BLOGS

Sample Questions for CLAT PG 2023

ANNA PRIYA · 23 Oct 2022

Preparing for CLAT PG 2023? Here is a sample paper that will come handy for your revision:

Read the passage given below and answer the questions that follow:

"Which law covers climate? First, our existing laws are not adequate to deal with climate change. We have for example the Environment (Protection) Act (EPA), 1986, the Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974. Yet, climate is not exactly water or air.

Which law would cover the impacts of a cyclone, for instance or work to reduce future climate impacts? And neither are we ready to tackle environmental/ climate violations. The Environment (Protection) Act is grossly inadequate to deal with violations on climate. Clause 24 of the Act, "Effect of Other Laws", states that if an offence is committed under the EPA or any other law, the person will be punished under the other law (for example, Code of Criminal Procedure). This makes the EPA subordinate to every other law.

(…)

*We have an urgent moral imperative to tackle climate change and reduce its worst impacts. But we also should Indianise the process by bringing in a just and effective law — with guts, a spine, a heart, and, most importantly, teeth."****[i]***

Questions for CLAT PG 2023

1. This is an extract taken from an editorial in the Hindu, titled "The right time for India to have its own climate law", the writer discusses the need for a new climate change law in India. In which of the following cases, the Central Government by the enactment of a law, assumed responsibility to represent claimants of a gas-leak environmental tragedy?

a. Union Carbide Corporation v. Union of India

b. Charan Lal Sahu v. Union of India

c. Both A and B

d. Neither A nor B

1. In what ways is the Indian legal system insufficient in tackling climate change issues

a. Lack of an exhaustive law, as the Environmental Protection Act, 1986 is insufficient.

b. Lack of an institution dedicated towards monitoring the climate change.

c. Both A and B

d. Neither A nor B

1. Polluter Pays Principle is codified in which of the following principles?

a. Principle 16, Rio Declaration

b. Principle 17, Rio Declaration

c. Principle 18, Rio Declaration

d. Principle 19, Rio Declaration

1. What does the “polluter pays principle” incorporate?

a. Polluter has to compensate for the pollution/damage caused to the environment.

b. He has to compensate the victims of such pollution.

c. Both A and B

d. Only A

5. At the COP26 this year, which of the following was suggested as a strategy by the Indian Prime Minister for reducing Fossil Fuel dependence?

a. Principle of Accountability

b. Polluter Pays Principle

c. Aazadi ka Amrit Mahotsav

d. ‘Panchamrit Solution’

6. Towards the end of the article, what does the phrase “most importantly, teeth” mean?

a. We must enact a strict law.

b. The law must operate harshly against the wrongdoers and enablers.

c. The law, in its enforcement, must attribute and allocate liability in a firm manner.

d. None of These

Answer Key: 1-a, 2-c, 3-a, 4-c, 5-d, 6-c.

Suggest list of study materials on this topic for CLAT PG 2023 (not exhaustive):

1. Environmental Protection Act, 1986[ii] along with the Air Act[iii], Water Act[iv] and the Noise Pollution Rules[v]: The Jurisprudence developed by the Courts in the interpretation of these laws.
2. The EIA Draft, 2020[vi] and its implications.
3. Provisions of the Constitutions dealing with environmental protection (Part III, IV, IVA).
4. India's International Obligations (Conventions, Conferences, etc.)

To read more posts regarding CLAT-PG 2023, click here.

[i] Neha Sinha, "**The right time for India to have its own climate law**", The Hindu: 6 November 2021 (*available at* https://www.thehindu.com/opinion/op-ed/the-right-time-for-india-to-have-its-own-climate-law/article37347796.ece)

[ii] *Available at* https://www.indiacode.nic.in/bitstream/123456789/4316/1/ep_act_1986.pdf

[iii] *Available at* https://legislative.gov.in/sites/default/files/A1981-14.pdf

[iv] *Available at* https://maitri.mahaonline.gov.in/pdf/The_Water_Prevention_and_Control_of_Pollution_Act_1974.pdf

[v] *Available at* http://dstegoa.gov.in/Noise%20rules-10-08-2017.pdf

[vi] *Available at* http://environmentclearance.nic.in/writereaddata/Draft_EIA_2020.pdf