BLOGS

Passage-Based Questions on Legal Reasoning for CLAT UG [Part 6]

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Passage 1 (P.1) Article 23 of the Constitution of India embodies a fundamental guarantee against exploitation by prohibiting traffic in human beings, begar, and other similar forms of forced labour. The provision is not limited to acts committed by the State but extends to private individuals as well, reflecting the constitutional intent to eradicate practices that undermine human dignity regardless of the source of coercion. Judicial interpretation has clarified that "begar" refers to compulsory labour without payment, while "forced labour" is not confined to physical force alone. Courts have recognized that economic compulsion, social pressure, or the absence of meaningful alternatives may also amount to force if a person is left with no real choice but to work. Thus, consent obtained under such circumstances has been treated as legally ineffective. Article 24 supplements this protection by prohibiting the employment of children below the age of fourteen years in factories, mines, or any other hazardous employment. The constitutional focus here is on shielding children from environments that threaten their physical safety, moral development, and educational opportunities. Courts have emphasized that the scope of these provisions must be interpreted in light of the broader constitutional commitment to social justice and the dignity of the individual. Enforcement mechanisms have therefore included not only penal consequences for violators but also directions to the State to take affirmative measures, such as rehabilitation, education, and welfare schemes, to address the root causes of exploitation. Judicial commentary has further noted that while economic development is a legitimate objective, it cannot be pursued at the cost of fundamental rights. Any policy or practice that indirectly encourages forced labour or hazardous child employment has been viewed as inconsistent with the constitutional mandate. **1. According to the passage, Article 23 applies to acts committed by whom?**

a. Only the State

b. Only private individuals

c. Both the State and private individuals

d. Only employers **2. Article 24 prohibits employment of children below fourteen years in which type of work?**

a. Factories, mines, and hazardous employment

b. All forms of employment

c. Only agricultural work

d. Domestic work **3. A group of workers agrees to work in a factory for extremely low wages because no other employment is available in the region. Based on the passage, this situation may be treated as forced labour because it involves?**

a. Physical restraint

b. Economic compulsion

c. A written contract

d. Voluntary agreement **4. A State policy allows children below fourteen to work in a hazardous mining area as part of a "training program." Applying the passage, this policy would most likely be considered?**

a. Valid due to educational purpose

b. Valid if parental consent is given

c. Invalid as it contradicts Article 24

d. Valid if wages are paid **5. A private company claims Article 23 does not apply to it because it is not a government entity. Based on the passage, this claim is most likely?**

a. Accepted

b. Accepted if workers are paid

c. Accepted only in civil cases

d. Rejected, because the Article applies to private individuals as well **Passage 2 (P.2)** Section 5 of the Hindu Marriage Act, 1955, lays down the essential conditions for a valid Hindu marriage. These conditions reflect a combination of personal law principles and legislative intent to ensure fairness, capacity, and social order within the institution of marriage. One of the primary conditions relates to monogamy, requiring that neither party has a living spouse at the time of the marriage. Judicial interpretation has treated a violation of this condition as rendering the subsequent marriage void, and it may also attract penal consequences under criminal law. Another key requirement concerns the capacity to consent. The Act provides that at the time of marriage, neither party should be incapable of giving valid consent due to unsoundness of mind, or suffering from a mental disorder of such a kind or to such an extent as to be unfit for marriage and the procreation of children. Courts have emphasized that the focus is on the mental condition at the time of the ceremony, not at a later stage. The statute also prescribes minimum age requirements, aimed at preventing child marriage and ensuring physical and emotional maturity.

While a marriage in violation of the age condition may not always be void, it can give rise to legal consequences and remedies under related laws. Prohibited degrees of relationship and sapinda relationships form another set of conditions. The Act forbids marriage between persons who are closely related, unless a valid custom or usage governing each of them permits such a union. Courts have required that such customs be ancient, certain, and reasonable to be recognized. Judicial commentary has underscored that these conditions are not merely procedural formalities but substantive safeguards intended to protect individuals and maintain social stability. The interpretation of these provisions has therefore balanced respect for tradition with the evolving values of equality, autonomy, and individual rights. **6. What is the effect of violating the monogamy condition, according to the passage?**

a. The marriage is void

b. The marriage is valid

c. The marriage is void-ab-initio

d. There are no legal effects **7. At what point in time is mental capacity assessed for consent?**

a. At the time of filing a petition

b. At the time of marriage

c. At the time of divorce

d. At any time after marriage **8. A person marries while their previous spouse is still alive and no divorce decree has been granted. Based on the passage, this marriage is most likely?**

a. Void for violating the monogamy requirement

b. Valid with conditions

c. Void because monogamy is wrong

d. Valid if a custom allows it **9. A party challenges a marriage claiming the other spouse developed a mental disorder years after the wedding. Applying the passage, the challenge is most likely?**

a. Accepted, because current condition matters

b. Accepted only if medical proof is shown

c. Automatically upheld

d. Rejected, because capacity is judged at the time of marriage **10. A marriage violates the minimum age requirement but otherwise meets all conditions. According to the passage, the legal effect is that the marriage?**

a. Is always void

b. May attract legal consequences without necessarily being void

c. Is fully void and unenforceable

d. Is invalid only if challenged by parents **Passage 3 (P.3)** The doctrine of legitimate expectation has evolved as a principle of administrative law to ensure fairness in public decision-making. It arises when a public authority, through consistent past practice, explicit promise, or established procedure, creates an expectation in an individual that a certain course of conduct will be followed. Courts have distinguished between procedural and substantive legitimate expectations. A procedural expectation entitles a person to a fair hearing or consultation before a decision affecting them is taken. A substantive expectation, on the other hand, relates to the actual benefit or outcome that the authority is expected to provide. Judicial interpretation has clarified that legitimate expectation does not operate as a rigid legal right. It cannot override statutory provisions or prevent a public authority from acting in the public interest. However, where a departure from an established expectation occurs, courts have required that the authority demonstrate reasonableness, transparency, and proportionality in its decision-making process. The doctrine has been applied particularly in cases involving changes in policy, withdrawal of benefits, or alteration of long-standing practices. Courts have examined whether affected individuals were given adequate notice and an opportunity to present their case before the change was implemented. Judicial commentary has emphasized that the purpose of the doctrine is not to freeze administrative policies in place, but to ensure that individuals are not subjected to arbitrary or capricious decisions. The balance, therefore, lies between the flexibility of governance and the protection of trust reposed by the public in administrative authorities. **11. What does the doctrine not override, according to the passage?**

a. Judicial review

b. Statutory provisions and public interest

c. Administrative procedures

d. Individual rights **12. A government department consistently renews licenses every year and suddenly refuses renewal without giving reasons or a hearing. Based on the passage, this action most likely violates?**

a. The doctrine of legitimate expectation

b. Criminal procedure

c. Contract law

d. Parliamentary privilege **13. A statutory amendment requires the immediate cancellation**

of a benefit that was earlier promised by an authority. Applying the passage, the individual's legitimate expectation is most likely?

a. Enforceable despite the statute

b. Automatically converted into a legal right

c. Overridden by the statutory provision

d. Ignored by courts **14. A public authority changes a long-standing policy after giving notice and conducting consultations. Based on the passage, this change is most likely?**

a. Arbitrary

b. Unreasonable

c. Valid, if reasonable and transparent

d. Invalid in all cases **15. A government health department has, for the past 10 years, provided free vaccinations to all children under the age of 5. Without prior notice, the department suddenly issues a circular discontinuing the scheme, citing budgetary constraints. Parents challenge the decision in court, arguing that they had a legitimate expectation that the benefit would continue. According to the passage, which one is correct?**

a. The parents have an absolute legal right to continue receiving free vaccinations.

b. The department cannot change its policy under any circumstances.

c. The withdrawal is automatically void because it violates legitimate expectations.

d. The court will examine whether the department acted fairly, gave adequate notice, and balanced public interest before withdrawing the benefit. **Answers C** – The passage clearly states that Article 23 is "not limited to acts committed by the State but extends to private individuals as well," so both are covered. **A** – Article 24 is described as prohibiting child employment specifically in "factories, mines, or any other hazardous employment," which matches this option. **B** – The passage explains that forced labour includes situations where people work due to "economic compulsion" and lack of real choice, even without physical force. **C** – Since Article 24 bans children below 14 from hazardous work, allowing them to work in mines directly violates this constitutional protection. **D** – The passage explicitly says Article 23 applies to private individuals too, so the company's claim that it only binds the government is incorrect. **A** – The passage says violating the monogamy condition "renders the subsequent marriage void" and may also lead to criminal consequences. **B** – Courts focus on the mental condition "at the time of the ceremony," meaning consent is judged when the marriage actually takes place. **A** – Since the previous spouse is still alive and no divorce has been granted, the monogamy rule is broken, making the marriage

void. **D** – The passage makes it clear that later mental illness doesn't matter, what matters is the person's capacity at the time of marriage. **B** – The passage explains that breaking the age rule doesn't always make the marriage void, but it can still lead to legal consequences. **B** – The passage clearly states that legitimate expectation "cannot override statutory provisions or public interest" . **A** – Suddenly refusing renewal without notice or a hearing goes against the idea of fairness and consistency that the doctrine protects. **C** – The passage says legitimate expectation cannot override a statute, so the new law takes priority over the earlier promise **C** – Since the authority gave notice and held consultations, the change is fair, transparent, and therefore legally valid under the doctrine. **D** – The passage explains that courts don't freeze policies rather they check whether the authority acted fairly, gave notice, and balanced public interest before changing benefits.