



NATIONAL OPEN UNIVERSITY OF NIGERIA
FACULTY OF LAW
DEPARTMENT OF PUBLIC LAW
2021_1 EXAMINATION QUESTIONS

JUNE, 2021_1

COURSE CODE: PUL844 (for Faculty of Management students)

COURSE TITLE: PUBLIC ADMINISTRATIVE LAW

CREDIT UNITS: 3

TIME ALLOWED: 3 HOURS

INSTRUCTION: ANSWER QUESTION 1 (ONE) AND ANY OTHER 3 (THREE) QUESTIONS. (QUESTION 1 (ONE) ATTRACTS 25 MARKS WHILE OTHERS ARE 15 MARKS EACH)

- 1.(a) According to the Universal Declaration of Human Rights (UDHR), the United Nations in 1948 created some 30 basic rights to provide a global understanding of how to treat individuals. Most of these rights formed the basis for the rights provisions found in our Constitution. Discuss. **15 marks**
- (b) Ndubuisi, your friend has approached you for enlightenment on some fundamental rights issues. He is of the opinion that due to some cultural beliefs, not all humans are entitled to enjoy fundamental rights e.g. women and slaves. Educate him. **10 marks**
2. Briefly explain the relationship of Administrative law with the following concepts:
 - (i) Constitutional law
 - (ii) Good governance
 - (iii) Rule of law**15 marks**
3. Professor Frankfurt summarized the reasons for the general growth of administrative law when he said: "Administrative law is, in effect, a major response of law to the complexities of a power age. It constitutes the processes by which great activities of government – the activities that perhaps touch most people and touch them most intimately – are subdued by the reasons most appropriate to them. Discuss. **15 marks**
4. One of the most inspiring movements in human history is now in progress.....a wave of organized democracy is sweeping the world, based on a broader intelligence and a more enlightened view of civic responsibility than has ever before obtained. The theory that government exists for common welfare, that a public office is a public trust is old. Expatiate. **15 marks**
5. Identify and briefly explain the following remedies:
 - (a) It lies to compel the performance of any public duty, whether the duty is judicial or administrative or of any other function. Its purpose is to supply the need of justice where there is a specific legal right but no specific legal remedy for enforcing that right.
5 marks

- (b) It is an appropriate remedy where an inferior court or tribunal has exceeded its jurisdiction or failed to follow the requisite procedure for the exercise of its power or failed to comply with the principles of natural justice. **5 marks**
- (c) It is a judicial process by which one who has invaded or is threatening to invade the rights of another is restrained from continuing or commencing such wrongful act. It can be issued against any person, without any exception, whether: a private individual, or private body, company, government, any public officer, or public authority. **5 marks**
- 6. Examine the immunity provisions contained in section 308 of the Nigerian Constitution. **15 marks**