

International Journal Research Publication Analysis

Page: 01-09

THE DUTY TO GIVE REASONS IN ADMINISTRATIVE DECISIONS: A SAFEGUARD AGAINST ARBITRARINESS IN INDIA

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Article Received: 13 August 2026

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Article Revised: 03 September 2026

S.Y.LL.B. Haveli Institute of Legal Studies and Research, Silvassa. (Affiliated to

Published on: 23 September 2026

University of Mumbai)

DOI: <https://doi-doi.org/101555/ijrpa.2531>

ABSTRACT

Administrative authorities exercise wide powers in a modern welfare state. Their decisions may affect employment, licences, education, public benefits, disciplinary matters and other important interests. The duty to give reasons is therefore an important safeguard in Indian Administrative Law. This paper examines reasoned administrative decision-making and its relationship with Natural Justice, Article 14, the Rule of Law and Judicial Review. It also considers leading decisions including *S.N. Mukherjee v. Union of India*, *Siemens Engineering & Manufacturing Co. of India Ltd. v. Union of India*, *Mohinder Singh Gill v. Chief Election Commissioner* and *Kranti Associates Pvt. Ltd. v. Masood Ahmed Khan*. The study finds that meaningful reasons improve transparency, accountability and effective review, while the exact extent of the duty depends on the nature of the decision and statutory framework.

KEYWORDS: Administrative Law; Duty to Give Reasons; Speaking Order; Natural Justice; Judicial Review; Rule of Law; Article 14; Arbitrariness; Accountability.

1. INTRODUCTION

Administrative Law controls the exercise of public power. In India, the expansion of the welfare state has increased the number of decisions taken by departments, statutory authorities and tribunals. Such decisions can directly affect individuals. A person may lose a licence, face disciplinary action, be denied a public benefit or be affected by a regulatory decision. These consequences make procedural safeguards important.

A reasoned decision explains the principal basis for the conclusion. It helps the affected person understand what was decided and why. It also allows an appellate authority or court to examine whether the decision-maker acted within the law. The requirement is especially important where the authority performs a quasi-judicial function or where the decision has serious civil consequences.

The duty to give reasons has developed through constitutional principles and judicial decisions. It is closely connected with Natural Justice, fairness, non-arbitrariness and Judicial Review. However, it does not mean that every routine administrative act must contain a lengthy judgment. The nature of the power and the governing law remain important.

2. STATEMENT OF THE PROBLEM

Administrative discretion is necessary because legislation cannot anticipate every factual situation. At the same time, unexplained discretion may create a risk of arbitrary action. The problem is therefore to maintain a balance between administrative efficiency and fairness. The duty to give reasons provides a practical safeguard, but questions arise about when reasons are necessary, how detailed they should be and how an inadequate order should be reviewed.

3. RESEARCH QUESTIONS

1. What is the duty to give reasons in administrative decision-making?
2. Why are reasoned decisions important?
3. How is the duty connected with Natural Justice and Article 14?
4. What principles have been developed by the Supreme Court?
5. How do reasons assist Judicial Review?
6. Are there circumstances in which detailed reasons are unnecessary?
7. How can administrative authorities improve the quality of their orders?

4. OBJECTIVES OF THE STUDY

1. To explain the concept of a reasoned administrative decision.
2. To examine the development of the duty to give reasons in India.
3. To study its relationship with Natural Justice and the Rule of Law.
4. To examine its constitutional importance.
5. To analyse leading Supreme Court decisions.
6. To understand the role of reasons in Judicial Review.
7. To identify practical limitations.

8. To suggest improvements in administrative decision-making.

5. RESEARCH METHODOLOGY

This is a doctrinal legal research paper. The study primarily uses constitutional principles and judgments of the Supreme Court of India. Standard Administrative Law textbooks and academic legal materials are used as secondary sources. The approach is analytical: leading cases are examined to understand the development, scope and practical significance of the duty to give reasons.

6. SCOPE AND SIGNIFICANCE

The study focuses on Indian Administrative Law and particularly on decisions affecting rights, interests or legitimate expectations. It is significant because administrative authorities are often the first point of contact between citizens and the State. Clear reasons help citizens understand decisions and decide whether an appeal, review or other remedy is appropriate. They also encourage officials to examine relevant facts and legal provisions carefully before deciding.

7. MEANING OF AN ADMINISTRATIVE DECISION

An administrative decision is a decision made by a public authority while exercising power conferred by law. Examples include decisions concerning licences, public employment, taxation, disciplinary matters, regulation and public benefits.

Administrative functions vary. Some are routine or ministerial, while others require the authority to determine disputed facts or apply legal standards to an individual case. The procedural safeguards may therefore differ. Where a decision has serious consequences or involves a quasi-judicial function, the need for a reasoned order is generally stronger.

8. CONCEPT OF A REASONED OR SPEAKING ORDER

A speaking order communicates the principal reasons for the conclusion reached by the decision-maker. It need not be as detailed as a court judgment. The important point is that the reader should be able to understand the issue, the relevant considerations and the basis of the conclusion.

The quality of reasoning matters more than length. A short order may be sufficient if it directly addresses the relevant issue. Conversely, a long order can be unsatisfactory if it uses general language without dealing with the actual facts. Reasons should therefore be clear, relevant and connected with the decision.

9. HISTORICAL DEVELOPMENT IN INDIA

The duty to give reasons developed gradually with the growth of judicial control over administrative action. As the distinction between administrative and quasi-judicial functions became less rigid, courts placed greater emphasis on fairness and procedural safeguards.

In *Siemens Engineering & Manufacturing Co. of India Ltd. v. Union of India*, the Supreme Court emphasised speaking orders by quasi-judicial authorities. In *S.N. Mukherjee v. Union of India*, a Constitution Bench considered the general importance of recording reasons and recognised their value for effective appellate and supervisory review. *Kranti Associates Pvt. Ltd. v. Masood Ahmed Khan* later explained the wider importance of reasons for transparency, accountability and control of arbitrary power.

The modern principle is therefore the result of judicial development rather than one universal statutory rule applying identically to every administrative action.

10. NATURAL JUSTICE AND THE DUTY TO GIVE REASONS

Natural Justice is concerned with fairness in administrative and adjudicatory decision-making. The traditional principles include the rule against bias and the opportunity of a fair hearing. The duty to give reasons supports this broader idea of fairness.

A hearing is more meaningful when the authority demonstrates that relevant submissions and material were considered. An unexplained adverse decision can leave the affected person uncertain about why the case was rejected. Reasons therefore help connect the hearing with the final decision.

Natural Justice is flexible. The exact procedure depends on the statute, nature of the function and consequences of the decision. The duty to give reasons should similarly be applied in a context-sensitive manner.

11. ARTICLE 14 AND NON-ARBITRARINESS

Article 14 guarantees equality before the law and equal protection of the laws. Indian constitutional law has also developed the principle that State action should not be arbitrary.

Reasoned decision-making supports this principle because reasons make the basis of State action visible. If an authority relies on irrelevant considerations, ignores relevant material or uses power for an improper purpose, its reasons may help reveal the defect.

Giving reasons does not automatically make a decision lawful. A reasoned decision can still be challenged if the reasons are contrary to law, irrelevant or otherwise legally defective. The value of reasons is that they make the exercise of power open to examination.

12. RULE OF LAW

The Rule of Law requires public authorities to act within legal limits. Government officials exercise powers given by law and should not treat public power as personal discretion.

Requiring explanations for important decisions supports the Rule of Law by making public power more visible and accountable. When an authority connects its conclusion with the relevant law and facts, it becomes easier to assess whether the power was used for the purpose for which it was granted.

Reasoned decision-making is therefore more than a drafting practice. It forms part of a system in which public authorities remain answerable to legal standards.

13. JUDICIAL REVIEW

Judicial Review examines the legality of administrative action. Courts may consider jurisdiction, statutory limits, procedural fairness, relevant considerations and arbitrariness. They do not ordinarily substitute their preferred decision merely because another result appears possible.

Reasons assist this process by showing the path followed by the decision-maker. They enable a reviewing court to understand what material was considered and why the conclusion was reached. Where an important decision is entirely unexplained, effective review may become difficult.

The absence of detailed reasons does not automatically invalidate every administrative action. The court must consider the governing statute, nature of the function and circumstances of the case.

14. IMPORTANT JUDICIAL DECISIONS

S.N. Mukherjee v. Union of India, (1990) 4 SCC 594: A leading Constitution Bench decision recognising the importance of recording reasons in appropriate quasi-judicial decisions and their value for appellate and supervisory review.

Siemens Engineering & Manufacturing Co. of India Ltd. v. Union of India, (1976) 2 SCC 981: Important authority on speaking orders and reasoned quasi-judicial decisions.

Mohinder Singh Gill v. Chief Election Commissioner, (1978) 1 SCC 405: Important for the principle concerning the grounds stated in an administrative order and the limits of later explanations.

Kranti Associates Pvt. Ltd. v. Masood Ahmed Khan, (2010) 9 SCC 496: Discussed the importance of reasons for transparency, application of mind, accountability and Judicial Review.

15. PRINCIPLES FROM THE CASE LAW

Several practical principles emerge. First, reasons are particularly important where a decision has serious civil consequences. Second, reasons assist appellate, supervisory and judicial review. Third, reasons should address the actual issues rather than rely only on standard phrases. Fourth, the decision should ordinarily be supported by the material considered at the time of decision. Finally, the requirement is not absolute in every administrative situation; the statute and nature of the function must be considered.

16. BENEFITS OF REASONED DECISIONS

Transparency: affected persons can understand the decision.

Accountability: the authority identifies the basis of its conclusion.

Fairness: reasons help demonstrate consideration of relevant submissions.

Reduction of arbitrariness: explanation encourages decisions based on relevant material.

Effective remedies: a person can better decide whether to appeal or seek review.

Judicial Review: courts can examine legality more effectively.

Better administration: writing reasons encourages careful consideration.

Public confidence: clear decision-making can strengthen trust in public institutions.

17. LIMITATIONS AND EXCEPTIONS

The duty to give reasons should not require a lengthy judgment for every routine administrative matter. Excessive documentation can increase workload and delay.

The governing statute is important. A law may prescribe the procedure or may, in appropriate circumstances, modify the ordinary requirement. The nature of the decision also matters. A routine ministerial act may need less explanation than a decision imposing a penalty or determining a disputed claim.

The appropriate approach is proportionality: the reasons should be sufficient for the affected person and for lawful review, without unnecessary detail.

18. PRACTICAL CHALLENGES

A common problem is mechanical language. An order may contain several paragraphs but still fail to address the actual facts. Another challenge is lack of training in Administrative Law and drafting of speaking orders.

There is also a practical tension between detailed reasoning and administrative efficiency. Authorities handle large numbers of matters and cannot spend the same amount of time on every decision. Different statutory schemes may also impose different requirements.

These challenges suggest the need for practical guidance and training rather than abandonment of the principle.

19. TECHNOLOGY AND MODERN ADMINISTRATION

Administrative processes increasingly use digital records and online systems. Technology can improve record keeping and make it easier to preserve applications, documents and decision records.

However, technology does not remove legal responsibility. Where a digital or standardised process contributes to a decision affecting an individual, there should be an appropriate way to identify the basis of the decision and review it when required. Digital systems should also respect applicable confidentiality and data protection requirements.

20. FINDINGS OF THE STUDY

1. The duty to give reasons is an important safeguard in Indian Administrative Law.
2. It strengthens transparency and accountability.
3. It is especially significant in quasi-judicial decisions and matters with serious consequences.
4. Reasons help affected persons understand decisions and available remedies.
5. Reasoned orders make Judicial Review more effective.
6. The principle is connected with Natural Justice, Article 14 and the Rule of Law.
7. Supreme Court decisions have significantly developed the principle.
8. The extent of the duty depends on the statutory and factual context.
9. Meaningful reasons are better than lengthy mechanical explanations.
10. Training and better drafting practices can improve implementation.

21. SUGGESTIONS

1. Important orders should clearly identify the main issue and conclusion.
2. Authorities should state the material reasons connecting facts with the result.
3. Officers performing quasi-judicial functions should receive regular training.
4. Templates should not replace consideration of individual facts.
5. Decisions with serious civil consequences should contain clear and meaningful reasons.
6. Departments should maintain proper records of material considered.
7. Internal review mechanisms should be accessible where provided by law.
8. Digital systems should preserve decision records appropriately.
9. Courts should balance fairness with legitimate administrative efficiency.
10. Authorities should treat reasoned decision-making as part of good governance.

22. CONCLUSION

The duty to give reasons has become an important feature of Indian Administrative Law. Public authorities exercise powers that can significantly affect citizens, and those powers must remain subject to legality, fairness and accountability.

A reasoned decision connects the facts, law and conclusion. It helps the affected person understand the result and provides a foundation for appeal, review or Judicial Review. It also encourages the decision-maker to apply the mind to the matter before reaching a conclusion.

The decisions in *S.N. Mukherjee*, *Siemens Engineering*, *Mohinder Singh Gill* and *Kranti Associates* demonstrate the development of the principle. At the same time, the duty does not require lengthy judgments in every case. The appropriate level of reasoning depends on the nature of the power, statutory framework and consequences.

Where public power has significant consequences, the authority should ordinarily be able to explain the principal reasons for its decision. Meaningful reasons strengthen Natural Justice, support Article 14 and the Rule of Law, and contribute to more accountable public administration.

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