

## CHAPTER 4

### **Assessment of performance**

UPSC is one of the original Constitutional bodies as it came into existence on 26<sup>th</sup> January, 1950. However the truth is that it predates Independence as brought out in an earlier chapter. In fact it was set up in 1926 as Public Service Commission of India to hold examinations in India also. After the Act of 1935, where some sort of federal structure was introduced the body was named as Federal Public Service Commission. Post 1947, this Commission recruited the first couple of batches of IAS/IFS/IPS/central services.

The Constitution makers wanted an independent Public Service Commissions both at the Centre and at the states that they devoted nine Article (i.e. Art315-323) to detail the functions, compositions, finance etc. of Public Service Commissions. They wanted Civil Servants to be recruited on the basis of

merit and impartially so that the citizens have faith in them to carry out the functions of the State as envisaged in the Constitution.

To assess the performance of UPSC, which has a history of 85 years since inception and has been recruiting thousand of candidates every year to the higher civil post, is indeed a daunting task. In this study we have restricted ourselves to post Kothari Committee period i.e. after 1980. We have tried to assess the performance of UPSC vis a vis the mandate of our Constitution by using following methods:

A) Systemic changes—we will study the procedures and methods used by UPSC in their recruitment and other processes. We will also see the changes brought about by UPSC during the period which may have led to improve the standards of recruitment or helped the candidates belonging to weaker sections.

B) Statistical performance—based on Annual Reports and other indicators, we will study the actual performance of UPSC under various parameters. This will help us in understanding the performance of UPSC over time and assess whether it has met the mandate of the Constitution.

C) Perception assessment—for a body like UPSC it is necessary to know the opinion of stakeholders. Therefore, a questionnaire was administered to 46 stakeholders who included examination aspirants, civil servants (including some APPPA participants), ex- civil servants and non civil servants. The reply to this questionnaire will help us understand what various stake holders feel about UPSC.

D) We may in the end examination whether UPSC fulfills the criteria of a good recruitment agency as brought in various academic books/papers some of which were highlighted in Chapter 2 on literature review.

With the help of above methods it may be possible to understand the functioning of UPSC and also correlate it with the mandate given to it by the Constitution.

### **Systemic changes**

The Royal Commission on the Superior Civil Services in India under the Chairmanship of Lord Lee, which submitted its Report in 1924, recommended the setting up of the Public Service Commission. This led to the establishment of the first Public Service Commission on October 1, 1926 under the Chairmanship of Sir Ross Barker. The limited advisory function accorded to the Public Service Commission and the continued stress on this aspect by the leaders of our freedom movement resulted in the setting up of a Federal Public Service Commission under the Government of India Act, 1935. The Federal Public Service Commission became the Union Public Service Commission after Independence and it was given a Constitutional status with the promulgation of Constitution of India on January 26, 1950<sup>18</sup>.

The functions of the Commission prescribed in Article 320 of the Constitution, *inter-alia*, are:

(a) Recruitment for all civil services and civil posts by: -

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<sup>18</sup> Taken from 61<sup>st</sup> Annual Report of UPSC

(i) written examination with or without a viva voce examination or interview to supplement them;

(ii) interview;

(iii) promotion,

(b) advising the Government on disciplinary matters relating to government servants holding civil posts<sup>19</sup>.

From above it is seen that the core activity of UPSC is to recruit suitable persons for higher civil service through examinations and/or interview or through promotion from within Central Services or to All India Services from state services. In 2010-2011, under recruitment through examination method, the Commission conducted 14 examinations, 10 for recruitment to Civil Services/Posts and 4 for Defence Services; a total of 18,93,030 applications were received and processed; 5,342 candidates interviewed for Civil Services/Posts (interviews for Defence Services were conducted by SSB of Min. of Defence) and 4,896 candidates recommended for appointment to various posts, 3,079 (including 358 candidates recommended through Reserve List) for Civil Services/Post and 1,817 for Defence Services/ Posts. The list of examination conducted by UPSC is given below:

### **For Civil Services/Posts**

- a. Civil Services (Preliminary) Examination, 2010 (CSP)
- b. Civil Services (Main) Examination, 2010(CSM)

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<sup>19</sup> ibid

- c. Indian Forest Service Examination, 2010 (IFoS)
- d. Engineering Services Examination, 2010 (ESE)
- e. Indian Economic Service/Indian Statistical Service Examination, 2010 (IES/ISS)
- f. Geologists' Examination, 2010 (GEOL)
- g. Special Class Railways Apprentices' Examination, 2010 (SCRA)
- h. Central Police Forces (Assistant Commandants) Examination, 2010 (CPF)
- i. Combined Medical Services Examination, 2011 (CMS)
- j. Section Officers'/ Stenographers' (Grade B/Grade-I) Limited Departmental Competitive Examination, 2006, 2007 & 2008 (SOLCE)

#### **For Defence Services**

- a. Two examinations for National Defence Academy and Naval Academy (NDA &NA)–National Defence Academy and Naval Academy Examination (I), 2010 and National Defence Academy and Naval Academy Examination (II), 2010.
- b. Two examinations for Combined Defence Services (CDS) – Combined Defence Services Examination (II), 2010 and Combined Defence Services Examination (I), 2011<sup>20</sup>.

In addition, a total of 1,06,083 applications were received against the direct recruitment cases; 5,644 candidates were called for interview, 4,083 candidates

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<sup>20</sup> Ibid

were interviewed. The number of candidates recommended during the period 2010-2011 was 1117<sup>21</sup>.

Flagship examination of UPSC is the Civil Service Examination wherein 4,09,110 candidates applied for 989 posts<sup>22</sup>. The Civil Services (Preliminary) Examination were held in over 1200 centers in 46 cities across the Country. Thus, this examination has largest public interface and also elicits maximum attention of media/public. Hence, it would be in fitness of things to study the pattern and changes thereof to evaluate the performance of UPSC. To see whether the pattern and changes are desirable attributes for ensuring merit and equity as envisaged by the Constitution.

After independence, new services namely Indian Administrative Service (IAS), Indian Foreign Service (IFS), Indian Police Service (IPS) and Central Services were established. From 1947 to 1950 the Federal Public Service Commission conducted the examination. FPSC was redesignated into UPSC on 26<sup>th</sup> January 1950 on the promulgation of the Constitution. Prior to the implementation of Kothari Committee in 1979, there were three levels of examination—one for IAS/IFS, one for IPS and third one for Central Services. There was a compulsory English essay paper and interview had total marks of 400 with minimum marks of 120 necessary to clear the examination.

As mentioned in previous chapters, Kothari Committee recommendations which were accepted by the Government included a unified examination for all service; three stage examination comprising of Preliminary, Mains and interview;

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<sup>21</sup> *ibid*

<sup>22</sup> *ibid*

Preliminary to be qualifying while marks of other two to be added for final ranking; a paper each in English and an Indian language which will be of qualifying nature of matriculate level; candidates having option to take examination (other than language papers) in English or any one language specified in eight schedule; age limit of 21-28 from earlier 21-24(later26) and four attempts for general candidates; unlimited attempts within relaxed age limit for SC/ST/OBC, and 23 optional for Preliminary and 39 optional for Mains examinations.

If we see the pattern, we see that the examination is very rigorous and one of the toughest not only in the Country but in the World. But if we analyse the implementation of Kothari Committee Report, we see that not only marks of interview was reduced but its veto power taken away. This step was taken to help candidates from rural background and weaker sections as there was concern about the elitist nature of interview in the earlier scheme of examination. Also the move to allow candidates to write examination in English or Indian language in eight schedule provides level playing field to rural/weaker section candidates. Importance given to the optional papers in the examination schemes also helps poor/rural candidates as such candidates are in dire need of any good job and hence concentrate on their academic subject. It also helps candidates with technical background. Increase of age limit also helps such candidates as their schooling and education starts late. Furthermore the fact that interview can be taken in English or language opted as the medium of examination help candidates from small town/rural areas and/or weaker sections to express

themselves and showcase their personality better. Thus the policy of UPSC/Government has been to ensure level playing field and draw bright talents from rural, poor and weaker strata of the society. It is felt that having such persons as civil servant would make the bureaucracy more sensitive to the development needs of the socially deprived sections of the society. Empirically it is seen that after 1980 (Kothari Committee implementation) civil servants have come mainly from states like Bihar, Rajasthan, Orissa, Jharkhand etc. and also from poor and lower middle class.

However UPSC or Government never lost sight of merit—the paramount attribute of civil service and appointed Satish Chandra Committee to revisit the Kothari Commission's recommendation. Based on its report given in 1989 and acceptance of UPSC, the Government approved the introduction of essay paper having 300 marks which can be given in English or any language given in the 8<sup>th</sup> schedule of our Constitution. Also the total marks of the interview were increased from 250 to 300. Both these steps were taken to get better quality of civil servant as it was felt that since work is carried out mainly on files, the ability to express while writing is necessary. Similarly as bureaucrat deals with public at large their personality aspect should be tested at entry stage. Thus, it seems, the above steps were taken to further improve the 'merit system' in the recruitment of the higher civil service.

As governance became more and more complex, UPSC appointed yet another committee known as Alagh Committee to suggest ways and means to change the civil service examination so that persons so selected are attuned to the

changing requirements. The committee submitted its report in 2002 which was accepted by the UPSC and sent to Government for approval which is awaited till date. The Committee made some revolutionary recommendations. The Preliminary examination comprised of General Studies paper (150 marks) and one optional paper (300 marks). The Committee recommended that instead of General Studies paper, there should be Civil Services Aptitude paper testing the candidates in basic awareness, logical reasoning, decision making ability, data analysis and problem solving. The Committee also suggested that instead of existing two papers in General Studies and four optional papers in the Mains Examination, there should be three common and compulsory papers in Sustainable Development and Social Justice; Science and Technology in Society and Democratic Governance, Public System and Human Rights. Alagh Committee also suggested that marks obtained in Preliminary examination also be added in final score to get the ranking. All these changes were suggested to test the candidates' aptitude for civil service. The topics suggested are related to the subjects who are dealt with by a civil servant.

UPSC, however, in 2008-2009 decided to set up yet another committee known as CSAT Committee<sup>23</sup> to revisit the introduction of Civil Services Aptitude paper in the Preliminary examination. UPSC accepted the recommendation of the CSAT Committee and sent to the Government for approval. The government has approved a proposal to introduce an aptitude test in place of the existing optional subject paper in the civil service preliminary examination to shortlist candidates

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<sup>23</sup> Accessed from [civilsexpert.com/origin/Civil-Services-Exams-Reform-2011.php](http://civilsexpert.com/origin/Civil-Services-Exams-Reform-2011.php)

for the main examination. So far all the candidates had to attempt two papers with a General Studies Paper and the other one is the Optional paper in which the candidate selected one subject among the 23 subjects listed by UPSC. After giving effect to the proposed change in the Preliminary examination in 2011, Candidates will have to appear in two objective-type papers, one of which will be a General Studies Paper and the other one will be the General Aptitude Paper. The Aptitude paper will replace the previously existing Optional subject paper. On implementing this model, Civil Services Preliminary Examination will be called as Civil Services Aptitude Test (CSAT).

This change will be effective only for the Preliminary examination and the Main examination will remain unchanged until an expert committee gives a detailed report for changing it. We may look into the syllabus to see the motivation and reason for change<sup>24</sup>:

**(Paper 1) (200 marks) - Duration: Two hrs.**

- Current events of national and international importance
- History of India and Indian national movement
- Indian and World Geography- physical, social, economic geography of India and the world
- Indian Polity and governance – constitution, political system, panchayati raj, public policy, Rights issues, etc.
- Economic and social development – sustainable development, poverty, inclusion, demographics, social sector initiatives etc.

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<sup>24</sup> Accessed from [csat.iupsc.com/syllabus](http://csat.iupsc.com/syllabus)

- General issues on environmental ecology, bio-diversity and climate change-that do not require subject specialization
- General science.

**(Paper II) (200 marks) – Duration: Two hrs**

- Comprehension
- Interpersonal skills including communication skills
- Logical reasoning and analytical ability
- Decision making and problem solving
- General mental ability
- Basic numeracy (numbers and their relations, orders of magnitude etc. (Class X level), Data interpretation (charts, graphs, tables, data sufficiency etc. –Class X level)
- English language comprehension skills (Class X level)
- Questions relating to English Language Comprehension skills of Class X level (last item in the Syllabus of Paper-II) will be tested through passages from English language only without providing Hindi translation thereof in the question paper.
- The questions will be of multiple choices, objective type.

Now, let's compare the features of the Civil Services Preliminary Examination and Civil Services Aptitude Test (CSAT) to have a better understanding on the proposed new pattern.

S.No	Civil Services Preliminary Examination	Civil Services Aptitude Test (CSAT)
1	Two Objective Papers with one General Studies and One Optional out of the 23 subjects given by UPSC	Two Objective Papers with one General Studies and One General Aptitude Paper
2	More weightage for optional with 300 marks for Optional subject and only 150 marks for General Studies	Equal weightage for both General Studies as well as General Aptitude paper. Both carrying equal marks
3	Advantageous for people who completed masters degree and having a grip on Academic Subject	Equally good for All kinds of graduates creating a level play ground.
4	No Transparency in terms of Assessment and disclosure of Preliminary marks	Complete Transparency in terms of disclosure of marks
5	High amount of disparity between one optional subject and the other, creating sense of bias on few particular optional subject.	No disparity, Equal game to be played by all in a equal platform

6	Easy for Candidates who studied in high caliber institutes compared to a student with Rural background.	All the students have equal opportunity, since everyone has to prepare in similar patterns.
7	High Competition due to people cramming with the subject knowledge Optional.	Infuses fresh blood in the examination arena such that all the people have to prepare afresh.

**Why the Change<sup>25</sup>:** Various committees including the second Administrative Reforms Commission, in their reports submitted over the years suggested the changes and laid greater emphasis on the 'aptitude' of candidates than their knowledge of a subject. The committees argued that specialists or experts in any particular subject might not necessarily be good civil servants. Moreover the preliminary examination which does not disclose the marks and the cut off to select the candidates for main examinations or the method which they use to compare various optional subjects is repugnant to the Right to Information Act 2005. It has been criticized in various directions and dimension that there is no transparency in the current format in which preliminary examination is conducted. To overhaul the current process and create more transparency in

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<sup>25</sup> Ibid

the selection process this General Aptitude paper has been introduced in the place of the Optional Paper.

Thus UPSC has been constantly striving to bring necessary changes in the recruitment process to improve the system while maintaining the balance between merit and equity. Language policy and other measures as enunciated above for civil services are generally applicable to other examinations also.

It may worthwhile to mention that as being part of UPSC, one knows the tremendous amount of efforts that go into ensuring zero error in the entire examination process. There are lot checks and balances to ensure the integrity and fairness of the system.

Also UPSC undertakes lots of efforts, especially by using information technology, to devise candidate friendly measures. One such measure is introduction of negative marks in objective papers thereby helping serious candidates and eliminating luck to a certain extent. Secondly, the introduction of Scheme of online application (SOAP) in all exams through internet saves time and efforts of the candidate. Thirdly the website of UPSC is an interactive platform where by entering Roll/application number a candidate can know his result or even his centre of examination.

**Direct Recruitment by Interview** is made for filling up vacancies that are not covered by the competitive examinations conducted by the Commission. In this

process, requisitions for various posts are received from the Ministries/Departments. Requisitions are also received from statutory organizations, local authorities or public institutions for which recruitment is made by the Union Public Service Commission in terms of Article 321 of the Constitution. During the year 2010-11, the Commission received 497 requisitions involving 2,875 posts from various Ministries/Departments compared to 406 requisitions involving 2,085 posts received during the previous year. Taking into account the number of requisitions/posts carried over from the previous years, the Commission, in all, processed 755 requisitions involving 4,372 posts during 2010-11 compared to 634 requisitions involving 3,583 posts during 2009-10. Given the magnitude, number of steps has been taken to improve the system of Direct Recruitment by Interview. In keeping with the times, the Commission has carried out pilot testing of Online Recruitment Applications (ORA) system from August, 2010 in addition to the conventional mode of (offline/paper) receiving applications.

Currently the ORA system is under development and once the same is finalized, it is expected that larger number of Recruitment cases would be brought within the ambit of the ORA. Furthermore, to enhance transparency in the working of the Commission, existing policies, procedures and practices have been reviewed and in a number of cases it has been decided to share information about such policies and procedures with the public/candidates/ applicants seeking information under the RTI Act etc. Some of these areas are names in the Reserve List, Cut Off Marks for Selection, norms for recommending training for

certain categories of candidates etc. The Commission has also incorporated formats of experience certificates in the Recruitment advertisements for the convenience of the candidates and to mitigate any ambiguity in this regard<sup>26</sup>.

**Promotion of State Service Officers** to the All India Services viz. Indian Administrative Service/Indian Police Service/Indian Forest Service (IAS/IPS/IFoS) is governed by the Promotion Regulations framed by the Government of India under the provisions of Article 309 of the Constitution of India. The Selection Committees, presided over by the Chairman or a Member of UPSC, make selections of officers of various States/UTs for promotion to the All India Services. The Hon'ble Supreme Court, vide their order dated 22.9.2006 in W.P. No. (Civil) No.310/1996 (Prakash Singh and Ors. vs. Union of India and Ors.) has inter-alia directed that the Director General of Police of the State shall be selected by the State Government from amongst the three senior-most officers of the department who have been empanelled for promotion to the rank by the Union Public Service Commission. By virtue of the UPSC (Exemption from Consultation) Regulations 1958, the Commission has so far not been involved in the matter of promotion to the post of D.G.P. in respect of the States. However, in view of the aforesaid specific order of the Hon'ble Supreme Court, the Commission filed Interim Applications before the Hon'ble Court seeking directions regarding the modalities for such empanelment for directions to all concerned authorities to provide assistance to the Commission in finalization of the process for empanelment. The Interim Applications filed by the Commission

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<sup>26</sup> Accessed from 60<sup>th</sup> and 61<sup>st</sup> Annual Report of UPSC

are still pending before the Hon'ble Supreme Court. In the meantime, in compliance of the order dated 8.10.2010 of the Hon'ble High Court of Madras in Writ Petition No. 6917/2010 filed by Shri R. Natraj vs. State of Tamil Nadu and Ors, read with orders dated 22.9.2006 and 11.1.2007 of the Hon'ble Supreme Court in Writ Petition (Civil) No. 310/1996 (filed by Shri Prakash Singh and Ors. vs. UOI and Ors.), a meeting of the Empanelment Committee was held on 10.11.2010 for preparation of a panel for appointment to the post of Director General of Police, Government of Tamil Nadu. Thus we see that even the highest Court of the Country has full faith in the impartial working of the UPSC<sup>27</sup>.

The Commission also handles work relating to (i) **Promotion to Central Services**; and (ii) **Deputation/ Absorption**. During the year 2010-2011, the Commission made recommendations in respect of 3,978 officers/posts. For making the said recommendations, the Commission considered the service records of 17,574 officers during 2010-2011. In order to expedite the processing of DPC/Deputation cases, as per the decision of the Commission, a new procedure known as 'Single Window System' whereby Ministries/Departments are required to bring their proposals of DPC/Deputation by hand which are scrutinized on the spot by the designated officers of the UPSC has been introduced. Deficient proposals are returned and only complete proposals are accepted. This new procedure has been made fully operational with effect from August 1, 2010. The Average Time Taken to dispose of a DPC proposal (meetings held and advice letter issued) in case of 'single window system' works

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<sup>27</sup> Ibid

out to 60 days only as against 120 days of Normal Time of Disposal. In fact as many as 33 proposals have been disposed of within 30 days time<sup>28</sup>.

**Disciplinary Cases---** During the year (2010-11), the Commission received 762 disciplinary cases under Article 320(3)(c) of the Constitution of India and relevant Pension Rules, while 236 cases were brought forward from the previous year (2009-10) which were pending with the Commission as on April 1, 2010. Thus, total number of cases during the year was 998. The Commission tendered their advice in 417 cases, including 2 cases of reconsideration. During the year, 409 cases were returned. Thus, out of the total 998 cases, 826 cases were disposed of during the year leaving a balance of 172 cases at the close of the year. Of total 417 cases in which the Commission tendered the advice, there were 45 cases involving charges of affecting integrity and 364 cases relating to other charges of misconduct or lack of devotion to duty. Out of the remaining 8 cases, the Commission advised to hold de-novo proceedings in 2 cases and in 6 cases advice of miscellaneous nature was communicated. In respect of the 45 cases involving allegations of lack of integrity, the Commission advised imposition of major penalties in 39 cases and minor penalties in 6 cases. As regards 364 cases belonging to the other category, the Commission advised imposition of major penalties in 206 cases and minor penalties in 125 cases. In 33 cases involving charges other than those affecting integrity, no penalty was advised. During the year under report, about 40.98% of the cases had to be returned to the Ministries/Departments/State Governments either for fulfilling the prescribed

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<sup>28</sup> Ibid

procedural formalities or for supply of relevant documents etc. A careful scrutiny of the case records at the initial stage would obviate delays in finalization of the case. In this regard, Commission has introduced 'single window system' in this field also whereby cases prima facie not having documents as per check list are returned immediately. Moreover workshops are held at regular intervals to sensitize the departmental representatives about the correct procedure to follow<sup>29</sup>.

Thus we see that UPSC has taken continuous look into its core function of conducting examination and made process improvement in it to ensure that integrity and impartiality is maintained along with balance between merit and equity in ensuring level playing field for candidates from poor/rural/ weaker sections. Even in other fields of promotion and disciplinary cases we have seen that the effort of UPSC has been to standardize the processes and cut down delays to satisfy the existing civil servant by finalizing the cases timely. However for many delay in finalizing the cases is a matter of concern which will be taken up in detail in the next chapter.

### **Statistical Performance**

**Work load** – A comparison of the present workload of the Commission, with that in 1950-51 and the intervening period are shown below:

**TABLE 1—RECRUITMENT BY EXAMINATION AND INTERVIEW**

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<sup>29</sup> Ibid

YEARS	NO. OF TOTAL APPLICATIONS RECEIVED
1950-51	42727
1980-81	302122
1990-91	687929
2000-01	810526
2010-11	1999113

SOURCE: 31<sup>st</sup>, 41<sup>st</sup>, 51<sup>st</sup> and 61<sup>st</sup> Annual Report of UPSC

From the above Table1 it is that there has been almost 4589% increase in applications for recruitment since 1950-51 till 2010-11. In fact, during the period under consideration i.e. from 1980-81 to 2010-11 the increase has been a very impressive 562%. This has been so despite the fact that number of candidates recommended for selection has actually declined from 6436 in 1980-81 to 6168 in 2010-11. The number of applications for an examination divided by the number of posts to be filled by the said examination gives the Applicants to Posts Ratio (APR). The APR gives an index of the number of candidates aspiring for Civil Services/Posts through each of these examinations. Thus the total APR works out to be 79 in 1980-81; 157 in 1990-91; 222 in 2000-01 and 470 in 2010-11. This tremendous increase in number of applications received and APR can be explained by variety of reasons. One such reason can be lack of alternative jobs for such candidates. However, this reason cannot fully explain such tremendous increase especially from a APR of 157 in 1990-91 and 222 in 2000-01 to 470 in 2010-11 as during this period there was a significant alternative in private sector/MNCs jobs. Another reason could be continued and increasing charm of higher civil services jobs in the society. Again the growth of private sector in last

15 years and growing job opportunities abroad somewhat negate this reasoning also. May be a more acceptable reason could be opening up of UPSC's examination system to the poor, rural and weaker sections candidates. Also the impartiality and high integrity of the examination system of UPSC inspires more and more candidates to take the exams.

The number of **disciplinary cases, recruitment rules cases** and **number of records processed for departmental promotion** handled by the Commission is shown in the tables given below:

**Table-2: Disciplinary cases**

Year	Number of disciplinary cases in which advice tendered
1950-51	53
1980-81	381
1990-91	489
2000-01	815
2010-11	826

SOURCE: 31<sup>st</sup>, 41<sup>st</sup>, 51<sup>st</sup> and 61<sup>st</sup> Annual Report of UPSC

**Table-3: Recruitment Rules cases**

Year	Number of Recruitment Rules cases processed
1950-51	----

1980-81	1359
1990-91	1659
2000-01	1233
2010-11	1372

SOURCE: 31<sup>st</sup>, 41<sup>st</sup>, 51<sup>st</sup> and 61<sup>st</sup> Annual Report of UPSC

We see from Table 2 the numbers of disciplinary cases being referred to and advice rendered have been increasing during the period. As disciplinary cases increases, the Commission is being called upon to examine not only more cases but also more complex ones. Regarding Recruitment Rules, we see over time there is stability of cases being referred primarily due to abolition/merger of posts owing to acceptance of recommendations of fifth and sixth pay commissions.

**Table 4: Promotion/Deputation/Absorption Cases**

Year	Cases excluding those of All India Services	Officers records processed for induction into All India Services
1950-51	----	-----
1980-81	20711	2010
1990-91	35645	1488
2000-01	32726	840
2010-11	17524	1105

SOURCE: 31<sup>st</sup>, 41<sup>st</sup>, 51<sup>st</sup> and 61<sup>st</sup> Annual Report of UPSC

There is slight decrease in number of cases which is due to the fact that confirmation cases have been taken away; promotion to non functional selection grade is not required to come to the Commission.

Thus we see that overall workload of the Commission is increasing significantly over period. It is also known that no scheduled activity has been postponed during the yearly period despite exponential increase in number of applications received. Even in other functions like disciplinary or promotion cases the general trend is to complete cases within normal time of disposal. Even in some cases where there are concerns regarding delays etc. we have seen that by taking initiatives like 'single window system' and use of IT, the time for disposal has come down dramatically in few such cases. We will, however, go into details of delay in the next chapter. Finally we may say that UPSC is by and large fulfilling its role of chief recruitment agency of Union Government as envisaged under Article 320 of the Constitution.

Under Article 323(1), UPSC has to furnish an Annual Report to the President who shall cause it to be laid on both the Houses of the Parliament. In this report, one chapter is on the **Non-Acceptance of the Commission's Advice by the Government**. The Commission's Advice is recommendatory and it is for the Government to accept it or not. Following table shows the number of non acceptance of Advice over the years.

**TABLE 5—NON ACCEPTANCE OF UPSC'S ADVICE**

YEAR	NO. OF ADVICE NOT ACCEPTED BY THE COMMISSION
1980-81	9
1990-91	12
2000-01	8

2010-11	14
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SOURCE: 31<sup>st</sup>, 41<sup>st</sup>, 51<sup>st</sup> and 61<sup>st</sup> Annual Report of UPSC

Thus we see that the Commission makes literally thousands of recommendations every year, be it for posts to be filled by examination and interview (6168); promotion/deputation/absorption (4396); disciplinary cases (826) and recruitment rules cases (1372). Thus in the year 2010-11, out of total cases of 12762, there was non- acceptance of Advice in only 14 cases i.e. 0.1%. This is despite the fact that during last 30 years there has been frequent change of Government at the Centre. However it may be mentioned that as per procedure if Government is not in agreement with UPSC, it generally returns the case to it for reconsideration. Only if there is a new point or some apparent error is highlighted then the Commission reconsiders the case. Analysis of non acceptance cases reveal that majority of such cases pertain to disciplinary cases and rest to promotion cases. Very rarely has the recommendation of UPSC pertaining to examinations been rejected. Thus we see that 99.9% of recommendations of UPSC are accepted which reinforces its reputation as a Constitutional body of very high integrity and merit.

We may also look at the performance of UPSC in respect of Constitutional provisions towards **weaker sections** of the society. Candidates belonging to Scheduled Castes, Scheduled Tribes, Other Backward Classes (SC/ST/OBCs) and Physically Challenged are recommended by the Commission based upon relaxed standards as per rules for various examinations. During the year 2010-11, the Commission was able to recommend 1,531 candidates belonging to Scheduled Castes, Scheduled Tribes and Other Backward Classes for all the

vacancies reserved for them from all the examinations except for Indian Economic Service/Indian Statistical Service Examination, 2009 and Geologists' Examination, 2009. In respect of Indian Economic Service/Indian Statistical Service Examination, 2009 against the reserved vacancies of 10 Scheduled Castes, 5 Scheduled Tribes and 19 Other Backward Classes, 3 Scheduled Castes, 2 Scheduled Tribe and 12 Other Backward Classes candidates were recommended. In respect of Geologists' Examination, 2009 against the reserved vacancies of 61 Scheduled Castes, 29 Scheduled Tribes and 98 Other Backward Classes, 54 Scheduled castes, 28 Scheduled Tribes and 92 Other Backward Classes candidates were recommended respectively. In addition to above, 12 Scheduled Castes, 5 Scheduled Tribes and 118 Other Backward Class Candidates were recommended during 2010-11 through Reserve List. Against 617 posts reserved for them under direct recruitment by interview category, a total of 137 candidates belonging to the Scheduled Castes, 54 to the Scheduled Tribes and 329 candidates belonging to the Other Backward Classes were recommended by the Commission during the year 2010-11. Further, 18 Scheduled Caste candidates, four Scheduled Tribe candidates and 67 Other Backward Class candidates were recommended against unreserved posts.

The Commission recommended in service training to 24 candidates belonging to the Scheduled Castes, 11 to the Scheduled Tribes and 45 to the Other Backward Classes who were selected for appointment on the basis of relaxed standards so that they could come up to the general standard. Duration of in service training ranged from three months to one year after their appointment to the post in the

areas comprising the duties attached to the post. Further, in-service training was recommended by the Commission to two persons with disabilities belongs to OBC category. 11 persons with disabilities were recommended for appointment by the Commission against the 22 posts reserved for them through Direct Recruitment by Interview during the year 200-11. The number of physically challenged candidates recommended for appointment on the basis of Civil Services (Main) Examination, 2009 was 30<sup>30</sup>.

The number of women candidates appeared, interviewed and recommended during 2010-11 and 2009-10 are as under:-

**Table-6**

<b>Exam.</b>	<b>Appeared</b>	<b>Interviewed</b>	<b>Recommended</b>
<b>Civil Services (mains),2008</b>	<b>1185</b>	<b>344</b>	<b>166</b>
<b>Civil Services (mains),2009</b>	<b>1286</b>	<b>422</b>	<b>195</b>

SOURCE: 59<sup>th</sup>, 60<sup>nd</sup> and 61<sup>st</sup> Annual Report of UPSC

Commission also decided not to charge any fees from women candidates from 2009-2010. It also decided that as far as possible the interview board should include a women and a minority representative as well.

<sup>30</sup> Accessed from 60<sup>th</sup> and 61<sup>st</sup> Annual Report of UPSC

From the above we see that the Commission tries to take care of the aspirations of weaker sections without compromising on basic merit. Although there is no shortage of candidates, the Commission recommends less than required number in case merit is compromised. The Commission also does not hesitate to recommend post appointment training to some weaker section candidates so that they can come up to general standard.

### **Perception assessment**

Questionnaire (Annexure 'A') was administered to 46 stakeholders comprising of exam aspirants, civil servants, ex civil servants and non-civil servants. Sample was randomly chosen from aspirants from Delhi University and those who come to UPSC for taking forms/interview. Some APPPA participants and other civil servants were interviewed. Few retired civil servants and academics as well as other non-civil servants completed the stakeholders. The idea of questionnaire was to know the perception of the stakeholders regarding the various performance parameters pertaining to UPSC. Major findings of the survey are given below:

- a) Regarding knowledge about the functioning of UPSC in entirety (question 8), around 65% of those surveyed knew the total answer. Among sub-groups, only 33% of exam aspirants and 40% of non-civil servants knew the answer. Although almost everyone knew that conducting examination is one of the functions of UPSC, but only majority of present and former civil servants knew about other

functions. Thus it can be inferred that majority of those who are not civil servants are unaware about the entire range of UPSC's functions showing some sort of public apathy.

- b) Question (no. 9) was asked regarding whether respondents were aware that many posts are excluded from the purview of UPSC. Only 65% of the respondent knew about this which surprisingly included 20% of civil servants. Again as many as 60% of exam aspirants and 30% of non-civil servants did not know about UPSC (exemption from consultation) Act 1958.
- c) In question 10 we asked whether according to the respondents the UPSC has been fair in discharging its Constitutional duties. Around 85% feels UPSC has been 'very fair' in fulfilling its Constitutional mandate while rest 15% feels it has been 'fair'. None of the respondents found performance to be 'not so fair' or 'not fair at all'.
- d) 74% of the respondents felt that UPSC has been able to recruit civil servants of impeccable merit, integrity and ability while rest 26% felt the success is 'partly'. None, however, opined that UPSC failed to recruit civil servants of requisite quality.
- e) 89% of the respondents felt that UPSC has been successful in implementing Government's recruitment policy towards the aspirants belonging to SC/ST/OBC/Minorities/Women. However 11% of the respondents felt UPSC has only being partly successful in its endeavour.

- f) A whopping 91% felt that there is no bias in the selection process of UPSC. Urban bias, 'stereotype bias', time delay bias are some of the reasons given by those 9% of respondents who felt there is bias in the selection process.
- g) Around two-thirds of the respondents were aware of some reforms/technological initiatives carried out by UPSC. Most were aware of changes brought about in CS Prelims examination through introduction of CSAT paper. Some were also aware of introduction of online application; e-admit card; continuous up gradation of syllabus etc.
- h) 50% of the respondents gave suggestions to further improve the performance of UPSC while the rest had no suggestions to offer or were fully satisfied with the performance of UPSC. Main suggestions, inter alia, included reduction of time in selection process; more use of IT; structured interaction of the Commission with serving civil servants; post result counseling regarding various Services; testing of integrity and moral values in exams; introduction of psychological test; recruitment of professional for short term contract; association of more technocrats in selection process; to have Armed Forces type Service Selection Board to pick right quality of human beings required for the job rather than go for 'one size fits all' type of interviews at present.

From the survey we see that majority of person who are not civil servants are not fully aware of UPSC's functions. However majority gave thumbs up to the

capability of UPSC to recruit meritorious and able civil servants while keeping the aspirations of weaker/disadvantageous sections in mind. Though some expressed their concerns regarding whether civil servants of requisite integrity and merit are being appointed or not. Concerns were also expressed regarding delay in finalizing the cases and right type of interview system.

## **THEORY Vs PRACTICE**

Various authors and scholars of personnel administration have highlighted the desired parameters of a good recruitment agency. We have seen some of the opinions of eminent scholars in Chapter 2 on literature review. To recap, we saw that the attributes of a good recruitment agency are:

- It should focus on recruiting the best potential people.
- To ensure that every applicant and employee is treated equally with dignity and respect.
- Unbiased policy
- Transparent, task oriented and merit based selection.
- Weightage during selection given to factors that suit organization needs.
- Abides by relevant public policy and legislation on hiring and employment relationship.
- Integrates employee needs with the organizational needs.

If we compare the performance of UPSC with the attributes mentioned above we see by various parameters with which we have examined its performance, UPSC meets successfully the criteria of being task oriented, merit based, having unbiased policy and abides by public policy on employment to weaker sections. If we see the website of UPSC, more and more information is being uploaded as compared to earlier years of RTI Act. Information regarding weightage in interview, tie breaking principle, mark sheets, old question papers etc. are either being uploaded on website or told under RTI Act. Thus there are efforts to increase transparency by the UPSC but the critics point out that UPSC is still shy of giving crucial information like showing of answer sheet; name of advisers and examiners; individual marks of each members of interview board and scaling/moderation principles.

Another cause for concern is delay in finalization of cases as timely completion is also an attribute of good recruitment agency. How far the charge of delay is fair will be taken in the next Chapter.

In this chapter we have tried to assess the performance of UPSC vis a vis its mandate under Article 320 read with Article 16(4), 37, 38, 39 and 335 of our Constitution. We have generally seen that it seems that UPSC has to a large extent fulfilled its Constitutional mandate. In the next chapter, however, we will see the limitations, weaknesses and threats to the functioning of UPSC to get an overall view.