

30 JAN 2026

NATIONAL LAW UNIVERSITY JODHPUR

End Term Examination August-December 2025

Semester: UG V

Subject: Administrative Law (Compulsory)

Time: Three hours

Total marks: 100

INSTRUCTIONS:

1. This question paper contains 6 questions, each carrying 20 marks.
2. Answer any 5 questions from the following.
3. Support your answers with case law citations, statutory provisions, and doctrinal analysis where relevant.
4. Expected answer length: 800-900 words per question (suggestive only, not compulsory)

Q1 The Ministry of Labour and Employment delegates power to the Labour Commissioner under the Industrial Disputes Act, 1947, to frame rules regarding workplace safety standards. The Labour Commissioner issues detailed administrative instructions prescribing mandatory safety protocols for all manufacturing units. However, these instructions are not published in the Official Gazette and are directly circulated to employers through administrative circulars. Furthermore, the instructions impose compliance obligations on matters that fall within the purview of the legislature under Schedule VII of the Constitution. A group of manufacturers challenges these instructions claiming procedural defects.

- (a) Applying the principles of constitutional law regarding delegation of legislative power, examine whether the Labour Commissioner's issuance of these instructions is constitutionally valid and within the scope of delegated authority.
- (b) Analyze the procedural and substantive defects in the issuance of these administrative instructions and discuss the grounds available to challenge them.

(10 + 10 = 20 marks)

Q2 A newly enacted statute establishes an independent tribunal called the "Civil Service Disputes Tribunal" with the following powers:

- Adjudicate disputes between government servants and government departments
- Award damages up to Rs. 50 lakhs
- Pass binding orders with limited appellate rights only to the President
- Constitute its own benches without any clearance from the Chief Justice

Several civil servants challenge the tribunal's constitutional validity, arguing that it usurps the High Court's jurisdiction and violates separation of powers.

- (a) Analyze the constitutional framework governing administrative tribunals under Articles 323A and 323B of the Constitution. What constitutional safeguards must any tribunal possess?
- (b) Critically examine whether this tribunal violates the principle of separation of powers and independence of the judiciary. What modifications would be necessary to make it constitutionally valid?

(10 + 10 = 20 marks)

Q3 You are the Chief Security Officer of a Government Hospital in Jaipur. A nursing assistant, employed on contract basis for the past eight years, has been accused of serious misconduct:

Incident 1 (September 15, 2025): The nursing assistant was found sleeping during duty hours on multiple occasions. Hospital records maintained by nursing supervisors confirm this over a three-month period.

Incident 2 (September 28, 2025): A patient filed a written complaint alleging negligent handling, leading to a fall and injury. The hospital's medical report confirms this incident.

Incident 3 (October 5, 2025): The nursing assistant was found to have falsified patient records on two separate occasions to cover up delays in administering medications.

These acts constitute violations of Hospital Service Conduct Rules (Dereliction of Duty), Medical Negligence protocols and Hospital Records and Documentation Standards. Draft a comprehensive show cause notice that fulfills the requirements of natural justice principles in letter and spirit.

(20 marks)

Q4 The State Government of Punjab announces a new retail trade policy in 2023, permitting existing retail traders to renew their business licenses annually at a fixed fee of Rs. 5,000 for the next ten years. In reliance on this announcement, over 50,000 small retail traders across the state invest in renovations, inventory, and business expansion. However, in October 2025, following complaints from large retail corporations, the State Government withdraws the fixed-fee policy without notice. New licenses are issued at market rates (Rs. 50,000-100,000 annually), and all existing traders are mandatorily shifted to this new structure immediately.

The retail traders challenge this sudden policy reversal, invoking principles of natural justice and the doctrine of legitimate expectation.

- a) Analyze the nature and elements of legitimate expectation as a doctrine of administrative law. Discuss whether the retail traders have acquired a legitimate expectation that is legally enforceable.
- b) Examine the limits of the doctrine when public interest (such as need for regulatory reform) conflicts with individual reliance interests. What remedies might be available to these traders?

(10 + 10 = 20 marks)



Q5 Administrative discretion is the lifeblood of modern governance, yet it remains a potential source of arbitrariness and abuse.

- (a) Evaluate the various judicial tests and standards by which discretionary administrative decisions can be challenged in judicial review proceedings. Discuss with reference to significant case law and doctrinal developments.
- (b) "Proportionality requires not merely legality but substantive fairness of administrative action." Critically evaluate this statement in the context of judicial review and explain how it differs from traditional tests of reasonableness in administrative law.

(12 + 8 = 20 marks)

Q6 Public authorities often rely on procedural advantages and immunities as litigants (such as extended limitation, mandatory notice, exemptions from court fees). Critically evaluate whether these privileges can be justified in the contemporary administrative context. Could these result in denial of justice or reduced accountability? Support your answer with reference to doctrines and potential hypothetical disputes.

(20 marks)
