The Public Service Commission of Nepal



Public Service Commission

Central Office
Anamnagar, Kathmandu
May 2013

Acknowledgement

This booklet "The Public Service Commission of Nepal" contains brief introductory information about the Public Service Commission of Nepal. It also includes some tables and figures showing PSC's performance during the Fiscal Years 2007/08 to 2011/12. We hope this will be useful for all those who are interested to be familiar with the roles, functions, organizational structure, working process, and performance status of this Commission.

The contribution of the officials, who involved in preparing this document, is highly appreciated.

11 May 2013

Editorial Board

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Abbreviation

CC Constitutional Council

CS Central Secretariat

PSC Public Service Commission

NCS Nepal Civil Service

RD Regional Directorate

ZO Zonal Office

KVACC Kathmandu Valley Application Collection Centre

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The Public Service Commission of Nepal

1. Introduction

The Public Service Commission (PSC) of Nepal has a long history as a stable and independent constitutional institution. The origin of PSC began with the Application Bureau under the Constitutional Law, 1947. The objective of the Bureau was to ensure the recruitment of qualified employees to the government offices. The Bureau was to consist of such members as are nominated by the Prime Minister. Nevertheless, the arrangement did not last long as the country was already under the wave of democratic movement.

In the history of PSC, the decade of 1950's is significantly remarkable because the Nepal Interim Constitution, 1950 was promulgated in 1950 A.D. and in accordance with the provision of this Constitution, Nepal Public Service Commission was established on June 15, 1951 A.D. with a view to conducting examinations for recruitment to government positions. Later in 1959 A.D., the Constitution of the Kingdom of Nepal was promulgated and brought into effect. This Constitution also had a provision of PSC with the authority to select candidates on the basis of merit.

The Constitution of Nepal, 1962 redefined the function and scope of PSC. The Constitution of the Kingdom of Nepal, 1990 had also a provision of an independent PSC. Likewise, the current Interim Constitution, 2007, has also a provision of an independent PSC. As the previous constitutions, the current constitution also assumes a fairly competent civil service with clear mandates to PSC to select competent human resources and ensures impartially in civil service management. The constitutional guarantee of the civil service is enshrined in the Article 153, which states that the government would



constitute civil service and other necessary government services to run the administration of the country.

If we make a comparison of PSC-related provisions among the previous Constitutions and the present one, they do not seem much different as far as their functions are concerned. However, from the stand-point of the role, we see a lot of differences and find the current PSC in a very strategically significant position.

2. Constitutional provisions

Regarding the PSC, the following arrangement has been made in the part 13 of the Interim Constitution of Nepal, 2007(www.lawcommission.gov.np)

Article 125 Public Service Commission:

- (1) There shall be a Public Service Commission of Nepal, consisting of the Chairperson and such number of other Members as may be required.
- (2) The President shall, on the recommendation of the Constitutional Council, appoint the Chairperson and other Members of the Public Service Commission.
- (3) At least fifty percent of the total number of the Members of the Public Service Commission shall be appointed from amongst the persons who have worked for at least twenty years in any government service, and the rest of the Members shall be appointed from amongst the persons, who have done research, investigation, teaching or any other significant work in the field of science, technology, art, literature, law, public administration, sociology or any other sphere of national life and who hold a high reputation.
- (4) The term of office of the Chairperson and the Members of the Public Service Commission shall be six years from the date of appointment, subject to Sub-clause (a) of the proviso to Clause (8).

Provided that-

- (a) if, before the expiry of his or her term, the Chairperson or a Member of the Public Service Commission attains the age of sixty-five years, he or she shall retire.
- (b) the Chairperson or a Member of the Public Service Commission may be removed from his or her office on the same ground and in the same manner as has been set forth for the removal of a Judge of the Supreme Court.
- (5) The office of the Chairperson or a Member of the Public Service Commission shall be deemed vacant in any of the following circumstances:
 - (a) if he or she tenders resignation in writing to the President;
 - (b) if, pursuant to Clause (4), his or her term expires or he or she ceases to hold his or her office; or
 - (c) if he or she dies.
- (6) No person shall be eligible to be appointed as the Chairperson or a Member of the Public Service Commission unless he or she possesses the following qualification:
 - (a) holds a Master's Degree from a university recognized by the Government of Nepal,
 - (b) is not a member of any political party immediate before appointment;
 - (c) has attained the age of forty five years-, and
 - (d) possesses high moral character.
- (7) The remuneration and other conditions of service of the Chairperson and the Members of the Public Service Commission shall be as determined by law. The remuneration and other conditions of service of the Chairperson and the Members of the Public Service Commission shall not, so long as they hold office, be altered to their disadvantage.

- (8) A person once appointed as the Chairperson or a Member of the Public Service Commission shall not be eligible for appointment in any other government service. Provided that-
 - (a) Nothing in this Clause shall be deemed to be a bar to the appointment of a Member of the Public Service Commission as its Chairperson, and when a Member is so appointed as the Chairperson, his or her term of office shall be so computed as to include his or her term as the Member.
 - (b) Nothing in this Clause shall be deemed to be a bar to the appointment to any political position or to any position which has the responsibility of making investigations, inquiries or findings on any subject, or to any position which has the responsibility of submitting advice, opinion or recommendation after carrying out a study or research on any subject.

Article 126 Functions, duties and powers of Public Service Commission:

- (1) It shall be the duty of the Public Service Commission to conduct examinations for the selection of suitable candidates to be appointed to the positions in the civil service.
 - **Explanation:** For the purposes of this Article, all services or positions in the Government of Nepal, other than the services and positions of army officers or
 - soldiers and of armed police and police personnel and such other services and positions as are excluded by an Act from the civil service or positions thereof, shall be deemed to be the civil service or positions thereof.
- (2) No permanent appointment to any pensionable position in the civil service shall be made except in consultation with the Public Service Commission.
- (3) The Public Service Commission shall be consulted:
 - (a) on matters concerning the law relating to the conditions of service of the civil service;

- (b) on the general principles to be followed in making appointment and promotion to the civil service or positions thereof and in taking departmental action;
- (c) on matters concerning the suitability of any candidate for appointment to a civil service position for a period of more than six months;
- (d) on matters concerning the suitability of any candidate for transfer or promotion from one service to another with the civil service or from any other government service to the civil service:
- (e) on matters concerning the, permanent transfer or promotion of any employee working in any position which does not require consultation with the Public Service Commission to any position which requires consultation with the Public Service Commission; and
- (f) on matters relating to departmental action proposed against any civil servant.
- (4) Notwithstanding anything contained in Clause (3), matters falling within the purview of the Judicial Service Commission pursuant to Article 114 shall be governed by that Article.
- (5) The Public Service Commission shall be consulted on the general principles to be followed in the course of making appointment and promotion to any position of the military service, armed police service or police service or other government service.
- (6) If any public corporate body intends to seek advice of the Public Service Commission on the laws in force relating to the conditions of service of the employees in the service of such body and on the general principles to be followed in the course of making appointment and promotion to any position of such service and in taking departmental action against any such employee, the Public Service Commission may advise on such matters.

Explanation: For the purposes of this Article, the expression "public body" shall mean any corporate body of which the Government of Nepal owns or controls fifty percent or more of the shares or assets.

- (7) The Public Service Commission may delegate any of its functions, duties and powers to any of its members, a committee of such members or any employee of the Government of Nepal as to be exercised and complied with subject to the specified conditions.
- (8) Subject to this Constitution, other functions, duties and Rules of procedure of the Public Service Commission shall be as determined by law.

Article 127 Annual Report:

- (1) The Public Service Commission shall, every year, submit to the President; an annual report on the works it has performed, and the President shall arrange to submit such report to the Legislature- Parliament, through the Prime Minister.
- (2) The annual report to be submitted pursuant to Clause (1) shall set out, *inter alia*, the details of examinations conducted by the Public Service Commission to select candidates throughout the year, details of examinees who have passed such examinations, details of advice made to various corporate bodies, details of advice made in relation to departmental action and punishment proposed to be taken against and imposed on civil servants, statements whether such advice has been complied with, details of advice, if any, made in relation to the general principles to be followed while making appointment and promotion to any position of any government service and while taking departmental action concerning such position and details of future reforms to be made in the field of civil service.

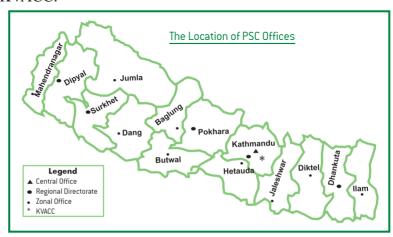


3.1 Institutional

In order to support the Commission, there is a Central Secretariat (CS), headed by the secretary. As an executive-head of the secretariat, the secretary is responsible for implementing the decisions of the Commission into effect as well as for monitoring, coordinating and controlling the administrative and fiscal activities of the Commission in conformity to the laws currently in force.

Presently, there are five divisions in the Central Secretariat, i.e., examination division, question-paper moderation and recommendation division, administration and planning division, testing techniques and curriculum division, and legal division. Each division is headed by a joint secretary.

In addition, there are five Regional Directorates (RDs) each in a Development Region, nine Zonal Offices (ZOs) and a Kathmandu Valley Application Collection Centre (KVACC). Directors (joint secretary level) in all RDs and office chiefs (under secretary level) in all ZOs as well as KVACC are deputed as the chief of the respective organization. All the employees working in CS, RDs, ZOs and KVACC belong to NCS. The following map shows the location of the CS, RDs, ZOs and KVACC:



3.2 Human resources

Altogether three hundred and seventy one positions of civil employees have been created for CS as well as RDs, ZOs and KVACC. Of these positions, 86 positions fall in the various hierarchies in the gazetted level whereas 215 belong to the non-gazetted level and remaining others belong to classless category.

4. Selection process

The details of work processes and methods in order to be adopted by the PSC to perform the mandated institutional functions, such as-design of curriculums and selection tests, conduction of tests, delivery of advisory services, and hearing of complaints have been provisioned in the Public Service Commission Act, 2010 and Public Service Commission Procedure Rules, 2010.

The major activities of PSC include- collection of statements of vacant positions from the concerned government organizations on yearly basis, determination of ratio of positions to be fulfilled through competitions of different types, advertisement and notification of vacancies, design and conduction of selection tests, delivery of advisory services and hearing of complaints against the decision of the promotion committees. For all the civil service positions to be fulfilled through open competitive examinations and internal competitions, the major selection tests are written examinations and interview, with some practical tests in the case of a few technical positions like computer assistant/engineer, driver, etc. and non-gazetted class two (non-technical) positions. The process of candidate selection is also shown in Figure-1.

Curriculum design: Curriculums for every post are designed by the commission. In the process of designing/redesigning curriculum, the commission takes the views of the concerning organizations (ministries/departments), and experts. When the task of designing/redesigning the

curriculum is over, it is published and for the easy access to the concerned people, it is immediately uploaded in the website of the commission (www.psc.gov.np). So far the curriculums of various classes/levels and service group related to all the services of NCS are up-dated (Table-1 and Table-2).

Collection of vacancies: The commission collects the vacancies from the ministries/departments/offices as per its annual calendar following the provision of the Civil Service Act and Regulations.

Determination of the methods for selecting candidates to fill in vacancies: After collecting the number of vacant positions belonging to various services/groups/posts, the commission determines the methods for selecting candidates as provisioned in the Public Service Commission Procedure Rules, 2010. The methods in practice are written tests, practical test (only for a few technical positions) and interview. Apart from these, the Commission can adopt any other method if seems appropriate.

Advertising notices: Calling the applications from the interested eligible candidates for each post by each method, advertising notice is published in the Gorkhapatra (National Daily), Weekly Bulletin of the Commission and the website of the commission (www. psc.gov.np).

Application registration: The interested eligible candidate can register duly filled application form (in the prescribed format) for the vacant position advertised through the commission's notice within the time-frame at any of the offices mentioned in the advertisement/notice. Along with the application form the candidate has to submit the photocopies of all the required documents and the examination fee for each post.

Construction of question papers

The commission nominates different experts from the roster updated every year by the Commission for preparing

questions for written and practical tests. Throughout the process of nominating experts and the activity of constructing raw as well as final question sets secrecy is maintained strictly.

Conduction of written tests: The written tests are conducted very carefully focusing in the credibility of the Commission as well as the seriousness of the competitive examinations. The Commission has formulated and enforced the Directives for the conduction of its examinations in order to maintain fairness in each and every activity related to written tests. All the arrangements related to written test must be based on the directives. Before handing over the answer copies to experts for evaluation the symbol number of the candidate is coded two times by two different officials secretly so that the evaluation can be obviously and strongly fair.

The number of papers for the written test ranges between 1 and 3 carrying 100 to 300 marks. For all technical gazetted positions, two papers each of 100 marks are provisioned. In case of gazetted class one and two positions, one paper is on general subjects related to administration, development and respective service and another one on technical subject related to respective service/group, while both papers are on respective technical subjects in case of gazetted class three positions.

Likewise, all those applying for the administrative positions belonging to gazetted class one and two are required to go through written tests on two-papers each carrying 100 marks, one on subjects related to administration, management and development and another on the disciplines related to respective service or group. However written examinations for class three officers (Administrative Service, Foreign Service, Judicial Service, Audit Service and Legislative-Parliament Service), to be fulfilled through open competitive examinations, has been arranged into two phases. In the first phase, the written test is given for one paper of 200 marks. Only those candidates who obtain at least 100 marks (50 percent of the total marks) in this paper are eligible to

appear in the second phase written test in which there are three papers, each carrying 100 marks, are to be attempted. Among these three papers, two are compulsory and one is optional.

Declaration of the result of written tests: The result of the written test is published in the notice board of the Commission's respective office, the Gorkhapatra (National Daily), Weekly Bulletin of the Commission as well as at the website of the Commission.

The notice includes the time, date, and place of the further examinations such as practical test (if any), any other test(s) between written test and interview, and interview.

Practical tests: There is the provision of the practical test for a few technical positions like computer officer, computer assistant, driver, etc., and non-gazetted class one and two (non-technical) positions. Likewise, there is the provision of taking some tests such as informative technology skill test, group discussion, etc. between the written test and interview for non-technical gazetted class three positions.

Interview: Candidates for all positions, who have passed the written examinations, must attend an interview. The minimum full marks for interview being 20 is added by 10 marks for each paper of 100 full marks; accordingly.

The final selection of the candidate: The final selection is decided by the performance of the candidate in written examination, other tests between written examination and interview (if there is/are any) and the performance of the candidates in interview. The required numbers of candidates are selected on the basis of merit of the aggregate performance.

Recommendation for appointment: Preparing the mark-sheets of all forms of tests of each candidate of the particular advertisement/notice, the merit list is prepared. From the merit list, in the merit order, the candidate(s)

in required number is/are recommended for appointment. Besides, the merit list for appointment, the merit list of alternative candidates and a list for temporary appointment is prepared and published in case of the advertisement for the positions in non-gazetted (class two and one) and gazetted class three through open competition. However, it is notable that there is not the provision of preparing the list for temporary appointment in case of the advertisement related to inclusive recruitment.

Selection and inclusion

In order to make the civil service more inclusive, 45 percentage of the positions to be fulfilled by open competition are fulfilled by a separate competition from amongst the women (33%), indigenous ethnic groups (27%), madhesies (22%), down-trodden (9%), physically impaired (5%) and the candidates from the backward areas who are economically and socially backward (4%). Similarly, the government, by a notification in the Nepal Gazette, may make provisions that certain position with specific job nature to be fulfilled through competition only amongst the women candidates.

5. Involvement in the recruitment of the public agencies excluding civil service

Apart from the recruitment in the Civil Service, the Commission also represents in the recruitment of the various public agencies.

6. Involvement in the promotion committees

The Commission represents in various promotion committees in accordance with the provisions made by the prevailing Civil Service Act and Civil Service Regulation.

7. Advisory role

7.1 Policy matters

PSC offers advisory services to the public organizations only upon their request, on the matters of rules concerning the service conditions of employees and the principle to be followed for appointment, promotion and departmental actions. Likewise, the Commission has got roles to play in the matters to design and execution of personnel polices of various public organizations or services even though other enactments and by-laws designed, for instance the laws and bye-laws governed the operation of public organizations, such as Army, Police and Department of National Investigation Service have provisions for requiring them to have consultation or representation of PSC.

7.2 Disciplinary matters

The Commission delivers advisory services on the departmental actions (disciplinary matters) against the public servants simply by checking whether the concerned government agency has followed the required administrative process as prescribed in the related law and whether the proposed punishment matched the degree of the crime or mistake committed

7.3 Complaint hearing

The Commission also hears complaints of such employees who have applied for the promotion but are not satisfied with the decision, related to the recommendation for promotion, by the promotion committee.

8. Other major activities

8.1 Office inspection/observation

The Commission has the authority to make inspection of the constitutional bodies and the government ministries/ departments and offices, especially to find out whether the work related to appointment, promotion, hearing of complaints on promotion and the departmental actions (disciplinary actions) are duly performed following the due process/ways defined by the constitution, Public Service Commission Act, Public Service Regulation, and other prevailing laws, procedures and the conditions defined by the Commission.

8.2 Workshops/Training/Interaction

The Commission is always serious on developing the capacity of its personnel. In this regard, various workshops, seminars and interaction activities are conducted both in the central and field level offices. Moreover, the Commission also co-ordinates with the training institutes or the concerning government agencies to arrange/provide training to its personnel as per need base. The Commission is in the process of making additional efforts to enable its personnel through capacity enhancing activities.

9. Annual report

The Commission is bound to submit its annual report to the President within three month from the end of the fiscal year. The report includes the major activities performed by the commission during the reported fiscal year, the major problems and challenges of the commission and the suggestions to the government for improving the status of the civil service. So far the Commission has submitted its fifty-three annual reports to the Head of the State.

10. Problems and challenges

Even though PSC has been a public institution having public faith and credibility for neutrality and fairness in its role, performance and institutional activities, it has a number of challenges to face in recent times. Its jurisdiction has been changed after the promulgation of the Interim Constitution, 2007. It has now the responsibility not only to recommend

the appropriate candidates for the appointment in the civil service but also advise the Nepal Army, Armed Police, Nepal Police and Department of National Investigation in matters related to the enactment of principles and polices related to recruitment. The major problems/challenges which PSC is currently facing are as follows.

Inadequacy of the institutional capabilities: Despite having wider scope to extend services in new sectors of public services and to use modern selection tests, the Commission is facing challenges with regard to its institutional capabilities (in terms of human resource base, funding modality and physical infrastructure and facilities) to deliver services without losing the credibility and the public faith it has achieved so far.

Inclusiveness: The recent historic political change in 2007 A.D. in the country has been characterized by its drive for inclusive society as well as the federal state. The growing emphasis on inclusiveness in recruitment and promotion of public servants seems to have narrowed the scope of the PSC for selection of candidates on a merit basis, besides increasing complexities in its work processes reducing efficiency in operation. To some extent, it has also posed a challenge on maintaining meritocracy in the civil service.

Federal structuring: With continuation of debate and confusion over the type of federalism to be adopted in Nepal, the strengthening of the PSC through its restructuring requires a "wait and see" approach till the promulgation of a new Constitution by the Constituent Assembly.

Adoption and up-grading of ICT facilities: It is felt that institutional strengthening of the PSC requires radical changes in its work methods and processes through wider use of ICT base, which requires substantial amount of money and human skill but also positive.

Institutionalizing research and studies: Undoubtedly, the Commission needs to adequately and continuously launch

research and studies, especially for the purpose of making NCS much more attractive, motivated and result-oriented. Nevertheless, it is not in a position to institutionalize intensive research and studies due to the lack of adequate resources (financial, human, technical and physical).

11. Strategic planning

PSC is in the process of formulating a strategic planning for the foreseeable future, in light of the reviews of the recent institutional performance, internal and external situations as well as the major strategic issues as identified earlier for their duly address. Since it has to engage mainly in delivering mandated services, its strategic plan obviously shall be centered in developing the institutional capabilities to deliver the services as per demands. It needs to strengthen itself through redefining its core functions as well as building its internal organization and management capacities for performing the institutional roles. The institutional strengthening shall be founded on balancing the scope of core functions and the internal organization and management capacities; and practicing strategic management approach to institutional development efforts.

Besides, it shall also focus on some proactive and innovative activities in order to improve institutional performance and make much better impact in society.

Tables, Graphs and Figures (Showing the performance/workload over the years)

A Glance of general performance of the commission (From FY 2007/08 to FY 2011/2012)

The major activities undertaken by the Commission in the recent past five fiscal years are stated in the Table-1, as well as in Figure-2 to Figure-12.

Table-1
Number of curriculums for different services.

S.N.	Name of the service	Number of curriculums
1	Nepal Economic Planning and Statistics Services	9
2	Nepal Engineering Service	92
3	Nepal Agriculture service	53
4	Nepal Judicial Service	18
5	Nepal Foreign Service	8
6	Nepal Administrative Service	29
7	Nepal Audit Service	17
8	Nepal Forest Service	31
9	Nepal Miscellaneous Service	28
10	Nepal Education Service	44
11	Nepal Legislative Parliament Service	30
12	Nepal Health Service	84
	Total	443

Table-2 Number of curriculums for different Classes/Levels

S.N.	Classes	Number of curriculums	S.N.	Level	Number of curriculums
1	Gazetted Class One	45	1	Eleven	22
2	Gazetted Class Two	61	2	Ten	4
3	Gazetted Class Three	116	3	Nine	30
4	Non-gazetted Class One	68	4	Eight	3
5	Non-gazetted Class Two	48	5	Seven	-
6	Other	21	6	Six	9
			7	Five	9
			8	Four	5
			9	Other	2
Total		356			84



 $Table \hbox{-} 3$ General performance of the commission (2007/08 to 2011/12 FYs)

S.N.	Activities	FY2011/12	FY2010/11	FY2009/10	FY2008/09	FY2007/08
1	Vacant positions dealt with	3592	3665	4525	1864	3156
2	Advertisements/notices published	1120	1224	1408	783	912
3	Number of applicants	2,71,577	2,51,651	300463	86168	175122
4	Number of question sets designed	1409	840	1004	641	1286
5	Number of question sets moderated	1016	966	1216	772	1211
6	Number of written examinations conducted	911	951	1122	132	216
7	Number of answer copies examined	574865	428494	235512	303610	84292
8	Number of candidates selected	2818	3836	2387	2635	32
9	Number of advisory services offered	10	9	-	17	23
10	Number of advices on departmental actions	89	134	78	66	125
11	Number of promotion -complaints addressed	50	64	82	125	17
12	Number of government offices inspected	579	412	475	257	276

It is obvious through the above table that the institutional activities of the PSC have been expanding in the recent years. The number of positions to be dealt with has increased from 3156 in FY 2007/8 to 3592 in FY 2011/12. Likewise, the number of notices and advertisements has increased from 912 in FY 2007/08 to 1120 in FY 2011/12. Similarly, during these five fiscal years, the number of applicants has increased from 1,75,122 in FY 2007/08 to 2,71,577 in FY 2011/12 causing increase in the number of selection tests from 216 to 911 in these years respectively.

Figure – 1

Candidate Selection Process

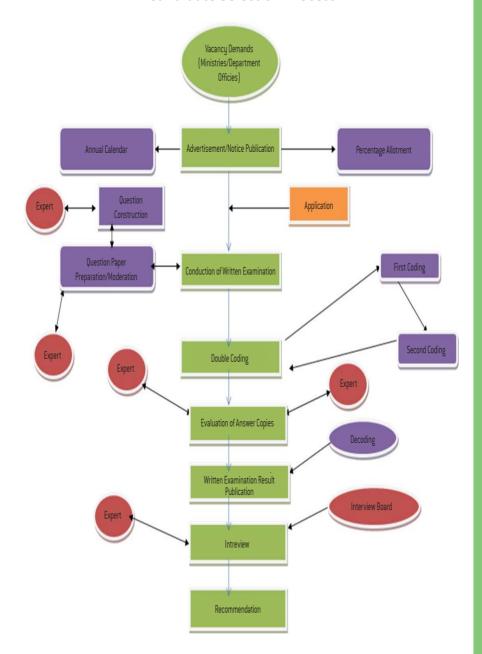


Figure – 2
Vacant positions dealt with

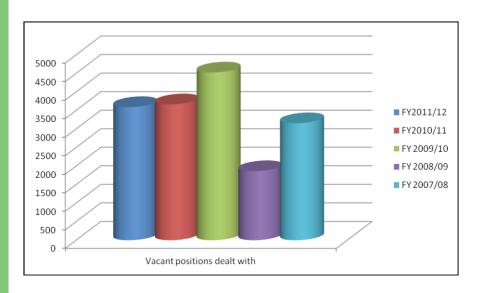


Figure – 3
Advertisements/Notices published

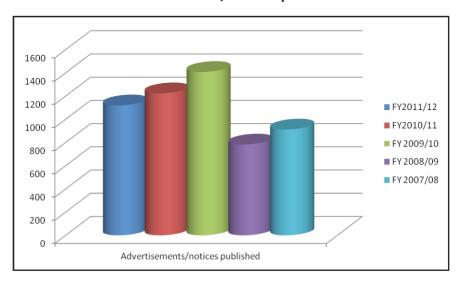


Figure – 4
Number of applicants

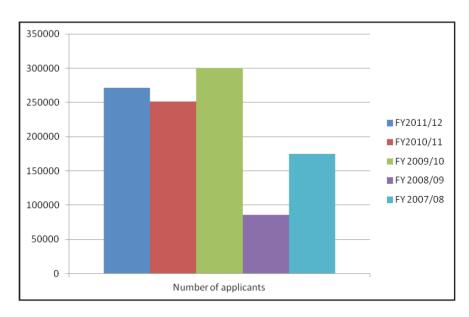


Figure – 5
Number of question-sets designed

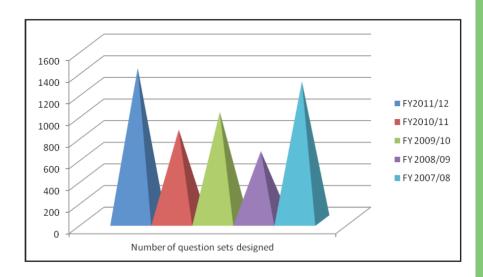


Figure – 6
Number of question-sets moderated

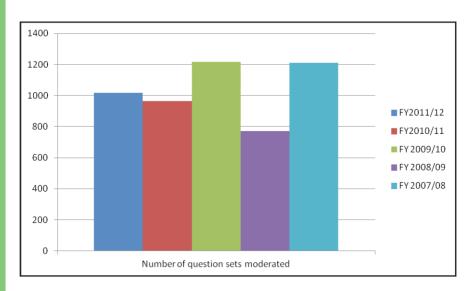


Figure – 7
Number of advertisements for which written examinations conducted

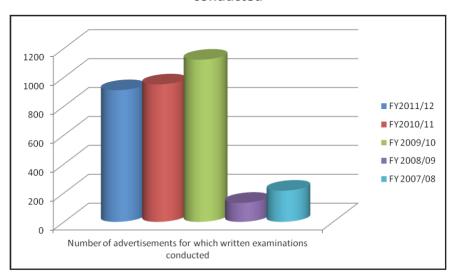


Figure – 8
Number of answer copies examined

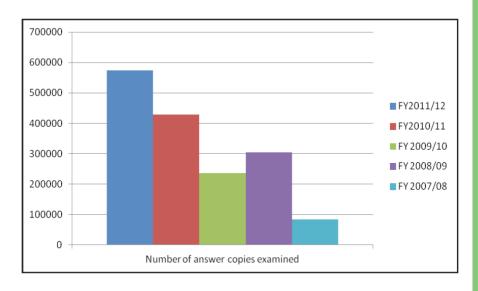


Figure – 9
Number of candidates selected

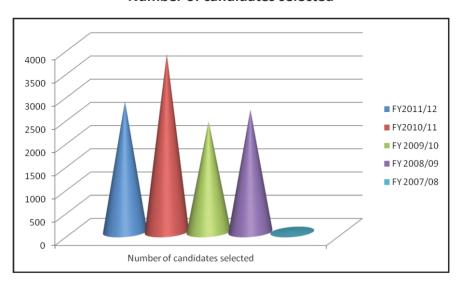


Figure – 10
Number of advisory services offered

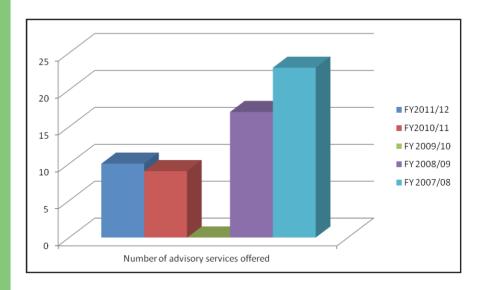


Figure – 11
Number of advices on departmental actions

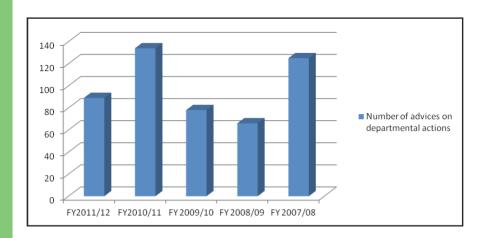


Figure – 12
Number of promotion -complaints addressed

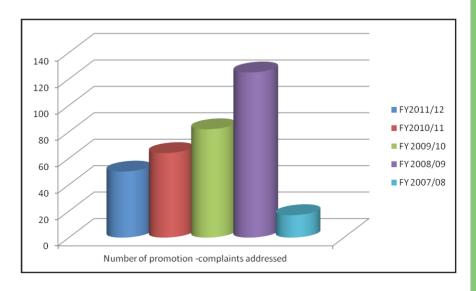
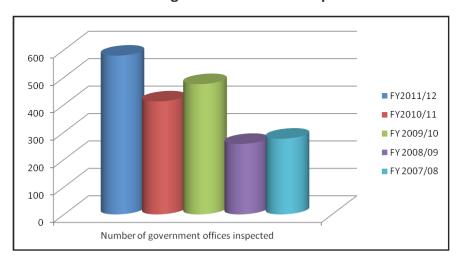


Figure – 13
Number of government offices inspected



The Public Service Commission of Nepal





Public Service Commission

Central Office
Anamnagar, Kathmandu
May 2013

Editorial Board

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