

CLARIFICATIONS TO QUERIES POSTED BY PARTICIPATING TEAMS

1. Which law would be applicable to land acquisition? The Land acquisition Bill 2015, LARR, Act 2013, Land Acquisition Act 1894(repealed statute) or Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013?

Answer: As per moot proposition, the acquisition proceedings started in the year 2015. Hence law relating to acquisition as on January, 2015 would apply.

2. In **paragraph 1** of the Moot Proposition, it is stated that the Union of Hogwarts is having laws in pari-materia with the laws of Union of India. However, since the acquisition of land is primarily a state subject, do we have to refer to the laws of any particular state of Union of India?

Answer: Land acquisition (item 42) comes under concurrent list. Accordingly, Art. 254 shall operate. Hence laws made by Union of India shall apply and no state specification is necessary.

3. What is the initial amount of compensation granted? How should the adequacy be determined? Further, since the award declared by CLND Act, 2010 is final, how can an appeal lie to the High Court?

Answer: The dispute pending is a PIL (paragraph no. 20). Proceedings before any forum need not be looked into.

4. Regarding **paragraph 14** of the problem, was there any sort of compensation awarded to the villagers, who were forced to surrender their lands, or were they left with only promise of employment?

Answer: Participants are required to read paragraph 14 with Paragraph 16 for better understanding of compensation awarded

5. In **paragraph 20** of the Moot Proposition, it is given that one of the reasons for filing the PIL is the amount of compensation awarded to the victims. However, the doubt is whether the word 'victims' include only persons effected by leak of the toxic substances from Nuclear Power Plant, or from the forceful land acquisition or both?

Answer: Participants are required to read paragraphs no. 17, 18 and 19 together for better understanding

6. Since, the scenario involves ecological damage due to radioactive leak, can we safely assume the nature of land mass of the union of Hogwarts to be equivalent to India, including geographic location, and seismic nature, to undertake extensive analysis of threat scenario and finding possible solutions?

Answer: Yes

7. Can Urapluto be assumed as uranium in order to refer to specific acts of India pertaining to radioactive material?

Answer: Yes. However the scope shall not exceed the moot proposition.

8. Was there any form of public hearing of the reports given during the 4 stages of building the power plant?

Answer: Reports regarding the development of concerned stages were given to Union of howgarts. Nature of report was confidential.

9. Does the Climate Control Conference refer to UNFCCC?

Answer: Yes

10. Will the relationship between Slytherin Power Corporation and NPCH be governed by the Partnership Act, 1932?

Answer: No

11. Since there aren't many precedents available to CLND Act, can we refer to foreign judgments?

Answer: Yes foreign precedents may be used. However these would only aid for better understanding only.

12. Do we assume that an arbitrator has been appointed under Atomic Energy Act, 1962 before deciding the compensation?

Answer: Question not relevant