

**MIZORAM PUBLIC SERVICE COMMISSION:
ORGANIZATION AND WORKING**

A DISSERTATION

**SUBMITTED TO THE MIZORAM UNIVERSITY IN PARTIAL
FULFILLMENT OF THE DEGREE OF
MASTER OF PHILOSOPHY IN PUBLIC ADMINISTRATION
(SCHOOL OF SOCIAL SCIENCES)**

SUBMITTED BY

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DECLARATION

I, R. Lalrinchhani hereby declare that the dissertation entitled **Mizoram Public Service Commission: Organization and Working** is a record of work done by me during 2009 to 2011 under the supervision and guidance of Dr. Lalneihzovi, Associate Professor of the Department of Public Administration, Mizoram University. The dissertation did not form basis of award of any previous degree to me or to the best of my knowledge to anybody else, and it has not been submitted by me or anybody else for any research degree in any other University/Institute.

This is being submitted to the Mizoram University for the degree of Master of Philosophy in Public Administration.

(R.LALRINCHHANI)

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ABBREVIATIONS

| | | |
|------------------|----------|---|
| ACR | : | Annual Confidential Report |
| DoNER | : | Development of North Eastern Region |
| DP&AR | : | Department of Personnel and Administrative Reforms |
| I.T | : | Information Technology |
| IAS | : | Indian Administrative Service |
| MCS | : | Mizoram Civil Service |
| MES | : | Mizoram Engineer Service |
| MF&AS | : | Mizoram Finance and Accounts Service |
| MIS | : | Mizoram Information Service |
| MLA | : | Member of Legislative Assembly |
| MMS | : | Mizoram Ministerial Service |
| MNF | : | Mizo National Front |
| MPS | : | Mizoram Police Service |
| MPSC | : | Mizoram Public Service Commission |
| MSS | : | Mizoram Secretarial Service |
| UNESCO | : | United Nations Educational, Scientific and Cultural Organization |
| UPSC | : | Union Public Service Commission |

CHAPTER I

INTRODUCTION

Mizoram is a small state situated in the North Eastern corner of India. The present state of Mizoram was a part of Assam known as Lushai Hills District. In 1954, the nomenclature was changed into Mizo Hills District which later on in 1972 became a Union Territory named Mizoram. Subsequently, it attained statehood on February 20, 1987 and became one of the federal units of Indian Republic.

Geographically, it covers an area of 21,087 sq km with a population of 1,091,014 (2011 census) with an average density of 113 per sq km. The geographical location of the state is of great significance. It has a long inter-state border with Assam (123 km), Tripura (66 km) and Manipur (95 km).¹ It also share international border with Myanmar and Bangladesh. Mizoram is highly mountainous and has rugged topography. Its limited communication with mainland India and tribal economy have introduced elements of complexity in the politico-administrative system. This unique geographical personality has enabled Mizoram to enjoy a degree of isolation from the rest of the country and build its way of life and institutions without being subjected to undue influence from outside its traditional borders.

In the political realm, Mizoram has witnessed 5 ministries within a span of 24 years (1987-2011). In the administrative sphere orientation has shift from 'Police State' to 'Welfare State'. The entire fabric of civil service is controlled and guided by the political executive. But the efficiency of every administration depends on the integrity and endurance of its civil servants. Political authority changes from time to time, but

the civil service is a permanent system entrusted with the duty of preserving the continuity in administration by upholding the politics of each successive government.

The business of a modern government is carried on by its administrative agencies manned by public servants. The efficient functioning of the government rely heavily on sound administrative organizations, methods and procedures and most importantly, competent public servants devoted to public interest. Every state is enormously dependent upon the quality of its public officials since the efficiency of administration mainly depends on the nature of its personnel. When the civil servants occupy such crucial role, the important aspects relating to their recruitment, training, promotion, conditions of service etc. assume importance. An efficient personnel administration can generate development, dynamism and modernization and ultimately lead to nation building.² A sound personnel policy or administration is an essential requisite for a sound administration.

Recruitment is the “Cornerstone of the whole public personnel structure.”² The quality of civil service is essentially a reflection of the efficacy of its recruitment operation. The process of recruitment through which the civil service personnel are selected and inducted for the entire structure of the administrative pyramid has, therefore, become a focal point in the management of public personnel in the modern states.³

The aspiration of national development has become the major goal of all developing countries. In fact, this has been the greatest challenge in our country today. The civil services play a massive role as a mechanism for achieving socio-economic development because in developing country like India, it is mainly through public organizations and their proper management that goals and objectives of the country are achieved.⁴ The civil services, especially the higher civil service, play a substantial role in policy formulation and their implementation. Therefore, commitment of the civil

service to the goal of national development has become an important factor. Whether the civil service would do so or not depends on what personnel the system inducts. The setting up of an efficient instrument to ensure the entry of only the best into public offices, therefore, is imperative for any government demanding an efficient administration to deliver the goods. Such an instrument in India is the Public Service Commissions.

The Public Service Commission adopted the scientific system of recruitment based on the merit principle. In modern times, India is the second country after Prussia, to adopt the scientific system of recruitment when it accepted the principle of merit as the basis of recruitment in 1853.⁵ The merit system stands for the selection, retention and promotion of civil servants on the basis of demonstrated fitness. These are tested and judged objectively on well defined standards.

Before the rise of merit system, the patronage system of recruitment to civil service was practiced in British India. The civil service posts were given as political reward or personal favor. An ordinary citizen who had the required merit but no patronage could not enter the civil service. This system breeds corruption and inefficiency in administration. Therefore, the increased concern about corruption, economy, efficiency and public rights to public office gave rise to the modern civil service by the middle of the 19th century.

The Constitution of India, through Article 320 has assigned the function of recruitment to the Public Service Commissions. The makers of the Indian Constitution assigned to the Commissions a pivotal role in ensuring sound health of the administration. They wanted entry into Public Services of the Union and the States to be free from political and bureaucratic interferences. In order to ensure their independence from political executives, the Constitution provided that if a Chairman or member of a Commission was an employee of the State Government before his

appointment, he shall be deemed to have retired from Government Service. Similarly, the members were given security of tenure, and their conditions of service could not be changed to their detriment after forming the Commission. In order to prevent their buckling under Government pressure, or being won over with the lure of lucrative post after retirement, a ban was placed on their future employment under the Government.

The first Public Service Commission in India was set up at New Delhi under section 96C of the Government of India Act 1919. The Commission was empowered to recruit officers for All India Services and higher services. The other bigger provinces in India wanted the Federal Public Service Commission to establish regional offices in the provinces to ensure better selection for their services. This demand was examined by the “Lee Commission”, which recommended that each province should have its own Public Service Commission, by suitable legislative enactment. In pursuance of this, the Madras Province took the initiative and became the first province to enact a law and to set up a Provincial Public Service Commission in the year 1929. The other provinces like Uttar Pradesh and Punjab also followed.⁶

When India achieved Independence, it provides in its Constitution for the establishment of Public Service Commission in every state under Article 315. Therefore, it has become a constitutional obligation to create Public Service Commission to be consulted by the State Government on matters of appointment to civil services when Mizoram was granted statehood on 20.2.1987.

Review of Literature

Though all standard books on Indian Administration contain information pertaining to Public Service Commissions, there has been dearth of published materials which exclusively deals with the subject. In case of Mizoram, the Mizoram Public Service Commission has made headlines in the news for quite a few times (for the

wrong reasons). However, no study has ever been undertaken on the subject and published literature pertaining to it is very few.

Dubey and Dubey's (1999) *State Public Service Commissions (Institutions Under Attack From Outside and Crumbling From Inside)* attempts to highlight the facts indicating as to how these institutions are under assault from outside, and are crumbling from inside. It presents the expectations of the founding fathers of the Indian Constitution from this institution and examine whether those expectations have been fulfilled or not. The authors give explicit details about the system in depth, points out the ground realities about the institution which they believe is suffering from cancerous growth and is in dire need of a surgeon's knife. After a careful diagnostic analysis, they also suggested remedial measures. The book points out the need for evolving a national policy to ensure that the State Public Service Commissions are manned by men of outstanding merit, caliber and integrity, and the system ensures that they function with independence, a high degree of competence and not influenced by the smiles and frowns of the Political Executive and bureaucracy. It also identifies the wide disparities in the pay and service conditions of the members and chairman of the Public Service Commissions in different states and suggested uniformity across the country. It observed that though article 22 of the Constitution seeks to confer financial autonomy, the Commissions do not enjoy "real financial autonomy". The reality is that the Chairman of some of the Public Service Commission cannot spend a single Naya Paisa without authorization from the lower ranking functionaries of the State Government. The Commissions are starved of funds, so that the chairman is always knocking at the doors of the state bureaucracy with a begging bowl in his hand. It also included measures for pruning the bureaucracy through efficient manpower planning. The various steps involved in the recruitment process have been critically examined and suggestions have been given to plug the entry of the undeserving manipulators.

Assam Public Service Commission by Niru Hazarika (1979) presents a detailed study of the organization and functions of Assam Public Service Commission and its relations with other organs of the Government. It also traces the historical background of Public Service Commissions since the establishment of the first commission in 1926 by the Government of India Act 1919. The study pointed out the need to have a uniform policy regarding the appointment as well as the emoluments of the members of the State Public Service Commission. The study has suggested that to secure uniformity throughout the country in this respect, specific provision should be made in the Constitution in the same manner in which it is made for judges of the High Courts and the Supreme Courts. The study also observed that lack of adequate funds at the disposal of the Commission make it unable to discharge their duties efficiently. The study also revealed that the practice of adhoc appointments diluted the role of the Commissions as the guardian of merit. It has been observed that most of the adhoc appointments are continued beyond the stipulated period without the approval of the Commission and without proper requisition being sent to them. An interesting suggestion made by the study is conferences of the chairmen and members of the Public Service Commissions of the North East States to be held periodically. This would facilitate an exchange of views in matters of common interest and pool experience. Further, these conferences may formulate uniform procedure for the working of the Commissions throughout the region.

A study conducted by P.M. Thomas (1990) on *The Kerala Public Service Commission: Concept and Working*⁷ attempts to objectively analyzes the problems faced by Kerala Public Service Commission from an academic point of view. It focuses on the performance and functional activities of the Commission within the conceptual framework of the Constitution of India. The study reveals the merits and setbacks of the Kerala Public Service Commission and suggests remedies. It observed that in the present set-up, the composition of the Commission is submerged at Political Patronage and the Forum of the ruling party is the authority to decide the members of the Commission. This led to the erosion of public trust in the impartial functioning of the Commission. In this

respect, it is suggested that the Government should establish a healthy convention by selecting personnel solely on merit and competence. It is also found that the financial stringency of the state Government affects the Kerala Public Service Commission and this is a challenge to the independence of the Commission. This study also reveals that the staff strength of the Commission is not sufficient to meet the mounting pressures of the work-load of the Commission. The survey report of the study concluded that the Commission shows a decline in fulfilling the aspirations of the employment seekers.

R.K.Sapru's (1985) *Civil Service Administration in India* attempts to delve deep into the issues facing the Civil Service in a developing Indian State by taking a case study of Haryana Civil Service. It also suggests measures for increasing the capacity of the Civil Service to contribute effectively to the sustained economic and social growth as well as state-building. In the chapter on Recruitment, various modes and procedures of recruitment as well as the recruiting agencies have been carefully diagnosed. The study points out the massive scale of political interference in the functioning of the Haryana Public Service Commission. The credibility of the Commission as a fair recruiting agency has been undermined. The study also reveals that the existing arrangement for recruitment through the Commission is not satisfactory. It further states that the Haryana Public Service Commission has, of late acquired the label of a "Den of Corruption". The ruling party is always in a hurry to pack the Commission with such persons as would be of great benefit to it in matter of recruitment. Academic knowledge, honesty, integrity and experience are of not much significance. What is significant is the dependability of the person (selected as members of the Commission).

Arunoday Bhattacharjya's (1984) *Recruitment Rules and Civil Services* tried to highlight the close link between the principles and contents of Recruitment Rules, on one hand, and the quality and role of Civil Service on the other, with a focus on the Indian scenario. The central theme is that the structure and functions of the civil services are influenced, graduated and circumscribed directly, though not wholly by the modalities of

recruitment laid down in the rules for intake of personnel in the governmental system. The concepts and domain of recruitment, the principles and different techniques of recruitment, recruitment methods and procedures as well as the different recruiting agencies have been clearly identified and described. The Constitutional provision relating to Recruitment Rules and Acts and Delegated Legislations regulating recruitment are thoroughly analyzed. The responsibility of the Central Personnel Agency as well as the role of the Public Service Commission relating to recruitment is also described.

A careful study of the above-mentioned literature on Public Service Commissions in different parts of the country reveals that the present literature is not sufficient enough to provide an in-depth understanding of the functions and problems faced by the Commissions. The gap in study is especially wide in Mizoram since no systematic study has ever been undertaken on the subject. Therefore, the present study seeks to address the existing gap, particularly in Mizoram while enriching literatures on the subject in general.

Statement of Problem

It has been observed that the work-load of the Mizoram Public Service Commission has increased substantially. The number of candidates appearing in the examinations and the number of references to the Commission has progressively increased. The number of staff strength has gone up and it has also been provided with better infrastructure. Nevertheless, there are numerous instances where the Commission is not able to conduct recruitments efficiently, impartially and promptly. This adversely affects the Departments concerned as well as the employment-seekers.

Objectives

The objectives of the present study are:-

- to trace the evolution of Mizoram Public Service Commission
- to study the working and organization of Mizoram Public Service Commission
- to study the major functions of Mizoram Public Service Commission, and
- to find out the problems confronting the Mizoram Public Service Commission while discharging their functions

Scope of the Study

This study focuses on the performances and functional aspects of the Commission within the conceptual framework of the Constitution of India. The main thrust of the study is to analyze whether the Mizoram Public Service Commission has fulfilled the objectives for which it was established. The study covers a period of 20 years i.e., from 1991 to 2011.

Research Questions

The present study has attempted to answer the following research questions:-

- (i) Does the system of selection of its personnel influence the performance and credibility of the Commission?
- (ii) Is the Commission equipped with proper infrastructure to match the mounting pressures of workload?
- (iii) What are the major causes of delay in the discharge of functions of the Commission?

Methods of Data Collection

Both Primary source and Secondary source of data collection are used for the purpose of this study. Primary data are collected through the use of interview schedule technique to obtain information from the key functionaries of Mizoram Public Service

Commission. Documentary sources also form the basis of data collection. Secondary data are collected from published and unpublished documents of the State Government. Books, magazines, articles and journals are also be extensively used for collecting secondary data.

Chapterization

The whole study is divided into five Chapters:

Chapter I deals with the relevance of recruitment for a sound administration with a view to understanding the purpose for which the Public Service Commissions were established. It then briefly traces the historical background of Public Service Commissions in India.

Chapter II traces the evolution of Mizoram Public Service Commission and studies the organizational structure of the Commission. The Constitution of India ensures autonomy and independence of the Public Service Commission. This chapter examines whether the Constitutional provisions have been implemented in the MPSC.

Chapter III opens with the concept of recruitment and its functional dimensions. It then analyzes the principles and process of recruitment and concludes with the problems of recruitment.

Chapter IV deals with the functional aspects of the MPSC. The chief sources of function of the Public Service Commission are legislative enactments, rules, regulations and executive orders, and the Constitution of India. A major portion of the functions of the Commission is derived from the Constitution of India. Therefore, stress is laid on the constitutional functions of the Commission. This chapter also examines whether the MPSC has been carrying out its constitutional obligations.

Chapter V is the final chapter and it deals with the summary and major findings of the present study. Remedial measures have also been suggested.

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CHAPTER II

MIZORAM PUBLIC SERVICE COMMISSION: EVOLUTION AND ORGANIZATION

A study of public administration in Mizoram can be divided into three phases viz., Pre-British period, the British period and Post-independence period. The Pre-British period administration in Mizoram was characterized by the rule of a village chief with the help of a small council of the village elders called “*Upa*”. Each village with a chief as the head was sovereign and independent of all outside authorities and control. When the British took over the administration of the hills in 1890, they realized that the erstwhile village administration under a chief was very efficient, effective and economical. Therefore, they allowed the chiefs to remain as heads with certain limits of power. In 1898, the southern area of Mizoram with Lunglei as its headquarters which was under Bengal Province and the northern area of Mizoram with Aizawl as its headquarters which was under Assam Province were amalgamated and named “The Lushai Hills”. It remained one of the districts of Assam but administered by the Governor-General-in-Council with the Governor-in-council in the Assam Province as the agent, who in turn used the Superintendent of the Lushai Hills as the de facto administrator on his behalf.

When India became independent in 1947, Mizoram (then the Lushai Hills) was put under the Sixth Schedule of the Constitution of India. Mizoram continued to be a District of Assam State, an elected body called the Lushai Hills Autonomous District Council was created under the Sixth Schedule of the Constitution and certain subjects were transferred to the District Council and it was given legislative powers on these subjects. All other subjects were looked after by the Deputy Commissioner of the District as an agent of the State government. It was during the lifetime of the first District Council that the name of the Lushai Hills was changed to Mizo Hills District.¹ Chieftainship was

abolished in the year 1954 by the Assam Lushai Hills District (Acquisition of Chiefs Rights) Act, 1954.² Thus, village administration was transferred from the hands of hereditary chiefs to the democratically elected Village Council.

On January 21st 1972, the Mizo Hills District was upgraded to Union Territory under the North East Re-organization Act 1971.³ The Mizo District Council was abolished and the name of the Mizo District was changed to Mizoram. The Union Territory status given to Mizoram was the one with Legislative Assembly. The head of the Union Territory of Mizoram was Lt. Governor (L.G). The Ministry of Mizoram Union Territory headed by *Lal Thanhawla* gave top priority to the peaceful settlement of Mizoram insurgency problem. The famous Mizoram Peace Accord was signed between Government of India and the MNF on June 30, 1986. The Congress Ministry was dissolved to pave the way for the MNF.⁴ Then, on 20th February, 1987, Mizoram was declared a full-fledged State.

Genesis of Mizoram Public Service Commission

When India achieved independence in 1947, Mizoram was placed as a district under the Assam State. Therefore, recruitment to government services was naturally with the Assam government, and recruitment to the officer ranks were the responsibility of the Assam Public Service Commission. Here, it is worth mentioning that the late *Pu R.Thanhlira* was once the Chairman of the Assam Public Service Commission and that he had discharged his duty creditably.

When Mizoram became a union Territory, the Government of India, through a special dispensation formed Selection Boards for recruitment to services under the Administration. For recruitment to Class I, the Board was headed by the Joint Secretary in the Ministry of Home Affairs. The Chief Secretary and the Development Commissioner of Mizoram were members. For Class II services, the Board was headed

by the Chief Secretary, with the Development Commissioner, Secretary of DP & AR, Deputy Secretary in the Ministry of Home Affairs and the concerned Secretary as members.⁵

For recruitment to Class III, there were Departmental Promotion Committees which also functioned as Selection Committees. These Committees were and are still headed by the Commissioners/Secretaries of the concerned Departments, with a representative of DP & AR, and the Head of Department as members. Wherever expertise is needed in these boards/committees, specialists were also co-opted. For recruitment to Class IV the committees were and still are headed by the Head of Department with another officer from the department, and a representative from DP & AR.⁶

When Mizoram became a state in 1987, it also became a constitutional requirement under Article 315 (1) of the Constitution of India to have a Public Service Commission on the matters of civil service and posts. It was one of the priority programmes of the MNF government headed by *Pu Laldenga*. The very first action of the State Government towards creating its own Public Service Commission was to create various posts under the envisaged Public Service Commission like secretaries, clerical staffs, drivers and peons which were a necessity for an establishment. These posts were created on 10.11.1987 vide Notification No: A1120/1/87 P&AR (GSW) of the Government of Mizoram. Drafting of Regulation for the Commission was initiated in 1987 by collecting materials from other state governments. Once the materials were collected, drafting the Regulation was entrusted to *Pu L.B.Thanga* IAS, Adviser to Chief Minister. The Regulation was finalized in 1989 and thus, the Government of Mizoram promulgated a regulation under Article 318 called the “Mizoram Public Service Commission Regulation 1989” on 11.5.1989 which provides Chairman and not more than three members. The Government of Mizoram had appointed *Pu S.R. Vala*, an IAS officer of Orissa Cadre, as the first Chairman of the Mizoram Public Service

Commission. He joined the Commission on 1.5.1991, thus, after four long years of statehood, the Mizoram Public Service Commission came into existence.⁷ A few months later, on July 15, 1991, *Pu M. Lalmanzuala* IAS officer of the Punjab Cadre joined the MPSC as the first member of the Commission.

The appointment of Secretary and Under Secretary were made subsequently and other staffs have been drawn from different Department of the Government on deputation. The Mizoram Public Service Commission started to serve the public through its constitutional obligation from October 1991, with Chairman, one member, three Gazetted officers and a skeletal staff of 20.

When the Commission was established in the year 1991, it was entrusted only with direct recruitment to Group 'A' posts. Promotion, framing of Recruitment Rules and disciplinary cases relating to Group 'A' posts were not included within its purview.⁸ However, in the very same year, the Regulation was amended and matters regarding promotion, framing of Recruitment Rules and disciplinary cases for Group 'A' and 'B', along with direct recruitment to Group 'B' were added within the purview of the Commission. In 1993, the Government of Mizoram withdrew Group 'B' posts from the purview of the MPSC.

Again, in 1994, a fresh Regulation was notified repealing all previous Regulations pertaining to limitation of functions of MPSC. This Regulation again entrusted to the MPSC direct recruitment and others of both Group 'A' and Group 'B' posts. Two years later in 1996, the MPSC was again deprived of its powers of recruitment and others relating to Group 'B' Non-Gazetted posts. This Regulation was again amended in 2011. At present, as per the provision of Mizoram Public Service Commission (Limitation of Functions) (Amendment) Regulation, 2011, the Commission is consulted on the matters relating to all posts carrying a Grade Pay of more than Rs. 4400/-.⁹

Composition

The Constitution does not specify the strength of the State Public Service Commission but has left the matter to the discretion of the Governor. Further, no qualifications are prescribed for the commission's membership except that one-half of the members of the commission should be such persons who have held office for at least ten years either under the Government of India or under the Government of a State. As per the provision of Mizoram Public Service Commission Regulation, 1989, Mizoram Public Service Commission shall consist of a Chairman and such other members not exceeding three, as may be determined by the Governor from time to time. Though the MPSC has strength of three members, since its inception it has never function in its full strength except for a brief period of 2002-2003.

The composition of the members and Chairman of MPSC stem forth from two directions: (1) Professional and (2) Social.

Professional Composition

In the choice of members of the Commission the Constitution stipulates that as nearly as may be one half shall be persons who at the date of their respective appointments have held office for at least ten years under the Government of India or under the Government of a State.¹⁰ The expression "as nearly as may be one half" indicates an approximation and thus the composition of the Commission cannot be challenged as invalid on the ground that it consists of official members to the extent of more than half of its membership or even that all members are persons coming under the class referred to in the Provision.

Social Composition

The social composition of the Public Service Commission from the British Civil Service Commission, under which all commissioners were career civil servants. In India, the members are selected from various walks of life. Politicians, lawyers, social workers, and retired civil servants constitute the social composition. While discussing the provision of social composition, DR. Ambedkar defended in the Constituent Assembly by stating, “The function of a member of a Public Service Commission is a general one. He cannot be then to protect the interest of any particular class. He shall have to apply his mind to the general question of finding out who is the best and the most efficient candidate for an appointment”.¹²

On the mode of appointment, the Lee Commission emphasized that “ The paramount importance of securing as members of the commission, men of the highest public standing who will appreciate the vital and intimate relationship which should exist between the state and its servants. These ‘Commissioners’ should be detached so far as practicable from all political associations, and should possess, in the case of two of their number, high judicial or other legal qualifications”.¹³

While discussing the provisions of the Draft Constitution in detail, the Constituent Assembly members also expressed the need to protect the Commission from political and personal influences. The Administrative Reform Commission also reiterated the same axiom by stating “The Public Service Commission should not become an arm of the executive and should remain independent”.¹⁴

However, in actual experience, these instructions are rarely followed. Since the country has adopted Parliamentary form of Government, the appointments of the Chairman and the members are made by the governor on the advice of the chief minister or the ministry in power.¹⁵ Therefore, selection of suitable person to be

appointed as members of the Commission rests with the Cabinet. Thus, it is the forum of the ruling party which decides the members of the Commission. Moreover, the Constitution did not bar the appointment of a politician as a member of the Public Service Commissions. Many appointments to the Commission are a result of lobbying and are often politically motivated. Their credibility in the eyes of the public cannot therefore be very high. The most deserving persons available by virtue of their qualifications, experience and reputation are not necessarily chosen.¹⁶ Personal and political considerations appear to have deep influence on the political bosses while making such appointments. Details of the Chairman and members of the MPSC are shown in Table No.1 & Table No. 2 respectively.

TABLE-1

Details of Chairman of MPSC

| Sl. No | Name | Designation | Period | Status at the Time of Appointment |
|--------|----------------|-------------|------------------------|-----------------------------------|
| 1. | S.R. Vala | Chairman | 01.05.1991 -08.01.1995 | IAS (Retd) |
| 2. | M. Lalmanzuala | Chairman | 09.01.1995- 08.01.2001 | Member |
| 3. | DR. Lalruanga | Chairman | 09.05.2001-08.05.2007 | Member |
| 4. | B. Sangkhumi | Chairman | 09.05.2007-28.02.2011 | Member |
| 5. | Vanengmawia | Chairman | 27.05.2011-till date | IAS (Retd) |

Source: *Respective Annual Reports of MPSC, 1991-2010*

TABLE-2

Details of Members of MPSC

| Sl. No | Name | Designation | Period | Status at the Time of Appointment |
|--------|------------------------|-------------|-----------------------|-----------------------------------|
| 1. | M.Lalmanzuala | Member | 15.07.1991-08.01.1995 | IAS |
| 2. | F. Lalremsiana | Member | 01.09.1993-04.11.1993 | IPS (Retd) |
| 3. | H. Liansailova | Member | 28.02.1995-27.02.2001 | IAS |
| 4. | Dr.Kenneth Chawngliana | Member | 28.02.1995-27.02.2001 | Ex-MLA |

| | | | | |
|-----|----------------------|--------|------------------------|--|
| 5. | Dr. Lalruanga | Member | 01.07.1999- 09.05.2001 | Principal, Govt. Aizawl College |
| 6. | B. Lalhema | Member | 11.05.2001-31.01.2004 | MCS (Rtd) |
| 7. | Lalnginglova | Member | 01.10.2002-31.12.2007 | MMS |
| 8. | B. Sangkhumi | Member | 01.12.2002-08.05.2007 | Jt. Director, Higher & Technical Education |
| 9. | H. Sikhu | Member | 01.02.2008- till date | MCS |
| 10. | Lalbiakthanga Sellai | Member | 05.09.2008-till date | MES |

Source: *Respective Annual Reports of MPSC, 1991-2010*

The above tables illustrated that the social composition of the MPSC is mainly drawn from retired civil servants. At one time, an ex-MLA was appointed as member and at the other time an academician was appointed as member and he eventually became the Chairman of the Commission. Except for these two instances, the MPSC is always packed with bureaucrats and retired bureaucrats.

Tenure and Removal

The Chairman and members of the Commission hold office for a term of six years or until they attain the age of 62 years, whichever is earlier.¹⁷ However, they can relinquish their offices at any time by addressing their resignation to the Governor. In Mizoram, there is one instance of resignation by a member of the MPSC. F.Lalremsiama, who was appointed as a member in September 1993, resigned his membership on his own in November, 1993 to enter Mizoram politics.¹⁸ Though, the Chairman and members of the Commission are appointed by the Governor, they can be removed only by the President. The Chairman or members of the Commission can be removed or suspended from office in the manner as provided in Article 317 of the Constitution.

Conditions of Service

The Governor, in exercise of the powers granted by the Constitution determines the conditions of service of members and Chairman of the MPSC by means of Regulations.¹⁹ The only limitation imposed by the Constitution is that the conditions of service of a member of the Commission should not be varied to his disadvantage after his appointment.

In exercise of the powers conferred by Article 318 of the Constitution, the Governor of Mizoram promulgated 'Mizoram Public Service Commission (Conditions of Service) Regulations, 1994. This Regulation enumerates the conditions of service of personnel of the Commission.

The salaries of the personnel of the Commission are fixed by the Regulation and in order to revise the salary, the Government has to revise the Regulations and thus, this Regulation has been revised from time to time. The other facilities provided to the personnel of the Commission include:

- (a) Dearness Allowance at the rate admissible to the officers of the State of equivalent grade.
- (b) Travelling Allowance and Daily Allowances at the rate admissible to the officers of the State of equivalent grade.
- (c) General Provident Fund.
- (d) Earned Leave, Half Pay Leave, and Commuted Leave on medical ground and Extraordinary Leave.
- (e) Pension.
- (f) Free furnished accommodation of the type commensurate with his pay.

Constitutional Safeguards to the Chairman and Members of the Commission

The Constitution has made the following provisions to safeguard and ensure the independence of the Commission:

- (a) The Chairman or a member of the Commission can be removed from office by the President only in the manner and on the grounds mentioned in the Constitution. Therefore, they enjoy security of tenure.
- (b) The conditions of service of the Chairman or a member cannot be varied to his disadvantage after his appointment.
- (c) The entire expense including the salaries, allowances and pensions of the Chairman and members of the Commission are charged on the Consolidated Fund of the State. They are not subject to vote of the State Legislature.
- (d) The Chairman of the Commission (on ceasing to hold office) is eligible for appointment as the Chairman or a member of the UPSC or as Chairman of any other State Public Service Commission, but not for any other employment under the Government of India or a state.
- (e) A member of the Commission (on ceasing to hold office) is eligible for appointment as the Chairman or a member of UPSC, or as Chairman of the Commission or any other State Public Service Commission, but not for any other employment under the Government of India or a state.
- (f) The Chairman or a member of the Commission is not eligible for second term.²⁰

The Administrative Set Up of MPSC

The administrative set up of the Commission is controlled by the Secretary. The Secretary performs three-fold functions. First, he discharges the duty of Secretary to the Commission, second, he controls the administrative staff of the Commission and thirdly, he establishes link between the government and the Commission. The Secretary

is appointed by the Commission with the approval of the Governor. The special powers and responsibility of the Secretary are:

- (a) Superintending control over the whole office;
- (b) Administrative control over the office building;
- (c) To attend the meetings of the Commission;
- (d) Records and conservancy and control the staffs of the Commission;
- (e) Such other functions as assigned by the Commission.

The Secretary of the MPSC can be recruited by promotion or transfer or deputation.²¹ Since its inception bureaucrats from outside the Commission have been appointed as Secretary to the MPSC on deputation. The Commission has 6 Secretaries within a span of 20 years (1991-2011). Details of Secretaries of the Commission are illustrated in Table No.3.

TABLE-3

Details of Secretaries to the MPSC, 1991 - 2011

| Sl.No. | Name | Service | Period | Term |
|--------|---------------------|---------|------------------------|----------------------|
| 1. | V. Thangzama | MCS | 28.08.1991-31.12.1993 | 2 years, 4 months |
| 2. | L.C. Thanga | IAS | 04.04.1994-31.03.1995 | 1 year |
| 3. | N. Zokunga | MCS | 21.06.1995-17.09.1998 | 3 years, 3 months |
| 4. | Remmawia Vanchhawng | MCS | 31.01.2002- 03.02.2003 | 1 year |
| 5. | C. Lalchhandama | MMS | 03.02.2003-28.02.2010 | 7 years |
| 6. | Laltlansanga | MSS | 08.02.2011- till date | |

Source: *Respective Annual Reports of MPSC, 1991-2010*

The above table indicates the inherent weakness with the existing pattern of appointment of Secretary to the Commission. Since the Secretary is entrusted with the duty to formulate policies and implementation, for most secretaries who have been Secretary to the MPSC, the term of their service is too inadequate for the purpose.

When a person, on the verge of retirement, is appointed as Secretary, he would not have the time to implement new policies in administration.

The Secretary is assisted by Joint Secretary, Deputy Secretary and Under Secretary. The MPSC at the time of its inception had only 23 staff members out of which 3 were Gazetted posts and 20 were Non-Gazetted posts. A steady increase in the number of staffs can be seen from then onwards. Presently, there are 59 staff members out of which 10 are Gazetted posts and 49 are Non-Gazetted posts.²² Table No.3 illustrates the details of staff strength of MPSC at present.

TABLE-4

Details of Staff Strength of MPSC

| Sl. No | Name of Posts | Number of Posts |
|---------------|-------------------------------------|------------------------|
| 1. | Secretary | 1 |
| 2. | Joint Secretary | 1 |
| 3. | Deputy Secretary | 1 |
| 4. | Under Secretary | 1 |
| 5. | Superintendent | 1 |
| 6. | Deputy Controller of Examination | 1 |
| 7. | Assistant Controller of Examination | 1 |
| 8. | Principal Private Secretary | 1 |
| 9. | Stenographer Grade I | 2 |
| 10. | Assistant | 8 |
| 11. | U.D.C | 4 |
| 12. | L.D.C. | 10 |
| 13. | Driver | 7 |
| 14. | Peon | 20 |

Source: *Respective Annual Report of MPSC, 2009-2010*

The above table shows that the number of administrative staffs in the Commission is extremely inadequate to efficiently match the mounting pressures of workload. The Commission therefore has to resort to hiring temporary staffs. There are

as many as 47 temporary staffs presently working in the MPSC. At this juncture, it may be pertinent to point out that at the time of creating various posts under the Commission in 1987, crucial posts for conducting Competitive Examinations like Controller of Examinations and its subordinate offices were not perceived.²³ Later on the post of Deputy Controller of Examination and Assistant Controller of Examination were created by the Government. However, the Controller of Examinations post is still not yet a Sanctioned Post in the MPSC. At present, the Deputy Secretary takes the charge of the Controller of Examinations.

Regarding the conditions of service of the staffs of the MPSC, the Government of Mizoram has framed the Mizoram Public Service Commission (Conditions of Service) Regulations, 1994 notified vide No. A.12017/2/91-PAR (GS) dated July 20, 1994 which was subsequently amended and notified vide No. A. 12017/2/91-P/AR (GS) dated January 4, 1995. The amended Regulations provided that the Secretary, Deputy Secretary, Under Secretary and other Gazetted staffs, who were earlier appointed by the Governor, can now be appointed by the Commission. If and when, the gazette or non-Gazetted staff is appointed on deputation or on transfer from the service of the state government or any other service, the state government or other appropriate authorities are to be consulted.²⁴

Organizational Set Up

Organization signifies the arrangement of men and material in an order for the purpose of attaining the general and specific objectives. Organizational activity starts when two or more people get together to achieve a goal. Proper organizational activity is the main source of power behind every successful activity. A chart showing the organizational set-up of MPSC is illustrated herewith.

For administrative convenience, the office of the Commission is divided into Six Sections:

- (1) Direct Recruitment Section: All works pertaining to direct recruitment are done in this Section. Advertisement of vacancies, scrutinizing application forms, all works related to examinations, etc is done here. There are 5 permanent staffs currently working in this section.
- (2) Promotion Section: All works related to promotion come under the purview of this section. At present, there are 3 permanent staffs and 1 peon in this section.
- (3) Confidential Section: All confidential matters, pre and post examinations, are dealt with by this section. It is headed by Deputy Controller of examination. Currently there are 3 permanent staffs and 2 peons in this section.
- (4) Establishment Section: General administration of the office is done by this section. Maintenance of service books of staff, appointment, transfer, grant of leave, promotions and other connected matters in respect of the members of the staff of the Commission are dealt by this section. There are 3 permanent staffs and 2 peons in this section.
- (5) Accounts Section: All matters relating to Accounts of the Commission are dealt with in this section. Currently, there are 3 permanent staffs and 2 peons in this section.
- (6) Stores & Vehicles: The main job of this section is maintenance of library and office vehicles. At present there are 3 permanent staffs and 1 peon in this section.

In addition to these, there is an I.T Cell in the Commission. Currently, all employees working in the I.T Cell are temporary staffs.

Accommodations

The MPSC started functioning from a rented building in 1991. In the year 1997, a plot of land at Thuampui Veng, Aizawl was allotted to the Commission vide DPL No.79 of 1997. However this plot of land could not be physically handed over to the Commission as it was occupied by the military authorities. The land was finally handed over to the Commission in the year 2002. However, due to financial constraints faced by the Government at that time, the Government could not allocate necessary fund for construction of building.

In 2003, the Government made an offer to the Commission to surrender the plot of land which had been allotted to the Commission in return for which the government will provide a suitable plot of land at New Capital Complex, Khatla, Aizawl as well as necessary fund for construction of its office building. The Commission accepted the offer and construction started on December, 2003. The completed building was handed over to the Commission on February, 2008. Necessary fixtures and furnishing was done and the Commission finally started discharging its constitutional obligations from its own building with effect from the 1st April, 2008.²⁵

Receipts and Expenditure

As per the provision of Article 322 of the Constitution of India, the expenses of the MPSC, including the salary and pensions of the Chairman, members, officers and staffs are to be charged to the Consolidated Fund of the State. Financial and administrative autonomy is the foundation stone of any constitutional body like the Public Service Commission. Realizing this, the Mizoram Government w.e.f 9.12.1999 delegated full financial powers to the Chairman of the MPSC.²⁶

The Commission annually prepares its expenditure estimates and submits it to the Government for necessary allocation. Since the expenditures incurred by the Commission depends upon the retirement/appointment of Chairman and members as well as the number of recruitment proposals referred to the Commission by the Government, the estimate made could not be exact which resulted in the Commission approaching the Government for allocation of additional funds every fiscal year.

The expenditure of the Commission consists of salaries and wages, travel expenses, payment of professionals and special services, office expenses, etc. Among the expenditure, salaries form the bulk of the share. The main source of income of the Commission is by way of collection of examination fees and selling of application forms. Table No. 4 enumerates the receipts and incurred expenditure of the MPSC.

TABLE-5

Details of Receipts and Expenditure of MPSC

| Sl. No | Year | Expenditure | Received |
|---------------|-------------|--------------------|-----------------|
| 1. | 1991-1992 | 19,31,466/- | 2517/- |
| 2. | 1992-1993 | 31,00,000/- | 43,337/- |
| 3. | 1993-1994 | 39,18,190/- | 12,037/- |
| 4. | 1994-1995 | 43,30,000/- | 55,058/- |
| 5. | 1995-1996 | N.A | N.A |
| 6. | 1996-1997 | N.A | N.A |
| 7. | 1997-1998 | 90,00,000/- | 2,36,210/- |
| 8. | 1998-1999 | 82,00,000/- | 1,15,028/- |
| 9. | 1999-2000 | 98,00,000/- | 63,936/- |
| 10. | 2000-2001 | N.A | N.A |
| 11. | 2001-2002 | 104,55,000/- | 1,80,244/- |
| 12. | 2002-2003 | 128,19,000/- | 1,62,000/- |
| 13. | 2003-2004 | 130,49,000/- | 7,80,000/- |
| 14. | 2004-2005 | 133,80,000/- | 52,000/- |
| 15. | 2005-2006 | 149,04,000/- | 4,92,000/- |
| 16. | 2006-2007 | 149,83,000/- | 1,53,000/- |
| 17. | 2007-2008 | 214,00,000/- | 11,59,000/- |
| 18. | 2008-2009 | 235,34,000/- | 5,28,000/- |
| 19. | 2009-2010 | 310,78,000/- | 20,91,000/- |

Source: *Respective Annual Reports of MPSC, 1991-2010.*

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CHAPTER III

RECRUITMENT: ITS FUNCTIONAL DIMENSIONS

Civil Service history can be epitomized as the story of recruitment of the officials. Recruitment is an important element in the process of personnel procurement, which also includes a related series of operations: recruitment, examination, certification and selection for appointment.¹ Though the term “recruitment” and “examination” are technically different, they are sometimes used interchangeably. Recruitment pertains to the limited steps taken to attract suitable candidates to apply for examinations. Examination means the formal process of testing to determine the candidates’ merit and eligibility. Certification is the process of sending to an appointing officer the names of those who are eligible for appointment. Selection is the act of choosing from among those qualified and available and the formal act of appointment.²

Concept and Domain of Recruitment

Recruitment is commonly understood as the process by which persons are taken in the services to fill up vacant posts. According to Flippo, recruitment is both a positive and a negative activity. It is positive in the sense that it stimulates people to apply for jobs to increase the “hiring ration” i.e., the number of applicants for a job. On the other hand, it is negative because selection rejects a good number of those who apply, leaving only the best to be hired.³ Recruitment has both short-term and long-term implications. The short range plan involves those activities, which are carried on to meet current demands for personnel, such as that which continually exists in every organization when positions are vacated and cannot be filled from internal manpower sources. The long-term plan includes those activities designed to assure a continuous supply of qualified professional and service personnel.⁴

Recruitment has been regarded as the most important function of personnel administration, because unless the right type of people are hired, even the best plans, organizational charts and control system would not do much good. The tone of civil service is set by the recruitment practices and standards. The setting of efficient employment standard and procedure is therefore imperative for any government demanding efficient administration to deliver the goods. The civil services in a modern state, manning the ever growing administrative network for a mix of regulatory, developmental and service function in varying kinds and degree must conform to the values and yardsticks of the efficiency criteria. Whether the civil service would do so or not depends on what personnel the system inducts. Unless the recruitment policy is soundly conceived, there can be little hope for building a first rate staff. Therefore, the basic raw material has to be reasonably good; otherwise no amount of training, supervision, motivation, service rating or research will provide an adequate staff of public employees. According to Glenn Stahl “No element of the career service system is more important than the recruitment policy.”⁵ A faulty recruitment policy and standards inflicts permanent weakness and inefficiency upon public administration.

The need for a sound recruitment and selection policy was first realized by China centuries ago and Prussia was the first country in modern times to have evolved a sound recruitment system. In India the merit principle was adopted in 1853. Britain adopted it in 1857. In USA, the Civil Service Act 1883 (Pendleton Act) abolished the spoils system and introduced the merit system in its place.⁶

In a spoils-free developing and democratic country like India with the State assuming a dominant role in a mixed-economy set-up and providing Constitutional safeguards to a career-based civil service as against the “hire and fire” concept of most states in earlier days and of the private enterprises, the indispensability of a normative approach to civil service recruitment is self-evident. Such an approach necessitates the spelling out of the principles, standards and procedures to be practiced in the recruitment

process in well-defined, well- published and permanent norms. These norms put together with the sanction of law, constitute what we term as Recruitment Rules or Service Rules.⁷

The phenomenon of codifying the provisions relating to recruitment is a latter development as Fougere observed “It is however only latterly that the recruitment of civil servants has been subject to compulsory regulations and based upon the personal quality and professional capacities of the candidates. For a long time and this is still the situation today in some countries- appointments were determined principally by the desire of government to reward services, to assure themselves of a following or to have behind them ‘politically reliable’ collaborators. These ‘patronage’ practices have been abandoned for two main reasons, increasing concern with administrative efficiency and recognition of the right of all citizens to equal access to the public service. The recruitment of civil servants raises therefore not only a question of principle- free and equal entry to the profession- but also technical problems: What are to be the conditions of recruitment? Who is to recruit? How is recruitment to be organized?”⁸

Principles of Recruitment

The two major principles of recruitment in modern democratic states are: –

- 1) Principle of Merit
- 2) Principle of Equality of Opportunity.⁹

1) Principle of Merit

This principle requires that entry into the government service should be open to all on terms of equality. Accordingly all privileges linked with social status, political influence, religious belief and sex are to be done away with. The main characteristics of merit principle or the open competitive system are as follows:

- a) Adequate Publicity: All vacancies should be extensively advertised and in such a manner so that the entire probable candidate should be able to know about it.
- b) Opportunity to Apply: After the publication of the advertisement, enough time should be available to the perspective candidate to put in their application.
- c) The standards of determinants of merit should be fair.
- d) There should be no discrimination in the process of selection.
- e) The order in the merit list should be based on the performance in the competitive test.
- f) All the candidates should be informed of the results of the test. If anyone chooses to make a representation against the result, it should be attended to.

2) Principle of Equality of Opportunity

In democratic countries, all are provided equal opportunity to enter into the government service. For instance, the Indian Constitution guarantees equality of opportunity in matters of employment or appointment under the state. All discrimination on ground of sex, religion, caste, creed and place of birth are completely abolished. The government service is a thrust; the citizens have the right to demand equality of opportunity in matters of entry into it. It is a Fundamental right under the constitution of India. In England, it is a part of the Constitutional Conventions.

However, the equality of opportunity has certain limitations. For instance, there is Veterans' Preference in some countries like USA. Under this scheme, ex-army men, their widows and dependents are accorded certain preference in matters of entry in the government service. In India certain percentage of jobs has been reserved for the backward classes, scheduled castes and the scheduled tribes.

Sources of Recruitment

The aim of an effective recruitment program is to attract the best people for the job and aid the recruiter by making a wide choice available. The objectives of recruitment are likely to be achieved if the recruiting sources are suitable for the kind of position that is to be filled. The selection of recruitment sources should also be economically viable for the organization. Different sources of recruitment can be employed, depending on various factors like the level of the position, number of people required, time available and the funds allocated for recruitment. Some departments try to develop new sources, while most only try to tackle the existing source they have. These sources, accordingly, may be termed as internal and external or indirect and direct recruitment or recruitment from within (promotion) or recruitment from without.¹⁰

Recruitment from “Within” means internal sources of recruitment or indirect recruitment. Many organizations try and identify employees from within the organization, to be groomed to take on higher responsibilities. When the vacant posts are filled by the suitable and experienced candidates who are already in the service of the government then it is called as recruitment from within or recruitment by promotion.

Recruitment from within have the following merits:

- It can be used as a technique of motivation.
- It improves the morale of employees, for they are assured of the fact that they would be preferred over outsiders when vacancies occur.
- Loyalty, commitment, a sense of belongingness, and security of the present employees can be enhanced.
- The employer is in a better position to evaluate those presently employed than outside candidates.
- Cost of training, induction, orientation, period of adaptability to the organization can be minimized.
- It is less costly than going outside to recruit.

- This method reduces the burden of Civil Service Commission to a great extent.
- Through this method hard work, efficiency and experience of the employees is utilized for the good of the country.¹¹

However, too much reliance on internal source may be harmful to the organization. Excessive dependence on this source results in in-breeding, discourages flow of new talent in the organization and might miss out on talent that is available in the market. It is also possible that talent pool within the organization might stagnate without fresh inflows from outside.

When the vacant posts in the government are filled up by the suitable and qualified candidates available in the open market then it is called “recruitment from without” or “direct recruitment”. An organization will have a much greater choice in human resources in this case. Some of the popular methods of “direct recruitment” are advertisements, campus recruitments, employee referrals, employment agencies etc.

The “direct recruitment” has the following merits:

- External sources provide the requisite type of personnel for an organization, having skill, training and education up to the required standard.
- Candidates can be selected without any pre-conceived notion or reservations.
- There is a great scope for choice because the selection is from a very large number of people.
- Under the system of direct recruitment, a fair chance is provided to all the people to compete for the jobs. The principle of equality of opportunity is best served by the method of direct recruitment.
- Young and better qualified people enter the civil services.
- New ideas and changing technical, administrative and socio-political conditions are reflected in the services.

- Services can keep pace with the changing conditions and techniques.¹²

However, this system of recruitment is not without defects. Direct recruitment increases the burden of Public Service Commissions and inexperienced young persons are recruited to responsible positions. This increases the cost of training them. It also curbs the chances of progress for those already in the services of the government which lowers their morale and loyalty.

In all democratic countries both the system of recruitment are followed i.e., though open competition as well as promotion. In India there is direct recruitment for all the higher services but a certain proportion of posts varying from service to service, is reserved for being filled up by promotion from below. The position as prevailing in India with regard to the central services is well described by the First Central Pay Commission in its report: “It is necessary to explain that recruitment to Class I is made primarily through a competitive examination held by the Public Service Commission and to a lesser extent by promotion from Class II; Class II is also in many cases recruited through a competitive examination held by the Public Service Commission. The proportion of men promoted to Class II from lower rank is however, larger, than in any case of promotion to Class I; in some departments Class II is entirely filled by promotion.”¹³

Process of Recruitment

Recruitment is a long process and it consists of a series of related operations. They are:

1. Requisitioning of the Posts: It begins with asking the various government departments and agencies about their requirements of personnel. The recruiting authority collects information about the actual need of the departments as to how

many posts are vacant? How many posts are to be filled up by direct recruitment and how many are to be filled by promotion?

2. **Determining Qualifications:** The second step is to determine the qualifications and other conditions required for the posts to be filled up. Some qualifications are always laid down for entry into public service, so that only suitable persons should get a chance for a particular post. Qualifications required of the public servants are both general and specific. The general qualifications required of every public servant are those of citizenship, domicile or residence and sex. The special qualifications revolve round the three questions of age, education and experience. Education may be general or technical.
3. **Designing the Application Form:** A suitable application form should be designed which should contain the columns which will give all the relevant information about the applicants.
4. **Advertisement:** In order to attract more and more suitable candidates, the advertisement should be repeatedly printed, broadcasted or telecasted. An advertisement should be carefully written, if not, it may not draw the right type of applicants. It should provide specific information on job requirements and opportunities for advancement, the benefits to be enjoyed by working in the civil service and it should emphasize facts related to the dignity of the job and to its professional aspects.
5. **Scrutinizing of Applications:** The applications in the prescribed form are received within a specified date. All the applications are then scrutinized and those who do not fulfill the minimum prescribed requirements are rejected and informed accordingly. Those candidates who fulfill minimum requirements are informed about their written examination or interview through necessary “call letters”.
6. **Holding of Examinations and Interviews:** Examination is conducted to determine the merit of the candidates. The ability of the candidates is tested and unqualified persons are eliminated. The following kinds of tests are employed to determine the merit:

- a) Written examination
- b) Oral examination
- c) Performance demonstration
- d) Evaluation of education and experience

Sometimes oral examination or interview is also arranged to test the personality of the candidates. The oral tests are supplementary to written tests and are usually given only to those candidates who had qualified in the written tests.

7. **Certification and Selection:** After examination the most vital phase is of certification. Certification is the submission of the eligible names for the consideration of the appointing authority i.e., the head of the department. There are two methods of certification. One method is the supply agency certifies a list of eligible candidates in order of merit, and the appointing authority has to appoint the required number in the same order. This is the method followed in the recruitment of the IAS and Central Service Group A. The other method is called the “rule of three”.¹⁴ Under this method, the supply agency supplies a list of three names for each appointment and the appointing authority may select any one name from the list. Selection is thus the act of choosing from among those candidates who are qualified and available.
8. **Appointment:** The next step is “appointment” which takes place when the appointing authority transmits his decision to the supplying agency. Whereupon the candidate is entered into civil service and issues an appointment letter to the candidate. Appointment letter issued by the government are of different types like: permanent appointment, temporary appointment, provisional appointment and appointment on probation.
9. **Placement:** The process of recruitment of public personnel is complete only after placement of the employee. Placement is the assignment of a job to the employee. Placement may be defined as “the determination of the job to which an accepted

candidate is to be assigned, and his assignment to that job.”¹⁵ A proper placement of an employee reduces employee turnover, absenteeism and improves morale.

Problems of Recruitment

The scientific system of recruitment as has been adopted today encounter the following problems:

1. Location of the recruiting authority
2. Recruitment from within or recruitment from without
3. Qualifications of the candidates
4. Methods of determining merit
5. Machinery for determining the qualifications.¹⁶

1. Location of the Recruiting Authority

This means that which authority should be responsible for making recruitment of civil service personnel. One demand is that all highly placed officers should be appointed by the people themselves or by agencies and organizations enjoying public confidence and support. In fact, this demand has been met in the election of such high offices as the executive head of the state e.g., the President in U.S.A. and India. However, it is impossible to recruit all high civil servants by democratic elected representatives of the people or by directly electing them. Therefore, today in all democratic countries recruitment is made through civil service commission, duly constituted for the purpose by the executive head of the state. In India, article 315 of the Constitution lays down that there shall be a public service commission for the union and a public service commission for each state.

2. Recruitment from Within or Recruitment from Without

Recruitment can be from within as well as from without. The former is called the system of recruitment by promotion whereas the latter is that of direct recruitment. Each system has its own advantages and disadvantages and problems can be solved with the mixing up the both systems. Therefore, in almost all countries both the systems of recruitment are followed, i.e., through open competition as well as through promotion.

3. Qualification of the Candidates

What should be the qualifications for a candidate for recruitment is another problem. Usually, some general and special qualifications are prescribed for each post.

General qualifications include:

- a) **Citizenship:** It is argued that all higher jobs should be manned by the citizens only. This is keeping sense of national character and self-respect and also a check on leakage of national secret. It is, therefore, invariably stressed that citizenship should be an essential condition for manning all higher jobs.
- b) **Domicile or Residence:** Sometimes domicile qualifications are required of the public servants. In this case only the residents of a particular state or part of a country are eligible for some public appointments.
- c) **Sex:** Public service was, until recently, under the sole monopoly of man. Women were considered to be unfit for administrative jobs. But the spread of modern education, the doctrine of equality and the aspiration of women to economic independence have combined to get the sex qualification removed from recruitment to public services in most countries. In India, the sex disqualification has been removed in all administrative, police and judicial services.

- d) Age: Some countries follow the practice of recruiting persons of young age for public services, while other countries believe in recruiting mature and experienced persons of advanced age. In England and India, the practice is to recruit young persons just after they have left their schools or colleges and are trained while in service for higher positions. The Kothari Commission recommended that a candidate for Civil Service Examination should not be less than 21 years of age and not more than 26 years. On the other hand, in U.S.A. the practice is to recruit trained, experienced and mature persons of advanced age. The age limit for scientific and professional positions is from 35 to 45 years.

Special qualifications include:

- a) Educational Qualifications: In respect of educational qualifications, there is a wide difference across different countries. The British and Indian systems lay down definite educational qualifications for entrants. But the American system, being influenced by the doctrine of equality, does not prescribe any educational qualifications. Anyone who can qualify in the competitive examination may enter the civil service.
- b) Experience: Experience means training that the candidate has acquired in the actual performance of work. This is usually required in technical service, but in the U.S.A. for all public services it is an additional qualification.
- c) Technical Knowledge: Technical knowledge means specialized abilities acquired through special education. This is essential to fill up technical posts in all countries.
- d) Personal Qualities: Personal qualities are the most important but most difficult to determine. They include such qualities as integrity, truthfulness, tact, punctuality, responsibility, etc.

4. Methods of Determining Merit

A candidate may claim to possess a very high sounding and impressive qualifications but in reality he may not possess the same. Therefore, it is essential that there must be some method for determining the merit of a candidate. The most common methods of determining merit are as follows:

- a) **The Hire and Fire System:** Under this method, the appointing authority himself ascertains the merit of the applicant. It is very subjective and not so much in vogue today as the large size of the present day government department makes it impractical for the head to make all the appointments himself.
- b) **Requisition of Certificates:** Certificates of character, ability and educational qualifications from responsible persons, under whom the candidates have studied or served before are required under this system.
- c) **Record of Previous Experience:** Under this method, the whole record of work, both educational as well as professional, of the candidate is examined. This method is quite useful in the recruitment from within. In U.S.A. this method is used and is called “Efficiency Records” or “Service Ratings”.
- d) **Examination:** Today in almost all countries examination device is employed to determine the merit of the candidates. Through examination, the merit as well as ability of the candidate is tested and disqualified candidates are eliminated. Recruitment tests are either competitive or non-competitive. The competitive test has to determine which of the candidates meet minimum standards. A non-competitive test has to determine only the minimum standards required of the candidates.

Generally speaking, there are four basic types of public personnel tests, namely, written examination, oral examination, performance demonstration and evaluation of education and experience.

5. Machinery for Determining the Qualifications

What administrative machinery should be employed to hold these tests is another problem. It has been recognized that these tests should be held by an independent and impartial body of persons who might not fall prey to political pressures. This body is generally called the Civil service Commission.

The Union Public Service Commission and the Staff Selection Commission are the designated recruitment agencies of the Central government. The UPSC makes recruitment for Group "A" posts and Group "B" Gazetted posts while the SSC makes recruitment for Non-Gazetted posts and non-technical Group "C" posts. The UPSC is a constitutional body set up under article 315 of the Constitution; the SSC has been set up by a Resolution of the Government and has the status of an attached office of the Department of Personnel and Training.

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CHAPTER IV

ROLE AND FUNCTIONS OF MIZORAM PUBLIC SERVICE COMMISSION

The Public Service Commission is among the four pillars of democratic Constitution of India, the other three being the Supreme Court, the Election Commission and the Comptroller and Auditor General. The authors of the Indian Constitution regarded the Public Service Commission along with the Judiciary and the CAG as a bulwark of democracy. Therefore, they are not only vested with a constitutional status, but also provided with elaborate safeguards for its independence to enable it to be the watchdog of the merit system of staffing.

The Public service Commission is the best known among the statutory commissions designed under the Constitution of India.¹ It is the finest conglomeration of executive authority, with statutory position, which makes it most significant among other civil service commissions in the world. The Public Service Commission in India is an organ of the Executive and not a subordinate body either to the Legislature or the Judiciary.

The corner-stone of an effective civil service is the morale and efficiency of the civil servants who are recruited through well defined standards and method. Therefore, recruitment has acquired paramount importance in the functioning of the Public Service Commission. An ideal Public Service Personnel must bear the qualities of “Precision, speed, clarity, familiarity with problems, continuity, discretion, conformity, strict subordination, and decrease in friction and in material and personal costs with optimum value.”² Considering the peculiar nature of India, the nation should have a public service with persons of high ability and intellectual capacity, loyal and devoted to the service of

the country and most importantly, men of undoubted integrity and honesty.³ Acknowledging the importance of the civil service, the framers of the Constitution gave a prominent position to civil service by providing a Part to it in the Constitution of India. This Part consists of two chapters namely “Services” and “Public Service Commissions.”⁴ Further, the Constitution classifies the Public Service Commission into three:

1. The Union Public Service Commission,
2. The State Public Service Commission and,
3. The Joint Public Service Commission.⁵

Every state of the Indian Union is obliged to establish a Public Service Commission by virtue of the provisions of the Constitution.

Sources of Function

The Public Service Commission derives its functions from four sources:

- A) Legislative Enactments;
- B) Rules, Regulations and Executive Orders;
- C) The Constitution of India.

A) Legislative Enactments

Article 321 of the Constitution is the main source of Legislative Enactments pertaining to Public Service Commission which read as follows:

“An Act made by ...the Legislature of a state may provide for the exercise of additional functions by the...State Public Service Commission as respect to the services of the....state and also as respects to the services of any local authority or body corporate constituted by law or of any Public Institution”.

So, in order to meet functions other than those prescribed in Article 320, the framers of the Constitution introduced Article 321. The conditions for confirmation of Additional Functions to the Public Service Commission under Article 321 are:

- a) An act of a competent Legislature
- b) Such functions must relate to the services of the state or a local authority, or a statutory corporation, or a public institution, and not for a private institution.

So far, no legislative enactments have ever been made conferring additional functions to the MPSC.

B) Rules, Regulations and Executive Orders

The sources of Executive orders and Regulations are Article 318 and provision to clause (3) of Article 320 of the constitution.

In accordance with the power conferred by Article 318 of the Constitution of India, the Governor of Mizoram promulgated The Mizoram Public Service Commission Regulation specifying the composition and staff of the MPSC, their tenure of office and conditions of service. The provision under Article 320 (3) has also been frequently used by Mizoram Government.

C) The Constitution of India

The Constitution of India is the chief source of the functions of the Public Service Commission. Article 320 of the Constitution embodied the constitutional functions of the Public Service Commission which read as follows:

“1) It shall be the duty of ...the State Public Service Commissions to conduct examinations for appointment to....the services of the State....

2)...the State Public Service Commission...shall be consulted -

- a) On all matters relating to methods of recruitment to civil services and civil service posts;
- b) On the principles to be followed in making appointments to civil services and posts and in making promotions and transfers from one service to another and on the suitability of the candidates for such appointments, promotions and transfers;
- c) On all disciplinary matters affecting a person serving under...the Government of a state in a civil capacity including memorials and 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 a state...., 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 a State..., in a civil capacity, and any question as to the amount of any such award;

and it shall be the duty of a Public Service Commission to advise on any matter referred to them and on any other matter which... the Government of the State may refer to them.”

The Constitutional Function of the Commission are broadly categorized into two:

- 1) Mandatory or Administrative Function
- 2) Consultative or Advisory Function.⁶

Mandatory or Administrative Function

Examination

According to Article 320 of the Constitution, the Public Service Commission is mainly responsible for conducting examination for appointments to the services of the state. For this purpose, a sound recruitment system is devised, by which suitable candidates are selected on merit basis, giving equal opportunity to all sections of the population.

According to the Mizoram Public Service Commission (Limitation of Functions) Regulations, 1989, the MPSC was to be consulted by the Government on matter of making appointment to a post of the scale of pay, the maximum of which is not less than Rs.2041/- per month. This provision has been amended by another Regulations, 1994 which enhance the scale of pay from Rs. 2040/- to Rs. 2900/-. However, these limitations were again amended by the Mizoram Public Service Commission (Limitation of Functions) (Amendment) Regulations, 1996 notified in the Mizoram Gazette under Memo No. A. 12017/2/91-P&AR (GSW) dated 20.5.1996, this Amendment requires consultation of the Commission when an appointment is to be made in case of Gazetted posts only. This was again amended by the Mizoram Public Service Commission (Limitation of Functions) (Amendment) Regulations, 2011 Notification No. A.12017/2/2003- P&R (GSW) dated 26.5.2011 and this Amendment stipulated that the MPSC is to be consulted by the Government on matter of making appointment to a post carrying a Grade Pay of more than Rs. 4400/-. Accordingly, the MPSC conduct recruitment for selection to posts mentioned in these Regulations.

Recruitment is a three phased activity namely Attraction, Selection and Appointment. Of these, Attraction and Selection are performed by the Public Service Commission whereas Appointment is the function of the Government Departments or Agencies concerned.

Attraction

The very purpose of recruitment is getting the most eligible and competent candidates for a vacancy in public services. In order to attract the candidates a wide range of publicity is arranged with Mizoram Public Service Commission. As soon as a proposal for direct recruitment of post (s) is received from the government, the Commission's Direct Recruitment/ Examination Section examine the proposal in detail and seek the approval of the commission for floating an open advertisement. When the Commission's approval is obtained, advertisement is floated. If the Service Rule or Examination Regulation does not specifically state the time for submission of application, normally one month's time is given for submission of application form.⁷ The usual methods of publicity in respect of advertising the employment opportunities in MPSC are:

- 1) News Papers
- 2) Notice Boards in the MPSC office
- 3) Notice in the official website of MPSC
- 4) All India Radio and Doordarshan
- 5) Local Cable TV.

Advertisement is an attempt to secure the best talents for the vacant posts to fulfill the constitutional requirements of giving equal opportunity to all eligible candidates. But the advertisement does not create any obligation that the post will be filled.⁸

The application form for the advertised post(s) can be obtained from the Reception Counter of the office of the MPSC and from the office of Deputy Commissioner of various districts of the state on payment of application fee of Rs. 150/- and cost of application form Rs. 10/- i.e., Rs. 160/- (for SC/ ST/ OBC). For General Category an application fee of Rs. 200/- and the cost of application form Rs. 10/- i.e., Rs. 210/- have to be paid. However, the fees may vary if the Examination Regulations for the post specify a different fee.⁹ In the year 2010, the Commission created online submission

of application for the advertised post(s) from the web page of the MPSC (<http://www.mpsc.mizoram.gov.in>) on payment of necessary fees and service charge.

The process of attraction end with the reception of application forms for the advertised employment opportunities. In this respect, thousands of applications flow to the MPSC. The following figures in Table No.6 highlight the ever increasing number of applicant received every year.

TABLE-6

Number of Applications Received

| Sl.No | Year | Number of Applications |
|--------------|-------------|-------------------------------|
| 1. | 1991-1992 | 403 |
| 2. | 1992-1993 | 2414 |
| 3. | 1993-1994 | 518 |
| 4. | 1994-1994 | 3882 |
| 5. | 1995-1996 | N.A |
| 6. | 1996-1997 | N.A |
| 7. | 1997-1998 | 2768 |
| 8. | 1998-1999 | 537 |
| 9. | 1999-2000 | 932 |
| 10. | 2000-2001 | N.A |
| 11. | 2001-2002 | 123 |
| 12. | 2002-2003 | 3946 |
| 13. | 2003-2004 | 4067 |
| 14. | 2004-2005 | 372 |
| 15. | 2005-2006 | 2644 |
| 16. | 2006-2007 | 663 |
| 17. | 2007-2008 | 5988 |
| 18. | 2008-2009 | 3174 |
| 19. | 2009-2010 | 10742 |

Source: *Respective Annual Reports of MPSC, 1991-2010*

Selection

The basic criterion of direct recruitment is merit. There are two types of examinations for assessing the merit of candidates namely, Competitive Examinations and Non-Competitive Examinations.

A) Competitive Examinations

Competitive examinations serve a dual purpose of determining which of the candidates satisfy the minimum standards required as well as determining their relative position in order of excellence. The MPSC uses four types of competitive examinations for assessing the relative merit of the candidates. They are: (1) Physical Efficiency Test (2) Written Examination (3) Oral Test or Interview and (4) any other test which the Commission may deem fit to hold.

(1) Physical Efficiency Test

Many strategic posts require special physical attainment like strength, endurance, vigor, stamina, co-ordination, agility etc. Physical Efficiency Tests are conducted by the Commission if the Recruitment Rules of the vacant post(s) requires the conduct of this test. This test is a qualifying test and those who fail in this test are not eligible for the examination. Therefore, no marks are awarded for the physical efficiency test.

It is also a common requirement that all appointees to the public services to go through basic health examinations to ensure reasonable continuity and avoid unnecessary charges on the retirement system. For Gazetted posts, the candidate has to produce Medical Fitness Certificate from the State Medical Board. In case of non-Gazetted posts, Medical Fitness Certificate from a registered medical practitioner is needed.

(2) Written Examination

The written Tests are commonly included in examinations for entrance level positions and for others for which aptitudes, intelligence or concrete knowledge are prime determinants. This test is easier to evaluate objectively and is simpler and cheaper in its administration since it can be given to large number of candidates at the same time.

When there are more than the prescribed numbers to be called for interview, the MPSC conduct written examination. The MPSC conduct written examination for recruitment to organized services according to the mode of examination as specified in the Recruitment Rules/ Service Rules of the services. In case of services other than Organized Services under the Government of Mizoram, written examination can be of two kinds namely:

1. Combined Services General Competitive Examination and
2. Combined Services Technical Competitive Examination.

Combined Services General Competitive Examination

This examination is held for recruitment for posts that does not have a specific guideline or when it does not require specific subject wise specification but can be attempted by any graduate from a recognized university on five Papers as given below.

| | | |
|--------------------------------|---|-----------|
| (1) General English Paper- I | : | 100 Marks |
| (2) General English Paper- II | : | 100 Marks |
| (3) General Studies Paper- I | : | 200 Marks |
| (4) General Studies Paper- II | : | 200 Marks |
| (5) General Studies Paper- III | : | 200 Marks |
| Total | : | 800 Marks |

The questions should be, as far as practicable, in the form of multiple choice (objective type).¹⁰

Combined Services Technical Competitive Examination

This examination is held when the relevant Recruitment Rules/ Service Rules do not specify the mode on how examination will be conducted but invites application from

such persons who possess either a Graduate or Post Graduate Degree on a specific subject from a recognized university as specified in the relevant Recruitment Rules. The scheme of examination is as follows:

| | |
|--|-------------|
| (1) General English Paper- I | : 100 Marks |
| (2) General English Paper- II | : 100 Marks |
| (3) Technical Subject Paper- I (Objective Type) | : 200 Marks |
| (4) Technical Subject Paper- II (Objective Type) | : 200 Marks |
| (5) Technical Subject Paper- III (Objective Type) | |
| a) Technical | : 150 Marks |
| b) Aptitude | : 50 Marks |
| Total | : 800 Marks |

The Commission has developed a general guideline for conducting examination in a fair, just and equitable manner in the year 2003. This guideline called The Mizoram Public Service Commission Conduct of Examination Guidelines, 2003 which was being followed in every examination (in the absence of specific examination regulations/provisions for the service or posts). A fresh guideline was developed in 2011 called The Mizoram Public Service Commission (Conduct of Examinations) Guidelines, 2011 notified vide No. A-2/9/2001, dated 1.2.2011.

During the year 2009- 2010, the Commission introduced objective type Question for General Studies and Optional Papers except for English Paper I and II for Competitive examination for all services other than those who are having their own examination regulation. The need for automation of Examination System of the Commission was felt for quite sometime. In order to generate a highly accurate and quick

results, machineries like OPSCAN 10 (OMR), Vario Print 2110 and its peripherals were procured.¹¹

Process of written Examination

All the applications received on proper time are scrutinized and incomplete and unqualified candidates are rejected and a time table for written examination is prepared. Then, the Commission selects a panel of subject experts for preparing the manuscript of a model question strictly in accordance with the syllabus of the subjects and also with the directions given by the Commission. Three sets of model questions are prepared for conventional type papers. These three model questions are then moderated by the Moderator himself or a panel of Moderators and finalize the manuscript of the question papers. The Moderator or the Convener of the panel of Moderators then submit the final manuscripts in a sealed cover marked “CONFIDENTIAL” to the Controller of Examination. Copies of the question papers should be made only one week before the commencement of the examination. However, if copies are to be made in large number it is printed out ten days before the commencement of the examination.¹²

Admission Tickets are issued to the candidates at least 15 days prior to the date of examination. The examination programme is displayed on the Admit Card/Attendance Sheet and also on the notice board of the examination centre. All seating arrangement has to be completed two days prior to the commencement of the examination.¹³

The examinations are conducted in schools and colleges appropriately. Since the Commission has to depend upon Educational Institutions for Conducting Competitive Examinations, it has to schedule its examination to the convenience and availability of these Institutions. This hindered the functioning of the Commission Examination. Realizing the need to have a separate Examination Hall for the Commission, the State Government had given placed the project among its priority list as a result of which the

DoNER Ministry has given Administrative Approval for allocation of fund to the tune of Rs. 3.02 crores. It is expected that foundation could be laid and construction work began in near future.¹⁴

The major responsibilities for proper conduct of examination rest with the Controller of examination. However, the post of Controller of Examination is not yet a sanctioned post in the MPSC. This hampers the efficient functioning of the Commission in the conduct of examination. At present, the Deputy Secretary takes the charge of Controller of Examination.

Before the answer scripts are sent for valuation, they are given a separate series of number so that the real register number of the candidates is not known to the examiner. A particular date is prescribed for completing valuation. After the answer scripts are valued, the mark lists are prepared after examining the uniformity of the standards of valuation. Table No. 7 highlights the number of written tests conducted by the MPSC.

Table -7

No. of Written Examination Conducted

| Sl. No | Year | No. of Exam |
|---------------|-------------|--------------------|
| 1 | 1991-1992 | Nil |
| 2 | 1992-1993 | 2 |
| 3 | 1993-1994 | N.A |
| 4 | 1994-1995 | 12 |
| 5 | 1995-1996 | N.A |
| 6 | 1996-1997 | N.A |
| 7 | 1997-1998 | 3 |
| 8 | 1998-1999 | 2 |
| 9 | 1999-2000 | 3 |
| 10 | 2000-2001 | N.A |
| 11 | 2001-2002 | Nil |
| 12 | 2002-2003 | 2 |
| 13 | 2003-2004 | 2 |
| 14 | 2004-2005 | 2 |
| 15 | 2005-2006 | 1 |

| | | |
|----|-----------|----|
| 16 | 2006-2007 | 4 |
| 17 | 2007-2008 | 7 |
| 18 | 2008-2009 | 14 |
| 19 | 2009-2010 | 7 |

Source: *Respective Annual Reports of MPSC, 1991-2010*

(3) Oral Test or Interview

Interview is a “Purposive and well directed conversation on topics of choice and is an attempt to bring out the experience, the skill and the intelligence of the candidates.”¹⁵ An interview helps in assessing the applicant’s profile and comparing it with the job profile for suitability. Interview is considered an essential component of modern selection program because no other satisfactory tests has been devised so far for measuring the mental and moral characteristics which constitutes the personality of the candidates.

However, the main disadvantage of interview is its subjectivity. The opinion and perception of the interviewer becomes very critical in the selection process. Individual biases based on gender, religion, race, nationality, caste etc. can influence the decision of the interviewer. Some of the other reasons for biases might be educational background, previous employer, etc. of the candidate. Therefore, interview is mostly preferred as supplementary to written examinations.

Soon after all the answer scripts are received back from the examiner and all other necessary procedures has been done, the Controller submit the result to the Secretary clearly highlighting the numbers of candidate that can be called for an interview according to the procedure laid down by the Central as well as the State Government to the Commission for fixing of interview date and appointment of expert. At the same time, the bio-data of the candidates as well as their academic grade are prepared. The numbers of candidates that can be called for an interview are as

enumerated in Table No 8. The interview is usually held at the Commission Office, New Secretariat Complex, Khatla, Aizawl.

TABLE-8

No. of Candidates to be called for Interview

| No. of Vacancy | No. of Candidates to be Called |
|-----------------------|---------------------------------------|
| 1 post | 5 |
| 2 posts | 2+5=7 |
| 3 posts | 3+6=9 |
| 4 posts | 4+7=11 |
| 5 posts | 5+8=12 |
| 6 posts | 6+9=15 |
| 7 posts | 7+10=17 |
| 8 posts | 8+10=18 |
| 9 posts | 9+10=19 |
| 10 posts | 10+10=20 |
| More than 10 posts | Twice the vacancies |

Source: *MPSC (Conduct of Examinations) Guidelines, 2011*

Interview call is made purely on the merit position base of the candidates. Unless regulated by the Examination Regulation, the maximum mark carried by an interview is 100 which is 12.5% of the total marks of 800 in the written examination.¹⁶

The interview board usually consists of 4 members – the Chairman of the Commission, two members of the Commission and the subject expert. The Chairman of the interview board controls the progress of the interview and usually the first part of the interview is conducted by him. The Chairman is followed by other members and experts. The time allotted for each candidate is usually not more than 30 minutes. Each member of the interview panel awards marks to the candidates. The distribution of the award of

marks is shared between the Chairman and other members of the interview panel in the following manner:

- The Chairman of the Commission - 40% of the marks
- The two members of the Commission - 20% of the marks each
- Subject Expert - 20% of the marks.¹⁷

Marks awarded in the Personal Interview should not be less than 40% and not more than 80%.¹⁸ This is done to reduce subjectivity and biases that can occur while awarding marks to the candidates. The final score of the candidate in the interview is calculated by adding the marks given to him by each member of the interview panel. The number of candidates interviewed so far by the MPSC is given in Table No. 9.

TABLE-9

No. of Candidates Interviewed by MPSC

| Sl. No | Year | No. of Candidates Interviewed |
|---------------|-------------|--------------------------------------|
| 1. | 1991-1992 | 77 |
| 2. | 1992-1993 | 446 |
| 3. | 1993-1994 | 78 |
| 4. | 1994-1995 | 701 |
| 5. | 1995-1996 | N.A |
| 6. | 1996-1997 | N.A |
| 7. | 1997-1998 | 367 |
| 8. | 1998-1999 | 211 |
| 9. | 1999-2000 | 179 |
| 10. | 2000-2001 | N.A |
| 11. | 2001-2002 | 94 |
| 12. | 2002-2003 | 94 |
| 13. | 2003-2004 | 122 |
| 14. | 2004-2005 | 9 |
| 15. | 2005-2006 | 280 |
| 16. | 2006-2007 | 122 |
| 17. | 2007-2008 | 171 |
| 18. | 2008-2009 | 184 |
| 19. | 2009-2010 | 87 |

Source: *Respective Annual Reports of MPSC, 1991-2010*

The final result will be based on the total marks a candidate obtained in the written as well as in the personal interview. Recommendations are made in order of merit for the number of vacancies available. Table No. 10 highlights the number of posts the MPSC have been consulted for direct recruitment, number of recommendations made and the subsequent number of appointments.

TABLE-10

Posts where the MPSC have been Consulted

| Sl. No | Year | No. of Posts | Recommended | Appointed |
|---------------|-------------|---------------------|--------------------|------------------|
| 1. | 1991-1992 | 82 | 48 | 22 |
| 2. | 1992-1993 | 246 | 208 | 166 |
| 3. | 1993-1994 | 88 | 59 | 31 |
| 4. | 1994-1995 | 232 | 252 | 212 |
| 5. | 1995-1996 | N.A | N.A | N.A |
| 5. | 1996-1997 | N.A | N.A | N.A |
| 7. | 1997-1998 | 92 | 78 | 40 |
| 8. | 1998-1999 | 47 | 47 | 47 |
| 9. | 1999-2000 | 29 | 24 | 22 |
| 10. | 2000-2001 | N.A | N.A | N.A |
| 11. | 2001-2002 | 11 | 6 | 4 |
| 12. | 2002-2003 | 24 | 25 | 5 |
| 13. | 2003-2004 | 45 | 44 | 16 |
| 14. | 2004-2005 | 18 | 9 | 2 |
| 15. | 2005-2006 | 93 | 83 | 83 |
| 16. | 2006-2007 | 21 | 25 | 25 |
| 17. | 2007-2008 | 94 | 48 | 48 |
| 18. | 2008-2009 | 69 | 134 | 134 |
| 19. | 2009-2010 | 90 | 26 | 26 |

Source: *Respective Annual Reports of MPSC, 1991-2010*

The above table indicates that there are numerous instances where the recommended candidates are not given appointment by the Departments. In those cases,

the MPSC had never received any information regarding the non-acceptance of their recommendation from the appointing authority.

It has also been observed that there are certain instances where appointments are made to posts which are under the purview of the Commission without consulting the Commission. Details of appointments made without consulting the Commission are illustrated in Table No. 11.

TABLE-11

Details of Appointment Made without Consulting the Commission

| Sl. No | Year | No. of Appointments |
|---------------|-------------|----------------------------|
| 1 | 1991-1992 | 71 |
| 2 | 1992-1993 | 98 |
| 3 | 1993-1994 | N.A |
| 4 | 1994-1995 | 7 |
| 5 | 1995-1996 | N.A |
| 6 | 1996-1997 | N.A |
| 7 | 1997-1998 | Nil |
| 8 | 1998-1999 | Nil |
| 9 | 1999-2000 | Nil |
| 10 | 2000-2001 | N.A |
| 11 | 2001-2002 | Nil |
| 12 | 2002-2003 | Nil |
| 13 | 2003-2004 | Nil |
| 14 | 2004-2005 | Nil |
| 15 | 2005-2006 | Nil |
| 16 | 2006-2007 | Nil |
| 17 | 2007-2008 | Nil |
| 18 | 2008-2009 | Nil |
| 19 | 2009-2010 | Nil |

Source: *Respective Annual Reports of MPSC, 1991-2010*

The above table shows that no regular appointments have been made without consulting the Commission since 1997-1998 which is very much appreciated.

B) Non – Competitive Examination

Non-competitive examination is confined to determining merely which of the candidate satisfy the minimum standard required. This type of test is applied to the conduct of Departmental Test. Departmental Examinations are conducted by the Commission for the purpose of declaration of probation period of newly appointed candidates into Civil Service.

The MPSC conducts three types of Departmental Examinations namely;

- (a) Departmental Examination for Mizoram Civil Service (Probationers).
- (b) Mizoram Finance & Accounts Service (Probationers) Departmental Examination.
- (c) Mizoram Police Service (Probationers) Departmental Examination.

Table No.12 highlights the number of Departmental Examinations conducted by the MPSC.

TABLE-12

No. of Departmental Examination

| Sl. No | Year | No. of Dept. Exam |
|---------------|-------------|--------------------------|
| 1. | 1991-1992 | Nil |
| 2. | 1992-1993 | 1 |
| 3. | 1993-1994 | 1 |
| 4. | 1994-1995 | 1 |
| 5. | 1995-1996 | N.A |
| 6. | 1996-1997 | N.A |
| 7. | 1997-1998 | 1 |
| 8. | 1998-1999 | 1 |
| 9. | 1999-2000 | 1 |
| 10. | 2000-2001 | N.A |
| 11. | 2001-2002 | 1 |
| 12. | 2002-2003 | 1 |
| 13. | 2003-2004 | 1 |
| 14. | 2004-2005 | 2 |
| 15. | 2005-2006 | 3 |
| 16. | 2006-2007 | 1 |
| 17. | 2007-2008 | 2 |

| | | |
|-----|-----------|---|
| 18. | 2008-2009 | 2 |
| 19. | 2009-2010 | 3 |

Source: *Respective Annual Reports of MPSC, 1991-2010*

Report of the MPSC

The presentation of the annual report of the Commission is another mandatory function of the Commission. Article 323(1) of the Constitution specifies that “It shall be the duty of a State Commission to present annually to the Governor of the State a report as to the work done by the Commission”.

As per the provision of the Constitution of India, the MPSC prepares an Annual Report of its working for every Financial Year to be presented to the Governor and to be laid before the State Legislative Assembly. The first such Annual Reports cover the period from 1st April, 1991 to 31st March, 1992. In the Annual Reports, composition of the Commission, staff strength, and detailed as well as general works of the Commission within the year was recorded.

Consultative or Advisory Function

Recruitment Rules/ Service Rules

Article 320 of the Constitution of India stipulates that the Public Service Commission must be consulted on all matters relating to method of recruitment (Recruitment Rules) to Civil Services and for civil posts. Thus, the Government of Mizoram has been regularly consulting the MPSC while framing Recruitment rules/ Service Rules for Civil Services of the state. There have been as many as 305 cases of consultation of the MPSC regarding the framing of Recruitment Rules/ Service Rules (Draft and Amendment) (Group ‘A’ and Group ‘B’) during the year 1991-2007.¹⁹

Promotion

Promotion is integral to the concept of career service. It is defined as a process which involves the assumption of higher duties and responsibilities by an employee accompanied by higher status and salary. According to the Fulton Committee “The right promotion at the right time is an essential part of the process of developing to the full talents of men and women.”²⁰

From its inception in 1.5.1991 to 19.7.1994, the MPSC was to be consulted on matters of appointment to be made by the Governor to Gazetted posts only. However, from 20.7.1994, as per the provision of Mizoram Public Service Commission (Limitation of Functions) Regulation, 1994 the MPSC was to be consulted on the principles to be followed in making promotions or on the suitability of candidates for appointment to a post in the maximum scale of pay of which is not less than Rs.2900/- per month (at present, to a post carrying a Grade Pay of more than Rs. 4400/-).²¹

For the purpose of promotion, the Commission examines the Annual Confidential Report (ACR) of five consecutive years of the officers. Here, it is worth mentioning that the system of recording the ACR needs urgent attention. While some Departments have certain objective formats for recording such reports, many others use uniform and very subjective type of forms with the result that at the time of scrutiny, the report fails to bring out properly the quality of the Officers reported upon. Hence, it is necessary to work out different types of formats which are required for different Departments/Services. Besides, it has been observed that due application of mind at the time of recording of such report by the concerned is much needed. Another problem encountered by the Commission is that some authorities of writing ACR could not complete writing the ACR within the stipulated time as per the instruction of the Government; this has led to delay in the discharge of functions of the MPSC.²² Table No.13 highlights the number of proposals for promotion received by the MPSC.

TABLE-13**Proposals for Promotions**

| Sl. No | Year | No. of Proposals |
|--------|-----------|------------------|
| 1. | 1994-1995 | 224 |
| 2. | 1995-1996 | N.A |
| 3. | 1996-1997 | N.A |
| 4. | 1997-1998 | 57 |
| 5. | 1998-1999 | 68 |
| 6. | 1999-2000 | 87 |
| 7. | 2000-2001 | N.A |
| 8. | 2001-2002 | 84 |
| 9. | 2002-2003 | 82 |
| 10. | 2003-2004 | 115 |
| 11. | 2004-2005 | 116 |
| 12. | 2005-2006 | 80 |
| 13. | 2006-2007 | 70 |
| 14. | 2007-2008 | 93 |
| 15. | 2008-2009 | 154 |
| 16. | 2009-2010 | 185 |

Source: *Respective Annual Reports of MPSC, 1991- 2010*

Transfer

There are some posts which require persons with previous knowledge and experience of the working of Government Departments. In such cases, suitable candidates can be found only from State Governments and other similar agencies. Further, the Government may also wish to give experience in a particular post by rotation to various officers either on the same department or to officers of other parent organization or state.

Article 320(3) of the Constitution stipulates that the Commission shall be consulted on the principles to be followed in transfer from one service to another and on the suitability of candidates for such transfers. Thus, the Commission has to be consulted in cases of transfer from one service to another. Since this kind of transfer rarely occurs, the function of the MPSC in this respect is very infrequent.²³

Disciplinary Matters

According to Article 320(3) (c) of the Constitution of India, the Government must consult the Commission on discipline and other service matters of civil servants. The consultation prescribed by the Constitution is only to afford proper assistance to Government in assessing the guilt as well as the suitability of the penalty to be imposed. But, for the omission of or irregularity in such consultation, the aggrieved officer has no remedy in a Court of Law. Table No 14 illustrates the number of occasions the MPSC have been consulted in disciplinary matters.

TABLE-14

Consultation of the MPSC Regarding Disciplinary Matters

| Sl. No | Year | No. of Occasions |
|---------------|-------------|-------------------------|
| 1. | 1991-1992 | Nil |
| 2. | 1992-1993 | Nil |
| 3. | 1993-1994 | Nil |
| 4. | 1994-1995 | Nil |
| 5. | 1995-1996 | N.A |
| 6. | 1996-1997 | N.A |
| 7. | 1997-1998 | 2 |
| 8. | 1998-1999 | 4 |
| 9. | 1999-2000 | 4 |
| 10. | 2000-2001 | N.A |
| 11. | 2001-2002 | 4 |
| 12. | 2002-2003 | 5 |
| 13. | 2003-2004 | 4 |
| 14. | 2004-2005 | 4 |
| 15. | 2005-2006 | 7 |
| 16. | 2006-2007 | 5 |
| 17. | 2007-2008 | 7 |
| 18. | 2008-2009 | 2 |
| 19 | 2009-2010 | 8 |

Source: *Respective Annual Reports of MPSC, 1991-2010*

Claims for Compensation

According to Article 320 of the Constitution of India, all claims for compensation are within the jurisdiction of Mizoram Public Service Commission. The claims for compensation are of two types: (1) Re-imbusement of legal expenses and (2) Award of extra- ordinary pensions.

- (1) Re-imbusement of Legal Expenses: This function is a resultant of Article 320(3) (d) of the Constitution of India. But the payment in this respect cannot be claimed as a matter of right. Awards of reasonable re-imbusement must necessarily of a discriminatory nature depending on the facts of the case as brought out in the course of trial. An interesting feature of the system of reimbursement is that it is the Government which prosecutes the civil servants and again it is the government which will be called upon to reimburse in respect of the same prosecution. However, no cases have been referred to the Commission so far since its inception.
- (2) Award of Extra-ordinary Pensions: This is incorporated in Article 320(3) (e) of the Constitution of India. This kind of pensions are granted to Government servants who die of such injuries, or are killed in the course of their duties except in such cases where the injury or death is caused by the Government servant's own negligence. This is applicable to all employees of the Government. No such cases are reported before Mizoram Public Service Commission so far.

The MPSC is an advisory body, therefore, in the above mentioned matters, the Commission functions only as an advisory capacity and its advice is not binding on the Government. However, by way of convention, its advice has to be considered as mandatory on government in all democratic countries. To ensure justice and uphold the principle of merit in Public Service, Government is required to seek the advice of the Commission before a decision is taken in this matter. Thus, the significance of the Public

Service Commission in the scheme of personnel management of civil services cannot be overstressed.²⁴

Limitation of Functions of MPSC

The provision under Article 320 (3) dilutes the consultative role of the Commission by authorizing the President or the Governor to make regulations specifying the matters in which it will not be necessary to consult the Commission. Frequent use of this provision has been made by both the Union and more so by the State Government.²⁵ Accordingly, the State Government has promulgated the Mizoram Public Service Commission (Limitation of Functions) Regulations, 1989 and its subsequent amendment which limit the functions of the MPSC. To these Regulations, the MPSC is not to be consulted in the following matters:

- a) When an appointment is to be made by the Governor or by an authority other than the Governor in respect of all posts carrying a Grade Pay of Rs. 4400/- or below. vide MPSC (Limitation of Functions) (Amendment) Regulation, 2011.
- b) When it is proposed to appoint a member of a service to a post, for appointment to which the rules of any other service makes a member of other service eligible, and which in the opinion of the Governor is normally filled by a member of that service or is similar to posts normally filled by a member of that service.
- c) Appointment to the personal staff of the Governor and to his Secretariat.
- d) Appointment to law officers of the State except the members of the State Judicial Service and the Gauhati High Court of Judicature.
- e) When an officiating appointment is to be made by direct recruitment to a permanent post, if it is necessary in the public interest that the appointment should be made immediately and a reference to the Commission would cost undue delay:

Provided that, if the vacancy... is for a period of six months or more..the Commission shall, as soon as possible, be consulted...not later than the 30th day from the date of issue of such appointment orders.

- f) When an appointment is to be made by direct recruitment to a temporary post, if it is necessary in the public interest that the appointment should be made immediately and a reference to the Commission would cost undue delay: Provided that, if the temporary post has been sanctioned for, is likely to last more than six months...the Commission shall, as soon as possible, be consulted...not later than the 30th day from the date of issue of such appointment orders
- g) When it is proposed to re-appoint a retired servant of the Government of India or State Government temporarily to (1) a permanent post created as addition to the Cadre of the service from which he retired or (2) a temporary post created as additional to the Cadre of the service from which he retired or (3) any other temporary post the duties of which are similar to those normally discharged by members of that service.
- h) When it is proposed to appoint temporarily an officer of the Indian Armed Forces to a civil post or service for a period not exceeding three years.
- i) When it is proposed to make appointments to a post on contract basis for a period not exceeding three years;
 Provided that in case the appointment to a post on a contract basis is likely to exceed a period of three years, the Commission shall be consulted before the contract is renewed or extended.
- j) When it is proposed to make any appointment to an honorary post.
- k) On the principle to be followed in making promotion or on the suitability of candidates for promotion:
- i) Promotion to a service by an authority other than the governor;
 - ii) Promotion from a lower to higher grade or posts in respect of all Non-Gazetted posts;
 - iii) Officiating promotion for a period which is not likely to last for more than a year.
- l) Regarding disciplinary matters, consultation with the Commission is not necessary in the following cases :

- i) In passing an order by any authority other than the Governor, whether the order passed is an original, an appellate or a revisionary order;
- ii) By the Governor unless he proposes to pass an original order imposing any of the following penalties or unless an appeal, if admissible under the rules, has been submitted to him against an order of a lower authority imposing any of the following penalties:-
 - (a) Withholding of increments or promotion, but excluding stoppage at efficiency bar.
 - (b) Reduction to a lower post or time scale or to a lower stage in a time scale or to a lower scale in a graded scale.
 - (c) Recovery from pay of the whole or part of any pecuniary loss cause to the State Government by negligence or breach of orders.
 - (d) Removal
 - (e) Reduction of pension.
 - (f) Dismissal.
 - (g) Compulsory retirement.
- iii) By the Governor, when rejecting a petition or memorial;
- iv) In any case in which the Commission has at any previous stage been consulted as to the order to be passed and no fresh question has therefore arisen for determination.

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CHAPTER V

CONCLUSION

The summary and major findings of the study are discussed below. There are some instances where the researcher has identified certain problems confronting Mizoram Public Service Commission which affects its efficient and smooth functioning; remedial measures have been suggested to rectify the problem.

The Mizoram Public Service Commission has been created for the purpose of recruiting suitable candidates to civil servants and tendering expert advice on service matters to the Government of Mizoram. When Mizoram was a district under Assam Government, recruitment to government services was with Assam Government and recruitment to Gazetted posts was in the hands of Assam Public Service Commission. When Mizoram became a Union Territory, the Government of India, through a special dispensation formed Selection Boards for recruitment to government services. The compositions of the boards were varied for recruitment to Class I, Class II, Class III and Class IV services.

When Mizoram was granted statehood in 1987, it became entitled to have a Public Service Commission of its own according to the provision of Article 315 of the Constitution of India. It was one of the priority programmes of the Government then. The Commission was thus created through a Regulation called the “Mizoram Public Service Commission Regulation 1989” in 1989. The Government of Mizoram had appointed Pu S.R. Vala, an IAS officer of Orissa Cadre, as the first Chairman of the Mizoram Public Service Commission. He joined the Commission on 1.5.1991, thus, after four long years of statehood, the Mizoram Public Service Commission came into existence.

Every organization facilitates the accomplishment of some agreed purpose through the allocation of functions and responsibilities. At the same time, they are expected to render utmost satisfaction to those for whom the task is intended. If the former constitutes a legal duty, the latter constitutes a moral obligation. Since Public Service Commission is a closed model of organization, in its theoretical aspect, non-materialization of satisfaction in absolute sense is its inherent weakness.

The Public Service Commission is essentially an Auxiliary staff. The executive rely on the Commission for its specialization of functions i.e recruitment. Line agency detached from Auxiliary staff could not proceed smoothly and efficiently. At the same time, the Auxiliary staff has to negotiate with the line agencies for its various problems. This negotiation often leads to undue delay in its operations.

The basic idea behind a Commission type of organization is to give an opportunity to secure the advices and services of the best lay competence in the community and to promote intelligent citizen participation in the Government. This was the greatest objective of the framers of the Constitution. They also visualized a commission composed of social intellectuals in order to strengthen the developmental sequence of the nation. Instead of creating the Commission solely on social composition, they evolved a formula by coordinating the bureaucratic administration with social administration. Thus, the Constitution stipulates that at least as may be one-half of the members of the Commission should be such persons who have held office for at least ten years either under the Government of India or under the Government of a State. The social composition is left to the discretion of the concerned Government. In Mizoram, this discretion is carried out by appointing retired civil servants. The MPSC, in terms of the composition of members, is more or less like an extension of the bureaucratic structure of the State Government. At one time, an ex-MLA was appointed as member and the professional composition of the Commission is also dominated by political

predilection since the selection of suitable person to be appointed as member or chairman rests with the State Cabinet. The most deserving persons available by virtue of their qualifications, experience and reputation are not necessarily chosen. Therefore, the present system of selection of personnel hampers the credibility and performance of the Commission. Therefore, it is suggested that for selecting suitable person to the Commission, a Search Committee should be constituted and that Committee should necessarily consists of the Leader of Opposition in the State Legislative Assembly while the other members of the Committee can be determined by the Government.

The constitutional provisions ensuring independence to the Commission is highly essential in Mizoram since the political administration of the State changes frequently. These provisions prevent the possibility of discrimination against the members of the Commission who are not in tune with the Government.

The entire administrative set-up of the Commission is controlled by the Secretary. In its performance, the Secretary performs three-fold duties. First, he discharges the duty of Secretary to the Commission, second, he controls the administrative staff of the Commission and thirdly, he establishes link between the government and the Commission.

In the existing condition, senior civil servants from outside the Commission are appointed as Secretary on deputation. Therefore, the term of their office lacks sufficient period for effective administration. There are cases in which the Secretary had a term of merely a year. This would hamper the continuity of developmental sequences in administration. In this respect, it is essential to appoint a person with a minimum period of at least five years of service before retirement.

Regarding the administrative staffs, at present there are 59 staff members in the Commission out of which 10 are Gazetted posts and the remaining 49 are Non-

Gazetted posts. Though there is a steady increase in the number of staff members, there is a need to create more vacancies to match the increasing volume of work. The inadequacy of staff members causes delay in dealing with recruitment and other related functions. In the existing condition, a number of temporary appointments are made in order to cope with the urgent recruitment procedures. Crucial post for conducting examinations like the Controller of Examinations is still not there in the MPSC. In this respect, the Commission had made proposal to the State Authority to review the Cadre strength of various posts under the Commission, but the proposal is not yet attended to by the State Authority. In order to conduct the Commission's duties efficiently and freely, it must be provided with sufficient staff.

For administrative convenience the office of the Commission is divided into Six Sections: Direct Recruitment Section, Promotion Section, Confidential Section, Establishment Section, Accounts Section and Stores & Vehicles. The Commission does not have a separate Public Relations Unit to give due publicity to information relating to examinations and selections such as written tests and interviews conducted to the Commission from time to time. Therefore, it is suggested that the Commission should be provided with a Public Relations Officer to aid the job seekers and provide relevant details on the overall performance of the Commission before the public. Further, the Public Relations Officer should also function as grievance redressal machinery and deal with complaints of the candidates.

The expenditure of the MPSC is met out of the Consolidated Fund of the State as prescribed in Article 322 of the Constitution of India. This provision of the Constitution was included for making autonomy of the Commission a reality. The Commission if it has to deliver what the society expects to do, must have full independence from Government interference and control as envisaged in the Constitution. In this respect, the Government of Mizoram since 9.12.1999 has delegated full financial powers to the Chairman of the MPSC. Nevertheless, the hurdle in the

allocation of necessary funds by the Government is a challenge to the independence of the Commission. In this respect, the Government should a planned as well as systematic approach in the allocation of funds to the Commission.

The Public Service Commission derives its functions from three sources: Legislative Enactments; Rules, Regulations and Executive Orders and; the Constitution of India. In Mizoram, there has been no Legislative Enactments conferring additional functions to the MPSC. Therefore, the main sources of functions of the MPSC are the Constitution of India and Rules, Regulations and Executive Orders of the State Government. A Major portion of the functions of the Commission is derived from the Constitution of India.

The Constitutional functions can be broadly categorized into two broad categories: Mandatory or Administrative function and Consultative or Advisory function. Conducting examinations for selection to public offices and submitting Annual Report to the Governor constitute the mandatory functions of the MPSC. The selection is achieved through a sound recruitment system. Recruitment procedure constitutes three phases: (1) Attraction (2) Selection and (3) Appointment. Of these, Attraction and Selection are performed by the Public Service Commission whereas Appointment is the function of the Government Departments or Agencies concerned.

Attraction of candidates is through giving wide coverage to the short notifications inviting application. But, the advertisement does not create any obligation that the post will be filled up. In this respect, the Government should establish a healthy convention that at least the advertised numbers of vacancies have to be filled up. Regarding selection of candidates, the MPSC conducts two types of examinations for assessing the merit of the candidates. They are Competitive Examinations and Non-Competitive Examinations.

Written examination is one of the most common methods of assessing the merit of the candidates in Competitive Examinations. The examinations are conducted in schools and colleges appropriately since the MPSC do not have a separate Examination Hall. Therefore, it has to depend upon Educational Institutions for conducting examinations and has to schedule its examination to the convenience of these institutions. This often led to delay in examination. The State Government has realized this and now funds have been allocated for the construction of Examination Hall for the MPSC.

Another cause of delay in the conduct of examination is that the MPSC has to depend on technical and subject experts for setting the question papers as well as for evaluating the answer scripts. Though a particular date is fixed for completion of valuation, many evaluators could not complete it on the prescribed date. This led to delay in the finalization of results in written examinations.

The major responsibility for proper conduct of examination rests with the Controller of examination and yet this post is not a sanctioned post in the MPSC. This hampers the efficient functioning of examination. Therefore, to ensure smooth and efficient examination, the MPSC must be provided with a Controller of Examinations.

It has been observed that in the initial years, there are certain instances where appointments to posts which are under the purview of the Commission are made without consulting the MPSC as highlighted in Table No. 11. However, situations have improved since 1997 and from then onwards, no regular appointments have been made without consulting the Commission. There are also many instances where the recommended candidates are not given appointment by the concerned Departments as highlighted in Table No.10. Here too, situations have improved since 2005 and since then, all candidates recommended by the MPSC have been given appointment by the Government Departments.

Departmental Tests are another function attached to the MPSC. It is Non-Competitive in the sense that it is merely confined to determine which of the candidates satisfy the minimum standards required. The MPSC conducts Departmental Tests regularly and a large number of candidates are found failed in the examination.

Since 20.7.1994, the MPSC have been consulted on the principles to be followed in making promotions or on the suitability of candidates for appointment to a post in the maximum scale of pay of which is not less than Rs.2900/- per month (now all posts carrying a Grade Pay of more than Rs. 4400/-). For this purpose, the MPSC examines the Annual Confidential Records of the officers. Here, the format of recording ACR differs across the Government Departments. Some departments use uniform and very subjective type of forms with the result that, at the time of scrutiny, the reports fail to bring out properly the quality of the Officers reported upon. Another problem encountered here is that some authorities of writing ACR could not complete it within the stipulated time as per the instruction of the Government. This led to delay in the discharge of functions of the MPSC. Therefore, it is suggested that the Government should take initiative step to take educative measures like training, seminar or workshops through which all officers involved in recording ACR must be properly educated.

Another matter needing urgent attention is the appointments made under Regulation 3 (e)/ (f) of the Mizoram Public Service Commission (Limitation of Functions) Regulations, 1994. It has been observed that these provisions have been misused by the Government departments many times while making adhoc appointments. Some departments, in spite of being aware that vacancies were likely to occur for more than six months, did not take trouble to refer the cases to the Commission before the expiry of the stipulated period i.e., 30 days from issue of such appointment orders. This practice dilutes the functions of the Commission. Therefore, this provision must be adhered to by the Government and in case of any deviations to the provision of the rules due to unavoidable reasons; the reason thereof must be conveyed to the Commission.

The MPSC, right from the beginning, has handled as many cases as referred to it by the State Government. An inconvenience experienced by the Commission in this regard is that many Departments, while sending proposals to the Commission, used to furnish the requisite documents in piece-meal manner. This leads to unnecessary correspondences which results in wastage of energy and time. Therefore, officials at the lower level in the hierarchy in the Government Departments must take more care to ensure completeness of required records while referring cases to the Commission.

As per the provision of Article 320 of the Constitution, the Mizoram Public Service Commission has to discharge many duties and functions in respect of the Civil Services and posts under the Government of Mizoram. However, this constitutional provision has been curtailed by the Regulation made by the Mizoram Government, namely, Mizoram Public Service Commission (Limitation of Functions) 1989 and its subsequent amendments, which limits the function of the Commission and provide for several matters in which the Commission need not be consulted.

Initially, the Commission is entrusted with the matters of direct recruitment to all Group 'A' and 'B' posts and promotion to all Group 'A' posts, framing of Recruitment Rules/Service Rules of all Group 'A' posts and disciplinary cases in respect of all Group 'A' posts only. However, this provision of the Regulation has been amended by the State Government now and again that at some stage, the Commission is consulted on the matters of direct recruitment to Group 'A' post only and in some stage in the matters of recruitment to Group 'A' and 'B' post. At present, as per the provision of Mizoram Public Service Commission (Limitation of Functions) (Amendment) Regulation, 2011, the Commission is consulted on the matters relating post carrying a Grade Pay of more than Rs. 4400/- .

The very reason for the constitution of the Public Service Commission as envisaged by the founding fathers of the Constitution is to have an independent body to

be consulted by the State Government for selection of personnel for its efficient functioning as well as on their service matters. Therefore, it is desirable that the provision of Article 320 of the Constitution of India be followed in its true spirit and all matters relating to the Civil Services and posts under the Government of Mizoram be entrusted to the Commission.

The MPSC have always been striving to efficiently execute the tasks referred to it by the State Government. So far, the Commission has performed as an effective limb of the Government of Mizoram in selecting suitable persons to the civil service and tendering expert advice to in service matters. However, there are certain areas where improvements need to be effected. The efficiency of the Government depends on the quality of its manpower and the main agency for ensuring an efficient civil service is the Public Service Commission. Therefore, the present study reveals the merits and drawbacks of Mizoram Public Service Commission and suggests remedies since it is the foundation of personnel administration in Mizoram.

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CHART- 1

ORGANIZATIONAL SET UP OF MPSC AS ON 2010-2011

