



PRESIDENCY UNIVERSITY, BENGALURU

SCHOOL OF LAW

Max Marks: 45

Max Time: 55 Mins

Weightage: 15 %

Set A

TEST I

II Semester 2016-2017 Course: BLA 206 Administrative Law

21 February 2017

**Instructions:**

- i. All questions are compulsory
- ii. Write legibly

**Part A**

(5 Q x 2 M= 10 Marks)

1. Explain the constitutionality of the applicability of the Doctrine of Separation of Powers in India.
2. Critically examine the concept of Rule of Law in India.
3. Write a note on Droit Administratif.
4. Write a note on Henry VIII Clause.
5. What is an Enabling Act?

**Part B**

(3 Q x 5 M= 15 Marks)

6. What is the need of Delegated Legislation?
7. Discuss the distinction between essential and non-essential legislative functions with reference to the Re Delhi Laws Act, 1921, AIR 1951 SC 332.
8. Discuss the Procedural Control over the Administrative Rule-making in India.

**Part C**

(1Q x 20 M= 20 Marks)

9. The Municipal Corporation invited tenders for appointment of agent [1 vacancy] for the collection of Octroi on 25<sup>th</sup> December 2016. In the advertisement they had laid down 6 compulsory essential eligibility criteria and the applications that did not fulfill the 6 essentials were to be discarded.

I.	X	II.	XX
III.	XXX	IV.	XXXX
V.	XXXXX	VI.	XXXXXX

All tenders were to reach the Municipal Corporation by the 25<sup>th</sup> January 2017 06:00 pm. The Municipal Corporation received 28 applications, as counted on the 25<sup>th</sup> evening 06:30 pm. Of the 28 applications received 21 applicants met with all the 6 essentials, 4 applicants met with all the essentials except 5<sup>th</sup> essential, 2 applicants met with all the essentials except 4<sup>th</sup> essential and, 1 applicant met with all the essential except the 6<sup>th</sup> essential.

On 1<sup>st</sup> February 2017, one of the eligibility conditions was deleted [i.e., 6<sup>th</sup> essential]. The tender was thereafter awarded to one who did not fulfill the deleted condition [i.e., 6<sup>th</sup> essential].

Mahesh is an applicant who fulfills all the essentials. He filed an RTI application and found through the reply that the agent appointed did not fulfill the essentials as required by the Municipal Corporation. He approaches you [an advocate having a strong practice in the High Court of Karnataka] for legal advice.

Give advice to the above situation by explaining the scope of judicial review of Administrative Discretion in the light of Fundamental rights with the help of case laws. While explaining the above, you are to discuss the meaning and need of Administrative discretion. Also identify a similar case elaborated above and give the decision of the Supreme Court.



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**TEST 2**

II Semester 2016-2017 Course: **BLA 206 Administrative Law**

21 March 2017

**Instructions:**

- i. All questions are compulsory
- ii. Write legibly

**Part A**

(5 Q x 2 M= 10 Marks)

1. What do you mean by Bias on account of Judicial Obstinacy?
2. State two disadvantages of Quasi -- Judicial functions of Administration.
3. What is a Pre- conceived notion bias?
4. What is a Reasoned decision?
5. What do you mean by the terms Illegality and Irrationality?

**Part B**

(3 Q x 5 M= 15 Marks)

6. When can a Writ of Certiorari be issued? How is it different from Writ of Prohibition?
7. Explain the non- Constitutional modes of Judicial Review of administrative actions.
8. What do you mean by Locus Standi? What are the different concepts involved in Standing?

**Part C**

(2 Q x 10 M= 20 Marks)

9. Elaborate the specific bias referred in here with the help of the cases Gullapalli I & Gullapalli II.
10. What are the different exceptions to the principles of Natural Justice?



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**TEST 3**

II Semester 2016-2017

Course: **BL A 206 Administrative Law**

18 April 2017

**Part A**

(5 Q x 2 M= 10 Marks)

1. What do you mean by Post- decisional hearing?
2. What do you mean by the Trappings of a Court?
3. What is the relevance of the Whistle Blowers Act, 2011?
4. What is the scope of Right to Know in India?
5. Who is an Ombudsman?

**Part B**

(3 Q x 5 M= 15 Marks)

6. Trace the history of the Tortious Liability of the State in India with the help of cases.
7. Explain with the help of cases the Doctrine of Public Accountability.
8. Enumerate the Privileges and Immunities enjoyed by the State.

**Part C**

(2 Q x 10 M= 20 Marks)

9. The State of Rajasthan issued a sanction to Mr. Sunder and others to open a new unaided school and to upgrade the existing ones. Mr. Sunder and others initiated different steps and processes necessary for starting an unaided school. After 15 days a direction was issued to keep the sanction in abeyance. Mr. Sunder and others are challenging on the ground of violation of the principles of natural justice. Decide on the above issue in the light of the Doctrine of Legitimate Expectation with the help of cases.
10. Explain the Doctrine of Pleasure and its limitations.