



# BRAINWARE UNIVERSITY

**Term End Examination 2023**

**Programme – LL.B.-2022**

**Course Name – ADMINISTRATIVE LAW**

**Course Code - LLB201**

**( 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) Select from the following that is related to Administrative law.
  - a) Legal status of foreign officials
  - b) The rights and liabilities of private individuals in their dealings with officials.
  - c) Specifies law relating to property
  - d) State and Crime.
- (ii) Select which of the following is correct regarding the doctrine which establishes a line of proper demarcation of proper boundaries for the functioning of constitutional law and administrative law
  - a) Doctrine of pith and substance
  - b) Doctrine of Waiver
  - c) Doctrine of Water Shade
  - d) Doctrine of Precedent
- (iii) 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
- (iv) Choose 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
- (v) Administrative directions are in the nature of instructions. Predict its issuing authority
  - a) various government departments
  - b) Parliament
  - c) President
  - d) Judiciary
- (vi) Administrative decisions which run counter to statutory rules are not binding and their violation cannot be enforced in a court of law, choose the case in which it was held

- a) Jagjit Singh v. State of Punjab, (1978) 2 S.C.C. 196. 20.      b) Keshavanand Bharti v/s State of Kerala AIR 1973 SC1461
- c) Gurdial Singh Fijji v. State of Punjab, (1979) 2 S.C.C. 368.      d) Indira Gandhi Nehru v/s Raj Narain AIR 1975 SC
- (vii) Identify which of the following is write definition of the phrase Nemo judex in causa sua
- a) no man is capable of rendering judgement on himself      b) no man shall be a judge in his own cause
- c) no man can punish himself      d) proper justice can be done if the judge is related to the party
- (viii) 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.
- (ix) Identify the Administrative tribunal have been recognised under which of the following articles of the constitution
- a) Art136 and Art 227      b) Art 323 A and 323 B
- c) All of these      d) Art 32
- (x) Select 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 (1) and (2)      d) None of these
- (xi) Identify the definition given by Prof. .K. C. Davis, of administrative law
- a) Powers and procedures of Parliament      b) Powers and procedures of Administrative agencies
- c) Powers and procedures of Judiciary      d) None of these
- (xii) Select the functions of the executives from the following option.
- a) Delegated legislation      b) Quasi judicial function
- c) Discretionary functions      d) All of these.
- (xiii) Identify the definition given by Prof. .Wade of administrative law
- a) The law relating to the control of Parliament's power      b) The law relating to the control of governmental power
- c) The law relating to the control of power of judiciary      d) None of these
- (xiv) 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
- (xv) Select the purpose of administrative law is
- 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

### Group-B

(Short Answer Type Questions)

3 x 5=15

2. Relate the concurrent jurisdiction of High Court and Supreme Court.

(3)

3. Explain the concept of locus standi. (3)
4. Enumerate in brief the concept of Droit Administratif. (3)
5. Examine the concept of separation of power as a basic structure doctrine in India. (3)
6. Evaluate the concept of application of the concept of natural justice in India. (3)

**OR**

Summarize how can the exercise of administrative discretionary powers be controlled . (3)

**Group-C**

(Long Answer Type Questions)

5 x 6=30

7. 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)
8. State the concept of Judicial Overreach. (5)
9. Discuss the maxim Delegatus non potest delegare. (5)
10. Explain functions of Lokpal. (5)
11. Explain the concept of Jan Sunwai. (5)
12. Assess the concept of Pecuniary Bias (5)

**OR**

Assess the concept of Reasoned Decision (5)

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