

Total number of printed pages-4

21 (8) ADLW 8-4

2019

**ADMINISTRATIVE LAW**

Paper : 8-4

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 bracket:  $1 \times 10 = 10$ 
  - (i) The Law and the Constitution was written by :  
(A V Dicey/Sir Edward Coke)
  - (ii) Henry VIII Clause is nicknamed to indicate :  
(executive autocracy/  
executive aristocracy)
  - (iii) Franks Committee was appointed to study administrative (law/tribunal)

Contd.

(iv) Article 136 of the Constitution empowers the Supreme Court to grant Special leave petition: (false/true)

(v) The institution of Ombudsman originated in: (India/Sweden)

(vi) Writs can be issued by the Supreme Court under Article: (226/32)

(vii) The case Ridge vs Baldwin deals with: (natural justice/delegated legislation)

(viii) When a writ petition is moved in a High Court and rejected on merits, a subsequent writ petition (can/cannot) be moved in the same court on the same matter.

(ix) The doctrine of Pleasure has been imported from the (English/French) system.

(x) Right to Information Act 2005 promotes (transparency/secretcy) in governance.

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

(i) Equity before law

(ii) Laissez faire

(iii) Industrial Tribunal

(iv) Certiorari

(v) Lokayukta

3. Give an account of the historical growth and development of Administrative Law. Explain the relation between Constitutional and Administrative Law.  $6+6=12$

OR

Discuss the doctrine of separation of powers. What are the advantages and disadvantages of this theory?  $6+6=12$

4. What do you mean by delegated legislation? Explain delegated legislation in UK and USA.  $5+7=12$

OR

What is *Delegatus non potest delegare*? Explain the control mechanism of delegated legislation.  $2+10=12$

5. Define Natural Justice. Explain elaborately the principles of Natural justice by citing case laws.  $5+7=12$

OR

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

(a) Principles of fair hearing

(b) Personal bias

(c) Speaking orders.

6. Describe the Writ of Habeas Corpus. What is the object of the Writ of Habeas Corpus? What happens if there is refusal to obey the orders of Habeas Corpus? 4+4+4=12

**OR**

Discuss the Constitutional provisions of Writs under Article 32 and 226. What do you mean by delay and laches? 10+2=12

7. Elaborately discuss the Right to Know. What are the exceptions of the right to know? 8+4=12

**OR**

What are the characteristics of Public Corporation? What are the rights and liabilities of a Public Corporation? 6+6=12