

2024

LAW

Paper: LLB 404

(Administrative Law)

Full Marks: 80

Pass Marks: 36

Time: Three hours

The figures in the margin indicate full marks for the questions

1. Choose the correct answer: **1x10=10**

- a) "Administrative law is the law relating to the control of governmental power." This statement was given by ____.
- (i) Salmond
 - (ii) M.P. Jain
 - (iii) Wade
 - (iv) Freud
- b) Delegatus non potest delegare means ____.
- (i) a delegate cannot further delegate
 - (ii) a delegate can further delegate
 - (iii) delegation is bad in law
 - (iv) None of the above
- c) When a sub-ordinate legislation fails to comply with the procedural requirement by the parent act or by a general law, it is known as ____.
- (i) Procedural ultra vires
 - (ii) Substantive ultravires
 - (iii) Parent Ultravires
 - (iv) None of the above

- d) Dicey developed this theory of 'Rule of Law' in his classic work _____.
(i) The Law and the Constitution
(ii) The Spirit of Laws
(iii) The Law and the Spirit
(iv) None of the above
- e) Article _____ of the Constitution of India confers on every High Court, the power of superintendence over all the sub-ordinate Courts and inferior tribunals in the State.
(i) Art. 32 (ii) Art. 226
(iii) Art. 227 (iv) Art. 239
- f) Under the Constitution of India, Art _____ authorized to constitute administrative tribunal.
(i) Art. 300 (ii) Art. 323-A
(iii) Art. 323-B (iv) Art. 299
- g) Writ of Quo Warranto can be issued _____.
(i) against public officer, who wish to assume the office
(ii) against public officer, who is holding public Office
(iii) against any person
(iv) All of the above
- h) The Supreme Court in _____ case, by a majority held that during the emergency and suspension of Fundamental rights, no person has a Locus Standi to move any court for writ of Habeas Corpus.
(i) ADM Jabalpur vs. Shivkant Shukla
(ii) S.P. Gupta vs. Union of India
(iii) Maneka Gandhi vs. Union of India
(iv) None of the above

- i) Hear the other side is referred as _____.
(i) Audi Alteram Partem
(ii) Locus Standi
(iii) Intra vires
(iv) None of the above
- j) The Right to Information Act, 2005 came in to force on _____.
(i) 12th October, 2005
(ii) 15th June, 2005
(iii) 2nd July, 2005
(iv) None of the above

2. Write short notes on the following :

2x5=10

- a) Modern concept of Rule of law.
- b) Droit Administratif
- c) Difference between Tribunal and Court.
- d) Quasi Judicial function.
- e) Liabilities of Administration in Contract and Tort.

3. (a) Define Administrative law and explain its nature, scope. Bring out the relationship between Administrative law and Constitutional law? 8+4=12

Or

- (b) Explain the Montesquieu's Theory on Separation of Powers specified in Administrative law and its application in relation to the Indian Constitution.

6+6=12

(Turn Over)

4. (a) Explain the concept and reason for the growth of delegated legislation? What are the advantages and disadvantages of Delegated Legislation? 8+4=12

Or

- (b) Discuss in detail the control- mechanism of delegated Legislation with leading cases. 12

5. (a) Write a detail note on the principles of Natural Justice with the help of relevant case law. 12

Or

- (b) What do you mean by Rule Against Bias? Discuss the application of the rule in Indian Law. 6+6=12

6. (a) How judiciary controls administration through writs? Explain the various kinds of writs and conditions to grant remedy under writs. 4+8=12

Or

- (b) What do you mean by Judicial Review? Write an exhaustive note on the position of Judicial Review in India. Is it a basic feature of the Constitution of India? 4+6+2=12

7. (a) What is the object of Right to Information Act, 2005. Is RTI a Fundamental Right. How far is it available in India. 4+4+4=12

Or

- (b) What do you mean by Doctrine of Pleasure? Discuss the procedural safeguards guaranteed to the Civil Servant under Art. 311(2) of the Constitution of India. Is there any exception? 3+5+4=12

Total number of printed pages-7

63/9 (SEM-4) LLB/LLB404

2025

LAW

Paper : LLB404

(Administrative Law)

Full Marks : 80

Pass Marks : 36

Time : Three hours

The figures in the margin indicate full marks for the questions.

1. Choose the correct answer : $1 \times 10 = 10$
- (i) Who has written the book, 'The Law and the Constitution' ?
- (a) Edward Coke
- (b) A. V. Dicey
- (c) Prof. Roscoe Pound
- (d) Prof. Joseph L. Sax

(ii) Administrative Law is the branch of _____.

- (a) Public Law
- (b) Statutory Law
- (c) Natural Law
- (d) Customary Law

(iii) The principle of 'Rule of Law' is embodied mainly in the following articles of the Constitution _____.

- (a) Article 14
- (b) Article 32
- (c) Article 15
- (d) Article 42

(iv) Franks Committee was appointed to make recommendations of the Constitution and working of administrative _____.

- (a) tribunals
- (b) agencies
- (c) Lok Adalat
- (d) Labour Court

(v) Ombudsman is a public official entrusted to curb :

- (a) Criminals
- (b) Corruption
- (c) Extortion
- (d) Terrorist

(vi) The Administrative Tribunal have been recognized under which of the following articles of the Constitution ?

- (a) Article 323A and 323B
- (b) Article 136 and 227
- (c) Article 236 and 237
- (d) Article 150 and 151

(vii) Under which Article of the Constitution of India, Public Interest Litigation is justified ?

- (a) Article 14
- (b) Article 19
- (c) Article 21
- (d) Article 32

(viii) When a subordinate legislation goes beyond what the delegate is authorized to enact is known as :

- (a) substantive
- (b) procedural
- (c) equity
- (d) morality

(ix) In which of the following writs the principle of *res judicata* does not apply to _____.

- (a) Mandamus
- (b) Prohibition
- (c) Habeas corpus
- (d) Quo warranto

(x) Administrative Tribunals are established under _____.

- (a) Administrative law
- (b) Constitutional law
- (c) Administrative Tribunal Act
- (d) Company Act

2. Write short notes on : 2×5=10

(i) Administrative discrimination

(ii) Personal Bias

(iii) Conseil d'Etat

(iv) Locus standi

(v) Right to know

3. Define Administrative Law. Explain the nature and scope of Administrative Law. What do you mean by quasi-judicial powers ?

3+7+2=12

Or

Discuss the theory of separation of powers. Explain its applicability in Indian context.

8+4=12

4. Describe delegated legislation. Write a note on the control mechanism of delegated legislation.

5+7=12

Or

What do you mean by substantive ultra vires and procedural ultra vires ? Discuss the circumstances in which a delegated legislation may be held invalid on the ground of substantive ultra vires.

4+8=12

5. Define 'Natural Justice'. Explain the principle of Fair hearing by referencing to decide cases. 4+8=12

Or

Write notes on :

4×3=12

- (a) Rule against Bias
- (b) Rule of fair hearing
- (c) Rule of reasoned decision

6. What is a prerogative writ ? Describe the different types of writs issued by the higher Courts in India. 2+10=12

Or

Write notes on :

4×3=12

- (a) Doctrine of legitimate expectation
- (b) Concept of laches
- (c) Jurisdiction of High Court under Article 226

7. Explain the doctrine of Pleasure. Discuss the Constitutional Protection of civil servants. 4+8=12

Or

“The concept of public interest litigation is of great social relevance to the modern society”. Explain. Suggest safeguards for proper working of this legal system in India. 10+2=12

2026

LAW

Paper : LLB404

(Administrative Law)

Full Marks: 80

Pass Marks: 36

Time: 3 Hours

The figures in the margin indicate full marks for the questions

1. Choose the correct answer: **1x10=10**

(a) Who has written the book, 'The Law and the Constitution'?

- | | |
|--------------------------|------------------------|
| (i) Edward Coke | (ii) A.V. Dicey |
| (iii) Prof. Roscoe Pound | (iv) Sir Ivor Jennings |

(b) French Legal system is also known as _____.

- (i) Droit administrative
- (ii) Conseil d'etat
- (iii) Judiciary
- (iv) Equality before Law

(c) Rule of Law is derived from the _____ phrase La principle de legalite.

- | | |
|-------------|------------|
| (i) French | (ii) Latin |
| (iii) Roman | (iv) Greek |

- (d) The Doctrine of Separation of power for the first time was systematically formulated by ____.
- | | |
|-----------------|---------------------|
| (i) Montesquieu | (ii) Jain & Jain |
| (iii) Dicey | (iv) Wade & Philips |
- (e) Natural Justice is a branch ____.
- | | |
|--------------|--------------|
| (i) Public | (ii) Private |
| (iii) Common | (iv) Civil |
- (f) Which function cannot be delegated?
- | |
|-------------------------------------|
| (i) Exclusion |
| (ii) Essential Legislative Function |
| (iii) Suspension |
| (iv) Commencement |
- (g) In State of W.B v. Shivananda Pathak, Apex court, described a new form of Bias ____.
- | | |
|---------------------|-------------------------|
| (i) Pecuniary Bias | (ii) Personal Bias |
| (iii) Official Bias | (iv) Judicial Obstinacy |
- (h) The Latin phrase ____ means 'have the body'.
- | | |
|-------------------|--------------------|
| (i) Mandamus | (ii) Habeas corpus |
| (iii) Prohibition | (iv) Certiorari |
- (i) Under which Article of the Constitution of India, Public Interest Litigation is justified?
- | | |
|------------------|-----------------|
| (i) Article 14 | (ii) Article 19 |
| (iii) Article 21 | (iv) Article 32 |

(j) Administrative Tribunals are established under _____.

- (i) Administrative law
- (ii) Constitutional law
- (iii) Administrative Tribunal Act
- (iv) Company Act

2. Write short notes on:

2x5=10

- (a) Modern concept of Rule of Law
- (b) Define Conseil De Etat
- (c) Locus standi
- (d) PIL
- (e) Right to know

3. Define Administrative Law and explain its nature & scope. Bring out the relationship between Administrative Law and Constitutional Law?

8+4=12

Or

Discuss the theory of separation of powers. Explain its applicability in Indian context.

8+4=12

4. What do you mean by delegated legislation? Discuss the reasons for growth of delegated legislation in this modern era of welfare state.

4+8=12

Or

What is 'substantive ultra vires' and 'procedural ultra vires'? Discuss the circumstances in which a delegated legislation may be held invalid on the ground of 'substantive ultra vires'.

4+8=12

5. Narrate the following aspect of natural justice citing relevant case laws: $2+4+4+2=12$

- (a) Audi alteram partem
- (b) Whether reasoned decision is a part of natural justice?
- (c) Circumstances for exclusion of the rules of natural justice.
- (d) Post Decisional Hearing.

Or

Write an exhaustive note on Administrative Tribunal. Distinguish between Administrative Tribunal and Courts of law. Is Administrative Tribunal bound by the decisions of Supreme Court and High Courts? Refer case laws. $5+5+2=12$

6. Discuss the territorial extent of writ jurisdiction of a High Court under Article 226 with jurisdiction of Supreme Court under Article 136. 12

Or

Write notes on:

$4 \times 3 = 12$

- (a) Doctrine of legitimate expectation
- (b) Concept of laches
- (c) Doctrine of Proportionality

7. What is public corporation? Whether public corporation is State under Article 12 of the Constitution of India? Discuss the liabilities of Public Corporation in India. $2+2+8=12$

Or

Explain the doctrine of pleasure. Discuss the Constitutional Protection of civil servants. $4+8=12$

2026

LAW

Paper : LLBCC2085

(Administrative Law)

Full Marks: 70

Pass Marks: 32

Time: 3 Hours

The figures in the margin indicate full marks for the questions

1. Choose the correct answer:

1x6=6

(i) "Administrative law is the law relating to the control of governmental power." This statement was given by_____.

- (a) Salmond
- (b) M. P. Jain
- (c) Wade
- (d) Freud

(ii) Delegata protestas non protest delegare means _____.

- (a) A delegate cannot further delegate
- (b) a delegate can further delegate
- (c) Delegation is restricted
- (d) delegation is bad in law.

(iii) Article _____ of the constitution of India confers on every High Court, the power of Superintendence over all the Subordinate courts and inferior tribunals in the State.

- (a) 32
- (b) 226
- (c) 227
- (d) 239

(iv) Franks Committee was appointed to make recommendations of the constitution and working of administrative_____.

- (a) Tribunals
- (b) Agencies
- (c) Lok Adalat
- (d) Labour Court

(v) Article _____ provides for procedural safeguards to civil servants.

- (a) 309
- (b) 310
- (c) 311
- (d) 312

(vi) Central Vigilance Commission was recommended by the_____.

- (a) Santhanam Committee
- (b) Reddy Committee
- (c) Fanks Committee
- (d) None of the above

2. Write short notes (any five):

2x5=10

- (a) Counsel De Etat.
- (b) Quasi-judicial function.
- (c) Reasoned decision.
- (d) Right to know.
- (e) Post decisional hearing.
- (f) Locus Standi.
- (g) Ombudsman.

3. Answer the following questions (any six):

5x6=30

- (a) Explain the concept of droit administrative.
- (b) Discuss the application of the Rule of law in Indian administrative Law.
- (c) What is the meaning of delegated legislation? Explain the reasons for the growth of delegated legislation.
- (d) Distinguish between administrative discretion and administrative discrimination.
- (e) Discuss the constitution, jurisdiction and procedure of administrative Tribunals under the administrative law.
- (f) Write an exhaustive note on the position of judicial review in India.
- (g) Explain the nature, purpose and procedure for public Interest Litigation under the administrative law.
- (h) Explain the liability of the administration in contract.
- (i) Discuss the object of Right to information Act, 2005?
Is RTI a Fundamental Right?

- 12x2=24**
- 4.** Answer the following questions (any two):
- (a) Define Administrative law. Explain the nature and scope of Administrative law. Discuss the various sources of the administrative law in India. **2+5+5=12**
 - (b) Discuss the principles of Natural Justice in detail. Under what circumstances the principles of natural justice can be excluded? Explain. **6+6=12**
 - (c) What is prerogative Writs? Discuss the various types of Writs issued by the Supreme Court and High Court. Distinguish between Article 32 and 226. **2+6+4=12**
 - (d) What do you mean by Doctrine of pleasure? Discuss the procedural safeguards guaranteed to the Civil servants under Article 311(2) of the Constitution of India. Is there any exception? **2+6+4=12**
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