

[Time: 3 Hours]

[Marks: 100]

Please check whether you have got the right question paper.

1. Answer in short (not more than two sentences) 20
  - a. Define 'Information' as per Right to Information Act.
  - b. State any two requisites of a Government Contract.
  - c. What is an 'Institutional decision'?
  - d. What is official bias?
  - e. Define Delegated Legislation.
  - f. Define Ombudsman
  - g. What are the three organs of Government and their functions?
  - h. What is substantive Ultra vires?
  - i. What is the meaning of speaking order?
  - j. State any two functions of Union Public Service Commission
  
2. Write short notes (any four) 20
  - a. Droit Administratif
  - b. Separation of power
  - c. A.K.Kraipak vs. Union of India.
  - d. Right to Information Act.
  - e. Parliamentary control over delegated Legislation
  - f. Central Vigilance Commission
  
3. Solve (Any two) :- 12
  - a. Miss. Varsha, an IAS officer working as sub-Divisional officer under the State Government while imparting her legal duties she had taken some stringent actions against land mafia's in her division. Due to political pressure, she was suspended from her officer.
    - i. Guide miss Varsha to reinstate her service?
    - ii. Under which Provision of Constitution of India, she can work without an fear of loss of her employment?

- b. Rules Provided that Person would not be granted school leaving certificate unless he had completed fifteen years of age. However, the Director was given power to grant exemption from this rule under certain circumstances in deserving cases. But the director made an invariable rule that he will grant exemption only if the person has completed thirteen years of age.
- What is the meaning of Administrative discretion?
  - Can the rule made by the Director be challenged? Give reason.
- c. A Regional Engineering College made admissions of candidates on basis of oral interview after a written test. The marks allocated for oral test were one-third of the total marks. This admission procedure was challenged by one candidate as arbitrary action.
- Does allocated of one-third marks of the total marks for oral test violate any legal provision? Explain
  - Write the judgment in the above case.

4. Answer the following (any four)

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- Define administrative Law and explain the sources of Administrative Law
- Discuss the Dicey's doctrine of Rule of law with relevant case laws.
- Explain the judicial Control over delegated legislation.
- Explain "Audi Alteram partem Rule.
- Explain Doctrine of Proportionality.
- Define Public Interest Litigation, discuss the role of Indian Supreme Court as a protector of rights through PIL.

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SEM-VII  
2

2-1-2019

[ 3 Hours ]

SYLLB

[ Total Marks : 100 ]

Please check whether you have got the right question paper.

- N.B:**
1. Figures to the right indicate full marks.
  2. Support your answers with relevant case laws.

**1. Answer in short (not more than two sentences) (20)**

- i) What is a Writ?
- ii) What is sub-delegation?
- iii) What is Henry VIII clause?
- iv) State two functions of the Union Public Service Commission.
- v) What is the difference between limitation and laches?
- vi) What is Judicial Review?
- vii) State two characteristics of Administrative Tribunals.
- viii) What is a speaking order?
- ix) What is the meaning of "Salus Populi Est Suprema Lex"?
- x) What is the concept of Legitimate Expectation?

**2. Write short notes(any four) (20)**

- i) Dicey's Doctrine of Rule of Law
- ii) Civil Services in India
- iii) Kinds of Public Corporations
- iv) Droit Administratif
- v) Ombudsman
- vi) Ridge v/s Baldwin

**3. Answer the situational based questions (any two) (12)**

- i) Rules provided that person would not be granted school leaving certificate unless he had completed fifteen years of age. However the Director was given power to grant exemption from this rule under certain circumstances in deserving cases. But the Director made an invariable rule that he will grant exemption only if the person has completed thirteen years of age.
  - a) What is the meaning of Administrative discretion?
  - b) Can the rule made by the Director be challenged? Give reason.
- ii) A contractor constructed a building at the request of a Government officer. The possession was obtained by the officer and the building was used by the Government; but no payment was made to the contractor. It was contended that the provisions of Article 299(1) of the Constitution had not been fulfilled and therefore the contract was not enforceable.

- a) What is the provision of Article 299(1) of the Constituion?
- b) What can the contractor do in these circumstances?
- iii) Mr. Y was appointed as senior officer in the government department though he was not educationally and experience wise qualified for the post.
  - a) Can anyone oppose such appointment?
  - b) Explain the remedy available in these circumstances.

**4. Explain in detail (any four)**

(48)

- i) Define Administrative Law. Discuss its scope and reasons for its growth.
- ii) Explain the theory of Separation of Powers in light of the Indian legal system.
- iii) Discuss the Principles of Natural Justice with the help of Supreme Court judgments.
- iv) Examine the grounds for judicial control of Delegated Legislation.
- v) What is Tortious liability of Government? Give important cases.
- vi) Answer any two:-
  - a) CBI
  - b) Right to know
  - c) Doctrine of Proportionality