

## CHAPTER XLV.

### Public Services Commissions.

**Public Services Commissions.** 373. (1) There will be a Federal Public Service Commission and a Provincial Public Service Commission for each Province. By agreement, the same Provincial Commission may serve two or more Provinces.

**Appointments & Conditions of Service.** (2) The Secretary of State will appoint the members of the Federal Commission and determine their number, tenure of office, and conditions of service including their pay, allowances, and pensions, if any. The Governor will appoint the members of the Provincial Commission and determine their number, tenure of office and conditions of service including pay, allowances and pensions if any.

(3) The Chairman of the Federal Commission, at the expiration of his term of office, will be ineligible for further office under the Crown in India. The members of the Federal Commission will be eligible to become Chairman of the Federal or a Provincial Commission. They are not eligible for further appointments under the Crown in India without the approval of the Governor-General in his discretion, or the Governor in his discretion, according as the appointment concerns the affairs of the Federation or of a Province.

(4) The Chairman of a Provincial Commission, at the expiration of his term of office, will be ineligible for further office under the Crown in India save as chairman or member of a Federal Commission. The members of a Provincial Commission will be eligible for appointment as Chairman or members of the Federal Commission or any Provincial Commission and they are not eligible for further appointments under the Crown in India without the approval of the Governor-General in his discretion or the Governor in his discretion, according as the appointment concerns the affairs of the Federation, or of a Province.

(5) The emoluments of the members of all Public Services Commissions will be non-voteable.

**Duties.** (6) The Federal and Provincial Commissions' duties are :—

(a) They will conduct all competitive examinations for appointments to the Federal and Provincial Services respectively.

(b) Subject to such regulations as may be made by the Secretary of State as respects services and posts to which appointments are made by him, by the Governor-General in his discretion as respects other services and posts in connection with the affairs of the Federation, and by the Governor in his discretion as respects services and posts in connection with the affairs of a Province, the Federal and Provincial Governments shall consult the Public Service Commission concerned,

- (i) on all matters relating to methods of recruitment to civil services and for civil posts ;
- (ii) on the principles relating to appointments, transfers and promotions, and the suitability of candidates therefor,
- (iii) on all disciplinary matters affecting a person serving His Majesty in a civil capacity in India, including memorials or petitions relating to such matters,
- (iv) in connection with any claim by an officer that the Government should bear the cost of his defence in legal proceedings against him in respect of acts done in his official capacity,
- (v) on any claim for the award of pension in respect of injuries sustained by a person while serving His Majesty in a civil capacity in India, and any question as to the amount of any such award,
- (vi) on any other matter which may be referred to the Commission by the Governor-General or the Governor, in his discretion.

(7) An Act of the Federal Legislature, or of a Provincial Legislature may provide for the exercise by the Public Service Commission concerned, additional functions. But a Bill or amendment to that effect requires the previous sanction of the Governor-General, or the Governor, as the case may be, given in his discretion, and the powers so conferred shall not be exercisable in respect of a service or post appointed by the Secretary of State, or an officer of His Majesty's Forces, or the holder of a reserved post except with the consent of the Secretary of State, and in respect of a person who is not a member of one of the services of a Province, without the consent of the Governor-General.

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