

Citizen Rights and Administrative Responsibility: Constitutional Foundations, Judicial Development, and Accountability Challenges

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Abstract: Modern administrative states exercise extensive discretionary authority that influences the daily lives of citizens, from welfare delivery to licensing and policing. This article explores the relationship between citizen rights and administrative accountability within a constitutional democracy, with India as its primary focus and comparative perspectives drawn from the United Kingdom and the European Union. Through doctrinal analysis of constitutional provisions, statutes, and landmark judicial decisions, it examines the transition from an administration centred on immunity towards a framework based on fairness, reasoned decision-making, transparency, and liability for wrongful acts. The study argues that rights without accountable administration remain largely aspirational, while administrative responsibility without enforceable rights lacks a firm normative foundation. It identifies continuing deficiencies, including weak grievance redressal mechanisms, inconsistent enforcement of transparency legislation, limited compensation remedies, and the opacity of algorithmic decision-making. The article concludes by proposing statutory guarantees for public services, an enforceable duty to provide reasons, independent oversight, and safeguards suited to the digital age to align administrative practice with citizens' entitlements.

Keywords: Citizen rights; Administrative responsibility; Accountability; Natural justice; Good governance; Judicial review

Introduction

Most often citizens encounter the power of the State through its administrative institutions. Decisions about ration cards, pensions, construction permits, police complaints, and school admissions are generally made by the executive rather than by legislatures or judiciary. The administrative discretion of Government has increased as its role is widened in welfare provision, market regulation, public order, and digital services, administrative discretion has also increased. Ensuring that such discretion is used lawfully, fairly, and transparently is therefore essential to constitutional governance.

This discussion rests on two connected principles. First, individuals possess rights that public administration must uphold, such as the opportunity to present their case, obtain explanations for decisions, access public

information, and seek redress for unlawful treatment. Second, public institutions must answer for the way they exercise delegated authority, whether through legal, political, or managerial mechanisms. Neither principle is sufficient on its own: rights become ineffective when institutions need not respect them, while responsibility has little practical force if affected individuals cannot invoke it.

This article explores the relationship between enforceable rights and responsible administration. It considers the legal understanding of administrative responsibility, the ways Indian courts and lawmakers have developed protections for citizens, the weaknesses that remain in practice, and reforms that could address them. The analysis draws on constitutional provisions, legislation, judicial decisions, official reform documents, and academic writing. The United Kingdom and the European Union are used as comparative examples.

2. Conceptual Framework

2.1 Citizen rights in administrative relations

Citizen rights in dealings with public authorities can be considered at three levels. Substantive rights are guarantees created by the Constitution or legislation, including liberty, equality, livelihood, and access to welfare benefits. Procedural rights concern the process used to make decisions, such as giving notice, providing a fair hearing, ensuring impartiality, and explaining the outcome. Remedial rights enable a person to contest unlawful administrative conduct before a court, tribunal, or supervisory institution and to seek effective relief, which may include setting aside a decision, ordering action, or awarding compensation.

Procedural safeguards are especially important because unfairness may stem from how a rule is applied rather than from the rule itself. Mashaw (2018) links reasoned decision-making with democratic legitimacy: requiring officials to explain their choices helps connect unelected decision-makers with the people affected by them. Fair procedure should therefore be treated as a substantive safeguard, not merely a technical formality.

2.2 Administrative responsibility and accountability

Administrative responsibility extends beyond the question of whether an official can be held legally liable. Mulgan (2003) presents accountability as a relationship where one party must answer to another, which may request information, examine conduct, and apply consequences. Bovens (2007) further distinguishes an actor's duty to justify actions from the authority of an oversight forum to question and assess them. He also identifies political, legal, administrative, professional, and social forms of accountability. In practice, responsible administration therefore involves compliance with the law, use of discretion for legitimate purposes, integrity, timely responses to public needs, and a willingness to explain decisions and provide remedies.

The classical constitutional position treated these matters largely as questions of ministerial responsibility to the legislature. Dicey (1885) emphasised the supremacy of the ordinary law and the equal subjection of officials and citizens to it, a principle that continues to inform modern review. Subsequent scholarship has recognised that ministerial responsibility alone cannot supervise the countless decisions of a large bureaucracy, which explains the growth of judicial review, tribunals, ombudsman institutions, and transparency statutes (Craig, 2016; Wade & Forsyth, 2014).

3. Constitutional Foundations in India

The Constitution of India establishes substantive rights and provides legal routes for challenging administrative action. Article 14 guarantees equality before the law and equal protection, and judicial interpretation has used it to restrain arbitrary State conduct. Article 19 protects specified freedoms, including expression, movement, and professional activity, subject to constitutionally permissible restrictions. Article 21 safeguards life and personal liberty, requiring deprivation to follow a legally established procedure. Under Articles 32 and 226, the Supreme Court and High Courts may issue writs to enforce fundamental rights; High Courts may also act in other legal matters as well (writ jurisdiction of High court is wider than the Supreme court). Article 300 concerns the Union's and States' capacity to be sued, while Article 311 protects civil servants from certain forms of arbitrary dismissal (Constitution of India, 1950).

Taken together, these provisions require public authorities to act within the law, avoid arbitrariness, and follow fair procedures. They also allow individuals to approach higher courts when administrative conduct violates these standards. Court decisions have played a vital role in defining how these constitutional protections operate in practice.

4. Judicial Expansion of Administrative Accountability

4.1 From formal legality to fair procedure

Early administrative law in common law systems distinguished sharply between judicial functions, to which natural justice applied, and administrative functions, to which it did not. The House of Lords began to dismantle that boundary in *Ridge v. Baldwin* (1964), holding that a police officer's dismissal without a hearing was unlawful. The Indian Supreme Court took the same direction in *A. K. Kraipak v. Union of India* (1969), observing that the distinction between quasi-judicial and administrative decisions had become increasingly thin and applying the rule against bias to a selection process. The practical effect was to make fairness a general expectation of public decision-making.

A major constitutional development occurred in *Maneka Gandhi v. Union of India* (1978). The Supreme Court ruled that any procedure restricting liberty under Article 21 must meet standards of fairness, justice, and reasonableness. It also interpreted Articles 14, 19, and 21 as interconnected guarantees rather than separate

provisions. As a result, fairness became a constitutional requirement, and administrative decisions affecting liberty, travel, livelihood, or reputation must be evaluated for both substantive and procedural reasonableness.

4.2 Reasons and the limits of discretion

Accountability reaches the individual when giving reasons in a practical form is considered a duty. In *Mohinder Singh Gill v. Chief Election Commissioner* (1978), the Court held that an administrative order must be judged by the reasons recorded at the time it was made and cannot be improved by later explanation. In *Kranti Associates Pvt. Ltd. v. Masood Ahmed Khan* (2010), the Court reviewed the rationale for reasoned decisions, noting that recorded reasons promote transparency, discipline the decision-maker, and enable meaningful appeal and review.

On the question of discretion, British authority is equally instructive. In *Padfield v. Minister of Agriculture* (1968), the House of Lords held that statutory discretion must be exercised to promote the policy and objects of the enabling statute, and that a bare refusal to consider a complaint could be reviewed. In *Anisminic Ltd v. Foreign Compensation Commission* (1969), the Lords broadened the notion of jurisdictional error and thereby narrowed the effect of clauses purporting to oust judicial scrutiny. Lord Diplock's classification in *Council of Civil Service Unions v. Minister for the Civil Service* (1985) of illegality, irrationality, and procedural impropriety remains a widely cited summary of the grounds of review, and Indian courts apply broadly comparable heads, while also cautioning in *Tata Cellular v. Union of India* (1994) that judicial review concerns the decision-making process and not the merits of the decision.

4.3 Liability and compensation for administrative wrongs

The common law inherited the notion that the Crown could do no wrong, and the Indian courts initially drew a line between sovereign and non-sovereign functions. In *State of Rajasthan v. Vidyawati* (1962), the State was held vicariously liable for the negligence of a driver of a government vehicle, while in *Kasturilal Ralia Ram Jain v. State of Uttar Pradesh* (1965), the State was held immune where the wrongful act arose from the exercise of sovereign power, even though the claimant had lost property through police negligence. The latter decision has been widely criticised for leaving injured citizens without a remedy, and the Court itself invited legislative reform. Britain had by then abandoned the broad immunity through the Crown Proceedings Act 1947.

Indian public law subsequently developed a remedy independent of the law of torts. In *Rudul Sah v. State of Bihar* (1983), the Court awarded monetary compensation under Article 32 to a prisoner kept in detention long after his acquittal, and in *Nilabati Behera v. State of Orissa* (1993), it treated compensation for custodial death as a public law remedy for violation of fundamental rights that does not depend on, and is not defeated by, the sovereign immunity doctrine. *Chairman, Railway Board v. Chandrima Das* (2000) confirmed that these

remedies extend to foreign nationals wronged by public servants. These decisions embody the principle that responsibility for rights violations rests on the State, and that financial redress is a legitimate method of enforcing constitutional guarantees.

4.4 Livelihood, information, and privacy

Courts have also extended rights that bear directly on administrative practice. In *Olga Tellis v. Bombay Municipal Corporation* (1985), the Court accepted that the right to life includes the right to livelihood and held that pavement dwellers could not be evicted without a fair procedure and reasonable opportunity. In *Union of India v. Association for Democratic Reforms* (2002), the Court recognised voters' right to know the background of candidates as part of free expression. In *Justice K. S. Puttaswamy (Retd.) v. Union of India* (2017), a nine-judge bench affirmed privacy as a fundamental right and required that restrictions satisfy legality, legitimate aim, and proportionality. *Anuradha Bhasin v. Union of India* (2020) applied proportionality to indefinite restrictions on internet services and required that restrictive orders be published and open to review. Each decision links a citizen's right to a corresponding duty of restraint, justification, or disclosure on the part of the administration.

5. Statutory and Institutional Mechanisms

5.1 Transparency and the Right to Information

The Right to Information Act, 2005 converted a constitutional principle of open government into an enforceable procedure. It obliges public authorities to publish information proactively, to respond to citizens' requests within prescribed time, to disclose reasons for refusal by reference to enumerated exemptions, and to submit to appeals before independent information commissions, which may also impose penalties on defaulting officers (Right to Information Act, 2005). By allowing any citizen to examine files, expenditure, and decisions, the statute has operated as an everyday audit of administration and has been used to expose irregularities in welfare programmes and public works.

5.2 Grievance redressal and ombudsman institutions

A responsive administration also requires channels for complaint and correction. The Second Administrative Reforms Commission (2009) devoted a report to citizen-centric administration, recommending citizen charters with measurable service standards, effective grievance redress at the point of service, and greater use of information technology. The Lokpal and Lokayuktas Act, 2013 established anti-corruption ombudsman bodies at national and State levels, following a model that has been in use in the United Kingdom since the Parliamentary Commissioner Act 1967, which created an officer to investigate complaints of maladministration referred through members of Parliament. Such bodies offer informal, inexpensive, and investigative alternatives to litigation.

5.3 Comparative perspective

The European Union has gone furthest in codifying citizens' administrative rights as a single entitlement. Article 41 of the Charter of Fundamental Rights provides a right to good administration, which includes impartial and fair treatment within a reasonable time, a right to be heard before adverse measures are taken, access to one's file, an obligation on the administration to give reasons, and a right to compensation for damage caused by Union institutions (Charter of Fundamental Rights of the European Union, 2012). English law, by contrast, relies on common law principles complemented by statutory ombudsman and tribunal systems (Cane, 2011). The Indian position lies between these models: its constitutional guarantees are expansive, while its statutory codification of administrative procedure remains fragmentary, so that much of the content depends on case law and on the capacity of individuals to approach courts.

6. Persistent Challenges

Although the legal framework has advanced, its implementation remains uneven. Five recurring problems illustrate the distance between formal rights and everyday administrative practice.

First, access to justice is uneven. Writ remedies are available in principle, but delay, cost, and unfamiliarity with procedure deter the poor and the rural citizen from seeking them. Judicial review is therefore a remedy for the determined few and not a routine check on administrative performance (Massey, 2012).

Second, procedural fairness is not codified in a general statute. In the absence of a code, officials may be uncertain about the standard of hearing, recording of reasons, or time limits expected of them, and citizens cannot readily point to a uniform rule. Fairness consequently varies by department and by the vigilance of the court.

Third, transparency laws face implementation fatigue. Information commissions confront large backlogs, vacancies in appointments reduce their effectiveness, and exemptions are sometimes invoked broadly. When access to information is delayed, the rights it supports are weakened in the same measure.

Fourth, compensation for administrative wrongs remains discretionary. Public law compensation has been awarded mainly in serious cases of custodial violence or illegal detention. Citizens harmed by ordinary negligence or by delay in service delivery have few reliable remedies, and the liability of individual officers for misconduct is seldom enforced.

Fifth, digital administration poses new questions. Automated eligibility checks, biometric authentication, and data-driven profiling can exclude citizens without any identifiable human decision that can be questioned. The Digital Personal Data Protection Act, 2023 sets out duties for processing personal data, yet it also contains broad exemptions for State instrumentalities (Digital Personal Data Protection Act, 2023). The proportionality

standard in Puttaswamy offers a constitutional benchmark, but its application to algorithmic decision-making remains underdeveloped.

7. Towards a Responsible and Rights-Respecting Administration

The discussion points to a set of reforms that could make administrative duties more closely match the rights citizens are entitled to exercise.

A general administrative procedure statute would consolidate principles of notice, hearing, reasoned decisions, and reasonable time into a single instrument, giving officials clear guidance and citizens a reliable reference. The European model of a right to good administration indicates what such a code might contain.

Statutory service guarantees would give citizen charters legal force. Defined timelines for core services, automatic escalation when deadlines are missed, and modest compensation for unjustified delay would transform aspirational charters into enforceable standards, consistent with the approach advocated by the Second Administrative Reforms Commission (2009).

Strengthened independent oversight is equally important. Information commissions, ombudsman bodies, and administrative tribunals should be appointed transparently, adequately staffed, and equipped to publish decisions and monitor compliance. Their value lies in being accessible and credible, not in their number.

Digital safeguards must accompany technological change. Public bodies deploying automated systems should disclose when automation is used, offer a route to human review, maintain records that permit audit, and carry out impact assessments for systems affecting entitlements. The principles of legality, necessity, and proportionality should be embedded in the design of such systems.

Finally, a culture of responsibility must be built within the administration itself. Training in constitutional values, performance assessment that rewards responsiveness, and protection for officials who report wrongdoing would complement legal controls. Law can set limits and impose consequences, but sustained improvement depends on professional norms that regard citizens as rights-holders and not as petitioners.

8. Conclusion

Citizen rights and administrative responsibility express a shared constitutional principle: public authority must be exercised in a way that can be justified to the people affected. The shift from official immunity towards accountability can be seen in the growth of natural justice, reasoned decisions, compensation under public law, and statutory transparency. Indian courts have been central to this development, while legislation such as the Right to Information Act has strengthened the available tools. Yet barriers to access, fragmented procedures, weak enforcement, and challenges arising from digital governance mean that accountable administration remains an unfinished goal.

Addressing these shortcomings will require coordinated reforms, including a clear legal framework for fair procedure, enforceable service standards, adequately resourced oversight bodies, safeguards for automated decisions, and a public service culture grounded in constitutional values. When institutions fulfil their responsibilities in practice, citizens can engage with government as rights-holders and participants in democratic life rather than as passive recipients of official discretion. Further research could examine how effectively grievance systems operate and how digital administration affects marginalised communities.

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