

LL.M. TRIMESTER – II (Choice Based Credit System) (2013 Course)
(2015 Course) : SUMMER - 2019
SUBJECT : GROUP – B : ADMINISTRATIVE LAW
(CONSTITUTIONAL & ADMINISTRATIVE LAW)

Day : / Monday
Date : 20/05/2019

Time: 10.00 AM TO 01.00 PM
Max. Marks : 60

S-2019-1859

N.B.:

- 1) All questions carry **EQUAL** marks.
 - 2) Attempt **ANY FOUR** marks
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- Q.1** “It is difficult to evolve a satisfactory definition of administrative law so to demarcate articulately its nature, scope and content. There are many definitions in the field but none of them is completely satisfactory; either they are too broad or too narrow”. Critically evaluate the above statement and attempt a definition which would bring out its nature and scope.
- Q.2** “Delegated legislation is so multitudinous that the statute books will not only be incomplete but even misleading unless it be read along with the delegated legislation which amplifies and supplements it”. Carr. Discuss the delegated legislation and factors responsible for its growth.
- Q.3** “Discretion does not empower a person to do what he likes. He has to act reasonably when it is found that no right thinking or conscientious person would have exercised the discretion in the manner it was exercised, the action will have to be quashed.” Explain the concept of discretion with relevant case laws.
- Q.4** Administrative action is generally subject of judicial review and touch stone of such review is the doctrine of ultra-virus. Elucidate.
- Q.5** Natural justice is simple or elementary justice distinct from complex or technical one, and procedural due process has become an essential to promote justice and fair play. Comment and discuss the principle of Audi Alterm Partem.
- Q.6** State is a legal entity not a living personality it has to act through an agency i.e. through its servants. Discuss the tortious liability of the state with land mark decisions.
- Q.7** “The real kernel of democracy lies in the courts enjoying the ultimate authority to restrain the exercise of absolute and arbitrary power”. Elaborate the above statement as to how the judiciary controls administrative action through writs.
- Q.8** Write short notes on **ANY TWO**
- a) Contractual liability of the state.
 - b) Doctrine of excessive delegation
 - c) Ombudsman