Comparative administrative law, with special reference to the organisation and legal position of the administrative authorities in British India

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Author: Ghose Nagendranath Nath

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COMPARATIVE ADMINISTRATIVE LAW,

WITH SPECIAL REFERENCE TO THE ORGANISATION AND LEGAL POSITION OF THE ADMINISTRATIVE AUTHORITIES IN BRITISH INDIA.

BY

NAGENDRANATH GHOSE, M.A., B.L., VAKIL, HIGH COURT, CALCUTTA.

"And the lawyer’s profession demands of him something more than the ordinary public service of citizenship. He has a duty to the Law. In the cause of peace and order and human rights against all injustice and wrong, he is the advocate of all men present and to come."—Mr. ELIHU ROOT. (Commencement address before the Yale Law School, New Haven, June 27, 1904).

Calcutta.

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PREFACE.

The text of these lectures had been completed before May 1918. Since then, several events of capital importance from the point of view of students of comparative politics, and of Indian students in particular, have taken place. They are, first, the publication of the Montague-Chelmsford Report on Indian Constitutional Reform, references to which will be found in numerous footnotes throughout the book (vide Index, under heading, Montague-Chelmsford scheme of constitutional reform for India). Secondly, the termination of the War involving (as it has done) (i) the destruction (amongst others) of the German and Prussian governments, to a consideration of which a great deal of space had necessarily to be devoted, and which cannot be ignored even now or hereafter in any historic study of comparative politics such as the present lectures profess to be; and (ii) the nearly world-wide upheaval of Labour which the author sincerely hopes will yet, under judicious guidance, suffer itself to be reconciled and regulated. As to the former, the author believes that, as in the case of other historic polities, the constitutional changes in Germany, revolutionary as they now appear to be, will fail immediately to make any deep impression upon the methods of administration—which he expects will remain for many years yet organically one with that which prevailed in the Hohenzollern regime. It may in any case be safely assumed that the new forms of administration which may be expected to arrive in Germany and elsewhere are not likely to take shape within the next decade. The third event is the passing through the Legislative Council of the Governor General of India of the first of the two Rowlatt Bills for a term of three years from the expiry of the present Defence of India Act, some emergency provisions whereof the new enactment virtually incorporates in the Statute-book of India on a more permanent footing than that Act. All that need be stated here in its connection is that the bearing of these provisions of the Defence of India Act and other similar legislation on the administrative system has been duly considered in the text.

14th April, 1919.                    N. G.
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