

[Time: 03:00 Hours]

[Max. Marks: 60]

Note: Attempt all the questions as per given instructions.

SECTION A

1. Multiple Choice Questions (MCQs)

[01×08=08]

i. Administrative law is a law concerning the powers and procedures of administrative agencies including especially the law governing judicial review of administrative action'. This definition is given by

- (a) Ivor Jennings (b) K C Davis (c) H W R Wade (d) Cessare Becarria

ii. Doctrine of separation of powers means

- (a) one organ of the government should not exercise the function of the other
(b) one organ of the government should not control or interfere with the exercise of its functions by another organ
(c) same persons should not form part of more than one of the three organs of the government
(d) all of the above

iii. Which of the functions may not be delegated

- (a) Essential legislative functions (b) Inclusion and exclusion
(c) Application of existing laws (d) Commencement

iv. Which of the following is not a control on delegated legislation

- (a) Judicial (b) Legislative (c) Doctrine of ultra vires (d) Doctrine of lifting of veil

v. Which of the following is NOT an essential component of the doctrine of Audi alteram partem?

- a) Right of notice b) Oral hearing c) Reasoned decision d) Both A and B

vi. Excess or abuse of discretion can be through which of the following grounds

- a) Living out relevant consideration b) Arbitrary action c) Exceeding jurisdiction d) All of the above

vii. The tortious liability of the government is recognized in the Indian constitution by

- a) Art 298 b) Art 294 c) Art 323 d) Art 299

viii. Delegated Legislation cannot be controlled by

- a. Judiciary b. Parliament c. Executive d. Press

SECTION-B

Answer in Long (Any Two)

[16 x 2 = 32]

2. Define "Administrative Law". What are the reasons which have led to the growth of administrative law in the present times?
3. What is delegated legislation? How judiciary exercises control over delegated legislation?
4. What is meant by discretionary powers of the administration? How can the exercise of discretionary powers be controlled?

SECTION -C

Answer in short (Any Two)

[10 x 2 = 20]

5. Discuss the relationship between Administrative Law and Constitutional Law.
6. Write a short note on 'Central Vigilance Commission'.
7. Enumerate the major problem faced during administrative decision making.
8. Write a note on Parliamentary control over delegated legislation.

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C

(SVSU:2024-25/R)

Enrollment No.

BA.LL.B.

3rd Year/ 6th Semester EXAMINATION
ORGANIZATION OF LAW AND POLITICAL PARTIES
(BL-601)

Time allowed- 3 Hours

M.M. 60 Marks

General Instruction:

- (i) All the Questions are compulsory.
- (ii) You may attempt any sections at a time.

Section- A

Answer any Two of the following questions.

[2X16=32]

- Q. 1 What are the key provisions of the Anti-Defection Law and how is it implemented?
- Q. 2 Discuss the structure and functions of the Election Commission of India.
- Q. 3 Examine the working of the Rajya Sabha and its contributions to legislation.

Section- B

Answer any Two of the following questions.

[2X10=20]

- Q. 4 Discuss the powers and functions of the Rajya Sabha in India's parliamentary system.
- Q. 5 How does the media contribute to political awareness and public opinion?
- Q. 6 Explain the origin and evolution of the Indian political party system since independence.

Section- C

Answer all the questions.

[8X1=08]

- Q. 7 Which of the following powers is *exclusively* given to the Rajya Sabha?
 - a) Money Bills
 - b) Impeachment of President
 - c) Creation of All India Services
 - d) Passing the Budget
- Q. 8 The procedure and conduct of business in the Rajya Sabha is governed by-
 - a) Speaker's directions
 - b) President's orders
 - c) The Rules of Procedure
 - d) Supreme Court rulings
- Q. 9 The Speaker of Lok Sabha is elected by-
 - a) President
 - b) Rajya Sabha
 - c) Members of Lok Sabha
 - d) Prime Minister
- Q. 10 The primary function of the Lok Sabha is to-
 - a) Represent the states
 - b) Enforce laws
 - c) Pass money and ordinary bills
 - d) Interpret the Constitution
- Q. 11 Parliamentary decorum refers to-
 - a) Dress code for MPs
 - b) Proper behavior and discipline during sessions
 - c) Office layout of Parliament
 - d) Budget session planning
- Q. 12 The Anti-Defection Law was added to the Constitution through which Amendment?
 - a) 42nd
 - b) 44th
 - c) 52nd
 - d) 61st
- Q. 13 Which party system emerged in India post-1989?
 - a) Single party dominance
 - b) Bi-party system
 - c) Coalition politics
 - d) Military rule
- Q. 14 The Indian political party system is described as-
 - a) One-party system
 - b) Two-party system
 - c) Multi-party system
 - d) No-party system

Note: Attempt all the questions as per the given instructions.

SECTION-A

1. Multiple Choice Questions (MCQs)

[01x 08= 08]

I. The law of evidence consists of

- (a) ordinary rules of reasoning (b) legal rules of evidence (c) rules of logic (d) all the above.

II. What is correct as regards the admissibility of self-regarding statements

- (a) self-harming statement is admissible but a self-serving statement is not generally admissible
(b) self-serving statement is admissible but a self-harming statement is not generally admissible
(c) self-serving and self-harming statements both are generally admissible
(d) self-serving and self-harming statements both are generally inadmissible.

III. Under the law of evidence, as a general rule

- (a) opinion on a matter of fact is relevant but not on a matter of law
(b) opinion on a matter of law is relevant but not on a matter of fact
(c) opinion on a matter of fact and law both are relevant
(d) opinion whether on a matter of fact or law, is irrelevant.

IV. Facts which are necessary to explain or introduce relevant facts of place, name, date, relationship & identity of parties are relevant

- (a) under section 8 of Evidence Act (b) under section 9 of Evidence Act
(c) under section 10 of Evidence Act (d) under section 11 of Evidence Act.

V. Communication made 'without prejudice' are protected

- (a) under section 22 of Evidence Act (b) under section 23 of Evidence Act
(c) under section 24 of Evidence Act (d) under section 21 of Evidence Act.

VI. Oral evidence under section 60 of Evidence Act may be

- (a) direct only (b) hearsay (c) both (a) & (b) (d) either (a) or (b).

VII. When the court has to ascertain the relationship between one person and another, the opinion of any person having special means of knowledge and expressed by conduct is admissible

- (a) under section 51 of Evidence Act (b) under section 50 of Evidence Act
(c) under section 52 of Evidence Act (d) under section 49 of Evidence Act.

VIII. A confession made by a conspirator involving other members is relevant against the co-conspirator jointly tried with him and is admissible.

- (a) under section 8 of the Evidence Act (b) under section 10 of the Evidence Act
(c) under section 30 of the Evidence Act (d) both (b) & (c).

SECTION-B

Short Question: Answer any two

[10 x 2=20]

2. Distinguish between an "admission" and a "confession". State the rules regarding the admissibility and probative value of each.
3. Explain briefly a critical note on evidence of Accomplice.
4. "All admissible evidence is relevant, but all relevant evidence is not necessarily admissible". Comment.

SECTION-C

Long Question: Answer any two

[16 x 2=32]

5. Explain and illustrate:
 - a. "Oral evidence must in all cases be direct."
 - b. "Hearsay evidence is not admissible". What are the exceptions to this?
 - c. If one of two or more attesting witnesses of a document, required by law to be attested, is called and he denied execution, is it permissible to prove execution by other evidence without calling the other attesting witnesses who are available?
6.
 - a. In what case and subject to what conditions are dying declarations admissible in evidence?
 - b. Briefly discuss does a statement made to S.D.M by a bride relating to the cause of her death, becomes a 'dying declaration' under section 32 Evidence Act though the bride firmly believed that she would recover, but dies after three days of making it? Discuss. Also, elucidate if a person making dying declarations happens to live, can the declarations be admitted in evidence? If so, what will be the value of such a statement in law?
7. Explain and illustrate the following:
 - a. Distinguish between judicial and extra-judicial confession.
 - b. 'No confession made to a police officer is admissible'.
 - c. A warden of a prison promised to post a letter given to him by a prisoner. The letter was addressed to the prisoner's father and contained a confession signed by the prisoner. Instead of posting, the warden sent the letter to the Public Prosecutor, who wanted to use it at the trial of the prisoner. Is it admissible as a confession?
