

Name:

Enrolment No:



UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, December 2019

Course: Administrative Law

Semester: Vth

Program: BBA, LL.B. (Hons.) Corporate Laws, BA., LL.B. (HONS.) CRIMINAL/LABOUR LAW/CONSTITUTIONAL LAW, B.COM. LLB. (Hons.) Taxation Laws, BBA, LL.B. (Hons.) Banking, Insurance and Finance / International Trade and Investment Law

Time: 03 hrs.

Course Code: CLCC3003

Max. Marks: 100

Instructions:

SECTION-A

	Answer the following questions-	Marks	CO
Q.1.	Which provisions of the Constitution ensures Separation of Power?	02	CO1
Q.2.	What do you mean by Henry VIII Clause?	02	CO2
Q.3.	Which amendment of the Constitution provided for establishment of administrative tribunals?	02	CO2
Q.4.	What are the elements of Rule of Law?	02	CO1
Q.5.	What do you mean by Droit Administratif?	02	CO1

SECTION B

Q6	Critically analyse the advantages and disadvantages of tribunals.	5	CO3
Q7	'The same person should not form part of more than one of the three organ of the government.' Critically analyze the above statement.	5	CO4
Q8	Critically examine the concept of Judicial Review in India with the help of relevant case laws.	10	CO4

SECTION-C

Answer any 2:

Q.9.	"The dividing line between an administrative power and a quasi-judicial power is quite thin and is being gradually obliterated." Comment	10	CO3
Q.10.	Critically examine Dicey's Rule of Law in light of decided cases.	10	CO1

Q11.	Malafide exercise of power is an abuse of discretionary power. Discuss with help of relevant precedents.	10	C02
SECTION-D			
Q12.	<p>A State legislation reads: “ The rules as sanctioned by the state government shall be published by the municipality in the municipal borough and laid for 14 days before the state legislature as soon as may be after approval by the state government.”</p> <p>The state government approved certain rules by which municipal taxes were sought to be levied by a municipality. The municipality published a notice in the local newspaper, which merely stated that the rules “can be inspected at the office of the municipality on all working days” between fixed hours each day. A house owner was called up on to pay tax in respect of his house. He challenged the imposition of the tax on the ground that the imposition of tax was bad for the rules were neither published nor laid before the legislature. Decide the above case with relevant principles and case laws</p>	25	C04
Q13.	<p>Examine the applicability of the principles of natural justice in the following cases:</p> <p>(a) The University orders an enquiry against a clerk for his involvement in the leakage of question papers and appoints a law teacher to represent the University before the enquiry denying the services of an advocate to defend the clerk. 10 Marks</p> <p>(b) The examination of B.Com. (Pass) paper held one day is cancelled on the ground of paper leakage without any notice to the students. 05 Marks</p> <p>(c) A notice of the proposed enquiry against a government servant was given only a day before the enquiry. 05 Marks</p> <p>(d) After an enquiry into the conduct of a clerk, his services are terminated without informing him of conclusions of the inquiry officer. 05 Marks</p>	25	C04