



PUBLIC SERVICE COMMISSIONS OF INDIA—A STUDY. By C. N. Bhale Rao.
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Many elements combine to make good administration: leadership, organization, finance, morale, methods and procedure, but greater than any of these is manpower. To find and to hold capable men and women and to help create and maintain working conditions under which they can do their best are the great tasks of personnel management.¹

INDIAN SCHOLARS have recognized the 'key role of personnel in administration;' and are devoting attention in examining and analyzing its various problems. One such study by Dr. Bhale Rao is concerned with the union and the state public service commissions.² The commissions try to ensure recruitment on merit to the public services. They also 'advise' the executive on other personnel matters like promotions, and disciplinary cases. In this study the functioning of the commission has been examined "...in the context of Indian society which is characterized by a lack of social homogeneity, a social order based on hierarchy and caste, communal and religious loyalties, poverty, illiteracy and economic inequality."³ The result of this social set-up is the appointment of members of the state public service commission on 'caste basis.' He writes :

The members of the Commission, appears to be chosen from a narrow social circle; usually they represent the dominant castes of the State. One does not find the lower middle class represented on the Commission, nor are there members with rural background. The data given in earlier discussion... shows that the dominant castes—the Lingayats and Okkalinga in Mysore and the Marathas in Maharashtra—are well represented on the Commissions. Similarly, the Reddy and Kama in Andhra Pradesh, Gounder, Padayachi and Mudalier in Madras State, Nayers in Kerala, Patidars in Gujerat and the Rajputs, Jats, Gujars and Ahirs in the States of north India tend to be represented on their respective Commissions.⁴

To avoid caste and political considerations in the appointment of members of the state commissions "...[S]ome other method will have to be prescribed for the appointment of the members of the Commissions than the present method."⁴ His suggestion is that the union government should make appointments to both the union and the state commissions, instead of the present system of the state governments making appointments to their respective commissions. Further, the union government should make these appointments "in consultation with a body of persons of the highest public standing"⁶ like Jaya Prakash Naryan, C. D. Deshmuk, Asoka Mehta, A. D. Gorwala and

1. White, *Introduction to the Study of Public Administration* 306 (4th ed. 1954).

2. Other recent studies are: Panandikar, *Personnel System for Development Administration* (1966), and Muttalib, *Union Public Commission* (1967).

3. Bhalerao, *Public Service Commissions of India-A Study* xxiii (1st ed. 1965).

4. *Id.* at 40.

5. *Id.* at 23.

6. *Id.* at 23.



P. B. Gajendragadkar. Not only does the author find the present method of appointment of commissions defective, he also objects to the constitutional provision barring the "re-appointment" of retired civil service commissioners by the central government.⁷

Every citizen of India should be concerned about the calibre of the members of the civil service commission. On their competence, integrity and independence depends the system of recruitment on merit to the higher civil services. No wonder that the Lee Commission emphasized :

These Commissioners should be detached so far as practicable from all political associations and should possess, in the case of two of their numbers at least, high judicial or other legal qualifications.⁸

The views expressed by the author on this aspect of the commission require examination. Out of seventeen states of India, he lists the caste affiliations of members of two public service commissions, namely, Mysore and Maharashtra, and jumps to the conclusion that the commissioners are appointed on caste and political considerations. Such a conclusion, to say the least, lacks objectivity and reliability. Moreover, the real question is not the caste of the members but their calibre. Are the state public service commissions manned by capable persons? The composition pattern of the membership of the commissions has included a mixture of public men and persons with experience of public administration *i.e.*, I.C.S. and I.A.S. officials. This under the present circumstances seems to be the best arrangement. The author's further suggestion that the union government, instead of the state governments, should appoint members of the commission (in consultation with persons of eminence) cuts at the very roots of the federal system. In a federal system, the state governments have autonomy in those spheres of activity which are mentioned in the state list. For the performance of these activities, they have to determine their 'staff' requirements, and make arrangements for their selection. If this power of the state governments to appoint members of their state service commissions is to be withdrawn, then why not establish a unitary system of government instead? Moreover, in a democratic system it is the function of a vigilant public opinion, of legislatures, of the press and the political parties to ensure that the government appoints capable persons to the civil service commissions.

Further, the author has not fully appreciated the significance of the bar on "re-appointment of retired civil service commissions." Due to the temptation of re-appointment, the members may succumb to political pressures and other unhealthy influences. This constitutional bar on re-appointment being an attempt to insulate the members from any pressures is a healthy provision.

7. *Id.* at 37.

8. Lee Commission Report, H.M.S.O. London, 1924, para 25.

9. Bhalerao, *op. cit.* at 21-22.



Another ticklish question is the relationship between the commission and the executive. Regarding this the author states that :

the scheme of the advisory functions of the Public Service Commissions has worked well in practice. A convention has now been more or less established both at the Centre and in most of States to accept the advice of the Commissions in all but a few exceptional circumstances.¹⁰

Some of the notable conventions are as follows :—

- (a) In matters where it is obligatory to seek the Commission's concurrence, the Government adheres to the Commission's advice, save in exceptional circumstances. Out of several thousands of such cases referred to it, the Government (Union) has departed from the Commission's advice in only 21 cases between 1950 and 1962.
- (b) Whenever the U.P.S.C. (Exemption from Consultation) Regulations are modified, the Commission's concurrence is sought as a matter of course.
- (c) The Government normally adheres to the "rule-of-one" procedure in the appointment of recruited candidates, the order of merit as worked out by the Commission is strictly adhered to save in exceptional cases.¹¹

Thus the Constitution recognizes the ultimate responsibility of government of the day for the proper management of all public affairs including the public services. For this reason, it has assigned merely advisory and consultative role to the commissions. The author, however, wants to give supervisory functions also to the commissions. He states :

It would be much better if, in addition to their present functions and powers the Commissions are given the power to develop adequate standards in regard to promotion, disciplinary control, management-employees relations and other conditions of service and exercise supervision on the application of these standards by the department.¹²

The real function of the commission is to act as the watch-dog of the merit system, hence the methods of recruitment employed by the commission assume *importance*. Written tests and oral interviews have been the methods of testing competence and suitability of the candidates. There has been a great controversy in India on the suitability of interviews and personality tests for judging the real worth of the candidates. Under pressure from the public and the Parliament, the union government has done away with compulsory minimum qualifying marks in the oral interview. After examining the practice in other countries, the author recommends the employment of "psychological techniques,"¹³ for assessing the personality of the candidates.

The book suffers from two serious defects. *First*, the author has set himself the ambitious task of studying both the union and the state public service commissions. The result is a lack of any depth in the

10. *Id.* at 161.

11. Muttalib, *op. cit.* at 182-183.

12. Bhalerao, *op. cit.* at 197.

13. *Id.* at 10.



study. A major portion of the study is devoted to the union public service commissions, state commissions have been relegated to the background. Dr. Bhale Rao would have made a singular contribution to the understanding of the Indian personnel management, had he collected enough data on the state commissions. State administration is still a neglected area of study. *Secondly*, he has filled in pages with illustrations from foreign countries (which are available in any standard text book) without properly relating them to the Indian situation. In various chapters, he refers to the personnel practices prevailing in the United States, the United Kingdom, Canada, Australia, and France. Many of those references are irrelevant.

The book deserved a better publisher and printing.

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