BLOGS

Passage-Based Questions on Legal Reasoning for CLAT UG [Part 10]

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Passage 1 (P.1)

Modern environmental law recognizes that waiting for complete scientific certainty before regulating harmful activity may cause irreversible damage. The Precautionary Principle developed as a response to this problem. It requires authorities to take preventive action when an activity poses a risk of serious or irreversible environmental harm, even if scientific evidence about the harm is not conclusive. The burden of proof often shifts to the party proposing the potentially harmful activity, requiring them to demonstrate that the activity is environmentally safe.

Courts have emphasized that environmental protection is closely linked with public health, ecological balance, and sustainable development. Under this principle, prevention is preferred over restoration, because ecological damage is often difficult or impossible to repair once it occurs. Governments may therefore regulate industrial activity, restrict resource extraction, or impose safety standards in order to avoid environmental degradation. However, the principle does not prohibit all development.

Economic activity may continue when safeguards are in place and when risks are minimal or manageable. The key legal question is whether authorities acted reasonably to prevent foreseeable harm and whether adequate environmental safeguards were implemented. The Precautionary Principle therefore shifts environmental governance from reactive regulation to preventive responsibility. Instead of waiting for damage to occur, law encourages early intervention to protect ecosystems and communities.

1. A company plans to release a new chemical fertilizer. Scientists disagree about its long-term soil impact. The government temporarily restricts its sale until safety studies are completed. Decide the legal position.

a) Invalid because harm is unproven
b) Valid preventive action

c) Invalid because industry freedom is absolute

d) Valid only after environmental damage occurs

2. A factory continues emitting smoke after studies confirm environmental harm. Authorities delay regulation for economic reasons. Decide the legal position .

a) Valid economic decision

b) Invalid under precautionary reasoning

c) Valid because employment matters more

d) Valid if factory pays compensation later

3. A solar-energy project is approved after environmental review confirms negligible ecological risk. According to the passage, what would be the legal stance ?

a) Invalid because development must stop

b) Invalid due to uncertainty

c) Valid because safeguards exist

d) Valid only if profits are shared

4. Mining is permitted without environmental testing because no complaints exist yet. Decide the legal position. According to the passage, what would be the legal stance ?

a) Valid administrative decision

b) Valid due to lack of evidence

c) Valid if temporary

d) Invalid because prevention is required

5. A company proves through scientific testing that its technology produces no toxic waste. Permission is granted. According to the passage, what would be the legal stance ?

a) Valid decision

b) Invalid under all circumstances

c) Invalid because testing is irrelevant

d) Valid only with court approval

Passage 2 (P.2)

Under the law of bailment, one person (the bailor) delivers goods to another person (the bailee) for a specific purpose, with the understanding that the goods will be returned or disposed of according to the bailor's instructions once the purpose is completed. Ownership of the goods does not transfer; only possession is temporarily entrusted. This relationship is fundamentally based on trust and responsibility, and the law carefully regulates the obligations that arise from it.

A key duty of the bailee is to take reasonable care of the goods entrusted to them. The law does not expect extraordinary protection, but it requires the bailee to act with the same level of care that a prudent person would exercise over their own property in similar circumstances. What counts as reasonable care depends on factors such as the nature of the goods, their value, and the risks involved in storing or handling them. If the bailee proves that reasonable precautions were taken, liability may not arise even if the goods are lost or damaged due to unavoidable circumstances like natural disasters, accidents, or criminal acts beyond the bailee's control.

However, if negligence is shown — such as careless storage, improper handling, or ignoring safety measures — the bailee becomes responsible for the loss. Another important obligation is that the bailee must use the goods only for the agreed purpose. Unauthorized use may create liability even if the goods are returned safely. This rule exists because bailment depends not only on physical custody but also on respecting the limits of permission given by the bailor. Courts therefore focus on two major questions in bailment disputes: whether reasonable care was taken, and whether the goods were used strictly according to the agreed purpose. If either duty is violated, liability generally follows.

6. A person leaves a laptop with a repair shop. The shop locks it safely, but theft occurs during a city-wide burglary incident. Decide the legal position .

a) Bailee not liable if reasonable care taken
b) Bailee liable always
c) Bailor liable
d) Shop owner becomes owner

7. A mechanic uses a customer's motorcycle for a personal trip and damages it. Decide the legal position .

a) Not liable if repaired later
b) Liable for unauthorized use
c) Not liable because mechanic possessed it

d) Bailor liable

8. Goods stored carefully in a warehouse are destroyed in an earthquake. Decide the legal position .

a) Bailee liable

b) Bailor liable

c) Bailee not liable without negligence

d) Government liable

9. A borrowed camera is used according to instructions but stops working due to an internal defect. According to the passage, what would be the legal stance ?

a) Bailee liable

b) Bailee not liable

c) Bailment ends automatically

d) Seller liable

10. A bailee lends entrusted goods to a friend without permission. According to the passage, what would be the legal stance ?

a) Valid use

b) Unauthorized but harmless

c) Bailee liable for misuse

d) Bailor becomes liable

Passage 3 (P.3)

Defamation law protects an individual’s reputation from false statements that may harm how others perceive them. Reputation is considered a valuable social interest, and the law recognizes that false allegations can damage personal dignity, professional standing, and public trust. At the same time, defamation law must coexist with the principle of freedom of expression. A statement becomes defamatory when it is false, communicated to a third person, and capable of lowering a person’s reputation in society. Communication is essential because reputation exists in the eyes of others. A harmful statement that is never shared with anyone else generally does not amount to defamation. Truth is one of the strongest defenses available in defamation law.

If a statement can be proven true, it cannot be treated as defamatory even if it harms reputation. Similarly, fair comment made honestly on matters of public interest is protected. Criticism of books, films, policies, or public conduct is allowed when it reflects opinion rather than false factual claims. Courts often examine context carefully. Satire, humor, or exaggeration may not be defamatory if a reasonable person would understand that the statement is not meant to be taken literally.

The law distinguishes between statements of fact and expressions of opinion. Liability usually arises only when false facts are presented as truth. Ultimately, defamation law tries to balance two values: protecting individuals from reputational harm while preserving open discussion in society. The legal test often focuses on whether a reasonable person would believe the statement to be a harmful false assertion.

11. A journalist publishes verified evidence of corruption. Decide the legal position .

a) Defamation
b) Always illegal
c) Defamation if reputation harmed
d) Not defamation due to truth

12. A person falsely accuses a colleague of theft during a meeting. According to the passage, what would be the legal stance ?

a) Not defamation
b) Defamation due to false communication
c) Valid opinion
d) Protected speech

13. A comedian makes a clearly fictional joke about a public figure. Decide the legal position .

a) Defamation
b) Criminal offense
c) Likely not defamation
d) Always illegal

14. A private message containing a false allegation is never shown to anyone else. According to the passage, what would be the legal stance ?

a) Defamation

b) Not defamation without communication

c) Defamation if insulting

d) Police matter

15. A critic writes an honest negative review of a book. Decide the legal position .

a) Defamation

b) Civil fraud

c) Criminal act

d) Not defamation as fair comment