

Quota-Merit Interface in Bangladesh Civil Service Recruitment: Need for Change and Reform

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Abstract

The Civil Service in every state is responsible for execution of essential state policies and action plans, and is thus the backbone of its government. It is the executive arm of the government. Meritocratic recruitment practices are correlated with the effectiveness of the Civil Service. As a result, quotas in the recruitment process in the Civil Service have become a matter of question. The present article deals with the quota policy in Bangladesh for direct recruitment to the civil service, especially the cadre services called the Bangladesh Civil Service (BCS). It also deals with how far this policy is consistent with the principle of equality in job opportunity and efficiency. This article finds that a sound recruitment policy for civil service does not exist in Bangladesh. A sound recruitment policy would place emphasis on merit rather than any other considerations. However, in recruitment to the civil service of Bangladesh, merit is not given due importance. A majority of civil service posts are reserved for preferred groups through quotas. The article makes recommendations to abolish this situation in order to create equality in job opportunities with efficiency for better governance in the country.

Keywords: Civil service, equity, merit, quota

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รูปแบบโควตา กับ หลักความสามารถในการสรรหาข้าราชการพลเรือนของประเทศไทยบังกลาเทศ: ความจำเป็นในการเปลี่ยนแปลงและปฏิรูป

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บทคัดย่อ

สำนักงานข้าราชการพลเรือนในทุกประเทศมีหน้าที่สนับสนุนนโยบายและแผนปฏิบัติราชการที่สำคัญของประเทศ และเป็นเสมือนกระดูกสันหลังของรัฐบาล เป็นกลไกการบริหารของรัฐบาล การสรรหาบุคลากรตามหลักการพิจารณาตามความสามารถ (Meritocratic) จึงได้ถูกนำมาใช้เพื่อให้สอดคล้องกับประสิทธิผลของสำนักงานข้าราชการพลเรือน ด้วยแนวคิดดังกล่าวโควตาในกระบวนการสรรหาบุคลากรของสำนักงานราชการพลเรือนในแบบเดิมจึงเต็มไปด้วยคำถก บทความนี้ก็จึงข้องกับนโยบายโควตาซึ่งใช้ในประเทศไทยบังกลาเทศสำหรับการรับบุคลากรทางตรงเพื่อเข้าเป็นข้าราชการพลเรือน โดยเฉพาะหน่วยงานหลักที่เรียกว่า สำนักงานข้าราชการพลเรือนบังกลาเทศ (Bangladesh Civil Service - BCS) นอกจากนี้ ยังได้ศึกษาว่านโยบายดังกล่าวมีความสอดคล้องกับหลักความเท่าเทียมในโอกาสการจ้างงานและหลักปริศนากับมากน้อยเพียงใด บทความนี้พบว่า นโยบายการสรรหาที่ดีซึ่งเน้นความสามารถไม่คงอยู่ในบังกลาเทศ นโยบายสรรหารูปแบบนี้มุ่งเน้นความสามารถกว่าการพิจารณาปัจจัยอื่น แต่ในการสรรหาข้าราชการพลเรือนของบังกลาเทศ ความสามารถกลับไม่ได้รับความสำคัญ ตำแหน่งส่วนใหญ่ของข้าราชการพลเรือนถูกสงวนไว้สำหรับกลุ่มคนพิเศษผ่านระบบโควตา บทความนี้มีข้อเสนอแนะบางประการในการจัดสถานการณ์ดังกล่าว เพื่อสร้างความเท่าเทียมในโอกาสการจ้างงานที่มีประสิทธิภาพเพื่อธรรมาภิบาลที่ดีขึ้นของประเทศไทย

คำสำคัญ: ข้าราชการพลเรือน ความเป็นเสมอภาค หลักความสามารถ โควตา

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Introduction

A major issue in public administration concerns the balance between “merit” and “equity” in civil service employee selection. In both developed and developing nations, this is the truth of public administration (Zafarullah & Khan, 1983). A bureaucracy’s functioning efficiency is likely to be reduced if capable and devoted people are not employed. Thus, the ability to recruit and retain such persons is a task of the utmost importance for all administrations (Khan & Ara, 2005). Bangladesh requires a civil service of top excellence and reliability for organizing and operating its local possessions. This requires serious determination, pioneering concepts, commitment, and competence. It can be claimed that in Bangladesh, public administration is rather gradually drifting away from these qualities (Kim & Monem, 2008). Thousands of civil servants in Bangladesh are recruited in different cadres nearly every year. The excellence of the civil service is very much reliant on the quality of persons recruited. Therefore, focus should be placed on the importance of employing top applicants for the civil service, as they would be able to make the administration a capable, pioneering and influential power to answer the needs of the society.

Merit and quota both are used in civil service recruitment in Bangladesh. However, the standard of merit has been violated here. Use of the quota system in employment frequently disrupts the standard of merit. The present system of recruitment through quotas affects proficiency in administration. It creates adverse impacts on the morale of potential candidates as well. In light of this situation, this article will provide an overview of the quota policy in the direct recruitment and selection practice of the civil service in Bangladesh. Firstly, the article presents a conceptual overview of related issues. Secondly, it provides a depiction of the current quota policy with regard to recruitment and selection practice of the Bangladesh Civil Service (BCS). Thirdly, it makes a critical study of the current quota policy practice. Finally, it proposes recommendations and provides a conclusion to the study.

Materials and Method

This present study is not experimental but descriptive in nature. It is mainly centered on the review of secondary literature comprising books, journals, newspapers, articles, and government documents. Pertinent information was collected as well from internet sources.

Conceptual Clarification

Civil Service

The civil service has become an important part of the governance system in the modern age. The job of carrying out the country's tasks requires the formation of organizations usually operated by a group of government officers, jointly known as civil servants. According to Finer, "civil service is a professional body of officials, permanent, paid and skilled. Policy formulation is the function of cabinet/ministry, but policy implementation, the main aspect of development, is the function of the civil servants. Although policy formulation is the jurisdiction of cabinet/ministry, it depends largely on civil servants for the data of policy formulation" (Finer, 1941).

Recruitment

According to Tracey (2003), "Recruitment is the first step in the process of matching job descriptions and applicant specifications with people. The process of surveying all sources of personnel, inside and outside the organization, to locate and attract the best possible candidates for new or vacated positions. The organization actively seeks candidates by advertising both internally and externally in newspapers and professional and technical publications, through search organizations, notices, and personal contacts." Recruitment is the process of identifying potential candidates for certain positions. It is an interactive role that helps those looking for employment opportunities prepare themselves.

Selection

According to Mathis and Jackson (2010), "Selection is the process of choosing individuals with the correct qualifications needed to fill jobs in an organization." According to DeCenzo and Robbins (2010), "The selection process typically consists of eight steps: (1) initial screening interview, (2) completion of the application form, (3) pre-employment tests, (4) comprehensive interview, (5) conditional job offer, (6) background investigation, (7) medical or physical examination, and (8) permanent job offer. Each step represents a decision point requiring affirmative feedback in order for the process to continue." Success is surely not possible if there is a lack of qualified staff in an organization.

Affirmative Action

According to Barbara A. Lee, "Affirmative action is the practice of giving explicit consideration to race, gender, national origin, or some other protected characteristic in making an employment decision. It is designed to counter the lingering effects of prior discrimination, whether intentional or not, by employers individually and collectively, as well as to provide a workforce more representative of the gender and ethnic makeup of the qualified labor market for the positions within an organization" (cited in Cartwright, 2005).

The quota system is considered one of the tools of affirmative action that is intended to lessen the gap between the advantaged disadvantaged segments of society.

Civil Service in Bangladesh

The Bangladesh Civil Service is arranged vertically into four classes, viz., class-I, class-II, class-III and class-IV. These classes are centered on different variables, including pay range, levels of responsibility, and educational qualifications (Jahan, 2012). Class-I is the specialized or officer class while the other classes carry out various supporting tasks. All class-I and some class-II officers are known as ‘gazette’ officers while the remainder are known as ‘non - gazette’ officers (Ahmed, 2002). In Bangladesh, the cadre service was first formally documented in 1981, through the presentation of the Bangladesh Civil Service Recruitment Rules. The Bangladesh Civil Service is generally known by its abbreviation BCS and is the exclusive service in the state. The BCS developed from the Civil Service of Pakistan (CSP), which was inherited from the Indian Civil Service (ICS), the most well-known civil service in the world. There are 28 cadres at present in the BCS. The lower judiciary in Bangladesh was separated from the executive branch in November 2007. Consequently, the BCS (Judiciary) has become a separate service, namely the Judicial Service, and at this point, it is not a cadre of the BCS.

Method and Conditions of Eligibility for Recruitment

In 1982, a set of comprehensive recruitment rules (BCS Recruitment Rules, 1981) was created for the appointment to different cadres of the BCS. Currently, entrance to diverse cadres of the BCS is open to applicants who have at minimum a bachelor’s degree from any recognized university in Bangladesh or in a foreign country. The minimum age for applicants is 21 and the maximum is 30, with a 32 year age limit for specialized sets (doctors, engineers and freedom fighters). Non-citizens and citizens wedded to foreigners are not eligible to apply for a post in the civil service. An applicant has to state in his/her application form the names of the cadres in accordance of the preference he/she wishes to be deliberated (Wahhab, 2009).

Agency for BCS Recruitment

The public personnel administration is directed within an integrated framework in Bangladesh consisting of two central personnel organizations of the government, the Ministry of Public Administration (MoPA) and the Bangladesh Public Service Commission (BPSC). The MoPA sets the comprehensive strategies, principles and procedures for management of the civil service and initiates methods for employee prosperity and for development of processes and practices concerning the public personnel administration (Ahmed & Khan, 1990). It is also responsible for early recruitment of all cadre services and for corrective

action and wellbeing regarding all senior level bureaucrats (Ahmed, 1985). The Public Service Commission (PSC), as a vital support of the National Integrity System, has a major role in creating and encouraging clear and responsible governance in the state. Articles 137-141 of the Constitution of Bangladesh assign the Commission the role of picking the most capable people in the public service of the state through competitive examinations and tests in a rational and transparent way (TIB, 2007).

Legal Basis for BCS Recruitment Policy

On the issue of equity and merit in public employment, the Bangladesh Constitution states that:

- The recruitment of public services of the state must ensure equal opportunities to every citizens of the country (Article 29 [1]).

- All citizens irrespective of race, caste, sex, religion or origin shall be regarded as qualified and eligible for the recruitment of any employment in public services of the country (Article 29 [2]).

- No other consideration shall preclude the government to (a) provide privileges, uphold the deprived segment in the society to ensure reasonable participation of the that group in the public services of the country, (b) provide validation to the legislation governing the reservation of employment with respect to religious and institution regarding the religion thereof and (c) preserve positions or posts for the individuals of one gender in the sense that the natural considerations of the job make it ineligible for the individuals of opposite gender (Article 29 [3])

Article 28 [4] in the Constitution states that:

- No other consideration shall preclude the government to provide privileges in upholding children or women or promoting the underprivileged segment of the society.

With regard to “Appointment and conditions of service,” the Bangladesh Constitution states that:

- The Parliament of Bangladesh, as a subject to constitution, with legislation can control the recruitment and employment of individuals in the public services of the state: Given that the President can apply personal discretion to pass legislations governing the recruitment and terms of the public services for the individuals until the traditional law initiates any provisions and these rules shall be valid effected by the law of the state (Article 133).

The Recruitment Rules, 1981 offers the legal framework for recruitment to the Bangladesh Civil Service. The recruitment rules were created with the provisions of the constitution in mind.

Quota in BCS Recruitment Policy

Bangladesh preserves colonial influence in its entire public administration structure. Bangladesh was part of the British Empire for over 200 years (Jahan, 2006). The bureaucracy was purely an apparatus of the colonial lords throughout the colonial period. The colonial powers placed importance on constructing the bureaucracy as an exclusive and ordered force completely separated from the society to meet their personal requirements. Even after gaining independence, the bureaucracy persists as a strong and greatly advanced state device (Alavi, 1972). Entrance to civil service was limited to young university graduates belonging to the rich upper class in the British colonial era. This practice remained throughout the Pakistani era (Jahan, 2006). After gaining independence, the Bangladesh constitution recognized that equal prospects for all citizens of the country should be the principal guideline in public service recruitment. Thus, the government made special arrangements, grounded on constitutional provisions, to create a quota system to provide opportunities for the underprivileged sections of society to join the civil service.

Both the philosophies of merit and equity are used in recruitment and selection in the BCS. Merit involves a method whereby the actual best candidates are selected, placing emphasis particularly on competitive brilliance. Equity denotes that public sector positions are allocated correspondingly to, or representative of, the people in general (Zafarullah & Khan, 1989).

Both merit and quotas are applied in the recruitment system in Bangladesh. However, the principle of merit has been revised here. The quota system of recruitment frequently disrupts the standard of merit. After independence, an “Interim Recruitment Policy” was pronounced in September 1972 by the government [The Government of Bangladesh, Establishment Division office memorandum No. Estt. /RI/R-73/72-109(500), September 5 (1972)]. The recruitment rules for employment of higher posts were created in 1976. The key issue of both policies was to attain more equal representation of people in all areas of Bangladesh in different posts and services. This requires recruitment grounded on quotas for districts based on population. Quotas for freedom fighters, war affected women, and tribes were introduced as well. The quotas have been reformed multiple times since initiation of the system. Following government decisions in July 1985, more modifications were made in the quota arrangement scheme (Rahman & Ara, 2005). Table 1 below depicts the quota system and the subsequent changes made.

Table 1. Changes in Quota System

Year	Merit	Freedom Fighters (FF)	Women	War Affected Women (AW)	Tribal	District	Total
1972	20	30	0	10	0	40	100
1976	40	30	10	10	0	10	100
1985	45	30	10	0	5	10	100

Source: Khan and Ahmad (2008)

The government made an official announcement by which quota distribution was restructured in 1997 [Establishment Division Memo No. Coordination (R-I)-S-8/95(Part-2)-56(500), March 17, 1997]. The exclusive characteristic of this order is that, owing to absence of qualified freedom fighters, the thirty percent quota kept for this group was kept for the children of the freedom fighters and for the Shaheed freedom fighters (Rahman & Ara, 2005). Consistent with this order, a new quota plan for Class-I and Class II services was created, shown below in Table 2.

Table 2. Quota Distribution During 1997

SL no	Type of Quota	Class 1 and 2 posts (Percentage)	Class 3 and 4 (Percentage)
I	Qualification (out of District Quota)	45	0
II	Physically handicapped/Mentally Retarded (out of District quota)	0	10
III	District or Regional quota (based on population): The Fighters of the Liberation War or in the absence of them martyred fighter's children	30	30
	● Women	0	15
	● Tribal	10	15
	● Ansars/Village Defence members	5	10
	● Remaining (for the general candidates of the District)	10	30
	Total	100	100

Source: Ali (2004)

The quota structure shows that 45 percent of available vacant posts for recruitment in cadre services would be occupied on the basis of merit (Jahan, 2007).

Table 3. Quota Distribution in Different Categories

Type of Quota	Percentage for Class I and Class II Officers
Merit	44
Freedom Fighter	30
Women	10
Tribal	5
General District Merit	10
Disabled	1
Total	100

Source: Khan (2015)

Table 3 depicts that, at present, 56 percent of government jobs are reserved for quotas, leaving only 44 percent of positions for merit-based recruitment. 30 percent of posts are reserved for freedom fighters' children and grandchildren, 10 percent for female candidates and five percent for tribal groups. Additionally, there is a 10 percent quota for districts and one percent is available for the physically disabled (Habib & Chakraborty, 2013). It is obvious that the quota system generally counters the rules of meritocracy. Therefore, for the underprivileged segment of society, the quota should be maintained for a definite period of time. The reason for the set time limit is that if affirmative action results in a positive outcome, its continuance would become troublesome to the society as the quota system is intrinsically discriminatory and biased (Ali, 2007).

Policy Evaluation

Though the quota system has been used over the years, the Bangladesh Public Service Commission's decision to offer privileges to quota candidates, even at the preliminary stage of the exam, is undoubtedly an ill-advised strategy. It limits the opportunity for meritorious candidates to gain entrance into the civil service and could depreciate the excellence of the civil service.

The quota policy is preserved in the constitution for the improvement of disadvantaged segments of society. Quotas cannot replace the general standard of merit for safeguarding equal employment prospects for all citizens devoid of any discrimination. Because of the quota policy, comparatively poor quality officers gain entrance into the civil service and the long term negative effect of the quota system is apparent in the civil service of Bangladesh (Wahhab, 2009).

Some of Bangladesh's top civil servants have studied the current quota system for civil service recruitment and offered some practical recommendations. A study conducted by Dr Akbar Ali Khan and Kazi Rakibuddin Ahmad (2008) found that "based on merit, the entry level recruitment of only 45 percent applicants is unconstitutional." They opined as well that there is no legal source of quotas for the freedom fighters. This quota would be reasonable if it is demonstrated that the freedom fighters are a disadvantaged segment of society. The study by Khan and Ahmad asserts that the legal source of quotas for freedom fighters' children is even weaker. However, the suggestions made by the study have been overlooked by the government (Islam, 2013).

The 10 percent district quota in BCS examinations was created to offer equal job opportunities to the educated young generations of many underdeveloped districts so that they might play a role in national matters. The number of districts used to be 17, but the present figure is now 64. On a TV talk show, the former chairman of the PSC, Dr Sadat Hossain, appealed for discontinuation of the district quota as currently most of the districts have become more advanced than in the past. Similarly, some specialists are in favor of decreasing the district quota from 10 to five percent so as to give more opportunity to the meritorious applicants of each district (Bilkis, 2013).

A 10 percent quota provision for women is in place. It can be assumed that civil servants are mostly recruited from university graduates. There is no female quota for admission to universities in Bangladesh. Male and female students gain admission to the universities equally on merit. A large number of female students are getting an education in the universities of Bangladesh. As our experience shows, females are performing well in university. Furthermore, there is no female quota for university teaching positions. Female and male teachers are selected on merit equally. Thus, we can see no reason for having a female quota in the recruitment to the civil service (Wahhab, 2009). However, there is difficulty in the civil service profession. Quotas can play the role of a catalyst to inspire women.

The government has allocated a five percent quota to indigenous candidates since 1985. There is also a quota for indigenous students wishing to gain admission to different educational institutions. According to data provided in the fifth population and housing census, the total population of Bangladesh is 152.52 million; within the population, indigenous people make up 1.59 million, or 1.1 percent of the population. However, they have a five percent quota in the entry field of public service. Accordingly, this is a source of frustration for the rest of society. Similarly, we can see that for the disabled segment, one percent of government jobs are reserved for a group that represents 1.4 percent of the

entire population of the country. In fact, 56 percent of government jobs are provided under different groups of quotas. Thus, only 44 percent of seats are available for merit-centered recruitment (Islam, 2013).

This policy of affirmative action also has drawbacks in the way it has been executed. Quotas were not strictly followed; the rules were used impulsively in the selection procedure. Thus, the quota system has been unsuccessful in its objective to introduce equal representation into the civil service. Owing to the unreasonable entrance policy, the civil service remains an exclusive sector and there is no sign of it becoming more representative (Zafarullah & Khan, 2005). With the quota policy never having been executed appropriately, it is now of the utmost importance to place emphasis on merit.

It is a matter of great pride for well-educated people to be recruited to the Bangladesh Civil Service under the proper administration of the Public Service Commission. With regard to the examination procedure, the quota system has become a matter of doubt for many people in the country. Generally, those people who take part in the competitive examinations sense that most candidates are selected from quotas and merit has been weakened due to this. Many applicants have voiced their disappointment about the quota policy.

Effects of Quota on Merit and Efficient Functioning of Administration

The philosophies of merit and equity are used together in recruitment and selection in the BCS. Merit refers to a process where the best candidates are selected, based on competitive intelligence (Jahan, 2012). However, due to an over-emphasis on quotas, merit has been largely ignored, resulting in low productivity in the work of the administration.

Quotas lead to the loss of skills and ability as poor quality personnel are selected while ignoring the more skilled or exceptionally proficient people of non-quota groups. Another adverse impact of the quota system is that it discourages many brilliant contestants from spending time and energy preparing for the competitive entrance exam of the BCS. In fact, one of the main reasons why the government has failed to attract qualified candidates is because there is little pride in getting selected for the BCS through merit due to the over-use of the quota system.

Affirmative action has attained the exact opposite of what it envisioned. One of the key opinions supporting quotas is that such favored treatment of underprivileged groups encourages interrelatedness in the society. However, quotas actually create social pressure and, in many circumstances, conflict.

Undeniably, recruitment exams are a good tool for estimating the future performance of employees. Thus, exclusion of candidates with superior scores and good qualifications from non-preferred groups weakens the representation of merit and the proper working of the administration.

Hence, in the long run, the quota system is causing a great loss to public administration in Bangladesh. However, the politicians of the country continue to use the quota system, regardless of these integral risks.

Recommendations

The present quota policy in the Bangladesh Civil Service (BCS) recruitment should be revised. Under the current policy, many qualified candidates are failing to succeed, which creates a negative effect on the civil service in the long run. If Bangladesh would like to have a first grade civil service, it needs to ensure that talented candidates are recruited into the civil service.

- Merit should be the main basis of recruitment rather than quotas. 85 percent of public service positions should be recruited on the basis of merit, while the remaining posts can be allocated to various segments including gender, locality, ethnicity and physical condition.

- The BPSC and the Ministry of Public Administration (MoPA) should jointly form a committee to restructure and reorganize the examination system and criteria concerning selection and to meet upcoming tasks.

- The committee should frame a policy and then inform the general public about the rules and regulations of the examination and appointment procedures in the service.

- A comprehensive policy should be created to arrange better education for less represented districts.

- There should be opportunities to challenge the result of the exams.
- The government should give proper concern to simplifying the quota policy.
- Regular research activities should be undertaken to improve the education process.
- The quota policy should be revised every three years.

Concluding Remarks

It can be said that if the recommendations stated above are executed, we can anticipate an impartial and proficient civil service for service delivery and better governance in the state. However, this is mostly reliant on the political will. There is growing dissatisfaction among the larger segment of candidates. The young generation is

crowding the job markets, yet governance constraints, institutional blockages, and the state's career creation rate continue to fall, leading to youth unemployment and loss of national productivity. The government needs to recognize this problem and take the necessary steps to reduce the quota system in a timely manner. The enlargement of a market-centered economy does not undercut the role of the public sector. It necessitates a capable bureaucracy and an effective state in dealing with the market. While affirmative action may have worked in the nation's interest in the past, now the system demands change and reform to accept candidates with more merit in the public service. This is the way to develop a meritocratic society.

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