



BRAINWARE UNIVERSITY

Term End Examination 2021 - 22
Programme – Bachelor of Law
Course Name – Administrative Law
Course Code - LLB201
(Semester II)

Time allotted : 1 Hrs.15 Min.

Full Marks : 60

[The figure in the margin indicates full marks.]

Group-A

(Multiple Choice Type Question)

1 x 60=60

Choose the correct alternative from the following :

- (1) Jennings defined administrative law as
- | | |
|-----------------------------------|---|
| a) Law relating to administration | b) It determines the power, function and duties of administrative authorities |
| c) Both of these | d) None of these |
- (2) Administrative Law is a branch of
- | | |
|------------------|-----------------------|
| a) Jurisprudence | b) Constitutional Law |
| c) Labour Law | d) None of these |
- (3) Proposer of Doctrine of „Seperation of Powers“ is
- | | |
|----------------|----------------|
| a) Salmond | b) A. V. Dicey |
| c) Montesquieu | d) Wade |
- (4) A quasi-judicial authority will bear
- | | |
|----------------------------------|--------------------------------------|
| a) All the attributes of a court | b) Some of the attributes of a court |
| c) No attribute of a court | d) None of these |
- (5) Which of the following cases supports the rule that a legitimate expectation might arise based on a promise made to the claimant?
- | | |
|---|---|
| a) Council of Civil Service Unions v Minister for the Civil Service [1985] AC 374 | b) R v Gaming Board ex parte Beniam and Khaida (1970) |
| c) R v Barnsley MBC ex parte Hook (1976) | d) R v North and East Devon Health Body ex parte Coughlan [2001] QB 213 |

- (6) According to A.K. Dicey, 'Rule of Law' implies
- a) Supremacy of Law
 - b) Equality before Law
 - c) Judge-made Constitution
 - d) All of these
- (7) Administrative adjudications are
- a) To quash
 - b) Suitable to Industrialized and Urbanized Society
 - c) To implement
 - d) To apply
- (8) The latin term „Habeas Corpus means
- a) You may have the body
 - b) You may have the soul
 - c) cannot be a party to the dispute
 - d) You may have the title
- (9) Tribunals can be
- a) an arbitrator
 - b) tribunal board
 - c) a public administrative agency
 - d) All of these
- (10) Administrative tribunals are constituted
- a) With amendment to Articles 300A of the Indian Constitution
 - b) By 42nd Amendment Act,1976
 - c) With amendment to Articles 32 and 226 of the Indian Constitution
 - d) By inserting Articles 323A and article 323 B
- (11) Administrative Directions
- a) Confer the rights to the individual
 - b) Confer the rights to the administration
 - c) do not confer rights to the administration
 - d) do not confer any enforceable rights on an individual
- (12) An administrative decision, which is taken through the exercise of discretionary powers, must be in the extent to the consequences that follow from implementing such decisions. This doctrine is
- a) The doctrine of proportionality
 - b) Doctrine of Colourable
 - c) Doctrine of Public Accountability
 - d) Doctrine of Public Accountability
- (13) In order to be valid, the administrative rules and regulations must be, except
- a) reasonable and partially related to carrying into effect the general provisions of the law
 - b) conform to the standards that the law prescribes
 - c) germane to the objects and purposes of the law
 - d) None of these
- (14) „Mandamus is a latin term, which means
- a) The instruction
 - b) The command
 - c) The request
 - d) The modus operandi
- (15) This doctrine provides no resort to courts will be allowed unless administrative action has been completed and there is nothing left to be done in the administrative structure?
- a) Rules of Court
 - b) Doctrine of severability
 - c) Doctrine of Exhaustion of Administrative Remedies
 - d) Doctrine of Eclipse
- (16) The „Lokayukta“ is
- a) For Union Territory
 - b) For State

- c) For whole India
 (17) What remedy may be availed of by an aggrieved party against the non-performance of duty by the public officer, if his duty is ministerial?
 a) Petition for Certiorari
 c) Petition for Mandamus
- d) For District
 b) Petition for Review
 d) Ordinary Court Action
- (18) The doctrine of vicarious liability is based on the maxim
 a) Qui facit per alium facit per se
 c) Ignorantia juris non excusat
- b) Actus non facit reum nisi mens sit rea
 d) Mens rea
- (19) A public corporation
 a) Can enter into a contract
 c) Can be sued
- b) Can sue
 d) All of these
- (20) In which case, the Supreme Court held that „right to know is implicit in Article 19(1) (a)?
 a) Keshavanand Bharti vs State of Kerala AIR 1973 SC
 c) S. P. Gupta vs Union of India AIR 1982 SC
- b) Golak Nath vs State of Punjab AIR 1967 SC
 d) Indira Gandhi Nehru vs Raj Narain AIR 1973 SC
- (21) Function of administrative law is to ensure that the governmental functions
 a) Are in accordance with the law
 c) Are in accordance with the rules of reason and justice
- b) On proper legal principles
 d) All of these
- (22) Wade defined administrative law as
 a) The law relating to the control of Parliament’s power
 c) The law relating to the control of power of judiciary
- b) The law relating to the control of governmental power
 d) None of these
- (23) Justice P. B. Mukherjee defined administrative law as
 a) The law relating to Parliament
 c) The law useful to adjust and regulate the conflicting claims of executive and administrative authority
- b) The law relating to judiciary
 d) None of these
- (24) The system of ‘Droit Administratif’ is prevalent in
 a) Italy
 c) Germany
- b) France
 d) None of these
- (25) Prof. .K. C. Davis, defined administrative law as
 a) Powers and procedures of Parliament
 c) Powers and procedures of Judiciary
- b) Powers and procedures of Administrative agencies
 d) None of these
- (26) According to A.V. Dicey, ‘Rule of Law’ applies in
 a) Supremacy of Law
 c) Judge-made Constitution
- b) Equality before Law
 d) All of these
- (27) Concept of ‘Separation of Powers’ is reflected in

- a) Article 50 of Indian Constitution
c) Article 52 of Indian Constitution
- b) Article 51 of Indian Constitution
d) Article 53 of Indian Constitution
- (28) A quasi-judicial authority will contain and perform
- a) All the attributes of a court
c) No attribute of a court
- b) Some of the attributes of a court
d) None of these
- (29) Concept of 'Delegated Legislation' arises because of
- a) Pressure upon Parliamentary time.
c) Flexibility
- b) Technicality
d) All of these
- (30) Substantive ultra vires occurs
- a) When an act of legislature exceeds the power conferred on legislature by the Constitution
c) When an act of legislature exceeds the procedure conferred on legislature by the Constitution
- b) When an act of legislature does not exceed the power conferred on legislature by the Constitution
d) None of these
- (31) Which of the following statements is the key principle in Ridge v Baldwin [1964] AC 40
- a) The rules of natural justice apply only to the proceedings of courts and tribunals
c) Proportionality will be applied whenever a court is deciding whether the rules of natural justice have been breached
- b) The rules of natural justice apply to all public bodies
d) The rules of natural justice are capable of applying in principle where an administrative body acts judicially.
- (32) Which one of following statements is false?
- a) The rules of natural justice are that no man is to be a judge in his own cause and the parties to a dispute shall be fairly heard.
c) The requirements of natural justice depend, among other things, on the circumstances of the case; the nature of the inquiry; the rules under which the tribunal is acting; and the subject matter.
- b) The rules of natural justice are capable of applying in principle where an administrative body acts judicially
d) a. The party alleging bias has to prove that the adjudicator was biased.
- (33) . An officer sued in his private or personal capacity for acts done beyond the scope of his authority or for unlawful or tortious acts while discharging official function cannot invoke:
- a) The Doctrine of State Immunity
c) The Doctrine of Primary Jurisdiction
- b) The Presumption of Regularity
d) The Doctrine of Separation of Powers
- (34) There are 3 types of executive interpretations of the law. Which is not included?
- a) Construction by an executive or administrative officer directly called to implement the law.
c) Construction by the Secretary of Justice in his capacity as the chief legal adviser of the government.
- b) Construction by a Supreme Court justice on the constitutional validity of a statute.
d) Construction by an executive officer exercising quasi-judicial power in an adversary proceeding
- (35) The completeness test to determine whether or not there is a valid delegation of legislative power includes the following, except:
- a) whether the provision is sufficiently definite and certain
b) whether it describes the nature of the power conferred

nd certain to enable one to know his rights and obligations

xercised and the right restricted by such power

- c) Proportionality will be applied whenever a court is deciding whether the rules of natural justice have been breached

- d) whether it prescribes who must do it

(36) Which of the following need not be published under the 1987 Revised Administrative Code?

- a) administrative rules and regulations
- c) Charter of a city subject matter.

- b) municipal ordinances
- d) none of these

(37) The following are requisites for mandamus to issue except:

- a) The applicant must have a clear and legal right to the thing demanded.
- c) The respondent must have the power to perform the act concerning which the application for

- b) The corresponding duty of respondent to perform the required act must be clear and specific.
- d) There must be a reasonable delay in the performance of the duty, notwithstanding demand to perform it

(38) Administrative Adjudication means the

- a) determination of questions of a judicial or quasi-judicial nature by an administrative department or agency
- c) Judiciary issues an affirmative, negative, injunctive, or declaratory order

- b) Legislature issues an affirmative, negative, injunctive, or declaratory order
- d) None of these

(39) Who said, "...administrative adjudication means the investigation and settling of a dispute involving a private party on the basis of a law and fact by an administrative agency."

- a) Prof Dicey
- c) Prof Wade

- b) Prof White
- d) Salmond

(40) Which one is correct?

- a) Advisory administrative adjudication which means that the power of final decision is vested in the head of the department or other authority
- c) Both (a) and (b) are correct

- b) Administrative Adjudication may constitute a part of the regular functions of an administrative officer
- d) Neither (a) and (b) are correct

(41) Causes of the Growth of Administrative Adjudication are

- a) Ordinary Courts are not competent
- c) Standard of conduct to be devised

- b) Safety to be ensured
- d) All of these

(42) Administrative Tribunal is bound to act in

- a) Administrative way
- c) In political way

- b) judicially
- d) None of these

(43) Courts deal with

- a) To quash
- c) To implement

- b) To stop
- d) All types of cases

(44) The latin term 'Habeas Corpus means

- a) You may have the body
- c) cannot be a party to the dispute

- b) You may have the soul
- d) You may have the title

- (45) For tribunal,
- a) no formal procedure is required
 - b) formal procedure is required
 - c) Administrative procedure is required
 - d) You may have the title
- (46) For court,
- a) no formal procedure is required
 - b) formal procedure is required
 - c) Administrative procedure is required
 - d) You may have the title
- (47) A quasi-judicial body is a
- a) Judicial body which can interpret law.
 - b) Non-judicial body which can interpret law.
 - c) Administrative body which can interpret law
 - d) Legislative body which can interpret law.
- (48) Examples of Domestic Tribunals are
- a) Disciplinary committee of the Law Society
 - b) The disciplinary committee of a trade union
 - c) Both (a) and (b)
 - d) Neither (a) and (b)
- (49) Administrative tribunals' are
- a) Judicial in nature
 - b) Quasi-judicial in nature
 - c) Administrative in nature
 - d) None of these
- (50) Administrative Directions are instructions or regulations issued
- a) In Supreme Court.
 - b) In High Court
 - c) In District Court
 - d) By administrative authority
- (51) Administrative Directions is subject to
- a) Legal Review
 - b) Judicial Review
 - c) Presidential; Rewvies
 - d) Parliamentary Review
- (52) An administrative direction is
- a) legislative in nature and can be enforceable
 - b) administrative in nature and cannot be enforceable
 - c) Both (a) and (b)
 - d) Neither (a) and (b)
- (53) Administrative decisions which run counter to statutory rules are not binding and their violation cannot be enforced in a court of law, held in
- a) Jagjit Singh v. State of Punjab, (1978) 2 S.C. C. 196. 20.
 - b) Keshavanand Bharti v/s State of Kerala AIR 1 973 SC1461
 - c) 21 Gurdial Singh Fijji v. State of Punjab, (1979) 2 S.C.C. 368.
 - d) Indira Gandhi Nehru v/s Raj Narain AIR 1975 SC
- (54) Authority given in the hands of Public Authority is on public trust which must be exercised in the best interest of the Public. This doctrine is
- a) The doctrine of proportionality
 - b) Public Trust Doctrine
 - c) Doctrine of Public Accountability
 - d) Doctrine of Public Accountability
- (55) The Doctrine of Legitimite Expectation is a ground of
- a) Seperation of Powers
 - b) Seperation of Powers
 - c) Constitutional review
 - d) Judicial review
- (56) The following are the reason for exhausting administrative remedies except
- a) a. To enable the administrative superior to correct the error committed by their subordinates
 - b) Court should not be saddled with the review of Administrative cases

- c) Judicial review of administrative cases is usually effected through civil actions which are available only if there is no plain, speedy and adequate remedy
- d) a. To avail of administrative remedy entails a lesser expense and provides speedy disposition of the controversies

(57) Writ for preliminary injunction

- a) a. This doctrine provides no resort to courts will be allowed unless administrative action has been completed and there is nothing left to be done in the administrative structure?
- b) a. This doctrine provides resort to courts will be allowed unless administrative action has been completed and there is nothing left to be done in the administrative structure?
- c) Rules of Court
- d) None of these

(58) In reviewing administrative decisions, the finding of fact made therein is conclusive. And that is absolute.

- a) Absolutely true
- b) Absolutely false
- c) Partially true
- d) Partially false

(59) The writ which will be filed by a person for not performing the administrative duty is called

- a) Action for Quo-Warranto
- b) Petition for mandamus
- c) Writ of preliminary injunction
- d) Petition for review on Certiorari under Rule 45

(60) In which Article of Indian Constitution, writ jurisdiction of Supreme Court has been provided?

- a) Article 30
- b) Article 31
- c) Article 32
- d) Article 33