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4 SEM LLB AL 4 (N)

2016

(June)

LAW

(Administrative Law)

Paper : 4.4

(New Course)

Full Marks : 80

Time : Three hours

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

1. Choose the correct answer : $10 \times 1 = 10$
- (a) The term 'Administrative Law' is 'the law relating to the matter of administration'. It is defined by —
- (i) Wade and Philip
 - (ii) Jain and Jain
 - (iii) Sir Ivor Jennings
 - (iv) None of these

(b) The concept of the doctrine of 'Separation of Powers' was profounded by —

- (i) John Bodin
- (ii) Napoleon Bonaparte
- (iii) Locke
- (iv) None of the above

(c) The term 'Delegated Legislation' means —

- (i) Delegation of legislative power
- (ii) Delegation of legislative power by the Legislature to the Executive
- (iii) Both (i) and (ii) are correct
- (iv) None of these

(d) What cannot be changed directly that cannot be changed indirectly. It relates to —

- (i) Doctrine of eclipse
- (ii) Doctrine of Severability
- (iii) Doctrine of Colourable Legislation
- (iv) None of the above

- (e) Administrative Tribunals are formed under the provision of the Constitution of India is —
- (i) Article 53
 - (ii) Article 145
 - (iii) Article 310
 - (iv) Article 323-A
- (f) One of the basic elements of 'Audi Alterum Partem' is —
- (i) Specified time
 - (ii) Bias
 - (iii) Fair hearing
 - (iv) None of these
- (g) One of the basic elements of 'Rule of Law' as profounded by A.V. Dicey is —
- (i) To have information
 - (ii) Right to know
 - (iii) No one is above the law
 - (iv) Proper interpretation of the statutes

(h) The term Judicial Review is originated from —

- (i) Relynd vs. Fletcher's Case
- (ii) Murbery vs. Madison's Case
- (iii) Golok Nath vs. U.O.I's Case
- (iv) None of the above

(i) Liability in Tort indicates —

- (i) Public liability
- (ii) Civil liability
- (iii) Private liability
- (iv) Both (ii) and (iii) are correct

(j) The civil servants are protected by the provisions of the Constitution of India as —

- (i) Article 21
- (ii) Article 253
- (iii) Article 310
- (iv) None of these

2. Answer the following questions within **4/5**
lines : **5×2=10**

(a) Explain the relationship between Constitutional Law and Administrative Law.

(b) Define 'Droit Administratif'.

(c) What are the disadvantages of Delegated Legislation?

(d) Write a brief note on 'Reasoned Decisions'.

(e) Explain in short the working of Vigilance Commission.

3. Define Administrative Law. Explain the nature and scope of Administrative Law.

4+8=12

Or

Discuss the principles of Rule of Law. Briefly enumerate the philosophy laid down by such principles. Whether there is any negative aspects to the concept? Discuss.

4+6+2=12

4. Explain the function which cannot be delegated by administrative organs. 12

Or

Give the meaning of Conditional Legislation. How can you differentiate it from the delegated legislation? Answer suitably.

4+8=12

5. What is the nature of Administrative Tribunal? State clearly the characteristics of Administrative Tribunal. 4+8=12

Or

Discuss whether the Administrative Tribunals are bound to follow the rules of Natural Justice. 12

6. Explain clearly the principles of Natural Justice. What are the effects of violation of such principle? 6+6=12

Or

Give a clear note on — 6+6=12

- (i) Doctrine of legitimate expectations
- (ii) Doctrine of Proportionality.

7. Write a brief note on privileges and immunities of the administration in suits.

12

Or

Discuss briefly about Constitutional protection of civil servants.

12

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