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23 (LLM-4) 4011

2022

(Held in 2023)

**PRINCIPLES OF ADMINISTRATIVE
LAW-I**

Paper : 4011 (I)

Full Marks : 80

Time : Three hours

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

1. The study of Administrative Law as a separate subject did not, however, receive impetus until the adoption of the written Constitution for Independent India.

In the light of the above context, discuss the nature and scope of Administrative Law. How does it differ from Constitution Law? Discuss briefly. 10+6=16

Contd.

Or

Administrative Law is regarded as the area of governmental powers, which originate in the primary legislation or in the prerogative. It embodies general principles which can be applied to the exercise of the powers and duties of authorities in order to ensure that the myriad of rule and discretionary powers available to the executive conform to the basic standards of legality and fairness.

In the above context, discuss the different definitions of Administrative Law and trace the reasons which have led to the growth of Administrative Law in the present times.

8+8=16

2. The Rule of Law has evolved over centuries and its inextricably linked to historical development that have led to the gradual emergence of liberal democracies and their underlying modes of governance and legal systems.

Trace the historical development that have shaped the concept of 'Rule of Law' in U.K., U.S.A and India.

16

Or

Critically examine the origin and meaning of 'Rule of Law'. How does it differ from French 'Droit Administratif'? Discuss briefly.

8+8=16

3. Define 'Delegated Legislation' and the factors responsible for its growth. Discuss judicial control over Delegated Legislation with leading cases. 8+8=16

Or

Delegated Legislation is carried out in different ways in U.S.A, U.K and India.

Critically discuss the constitutionality of Delegated Legislation in these countries.

16

4. Elucidate in brief the meaning, historical background and effect of the Doctrine of Separation of Powers in India. Embellish your answer with the judicial precedents of the Apex Court of the country. 16

Or

While the Constitution diffuses power the better to secure liberty, it also contemplates that the practice will integrate the dispersed powers into a workable government. It enjoins upon its branches separateness but interdependence, autonomy and reciprocity.

In the light of the above, discuss the Doctrine of Separation of Powers and its applicability in U.S.A and U.K.

5.. Natural justice represents higher procedural principles which every administrative agency must follow in taking any decision. Discuss in the light of judicial pronouncements of the Apex Court of the country. 16

Or

The Indian Supreme Court opined that an earlier order of a statutory authority may give rise to a legitimate expectation that the procedure created by that order will continue and that this application will be considered while making the final order.

In the light of the above context, discuss the doctrine of legitimate expectation. Embellish your answer with case laws.