State Public Service Commissions

Mains: *GS II – Constitutional bodies*

Why in News?

The 2025 national conference of chairpersons of the State Public Service Commissions (PSCs) is being hosted by the Telangana State Public Service Commission on December 19 and 20.

What is the evolution and significance of State PSCs?

- **State PSC** – On the lines of UPSC in the centre, there is a State Public Service Commission (SPSC) for every state, which is an independent Constitutional body.
- It is basically the major recruiting agency of a state.
- **Constitutional basis** – *Article 315 to 323 (Part XIV)* deals with the composition, appointment and removal of members along with the independence, powers and functions of the SPSC.
- **Evolution and background**
  - **Government of India Act, 1919** – It proposed to set up the Federal Public Service Commission.
  - **Lee commission** – In 1926 on the recommendation of Lee Commission (1924), the Federal Public Service Commission was established.
  - **Government of India Act, 1935** – It provided for the Central and State Public Service Commission.
- **Objectives and Responsibilities**
  - Responsible for the recruitment of the State services and advises the government on promotion and disciplinary matters.
  - Watchdog of merit system in the State.
- **Appointment of members** – The SPSC consists of a Chairman and other members who are *appointed by the Governor of a state*.
- The Governor of a state enjoys discretionary power to determine the composition and conditions of service of the chairman and other members of SPSC.
- **Qualification for appointment** – According to the Constitution of India, 50% of the members of SPSC should be those who have held government office (Government of India/State Government) for at least 10 years.
- It mentions no other qualification.
- **Tenure** – All the members including the Chairman hold office for *a six year term, or until they attain the age of 62 years*, whichever is earlier.
- **Resignation from office** – All the members including the Chairman can resign from their offices at any time by addressing their resignation to the Governor.

- The Governor can temporarily appoint one of the members of the SPSC as an acting chairman if
    - The office of the chairman of the commission becomes vacant; or
    - The chairman of the commission is unable to perform the duties of his office due to absence or for any other reason
- **Removal of chairman and members** – Although the Chairman and members of a SPSC are appointed by the Governor, *they can be removed only by the President of India* if:
    - He has gone insolvent or bankrupt.
    - He engages in any paid involvement during his tenure.
    - He found it unfit to continue in office by reason of infirmity of mind or body.
- The President can also remove the Chairman or any other member of SPSC for misbehaviour,
- However it is subject to judicial inquiry under the supervision of the Supreme Court.
- Under the provisions of the Constitution, the advice tendered by the Supreme Court in this regard is binding on the president

What are the issues faces by State PSCs?

- **Political interference** – State PSCs operate in a politically osmotic environment and the proverbial 'spoils system' is visible in the appointment process.
- The conventional requirements of minimum age, qualifications and public experience are given a short shrift.
- **Inadequate manpower** – The manpower needs of the States are limited and not planned unlike UPSC.
- **Insufficient financial resources** – They lack the financial resources to meet the retirement and recruitment obligations of their employees leading to extension of the superannuation age and postponement of recruitment.
- **Lack of dedicated ministry** – Most State governments do not have a dedicated Ministry of Personnel.
- And therefore, vacancies are not notified regularly by the government which effectively means that State PSCs are not required to conduct the examinations regularly.
- **No regular committees** – State PSCs do not appoint committees regularly to redraft the syllabus.
- They are constrained to tap academic resources from within the State and are not able to achieve satisfactory 'inter-se' moderation in evaluation.
- **Complexity of reservation** – They also have the daunting task of making complex calculations to accurately incorporate not only vertical reservations but also horizontal reservations.
- Meeting the demands of regional quotas in the form of zonal reservations adds to this complexity. All these lead to continuous litigation in one form or the other delaying the recruitment process.

What can be done?

- **Creation of separate ministry** – Separate ministry should be created for personnel

management.

- This Ministry should clearly layout a five-year road map for recruitment so that State PSCs are able to notify and conduct the examination process.
- **Fixing the minimum age of members** – The minimum age for appointment as a member should be fixed at 55 and the maximum age at 65.
- Along the lines of the 41st amendment of the Constitution (1976), which raised the maximum age limit of the members of State PSCs from 60 to 62 years in order to attract meritorious and experienced civil servants, there is a need for another amendment.
- The stipulation of minimum age will enable appointment of experienced individuals while increasing the maximum age will enable State PSCs to benefit from the experience of senior civil servants who have retired at 60 for a longer period than under the existing provisions.
- This amendment could also specify the necessary qualifications that members need in order to be appointed.
    - **For example**, in order to be an 'official' member, experience as Secretary to a State government or a post equivalent to this rank should be stipulated while for 'non-official' members 10 years of practice in a recognised profession like law, medicine, or engineering should be stipulated.
- **Consultation with opposition** – A mandatory pre-consultation with the leader of the Opposition before appointment may be considered for non-official members.
- **Constitution of panel** – A state wide panel of eminent people those with high standing, integrity, merit and independence should be constituted and periodically updated.
- **Periodical revision of syllabus** – The syllabus should be revised periodically, keeping in view the changing academic scenario and the syllabi for examinations as stipulated by the UPSC.
- Every proposal for revision should be placed in the public domain and changes can be made after public consultation.
- **Objective type format** – Knowledge on State specific areas like regional history, regional economy and regional geography, in which the availability of faculty is limited.
- It should be tested in the objective type format so that there would be no scope for complaint on the grounds of asymmetry of information and value laden correction.
- **Combination of objective and subjective papers** – While the preliminary examination may continue in the objective format, the main examination should be a mixture of objective and subjective papers.
- **Eliminating the errors** – The process of translation of the questions from English to the regional language should not only involve technology for secrecy but also the human element so that the right meaning is conveyed.
- Care should be taken to regularly change the pattern of questions so that the role of AI-chat bots, as a source of information for formulating answers, is effectively countered.
- **Appointment of experienced officer** – The Secretary of the State PSCs should be a senior officer with prior experience as either Commissioner of School Education or Secretary of the Board of Intermediate education to enable effective supervision of the examination branch of the Commission.

What lies ahead?

- Transparency and confidentiality should be balanced on the lines of the UPSC.
- If these changes are effected, one would have vibrant Public Service Commissions at the State level on par with the Union Public Service Commission.
- These are some of the main reasons limiting the efficient functioning of State PSCs and their declining credibility.
- Often aggrieved students comment that they have lost faith in State Commissions and would like the UPSC to conduct the examinations.
- Time bound structural and procedural reforms are required to restore faith in State PSCs.

Reference

The Hindu| State PSCs

