



Model Institute of Engineering
& Technology (Autonomous)
Course Handout

Kot Bhalwal, Jammu

COURSE HANDOUT

Administrative Law (BBALLB-601)

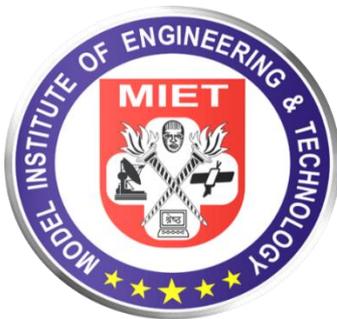
BBALLB – 6th SEMESTER

ACADEMIC YEAR (2024-25)

Ms. Sajida Batool

Assistant Professor

School of Law



School of Law

Model Institute of Engineering & Technology (Autonomous)

Kot Bhalwal, Jammu - 181122

www.mietjmu.in



Dr. Arun K. Gupta Teaching-Learning Centre

Version 1.1



Please Do Not Print Unless Necessary



| Course Code | Course Name | Course Type | Cd | L | T | P | Marks | | |
|-------------|--------------------|--------------|----|---|---|---|-----------|------------|-------|
| | | | | | | | Sessional | Final Exam | Total |
| BBALLB-601 | Administrative Law | Generic Core | 4 | 4 | 0 | 0 | 30 | 70 | 100 |

COURSE OUTCOMES

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| 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 Hours)

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 Hours)

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

(8 Hours)

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 Hours)

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 Hours)

Textbooks

| S.No | Name of the Books | Name of the Author | Publisher Name | Edition (Pub.Yr.) |
|------|--------------------|--------------------|----------------------|-------------------------|
| 1 | Administrative law | I.P. Massey | Eastern Book Company | 10 th (2022) |
| 2. | Administrative law | S.P Sathe | Lexis Nexis | 7 th (2004) |

Reference Books

| S.No | Name of the Books | Name of the Author | Publisher Name | Edition (Pub.Yr.) |
|------|--------------------|---------------------------|----------------------|-------------------------|
| 1. | Administrative Law | H.W.R Wade & C.F. Forsyth | Oxford | 12 th (2023) |
| 2. | Administrative Law | C.K Takwani | Eastern Book Company | 8 th (2024) |

COURSE PLAN

Unit-I

| S.No | Topics | Recommended Books |
|------|---|-------------------|
| 1 | Evolution, Nature and Scope of Administrative Law | Book 1, Ch.2 |
| 2 | Relationship between Constitutional Law and Administrative Law | Book 1, Ch.4 |
| 3 | Administrative Action - Meaning, Classification and Need to Control | Book 2, Ch.10 |
| 4 | Doctrine of Rule of Law | Book 2, Ch.10 |
| 5 | Doctrine of Separation of Powers | Book 2, Ch.10 |

Unit-II

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|----|---|---------------|
| 6 | Concept, Growth and Development | Book 2, Ch.11 |
| 7. | Classification; Comparative position in UK, USA and India | Book 2, Ch.11 |
| 8 | Excessive Delegation, Constitutional Limits, Control Mechanism | Book 2, Ch.11 |
| 9 | 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 | Book 2, Ch.11 |
| 10 | Exceptions to Principles of Natural Justice; Effect of failure to comply with Principles of Natural Justice. | Book 2, Ch.11 |

Unit-III

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| 11 | Discretionary Powers | Book 1, Ch.7 |
| 12 | Judicial Control over Administrative Discretion | Book 2, Ch.13 |
| 13 | Fundamental Rights and Administrative Discretion | Book 2, Ch.14,15,16 |
| 14 | Reasonable Exercise of Power | Book 2, Ch.17 |



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| 15 | Wednesbury Principle | Book 2, Ch.16 |
| Unit-IV | | |
| 16 | Grounds of Judicial Review of Administrative Action | Ref Book 1, Ch.6 |
| 17 | Constitutional Remedies, Private Law Remedies | https://www.egyankosh.ac.in/bitstream/123456789/9943/1/Unit-14.pdf , https://www.lawjournals.net/assets/archives/2022/vol4issue4/4-3-20-968.pdf |
| 18 | Doctrine of Legitimate Expectation, Doctrine of Public Accountability, Doctrine of Proportionality, Laches, and Exclusion of Jurisdiction | https://blog.ipleaders.in/legitimate-expectation/ |
| 19 | Concept of Administration Adjudication - Reason for the Growth | https://egyankosh.ac.in/bitstream/123456789/19261/1/Unit-3.pdf |
| 20 | Administrative Tribunals - Establishment of Tribunals Act, 1985; Its Main Objectives and Salient Features. | Ref Book 1, Ch.6 |
| Unit-V | | |
| 21 | Concept and Need of Ombudsman | Ref Book 1, Ch.7 |
| 22 | Ombudsman in India – Lokpal, Lokayukta in States | Ref Book 1, Ch.7 https://wbsche.wb.gov.in/assets/pdf/Political-Science/LOKPAL-AND-LOKAYUKTA.pdf |
| 23 | Central Vigilance Commission | https://www.manupatra.com/roundup/328/Articles/Administration%20of%20Central%20Vigilance.pdf |
| 24 | Right to Information | https://egyankosh.ac.in/bitstream/123456789/57236/1/Unit12.pdf |
| 25 | Maladministration & Alternative Remedies - Development of the concept of state liability, tortious liability, contractual liability, privileges of government, doctrine of estoppel and waiver | https://erp.newlawcollege.edu.in/admin/notes/Administrative%20Law.pdf |

ADDITIONAL WEB RESOURCES

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| 1. | Understanding Administrative Law :Study Material available on Lexis Nexis Available at: https://www.lexisnexis.com/documents/pdf/20090218103837_large.pdf?srltid=AfmBOorliHbaKwd-1-Ow6RL61pu6K1gujQKWGufECx4zLmdnpkPrA5E5 |
| 2. | https://www.investopedia.com/terms/a/administrative-law.asp |
| 3. | https://tndalu.ac.in/econtent/1_Administrative_Law.pdf |
| 4. | https://law.pepperdine.edu/blog/posts/understanding-administrative-law.htm |



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| 5. | https://www.sciencedirect.com/topics/social-sciences/administrative-law |
| 6. | https://blog.ipleaders.in/administrative-law-1/ |

GRADING AND ASSESSMENT

- **Sessional Test:** 15 marks
- **Assignment:** 10 marks
- **Attendance:** 5 marks
- **Final Examination:** 70 marks

COURSE POLICIES

- **Attendance:** Minimum 75% attendance is mandatory to appear in the final examination of the course.
- **Academic Integrity:** MIET's academic integrity policies apply. Plagiarism will not be tolerated.
- **Late Submissions:** Assignments and projects must be submitted by the specified timelines.

FACULTY INFORMATION

- **Office Hours**
Monday (12:05 PM - 12:55 PM)
Friday (12:05 PM - 12:55 PM)
- **Contact Information**
sajida.llb@mietjammu.in