

Union Public Service Commission (UPSC)

written by iasexam.com | 18/05/2023



Context- As Chairman of the UPSC, Manoj Soni took the Oath of Office and Secrecy. Since April 2022, he had already assumed the role of chairman in charge.

History of UPSC

- The Government of India Act 1919 accommodated the foundation of a Public Service Commission in India interestingly. The Demonstration typified the Montagu-Chelmsford reforms (suggested in the report of the Secretary of State for India, Edwin Montagu, and the Viceroy, Chelmsford).
- In its 1924 report, the Royal Commission on the Superior Civil Services in India, also known as the Lee Commission, called for the immediate establishment of the statutory Public Service Commission, which was mandated by the Government of India Act of 1919.
- Following that, on October 1, 1926, the Public Service Commission was established, with Sir Ross Barker serving as its first chairman.
- The Government of India Act of 1935 renamed it the Federal Public Service Commission.
- With the initiation of the Constitution of India on January 26, 1950, the Government Public Help Commission came to be known as the Association Public Help Commission (UPSC).

Provisions in the Constitution

- Union Public Service Commission (UPSC) is a constitutional body.
- **Articles 315 to 323 of Part XIV** of the constitution, named as Services Under the Association and the States, accommodate a Public Service Commission for the Association and for each state.
- The Public Service Commissions for the Union and the States are the subject of **Article 315**. Parliament may by regulation accommodate the provision of a Joint State Public Service Commission on the off chance that at least two States pass a goal for having one Public Service Commission for that group of States
- **Article-316** arrangements with Arrangement and term of office of individuals.
- The removal and suspension of a member of a Public Service Commission is the subject of **Article 317**.
- The authority to regulate the terms of service of Commission members and staff is covered in **Article 318**.
- **Article 319** addresses the prohibition against Commission members ceasing to be members holding office.
- The functions of public service commissions are the subject of **Article 320**.
- Power to expand the responsibilities of Public Service Commissions is the subject of **Article 321**.
- The expenses of public service commissions are the subject of **Article 322**.
- Public Service Commission Reports are the subject of **Article 323**.

Functions

- According to Article 320 of the Constitution, the UPSC must be consulted on all matters pertaining to recruitment into the Union's civil services and posts.
- In order to select officers for the Indian Administrative Service (IAS), the Indian Foreign Service (IFS), the Indian Police Service (IPS), and other all-India services, it conducts the civil services examination.
- It creates and updates the Recruitment Rules for various government positions and services.
- Discipline cases involving a variety of Civil Services are the focus of this court.
- The commission can provide advice to the government through the President, but such advice is not binding on the government. The commission reports directly to the President.

Composition

- The number of members of the Commission can be set by the President of India in accordance with **Article 318**.
- UPSC currently has a Chairman in charge and a maximum of ten members.

Appointment

- **Article 316** stipulates that the President of India shall appoint the Chairman and the other members of the Union Public Service Commission.
- At the time of their appointments, nearly half of the Commission's members will have served for at least ten years in a government position, either in India or in a state.

Conditions of service

- According to Article 318, the President of India has the authority to set the terms under which members serve.
- After his appointment, the terms of his employment cannot be altered to his disadvantage.

Tenure

- An individual from an UPSC will hold office for a term of a long time from the date on which he enters upon his office or until he accomplishes the age of 65 years, whichever is prior.

Retirement

- According to Craftsmanship 319, an individual who holds office as Executive will, on the lapse of his term of office, be ineligible for re-arrangement to that office.
- Other UPSC members can be appointed as the Chairman of the UPSC or the Chairman of a State Public Service Commission, but they cannot be hired for any other position with the Indian or State governments.
- Removal Chairman or any other UPSC member may only be removed from office by President's order on the grounds of "misbehavior" after the Supreme Court has determined, in response to President's reference, that they should be removed.
- In addition, if the Chairman or any other UPSC member is deemed insolvent, the President may order their removal; or work for money outside of his official responsibilities during his term; or then again
- according to the President, ill suited to go on in office by reason of sickness of psyche or body.