

Total number of printed pages-4

19 (IV) ADLW 4.4

2019

**ADMINISTRATIVE LAW**

Paper : 4.4

Full Marks : 80

Time : Three hours

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

1. Answer the following with appropriate answers given in the brackets.  $1 \times 10 = 10$ 
  - (i) The originator of the concept of Rule of Law was : (Sir Edward Coke/Dicey).
  - (ii) The Crown Proceedings Act made the government liable to pay damages in Case of tortuous and Contractual liability of the Crown. (True/False)
  - (iii) Montesquieu formulated the doctrine of separation of powers scientifically in his book : (Law of the Constitution/Esprit des Lois)

Contd.

- (iv) Franks Committee was appointed to make recommendations of the Constitution and working of administrative: (tribunals/agencies).
- (v) Special leave petitions are filed in: (any courts/only in the Supreme Court).
- (vi) Ombudsman is a public official entrusted to curb: (criminals/corruption).
- (vii) Certiorari in (French/Latin) means to certify.
- (viii) *Pro bono* is service provided (for public good/ for high income).
- (ix) When a subordinate legislation goes beyond what the delegate is authorised to enact is known as: (substantive/procedural)-*ultra vires*.
- (x) The Official Secrets Act, 1923 (guaranteed/imposed restrictions) on information.

2. Write short notes on:  $2 \times 5 = 10$

- (i) Conseil d'Etat
- (ii) Administrative discretion

- (iii) Henry VIII clause
- (iv) Ombudsman
- (v) Doctrine of Vicarious Liability.

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

"Administrative law is the law relating to the administration. It determines the organization, powers and duties of administrative authorities." Explain. 12

4. Describe delegated legislation. Write a note on the control mechanism of delegated legislation.  $5+7=12$

Or

What are the factors responsible for the rapid growth of delegated legislation? What are the advantages and disadvantages of delegated legislation?  $6+6=12$

5. Explain the concept of Natural Justice. Describe the principles of Natural Justice.  $6+6=12$

**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**

What are the characteristics of administrative tribunal? What are the reasons for the growth of administrative tribunal? Suggest points which differentiate it from Courts. 4+4+4=12

7. Discuss how Right to Information brings about transparency and accountability in India. What are the rights of an arrested person under the RTI Act, 2005? 10+2=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