Upsetting the Centre-State Balance

What is the issue?

The recently proposed changes in IAS cadre rules have revoked the debates on the need of Centre-State balance.

What is the Centre-State relation regarding administrative services?

- India is a quasi-federation, with its executive organised between the Centre and the states.
- Under **Article 309** of the Constitution, the Centre and states are empowered to erect and maintain services for running their administration.
- Both the Centre and the states exercise full control over their services independently of each other.
- To preserve unity between them, Sardar Patel envisioned the creation of the All-India Services (AIS) which is compositely administered under **Article 312**.
- The recruitment and allotment to a cadre (state) are determined by the Centre, while the states determine the work and posting.
- The Indian Administrative Service (IAS), Indian Police Service (IPS), and Indian Forest Service (IFS) are the three All-India Services.

What is IAS (Cadre) Rules 1954 about?

- Rule-6 (1) of the IAS (Cadre) Rules-1954 talks about central deputation in the IAS.
- As per the rules, AIS officers are made available for central deputation through a consultative process involving the Centre, the States and the officers concerned.
- In case of any disagreement, the matter shall be decided by the Central Government.
- Every year, the States would prepare an “offer list” of officers who had opted for central deputation and the Centre would choose officers only from among those “on offer” from the States.
- The implementation of cadre rules is left to the mercy of the states.
- Some states openly disregard the cadre rules with respect to
    - impunity in matters of postings and transfers
    - the Civil Services Board has been rendering impotent
    - unilaterally appointing non-cadre officers to IAS cadre posts
    - disregarding the minimum tenure guarantee

To know more about IAS officers and central posting, click here

What is the proposed amendment to Rule 6 of the IAS

(Cadre) Rules 1954?

- The proposed amendment to the Rules seeks to do away with the consent of both the officer and the state government.
- The reason for the amendment, as declared by the central government, is to ensure adequate availability of IAS officers for central deputation.
- This has drawn a sharp wedge between the Centre and the states along political lines.
- Stripping away the consent of the state government is a move towards greater centralisation in the IAS, bringing it functionally closer to a central service.
- This has the potential to disrupt the delicate balance between the Centre and states.

What will be the possible impacts of this move?

- The opposition states fear losing their key officers to mandatory central deputation.
- States may resort to altering their Transaction of Business Rules to divest IAS officers of key posts in the state, and vesting the same with the state officers.
- Alternately, states may provide space for retired bureaucrats to re-enter administration as special appointees, outside the cadre rules.

Reference

1. https://indianexpress.com/article/opinion/columns/upsetting-the-centre-state-balance-ias-cadre-7761492/

SHANKAR IAS PARLIAMENT
Information is Empowering