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**Presidency University**

**Bengaluru**

 **SCHOOL OF LAW**

 **MAKE-UP EXAMINATION – SEP 2023**

**Summer Term** : End Term

**Course Code**: LAW 117

**Course Name**: Administrative Law

**Program & Sem**: **– B.A.,/B.B.A.,/B.Com.,LL.B.,**

**Date**: 30-SEP-2023

**Time**: 1.00PM – 4.00PM

**Max Marks**: 80

**Weightage**: 40 %

 **Instructions:**

1. *Read the all questions carefully and answer accordingly.*

*(ii) Do not write any matter on the question paper other than roll number.*

1. *Any tables/Chart/Graph or data books required, pl. mention here.*

**Part A [Memory Recall Questions]**

**Answer all the Questions. Each question carries 10 marks. (4Qx10M = 40M)**

1. Explain the Nature & Scope of Administrative Law and discuss the various Sources of Administrative Law. **(C.O.No.1) [Knowledge level]**
2. Discuss the functions which cannot be delegated or impermissible delegation under administrative law and explain Judicial control over delegated legislation. **(C.O.No.1) [Knowledge level]**
3. “Classification of Administrative Actions is one of the essential features of administrative law to enforce and implement the laws in action “In this connection, write a comprehensive classification of administrative actions **(C.O.No.2) [Comprehension Level]**
4. An administrative authority may be purely administrative or may be legislative or judicial in nature. decisions which are purely administrative stand on a wholly different footing from judicial as well as quasi-judicial decisions and they must be distinguished. This is a very difficult task. “Where does the administrative end and the judicial begin? Explain the problem of demarcation**. (C.O.No.2) [Comprehension Level]**

**Part B [Thought Provoking Questions]**

**Answer all the Questions. Each question carries 10 marks.** **(2Qx10M=20M**

**5.**“The Principles of natural justice are not fixed, but are flexible and variable. These principles cannot be put in a straight jacket. Their applicability depends upon the context and the facts and circumstances of each case. To sustain the complaint of the violation of principles of natural justice one must establish that he was prejudiced for non-observance of the principles of natural justice” in this connection, Explain the rule of Audi alteram partem with the help of decided case laws**. (C.O.No. 3) [Application level]**

**6.** Explain the various types of Bias under administrative law with reference to the principles of natural justice by applying the doctrine of Nemo Judex Causa Sua Non. **(C.O.No 4) [Application level]**

 **Part C [Problem Solving Questions]**

**Answer all the Questions. Each question carries 10 marks. (2Qx10M=20M)**

 **7.** One Mr. N was a candidate for selection to the Indian Foreign Service and was also a member of the Selection Board. N did not sit on the Board when his own name was considered. The Name of N was recommended by the Board and he was selected by the Public Service Commission. The candidates who were not selected, filed a writ petition for quashing the selection of Mr.N on the ground that, the principles of natural justice were violated. Examine whether there was any real likelihood of bias, for the mere presence of candidate on the selection board which may adversely influence the judgment of the other member? state the reasons with appropriate case laws**. (C.O.No. 4) [Analysis level]**

**8.** “Ombudsman means a delegate, agent, officer or commissioner. The term defines ombudsman as “an officer of parliament, having as his primary function, the duty of acting as an agent for parliament, for the purpose of safeguarding the citizen against abuse or misuse of administrative power by the executive.” Administrative law provides for control over the administration by an outside agency, strong enough to prevent injustice to the individual, at the same time leaving the administration adequate freedom to enable it to carry on effective government. In every progressive system of administration, there is need of a mechanism for

handling grievances against administrative fault. Ombudsman is one of such machinery” with respect to the above, Discuss and analyse the role of Ombudsman in curbing administrative faults. **(C.O.No. 4) [Analysis level]**