



**HIMACHAL PRADESH NATIONAL LAW UNIVERSITY,  
SHIMLA**

**SEMESTER- I**

**LL.M.**

**COURSE CODE: \_\_\_\_\_**

**GLOBAL ADMINISTRATIVE LAW**

**CREDITS-02**

**Module-1**

**INTRODUCTION TO ADMINISTRATIVE LAW**

- 1.1 Meaning and Definition of Administrative Process; Reasons for its Growth; Development and Scope of Administrative Process
- 1.2 Rule of Law; With special reference to United Kingdom, United States, and France.
- 1.3 Separation of Power: With special reference to United States, France and India.
- 1.4 Administrative Adjudication: With special reference to United Kingdom, Germany and India.
- 1.5 Regulatory Mechanism: Need of Regulatory Bodies; Composition, Structure, Powers and Procedures of these Regulatory Bodies.

**Module-2**

**ADMINISTRATIVE RULE MAKING AND CONTROL MECHANISM**

- 2.1 Nature and Scope of administrative rule-making power;
- 2.2 Rules against delegation of rule-making power to the administrative authority;
- 2.3 Permissible limit and classification of administrative rule-making power;
- 2.4 Control mechanism of administrative rule-making power- procedural control, legislative control.
- 2.5 Judicial control.

**Module-3**

**ADMINISTRATIVE DISCRETION AND PRINCIPLES OF NATURAL JUSTICE**

- 3.1 Meaning of Discretion;
- 3.2 Judicial Review of conferment and exercise of discretionary power, abuse of discretionary power;
- 3.3 Grounds of Judicial Review:
- 3.4 Principles of Natural Justice
- 3.5 Principles of Natural Justice: Exceptions & Exclusionary Clause.

**Module-4**  
**TECHNIQUES OF JUDICIAL CONTROL**

- 4.1 Judicial Review: Evolution & Evaluation: Judicial Review: Meaning and Kinds;
- 4.2 Judicial Review of Legislation, Judicial Review & Human Rights, Judicial Review & Parliamentary Democracy.
- 4.3 Judicial Review of Administrative Action: Judicial Remedies & Administrative Actions, Grounds for Judicial Review, Nature and Scope of Relief through Judicial Review;
- 4.4 Statutory Judicial Remedies: Injunctions, Declaratory Actions, Damages, Effect of Exclusion Clauses
- 4.5 Limitation on Judicial Review

**Reports:**

- 1. Report of Committee on Ministers' Powers (1932), Cmd. 4060 (Reprinted 1972)
- 2. Frank Committee Report on Committee on Administrative Tribunals and Enquiries, 1958
- 3. Leggett Committee Report on Tribunals for Users – One system One Service, 2001
- 4. Separation of Executive and Judicial Functions [Extracts from Law Commission of India, 14th Report on Judicial Administration, 1958]
- 5. Swaran Singh Committee Report, 1976
- 6. Law Commission of Indian Report in Promissory Estoppel (108th)
- 7. 215th Report of Law Commission of India.
- 8. 272<sup>nd</sup> Report of Law Commission of India (2018).

**Books & Articles**

- 1. Stephen G. Breyer and Richard B. Stewart, Administrative Law and Regulatory Policy (1979) Chapters 1-3
- 2. W. Friedman, Law in a Changing Society (1959) Chapter 11
- 3. Mike Taggart, "The Impact of Corporatisation and Privatisation on Administrative Law", 51 Australian Journal of Public Administration 368-373 (1992)
- 4. Peter Bayne, "Administrative Law and the New Managerialism in Public Administration", 62 The Australian Law Journal 1040-1045 (1988)
- 5. A.V. Dicey, Introduction to the Study of the Law of the Constitution (9th ed.) Chapters IV and XII
- 6. A.V. Dicey, "The Development of Administrative Law in England", 31 LQR 148 (1915)
- 7. Ramaswamy, "Rule of Law in a Planned Society", 1 JILI 31 (1959)
- 8. Upendra Baxi "Developments in Indian Administrative Law" in Public Law in India (A.G. Noorani ed.) (1982) 136

9. B. Bhardwaj, "Delegated Legislation in India", 1963 SCJ (J) 26
10. J.A.G. Griffith, "The Constitutional Significance of Delegated Legislation in England", 48 Mich L. Rev 1079 (1950)
11. Report of Committee on Ministers' Powers (1932), Cmd. 4060 (Reprinted 1972)
12. Alan Wharm, "Judicial Control of Delegated Legislation – The Test of Reasonableness", 36 Mod LR 611 (1973)
13. R.M. Jackson, "Judicial Review of Legislative Policy", 18 Mod. L. Rev. 571 (1955)
14. S.N. Jain, "Validity of Retrospective Delegated Legislation - The Court Develops a New Principle", 23 JILI 102 (1981)
15. Administrative Reforms Commission, Interim Report on the Problems of Redress of Citizens' Grievance (1966)
16. S.L. Rao "Policy and Legal Framework for Regulation" in Transition to a Liberalized Environment – Experiences and issues in Regulation (Leena Srivastava and S.K. Sarkar ed.) (1999) 27-32
17. S. Sunder and S.K. Sarkar "Framework for Regulation: The Indian Experience" in Transition to a Liberalized Environment – Experiences and issues in Regulation (Leena Srivastava and S.K. Sarkar ed.) (1999) 39-53
1. D.J. Galligan, Discretionary Powers; A legal Study of Official Discretion (1986)
2. D.J. Galligan, Discretion Powers (1990)
3. K.C. Davis, Discretionary Justice (1969)
4. S.A. De Smith, Judicial Review of Administrative Action (5th ed. 1997).
5. S.P. Sathe, Administrative Law (7th ed. 2004).
6. H.W.R. Wade and C. Forsyth Administrative Law (9th ed. 2005)
7. M.P. Jain and S.N. Jain, Principles of Administrative Law (6th ed. 2007)
8. I.L.I. Cases and Materials on Administrative Law
9. Peter Cane, An Introduction to Administrative Law (1987)
10. P.P. Craig, Administrative Law (5th ed. 2003)
11. S.H. Bailey, Cases, Materials and Commentary on Administrative Law (4th ed. 2005)
12. B.L. Jones, Garner's Administrative Law 7th ed. 1989)
13. David Foulkes, Administrative Law (8th ed. 1995)
14. David Pollard, Neil Parpworth and David Hughes Constitutional and Administrative Law (4th ed. 2007).
15. Ian Loveland, Constitutional Law, Administrative Law, and Human Rights (4th ed. 2006)
16. Neil Parpworth, Pollard David, Constitutional and Administrative Law (4th ed. 2006).
17. Peter Leyland & Gordon Anthong, Textbook on Administrative Law (5th ed. 2005)
18. Durga Das Basu, Administrative Law (6th ed., 2006).
19. Beatson, Mathews and Elliott's. Administrative Law Text and Materials (3rd ed. 2005)
20. Paul Jackson, O. Hood Phillips' Leading Cases in Constitutional and Administrative Law (6th ed. 1988).
21. Bernard Schwartz, Roberto L. Corrada, J. Robert Broun, Administrative Law : A Case Book (6th ed. 2006)

22. H.F. Rawlings, Judicial Review and Control of Government, 64 Public Administration (1986) 135-145.
23. S.N. Jain, Administrative Law Aspects of Maneka Gandhi, 21, Journal of Indian Law Institute (1979) 382-96.
24. K. Ganguli, Principles of Estoppel and Ultra vires in their application to the discharge of public duty by public authorities 41, Journal of the Indian Law Institute (1999) 335.
25. V. Rameshan, Promissory Estoppel and State Liability, 31 Journal of Indian Law Institute (1989) 482.
26. M.P. Singh. The Constitutional Principles of Reasonableness (1987) 3 SCC (Jour) 31.
27. K.C. Davis, Administrative Law Text (1971) 1-15.

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