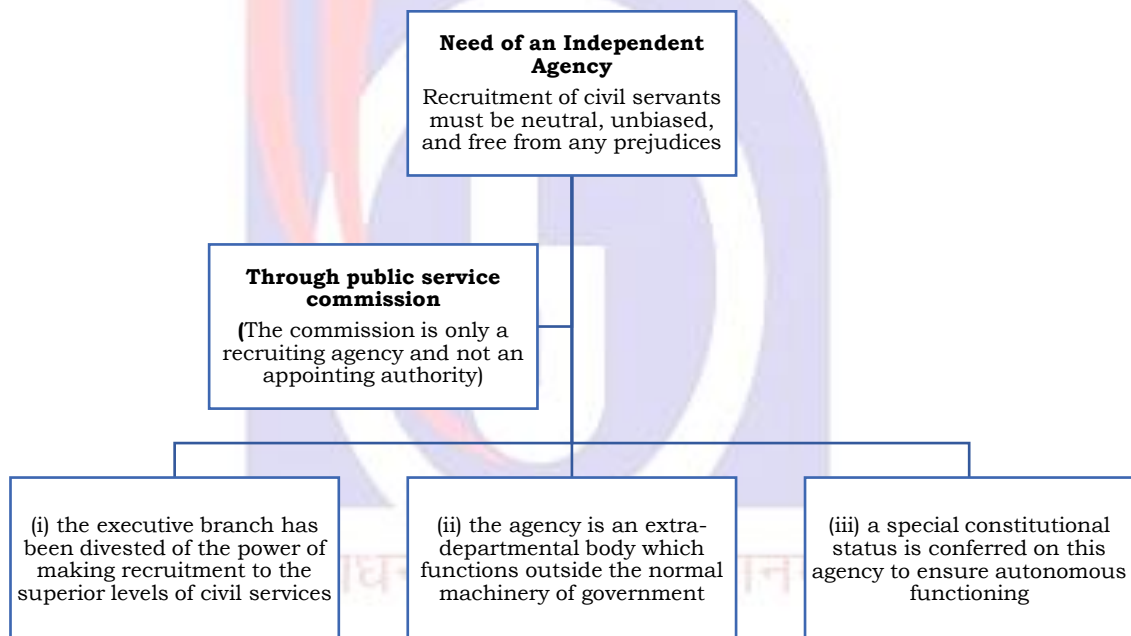


Lesson 33

Public Service Commissions

Summary -

Civil servants occupy an important role in the successful administration of state at different levels. Therefore, their recruitment, training, emoluments, conditions of service, promotion policies, etc. assume importance. For an impartial consideration of these matters relating to civil servants, an independent and expert authority is required which is known as the institution of public service commission.



Why A Commission Type of Organisation -

Public service commission consisting of experts in parts professional & technical weightage in the process of decision making,

- ✚ Commission functions outside the normal governmental machinery
- ✚ Bureaucratic rigidities & delays can be avoided.

Significance of A Constitutional Status for The Commission -

- ✚ Commission can function without being influenced by political or other extraneous consideration.
- ✚ Conferment of constitutional status is meant to provide safeguards against any possible encroachment.
- ✚ Authority and independence of the commission either by the executive or the legislature.

Composition of Union Public Service Commission -

- ✚ The number of members of the Commission and the conditions of their service are left to be determined and appointment by the President
- ✚ It has since been decided that there shall be a chairman and six to eight members of the Commission
- ✚ At present the strength of the Commission is nine including the chairman
- ✚ At least half the members must be persons who have served for at least ten years under the Government of India or a State Government
- ✚ A member holds office for a term of six years or the age of sixty-five years whichever is earlier
- ✚ The chairman or a member of the Commission can be removed by the President on the ground of misbehaviour.

Functions of Union Public Service Commission

- (i) To advise the government on all matters relating to the methods of recruitment and norms to be followed in making appointments to civil services either directly or by promotion.
- (ii) To advise on the suitability of candidates for appointment, promotion, and transfer.

(iii) To conduct examinations for appointment to All India services.

(iv) To advise on disciplinary matters affecting government servants.

(v) To advise on claims of legal proceedings instituted against a government servant and on the claims in respect of injuries sustained by a government servant while on duty.

(vi) To advise on any other matter specifically referred by the President.

It is the duty of the Commission to present annually to the President a report as to the work done by the Commission.

Composition: State Public Service Commission



Each state in India has a public service commission



The Governor determines the number of members of the Commission



Half of the members are with a minimum of ten years of experience under the central or a state government



Members are appointed for a term of six years or until the age of 62 years



Members can be removed only by the President



State public service commission performs the same functions as are performed by the Union Public Service Commission

Joint Public Service Commission



Two or more states may agree that there should be one public service commission for them



If a resolution to that effect is passed by the House or by each house of legislature of the respective states



Parliament may by law provide for the appointment of a Joint State Public Service Commission to serve the needs of those states



Chairman & other members of joint commission are appointed by the President

Independence of Public Service Commission -

1. Members are appointed for a fixed tenure of six years or until the attainment of sixty-five years of age in the case of UPSC, and sixty-two years in the case of SPSC,
2. The conditions of service of a member cannot be changed to his/her disadvantage during his tenure of office,
3. The removal of a member can take place by an order of the President on certain specific grounds in consultation of the Supreme Court,
4. The expenses of the commission are charged on the Consolidated Fund of India.

Evaluate yourself –

1. "UPSC works as an independent agency to recruit civil servants", in context to the statement write your views in your own words.
2. "The Constitution of India ensure independence of the Public Service Commissions" - if yes, explain with suitable example.
3. Write down the role of the Joint public service commission.