BLOGS

MCQ’s on Administrative Law for CLAT PG [Part 3]

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Q1. The principle that “no person should be a judge in his own cause” is referred to as:

A. Audi alteram partem

B. Nemo judex in causa sua

C. Res ipsa loquitur

D. Ubi jus ibi remedium

Q2. When delegated legislation goes beyond the authority granted by the parent Act, it is referred to as:

A. Intra vires

B. Ultra vires

C. Excessive delegation

D. Colourable legislation

Q3. An authority uses licensing power to punish political opponents rather than regulate trade.

This is best described as:

A. Abuse of discretion

B. Colourable exercise of power

C. Excessive delegation

D. Administrative necessity

Q4. A decision is unreasonable if:

A. Court would have decided differently

B. Decision lacks majority support

C. Decision is so irrational that no reasonable authority would take it

D. Decision affects public interest

Q5. The doctrine which prevents arbitrary administrative action by requiring reasons for decisions is referred to as:

A. Doctrine of proportionality

B. Doctrine of fairness

C. Doctrine of speaking orders

D. Doctrine of necessity

Q6. When a court examines whether the means adopted by an administrative authority are excessive in relation to the objective sought to be achieved, the review applied is known as:

A. Wednesbury unreasonableness

B. Doctrine of proportionality

C. Colourable exercise of power

D. Legitimate expectation

Q7. Why are administrative authorities generally required to pass reasoned orders?

A. To reduce workload of courts

B. To ensure transparency and fairness

C. To satisfy political accountability

D. To prevent delegation of powers

Q8. The test that asks whether a decision is so unreasonable that no reasonable authority would have taken it is called:

A. Proportionality test

B. Rational nexus test

C. Wednesbury test

D. Necessity test

Q9. Natural justice may be excluded:

A. Whenever statute is silent

B. In all administrative actions

C. Only by express provision or necessary implication

D. Whenever government claims urgency

Q10. Rules framed under an Act contradict the parent statute.

The rules are:

A. Valid if reasonable

B. Valid if approved by Parliament

C. Ultra vires the parent Act

D. Protected as subordinate legislation

Q11. When courts refuse to interfere merely because they disagree with administrative policy, the restraint exercised is referred to as:

A. Judicial abdication

B. Judicial discipline

C. Judicial deference

D. Judicial immunity

Q12. When a statute allows rule-making but the legislature retains essential policy decisions, it is referred to as:

A. Conditional legislation

B. Excessive delegation

C. Subordinate legislation

D. Executive legislation

Q13. A situation where a decision-maker has a personal interest in the outcome of the decision is legally referred to as:

A. Apparent bias

B. Institutional bias

C. Pecuniary bias

D. Functional bias

Q14. When an authority uses its power for a purpose different from the one for which it was conferred, it is referred to as:

A. Abuse of discretion

B. Colourable exercise of power

C. Excessive delegation

D. Administrative necessity

Q15. A government consistently renews contracts of employees every year but suddenly refuses renewal without explanation.

Which doctrine may apply?

A. Res judicata

B. Promissory estoppel

C. Legitimate expectation

D. Natural justice only

Answers

1. B – Nemo judex in causa sua – This rule ensures impartiality and absence of bias in administrative decisions.
2. B – Ultra vires – Any subordinate legislation exceeding statutory limits is ultra vires and void.
3. B – Colourable exercise of power – Power used for an unauthorised purpose is colourable and invalid.
4. C – Decision is so irrational that no reasonable authority would take it – Wednesbury unreasonableness sets a high threshold, focusing on extreme irrationality.
5. C – Doctrine of speaking orders – Speaking orders promote transparency, accountability, and judicial review.
6. B – Doctrine of proportionality – Unlike Wednesbury unreasonableness, which intervenes only in cases of extreme irrationality, proportionality requires a closer scrutiny of whether the administrative action is suitable, necessary, and balanced in relation to the aim pursued. This doctrine is increasingly applied, especially where fundamental rights are involved.
7. B – To ensure transparency and fairness – Reasoned orders prevent arbitrariness, enable judicial review, and promote fairness.
8. C – Wednesbury test – It sets a high threshold for judicial interference.
9. C – Only by express provision or necessary implication – Exclusion must be clear and justified. Silence alone does not exclude natural justice.
10. C – Ultra vires the parent Act – Delegated legislation must conform strictly to the parent Act. Any inconsistency makes it ultra vires.
11. C – Judicial deference – Courts respect separation of powers and policy domain of executive.
12. A – Conditional legislation – Legislature sets policy; executive applies it when conditions are met.
13. C – Pecuniary bias – Even a small financial or personal interest automatically disqualifies the decision-maker.
14. B – Colourable exercise of power – The action may appear lawful, but the real object is unlawful.

15. C – Legitimate expectation – Past consistent conduct can create a reasonable expectation requiring fair consideration before departure.