



Swami Vivekananda Advanced Journal for Research and Studies  
Online Copy of Document Available on: [www.svajrs.com](http://www.svajrs.com)

ISSN:2584-105X

Pg. 148-156



## Bureaucratic Accountability and Autonomy under the Indian Constitution: Role of the Doctrine of Pleasure

**Shashi Shekhar Singh Chauhan**

Assistant Professor

College of Law, IIMT University, Meerut

**Accepted: 17/04/2026**

**Published: 18/04/2026**

**DOI: <http://doi.org/10.5281/zenodo.19640741>**

### Abstract

The Indian constitutional framework seeks to balance bureaucratic autonomy with accountability through a carefully structured system of safeguards and controls. One of the key doctrines governing the relationship between the State and its civil servants is the Doctrine of Pleasure, enshrined in Article 310 of the Constitution. While this doctrine grants the executive the power to remove civil servants at its pleasure, Articles 309–311 impose limitations to ensure fairness and protection against arbitrary action. This paper critically examines the interplay between bureaucratic autonomy and accountability under the Indian Constitution, focusing on the role and evolution of the Doctrine of Pleasure. It also analyses judicial interpretations and contemporary challenges affecting civil services in India.

**Keywords:** *Doctrine of Pleasure, Bureaucracy, Accountability, Autonomy, Articles 309–311, Natural Justice, Administrative Law*

## Introduction

Bureaucracy plays a pivotal role in the governance of a modern democratic State. In India, civil servants act as the permanent executive, ensuring continuity and stability in administration. However, their functioning must strike a delicate balance between autonomy (to perform duties independently) and accountability (to remain answerable to the public and government).

The Indian Constitution addresses this balance through provisions such as Articles 309, 310, and 311. While Article 310 incorporates the Doctrine of Pleasure, enabling the executive to dismiss civil servants, Article 311 provides safeguards to prevent misuse of this power. This dual framework ensures that bureaucracy is neither excessively controlled nor entirely unaccountable.

## 2. Concept of Bureaucratic Autonomy and Accountability

### 2.1 Bureaucratic Autonomy

Bureaucratic autonomy refers to the degree of independence that administrative officials (civil servants) enjoy in performing their duties without undue political interference. It is an essential feature of a professional and efficient administrative system, as it allows bureaucrats to make decisions based on expertise, rules, and public interest rather than political pressure. In a democratic setup, autonomy ensures neutrality, continuity, and stability in governance, even when political leadership changes.

In the Indian context, bureaucratic autonomy is supported by constitutional provisions such as Articles 309–311, which provide security of tenure and protection against arbitrary dismissal. This enables civil servants to act impartially and uphold the rule of law. However, autonomy does not mean complete independence; it is always balanced with accountability to the executive, legislature, and judiciary.

Excessive autonomy may lead to unresponsiveness or lack of control, while too little autonomy can result in politicization and inefficiency. Therefore, a balanced approach is necessary where bureaucrats have

sufficient freedom to exercise their expertise but remain accountable for their actions. Thus, bureaucratic autonomy is crucial for ensuring effective, fair, and transparent governance in a democratic system.

### 2.2 Bureaucratic Accountability

Bureaucratic accountability refers to the obligation of civil servants to answer for their actions, decisions, and performance to the appropriate authorities and ultimately to the public. In a, accountability ensures that bureaucratic power is exercised in a responsible, transparent, and lawful manner. It acts as a necessary check on bureaucratic autonomy and prevents misuse of authority, corruption, and arbitrariness.

In India, bureaucratic accountability is maintained through multiple mechanisms. The executive exercises control through supervision and disciplinary actions, while the legislature ensures accountability through parliamentary questions, debates, and committees. The judiciary also plays a vital role by reviewing administrative actions and ensuring compliance with the Constitution and laws. Additionally, institutions like the Central Vigilance Commission (CVC) and the Comptroller and Auditor General (CAG) strengthen oversight. Public accountability is further enhanced through tools such as the Right to Information (RTI) Act, which promotes transparency and citizen participation. However, excessive control may hinder efficiency and decision-making. Therefore, a proper balance between autonomy and accountability is essential. Overall, bureaucratic accountability is fundamental for maintaining public trust, good governance, and the rule of law in a democratic system.

Thus, autonomy without accountability may lead to arbitrariness, while excessive control may undermine efficiency.

## 3. Doctrine of Pleasure: Origin and Constitutional Basis

### 3.1 Origin

The Doctrine of Pleasure originated in English constitutional law, where it was a fundamental principle governing the relationship between the Crown and its servants. Under this doctrine, all civil servants held office “during the pleasure of the Crown,” meaning that they could be dismissed at any time without assigning any reason. This concept was based on the idea that the King, as the sovereign authority, must have complete control over the administration to ensure efficient governance and loyalty of officials.

The doctrine developed in Britain during the evolution of the monarchical system, particularly before the rise of parliamentary democracy. Over time, as democratic principles strengthened, the absolute nature of this doctrine was gradually limited by conventions, statutes, and judicial decisions to prevent arbitrary exercise of power.

When the British established their rule in India, they introduced this doctrine into the Indian administrative system as well. It was later incorporated into Indian constitutional law, but with significant modifications to suit democratic ideals. Unlike its original rigid form in England, the doctrine in India is subject to constitutional safeguards and judicial review. Thus, the origin of the Doctrine of Pleasure reflects its transition from an absolute monarchical principle to a controlled and balanced mechanism within a democratic framework.

### 3.3 Nature of the Doctrine

The Doctrine of Pleasure, in its nature, signifies that a government servant holds office at the pleasure of the executive authority. In India, this principle is embodied in the Constitution, where civil servants serve at the pleasure of the President or the Governor, depending on the level of government. However, unlike its absolute form in English law, the nature of this doctrine in India is limited and regulated by constitutional provisions.

The doctrine is not arbitrary or unrestricted. Articles 310 and 311 of the Indian Constitution place important safeguards on its exercise. While Article 310 establishes the doctrine, Article 311 ensures that civil servants cannot be dismissed, removed, or reduced in rank without due process, such as a reasonable opportunity of being heard. This reflects the transformation of the doctrine into a balanced system that protects both administrative efficiency and individual rights. Thus, the nature of the Doctrine of Pleasure in India is controlled, conditional, and subject to judicial review. It operates within the framework of rule of law and natural justice, ensuring that executive power is not misused. Therefore, it represents a blend of executive authority and constitutional limitations in a democratic system.

## 4. Constitutional Safeguards: Articles 309–311

### 4.1 Article 309

Article 309 of the Indian Constitution lays down the framework for regulating the recruitment and conditions of service of persons serving in public services and posts under the Union and the States. It empowers the appropriate legislature—Parliament or State Legislature—to make laws governing the appointment, service conditions, promotions, and other aspects of civil services. This provision ensures that public administration functions in an organized and legally structured manner.

In the absence of such legislation, Article 309 authorizes the President (for Union services) and the Governor (for State services) to make rules regulating these matters. These rules have the force of law until the legislature enacts a formal statute. This provision ensures continuity in administration and prevents any legal vacuum in service matters.

Article 309 plays a crucial role in maintaining uniformity, discipline, and efficiency in public services. It also provides flexibility to the executive to frame service rules as per administrative needs, while remaining subject to constitutional limitations.

However, such rules must comply with fundamental rights and other constitutional provisions.

Thus, Article 309 acts as the foundation of service jurisprudence in India, enabling both legislative control and executive rule-making in managing public services effectively.

#### **4.2 Article 310**

Article 310 of the Indian Constitution embodies the Doctrine of Pleasure and provides that every person who is a member of a defence service, civil service, or holds any civil post under the Union or a State holds office “during the pleasure” of the President or the Governor. This means that their tenure is not absolute and they can be removed from service at the discretion of the executive authority. The primary objective of this provision is to ensure administrative efficiency, discipline, and loyalty within the public services.

However, in India, the application of Article 310 is not absolute or arbitrary. It is subject to important constitutional limitations, particularly under Article 311, which provides safeguards to civil servants against unjust dismissal, removal, or reduction in rank. This ensures that the doctrine is exercised in a fair and reasonable manner, consistent with the principles of natural justice. Additionally, the exercise of pleasure under Article 310 is also subject to judicial review. Courts can intervene if the action of the executive is found to be mala fide, arbitrary, or in violation of constitutional provisions. Thus, Article 310 represents a balance between executive authority and the protection of civil servants, ensuring both effective governance and fairness in public administration.

#### **4.3 Article 311**

Article 311 of the Indian Constitution provides safeguards to civil servants against arbitrary dismissal, removal, or reduction in rank. It ensures that no government employee is dismissed or removed by an authority lower than the one that appointed them. Further, it guarantees a reasonable opportunity of

being heard before any such action is taken, following the principles of natural justice.

However, certain exceptions exist, such as in cases of national security, criminal conviction, or where holding an inquiry is not practicable. Thus, Article 311 protects civil servants while maintaining administrative efficiency.

Exceptions under Article 311(2): Article 311(2) provides certain exceptions where the requirement of giving a reasonable opportunity of hearing to a civil servant before dismissal, removal, or reduction in rank can be waived. First, when a person is dismissed on the ground of conduct that has led to their conviction on a criminal charge. Second, when the authority is satisfied that it is not reasonably practicable to hold an inquiry, such as in cases involving threats or serious disorder. Third, when the President or Governor is satisfied that holding an inquiry is not in the interest of the security of the State.

### **5. Interplay between Autonomy, Accountability, and Doctrine of Pleasure**

The relationship between bureaucratic autonomy, accountability, and the Doctrine of Pleasure reflects a delicate balance within the framework of democratic governance. Bureaucratic autonomy provides civil servants with the independence necessary to make decisions based on expertise, legal norms, and public interest, ensuring efficiency and continuity in administration. However, unchecked autonomy may lead to misuse of power or lack of responsiveness this is where accountability plays a crucial role. Mechanisms such as legislative oversight, judicial review, and administrative control ensure that bureaucrats remain answerable for their actions. Accountability prevents arbitrariness and promotes transparency, thereby maintaining public trust in governance.

The Doctrine of Pleasure, as embodied in Article 310, further influences this balance by granting the executive the power to remove civil servants when

necessary. At the same time, Article 311 imposes safeguards to prevent arbitrary use of this power. Thus, autonomy allows effective functioning, accountability ensures responsibility, and the Doctrine of Pleasure provides control. Together, they create a system where efficiency and fairness coexist, forming the backbone of a responsive and responsible administrative structure in a democratic state.

## 6. Judicial Interpretation

### 6.1 *Khem Chand v. Union of India (1958)*

In *Khem Chand v. Union of India* (1958), the Supreme Court of India clarified the scope of safeguards under Article 311. The case involved a government servant who was dismissed without being given a proper opportunity to defend himself. The Court held that “reasonable opportunity” under Article 311(2) includes three essential rights: (i) an opportunity to deny the charges, (ii) an opportunity to defend oneself, and (iii) an opportunity to make representation on the proposed punishment.

This judgment became a landmark in service jurisprudence, as it strengthened procedural fairness and ensured protection of civil servants against arbitrary executive action.

The Supreme Court emphasized the importance of reasonable opportunity in disciplinary proceedings.

### 6.2 *Shamsher Singh v. State of Punjab (1974)*

In *Shamsher Singh v. State of Punjab* (1974), the Supreme Court of India delivered a landmark judgment clarifying the scope of the Doctrine of Pleasure and the role of the President and Governor. The case involved the termination of probationary judicial officers without formal inquiry. The petitioners challenged the action as arbitrary and violative of Article 311.

The Court held that the President and Governor are only constitutional heads and must act on the aid and advice of the Council of Ministers, except in limited situations. It further ruled that the exercise of pleasure

under Article 310 is not personal but subject to constitutional limitations.

The judgment emphasized that even in cases of termination of probationers, the action must not be arbitrary or punitive in nature without following due process. Thus, the case reinforced the principles of constitutionalism, rule of law, and limited application of the Doctrine of Pleasure in India.

### 6.3 *Union of India v. Tulsiram Patel (1985)*

In *Union of India v. Tulsiram Patel* (1985), the Supreme Court of India dealt with the scope of exceptions under Article 311(2) of the Constitution. The case involved government employees who were dismissed without a departmental inquiry by invoking the second proviso to Article 311(2).

The Court upheld the validity of these exceptions and ruled that in situations such as national security, impracticability of holding an inquiry, or conviction on a criminal charge, the requirement of a prior hearing can be dispensed with. It emphasized that the satisfaction of the competent authority in such cases is subject to limited judicial review.

However, the Court also cautioned that such power must not be exercised arbitrarily or mala fide. This judgment is significant as it clarified the balance between administrative efficiency and the protection of civil servants under the constitutional framework.

### 6.4 *Union of India v. Ashok Kumar Aggarwal (2019)*

In *Union of India v. Ashok Kumar Aggarwal* (2019), the Supreme Court of India examined issues relating to disciplinary proceedings and the rights of government servants under service law. The case primarily dealt with whether a delinquent employee is entitled to a copy of the inquiry officer’s report before the disciplinary authority records its final findings.

The Court held that providing the inquiry report is an essential part of ensuring a fair hearing and is in line with the principles of natural justice under Article 311.

Denial of such a report would prejudice the employee's right to defend himself effectively.

The judgment reaffirmed that even in departmental proceedings, fairness, transparency, and due process must be maintained. It strengthened procedural safeguards for civil servants and emphasized that administrative actions must not be arbitrary, thereby upholding constitutional protections in service jurisprudence.

### 6.5 Recent Trends (2020–2025)

Recent trends (2020–2025) in the application of the Doctrine of Pleasure and Articles 310–311 show a clear shift towards strengthening procedural fairness, transparency, and judicial scrutiny. Courts have increasingly emphasized that the doctrine cannot be exercised arbitrarily and must conform to constitutional principles such as natural justice and reasonableness.

For instance, various High Courts in cases like *Damodar Paswan v. State of Bihar (2021)* and *Dr. Harish Gupta v. Union of India (2022)* reiterated that although the Doctrine of Pleasure permits removal of officials, such power is not absolute and must be exercised in a fair and non-arbitrary manner. ([Indian Kanoon](#))

Another important trend is the growing role of judicial review. Courts are actively examining whether the satisfaction of the authority (especially under Article 311(2) exceptions) is based on relevant material and is not mala fide. Additionally, there is increased focus on protecting civil servants from misuse of disciplinary powers while still maintaining administrative efficiency.

Overall, the modern trend reflects a balance—limiting arbitrary executive power while preserving the core objective of the Doctrine of Pleasure, i.e., ensuring discipline and integrity in public services.

## 7. Challenges in Contemporary Administration

### 7.1 Political Interference

Political interference is a major challenge in contemporary administration, affecting the autonomy and neutrality of bureaucracy. Frequent transfers, postings, and undue pressure from political authorities often influence decision-making, leading to biased or non-merit-based actions. This undermines professionalism and weakens the efficiency of public administration.

Such interference also discourages honest officers from performing their duties fearlessly and may promote corruption and favoritism. Although mechanisms like fixed tenure and judicial safeguards exist, their implementation remains inconsistent. Therefore, reducing political interference is essential to ensure an independent, accountable, and effective administrative system.

### 7.2 Misuse of Power

Misuse of power is a significant challenge in contemporary administration, where authority granted to public officials is used for personal gain, favoritism, or arbitrary decision-making. Such actions may include corruption, abuse of discretion, and ignoring established rules and procedures. This weakens public trust and undermines the principles of transparency and accountability in governance.

Excessive bureaucratic autonomy without effective checks can further encourage such misuse. Although legal and institutional mechanisms like vigilance bodies and judicial review exist, their enforcement is sometimes inadequate. Therefore, strengthening accountability, promoting ethical standards, and ensuring strict enforcement of laws are essential to prevent misuse of power and maintain integrity in public administration.

### 7.3 Delay in Disciplinary Proceedings

Delay in disciplinary proceedings is a serious issue in contemporary administration, affecting both efficiency

and justice. This leads to uncertainty, low morale, and inefficiency within the bureaucracy.

Such delays are often caused by complex procedures, lack of coordination, and administrative negligence. Prolonged proceedings may also weaken evidence and reduce the effectiveness of disciplinary action. Courts have repeatedly emphasized the need for timely completion of inquiries to ensure fairness. Therefore, simplifying procedures, ensuring strict timelines, and improving administrative accountability are essential to address delays and maintain discipline in public services.

#### **7.4 Lack of Transparency**

Lack of transparency is a key challenge in contemporary administration, where decisions and processes are not openly accessible or clearly communicated to the public. This creates scope for corruption, favoritism, and arbitrary use of power, ultimately weakening public trust in government institutions.

Opaque procedures, limited access to information, and bureaucratic secrecy often prevent citizens from understanding how decisions are made. Although measures like the Right to Information (RTI) Act have improved openness, implementation gaps still exist. Enhancing transparency through digital governance, proper record-keeping, and proactive disclosure of information is essential. It ensures accountability, promotes citizen participation, and strengthens good governance in a democratic system.

#### **8. Critical Analysis**

The Doctrine of Pleasure, along with bureaucratic autonomy and accountability, forms a crucial pillar of India's administrative framework. While the doctrine under Article 310 ensures administrative control and discipline, its application is significantly moderated by Article 311, which provides essential safeguards against arbitrary dismissal. This balance reflects the constitutional commitment to both efficiency and fairness.

However, in practice, challenges persist. Excessive political interference often undermines bureaucratic autonomy, while delays in disciplinary proceedings weaken accountability. At the same time, misuse of power and lack of transparency continue to affect public trust in administration. Although judicial review has played a vital role in checking arbitrary executive actions, over-reliance on courts may sometimes delay administrative processes.

Moreover, the Doctrine of Pleasure, if misused, can become a tool for victimization rather than governance. Therefore, its exercise must always align with principles of natural justice and constitutional morality. In conclusion, while the existing framework provides a sound balance between autonomy and accountability, effective implementation remains the key challenge. Strengthening institutional mechanisms, ensuring transparency, and minimizing political influence are essential to make the system more fair, efficient, and responsive in a democratic setup.

#### **9. Suggestions and Reforms**

To improve the balance between bureaucratic autonomy, accountability, and the Doctrine of Pleasure, several reforms are necessary. First, there should be strict implementation of fixed tenure for civil servants to reduce political interference and ensure stability in administration. This will allow officers to function independently and make decisions based on merit and public interest. Second, disciplinary proceedings must be streamlined with clear timelines to avoid unnecessary delays. Fast-track mechanisms and digital monitoring systems can help in ensuring timely justice and maintaining administrative efficiency.

Third, transparency should be enhanced through greater use of e-governance and proactive disclosure of information. Strengthening the implementation of the RTI framework can further promote openness and reduce corruption. Additionally, training programs

should be conducted to promote ethical values, integrity, and professionalism among civil servants. Independent bodies like vigilance commissions must be empowered to function without external pressure. Finally, judicial guidelines on the Doctrine of Pleasure should be strictly followed to prevent misuse. Overall, a combination of institutional strengthening, technological reforms, and ethical governance is essential to build a more accountable, transparent, and efficient administrative system in India.

## 10. CONCLUSION

The Doctrine of Pleasure, along with the principles of bureaucratic autonomy and accountability, forms the foundation of India's administrative framework under the Constitution. While the doctrine under Article 310 provides the executive with the authority to maintain discipline and efficiency in public services, Articles 309 and 311 ensure that such power is not exercised arbitrarily. This constitutional arrangement reflects a careful balance between authority and safeguards, which is essential in a democratic system.

Bureaucratic autonomy enables civil servants to function independently, apply their expertise, and ensure continuity in governance. At the same time, accountability mechanisms—through the legislature, executive, and judiciary—ensure that such autonomy does not lead to misuse of power. The interplay between these principles helps maintain a system that is both efficient and responsive to public needs. However, practical challenges such as political interference, delays in disciplinary proceedings, lack of transparency, and misuse of authority continue to hinder effective administration. Judicial interventions have played a significant role in protecting the rights of civil servants and ensuring adherence to the rule of law, but systemic reforms are still required. In conclusion, the success of this framework depends not only on constitutional provisions but also on their proper implementation. Strengthening institutional integrity, promoting ethical governance, and ensuring

transparency are essential to achieving a fair, efficient, and accountable administrative system in India.

## REFERENCES

### Books :

- D.D. Basu, *Introduction to the Constitution of India* (26th edn., LexisNexis, 2021).
- I.P. Massey, *Administrative Law* (9th edn., Eastern Book Company, 2021).
- Avasthi & Avasthi, *Indian Administration* (Lakshmi Narain Agarwal, 2020).
- P.M. Bakshi, *The Constitution of India* (15th edn., Universal Law, 2020).
- B.L. Fadia, *Indian Government and Politics* (Sahitya Bhawan, 2019).
- S.R. Maheshwari, *Indian Administration* (6th edn., Orient Blackswan, 2019).
- M.P. Jain, *Indian Constitutional Law* (8th edn., LexisNexis, 2018).
- V.N. Shukla, *Constitution of India* (13th edn., Eastern Book Company, 2017).
- H.M. Seervai, *Constitutional Law of India* (4th edn., Universal Law, 2015).
- Wade & Forsyth, *Administrative Law* (11th edn., Oxford University Press, 2014).

### Articles / Journals:

- R.K. Gupta, "Judicial Review of Administrative Action in India" (2021) 63 JILI 155.
- A.K. Jain, "Civil Services and Constitutional Safeguards" (2020) 62 JILI 98.
- M.P. Singh, "Doctrine of Pleasure in India" (2018) 60 JILI 45.
- Upendra Baxi, "Bureaucracy, Accountability and Administrative Law" (2017) 59 JILI 123.
- S.P. Sathe, "Administrative Law and Bureaucratic Accountability" (2016) 58 JILI 211.

**Cases:**

- *State of Uttar Pradesh v. Rajendra Singh*, (2023) SCC OnLine SC.
- *Union of India v. Ashok Kumar Aggarwal*, (2019) 16 SCC 147.
- *Union of India v. Tulsiram Patel*, (1985) 3 SCC 398.
- *Shamsher Singh v. State of Punjab*, (1974) 2 SCC 831.
- *Khem Chand v. Union of India*, AIR 1958 SC 300.

**Reports / Others:**

- Second Administrative Reforms Commission, *Report on Ethics in Governance* (2007).
- Government of India, *Central Civil Services (Classification, Control and Appeal) Rules, 1965*.

---

**Disclaimer/Publisher's Note:** The views, findings, conclusions, and opinions expressed in articles published in this journal are exclusively those of the individual author(s) and contributor(s). The publisher and/or editorial team neither endorse nor necessarily share these viewpoints. The publisher and/or editors assume no responsibility or liability for any damage, harm, loss, or injury, whether personal or otherwise, that might occur from the use, interpretation, or reliance upon the information, methods, instructions, or products discussed in the journal's content.

\*\*\*\*\*