

SOME PROBLEMS OF ADMINISTRATIVE LAW IN INDIA WITH SPECIAL REFERENCE TO PUBLIC CORPORATIONS. By A. P. Hassumani. [London: Asia Publishing House. 1964. vi + 99 pp. (incl. index). 25s.]

Originally prepared as a thesis for the LL.M. degree of the University of Bombay, this monograph seeks to achieve a lot more than its small size might suggest. In the author's own words "the title of this book is ambitious: indeed it is positively misleading . . . All that is claimed is an honest appraisal of the chaotic condition of administrative law in India and the resulting real and potential harm that is to ensue, if we show indifference or cynical nonchalance to what is happening." (p. vi)

Thus, if the reader hopes to find a comprehensive account of Administrative Law in this book, he would be disappointed. For this the reader would have to turn to other works. All that the author has done in this book is a statement of some of the problems pertaining to Administrative Law with special reference to the conditions in India. The problem of public corporations is dealt with in the second chapter only, while the first introductory Chapter is devoted to a discussion of the meaning and scope of Administrative Law. In the third chapter the author considers whether the existing system of judicial review is adequate to meet the problem and observes that "the ordinary courts are not always suited to the task or if we may put it alternatively, the disputes are not suitable for decisions by ordinary courts." (p. 44). He observes further that "the ordinary courts . . . cannot afford a true guarantee to the individual of equality before the law and rule of law in the face of daily increasing scope and complexity of interference by public authorities with the lives and activities of the subject under the authority of statutory powers." (p. 45). In this context the author suggests the setting up of administrative tribunals as an integral part of the judicial system and the establishment of an office of Public Prosecutor in administrative law cases. These suggestions, though revolutionary, merit careful consideration.

In Chapter III the author makes a casual reference to delegated legislation and although he proposes to comment upon it "in detail" in Chapter V, what he has actually succeeded in doing is a brief catalogue of views and opinions expressed on the subject by other writers. Despite his LL.M. degree, Mr. Hassumani is essentially

a civil servant and not a lawyer. Nor is he a law teacher or legal scholar. Thus, his treatment of the subject is rather superficial. He does make occasional references to some Indian decisions, but his citations are incomplete and in some cases there are no citations at all. Specific references to and foot-notes for the quotations appearing in the text are also lacking. Apart from these defects in technique, the book appears to suffer also from inadequate proof-reading. Thus, there are such ugly misprints as "Griffith and Spreet" (p. 3) and "duty to act judiciously" (p. 12), and such incomplete and unintelligible sentences as "Proceedings by way of *certiorari* under Article 226 are 'not of course.'" The bibliography that appears at the end of the book is grossly inadequate. The omissions may be inadvertent, but the non-inclusion of such well-known works as *Judicial Review of Administrative Action* by Dr. Markose and the serial publications by the Indian Law Institute on specific problems of Administrative Law in India is hardly excusable.

Despite these limitations the book is well worth reading by every student of Administrative Law. Whether or not it has succeeded "in provoking the righteous indignation of our legal luminaries and the high priests of Administration," as the author has hoped, however, remains to be seen.