

TKN/KS/16-7279

**Tenth Semester B. A. LL. B. Five Years
Course (Credit Based System) Examination**

Course Code – 10.1

ADMINISTRATIVE LAW

Paper – I

Time : Three Hours]

[Max. Marks : 80

- N. B. : (1) Attempt all Sections. Section A consists of 10 marks. Section B consists of 30 marks. Section C consists of 40 marks.
(2) Follow the instructions given in each Section.
(3) Marks are indicated against each question.

SECTION A

1. Choose the correct alternative (any ten) :—

- (i) The committee on Minister's Powers appointed by the British Parliament in 1929 was also called as the ——— .
(a) Frank's Committee.
(b) Donoghmore Committee.
(c) Oliver Committee.
(d) Fraser Committee.
- (ii) Delegatas non potest delegare means ——— .
(a) a delegate can sub – delegate.
(b) a delegate ought not to sub – delegate.
(c) a delegate cannot further delegate.
(d) None of the above.

- (iii) ——— is popularly called as the Habeas Corpus case.
(a) Anwar Ali Sarkar – Vs – State of W. B.
(b) Indira Nehru Gandhi – Vs – Rajnarain.
(c) ADM Jabalpur – Vs – Shivkant Shukla.
(d) Kesavanand Bharti – Vs – State of Kerala.
- (iv) The Consail d'Etat is the highest tribunal established in ——— .
(a) U. K.
(b) U. S. A.
(c) Sweden.
(d) France.
- (v) State of Rajasthan Vs – Vidhyawati concerns ——— .
(a) Governments contractual liability.
(b) Governments tortious liability.
(c) Governements penal liability.
(d) None of these.
- (vi) Abuse of discretion may arise when the authority ——— .
(a) Leaves out relevant considerations.
(b) Leaves out irrelevant considerations.
(c) Acts within jurisdiction.
(d) Acts in good faith.
- (vii) Legitimate Expectations may arise if there is ——— .
(a) An express promise.
(b) a past practice.

- (c) Both (a) and (b).
 (d) None of the above.
- (viii) Doctrine of unjust enrichment is ____ .
 (a) An equitable principle.
 (b) A legal principle.
 (c) A contractual principle.
 (d) All the above.
- (ix) The commission of Inquiry Act came to be enacted in the year ____ .
 (a) 1949.
 (b) 1950.
 (c) 1951.
 (d) 1952.
- (x) ____ defined administrative law as the law relating to administration.
 (a) Dicey.
 (b) Wade.
 (c) Forsyth.
 (d) Jennings.
- (xi) ____ is not an administrative function.
 (a) An order of preventive detention.
 (b) An order of externment.
 (c) An order setting up a commission of enquiry.
 (d) dismissal of an employee on the ground of misconduct.

- (xii) "Removal of difficulty" clauses have been nicknamed as ____ .
 (a) Henry I clause.
 (b) Henry V clause.
 (c) Henry VII clause.
 (d) Henry VIII clause.
- (xiii) The concept of rule of law was propounded by ____ .
 (a) Pound.
 (b) H. L. A. Hart.
 (c) Bentham.
 (d) Dicey.
- (xiv) The institution of ombudsman was first developed in ____ .
 (a) Norway.
 (b) USA.
 (c) France.
 (d) Sweden.
- (xv) According to the principle of ____ , if a petition has been heard and dismissed the same petition on the same ground cannot be reagitated
 (a) Rule of law.
 (b) Promissory estoppel.
 (c) Res judicata.
 (d) Legitimate Expectations. 1 × 10 = 10

SECTION B

(Short Answer Questions)

2. Write short notes on (any **three**) :—
 - (a) Reasons for the growth of Administrative Law.
 - (b) Rule against bias.
 - (c) Central Vigilance Commission.
 - (d) Distinguish between — Judicial and Quasi Judicial functions. 5 × 3 = 15
3. Write notes on (any **three**) :—
 - (a) Write of Mandamus.
 - (b) Relationship between administrative law and constitutional law.
 - (c) Lokpal and Lok Ayukta.
 - (d) Separation of powers — Relevance today. 5 × 3 = 15

SECTION C

(Long Answer Questions)

Attempt any **five** questions :—

4. "The Tribunal has been contemplated as a substitute and not as supplemental to the High Court" — Discuss this statement in the light of Supreme Courts decision in Sampath Kumar and L. Chandra Kumar.
5. What is meant by administrative discretion ? Discuss the discretionary powers of administration Vis – a – vis the Fundamental Rights.

6. What is meant by tortious liability ? Can the Government be held liable in tort ? Discuss with cases.
7. What is meant by delegated legislation ? How does Parliament control delegated legislation ?
8. In view of the Supreme Court ruling in Delhi Laws Act case, discuss the doctrine of Excessive Delegation.
9. "The doctrine of executive necessity cannot be involved by the government to get out of its promise" — Trace the development of the doctrine of promissory estoppel with decided cases.
10. Discuss "writ jurisdiction" as a remedy provided against state action.
11. What is meant by Public Corporation ? How are they classified ? 8 × 5 = 40