CHAPTER - VI

RECRUITMENT - I

(By Competitive Examinations and Selection)

Manning the public services in a Welfare State is a complex and continuous process. It involves apart from the methods and tools to be scientifically administered, the determination of manpower requirements, finding out the competent personnel, selecting them as best fitted for employment, preparing them for efficient working and retaining them in service. The technical nature of public service on the one hand and the growth of democratic ideas on the other has made the problem of recruitment all the more important. As E.N. Gladden remarks: 'clearly, a civil service history can be epitomised as the story of the recruitment of officials, since on this first essential step largely rests the nature and degree of usefulness of the administrative machinery....'

The term 'Recruitment' has meant different things to the different writers. On one hand Dr. L.D. White limits it to the specific steps taken to attract suitable candidates to apply for examinations, while on the other hand some others include the entire process of filling the
vacancies, from issuing an advertisement to the job assignment. According to J.D. Kingsley: 'Public recruitment may be defined as that process through which suitable candidates are induced to compete for appointments to the public service. It is thus an integral part of a more inclusive process - selection - which also includes the processes of examination and certification'. In the words of D. Waldo, public recruitment is the "process through which suitable candidates are induced to compete for appointments to the public service———".

Recruitment to start with, was first conceived of in negative terms and so confined itself 'to keep the rascal out'. However it was soon realised that it was a faulty conception. J. Donald Kingley rightly commented upon this and expressed that "the rascals have been kept out, perhaps, but so have many men of vision and ability". The effort was needed to make the recruitment policies positive and thus to attract the best and competent persons towards the public services. This positive approach has become all the more important these days due to the developmental activities undertaken by the modern State. As Pfiffner and Presthus observe: "Personnel recruitment for the second half of the twentieth century will have to be geared to a
nuclear physical world in which the solutions of human problems will demand the utmost in human competence. The emphasis will be not only on finding but on building, men who are capable of performing the complex tasks of coordinating institutions growing ever more complex. Clearly, in such a world emphasis will fall not so much upon 'keeping the rascals out' but on how to induce the best to serve the state and how to so assess their abilities to ensure that each will be placed where he belongs."

With the positive recruitment system, the principle of equal opportunity shifted towards getting the most competent persons for the public service. In this system, sincere efforts are to be made to get the intelligent and competent persons. For this, new techniques such as advertisements etc. are employed in order to attract the talented persons for the public services. According to Stahl, the basic elements of positive recruitment should include the following:

(a) discovery and cultivation of the employment market for posts in the Public Services

(b) Use of attractive recruitment literature and of publicity.
(c) Use of scientific tests for determining abilities of the candidates.

(d) Tapping capable candidates from within the services

(e) Placement programme which assigns the right man to the right job; and

(f) a follow-up probationary programme as an integral part of the recruitment process.

1. Recruitment Rules:

   The first step in the recruitment process is to ensure the proper recruitment rules framed for every cadre of service. No post shall remain without rules as per article 309 of the Constitution of India. This Article 309 reads:

   'Subject to the provisions of this Constitution, Acts of the appropriate Legislature may regulate the recruitment, and conditions of service of persons appointed, to public services and posts in connection with the affairs of the Union or of any State:

   Provided that it shall be competent for the President or such person as he may direct in the case of services and posts in connection with the affairs of the Union, and for the Governor of a State or such person as he may
direct in the case of services and posts in connection with the affairs of the State, to make rules regulating the recruitment, and the conditions of service of persons appointed, to such services and posts until provision in that behalf is made by or under an Act of the appropriate Legislature under this Article, and any rules so made shall have effect subject to the provisions of any such Act."

However, under this Article 309, if any Rule contravenes the provisions of the Constitution e.g. Articles 14, 15, 16, 19, 229, 234, 310(1), 311(1) or 311(2), the rule shall be void. On the one hand, the Constitution itself has provided the mode of appointment and conditions of service of certain officers e.g. Attorney-General under Article 76. On the other hand, the Constitution empowers other authorities to make rules relating to the conditions of service of certain classes of public servants e.g. Articles 98 and 187 relating to the staff of each House of Parliament and of a State Legislature; Article 146(2) regarding officers of Supreme Court; Article 148(5) regarding persons serving in the Indian Audit and Accounts Department; Article 229(2) pertaining to the officers of High Court. Article 309 does not apply to these classes of Government servants.
The Governor's competence to frame Recruitment Rules is qualified by a proviso of clause (3) of Article 320 of the Indian Constitution. It provides that the Commission shall be consulted on the principles to be followed in making appointments to services and posts.

So far the legislatures have not passed any Act regulating the recruitment. Naturally, it is the executive which lays down the method of recruitment, scale of pay, qualifications, conditions of service, age, experience etc. After the rules being made by the executive, they are forwarded to the Commission for the advice. The Commission may suggest the changes if it so desires; but the executive can accept or reject such changes.

So far Gujarat Legislative Assembly has not passed any Act regulating the recruitment. So the Government enjoys this power of making recruitment rules. In fact, the department takes the initiative in framing the rules. Department proposes or evolve a structure and then it goes to General Administration Department which sends it to the Gujarat Public Service Commission. The Commission may suggest any change if it so desires and then it sends it back to the department concerned. The number of recruitment rules which the Commission gets every year is shown
However, in Gujarat the General Administration Department has evolved a model form for recruitment rules. The departments are supposed to fill up this form. The model form includes the nature of the post, age, qualifications, mode of recruitment, experiences etc. The form is given in the Appendix XVI.

This power of making recruitment rules given to the executive has been questioned. Though some argue that it is the responsibility of the executive to have the efficient administration, it does not sound satisfactory. In fact the Commission is the expert body and so it can frame the recruitment rules properly. Therefore, it is suggested that the Government should not be the final authority in this respect. In U.K. the civil service Commission is authorised to frame rules in relation to the standard of qualification, age, experience, character etc. with the approval of the Treasury. In U.S.A. as well, the Commission has the power to frame the recruitment rules. In India, too, the Public Service Commissions should be entrusted with the power of making and amending the rules with the approval of the Governor.
The recruitment rules must carefully bring out (a) the qualifications, experience and previous training required for the post (b) suitable persons available in the open market to man these posts (c) adequate opportunities for promotion (d) an element of direct recruitment with a view to inducing fresh blood. A careful job analysis should be undertaken by the competent authorities so that the duties of the post can be streamlined and the job get the man best suited for it.

2. Requisition:

The recruitment starts with the requisition. The departments of the Government take the initiative. When there is a vacancy, the department sends the requisition. In Gujarat, the Commission has prepared a requisition form in which the Government department is supposed to send the details regarding the vacant post. The model requisition form is given in the appendix XVII.

On getting the requisition, the Commission carefully examines it. The concerned branch of the Commission compares it with that of recruitment rules and the posts to be reserved for S.C./S.T. The Secretary of the Commission have the final look at the requisition and then he decides the programme for the recruitment.
3. Advertisement:

To get the competent persons, what is required is the applications from the best qualified candidates. For this, the Commission has to adopt the best and attractive method. Stahl has pointed out certain methods. They are:

(1) Newspaper, radio, television outlets for news

(2) Maintenance and use of extensive mailing list of schools, labour unions, vocational counselling officers and particularly of organised occupational groups - professional, technical or trades. On the basis of the occupation, the relevant organisations or their memberships are circulated with attractive and informative data about job and career opportunities.

(3) To invite individuals to specify their vocational interests for future reference

(4) Long relationships with teachers, editors, influential, professional and technical men and labour leaders.

(5) Preparation and distribution of well-illustrated pamphlet each on a separate occupation or profession in the services and the career possibilities it offers.
(6) Career directory for college-level positions, particularly at the junior entrance level.

(7) Periodic visits, displays and programme directed to college campuses to interested students in Government work.

(8) Maintenance of dramatic and informative exhibits of Government career at State fairs, conventions and similar places where large number of persons gather.

(9) Holding open house periodically in those agencies which have functions that lend themselves to public display, whether it be the local water works or space science laboratory.

(10) Personal letters to college seniors or high school seniors in selected institutions.

(11) Use of tourist bureau materials, colourful, descriptive booklets and maps, especially for out-of-era prospects.¹

After the scrutiny of the requisition and finalisation of the programme, the Gujarat Public Service Commission prepares the Notification of particulars in respect

of all the posts advertised. The advertisements are
given in the main newspapers of the State and also in
some cases in the national newspapers. The Notifications
are sent to the Employment Offices of the State as well
as to the Employment Offices of the other States.

In this respect, the Commission has to think afresh.
To get the best competent candidates, the Commission is
required to send the notifications to our educational
institutions as well. Moreover the draft of the advertise­
ments also need some fresh thinking. The advertisements
that appear are such and sometimes it is in a corner of a
newspaper that one does not take the notice of it. The
Gujarat Public Service Commission should make attractive
advertisements and must have its special place in the
newspapers like that of UPSC. The Gujarat Public Service
Commission should adopt some novel devices to attract the
prospective candidates.

While discussing the third report on 3rd September
1963, Shri Babubhai P. Vaidya, ex-MLA from Rajkot wondered
how is it that the Commission cancelled the advertisement
already given and declared to give the fresh advertisement.
He wanted to know the reasons behind this happening. On
11th September 1968, while discussing the fourth and fifth
report of the Commission, Shri Ramjibhai Chaudhary, Ex-MLA from Mangrol criticised the procedure of advertisement. He pointed out that those living in the remote villages have no avenues to get the information regarding the advertisements. For this, he pleaded that the Commission should send the information to the offices of the Taluka Panchayats and District Panchayats and should give the advertisements in the newspapers as well. In this regard the Report of the study team "on recruitment, selection, UPSC/State PSCs and training" has observed that "Many youngmen are, perhaps, not aware of the opportunities available in Government service for a satisfying career and there is need to publicise this amongst university graduates. Government should undertake the preparation of suitable publicity material which can be made available to the universities for the information of prospective candidates. In addition, senior officers may visit universities and address the students in the final year degree and post-graduate classes and hold discussion sessions with them on the opportunities in the civil services. Universities which do not have career counselling cells should be encouraged to set them up."
4. Application Procedure:

It is through the advertisement, that the applications are invited from the prospective candidates. The application procedure involves (1) designing the form to secure the information (2) administration of application form (3) scrutiny of the applications (4) accepting or otherwise of the applicants.

Stahl thinks that application meets five primary needs. They are "(1) to identify and locate the application (2) to determine eligibility for competition (3) to evaluate qualifications for employment (4) to determine preference status (5) to serve as a basis for estimating character and habits." The application form should be designed in such a way that each one of these primary needs are taken into consideration. Stahl also mentions the purposes that the application blank can serve. They are "(1) to provide a basis for the interview (2) to furnish data for selective certification (3) to provide information regarding special qualifications which might be useful in placement and (4) to furnish information for in-service personnel records."

In Gujarat Public Service Commission, the applications
received are scrutinised by the concerned branch. The postal orders sent along with the application form goes to the accounts section. After the scrutiny by the branch the deputy secretary and the Secretary also may look into the matter. After that the list of the prospective candidates are placed before the Commission.

It is the Commission who decides about the candidates to be called for the interview. If the applications are more, then the candidates having some more percentages or some extra qualifications are called for the interview. In case of more applications, the Commission keeps the standard high. Moreover when the applications are in numbers, the Commission keeps the objective test and then calls the successful candidates.

The screening of the application forms is a vital factor. The Commission has to satisfy itself whether all the blanks in the application forms are filled in or not and whether the candidate fulfill the minimum required qualification or not. Since the age, qualifications etc. are the important aspects in the recruitment, the audit of the application should be done thoroughly. It is also advisable to keep the applications of the selected candidates till the concerned employee retires from the service.
5. **Qualifications:**

To be the candidate for the public service, the aspirant must possess the requisite qualifications. The Constitution and the Regulations made by the Government imposes certain limitations which the Commission has to observe. These are relating to citizenship, age, sex, education, experience etc. The required qualifications are of two types - general and special.

(A) **General Qualifications:**

1. **Citizenship:**

   This is a basic requirement for the public services in the modern State. Aliens are debarred from holding the public posts. If in case an alien is appointed, it is for the short period. However in the Indian context, there are categories of persons who are not citizens and even then they are eligible for the civil posts. This is due to the historical ties that we have with those countries. They are (1) subjects of Sikkim (2) persons of Indian origin who have migrated from Pakistan to India with the intention of settling in India and (3) Nepalese and Tibetans who settled in India before 1st January 1962, subject to the certificate of eligibility being issued in their favour.
In Gujarat, under the Gujarat Civil Services Classification and Recruitment (General) Rules, 1967, it is provided in the seventh para that -

"(1) Subject to the provisions of these rules, no person shall be appointed to any service or post unless he is
(a) citizen of India, or
(b) a subject of Nepal, or
(c) a subject of Bhutan, or
(d) a Tibetan refugee who came over to India before the 1st January 1962 with the intention of permanently settling in India, or
(e) a person of Indian origin who has migrated from Pakistan, Burma, Shri Lanka and East African countries of Kenya, Uganda and United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire, Ethiopia and Vietnam with the intention of permanently settling in India.

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the State Government.

(2) A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview,
conducted by the Commission or other recruiting authority but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the State Government."

To determine the citizenship, the Commission requires to produce the S.S.C.E. certificate from the applicant.

2. Residence or Domicile

Domicile qualification is still there in the United States, but in India the same has been done away with. It was in force during the early years of independence. The States Reorganisation Commission strongly objected to this requirement. Its report says "The desire of the local people for the State services being manned mainly by the sons of the soil" is understandable, but only up to a point. The report further mentions:

"Such stipulations, in our opinion, are not only inconsistent with Articles 15, 16, and 19 of the Constitution but go against the very conception of an Indian citizenship. We do not feel called upon to pronounce on the purely legal aspects of these restrictions, but we have no doubt, whatsoever that their total effect is the

1 Gujarat Civil Services Classification and Recruitment (General) Rules 1967; para 7, GAD notification No.G.S./41/CRR-1167-G (amended upto 31-3-'79).
exact opposite of what was intended by the Constitution."

The Public Employment (Requirement as to Residence) Act 1957 has done away with this restrictions. In Gujarat, the requirement of even the domicile certificate was done away with by the first Chairman of the Commission.

3. **Sex**

Sex is not a disqualification now, but it was so in the past. In India, the Constitution has laid down that "There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State." Now there is no bar for the woman gaining an entry into the public services.

However bigamous marriage is considered as a disqualification. In Gujarat, the rules provide that no male candidate who has married again when his other wife was alive and no female candidate who has married a person already having a wife living shall be eligible for appointment to the posts provided that Government may, if satisfied, exempt him or her from the operation of this clause.

4. **Age**

In this regard, we notice two trends. In countries like India and Britain, young persons are recruited.
while in U.S.A. more mature persons are recruited. Commenting on these two extremes, Kingsley writes: "There are only two feasible systems of public recruitment, although in practice they may be combined in varying degrees. The alternatives are to recruit young people direct from schools and university on the basis of academic examinations, or to recruit more mature men and women on the basis of practical tests related to their work experience. The first alternative has been widely followed in Europe notably in England; the second, in the United States. The first presupposes the existence of a number of career hierarchies or ladders up which the more promising officers move throughout their public lives. The second tends to regard the civil service as a collection of more or less discrete positions to be filled on the basis of technical qualifications for the particular job. The first emphasises promotion and results in a fluid or mobile service. The second emphasises techniques at entry and results in a more static service. The first favours the promising youngster, the second too often favours mediocre maturity. The first gears the civil service to the educational system. The second gears it to the ebb and flow of employment volume in private industry. Neither one of these systems, considered as extremes, is adequate to the requirements of
the modern public service, and any satisfactory schemes of recruitment must combine elements of both.*

However, the essential aspect of a career service is the recruitment of the youngsters who make the public service their career. The idea is to mould them for higher administrative tasks. The reason for having age limit is that the training, experience etc. gained by the young recruit is of use to government.

India and for this purpose, Gujarat has adopted the British pattern. For the competitive examinations held for the higher posts, Gujarat Public Service Commission requires the minimum age of 21 years and maximum age of 28 years. (for S.C./S.T. candidates 33 years). The upper age limit can be relaxed upto 3 years in the case of displaced persons from East Pakistan who have migrated to India on or after 1st January 1964. To be eligible for this concession the applicant should produce a certificate from the camp commandant or the District Magistrate of the area where the applicant may, for the time being, be resident, to the effect that the applicant is a bonafied displaced person from East Pakistan Migrated to India on or after 1st January 1964. However this minimum and maximum age limits are different for the different posts and is also changing from time to time.
With regard to the relaxation of the age limit, the Gujarat Civil Services Classification and Recruitment (General) Rules, 1967 in para 8(2) provides that: "where the prescribed qualifications include a qualification as to age limit, the appointing authority may relax the age limit in favour of candidates belonging to the scheduled castes, scheduled tribes, or other backward classes to the following extent, that is, to say -

(a) in the case of a service or post in a subordinate service or of a state service in respect of which the prescribed age limit does not exceed forty years the age limit may be relaxed to the extent of five years.

(b) in the case of a service or post in a state service in respect of which the prescribed age limit exceeds forty years, but does not exceed 42 years, the age limit may be relaxed to 45 years.

(c) in the case of service or post in the State service in respect of which the prescribed age limit exceeds 42 years the age limit may be relaxed to the extent of three years.

There is also one general provision in para 8(3) which reads "If in any case it is considered essential by the appointing authority to appoint to any post a candidate who has crossed the age limit prescribed for the
service or post or in the case of any post a candidate possessing the prescribed qualifications be not available and it is considered by the appointing authority that it is necessary to appoint to such post a candidate who does not possess the prescribed qualifications, the appointing authority shall not appoint such candidate to any such post except with the previous approval of the State Government, where such approval is sought, the appointing authority shall state fully, the reasons for making the appointment."

Thus we have strictly followed the British pattern and not that of U.S.A. But in order to induce highly qualified persons, the provisions for the lateral entry should be made. It has been recommended by the study team of the A.R.C. in its Report that "There should be a provision for lateral entry at higher levels in post which require specialist knowledge or experience not normally available in the established services and in the technical services."\(^1\)

(B) Special Qualifications:

1. Educational Qualification

There are two main patterns so far the educational

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qualifications are concerned. As in the case of Age qualification, they are also that of British and American pattern. In Britain for the various services, a certain level of educational standard is required along with the age. Generally, bachelor's degree is required to enter into the public services. While in the American system no educational qualifications are prescribed but one can enter the public services after qualifying in the competitive tests.

India follows the British pattern. For entering into the administrative and executive posts, the minimum qualification required is that of bachelor's degree and for the clerical post, S.S.C.E. is the minimum qualification required.

The requirement of a degree has come under severe criticism in India. It is argued that it has encouraged the youngsters for the degree and this has led to the overcrowding in the colleges and the universities. Moreover, this trend has led to the falling down of the academic standards. The Ramaswamy Mudaliar Committee which studied this problem has opined that degree is not necessary for the public services. In April 1955, the
Central Government appointed The Public Services (Qualifications for Recruitment) Committee to examine the various aspects of this problem. The recommendations of the Committee were accepted by the Government and accordingly a university degree for the clerical and subordinate posts were done away with. However, a university degree continues to be the requirement for the higher posts.

In Gujarat, under the Gujarat Civil Services, classification and Recruitment (General) Rules 1967, it is provided that "subject to the provisions of these rules, no person shall be appointed to any service or post, unless he possesses the qualification, if any, prescribed in the rules relating to the recruitment to such service or post (hereinafter referred to as "the prescribed qualifications")". In this respect, The State Civil Services Recruitment (Examination) Rules 1969 provide that "a candidate for the examination must hold a degree in Arts, Science, Agriculture, Commerce, Law or Engineering of a recognised university or an equivalent qualification recognised by Government." It is also mentioned in the

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note that "candidates for the post of Deputy Superintendent of Police must also possess (a) Height 1.65/0 metres (b) chest .3382 metres expansion .3890 metres."¹ Accordingly for class I and class I posts in Gujarat, a university degree is essential for entering the public services. While for the clerical and other subordinate posts, S.S.C. or its equivalent is the requirement. The Rules also provide that "If in any case it is considered essential by the appointing authority to appoint to any post a candidate who has crossed the age limit prescribed for the service or post or in the case of any post a candidate possessing the prescribed qualifications be not available and it is considered by the appointing authority that it is necessary to appoint to such post a candidate who does not possess the prescribed qualifications, the appointing authority shall not appoint such candidate to any such post except with the previous approval of the State Government, where such approval is sought, the appointing authority shall state fully the reasons for making the appointments."²


² The Gujarat Civil Services Classification and Recruitment (General) Rules 1967 para 8(3) dated 10-10-67.
2. Experience

Experience is valued where the system of lateral entry is followed. In U.S.A. experience of the task done is the required qualification. But in India where the youngsters get entry into the public services, this is not required. However in technical services, experience is a desired qualification. In this respect, in Gujarat the Rules provide that "where the qualifications prescribed for any service or post include a qualifications as to practical experience for a given period and applications are invited for such service or post, the period of practical experience shall be computed with reference to the last date fixed for the receipt of such application."\(^1\)

3. Personal Qualifications

The civil servant must be tactful, resourceful and must have the capacity to lead others. Pfiffner and Presthus has listed five skills necessary for the public servants. They are (1) a flexible, but essentially scientific mode of thought characterised by a recognition of the

\(^1\) Ibid para 8(8)
need for coordination (2) Familiarity with the subject matter of organisation and management (3) Facility at problem-solving (4) A highly developed reading and writing ability (5) Ability to settle vexing situations through inter-personal contact.

Although, the Gujarat civil services classification and Recruitment (General) Rules 1967 does not mention it and it is naturally so. Such personal qualifications cannot be prescribed. But the Commission while taking viva-voce or interview tries to assess such personal traits.

The Gujarat Public Service Commission requires the attested copies of S.S.C.E. and the degree qualifications to satisfy itself regarding the age and other requirements. Along with the application, the candidate has to send the necessary fees. The candidates belonging to S.C./S.T. has to pay a fee of Rs.17.50 n.p. by two separate crossed I.P.Os. of Rs.15/- and Rs.2.50 n.p. made payable to the Secretary, Gujarat Public Service Commission. Other candidates has to pay it by two separate IPOs of Rs.45/- and Rs.2.50 n.p. Now the Commission has raised the fee from Rs.45/- to Rs.50/- for other candidates and has decreased from Rs.17.50 np. to Rs.15/- for S.C./S.T. candidates.
6. Selection

Selection is a process by which the required numbers are picked up from the bigger total. Naturally this process involves some kind of examination. What will vary is the objectives, procedures adopted, criteria fixed and ways of assessment.

There are two possible methods of public recruitment and in practice they both are combined in degrees. One is to recruit young people from schools or university upon the basis of academic qualification and another is to recruit more mature men and women upon the basis of practical tests related to the experience gained. In the words of Lunis Mayers "methods of selection are basically two in number - selection from without the service or recruitment and selection from within the service." Thus the two methods of selection are: selection proper and promotion.

Sound recruitment policy is one which combines the elements of both. In this respect Kingley has proposed three basic principles. (1) Recruitment should normally be to the bottom rungs of broadly conceived and well-integrated ladders of positions, the higher levels being filled by promotion. (2) Recruitment should normally be at a
relatively early age, making appropriate exception in the case of certain highly specialized positions which can not be from within the service and in which maturity is a pre-requisite to successful performance. The numbers of such exceptional posts should be kept to a minimum. (3) The normal method of entry should be related to the appropriate level of variety of education for the particular hierarchy involved.

There are pros and cons of both the methods and so a happy blending of the two becomes necessary. In Gujarat, both the methods have been adopted. The Gujarat Civil Service Classification and Recruitment Rules (General) 1967 in para 9 states that "An appointment to any service or post included in the State services shall be made by the State Government or by an authority duly empowered in that behalf by the State Government either -

(a) on the result of a competitive examination held
(b) by direct selection, or
(c) by promotion, or
(d) by transfer

from amongst the persons satisfying the conditions prescribed in these rules and other rules, if any, relating
I will deal with the first two aspects in this chapter since it involves the recruitment from without. The other two aspects involving the recruitment from within is dealt with in the next chapter since it deserves certain other considerations as well.

(A) Recruitment through Competitive Examinations

Recruitment from without the service is made necessarily through the device of examinations. Its importance lies in eliminating unqualified candidates and in ranking those who pass in the order of merit. Civil Service examinations has generally to accomplish two purposes: (1) to determine which applicants meet the minimum standards, and (2) to determine which candidate from the applicants is the best, next best and so on. This system does not merely free the civil service from the abuses of patronage but at the same time, it has its intrinsic merits.

In fact, the scheme of competition represents a harmonious blending of three viewpoints about what should

1 The Gujarat Civil Services Classification and Recruitment (General) Rules, 1967 para 9, (as amended upto 31-3-1979).
be looked for in a candidate for the administrative post. One of these views is that the knowledge of a particular subject having direct utility in the service is not necessary. The second viewpoint is that the candidate should have good mental equipment and intellectual training, and the third viewpoint is that there is a close affinity between the work in a civil service and the qualities needed for the academic pursuits. So far it has been presumed that the person who distinguishes himself in one, is likely to distinguish himself in the other.

To select the right man for the right job and to do away with the favouritism, the system of competitive examination is adopted. This requires that the examination system should be effective. According to Kingsley, good test has two characteristics: (i) it has validity which means that it actually measures ability to perform successfully in a given position; and (ii) it has reliability which means that a person taking the same test again should obtain approximately the same score. For Powell, the attributes of examinations are: validity, reliability, objectivity, public relations value, adequate speed and appropriate balances. Prof. P.D. Sharma cites four characteristics of an effective examination system.
They are objectivity, validity, reliability and brevity.

The holding of competitive examinations for recruitment was one of the important functions of the Commission under the Act of 1935 and the Functions Rules framed by the Bombay Government provided for recruitment to posts in the Upper Division and Lower Division of the Bombay Subordinate Secretariat Service and in the Provincial Engineering Services by Competitive examination held by the Commission. However until 1947 definite steps could not be taken. In fact the first competitive examinations were held in 1940-41 when a selection for the posts of Inspector of Motor Vehicles, Sind and for the posts in the Sind Service of Engineers, class I and class II was made by this method. In this examination, out of 30 candidates who had applied only three were qualified. Competitive examination as the mode of recruitment to the engineering services had been in operation since 1929 when it was held for the first time for recruitment to the Indian service of engineers to be made in India.

After the new constitution of 1950 came into the force, the Commission pressed for the adoption of competitive examination as the mode of recruitment for the superior services. The first competitive examination for
recruitment to the posts of Probationary Mamlatdars was held by the Commission in 1954-55. In the same year, the examination for appointment as Assistant Conservator of Forests in the State Forest service class II was held. In 1956-57, the Government, in consultation with the Commission decided to fill 30% of the vacancies in the cadre of Deputy Superintendent of Police/Superintendent of Police, Greater Bombay on the result of the examination prescribed for recruitment for the posts of Mamlatdars. In 1959-60 it was decided to fill 50% of the posts of Deputy Collectors by direct recruitment on the result of a competitive examination. A combined examination for recruitment to the posts of Deputy Collectors, Mamlatdars and Deputy Superintendents of Police/Superintendents of Police, Greater Bombay was announced to be held in 1959-60, but in view of the division of the Bombay State in May 1960, it was cancelled. The first combined examination was actually held in 1961-62.

At present, the Gujarat Public Service Commission conducts the following competitive examination. They are

I Combined Competitive Examination for certain class I and class II posts

II Gujarat Forest Service (Subordinate Services) Selection of candidates for Range Forest Officers Training
III Gujarat Engineering Services

IV Competitive Examination for recruitment to the posts of Assistants in Sachivalaya

V Competitive Examination for recruitment to the posts of Deputy Mamlatdars

VI Competitive Examination for recruitment of Senior Translators

VII Competitive Examination for recruitment of Junior Translators

VIII Competitive Examination for recruitment of Reporters

IX Competitive Examination for recruitment of clerks

X Competitive Examination for recruitment of Stenographers, Steno-typists and Typists.

The combined competitive examination for certain class I and II posts is governed by the rules called Gujarat Civil Services Recruitment (Examination) Rules 1969. These rules were amended in 1976. In the rules, these posts are termed as 'schedule posts'. According to the existing provisions, the following two categories of posts have been mentioned in the schedule I of the rules.
(i) **Category I**

1. Posts under Gujarat Administrative Service
2. District Registrars of Co-operative Societies
3. Superintendents of Prohibition and Excise class I.
4. Deputy Superintendents of Police.

(ii) **Category II**

1. Mamlatdars
2. District Inspectors of Land Records
3. Assistant Registrars of Cooperative Societies
4. Sales Tax Officers
5. Government Labour Officers
6. Taluka Development Officers or Block Development Officers
7. Superintendents of Prohibition and Excise Class II
8. Superintendents in Secretariat Departments and allied Officers.

In the same way, the Gujarat Forest Service includes two posts:

1. **Assistant Conservator of Forests (Class II)**
2. **Range Forest Officer (Class III) Subordinate Service.**

The Gujarat Service of Engineering Class I and II includes two posts:
(1) Assistant Engineer (G.S.E. Class I)
(2) Deputy Engineer (G.S.E. Class II).

In case of the Competitive Examination for recruitment of Reporters, there are Gujarati and English Reporters.

Under the Competitive Examination for recruitment of Stenographers, Steno-typists and Typists, there are eight posts. They are:

(1) English Stenographer (Grade I)
(2) English Stenographer (Grade II)
(3) English Steno-typist
(4) English Typist
(5) Gujarati Stenographer (Grade I)
(6) Gujarati Stenographer (Grade II)
(7) Gujarati Steno-Typist
(8) Gujarati Typist.

The scheme, subject and standard for the various competitive examinations is given in the Appendix XVIII. The candidate is required to submit the attested copies of S.S.C.E. examination in support of age. If the candidate is belonging to S.C./S.T., he has to submit the attested copy of caste certificate from the competent authority. He is also required to send the attested copy of degree
The examinations are held at Ahmedabad, Baroda and Surat if there are more candidates. If the number of students are less, then it is held only in Ahmedabad. The Gujarat Public Service Commission is not having its own examination building so the examinations are held in some educational institution. To conduct the examination, the Commission appoints one supervisor and two invigilators for every 50 to 60 candidates. For every examination the Commission gives the warning in advance that "A candidate found guilty of impersonation or of submitting fabricated documents or documents which have been tempered with or of making statements which are incorrect or false or supressing material information or using or attempting to use unfair means in the examination hall or otherwise resorting to any other irregular or improper means for obtaining admission to the examination or misbehaviour in the examination hall may, in addition to rendering himself liable to criminal prosecution, be debarred either permanently or for a specified period - (a) by the Commission, to any examination or appearance at any interview held by the Commission for selection of candidates and (b) by the State Government from employment under the
Government. The Commission gives dummy numbers on the answer books to prevent malpractices.

The Secretary, with the consent of the Commission, appoints the paper-setters and examiners for the various examinations. For this, the Commission requests the universities to send the names of the senior professors and lecturers of the different subjects. When more examiners in a subject are required to be appointed, the Commission appoints the moderators as well. In such cases, the Commission calls the examiners and moderators at Ahmedabad to finalise the scheme of marking and for instructions. Otherwise, there is no special instruction regarding the assessment of the answer books.

On getting back the assessed answer books and marks-sheet, the office of the Commission prepares the result. Now this work is done by computer but formerly it was manually prepared. The Commission has not prescribed the minimum standard of passing in a particular paper. So the office prepares the result on the basis of the total marks obtained in all the papers and gives the serial number to the candidates according to merit. After that the Commission decides the qualifying standard for the General and S.C./S.T. candidates. Accordingly, three to four times
more than the required number of candidates are called for the viva-voce and personality test. The object of the viva-voce is to test the calibre and personality traits of the candidate. The Commission takes the viva-voce test. While taking the viva-voce test, the Government representative remains present. After that, once again the qualifying standard is decided by the Commission. Then the office of the Commission finalises the result on the basis of the marks obtained in the written examination and the viva-voce. Finally the list of the successful candidates is prepared. Generally some more candidates are selected and kept on the waiting list so that they can be called for the appointment if necessary. The Commission keeps the waiting list for two years.

The concerned Branch of the Commission, then sends the names, along with the birth date and degree certificates to the General Administration Department of the Government. The Commission also informs the successful candidates but does not inform to those who fails to get the qualifying standard. The General Administration Department informs the Department concerned about the selected candidates. The Department then starts the procedure for getting the police report and medical report of the candidate. But now the Government gives the conditional appointment even before the
police report and medical report is received and after getting the reports, the appointment is regularised.

The Government appoints the selected candidates on probation and sends the six monthly appraisal report of the candidate to the Commission. On the completion of the probation period, the Commission inquires about the candidate's long term appointments. If, in case, the probation period is extended, the Commission inquires about it. On getting the final report about the permanent appointment of the candidate, the work of the Commission comes to an end.

The work-load of the competitive examination held by the Gujarat Public Service Commission is given in the Appendix XIX. It can be noticed from the data that the work is becoming enormous and it is difficult for the Commission to cope up with the burden. To tackle with this problem, Prof. Kothari, in his report, has given the Civil Service Examination Scheme. The Scheme envisages the preliminary examination to serve as a screening test. The Gujarat Public Service Commission is thinking on these lines.
7. **Summary**

Recruitment by competitive examination is considered to be the most streamlined method of recruitment. Perhaps it is the only planned and rationalised method for recruitment. Even then it suffers from certain shortcomings. As Prof. Muttalib says "It is expensive, slow and cumbersome for it involves a time-consuming and is conducted only on the basis of anticipated requirements."¹

The examination includes the compulsory papers to test the candidate's power of clear and lucid expression and the effective thinking. Optional papers are there to test the intellectual ability and scholastic attainment. While the interview which is a part of the examination is kept to assess the personal traits of the candidate.

The Gujarat Public Service Commission has adopted the same pattern of examination. Under this pattern, the candidate is called for the interview only if he has attained the qualifying marks. The qualifying marks are not pre-determined and go on changing from year to year. In Britain, the viva voce forms a part of the compulsory group and is obligatory for all the candidates. While in

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Gujarat, the final list of merit is prepared on the basis of the total marks gained in the written examination and the viva-voce.

This pattern of examination raises certain questions. The first aspect is that of the qualifying marks. Now if the qualifying marks go on changing every year, then it merely means that the Gujarat Public Service Commission selects the relatively better candidates as such and not the competent one. Moreover the merit list is prepared on the basis of the total marks gained in all the papers. If this is the case, then what is the use of keeping the compulsory papers and optional papers? There is a purpose behind the papers in which the candidate has to appear. Over and above this, the candidate is required to answer only four or five questions out of 10 or 11 questions set in the question-paper. Thus this examination tests the candidates in the limited course.

In order to select the competent personnel, this pattern of examination needs modification. The Commission should take certain measures to revitalise the whole scheme. If necessary, it can appoint a Committee to go into this problem. I would strongly recommend that (1) The Commission must lay down the passing standard and if possible for each paper 50% marks and 60% out of the total marks of
all papers should be the qualifying standard. Under the present system, even if the candidate is getting 30% marks but if he is relatively ranked in the merit list, he gets the appointment. This is not a proper procedure.

(2) If the viva voce has to be meaningful, the members and the Government representative who are there on the interview board should be informed about the nature of the job, the responsibilities it involves and the instructions regarding the points to be ascertained from the candidate.

(3) The appointment of the paper setters and the examiners should be carefully made. To get the good examiners, the Commission should pay the attractive remuneration.

(4) The question papers must be having the internal options rather than the present system of open choice.

(5) The percentages of the essay-type questions and short-answer type questions should be decided. If possible in the optional papers, there should be 80% for the essay-type and 20% for the short-answer type questions.

(6) To prevent the mal-practices in the examination, the sitting arrangement in the examination hall and the appointment of the invigilators and supervisors should be carefully done. In the present system, the charges of mal-practices are very often made and it is just possible because the Government servants having no experience of such duties are appointed.
for this purpose (7) There should not be the delay in giving the dummy numbers and posting the answer books to the examiners. The delay makes the candidates suspicious. Similarly there should not be the delay in the declaration of results. At present, the results are declared after five to six months of the examination. This creates apprehensions in the minds of the candidates. For this, the Commission must have the post of controller of examinations because the Secretary is not in a position to look after so many aspects of the examination.

B. Recruitment by direct Selection:

The Commission makes the recruitment by direct selection to such posts which cannot be filled by the competitive examination, promotion or transfer. Generally these posts include the qualified, experienced and scientific or technical personnel. These are such posts on which the selected candidates have to assume the responsible duties after getting the appointment.

In case of a recruitment by direct selection as well, the concerned department of the Government is required to send the details in the prescribed requisition form. After that the branch of the Commission examines the form in the light of the recruitment rules and then prepares
the advertisement. The Secretary of the Commission examines the advertisement and after taking the approval of the Commission, makes the advertisement. On getting the applications, the office makes the scrutiny and prepares the list of the eligible candidates. The list is then handed over to the Commission. Then the interview letter is served to the eligible candidates. Generally speaking the candidates get the interview letter twenty-two days before the due date of interview.

When the candidates come for the interview, the office checks the original certificates, birth date certificate and if necessary, the no objection certificate. After this procedure, the Commission takes the interview. If there are more candidates, the Commission keeps the elimination test.

On the interview board, experts and nominee of the Government remain present. If necessary, the Government may appoint two nominees. All the members of the Commission may not sit for the interview but the decision is taken by the entire Commission. In case of some higher posts, the Secretary of the Government department remains present. Sometimes two secretaries remain present but this is in a rare case. In the case of a sensitive post,
Secretary remains present. The Government Secretaries are there to bring to the notice of the Commission the interest of the Government. But they cannot play decisive role.

While interviewing the candidate, the Commission puts the candidate at ease and language barrier is not allowed. The questions relating to the candidate's field of interest and job requirements are put across. The experts on the interview board aid and advice. However, the experts are not invited for all the posts. When the post is highly technical, only then the experts are invited. The experts get the travelling allowance and the honorarium. There is no written criterias as such for the assignment of marks in the interview. The Commission examines the overall impression of the candidate and their frankness.

After the interview, the Commission prepares the minutes and selects the candidates. It also prepares the waiting list and keeps as many candidates as they desire on the waiting list. The recommendation of the Commission and the applications of the candidates are then sent to the Government. The result is to be placed on the notice
board of the Commission and the Commission inform the candidates about the selection or otherwise.

On getting the recommendation, the Government starts the procedure for the appointment. The police and medical report of the candidate is gathered by the Government and then gives the appointment on probation. The Commission inquires about the appointment and also gets the six monthly appraisal report on the prescribed form from the Government. The Commission makes the scrutiny of the report and if the report is adverse then it makes certain proposals to the Government. After the probation period, the Commission inquires about the candidates long term appointment. If the probation period is extended, the Commission wants to know the reasons from the Government. The work of the Commission comes to an end only after the candidate gets the final appointment.

Summary

In the field of recruitment by direct selection, the work-load of the Commission has increased. The statement of the work-load of the Commission in the field of recruitment by interview is given in the Appendix XX. This requires some rethinking on this aspect.
Looking to the number of posts, the interviews to be taken and also the huge number of applications that the Commission receive, it is difficult for the three members and sometimes for the two members of the Commission to cope up with the work. This necessitates either the increase in the number of the members of the Commission or the constitution of the interview board. In case of the constitution of the interview board, one member of the Commission as a Chairman and two nominees of the Government and two experts may be included. Moreover when there are so many applicants, the written criterias for the guidance should be provided to the members of the interview board. It can be like that of the Union Public Service Commission where the Chairman sends the note to the members of the interview committee for taking the interview. The Maharashtra Public Service Commission has prepared such note on interview. The specimen of the note is given in the Appendix XXI.

7. Departmental and Language Examinations

The Gujarat Public Service Commission has been entrusted with the work of conducting departmental and language examination. This is not its constitutional functional but the Government has given this task to the
Commission. The different Government departments have their own examinations. These examinations are necessary for the retention in the Government service and also for the promotion. Almost all the Government employees are required to pass this examinations. If the employee does not pass this examination, the Government can relieve him. But such cases are rare.

The Commission issues the notification ninety days before the date of the examination. Generally the examinations are held in the months of January, April, July and October i.e. four times in a year. There are some thirty examinations and each one is having its syllabus. The list of the departmental and language examinations is given in the Appendix XXII. The Government employees have to appear in their respective departmental examination. For this, there is a prescribed application form in which he has to apply along with the certificate of the Head of the Department. The applications are not directly received from the employees, it comes through the Head of the Department.

In these examinations, the candidates are allowed to appear with the books in the examination hall. Only two
papers are such in which they have to appear without the books. For getting through this examination, the candidate has to acquire 50% marks and for exemption 60% marks are prescribed. The Government has allowed two trials to the non-S.C./S.T. candidates and one more trial to S.C./S.T. candidates. If the candidate fails to pass after the prescribed trials, he is allowed to appear in the examination but with the fees. The fees for all the candidates is Rs. 30/- for the gazetted officers and Rs. 15/- for the non-gazetted officers. The examiners for these examinations are from the government departments.

This work of departmental examinations was entrusted to the Commission under the Act of 1935. Before that these examinations were held by two Committees known as the Permanent Committee for Departmental Examinations and the Civil and Military Examinations Committee. After the Act of 1935 came into the force, the Commission were entrusted with the holding of 11 departmental examinations and 24 language examinations. It was conducting 4 examinations for employees of Local Boards and School Boards. Now this work has increased in terms of the number of examinations and the numbers of Government officers who is required to pass these examinations.
The work-load of these examinations, given in the Appendix XXIII, reveals the enormous task that the Commission has to bear. Now the Commission should be relieved from this function so that it can concentrate on the problems of recruitment.

8. Union Public Service Examinations

The various examinations of the Union Public Service Commission were conducted by the General Administration Department of the Government of Gujarat at Ahmedabad Centre. But in May 1970, the Secretariat was shifted to Gandhinagar. So the Government requested the Commission to conduct these examinations. The Commission accepted the request of the Government and since then it conducts the examinations. The numbers of examinations conducted since 1970 is given in the Appendix XXIV.

This is an additional task for the Gujarat Public Service Commission. But this arrangement is more justifiable than the former one and so the Commission should continue this work.

9. Temporary Appointments

Appointments by direct selection, promotion, or transfer for the posts which fall under the purview of the
Commission, are required to be made after consulting the Commission. However, the Gujarat Public Service Commission (Consultation) Regulations 1960 empower the Government to make appointments without consulting the Commission if such appointments are made for a period of less than one year or are not likely to exceed a period of one year. The statement giving the details regarding such appointment is given in the Appendix XXVI. The Government is authorised to make such appointments with a view that administration may not suffer due to the vacancy.

But very often, the Government departments are misusing this power and do not care to consult the Commission for more than a year. The Commission very often brings this to the notice of the Government about the delayed references. In the Fourth Annual Report of the Gujarat Public Service Commission, it is reported that "In a large number of cases it is noticed that although the Government knows or has reasons to believe that the appointment is likely to continue for more than one year, no reference is made to the Commission before making such appointments. It is a matter of great regret that an impression appears to have been created in the minds of those in charge of Government Departments that this
period of one year is in the nature of a blanket licence in favour of the appointing authority and that they should go to the Commission only after the completion of the year or just before its completion.¹ Such remarks of the negligence on the part of Government Departments are mentioned very often in the reports of the Commission. Such issues have been raised in the Legislative Assembly as well. On 6-9-66, Shri Manoharsinhji Jadeja brought this issue before the Gujarat Legislative Assembly and remarked that "surprising facts received from this Report (Fourth Report) is that the departments have not sent the proposals to the Commission even though the appointments have been extended up to four years."

This problem of ad hoc appointments is puzzling in almost all the states. In order to check such appointments various steps have been suggested. In Jammu and Kashmir, the Commission has instructed to the Accountant General that the pay of the ad hoc appointee should be stopped after they had remained in the posts for six months so that the Departments may be discouraged from continuing

the appointment. Manipur Public Service Commission has suggested that the service beyond one year should not count for increment in case of ad hoc appointees. In Maharashtra, the appointments are required to be reported to the Commission as soon as they are made.

In this respect, the conference of Public Service Commissions in India held on November 15, 1976 observed 'that in order to have an effective check on malpractices in appointments, it was necessary, in the public interest to arrange for a thorough "personnel audit" and action in this behalf should be initiated by the Commission." It also felt 'necessary to explain to the appointing authorities the provisions in the Consultation Regulations which contemplated that ad hoc appointments would be made only in cases where the candidates appointed were not expected to remain in the post on an ad hoc basis for a period of more than one year.' However, the number of such cases can be reduced if the Government issue the instructions to the Accountant General not to pass the salary bills of the persons appointed without the concurrence of the Commission.