

Durga Das Basu

Administrative Law

JUDICIAL CONTROL OF ADMINISTRATIVE ACTIONS

LIABILITY OF THE STATE AND PUBLIC SERVANTS

QUASI-LEGISLATIVE FUNCTIONS OF
THE ADMINISTRATION

DEVELOPMENT OF ADMINISTRATIVE LAW

STATUTORY AUTHORITIES IN GENERAL

PURELY ADMINISTRATIVE FUNCTIONS

STATUTORY DOMESTIC TRIBUNALS

GOVERNMENT COMPANIES AND NON-STATUTORY
PUBLIC UNDERTAKINGS

STATUTORY AND PUBLIC CORPORATIONS

ADMINISTRATIVE TRIBUNALS

SEPARATION OF FUNCTIONS

LIMITS OF JUDICIAL REVIEW

COMMISSIONS OF INQUIRY

NATURAL JUSTICE

OMBUDSMAN

QUASI-JUDICIAL FUNCTIONS

DOCTRINE OF ULTRA VIRES

FORMS OF JUDICIAL REVIEW

ADMINISTRATIVE ACTION



KAMAL LAW HOUSE
KOLKATA

ADMINISTRATIVE LAW

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Preface To The Sixth Edition

Here is the 6th edition of this important and vital book. The space left void since the earlier 5th edition has been made good in this 6th edition by adding or recasting material in tune with such developments as came about in between the two editions. Quite several new topics important as also interesting to all segments of the legal profession, be he one with long and established practice or a fresh entrant in the profession or for that matter, albeit somewhat at a little remove, even one studying law for a career in legal practice, have been critically considered in this current edition, embracing within its sweep finer and delicate points of law to help one present his view appropriately at the relevant forum, if ever he be called upon by necessity to justify his stand on any debatable issue or matter on the intricate subject. In addition, the *relevant case laws of the Supreme Court till the most recent time* have been incorporated for sound briefing on any vital aspect. With the gradual intervening of larger interests of the legal community since the maiden edition, it was thought fit to tone up the work as a most effective tool for lawyers. Hence the subsequent presentations in succeeding editions in an elaborate format. Since many of the cases under Art. 226 of the Constitution come within the purview of administrative law, it is advisable that readers, lawyers at that mainly, should keep the Author's *Shorter Constitution of India* and the instant volume side by side for a ready or better comprehension of any issue or point that may even lack a constitutional aspect of primary character.

The Indian Administrative Law at its root owes mostly to the English Common Law and with the passage of time has reinforced itself with the principles of U.S. Judicial Review, for, like in the U.S.A., the written Constitution of India with a Bill of Rights and Judicial Review is empowered to control the powers of the Executive.

Judicial activism in the shape of trenchant review and prompt action, followed by the Supreme Court in recent years, governed upon American principles, to give free voice to such bold doctrines as non-arbitrariness and fairness needs to be struck a balance by a comparative study of the Articles embodying Fundamental Rights and Directive Principles of State Policy.

Lastly, it is hoped that the latest case laws of the Supreme Court along with the decisions of different High Courts in this edition will enhance the utility of the book to its users.

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