CONCLUSION

It is evident from the study that the civil service in Assam is facing a deep crisis in the sense that just like the society, it is also in turmoil, in a deep crisis of values. Actually the problem lies with the society itself. Today, very few of us cherish and respect the traditional Indian values of honesty, selflessness, objectivity. Everywhere corruption is rampant. Our democracy suffers from problems like, muscle and money power, indiscipline, violence, corruption etc. At this critical juncture, it becomes difficult for the civil servants to strictly adhere to the concept of civil service neutrality. So, it is very much true that in a developing country like ours, the civil servants are in a real paradox. They have to implement developmental policies and schemes so as to uplift the masses. Moreover, a developing country like ours faces various unique problems like, poverty, diseases, ignorance, mal-nutrition, unemployment, illiteracy, corruption, nepotism, red-tapism etc. At this critical juncture only the bureaucrats can help overcome such problems with their administrative acumen and expertise. Also, rural development is an important component or task of overall national development in a developing country like India, because, without the development of the people of grassroots level, we cannot expect an overall national development. All these gigantic tasks of over-all national development is not at all possible without a well organized and effective bureaucracy. In India, the problem of bureaucrats is somewhat different and complex than the problems of bureaucrats in a developed country, it is because in a developed country, there are variety of developed institutions which perform many tasks, which are hitherto performed by the bureaucrats in a country like India, where the social and political institutions are relatively less developed and the state has mainly to depend upon the administrative structure for the accomplishment of its goals. Also, it
is true that in a country like India, the Weberian model of bureaucracy has got several operational limitations. The changing role of Indian bureaucracy has been summed up by T.N Chaturvedi, himself a distinguished member of the IAS, who said that the civil service has to undergo radical structural, procedural and attitudinal changes if it has to serve as an effective instrument of change and progress in a developing society. The civil service has to cultivate much wider social awareness and responsiveness as well as social base apart from the traditional virtues of integrity, functional efficiency and a sense of fairplay and impartiality.

The situation is much more critical in the state of Assam, which has to tackle the additional problems of insurgency, immigration, escalating tension and conflict in addition to the problems faced by the country in general. As a result, governance in this region becomes a serious challenge. The problems of political violence, insurgency, ethnic conflict, migration pressure, inter-state disputes, underdevelopment etc. pose as serious threat in the day-to-day administration. Now, it is well understood that politics and administration is not an isolated phenomena, when the society itself is facing so many problems, the administration has to face and sort out these problems, which really put the administrators in trouble. Thus, in a strife-torn area like Assam, the administrative machinery has to face lots of problems. From my field study also, I have understood that the civil servants in Assam have to handle so many problems in their day-to-day administration, particularly when they are posted in the remotest area. It seems that the civil servants in Assam have both Constitutional and extra-Constitutional rights theoretically, but in practical domain, they face lots of problems while enjoying their rights, due to the above stated constraints. Hence, my effort in this thesis is to emphasize that they must be given more rights, if not that, atleast the ones
given to them must be made secure so that they can enjoy those rights without any worries and political interference, which will enable them to discharge their duties effectively and honestly.

Also, it seems that the bureaucrats in an over-arching democratic system assumes critical role. It must contribute to policy-making, remaining under the control of the political masters, yet, has to be politically neutral. It is like getting involved in politics fully and yet not getting politicized at the same time. But, the present situation is such that complete adherence to the concept of neutrality is not possible, because the conditions under which it can be strictly applied are fast diminishing. So, under today’s critical scenario, the whole concept of neutrality has to be re-defined to meet the need for a civil servant. Thus, what has been demanded by the concept of ‘neutrality’ today is not political naivete, but a sufficient degree of political awareness and an ability to operate within the system, without wearing a party label or a party cap. Civil servants will have to convince themselves that they joined the services, not to please their political masters but to serve the people and hence, they need not function as anonymous ciphers but as questioning neutrals. All these demand that the hands of civil servants must be strengthened by providing them with adequate rights, otherwise it will be difficult for them to act honestly and impartially. Everybody like to dream the utopian concept that the civil service will be comprised of professional class of public servants, adhering strictly to the civil service neutrality concept, individuals dedicated to the public good regardless of the party in power, and also they should be free from corruption. But, if these dreams are to be translated into reality, then the civil servants should be free from fear and favour, which can be possible by giving the civil servants their due rights in the true sense of the term. But, at the present complex and critical
scenario, it has become a big challenge for India to protect these basic rights of the civil servants. Even the Supreme Court of India has tried many times to inculcate a sense of fearlessness in the minds of the civil servants by giving various landmark judgements. But still, despite the presence of so many provisions – Constitutional, statutory as well as judicial verdicts, still we face large scale violation of the rights of the civil servants, as is evident from daily newspapers and mounting numbers of articles in the various renowned journals, speaking about this issue. So, time has come to take up this issue seriously, otherwise the present malaise/malady of politicization of bureaucrats will jeopardize the entire fabric of the concept of welfare state.

In my thesis, in the foregoing chapters, this issue of civil servants and how far they have been able to enjoy their rights without any hindrances has been discussed at length. Chapter one has focused on the concept that rights are very essential conditions for the all-round development of personality of everybody and the civil servants are no exception. They play a vital role of importance in all the countries, and particularly in a developing country like India, they must be endowed with certain very basic rights, without which they cannot discharge their ever-widening functions, without fear and favour. The chapter highlighted that it is only when the civil servants work fearlessly that they can give their best in administration. The chapter also discussed about the significance of this study.

Chapter two discussed with some basic concepts pertaining to the topic, like, concept of welfare state, bureaucracy and civil service neutrality, and thereafter an effort was made to co-relate these concepts. Actually, in today’s era of welfare state, the role of state has expanded beyond limitations and so, it has become difficult for the bureaucrats to adhere strictly to the concept of civil service neutrality, which means that
the civil servants should not have any sort of party affiliations. It stands for non-political nature of the civil servants. But the civil servants have to work in close harmony with the political bosses and have to implement the policies made by them loyally. At this critical juncture, the concept of civil service neutrality needs slight modification, where it is demanded that the civil servants must be politically aware, but without wearing a party-cap.

Chapter three discussed at length about how the bureaucrats help in realizing the dream of welfare state. It is because a welfare state covers within its ambit various facilities for the public, where the state plays a lead role in the protection and promotion of interests of its citizens. Previously, the police state was concerned with maintenance of law and order, but today, the welfare state has the responsibility of all-round development of citizens. As a result, today, the state’s functions have widened. With this increase in state functions, automatically, the administration has assumed very complex, complicated and increased role, where the bureaucrats have to play important role in implementing successfully the policies and programmes formulated by the political authority. Also, the chapter highlighted the fact as to how the bureaucrats are working amidst the trio processes of development, democracy and decentralization in the developing countries. As a result, the bureaucrats are facing lots of challenges in the present era. The chapter has also discussed the concept of globalization and its impact on the welfare state.

Chapter four of the thesis deals with the Constitutional provisions and protection of the rights of civil servants in India. In this particular chapter, focus has been given on the fact that the civil servants play a real vital and crucial role in the administration in every country. And it is more true in the welfare states where the successful execution or
implementation of a particular policy depends on the efficiency and capability of civil servants. It is a known fact that civil servants have to work fearlessly and freely, without any fear and pressure, in order to give their best in administration. A spineless civil servant, who always work under fear, pressure and influence cannot deliver the best of his service. Keeping this fact in mind, the framers of Indian Constitution tried to embolden the civil servants by inculcating a sense of fearlessness in their mind by inserting one whole part i.e., Part XIV (Articles 308-323) in the Constitution itself. The chapter deals with these Constitutional provisions in detail, particularly Art. 311 which deals with protection of rights of civil servants. Also, discussion has been made on the procedure for implementation of the Art. 311, role of the judiciary in upholding the Constitutional provision, need for the rights of civil servants in India, history of civil service in India etc.

Chapter five deals with the problems and prospects of the Constitutional provisions relating to rights of the civil servants in India. The shortcomings or defects of the Constitutional provision has been discussed and also certain articles has been discussed where the day-to-day problems confronting the bureaucrats has been projected. It is true that the civil servants in India has been given certain rights, so that they can work freely and fearlessly. But the tragedy lies in the point that rights of the civil servants get violated in broad-day light, even without violating the Constitutional provisions. Because if the rights of the civil servants gets violated without confronting the Constitutional provisions, then nobody can be punished. Also, the chapter discusses about the weaknesses of the existing system and recommendations for a healthy relationship between the politicians and the civil servants.
Chapter six has dealt at length with the history of civil services in Assam, where the historical background and the evolution of modern civil services in Assam has been discussed. It was seen from the discussion that till 1986, there were ACS I and II, but these two services were ultimately amalgamated in 1989 so as to constitute the Assam Civil Service. The chapter reveals the fact as to how the civil servants in Assam has to work under various pressures and challenges like unabated infiltrations, violence, insurgency, strong military presence, economic underdevelopment, continuous ethnic movements etc. Thus, a plea has been made to embolden the civil servants in Assam by giving them more rights.

Chapter seven discusses about the problems and findings of my research, where certain remedial measures has been discussed. Also, the chapter focused on the harsh fact that the civil servants in Assam are facing lots of problems, just like faced by the civil servants in rest of India. But along with that the civil servants in Assam are also facing host of other problems due to the disturbing scenario in the state.