

**ADMINISTRATIVE LAW
AND
THE PUBLIC ADMINISTRATION**

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Abstract

Administrative law is, in fact, a branch of legal discipline but is not well understood among the legal fraternity of Pakistan. This non awareness of the law profession community with the subject of administrative law is a) due to its application in a particular region i.e. Public Administration and b) the subject was introduced, for the first time in the start of seventies, when the clause for administrative tribunals was included in the interim Constitution of 1972, in Pakistan. Though some renowned scholars and writers of our country had been kept on trying for the introduction of a new system under administrative law. The prevailing system of Administrative Tribunals and Administrative Law, in Pakistan, is certainly the result of their efforts.

This paper consists of two parts, the first is about the introduction to Administrative Law and in the second part an attempt has been made to explain the relationship of administrative Law with Public Administration.

Introduction to Administrative Law:

Administrative law is viewed as (law) relating to public administration. It is concerned from the legal point of view, with the forms and constitutional position of public authorities. It is also concerned with their powers and duties, their legal relationship with one another, with the public and with their employees (Foulkes 1982 5th ed p1).

Historically administration came first. The organization of human community by generous and others who had assumed authority, by one device or the other, came long before the commencement of any theories about the structure of power and responsibility among the people who were being thus organized. In the course of many centuries in one country after another the absolute authority was dispersed among the peoples' leaders through the agency of democracy, but curiously enough, in all these cases, the administration remained untouched. It was organized, as an instrument to be used at will by the person in authority. When personal rule was replaced by the rule of the leader of a political party, the administrative body knew its place and acted accordingly, becoming a handmaid to the new rulers. The administrator have always acted in the manner of educators of the new rulers after they have come into power, having earlier played no small role in preparing them for their new responsibilities. It thus happens that whenever the new political arrangements led to wider dispersion of