

LLB
Fourth Semester
ADMINISTRATIVE LAW
(LLB – 404)

Duration: 3Hrs.

Full Marks: 80

Part-A (Objective) =30
Part-B (Descriptive) =50

(PART-B: Descriptive)

Duration: 2 hrs. 30 mins.

Marks: 50

Answer the following questions:

1. Define administrative law. State some of the reasons for development and growth of administrative law. (4+6=10)

Or

What is the doctrine of separation of powers? Make a comparative study on the application of the doctrine of separation of powers in USA and India. (3+7=10)

2. What is delegated legislation? State any two reasons for the growth of delegated legislation. Briefly explain the position of delegated legislation in India.

(2+2+6=10)

Or

Discuss briefly the controls and safeguards of delegated legislation. (10)

3. What are the principles of Natural justice? Explain briefly on the types of bias by referencing relevant case laws. (2+8=10)

Or

Minute at least two characteristics of tribunals. What constitutional recognition has been given to the status of tribunals? How a tribunal is different from a court?

(2+4+4=10)

4. What is administrative discretion? Briefly explain the grounds in which courts in India can interfere with the discretionary powers exercised by the administration.

(3+7=10)

Or

Write a brief note on the contractual and tortious liability of the Government in India. Cite Constitutional provisions.

(5+5=10)

5. What is public corporation? What are its characteristics? Mention also the status, rights and liabilities of public corporation.

(2+3+5=10)

Or

Briefly explain the meaning and characteristics of ombudsman. Discuss about the development of Ombudsman in UK, USA and India.

(5+5=10)

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Duration: 30 minutes

Marks – 30

(PART A- Objective Type)

I. Choose the correct answer:

1×10=10

- i) Prof. A.V Dicey attributed which of the following as meaning of the doctrine of rule of law?
(a) Supremacy of law (b) Equality before law
(c) Predominance of legal spirit (d) All the above
- ii) Which of the following functions are not held to be legislative function of the administration?
(a) Fixation of price
(b) Imposition of tax
(c) Dismissal of employee on the ground of misconduct
(d) Extension of limits of a town area committee
- iii) Exceptional delegations are also known as:
(a) Henry VIII Clause (b) Permissible Delegation
(c) Impermissible Delegation (d) Formal Delegation
- iv) Under the US Constitution, delegated legislation is not accepted in theory due to prevalence of:
(a) Doctrine of Rule of Law
(b) Doctrine of *Delegatus non potest delegare*
(c) Doctrine of Separation of Power
(d) Both (b) and (c)
- v) *Res Judicata* is defined under:
(a) Section 9 of CPC (b) Section 10 of CPC
(c) Section 11 of CPC (d) Section 12 of CPC
- vi) 'Notice' and 'Hearing' are the two ingredients of which of the following maxims?
(a) *Nemo judex in causa sua* (b) *Audi alteram partem*
(c) Reasoned Decisions (d) None
- vii) The system of writs has been designed under which Article of the Constitution of India?
(a) Articles 14 & 19 (b) Articles 32 & 226
(c) Articles 302 & 303 (d) Article 311

viii) Which Article of the Constitution of India lays down the mode or manner of formation of Contract?

- (a) Article 310 (b) Article 299 (1)
(c) Article 307 (d) Article 395

ix) The most important provision under Part XIV of the Constitution of India is Article 310 which embodies:

- (a) Doctrine of pleasure (b) Doctrine of proportionality
(c) Doctrine of Estoppel (d) Doctrine of Legitimate Expectation

x) Public corporations in India can be classified in four major groups. Which of the following is/are such groups?

- (a) Commercial Corporations (b) Development Corporation
(c) Social Service Corporations (d) All the above

II. Answer the following questions:

2×10=20

i) What is *droit administratif*?

ii) State two differences between quasi-judicial function and pure judicial function.

iii) What do you mean by *substantive ultra vires* and *procedural ultra vires*?

iv) What is Henry VIII Clause?

v) When principle of natural justice can be excluded?

vi) State whether administrative tribunals are bound by the doctrine of precedent.

vii) What is doctrine of proportionality?

viii) Mention any four writs provided under Article 32 and Article 226 of the Constitution.

ix) What is the objective behind enactment of Right to Information Act, 2005?

x) What are the mechanisms to control public corporations?



University of Science and Technology, Meghalaya

Date Stamp: _____

SESSION: 2016-17			
COURSE _____ PAPER Code: _____			
NAME OF THE PAPER: _____			
SEMESTER _____			
Instructions to Candidates		For Objective Type Questions	
<ol style="list-style-type: none"> This answer booklet has 4 pages. Please check before writing whether it is complete or in good condition. Do not write your name anywhere in the answer booklet. Write legibly on both sides of the paper You may use some space for any rough notes or calculation on the answer booklet if you need. These rough notes, calculations must be scored out before submitting the answer booklet. Do not bring any book or loose paper in the examination hall. Do not tear any page from the answer booklet. Do not write anything on the question paper or blotting paper or any pieces of paper while you are in the examination hall. Any act of indiscipline or misbehavior in the examination hall will result in your expulsion. No examinee is allowed to leave the examination hall until 30 minutes lapse after the commencement of the examination. Additional answer sheet will be supplied after the main answer booklet is completed. 	Page No.	Marks	
	Total		
	For Descriptive Type Questions		
	Question No.	Marks	
	Total		
	Grand Total		

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