



GOA BOARD OF SECONDARY AND HIGHER SECONDARY EDUCATION

*ALTO BETIM – GOA 403 521*

## UNION PUBLIC SERVICE COMMISSION

The Union Public Service Commission is a constitution body, established under Article 315 of the Constitution of India. The Commission consists of a Chairman and 10 Members, who are appointed by the President of India, under Article 316 of the Constitution of India, for a term of 6 years or till 65 years of the age, whichever is earlier. The function of the Union Public Service Commission, term of office of Chairman and Members and others related matters are governed by Articles 315 to 323 of the Constitution of India.

The terms and conditions of service of Chairman and the Members of the Commission are governed by the Union Public Service Commission (Members) Regulations, 1969. The Commission is assisted by a Secretariat headed by a Secretary. The Commission is located at Dholpur House, Shahjahan Road, New Delhi.

### Historical Background

Indianisation of the superior Civil Services became one of the major demands of the political movement compelling the British Indian Government to consider setting up of a **Public Service Commission** for recruitment to its services in the territory. The first Public Service Commission was set up on October 1st, 1926. However, its limited advisory functions failed to satisfy the people's aspirations and the continued stress on this aspect by the leaders of our freedom movement resulted in the setting up of the **Federal Public Service Commission** under the Government of India Act 1935. Under this Act, for the first time, provision was also made for the formation of Public Service Commissions at the provincial level.

The Constituent Assembly, after independence, saw the need for giving a secure and autonomous status to Public Service Commissions both at Federal and Provincial levels for ensuring unbiased recruitment to Civil Services as also for protection of service interests. With the promulgation of the new Constitution for independent India on 26th January, 1950, the Federal Public Service Commission was accorded a constitutional status as an autonomous entity and given the title – **Union Public Service Commission**

### Constitutional Provisions

The Union Public Service Commission has been established under Article 315 of the Constitution of India. The Commission consists of a Chairman and ten Members.

The terms and conditions of service of Chairman and Members of the Commission are governed by the Union Public Service Commission (Members) Regulations, 1969.

The Commission is serviced by a Secretariat headed by a Secretary with two Additional Secretaries, a number of Joint Secretaries, Deputy Secretaries and other supporting staff.

The Union Public Service Commission have been entrusted with the *following duties and role under the Constitution*:

1. Recruitment to services & posts under the Union through conduct of competitive examinations;
2. Recruitment to services & posts under the Central Government by Selection through Interviews;
3. Advising on the suitability of officers for appointment on promotion as well as transfer-on-deputation;
4. Advising the Government on all matters relating to methods of Recruitment to various services and posts;
5. Disciplinary cases relating to different civil services; and
6. Miscellaneous matters relating to grant of extra ordinary pensions, reimbursement of legal expenses etc.

The major role played by the Commission is to select persons to man the various Central Civil Services and Posts and the Services common to the Union and States (viz. All-India Services).

### **EXPENSES OF PUBLIC SERVICE COMMISSIONS**

The expenses of the Union or a State Public Service Commission, including any salaries, allowances and pensions payable to or in respect of the members or staff of the Commission, shall be charged on the consolidated Fund of India or, as the case may be, the Consolidated Fund of the State.

### **RECRUITMENT TO VARIOUS SERVICES AND POSTS**

#### **To Duties & Role of the Commission**

Under Article 320 of the Constitution of India, the Commission are, inter-alia, required to be consulted on all matters relating to recruitment to civil services and posts.

**RECRUITMENT** is made by one of the following three methods:

1. Direct Recruitment;
2. Promotion; and
3. Transfer

**DIRECT RECRUITMENT** is conducted broadly under the following two methods:

1. Recruitment by competitive examination.
2. Recruitment by selection through interview.

#### **RECRUITMENT BY COMPETITIVE EXAMINATION**

Under the Constitution one of the functions of the Commission is to conduct examinations for appointment to Civil Services/Posts of the Union. In addition, competitive examinations are also held by the Commission under arrangements with the Ministry of Defence for entry to certain Defence Services, through the National Defence Academy, Indian Military Academy, Naval Academy, Air Force Academy and the Officers Training Academy.

The Commission usually conducts over a dozen examinations every year on an all India basis. These include Examinations for recruitment to services/posts in various fields, such as Civil Services, Engineering, Medical and Forest Service, etc.

For an overview of examinations regularly held by the Commission. See "Overview of Examination" under this Chapter.

At present the Union Public Service Commission conduct their examinations at numerous venues spread over 42 regular centers throughout the country.

## **RECRUITMENT BY SELECTION**

Recruitment by Selection is made by the following methods:

1. By Interview Only
2. By Recruitment Test Followed By Interview

### **BY INTERVIEW ONLY**

Where the number of applicants is very large, it is not practicable to call for Interview all the applicants who fulfill the minimum eligibility conditions prescribed. The Commission, therefore, shortlist the candidates to be called for the interview on the basis of certain pre-determined criteria related to the job. A large number of recruitment cases is handled by the Commission by the method (1) above.

### **BY WRITTEN TEST FOLLOWED BY INTERVIEW**

In this category, there are two types of procedure followed:

- a. An objective-type written and/or practical test to test the skill of the candidates followed by Interview, the final selection being decided by Interview, aided by the performance of the candidates in the written test and/or practical test.
- b. An objective-type written and/or practical test to screen candidates to be called for interview, the final selection being decided by Interview only.

### **Appointment By Promotion And Transfer On Deputation/Transfer**

In accordance with the procedure decided by the Government, in consultation with the Commission, Chairman or a Member of the Commission presides over the Departmental Promotion Committee Meetings to consider promotions from Group B to Group A and from one grade to another within group A, where promotion is to be made by Selection.

### **Deputation**

The Recruitment Rules for a number of posts provide for appointment by Transfer on Deputation (including short term contract) and Transfer. When the field of consideration consists of Central Government as well as State Government officers, prior consultation with the Commission is necessary for selection of an officer. When the file for consideration is made more broad-based and consists of not only Central/State Government officers but also officers from Non-Government Institutions, the selection has to be made in consultation with the Union Public Service Commission.

## **All India Services**

The All India Services Act, 1951 and Rules and Regulations framed there under regulate the recruitment and conditions of service in respect of the All India Services viz. Indian Administrative Service, Indian Police Service and Indian Forest Service.

As far as direct recruitment to the Indian Administrative Service and Indian Police Service Examination are concerned, it is done through the Civil Services Examination and for the Indian Forest Service through the Indian Forest Service Examination held by the Commission.

The relevant Rules and Regulations provide that 33% of the vacancies in the IAS/IPS/IFS should be filled by promotion from amongst the officers of the State Service in consultation with the Commission. The Selection Committee presided over by Chairman/Member of the Commission consists of senior Government representatives of the Central Government and the State.

## **Mechanisation - Project Sampera**

The Commission have recently undertaken a project called "SAMPERA" (Screening and Mechanized Processing of Examination and Recruitment Applications). A simplified single sheet common application form for all the examinations has been devised which will be scanned by using OMR/ICR technology. The implementation of this project will mainly help in high speed scanning of data from forms eliminating manual entry. Other benefits will be accurate and faster generation of Admit Cards, Attendance lists with photo replica and signature facsimile of each candidate, and Error-free list of doubtful cases. The main aim of this project is to cope with the increasing volume of applications through innovations and mechanized handling so as to reduce the processing time and send communications faster to minimized errors. The cases of impersonation/malpractices will also be eliminated and wasteful expenditure will be reduced.

## **RECRUITMENT RULES**

In accordance with the provisions contained in Article 320 of the Constitution read with the provisions of Union Public Service Commission (Exemption from Consultation) Regulations 1958, Recruitment Rules of all Group 'A' and Group 'B' posts in various Ministries/Departments of Government of India are required to be framed in Consultation with the Commission. Consultation with the Commission is also necessary for framing/amending Recruitment Rules for certain categories of posts under the Employees State Insurance Corporation, The Delhi Municipal Corporation, The New Delhi Municipal Council, Employees Provident Fund Organisation etc. under the relevant Acts made by Parliament in pursuance of the provisions of Article 321.

All proposals for framing/amending Recruitment Rules are examined keeping in view the cadre structure of the organization and the circulars issued by the Govt. from time to time. After approval, the Commissions' advice in the matter is communicated to the Ministry/Department concerned. More than 14000 Recruitment Rules have been framed/amended so far.

## **DISCIPLINARY MATTERS**

### To Duties & Role of the Commission

Under Article 320(3) of the Constitution the Commission are required to be consulted on the quantum of penalties in disciplinary cases affecting a person serving under the Government of India in a Civil Capacity.

## **EXTENSION OF FUNCTIONS TO LOCAL BODIES ETC**

Article 321 also empowers the Parliament to extend the functions of the Public Service Commission to any local authority or other body corporate constituted by Law or by any public institutions.

## **EXEMPTIONS**

In order to exempt some posts which for reasons of National Security or some other reasons may not be required to be referred to the Commission for their advice, the Union Public Service Commission (Exemption from Consultations) Regulations were issued on September 1, 1958, under Article 320(3)(a) and (b) of the Constitution. These Regulations are amended or revised as and when the need arises.

## **RECRUITMENT & CONDITIONS OF SERVICE ETC**

The Provisions as contained in Article 309 & Article 311 of the Constitution are also required to be read in conjunction with the provisions as contained in Article 320 of the Constitution.

### **Binding nature of the advice of the Commission**

A convention has been established by the Government of India, that in the following classes of the cases referred to the Commission, the recommendations made by them shall be accepted, save in exceptional circumstances.

- a. Quasi-judicial cases.
- b. Selection for appointments of candidates.
- c. Appointment of a candidate on a higher initial pay than that of a minimum pay of the posts.
- d. Claims of expenditure incurred by the Government servants in defending legal proceedings instituted against him in respect of acts done or purporting to be done in the execution of his duty.

## **ANNUAL REPORTS**

The Commission have a duty, under Article 323 of the Constitution to present annually to the President a Report as to the work done by the Commission and on receipt of such report, the president shall cause a copy there of together with the Memorandum explaining, as respect the cases, if any, where the advice of the Commission was not accepted, the reasons for such non-acceptance to be laid before each House of the Parliament.



## HISTORY

In 1962 the Indian Parliament passed the 12th Amendment Act, 1962 to the Constitution of India, under which the Territory of Goa, Daman & Diu was included in the Schedule I of the Constitution of India (Constitution) and was declared as an Union Territory. As an Union Territory, all the selections for Gazetted group A and B posts were made through the Union Public Service Commission (UPSC). All their service matters, such as promotions, confirmations, seniority, recruitment rules, disciplinary matters, etc. were controlled by the UPSC.

Under the Constitution (Fifty Sixth Amendment) Act, 1987 Goa was included in the Schedule I of the Constitution of India, as the twenty fifth State of India. With the attainment of Statehood w.e.f. 30-5-87, under Article 315 of the Constitution of India, Goa was entitled to have its own Public Service Commission. Accordingly, Notification No. 13/54/88-PER-117 dated 26th May, 1988 was issued by the Government of Goa and w.e.f. 30-5-88 the Goa Public Service Commission (GPSC) was set up and the UPSC discontinued to exercise its jurisdiction over service matters, in Goa. Dr. J.C. Alemeida, IAS (Retired) was appointed as the first Chairman of the Goa Public Service Commission.

## ABOUT US

The Goa Public Service Commission is a body created by the Constitution of India. The Commission advises the Government on all matters relating to State Civil Services referred to it under Article 320 (3) of the Constitution. The requisitions from the Government are received in the form of proposals and the mode of filling up the vacancies. The mode of filling up the posts is either by direct recruitment inviting applications from the open market or by way of promotion from lower grades which are called feeder grades. The recruitment is strictly governed and guided by Recruitment Rules framed by the Government under Article 309 of the Constitution under the advice from the Commission. In case of direct recruitment the Commission publishes advertisement, notifies the number of vacancies with requirements of essential qualifications and experience as per the Recruitment Rules.

The reservation in favour of various categories like SC, ST, OBC, PH or CFF etc., are indicated as also the age limit. Only the candidates fulfilling all the essential requirements of the Recruitment Rules are considered to be eligible. Knowledge of Konkani is an essential qualification for direct recruitment in the State of Goa. Depending upon the number of candidates found eligible the candidates are short-listed by various methods viz. written tests and/or skill test and/or physical test and/or screening test and/or group discussions followed by an interview or only by an interview.

During interview the academic record of the candidates is taken into consideration. However, the performance of the candidates in the interview, his personality, patience, behaviour, general knowledge, promptitude, etc. are also taken into consideration. The Commission invariably takes assistance and advice of senior and experienced person in the relevant field. Accordingly, a merit list is prepared and sent to the government with recommendation to appoint the candidates in the order of merit. The candidates are informed that Commission is only a recommending authority and Commission's advice is not binding on the Government. At present the Commission deals with the recruitment or promotion only of A and B Group of Officers.

## COMPOSITION

The Commission consists of Chairman and two Members. The details are as under:

S.No	Name	Designation
1	Shri. Kurapati Dwarakanath Row	Chairman , w.e.f04.03.2013
2	Dr. M.M. Sangodkar	Member, w.e.f10.12.2012

## SECRETARIAT

Shri. Dattaram Sardessai, an officer from the Selection Grade Officer of Goa Civil Service (on deputation to GPSC) presently mans the post of Secretary. Smt. Seema V. Malkarnekar is holding the post of Deputy Secretary. Smt. Paula Rodrigues , Smt. Vrinda V. Valvaikar and Cilia Oliveira Fernandes are holding the posts of Under Secretary.

## STAFF STRENGTH

The total sanctioned staff strength of Group C and D staff is 38 against which 34 were in position as on date. Recently a post of "Technical Officer (Computer)" is created to computerize the functioning of the Commission.

## FUNCTIONS

1. To conduct examinations for appointments to the civil services of the State of Goa.
2. The Goa Public Service Commission shall be consulted by the State:
  - (a) on all matters relating to methods of recruitments to civil services and for civil posts;
  - (b) on the principles to be followed in making appointments to civil services posts and in making promotions and transfers from one service to another and on the suitability of candidates for such appointments, promotions or transfers;
  - (c) on all disciplinary matters affecting a person serving under the Government of a Goa in a civil capacity, including memorials or petitions relating to such matters;
  - (d) on any claim by or in respect of a person who is serving or has served under the Government of Goa, in a civil capacity, that any costs incurred by him in defending legal proceedings instituted against him in respect of acts done or purporting to be done in the execution of his duty should be paid out of the Consolidated Fund of the State;

(e) on any claim for the award of a pension in respect of injuries sustained by a person while serving under the Government of Goa , in a civil capacity, and any question as to the amount of any such award; and it shall be the duty of a Goa Public Service Commission to advise on any matter so referred to them and on any other matter which the Governor of Goa may refer to them;

Provided that the Governor, as respects other services and posts in connection with the affairs of the State, may make regulations specifying the matters in which either generally or in any particular class of case or in any particular circumstances, it shall not be necessary for a Goa Public Service Commission to be consulted.

The Goa Public Service Commission is entrusted with the above functions in respect of Group **A** and **B** posts only. However, certain categories of the posts have been excluded from the purview of the Commission by virtue of the Goa Public Service Commission (Exemption from Consultation) Regulations, 1988, under Article 320 of the Constitution of India, which are as follows:-

- (1) Posts in respect of which the authority to appoint is specifically conferred on the Governor by the Constitution.
- (2) Posts of Chairman or Member of any Board, Tribunal, Commission, Committee or other similar authority created by or under provisions of a Statute.
- (3) Posts of Chairman or Members of any Board, Tribunal, Commission, Committee or other similar body appointed by or under the authority of a resolution of the State Legislature or by a resolution of the Government for the purpose of conducting any investigation or enquiry into or for advising the Government on specified matters.
- (4) Posts on the personal staff attached to holders of posts mentioned in items (1) to (3) above
- (5) All posts in the Goa Legislature Secretariat.
- (6) District Judges, Sessions Judges, Additional District Judges and Additional Sessions Judges in the State.
- (7) All posts in Grade-II Senior Branch- Civil Judge Senior Division.
- (7 a) Posts of Registrar in the District Courts Goa.
- (8) All Class Group 'C' and Class Group 'D' Services and posts save as otherwise expressly provided in the relevant rules or orders governing recruitment thereto
- (9) All posts on the personal, secretariat and household establishments of the Governor.
- (10) Any Service or post or class of posts in respect of which the commission has agreed that it shall not be necessary for it to be consulted.

Appointments of Civil Judge Junior Division in the judicial services of the State are also within the purview of the Commission, since besides the High Court, Commission is also required to be consulted by the Governor while making such appointments.

The Chairman of the Commission constitutes the committees and assigns the work to the Members and Staff of the Commission to carry out the functions of the Commission. Interview Committees and Departmental Promotion Committees are the important Committees. In case of Interview Committee, Chairman seeks assistance of advisors/experts as per the requirements.



The Commission has to submit an Annual Report to the Governor of Goa regarding the work done by Commission, indicating the cases, if any, where the advice of the Commission was not accepted and the reasons for such non acceptance.

**Budgetary Provision**

The expenses of the Goa Public Service Commission, including salaries, allowances and pensions to or in respect of the Members or Staff of the Commission, is charged on the Consolidated Fund of the State of Goa.

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