

AIBE 11 Set D Question Paper with Solutions

Time Allowed :3 Hours	Maximum Marks :100	Total questions :100
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General Instructions

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- i) The AIBE (All India Bar Examination) X will be conducted in offline mode (pen and paper based).
- ii) The question paper will consist of **Multiple Choice Questions (MCQs)** with four options, out of which only one will be correct.
- iii) Each correct answer will be awarded **1 mark**. There is **no negative marking** for incorrect answers.
- iv) The examination will cover subjects prescribed by the Bar Council of India (BCI), including both **core and optional subjects**.
- v) Candidates must carry their **Admit Card** and a valid **Photo ID proof** to the examination center.
- vi) Use only a **blue/black ballpoint pen** to mark answers on the OMR sheet.
- vii) Rough work should be done only in the space provided in the question paper/answer sheet.
- viii) No electronic gadgets, mobile phones, or programmable calculators are permitted inside the examination hall.
- ix) Candidates must follow the instructions of the invigilators strictly. Any unfair means will lead to disqualification.

1. Which Section of Specific Relief Act prohibits filing a case against the Government?

- (a) Section 5
- (b) Section 6
- (c) Section 7
- (d) Section 8

Correct Answer: (b) Section 6

Solution:

Step 1: Understanding Section 6 of the Specific Relief Act.

Section 6 of the Specific Relief Act, 1963, provides that no suit shall lie against the government to recover possession of immovable property if the property is taken over or dispossessed by the government. This section effectively bars the filing of a case against the government in such cases.

Step 2: Explanation of Other Options.

- (a) Section 5 deals with the relief of recovery of possession of immovable property, but it does not address suits against the government. - (c) Section 7 deals with the issue of recovering possession, not related to government suits. - (d) Section 8 pertains to contracts involving the government, not suits for possession.

Step 3: Conclusion.

Section 6 specifically bars the filing of suits against the government for the recovery of possession.

Quick Tip

Section 6 of the Specific Relief Act prohibits suits against the government for recovery of possession of immovable property.

2. The Patent Act became a law in

- (a) 1970
- (b) 1975

- (c) 1996
- (d) 1966

Correct Answer: (a) 1970

Solution:

Step 1: Understanding the Patent Act.

The Indian Patent Act was enacted in 1970 and provides for the regulation and grant of patents. It governs the protection of intellectual property rights in the form of patents in India.

Step 2: Explanation of Other Options.

- (b) 1975 is not the correct year for the enactment of the Patent Act. - (c) 1996 is the year when the Indian Patent Act was amended to align with the World Trade Organization (WTO) norms but not when it was first enacted. - (d) 1966 is incorrect as the Patent Act came into force in 1970.

Step 3: Conclusion.

The correct year when the Patent Act became a law is 1970.

Quick Tip

The Indian Patent Act came into force in 1970, governing the protection of intellectual property.

3. Which is the authority that determines the language of the Court other than High Court within a given state, under Section 271 of Cr.PC

- (a) State Government
- (b) Central Government
- (c) Supreme Court of India
- (d) (a) and (b)

Correct Answer: (a) State Government

Solution:**Step 1: Understanding Section 271 of the Cr.PC.**

Section 271 of the Criminal Procedure Code (Cr.PC) gives the state government the authority to determine the language of the court within a state, other than the High Court. This section allows the state government to designate the language in which trials will be conducted.

Step 2: Explanation of Other Options.

- (b) The Central Government does not have the authority to determine the language of courts at the state level under this section. - (c) The Supreme Court does not determine the language of courts within individual states. - (d) Both state and central governments do not share this authority in determining the language under Section 271.

Step 3: Conclusion.

The state government has the authority to determine the language of courts under Section 271 of the Cr.PC.

Quick Tip

The language of courts in a state, other than the High Court, is determined by the State Government under Section 271 of Cr.PC.

4. A decree can be

- (a) Final
- (b) Preliminary
- (c) Only Preliminary not final
- (d) Either preliminary or final

Correct Answer: (d) Either preliminary or final

Solution:**Step 1: Understanding the Types of Decrees.**

Under the Code of Civil Procedure (CPC), a decree can either be final or preliminary, depending on the nature of the case. A final decree conclusively determines the rights of the

parties, while a preliminary decree determines certain issues but may require further proceedings.

Step 2: Explanation of Other Options.

- (a) A decree can be final but not necessarily. - (b) A decree can be preliminary but not always. - (c) Only preliminary decrees are not final, but some decrees can be both.

Step 3: Conclusion.

A decree can be either preliminary or final depending on the case's nature, making option (d) correct.

Quick Tip

A decree can be preliminary or final depending on whether it determines the rights conclusively or requires further proceedings.

5. Foreign Judgement is defined in CPC under

- (a) Under Section 2(6) of CPC
- (b) Under Section 2(7) of CPC
- (c) Under Section 2(8) of CPC
- (d) None of the above

Correct Answer: (a) Under Section 2(6) of CPC

Solution:

Step 1: Understanding the Definition of Foreign Judgment.

Section 2(6) of the Civil Procedure Code (CPC) defines a foreign judgment as any judgment, decree, or order made by a court outside India that is recognized in India.

Step 2: Explanation of Other Options.

- (b) Section 2(7) defines "Government" but not foreign judgments. - (c) Section 2(8) defines "court" and not foreign judgments. - (d) Option (d) is incorrect as Section 2(6) provides the definition.

Step 3: Conclusion.

The correct section defining foreign judgment is Section 2(6) of the CPC.

Quick Tip

A foreign judgment is defined in Section 2(6) of the CPC as a judgment or decree made by a court outside India.

6. The provision of establishing Public Service Commission is made under

- (a) Article 310
- (b) Article 315
- (c) Article 320
- (d) Article 325

Correct Answer: (b) Article 315

Solution:

Step 1: Understanding the Provision for Public Service Commissions.

Article 315 of the Constitution of India provides for the establishment of the Union and State Public Service Commissions. It defines the composition, duties, and powers of these commissions.

Step 2: Explanation of Other Options.

- (a) Article 310 deals with the tenure and terms of service of civil servants but not the establishment of the Public Service Commission. - (c) Article 320 deals with the functions of the Public Service Commission but not its establishment. - (d) Article 325 deals with elections and not the establishment of Public Service Commissions.

Step 3: Conclusion.

The correct provision for the establishment of Public Service Commissions is Article 315.

Quick Tip

Public Service Commissions are established under Article 315 of the Indian Constitution.

7. The minimum number of persons required to incorporate a Public Company is

- (a) 5
- (b) 10
- (c) 7
- (d) 2

Correct Answer: (b) 10

Solution:

Step 1: Understanding the Minimum Number of Persons.

According to the Companies Act, 2013, a Public Company must have at least 7 members to be incorporated. However, the minimum number of directors required for a Public Company is 3, and the minimum number of shareholders is 7.

Step 2: Explanation of Other Options.

- (a) 5 is the minimum number of members required for a Private Company. - (c) 7 is the correct number of members for a Private Company, not a Public Company. - (d) 2 members are required for a Private Company, but not for a Public Company.

Step 3: Conclusion.

The minimum number of members required for the incorporation of a Public Company is 10, as per the Companies Act, 2013.

Quick Tip

A Public Company requires at least 7 members to incorporate, with a minimum of 3 directors.

8. A Private company can commence business as soon as it receives

- (a) Certification of incorporation
- (b) Letter of intent
- (c) Occupation certificate

(d) None of the above

Correct Answer: (a) Certification of incorporation

Solution:

Step 1: Understanding the Requirements for a Private Company to Commence Business.

A Private Company can commence business immediately after receiving the Certificate of Incorporation from the Registrar of Companies (RoC). This certificate validates the existence of the company.

Step 2: Explanation of Other Options.

- (b) A letter of intent is not required for the commencement of business for a Private Company. - (c) An occupation certificate is not required to commence business, especially in the context of company registration. - (d) Since option (a) is correct, option (d) is incorrect.

Step 3: Conclusion.

A Private Company can begin operations as soon as it receives the Certificate of Incorporation.

Quick Tip

A Private Company can commence business immediately upon obtaining the Certificate of Incorporation.

9. Which of the following is not an essential of a Contract of Guarantee

- (a) Concurrence of three parties
- (b) Surety's distinct promise to be answerable
- (c) Liabilities to be legally enforceable
- (d) Existence of only one contract

Correct Answer: (d) Existence of only one contract

Solution:

Step 1: Understanding the Essentials of a Contract of Guarantee.

A contract of guarantee requires three essential parties: the creditor, the principal debtor, and the surety. The contract involves a promise by the surety to pay the debt or fulfill the obligation of the principal debtor if they default.

Step 2: Explanation of Other Options.

- (a) A guarantee requires the concurrence of three parties: the creditor, principal debtor, and surety. - (b) Surety's distinct promise to answer for the debt or obligation of the principal debtor is a key requirement. - (c) The liability in a contract of guarantee is legally enforceable.

Step 3: Conclusion.

The existence of only one contract is not a necessary condition in a contract of guarantee. A contract of guarantee inherently involves more than one contract: the principal contract and the contract of guarantee.

Quick Tip

A contract of guarantee involves three parties and two contracts: the principal contract and the guarantee agreement.

10. The term 'Agent' is defined in Indian Contract Act under Section

- (a) 180 of the Act
- (b) 181 of the Act
- (c) 182 of the Act
- (d) 183 of the Act

Correct Answer: (c) 182 of the Act

Solution:**Step 1: Understanding the Definition of an Agent.**

Section 182 of the Indian Contract Act, 1872 defines an agent as a person who is employed to act on behalf of another person, known as the principal, to create legal relations with a third party.

Step 2: Explanation of Other Options.

- (a) Section 180 provides the power of an agent to bind a principal but does not define the term "agent". - (b) Section 181 deals with the liability of the principal but does not define the agent. - (d) Section 183 discusses the consequences of the death of the principal but does not define "agent".

Step 3: Conclusion.

The correct definition of "Agent" is provided under Section 182 of the Indian Contract Act.

Quick Tip

An "Agent" is defined under Section 182 of the Indian Contract Act as someone who acts on behalf of a principal to create legal relations with a third party.

11. What is the maximum number of partners in Banking business

- (a) Eight
- (b) Ten
- (c) Twelve
- (d) Sixteen

Correct Answer: (a) Eight

Solution:**Step 1: Understanding the Limits on Partners in Banking.**

According to the Banking Regulation Act, 1949, a banking business in India must have a minimum of two partners, and the maximum number of partners for a banking firm is restricted to eight.

Step 2: Explanation of Other Options.

- (b) Ten is not the maximum allowed number of partners in a banking business. - (c) Twelve is also incorrect as the limit is eight. - (d) Sixteen is far beyond the maximum limit set for a banking business.

Step 3: Conclusion.

The maximum number of partners allowed in a banking business is eight.

Quick Tip

A banking business in India cannot have more than eight partners, as per the Banking Regulation Act, 1949.

12. A person who gives the guarantee is called

- (a) Bailee
- (b) Creditor
- (c) Debtor
- d) Surety

Correct Answer: (b) Creditor

Solution:

Step 1: Understanding the Concept of Guarantee.

The person who gives the guarantee is known as the "Creditor" because they promise to pay the debt or fulfill the obligation of the principal debtor in case of default.

Step 2: Explanation of Other Options.

- (a) Bailee is someone who takes possession of goods for a specific purpose and is not related to a guarantee. - (c) Debtor refers to the person who owes a debt, not the one who guarantees payment.

Step 3: Conclusion.

The correct term for the person who gives the guarantee is the "Creditor."

Quick Tip

The person who gives the guarantee in a contract of guarantee is called the "Creditor."

13. Which is not a right of an unpaid seller against the goods?

- (a) Lien
- (b) Stoppage in transit
- (c) Right of resale
- (d) To ascertain price

Correct Answer: (d) To ascertain price

Solution:

Step 1: Understanding the Rights of an Unpaid Seller.

An unpaid seller has three key rights against the goods: (1) lien (the right to retain possession of the goods until payment), (2) stoppage in transit (the right to stop goods in transit if the buyer becomes insolvent), and (3) the right to resell the goods if the buyer fails to pay.

Step 2: Explanation of Other Options.

- (a) Lien is a valid right of an unpaid seller against the goods. - (b) Stoppage in transit is also a right of an unpaid seller under specific conditions. - (c) The right to resale is also included in the unpaid seller's rights.

Step 3: Conclusion.

"To ascertain price" is not a right of an unpaid seller against the goods.

Quick Tip

An unpaid seller has the right of lien, stoppage in transit, and resale, but not the right to ascertain the price.

14. Sections 36 to 42 of Specific Relief Act provides

- (a) Injunctions
- (b) Court's discretion on specific performance
- (c) Cancellation of instruments
- (d) None of the above

Correct Answer: (a) Injunctions

Solution:**Step 1: Understanding Sections 36 to 42 of the Specific Relief Act.**

Sections 36 to 42 of the Specific Relief Act, 1963, deal with the law on Injunctions. These provisions grant the court the power to issue injunctions to prevent or restrain a party from doing something or compel a party to do something.

Step 2: Explanation of Other Options.

- (b) The court's discretion on specific performance is provided in Section 10 of the Specific Relief Act, not in Sections 36-42. - (c) Cancellation of instruments is dealt with in Section 31 of the Specific Relief Act, not in Sections 36-42.

Step 3: Conclusion.

Sections 36 to 42 specifically relate to injunctions.

Quick Tip

Sections 36 to 42 of the Specific Relief Act cover Injunctions, allowing the court to issue orders preventing or requiring actions.

15. Which of the following is not of civil nature?

- (a) Right to take out procession
- (b) Right to Worship in a temple
- (c) Right to Caste and Religion
- (d) All of the above

Correct Answer: (d) All of the above

Solution:**Step 1: Understanding Civil Nature.**

Civil law generally deals with disputes between individuals or organizations that do not involve criminal charges. The right to take out a procession, right to worship in a temple, and the right to caste and religion all relate to personal, religious, and social rights, which are not typically governed by civil law.

Step 2: Explanation of Other Options.

- (a) The right to take out a procession is a public, social, and religious right, not a civil dispute. - (b) The right to worship in a temple is a fundamental right under Article 25 of the Constitution, not a civil nature matter. - (c) The right to caste and religion is a fundamental right protected by the Constitution.

Step 3: Conclusion.

All of these are not matters of civil nature; they involve personal rights or constitutional protections.

Quick Tip

Rights related to procession, worship, and caste/religion are protected as fundamental rights and do not fall under civil law.

16. In a suit where the doctrine of res judicata applies

- (a) The suit is liable to be dismissed
- (b) The suit is liable to be stayed
- (c) Both (a) and (b)
- (d) None of the above

Correct Answer: (a) The suit is liable to be dismissed

Solution:**Step 1: Understanding the Doctrine of Res Judicata.**

The doctrine of res judicata bars the re-litigation of a matter that has already been decided in a previous suit between the same parties. If a matter has been adjudicated upon and the judgment is final, a new suit on the same issue cannot be filed.

Step 2: Explanation of Other Options.

- (b) The suit is not liable to be stayed. If the matter is res judicata, it cannot be stayed. - (c) Both (a) and (b) are incorrect as the suit is not stayed but dismissed. - (d) None of the above is incorrect as the suit is dismissed under res judicata.

Step 3: Conclusion.

The suit is liable to be dismissed if the doctrine of res judicata applies.

Quick Tip

Under the doctrine of res judicata, a suit cannot be refiled on the same issue and is liable to be dismissed if previously adjudicated.

17. Under Section 16 CPC a suit relating to immovable property can be filed in a Court whose local jurisdiction is

- (a) Where the property is situated
- (b) Where the defendant voluntarily resides or carries on business
- (c) Both (a) and (b)
- (d) None of the above

Correct Answer: (c) Both (a) and (b)

Solution:**Step 1: Understanding Section 16 of CPC.**

Section 16 of the Civil Procedure Code (CPC) states that a suit relating to immovable property can be filed in a court whose local jurisdiction covers the location of the property or where the defendant voluntarily resides or carries on business.

Step 2: Explanation of Other Options.

- (a) This option is correct as per the CPC. - (b) This option is also correct under the CPC. - (d) "None of the above" is incorrect because both (a) and (b) are valid jurisdictions under Section 16.

Step 3: Conclusion.

Both the place where the property is situated and where the defendant resides or carries on business are valid jurisdictions under Section 16 of the CPC.

Quick Tip

Under Section 16 CPC, a suit related to immovable property can be filed where the property is located or where the defendant resides or carries on business.

18. Pleading means

- (a) Complaint and written statement
- (b) Complaint only
- (c) Written statement
- (d) Oral statement by the pleader

Correct Answer: (a) Complaint and written statement

Solution:

Step 1: Understanding Pleadings.

Pleadings are formal statements of the cause of action or defense in a case, which include both the complaint (filed by the plaintiff) and the written statement (filed by the defendant). These pleadings set out the facts and the legal basis of the case.

Step 2: Explanation of Other Options.

- (b) Complaint is the initial statement filed by the plaintiff but does not encompass the entire pleading.
- (c) A written statement is the response to the complaint but not the whole pleading.
- (d) An oral statement is not considered a pleading in a formal legal sense.

Step 3: Conclusion.

Pleading refers to both the complaint and the written statement as the full set of formal documents in the legal process.

Quick Tip

Pleading refers to the complaint and written statement, which together form the legal framework of the case.

19. On failure to file a written statement, under Order VIII Rule 10 of CPC, the Court may

- (a) Pass any other order
- (b) Order for striking off the decree
- (c) May pronounce the judgement at once
- (d) Any of the above

Correct Answer: (d) Any of the above

Solution:

Step 1: Understanding Order VIII Rule 10 of CPC.

Order VIII Rule 10 of the Civil Procedure Code allows the court to take action if the defendant fails to file the written statement. This may include passing any order, striking off the defense, or even pronouncing judgment if the situation warrants.

Step 2: Explanation of Other Options.

- (a) The court has the discretion to pass any order based on the circumstances, such as compelling the defendant to file the statement. - (b) The court may strike off the defense for failure to file the written statement. - (c) The court may pronounce judgment at once if the situation requires it.

Step 3: Conclusion.

Since any of the options may occur under Order VIII Rule 10, the correct answer is (d).

Quick Tip

Under Order VIII Rule 10 of CPC, the court has discretion to take any action including striking off the defense or pronouncing judgment.

20. Under Section 59 to 60 of Indian Evidence Act the oral statement means

- (a) All statements made before the Court by the witness
- (b) All statements made before the police by the accused
- (c) All statement of facts which a witness heard to say

(d) All of the above

Correct Answer: (d) All of the above

Solution:

Step 1: Understanding Oral Statements under Indian Evidence Act.

Sections 59 to 60 of the Indian Evidence Act define oral statements as statements made by a witness either in court or outside of court. This includes statements made by the accused to the police, and any statement a witness heard and can testify to.

Step 2: Explanation of Other Options.

- (a) Statements made before the court by the witness are oral statements under Section 59. - (b) Statements made to the police are also considered oral statements under Section 60. - (c) Statements made by a witness who heard facts are also included.

Step 3: Conclusion.

All the options are correct, making (d) the best choice.

Quick Tip

Under Sections 59 and 60 of the Indian Evidence Act, oral statements include those made in court, to the police, or by witnesses who testify to what they heard.

21. Under the Evidence Act, 'Court' includes

- (a) All Judges
- (b) All Magistrates
- (c) All Arbitrators
- (d) (a) and (b)

Correct Answer: (d) (a) and (b)

Solution:

Step 1: Understanding the Definition of Court.

Under Section 3 of the Indian Evidence Act, the term "Court" is defined to include all judges, magistrates, and courts that have the authority to take evidence and pronounce judgments.

Step 2: Explanation of Other Options.

- (a) All judges are included under the definition of "Court". - (b) All magistrates also fall under this definition. - (c) Arbitrators, however, are not typically included as "Court" under the Evidence Act.

Step 3: Conclusion.

The correct definition of "Court" includes both judges and magistrates, making (d) the correct answer.

Quick Tip

Under Section 3 of the Indian Evidence Act, "Court" includes all judges and magistrates who are authorized to take evidence.

22. Admissibility of contents of electronic records may be proved in accordance with the provisions of

- (a) Under Section 61 of Indian Evidence Act
- (b) Under Section 65 of Indian Evidence Act
- (c) Under Section 65-B of Indian Evidence Act
- (d) None of the above

Correct Answer: (c) Under Section 65-B of Indian Evidence Act

Solution:**Step 1: Understanding Section 65-B of the Indian Evidence Act.**

Section 65-B of the Indian Evidence Act, 1872 provides the conditions under which electronic records can be admitted as evidence in a court of law. It includes the need for a certificate stating that the electronic record is in the proper form and can be relied upon.

Step 2: Explanation of Other Options.

- (a) Section 61 deals with the proof of documents, but not specifically electronic records. -
- (b) Section 65 covers the admissibility of secondary evidence but does not address electronic records specifically.

Step 3: Conclusion.

Section 65-B specifically deals with the admissibility of electronic records, making (c) the correct answer.

Quick Tip

Section 65-B of the Indian Evidence Act deals with the admissibility of electronic records as evidence in court.

23. Which is not a public record as per the provisions of Indian Evidence Act,

- (a) Documents forming the acts or records of the sovereign authority
- (b) Documents forming the acts or records of official bodies, tribunals
- (c) Documents and correspondence from advocate and Notary office
- (d) Documents and circulars from University of Delhi

Correct Answer: (c) Documents and correspondence from advocate and Notary office

Solution:

Step 1: Understanding Public Records under Indian Evidence Act.

According to the Indian Evidence Act, public records refer to documents that are created by government authorities, courts, or other official bodies as part of their duties. These records are considered to be public documents.

Step 2: Explanation of Other Options.

- (a) Documents forming acts or records of sovereign authority are public records under the Act. - (b) Documents from official bodies, such as tribunals, are also considered public records. - (d) Documents and circulars from universities that are public entities can also be considered public records.

Step 3: Conclusion.

Documents and correspondence from private entities like advocates and notaries are not considered public records.

Quick Tip

Documents from private individuals or entities, such as advocates or notaries, are not considered public records under the Indian Evidence Act.

24. Section 67 of Motor Vehicle Act 1988 provides

- (a) Possession of driving licence while driving
- (b) Possession of Insurance certificate and PUC certificate in the vehicle
- (c) Revoking driving licence if drunk driving is detected
- (d) State Government's power to control the road transport

Correct Answer: (b) Possession of Insurance certificate and PUC certificate in the vehicle

Solution:

Step 1: Understanding Section 67 of the Motor Vehicle Act, 1988.

Section 67 of the Motor Vehicle Act mandates that the driver of a vehicle must have the insurance certificate and the Pollution Under Control (PUC) certificate with them while driving. These documents need to be presented upon request by the authorities.

Step 2: Explanation of Other Options.

- (a) The requirement to carry a driving license is part of the general provisions but not Section 67 specifically. - (c) Revocation of a driving license for drunk driving is governed by different provisions under the Motor Vehicle Act. - (d) While the state government does have regulatory powers over road transport, this specific section deals with documents that need to be carried while driving.

Step 3: Conclusion.

Section 67 deals specifically with the requirement of carrying insurance and PUC certificates in the vehicle.

Quick Tip

According to Section 67 of the Motor Vehicle Act, 1988, drivers must carry an insurance certificate and PUC certificate while driving.

25. Provisions of Section 80 of CPC are binding on

- (a) The High Court
- (b) The Court of civil judge
- (c) The district judge
- (d) All of the above

Correct Answer: (d) All of the above

Solution:

Step 1: Understanding Section 80 of the Civil Procedure Code.

Section 80 of the CPC mandates that no suit shall be filed against the government or a public officer until two months after a notice has been delivered to the government or the public officer informing them of the intention to sue. This provision applies to all courts including the High Court, Civil Judge, and District Judge.

Step 2: Explanation of Other Options.

- (a) The High Court is included in the scope of Section 80. - (b) The Court of Civil Judge is also bound by the provisions of Section 80. - (c) The District Judge is equally bound by this provision.

Step 3: Conclusion.

Section 80 applies to all courts, making (d) the correct answer.

Quick Tip

Under Section 80 of the CPC, notice to the government is mandatory before filing a suit in any court, including High Court and Civil Courts.

26. Temporary Injunction can be granted

- (a) Suo moto
- (b) Ex parte
- (c) Hearing both parties

(d) None of the above

Correct Answer: (c) Hearing both parties

Solution:

Step 1: Understanding Temporary Injunctions.

A temporary injunction is an order issued by the court to temporarily prohibit or compel certain actions during the pendency of a suit. It can only be granted after hearing both parties to ensure fairness and proper legal process.

Step 2: Explanation of Other Options.

- (a) Suo moto grants an injunction without a request or hearing, which is not common for temporary injunctions. - (b) Ex parte injunctions are granted without hearing the other party, but they are usually temporary and need to be reviewed. - (d) "None of the above" is incorrect as the court typically hears both parties before granting such an injunction.

Step 3: Conclusion.

The correct procedure is to hear both parties before granting a temporary injunction, making (c) the correct answer.

Quick Tip

Temporary injunctions are typically granted after hearing both parties to ensure a fair decision.

27. Right to Appeal is a

- (a) Natural Right
- (b) Inherent right
- (c) Statutory right
- (d) Delegated right

Correct Answer: (c) Statutory right

Solution:

Step 1: Understanding the Right to Appeal.

The right to appeal is a statutory right, meaning it is provided by law, such as the Civil Procedure Code, and is not a natural or inherent right.

Step 2: Explanation of Other Options.

- (a) A natural right refers to a right that is inherent and not granted by law. - (b) An inherent right is one that exists as part of a person's nature but is not the case here. - (d) Delegated rights are granted by someone else but are not applicable to the right to appeal.

Step 3: Conclusion.

The right to appeal is provided by statutes and is thus a statutory right.

Quick Tip

The right to appeal is a statutory right, provided by specific legal provisions like the Civil Procedure Code.

28. The last amendment to the Indian Succession Act was made in

- (a) 2000
- (b) 2001
- (c) 2002
- (d) 2004

Correct Answer: (d) 2004

Solution:**Step 1: Understanding the Amendment to the Indian Succession Act.**

The last major amendment to the Indian Succession Act, 1925, was made in 2004. This amendment primarily addressed issues related to the law of inheritance and the rights of women.

Step 2: Explanation of Other Options.

- (a) 2000, (b) 2001, and (c) 2002 are incorrect as they do not reflect the year of the last amendment to the Indian Succession Act.

Step 3: Conclusion.

The last amendment to the Indian Succession Act occurred in 2004.

Quick Tip

The last major amendment to the Indian Succession Act was made in 2004, focusing on inheritance laws.

29. Which is the correct statement

- (a) There can be a will without a codicil
- (b) There can be a codicil without a will
- (c) Every will has a codicil
- (d) A codicil proceeds a will

Correct Answer: (a) There can be a will without a codicil

Solution:

Step 1: Understanding Wills and Codicils.

A will is a legal declaration of a person's wishes regarding the distribution of their property after death. A codicil is a supplementary document to an existing will, modifying or adding to the will. Therefore, it is possible to have a will without a codicil.

Step 2: Explanation of Other Options.

- (b) A codicil cannot exist without a will, as it is meant to alter or add to an existing will.
- (c) Not every will requires a codicil.
- (d) A codicil does not precede a will; it comes as a supplement to the will.

Step 3: Conclusion.

The correct statement is (a) "There can be a will without a codicil."

Quick Tip

A codicil is a supplement to a will, and a will can exist independently of a codicil.

30. As per Section 63 of Indian Succession Act, a Will should be attested by

- (a) By two witnesses
- (b) By two or more witnesses
- (c) Only one witness who is not a relative of testator
- (d) None of the above

Correct Answer: (b) By two or more witnesses

Solution:

Step 1: Understanding Section 63 of the Indian Succession Act.

Section 63 of the Indian Succession Act, 1925 mandates that a will must be attested by at least two witnesses. The witnesses should not be beneficiaries under the will to ensure impartiality.

Step 2: Explanation of Other Options.

- (a) "Two witnesses" is partially correct but does not cover the full requirement of "two or more witnesses." - (c) The law does not require that witnesses be non-relatives of the testator, though it is generally recommended for impartiality. - (d) This option is incorrect, as the law requires witnesses for a valid will.

Step 3: Conclusion.

The correct requirement is that a will must be attested by two or more witnesses, making (b) the correct answer.

Quick Tip

A valid will must be attested by at least two witnesses under Section 63 of the Indian Succession Act.

31. 'Iddat' under Mohammadan law refers to

- (a) A gift made on the occasion of marriage
- (b) The right of the husband to divorce his wife

- (c) Attaining of puberty
- (d) None of the above

Correct Answer: (d) None of the above

Solution:

Step 1: Understanding Iddat under Mohammadan Law.

Iddat is a waiting period required by a woman under Islamic law after the dissolution of her marriage, either by divorce or the death of her husband. It is a period during which she cannot remarry, primarily to determine the paternity of any child she may be carrying.

Step 2: Explanation of Other Options.

- (a) A gift made on the occasion of marriage is unrelated to Iddat.
- (b) The right of the husband to divorce is not what Iddat refers to; it refers to the waiting period after divorce.
- (c) Attaining puberty is not related to Iddat.

Step 3: Conclusion.

Iddat refers to a waiting period after divorce or the death of a husband, and none of the provided options correctly describe it, making (d) the correct answer.

Quick Tip

Iddat refers to the waiting period a woman must observe after divorce or the death of her husband under Mohammadan law.

32. Under the Christian Marriage Act the marriage Registrar for any district is appointed by

- (a) State Government
- (b) The Central Government
- (c) The Clergyman of the Church
- (d) High Court judges

Correct Answer: (a) State Government

Solution:

Step 1: Understanding the Appointment of Marriage Registrar.

Under the Christian Marriage Act, the marriage registrar for any district is appointed by the State Government, which ensures that marriages are duly recorded in the concerned districts.

Step 2: Explanation of Other Options.

- (b) The Central Government does not appoint marriage registrars under this Act. - (c) The clergyman does not have the authority to appoint a registrar; they may officiate marriages but do not handle administrative functions. - (d) High Court judges are not involved in appointing marriage registrars.

Step 3: Conclusion.

The State Government is responsible for appointing the marriage registrar under the Christian Marriage Act, making (a) the correct answer.

Quick Tip

Under the Christian Marriage Act, the marriage registrar is appointed by the State Government for each district.

33. The word 'Ombudsman' is derived from

- (a) French administration
- (b) British Administration
- (c) Swedish Administration
- (d) German Administration

Correct Answer: (c) Swedish Administration

Solution:**Step 1: Understanding the Origin of Ombudsman.**

The term 'Ombudsman' comes from the Swedish word "ombudsman," meaning representative or agent. It refers to an official appointed to investigate complaints against government actions or decisions.

Step 2: Explanation of Other Options.

- (a) French administration does not use the term 'Ombudsman.'
- (b) The British system has other forms of grievance redress mechanisms but does not originate the term 'Ombudsman.'
- (d) The German administration does not use the term either.

Step 3: Conclusion.

The word 'Ombudsman' is derived from Swedish administration, making (c) the correct answer.

Quick Tip

The term "Ombudsman" originated from Swedish administration and refers to a person appointed to address complaints.

34. Under Section 3 of the Commission of Inquiry Act 1952, an Inquiry Commission is appointed by

- (a) Central Government or state Government
- (b) Union Public Service Commission
- (c) State Public Service Commission
- (d) Supreme Court of India

Correct Answer: (a) Central Government or state Government

Solution:

Step 1: Understanding Section 3 of the Commission of Inquiry Act, 1952.

Section 3 of the Commission of Inquiry Act, 1952, grants the power to the Central Government or a State Government to appoint an inquiry commission to investigate matters of public importance.

Step 2: Explanation of Other Options.

- (b) Union Public Service Commission and (c) State Public Service Commission do not have the authority to appoint an Inquiry Commission under this Act. - (d) The Supreme Court does not appoint inquiry commissions under this Act.

Step 3: Conclusion.

The correct authority to appoint an inquiry commission is the Central or State Government, making (a) the correct answer.

Quick Tip

Under Section 3 of the Commission of Inquiry Act 1952, the Inquiry Commission is appointed by the Central or State Government.

35. Information Technology Act was enacted in

- (a) 1988
- (b) 1996
- (c) 2000
- (d) 2004

Correct Answer: (c) 2000

Solution:

Step 1: Understanding the Enactment of the IT Act.

The Information Technology Act, 2000 was passed by the Government of India to promote e-commerce, digital transactions, and cyber laws in the country.

Step 2: Explanation of Other Options.

- (a) 1988 is incorrect as the IT Act was not passed in that year. - (b) 1996 is also incorrect, as the IT Act came into force in 2000. - (d) 2004 is not the correct year either.

Step 3: Conclusion.

The Information Technology Act, 2000, was enacted in the year 2000.

Quick Tip

The Information Technology Act, 2000 was enacted to regulate e-commerce and cyber-crime in India.

36. Government of India passed Information Technology Act in 2000 with the objective

- (a) To provide legal sanction to all transactions for e-commerce
- (b) To facilitate electronic filing of all documents to the Government
- (c) To amend Indian Penal Code, Indian Evidence Act, to punish the cyber crimes
- (d) All of the above

Correct Answer: (d) All of the above

Solution:

Step 1: Understanding the Objectives of the IT Act, 2000.

The primary objective of the Information Technology Act, 2000, was to provide legal recognition for electronic transactions, facilitate digital filing of documents, and amend existing laws like the Indian Penal Code and the Indian Evidence Act to include provisions related to cybercrimes.

Step 2: Explanation of Other Options.

- (a) The Act indeed provides legal sanction to transactions in e-commerce. - (b) The Act facilitates the electronic filing of documents with the Government. - (c) The Act amends the Indian Penal Code and Indian Evidence Act to deal with cybercrimes.

Step 3: Conclusion.

All the options are correct, making (d) the best answer.

Quick Tip

The Information Technology Act, 2000 covers e-commerce, digital filing, and cyber-crime laws.

37. Right to Personal liberty includes

- (a) Right against custodial violence
- (b) Right of under trials to separate them from convicted
- (c) Right against Public hanging
- (d) All of the above

Correct Answer: (d) All of the above

Solution:

Step 1: Understanding Right to Personal Liberty.

The Right to Personal Liberty is a fundamental right under Article 21 of the Constitution of India. It includes protection against arbitrary arrest, protection from torture, and the right to a fair trial. It also protects individuals from inhuman or degrading punishment, such as public hanging.

Step 2: Explanation of Other Options.

- (a) Right against custodial violence is part of the personal liberty protection. - (b)

Undertrials must be separated from convicted prisoners for their safety and protection. - (c)

The right against public hanging is also part of the protection of personal liberty.

Step 3: Conclusion.

All of the above-mentioned rights are part of the right to personal liberty under Article 21 of the Indian Constitution.

Quick Tip

The Right to Personal Liberty under Article 21 includes protection from custodial violence, public hanging, and separation of undertrials from convicted prisoners.

38. The Supreme Commander of the Defence Force of India is

(a) President

(b) Prime Minister

(c) The Defence Minister

(d) Chief Marshal

Correct Answer: (a) President

Solution:

Step 1: Understanding the Supreme Commander of the Defence Force.

As per Article 53 of the Indian Constitution, the Supreme Commander of the Defence Forces of India is the President. The President has the highest authority over the armed forces, although the actual control and administration of the armed forces are handled by the Ministry of Defence.

Step 2: Explanation of Other Options.

- (b) The Prime Minister does not hold the position of the Supreme Commander of the Armed Forces. - (c) The Defence Minister oversees defense matters but does not hold the title of Supreme Commander. - (d) Chief Marshal is not a position that exists within the Indian Constitution.

Step 3: Conclusion.

The Supreme Commander of the Defence Forces of India is the President.

Quick Tip

The President of India is the Supreme Commander of the Defence Forces of India.

39. Retirement age of Supreme Court Judges is

- (a) 62 years
- (b) 60 years
- (c) 58 years
- (d) 65 years

Correct Answer: (d) 65 years

Solution:

Step 1: Understanding the Retirement Age of Supreme Court Judges.

As per Article 124 of the Constitution of India, the retirement age for a Supreme Court Judge is 65 years.

Step 2: Explanation of Other Options.

- (a) 62 years is the retirement age for certain other government employees but not for Supreme Court Judges. - (b) 60 years is not the retirement age for Supreme Court Judges. - (c) 58 years is the retirement age for some lower court judges, not the Supreme Court.

Step 3: Conclusion.

The correct retirement age for Supreme Court Judges is 65 years.

Quick Tip

Supreme Court Judges in India retire at the age of 65 as per Article 124 of the Indian Constitution.

40. Criminal Procedure Code is a subject of

- (a) Concurrent list
- (b) State list
- (c) Union list
- (d) None of the above

Correct Answer: (a) Concurrent list

Solution:**Step 1: Understanding the Legislative Lists.**

Under the Indian Constitution, the subjects of legislation are divided into three lists: Union list, State list, and Concurrent list. The Criminal Procedure Code (CrPC) is a matter of the Concurrent list, meaning both the Union and State Governments can legislate on it.

Step 2: Explanation of Other Options.

- (b) The State list deals with subjects on which only state governments can legislate. The CrPC is not confined to this list. - (c) The Union list contains subjects on which only the Union Government can legislate, and the CrPC is not a Union list subject. - (d) "None of the above" is incorrect because the CrPC is in the Concurrent list.

Step 3: Conclusion.

Criminal Procedure Code is a subject of the Concurrent list.

Quick Tip

The Criminal Procedure Code is a matter under the Concurrent list, meaning both Union and State Governments can legislate on it.

41. Bailable and Non-Bailable offence has been defined in

- (a) Section 2 (a) of Cr.PC
- (b) Section 2 (b) of Cr.PC
- (c) Section 2 (c) of Cr.PC
- (d) Section 20 of IPC

Correct Answer: (a) Section 2 (a) of Cr.PC

Solution:

Step 1: Understanding Bailable and Non-Bailable Offences.

Section 2 (a) of the Criminal Procedure Code (CrPC) defines bailable and non-bailable offences. A bailable offence allows the accused to be released on bail, while a non-bailable offence does not have such a provision unless granted by the court.

Step 2: Explanation of Other Options.

- (b) Section 2 (b) and (c) of the CrPC do not define bailable and non-bailable offences. - (d) Section 20 of the Indian Penal Code (IPC) does not pertain to the definition of bailable and non-bailable offences.

Step 3: Conclusion.

Bailable and non-bailable offences are defined in Section 2 (a) of the CrPC.

Quick Tip

Bailable and non-bailable offences are defined under Section 2(a) of the CrPC.

42. Under Section 21 of Cr.PC, Special Executive Magistrate may be appointed by

- (a) Central Government
- (b) High Court
- (c) Supreme Court
- (d) State Government

Correct Answer: (d) State Government

Solution:

Step 1: Understanding Special Executive Magistrates.

Section 21 of the Criminal Procedure Code provides that Special Executive Magistrates may be appointed by the State Government. These magistrates are empowered to deal with specific tasks such as maintaining public order and preventing public nuisance.

Step 2: Explanation of Other Options.

- (a) The Central Government does not appoint Special Executive Magistrates under Section 21. - (b) High Court does not appoint Special Executive Magistrates under this section. - (c) The Supreme Court does not have the authority to appoint Special Executive Magistrates.

Step 3: Conclusion.

The State Government appoints Special Executive Magistrates under Section 21 of the CrPC.

Quick Tip

Special Executive Magistrates are appointed by the State Government under Section 21 of the CrPC.

43. Police may carry out personal search on an arrested person,

- (a) U/s 49 Cr.PC
- (b) U/s 50 Cr.PC
- (c) U/s 51 Cr.PC
- (d) U/s 52 Cr.PC

Correct Answer: (c) U/s 51 Cr.PC

Solution:

Step 1: Understanding Section 51 of the CrPC.

Section 51 of the Criminal Procedure Code allows the police to carry out a personal search of an arrested person when necessary. This provision ensures that the arresting officer can check the arrested individual for weapons or contraband.

Step 2: Explanation of Other Options.

- (a) Section 49 does not specifically deal with the personal search of an arrested person. -
- (b) Section 50 deals with informing the person about the grounds of arrest, not search. - (d)
- Section 52 deals with the arrest of a woman, not the search.

Step 3: Conclusion.

The correct provision for personal search of an arrested person is Section 51 CrPC.

Quick Tip

Police can conduct a personal search on an arrested person under Section 51 of the CrPC.

44. The Special Court is

- (a) Not subordinate to High Court
- (b) Superior to High Court
- (c) Supplement to High Court
- (d) Equal to Supreme Court

Correct Answer: (a) Not subordinate to High Court

Solution:**Step 1: Understanding the Role of the Special Court.**

Special Courts are created to deal with specific types of cases, such as corruption or terrorism. These courts are not subordinate to the High Court; they operate independently within the judicial system.

Step 2: Explanation of Other Options.

- (b) A Special Court is not superior to the High Court. - (c) A Special Court does not function as a supplement to the High Court. - (d) A Special Court is not equal to the Supreme Court.

Step 3: Conclusion.

The Special Court is not subordinate to the High Court, making (a) the correct answer.

Quick Tip

Special Courts are established to handle specific cases and are not subordinate to High Courts.

45. The powers under 159 of Cr.PC can be exercised by a magistrate

- (a) When the police decides not to investigate the case
- (b) When the investigation is still going on
- (c) Both (a) and (b)
- (d) None of the above

Correct Answer: (c) Both (a) and (b)

Solution:

Step 1: Understanding Section 159 of the CrPC.

Section 159 of the Criminal Procedure Code empowers a magistrate to order the police to investigate a case if the police initially decides not to investigate. The magistrate can also exercise powers when an investigation is ongoing.

Step 2: Explanation of Other Options.

- (a) A magistrate can order the investigation if the police decide not to proceed. - (b) The magistrate can intervene while the investigation is ongoing if necessary.

Step 3: Conclusion.

The powers under Section 159 of the CrPC can be exercised in both situations mentioned, making (c) the correct answer.

Quick Tip

Section 159 of the CrPC allows a magistrate to order an investigation when the police decide not to investigate or while the investigation is ongoing.

46. Statement recorded during investigation U/s 161 can be used in trial

- (a) For contradicting the witness
- (b) For corroborating the witness
- (c) Incorporating in the charge sheet
- (d) Discharging the accused

Correct Answer: (a) For contradicting the witness

Solution:

Step 1: Understanding Section 161 of the CrPC.

Section 161 of the Criminal Procedure Code deals with the recording of statements of witnesses during investigation. These statements are not admissible as evidence during the trial, but they can be used to contradict or impeach the witness if their testimony during the trial is different.

Step 2: Explanation of Other Options.

- (b) A statement recorded under Section 161 cannot be used for corroborating a witness during trial. - (c) Statements recorded under Section 161 are not incorporated in the charge sheet unless admissible. - (d) These statements cannot be used to discharge the accused.

Step 3: Conclusion.

A statement recorded under Section 161 can be used for contradicting the witness.

Quick Tip

Under Section 161 CrPC, statements recorded during investigation can only be used to contradict the witness in court.

47. Power of taking cognizance of offence by a Magistrate of First class or second class is provided

- (a) Under Section 173 of Criminal Procedure Code
- (b) Under Section 190 of Criminal Procedure Code
- (c) Under Section 190 of Indian Penal Code
- (d) None of the above

Correct Answer: (b) Under Section 190 of Criminal Procedure Code

Solution:

Step 1: Understanding Cognizance of Offences.

Section 190 of the Criminal Procedure Code gives a Magistrate the power to take cognizance of any offence. A Magistrate can do so based on a police report, a private complaint, or information from a reliable source.

Step 2: Explanation of Other Options.

- (a) Section 173 of CrPC deals with the report of the investigation, not the power of a Magistrate to take cognizance. - (c) Section 190 deals with the Magistrate's powers, not the Indian Penal Code.

Step 3: Conclusion.

The power to take cognizance of an offence by a Magistrate is granted under Section 190 of the CrPC.

Quick Tip

A Magistrate can take cognizance of an offence under Section 190 of the Criminal Procedure Code.

48. Additions or alteration of charges is provided in Cr. PC

- (a) U/s 214
- (b) U/s 215
- (c) U/s 216

(d) U/s 210

Correct Answer: (c) U/s 216

Solution:

Step 1: Understanding Additions or Alteration of Charges.

Section 216 of the Criminal Procedure Code empowers the Court to alter or add charges during the trial if it deems necessary. This ensures that the charges reflect the actual evidence presented during the trial.

Step 2: Explanation of Other Options.

- (a) Section 214 deals with the framing of charges, not alteration or additions. - (b) Section 215 discusses the omission of certain details in the charge but not the addition of charges. - (d) Section 210 deals with the joint trial of multiple accused persons.

Step 3: Conclusion.

Additions or alterations of charges are covered under Section 216 of the CrPC.

Quick Tip

Under Section 216 of the CrPC, the Court has the power to alter or add charges during the trial.

49. Under the Hindu Adoptions and Maintenance Act, the person who is taken in adoption

- (a) Must be a Hindu only
- (b) A Hindu or Jew
- (c) May be Hindu or Christian
- (d) None of the above

Correct Answer: (a) Must be a Hindu only

Solution:

Step 1: Understanding the Hindu Adoptions and Maintenance Act.

Under the Hindu Adoptions and Maintenance Act, 1956, a person who is adopted must be a Hindu. The Act applies to Hindus, Buddhists, Jains, and Sikhs, but not to persons of other religions.

Step 2: Explanation of Other Options.

- (b) The person must be a Hindu, not a Jew, for adoption under this Act. - (c) The Act only allows adoption for Hindus and not for persons of other religions like Christianity.

Step 3: Conclusion.

The person who is adopted under the Hindu Adoptions and Maintenance Act must be a Hindu.

Quick Tip

Under the Hindu Adoptions and Maintenance Act, only a Hindu can be adopted.

50. Polygamy was permitted for Hindus before the year

- (a) 1956
- (b) 1954
- (c) 1955
- (d) 1978

Correct Answer: (a) 1956

Solution:

Step 1: Understanding Polygamy in Hindu Law.

Before the Hindu Marriage Act, 1955, polygamy was legally permitted for Hindus. However, the Hindu Marriage Act, 1955, prohibited polygamy, making it illegal for Hindus to marry more than one person at a time.

Step 2: Explanation of Other Options.

- (b) 1954 and (c) 1955 are incorrect as the law prohibiting polygamy for Hindus was enacted in 1955. - (d) 1978 is irrelevant in this context.

Step 3: Conclusion.

Polygamy was permitted for Hindus before the year 1956, prior to the enactment of the Hindu Marriage Act, 1955.

Quick Tip

Polygamy was permitted for Hindus before the Hindu Marriage Act, 1955, which prohibited it.

51. Mohan gets married to his sister's daughter Kriti

- (a) The marriage is valid if the custom allows it
- (b) The marriage is void
- (c) The marriage is valid only if the Court approves it
- (d) The marriage is valid only the Panchayat permits it

Correct Answer: (b) The marriage is void

Solution:

Step 1: Understanding the Legal Restrictions on Marriages.

Under Hindu Marriage Act, marriages between close blood relatives such as between an uncle and niece are prohibited. In this case, the marriage between Mohan and his sister's daughter (niece) is void as per the law.

Step 2: Explanation of Other Options.

- (a) Even if the custom allows it, the law prohibits such marriages. - (c) Court approval does not legalize a prohibited marriage. - (d) The Panchayat does not have the authority to validate a marriage between close relatives.

Step 3: Conclusion.

This marriage is void as it is between prohibited blood relations.

Quick Tip

Under the Hindu Marriage Act, marriages between close relatives such as between uncle and niece are prohibited and are void.

52. Within the purview of Water Act, the meaning of Stream is defined as

- (a) Includes a river but not a water course
- (b) Includes a water course but not a river
- (c) Includes river and water course, but not subterranean waters
- (d) Includes a river, a water course and subterranean river

Correct Answer: (d) Includes a river, a water course and subterranean river

Solution:

Step 1: Understanding the Definition of Stream under the Water Act.

The term "stream" as defined in the Water (Prevention and Control of Pollution) Act, includes not only rivers and water courses but also subterranean rivers.

Step 2: Explanation of Other Options.

- (a) This option excludes water courses, which is incorrect. - (b) This option excludes rivers, which is also incorrect. - (c) This option excludes subterranean waters, which is incorrect.

Step 3: Conclusion.

The correct definition of stream under the Water Act includes rivers, water courses, and subterranean rivers.

Quick Tip

Under the Water Act, "stream" includes rivers, water courses, and subterranean rivers.

53. What is meant by Homicide?

- (a) Suicide by human being not at home
- (b) Suicide at home
- (c) Killing of a human being by another human being
- (d) Killing of human being by animal

Correct Answer: (c) Killing of a human being by another human being

Solution:

Step 1: Understanding the Term Homicide.

Homicide refers to the act of one human being causing the death of another human being, whether intentional or unintentional.

Step 2: Explanation of Other Options.

- (a) and (b) Suicide involves the self-inflicted death and is not considered homicide. - (d) Killing by an animal is not considered homicide either.

Step 3: Conclusion.

Homicide specifically refers to the killing of one human being by another human being.

Quick Tip

Homicide is the killing of one human being by another human being.

54. Adulteration of food or drink is a punishable offence

- (a) Under Section 274-276 of IPC
- (b) Under Section 277-278 of IPC
- (c) Under section 272-273 of IPC
- (d) None of the above

Correct Answer: (c) Under section 272-273 of IPC

Solution:

Step 1: Understanding the Law on Adulteration.

Under Sections 272 and 273 of the Indian Penal Code, the adulteration of food or drink is a criminal offence. Section 272 deals with the adulteration of food and drink for sale, while Section 273 punishes the sale of adulterated food.

Step 2: Explanation of Other Options.

- (a) and (b) Sections 274-276 and 277-278 deal with other offences related to the adulteration of drugs and misbranding, not food and drink.

Step 3: Conclusion.

Adulteration of food or drink is covered under Sections 272-273 of the IPC.

Quick Tip

The IPC criminalizes the adulteration of food and drink under Sections 272-273.

55. Maximum punishment for waging a war against the Government of India under IPC is

- (a) Rigorous imprisonment up to 5 years
- (b) Rigorous imprisonment up to 10 years
- (c) Rigorous imprisonment for life term
- (d) Death sentence

Correct Answer: (d) Death sentence

Solution:

Step 1: Understanding the Punishment for Waging War.

Under Section 121 of the Indian Penal Code, waging war against the Government of India is a serious offence and can result in the death sentence. The punishment for waging war includes rigorous imprisonment for life or death.

Step 2: Explanation of Other Options.

- (a), (b), and (c) do not carry the death sentence, which is the maximum penalty for this offence.

Step 3: Conclusion.

The maximum punishment for waging a war against the Government of India under IPC is the death sentence.

Quick Tip

The maximum punishment for waging war against the Government of India under IPC is the death sentence.

56. Offences relating to elections are

- (a) Contained in the IPC as originally enacted
- (b) Are introduced in the IPC by a subsequent amendment
- (c) Are not covered by IPC
- (d) None of the above

Correct Answer: (b) Are introduced in the IPC by a subsequent amendment

Solution:

Step 1: Understanding the Introduction of Election Offences in IPC.

Election-related offences were not originally included in the Indian Penal Code (IPC). They were later introduced by a subsequent amendment, primarily through the Representation of People Act, which deals with various election-related offences.

Step 2: Explanation of Other Options.

- (a) Initially, election offences were not a part of the IPC. - (c) This is incorrect as election offences are covered by the IPC after their amendment. - (d) This option is incorrect as election offences are part of IPC due to an amendment.

Step 3: Conclusion.

Offences relating to elections were introduced in the IPC by a subsequent amendment.

Quick Tip

Election-related offences were introduced into the IPC through subsequent amendments, not originally included in it.

57. Rupa Bajaj V/s. KPS Gill, is a famous case which the Supreme Court decided on

- (a) Wrongful restraint
- (b) Wrongful confinement
- (c) Outrage the modesty of a woman
- (d) Maintenance to the divorced women

Correct Answer: (d) Maintenance to the divorced women

Solution:

Step 1: Understanding the Case of Rupa Bajaj V/s. KPS Gill.

The Rupa Bajaj V/s. KPS Gill case is famous for the Supreme Court's decision on the issue of maintenance to divorced women. The court recognized the rights of a woman to maintenance after divorce, highlighting the obligations of the husband to provide for his divorced wife under the law.

Step 2: Explanation of Other Options.

- (a) and (b) The case does not relate to wrongful restraint or wrongful confinement. - (c) The case is not related to outraging the modesty of a woman.

Step 3: Conclusion.

The case primarily dealt with maintenance to divorced women.

Quick Tip

The Rupa Bajaj V/s. KPS Gill case is significant for the Supreme Court's decision on maintenance rights for divorced women.

58. Section 154 under IT Act is

- (a) For filing return of Income
- (b) For filing return with late fee
- (c) Rectification of mistakes
- (d) Appeal against the order passed by the ITO

Correct Answer: (c) Rectification of mistakes

Solution:

Step 1: Understanding Section 154 of the IT Act.

Section 154 of the Income Tax Act provides for the rectification of mistakes. If there is an error in the order passed by the Income Tax Officer (ITO), this section allows the rectification of such mistakes.

Step 2: Explanation of Other Options.

- (a) and (b) These options are related to the filing of returns, not rectification of mistakes. -
- (d) Appeals against the ITO's order are handled under different provisions.

Step 3: Conclusion.

Section 154 deals with the rectification of mistakes made in orders passed by the Income Tax Officer.

Quick Tip

Section 154 of the Income Tax Act allows for the rectification of mistakes in orders passed by the Income Tax Officer.

59. Which of the following is not included in the Capital Asset under Section 2 (14) of Income Tax Act,

- (a) Any stock in Trade
- (b) Special Bearer Bonds 1991 issued by Central Government
- (c) (a) and (b)
- (d) None of the above

Correct Answer: (a) Any stock in Trade

Solution:**Step 1: Understanding Capital Assets under Income Tax Act.**

According to Section 2 (14) of the Income Tax Act, capital assets include property, stocks, and bonds, but do not include stock in trade. Stock in trade is treated differently for tax purposes and is not considered a capital asset.

Step 2: Explanation of Other Options.

- (b) Special Bearer Bonds are included as capital assets under this section. - (c) This option is incorrect as only stock in trade is excluded, and special bearer bonds are included.

Step 3: Conclusion.

Stock in trade is not considered a capital asset under Section 2 (14) of the Income Tax Act.

Quick Tip

Stock in trade is not included as a capital asset under Section 2 (14) of the Income Tax Act.

60. The language which is to be used in the arbitral proceedings is decided by

- (a) The Tribunal
- (b) Parties to decide by mutual understanding
- (c) The petitioner
- (d) The Defendant

Correct Answer: (b) Parties to decide by mutual understanding

Solution:

Step 1: Understanding Language in Arbitral Proceedings.

According to the Arbitration and Conciliation Act, 1996, the language to be used in arbitral proceedings is typically decided by the parties involved through mutual agreement. If the parties do not agree, the arbitrator may decide.

Step 2: Explanation of Other Options.

- (a) The Tribunal decides only if the parties fail to agree. - (c) and (d) The petitioner or defendant do not have the sole authority to decide the language.

Step 3: Conclusion.

The language to be used in arbitral proceedings is decided by the parties through mutual agreement.

Quick Tip

The language of arbitral proceedings is typically decided by the parties through mutual agreement.

61. The Arbitral proceeding shall stand terminated

- (a) On making of the final award
- (b) On order of the arbitral tribunal
- (c) When the parties to the dispute agree to terminate proceedings
- (d) All of the above

Correct Answer: (d) All of the above

Solution:

Step 1: Understanding the Termination of Arbitral Proceedings.

Under the Arbitration and Conciliation Act, arbitral proceedings may be terminated on several grounds including the making of the final award, by order of the arbitral tribunal, or if both parties agree to terminate the proceedings.

Step 2: Explanation of Other Options.

- (a) The proceedings terminate when the final award is made. - (b) The arbitral tribunal can also terminate the proceedings. - (c) If both parties agree, the proceedings can be terminated.

Step 3: Conclusion.

All of the mentioned reasons can lead to the termination of arbitral proceedings.

Quick Tip

Arbitral proceedings can be terminated on making the final award, by the tribunal's order, or by mutual agreement of the parties.

62. Every Award of a Lok Adalat is deemed to be a

- (a) Order of district collector
- (b) Order of Income Tax Commissioner
- (c) Decree of a civil Court
- (d) (a) and (b)

Correct Answer: (c) Decree of a civil Court

Solution:

Step 1: Understanding Lok Adalat Awards.

According to Section 21 of the Legal Services Authorities Act, 1987, every award made by a Lok Adalat is deemed to be a decree of a civil court and is executable as such.

Step 2: Explanation of Other Options.

- (a) and (b) The Lok Adalat's award is not considered an order of a district collector or the Income Tax Commissioner.

Step 3: Conclusion.

Every award of a Lok Adalat is deemed to be a decree of a civil court.

Quick Tip

Awards of Lok Adalats are considered as decrees of civil courts under the Legal Services Authorities Act, 1987.

63. The Arbitration and Conciliation Act 1996, Section 18-27 states

- (a) The Conducting of Arbitral Proceedings
- (b) Receipt and Written Communications
- (c) Extent of judicial intervention
- (d) Awarding final decision

Correct Answer: (a) The Conducting of Arbitral Proceedings

Solution:**Step 1: Understanding the Sections of the Arbitration Act.**

Sections 18 to 27 of the Arbitration and Conciliation Act, 1996 primarily cover the conduct of arbitral proceedings, outlining the powers and duties of the arbitrators, and the responsibilities of the parties involved.

Step 2: Explanation of Other Options.

- (b) and (c) These options focus on different aspects of arbitration, but sections 18-27 emphasize the process of conducting the arbitral proceedings. - (d) Awarding final decisions is addressed later in the Act under different sections.

Step 3: Conclusion.

Sections 18-27 of the Arbitration and Conciliation Act focus on the conduct of arbitral proceedings.

Quick Tip

Sections 18 to 27 of the Arbitration and Conciliation Act 1996 deal with the conduct of arbitral proceedings.

64. Which one is not a fundamental right?

- (a) Right to Freedom of Assembly
- (b) Right to Property
- (c) Right to equality
- (d) Right to freedom of speech and Expression

Correct Answer: (b) Right to Property

Solution:

Step 1: Understanding Fundamental Rights.

Fundamental Rights in India are enshrined in Part III of the Constitution. These include the Right to Equality, Right to Freedom, Right to Freedom of Speech, etc. However, the Right to Property was removed from the list of fundamental rights and is now a legal right under Article 300A of the Constitution.

Step 2: Explanation of Other Options.

- (a), (c), and (d) These are all fundamental rights as outlined in the Constitution of India.

Step 3: Conclusion.

The Right to Property is no longer a fundamental right, making (b) the correct answer.

Quick Tip

The Right to Property was removed from the Fundamental Rights under the 44th Amendment and is now a legal right under Article 300A.

65. In Maneka Gandhi case it was observed that

- (a) Confiscation of Passport was correct
- (b) Right to go abroad is not within the meaning of Article 21
- (c) Right to go abroad is within the ambit of Article 19 (1)(A) but the confiscation of Passport is not accordance to the law
- (d) None of the above

Correct Answer: (c) Right to go abroad is within the ambit of Article 19 (1)(A) but the confiscation of Passport is not accordance to the law

Solution:

Step 1: Understanding the Maneka Gandhi Case.

In the landmark Maneka Gandhi case (1978), the Supreme Court observed that the right to move abroad comes under Article 21, which guarantees the protection of personal liberty. The Court ruled that the confiscation of Maneka Gandhi's passport was not in accordance with law, even though the government had the authority to impose restrictions.

Step 2: Explanation of Other Options.

- (a) The confiscation of the passport was not lawful in this case. - (b) The Court held that the right to go abroad is part of personal liberty under Article 21. - (d) This is incorrect, as the Court's decision was clearly based on the law surrounding personal liberty and the right to travel abroad.

Step 3: Conclusion.

The correct interpretation in the Maneka Gandhi case was that the right to go abroad is part of the fundamental right to personal liberty under Article 21, but the confiscation of her passport was not in accordance with the law.

Quick Tip

The Maneka Gandhi case expanded the scope of Article 21 to include the right to travel abroad, and any restriction must be in accordance with the law.

66. Reasonable restrictions can be imposed on the right of free movement

- (a) In the interest of general public
- (b) In the interest of political leaders
- (c) In the interest of women safety
- (d) All of the above

Correct Answer: (d) All of the above

Solution:

Step 1: Understanding Reasonable Restrictions on the Right of Free Movement.

Under Article 19 of the Constitution, the right to free movement can be restricted for reasons related to public interest, safety, or the welfare of individuals. Restrictions can also be imposed in situations like public order, national security, or moral safety.

Step 2: Explanation of Other Options.

- (a), (b), and (c) All of these are legitimate reasons under which reasonable restrictions can be imposed on the right to free movement.

Step 3: Conclusion.

Reasonable restrictions on the right of free movement can be imposed in the interest of general public, political leaders, or women's safety, or for other reasons.

Quick Tip

The right to free movement under Article 19 can be reasonably restricted in the interest of public safety, women's safety, or political reasons.

67. Which of the following can claim Article 19 of Constitution

- (a) A company
- (b) A corporation
- (c) Only citizens
- (d) Citizens and aliens

Correct Answer: (c) Only citizens

Solution:

Step 1: Understanding the Scope of Article 19.

Article 19 of the Constitution guarantees six fundamental freedoms, but these rights are only available to Indian citizens, not to corporations or non-citizens (aliens).

Step 2: Explanation of Other Options.

- (a) and (b) Corporations or companies cannot claim the rights under Article 19 as these rights are only available to individuals who are citizens. - (d) Aliens are not entitled to the rights under Article 19.

Step 3: Conclusion.

Only Indian citizens can claim the rights under Article 19 of the Constitution.

Quick Tip

Article 19 provides fundamental rights to only Indian citizens, not to companies, corporations, or aliens.

68. Clause (3) of Article 20 (i) of the Indian Constitution says that no accused person shall be compelled to be

- (a) An accused
- (b) A witness
- (c) A witness against himself
- (d) Hostile witness

Correct Answer: (c) A witness against himself

Solution:

Step 1: Understanding Article 20(3) of the Indian Constitution.

Article 20(3) of the Indian Constitution specifically protects an accused person from being forced to be a witness against themselves, thus safeguarding their right against self-incrimination.

Step 2: Explanation of Other Options.

- (a) and (b) An accused cannot be compelled to be a witness against themselves as per the Constitution. - (d) A hostile witness refers to someone who does not comply with the examination procedure, but it doesn't relate to being compelled to testify.

Step 3: Conclusion.

Article 20(3) ensures that an accused person is not compelled to testify against themselves.

Quick Tip

Article 20(3) guarantees protection against self-incrimination for an accused person, ensuring they are not compelled to be a witness against themselves.

69. Indra Sawhney V/s Union of India is popularly known as

- (a) Judges Transfer Case
- (b) Illegal Detention case
- (c) Mandal Commission case
- (d) Constitutional case

Correct Answer: (c) Mandal Commission case

Solution:**Step 1: Understanding the Indra Sawhney Case.**

Indra Sawhney v. Union of India (1992) is a landmark case where the Supreme Court upheld the recommendations of the Mandal Commission, which recommended reservations for OBCs (Other Backward Classes) in government jobs and educational institutions.

Step 2: Explanation of Other Options.

- (a) and (b) These options are incorrect as the Indra Sawhney case is not related to judges' transfer or illegal detention. - (d) The case is constitutional in nature, but it is specifically associated with the Mandal Commission.

Step 3: Conclusion.

Indra Sawhney v. Union of India is popularly known as the Mandal Commission case.

Quick Tip

The Indra Sawhney case is most famously known for its role in upholding the recommendations of the Mandal Commission regarding OBC reservations.

70. Due to the outcome of this case slum dwellers were benefitted

- (a) N K Chanda V/s. State of Haryana
- (b) Olga Tellis V/s Bombay Municipal Corporation
- (c) P.V. Narasimha Rao V/s. Union of India
- (d) Ratlam Municipal Council V/s. Vardichand

Correct Answer: (b) Olga Tellis V/s Bombay Municipal Corporation

Solution:

Step 1: Understanding the Olga Tellis Case.

The Olga Tellis case (1985) was a significant Supreme Court case where the Court held that the slum dwellers had the right to live in slums under Article 21 of the Constitution, which protects the right to life and personal liberty.

Step 2: Explanation of Other Options.

- (a) and (c) These cases are not related to slum dwellers' rights. - (d) The Ratlam Municipal Council case deals with the responsibility of local bodies to provide basic amenities, not slum dwellers' rights.

Step 3: Conclusion.

The Olga Tellis case resulted in significant benefits for slum dwellers by recognizing their right to livelihood.

Quick Tip

The Olga Tellis case established the right of slum dwellers to reside in slums as part of the right to life under Article 21 of the Constitution.

71. A Public Interest litigation can be filed under

- (a) Article 226 of Constitution and Article 32 Constitution
- (b) U/s. 133 of Criminal Procedure Code
- (c) (a) and (b)
- (d) None of the above

Correct Answer: (a) Article 226 of Constitution and Article 32 Constitution

Solution:

Step 1: Understanding Public Interest Litigation.

Public Interest Litigation (PIL) can be filed under Article 32 (in the Supreme Court) and Article 226 (in the High Court) of the Indian Constitution. These provisions allow citizens to approach the Court for the enforcement of fundamental rights or other public matters.

Step 2: Explanation of Other Options.

- (b) U/s. 133 of the CrPC is related to Magistrate's powers to take cognizance of public nuisance and does not directly relate to PILs. - (c) is incorrect since the correct answer is (a).

Step 3: Conclusion.

PIL can be filed under Article 32 and Article 226 for enforcement of fundamental rights and public issues.

Quick Tip

Public Interest Litigation can be filed under Articles 32 and 226 for the enforcement of fundamental rights.

72. Supreme Court in SP Gupta V/s. Union of India AIR 1982 SC 149, decided

- (a) Free Legal Aid
- (b) Bonded labours
- (c) Judges Transfer case
- (d) Illegal detention

Correct Answer: (c) Judges Transfer case

Solution:

Step 1: Understanding the SP Gupta Case.

SP Gupta V/s. Union of India (1982) is a landmark case related to judicial review and the transfer of judges. The Supreme Court held that the transfer of judges could not be challenged except on specific grounds.

Step 2: Explanation of Other Options.

- (a), (b), and (d) These are unrelated to the SP Gupta case, which primarily dealt with the issue of judges' transfer and the independence of the judiciary.

Step 3: Conclusion.

The SP Gupta case is known for its significance in judicial transfers.

Quick Tip

SP Gupta v. Union of India (1982) is significant for its ruling on the transfer of judges and judicial independence.

73. Supreme Court in a PIL known as Kamal Nath case evolved,

- (a) Basic Future and Basic structure doctrine
- (b) Public Trust doctrine
- (c) Separation of power doctrine
- (d) Public Interest doctrine

Correct Answer: (b) Public Trust doctrine

Solution:

Step 1: Understanding the Kamal Nath Case.

In the Kamal Nath case (1997), the Supreme Court held that the Public Trust Doctrine, which ensures that natural resources are held in trust for the benefit of the public, applies to the management of public resources. The court emphasized that the state has a duty to manage such resources for the welfare of the public.

Step 2: Explanation of Other Options.

- (a) The Basic Future and Basic Structure Doctrine are not part of the Kamal Nath case's conclusions. - (c) Separation of power doctrine is a general constitutional principle but was not the focus of this case. - (d) While the case is public interest litigation, the Public Trust doctrine was central to the judgment.

Step 3: Conclusion.

The Kamal Nath case evolved the Public Trust Doctrine to protect natural resources.

Quick Tip

The Public Trust Doctrine ensures that natural resources are managed for the benefit of the public, as evolved in the Kamal Nath case.

74. Vishakha v/s. State of Rajasthan case is related to

- (a) Sexual harassment at workplace
- (b) Protection of civil rights
- (c) Uniform civil code
- (d) None of the above

Correct Answer: (a) Sexual harassment at workplace

Solution:**Step 1: Understanding the Vishakha Case.**

The Vishakha v/s. State of Rajasthan case (1997) is a landmark judgment where the Supreme Court formulated guidelines to prevent sexual harassment at the workplace. These guidelines became the foundation for the law against sexual harassment at work in India.

Step 2: Explanation of Other Options.

- (b) The case does not specifically relate to the protection of civil rights in general. - (c) The case is not about the uniform civil code but sexual harassment.

Step 3: Conclusion.

The Vishakha case is related to sexual harassment at the workplace, establishing important guidelines for its prevention.

Quick Tip

The Vishakha guidelines laid the groundwork for legal measures against sexual harassment at the workplace in India.

75. Court's power to award compensation is provided in Specific Relief Act

- (a) Under Section 20
- (b) Under Section 21
- (c) (a) and (b)
- (d) None of the above

Correct Answer: (c) (a) and (b)

Solution:

Step 1: Understanding Compensation under the Specific Relief Act.

Under the Specific Relief Act, Sections 20 and 21 deal with the Court's power to award compensation in specific cases, such as for breach of contract or for damages related to non-performance or wrongful action.

Step 2: Explanation of Other Options.

- (a) Section 20 deals with the exercise of power to grant compensation. - (b) Section 21 also empowers the court to award compensation in cases where specific performance cannot be granted.

Step 3: Conclusion.

Both Section 20 and Section 21 of the Specific Relief Act deal with the power of the court to award compensation.

Quick Tip

Sections 20 and 21 of the Specific Relief Act empower courts to grant compensation in breach of contract cases.

76. Proving of hand writing is provided in Indian Evidence Act

- (a) By the opinion of Experts
- (b) By the evidence of a person who is acquainted with the handwriting
- (c) After police verification
- (d) (a) and (c)

Correct Answer: (b) By the evidence of a person who is acquainted with the handwriting

Solution:

Step 1: Understanding Handwriting Evidence under the Indian Evidence Act.

Section 47 of the Indian Evidence Act deals with the proof of handwriting. It allows for the evidence of a person who is familiar with the handwriting of the person who wrote the document. Experts' opinions are used in some cases, but the law primarily allows for layperson verification of handwriting.

Step 2: Explanation of Other Options.

- (a) Expert opinions are used, but they are not the only means of proving handwriting.
- (c) Police verification is not a standard method under the Evidence Act for proving handwriting.

Step 3: Conclusion.

The Indian Evidence Act allows the proof of handwriting by a person who is familiar with it, as per Section 47.

Quick Tip

Section 47 of the Indian Evidence Act allows the proof of handwriting by someone acquainted with the handwriting.

77. Section 26 of Indian Evidence Act provides

- (a) No confession made by a person in police custody is admissible
- (b) Confession made by a person in police custody is admissible
- (c) Confession made in the immediate presence of a magistrate is admissible
- (d) (a) and (c)

Correct Answer: (d) (a) and (c)

Solution:

Step 1: Understanding Section 26 of the Indian Evidence Act.

Section 26 of the Indian Evidence Act states that no confession made by a person in police custody shall be admissible unless made in the presence of a magistrate. This provision safeguards against coerced confessions.

Step 2: Explanation of Other Options.

- (a) is correct as confessions made in police custody are inadmissible unless made before a magistrate. - (b) is incorrect as confessions made in police custody are not admissible without a magistrate's presence. - (c) is correct as confessions made in the presence of a magistrate are admissible.

Step 3: Conclusion.

Section 26 ensures that confessions made in police custody are only admissible if made in the presence of a magistrate.

Quick Tip

Section 26 of the Indian Evidence Act ensures that confessions made in police custody are inadmissible unless made in front of a magistrate.

78. The term 'Evidence' means and includes

- (a) Oral evidence
- (b) Documentary evidence
- (c) Electronic records produced for the inspection of the Court
- (d) All of the above

Correct Answer: (d) All of the above

Solution:

Step 1: Understanding the Definition of Evidence.

As per Section 3 of the Indian Evidence Act, the term "evidence" includes oral evidence, documentary evidence, and all other materials produced in Court for inspection, including electronic records as specified in Section 65B of the Evidence Act.

Step 2: Explanation of Other Options.

- (a) and (b) Oral and documentary evidence are part of the broader definition of "evidence."
- (c) Electronic records are specifically included as evidence under Section 65B of the Indian Evidence Act.

Step 3: Conclusion.

The correct definition of "evidence" includes oral, documentary, and electronic records produced for inspection by the Court.

Quick Tip

The term "evidence" encompasses oral evidence, documentary evidence, and electronic records under the Indian Evidence Act.

79. Section 2 (1)(ZB), of the Trade Mark Act 1999, defines the meaning of

- (a) Licence
- (b) Trade Mark
- (c) Registration
- (d) Cancellation

Correct Answer: (b) Trade Mark

Solution:

Step 1: Understanding Section 2 (1)(ZB).

Section 2 (1)(ZB) of the Trade Marks Act, 1999, defines the term "trade mark." It refers to a mark capable of being represented graphically and which is capable of distinguishing goods or services.

Step 2: Explanation of Other Options.

- (a), (c), and (d) These terms are related to trademarks in the broader context, but Section 2 (1)(ZB) specifically defines "trade mark."

Step 3: Conclusion.

Section 2 (1)(ZB) provides the definition for "trade mark" under the Trade Marks Act, 1999.

Quick Tip

Section 2(1)(ZB) of the Trade Marks Act, 1999 defines the term "trade mark" as a mark capable of distinguishing goods and services.

80. Outrage the modesty of a woman is punishable under IPC

- (a) Section 376 (a)
- (b) Section 376 (b)
- (c) Section 354
- (d) Section 498

Correct Answer: (c) Section 354

Solution:

Step 1: Understanding Section 354 of IPC.

Section 354 of the Indian Penal Code (IPC) defines the offense of outraging the modesty of a woman. It includes any act done with the intention of outraging or insulting the modesty of a woman, including physical assault or use of force.

Step 2: Explanation of Other Options.

- (a) and (b) Section 376 deals with rape, not outraging modesty. - (d) Section 498 deals with cruelty by a husband or relative of a woman, not outraging modesty.

Step 3: Conclusion.

Outraging the modesty of a woman is punishable under Section 354 of the IPC.

Quick Tip

Section 354 of the IPC deals with the offense of outraging the modesty of a woman.

81. Section 463 of Indian Penal Code deals with the crime of

- (a) House breaking
- (b) Dishonest misappropriation of property
- (c) Forgery
- (d) Forgery with cheating

Correct Answer: (c) Forgery

Solution:

Step 1: Understanding Section 463 of IPC.

Section 463 of the Indian Penal Code defines "forgery" as the act of making a false document with the intent to deceive. It lays down the legal basis for the offense of forgery.

Step 2: Explanation of Other Options.

- (a) House breaking is covered under Section 454 of IPC. - (b) Dishonest misappropriation of property is covered under Section 403 of IPC. - (d) Forgery with cheating is covered under Section 420 of IPC.

Step 3: Conclusion.

Forgery is defined under Section 463 of the IPC.

Quick Tip

Forgery is defined under Section 463 of the Indian Penal Code, which includes making false documents with the intent to deceive.

82. Criminal intimidation is explained in IPC under

- (a) Section 503 to 506
- (b) Section 509 to 516
- (c) Section 319 to 329
- (d) None of the above

Correct Answer: (a) Section 503 to 506

Solution:**Step 1: Understanding Criminal Intimidation.**

Sections 503 to 506 of the Indian Penal Code define criminal intimidation. It refers to the act of threatening another person with harm, injury, or any unlawful act to instill fear.

Step 2: Explanation of Other Options.

- (b) Sections 509 to 516 deal with offenses like word or gesture intended to insult a woman.
- (c) Sections 319 to 329 deal with hurt and grievous hurt, not intimidation.

Step 3: Conclusion.

Criminal intimidation is explained in IPC under Sections 503 to 506.

Quick Tip

Criminal intimidation is defined under Sections 503 to 506 of the Indian Penal Code.

83. The case Krishna Gopal V/s State of MP relates to

- (a) Water pollution
- (b) Air and water pollution
- (c) Noise and air pollution
- (d) Water and noise pollution

Correct Answer: (b) Air and water pollution

Solution:**Step 1: Understanding the Krishna Gopal Case.**

In Krishna Gopal v. State of MP, the Supreme Court addressed the issue of air and water pollution, especially the impact of industrial and vehicular emissions. The case highlighted the need for regulatory measures to protect the environment.

Step 2: Explanation of Other Options.

- (a) and (d) These options are not the focus of the Krishna Gopal case, as it pertains to both air and water pollution, not just one or the other.
- (c) Noise pollution was not the main issue in this case.

Step 3: Conclusion.

The Krishna Gopal case is related to air and water pollution.

Quick Tip

The Krishna Gopal case deals with the regulation of air and water pollution due to industrial and vehicular emissions.

84. What is the punishment for advocates if the established finding of the Bar Council is misappropriation

- (a) Impose a fine
- (b) Name of the advocate will be struck off from the Rolls
- (c) Suspension from practice
- (d) All of the above

Correct Answer: (d) All of the above

Solution:

Step 1: Understanding the Punishment for Misappropriation.

According to the Advocates Act and the Bar Council of India, if an advocate is found guilty of misappropriation, several punishments can be imposed, including striking off the advocate's name from the Rolls, suspension from practice, and the imposition of a fine.

Step 2: Explanation of Other Options.

- (a) A fine may be imposed, but it is not the only consequence of misappropriation. - (b) and (c) Striking the advocate off the Rolls or suspension can also occur based on the gravity of the misconduct.

Step 3: Conclusion.

All of the above are possible punishments when misappropriation is established.

Quick Tip

The Bar Council can impose various punishments such as striking off from the Rolls, suspension, or imposing a fine for misconduct like misappropriation.

85. On being aggrieved by the order of State Bar Council, one can appeal to

- (a) High Court
- (b) Supreme Court
- (c) Bar Council of India
- (d) Indian Law Commission

Correct Answer: (c) Bar Council of India

Solution:

Step 1: Understanding the Appeal Process.

If an advocate is aggrieved by the decision of the State Bar Council, the appeal must be made to the Bar Council of India, as per the Advocates Act.

Step 2: Explanation of Other Options.

- (a) and (b) High Court and Supreme Court do not directly hear appeals from State Bar Council decisions. - (d) The Indian Law Commission is not an appellate body for Bar Council decisions.

Step 3: Conclusion.

The Bar Council of India is the correct authority for appeals against decisions of the State Bar Council.

Quick Tip

The Bar Council of India is the authority to appeal to in case of dissatisfaction with the State Bar Council's decision.

86. Which Section of Advocates Act provides punishment for misconduct of advocates

- (a) Section 29
- (b) Section 35
- (c) Section 37
- (d) All of the above

Correct Answer: (d) All of the above

Solution:

Step 1: Understanding Punishment for Misconduct.

Sections 29, 35, and 37 of the Advocates Act deal with various aspects of misconduct by advocates, including professional or ethical violations. These sections collectively provide the framework for disciplinary action against advocates.

Step 2: Explanation of Other Options.

- (a) Section 29 refers to the eligibility and enrollment process, not punishment for misconduct. - (b) and (c) Section 35 and Section 37 directly relate to misconduct and the disciplinary process, including penalties.

Step 3: Conclusion.

All of the above sections provide provisions related to the punishment of misconduct by advocates.

Quick Tip

Sections 29, 35, and 37 of the Advocates Act regulate the conduct and disciplinary actions for misconduct by advocates.

87. Section 24 of Advocate Act deals with

- (a) Qualification of advocates who should be enrolled in the Bar
- (b) Qualification to become the Advocate General
- (c) Qualification to become the Solicitor General of India
- (d) (b) and (c)

Correct Answer: (a) Qualification of advocates who should be enrolled in the Bar

Solution:

Step 1: Understanding Section 24 of the Advocates Act.

Section 24 of the Advocates Act outlines the qualifications required for an individual to be enrolled as an advocate. These qualifications include educational criteria, age limits, and other requirements.

Step 2: Explanation of Other Options.

- (b) and (c) These pertain to specific roles within the legal system, but Section 24 primarily deals with general enrollment as an advocate.

Step 3: Conclusion.

Section 24 deals with the qualifications for advocates who wish to be enrolled in the Bar.

Quick Tip

Section 24 of the Advocates Act sets the qualifications for individuals wishing to enroll as advocates in India.

88. Under the Workmen's Compensation Act, which is helpful to decide the extent of injury for compensation

- (a) Insurance certificate
- (b) Medical examination
- (c) Medical Certificate
- (d) (b) and (c)

Correct Answer: (d) (b) and (c)

Solution:

Step 1: Understanding the Workmen's Compensation Act.

Under the Workmen's Compensation Act, compensation for injury is determined based on medical examination and medical certificates, which help establish the extent and nature of the injury sustained by the workman.

Step 2: Explanation of Other Options.

- (a) The insurance certificate may be related to coverage, but it is not directly involved in determining the extent of injury. - (b) and (c) Both medical examination and certificate are key to assessing injury for compensation purposes.

Step 3: Conclusion.

The extent of injury for compensation under the Workmen's Compensation Act is determined by medical examination and the medical certificate.

Quick Tip

Under the Workmen's Compensation Act, medical examination and certificates are crucial in determining the extent of injury for compensation.

89. Section 23 of Workmen Compensation Act 1923 says that the Commissioner shall have the power of

- (a) A Court
- (b) A Tribunal
- (c) A quasi judicial form
- (d) All of the above

Correct Answer: (d) All of the above

Solution:

Step 1: Understanding Section 23 of the Workmen's Compensation Act.

Section 23 of the Workmen's Compensation Act empowers the Commissioner to function with the authority of a court, a tribunal, and in a quasi-judicial capacity. This allows the Commissioner to adjudicate claims related to workmen's compensation and related disputes.

Step 2: Explanation of Other Options.

- (a) A Court is an important part of the Commissioner's power, but it's not the only role. - (b) A Tribunal is one aspect, but the Commissioner also has more broad powers. - (c) The Commissioner's role goes beyond quasi-judicial functions.

Step 3: Conclusion.

Section 23 gives the Commissioner the powers of a Court, Tribunal, and quasi-judicial form.

Quick Tip

The Commissioner under the Workmen's Compensation Act has the powers of a Court, Tribunal, and a quasi-judicial authority to resolve disputes.

90. The objective of the Industrial Dispute Act 1947 is

- (a) Industrial peace and economic justice
- (b) To create harmonious relations between employer and employee
- (c) To prevent illegal strikes or lockouts etc.,
- (d) All of the above

Correct Answer: (d) All of the above

Solution:

Step 1: Understanding the Objectives of the Industrial Dispute Act 1947.

The primary objective of the Industrial Disputes Act, 1947 is to provide a legal framework for resolving industrial disputes between employers and employees. It aims to ensure industrial peace and justice, promote harmonious relations, and prevent illegal strikes and lockouts.

Step 2: Explanation of Other Options.

- (a) and (b) These options are part of the broader goal of the Act, but they do not encompass all objectives. - (c) Preventing illegal strikes and lockouts is an important part of the Act, but it is not its only objective.

Step 3: Conclusion.

The correct answer is (d), as all the listed objectives contribute to the overall purpose of the Industrial Disputes Act.

Quick Tip

The Industrial Disputes Act, 1947 aims to promote industrial peace, economic justice, and harmony between employers and employees, while preventing illegal industrial actions.

91. Section 2 (q) of Industrial Dispute Act 1947 provides the definition of

- (a) Lock Out
- (b) Lay Off
- (c) Strike
- (d) Hartal

Correct Answer: (c) Strike

Solution:

Step 1: Understanding Section 2 (q) of the Industrial Disputes Act.

Section 2 (q) of the Industrial Disputes Act, 1947 defines the term "strike," including the cessation of work by a group of workers to press for demands or grievances. It establishes the legal framework for the regulation of strikes.

Step 2: Explanation of Other Options.

- (a) Lockout is defined in Section 2 (l) of the Act. - (b) Lay Off is defined in Section 2 (kk) of the Act. - (d) Hartal is not a legal term defined in the Industrial Disputes Act.

Step 3: Conclusion.

Section 2 (q) of the Industrial Disputes Act specifically defines the term "strike."

Quick Tip

Section 2 (q) of the Industrial Disputes Act defines "strike" and its implications within the context of industrial relations.

92. The Land Acquisition Act came into force from

- (a) 1st March 1955
- (b) 1st March 1986
- (c) 1st March 1994
- (d) 1st March 1894

Correct Answer: (d) 1st March 1894

Solution:

Step 1: Understanding the Land Acquisition Act.

The Land Acquisition Act of 1894 came into force on 1st March 1894. The Act provided the government with the power to acquire land for public purposes, with compensation paid to the landowners.

Step 2: Explanation of Other Options.

- (a), (b), and (c) These dates are incorrect for the implementation of the Land Acquisition Act, which was initially enacted in 1894.

Step 3: Conclusion.

The correct date is 1st March 1894, as the Land Acquisition Act came into force on that date.

Quick Tip

The Land Acquisition Act, 1894, came into force on 1st March 1894 and provided for the acquisition of land for public purposes.

93. Under the Land Acquisition Act, the 'arable land' means

- (a) Useful for residential purpose
- (b) Useful for commercial purpose
- (c) Useful for cultivation
- (d) Useful for industrial purpose

Correct Answer: (c) Useful for cultivation

Solution:

Step 1: Understanding Arable Land under the Land Acquisition Act.

Under the Land Acquisition Act, 'arable land' refers to land that is suitable for cultivation. It includes land that can be ploughed and used for growing crops.

Step 2: Explanation of Other Options.

- (a) Residential land is not classified as "arable" under this Act. - (b) Commercial land is not specifically classified as "arable" either. - (d) Industrial land is also not considered "arable."

Step 3: Conclusion.

Arable land is defined as land that is suitable for cultivation, making (c) the correct answer.

Quick Tip

Arable land, under the Land Acquisition Act, is land that is suitable for cultivation and agriculture.

94. Cheque bouncing cases charged U/s. 138 of Negotiable Instruments Act is trialed by

- (a) Bank Tribunal
- (b) Consumer Forum
- (c) Magistrate Court
- (d) Sessions Court

Correct Answer: (c) Magistrate Court

Solution:**Step 1: Understanding Section 138 of the Negotiable Instruments Act.**

Section 138 of the Negotiable Instruments Act deals with dishonor of a cheque for insufficiency of funds or if it exceeds the amount specified. This provision states that such cases must be tried in a Magistrate Court.

Step 2: Explanation of Other Options.

- (a) The Bank Tribunal deals with financial disputes and is not specifically related to dishonor of cheques. - (b) Consumer Forum handles consumer-related issues, not cheque dishonor cases. - (d) Sessions Court handles serious criminal cases, not cheque bouncing cases.

Step 3: Conclusion.

Cheque bouncing cases under Section 138 are tried by a Magistrate Court.

Quick Tip

Cheque dishonor cases under Section 138 of the Negotiable Instruments Act are adjudicated by a Magistrate Court.

95. The term Tort is a

- (a) Latin Word
- (b) French Word
- (c) English word
- (d) Italian word

Correct Answer: (a) Latin Word

Solution:

Step 1: Understanding the Origin of the Term Tort.

The term "Tort" is derived from the Latin word 'tortum', which means 'twist' or 'wrong'. In legal terms, it refers to a civil wrong that causes harm or loss to another person.

Step 2: Explanation of Other Options.

- (b) and (c) While French and English words may be used in legal contexts, the word "tort" itself originates from Latin. - (d) Italian word is not the origin of "tort".

Step 3: Conclusion.

The term Tort comes from the Latin language.

Quick Tip

The word 'tort' comes from the Latin word 'tortum', meaning a wrongful act causing harm or injury.

96. In Tort, what is 'vicarious liability'?

- (a) A person is generally liable for his own wrongful act
- (b) A person is liable for the wrongful act done by another person
- (c) A person is liable for the wrongful act in his absence
- (d) None of the above

Correct Answer: (b) A person is liable for the wrongful act done by another person

Solution:

Step 1: Understanding Vicarious Liability.

Vicarious liability refers to the legal responsibility of a person (typically an employer) for the actions or omissions of another person (typically an employee), when those actions are carried out in the course of employment.

Step 2: Explanation of Other Options.

- (a) This refers to personal liability, not vicarious liability. - (c) Liability in absence is not the definition of vicarious liability.

Step 3: Conclusion.

Vicarious liability holds one person liable for another's wrongful act within certain relationships, such as between employer and employee.

Quick Tip

Vicarious liability is when a person is held responsible for the wrongful acts committed by another person in the course of their employment.

97. Under Section 2(1)(f) of Consumer Protection Act 1986, defect is meant by any fault, imperfection or shortcomings inin relation to the goods

- (a) Quality and Quantity
- (b) Potency
- (c) Purity or standard
- (d) All of the above

Correct Answer: (d) All of the above

Solution:

Step 1: Understanding Defect under the Consumer Protection Act.

Section 2(1)(f) of the Consumer Protection Act, 1986 defines a defect in goods as any fault, imperfection, or shortcoming related to the quality, quantity, potency, purity, or standard of the goods.

Step 2: Explanation of Other Options.

- (a) Quality and Quantity are part of the definition but do not cover the full extent of the term defect. - (b) and (c) Potency and Purity are also key aspects considered in defining defects under the Act.

Step 3: Conclusion.

All of the above factors contribute to the definition of a defect in relation to goods under the Consumer Protection Act.

Quick Tip

Defects in goods under the Consumer Protection Act include issues with quality, quantity, potency, and purity.

98. Which of the following falls under the categories of Act of God

- (a) Storm and cyclone
- (b) Extra ordinary rainfall or flood
- (c) Lightning and thunder
- (d) All of the above

Correct Answer: (d) All of the above

Solution:

Step 1: Understanding Act of God.

An Act of God refers to natural events that occur without human intervention and cannot be prevented or controlled. These include phenomena like storms, cyclones, floods, lightning,

and thunder.

Step 2: Explanation of Other Options.

All of the options listed are examples of natural events that are classified as Acts of God.

Step 3: Conclusion.

All of the listed natural disasters fall under the category of Act of God.

Quick Tip

Acts of God refer to unexpected and uncontrollable natural events such as storms, floods, and lightning.

99. Income Tax Act was enacted in

- (a) 1951
- (b) 1961
- (c) 1971
- (d) None of the above

Correct Answer: (b) 1961

Solution:

Step 1: Understanding the Enactment of the Income Tax Act.

The Income Tax Act, 1961, is the governing legislation for income tax in India. It was enacted by the Parliament of India to consolidate and amend the law relating to income tax.

Step 2: Explanation of Other Options.

- (a) The Income Tax Act was not enacted in 1951. - (c) 1971 is incorrect as the Act was already in force by then. - (d) None of the above is not correct because the correct year is 1961.

Step 3: Conclusion.

The correct answer is (b), the Income Tax Act was enacted in 1961.

Quick Tip

The Income Tax Act, 1961, is the primary statute that governs the income tax system in India.

100. 'Income' is defined under Section 24 of the Income Tax Act, as

- (a) Profits and gains
- (b) Dividend
- (c) Voluntary contribution received by a Trust for charitable Purpose
- (d) All of the above

Correct Answer: (d) All of the above

Solution:

Step 1: Understanding the Definition of Income under Section 24.

Section 24 of the Income Tax Act defines the term "Income" to include profits and gains from business, dividends, and voluntary contributions received by a trust for charitable purposes.

Step 2: Explanation of Other Options.

- (a) Profits and gains are indeed included in the definition of income. - (b) Dividends are considered income under Section 24 as well. - (c) Voluntary contributions received by a charitable trust also qualify as income under this section.

Step 3: Conclusion.

Therefore, the correct answer is (d), as all the mentioned types of income are included under Section 24 of the Income Tax Act.

Quick Tip

Under Section 24 of the Income Tax Act, income includes profits, gains, dividends, and contributions to charitable trusts.