BLOGS

Natural Justice as the Backbone of Fair Governance

Adtiya Aryan · 02 Apr 2026

Among all concepts in administrative law, **natural justice** is perhaps the most practical and most frequently tested in CLAT PG. It does not sound complicated, and it is not buried in technical language.

Yet, it quietly governs how power is exercised in everyday administration. Whenever an authority takes a decision that affects rights, livelihood, reputation, or liberty, the idea of natural justice steps in to ask a simple question: *was this done fairly?*

At its core, natural justice is not about rigid procedures or formal hearings. It is about fairness in decision-making. Over time, courts have distilled this idea into two well-known principles: the right to be heard (*audi alteram partem*) and the rule against bias (*nemo judex in causa sua*). These principles are not constitutional provisions in themselves, but they are deeply connected to constitutional values of equality and fairness.

Initially, Indian courts were hesitant to apply natural justice to purely administrative actions. The old view was that only quasi-judicial decisions required fairness, while administrative decisions could be taken more freely. This distinction began to break down with ***A.K. Kraipak v. Union of India***.

The Supreme Court held that when an administrative decision has civil consequences, principles of natural justice must apply. What mattered was not the label of the function, but its effect on individuals. This judgment marked a turning point and expanded the reach of natural justice.

The influence of natural justice grew stronger after ***Maneka Gandhi v. Union of India***. Though the case arose in a constitutional setting, its reasoning reshaped administrative law. The Court held that any procedure affecting life or personal liberty must be just, fair, and reasonable.

This idea made fairness a constitutional requirement, not merely an administrative courtesy. As a result, denial of hearing or arbitrary procedure began to be seen as a violation of fundamental rights as well.

One of the most common ways natural justice is tested is through the **right to be heard**. A person affected by an adverse decision must be given a real opportunity to present their case.

This does not always mean a full oral hearing, but it does require meaningful participation. In ***Ridge v. Baldwin***, a dismissal without hearing was struck down, even though the authority had acted within its formal powers. The case highlights that fairness cannot be sacrificed for administrative convenience.

Equally important is the **rule against bias**. Decision-makers must be impartial, both in fact and in appearance. Even a reasonable suspicion of bias can invalidate a decision. This principle ensures public confidence in administration and prevents abuse of power behind closed doors.

However, natural justice is not absolute. Courts have recognised that there are situations where prior hearing may be excluded. In ***Union of India v. Tulsiram Patel***, the Supreme Court upheld exceptions in cases involving national security, urgency, or impracticability. Yet, the Court also cautioned that such exclusions must be strictly justified. Authorities cannot casually bypass fairness by invoking urgency.

Another important development is the idea that **natural justice can be implied** even when a statute is silent. In ***Swadeshi Cotton Mills v. Union of India***, the Court held that unless a law clearly excludes natural justice, courts may read it into the statutory scheme. This ensures that silence does not become a tool for unfairness.

For CLAT PG aspirants, natural justice often appears in subtle ways. A passage may describe a licence cancellation without notice, an employee dismissed without explanation, or a regulatory penalty imposed overnight. The exam rarely uses the phrase “natural justice” directly. Instead, it tests whether you can sense procedural unfairness and connect it to legal principles.

Understanding natural justice also helps in tackling questions on reasonableness and arbitrariness. A decision taken without hearing or by a biased authority often fails the test of fairness under Article 14. This overlap is intentional. Administrative law is not a set of isolated doctrines; it is a network of ideas working together to control power.

Natural justice, therefore, is not about slowing down administration. It is about making governance humane and accountable. It ensures that authority listens before it decides and decides without prejudice.

For CLAT PG, approaching this concept as a living principle rather than a technical rule makes all the difference. It allows aspirants to move beyond memorisation and develop the kind of legal instinct that the exam truly rewards.