

**GUJARAT NATIONAL LAW UNIVERSITY
SILVASSA CAMPUS**

**Course: Administrative Law
Semester- II (Batch: 2024-25)**

End Semester Examination: April – May 2025 (LL M)

Date: 25st April, 2025

Duration: 3 hours

Max. Marks: 50

Instructions:

- Read the questions properly and write the answers in the given answer book.
- Do not write anything on the question paper.
- The respective marks for each question are indicated in-line.
- Indicate correct question numbers in front of the answer.
- No questions or clarification can be sought during the exam period, answer as it is, giving reason, if any.

Answer any five questions

Marks

- Q.1 The Municipal Corporation of a city has decided to grant a contract for the construction of a new flyover. However, after a preliminary evaluation, the Corporation used its discretionary powers to award the contract to a company with connections to a senior political figure, despite the fact that other bidders had better qualifications and more competitive offers. (10)
- Discuss whether this exercise of administrative discretion is justifiable in light of the principles of judicial review. What factors should the judiciary consider in determining if the discretion has been abused? Discuss with the help of relevant case laws.
- Q.2 The Doctrine of Separation of Powers traditionally envisions a clear demarcation between the legislative, executive, and judicial branches of government. However, the emergence of administrative tribunals, as outlined in Articles 323A and 323B of the Indian Constitution, has blurred these boundaries by authorising specialised bodies to adjudicate disputes typically handled by the judiciary. (10)
- How can the growth and expansion of administrative tribunals be justified within the principles of the doctrine of Separation of Powers? Is the delegation of judicial functions to administrative bodies justified due to their expertise, efficiency, and ability to improve access to justice, or does this compromise the integrity and independence of the judiciary?
- Q.3 The principles of natural justice, originally rooted in ensuring procedural fairness, have evolved significantly over time to encompass broader aspects of administrative functioning. (10)
- Discuss the expanding horizon of natural justice in administrative law with the help of judicial pronouncements.
- Q.4 *"The State must be held accountable not only for what it does, but also for what it leads its citizens to expect."* (10)

Critically evaluate how the doctrines of Legitimate Expectation and Promissory Estoppel have been judicially evolved to ensure government accountability and to embed the principles of fairness, trust, and ethical governance in administrative law.

- Q.5 *“Rule of Law does not mean rule according to statutory law pure and simple, because, such a law may be harsh, inequitable, discriminatory or unjust.”* (10)

How has the judiciary ensured that administrative actions are not confined to mere statutory compliance, but are also guided by the principles of constitutional morality, fairness, and substantive justice?

- Q.6 *“The rise of delegated legislation reflects a shift from parliamentary sovereignty to executive dominance. This trend, if unchecked, risks the erosion of democratic accountability and constitutional limits.”* (10)

What are the primary differences and similarities in the control mechanisms governing delegated legislation in India, the United States, and the United Kingdom, and how do these controls influence the effectiveness and accountability of governance within each jurisdiction?
