

The Public Service Commission in Bangladesh

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Abstract

The Public Service Commission (PSC) is a constitutional authority tasked with selecting qualified applicants for the Bangladeshi public service through a competitive exam known as the BCS Examination. Additionally, it provides advice to governments on issues relating to recruitment, promotion and service rules. Due to some interference from the bureaucracy and politics, this statutory authority is unable to effectively perform its duties. For the past few years, the PSC has been the focus of attention and debate. This constitutional body has been swamped and had its reputation tainted by the influx of claims of corruption and politics. Additionally, accusations of prejudice have been raised against the PSC's chair and members. Therefore, it is crucial to foster a favourable environment so that the PSC can carry out its constitutional mandate free from obstruction.

Keywords: Bangladesh, Constitution, Civil Service, Cadre Service, BCS Examination, Recruitment

Introduction

The Public Service Commission (PSC) is one of the important constitutional bodies in Bangladesh with a colonial past. It finds a place of pride in the Constitution in Part IX of Chapter II in Articles 137–141. The country is largely dependent on the civil service which constitutes the steel frame of our democratic edifice and the PSC has the constitutional authority and powers granted to it for the recruitment of eligible personnel for the service through a competitive examination, the Bangladesh Civil Service Examination, widely known as the BCS Examination. This study aims to understand the historical context of the PSC, its present situation, and its problems while also offering some recommendations. More specifically, this essay primarily focuses on the role of the PSC regarding the BCS Examination.

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In Bangladesh, the Ministry of Public Administration (MOPA) and the PSC are the two central personnel agencies that deal with the recruitment of civil servants. While the PSC is responsible for conducting the civil service examination to recruit fresh personnel, the MOPA finalizes the selection and appointment of the fresh recruits to the service. Additionally, the Ministry of Law, Justice and Parliamentary Affairs (MOLJ&PA) and the Ministry of Finance (MOF) are involved with the civil service recruitment and selection process. The MOPA is in charge of regulating all crucial facets of personnel administration, including hiring, training, posting, promotions, career development, disciplinary actions, employee welfare, retirement benefits, performance reviews, pay, and employee motivation and the PSC is tasked with selecting class -I gazetted officers for the civil service cadre posts through competitive examinations. In addition, the PSC recruits class-II gazetted officers for Bangladesh civil service. The PSC also participates in the decision-making process for other service-related issues in government services, such as employee disciplinary affairs, posting, and appeals. However, the role of the PSC is mostly advisory and it lacks any executive power.

Method

The PSC has significantly aided in fostering excellence in the nation's future public administration by recruiting new employees to the service. However, there are debates and controversies regarding the standard of the BCS Examination. Scholarships focusing on the role of the PSC regarding the BCS Examination are scarce in Bangladesh. Moreover, available literature dates back one to three decades. For example, Ahmed (1986; 1990); Ali (2002); Khan (2005); Institute of Governance Studies (2007) and Karim (2007) centered on the emergence, evolution, structure, functions, and operational issues of the PSC.

During the 1990s and 2000s, there had been state-wide discussion and debate concerning the role of the PSC. The credibility of this constitutional body had been tarnished by allegations of question leakage, corruption and politicization. The PSC Chair and Members had also been charged with misconduct. There was dissatisfaction and distrust among people regarding the BCS Examination. Demands from various sectors of society for reforming the BCS Examination and introducing laws to punish the culprits were getting stronger. Accordingly, some steps have been initiated to reform the BCS Examination. Very recently the Government of Bangladesh has introduced the PSC Act 2023 with the provision of punishment for any misconduct or ill practices in the BCS Examination. The lack of recent research on the role of the PSC in relation to the BCS Examination has left a void that this study aims to fill.

In doing so, this study has given emphasis mostly on desk research. The empirical information for this research was collected through available

literature review including constitutional and legal documents, books, academic journal articles, local and international publications, newspapers, and the internet. Besides, open-ended interviews with the help of a semi-structured questionnaire were conducted to obtain primary information from 15 participants; three ex-members of the PSC, three academics, four civil servants and five candidates who were rejected after viva. Emails and phone calls were used to make arrangements for the interviews. The goal of the research was emailed to the participants after we had obtained their permission to include them in the study. They were also told that their opinions would be examined and published as research publications. A further assurance was made that participants' identities would not be revealed by the data they gave.

Historical Antecedents of the Public Service Commission in Bangladesh

The Pre-Independence Period (British India and Pakistan Era)

The idea of a merit-based contemporary civil service in India was first proposed in 1854 as a result of Lord Macaulay's Report of the Select Committee of the British Parliament, which sought to replace the patronage system of the East India Company. Accordingly, a Civil Service Commission was established in London in 1854 and competitive examinations were introduced in 1855. In India, the PSC can be traced back to the Government of India's first despatch on the Indian Constitutional Reforms on 5 March 1919, which discussed the need for creating some permanent offices tasked with overseeing service-related issues. Section 96(c) of the Government of India Act, 1919 later referred to it. The PSC was established on 1 October 1926 as per the suggestions made in the Lee Commission Report of 1924. A PSC for the federation as well as a Provincial Public Service for each province or set of provinces was envisioned under the Government of India Act of 1935. The PSC was renamed the Federal Service Commission on 1 April 1937. The Federal PSC became known as the Union PSC under Article 378(1) with the adoption of the Constitution of India on January 26, 1950 (Ghosh, 2018, p. 733).

British India was divided in 1947 into two states: India and Pakistan. The eastern region of Bengal became the Eastern Province of Pakistan, known as East Pakistan. The other part was known as the Western Province of Pakistan, namely West Pakistan. Following the guidelines of the Government of India Act 1935, the Government of Pakistan established the Pakistan PSC, which was joined by three provincial PSCs in East Pakistan, Sind, and a combined commission for Punjab and the North-West Frontier Province. With the 1962 constitution, the Central PSC, as it was renamed, was given the duty of administering examinations and tests for appointment to positions in the central government. It was also tasked with providing advice to the President on any matters in the administration for which the PSC was to be consulted (SAARC, 2014, p.75).

The Post-Independent Era: Bangladesh Public Service Commission

Bangladesh became independent in 1971 after a nine-month bloody war against Pakistan. The Bangladesh PSC Order (President's Order number 34 of 1972) published on 8 April 1972 created two commissions; the Bangladesh PSC (First) and Bangladesh PSC (Second). The Bangladesh PSC Ordinance 1977 merged the two PSCs and the present-day Bangladesh PSC was formed (SAARC, 2014, p. 40).

Currently, the PSC operates following articles 88, 137, 141, and 147 of the Bangladesh Constitution, as well as the Bangladesh PSC (Consultation) Regulations, 1979 (Amendment) (PSC, 2017, p. 1), the Bangladesh PSC Act 2012, the Members of the Bangladesh PSC (Terms and Conditions of Service) Act 1974 as periodically updated (SAARC, 2014, p.40) and Bangladesh PSC Act 2023 (Government of Bangladesh, 2023, p. 1259).

The PSC consists of a Chairman and six to 20 Members (Government of Bangladesh, 2023, p. 1260). The President appoints the Chairman and other Members of the PSC as per Clause (1) of Article 138 of the Constitution, which specifies that not less than 50% of the Members of the Commission have served for a minimum of 20 years in any government service that has ever operated within the jurisdiction of Bangladesh. According to clause (2) of the same article, the President of the Republic may, by order under any law passed by the Parliament, set the terms of employment for the Chairman and members of the PSC. The terms of office for the Chairman and Members of the PSC are outlined in Article 139 of the Constitution and are five years from the date of their joining or until they turn 65, whichever comes first. The Chairman and other Members may only be dismissed from office similarly and for the same causes as a Supreme Court judge. Charges to the government's consolidated fund are used to pay the Chairman's and Members' salaries. The Chairman and other Members take their seats after taking their oaths according to the provisions of Article 148 of the Bangladesh Constitution (PSC, 2022, p.3).

Functions of Public Service Commission

Article 140 of the Constitution of Bangladesh lays out the fundamental tenets of the PSC in precise language. The PSC is mandated by the article to

- (a) arrange examinations and assessments to identify eligible applicants for recruitment to the public service;
- (b) provide advice to the President on any topic regarding which the commission consults under clause (2) or on any matter about its functions that the President refers to the commission; and
- (c) perform any extra responsibilities assigned by statute (PSC, 2022, p. 1; MOLJ&PA, 2016, p. 50).

According to Clause 2 of Article 140, the President must consult the PSC regarding

- (a) topics relating to requirements for and procedures for recruiting into the government service;
- (b) requirements to be fulfilled when selecting candidates for government service, their transfer and promotion, and evaluating individuals to see if they are suitable for such appointments, promotions, and transfers;
- (c) matters impacting the terms and conditions of the service (including individual rights);
- (d) the disciplinary measures of the service (PSC, 2022, p. 1; MOLJ&PA, 2016, p. 50).

However, arranging the BCS Examination to recruit candidates for the Bangladesh Civil Service is the primary function of the PSC.

Civil Service System in Bangladesh

There are four classes of employees in the Bangladesh Civil Service: class I, class II, class III, and class IV. Moreover, two further groups of civil servants can be distinguished: gazetted and non-gazetted; Class I and a section of Class II officers are gazetted officers with enhanced rights, duties, and privileges, while the rest are non-gazetted officers with comparatively lower status. The service is further split into two categories: cadre and non-cadre. Only a relatively small percentage of civil servants work for the cadre services within the public service. Class I cadre positions are divided vertically into six levels according to seniority and status: secretary, additional secretary, joint secretary, deputy secretary, senior assistant secretary, and assistant secretary.

Bangladesh uses a closed entry system, in which class I officials are hired directly into the cadre services after passing an open competitive examination known as the BCS Examination, which is held by the PSC for positions such as assistant secretary and comparable ones. The cadres are separated into general cadres and technical/professional cadres following the required educational requirements (Ara, 2023, p. 690).

Bangladesh Civil Service Examination at a Glance

BCS Examination is conducted in three steps:

1. Firstly, a preliminary assessment of two hours in which a Multiple-Choice Question (MCQ)-type examination of 200 marks with 200 questions is conducted to shortlist the candidates for the written test. Since the 35th BCS, a 0.50 mark penalty has been implemented for each incorrect response given in the MCQ test to ensure that no candidates get an unfair advantage by guessing their answers (Ara, 2023, p. 692).
2. The next step is the written test worth 900 marks for applicants who passed the preliminary examination. A candidate is deemed to have

received no number if their written exam score was lower than 30%. Additionally, two examiners from the 38th BCS Examination have been assigned to review the answer sheets. The answer sheet must also be reevaluated if there is a 20-point or greater difference in the marks given by the two examiners. Candidates who want to be considered for both general and technical/professional cadre positions must take a written exam with 900 marks in general cadre requirements and 200 marks in the subject(s) relevant to the additional positions or services. Each subject has a four-hour time limit and carries 200 marks. Three hours are allotted for a subject that is worth 100 marks. A passing score on the written test is 50% (Ara, 2023, pp. 692-693).

3. Finally, a 200-mark oral assessment for those who passed the written test. For the oral exam, a score of 50% is required to pass (Ara, 2023, p. 693)

Challenges to the Functioning of the Public Service Commission: Current Status and Recommendations

The importance of the PSC in the smooth functioning of the state machinery hardly needs to be over-emphasized. However, it does not seem that all is well with this body. Historically, during the British era, a convention was followed where the advice of the PSC was generally accepted. During the Pakistan period, the authority and independence of the PSC were limited. The situation became worse after the independence of Bangladesh. It almost became a custom for the government not to pay any attention to the recommendations of the PSC. For instance, it took the PSC ten years to make the government understand the importance of a simple modification of the quota reservation policy.

Theoretically, the PSC, as a statutory body, can carry out its tasks and responsibilities without interference from individuals or organizations in the legislative and executive branches of the government, as well as from people and institutions outside the government. Nevertheless, its position as an independent constitutional body seems to have been circumscribed as it is dependent on the MOPA for initiating recruitment procedures.

In Bangladesh, two organizations are largely responsible for recruiting and selecting cadre officers - the MOPA and the PSC. Operationally, the regulation wing of the MOPA prepares as well as examines the recruitment rules, and prescribes the method and criteria for recruitment before forwarding to the PSC. It is noteworthy that each ministry or division can formulate its own hiring regulations and execute them with the consent of the MOPA. As a result, the PSC must wait to initiate recruiting until it receives the list of vacancies from the MOPA. An ex-member of the PSC stated that when giving the Commission the list of vacant positions, the MOPA frequently causes needless delays. They occasionally alter the total

number of vacant positions that they had originally requested. The PSC thus encounters numerous difficulties, which finally causes the recruiting process to be delayed.

Finance is necessary to perform the functions given to the PSC. However, the PSC cannot directly submit the budget to the MOF, the final authority to approve the budget. The MOPA forwards the budget on behalf of the Commission to the MOF. A senior civil servant working at the MOPA said that budget submission is a routine matter and the MOPA or MOF never interfered in the financial matters relating to the PSC. However, an ex-member of the Commission has stated that the financial dependency of the PSC makes it sometimes difficult to work in time. In addition, the lack of financial freedom affects the performance of the PSC. The PSC needs prior approval from the MOF for any expenditure that curbs the independence of this constitutional body. He has the opinion that it is essential to increase the amount of allocated budget of the PSC for smooth and quick management of the BCS Examination. Besides, the PSC cannot allocate the allotted budget to pay an honorarium to the question setters, script examiners and others concerned with the BCS Examination without prior approval of the MOPA. In addition, the honorarium for question setting, examination script evaluation, and attending oral examination is low compared to the current market situation. The independence of the PSC, as stipulated by the Constitution, might be put into practice by granting it the freedom to manage its own budget.

Furthermore, the status, salary and allowances of the Chairman and Members of the Commission are not equivalent to other constitutional bodies in Bangladesh. This arrangement has an effect in undermining its position as an independent constitutional body, thereby affecting the discharge of its constitutional responsibilities regarding civil service recruitment and management. The rank number listed in the Warrant of Precedence for the Chairman and Members of the PSC often serves as a measure of their standing concerning other civil servants working for the government of Bangladesh. On September 24, 2012, the government amended Section 3 of the Members of the Bangladesh PSC (Terms and Conditions of Service) Act, 1974, and substituted Section 3A resulting in an increased salary, benefits, and status of the Chairman and Members (PSC, 2022, p. 3). The Chairman of the PSC is ranked alongside a government secretary under the current Warrant of Precedence (i.e. number 16), but it ranks the cabinet secretary as number 12 thus giving a distinct impression as to who is more important and consequently who has more status. The Chief Election Commissioner, a constitutional position ranks number 8 and Election Commissioners rank number 9 (Government of Bangladesh, 1986/2020, pp. 1-2).

The additional secretaries to the government are given the rank number 19, whereas the members of the PSC are given the rank number 20, which is

one rank below them (Government of Bangladesh, 1986/2020, p. 3). In contrast, the Chairman of the UnitedPSC in India ranks at a higher position (rank 9A) than the cabinet secretary (rank number 11) and the Members of the UnitedPSC and additional secretaries have been given the rank number 25 (Habibullah, 2021). In Pakistan, the Chairman of the FederalPSC ranks 10 and federal secretaries 15 while Members of the Federal PSC ranked 23 and additional secretaries to the Federal Government rank 21 (Maidh, 2012). It needs to revise the status of the Chair and Members of the Commission in Bangladesh considering the SAARC countries.

Every year hundred-thousands of candidates apply for the BCS Examination. For instance, the PSC received 3,46,992 applications in the 45th BCS Examination for 2,309 posts (PSC, 2022, P. 9). As the current premise cannot accommodate the huge number of candidates, the BCS Examination is conducted at different centres across the country. So, there is a chance of mismanagement, question leakages and unfair practices in the examination. It is reported that nine candidates were accused of performing undisciplined activities in the preliminary test of the 45th BCS Examination and the PSC has cancelled their examination. To avoid such a situation modern well-equipped examination centres with more capacity at the PSC building in Dhaka and regional offices are necessary. Moreover, the PSC lacks human personnel, especially in the IT section (PSC, 2022, p. 27). To pace with the modern-day challenges PSC needs to enrich the IT section. The PSC has already submitted to the MOPA for approval of establishing two different IT sections, recruiting personnel, purchasing computers and relevant materials as well as infrastructure development (PSC, 2022, p. 27) and awaiting approval from the MOPA.

Allegations of the leakage of BCS Exam questions have become a common occurrence during the 1990s and 2000s. Due to the preceding preliminary test's question paper being leaked, the preliminary test for the 24th BCS Examination was conducted twice (Karim, 2007, p. 18; Jahan & Shahan, 2008, p. 314). Once more, the Commission was shaken by a serious accusation that the 25th and 27th BCS Examination question papers had been leaked (Jahan & Shahan, 2008, p. 314). The PSC cancelled the written test of the 33rd BCS Exam as questions had been leaked and were available in exchange for money ("PSC seeks BCS question leak info", 2012). Recently, the Criminal Investigation Department of Bangladesh Police arrested a gang of people involved with BCS Examination question paper leakage and found five of their candidates passed the 38th BCS preliminary examination and sat in the written test. Besides, three of them were recommended for the 36th BCS Examination (Ara, 2023, p. 694). Besides, it was found that some candidates added another extra page to the original examination script in the examination hall. Bangladesh PSC Act 2023 was passed on 23 January 2023 keeping a provision of a maximum of 10 years in jail and compensation for question leakage and two years in jail

with a fine for appearing at any recruitment test with a fake identity or any malpractice (Government of Bangladesh, 2023, p. 1261). Accordingly, the PSC has cancelled the preliminary examination of 9 candidates for their involvement in undisciplined activities in the preliminary test of the 45th BCS examination-2022 (“45th BCS Prelims”, 2023).

Previously BCS Exam questions were printed in the Bangladesh Government Press. So, there was a chance of question leakage. The PSC now prints the questions in their own premise in Dhaka (PSC, 2022, p. 3) thus preventing the chances of question paper leakage. Additionally, a database of the candidates with their background information, an attendance sheet with colour photographs of the applicants and information on the exam venue and sit distribution have been introduced to counter fake examinees. Furthermore, multiple sets of question papers for the preliminary and written test are prepared. The Commission selects the final question for the examination 30 minutes before the scheduled time by lottery and informs the relevant persons by text message (PSC, 2022, p. 6). In this way, the Commission is trying to reduce the risk of question paper leakages.

There are debates and discussions on the standard of the BCS Examination question. The questions in the preliminary, written and even viva voce have been designed in such a manner that they cannot assess a candidate's managerial abilities or ability to take lessons from experience or other countries' examples and apply them to current work, nor can it assess their creative thinking and analytical skills. Most applicants memorize study materials, type their answers mechanically, and pass the test. While the BCS Examination targets to recruit meritorious applicants, many average students are being recruited by memorizing the guides. There has been a demand for changing the format of questions of the BCS Examination for a long time from various quarters. The questions experts have the opinion of developing a modern technique to set the questions as well as a question bank (Manzur, 2023). Considering the current global challenges the question pattern needs to be revised so that only guidebook and coaching-dependent candidates find it difficult to succeed. Recently, the Commission has decided to develop a question bank to expedite the recruitment process and standard of the questions with the assistance of specialists (PSC, 2022, p. 9). However, the Commission is not yet sure how long it would take to develop a question bank.

The PSC cannot arrange the huge examination with their own personnel. Like other countries, the PSC also seeks assistance from subject-related specialists. The PSC has developed a guideline to select the question setters, moderators, script evaluators and examiners for the *viva voce* from among the serving and retired civil servants, academics, prominent journalists and civil society representatives. The PSC claims to not interfere in the activities of exam-related persons. Additionally, the PSC arranges seminars, workshops and discussions with relevant specialists before question paper

setting and moderation (PSC, 2022, p. 9). However, the questions of the latest BCS Examinations (45th BCS Exam) show that no significant changes have been made in the questions.

Another significant problem to address is complaints about the oral evaluation because no precise manual or guideline is followed for the *viva voce*. There were allegations of being partial in the *viva voce* to candidates with political or other recommendations while being rude and making the candidates fail with the opposite political philosophy. Additionally, it is a widely held belief that roll numbers of specific candidates are given to the chairman and members during *viva voce* (Ara, 2023, p. 696). The interview revealed that four candidates with a high score in the written examination were declared ineligible after facing the *viva voce* twice as they have studied in the Madrasas. Additionally, *viva* boards are made up of a range of interviewers who typically assign quite diverse marks. To address the issue, the PSC formed the Board of Oral Examinations following the BCS Examination Rules 2014, with the Chair/Member of the Commission serving as the Board's Chair, officers with the rank of joint secretary or higher nominated by the government as Board members, and thematic experts serving as the Board member nominated by PSC (Ara, 2023, p. 693). Relevant documents and papers in a sealed envelope are forwarded to the concerned *viva voce* before 20-25 minutes of the board to ensure impartiality and accountability. It makes certain that no member of the PSC has access to information regarding which board s/he represents and which candidates and specialists will be on the board. Furthermore, no members of the board can use the telephone or cell phone during the interview sessions. Candidates are also not allowed to enter the board with any mobile device (PSC, 2022, p. 9). In this way, the PSC is trying to make the *viva voce* impartial.

The 41st, 43rd, 44th, and 45th BCS Examinations are all being handled concurrently by the PSC. Because each exam is at a different stage of its cycle, many candidates are forced to take all four at once. It is believed that the hiring process will be finished in a year, from the job advertisement to the chosen candidate, however, this is not the case in Bangladesh. On the contrary, the duration of the recruitment process by the commissions in Afghanistan and the Maldives ranges from one to two months on average, Bhutan's commission completes the process in about six months, and the commission in India completes the process in between six and nine months through examination and interview, and the duration in Pakistan is typically between eight and 10 months (SAARC, 2014, p. 115). The uncertainty brought on by the overlapped exams affects not only certain applicants but also the entire hiring process. The possibility of abnormalities and process compromises increases as the backlog continues to grow. The BCS Examinations, which are an essential tool for recognizing brilliant people and placing them in important administrative posts, have wider

ramifications for the country. There is a shortage of skilled government officials because a backlog delays the entry of deserving individuals. The PSC is working to create a schedule that will enable the BCS Examination to be finished in a year. The PSC has not yet completed that blueprint, though. Any such strategy cannot be carried out unless the backlog is first cleared. This necessitates taking immediate action to eliminate current bottlenecks, especially those caused by a lack of people, as well as reforming the examination and result management procedures through better planning and increased use of technology (Ahmed, 2021).

Since BCS jobs became popular among the youth, many coaching centres focused on BCS Examination are working. One coaching centre comes out with various amazing offers to outdo the other and attract job aspirants. It has been alleged that some coaching centres are using PSC-centric examiners as part of this offer. It is learned that coaching centres are using PSC examiners as the instructors. They are taking classes in different coaching centres. They even conduct mock *viva voce*. Some of these people are involved in various activities of the PSC from preparing BCS questions or viewing portfolios or viva boards. The PSC has been informed about them. However, no direct decision has been taken against them by the Commission (Hossain, 2023).

The PSC does not disclose the individuals' marks. Individual candidates can apply to the Commission to get their marks in the written examination by paying fees since the 38th BCS Examination (PSC, 2022, p. 23). The examinees should be required to get the mark sheets of the successful candidates as soon as the results are announced. Additionally, the result sheets for every examinee (successful and failed) must be posted online. To re-establish confidence, it is also necessary to promptly lift any restrictions that now exist against contesting exam results.

The recruitment process could be made more manageable by taking steps to incorporate efficiency advantages at each stage. For instance, the government could establish that only individuals with first- and second-class bachelor's or master's degrees would be allowed to appear for the exam to minimize the number of applicants. The number of interviewees may then be limited to a maximum of three the number of candidates to be hired, and interviews could only be allowed to, say, the top 10% of the successful candidates. It may be possible to speed up exam completion by reducing the gap between the preliminary and major written exams, publishing exam results quickly, upgrading test locations and logistics, and increasing payment for those who evaluate the scripts. Similar to Afghanistan, Bhutan, India, and Sri Lanka, where the academic record of candidates is also taken into consideration in addition to written tests to select candidates, the previous educational achievements of the candidates may be considered (SAARC, 2014, p. 106).

In Bangladesh, there is no quasi-judicial function, whereas, in India, Pakistan and other SAARC countries except Nepal, this responsibility for resolving the candidates' complaints has been given to the Commissions. The Civil Service as a whole grants candidates the opportunity to appeal any Commission decision (SAARC, 2014, p. 7). Thus, the PSC is not accountable to the candidates for any misdeeds in Bangladesh till now. The government needs to develop a system to make the Commission accountable for its actions to the candidates. The Commission is required to provide the President with an annual report, which could serve as a means of holding the institution accountable. The PSC informs the government of its actions, any difficulties it has encountered in carrying out its responsibilities, and any recommendations it has for improving the institution's performance. The Commission's accountability to the public, however, has been unclear. It has been a little challenging for citizens to access PSC-related information.

One of the essential conditions for ensuring the Commission functions properly is guaranteeing its independence, with its members and chair being non-partisan individuals of high standing. However, since independence in 1971, the desire of governments to exercise control over the Members and Chairs of the PSC is evident. Successive governments in Bangladesh have tried to appoint the Chair and Members who believe in their political ideology. In 1972, at least three Members of the PSC (Second) allegedly were selected on political considerations. A new PSC Chair was chosen in 1977 based on his claimed close ties with the President (Ahmed, 1990: 126-129; Institute of Governance Studies, 2007, pp. 13-14). After 15 years of military rule, democracy was restored in Bangladesh in 1990. This time, the then ruling party Bangladesh Nationalist Party (BNP) appointed two professors who held strategic positions on the white panel of Dhaka University Teachers' Association in the PSC as Chair and Member. The parties who came into power afterwards continued the same practice in appointing the Chair and Members. This trend is still going on. Very recently Bangladesh has witnessed a Member of the PSC has been made a member of the Bangladesh Awami League's international affairs sub-committee. According to experts, a person holding a constitutional position cannot hold such a political post and serve the purpose of a political party. However, due to country-wide debate and discussion, the controversial inclusion of that Member has been withdrawn from the Awami League committee (Staff Correspondent, 2023). Political leaders need to recognize the value of a skilled cadre service and stay away from the recruitment process.

Conclusion

Governance is centred on human capital, and the PSC is tasked with providing high-calibre human resources. The blame for Bangladesh's abysmal position in many global governance indexes is almost always

placed on the civil servants and the PSC has the legal authority to transform the bureaucracy on a fundamental level by recruiting brilliant officials in the service. Unfortunately, this constitutional body has failed to perform its functions efficiently. Debates and controversy surrounding the performance of this organization have been strongly influenced by the existing gaps and limitations of the constitutional and legal mandates and practices of the operations of the Commission. The Commission has been heavily utilized by the ruling parties since 1972 as a practical tool to further their interests. The ministers and MPs are among the high-ups who have lobbied the constitutional body to confirm the employment of their candidates.

The Commission's credibility is now in jeopardy in a significant way. One key hindrance to the PSC's ability to function is a lack of independence and authority. The PSC's authority is restricted to offering advice and recommendations on hiring, promotions, employee appeals, and disciplinary concerns of the public service in Bangladesh. The Commission lacks any executive authority to make any decisions. The PSC should have complete discretion over its executive actions. This is now the time to review, rethink, and discuss with all stakeholders, reimagine and redefine the role of the Commission, keeping its strengths and removing anything that, in the current environment, hinders effective governance and prevents the Commission from escaping its colonial inheritance. Thus it will be possible to transform the PSC into a credible, independent, effective, transparent, and accountable constitutional authority.

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