BRAINWARE UNIVERSITY

Term End Examination 2023-2024
Programme – B.A. LL.B.-2022
Course Name – Administrative Law
Course Code - BALLB403
(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)   Choose from the following the appropriate definition of Administrative Law given by Jennings.

a) Law relating to administration

b) It determines the power, function and duties of administrative authorities

c) Both (a) and (b)

d) None of these

(ii)   Recall the purpose of administrative law.

a) To keep the powers of the government under control

b) To protect the citizen from abuse of powers from administrative authorities

c) To compel public authorities to perform the duty

d) All of these

(iii)   Find the reason for growth of administrative law.

a) Changing role of State

b) Inadequate judicial system

c) Inadequacy of legislative process

d) All of these

(iv)   Choose the place where the system of 'Droit Administrative' is prevalent.

a) Italy

b) France

c) Germany

d) None of these

(v)   Who is regarded as the propounder of 'Rule of Law'?

a) Salmond

b) A. V. Dicey

c) Wade

d) Montesquieu

(vi)   Who is regarded as the proposer of Doctrine of 'Separation of Powers'?

a) Salmond

b) A. V. Dicey

c) Montesquieu

d) Wade

(vii)   Recall the place of origin of the Rule of Law.

a) U.S. A

b) U.K.

c) Canada

d) India

(viii) What should be the status of legislation according to Salmond?

a) Supreme   b) subordinate

        c) either supreme or subordinate   d) None of these

(ix) Identify the reason for the rise of the concept of Delegated Legislation.

      a) Pressure upon Parliamentary time.   b) Technicality

      c) Flexibility   d) All of these

(x) Choose the correct term, when a subordinate legislation fails to comply the procedural requirements prescribed by parent Act or general law.

      a) Substantive ultra vires   b) Procedural ultra vires

      c) The law relating to the control of power of judiciary   d) None of these

(xi) Interpret the meaning of Administrative Adjudication.

      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) Infer the cause of the growth of Administrative Adjudication.

      a) Ordinary Courts are not competent   b) Safety to be ensured

      c) Standard of conduct to be devised   d) All of these

(xiii) Choose from the following the issuing Authority of the Administrative directions.

      a) various government departments   b) Parliament

      c) President   d) Judiciary

(xiv) Choose from the following that the power of the President of India to issue an ordinance, is a

      a) Legislative power   b) Executive power

      c) Quasi-judicial power   d) Judicial power

(xv) Choose the incorrect option which is not the meaning of Rule of law according to A V Dicey.

      a) Supremacy of law   b) Equality before law

      c) Pre-dominance of legal spirit   d) wide discretionary powers.

Group-B
(Short Answer Type Questions)   3 x 5=15

2. Explain the concept of locus standi.   (3)
3. Define "administrative law".   (3)
4. Enumerate the concept of Rule of law.   (3)
5. Recall the development of Administrative Law in India.   (3)
6. Assess the applicability doctrine of bias in India.   (3)

OR

   Distinguish between directions and rules.   (3)

Group-C
(Long Answer Type Questions)   5 x 6=30

7. Enumerate the applicability of Droit Administratiff in India.   (5)
8. Explain Judicial Review of Administrative action.   (5)
9. Discuss the advantages of delegated legislation.   (5)
10. Evaluate the case of Mr. X v. Hospital Z.   (5)
11. Critically discuss Right to information Act 2005.   (5)
12. Analyze the doctrine of proportionality.   (5)

OR

Analyze the doctrine of reasonableness. (5)

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