

School of Law

**Master of Law
Semester End Examination - Jun 2024**

**Duration : 180 Minutes
Max Marks : 100**

Sem II - J1PG201T - Administrative Law and Good GovernanceGeneral Instructions

Answer to the specific question asked

Draw neat, labelled diagrams wherever necessary

Approved data hand books are allowed subject to verification by the Invigilator

- 1) Discuss the doctrine of proportionality ? K2(6)
- 2) Examine the meaning of consequential theory regarding PNJ. K2(6)
- 3) Examine the relationship between constitutional law and administrative law. K3(6)
- 4) Examine Doctrine of public accountability. K3(6)
- 5) Define and Explain Administrative Law. Discuss its nature and scope. K5(10)

OR

Discuss the historical background of administrative law and reasons for its growth. K5(10)

Answer any two questions from 6, 7 and 8.

- 6) Discuss the evolution of "due process" in America and respective development of "procedure established by law" in India with help of relevant case-laws. K5(15)
- 7) How does India's "procedure established by law" differs from USA's "due process"? Discuss with help of case-laws. K5(15)
- 8) What do you mean by judicial process? Discuss the "doctrine of Fairness" with the help of decided cases. K5(15)

Answer any two questions from 9,10 and 11

- 9) "The doctrine of 'legitimate expectation' has been judicially recognized by the Indian Supreme Court and this recognition has paved the way for the development of a broader and more flexible doctrine of fairness. Consequently, the ultimate question should always be whether something has gone wrong to the extent that the court's intervention is required and if so, what form that intervention should take." In this background discuss the K6(18)

development of this doctrine in UK and later in India, with help of case-laws.

- 10) "Constitutional law, it is generally believed, resolves the great issues of state and society, while administrative law, in its best moments, merely refines those principles for dealing with the administrative state...The two fields are, of course, intimately related, and share an overarching purpose of managing the relationship between state and citizen, with an emphasis on protection of the latter in democratic states. On the other hand, the fields reflect different legal sources and modalities. In some countries, they are adjudicated by entirely different courts. While constitutional law is becoming ever more comparative, with judges regularly citing each other's opinions, administrative law remains bound to the nation state." In this backdrop, discuss the grounds for doing comparative administrative law. K6(18)
- 11) "Many a time, it is not sufficient that there exists a law. It has to have the life blood that keeps alive the basic human rights and dignity of people, which, if taken away, renders the human existence inhuman. What matters is not merely the colour of law, but the content. Colour may be of "rule of law", but, in essence, it is often "rule by law". In this backdrop elaborate on the eight principles of rule of law by Raz. Answer with the help of Ranbindra Pathak's paper. K6(18)