



“In a religious endowment, however, where the deity who is a perpetual infant is the legal owner of the property and the shebait occupies the position of managers or guardians, the position is different.”

The seeming inconsistency might have been obviated.

It is hoped that the points made out would add to the excellence of the work under review, for the objections are too few in comparison to its magnitude, and true criticism gives rise to works of quality.

S. Venkataraman*

The Law of Admissions and Law of Confessions, by Y. H. Rao and Y. R. Rao (Wadhwa & Co.—Agra and Indore) 1960, 2nd Ed., pp. 665. Price Rs. 22.50.

The law relating to admissions and confessions constitutes an important branch of the law of Evidence and Procedure. It plays a significant role in the administration of justice, especially in criminal cases. Since this branch of the law deal not merely with the provisions on the Indian Evidence Act, 1872, but also with the allied and connected provisions of the Code of Criminal Procedure, 1898, there is ample justification for making a special study of these subjects. Besides a large volume of case-law has grown around the problems like ‘relevancy’ and ‘admissibility’ of admissions and confessions and the weight that should be attached to them. There is, therefore, the need for a systematic analysis and examination of the case-law on these subjects.

The book under review is primarily confined to criminal proceedings. The method of treatment adopted by the authors has much to be said in its favour. They have avoided the method of commentaries on sections; instead, they have followed the pattern of discussions on various topics. From the practitioner’s point of view, the arrangement of cases court-wise is particularly advantageous.

The authors have taken meticulous care to bring in all the material case-law on these subjects and earnestly endeavoured to make the case-law up-to-date. This may be gathered from the incorporation of *Deoman Upadhyaya v. State*¹ wherein the Allahabad High Court held

* Principal, Andhra University College, Waltair.

1. A.I.R. 1960 All. 1.



Section 27 of the Evidence Act, 1872 unconstitutional. Incidentally it may be mentioned that on an appeal from the above decision, the Supreme Court by a majority decision upheld the constitutional validity of the said section.²

Despite the attempt made by the learned authors to exhaust the case-law, *Public Prosecutor v. D. V. Narasayya*³ a decision in which the scope of the privilege enjoyed by public documents under sections 123 and 124 of the Evidence Act was extensively discussed escaped their notice. The Supreme Court of India has also made an authoritative pronouncement on the scope of these two sections in *State of Punjab v. Sodhi Sukhdev Singh*⁴.

This book will be useful to lawyers and judicial officers. There is clarity in the presentation and originality in the thought process. The book has no index. The authors' explanation in the Preface to the First edition that a subject index is an "apology for ill-arranged matter" is not convincing.

Vepa P. Sarathi.

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2. See *State Deoman Upadhyaya*, A.I.R. 1961 S.C. 14.
 3. A.I.R. 1957 Andhra 486.
 4. [1961] 2 S.C.R. 371.