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3 Sem LLB (N) 2 ADMN

2012

(December)

ADMINISTRATIVE LAW

Paper : 302

(New Course)

Full Marks – 80

Pass Marks – 32

Time – Three hours

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

Answer any *five* questions.

1. Write short notes on any *four* of the following :
 - (a) Administrative Functions
 - (b) Henry VIII Clause
 - (c) Personal Bias

(d) Legitimate Expectation

(e) Writ of Certiorari

(f) Estoppel.

4×4=16

2. 'Constitutional Law is mainly concerned with the structure of the primary organs of the Government, whereas Administrative Law is concerned with the work of the official agencies in providing services and in regulating the activities of the citizens.'— E.C.S. Wade and G.C. Philips.

Elucidate the above statement highlighting the nexus and line of demarcation between Constitutional Law and Administrative Law. What is the Indian position in this regard ?

10+6=16

3. 'The concept of Rule of Law is a part of the basic feature of the Constitution of India.'

Examine the applicability of Dicey's concept of Rule of Law in India in the light of constitutional provisions and judicial decisions. Analyse the modern concept of Rule of Law.

10+6=16

4. 'The system of delegated legislation is both legitimate. by permissible and constitutionally desirable for certain purposes, with certain limits and under certain safeguards'. Discuss.

8+8=16

5. Explain the term 'natural justice'. Do you think that natural justice lays the foundation on which the principles of good administration rest? Elucidate fully.

4+12=16

6. (a) Discuss the nature and scope of judicial review of administrative action with the help of relevant case laws.

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- (b) What are the limitations of the High Courts in exercising its writ jurisdiction under Article 226 of the Constitution of India?

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7. What do you mean by public corporation? What are the various types of public corporation?

State the legal and constitutional positions of a public corporation. What are the advantages of public corporations over government departments?

4+4+4+4=16

8. Discuss with the aid of relevant case laws the law relating to liability of state in tort. 12

Whether the dichotomy of sovereign and non-sovereign functions forms the basis of state's liability even today ? Elucidate. 4

9. Explain the importance of public interest litigation as a tool to ensure fairness and for prevention of corruption in public administration. Cite relevant judicial decisions in this regard.

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