

Semester 6

| S. No. | Course Code | Course Name | Course Type | Cd | L | T | P | Marks | | |
|--------|-------------|--------------------|--------------|----|---|---|---|-----------|------------|-------|
| | | | | | | | | Sessional | Final Exam | Total |
| 1 | BBALLB-601 | Administrative Law | Generic Core | 4 | 4 | 0 | 0 | 30 | 70 | 100 |

Course Outcomes

| | |
|---|---|
| At the end of the course the student will be able to: - | |
| CO1 | Discuss the evolution, nature and scope of administrative law. |
| CO2 | Analyze the principles of delegated legislation and natural justice. |
| CO3 | Evaluate the judicial control and reasonable exercise of administrative discretion. |
| CO4 | Examine the grounds for judicial review and the role of administrative tribunals in adjudication. |
| CO5 | Explain the concepts and mechanisms for remedies against administrative actions. |

Detailed Syllabus

Unit-I: Introduction to Administrative Law

- 1.1 Evolution, Nature and Scope of Administrative Law
- 1.2 Relationship between Constitutional Law and Administrative Law
- 1.3 Administrative Action - Meaning, Classification and Need to Control
- 1.4 Doctrine of Rule of Law
- 1.5 Doctrine of Separation of Powers

(10 Hrs)

Unit-II: Delegated Legislation and Natural Justice

- 2.1 Concept, Growth and Development
- 2.2 Classification; Comparative position in UK, USA and India
- 2.3 Excessive Delegation, Constitutional Limits, Control Mechanism
- 2.4 Natural Justice – Concept and Growth; Principles - Nemo Judex in Causa Sua, Rule against bias, Audi Alteram Partem, Right to be heard; Recent requirements of Natural Justice - Reasoned decision & Right to legal Representation
- 2.5 Exceptions to Principles of Natural Justice; Effect of failure to comply with Principles of Natural Justice.

(10 Hrs)

Unit-III: Administrative Discretion

- 3.1 Discretionary Powers
- 3.2 Judicial Control over Administrative Discretion
- 3.3 Fundamental Rights and Administrative Discretion
- 3.4 Reasonable Exercise of Power
- 3.5 Wednesbury Principle

(08 Hrs)

Unit-IV: Judicial Review of Administrative Action and Administrative Adjudication

- 4.1 Grounds of Judicial Review of Administrative Action
- 4.2 Constitutional Remedies, Private Law Remedies
- 4.3 Doctrine of Legitimate Expectation, Doctrine of Public Accountability, Doctrine of Proportionality, Laches, and Exclusion of Jurisdiction
- 4.4 Concept of Administration Adjudication - Reason for the Growth
- 4.5 Administrative Tribunals - Establishment of Tribunals Act, 1985; Its Main Objectives and Salient Features

(10 Hrs)

Unit-V: Remedies Against Administrative Action Including Writ Jurisdiction

- 5.1 Concept and Need of Ombudsman
- 5.2 Ombudsman in India – Lokpal, Lokayukta in States
- 5.3 Central Vigilance Commission
- 5.4 Right to Information

5.5 Maladministration & Alternative Remedies - Development of the concept of state liability, tortious liability, contractual liability, privileges of government, doctrine of estoppel and waiver

(10 Hrs)

Textbooks

| S. No. | Name of the Books | Name of the Author | Publisher Name | Edition (Pub. Yr.) |
|--------|----------------------------------|------------------------------------|----------------------|-------------------------|
| 1 | Principles of Administrative Law | M.P. Jain, S.N. Jain, Amita Dhanda | LexisNexis | 8 th (2023) |
| 2 | Administrative Law | I.P. Massey | Eastern Book Company | 10 th (2023) |

Reference Books

| S. No. | Name of the Books | Name of the Author | Publisher Name | Edition (Pub. Yr.) |
|--------|--------------------------------|--------------------|----------------------|------------------------|
| 1 | Lectures on Administrative Law | C.K. Takwani | Eastern Book Company | 8 th (2024) |
| 2 | Administrative Law | S.P. Sathe | LexisNexis | 7 th (2004) |