

Name:



Enrolment No:

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES

Online End Semester Examination, December 2020

Course: Administrative Law

Semester: V

Program: BA LL.B (Hons.) (Energy Law/Criminal Law), Energy Law

Time 03 hrs.

Course Code: CLCC3003

Max. Marks: 100

SECTION A

1. Each Question will carry 5 Marks

2. Instruction: Complete the statement / Select the correct answer(s)

S. No.	Questions	Marks	CO
Q1	Brief note on Speaking Orders	5	CO1
Q2	Brief note on Droit Administratif.	5	CO1
Q3	Brief note on 'Audi Alteram Partem'.	5	CO1
Q4	Write a brief note on the 'Lokpal and Lokayukta'.	5	CO1
Q5	Brief Note on 'Tribunalization of Justice' in India.	5	CO1
Q6	Brief Note on 'Doctrine of Legitimate Expectation' in India.	5	CO1

SECTION B

1. Each question will carry 10 marks

2. Instruction: Write short / brief notes

Q7	" The doctrine of excessive delegation operates as some kind of safety valve keeping in view the functioning of the parliamentary system in a developing country. In spite of the inadequacy of the doctrine, it does provide the Courts with a judicial tool to control delegations beyond a legitimate degree. In the absence of any such restrictions the Legislature may under the pressure of the Executive, give a blank cheque to the executive." Explain the aforementioned monograph with the help of suitable precedents.	10	CO2
Q8	What are the various legislative controls over delegated legislation. Explain elaborately.	10	CO2
Q9	The doctrine of separation of power in its classical sense, which is functional rather than structural, cannot be applied in any modern government. Discuss.	10	CO2
Q10	Differentiate between quasi-legislative, quasi-judicial and administrative functions of an administrative body.	10	CO2
Q11	Discuss about judicial review under Indian Constitution. Differentiate between the scope of judicial review under Article 32 and 226.	10	CO3

Section C

1. Each Question carries 20 Marks.

2. Instruction: Write long answer.

Q12-	The State of Ginger had floated a policy of nationalizing primary school education. It has also appointed the Home Secretary as a member to be a part of the Assessment Committee. The Assessment Committee was to recommend and select books of various authors and publishers for various school subjects. Some of the persons whose books were in the selection list were also members of the Assessment Committee. The meeting of the Committee was held. In this meeting, it was held that when the books were being assessed an individual member would withdraw when his book was taken up for consideration. However, that member can participate when the books of other members were considered. The procedure was followed accordingly. The result was	20	CO4
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that the books were accorded approval, whose members were a part of the Assessment Committee. The publishers , whose books were rejected , filed objections stating that since they were not a part of the Assessment Committee, their books were rejected. The Objections were heard and dismissed by the Home Secretary. Pursuant to that, the interested parties went for an appeal to the Tribunal. The parties sought the individual reports of the Assessment Committee, which was denied to them.

- a) Assuming yourself to be adjudicator of the tribunal, kindly determine the matter at hand. Explain with the help of relevant principles and case-laws. (10 marks)
- b) Discuss the growth of ‘Principles of Natural Justice’ as fundamental rights under the Indian Constitution. (10 marks)