

2018

LAW

(Administrative Law)

Paper No. 5:3

Full Marks : 100

Pass Marks : 40

Time : 3 hours

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

Answer question no. 1 and any five questions from the rest.

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| 1. | Write notes on <i>any four</i> of the followings- | 4x5 |
| | <ul style="list-style-type: none"> a) Droit administratif b) Judicial activism c) Speaking orders d) Finality clause e) Writ of habeas corpus f) Constitutional protection of civil servants | |
| 2. | What is administrative law? Examine its nature and scope. What are the causes for its growth in India as a branch of public law? | 16 |
| 3. | Rule of law as a dynamic concept represents an ethical code for the exercise of public power. Citing relevant case laws, discuss the role of rule of law in a welfare state and why the rule has been judicially pronounced to be a basic feature of the Indian Constitution? | 16 |

(Please turn over)

4. What is administrative discretion? How it is judicially controlled? 6+10
5. What is a tribunal? Discuss the reasons for the growth of administrative tribunals. Also cite some examples of tribunals. 16
6. Examine the jurisdiction of the Supreme Court under Articles 32 and 136, and the jurisdiction of the High Court under Articles 226 and 227 in respect of judicial review of administrative actions. 16
7. Write briefly on *any two* of the following: 2x8
- a) Nemo debet esse iudex in Propria Causa
 - b) Advantages and disadvantages fo delegated legislation
 - c) Distinguish between 'Court' and 'Tribunal'.
8. Explain the functions which can and cannot be delegated to administrative authorities. 16
9. Examine the concept and development of Ombudsman as the '*watchdog of the administration*' and the working of the institution of Ombudsman in India. 16
10. Discuss the principles of law in –
Bar Council of India
vs
Aparna Basu Mallik;
AIR 1994 SC 1334 16
