



BRAINWARE UNIVERSITY

Term End Examination 2023

Programme – BBA LL.B.-2021

Course Name – Administrative Law

Course Code - BBALLB403

(Semester IV)

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) Identify which of the following is NOT an essential component of the doctrine of Audi alteram partem?
 - a) Right of notice
 - b) Oral hearing
 - c) Reasoned decision
 - d) Both A and B.
- (ii) Choose the country in which the institution of ombudsman originated in 1809 at
 - a) France
 - b) Sweden
 - c) Germany
 - d) Australia
- (iii) Select the type of function of the Administrative Tribunal.
 - a) Purely administrative function
 - b) Purely judicial functions
 - c) Purely legislative functions
 - d) Quasi judicial functions
- (iv) Predict in India sovereignty lies with
 - a) The Constitution
 - b) The Supreme Court
 - c) The Parliament
 - d) The People
- (v) Choose the appropriate writ issued by Supreme Court to quash the appointment of a person to a public office is
 - a) Certiorari
 - b) Mandamus
 - c) Prohibition
 - d) Quo-Warranto
- (vi) Identify the definition given by Justice P.B.Mukherjee of administrative law
 - a) The law relating to Parliament
 - b) The law relating to judiciary
 - c) The law useful to adjust and regulate the conflicting claims of executive and administrative authority
 - d) None of these
- (vii) Identify the appropriate law of which Administrative Law is a branch
 - a) Jurisprudence
 - b) Constitutional Law
 - c) Labour Law
 - d) None of these
- (viii) Identify which of the following is a form of Delegated legislation.

- a) Ordinance
- b) Case Law
- c) Customary Law
- d) International law
- (ix) According to A.V. Dicey, select which is appropriate for 'Rule of Law'
- a) Supremacy of Law
- b) Equality before Law
- c) Predominance of legal spirit
- d) All of these
- (x) Select when a subordinate legislation fails to comply the procedural requirements prescribed by parent Act or general law, it is called,
- a) Substantive ultra vires
- b) Procedural ultra vires
- c) The law relating to the control of power of judiciary
- d) None of these
- (xi) Choose what Administrative Adjudication actually means
- a) determination of questions of a judicial or quasi-judicial nature by an administrative department or agency
- b) Legislature issues an affirmative, negative, injunctive, or declaratory order
- c) Judiciary issues an affirmative, negative, injunctive, or declaratory order
- d) None of these
- (xii) Authority given in the hands of Public Authority is on public trust which must be exercised in the best interest of the Public. Select the appropriate doctrine applicable to it
- a) The doctrine of proportionality
- b) Public Trust Doctrine
- c) Doctrine of Public Accountability
- d) Doctrine of Eclipse
- (xiii) Select what 'Quo Warranto' means
- a) To quash
- b) To stop
- c) What is your Authority
- d) To apply
- (xiv) X is aggrieved by an order passed by District court, New Delhi without having jurisdiction. Select which of the following writs is the proper remedy available to X:
- a) mandamus
- b) prohibition
- c) quo warranto
- d) certiorari
- (xv) Identify the case where PIL was defined by the Indian judiciary
- a) State of Madhya Pradesh Vs. Narmada Bachao Andolan
- b) SP Gupta vs Union of India
- c) Bandhua Mukti Morcha Vs. Union of India
- d) Sheela Barse Vs. State of Maharashtra

Group-B

(Short Answer Type Questions)

$$3 \times 5 = 15$$

2. Distinguish between supreme and subordinate legislation. (3)
3. Give 5 examples of permissible delegation. (3)
4. Relate the concurrent jurisdiction of High Court and Supreme Court. (3)
5. Explain the concept of obiter dictum. (3)
6. Evaluate the concept of application of the concept of natural justice in India. (3)

OR

Assess the applicability doctrine of bias in India. (3)

Group-C

(Long Answer Type Questions)

 $5 \times 6 = 30$

7. Summarize the grounds of judicial review (5)
8. Administrative law has been characterized as the most “Outstanding legal development of the 20th century”. Describe the above statement in the light of rapid growth of administrative law. (5)
9. Explain Delegated legislation in UK. (5)
10. Write a short note on the Central Vigilance Commission. (5)

11. Ombudsman is the watchdog of the administration – Evaluate. (5)

12. Explain the concept of Jan Sunwai. (5)

OR

Critically discuss Right to information Act 2005. (5)
