

Copy of Punjab Government Circular letter No. 3028-3GS-62/19037, dated 11th June, 1962 from the Chief Secretary to Government, Punjab, to all Heads of Departments etc. etc.

Subject :—Principles to be followed in making Appointments to Civil Services and posts in Consultation with the Public Service Commission under Article 320 (3) (b) of the Constitution of India.

I am directed to address you on the above subject and to say that in accordance with the provisions contained in sub-clause (b) of clause (3) of Article 320 of the Constitution of India, the Public Service Commission are to be consulted on the 'principles' to be followed in making appointments to Civil Services and posts, in making promotions and transfers from one service to another and on the suitability of candidates for such appointments, promotions or transfers. The expression "principles to be followed" occurring in that sub-clause are those incorporated in the recruitment rules of the particular service/post. Such rules in respect of the service/posts which are within the purview of the commission are required to be framed in consultation with them. The commission, when consulted about these rules, can express their views in regard to the qualifications and experience to be prescribed for the service/post. Any subsequent change in qualifications and/or experience has also to be referred to the Commission for approval and this should precede the making of recruitment proposals to the Commission.

2. The Commission have brought to the notice of Government that quite often no formal proposal suggesting qualifications and/or experience for particular posts is made by the Departments and whenever such a proposal is made, it is only as a part of the requisition asking for recruitment. This practice defeats the very purpose of Article 320 (3) (b) referred to above. I am, therefore, to request you kindly to ensure that in cases where qualifications/experience for a service post are proposed to be prescribed for the first time or where a variation from those already prescribed in the rules is desired, consultation with the Commission should precede the placing of the requisition on the Commission.

3. It may be clarified that the term 'principles' in the context of Article 320 (3) (b) of the Constitution in relation to appointments would not include scales of pay prescribed or to be prescribed for the service/post. The scales of pay are approved by the Government and the Commission do not normally, comment on such matters.

4. The receipt of this letter may be acknowledge and the instructions brought to the notice of all concerned.

Copy of Punjab Government Circular letter No. 11034-3GS-62/34530, dated 26th September, 1962 from the Chief Secretary to Government, Punjab, to all Heads of Departments. etc. etc.

Subject:— Principles to be followed in making appointments to Civil Services and posts in consultation with the Public Service Commission under article 320(3) (b) of the Constitution of India.

I am directed to invite a reference to Punjab Government Circular No. 3028-3GS-62/19037. dated the 11th June, 1962, on the subject noted above and to say that the words "Such rules in respect of the services/posts which are within the purview of the Commission are required to be framed in consultation with them" occurring in 11 to 13 lines in paragraph I therein should be considered to have been deleted and replaced by the following words :—

"Such rules in respect of all services/posts are required to be framed in consultation with the Commission except those covered by regulation 5 (f) of the Punjab Public Service Commission (Limitation of Functions) Regulations, 1955."