

Embedding Constitutional Principles in Indian Administrative Law: The Supreme Court's Approach to Natural Justice and Fundamental Rights

Revannath Mahadev Garje

Research Scholar

New Law College, Mahim Mumbai, University of Mumbai

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ABSTRACT

This research paper delves into the significant role of the Supreme Court of India in incorporating constitutional principles into Indian administrative law. It specifically examines the court's position on fundamental rights and natural justice. Striking a balance between a long tradition of common law adjudication on administrative affairs and a deeply embedded Bill of Rights is a difficulty for the Indian Supreme Court. Examining the Supreme Court's precedents in a specific area of judicial study namely, the application of the uncodified administrative law "principles of natural justice" to the process of judicial review for breaches of constitutional rights best illustrates the difficulties inherent in this matter. My central claim is that the judicial review system in India is unpredictable and often chaotic because the Supreme Court has been inconsistent in its attempts to apply principles of natural justice to constitutional rights. As the boundary between administrative review standards and constitutional review becomes more porous, leading to a "constitutionalized administrative law," this doctrinal confusion endangers the execution of fundamental rights and the reliability of administrative adjudication. This uncertainty needs the Court to be more methodical and consistent in its judgments.

Keywords: *Embedding, Constitutional Principles, Indian Administrative Law, Supreme Court's, Natural Justice, Fundamental Rights*

1. INTRODUCTION

Indian administrative law is a product of both statutes and judicial interpretation. There was extensive scope for it to come into play in governing the state and its relationship with people. The most significant development here is the absolutely applied constitutional principles of natural justice, fundamental rights, and in the spectrum of administrative decision-making. The base for the administrative structures, Indian Constitution holds promises of justice, equality, and protection of individual liberties. However, in administrative proceedings, these provisions have generally been interpreted and evolved into something complex over time, and it is the Supreme Court of India that has predominantly guided this development.

The core of this aspect is natural justice held within the decisions made by the Supreme Court. Natural justice requires that decision-making should be fair, transparent, and free from biases. This has now become an essential doctrine in which the state manages actions in an administrative manner while treating people equitably. By making natural justice more closely resemble the defense of basic rights derived from Part III of the Indian Constitution, this court has gradually broadened its definition beyond procedural fairness. These rights, which provide a framework that safeguards individual liberties and limits state action, include the rights to equality, freedom of speech or expression, and life and personal liberty.

The Supreme Court's rulings have made it clear that in order to protect basic rights from being violated, administrative organizations' quasi-judicial duties must be carried out by using the natural justice principles. The strategy has been essential in that endeavor to ensure that sound administrative judgments are reasonable rather than irrational. Such decisions have strengthened the position of the Court as an upholder of constitutional rights, since the Court has frequently referred to constitutional rights to decide whether or not an administrative act is lawful and fair. In this regard, the role that the Court has undertaken from judicial review has protected the parameters of the authorities exercised by the administration so that the Constitution remains supreme.

Such is the role the Supreme Court plays in entrenching constitutional values within administrative law, within the greater need for governance not only to be effective but just and accountable as well. This paper aims to analyze, through landmark judgments, how the Court

has ingrained constitutional values into administrative law, thus strengthening the legal framework meant to protect the individuals against arbitrary power of the state. The Court has therefore emerged as a transformational force for Indian law of administrative authorities by enforcing natural justice and human rights-protective legislation, which makes it a robust instrument for the protection of individual freedoms against governmental authority.

2. LITERATURE REVIEW

Edelman and Salinger (2021) explored of the complex interplay between comity in private international law and foundational principles of justice, challenging at one level the current understanding of comity-the recognition and enforcement of foreign judgments and laws-as regularly conflicting with core principles of justice, particularly when questions of fairness and equity or human rights are at stake. As they note, comity is traditionally considered in the context of mutual respect between sovereign states, but such respect is not absolute if it is inconsistent with other core legal values, such as due process and equality before the law. Edelman and Salinger examine case law and jurisprudential theories relating to comity in portraying how courts can balance international cooperation with domestic justice. True, the authors' argument calls for a more sophisticated explanation of comity-one, that is to say, integrate these underlying principles into the international legal discourse.

Hodge's (2021) explored the phenomenon of judicial law-making both in constitutional and public law, examining it especially within common law jurisdictions. Based on this book, the author assessed the development of judicial activism focusing especially in such domains as human rights, administrative law, and the interpretation of constitutions. The conflict between judicial law-making and the principle of separation of powers has been examined here-some argue that judicial overreaching undermines democratic principles and the effectiveness of the legislature. However, Hodge says that judicial law-making should take place in certain instances where the legislative wings could not work on crucial issues or where legal lacunas threatened personal rights. On the whole, the article presents a fair view of how the role of the judiciary is being modified in modern governance.

Jhaveri and Ramsden (2021) collected will trace the historical origins and the evolution of judicial review over administrative actions in different legal systems. Scholars and practitioners

will write on the theoretical bases and pragmatic issues in the different jurisdictions discussed in this collection. The editors underpin the development of judicial review from the English common law system to its contemporary application in constitutional settings. Judicial review acts like an accountability mechanism of the government agencies to ensure the administration decisions are according to the constitutional norms and legal norms. Besides, the review introduces and explores various models and concepts related to judicial review, including issues of globalization, overreach of administrations, and regulation complexity. The authors consider judicial review to be of fundamental importance to uphold the rule of law and protect individual liberties.

Kumar's (2022) investigated of the inter-relations between religion, spirituality, and law with particular references to secular democracies, it fundamentally challenges what is increasingly thought of as the classic view-that there should exist a kind of separation between law and religion, at least problematising those instances where religious injunctions dictate legal outcomes. A central argument pursued by Kumar is for spirituality to have an outlet through influencing the normative ethos that guides legal thought. The article thus presents a clarion call for a reassessment of the question of whether laws are neutral regarding religion or more in tune with the spiritual dimensions of society, particularly in pluralistic and multicultural societies that boast diversified religious traditions. The reassessment in such global debates arising regarding human rights and religious freedoms and even the role of religion in public life is indeed timely.

3. INDIAN CONSTITUTIONAL LAW'S FRAMEWORK OF RIGHTS AND NATURAL JUSTICE

Indian Constitutional Law is based upon a pattern of conferred fundamental rights and the principle that the acts of the state are not devoid of fairness-particularly the administrative acts of the state. Natural justice in this pattern has become the most efficient tool to prevent decisions arbitrary or arbitrary procedures at the hands of a public authority. In this regard, the judiciary plays a vital role in scrutinizing the laws and administrative actions taken by the administration and protects the rights of the citizens while ensuring that the processes before the administration remain fair. The institutional structure that enforces such principles ensures that justice is delivered through both legal remedies and administrative accountability.

3.1. India's Judicial Scrutiny of Laws and Administrative Actions

There, the judiciary plays a crucial role in interpreting the Constitution and using judicial review to uphold citizens' fundamental rights. One of the defining characteristics of Indian constitutional law is the judicial review of both legislative and executive actions. Courts are watchful to make sure that laws passed by the legislature and actions taken by the executive branch are constitutionally compliant, particularly when they pertain to issues involving fundamental rights.

Through judicial review, courts can examine whether legislation and administrative actions infringe against the fundamental rights outlined in Part III of the Constitution, including Articles 14, 19, and 21, which, respectively, guarantee equality before the law, freedom of speech, and personal liberty. On finding that a law or administrative action violates constitutional provisions or against which principles of natural justice may prevail, the courts can declare such law or administrative action to be unconstitutional or strike it down.

Judicial scrutiny is most pertinent in the domain of administrative actions where decisions made by the government authorities or other public institutions are hostile to rights. The judiciary ensures that such decisions are subjected to due process and its adherence to the principles of natural justice, that is, hearing must be fair, opportunity to present one's case in support of the individual, and that decisions must be based on reasoning rather than arbitrary discretion. Judicial scrutiny also aims to determine whether or not the administrative bodies have acted within the scope of their powers and have acted justifiably, fairly, and reasonably.

Judicial review is not absolute in power, and courts generally restrain themselves when matters of policy are involved or where the law clearly gives discretion to administrative bodies. On the issue of violation of fundamental rights, particularly where natural justice is offended, the judiciary has not hesitated to provide remedies and ensure that state actions are neither arbitrary nor unjust.

The Supreme Court held in the seminal case of *Maneka Gandhi v. Union of India* (1978) that the right to life and personal liberty, as guaranteed by Article 21, must be safeguarded by a fair, just, and reasonable process. This decision pushed judicial scrutiny to the forefront. It also

broadened the scope of judicial review to ensure that all actions affecting individual freedom are consistent with natural justice principles.

3.2. The Natural Justice Principles

Natural justice is, therefore, procedural fairness required in decision-making processes, especially where the decisions would come to have grave implications on the rights or interest of one person. But such natural justice is not mentioned specifically in the Indian Constitution. Instead, it was recognized as forming part of the rule of law and consequently derived through judicial interpretation of fundamental rights, specifically Articles 14 and 21 of the Constitution.

The principles of natural justice are:

- **Audi Alteram Partem (Hear the Other Side):** No one should be condemned unheard. Individuals should be given a chance to present their case before any decision that may infringe on their rights is made. This would include the right to know the charges preferred against them, responding to them, and presenting evidence in defense of them. The rule satisfies the notion of court reaching a conclusion by considering all elements on both sides of a conflict.
- **Nemo Judex in Causa Sua (No One Should Be a Judge in Their Own Case):** This rule provides for impartiality in judgment. As such, the person who is to settle the dispute or give judgment must not have any personal interest in the made or being biased in favor of it. The principle is in this direction that he who has the authority or power to decide should be impartial and without any conflict of interest.

The natural justice principles do not only come into play with quasi-judicial bodies but also to all administrative actions affecting individual rights even in the absence of an express statutory requirement for fairness. The courts have at times reinforced applying these principles in public law and administrative law so that any decision affecting a person's rights or interests is done fairly and justly.

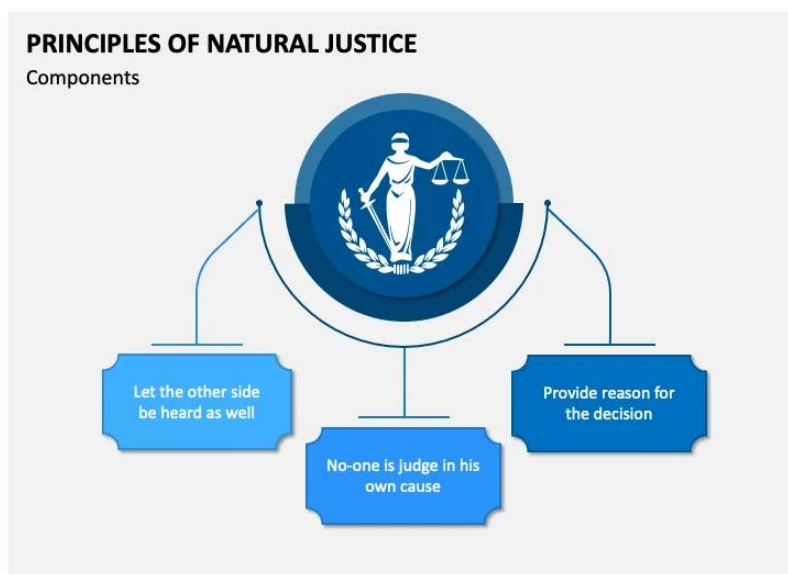


Figure 1: Principles of Natural Justice.

In *Maneka Gandhi v. Union of India* (1978), the Supreme Court upheld that before an act of the government or any public authority violating fundamental rights can be carried out, such must be through a course of action which is fair and just. Such a decision consequently expanded the scope of Article 21 to include procedural fairness and therefore strengthened the application of natural justice in administrative law.

3.3. Institutional Structure

The institutional structure safeguarding and enforcing natural justice in Indian constitutional law consists of a combination of constitutional bodies, the judiciary, and administrative mechanisms. Each of these plays an integral role to ensure rights protection, compliance by administrative action with the principles of natural justice, and remedies for violations.

Article 32 of the Constitution grants it the authority to conduct judicial review, notwithstanding its position at the top of the institutional hierarchy. Not only are fundamental rights protected, but it is also understood that all administrative activities adhere to natural justice principles and constitutional rules. By issuing writs like habeas corpus, mandamus, prohibition, certiorari, and quo warranto, these courts give people a way to contest violations of their rights.

The High Courts, at the regional levels, have powers to issue writs and review administrative actions under Article 226 of the constitution. They are checks on administrative decisions and

thus ensure natural justice principles in cases that affect the rights of people. The high courts offer a readily accessible approach by citizens to challenge administrative actions, primarily where such actions may not necessarily reach the Supreme Court.

Besides the judiciary, there are also tribunals and commissions, which have played important roles in administering justice. Among these quasi-judicial bodies are the Central Administrative Tribunal, Consumer Disputes Redressal Commissions, and State Human Rights Commissions, among others. It has provided such specialized forums for dispute settlements and the causation of natural justice in administrative decisions. These bodies are meant to deal with certain types of cases in a more effective way than the court system but not compromising the principles of fairness and justice.

The Executive also contributes toward the administration of natural justice principles especially concerning administrative procedures. Administrative bodies and public authorities are duty-bound to follow procedures aligned with natural justice in all decision-making regarding the rights of an individual, such as granting licenses, disciplinary actions, or revocation of a contract.

The application of natural justice and protection of fundamental rights in India is multi-tiered in the sense that the institutional framework invites the judiciary, specialized tribunals, and administrative authorities actively to participate in this entire process. It also ensures that remedies are provided to the individuals subjected to administrative actions and their fairness, justice, and the protection of constitutional rights are ensured. It is, therefore, the synergy of these institutions that sustains the principles of the rule of law and natural justice in Indian constitutional law.

4. ADMINISTRATIVE LAW CONSTITUTIONALIZED THROUGH FUNDAMENTAL RIGHTS

Administrative law, from the very beginning, has come up and played out its sharp facets with fundamental rights as part and parcel of Indian constitutional law. Constitutionalisation of administrative law through guarantees of fundamental rights ensures that all activities by public authorities are carried out strictly in accordance with such principles of justice, equity, and equality as are stipulated under the Constitution of India. It is essentially a framework which

primarily pays attention to the need for public authorities to act within the limits of law and strictly keeping within their limited confines all the rights of individuals in mind.

It has greatly influenced the scope and application of administrative law. The interpretation of fundamental rights by the courts on the legal front has defined and shaped the basic rights set against the administration, as found clearly in the principles of natural justice: the right of being heard and the right to a fair hearing, setting a cornerstone under civil protection against arbitrary or unjust administrative measures.



Figure 2: Administrative law.

4.1. Textualism and the Exclusion for Natural Justice Principles

Textualism, in this regard, is an approach by which the legal text statutory or treaty language is interpreted strictly for the literal meaning of words. Extraneous factors such as what the drafting authority intended or the overall framework of the text are not usually considered. Under a textualist approach, one might say the argument would be that if the law said nothing about the application of natural justice, then no such principles apply at all-even though they may be necessary for fairness.

This could prove problematic under textualism since the end sometimes loses sight of the spirit. Natural justice is actually about ensuring the fairness and absence of arbitrariness in the actions of the state. Whenever the law fails to incorporate natural justice principles, a strictly textual interpretation may justify administrative decisions against it. This is an important issue

under administrative law as it creates apprehension whether such procedural fairness can be guaranteed through mere statutory interpretation alone or if the judiciary should inject the broader constitutional principles of justice into its determination.

4.2. The Application of Natural Justice to Rights Jurisprudence in Maneka Gandhi v. Union of India

The Maneka Gandhi v. Union of India (1978) ruling fundamentally altered how people thought about the connection between administrative action and basic rights. It addressed how Article 21 which protects life and individual liberty should be interpreted in this instance. Maneka Gandhi's passport had been confiscated by the authorities. She argued that the process the authorities used violated natural justice principles.

In this judgment, the Supreme Court decided that the protection of bodily liberty was just one aspect of Article 21; it also encompassed the right to live with dignity, which includes procedural fairness. According to the Court, the state must follow fair, just, and reasonable procedures when interfering with an individual's personal freedom. It was decided that where governmental activity has the potential to impact a citizen's basic rights, natural justice principles apply even in the absence of explicit legal requirements.

The court went on to clarify that the term "procedure established by law" should refer to a fair, reasonable, and just process rather than just a paper exercise. Because all procedures affecting fundamental rights must be fair, transparent, and involving—even though the law may not require them Maneka Gandhi became a landmark case by articulating a more powerful framework for the application of natural justice, specifically in administrative law.

4.3. A Legacy of Confusion in Doctrine

Despite progressive judicial interpretations introduced in cases such as Maneka Gandhi, the principles of natural justice in administrative law remain shrouded with vagueness. Such vagueness emanates from differential and uneven practice to the differential interpretation of natural justice principles in the varying contexts of administration. The problem is of particular significance regarding the relationship between statutory provisions and the application of these principles. In applying natural justice, courts have confronted most of the problems of trying to grapple with when the provision should apply. Such a situation occurs when decisions

are made based on discretionary powers or when the law maintains its silence about the procedural requirements.

For example, there can be little doubt that it is required in certain types of administrative action, like disciplinary proceedings or quasi-judicial functions, but its applicability is less obvious when the question is one of purely executive action or a matter of policy. Different types of administrative action—whether quasi-judicial, administrative, or executive—frequently give rise to conflicting decisions regarding the application of principles of natural justice.

The various arms of government do not, however, apply the natural justice notion consistently. In actuality, there have been cases when the judiciary has limited the application of natural justice by strictly interpreting the texts. However, there are also times when such broad perspectives provide just and equitable outcomes. As a result, there is a legacy of inconsistency whereby, depending on the circumstances, the legal system, and the judicial perspective, what may be deemed essential to an individual's rights may or may not be protected by the principles of natural justice.

By this process, constitutionalization of administrative law through the principles of fundamental rights laid a good framework for the making of state action fair and just. The law of natural justice is a big and interesting area that is ever-changing in its legal application in that it has created huge confusion and inconsistency of its application. Landmark cases like *Maneka Gandhi* have carved out very important precedents and shape the evolution of doctrine for this law under Indian jurisprudence, which is still ongoing.

5. NARROWING ADMINISTRATIVE AND CONSTITUTIONAL LAW REMEDIES

Indian administrative law has always undergone judicial developments in the relationship with constitutional law and the protection of rights. Administrative law governs activities and decisions of public authorities, while constitutional law mainly deals with the protection of fundamental rights. Both these legal domains sometimes narrow down or restrict remedies in respect of administrative actions. Understanding how such remedies intersect, particularly with respect to the principles of natural justice, is very important in determining how far administrative proceedings do or do not protect fundamental rights.

We address two very significant questions: first, are violations of natural justice norms constitutionally protected rights? Secondly, what does it mean to argue that a violation of natural justice principles is a violation.

5.1. Are Infractions of Natural Justice Enforceable as Rights Violations?

Natural justice is, therefore, an essential principle of administrative law. The principle is meant to ensure that administrative decisions are fair, open, and non-arbitrary. Infractions involving a violation of natural justice principles, like denial of a fair hearing or an adequate opportunity to be heard, involved arbitrary decision-making that would create complicated situations for people whose rights were thereby affected. The determination of how such infractions resulted in breaches of rights is indeed complex because natural justice is not always enshrined in statuted law.

Natural justice principles are often violated under Indian constitutional law as infringement of basic rights, namely under Article 14 (right to equality) and Article 21 (right to life and personal liberty). Although the Constitution does not specify that every instance of natural justice being violated by an administrative body constitutes a violation of rights, the judiciary has consistently construed this as a violation of fundamental rights whenever the state's actions impact an individual's equality before the law or personal liberty.

Yet, infringements of natural justice as violations of rights are not easy to impose. There are many examples where courts have been reluctant to interfere with the decisions reached by administrative bodies or authorities even though they acted within their discretion but violated the principles of natural justice. Then, the courts are bound to apply the rule of judicial restraint. In that rule, courts restrain themselves from substituting their judgment for that of the administrative authority except in a situation where legal or constitutional norms are violated.

A violation of natural justice found in quasi-judicial processes, whether it be disciplinary actions cases of termination from government service or license revocation will more likely be upheld by the court as violations of rights. This is when administrative action would directly affect an individual's basic rights-from mere right to fair trial, from livelihood, and to essential services.

Thus, although violations of natural justice can at least be regarded as violations of rights, the extent to which such violations will have a remedy depends on all the considerations involved, namely, the context, the character of administrative action, and how the courts are likely to strike a balance between discretion in administrations and the requirement to respect fundamental rights. The stand of the judiciary on the issue sometimes narrows down the scope of available remedies and limits the enforceability of violations of natural justice within administrative law.

5.2. What Does It Mean to Say That a Breach of Natural Justice is a Violation of Fundamental Rights?

The breach of natural justice implies that doing so turns into a violation of fundamental rights since it states that an individual's constitutional rights are violated when an administrative body or other public authority disregards the principles of equality, fairness, and transparency in its operations. All Indians are guaranteed fundamental rights under Part III of the Indian Constitution, which serve as the strongest defense against capricious official acts. These include the rights to life and personal liberty guaranteed by Article 21, equality before the law under Article 14, and defense against capricious administrative action. Making administrative judgments without adhering to natural justice principles completely contradicts these fundamental rights. Denial of a hearing prior to a decision that impacts an individual's rights or interests, for example, constitutes a violation of the right to a fair and reasonable process as given by Article 14. Additionally, it breaches Article 21, which protects the right to life and personal liberty, by restricting someone's freedom or means of subsistence without a fair trial or due process.

The case of *Maneka Gandhi v. Union of India* (1978) perfectly captures the connection between basic rights and natural justice. Because the Supreme Court ruled that the right to life and personal liberty guaranteed by Article 21 cannot be restricted other than through a fair, reasonable, and just process, this case is said to be unique. The court went much beyond the definition of bodily liberty in its explanation of Article 21. Any administrative action that violates natural justice principles is, in a sense, always a violation of basic rights since it compromises the fairness of the process by which rights are impacted.

Violation of equality under Article 14 can be said to constitute a breach of natural justice, as nobody should be treated arbitrarily by the state. Such decisions are unequal and unjust because they will have been made without an opportunity for people to be heard properly or without giving proper reasons thus violating the constitutional right of equality.

Here again, in the event of a violation of natural justice, it ceased not to be merely an error of procedure or a technical lapse but, in substance, a violation of the Constitution itself which had compromised the very fundamental principles of fairness and justice guaranteed by the Constitution. Hence, in such breach courts have often dealt with such as violations of basic rights for the realization that a person has a right to challenge administrative decisions that were rendered unfairly and make redress.

The violation of the principle of natural justice as a violation of fundamental rights also gives individuals legal redress under constitutional remedies, particularly under Articles 32 (right to move the Supreme Court for the enforcement of fundamental rights) and Article 226 (the right to move the High Courts for the enforcement of fundamental rights). These provisions under the constitution allow a person to question administrative actions conflicting with their rights and obtain redress. It subjects the administrative body to respond for their actions.

It frames the violation of natural justice as a breach of basic rights. The whole importance of fairness and transparency lies in the core of protection that they provide to the individual. By this statement, it is being asserted that when the principles of natural justice are not followed by administrative bodies, then not only is the procedural rule breached but also the very core constitutional guarantee violated and, thus, their rights and liberties get affected.

6. CONCLUSION

The Indian Supreme Court has played a significant role in allowing the administrative law system to include constitutional ideas such as natural justice, fundamental rights, and constitutional safeguards. With the 1978 Maneka Gandhi verdict, fundamental rights were expanded, access to justice was increased, and substantive judicial review was made available. However, a fragmented jurisprudence has resulted from institutional defects and the delegitimization of judicial practice. By incorporating common administrative law's natural justice principles within the provisions of basic rights, the Court produced "constitutionalized

administrative law." This has had a major effect on how rights are interpreted, how administrative law is understood, and how judges handle cases involving violations of administrative law and constitutional rights. To handle these ramifications and steer clear of doctrinal contradictions, the Court must develop a lucid and logical body of jurisprudence.

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