BLOGS

Sectional Test on Administrative Law for CLAT PG [Part 1]

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This sectional test on Administrative Law has been designed to help CLAT PG aspirants assess and strengthen their understanding of key doctrines, case laws, and constitutional principles governing administrative action in India.

The questions reflect the analytical depth and legal reasoning expected in the CLAT PG exam.

Q1. The doctrine of "legitimate expectation" primarily arises from:
A. Article 14 of the Constitution
B. The principle of natural justice
C. The doctrine of estoppel
D. Parliamentary sovereignty

Q2. In which of the following cases did the Supreme Court first explicitly recognize the doctrine of legitimate expectation?
A. Union of India v. Hindustan Development Corporation (1994)
B. Maneka Gandhi v. Union of India (1978)
C. State of Punjab v. Nestle India Ltd. (2004)
D. A.K. Kraipak v. Union of India (1970)

Q3. Which of the following best describes the principle laid down in **A.K. Kraipak v. Union of India (1970)**?
A. Separation of powers must be strictly maintained.
B. The distinction between administrative and quasi-judicial functions is irrelevant for applying natural justice.
C. Substantive due process is part of Article 21.
D. Administrative discretion is unlimited.

Q4. The rule of *audi alteram partem* may be excluded:
A. Always, as administrative authorities are not bound by natural justice.

B. In cases where statutory exclusion is explicit or where prompt action is required in public interest.

C. Only in criminal proceedings.

D. Never, as it is a fundamental right.

Q5. Which of the following statements is **not true** about delegated legislation?

A. It allows the executive to make rules under the authority of the legislature.

B. It is subject to judicial review.

C. It is immune from constitutional challenge once published.

D. It must conform to the parent Act.

Q6. Which of the following doctrines prevents an authority from exercising a power it does not legally possess?

A. Doctrine of ultra vires

B. Doctrine of estoppel

C. Doctrine of res judicata

D. Doctrine of severability

Q7. In **Bennett Coleman & Co. v. Union of India (1973)**, the Supreme Court held:

A. Newspapers can be regulated under the Official Secrets Act.

B. Licensing requirements for media are constitutional.

C. Administrative orders cannot curtail fundamental rights arbitrarily.

D. Reasoned orders are mandatory in all administrative actions.

Q8. According to Indian administrative law, when can the **Writ of Mandamus** not be issued?

A. When the duty in question is discretionary.

B. When the petitioner has a legal right.

C. When a statutory authority fails to perform its public duty.

D. When an authority acts contrary to law.

Q9. The principle of **post-decisional hearing** was introduced in which of the following cases?

A. Olga Tellis v. Bombay Municipal Corporation (1985)

B. Delhi Transport Corporation v. DTC Mazdoor Congress (1991)

C. Swadeshi Cotton Mills v. Union of India (1981)

D. R.D. Shetty v. International Airport Authority (1979)

Q10. The term “fairness in action” in administrative law is most closely associated with:

A. Article 19(1)(a)

B. The Preamble

C. Principles of natural justice

D. Writ of Habeas Corpus

Answer Key and Detailed Explanations

Q. No.	Answer	Explanation
1	B	The doctrine of legitimate expectation arises from principles of natural justice and procedural fairness, not directly from a constitutional provision. It ensures that a public authority does not frustrate reasonable expectations it has created in a citizen.
2	A	The doctrine was explicitly recognized and developed in Union of India v. Hindustan Development Corporation (1994), where the Court discussed procedural and substantive dimensions of legitimate expectation.
3	B	In A.K. Kraipak, the SC blurred the lines between administrative and quasi-judicial actions, holding that natural justice applies to both. The case laid the foundation for fair procedures in administrative decision-making.
4	B	Audi alteram partem can be excluded in exceptional situations, such as emergencies or express statutory exclusion (e.g., preventive detention), but this must be narrowly interpreted.
5	C	Delegated legislation is not immune from constitutional challenge. It must pass tests of reasonableness, non-arbitrariness, and must conform to the parent statute and the Constitution.
6	A	The doctrine of ultra vires states that any administrative act or delegated legislation beyond the scope of authority granted is void. It’s foundational to judicial review of administrative actions.
7	C	In Bennett Coleman, the SC held that administrative orders must not curtail fundamental rights arbitrarily, especially the freedom of press under Article 19(1)(a). It was a landmark judgment on administrative overreach.

8	A	Mandamus cannot be issued when the duty in question is discretionary, i.e., when the authority is not under a legal obligation to perform the act in a specific way.
9	C	In Swadeshi Cotton Mills, the Court held that post-decisional hearing may be permissible where prior hearing isn't possible due to urgency but fairness requires an opportunity later.
10	C	"Fairness in action" is part of the principles of natural justice, especially audi alteram partem and nemo judex in causa sua. It underpins procedural fairness in administrative law.