

Constitutional Watch Dogs

- 1) Supreme Court
- 2) UPSC
- 3) State PSC
- 4) CAG



Union Public Service Commission(315)

- Central Recruitment agency
- Independent Constitutional Body
- Part-IV (315-323)
- Conduct Examinations for All India Services(IAS,IPS,IFS),Central Services (IRS,IES) and Public Services

Composition

- Chairman and other members(9-11)
- Appointment and numbers by President(316)
- No qualification mentioned directly but it is written that at-least half of the members should have worked for 10 years in Central or State govt.
- Tenure is 6 years or 65 years age

Removal of Chairman and Members

- Resignation to the President
- Acting Chairman :Temporary chairman appointed by President in case the office is vacant
- Can also be removed by the President if:
 - Insolvent
 - Paid Employment outside the office
 - Unfit mentally or physically
 - Misbehaviour
 - ♦ In this case President will refer the case to Supreme Court
 - ♦ S.C will set up an enquiry and submit report
 - ♦ Report is binding on President
 - ♦ During enquiry Chairman or Member will be suspended by President
- No second Term after Tenure is over for Chairman and members both
- After Retirement:
 - Chairman will not get any Govt job
 - Members can become the chairman of UPSC ,State PSC or Joint PSC

Important Points about UPSC

- Entire Expense of UPSC is charged from CFI
- UPSC submit its annual report to President and President submit that into Parliament(323)
- UPSC plays advisory role also for Govt but that is non binding
- Can help States also if demanded by two or more states
- Can help one state also if demanded by Governor with prior approval of President

State Public Service Commission(315)

- Part IV(315-323)
- Independent Constitutional Body
- Chairman and members can be appointed by Governor (316)
- No qualification mentioned ,Only one point that at-least half of the members should have served State or Union govt for 10 years
- Tenure 6 years or 62 Years of age
- Resignation to Governor

Removal of Chairman or Members

- Similar as that of UPSC (By the President not by Governor)
- During SC enquiry suspension is by the Governor

Important points about State PSC

- Acting chairman will be appointed by Governor
- No reappointment after tenure on Same post
- After Retirement:

- Chairman SPSC:Chairman UPSC, Member of UPSC,Chairman of Other PSC,Chairman of Joint PSC
- Member of SPSC:Chairman of SPSC(any),Chairman of Joint PSC and UPSC,Member of Other state PSC,Joint PSC and UPSC
- State PSC submits report to governor who will place the report to State Legislature(323)
- Also has non binding advisory role

Joint Public Service Commission

- Establishment for two or more states
- This is a Statutory body(Formed by an act of Parliament)
- In 1966 when Haryana and Punjab were separated then JPSC was developed at that time for both
- Chairman and members appointed by President(Numbers also decided)
- Tenure 6 years or 62 years
- Resignation to President
- Qualification same as that of UPSC
- Removal and Suspension same of UPSC
- JPSC will submit its report to Governors and governor will place that in respective state legislature

Notes:

1)Central Public service commission was established through GOI-1919 in 1920

2)GOI-1935 discussed about formation of three bodies:

- Federal public service commission
- Provincial PSC
- Joint PSC

Finance Commission

- Constitutional Body under article 280
- In every 5th Year Finance commission is established
- It is constituted by President at every 5th year or before that also
- Its a Quasi Judicial Body ,it can summon also
- Its a 5 Member body with one chairman
- Qualifications will be prescribed by the Parliament,Like for chairman it is mentioned that he should have experience in public affairs
- Can be reappointed also

Who can become Member

- Judge of HC or Qualified to become Judge
- Special knowledge of Economics
- Knowledge in finance and accounts
- Experience in financial matters and administration

Functions of Finance Commission

- Distribution of net proceeds of taxes between centre and states($100-10=90$) and between the states
- Decide the Principle for Grant in aid for the state to be provided by the centre
- Measures to augment/increase the Consolidated fund of state to supplement the resources of Panchayats and Municipalities on the recommendation of State Finance Commission
- Any other work given by President
- Finance commission will submit its report to President which place the report in Parliament.This report is non binding

Notes:

- *1st Finance Commission was established in 1951 with Chairman KC Neogy*
- *The Fifteenth Finance Commission (XV-FC) was constituted in November 2017 to give recommendations for vertical and horizontal devolution of taxes for five fiscal years, commencing 1 April 2020.*
- *Under the chairmanship of NK Singh. Its recommendations will cover a period of five years from April 2020 to March 2025.*