

# **INTERNATIONAL JOURNAL OF LEGAL STUDIES AND SOCIAL SCIENCES [IJLSSS]**

ISSN: 2584-1513 (Online)

Volume 4 | Issue 1 [2026] | Page 310 – 317

© 2026 International Journal of Legal Studies and Social Sciences

Follow this and additional works at: <https://www.ijlsss.com/>

In case of any queries or suggestions, kindly contact [editor@ijlsss.com](mailto:editor@ijlsss.com)

# INSTITUTIONAL ACCOUNTABILITY AND JUSTICE IN PUBLIC ADMINISTRATION: A SOCIAL SCIENCE STUDY OF DISCIPLINARY PROCEEDINGS

-Kashish Banswal<sup>1</sup>

## ABSTRACT

Disciplinary proceedings<sup>2</sup> within public administration play a vital role in ensuring that government institutions function with integrity, responsibility, and efficiency. These proceedings are not merely legal mechanisms designed to address cases of misconduct among public servants; they also serve as important tools for maintaining institutional credibility and public confidence in the administrative system<sup>3</sup>. In democratic governance, public officials are entrusted with authority and resources to serve the interests of society. Therefore, it becomes essential to establish mechanisms that ensure accountability and ethical conduct in the exercise of such authority. Disciplinary proceedings provide a structured process through which allegations of misconduct, negligence, or violation of service rules can be examined and addressed in a fair and systematic manner.

From a legal perspective, disciplinary proceedings are governed by constitutional principles, statutory service rules, and administrative regulations that define the rights and responsibilities of public servants. These legal provisions establish procedures for issuing charges, conducting inquiries, presenting evidence, and imposing appropriate penalties when misconduct is proven. However, the effectiveness of these mechanisms cannot be understood solely through a legal lens. The functioning of disciplinary systems is also influenced by broader social and institutional factors such as organizational culture, bureaucratic accountability, administrative ethics, and the expectations of the public from government institutions.

Administrative organizations<sup>4</sup> operate within complex social environments where values, norms, and institutional practices shape decision-making processes. When disciplinary procedures are

---

<sup>1</sup> LLM(Pursuing 2025-2026), Maharishi University of Information Technology, Noida Campus

<sup>2</sup> INDIA CONST. art. 14.

<sup>3</sup> Administrative Tribunals Act, 1985, No. 13 of 1985, India Code

<sup>4</sup> *Maneka Gandhi v. Union of India*, (1978) 1 SCC 248 (India)

implemented in a transparent and impartial manner, they strengthen the internal culture of accountability and reinforce the idea that public service is a position of trust rather than privilege. Conversely, when disciplinary mechanisms are misused, delayed, or conducted in an arbitrary manner, they may weaken employee morale and undermine public confidence in governance.

Recognizing these dynamics, this research adopts an interdisciplinary approach by integrating legal principles with perspectives from social sciences, particularly public administration, sociology, and governance studies. Such an approach enables a deeper understanding of disciplinary proceedings not only as formal legal processes but also as social institutions that influence administrative behaviour and organizational accountability.

The paper examines several key aspects of disciplinary systems in public administration.<sup>5</sup> It explores the nature and procedural structure of disciplinary proceedings, the significance of the principles of natural justice, the role of competent authorities, and the availability of departmental remedies within administrative frameworks. In addition, it analyses the role of judicial oversight exercised by tribunals and courts in ensuring that disciplinary actions remain fair, lawful, and consistent with constitutional values. The study also considers the importance of compliance with judicial orders and the consequences of non-compliance, including contempt proceedings.

Furthermore, the research highlights how disciplinary mechanisms contribute to broader goals of governance, such as transparency, administrative efficiency, and institutional legitimacy. When supported by ethical leadership, responsive institutional structures, and effective internal review mechanisms, disciplinary procedures can promote a culture of responsibility within public administration.

Ultimately, the study argues that disciplinary systems function most effectively when legal safeguards operate in harmony with ethical administrative practices and supportive institutional environments. A balanced approach that combines procedural fairness<sup>6</sup>, accountability, and efficient governance is essential for ensuring that disciplinary proceedings contribute to the strengthening of democratic institutions and the rule of law<sup>7</sup>.

---

<sup>5</sup> *A.K. Kraipak v. Union of India*, (1969) 2 SCC 262 (India).

<sup>6</sup> *Maneka Gandhi v. Union of India*, (1978) 1 SCC 248 (India).

<sup>7</sup> *Kesavananda Bharati v. State of Kerala*, (1973) 4 SCC 225 (India).

## INTRODUCTION

Public administration represents the interface between the state and society. Government institutions are entrusted with significant responsibilities, including policy implementation, service delivery, and the management of public resources. For these institutions to function effectively, discipline and accountability among public servants are essential.

Disciplinary proceedings are therefore an important administrative mechanism designed to address misconduct, ensure ethical behaviour, and maintain institutional credibility. From a legal perspective, disciplinary proceedings are governed by constitutional provisions, service rules, and judicial precedents. However, from a social science perspective, they are also part of a broader framework of governance that shapes the behaviour of individuals within organizations.

Administrative institutions are social structures where norms, values, and hierarchies influence decision-making processes. When disciplinary mechanisms are applied fairly and transparently, they strengthen institutional legitimacy and public confidence in governance. Conversely, when disciplinary procedures are misused or conducted arbitrarily, they may create distrust within organizations and weaken democratic institutions.

This paper therefore analyses disciplinary proceedings not merely as legal procedures but as socio-legal processes<sup>8</sup> embedded within the broader context of governance and public administration.

## DISCIPLINARY PROCEEDINGS AS INSTRUMENTS OF ORGANIZATIONAL CONTROL

In administrative organizations, disciplinary proceedings serve as tools for maintaining order and ensuring that employees adhere to established standards of conduct. From the perspective of organizational sociology, institutions rely on both formal rules and informal norms to regulate behaviour.

Disciplinary action represents the formal mechanism through which institutions respond to violations of these norms. It involves investigation of misconduct, determination of responsibility, and imposition of appropriate penalties. The process is intended not only to punish wrongdoing but also to deter similar behaviour and reinforce ethical standards within the organization.

---

<sup>8</sup> Upendra Baxi, *The Crisis of the Indian Legal System* 10–25 (1982).

From a legal standpoint, disciplinary proceedings are quasi-judicial<sup>9</sup> in nature. Authorities conducting such proceedings must follow procedural safeguards, including issuing a charge sheet, conducting an inquiry, and providing the employee with an opportunity to defend themselves.

From a social science perspective, however, the process also reflects the internal power dynamics of administrative institutions. Decisions taken during disciplinary proceedings may influence workplace morale, perceptions of fairness, and the legitimacy of leadership.

Thus, disciplinary systems function as both legal frameworks and social regulatory mechanisms within bureaucratic institutions.

## **CONSTITUTIONAL PRINCIPLES AND THE SOCIAL IDEA OF FAIRNESS**

The constitutional framework governing public employment reflects broader social values such as equality, fairness, and justice. The Constitution of India provides important safeguards for civil servants and ensures that administrative actions remain consistent with democratic principles.

The guarantee of equality before the law ensures that disciplinary actions cannot be arbitrary or discriminatory. Equal opportunity in public employment protects individuals from unfair treatment in matters of recruitment, promotion, and disciplinary control. Similarly, constitutional protections relating to dismissal or removal from service ensure that employees are not deprived of their livelihood without due process.

These constitutional principles reflect the broader social expectation that public institutions should act in a fair and transparent manner. In this sense, constitutional law functions not only as a legal framework but also as a reflection of societal norms<sup>10</sup> regarding justice and accountability.

## **NATURAL JUSTICE AND PROCEDURAL FAIRNESS**

The principles of natural justice<sup>11</sup> occupy a central position in disciplinary proceedings. These principles ensure that administrative decisions affecting individuals are made in a fair and unbiased manner.

Two fundamental elements of natural justice are commonly recognized:

1. The right to be heard before a decision is made.

---

<sup>9</sup> M. P. Jain & S. N. Jain, **Principles of Administrative Law** 470–485 (8th ed. 2018).

<sup>10</sup> Émile Durkheim, **The Division of Labor in Society** 50–65 (W. D. Halls trans., Free Press 1984) (1893)

<sup>11</sup> *Maneka Gandhi v. Union of India*, (1978) 1 SCC 248 (India).

2. The requirement that decision-makers must remain impartial.

These principles are essential not only for legal validity but also for maintaining trust within administrative institutions. When employees feel that disciplinary proceedings are conducted fairly, they are more likely to accept the outcomes even when the decision is adverse.

From a sociological perspective, procedural fairness contributes to organizational legitimacy. Fair procedures reinforce the perception that institutions operate according to ethical standards rather than personal or political considerations.

Consequently, natural justice serves both a legal function and a social function in administrative governance.

## **ROLE OF COMPETENT AUTHORITY IN ADMINISTRATIVE DECISION-MAKING**

Another important principle governing disciplinary proceedings is that actions must be taken by the competent authority. Administrative powers are distributed within institutions according to statutory rules and hierarchical structures<sup>12</sup>.

Only an authority that is legally empowered under service rules can initiate disciplinary action or impose penalties. This requirement prevents arbitrary exercise of power and ensures accountability within administrative systems.

From the perspective of institutional governance, the concept of competent authority also reinforces the principle of structured decision-making within bureaucratic organizations. It ensures that decisions affecting employees are taken by individuals who possess the necessary authority, expertise, and responsibility.

Failure to observe this principle can undermine both legal validity and organizational discipline.

## **DEPARTMENTAL REMEDIES AND INSTITUTIONAL CONFLICT RESOLUTION**

Disputes between employees and administrative authorities are inevitable in large bureaucratic organizations<sup>13</sup>. To address such conflicts, service rules provide several internal remedies such as appeals, revisions, reviews, and representations.

---

<sup>12</sup> M. P. Jain & S. N. Jain, **Principles of Administrative Law** 25–30 (8th ed. 2018).

<sup>13</sup> M. P. Jain & S. N. Jain, **Principles of Administrative Law** 15–25 (8th ed. 2018)

These mechanisms serve as important tools for conflict resolution within institutions. They allow employees to challenge administrative decisions without immediately resorting to litigation.

From a social science perspective, departmental remedies perform an important institutional mediation function. They provide a platform for dialogue between employees and authorities, enabling disputes to be resolved through administrative reconsideration rather than adversarial legal proceedings.

Effective use of these mechanisms can reduce litigation and promote cooperative relationships within administrative organizations.

## **JUDICIAL REVIEW AND DEMOCRATIC ACCOUNTABILITY**

When departmental remedies fail to resolve disputes, employees may approach judicial forums such as administrative tribunals and courts. Judicial review acts as an external mechanism of accountability for administrative actions.

Courts generally do not re-examine the factual findings of disciplinary authorities unless there is clear evidence of procedural irregularity or legal error. Instead, they focus on ensuring that administrative decisions comply with legal standards, respect natural justice, and fall within the limits of authority.

From a governance perspective, judicial review performs an essential democratic function. It ensures that public institutions remain accountable and that individuals are protected from misuse of administrative power.

Thus, the judiciary serves as a guardian of both legal rights and institutional fairness<sup>14</sup> in service matters.

## **CONTEMPT PROCEEDINGS AND THE AUTHORITY OF LAW**

Compliance with judicial decisions is a fundamental requirement of the rule of law. When government departments fail to implement court orders, contempt proceedings may be initiated.

Civil contempt arises when there is wilful disobedience of a court order. Such proceedings reinforce the authority of the judiciary and ensure that administrative institutions respect judicial mandates.

From a sociological perspective, the enforcement of court orders also strengthens public confidence in legal institutions. When state authorities comply with judicial decisions, it demonstrates that governance operates within a framework of law rather than arbitrary power.

---

<sup>14</sup> *Maneka Gandhi v. Union of India*, (1978) 1 SCC 248 (India).

## IMPORTANCE OF TIMELY ADMINISTRATIVE ACTION

Administrative delay is a common problem in many public institutions. Delayed decisions in disciplinary matters, late responses to representations, and slow implementation of court orders can create legal complications and institutional inefficiency.

From the perspective of organizational management, timely decision-making is essential for maintaining discipline and preventing uncertainty among employees. Delays may also lead to adverse judicial observations and increased litigation. Therefore, administrative authorities must ensure that disciplinary proceedings and related actions are conducted within reasonable time limits. Efficient administration ultimately strengthens both institutional effectiveness and public trust.

## CONCLUSION

Disciplinary proceedings in public administration represent a complex intersection of law, governance, and social institutions. While legal rules provide the formal framework for addressing misconduct, the effectiveness of disciplinary systems also depends on broader organizational and social factors.

Principles such as natural justice, competent authority, and judicial oversight ensure that disciplinary processes remain fair and lawful. At the same time, concepts from social sciences—such as institutional legitimacy, organizational behaviour, and accountability—highlight the broader implications of disciplinary actions for governance and administrative culture.

An effective disciplinary system must therefore balance legal compliance with ethical administrative practices. When disciplinary mechanisms are implemented transparently, fairly, and efficiently, they contribute not only to administrative discipline but also to the strengthening of democratic governance and public trust in institutions.

## BIBLIOGRAPHY

### 1. Books

- a) Brian Z. Tamanaha, *Law as a Means to an End: Threat to the Rule of Law* (Cambridge University Press 2006).
- b) H. W. R. Wade & C. F. Forsyth, *Administrative Law* (11th ed. Oxford University Press 2014).
  - I. P. Massey, *Administrative Law* (9th ed. Eastern Book Company 2016).
- c) M. P. Jain & S. N. Jain, *Principles of Administrative Law* (8th ed. LexisNexis 2018).
- d) Paul Craig, *Administrative Law* (8th ed. Sweet & Maxwell 2016).

- e) Roger Cotterrell, *The Sociology of Law* (2d ed. Butterworths 1992).
- f) Lawrence M. Friedman, *Law and Society: An Introduction* (Prentice Hall 1977).
- g) Nicholas Henry, *Public Administration and Public Affairs* (13th ed. Routledge 2017).
- h) B. L. Fadia & Kuldeep Fadia, *Public Administration: Administrative Theory* (Sahitya Bhawan 2015).
- i) Max Weber, *Economy and Society* (Guenther Roth & Claus Wittich eds., University of California Press 1978).

## 2. Journal Articles

- a) Marc Galanter, Why the “Haves” Come Out Ahead: Speculations on the Limits of Legal Change, 9 *Law & Society Review* 95 (1974).
- b) Roscoe Pound, Law in Books and Law in Action, 44 *American Law Review* 12 (1910).
- c) Woodrow Wilson, The Study of Administration, 2 *Political Science Quarterly* 197 (1887).
- d) Joseph Raz, The Rule of Law and Its Virtue, 93 *Law Quarterly Review* 195 (1977).

## 3. Cases

- a) *A.K. Kraipak v. Union of India*, (1969) 2 SCC 262 (India).
- b) *Maneka Gandhi v. Union of India*, (1978) 1 SCC 248 (India).
- c) *Mohinder Singh Gill v. Chief Election Commissioner*, (1978) 1 SCC 405 (India).
- d) *State of Orissa v. Dr. (Miss) Binapani Dei*, AIR 1967 SC 1269 (India).
- e) *Union of India v. Tulsiram Patel*, (1985) 3 SCC 398 (India).
- f) *Ridge v. Baldwin*, [1964] AC 40 (HL).

## 4. Statutes and Constitutional Provisions

- a) INDIA CONST. art. 14.
- b) INDIA CONST. art. 21.
- c) Administrative Tribunals Act, 1985, No. 13 of 1985, India Code.
- d) **Central Civil Services (Classification, Control and Appeal) Rules, 1965.**