

Can. 5220-10.

AM-S217

( 3 Hours)

[ Total Marks: 100

N.S. : (1) Attempt all questions.

(2) Figures to the right indicate full marks.

1. Answer in one sentence :-

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- (a) What is the meaning of Welfarism ?
- (b) State Dicey's three postulates of Rule of Rule.
- (c) What is the Doctrine of 'ultra Vires' ?
- (d) What is an 'Institutional decision' ?
- (e) Define Delegated Legislation.
- (f) State two functions of the Control Vigilance Commission
- (g) Which are the sources of Administrative Law?
- (h) What is a quasi-judicial function?
- (i) What is official bias?
- (k) State the grounds for exclusion of principles of Natural justice

2. Write short notes (any four) of the following :-

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- (a) Sovereign and non-sovereign function.
- (b) Right to Information Act
- (c) A. K. Kraipak Vs. Union of India
- (d) Functions of the Union Public Service Commission
- (e) Droit Administratif
- (f) Forms of Delegation.

3. Solve (any two) of the following :-

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- (a) A Regional Engineering College made admissions of candidates on basis of oral interview after a written test. The marks allocated for oral test were one-third of the total marks. This admission procedure was challenged by one candidate as arbitrary action.
  - (i) Does allocation of one-third marks of the total marks for oral test violate any legal provision? Explain.
  - (ii) Write the judgement in the above case.
- (b) In one case, the petitioner was appointed as an honorary Paediatrician in a District Hospital through Selection Board. His appointment was suspended because of an interim stay granted by the Lokayukta on a complaint filed before him by one of the candidates for the post. The petitioner filed a writ petition under Article 226 challenging the Lokayukta's action.
  - (i) Explain whether the Lokayukta has jurisdiction to review the appointment.
  - (ii) State on what grounds a Lokayukta can take action under the Maharashtra Lokayukta and Up-Lokayukta's Act, 1971.
- (c) A firm 'ABC' was carrying on business of sale and distribution of lubricants since 18 years. The Indian Oil Corporation, a Government Company, who supplied materials to firm 'ABC', suddenly stopped the supply of materials. Firm 'ABC' filed a petition for writ of mandamus, but the High Court dismissed it. The Indian Oil Corporation argued that the dispute fell in the realm of contract and hence the petition is not maintainable. Firm 'ABC' has now approached the Supreme Court.
  - (i) Is the Indian Oil Corporation subject to writ jurisdiction? Explain.
  - (ii) Is a contractual activity or dispute subject to rule of law? Explain with legal provisions.

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4. Answer the following (any four) of the following :-

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- (a) Examine the nature and scope of Administrative Law, state the reasons for its growth in India.
- (b) Discuss Montesquieu's theory of separation of powers.
- (c) What is 'Audi Alteram Partem', explain the maxim with reference to leading case laws.
- (d) Explain the judicial control over delegated legislation.
- (e) Define Public Interest Litigation, discuss the role of Indian Supreme Court as a protector of rights through PIL.
- (f) Define the term 'Civil Service' and explain the constitutional safeguards to the doctrine of pleasure.

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