

CONSTITUTION OF INDIA. By V.N. SHUKLA. Edited by D.K. SINGH,  
7th Edition. [Lucknow: Eastern Book Company. 1982, pp.779].

ONE of the first books on India's Constitution, V.N. Shukla's first edition was published within a few months of the Constitution's birth in 1950. The author produced five successful editions of the book till 1969. The present editor took over the sixth in 1975 and has now up-dated the law (to June, 1982) in this seventh edition.

Quite soon after the introduction of the Constitution on the 26th January 1950, the High Courts and the Supreme Court of India began actively pronouncing upon a wide range of constitutional issues. The very first constitutional decision of the Supreme Court in *A.K.*

*Gopalan v. Madras* A.I.R. 1950 S.C. 27 turned out to be of major importance. From that case to the recent one in *Maneka Gandhi v. Union of India* (1978) 1 S.C.C. 248 the ebb and tide of Constitutional evolution has taken Indian Law to considerable heights as well as some noticeable depths. But such is the stuff of constitutional decisions. Though at first sight the subject appears daunting in its complexity, texts such as the one under review do much to reassure and encourage one to form a sensible view of it.

Students, both under-graduate and post-graduate, would find in this book much that is useful. Precise and yet lucid accounts of the *rationes* in scores of leading decisions of the Supreme Court of India is the chief strength of this text. The book adopts the scheme of commenting upon each of the articles of India's Constitution *seriatim* with good references to the forty six amendments made to the Constitution till 1982. There is a good Introduction spread over forty seven pages and good case and subject indexes. An index of statutes is not generally included in books on this subject. Its feasibility is probably doubted by Indian authors considering how long the index may turn out to be if both federal and all the state laws that figure in cases are to be listed. I think a list of statutory provisions held to be unconstitutional by the Indian Supreme Court would be useful. Indeed, equally useful would be another list of statutes whose constitutionality had been upheld by the Supreme Court. Such lists may be revealing in more ways than one.

In order to reduce the bulk of the book a small yet readable print has been used. It is smaller than the print size used in most books currently published. Authors of standard texts wish to avoid producing fat tomes for fear of alienating students and non-specialist readers (but fat tomes may at times impress some colleagues and some relations!). While I am sympathetic to this sentiment I think economy of size should not mean that the treatment of the subject takes the form of short and dry statements of case-law, here rules and concepts found in the decisions of the Supreme Court of India. I fear that an exclusive concentration on a technical presentation of the subject may result in an undifferentiated picture with no accent on either the times or the context of the society which makes, and is governed by, these rules of constitutional law. Matters can be improved by drawing attention, where appropriate, to the national and social impact of constitutional developments. Such impact may be measured in many ways, such as, through a sense of history, through a sense of institutional roles or through a sense of comparative benefit. In all of these one would get the author's own assessment with all the value-judgment that is inevitable.

In many commendable books on Indian Constitutional Law one finds very few pointers or emphasis on the directions the law has taken. It is generally assumed that the merits and demerits of decisions should be left to articles in law journals and to books written upon specific themes of Constitutional Law. I agree that it is essentially the lawyers' concerns that are catered for by these books. But, as I have said in my review of Mahajan's book (above), readers in general and students in particular, should not be left with the impression that there is little else in Constitutional Law other than the *rationes* as presented in text books. The subject has been

shown to subsist in the frontiers of Law, Political Science, Politics, Economics and Sociology.

In the book under review I would have liked more references to the work of the Indian Constituent Assembly. There are only three such references (according to the Subject Index). As I attach some importance to the historical dimension, I would have also liked some more background to questions of 'protective discrimination', 'untouchability' and the controversies surrounding constitutional amendments.

The book is well written and well produced. If Eastern Book Company continue to maintain this standard of production, I am sure, they would be more than a match to some of the other well-known publishers in India. Lastly, I would like to commend the editor, Professor D.K. Singh, on his pains-taking and careful editing of a good book on the law of the Constitution of India.