



Name:

Enrolment No:

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
Online End Semester Examination, December 2020

Course: Administrative Law

Semester: VII

Program: BA LL.B (Hons.) (Energy Law)

Time 03 hrs.

Course Code: CLCC3003

Max. Marks: 100

SECTION A

1. Each Question will carry 5 Marks

2. Instruction: Write short answers/Define

S. No.	Question	Marks	CO
Q1	Delegatus potest Delegare	5	CO1
Q2	Departmental Bias	5	CO1
Q3	Writ of prohibition	5	CO1
Q4	Elements of Rule of Law	5	CO1
Q5	Judicial review	5	CO1
Q6	Quasi legislative function	5	CO1

SECTION B

1. Each question will carry 10 marks

2. Instruction: Analytical questions

Q7	“Essential legislative functions cannot be delegated”. Explain the above statement.	10	CO2
Q8	How procedural safeguards are ensured over Delegated Legislation. Whether procedural requirements are mandatory? Also, cite relevant case law.	10	CO2

Q9	The doctrine of separation of power in its classical sense, which is functional rather than structural, cannot be applied in any modern government. Discuss.	10	CO2
Q10	Explain the conditions for grant of writ of mandamus? To whom writ can be issued and what are the grounds of the issue of writ?	10	CO2
Q11	Critically analyse advantages and disadvantages of tribunals?	10	CO3

Section C

1. Each Question carries 10 Marks.

2. Instruction: Application based question.

Q12- A)	<p>A was a candidate for the post of a professor in a university. The selection committee after interviewing all the candidates including A recommended B for appointment .It was for the University council to make the appointment after assessing the recommendation of the selection committee.</p> <p>A has challenged the recommendation of the selection committee on the grounds that –</p> <p>1) C who was a member of the selection committee was a former teacher and supervisor of B.</p> <p>2) C once had investigated charges of misconduct against him hence had a bias against him.</p> <p>Assuming that the allegations of A are true, can the allegation of the selection committee be set aside. Explain with relevant case laws and reasoning.</p>	20	CO4
B)	<p>Part ‘C’ State (Laws) Act, 1955, conferred power on government to extend laws, which were in force in Part ‘A’ state. By a notification , Bengal Finance (Sales tax) Act 1941 was extended to Delhi.Sec 6(1) of 1941 Act granted exemption form sales tax to items enlisted in the schedule.Sec 6(2) granted power to add to or omit the items</p>		

from the schedule provided "...after giving by notification in the official gazette not less than three months' notice of its intention to do..."

On 8-5-1994 in the Gazette of India, notification was published and for the words "not less than 3 months' notice" the words "such previous notice as it considers reasonable" were substituted. The petitioner 'Z' challenged the validity of the notification.

Decide giving reasons with relevant case laws.