

LLB
THIRD SEMESTER
ADMINISTRATIVE LAW
LLB - 303
(USE OMR FOR OBJECTIVE PART)

SET
A

Duration: 3 hrs.

Full Marks: 70

Time: 30 min.

(Objective)

Marks: 20

Choose the correct answer from the following:

1 × 20 = 20

1. Delegated Legislation cannot be controlled by-
 - a. Judiciary
 - b. Parliament
 - c. Executive
 - d. Press
2. Administrative law forms part of-
 - a. International law
 - b. Common law
 - c. Public law
 - d. Private law
3. The administrative law deals with the powers and procedures of a-
 - a. Courts and law
 - b. Legislative Council
 - c. Legislative Assembly
 - d. Administrative agencies
4. Main attributes to rule of law are / a-
 - a. Due process or fairness of law
 - b. Equality before law
 - c. Supremacy of law
 - d. All of the above
5. Delegated legislation can take various forms such as/a-
 - a. Rules and regulations
 - b. Orders
 - c. By laws
 - d. All the above
6. Speaking Orders are the orders which are issued by-
 - a. Administrative authorities
 - b. Private trusts
 - c. Petitioners asking for relief
 - d. Defendants defending their case
7. Tribunal has power for pronouncement of punishment-
 - a. Sometime
 - b. No
 - c. Its depend upon the case
 - d. Yes
8. The functions of the executive can be classified as-
 - a. Delegated legislation
 - b. Quasi judicial function
 - c. Discretionary functions
 - d. All of the above
9. Prerogative writs to review an administrative action are-
 - a. Writ of Habeas Corpus and Writ of Mandamus
 - b. Writ of Habeas Corpus and Writ of Mandamus and Writ of Prohibition and Writ of Certiorari and Writ of Quo Warranto.
 - c. Writ of Habeas Corpus, Writ of Mandamus, Writ of Quo warranto, Writ of Certiorari and Writ of Prohibition.
 - d. None of the above

10. Which is the most accurate definition of the phrase 'Nemo iudex in causa sua'?
 - a. No proper justice can be done if the judge is related to the party
 - b. No man shall be a judge in his own cause
 - c. No man can punish himself
 - d. No man is capable of rendering judgement on himself
11. Doctrine of Ultra Vires has how many forms-
 - a. Substantive
 - b. Procedural
 - c. None
 - d. Both a. & b
12. Which of the following is not the meaning of 'Rule of law' according to A.V. Dicey?
 - a. Supremacy of law
 - b. Equality before law
 - c. Pre-dominance of legal spirit
 - d. Wide discretionary powers
13. 'Delegatus non potest delegare' means-
 - a. the delegate not protest against the authority
 - b. the delegate does not have potential for making laws
 - c. the delegate cannot further delegate
 - d. the delegate can further delegate
14. Which of the following is correct definition of 'Audi alteram partem'?
 - a. listening to the appeal
 - b. right of fair hearing
 - c. right to know reasons of decision
 - d. all of the above
15. The institution of ombudsman originated in 1809 at-
 - a. France
 - b. Sweden
 - c. Germany
 - d. Australia
16. Which of the following is not a control of delegated legislation?
 - a. Judicial
 - b. Administrative
 - c. Doctrine of ultra vires
 - d. Doctrine of lifting the veil
17. Which of the following is NOT a type of bias?
 - a. Pecuniary bias
 - b. Personal bias
 - c. Judicial obstinacy
 - d. None of the above
18. The doctrine of Separation of Power was systematically propounded by-
 - a. Montesquieu in his book The Spirit of Laws
 - b. Plato in his book The Social Contract
 - c. Aristotle in his book The Spirit of Laws
 - d. Montesquieu in his book The Constitution
19. Art.323-A and Art 323-B have been inserted by which Parliament has been authorised to constitute administrative tribunals for settlement of disputes and adjudication of matter specified therein.
 - a. Thirty-eight Constitutional Amendment Act, 1975
 - b. Forty-second Constitutional Amendment Act, 1976
 - c. Forty-fourth Constitutional Amendment Act, 1978
 - d. Forty-sixth Constitutional Amendment Act, 1983

20. Origin of the concept of Droit Administratif is-
- a. U S A
 - b. U.K
 - c. Germany
 - d. France

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(Descriptive)

Time : 2 hrs. 30 min.

Marks : 50

[Answer question no.1 & any four (4) from the rest]

1. Define "administrative law". What are the reasons which have led to the growth of administrative law in the present times? 3+7=10
2. "Natural justice represents higher procedural principles which every administrative agency must follow in taking any decision" - Discuss 10
3. What is meant by discretionary powers of the administration? How can the exercise of discretionary powers be controlled? 5+5=10
4. Write Short note on- 5+5=10
 - a. Doctrine of Legitimate Expectation
 - b. Reasoned Decision or Speaking order
5. "The Indian constitution has not indeed recognised the doctrine of separation of powers in its absolute rigidity but the functions of the different parts or branches of the government have been sufficiently differentiated..." Discuss. 10
6. What do you understand by the term Delegated legislation? Also discuss the reasons for growth of delegated legislation and the different kinds of control of delegated legislation. 3+7=10
7. Define Public Corporation. State different kinds of Public Corporation. 10

8. Write short note on-
- a. Administrative tribunals
 - b. Ombudsmen

5+5=10

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