

SARDAR PATEL UNIVERSITY
Programme & Subject: BA LLB
Semester: V
Syllabus with Effect from: June - 2011

Paper Code: IL - 502	Total Credit:
Title Of Paper: Administrative Law	

Unit	Description in Detail	Weightage (%)
I	Evolution, Nature and Scope of Administrative Law Definition and scope of administrative law Relationship between constitutional law and administrative law Separation of powers Rule of law	
II	Legislative Powers of Administration Necessity for delegation of legislative power Constitutionality of delegated legislation - powers of exclusion and inclusion and power to modify statute Requirements for the validity of delegated legislation Legislative control of delegated legislation Laying procedures and their efficacy Committees on delegated legislation - their constitution, function and effectiveness Hearings before legislative committees Judicial control of delegated legislation Sub-delegation of legislative powers	
III	Judicial Powers of Administration Need for devolution of adjudicatory authority on administration Administrative tribunals and other adjudicating authorities : their ad-hoc character Tribunals - need, nature, constitution, jurisdiction and procedure Jurisdiction of administrative tribunals and other authorities Distinction between quasi-judicial and administrative functions The right to hearing- essentials of hearing process No man shall be judge in his own cause No man shall be condemned unheard Rules of evidence - no evidence, some evidence and substantial evidence rules Reasoned decisions The right to counsel Institutional decisions Administrative appeals	
IV	Judicial Control of Administrative Action Exhaustion of administrative remedies Standing : standing for Public interest litigation (social action litigation) collusion, bias Laches Res judicata Grounds Jurisdictional error/ultra Vires Abuse and non exercise of jurisdiction	



	<p>Error apparent on the face of the record Violation of principles of natural justice Violation of public policy Unreasonableness Legitimate expectation Remedies in judicial Review: Statutory appeals Mandamus Certiorari Prohibition Quo-Warranto Habeas Corpus Declaratory judgments and injunctions Specific performance and civil suits for compensation</p>	
V	<p>Administrative Discretion Need for administrative discretion Administrative discretion and rule of law Limitations on exercise of discretion Malafide exercise of discretion Constitutional imperatives and use of discretionary authority Irrelevant considerations Non-exercise of discretionary power</p>	
VI	<p>Liability for Wrongs (Tortious and Contractual) Tortious liability: sovereign and non-sovereign functions Statutory immunity Act of state Contractual liability of government</p>	
VII	<p>Informal Methods of Settlement of Disputes and Grievance Redressal Procedures Ombudsman : Lokpal, Lokayukta Vigilance Commission Congressional and Parliamentary Committees</p>	

Basic Text & Reference Books:-

- Administrative Law - M.P. Jain & S.N. Jain
- Lectures on Administrative - C.K. Takwani
- Administrative Law - C.K. Thakkar
- Administrative Law - Garner
- Administrative Law - Kagzi
- Administrative Law - I.P. Massey
- Administrative Law - Basu

