

Total number of printed pages—4

19 (8) ADLW 8-4

2017

ADMINISTRATIVE LAW

Paper : 8-4

Full Marks : 80

Time : Three hours

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

1. Fill in the blanks : 1×10=10
- (i) Under _____ the dispute with public officers are decided by separate administrative courts. (Droit Administratif / Conseil d'Etat)
 - (ii) The doctrine of Separation of powers is associated with _____. (Montesquieu/ Locke)
 - (iii) Henry VIII clause is commonly known as _____. (Power to remove difficulty/Power of modifications)
 - (iv) When a delegated legislation goes beyond the scope of the authority conferred on it by the parent statute or by the Constitution, it is known as _____. (Substantive ultra vires/ Procedural ultra vires)

Contd.

(v) Dicey developed the theory Rule of Law in his classic work _____. (The law of the Constitution / the Constitution and the Law)

(vi) Administrative tribunals are established under the _____. (Administrative Tribunal Act / Administrative Law)

(vii) Justice should not only be done, but manifestly and undoubtedly be _____ to be done. (seen / recorded)

(viii) Private persons _____ immune from the writ jurisdiction of the Supreme Court as well as of High Courts. (are/are not)

(ix) Public Corporation has become a '_____ arm' of the Government. (second/third)

(x) The seeds of PIL were sown by Justice _____. (Krishna Iyer/Bhagawati)

2. Answer the following : $2 \times 5 = 10$

(i) Doctrine of necessity

(ii) Post decisional hearing

(iii) Ombudsman

(iv) Doctrine of Proportionality

(v) PIL.

3. Discuss briefly the sources and development of Administrative Law. What are the importance of the Administrative Law under the present context ? $8+4=12$

Or

Write short notes on : $3 \times 4 = 12$

(a) Rule of Law

(b) Separation of power

(c) Droit Administratif.

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

Discuss the Judicial, Parliamentary and Procedural Control of Delegated Legislation. 12

5. Illustrate the concept of Natural Justice. What do you mean by Rule against bias and Rule of fair hearing ? 12

Or

Narrate briefly the following aspects of 'Rule against bias' by citing case laws. $3 \times 4 = 12$

- (a) Impartiality
- (b) Subject matter bias
- (c) Departmental bias
- (d) Real likelihood.

6. Discuss the rules restricting judicial review of administrative action. 12

Or

What is Prerogative writs ? Discuss the various kinds of writs that can be issued by the higher courts in India. $4 + 8 = 12$

7. Explain the doctrine of Pleasure. Discuss the safeguards given to the civil servant under the Constitution of India. $4 + 8 = 12$

Or

Explain the following : $3 \times 4 = 12$

- (a) Right to Know
- (b) Lokayuktas in States
- (c) Central Vigilance Commission.