BLOGS

Multiple Choice Questions on Administrative Law- Part I

Ruchika Mohapatra · 11 May 2025

Attempt these 10 questions on Administrative Law and test your preparation today!

QUESTIONS

1. Which of the following doctrines primarily restricts the delegation of essential legislative functions by the legislature to the executive?

A. Doctrine of Pleasure

B. Doctrine of Colourable Legislation

C. Doctrine of Excessive Delegation

D. Doctrine of Ultra Vires

Answer: C

Explanation:

The Doctrine of Excessive Delegation limits the extent to which the legislature can delegate its functions to the executive. While subordinate legislation is allowed, essential legislative functions such as laying down policy cannot be delegated. In In re Delhi Laws Act, 1951, the Supreme Court laid down the limits of permissible delegation.

2. In A.K. Kraipak v. Union of India, the Supreme Court held that:

A. Natural justice principles do not apply to administrative decisions.

B. The line between administrative and quasi-judicial functions is distinct and rigid.

C. Administrative decisions affecting rights must comply with natural justice.

D. Judicial review is not applicable to administrative discretion.

Answer: C

Explanation:

In A.K. Kraipak v. Union of India, the Supreme Court blurred the distinction between

administrative and quasi-judicial actions by ruling that principles of natural justice must be followed even in administrative decisions that affect individual rights.

3. The principle of audi alteram partem requires:

A. Only judges can make binding decisions.
B. Every administrative authority must provide legal representation.
C. No person should be condemned unheard.
D. All delegated legislation must be laid before Parliament.

Answer: C

Explanation:
The audi alteram partem rule is a fundamental principle of natural justice meaning “hear the other side.” It ensures that a person must be given an opportunity to be heard before any adverse action is taken.

4. The test of proportionality is most commonly used in administrative law to:

A. Determine legislative competence.
B. Test whether the administrative action is justified in relation to the objective sought.
C. Check whether the action is intra vires the Constitution.
D. Examine whether the legislature followed correct procedure.

Answer: B

Explanation:
The test of proportionality assesses whether administrative actions infringe on rights to a greater extent than necessary to achieve their objectives. It ensures a rational connection between the means adopted and the end sought.

5. Which of the following cases is a leading precedent on the judicial control of administrative discretion?

A. Kesavananda Bharati v. State of Kerala
B. Maneka Gandhi v. Union of India
C. Ram Jawaya Kapur v. State of Punjab
D. Anwar Ali Sarkar v. State of West Bengal

Answer: B

Explanation:

Maneka Gandhi v. Union of India significantly expanded the scope of Article 21 and brought administrative discretion under judicial scrutiny, making the exercise of power subject to fairness and reasonableness.

6. Under Indian administrative law, malafide exercise of power means:

A. Power exercised based on ignorance.

B. Power exercised based on policy.

C. Power exercised for an unauthorized or improper purpose.

D. Power exercised in public interest.

Answer: C

Explanation:

An action is said to be malafide if the authority uses its power for an improper or unauthorized purpose, or with ill will. Such actions are subject to judicial review.

7. Delegated legislation can be challenged in court on the ground of:

A. It was made by a democratically elected body.

B. It satisfies parliamentary procedure.

C. It violates fundamental rights.

D. It is approved by the President.

Answer: C

Explanation:

Delegated legislation is subject to judicial review, and can be struck down if it violates the Constitution, particularly fundamental rights under Part III.

8. The doctrine of legitimate expectation primarily protects:

A. Legal rights enforceable by law.

B. Mere desires of individuals.

C. Procedural fairness when expectations are based on past conduct of the authority.

D. Legislative privileges.

Answer: C

Explanation:

The doctrine of legitimate expectation arises when a public body, through consistent practice or representation, leads a person to expect a particular treatment, especially in terms of procedural fairness, even if no legal right exists.

9. The Wednesbury principle relates to:

A. Judicial review of legislative powers.

B. Excessive delegation by Parliament.

C. Reasonableness of administrative discretion.

D. Federalism and division of powers.

Answer: C

Explanation:

The Wednesbury principle, from Associated Provincial Picture Houses v. Wednesbury Corporation (UK), holds that courts can interfere only when an administrative decision is so unreasonable that no reasonable authority would have taken it.

10. The principle that "he who decides must hear" is a derivative of:

A. Res judicata

B. Audi alteram partem

C. Nemo judex in causa sua

D. Locus standi

Answer: B

Explanation:

The maxim "he who decides must hear" is based on the audi alteram partem principle, which mandates that decision-makers must provide an opportunity of being heard to those affected.

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