

Name:

Enrolment No:



UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, December 2021

Course: Administrative Law

Semester: V

Program: BA., LL.B. (HONS.) CRIMINAL/LABOUR LAW/CONSTITUTIONAL LAW

Time: 03 hrs.

Course Code: CLCC3003

Max. Marks: 100

Instructions: All questions are compulsory.

SECTION-A

	Answer the following questions-	Marks	CO
Q.1.	Write a note on Henry VIII clause.	02	CO1
Q.2.	Distinguish “Discretionary Power” and “Arbitrary Power”	02	CO2
Q.3.	Which Constitutional provisions discusses establishment of tribunals?	02	CO1
Q.4.	What do you mean by bias on account of obstinacy?	02	CO2
Q.5.	When can a Writ of Mandamus be issued ?	02	CO1

SECTION B

Q6	Write a short note on Right to Notice.	5	CO3
Q7	Discuss the theory of Separation of Powers in context of Indian Constitution. Refer to judicial decisions.	5	CO2
Q8	Explain the concept of <i>Droit Administratif</i> .	5	CO3
Q9	Differentiate between writs of Certiorari and Prohibition.	5	CO2

SECTION-C

Q.10.	Discuss the concept of “Rule of Law” in context of India and evaluate to what extent Dicey’s concept of Rule of Law is relevant in the administration of a modern welfare state.	10	CO3
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Q11.	Discuss the struggle of judicial supremacy between the high courts & the tribunals with the help of important case laws.	10	CO4
SECTION-D			
Q12.	<p><i>'The line of distinction between quasi judicial power and administrative power is getting obliterated'</i></p> <p>.Discuss with reference to decided cases. 'X', a senior officer of 'Y', gave adverse remarks in the confidential report of 'Y' as they had strained relations, because of which 'Y' could not be promoted. 'X', was the member of the Departmental Promotion Committee in which 'Y' appeared for the interview.</p> <p>Y wants to challenge the decision of the Committee on account of bias. Advise 'Y'. Explain through judicial decisions about the application of the principle of Bias.</p>	25	CO3
Q13.	<p>Before independence of Atlanta there were 3 kinds of States namely Part A, B & C. Central government wanted to regularize the administration and abolish all the categories. To accomplish its intention it enacted three legislation:</p> <ol style="list-style-type: none"> i. The Rodan Laws Act, 1912 by which the Central Government may apply laws in Rodan with modification and restriction, which is applicable in other parts of Atlanta. ii. The Gidhora Mothra Act, 1947 by which the Central Government may by notification any acts enforced in India into the territory of Gidhora Mothra iii. Part C States Act, 1950 The Central Government may apply any laws in Part C states, with modification and restriction ,which are applicable in any part of Atlanta and may amend any corresponding laws which are in contradiction. <p>The President of Atlanta doubted whether the Central Government could do such an act without taking the legislative route and sought opinion from the Supreme Court. The Constitution & Laws of Atlanta are pari-materia with India.</p> <ol style="list-style-type: none"> 1. Discuss the concept of Delegated Legislation in pre and post constitutional era.(10 marks) 2. In the instant case what would be the fate of the 3 laws? Decide as per proper reasoning. (10 marks) 3. Discuss the procedural controls that are applied over Delegated Legislation. (5 marks) 	25	CO4