

UNION PUBLIC SERVICE COMMISSION

The Union Public Service Commission (UPSC) is the **central recruiting agency** in India.

- It is an **independent constitutional body**.
 - The provisions regarding the composition of UPSC, appointment and removal of its members and the powers and functions of UPSC are provided in **Part XIV** of the Indian Constitution under **Article 315 to Article 323**.

What are the Constitutional Provisions?

- **Article 315:** Constitution of Public Service Commissions (PSC) for the Union and for the States of India.
- **Article 316:** Appointment and term of office of members of UPSC as well as SPSC.
- **Article 317:** Removal and suspension of a member of both the UPSC or SPSC.
- **Article 318:** Power to make regulations for the conditions of service of members and staff of the Commission.
- **Article 319:** Prohibition of holding the office by members of Commission upon ceasing to be such members.
- **Article 320:** States the functions of Public Service Commissions.
- **Article 321:** Power to extend the functions of Public Service Commissions.
- **Article 322:** Expenses of Public Service Commissions.
- **Article 323:** Reports of Public Service Commissions.

What is the Composition of Union Public Service Commission?

- **Appointment of Members:** The Chairman and other members of the UPSC are appointed by the **President of India**.

- **Term of Office:** Any member of the UPSC shall hold office for a **term of six years** or till the age of **65 years**, whichever is earlier.
- **Reappointment:** Any person who has once held the office as a member of a Public Service Commission is **ineligible for reappointment to that office.**
- **Resignation:** A member of the Union Public Service Commission may resign from his/her office by submitting the written resignation to the **President of India.**
- **Removal/Suspension of Members:** The Chairman or any other member of UPSC shall **only be removed from his/her office by order of the President of India.**
 - The President can suspend the Chairman or any other member from his/her office in respect of whom a reference has been made to the Supreme Court.
- **Conditions for Removal:** The Chairman or any other member of UPSC may be removed if he/she:
 - is adjudged an insolvent.
 - engages during his/her term of office in any paid employment outside the duties of his/her office.
 - is, in the opinion of the President, unfit to continue in office by reason of infirmity of mind or body.
- **Regulating the Conditions of Service:** In the case of the UPSC, the President of India shall:
 - Determine the number of members of the Commission and their conditions of service.
 - Make provisions with respect to the number of members of the staff of the Commission and their conditions of service.
- **Restriction of Power:** The conditions of service of a member of UPSC **shall not be amended after his/her appointment** that may lead to his/her disadvantage.
- **Power to Extend Functions:** The Legislature of a State may provide for the exercise of additional functions by the UPSC or the

SPSC as respects the services of the Union or the State and also as respects the services of any local authority or other body corporate **constituted by law or of any public institution.**

- **Expenses of UPSC:** The expenses of the UPSC including salaries, allowances and pensions of the members or staff of the Commission are charged on the **Consolidated Fund of India.**
- **Submission of Reports:** The UPSC shall **present an annual report to the President** of India containing the work done by the Commission.
 - The President shall provide a memorandum explaining the cases where the advice of the Commission was not accepted.
 - The reasons for such non-acceptance are presented before **each House of Parliament.**

What are the Eligible Appointments After End of Term of Service?

- **Chairman (UPSC):** The Chairman of the UPSC shall be **ineligible for any further employment** either under the Government of India or under the Government of a State
- **Other Members (UPSC):** A member of UPSC (other than the Chairman) shall be **eligible for appointment as the Chairman of UPSC or a SPSC**
 - He/She is not eligible for any other employment either under the Government of India or under the Government of a State.

What are the Functions of UPSC?

- **Conducting Exams:** It shall be the duty of the Union Public Service Commissions to conduct examinations for appointments to the services of the Union.
- **Assistance to SPSC:** It shall be the duty of the UPSC to assist the States upon their request in framing and operating schemes of joint recruitment for any services for which candidates possessing special qualifications are required.

- **Consultations with the PSCs:** The UPSC and SPSC shall be consulted:
 - On all matters relating to methods of recruitment to civil services and for civil posts.
 - In making appointments to civil services and posts and in promotions and transfers from one service to another depending upon the suitability of candidates.
 - On all disciplinary matters affecting a person serving under the Government of India.
 - It shall be the duty of a Public Service Commission to advise on any matter referred to them by the President of India.

What are the Limitations of UPSC?

- While making reservation of appointment or posts in favour of any backward class of citizens.
- While taking into consideration the claims of scheduled castes and schedule tribes in making appointments to service and posts.
- With regards to the selection for chairmanship or membership of commissions or tribunals, posts of the highest diplomatic nature and a bulk of group C and group D services.
- With regard to the selection for temporary or officiating appointment to a post if the person appointed is not likely to hold the post for more than a year.

The president can exclude posts, services and matters from purview of UPSC.