24802526 (Pages : 2) Reg. No.....

Name.....

FIVE YEAR B.A./B.Com./B.B.A., LL.B. (HONOURS) DEGREE EXAMINATION, APRIL 2024

Sixth Semester

FL 16—ADMINISTRATIVE LAW

(2020 Admissions—Regular/2018 and 2019 Admissions—Supplementary)

Time : Three Hours Maximum : 75 Marks

Part A

Write short notes on any **five** *of the following.*
Each question carries 3 *marks.*

1. Red and green light theories of administrative law.
2. Administrative instructions.
3. Wednesbury unreasonableness.
4. Grant of State largesse.
5. *Audi alteram partem.*
6. Writ of Mandamus.

(5 × 3 = 15 marks)

Part B

Answer any **three** *of the following questions.*
Each question carries 10 *marks.*

7. A statute conferred rule making power on the Government. The Government made certain Rules and gave retrospective effect to them. Decide the validity of the Rules.
8. Police arrested a person alleging the offence of theft. The third-degree methods used by the police while the accused was in their custody led him to succumb to the injuries. His father filed a case against State Government. Can the State be held tortuously liable for the death of accused in police custody ? Substantiate your answer citing leading decisions on the point.
9. A Selection Committee was constituted by the Central Government for promotions to higher posts to be selected from a list of senior officers. One among the candidates, who was also a member of the Selection Committee, got promoted. An unsuccessful candidate challenges this. Will he succeed ?

10. The State Government had the power of granting tax exemption in ten newly established sugar factories up to three years in the state. The Government announced a policy to grant exemption to newly established factories in the co-operative sector only and that too for one year. The other sugar factories in the State challenged the policy on the ground that the Government should conisder every application and cannot lay down a policy to exempt only co-operative sector. Decide referring to judicial decisions.

(3 × 10 = 30 marks)

Part C

Answer any **two** *of the following questions.*
Each question carries 15 *marks.*

11. "The 'Rule of Law' is based on the principle of legality and is opposed to exercise of arbitrary powers." In the light of this statement, explain the concept of 'Rule of Law' and examine whether failure to give reasons amounts to exercising power arbitrarily.

12. "Delegation of legislative powers has neither been permitted nor prohibited under the Indian Constitution." Discuss the constitutionality of delegated legislation with the aid of leading decisions on this point. What are the limits of delegated legislation ?

13. What is "Public Interest Litigation" (PIL) ? Examine how the concept of *locus standi* has been gradually modified in the context of Public Interest Litigation. What are the pitfalls and drawbacks of PIL ?

(2 × 15 = 30 marks)