THE CONSTITUTION (FORTY-FIRST AMENDMENT) ACT, 1976

THE CONSTITUTION (FORTY-FIRST AMENDMENT) ACT, 1976

Statement of Objects and Reasons appended the Constitution to (Forty-third Amendment) Bill. 1976 which was enacted as the Constitution (Forty-first Amendment) Act, 1976

STATEMENT OF OBJECTS AND REASONS

Article 316(2) of the Constitution provides that the Chairman and Members of a State Public Service Commission or Joint Commission shall retire at 60 or hold office for a term of six years from the which they enter service, whichever is earlier. This was the position the Constitution came into force. Subsequently, while when the age of retirement of the High Court of Judges was raised 62. the Members of Chairman and the the State **Public** Service Commissions remained unchanged.

that one-half The same article provides of the members of every Public Service Commission shall be employees of the Government of India of State. the Government a The age of retirement of Government was 55 originally but was later raised to 58 in the case of employees All-India Services, Central Government and the Government servants servants of several States. Membership of the Commission is attraction. therefore. to them. as they will have only two years to the Commission which position is not desirable from serve on the point of view of the efficient functioning of the Commission.

appointment Academicians like University **Professors** are eligible for Service the State **Public** Commissions. The age of retirement of It will University **Professors** has been recently raised to 60. attractive for these academicians Public Service to serve on a Commission if the of retirement remains sixty. The age Chairman/Members of a State Public Service Commission forbidden under the Government of India or a State Government after serve retirement. Consequently, eminent academician will be no eager appointment on the Commission unless accept the age of retirement is raised to 62.

raise retirement Chairman proposal is to the age of of the State Public Service Commissions to 62. Members of the The Bill seeks to give effect to this proposal.

NEW DELHI; OM MEHTA.

The 18th August, 1976.

Statement of **Objects** and Reasons appended the Constitution to Bill. Amendment) 1976 which enacted (Forty-third was as the Constitution (Forty-first Amendment) Act, 1976

STATEMENT OF OBJECTS AND REASONS

Article 316(2) of the Constitution provides that the Chairman and Joint Commission shall Members of a State Public Service Commission or retire at 60 or hold office for a term of six years from the date they whichever enter service. is earlier. This which was the position the Constitution into force. Subsequently, while when came the age of of the Court 62. retirement High Judges was raised to that of the Members Public Chairman and the of the State Service Commissions remained unchanged.

article provides that one-half of the members of every Public same Service Commission shall employees of India be of the Government Government of State. The of retirement of Government a age originally was 55 later raised 58 employees but was to in the case of All-India Services, Central Government servants and the Government servants several States. Membership of the Commission is no will therefore. to them. they have only attraction. as two years to Commission which position is not the point the desirable from of view of the efficient functioning of the Commission.

Academicians like University **Professors** are eligible for appointment **Public** Commissions. The the State Service age of retirement 60. **I**t will University **Professors** has been recently raised be to not attractive for these academicians serve on a Public Service to Commission if the of retirement remains sixty. The age Chairman/Members of a State **Public** Service Commission are forbidden of serve under the Government India or a State Government after retirement. Consequently, eminent academician will he no eager to accept appointment on the Commission unless the age of retirement is raised to 62.

of retirement to raise the age of the Chairman and proposal is State Public Service Commissions to 62. The Bill seeks Members of the to give effect to this proposal.

NEW DELHI; OM MEHTA.

The 18th August, 1976.

THE CONSTITUTION (FORTY-FIRST AMENDMENT) ACT, 1976 [7th September, 1976.]

An Act further to amend the Constitution of India.

BE it enacted by Parliament in the Twenty-seventh Year of the Republic of India as follows:-

- 1. Short title.-This Act may be called the Constitution (Forty-first Amendment) Act, 1976.
- article Constitution, 2. Amendment of article 316.-In 316 of the in "sixty years", clause (2),for the words the words "sixty-two years" shall be substituted.