



## 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
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- c) To implement  
 (8) The latin term „Habeas Corpus means  
 a) You may have the body  
 c) cannot be a party to the dispute  
 (9) Tribunals can be  
 a) an arbitrator  
 c) a public administrative agency  
 (10) Administrative tribunals are constituted  
 a) With amendment to Articles 300A of the Indian Constitution  
 c) With amendment to Articles 32 and 226 of the Indian Constitution  
 (11) Administrative Directions  
 a) Confer the rights to the individual  
 c) do not confer rights to the administration  
 (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  
 c) 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  
 c) germane to the objects and purposes of the law  
 (14) „Mandamus is a latin term, which means  
 a) The instruction  
 c) The request  
 (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  
 c) Doctrine of Exhaustion of Administrative Remedies  
 (16) The „Lokayukta“ is  
 a) For Union Territory  
 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  
 (18) The doctrine of vicarious liability is based on the maxim  
 a) Qui facit per alium facit per se  
 c) Ignorantia juris non excusat  
 (19) A public corporation  
 a) Can enter into a contract  
 c) Can be sued
- d) To apply  
 b) You may have the soul  
 d) You may have the title  
 b) tribunal board  
 d) All of these  
 b) By 42nd Amendment Act,1976  
 d) By inserting Articles 323A and article 323 B  
 b) Confer the rights to the administration  
 d) do not confer any enforceable rights on an individual  
 b) Doctrine of Colourable  
 d) Doctrine of Public Accountability  
 b) conform to the standards that the law prescribes  
 d) None of these  
 b) The command  
 d) The modus operandi  
 b) Doctrine of severability  
 d) Doctrine of Eclipse  
 b) For State  
 d) For District  
 b) Petition for Review  
 d) Ordinary Court Action  
 b) Actus non facit reum nisi mens sit ria  
 d) Mens rea  
 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      b) Golak Nath vs State of Punjab AIR 1967 SC
- c) S. P. Gupta vs Union of India AIR 1982 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      b) On proper legal principles
- c) Are in accordance with the rules of reason and justice      d) All of these
- (22) Wade defined administrative law as
- 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
- (23) Justice P. B. Mukherjee defined administrative law as
- 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
- (24) The system of ‘Droit Administratif’ is prevalent in
- a) Italy      b) France
- c) Germany      d) None of these
- (25) Prof. .K. C. Davis, defined administrative law as
- a) Powers and procedures of Parliament      b) Powers and procedures of Administrative agencies
- c) Powers and procedures of Judiciary      d) None of these
- (26) According to A.V. Dicey, ‘Rule of Law’ applies in
- a) Supremacy of Law      b) Equality before Law
- c) Judge-made Constitution      d) All of these
- (27) Concept of ‘Separation of Powers’ is reflected in
- a) Article 50 of Indian Constitution      b) Article 51 of Indian Constitution
- c) Article 52 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      b) Some of the attributes of a court
- c) No attribute of a court      d) None of these
- (29) Concept of ‘Delegated Legislation’ arises because of
- a) Pressure upon Parliamentary time.      b) Technicality
- c) Flexibility      d) All of these
- (30) Substantive ultra vires occurs
- a) When an act of legislature exceeds the power conferred on legislature by the Constitution      b) When an act of legislature does not exceed the power conferred on legislature by the Constitution
- c) When an act of legislature exceeds the procedure 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
- b) The rules of natural justice apply to all public bodies
- c) Proportionality will be applied whenever a court is deciding whether the rules of natural justice have been breached
- 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.
- b) The rules of natural justice are capable of applying in principle where an administrative body acts judicially
- 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.
- 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 tortuous acts while discharging official function cannot invoke:
- a) The Doctrine of State Immunity
- b) The Presumption of Regularity
- c) The Doctrine of Primary Jurisdiction
- 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.
- b) Construction by a Supreme Court justice on the constitutional validity of a statute.
- c) Construction by the Secretary of Justice in his capacity as the chief legal adviser of the government.
- 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 to enable one to know his rights and obligations
- b) whether it describes the nature of the power exercised 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
- b) municipal ordinances
- c) Charter of a city subject matter.
- 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.
- b) The corresponding duty of respondent to perform the required act must be clear and specific.
- c) The respondent must have the power to perform the act concerning which the application for
- 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
- b) Legislature issues an affirmative, negative, injunctive, or declaratory order
- c) Judiciary 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  
b) Prof White  
c) Prof Wade  
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  
b) Administrative Adjudication may constitute a part of the regular functions of an administrative officer  
c) Both (a) and (b) are correct  
d) Neither (a) and (b) are correct
- (41) Causes of the Growth of Administrative Adjudication are
- a) Ordinary Courts are not competent  
b) Safety to be ensured  
c) Standard of conduct to be devised  
d) All of these
- (42) Administrative Tribunal is bound to act in
- a) Administrative way  
b) judicially  
c) In political way  
d) None of these
- (43) Courts deal with
- a) To quash  
b) To stop  
c) To implement  
d) All types of cases
- (44) 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
- (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

