The title of my thesis is “Rights of the Civil Servants in Assam: A challenge to the Welfare State (since 1972)”. The present study has focused on the very important as well as multifarious role of the civil servants now-a-days in India as well as in Assam. Seen from the theoretical perspective, it is seen that the civil servants in India as well as in Assam has no dearth of rights. They have Constitutional as well as extra-Constitutional rights. But the practical scenario is somewhat different, where it is seen that though Indian Constitution is the only Constitution in the world to provide for rights of civil servants under Art. 311, but the scope of the Article is limited in the sense that important dimensions like transfer, suspension, promotion are left outside the domain of the said Article, thereby leaving ample scope of misuse of powers from the end of political masters. Only the matters like removal, dismissal and reduction in rank have been covered within the ambit of this Article. As a result, the civil servants remain under continuous threat or fear of getting transferred or suspended as a punitive measure once they do not comply with the orders of political masters, no matter whether the order is correct or a wrong one. If the order is a good one, for public benefit, it is actually the duty of the civil servants to look for its successful implementation, but problem only crops up when the order is a wrong one. In such cases, arises the problem of protection of rights of the civil servants. Thus, in order to embolden the civil servants, so that they can work freely and fearlessly, without any sort of undue interference, it is essential to provide them with enough rights. Also, earlier the state was a police state where the basic function assigned to state was basically maintenance of law and order. But today, with the ushering in of the concept
of ‘welfare state’, the functions of the state has widened and along with that also the functions of bureaucrats have become manifold. Welfare State is that concept of governance where the state plays the key role in the protection and promotion of the economic and social well-being of its citizens. With this tremendous increase in the state activities, the administration has also become very complicated. And the efficiency and effective functioning of any administrative system depends upon the efficiency and ability of the personnel or bureaucrats who are entrusted with the responsibility to administer. So, if the civil servants do not work freely and fearlessly, and are not competent and motivated, then the policies and programmes cannot see their successful completion, thereby nullifying the entire concept of welfare state. In order to make the civil servants bold enough so that they become assertive and tenders only the right advice to their political leaders without any fear and favour, they must be provided with enough rights so that they feel secured while executing the policies. It is believed that the civil servants must always strictly adhere to the concept of civil service neutrality, which stipulates that they must not have any party affiliations or biasness. But in the altered circumstances of today, where the administrators are subjected to various pressures from various quarters and has to work totally within the political vortex, the civil servants face the dilemma of strictly complying with the neutrality concept. In the state of Assam, the civil servants form the backbone of the state’s administrative mechanism and these officers perform herculean tasks even in the remotest places with very limited infrastructure. Moreover, the state has been seriously affected by host of problems like insurgency, economic underdevelopment, continuous ethnic movements and unabated foreign infiltrations. The present study simply emphasizes the fact that against this critical situation, the civil servants in Assam have
to play a much more crucial role to bring about development. Thus, the need of the hour is to strengthen the civil servants in Assam by providing them with adequate rights, so that they can work and function effectively without any undue interference. It will also help in striking a proper balance and harmony between the politicians on one hand and the civil servants on the other hand, which in turn will help in attaining the process of good governance.