

THE RAILWAY CLAIMS TRIBUNAL : LAW AND PRACTICE (1991),  
By M.L. Jand, Bahri Brothers, Delhi, pp, xxxvi + 611, Price Rs. 300.

THE RAILWAYS ACT, 1989,<sup>1</sup> which replaces a century old Indian Railway Act, 1890, *inter alia*, imposes liability on the railway administration for loss, destruction, damage, deterioration or non-delivery of goods or animals entrusted to it for carriage<sup>2</sup> and for death and injury to passengers due to accidents.<sup>3</sup> It provides for compensation to aggrieved individuals. Such a compensation has to be determined by a Railway Claims Tribunal.

The Railway Claims Tribunal Act, 1987 provides for establishment of a Railway Claims Tribunal to inquire into and determine claims against the Railway Administration for : (i) loss, destruction, damage, deterioration or non-delivery of animals or goods entrusted to it to be carried by railway, (ii) refund of fares or freight and (iii) compensation for death or injury to passengers occurred in railway accidents.

The Act deals with composition of the Railway Claims Tribunal and it's Benches; their jurisdiction, powers and authority, procedure for determination of claims and incidental matters. A Railway Claims Tribunal is expected to settle claims against the railway administration expeditiously and provide quick relief to the victims of rail accidents and to those whose goods are lost or damaged in transit.

The book under review written by a person closely associated with the railway administration offers an exhaustive analytical section-wise commentary of the Railway Claims Tribunal Act of 1987.

Introduction of the book, which encompasses a few prominent facets of administrative adjudication, not only outlines scheme of the Railway Claims Tribunal Act and gives it's salient features but also delves into *raison detre* of administrative adjudication, and its comparative advantages and disadvantages. It traces the growth of administrative adjudication and discusses factors responsible for such growth. It also gives, in brief, organisation of, and procedure in, administrative adjudication in India, France, UK, USA, New Zealand and Australia. With a view to acquaint readers of the book with 'tribunals at work' the author discusses powers and working of a few tribunals in India such as Railway Rates Tribunal, Income Tax Appellate Tribunal, LIC Tribunal and Workmen's Compensation Tribunal.

The book offers section-wise commentary of the Railway Claims Tribunal Act of 1987. It is divided into seven chapters excluding it's introduction. They are captioned as : Preliminary, Establishment of Railway Claims

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1. For commentary see, M.L. Jand, *Commentaries on the Railways Act, 1989* (1991).  
2. Chapter XI.  
3. Chapter XIII.

Tribunal and Benches Jurisdiction, Powers and Authority of Claims Tribunal, Procedure, Appeals, Miscellaneous and Amendments to the Railways Act. Texts of Finance and Administrative Power Rules, Salaries, Allowances and Conditions of Service of Chairman, Vice Chairman, and Members, Rules; Railway Accident (Compensation) Rules, 1989; Railway Claims Tribunal (Procedure) Rules, 1989, Railway Accidents (Compensation) Rules, 1990 and the Railways Act, 1989 constitute appendix of the book. Analysis of the individual sections of the Act is lucid, and exhaustive. References to the relevant provisions of the Railways Act of 1989 at the appropriate places add to clarity of the provisions of the Claims Tribunal Act. The book which offers lucid account of composition of Railway Claims Tribunals, analysis their jurisdiction, power and authority and procedure to be followed by them, is not only indispensable for persons associated with, and interested in the railway administration in general and the Railway Claims Tribunal in particular, but also deserves to be a good addition in the libraries of law colleges, law departments and departments of Political Sciences and Public Administration.

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