

1 State Public Service Commission (Source: The Hindu)

State Public Service Commission (SPSC)

What is State Public Service Commission?

- A constitutional body established under **Article 315** of the Constitution for each State.
- Responsible for conducting recruitment to State services and State civil posts.
- Functions independently to ensure a merit-based, fair and transparent selection process.



Constitutional Provisions



- **Article 315** – Provision for SPSC in each State.
- **Article 316** – Appointment and term of office of members.
- **Article 317** – Removal and suspension of members.
- **Article 318** – Power to make regulations.
- **Article 319** – Prohibition on further employment.

Composition



- Consists of a Chairman and other members.
- Number of members not fixed by the Constitution; decided by the Governor of the State.
- Members are usually retired civil servants or persons with experience in public affairs.

Appointment



- Chairman and other members are appointed by the Governor of the State.
- Consultation with the Union Public Service Commission (UPSC) is required for the appointment of Chairman.
- No such consultation is required for other members (as per constitutional provisions; some states follow it as a convention).

Term of Office



- Tenure: **6 years** or till the age of **62 years**, whichever is earlier.
- Members are eligible for reappointment.
- Conditions of service and tenure cannot be varied to their disadvantage after appointment.

Removal and Suspension



- Removal only by the President on the grounds and procedure similar to that of a Supreme Court Judge (for misbehaviour or incapacity).
- President can suspend a member pending inquiry.
- A member can also be removed for insolvency, paid employment, or infirmity of mind or body.

Functions



- Conducts examinations for recruitment to State services and State civil posts.
- Advises the State Government on recruitment methods, principles and suitability of candidates.
- Advises on matters of promotion, transfer and disciplinary action of State civil servants.
- Carries out other functions assigned by the Governor.

Powers



- Regulate its own procedure and conduct of examinations (Article 318).
- Summon persons, require production of documents and take evidence (similar to a Civil Court).
- Can be consulted by the State Government on service matters.

Significance



- Ensures merit, fairness and transparency in recruitment.
- Maintains political neutrality in public services.
- Strengthens the administrative machinery of the State.
- Upholds the principles of good governance and equal opportunity.

2 Digital Personal Data Protection Act, 2023 (Source: The Hindu)

Digital Personal Data Protection Act, 2023

What is it?

- A comprehensive law to regulate the processing of digital personal data in India.
- Enacted by Parliament in 2023; notified in August 2023.
- Aims to protect the right to privacy of individuals while enabling legitimate use of personal data for governance, business and innovation.

Objective

- Protect personal data of individuals (digital form).
- Ensure a fair, transparent and accountable data processing framework.
- Build trust in the digital economy.
- Balance the rights of individuals with the need for data-driven innovation and governance.

Key Definitions

- Personal Data:** Any data about an identifiable individual.
- Data Principal:** The individual to whom the personal data relates.
- Data Fiduciary:** Any person who determines the purpose and means of processing personal data.
- Data Processor:** Processes personal data on behalf of a data fiduciary.

Applicability

- Applies to processing of digital personal data within India.
- Also applies to processing outside India if it is related to offering goods or services to individuals in India.
- Does not apply to personal data processed for purely personal or household purposes.

Rights of Data Principals

- Right to information about processing of their data.
- Right to access their personal data.
- Right to correction and erasure of data.
- Right to grievance redressal.
- Right to nominate another person to exercise rights in case of death or incapacity.

Obligations of Data Fiduciaries

- Ensure lawfully, fairly and transparently processing of personal data.
- Use data only for specified, clear and legitimate purposes.
- Ensure data accuracy and security.
- Adopt reasonable security safeguards to prevent data breaches.
- Delete personal data once the purpose is fulfilled.

Consent and Processing

- Processing of personal data allowed based on free, specific, informed, unequivocal and clear consent of the data principal (except for certain legitimate uses).
- Consent can be withdrawn at any time, with ease.

Exemptions for the State

- The Central Government can exempt any State agency from certain provisions for purposes of:
 - Sovereignty and integrity of India
 - Security of the State
 - Friendly relations with foreign States
 - Public order
 - Prevention, detection, investigation and prosecution of offences

Data Protection Board of India

- A statutory body to ensure compliance with the Act.
- Powers include: inquiry, audit, directions, imposition of penalties and resolving grievances.
- Composition: Chairperson and other members (to be notified by the Central Government).

Penalties

- Monetary penalties for non-compliance, up to **₹250 crore**, depending on the nature of the violation.
- Penalties may be imposed for failure to take reasonable security safeguards, violation of data principal's rights, non-cooperation with the Board, etc.



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3 Right To Vote (Source: The Hindu)

It is a constitutional right that allows citizens to participate in the formation of the government through voting.

Constitutional Provisions Dealing with the Right to Vote

- **Article 326:** Mandates that elections to the Lok Sabha (House of the People) and the Legislative Assemblies of every State shall be based on adult suffrage.
- **Article 325:** No person can be excluded from the electoral roll only on grounds of religion, race, caste, or sex.
- **Article 324:** Gives the Election Commission of India the power of superintendence, direction, and control over elections.

Who can vote?

- Must be a citizen of India.
- Must be at least 18 years old (61st Amendment Act (1988) - reduced the voting age from 21 to 18 years)
- Must be registered in the electoral roll of the constituency where they ordinarily reside.

Who cannot vote?

- Non-citizens
- Unsound mind (declared by the court)
- Disqualified due to: Electoral offences, Corrupt practices
- Prisoners (except preventive detention)

Who gives the Right To Vote?

- The right is granted by the Constitution of India and regulated by Parliament under
- Representation of the People Act, 1950: Deals with the preparation of electoral rolls and the qualification of voters.
- Representation of the People Act, 1951: Deals with the actual conduct of elections and disqualifications.