



14467

**BRAINWARE UNIVERSITY**

Term End Examination 2024-2025
Programme – LLM-2022/LLM-2024

Course Name – Administrative Law

Course Code - LLM203B

(Semester II)

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SCHOOL OF LAW
Barasat, Kolkata- 700125

Full Marks : 60

Time : 2:30 Hours

[The figure in the margin indicates full marks. Candidates are required to give their answers in their own words as far as practicable.]

Group-A

(Multiple Choice Type Question)

1 x 15=15

1. Choose the correct alternative from the following :

- (i) Tell that the Administrative Law primarily deals with which of the following branch.
- | | |
|---------------------------|-------------------------|
| a) The legislative branch | b) The executive branch |
| c) The judiciary branch | d) All of these |
- (ii) What is the primary function of Administrative Law?
- | | |
|--|--|
| a) To expand governmental powers | b) To limit individual rights |
| c) To keep governmental powers within legal limits | d) To promote administrative despotism |
- (iii) Mark the fundamental feature of a Rule of Law society.
- | | |
|-------------------------|-----------------|
| a) Unlimited Discretion | b) Transparency |
| c) Absolute Power | d) Fairness |
- (iv) Identify the originator of the concept of the Rule of Law.
- | | |
|--------------------|--------------------------|
| a) Sir Edward Coke | b) John Locke |
| c) Thomas Hobbes | d) Jean-Jacques Rousseau |
- (v) Recall another term for delegated legislation.
- | | |
|-------------------------|---------------------------|
| a) Inferior Legislation | b) Quasi-Legislation |
| c) Major Legislation | d) Mainstream Legislation |
- (vi) Relate the reason for the need for delegated legislation in India.
- | | |
|--|---|
| a) To increase the burden on the legislature | b) To concentrate on less important matters |
| c) To reduce the burden on the executive | d) To enable flexibility, adaptability, and speed |
- (vii) Match the purpose of parliamentary control over delegated legislation.
- | | |
|--|---------------------------------|
| a) To enhance the power of the executive | b) To criticize the legislature |
|--|---------------------------------|

- c) To keep watch over rule-making authorities d) To limit the legislative powers
- (viii) Discover In Narendra Kumar v. Union of India, which provision of the Essential Commodities Act, 1955 did the Supreme Court rule as mandatory regarding the laying of rules before Parliament?
- a) Section 3(5) b) Section 4(2)
c) Section 26(5) d) Clause 4
- (ix) Identify a principle of Natural Justice that prohibits making someone a judge in their own cause.
- a) Nemo judex in causa sua b) Audi alteram partem
c) Rule Against Bias d) Pecuniary Bias
- (x) Select the type of bias where a decision-maker has a financial interest in the outcome.
- a) Subject Matter Bias b) Personal Bias
c) Pecuniary Bias d) Departmental Bias
- (xi) What type of bias arises from personal or professional hostility or friendship towards a party?
- a) Personal Bias b) Pecuniary Bias
c) Subject Matter Bias d) Departmental Bias
- (xii) Which bias involves financial interest that could influence administrative action?
- a) Pecuniary Bias b) Subject Matter Bias
c) Preconceived Notion Bias d) Bias on Account of Obstinacy
- (xiii) List a requirement of a valid notice according to the rule of hearing.
- a) Sufficient time for response b) Lengthy details
c) Oral representation d) Hidden charges
- (xiv) Determine the primary purpose of a speaking order.
- a) To exclude possibilities of arbitrariness b) To render remedy of appeal ineffective
c) To provide balance between fairness and efficiency d) To demonstrate legality to appellate authority
- (xv) Select the exception where natural justice may be excluded due to impracticability.
- a) Routine administrative tasks b) Legislative actions
c) Emergency situations d) Cross-examination

Group-B

(Short Answer Type Questions)

3 x 5=15

2. Select a scenario from the exceptions where the requirement of notice and hearing can be obviated due to emergency. (3)
3. Choose a circumstance from the text where the exclusion of natural justice principles is justified due to preventive action. (3)
4. Define Public Interest Litigation (PIL). (3)
5. Determine the impact of the Right to Information Act (RTI) on public accountability in India. (3)
6. Categorize the types of issues that can be addressed through Public Interest Litigation (PIL) in India. (3)

OR

Categorize the distinction between sovereign and non-sovereign functions in governmental liability. (3)

Group-C

(Long Answer Type Questions)

5 x 6=30

7. Define Administrative Law and discuss its significance in the context of governmental powers and individual rights. (5)
8. Illustrate the sources of Administrative Law in India, outlining the role of the Constitution, statutes, ordinances, administrative directives, and judicial decisions. (5)
9. Explain Dicey's concept of the Rule of Law, focusing on its three fundamental principles. (5)
10. Explain the concept of delegated legislation in India. (5)
11. Assess the historical development of delegated legislation in India. (5)
12. Analyze the legislative control mechanisms over delegated legislation in India. (5)

OR

Examine the constitutional foundation of delegated legislation under the Indian legal system. (5)

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