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**Presidency University**

**Bengaluru**

 **SCHOOL OF LAW**

**Make-Up Examinations, July 2024**

**Winter Semester**: VII

**Course Code**: LAW 117

**Course Name**: Administrative Law

**Program & Sem**: BA/BBA/BCom LLB

**Date**: 03/07/2024

**Time**: 9:30AM -12:30PM

**Max Marks**: 100

**Weightage**: 50%

 **Instructions:**

1. *Read the all questions carefully and answer accordingly.*
2. *Do not write any matter on the question paper other than roll number.*

**Part A**

**Answer any 4 Questions. Each question carries 5 marks. (4Qx 5M= 20M)**

1. Write a short note on the relationship between constitutional law and administrative law (C.O1.) [Remembering]

2. Explain Montesquieu’s concept of Separation of Power (C.O. 1) [Remembering]

3. Define Administrative Discretion. (C.O.4) [Understanding]

4. Explain official bias as an inherent problem of administrative adjudication

(C.O3.) [Analyzing]

5. Examine the reasons for the need of administrative tribunals in India (C.O5.) [Analyzing]

6. Write a short note on delegate legislation. (C.O2.) [Understanding]

**Part B**

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

7. Dicey's thesis on the rule of law denied the existence of administrative law in Britain. Criticize Dicey's Rule of Law as a conceptual objection against the growth of administrative law.

(C.O.No.1) [Evaluating]

8. Prinicples of natural justice are not precise as their scope changes according to the context of the case. Explain the principles of natural justice and its relevance in the modern administrative adjudication in India. (C.O.No.3) [Evaluating]

9. Describe how Parliament exercises control over delegated legislation and relevant case laws. (C.O.No.2) [Analyzing]

10. Absolute discretion is a ruthless master. Justify the statement concerning relevant case laws (C.O.No.4) [Remembering]

11. Article 14 has emerged as a general safeguard against the conferral of too broad discretionary powers. Explain the relevance of Article 14 in regulating excessive administrative discretion.

(C.O.No.4) [Analyzing]

12. The Supreme Court advocated the setting up of service tribunals to save the courts from the avalanche of writ petitions and appeals in service matters. Explain the importance of the Constitution (Forty-Second Amendment) Act. 1976 in relation to administrative Tribunals in India.

(C.O.No.5) [Analyzing]

**Part C**

**Answer any 2 Questions. Each question carries 20 marks. (2Qx20M=40M)**

13. The District Magistrate commissioned Mr X's truck for famine relief work as per the discretionary power conferred under State legislation. Mr X challenged the validity of the legislation on the ground that it violated Article 14. Decide. (C.O.No. 4) [Evaluating]

14. The tenders were invited from registered second-class hoteliers for a contract to run a second-class restaurant and two snack bars by the International Airport Authority. It was clearly stipulated that the Airport Director would not bind himself to accept tender and reserved to himself the right to reject all or any tenders without assigning any reason. The highest tender was accepted, which was by a tenderer who was not a hotelier. A writ petition was filed by a party who was interested in the tender but was disqualified due to the qualifications set in the tender. The ground for challenge was that an essential qualification was ignored without any reasonability. Decide on the validity of the decison by the administrative authority. (C.O.No.4) [Evaluating]

15. Critically evaluate the effectiveness of administrative tribunals in addressing the challenges of bureaucratic delays and inefficiencies in the Indian administrative setup. Provide examples to support your argument. (C.O.No. 5) [Evaluating]