



Name:

Enrolment No:

**UNIVERSITY OF PETROLEUM AND ENERGY STUDIES**  
**End Semester Examination, May 2023**

**Course: BT-CSE-LLB-SPZ-CL/IPR; BSC-LLB-IPR/FHE/MFL**

**Program: Administrative Law**

**Course Code: CLCC3003**

**Semester: VIII**

**Time: 03 hrs.**

**Max. Marks: 100**

**Instructions:**

**SECTION A**  
**(5Qx2M=10Marks)**

S. No.		Marks	CO
	Attempt all questions.		
Q1	What is the principal of Nemo Judex Casa Sua?	2	CO1
Q2	Short note on delegated legislation.	2	CO1
Q3	What is the concept of Judicial Review?	2	CO1
Q4	Short note on discretionary power	2	CO1
Q5	What do you understand by 'locus standi'?	2	CO1

**SECTION B**  
**(4Qx5M= 20 Marks)**

	Attempt all questions.		
Q6	Administrative law is a byproduct of the intensive form of the government. Write briefly.	5	CO2
Q7	What are the reasons for growth of tribunals in India? Mention case laws too.	5	CO2
Q8	Write a brief note on the doctrine of separation of powers with case laws.	5	CO2
Q9	Discuss different forms of laying to control delegated legislation.	5	CO2

**SECTION-C**  
**(2Qx10M=20 Marks)**

	Attempt all questions.		
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 authority. Kindly discuss the different kinds of writs available under the constitution of India.	10	CO3

Q11	Rule of law does not mean rule according to statutory law, pure and simple because such a law may itself be harsh, inequitable, discriminatory, or unjust. 'Rule of law' connotes some higher kind of law which is reasonable, just and non-discriminatory. Explain.	10	CO3
<b>SECTION-D</b> <b>(2Qx25M=50 Marks)</b>			
	Attempt all questions.		
Q12	“36 girls’ students at a medical college filed a report with the principal regarding misbehavior of the boys of the same college in the girls’ hostel. The Enquiry Committee appointed by Principal recorded the statements of girls in the absence of the appellant. The Committee found appellants guilty, and an expulsion order was served on them by the principal of the college.” In the light of the above statement, discuss whether the principles of natural justice were violated or not with the help of SC judgements.	25	CO4
Q13	The notification issued under Section 6(5) of Gujarat Agricultural Produce Markets Act, 1964, besides official Gazette, must also be published in Gujrati in a newspaper having circulation in the particular area. Whether the requirement is mandatory or directory in nature. Discuss in the light of the landmark case laws. <b>‘OR’</b> Section 7 of the Delhi Laws Act, 1912, empowered the Provincial Government to extend with such restrictions and modifications as it thinks fit to the province of Delhi or any part thereof, any enactment which is in force in any part of India on the date of such modification. A petition is filed in the Supreme Court contending that delegation of such legislative power is not constitutional. Decide with the help of land mark case laws.	25	CO4

**SET B**

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**SECTION A**  
**(5Qx2M=10Marks)**

S. No.		Marks	CO
	Attempt all questions.		
Q1	What do you understand by laying subject to negative resolution?	2	CO1
Q2	Pecuniary Bias	2	CO1
Q3	What is the rule of Audi Alteram Partem?	2	CO1
Q4	Short note on discretionary power	2	CO1
Q5	Short note on Droit Administratif.	2	CO1

**SECTION B**  
**(4Qx5M= 20 Marks)**

	Attempt all questions.		
Q6		5	CO2
Q7	Describe the nature and scope of a writ of certiorari. When can a certiorari be issued?	5	CO2
Q8	How do you locate 'rule of law' in Indian Administrative law?	5	CO2
Q9	Write a brief note on the writ of 'Habeous corpus'.	5	CO2

**SECTION-C**  
**(2Qx10M=20 Marks)**

	Attempt all questions.		
Q10	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.	10	CO3

Q11	Discuss the Constitutionality of Articles 323A and 323B of the constitution in India. Substantiate your answer with judicial decisions.	10	CO3
<b>SECTION-D</b> <b>(2Qx25M=50 Marks)</b>			
	Attempt all questions.		
Q12	Decide in the light of decided cases, the validity of the decision of a departmental promotion committee, where 'X' is one of the members of the committee and also a candidate for the post. 'X's name appeared at the top of the list of selected candidates for promotions.  <b>'OR'</b> The questions whether the direction to lay the rules before Parliament is mandatory or merely directory and whether laying is a condition precedent to their operation or may be neglected without prejudice to the effect of the rules are answered by saying that "each case must depend on its own circumstances or the wording of the statute under which the rules are made"	25	CO4
Q13	Section 7 of the Delhi Laws Act, 1912, empowered the Provincial Government to extend with such restrictions and modifications as it thinks fit to the province of Delhi or any part thereof, any enactment which is in force in any part of India on the date of such modification. A petition is filed in the Supreme Court contending that delegation of such legislative power is not constitutional. Decide with the help of land mark case laws.	25	CO4