



Chhatrapati Shahu Ji Maharaj  
University, Kanpur

**Answer Script Details**  
**Barcode** 7186975

**Roll No.** 23086004441  
**Total Mark** 63/100.00

**Exam** LLB\_ODD-EXAM-DEC-24  
**Subject** LLB301 - ADMINISTRATIVE LAW

**Question wise Mark Summary**

**Q.No Mark Q.No Mark Q.No Mark Q.No Mark**

1A 3/4 9 NA/15

1B 3/4

1C 3/4

1D 3/4

1E 3/4

1F 3/4

1G 3/4

1H 3/4

1I 3/4

1J 2/4

2 NA/15

3 9/15

4 8/15

5 NA/15

6 9/15

7 8/15

8 NA/15

# Chhatrapati Shahu Ji Maharaj University Kanpur, Uttar Pradesh

Date of Exam: 29/01/25 Seat: I  
 Roll No: 47  
 Paper Code: LLB 301  
 Subject: Administrative Law  
 Name of Candidate: Jaya Parihar

Roll No: 2 3 0 8 6 0 0 4 4 4 1  
 Signature of Candidate: *Jaya Parihar*  
 Signature of Investigator: *[Signature]*  
 COE Facsimile: *[Signature]*

### PART-II

MARKS OBTAINED										
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LLB301  
 Paper Code  
  
 Signature of Evaluator

Course: **BACHELORS OF LAW**  
 Session: **2024-25** Year/Semester: **III**  
 Subject Name: **ADMINISTRATIVE LAW**  
 Medium: English  Hindi   
 Paper Code: **LLB 301**  
 Exam Date: **29 01 20 25**  
 Name of Candidate: **JAYA PARIHAR**  
 Father's Name: **JAY SINGH**

कॉलेज कोड  
College Code

एग्जाम सेंटर कोड  
Exam Centre Code

K	N	O	S	K	N	O	S
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F	D	2	2	F	D	2	2
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K	K	4	4	K	K	4	4
L	L	5	5	L	L	5	5
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एग्जाम का प्रकार  
Type of Exam

ANSWER BOOKLET NO.

7186975

Paper Code: **LLB 301**

Enrolment Number: **C S J M A 2 3 0 0 0 1 4 4 4 7 0**  
 Candidate's Roll Number: **2 3 0 8 6 0 0 4 4 4 1**  
 Paper Code: **3 0 1**

  
  
 Signature of Candidate: *Jaya Parihar*  
 Signature of Investigator: *[Signature]*  
 केन्द्राध्यक्ष  
 ब्रह्मानन्द कालेज, कानपुर  
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नोट- 1. परीक्षार्थी को निर्दिष्ट किया जाता है कि उत्तरण करने की पृष्ठ भाग पर अधिक राशी निर्देशों को सावधानी पूर्वक करें।  
 2. शीट में भरी जाने वाली प्रतिक्रिया कागज तालक से जुड़ कर लें। 3. शीटों को बदलने का नीले बलिष्ठपत्र से भरा जाये।

### INSTRUCTION TO THE CANDIDATE FOR FILLING PART-I

1. Read the instructions carefully given on the answer script and admit card.
2. Write Date of Exam, Shift, Paper Code & Name of Subject Correctly.
3. Write Name & Roll No. Correctly.
4. Write Semester & Branch Correctly.

### INSTRUCTION TO THE CANDIDATE FOR FILLING PART-II

Use blue or black ball point pen for writing alphabets & numerals in  boxes.

2. Carefully study the example before you start marking.
3. As shown in the example below, blacken the circles completely.



4. Make no Stray marks on this sheet.

**5. DO NOT WRITE OR MARK ON THE BAR CODE.**

### IN ORDER TO AVOID UFM ( UNFAIR MEANS ) :

1. The Roll No. and Answer Book no. found elsewhere or any other symbol found in the answer book will be treated as unfair means.
2. Any tampering of Bar Code and Booklet no shall be treated as Unfair Means.
3. Do Not bring the materials like slip of paper/mobile/digital diaries/ study material/ revision notes in examination hall. Possession of the mobiles/ digital diaries/electronic/digital/ watch and any other electronic gadget except memory less scientific calculator shall be considered as UFM case.
4. Do not keep or paste currency note in answer script it shall be consider as UFM.

### अनुचित साधन से बचने हेतु :

1. उत्तर पुस्तिका के निर्दिष्ट स्थान को छोड़कर अनुक्रमिक एवं उत्तरपुस्तिका का क्रमांक नहीं जोर न मिले तथा कोई भी चिह्न न बनाई क्योंकि यह अनुचित साधन प्रयोग की शक्ति से आता है।
2. उत्तर पुस्तिका के कालकोड अथवा उत्तर पुस्तिका संख्या पर कुछ छाप करने पर अनुचित साधन प्रयोग माना जाएगा।
3. परीक्षा कक्ष में विना वास्तुं पाठ न पढ़ाये, जैसे किन्हीं हस्त लिखित की नुस्खें, मोबाइल, डिजिटल डिवाइस, डिजिटल वॉच, कार्पो, घुसक यह सभी वास्तुं जो अनुचित साधन के अंतर्गत आती है। केवल संशोधित प्रश्नपत्र में ही मेमोरी लेस काउंटिंग कैलकुलेटर ले जाने की अनुमति होगी।
4. उत्तर पुस्तिकाओं में रूपये न रखें न ही उत्तर पुस्तिका में लिखावटें। ऐसा करना अनुचित साधन प्रयोग की शक्ति से आता है।

### उत्तरपुस्तिकाओं को भरण निर्देश

1. प्रवेश पत्र एवं उत्तर पुस्तिका पर दिखे गये निर्देशों को ध्यान से पढ़ें।
2. कक्ष प्रवेश के दसवें तक सुप्त न रहें।
3. उत्तर पुस्तिका के पृष्ठों पर कोई चिह्न न लिखें।
4. प्रश्न पत्र पर अपने अनुक्रमिक के अधिकांक सुप्त न लिखें।
5. प्रश्न पत्र कोड एवं प्रश्न पत्र ID सफलतापूर्वक सुक्त लिखें।
6. अपनी तिथि स्पष्ट लिखें।
7. उत्तर पुस्तिका के पृष्ठों की संख्या देखें। अगर उत्तर पुस्तिका में पृष्ठ ( 1-24 ) हो कम हो या फटे हुए हों, तो न शुरू होने के पूर्व दूसरी उत्तर पुस्तिका ले लें।
8. प्रश्नपत्र को देख, यदि प्रश्नपत्र में किसी कोड, विषय का नाम तथा प्रश्न नं कोई त्रुटि है तो उसकी परीक्षा होने से 30 मिनट के अन्दर कक्ष निरीक्षक को तत्काल सूचित करें, परसों बाद विभागीयपालक द्वारा कोई न चर्चा की जायेगी।
9. प्रश्नों की उत्तर लिखने के लिये बेंडिंग का प्रयोग न करें।
10. बी कोपी का अधिकांक प्राप्त नहीं किया जायेगा।

### INSTRUCTION TO THE CANDIDATE

1. Read the instructions carefully given on the Question Paper, Admit Card & Answer Script.
2. Do not write anything on back side of the cover page.
3. Write on both sides of pages of answer book.
4. Do not write anything on question paper except Roll Number.
5. Write Paper Code & Question Paper Id carefully.
6. CHECK the number of pages ( 1-24 ) or any other kind of damage in your answer script, if found than change the answer script immediately before the commencement of examination.
7. CHECK the Question Paper for any kind of discrepancy e.g. Subject Code, Subject Name, and Question of the Question Paper during first THIRTY MINUTES of commencement of the exam, so that it can be corrected in TIME. After that no corrections shall be entertained by the university.
8. Do not use pencil for answering the question.
9. Write status correctly e.g. those appearing in carry over papers should fill in status as Carry Over. Those appearing as Ex-Students should fill in status as ex.
10. No supplementary answer book & graph paper will be provided.

### INSTRUCTION TO THE CANDIDATE FOR FILLING PART-IV

1. Use blue or black ball point pen for writing alphabets & numerals in  Boxes.
2. Use blue or black ball point pen for filling the circles.

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4	4	4	4	4	●	4	4	4	4	4
5	5	5	5	●	5	5	5	5	5	5
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Note- If your Roll No. is of 10 digits. Please leave first three columns .



Paper Code

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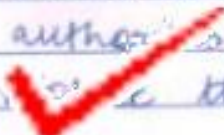
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**SECTION B**

Ques 4 what reasons - - - - - importance in present time.

\* Meaning :-

Administrative tribunals are 'quasi judicial' bodies. They are established by the statute to provide speedy justice against cases where appellants are individuals seeking remedy against the wrong done by the government authorities while exercising their administrative functions.

Administrative tribunals provide remedies against the government authorities exercising administrative functions and they  the rights of individuals or citizens.

\* Legal Mandate :- Administrative tribunals are established in accordance with the provisions of constitution they are brought by 44<sup>th</sup> constitutional amendment Act, 1978 under the part XIV-A of Indian constitution. Administrative tribunals are covered in the Article 323-A & 323B of the Indian constitution.

\* Examples : Administrative tribunals provide legal remedies which are binding in nature to the parties, which are effected by the administrative actions & functions.

It provides adjudication in cases of pension, recruitment service conditions and other legal disputes arising through Central Administrative Tribunal (CAT) & state



administrative tribunals (SAT) established under Administrative Tribunal Act, 1985.

\* Reasons for growth of Administrative tribunals.

(i) Overburdened Judiciary

The judiciary in India is overburdened by volume of pending cases yet to be adjudicated. Administrative tribunals provide speedy justice to the disputes.

(ii) Cost effective & flexible

The administrative tribunals provide speedy justice which is cost effective and can be easily appealed.

(iii) Accessibility

The Administrative tribunals unlike the traditional courts are easy to access as they follow simple adjudication procedure, which can be understood by common people without law background.

(iv) Specialized justice

Administrative tribunals provides specialized justice and in specific domains. Through experts in that field ensuring technicalities are not a burden.

ex: National Green Tribunal (NGT), 2010



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#### iv) Formalities are relaxed

Unlike traditional courts the procedure followed in administration of justice is not technical and easy to approach and avail.

#### \* Importance in present time

##### i) wide scope of governance

due to increasing scope of governance the administrative tribunals are functioning full fledged with constant increasing cases.

##### (ii) speedy justice

The courts are burdened with pending cases in this case Administrative tribunals provides speedy justice.

##### (iii) Technical aspect covered - specialization.

Administrative tribunals provide specialized justice in fields of environment, science etc.

##### (iv) welfare nature of government

from laissez faire to welfare state there is shift in the approach of governance, hence administrative tribunals provide justice which is easy accessible.

##### (v) Environmental pressing needs and sustainable development



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Hence administrative tribunals provide easy, flexible and specialised justice to ensure individuals rights are protected & ensuring Accountability, Fairness and efficiency in governance.



Que 3:- Delegated legislation - - - . Parliamentary control?


Meaning - Delegated legislation is legislation which has been delegated to a lower authority by legislature to ensure effectiveness and flexibility in governance.

"Delegated legislation is passing of rules, regulations, orders, by-laws by lower authority who has been delegated the power by legislature in accordance with the parent Act or enabling act".



ex: Parliamentary process passes law to delegate some functions to the ministry which specializes in the certain field. The ministry further delegates the power to local authorities to ensure grass-root level governance.

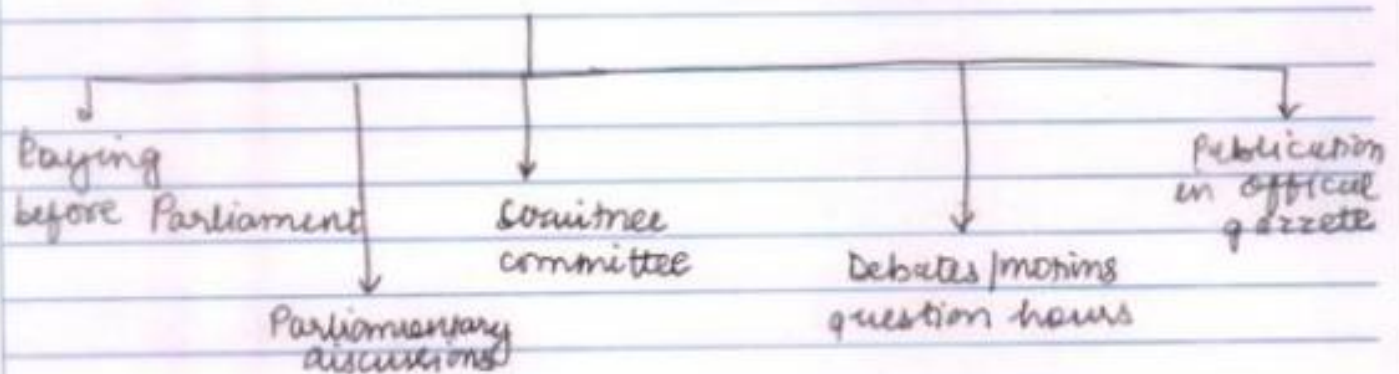
- Delegated legislation is exception to separation of power and ensures that laws & regulations made are flexible, effective & efficient.

- Delegated legislation is ed by statutes or enabling parent act.



- Rules, regulations, orders, by-laws passed by the delegated authorities are under subject to the Judicial review.

### \* Parliamentary control over delegated legislation



- a. Constitutional mandate: Parliament controls the delegated legislation through provisions in the constitution. Article '246 & 256' provides the power to delegate functions of the legislative organs to executive. Schedule 7<sup>th</sup> in constitution decides the boundary of such delegation.

- b. Laying before Parliament: the delegated legislation is presented in Parliament to the MP's to check <sup>over</sup> see the ~~the~~ delegated legislation is according to the enabling act.

(i) Simple Parliamentary resolution - The delegated legislation is passed and not annulled if it violates the provision of constitution & enabling act.

(ii) Superaffirmative parliamentary resolution - more rigorous control is done.



(ii) negative parliamentary resolution - Delegated legislation is not annulled but only by Parliamentary resolution within 40 days.

(b) Parliamentary discussion - Both Lok Sabha and Rajya Sabha discuss the delegated legislation to establish its validity & fairness

(c) scrutiny committee various scrutiny committees are present to check the validity, fairness and reasonableness of the delegated act, order etc.

The committee consist of the experts from specific fields like law, environment which provide their expert opinion on the legit delegated legislation. If it is ultra vires to constitution & enabling act it is declared void.

(d) Debates, motions, question hours & resolution Through these instruments the validity of the delegated legislation is checked if it is ultra vires to the constitution then deemed void.

Hence the Parliament controls the delegated legislation to ensure that the laws made by administrative authorities are not arbitrary, against principles of natural justice and follow rule of law & procedure by the constitution.



Paper Code

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### Section-C

Ques 6:- No one - - - - - condemned unheard.

No one should be condemned unheard comes from the Latin maxim 'Audi Alteram Partem' which elaborates that the person against whom the case is going should be given right to present him/herself, which resonates with 'Article 19' of the Constitution.

'Audi Alteram Partem' is part of Principles of 'Natural justice' ensure that the principle of natural justice is followed by the adjudicating authorities while delivering the justice.

This right mandates that the one who is party to the case shall get right to present his/her part in front of the court to ensure that all the facts are taken into consideration before justice is delivered.

\* Rights under 'Audi Alteram Partem'

(i) Right to present in court all the facts

The law should give fair chance to everyone who is seeking justice to present before the court all the facts essential for the case and its proceedings.

(ii) Right to legal representation.

The court gives rights to every person involved in case to get a legal representative to ensure



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that the one whom the justice is administered are not left behind due to constraints like legal jargons, illiteracy etc.

(iii) Right to judicial remedies.

The person seeking justice must be given fair chance to seek judicial remedies like writs, injunction to ensure justice is not denied.

(iv) Right to know <sup>about</sup> proceedings going on.

There is also to be well acquainted with proceedings being done by the court of law to ensure no fact is misused by the petitioner.

\* 'Violation of Audi Alteram Partem'

(i) Arbitrary condemnation is void

In case when the person is not heard before before delinquent justice. It is arbitrary decision making and its against of rule of law - declared void

(iv) Protection of individual rights

through this the individuals rights are protected by the court, which ensure that they are not unheard and without justice.



### iii) Constitutional ultra vires

If the judgement is given without hearing either of the parties it is against the Constitution enshrined in Article 21 & 22, which are right to life and liberty and prevention against unlawful arrest.

### iv) Procedural ultra vires

If the judgement is given without hearing either of the parties it is against the procedure established by law.

### \* Remedies Available

i) Writ under Article 32 - Any one can move to the SC court for violation of to rights present in Part III of the constitution.

ii) Writ under Article 226 - Any one can move to High court to get their fundamental rights & legal rights protected by writs.

### \* Exceptions to Audi Alteram partem

i) National security of the country

ii) Statutory Exclusion.

iii) Administrative Exclusion.

Hence, through this legal doctrine the rights of the individuals are protected and ensured that the justice is delivered according to the principle of natural justice and rule of law.



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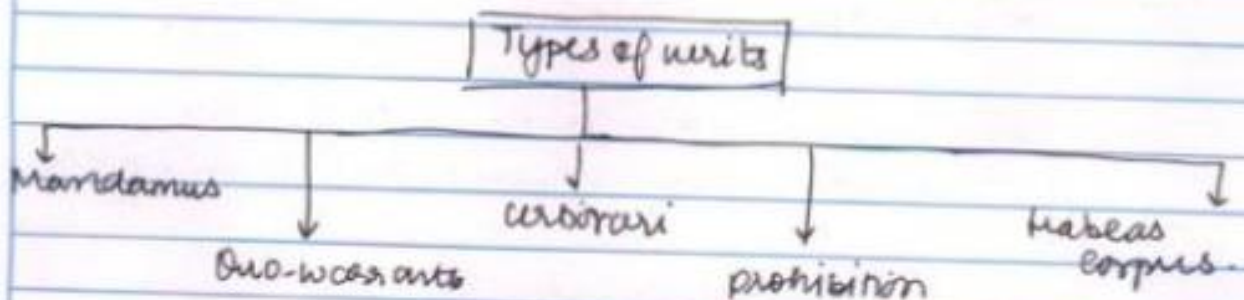
Ques 7:- writ of Quo-warranto w----- decided cases.

Writs are formal orders passed, issued by higher authorities (High court Article 226) and (Supreme court Article 32) to the lower courts, public authorities and government officials to ensure that they follow rule of law and principles of natural justice in their administration.

- Writs are passed when any public official, lower courts or government officials violate the procedure established by law or their actions are Constitutional or Procedural ultra vires.

- writs are "legal remedies" present with the citizens of India to ensure individual rights are protected against the arbitrary actions.

- The writs are part of fundamental rights enshrined in 'part III' of the constitution which ensures justiciable rights to the Indian citizens. Any violation of rights of individual can allowed / empower them to move to either HC or SC to protect their rights.





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## \* Writ of quo warranto

Meaning - 'quo warranto' is a Latin maxim which translates into 'what is your authority'. Through this writ the higher authorities like Supreme Court or High Courts can ensure that the 'public offices are not occupied by someone who is ineligible for the post'

Writ of quo warranto is issued when higher authorities doubt that 'public offices are not filled by following legal procedures or are occupied by any one who is unfit for that post'.

Purpose - Writ of quo warranto ensures that public offices are filled by following the legal procedure established by law.

(i) ensures public offices, appointment, tenure are done according to the constitutional provisions and statute.

(ii) It ensures that the office is filled on the basis of merit, giving  its chance to every individual eligible  the post, appointment or tenure.

Writ of quo warranto resonates with the articles enshrined in Constitution - Article 14 (right to equality) Article 19 and article 16 (post opportunity in public employment)



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### \* Exceptions to quo warranto

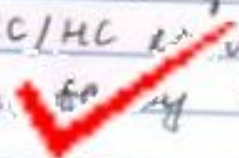
i) Public offices are included not private offices  
the writ of quo warranto can be issued only  
for the offices public in nature it does not  
deal with private offices and their appointments  
decided T.C Nagappa vs T. Kommaraj case.

(ii) only limited to mandatory offices not  
discretionary  
Discretionary offices can be filled without  
following due process of law.

iii) Permanent office not temporary  
The office should be permanent in  
nature. Ad-hoc & temporary offices are not  
under the purview of Quo warranto.

In the B.R Kapoor vs U.D.I case - CM Jayalalitha's  
office was under question, SC ruled that office  
was usurped unconstitutionally and was vacated  
there after.

Hence writ of quo warranto ensures that  
public offices, tenures and appointments made  
are according to the constitutional provisions  
and follow due process of law.

Through this SC/HC ensures that public  
offices work freely,  and efficiently



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### Section A

Ques 1 (a) Administrative law is that law which governs the relation between citizens / individuals and public authorities.

Administrative law is part of constitutional law which oversees that the functions, powers of the administrative authorities are in accordance with the constitution and Enabling Act.

#### \* Reasons for development

##### (i) Welfare role of state

State has shifted from laissez-faire to welfare state to ensure that citizens and individuals are protected and their rights can be exercised.

##### (ii) Expansion of governance

The governance in present time has expanded to an extent because of which administrative law was brought into consideration.

##### (iii) Protect<sup>ion</sup> of individual rights

The rights of individuals can be violated by the arbitrary actions of the Administrative Authorities so Administrative law ensures that rights are protected.

##### (iv) Knowledge of rights to individuals

Individuals are now well aware of their rights, so administrative law comes handy to



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protect their rights.

#### (V) Economic liberalization & globalization

Due to LPG reforms the administrative law is essential as law now is not traditional justice delivery mechanism but more.

#### (vi) Specific expert Issues of modern times

Issues dealing with law, environment, finance etc require specialization and administrative law provides it.

#### (vii) Flexibility

Laws made by Administrative authorities are flexible according to  evaluating time and needs.

#### (viii) Specialization

Administrative laws provide specialized expertise like in the field of environment, finance, Human rights.

#### (ix) International influence

Growth of Administrative law around the world caused rise in India as well.

#### (x) Expansion of Accountability & Transparency

Hence Administrative law ensures fairness, Accountability and Transparency in the administrative actions.



Ques 1 (b) Rule against bias comes from a latin maxim 'Nemo Juez in causa Sua' - which translates that no one can be a judge in their own case.

This doctrine ensures that principles of Natural Justice and Rule of law are followed by the adjudicating authorities.

"It ensures that the ~~justitia~~ justice administered is free from ~~impairment~~ and any kind of bias, which can ~~set~~ the result of the judgement?"

Rule against bias ensures that ~~evry~~ every party who is seeking law shall be dealt without any pre-conceived bias and efficient justice should be delivered.

#### \* Types of Bias

##### (i) Personal Bias

Here the judge to the case have personal relation of love or enmity to the parties involved in the case.

Example: Plaintiff is relative of the judge.

##### (ii) Pecuniary Bias

Bias involving ~~for~~ financial benefits is against impartial justice.

Ex: Judge has shares of the company who is party to the case.



### (iii) Institutional Bias

The judge of the case is biased against any institution to whom he is the part of.

Example: Judge is member of any institution who is party to the case.

### (iv) Situational Bias

In this the judge is has formed the pre-conceived notion against any party to the case.

Example: Judge disliking any religion, caste or gender or race, who is party to the case.

Hence through these biases the judgement or justice delivery can be hampered and it would be violative of the rights of individuals.

Rule against bias ensures that the administration of justice is fair and transparent.

Any kind of impartiality should be ignored which affects the result of the judgement.

Ques 1(c) Doctrine of 'Promissory Estoppel' ensures that the parties who have promised anything should not ~~be~~ <sup>be</sup> ~~it~~. This doctrine is an exception to the contract; where no formal contract or consideration are to be made.



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The promissory estoppel doctrine mandates that promising parties should not back out the promise. and the promisee has altered his/her position due to promise which is detrimo in detriment to their position.

### Essentials

#### (i) Promise made

The promise is made by the promisor which causes promisee to change its position due to term conditions present in the promise.

#### (ii) without consideration

The promise made by the promisor & promisee is without any consideration. (mutual exchange of goods/value). Although necessary by contract act it is valid without consideration.

#### (iii) No formal contract made

Doctrine works without any formal contract made by the promisor & promisee.

#### (iv) Alter the position of the promisee

In the case of backout by the promisor the promisee position is in detriment due to obligation of the promise.

### \* Exceptions

(1) Not valid if the promise is made against rational



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interest or against is illegal.

Ques 1d) - Administrative law deals with the general relationship between citizens and the administrative authorities.

Scope - Administrative law deals with delegated legislation, rule of law, principles of natural justice and ensure that they are not against constitutional ultra vires.

purpose - It deals with administrative authorities and regulates their functions & powers according to enabled law.

source of authority - Derives its authority from statute and is subordinate to constitutional law.

Nature - It is rigid flexible, specific in nature deals with narrow aspect of governance.

constitutional law - Deals with relationship between citizens and government according to constitution.

scope - It deals with fundamental rights, DPSP, fundamental duties and broad governance framework.

purpose - purpose is to ensure fundamental rights of citizens are protected and statutory laws are considered with constitutional provision.

source of authority - Derives its authority from 'constitution' of India.

Nature - It is rigid, general in nature deal with broad aspect of governance.



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Ques 1 (e) Public corporations are legal entities which are established by the legislature ~~to~~ by the statute to cover any specific aspect of the governance.

Public corporations are established by the legislature to ensure public essentials are fulfilled by these entities

ex: Airport Authority of India, (AAI), RBI (Reserve Bank of India) etc.

\* Reasons for growth \* entials

(i) Public welfare work - These authorities ensure that public welfare is done ✓

(ii) Under govt control - 51% or more than this share are controlled by the government

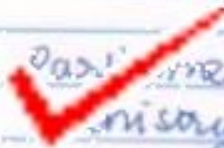
(iii) Statutory development Public corporations are developed through statute for specific field.

(iv) welfare of govt increased the public corporation are running under losses due to public welfare works done.

Hence public corporations provide essential functions of daily life and ensure efficient governance.




Ques 1 (f) Sub delegation is a process where the authority whom <sup>original</sup> delegated further delegates it to the lower authority.

Example:  Parliament delegates power to Ministry. Ministry delegates power to the local authorities further.

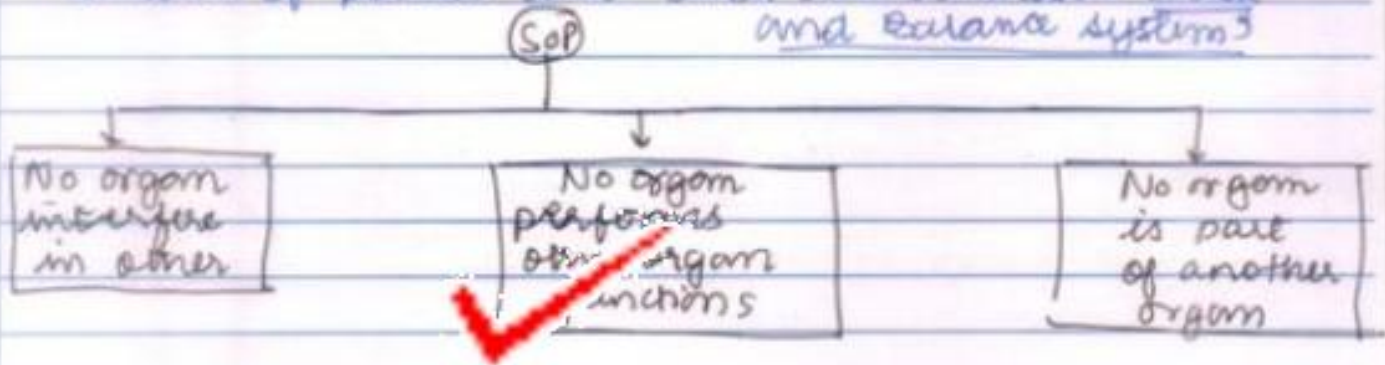
- The sub delegation is considered invalid and ultra vires because it is against the principle of natural justice & Rule of Law.

- Sub delegation is invalid if the parent act does not allow sub-delegation of the powers.

* Advantages	Disadvantages
(i) Ensures efficiency Sub-delegation ensure efficient as local authority implement.	(i) Arbitrariness of unchecked can lead to arbitrariness if it is left unchecked.
(ii) grass root level development Subdelegation causes development according to local needs.	(ii) Against enabling act Invalid and void if explicitly not mentioned in parent act
(iii) Specialized  Sub delegation ensures the specialization by expert	(iii) Against Transparency & Accountability Sub-delegated authority cannot be held liable.



Ques 11g) Separation of power ensures that the organs of the government are efficient, division of power and check and balance system. - 'check and balance system'



Separation of power is present in Article, 246, 245 and Schedule 9th of the Constitution.

Separation of power ensure that all the organs works without arbitration in transparent and accountable manner.

i) No organ interfere in other - No organ can interfere in work of other organ ensuring efficient & fair working.

ii) No organ performs other function - SOP mandates strict division of work and ensure that the functions are performed by constitutional specialised agency.

iii) No organ part of two organ - This ensures that the working of each organ is efficient, unbiased & non-arbitrary.



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Ques 1(h) Writ are formal written orders by higher authorities like SC/HC to lower authorities to ensure that the rights of individuals are protected.

Mandamus - latin term which elaborates 'the command'. It is done when the public official or authority is not performing its functions or actions as prescribed by law.

Writ 'Mandamus' ensures that public officials do their 'mandatory duty' in accordance with law.

### \* Essentials

#### (i) Public Authority

Mandamus can be issued only to public authority not ~~per~~ performing its function properly.

#### (ii) Mandatory function

The performance of function should be mandatory not discretionary.

#### (iii) Refusal to perform

If the function has been refused to be performed by the authority writ is issued.

#### (iv) Legal right

If the legal right of anyone is violated



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b) due to non-performance of the duty by the official.

IV) No alternate available

The alternative to the public service is absent then writ habeas corpus issued.

Hence mandamus ensures legal rights of the petitioners are saved.

Ques 1 (i) 'Right to know' or RTI is a 'fundamental right' enshrined in Article 19 of fundamental rights part III of the constitution.

For 'Right to know' every individual is empowered to know the details of the public authorities their actions & function.

Right to know was legalised by 'Right to information Act, 2005', which works through PIL and RTI, by which individuals can seek the information from public authorities.

\* tools → Public interest litigation  
→ RTI's.

\* Exceptions

i) If the desired information is against the national



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- security of the country
- (ii) If it would compromise the statutory provisions of the constitution.
  - (iii) Against public morality, sovereignty of the country.

Ques 1 (j) Reasoned decision is part of Rule of law which should be followed by the authorities while dealing with its functions

- Reasoned decision states that authorities should provide reasons for any act done by them.

(i) It helps to review the action of the authority by the judiciary - through judicial review.

(ii) Ensures transparency & Accountability

(iii) Ensures that authorities are not acting arbitrarily.

(iv) Ensures that individuals should know the reason of the public authority acts & functions done by them.