

LLM / JRAA/01/ 19

ONE YEAR LL.M DEGREE FIRST SEMESTER EXAMINATIONS,

DECEMBER 2019

JUDICIAL REVIEW OF ADMINISTRATIVE ACTION

Time: 3 Hrs

Maximum Marks: 50

Answer ANY FIVE of the following
Each question carries TEN marks

(5 x 10 = 50)

1. Elaborate on the importance of Administrative Law as a principled regulation of administrative space.
2. Elaborate on the doctrine of *ultra vires* and its importance in judicial review of administrative actions.
3. "Administrative review" assesses the allegedly questionable actions of administrators against standards of reasonableness and abuse of discretion. When courts judge challenged- administrative actions to be unreasonable or to involve abuses of discretion, those actions are declared null and void, as are actions that are judged inconsistent with constitutional requirements when courts exercise judicial review in the conventional or constitutional sense."Elaborate on judicial review of administrative actions through writs under Articles 32 and 226.
4. Write brief notes on the following:
 - a. Rules of Res Judicata
 - b. No Evidence Rule
 - c. Exhaustion of Remedies
5. "It has long been settled law that a decision which offends against the principles of natural justice is outside the jurisdiction of the decision-making authority," Examine the importance of adherence to principles of natural justice in administrative action.
6. Examine in detail the concept of jurisdiction, its evolution, importance and the exclusion of jurisdiction of civil courts in context of administrative adjudication with relevant case laws.

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7. "For state to care for citizens from cradle to grave-like protect environment, educate them at all stages, employment, shelter, food, clothing, housing, medical services, training, pensions etc. it needs a huge administrative apparatus. For this, mere legislations won't do – everything cannot be anticipated in advance as well- so the bureaucracy needs discretionary power." Elaborate on the rise and growth of the modern administrative state.
8. Discuss in detail the meaning of bias, various kinds of bias, safeguards against bias and remedies against biased or malicious orders.
9. In its broadest sense natural justice may mean simply 'the natural sense of what is right and wrong' and even in its technical sense it is now often equated with "fairness". Elucidate.
10. Elaborate on the exceptions to the rule of fair hearing in the context of review of administrative actions.
