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**3 SEM LLB 2 ADMN**

**2009**

**(JUNE)**

**ADMINISTRATIVE LAW**

**Paper : 302**

*Full Marks : 80*

*Time : Three hours*

*The figures in the margin indicate full marks for the questions.*

*Answer any five questions.*

1. Explain Dicey's concept of Rule of law.  
How far the doctrine of Rule of Law has been adopted and incorporated in the Constitution of India ?  
What is the modern concept of Rule of Law as stated by K. C. Davis ? 6+6+4

2. "The Indian constitution has not indeed recognised the doctrine of separation of powers in its absolute rigidity, but the functions of the different parts or branches of the Government have been sufficiently differentiated and consequently it can very well be said that our Constitution does not contemplate assumption by one organ or part of the state, of functions that essentially belong to another." — Discuss.

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3. What are the functions which cannot be delegated ?

16

4. "The dividing line between administrative and quasi-judicial functions is quite thin and being gradually obliterated."

Explain the statement with the help of leading cases.

16

5. What is the effect of breach of the principles of natural justice ? Explain with reference to English and Indian scenario.

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6. "An administrative tribunal has some of the trappings of a court, but not all."  
Explain the characteristics of an administrative tribunal. Also explain the similarities and differences between an administrative tribunal and a court. 8+8
7. Explain the rule against bias. Mention the different types of bias with examples. 8+8
8. "A public corporation is a hybrid organism".  
— Discuss.  
Explain the liabilities of public corporations. 8+8
9. Write short notes on : (*any four*) 4×4
- (a) Henry VIII. clause.
  - (b) Droit Administratif.
  - (c) Doctrine of ultra vires.
  - (d) Speaking orders.
  - (e) "One who hears must decide."
  - (f) Tortious liability of State.
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