



CENTRAL ADMINISTRATIVE TRIBUNAL DIGEST 1986-1994 (1995). By Surendra Malik. Eastern Book Company, Lucknow. Pp. clxvii + 885. Price Rs. 480.

TRIBUNALS FORM an important part of the quasi-judicial system of India. They have been set up in various spheres such as labour, foreign exchange, tax and services. These bodies were envisaged to be more informal, accessible, expeditious and less expensive.<sup>1</sup> So as to promote such objectives in relation to service matters, the Administrative Tribunals Act 1985 was enacted, which provides for the establishment of a Central Administrative Tribunal (CAT) with Benches all over India. Presently, we have seventeen such Benches including the principal Bench at New Delhi.

It goes without saying that CAT was envisaged because various High Courts had become flooded with writ petitions on service matters by government servants concerned. Given the enormous workload of quasi-judicial bodies such as CAT, the prevalent formalism syndrome in quasi-judicial determinations, and the functioning of various vested interests, these bodies could not fully promote the above-stated goals. Mostly, the precedent-dominated judicial-determination became the rule. In such a scenario it is important that precedents as laid down by various Benches of CAT demonstrate a reasonable degree of uniformity so as to ensure certainty, forecasting and precision. The journals like *Administrative Tribunal Cases* (ATC) and others have made good contribution in reporting cases of various Benches of the CAT. However, the need for a comprehensive topic-wise digest was long overdue. The Digest under review<sup>2</sup> fulfills this long standing need. It covers CAT cases reported in different law reports during 1986-94 with special emphasis on Full-Bench cases. Malik has done a commendable job in including almost each and every important case on the subject and in analysing the law-points involved in it. He has not just followed the topic-wise approach but has also made sure that a comprehensive cross-referencing and citation is reported concerning each service rule or regulation involved in the case. This cross-referencing therefore ensures the statute approach through the title of the Act or service rule. This helps locating the exact topic and sub-topic headings. Location of related service rules and other available rulings becomes easy by use of such a digest. As is known, the same aspect is covered in a number of service rules.

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1. This role of tribunals is discernible from the structure of and procedural freedom given to these bodies. Similar objectives have been claimed of them in UK. See, e.g., Linda Dickens, Michael Jones, Brian Weeks and Moira Hart, *Dismissed - A study of Unfair Dismissal and the Industrial Tribunal System* (1985). Also see, Debi S. Saini, "The specialist's Role of Industrial Tribunals", *Lab I C J* (1993); Debi S. Saini, "Delay in Industrial Adjudication . Crisis of the Tribunal System", *XVI Cochin U L Rev.* 209 (1992); Debi S. Saini, "Formalism Syndrome in Decisions of Industrial Tribunals", *15. Delhi L Rev.* 16 (1993), and Debi S. Saini (ed), *Labour Judiciary, Adjudication and Industrial Justice* (1994).

2. Surendra Malik, *Central Administrative Tribunal Digest 1986-1994* (1995).



Cross-citations have been made of most of the important law reports. The editor has also succeeded in providing precise and well-edited notes. The reader also gets impressed with the imaginatively conceived statute guides, tables and the noter-up. The use of this digest will help promoting a greater amount of uniformity amongst various benches of CAT, which should eventually result in expediting the case disposals.

The major topics selected for digesting the cases include, (i) Allowances, (ii) Departmental Enquiry (iii) Deputation, (iv) Misconduct, (v) Natural Justice, (vi) Pay, (vii) Pension, (viii) Promotion, (ix) Punishment, (x) Reinstatement, (xi) Seniority, (xii) Termination, (xiii) Transfer, etc. The way the digest has been prepared the user can easily make a catena of cases for quick reference. Undoubtedly, this digest is a good attempt on the part of the editor who must have put in enormous efforts to produce it. One can hardly find any mistakes. Citations and referencing are done in a professionally competent manner. The self-explanatory head-notes, which have the support of excerpts from the judgment concerned, add to the value of this source material.

The author deserves compliments for his efforts in producing this digest. Keeping in view the amount of information contained in it and its size, the digest is reasonably priced as well. It will be an excellent source of reference for lawyers, judges, academics, students and researchers in service jurisprudence. It will remain perhaps the finest source material on this subject for a long time.

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