



BRAINWARE UNIVERSITY

Term End Examination 2023
Programme – LLM-2022
Course Name – Administrative Law
Course Code - LLM203B
(Semester II)

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 the element to which administrative law does not concern-
 - a) rule making
 - b) rule application
 - c) quasi judicial actions
 - d) private law
- (ii) Choose amongst the following which is not an exception to the principle of natural justice-
 - a) impracticability
 - b) legislative action
 - c) rule against dictation
 - d) statutory necessity
- (iii) Identify the names of Administrative Tribunals-
 - a) Income Tax Appellate Tribunals
 - b) Industrial Tribunal
 - c) Tribunals under the Administrative Tribunals Act, 1985
 - d) All of these
- (iv) Identify the correct weapon to restrain unconstitutional exercise of power by the legislature and the executive-
 - a) Public Hearing
 - b) Judicial Control
 - c) Judicial Review
 - d) Executive Control
- (v) Identify the branch of law from which Administrative Law belongs-
 - a) Public Law
 - b) Private Law
 - c) Personal Law
 - d) None of these
- (vi) Identify the different sources of Administrative Law-
 - a) Constitutional Law
 - b) Judicial Precedents
 - c) Ordinances by the President
 - d) all of these
- (vii) Choose the Article of the Constitution of India, that empowers the President to promulgate ordinances in India-

- a) Art. 123
c) Art. 124
- b) Art. 122
d) None of these
- (viii) Locate the term that was used under the French Administrative Law
- a) Droit Administratif
c) Paris Administratif
- b) French Administratif
d) None of these
- (ix) Identify the person that favoured Droit Administratif-
- a) King John
c) Napoleon
- b) Lui Philip
d) None of these
- (x) Identify the author of the famous book named as Comparative Administrative Law(1905)-
- a) Frank Goodnow
c) Garner
- b) Prof. Dicey
d) None of these
- (xi) Choose the propounder of the doctrine of Separation of Powers-
- a) Dicey
c) Montesquieu
- b) John Bodien
d) None of these
- (xii) Choose the organs of a Government in a State-
- a) the legislature
c) the judiciary
- b) the executive
d) All of these
- (xiii) Select correctly- the authority to whom the rule making power has been delegated-
- a) may further delegate it to some other agency
c) can delegate it in arbitrary manner
- b) cannot delegate it further
d) both b and c
- (xiv) Choose the correct jurist who cruised the doctrine of Separation of Power-
- a) Wade
c) Philips
- b) Friedman
d) none of these
- (xv) Select amongst the following that is not described by Friedman as the scope of administrative law-
- a) it deals with law making power of the administrative authority
c) it does not describe the legal liability of public servant
- b) judicial and quasi judicial powers of the administrative authorities
d) executive power of administration

Group-B

(Short Answer Type Questions)

3 x 5=15

2. Explain the application of various writs issued by Courts in Administrative Action. (3)
3. Distinguish the difference between a Writ petition and a Public Interest Litigation. (3)
4. Explain the situations confirming the needs of delegated legislation. (3)
5. Distinguish between "Discretionary Power" and "Arbitrary Power". (3)
6. Distinguish the difference between Court and Tribunal. (3)

OR

Explain the rules of Droit Administrative. (3)

Group-C

(Long Answer Type Questions)

5 x 6=30

7. Discuss judicial control over administrative discretion. (5)
8. Evaluate the doctrine of the Rule of Law as enunciated under the Constitution of India (5)
9. Judge the doctrine of separation of power with special reference to Constitution of India. (5)

10. Write about the constitutionality of Delegated Legislation. (5)
11. Write about the relation between the principle of Locus Standi and Public Interest Litigation. (5)
12. Measure the various kinds of Delegated Legislation in India. (5)

OR

Explain the principle of Locus standi to challenge administrative action in India. (5)
