is headed by the secretary, who works for PSC on deputation. The recruitment within PSC- both in the Commission and the secretariat is conducted through a separate recruitment rules, known as "Bangladesh Public Service Commission Secretariat Officers and Staffs Recruitment Rules, 1990". The recruitment is done in three ways- through deputation, through promotion and through direct recruitment. Other than the secretary, rest of the employees are either promoted to a post from within PSC or directly recruited solely by PSC.

However, there is a provision that if no capable employees are found to be promoted within PSC, then in case of the post of Examination Controller, Chief Psychologist, Director and Deputy Directors, the government can appoint personnel of similar status from other cadre services on deputation.

In our empirical study, we have discovered several loopholes in the PSC recruitment rules, which allow incompetent employees to move up to the post of a director that seriously hampers the efficiency and competence of the PSC staff.

The following box (box 1) presents a case study to elaborate the problems of the existing recruitment rule.

Box 1: Problems in Recruitment Rules Applied for PSC

According to the existing PSC recruitment rules, an Assistant Accountant (*Hishab Shohokari*) or a Typist (*Mudrakkhorik*) is directly appointed by PSC. His required educational qualification for these posts is HSC. After spending three years in his post, an assistant accountant is eligible to apply for the post of the treasurer. Also, after spending four years, an assistant accountant or a typist is eligible to apply for the post of the caretaker or the storekeeper. Though a treasurer can be appointed through direct recruitment, promotion is the only way to recruit personnel in the posts of caretaker and storekeeper. Furthermore, after completing five years as storekeepers, caretakers or typists, the persons holding these posts can apply for the post of Assistant Section Officer (*Shakha Shohokari*). In this case, 66 percent posts will be filled up through promotion. A treasurer may also become an Accountant (*Hishab Rokkhok*) in this way. Furthermore, after spending ten years in the posts of Assistant Section Officer/Accountant, a person will be considered for the post of an Assistant Director. According to recruitment rules, one-third of the Assistant directors will be appointed in this way. Then after serving seven years as an Assistant Director, he can apply for the post of a Deputy Director. The recruitment rule has a provision for appointing Deputy Directors through promotion. Serving five years as a Deputy Director will allow him to apply for the post of a Director. And from post of a Director, to become an Examination Controller, it will take him only three years. Now, let us assume, at the age of 21, after passing the HSC examination, a person joins PSC as a typist. If he/she gets continuous promotions, at the age of 56, he/she will become the examination controller without a necessity to supplement promotions by additional academic education.

Thus, a typist's moving up to a position of strategic decision making and implementation that is equivalent to the position of a deputy secretary of the BCS with an insufficient academic background as well as no in-service training definitely would compromise the standard of the PSC staff and overall efficiency of the organization.

Through our empirical study we have found a number of issues that are related with the efficiency of the PSC staff. The competence of promotee officers is in fact below the average. An ex-Member said, "I had faced a lot of problems while working with the 'Promotee Officers'. They were completely incompetent and inefficient." Another ex-Member added, "To get things done through the Promotee Officers is a real problem. Moreover, as they cannot be transferred any where, they are a major source of corruption." Our findings in accountability section have already stated that taking action against an inefficient official in PSC is a Herculean task. It has other consequences too, as added by an ex-Member, "Not only the Promotee Officers are incompetent, they also create obstacles in case of direct recruitment." Thus, in PSC, we have officials with low educational qualification, with no training and who most of the time remain unaccountable for their action.

The officers currently on deputation are of the same opinion. One Deputy Director said, "The Promotee Officers seriously lack educational and administrative qualification. Besides, there are a number of vacant posts in PSC at the Director Level and junior officers are assigned as 'Acting Directors' to these posts. So the situation is, there are promotee officers who are not competent and there are Acting Heads whom even the Commission does not think eligible to be promoted to the posts for which they have been given 'current charge'. Moreover, they clearly lack professionalism." We have found that out of 13 Directors, 7 posts are vacant at present and these responsibilities are carried out by the 'Acting Directors' who are basically Deputy Directors. The same scenario exists in the posts of Assistant Directors too. The vacant posts are being filled up by the lower level officials, with no prior knowledge how to handle their duties.

Moreover, the Promotee Officers are also not satisfied with the officers on deputation. One Director said, "It is completely unfair. Whenever an officer is brought on deputation that creates a block in our natural process of promotion. I have officers below me and I am not sure whether they will be promoted ever." Therefore, when the narrow option of promotion is coupled with the blockage in the promotion process, it ultimately de-motivates PSC's own employees.

Thus, it is clear that the career planning of PSC's own staff is not well-designed under the existing recruitment rules. There are possibilities of incompetent personnel to get promotion but there is no avenue for human resource development training for the staff. When these incompetent employees get promoted to higher strategic positions, they fail to function efficiently. To handle the inefficiency of PSC's own staff, officers from other cadre services are brought in on deputation. This practice in turn hampers the promotion prospects of PSC staff. There is also an allegation that the officers sent on deputation are not competent enough. An ex-Member said, "What I have observed is that MoE in general sends its most incompetent officers on deputation." The current officers

on deputation though denied the allegation, however admits that the civil servants at the MoE, most of the times did not feel comfortable to come to PSC.

ii. Rivalry between Cadre and Non-Cadre Officers

The inter-cadre rivalry is a common phenomenon in the civil service of Bangladesh. Even PSC is not free from it. PSC's own employees are non-cadre officers and the officers on deputation in PSC are cadre officers. In most cases, PSC employees feel uncomfortable while dealing with the officers coming from MoE. A Director stated it quite clearly, "Having a non-cadre status is quite troublesome for us and I do not see any logic behind this discrimination. If we are performing the same type of duties, why shall I be a non-cadre officer?" Further, this also creates a discrepancy in case of determining the salary. However, the cadre officers are of different opinion. One of them said, "Where is the discrimination? Rather I can tell you about another type of discrimination. In PSC, there are a lot of employees whose salary is higher than mine in spite of having the same status. Besides, the promotion policy is not quite clear to me. I have seen a number of junior employees to draw more salary than the senior and capable officers."

iii. Unclear Promotion Policy

We have found that the promotion policy followed by the PSC is quite foggy in nature. Promotions are addressed by a Departmental Promotion Committee (DPC). The Chair acts as its convener and the other Members include one Member of the Commission, the secretary of PSC and one Joint Secretary each from MoE and MoF. However, an officer on deputation commented that, "I cannot say that the DPC is working properly. There is evidence of incompetent personnel being promoted, junior officers getting higher salary than the senior ones." We asked him what can be done to solve this problem. According to him, "If the promotion policy allows the incompetent personnel to get promoted, I think that promotion rule should be revised. More officers should be posted on deputation to solve the current problem of inefficiency. However, this is a short-term measure; we need to directly recruit competent personnel in the long run."

iv. Non-transferability of PSC Staff

Another issue of concern is the non-transferability of jobs in the Commission. There is difference of opinions regarding this 'non-transferability'. To the academics, employees on deputation (from MoE) or Commission's members, this procedure is a de-motivating one and should be changed. An academic said, "It really frustrates the employees. It is simply common sense, if you have to stay too long at a certain place, it will make you de-motivated and resistant to change." The civil servants on deputation are also of the same opinion - "Non-transferability is indeed a big issue. When the officers are allowed to work at the same place for too long, that ultimately helps them to gain some extra-authority

which they use for corrupt practices.” One ex-Member also agreed, “If a job is non-transferable in nature that helps employees to misuse their position.”

However, PSC’s in-house employees feel differently. One of them said, “I personally feel no problem. It takes a lot of time to get accustomed to the jobs performed by PSC. Besides, it is not like that I am never transferred. I can be transferred to other units and there I have new role, new duties.”

v. Problems with Disciplinary Actions

Taking disciplinary actions, as mentioned above is indeed a difficult task. In general, the Government Servants (Conduct) Rules, 1979 are followed by PSC. However, the scope of punishment in an institution which is under-staffed is quite narrow. One Director said, “Well, the highest degree of punishment in most cases is to transfer from one unit to another.” To our query whether that was enough, he simply said, “That is the best we can do.”

vi. Lack of In-Service Training and Capacity Building

Both PSC employees and officers on deputation have felt the need for training to increase their capacity. One Director said, “It is true that we need training. The problem is we are so understaffed that whenever any chance to get training comes, we are told that we have certain things to do and PSC cannot let us go to have training.”

vii. Strong Trade Union

There is a strong trade-union at the PSC. One researcher has pointed out, “PSC’s trade union is quite strong and effective. However, it has an interesting characteristic. It always supports the government in power.” The Promotee Officers are usually backed up by this trade union. Therefore, whenever any attempt is made to introduce any reform, that attempt has to face tremendous resistance. However, an ex-civil servant objected to the whole notion of “resistance to change”. According to him, “Can you please tell me which organization is not resistant to change? Every organization has to face resistance while bringing change to it but if the head of the organization is determined to bring changes, he will be successful.”

4. Learning from Others

In an attempt to learn from the experiences from abroad, we have looked into the issue of managing public service in different countries. We have found that the success in government management depends on how well the government can monitor the external environment, define the necessary changes to be made, and adjust the administrative machinery to the changing scenario. At the same time, the government must have the political commitment to reforms. Success stories

of different countries that attained administrative competence and effectiveness show the common trend of defining the internal as well as external demand and making the administration responsive to those demands.

Singapore may be considered as a classic example of success in administrative reform. Since 1967, the Government moved decisively to shape the public service into an effective instrument of governmental activities. Accordingly, the Government decided to create a merit-based non-partisan civil service and new recruitment rules were framed. The Public Service Commission was given due importance and responsibility and an effective personnel management practice was developed. But what made Singapore's experience unique was its ability to visualize the future need, plan ahead and cope with the changes. Recently the Government of Singapore has devised a new tool PS21 (Public Service for the 21st Century), which attempted to predict the public service needs in the coming years and ensures civil service to adjust accordingly. For instance, the recruitment procedure has gone through devolution practices, where the Government agencies, in some cases, are given recruitment authority (Guan, 1997: 169-172).

Singapore's experience points out a number of issues. First, in order to make public service effective machinery, the government needs to have a vision about its civil service. Second, the government is required to turn that vision into a mission, i.e., to design a plan to implement the necessary reforms. Thirdly, the government should take steps to implement the plans and, finally, the government should continuously review the state of operation of the civil service and bring necessary changes to it. Therefore, the government needs an institution to manage these tasks as well as personnel affairs. In most countries, that institution is the Public Service Commission.

The experience of other countries in making PSC an effective organization varies and each country had to adopt different kinds of mechanisms to devise a PSC it needs. We have tried to highlight the experiences of these countries following the four basic indicators: independence, accountability, efficiency, effectiveness that are used in this study to analyze the Bangladesh's PSC.

4.1 Independence

One of the important pre-conditions to ensure a well-functioning PSC is its independence. There is a common consensus among the countries of the world that independence of PSC is indeed necessary but the measures taken to assure it are not the same across the world.

Like **Bangladesh**, in **India** and **Singapore**, PSC has been given a constitutional status. It is important to consider that the meaning of constitutional status may be different in different countries. In **Singapore**, the Constitution has made it clear

that the Members and Chair of PSC will be non-partisan and people of high standing. Though the appointment procedure and the tenures are more or less same when compared to Bangladesh, Singapore's Constitution also identifies persons who will not be eligible for consideration as Members and Chair of PSC. To ensure an independent and neutral PSC, the Constitution of Singapore disqualifies the following persons from being appointed to PSC:

- a public officer
- an elected or nominated Member of Parliament
- a Member of any political association
- a Member of a trade union or any body or association affiliated to a trade union.

In **India**, two particular provisions are exercised to ensure the independence of Union Public Service Commission (UPSC). The party in power adheres to a convention where it generally follows the recommendations of UPSC (Basu, 1953). If the government decides to reject any recommendation of UPSC, it has to clarify the reasons behind the rejection while presenting it to the Parliament.

Moreover, another important factor is the financial authority enjoyed by PSCs in other countries. In Bangladesh, PSC's budget is approved by MoF, its procurement decisions need sanctions of the concerned ministry and all its earnings go to the government treasury. Furthermore, PSC always has to depend on MoE "...for the sanction of house rents, travelling allowances, and medical benefits of the Chair, Members and Staff" (TIB, 2007: 18). By contrast, the Indian constitution in Article 322 has clearly specified that-

The expenses of the Union or a state Public Service Commission, including any salaries, allowances and pensions payable to or in respect of the Members or staff of the Commission, shall be charged on the Consolidated Fund of India or, as the case may be, the Consolidated Fund of the State (Government of India, 1950).

Besides, The PSC in **Hong Kong**, although not a constitutional body, exercises a certain level of financial authority. It is financed mainly from annual subsidies appropriated by the Legislative Council. It is also allowed to receive income from the services delivered. This income is taken into account in determining the amount of the annual subsidy (Hill et al, 1989).

In fact, a constitutional status is not always necessary to ensure the independence of a PSC. For example, the **Australian** Public Service Commission (APSC) is a part of the Prime Minister's Portfolio but works independently without any political interference. APSC does have an internal structure along with a favourable external environment to remain free from any sort of control. The independence of APSC is ensured in a number of ways. First, it enjoys a statutory authority, which allows it to analyze how the agencies have incorporated themselves with the public service values. And, at the same time,

APSC makes sure that personnel operations that are conducted through the agencies are functioning effectively. Second, the Merit Protection Commissioner further analyzes the impact of APSC activities. So, a check and balance method is followed. Furthermore, APSC is not accountable to the Prime Ministers Office (PMO), rather it is accountable to the Parliament (Keating, 1999: 39-42; Introducing APSC, <http://www.apsc.gov.au>).

The experiences of different countries point out that-

- a. To be independent, the Chair and Members of the Commission should play an effective and non-partisan role. If PSC is a constitutional body, like Singapore, the constitution can specify who will not be considered as the Chair and Members of the Commission. If the PSC enjoys a statutory status, the rules and regulations should clearly specify the appointment procedure of Members and Chairs, as has been done in the case of **Canada**. In Canada, the Public Service Employment Act (PSEA) made it clear that the appointment of the Members and Chair will be made only after the approval of the Senate and House of Commons (PSEA, 2005)
- b. The governments should apply a convention where it would generally follow the recommendations of PSC
- c. PSC should be allowed to enjoy a certain level of financial authority (e.g. Hong Kong, India)
- d. The political leaders must understand the necessity of a competent cadre service.

4.2 Accountability

The question of independence is closely related to accountability. In all countries that were considered, the accountability of PSC is ensured by submitting an annual report to the legislature/President. The report describes what the PSC has done throughout the year and also recommends certain measures to be adopted for the civil service. Hence, formally, the accountability mechanisms followed by foreign PSCs are not so different than that of Bangladesh.

In India, the accountability of UPSC is ensured by submission of its annual report to the President. However, article 323 of the Indian constitution implies that after receiving the report, the President will place the report, along with a memorandum explaining the reasons in case of rejection of the UPSC recommendations before each house of the Parliament (Gol, 1950). In Australia, the PSC report is submitted to the Parliament and the same procedure is followed in Singapore and in Canada.

In Canada, PSC submits its report to the Parliament through a designated minister. According to Public Service Employment Act, PSC is required to submit the report to the minister designated after the end of each fiscal year and the minister is supposed to place the report before the Parliament 'within the first fifteen days on which that House is sitting after the minister receives it' (PSEA,

2005). PSC can also submit special reports to the Parliaments if it deems necessary. These reports are then discussed in the Parliament. In case of Australia, the Parliament, after receiving the report, reviews it, holds a discussion session, and provides further recommendations.

in Australia, PSC reports try to point out how successful the agencies are to uphold the values of the public service and, how well-functioning their personnel management system are. At the same time the reports also include certain recommendations to enhance the capacity of the civil service.

In Canada, the reports play an important role to determine government activities regarding personnel management. First, each year's report presents a scenario depicting the state of activities within different agencies and by pointing out their problems. Second, PSC report presents an overall assessment of the civil service and thereby points out issues of concern. Third, it also considers the government activities that may affect PSC function and expresses its concerns. Fourth, the report points out PSC's internal problems.

4.3 Efficiency

PSC, which is in most cases a supreme authority regarding the personnel matters, is bound to fail if it does not have efficient workforce to perform its activities. In some countries, the PSC staffs have to go through an in-house training program. For instance, in **Pakistan**, in 2000, 70 officers/officials of the Commission attended short duration training courses, conducted by different training institutes (Annual Report, 2001). A clear division of work is maintained in many PSCs to ensure its ultimate effectiveness.

Australian Public Service Commission is a classic example of division of work among staff. The structure of APSC clearly reveals the functional division within it. The Commission is led by a three-person Executive (the Public Service Commissioner, the Deputy Public Service Commissioner and the Merit Protection Commissioner) and has six groups, namely the policy group, the better practice group, the programmes group, the evaluation group, the regional services group, and the corporate group. Each group is under the supervision of a group manager. Each group has specified roles to perform. The policy group plays an advisory role and thus advises the government agencies on every aspect of personnel management and also helps to devise personnel policies. The better practice group promotes the principle of equity within the civil service and, at the same time, advises agencies on good practices regarding people management issues. The programmes group helps the agencies to build their capacities by providing a wide range of leadership, learning and development activities for all levels of APS staff, including senior executives. The evaluation group is in charge of preparing and submitting the annual report of APSC. Moreover, it also plays the role of a 'research wing' within APSC. The regional services group represents the Commission throughout Australia. Finally, the corporate group provides

strategic management information, financial, library, legal, parliamentary and support services to help the Commission achieve its mission (Annual Report, 2005-06).

In order to be efficient, PSC should have a healthy working relationship with the secretariat. The PSC of Singapore has adopted an innovative method to ensure an effective relationship. According to the Singapore Constitution, the secretary of the secretariat has to be appointed after due consultation with the Commission (Constitution of Singapore). The secretariat is supposed to provide administrative support to the Commission.

In Canada, the efficiency of PSC is ensured through a 'staffing accountability chain'. Parliament has provided the staffing authority to PSC. PSC, according to Public Service Employment Act, has delegated its power to deputy heads who can further delegate this authority to the managers. The accountability chain works through this delegation of authority. Those who have 'delegated authority' are accountable to PSC for the appointments they make. PSC, on the other hand, is accountable to the Parliament. The PESA has also given PSC the power to oversee the political activities of the public servants.

4.4 Effectiveness

The effectiveness of a PSC largely depends on how effectively it has performed its duties and what sort of problems it has faced while performing them. There is a clear difference between the PSCs of other countries and of Bangladesh. The PSC of Bangladesh is concerned with the validity and reliability of the recruitment exam, operates under political pressure, has narrow scope of operation, and lacks resources. In most other countries, these problems have been solved earlier. The PSCs described in the study are concerned with different set of issues. For instance, the PSC of **Canada**, each year prepares a check-list to assure that the principles of competence, non-partisanship, representative ness, equity of access, transparency etc are followed.

An overall evaluation of PSCs of different countries reveals certain important observations-

- a. In most cases, at the initial stage, the appointments within the civil service were conducted by the PSCs. However, the countries which are known for their administrative efficiency are now moving towards devolving the appointing authority to different ministries and divisions.
- b. In all the cases where PSCs are performing well, PSCs have been effective in selecting the competent personnel to the civil service. The main reason behind this is the decision of the government to have a civil service which will be able to cope up with the changing scenario.
- c. In all the cases, the reports are submitted by PSCs or in other word, the functions of PSCs are evaluated in the Parliament.

- d. Whether PSC enjoys a constitutional or statutory status does not make any difference unless and until the governments decide to act it independently.

5. The Missing Link and Concluding Remarks

Check-list of Problems of PSC in different Regimes

Period Problems	British Period (1926-1947) (Colonial)	Pakistani Period (1947-1971) (Autocratic)	Bangladesh (1972-1975) (Democratic)	Bangladesh (1976-1990) (Autocratic)	Bangladesh (1991-Present) (Democratic)
Appointment of Members and Chair based on political leaning	X	X	√	†	√
Narrow scope of operations of the PSC	X	√	√	√	√
Low status of the Members and the Chair of the PSC	X	√	√	√	√
Inadequacy of facilities and resources	√	√	√	√	√
Governmental control over the functions of the PSC	†	√	√	√	√
Corruption in Examination procedure	X	X	√	X	√

√= Significant Presence of the Problem; X=Absence of the Problem; †= Non-significant Presence of the Problem

The problems of PSC that are shown in literature as well as in the above table may be divided into two parts: problems attained through legacy (dating back to the colonial period) and the problems created after independence. Except the first one, i.e., Appointment of Members and Chair based on political leaning, the remaining five problems are historically inherited by the PSC of Bangladesh. What the existing literature fails to answer is- why is the role of PSC praised during the Pakistani period even though the analysis of the origin of problems almost has remained the same? A possible answer may be the non-partisan system of appointment of Members and Chair prior to 1972. Then again, if the political appointment of the Members and Chair can account for all wrongs of PSC, the question is- why had the PSC not become a gateway of ruling party activists into the civil service of Bangladesh before 1990? Why did incidents like leakage of questions, widespread corruptions etc. not occur during this period?

Thus, it is necessary to analyze whether there exists any particular relationship between the nature of the regime and the changing role of PSC in Bangladesh. Empirically, PSC performed its duties better under the British rule and under the autocratic regimes. Yet, it failed to meet the nation's expectations during the democratic regimes. Rather than a coincidence, there is a possibility that there is an expected pattern.

Putnam in his classic study (1973) on attitudes of senior civil servants of Britain, Germany and Italy, classified the bureaucrats in two types- the classical bureaucrats and the political bureaucrats. According to his analysis, the classical bureaucrats prefer to resolve public issues in terms of objective standard of justice, legality or technical practicality and ignore the socio-political aspect. As a result, the classical bureaucrats have nothing but distrust towards the institutions of politics and to them the activities of politicians are "...at best senseless, at worst positively inimical to the permanent interests of the state." And the impact is that, as Putnam describes it, "...such a bureaucrat may well find the ideas of pluralist democracy less congenial than the quieter, more ordered, less conflict-ridden world of benevolent autocracy" (Putnam, 1973: 259-260). On the other hand, the political bureaucrats have a different point of view. They acknowledge public interest as a pluralistic concept and also are aware of political realities and political influences on policy making. Contrary to the view of classical bureaucrats, the political bureaucrats consider the politicians "...as a participant in a common game, one whose skills and immediate concerns may differ from his own, but whose ultimate values and objectives are similar (Putnam, 1973: 260).

Based on this classification, a study by Jamil (2002) revealed that bureaucrats of Bangladesh are mostly classical, i.e., they perceive politics as a tool of gaining narrow interest, prefer to be non-partisan and moreover, expect politics to be constrained (Jamil, 2002: 104). Consequently, Haque and Rahman pointed out that the bureaucracy always found itself in a comfortable position in case of working with the autocratic regime. That opens a possibility to explain why the

democratic regimes have always tried to take control over the bureaucracy by infiltrating it with party loyalists (Haque et al., 2000). And perhaps that is also why the efforts have been made during the democratic regime to exercise complete control over the functions of PSC.

The next the question is why did the democratic regimes' interference lead PSC towards mal-function? Here, the problem is not in democracy itself but rather in the "informal" and "dysfunctional" democracy which existed in Bangladesh for the last fifteen years. A democracy, which is refined or formal, always tries to develop its very own method of making the bureaucracy work by making it responsive and responsible.

To better understand this issue, Max Weber's views on democracy and bureaucracy are analyzed. Weber initiated an interesting analysis of the development of democracy, and the growth of party leadership, party structure and interest groups that accompanied the process of democratization. Though his analysis is based on the case of Germany, it is applicable to today's Bangladesh. Weber was particularly concerned with the role of the Parliament. He found that the Parliament had been engaged in negative politics and, in reality, nothing substantive was coming from it. He pointed out that if the political parties failed to perform, and were nothing but "guild of notables", if there was absence of real leadership, there would be no working Parliament and no close cooperation between the politicians and the civil servants and democracy would have no meaning.

According to Wood (2000), the political parties of such a country follow a clientelist mode of recruitment in case of political leaders; lack internal democracy and the leaders tend to enter into the political arena only for personal gain. Moreover, the in-built mechanism of this political system has a normal tendency "...to weaken rather than strengthen an alternative, critical voice" (Wood, 2000: 228-229). And if that is the case, "The party rewards the loyal civil servants by quicker promotion, profitable postings and important positions in the party or party think tank or cabinet positions after his retirement. He plays a key role as the party spokesman or in policymaking. Through all these processes the bureaucracy has increasingly moved towards the direction of patrimonialism, which has undermined its rational basis and efficiency" (Islam, 2004:9). It looks like that is what happened in pre-1/11 Bangladesh.

Wilson, while advocating for the adoption of European bureaucratic system in the United States commented that the principles of bureaucracy should be applied after they are "Americanized". He said –

...if I see a monarchist dyed in the wool managing a public bureau well, I can learn his business methods without changing one of my republican spots. He may continue to serve his king; I will continue to serve the people (Wilson, 1941: 504).

The problem with the politicians in Bangladesh is that they are following a monarchist whose intention was to turn his bureau into a different monarchist and while doing so they themselves are becoming a monarchist who does not know how to manage his bureau well. Without changing this mode of imitation, one cannot imagine any change.

References

1. Ahamed E, 2004, **The Military and Democracy in Bangladesh**, Australian National University Press
2. Ahmed SG, 1990, **Bangladesh Public Service Commission**, Dhaka: University of Dhaka
2002, 'Public Administration in the Three Decades' in AM Chowdhury & F Alam (eds.), **Bangladesh: on the Threshold of the Twenty-First Century**, Dhaka: Asiatic Society of Bangladesh
3. Ali AMMS, 2004, **Bangladesh Civil Service, A Political-Administrative Perspectives**, Dhaka: UPL
4. Amin HM, 1985, **Public Service Commission in an Indian State**, Delhi: Gujarat Publication
5. Australian Public Service Commission: Annual Report 2005-06, Australia
6. Basu S, 1953, 'The Public Service Commission in India', **Public Administration** 31 (1)
7. Bourgon J, 2005, 'Challenges and Trends in Human Capital Management', **Human Resources for Effective Public Administration in a Globalized World**, New York: United Nations
8. Braibanti R, 1966, **Research on the Bureaucracy of Pakistan**, Durham, USA: Duke University Press
9. Burki SJ, 1969, 'Twenty Years of the Civil Service of Pakistan: A Reevaluation', **Asian Survey** 9 (4)
10. Centre for Governance Studies, 2006, 'Public administration: citizen orientation, rising politicisation, and declining status', **The State of Governance in Bangladesh 2006: Knowledge, Perception. Reality**, Dhaka: Centre for Governance Studies & BRAC Research & Evaluation Division
11. Easton D, 1970, 'An Approach to the Analysis of Political Systems', in SV Thomas & JR Van Der Slik (eds.), **American Politics, Research and Readings**, New York: Holt, Rinehart & Winston, INC.
12. Federal Public Service Commission: Annual Report 2001, Government of Pakistan
13. Gajduschek G, 2003, 'BUREAUCRACY: IS IT EFFICIENT? IS IT NOT? IS THAT THE QUESTION? Uncertainty Reduction: An Ignored Element of Bureaucratic Rationality', **Administration and Society** 34 (6)
14. GoB, 1982, Martial Law Committee on Organizations and Orders (1982). **Report of the Martial Law Committee on Organizations and Orders (MLCOS)**, Phase II, Vol. II, Chapter: Public Service Commission, Dhaka: Bangladesh Government Press
15. GoB, 2000, **Constitution of the People's Republic of Bangladesh**, Dhaka: Bangladesh Government Press
16. GoB, 2000, **Report of the Public Administration Reform Commission**, Dhaka: Bangladesh Government Press
17. GoB, 2004, **Annual Report of Bangladesh Public Service Commission**, Dhaka: Bangladesh Government Press

18. GoC (Government of Canada), 2005, **Public Service Employment Act**, Government of Canada
19. Gol (Government of the Republic of India), **The Constitution of India**, Delhi: Government of the Republic of India
20. Haque AS & Rahman MT, 2003, 'From Domination to Alliance: Shifting Strategies and Accumulation of Power by the Bureaucracy in Bangladesh', **Public Organization Review: A Global Journal** 3 (4)
21. Hill DJ, Mittal CP & Kulasingham LT, 1989, **Accountability and Control of Public Enterprises**, ASOSAI
22. Hughes OE, 1994, **Public Management and Administration, An Introduction**, Hampshire: The Macmillan Press
23. Islam AS, 2004, 'Is the Candle Still Burning? Weber and the Crisis of Democratic Transition in Bangladesh', **Bangladesh e-Journal of Sociology** 1 (1)
24. Jahan F., 2006, 'Public Administration in Bangladesh', *State of Governance Working Paper*, Dhaka: Centre for Governance Studies, BRAC University and BRAC Research and Evaluation Division, Bangladesh
25. Jamil I, 2002, 'Administrative Culture in Bangladesh: Tensions between Tradition and Modernity', **International Review of Sociology** 12 (1)
26. Keating MAC, 1999, 'The Public Service: Independence, Responsibility and Responsiveness', **Australian Journal of Public Administration** 58 (1)
27. Kernaghan K, 2000, 'The Post-bureaucratic Organization and public service values', **International Review of Administrative Sciences** 66 (1)
28. Khan MM, 2003, 'The State of Governance in Bangladesh', **The Round Table** 92 (1)
29. Khan MM, 2005, 'Public Service Commission, Genesis, Structure and Problems', in H Zafarullah & MM Khan (eds.), **Bureaucratic Ascendancy, Public Administration in Bangladesh: The First Three Decades**, Dhaka: AHDPH
30. Khan MM, Rahman H & Zafarullah H, 1997, **Civil Service Systems: Bangladesh**, Paper prepared for the conference on Civil Service Systems in Comparative Perspective, School of Public and Environmental Affairs, Indiana University, Bloomington, Indiana, 5-8 April 1997
31. Laporte R Jr., 1981, 'Public Administration in South Asia Since the British Raj', **Public Administration Review** 41 (5)
32. Mulgan R, 2002, 'Accountability Issues in the New Model of Governance', **Discussion Paper No.91**, Australian National University (ANU): ANU Press
33. Public Service Commission of Canada: Annual Report 2005-06, Canada
34. Putnam RD, 1973, 'The Political Attitude of senior Civil Servants in Western Europe: A Preliminary Report', **British Journal of Political Science** 3 (3)
35. Siddiqui K, 2006, **Towards Good Governance in Bangladesh, Fifty Unpleasant Essays**, Dhaka: UPL
36. Singapore Public Service Commission: Annual Report, 2003, PSC Resource Centre: Singapore
37. Singapore Public Service Commission: Annual Report, 2006, Public Service Commission: Singapore

38. Syed AH, 1971, 'Bureaucratic Ethic & Ethos in Pakistan', **Polity** 4 (2)
39. TIB, 2007, **Bangladesh Public Service Commission: A Diagnostic Study**, Dhaka: TIB
40. UNDP, (2007), **Role and Capacity of the Public service Commission as the Central Recruitment Agency, and its Current and Potential Functions in Human Resource Development**, Dhaka: UNDP
41. Union Public Service Commission: Annual Report 2005-06, Government of India
42. Weber M, 1948, **From Max Weber: Essays in Sociology**, *Translated* by HH Gerth & CW Mills, Boston: Routledge & Kegan Paul Ltd
43. Wilson W, 1941, 'The Study of administration', **Political Science Quarterly** 56
44. Wood G, 2000, 'Prisoners and Escapees: Improving the Institutional Responsibility Square in Bangladesh', **Public Administration and Development** 20
45. Zafarullah H, 2005, 'Recruitment and Training: Bureaucratic Intervention', in H Zafarullah & MM Khan (eds.), **Bureaucratic Ascendancy: Public Administration in Bangladesh: The First Three Decades**, Dhaka: AHDPH
46. Ziring L, 1962, **The Failure of Democracy in Pakistan: East Pakistan and the Central Government**, Columbia University, USA, unpublished PhD thesis

Bangladeshi Bengali Dailies

The Daily Shamokal
PSC-te Baporoa Durniti, 27 January 2005

Bangladeshi English Dailies

The Daily Star
PSC to defend charges as protests continue, 11 August, 2003
Hummer, Jaguar, BMW for poverty alleviation, March 12, 2007

New Age,
PSC to keep BCS question leak probe report under wrap, 6 April 2005
BCS Question Leaks Revisited, PSC Rules Out Allegation as "Rumor", 19 November 2005
Corruption, nepotism dog civil service recruitments, insiders blame political intervention, 27 November 2005
Corruption, nepotism dog civil service recruitments, insiders blame political intervention, 27 November 2005
Manipulation of BCS results not possible: Chair, 11 March 2007

New Age Xtra

How greed destroyed the Public Service Commission, 16-22 February, 2007

New Nation

Total reforms in PSC must to curb corruption, 22 March 2007

International

Pakistan Times Supplement

Public Service Commission: The way to a Clean Administration, 27 October 1960