

Name:			
Enrolment No:			
UPES End Semester Examination, May 2023			
Course: Administrative Law Program: BA/ BBA/ B Com LLB (Hons.) Course Code: CLCC3003		Semester: VI Time : 03 hrs. Max. Marks: 100	
SECTION A (5Qx2M=10Marks)			
	Write short note on -	Marks	CO
Q1	Administrative tribunals	2	CO1
Q2	Which French philosopher systematically formulated the doctrine of separation of powers?	2	CO1
Q3	Laying on table is a form of _____ (judicial/legislative) control of delegated legislation.	2	CO1
Q4	Quasi legislative function	2	CO1
Q5	Audi alteram partem	2	CO1
SECTION B (4Qx5M= 20 Marks)			
Q6	Make the distinction between administrative and quasi-judicial functions.	5	CO2
Q7	Except in cases where the requirement has been dismissed with expressly or by necessary implications, an administrative authority exercising judicial or quasi-judicial functions is required to record the reasons for its decisions. Examine and discuss whether administrative authority must record reasons for its decisions when performing administrative function.	5	CO2
Q8	Explain the doctrine of separation of powers. Discuss whether the constitution of India permits separation of powers or not and refer to relevant Articles of the constitution and judicial decisions.	5	CO3
Q9	Discuss different forms of laying to control delegated legislation.	5	CO3
SECTION-C (2Qx10M=20 Marks)			
Q10	A writ is a quick remedy against injustice, a device for the protection of the rights of citizens against any encroachment by the governmental	10	CO4

	<p>authority. Kindly discuss the different kinds of writs available under the constitution of India</p> <p style="text-align: center;">OR</p> <p>A police officer vowed in public to teach a lesson to X. He kept trailing for three years. Ultimately, X was detained in case of bribe. The authorities signed the order detaining X after examining the case file presented before it by the police officer.</p> <p>X pleads, in defence, malice. Decide. Also, mention other grounds of abuse of discretion.</p>		
Q11	<p>Analyze the limits beyond which a legislature cannot delegate the law-making power? Discuss with reference to decided cases. Explain whether restrictions/Modifications and amendment repeal of law are valid delegation of law-making power.</p> <p style="text-align: center;">OR</p> <p>A, a worker in a factory along with others, called for a holiday, they remained absent, even after the holiday was denied. They were dismissed without any warning. The workers appealed in Court.</p> <p>Decide the validity of the order, whether it qualifies for any grounds of judicial review to be applicable?</p>	10	CO4
<p>SECTION-D (2Qx25M=50 Marks)</p>			
Q 12	<p>A state legislation empowers the local bodies to levy a theatre tax “for the purposes of the Act” which imposes various duties of compulsory and optional nature. A local body levies a tax on cinema houses by classifying them into various categories based on their “seating capacity and physical amenities”. The levying of tax was challenged on two grounds (i) Excessive delegation of power by the legislature and (ii) rate of tax is arbitrary and violative of Art 14 of the constitution. Decide giving reasons.</p>	25	CO5
Q13	<p>A was a candidate for the post of a professor in a university. The selection committee after interviewing all the candidates including A recommended B for appointment. It was for the University council to make the appointment after assessing the recommendation of the selection committee.</p> <p>A has challenged the recommendation of the selection committee on the grounds that-</p> <p>a) C who was a member of the selection committee was a former teacher and supervisor of B.</p> <p>b) C once had investigated charges of misconduct against him, hence had a bias against him.</p>	25	CO5

	<p>Assuming that the allegations of A are true, can the recommendation of the selection committee be set aside on the ground of the violation of the principles of natural justice. Decide giving reasons.</p>		
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