

CHAPTER 1

Introduction

Indian National Congress, on its inception in 1885, had Indianisation of higher civil service as one of its key demands. In fact, this was the key demand of Congress even before that of 'home rule' and *poorna swaraj*.

It was on the basis of Northcote-Trevelyan Report of 1854 that competitive entry examination based permanent civil service was established in India. It was considered an innovative idea of its time as it moved from patronage based civil service to that of one with virtues of honesty, neutrality and which was rule oriented. However the examination for higher civil service were held in London thereby depriving chances of hundreds of meritorious and deserving candidates who could not go to London to take the examination. This also somewhat made hollow the stated objectives of the civil service as per Northcote-Trevelyan Report.

Conceding the demand, under the Government of India Act 1919 (Montague-Chelmsford reforms), Lee commission was set up and in 1926 Public Service Commission of India under the chairmanship of Sir Ross Barker was set up. It

was renamed Federal Public Service Commission in 1937 after Government of India Act, 1935, established some sort of federal structure in the country. UPSC came into existence on 26th January 1950 when Constitution was adopted and hence, it is the one of the original Constitutional bodies.

Art 315-323 of the Constitution deals with formation, constitution, powers and duties of Union Public Service Commission (UPSC) and state PSCs. Art 320 defines duties of UPSC/State PSCs.

Functions of UPSC, *inter alia*, are:

1. Conducting of Examinations for higher civil service of the Union viz Civil Services, Engineering Services, Forest Services, and Economics Services examination etc.
2. Direct Recruitment of specialized posts like Law officers, specialist Doctors, Professors etc. through interviews.
3. Promotion/deputation through Departmental Promotion Committees/ Selection Committee Meeting
4. Induction into All India Services (IAS, IPS, IFS) from state services officers
5. Framing and amendment of Recruitment Rules—these rules are *sine qua non* of selections as they specify educational requirements, experience, method of recruitment for each posts
6. All Disciplinary Cases where President is the Competent Authority, have to be referred to UPSC which examines each case and recommends quantum of penalty to the D.A

7. Seniority/reimbursement of legal fees/award of pensions
8. Any other matter referred to by the President

However, the Government by a rule known as UPSC (exemption from consultation) Act 1958 has excluded many scientific/economic/intelligence related posts from the purview of UPSC. 2nd ARC report has also recommended hiving off of some of the functions. These trends are increasing over time much to the consternation of UPSC.

Part 4 of Constitution relates to “directive principle of state policy” wherein State is to provide for efficiency and equity i.e. inclusive growth to the population. Apart from its mandated duties as mentioned in Art 320, what is the role of UPSC in achieving social justice and welfare goals?

Although there is some stray criticism that the Commission takes time to decide cases, the reputation of UPSC is apparently that of an institution having a very high integrity and impartiality. These aspects have stood the test of time and scrutiny of courts.

Statement of the Problem

There is growing concern about the lack of transparency, performance and accountability in the civil service. The bureaucracy is also accused of failing to deliver goods to the society especially to the disadvantaged sections. The role of UPSC as the recruitment agency for higher civil services of the Union

has also come under scrutiny from some quarters. Therefore, it has become imperative to study the functioning of UPSC.

OBJECTIVES

The objective of this dissertation is:

- To study the functioning of UPSC vis-à-vis its mandated duties under Article 320 of the Constitution.
- To study the impact of various government policies relating to 'Directive Principle of State Policy' and social justice on the functioning of UPSC
- To put up a road map for improvement in the functioning of UPSC in the and the future context

RATIONALE

The recent events have shown dip in public faith in the system. The aspiration of the public is rising exponentially with respect to quantity and quality of services being provided by the government. Large segment of the population is poor and disadvantaged requiring special efforts.

Higher civil service is a very important element to provide these services. Thus it is essential and timely to study UPSC which is the recruitment/personnel agency for the higher civil service of the Central Government.

RESEARCH QUESTIONS

In this study, it is being attempted to look into and try to answer following questions:

- Has UPSC been able to ensure the merit based system in the Higher Civil Services of India by recruiting the desired quality of personnel?
- Has UPSC measured up to the expectation of aspirants especially those from disadvantaged sections i.e. SC/ST/OBC/Minorities/Women?
- How has UPSC fulfilled its obligations, if any, towards the National goal of efficiency, equity and inclusive growth?
- Is there a growing apathy of political class, bureaucracy, media and public at large towards the functioning of UPSC? If so, is there a need for an effective media plan?
- Have the above stated problems/performance acquired urgency for course correction by the UPSC especially in view of demand from certain quarters such as 2nd ARC to hive off some of its functions?

METHODOLOGY

To answer above research questions, historical, primary and secondary source of information have been used. In particular, following methodology have been adopted in this study:

- To study and analyze secondary source of information through various committees' and commissions' reports and statistics from UPSC.

- To study and link various theories of recruitment, promotion etc to the performance of UPSC.
- To administer a questionnaire on civil service aspirants, existing/retired civil servants and officials of UPSC to collect primary source of information.
- Main public interface of UPSC is recruitment advertisements. To tap and analyze secondary source of information, already available with UPSC, regarding media habits of candidates.

SCOPE/LIMITATIONS

Since UPSC is 85 years old institution which is also an original Constitutional body, it is a very vast subject to study. Therefore, it is proposed to limit the scope of present as follows:

- a) The study is limited to UPSC and does not include study of functioning of State PSCs.
- b) Since study is of UPSC, it does not cover 'lower bureaucracy'.
- c) Since study is of UPSC, it covers higher civil service of Central Government only.
- d) Period of study is post 1979 when new scheme of civil services was introduced.