

Fourth Semester LL.B. Three Years Course (C.B.S.) Examination

ADMINISTRATIVE LAW

Compulsory Paper—1

Time : Three Hours]

[Maximum Marks : 80

Note :— (1) Attempt all questions. Section 'A' consists of 10 marks, Section 'B' consists of 30 marks and 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 writ of mandamus is an inappropriate remedy where _____.
 - (a) A person claims damages against the government for tortious action
 - (b) An authority does not perform a public duty
 - (c) An authority has to abstain from acting unlawfully
 - (d) A body omits to decide a matter which it is bound to decide
- (ii) In India the creation of the office of a Lokpal was recommended by the Administrative Reforms Commission in the year _____.
 - (a) 1965
 - (b) 1966
 - (c) 1967
 - (d) 1968
- (iii) The Central Vigilance Commission was established as a result of the recommendations of the _____ Committee.
 - (a) Vigilance
 - (b) Santhanam
 - (c) Estimates
 - (d) Harekrishna
- (iv) The scope of judicial review of an administrative action is limited to _____.
 - (a) Consideration of legality of decision making process
 - (b) The legality of the administrative order per se
 - (c) Both (a) and (b)
 - (d) None of the above
- (v) As per the Commissions of Inquiry Act, 1952 "commission" means a commission of inquiry appointed under S. _____ of the Act.
 - (a) 2
 - (b) 3
 - (c) 4
 - (d) 5
- (vi) Art. _____ of the Constitution of India immunizes the President or the Governor or the person executing any contract from any personal liability in respect of any contract relating to the government.
 - (a) 298 (2)
 - (b) 299 (1)
 - (c) 298 (1)
 - (d) 299 (2)
- (vii) "It is logically impossible to distinguish administrative law from constitutional law and all attempts to do so are artificial" observed _____.
 - (a) Salmond
 - (b) Dicey
 - (c) Keith
 - (d) Maitland

- (viii) In which of the following cases it was held by the Apex Court that if the Government or the detaining authority was represented through a legal adviser before the advisory board, the detenu well also have such a right.
- (a) A.K. Roy-vs-UOI (b) Bhagat Ram-vs-State of H.P.
(c) Krishna Chandra-vs-UOI (d) None of the above
- (ix) The function of _____ is to quash a decision already made.
- (a) Prohibition (b) Quo Warranto
(c) Certiorari (d) Habeas Corpus
- (x) Disadvantages of an enterprise run by the government departmentally include ____.
- (a) Red tapism (b) Operational autonomy
(c) Both (a) and (b) (d) Neither (a) nor (b)
- (xi) Which of the following is not a proposition laid in the case of Local Government Board-vs-Arlidge as regards institutional decisions ?
- (a) It is not necessary to identify the individual official who makes the decision
(b) One person can hold inquiry and another can decide
(c) The person who decides must hear
(d) None of the above
- (xii) Peninsular and Oriental Steam Navigation Co.-vs- Secretary of State concerns government's _____ liability.
- (a) Contractual (b) Tortious
(c) Penal (d) None of the above
- (xiii) In 1960, the _____ Committee recommended that "all wholly state-owned public undertakings should generally be in the form of statutory corporations."
- (a) Sachar (b) Chagla
(c) Estimates (d) Franks
- (xiv) Which of the following is true about the role of the Central Vigilance Commission ?
- (a) Its main concern is with matters of corruption, misconduct and lack of integrity on part of government servants
(b) Its role is limited and only advisory
(c) Both (a) and (b)
(d) None of the above
- (xv) The institution of Ombudsman was first developed in Sweden in the year ____.
- (a) 1806 (b) 1803
(c) 1906 (d) 1809

1×10=10

SECTION-B

Note :— Both the questions in this section are compulsory.

2. Answer the following (any **three**) :

- (a) "Rule of law means that the law rules"— Explain.
(b) Administrative law and constitutional law – the relation.
(c) Since government is a government, law allows certain privileges to the Government – Discuss.
(d) Ombudsman is the watchdog of the administration – Elaborate. 5×3=15

3. Write short notes on (any **three**) :

- (a) Classification of administrative functions.
(b) Public Corporations – meaning and kinds.
(c) Administrative Tribunals and courts – the difference.
(d) Commissions of Inquiry – the need. 5×3=15

SECTION-C

Note :— Answer any **five** questions of the following :

4. "Excessive delegation of rule-making powers is unconstitutional" – Discuss in view of Delhi Laws Act case. Which are the functions that can be delegated ?
5. What is meant by a government contract ? Can the government be made liable for breach of contract ? How ?
6. Trace the development of the doctrine of promissory estoppel vis-a-vis the State, with the help of decided cases.
7. Define "administrative law". What are the reasons which have led to the growth of administrative law in the present times ?
8. "Natural justice represents higher procedural principles which every administrative agency must follow in taking any decision" – Discuss in the light of Judicial pronouncements.
9. Write a detailed note on the Constitutional remedies available against the State in the light of landmark decisions.
10. What is meant by discretionary powers of the administration ? How can the exercise of discretionary powers be controlled ?
11. "Power in the hands of administrative authorities is a public trust which must be exercised in the best interest of the people" – In this context discuss the doctrine of public accountability.

8×5=40