

COURSE TITLE	ADMINISTRATIVE LAW
COURSE CODE	10FL1505
COURSE CREDITS	4

Objective:

- 1 To understand the meaning, scope, and nature of administrative law.
- 2 To understand the Rule of Law, Rule against Bias, and Principles of Natural Justice.
- 3 To make the students learn the classification of administrative functions. i.e. quasi-judicial, legislative, and purely administrative functions and the controls over them.
- 4 To provide students with knowledge and appreciation of the differences between constitutional law administrative law and judicial process.
- 5 To provide students with an awareness of principles underpinning the legal doctrine of the emerging trend in administrative law.

Course Outcomes: After completion of this course, student will be able to:

- 1 To define the meaning and scope of administrative law and delegated legislation.
- 2 To state the principles of natural justice.
- 3 To explain administrative adjudication.
- 4 To discuss administrative discretion and remedies.
- 5 To interpret the liability of the administration.
- 6 To compare administrative process and judicial review.

Pre-requisite of course:Constitutional Law

Teaching and Examination Scheme

Theory Hours	Tutorial Hours	Practical Hours	ESE	IA	CSE	Viva	Term Work
3	1	0	50	30	20	0	0

Contents : Unit	Topics	Contact Hours
1	INTRODUCTION Meaning, Definition, Scope, and Significance of Administrative Law, Evolution and Development of Administrative Law in India, the UK, the USA, and France, Rule of Law- Concept, Evaluation of Dicey's concept of Rule of Law, Modern conception of Rule of Law, Rule of Law in U.K., U.S.A. and India, Rule of Law vis-à-vis Administrative Law., Doctrine of Separation of Powers Meaning, Origin, Montesquieu's Doctrine of Separation of Powers, System of checks and balances, position in U.K., U.S.A., and India., Relationship between Constitutional Law and Administrative Law	6

Contents : Unit	Topics	Contact Hours
2	DELEGATED LEGISLATION Meaning of Delegated Legislation and its Growth, Delegated Legislation in USA, UK, and in India: Pre and Post Constitutional Period, Types of Delegated Legislation and Constitutionality of Delegated Legislation, Delegated Legislation and Conditional Legislation, Restraints on Delegation of Legislative Power, Essential Legislative Functions and Principles of Administrative Rule making/ Delegated Legislation, Control Mechanisms of Delegated Legislation: Parliamentary, Procedural and Judicial Sub-delegation, Doctrine of Excessive Delegation- Control over Delegated Legislation, Judicial, Procedural and Legislative Control-Administrative directions and Delegated Legislation	6
3	PRINCIPLES OF NATURAL JUSTICE Concept, Evolution, and Importance, Natural Justice in India, Application of Natural Justice and Applicability of the Principles of Natural Justice-From Natural Justice to Fairness, Principles of Natural Justice- Audi Alteram Partem or the Rule of Fair Hearing Rule against Bias., Meaning, Object, Ambit, and Ingredients of Fair Hearing, Institutional Decision, Post-Decision Hearing-Reasoned Decisions- Exceptions, Exceptions to Natural Justice, Violation of Natural Justice	6
4	ADMINISTRATIVE ADJUDICATION Reasons for the growth of Administrative Adjudication and its need, Problems of Administrative Adjudication, Mechanism for Administrative Adjudication., Difference between Courts and Tribunal, Statutory and Domestic Tribunals, Administrative Tribunals., Civil Service in India - Nature and Organization of civil service., Doctrine of Pleasure., Constitutional Safeguard to Civil Servants	5
5	ADMINISTRATIVE DISCRETION, ITS CONTROL, AND REMEDIES Meaning and Definition of Administrative Discretion, Misuse of administrative adjudication and its kinds, Control of Administrative Discretion a. Parliamentary Control- Direct Control and Indirect Control, Judicial Control- Judicial Review, Special Leave Petition, and Public Interest Litigation., Doctrine of Legitimate Expectation, Doctrine of Proportionality, Judicial Remedies Against Administrative Discretion, Constitutional Remedies, Non-Constitutional Remedies, Statutory Remedies, , Equitable Remedies, Common Law Remedies	5
6	LIABILITY OF THE ADMINISTRATION Contractual Liability of the Administration Constitutional and other provisions, Doctrine of Estoppel, Tortious Liability of the Administration –Constitutional and other provisions, Liability of Public Corporations	5

Contents : Unit	Topics	Contact Hours
7	REVIEW OF ADMINISTRATIVE ACTIONS AND REMEDY Meaning and need for Judicial Review, Scope of Judicial Review, Jurisdiction of the Supreme Court, Writ Jurisdiction, Judicial Review of Administrative Action through Writs, Scope of the Writ Jurisdiction Against whom the Writ lies, Territorial extent of Writ Jurisdiction, Relief against an Interim Order, Interim Relief [Art. 226(3)]-Locus-standi-, Difference between Article 32 and 226, Kinds of Writ -Grounds for the issue of Writs, Alternative Remedy- Laches or Dela- Res Judicata, Public Interest Litigation and Locus- Standi	6
8	EMERGING TRENDS IN ADMINISTRATIVE LAW Administration and Good Governance, Corruption - Prevention of Corruption Act, Right to know: Right to Information Act, 2005. Need for Reforms, Ombudsman – Lok Pal and Lokayukta, Central Vigilance Commission., Informal Methods of Settlement of Disputes and Grievance Redressal Procedures - Conciliation and mediation through social action groups, Public inquiries and commissions of inquiry., E-Governance, Global Administrative Law	6
Total Hours		45

Suggested List of Experiments:

Contents : Unit	Topics	Contact Hours
1	Issues related to Administrative Law Issues related to Administrative Law	15
Total Hours		15

Textbook :

- 1 Principles of Administrative Law, M.P. Jain, M.P. Jain, 2020

References:

- 1 Administrative Law, Administrative Law, C.K. Takwani, C.K. Takwani, 2020

Suggested Theory Distribution:

The suggested theory distribution as per Bloom's taxonomy is as follows. This distribution serves as guidelines for teachers and students to achieve effective teaching-learning process

Distribution of Theory for course delivery					
Remember / Knowledge	Understand	Apply	Analyze	Evaluate	Higher order Thinking / Creative
10.00	10.00	30.00	10.00	20.00	20.00