LAW RELATING TO CIVIL SERVANTS

Objective of the course

In exercise of the powers conferred by proviso to Article 309 and Clause (5) of Article 148 of the Constitution and after consultation with the Comptroller and Auditor-General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the Central Civil Services (Classification, Control and Appeal) Rules, 1965 (CCS (CCA) RULES). The Specialist in Labour and Administrative law must be in the position to assess the developments in law relating to Civil Servants in India and from a comparative angle. The service law jurisprudence in the country, owed its major growth from the English and American development is a recognised fact. From a comparative angle, the course focuses on the civil servants, their recruitment and promotion, Conditions of service, Special Category of services and Settlement of Disputes over Service Matters. This paper shall comprise of the following 5 units to be spread out to a period of one semester.

Syllabus

1. Civil Servants: Constitutional Dimensions

2. Recruitment and Promotion
Central and State Agencies for Recruitment –Methods, Qualification

3. Conditions of Service

4. Special Category of Services
Judicial Services: Subordinate Judiciary – Judicial Officers and Servants: Appointment and Conditions of Services – Officers and Servants of Supreme Court and High Court: Recruitment , Promotion, Conditions of Service and Disciplinary Action – All India Services, Object, Regulation Of Recruitment and Conditions of Service, Disciplinary Proceedings.

5. Settlement of Disputes over Service Matters
Departmental Remedies: Representation, Review, revision and Appeal: Role of Services Organisations- Remedy Before the Administrative Tribunal: Jurisdiction, Scope and Procedure –Merits and Demerits – Exclusion of Jurisdiction of Courts - Judicial Review of Service Matters- Jurisdiction of Supreme Court and High Court – Comparative Position in USA ,UK and France
PRESCRIBED BOOKS AND JOURNALS

Central and State Laws and Rules relating to Service Matters
ILI (Justice M. Rama Jois ) Service under the State (1987)
N.Narayanan Nair, The Civil Servant under the Law and Constitution (1973)
K.K.Goyal, Administrative Tribunals Act (1985)
Seervai, Constitutional Law Of India
Arjun P.Aggarwal, Freedom of Association in Public Employment, 14 JILI (1972)