

Name:	 UPES <small>UNIVERSITY WITH A PURPOSE</small>
Enrolment No:	

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, December 2021

Course: Administrative Law **Semester: VII**
Program: BBA, LL.B. (Hons.) Corporate Laws, 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: All questions are compulsory.

SECTION-A

	Answer the following questions-	Marks	CO
Q.1.	Write a short note on laying of delegation legislation.	02	CO1
Q.2.	What do you mean locus standi?	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 Administrative discretion?	02	CO1

SECTION B

Q6	Write a short note on procedural ultra vires.	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	Examine Dicey's Rule of Law.	5	CO4
Q9	Malafide exercise of power is an abuse of discretionary power. Discuss with help of relevant precedents.	5	CO3

SECTION-C

Q.10.	Critically examine the concept of Judicial Review in India with the help of relevant case laws.	10	CO3
Q11.	Discuss the distinction between essential and non-essential legislative functions with reference to in re Delhi Laws Act case. How far has this distinction undergone changes in later cases?	10	CO2

SECTION-D

Q12.	“The Rule of law postulates the pervasiveness of the spirit of law throughout the whole range of government in the sense of excluding arbitrary official action in any sphere.” Comment with reference to the power of administrative authority under a Central law to grant, refuse to grant or to renew any license ‘for reasons to be recorded’ particularly when such discretion is not regulated by any statutory rules or directions or guidelines and there is no higher reviewing authority either.	25	C04
Q13.	Examine the applicability of the principles of natural justice in the following cases: (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. (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. (c) A notice of the proposed enquiry against a government servant was given only a day before the enquiry. (d) After an enquiry into the conduct of a clerk, his services are terminated without informing him of conclusions of the inquiry officer.	25	C04