Page 1846 - 1859 **DOI:** *https://doij.org/10.10000/IJLMH.119072*

INTERNATIONAL JOURNAL OF LAW MANAGEMENT & HUMANITIES

[ISSN 2581-5369]

Volume 8 | Issue 1

2025

Principles of Natural Justice as an Effective Mechanism to Control Administrative Discretion

SUVIGYA VERMA[1] AND SYED ANWAR ALAM[2]

ABSTRACT

There are many ambiguities implementation of natural justice principles in administrative proceedings is one example of a gray area. Depending on kind of role administrative body is doing, natural justice principles may or may not apply. Therefore, determining nature of that specific administrative function—which likewise lacks clear parameters—is first step. classification of administrative role determines how broadly three main natural justice principles—explained at beginning of this paper—apply. author of this paper has made an effort to categorize different kinds of administrative functions and to pinpoint a set of criteria that can be applied to distinguish between them. classification is followed by a discussion of benefits and drawbacks of using natural justice concepts in administrative proceedings. Following this research, author comes to conclusion that since benefits of natural justice principles greatly exceed drawbacks, they must be applied to administrative actions.

***Keywords**: quasi-judicial, natural justice, administrative functions, Speaking order, impartial judge, audi alteram partem.*

I. INTRODUCTION

The post-independence development in India is expansion of administrative law. most important factor behind this extraordinary development was a shift in idea of state, which was brought about by numerous political and socioeconomic developments. Laissez-faire's failure prompted a reconsideration of state's role. It was advocated that state's operations be expanded to address new difficulties rather than being limited to its conventional functions.

The socialist and humanitarian concept increased call for government intervention in social welfare initiatives. state implements numerous welfare programs as a result of this pressure. And state started to act as person's guardian in both his personal and public life. This led to an expansion of state's jurisdiction. Administrative law in contemporary sense developed as a

[1] Author is an Assistant Professor at City Law College, Jankipuram, India.
[2] Author is an Assistant Professor at City Law College, Jankipuram, India.

 [ISSN 2581-5369]

result of administrative authority's buildup of power'. A subset of public law known as administrative law is primarily used to settle conflicts between citizens and government, or public authorities. It upholds rule of law, which is based on justice and constitutionally mandated government.

Performs a wide range of duties beyond those that are often classified as sovereign. A broad range of discretionary power' is granted to authorities, their subordinates, and other departments in order to properly carry out these functions. Such administrative discretion ought to be used in accordance with rule of law and natural justice principles.

Ensuring that such discretionary power' is appropriately exercised in conformity with and within bounds of law that grants it is primary goal of administrative law. sphere of administrative discretion gets complex when principles of natural justice are applied, and judicial control of administrative conduct has advanced as state's function grows more complex. Over years, natural justice has become a widely accepted notion that impacts many areas of administrative action. It is a great humanizing principle that aims to infuse law with fairness and secure justice.

In addressing issue of administrative discretion, Supreme Court has placed a high value on instances in which it deviates from natural justice norms. It is evident from judicial trend that judiciary is doing a challenging job of upholding natural justice principles without impairing administrative discretion. [3]

An essential idea in administrative law is natural justice. foundation of any nation's effective administrative structure is natural justice principles of basic procedural procedures. Natural justice refers to superior procedural guidelines created by judges that all administrative bodies must adhere to when making decisions that negatively impact an individual's rights.[4] There are some basic principles that are so essential to the appropriate use of authority that they are transferred from the judicial to the administrative domain. In actuality, the cost of the rule of law is natural justice. [5]

It might simply be called "Procedural Fairness," and its goal is to make sure that decisions are rational and fair. At different points in time, this basic idea has meant different things to different people. It used to be synonymous with natural law in its broadest definition. It has been interpreted to suggest that decisions must have justification and that a body making a decision can only act on evidence that has probative value. According to some, adage "Actus

[3] Union of India v. T. R. Varma AIR 1957 SC 882.
[4] Mark Elliot, (ed.), ADMINISTRATIVE LAW: TEXT AND MATERIALS, 3rd ed, 2007 Oxford University Press, New Delhi.
[5] M. Sikri, J, in Board of H. S. & I. E., U. P. Vs. Chitra, AIR 1970 SC 1039, 1040

 [ISSN 2581-5369]

non facit reum, nisi mens sit rea" is a natural justice principle.[6] Regardless of what natural justice may have meant or still means to others, common law lawyers have used the phrase in a technical way to signify that decisions that affect individuals' rights must sometimes only be made after the individual in question has received a fair hearing. A fair hearing in this case also requires AUDI ALTERAM PARTEM and NEMO DEBET ESSE JUDEX IN PROPRIA SUA CAUSA.

II. ADMINISTRATIVE DISCORDION DEVELOPMENT

This chapter describes specifics of how evolution of administrative law in contemporary state was facilitated by shift in state's conception from a police state to a social welfare state. In a social welfare state, administrative authority was tasked with carrying out welfare measures, and when broad power's are granted to authorities, discretionary power' grows. In common definition, discretion refers to selecting one option from among many that are available without consulting predefined standard. However, discretion in administrative law refers to selecting from among many options that are available, but in accordance with principles of justice rather than one's own whims and fancy.

A statute that gives executive discretion must include rules for how that discretion is to be used. Nothing compares to complete discretion, which opens door to potential arbitrary behavior. judiciary can take control of discretion whenever it is believed that it is being used excessively. Judicial control refers to court's authority to assess legitimacy of government actions and, in doing so, protect an individual's fundamental and other rights. However, court cannot arbitrarily meddle in administrative matters. They can only step in when asked to do so by someone who believes that their rights have been violated or are about to be violated due to a public official's actions.

The judiciary has established consistent criteria for determining whether statutory provisions granting discretionary authority are legitimate. Fundamental rights violations, abuses of discretion, lack of mental application, ultravires act, and disregard for natural justice principles are among them. Since administrative authorities' discretionary power' is generally unrestricted, courts have over time made adherence to natural justice principles rigorous. One of most important tools for limiting administrative discretion is observance of natural justice principles.

The fundamentals and components of natural justice

The "rules" of natural justice "are concerned with procedure that must be observed in its

[6] Julius Stone, HUMAN LAW AND HUMAN JUSTICE, 3rd Indian Reprint. 2008, Universal Law Publishing Co. Pvt. Ltd, Delhi.

exercise, not with merits of a particular exercise of power'." tenets of natural justice are as follows:

1. Nemo Judex Causa Sua Rule Against Bias

The first principle is that "no man shall be a judge in his own cause," meaning that person making decision must be neutral and unbiased. It suggests that a man cannot serve as a judge for a cause in which he has a personal stake, whether that stake be financial or otherwise. best evidence against impartiality comes from financial interest. focus is on using objectivity when handling and making decisions. In a case that was reported, Justice Gajendragadkar noted:

"It is obvious that pecuniary interest, howsoever small it may be, in a subject matter of proceedings would wholly disqualify a member from acting as a judge".[7]

In one of cases, Lord Hardwick noted that "even appearance of evil is to be avoided in a matter of so tender a nature."

Even though it hasn't been demonstrated that decision was impacted in any manner, it is a legal concept that a judge's financial interest would preclude them from making a ruling. A ordinary man must therefore have faith in decision-making authority.

In common English, word "bias" is used to refer to qualities and wider meaning of word "malice," which is widely accepted to mean and imply "spite" or "ill-will." It is now well established that merely making generalizations is insufficient to indicate ill-will.

To determine if bias actually existed and led to miscarriage of justice, there must be relevant evidence readily available on file. It is a basic and well-established notion in both public administration and court proceedings that decision-maker must be impartial in order to give parties' arguments fair and sincere consideration.

A person is prohibited from rendering a decision in any case where they may be biased or could reasonably be suspected of being so. This principle applies to courts, tribunals, arbitrators, and anybody else tasked with acting in a judicial capacity. It embodies fundamental idea of impartiality. while making judgments that impact people's rights or interests, a public authority has an obligation to operate judicially, not just while using a judicial-style process necessity to preserve public trust in legal system serves as foundation for impartiality two guiding ideas of rule against prejudice are as follows:

- No one should assess his own cause.

[7] M/s Builders Supply Corporation v. Union of India and others, AIR 1965 SC 1061

 [ISSN 2581-5369]

- Not only should justice be carried out, but it should also be clearly and visibly perceived as such.

Therefore, in addition to being unbiased, a judge should be able to apply his judgment to case at hand in an objective manner.

Thus, there are two primary components to rule against bias: • Any personal or proprietary interest in proceedings' result cannot be held by administrator using adjudicatory power's.

- possibility of prejudice must be genuine. subjective term "real likelihood of bias" refers to either actual bias or a plausible suspicion of bias. It is challenging to demonstrate someone's mental state. As a result, courts consider whether there is a good cause to think that deciding factor was probably biased.

Although there are countless potential sources of bias, both positive and negative, they can be divided into four major groups. decision-maker's financial interest in issue under consideration is most evident source of prejudice. decision maker's personal opinions also be source of bias. Thirdly, allegiance to an organization may cause a decision-maker to become so devoted to its goals or interests that they may not be able to fairly balance them with other interests. Lastly, bias can also result from past engagement in a case or prejudging issues.

Bias can take many different forms. One type is personal bias, which occurs when decision authority and parties have a particular connection equation that tilts him in favor of one of parties in front of him. when a person sits on selection board to choose candidates for a position for which he is a candidate, even though he may not take part in discussions when his name is put forth, or when adjudicator is a relative of one of parties.

- Pecuniary bias: Any direct financial interest, no matter how minor or unimportant, will prevent someone from serving as a judge.
- Departmental prejudice: If departmental bias is not adequately addressed, it could undermine idea of fairness in administrative process. This issue is a natural element of administrative process.
- Prejudice against judicial obstinacy: term "obstinacy" connotes irrational and unyielding perseverance, and decision-maker would not accept "no" as an answer. A judge in the Calcutta High Court exposed a new kind of bias when he affirmed his own ruling during an appeal hearing. Judges are unable to appeal their own decisions directly, although they can do so indirectly. In this instance, the judge upheld a decision that the Division Bench had previously denied in a fresh writ petition. The administrative system is subject to the same regulations

 [ISSN 2581-5369]

as the legal system. It is necessary to show a "real likelihood of bias" or "reasonable suspicion of bias" in order to effectively contest administrative acts based on personal bias. The court's assessment of the facts is the main focus of the "real likelihood" test, "reasonable suspicion" test mostly considers appearance. question that courts consider is whether there is a good reason to think that person who made decision was likely biased. Judges must examine human capabilities and typical course of human behavior when making decisions regarding question of prejudice.

- Subject matter bias: This category includes circumstances in which deciding officer has a direct or indirect interest in case's subject matter.

1. Rule of Fair Hearing or Audi Alteram Partem

Second long arm of natural justice, Audi Alteram Partem, shields "little man" from capricious administrative action if his property or person rights are in danger. Therefore, ensuring that an unlawful action or judgment does not occur is one of goals of holding a hearing in accordance with principles of natural justice. foundational idea of natural justice principle is audi alteram partem. No one shall be condemned without being given a chance to be heard, according to audi alteram partem norm.

Basic rule of civilized jurisprudence is that everyone whose rights or interests are being impacted, or against whom any action is undertaken, should be given a fair chance to defend themselves. This idea has been used in sphere of administrative action to guarantee justice and fair play for all who are impacted. Its implementation relies on factual matrix to enhance administrative effectiveness, expediency, and fairness.

From notification until final decision, this rule explains several steps that administrative adjudication takes. Therefore, right to a fair hearing comprises:

- ability to observe
- ability to provide facts and a case
- rights to cross-examination, rebuttal of unfavorable evidence, and legal counsel
- Evidence disclosure to party
- Presentation of inquiry report to opposing party
- Well-considered choices or spoken directives

 [ISSN 2581-5369]

(A) Right To Know

In a legal context, it includes both direct knowledge of facts and awareness of factors that should raise suspicion or belief.

Notice must come before an adverse order and exemplifies rule of fairness. In order to provide party with sufficient information about case he must attend, it must be clear and explicit. time allotted should be sufficient for an individual to formulate a strong defense. administrative decision is utterly tainted by denial of notice and right to reply.

(B) Right To Provide Evidence and A Case

Party should be given a fair chance to make his case before adjudicatory authority. Although a personal hearing is not required, it is a requirement of natural justice that quasi-judicial authorities cannot render a decision against an individual without providing him with a meaningful opportunity to address any pertinent charges against him. impacted individual should be given chance to properly address evidence against him and make his case. natural justice principles will be broken if this minimum is not met. A fair hearing must meet a number of requirements, which are detailed below.

(C) Due to evidence concerning him

Everyone has right to know what evidence will be used against them when they appear before an administrative body with adjudicatory jurisdiction.

(D) Ability to rebut harmful evidence

Iindividual must have been made aware of evidence against him in order to exercise his right to refute it. Not only must party be aware of negative information in file, but he must also be given chance to refute facts.

It is not appropriate to use evidence against another party.

Fair hearing principle is broken by ex-parte testimony given without other side present.

(E) Right to Advise

To begin with, judicial method was stalling when it came to representation by counsel. It was believed that legal representation was not a right that could be claimed. right to counsel an exception was based on this general norm. However, this opinion has now nearly changed. In certain cases, court has made this criterion mandatory, depriving adjudicator of any choice. Additionally, it has loosened procedural constraints on party's use of counsel for representation.

 [ISSN 2581-5369]

The other party will be shown inquiry report

Before disciplinary body decides whether delinquent employee is guilty or not, court ruled in Managing Director ECIL v. B. Karunakar that employee has a right to a copy of inquiry report. Court further underlined that all establishments, whether public or private, governmental or non-governmental, are subject to this norm. Waiver would not apply if employee had not requested report. Any rules or standing orders that restrict this initial right would be deemed unconstitutional.

(A) After Decision Hearing

A post-decisional hearing is one that takes place after a decision has been made. In Maneka Gandhi v. UOI, Supreme Court created concept of a post-decisional hearing to preserve equilibrium between administrative effectiveness and individual justice.

MANEKA GANDHI V. UOI[8]

Information

In this instance, an order dated 02.07.1977 detained petitioner's (a journalist) passport dated 01.06.1976 "in public interest." government refused to provide her justification for its choice. She challenged legality of impoundment order in a petition submitted to SC under article 32. Additionally, she did not receive any notice or hearing prior to ruling.

Government's argument.

Government contended that "audi alteram partem" provision had to be disregarded as doing so would have negated intent of passport's impoundment.

Supreme Court ruled that although if passport's impoundment was an administrative action, norm of fair hearing is drawn in by essential inference, and it would not be just to disregard this fundamental principle's application for administrative reasons. Due to unique socio-political circumstances surrounding case, court permitted passport's restoration rather than completely overturning decision.

In order to weigh these considerations against demands of justice, fairness, and law, post-decisional hearing technique was created. court emphasized that obligation of natural justice would be satisfied by a fair opportunity to be heard promptly after passport was impounded.

The same method of using a post-decisional hearing to validate a void administrative decision was used in ***Swadeshi Cotton Mills V. UOI[9]***., According to IDRA's Sec. 15, an undertaking

[8] 1978 AIR 597, 1978 SCR (2) 621
[9] 1981 AIR 818, 1981 SCR (2) 533

 [ISSN 2581-5369]

may be taken over following an examination of its operations. The court affirmed the government's order that had been issued in violation of the audi alteram partem standard because the government consented to convene a post-decisional hearing. The majority decision ratio looked like this: When urgent action is necessary to prevent an impending danger, injury, or hazard to the supreme public interest, a pre-decisional hearing may be waived. However, this does not mean that the audi alteram partem rule may be excluded. If pre-decisional hearing is waived, a post-decisional remedial hearing must be provided; otherwise, the decision to omit it would be subject to judicial review.

2. A Reasonable Choice

In addition to providing satisfaction to the party against whom the order is issued, the requirement to document the reasons serves as a deterrent against potential arbitrary action by executive authority endowed with judicial power. Additionally, the aggrieved party has the opportunity to demonstrate before an appellate or revision court that the reasons used by the authority to reject his case were incorrect.

Authority to withhold justifications for order is extraordinary and should only be used judiciously and only when demands of exceptional circumstances are completely met.

Thus, following is a summary of natural justice principles:

- Every individual whose rights are impacted must be given a fair warning about issue they must attend and a fair chance to present their case.
- That person conducting hearing must be unbiased, meaning they cannot be a direct or indirect party to matter.
- That authority hearing matter must act in good faith, not arbitrarily but rationally, and that anyone with an interest in litigation is already biased against party in question.

III. JUDICIAL TREND: NATURAL JUSTICE AND ADMINISTRATIVE DISCRETION

All courts, judicial institutions, and quasi-judicial authorities are unquestionably bound by the principles of natural justice. The Supreme Court had a significant role in the development of natural justice ideas in India. Several stages of the legal history can be connected to evolution.

There are three stages in development of natural justice ideas.

 [ISSN 2581-5369]

(A) Development before 1963

A.K. Gopalan v. State of Madras[10] was the first case to challenge an act's constitutionality under Indian Constitutional Provision A.21. The court claims "procedure established by law" refers to a procedure that is mandated by state legislation. These terms should be interpreted as referring to a statutory procedure because no method is known to have been formed by such nebulous and ambiguous ideas and "the immutable and universal principles of natural justice."[11]

"Body of persons having legal authority to decide matter of private individual by applying legal principles".[12]

In ***Province of Bombay v. Kushal Das Advani***[13], In this instance, the court distinguished between administrative and quasi-judicial functions and clarified that administrative authorities must only adhere to natural justice principles in cases involving quasi-judicial functions.

(B) Development after 1963

Prior to 1963, only quasi-judicial functions were subject to natural justice principle. In seminal decision of Ridge v. Baldwin, it was decided that administrative proceedings could adhere to natural justice principles. In overturning Court of Appeal's ruling, House of Lords ruled that all administrative actions must adhere to fair hearing principle and that an employee's termination cannot be carried out without providing a reasonable opportunity for a hearing and without respecting natural justice principle. According to Lordship, issuing a writ of certiorari does not always require obligation to act judicially.[14]

Additionally, it was decided that authority must apply its power' judicially—that's it impacts an individual's rights. House of Lords did not distinguish between quasi-judicial and administrative functions in this instance. Therefore, implementation of natural justice principles was declared mandatory regardless of function.

In ***A.K. Kraipak v. Union of India***[15] A former official member of Indian Forest Service's selection board was Mr. Naquishbund, Chief Conservator of J & K. Additionally, he was a candidate for India Forest Service. When his name was taken into consideration and accepted, he did not participate in Selection Board's discussions. When names of other candidates were taken into consideration, he took part in Board's discussions.

[10] AIR 1950 SC 27
[11] Kania C. J;Patanjali Sastri J; B. K. Mukherjea J and Das JJ.
[12] R V. Electricity Commisioner 1923 ALL ER Rep 150.
[13] AIR 1950 SC 222
[14] Ridge v. Baldwin (1963) 1 All E R 66
[15] AIR 1970 SC 150

 [ISSN 2581-5369]

His selection order was overturned by Supreme Court due to personal bias. It concluded that even though he was not involved in selection process, his appointment to Selection Board violates natural justice standards. Making a man judge his own cause is against all rules of justice. It is accurate to say that he was not involved in committee's discussions when his name was brought up. His membership on selection board, however, had an effect on board's choice in and of itself.[16]

Admittedly, he also took part in selection board's discussions when his competitors' arguments were taken into account. He also participated in process of compiling list of chosen applicants according to preference. There is a conflict between his duty and interest at every point of his involvement in selection process; in those situations, it is hard to think he could have remained objective. Whether he was biased is not actual question. It is challenging to demonstrate someone's mental state. Thus, question that needs to be answered is if there is solid evidence that he was probably biased.[17]

(C) Development After 1978

After ***Ridge v Baldwin***[18] case, both administrative and quasi-judicial activities were subject to natural justice norms. Another significant advancement in India's implementation of natural justice principles occurred in 1978.

Ashok Kumar v Union of India[19], It was not possible for Ashok Kumar to be appointed. Nevertheless, he was chosen and appointed. However, appointment was canceled after it was discovered that candidate was ineligible. Ashok Kumar contested ruling, arguing that it went against natural justice. However, noting that a court of law does not insist on "useless formality," Supreme Court refrained from interfering with case. It won't give any such instructions if outcome stays same. court made it abundantly evident in this case as well that a technical infraction of natural justice does not equate to a true violation of principles of natural justice.

Year's most significant case in administrative law, particularly in field of natural justice, is Maneka Gandhi v. Union of India. For purposes of this survey, an analysis of ruling of Bhagwati J., who constituted bench's majority, would suffice. In public interest, Government of India seized petitioner's passport in accordance with Sec. 10(3)(c) of Passport Act, 1967. In accordance with Sec. 10(5), petitioner requested a copy of statement of reasons for order. In

[16] A.K. Kraipak v. Union of India, AIR 1970 SC 150
[17] ibid
[18] (1963) 2 All ER 66
[19] (2009) 17 SCC 481

 [ISSN 2581-5369]

response, government stated that it had "in interest of general public" chosen not to provide her with a copy of justification for order. at a writ case filed under Article 32 at Supreme Court, petitioner contested government's order on a number of grounds. We are primarily interested in one point, which is that passport was seized without giving her a chance to present her defense, making order unlawful. As a result, this case directly addressed issue of extent of natural justice in passport revocation.

According to Bhagwati J., natural justice is a wonderful "humanizing principle" that aims to secure justice and give fairness to law. Over time, it has become a widely accepted guideline that influences many facets of administrative action. "Fair play in action" is essence of natural justice, which is why it has gained most acceptance in democratic world. For purposes of this test of doctrine of natural justice's applicability, a quasi-judicial duty and an administrative function cannot be distinguished. "If a rule of natural justice is calculated to secure justice, or to put it negatively, to prevent miscarriage of justice, it is difficult to see why it should be applicable to quasi-judicial inquiry and not to administrative inquiry." Finding a just conclusion is goal of both administrative and quasi-judicial inquiry. It must make sense for both.

Because an unfair decision in an administrative investigation might occasionally have even more significant repercussions than a decision in a quasi-judicial inquiry, Bhagwati J. stressed that principle of fair play in action is as relevant in all types of inquiries.[20]

In ***H.L.Trehan V. UOI***[21]**,** The government released a circular about acquiring a business that unfairly changed the terms and conditions of its workers without giving them a chance to be heard. "We believe that post-decisional hearing opportunity does not adhere to principles of natural justice," the Supreme Court stated. Authority that holds one will usually continue with a closed mind, and there is very little chance of obtaining adequate consideration of representation at a post-decisional hearing. Therefore, in any situation where a pre-decisional hearing is required, a post-decisional hearing will not authorize action unless there are really exceptional circumstances.

We can conclude that pre-decisional hearing is the standard norm of the audi alteram partem rule. Nonetheless, a post-decisional hearing at least provides the person who was wronged a chance and is preferable to no hearing at all. However, post-decisional hearings must be the exception rather than the rule.

It is appropriate in following circumstances: • when individual impacted by initial decision does

[20] (1963) 2 All ER 66
[21] 1989 AIR 568, 1988 SCR Supl. (3) 925

 [ISSN 2581-5369]

not suffer any harm or prejudice; • when prompt action is urgently needed; and • when it is not feasible to pay for a pre-decisional hearing.

Pre-decisional hearing exclusion is a justiciable decision.

Flexible judicial approach to natural justice stems from belief that one set of rules for hearings may not be appropriate for all situations and all bodies, and that insisting on strict rules for hearings may ultimately impede administration action. This is because hearings may need to be held in a wide range of situations and by a wide variety of decision-making bodies that vary from nation to nation, from tribunals to administrative bodies. As a result, courts oppose notion of applying natural justice in a restrictive manner.[22]

IV. CONCLUSION AND SUGGESTIONS

In conclusion, judiciary has established and adhered to natural justice principles in order to safeguard public's rights against capriciousness of administrative authorities. It should be noted that principles of natural justice are related to fairness; they are in place to safeguard equitable treatment of people who are in front of a court, tribunal, or hearing where a person's decision is being made. In order to ensure justice or avoid a miscarriage of justice, idea that natural justice should always serve as a guide for those performing judicial tasks is not simply a valid but also a necessary component of legal theory.

Judgment to be legitimate because any choice that deviates from it would be declared invalid. Furthermore, it is important to remember that a judge's entitlement to a fair trial and his prohibition on making a decision on an issue in which he has a stake are crucial. It is impossible to confine scope and implementation of natural justice principles to a strict formula. type of jurisdiction granted to administrative authority and nature of impacted person's rights determine how doctrine is applied.

Although common law and moral principles are closely related to natural justice, natural justice is not same as natural law. In order to give people proper justice, natural justice seeks to provide fairness, equity, and equality. It also seeks to make decisions and judgments free from bias of any kind. Without this, judgments would be influenced by bias and change their nature, making it impossible to hope for justice from court because they would be partial, rendering court an ineffective venue for obtaining justice.

A judge who abides by rule against prejudice is unbiased and applies objectivity to issue or disagreement at hand. necessity to preserve public trust in legal system serves as foundation

[22] S.P Sathe, ADMINISTRATIVE LAW, 7th ed, 2007 LexisNexis Butterworths, New Delhi.

for impartiality. decline in public trust erodes legal system's dignity and causes turmoil as a result. Justice must be based on trust, and trust is shattered when right-wingers leave with belief that judge was biased. Without natural justice and prohibition against bias, law and order as a whole collapses.

Study made following recommendations in light of aforementioned findings:

First off, without some discretion, administrative authorities in modern administration are unable to accomplish their tasks. Therefore, every statute has a clause that gives administrative power' discretion. Although Act grants administrative authority, appropriate guidelines must be established for its implementation.

Second, before acting in a way that could have civil repercussions for a party, administrative authorities have a need to adhere to specific protocols. In order to guarantee that authorities have reached a fair conclusion, statutes granting administrative discretion must expressly state minimal steps that administrative authority must take.

Thirdly, it is administrative authorities' responsibility to adhere to natural justice principles if statute is silent on processes they must follow. Therefore, depending on specifics of case, it should be necessary for administrative authorities to adhere to at least a minimal procedural hearing.

Fourth, if there has been a genuine infringement of natural justice principles that has impacted rights of individual in question and significantly harmed him in any administrative action, judiciary can carefully consider prospect of compensatory justice.

Individual rights violations by administrative discretion can be minimized if all of these recommendations are implemented, which will also lessen violation of natural justice principles.

*****

 [ISSN 2581-5369]