

**GUJARAT NATIONAL LAW UNIVERSITY  
GANDHINAGAR**

**Course: Principles of Transparency and Accountability- Regulatory Framework  
Semester-II (Batch: 2016-17)**

**LL.M. End Semester Examination: May-2017**

**Date: 10<sup>th</sup> May, 2017**

**Duration: 3 hours**

**Max. Marks: 70**

**Instructions:**

- Read the questions properly and write the answers in the given answer book.
- The respective marks for each question are indicated in-line.
- Do not write any thing on the question paper.
- Indicate correct question numbers in front of the answers.
- No questions or clarifications can be sought during the exam period, answer as it is, giving reason, if any.

**Part-A (Compulsory)  
Answer the following questions**

**Marks**

- Q.1 (a) Whether the regulations made by the public corporations defining the terms and conditions of their employees have statutory force to an extent that an order of dismissal made by the corporation in violation of its regulations, can be declared invalid and inoperative by the courts entitling the employees concerned to a declaration or writ to that effect? Decide in the light of the observations made by the Apex Court in *Sukhdev Singh v. Bhagatram AIR 1973 SC 85*. (7.5+7.5=15)
- (b) Is the public corporation an 'authority' under Article 12 of the Indian Constitution? Are Articles 14 and 16 become applicable to employees of the public corporation?
- Q.2 (a) Critically evaluate the modified provisions of the Prevention of Corruption Act, 1988 and the Amendments proposed to the Prevention of Corruption (Amendment) Bill, 2013 (as modified by the 2015 Amendment). (7.5+7.5=15)
- (b) Discuss the emerging trends of tortious liability of the State with the help of relevant case laws.
- Q.3 Write short note on **any one** of the following: (1x5=05)
- (a) Promissory estoppel
- (b) Commission of Inquiry

**Part-B**

- Q.4 Discuss **any two** of the following: (2x4=08)
- (a) Concept of Administrative Discretion
- (b) Right to Information
- (c) Administrative Tribunal
- Q.5 Explain judicial behavior and administrative discretion in India with appropriate case laws. (10)

**OR**

Discuss with appropriate case laws the Doctrine of Legitimate Expectation and its status in India.

- Q.6 Analyze the Right to Information Act, 2005 with relevant case laws. (10)

OR

Right to Information is a tool for transparency and accountability. Discuss this with appropriate case laws.

- Q.7 Critically review the working and functioning of Administrative Tribunal and its contribution to the maintenance of the transparency and accountability in governance. (07)

OR

Discuss in detail the controversy relating to validity of the 42nd Amendment that introduced Articles 323A and 323B in the Indian Constitution. Support your analysis with appropriate decisions of the judiciary.

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