

AIBE 16 Set B Question Paper with Solutions

Time Allowed :3 Hours	Maximum Marks :100	Total questions :100
-----------------------	--------------------	----------------------

General Instructions

General Instructions:

- i) The AIBE (All India Bar Examination) 19 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. Promissory estoppel against Government agencies is decided in:

- (A) Tweedle Vs Atkinson
- (B) Dutton Vs Poole
- (C) Pournami all Mills Vs State of Kerala
- (D) Kedar Nath Vs Gauri Mohamad

Correct Answer: (C) Pournami all Mills Vs State of Kerala

Solution:

Step 1: Understanding the context.

Promissory estoppel is a legal principle that prevents a party from going back on a promise made when another party has relied on that promise. In this case, the decision was made in the case of Pournami all Mills Vs State of Kerala, which deals with the application of promissory estoppel against government agencies.

Step 2: Analyzing the options.

(A) Tweedle Vs Atkinson: This case does not involve the concept of promissory estoppel against government agencies.

(B) Dutton Vs Poole: This case is related to contract law but not directly concerning government agencies.

(C) Pournami all Mills Vs State of Kerala: Correct — This case deals specifically with the application of promissory estoppel against government agencies.

(D) Kedar Nath Vs Gauri Mohamad: This case is not relevant to the concept of promissory estoppel against government agencies.

Step 3: Conclusion.

The correct answer is **(C) Pournami all Mills Vs State of Kerala**, as it is the case that discusses the application of promissory estoppel against government agencies.

Quick Tip

Promissory estoppel is often used in cases where one party relies on a promise made by another, and breaking that promise would cause unfair harm.

2. Frustration of contract is provided by which section of the Indian contract Act?

- (A) Sec. 73
- (B) Sec. 70
- (C) Sec. 2(d)
- (D) Sec. 56

Correct Answer: (D) Sec. 56

Solution:

Step 1: Understanding the legal principle.

Frustration of contract refers to situations where, due to unforeseen circumstances, the contract becomes impossible to perform. Section 56 of the Indian Contract Act governs the concept of frustration of contract.

Step 2: Analyzing the options.

- (A) Sec. 73:** This section deals with compensation for loss or damage caused by the non-performance of a contract, but it does not specifically deal with frustration.
- (B) Sec. 70:** This section deals with the concept of compensation for non-gratuitous acts, not frustration of contract.
- (C) Sec. 2(d):** This section defines 'contract', but it is not related to frustration.
- (D) Sec. 56:** Correct — Section 56 addresses the frustration of contract and situations where performance becomes impossible due to unforeseen events.

Step 3: Conclusion.

The correct answer is **(D) Sec. 56**, as it specifically addresses the frustration of contract in Indian law.

Quick Tip

In contract law, frustration occurs when an unforeseen event makes the performance of a contract impossible or radically different from what was initially agreed upon.

3. Schedule II of the Employees Compensation Act 1923 deals with:

- (A) Age factor for calculating the amount of compensation
- (B) List of persons who are included in the definition of 'Employee'
- (C) List of occupational diseases
- (D) List of injuries Deemed to Result in Permanent Total Disablement

Correct Answer: (D) List of injuries Deemed to Result in Permanent Total Disablement

Solution:

Step 1: Understanding the Employees Compensation Act.

Schedule II of the Employees Compensation Act 1923 lists the injuries that are considered to result in permanent total disablement. This schedule helps in determining the level of compensation for workers who suffer from such injuries.

Step 2: Analyzing the options.

(A) Age factor for calculating the amount of compensation: This factor is important in compensation calculation but is not the focus of Schedule II.

(B) List of persons who are included in the definition of 'Employee': This is defined elsewhere in the Act but is not the purpose of Schedule II.

(C) List of occupational diseases: Occupational diseases are listed under other parts of the Act, but not in Schedule II.

(D) List of injuries Deemed to Result in Permanent Total Disablement: Correct — Schedule II specifically deals with the list of injuries that result in permanent total disablement.

Step 3: Conclusion.

The correct answer is **(D) List of injuries Deemed to Result in Permanent Total Disablement**, as it directly refers to the content of Schedule II of the Employees Compensation Act.

Quick Tip

When referring to the Employees Compensation Act, remember that Schedule II focuses on injuries that result in permanent total disablement, which have specific compensation provisions.

4. Freedom of Residence under Article 19 of that Indian Constitution is available in which of the following clauses?

- (A) Clause (1) (E)
- (B) Clause (1) (D)
- (C) Clause (1) (B)
- (D) Clause (1) (C)

Correct Answer: (B) Clause (1) (D)

Solution:

Step 1: Understanding the context.

Article 19 of the Indian Constitution guarantees certain fundamental rights, including the freedom of residence. Clause (1)(d) of this article specifically addresses the freedom to reside and settle in any part of India.

Step 2: Analyzing the options.

- (A) **Clause (1) (E):** This is not related to freedom of residence; it refers to other rights.
- (B) **Clause (1) (D):** Correct — Clause (1)(d) grants the freedom of residence.
- (C) **Clause (1) (B):** This clause deals with other rights but does not specifically address freedom of residence.
- (D) **Clause (1) (C):** This clause does not provide for the freedom of residence.

Step 3: Conclusion.

The correct answer is **(B) Clause (1) (D)**, as it is the clause that provides for the freedom of residence under Article 19.

Quick Tip

Article 19(1)(d) grants every citizen the freedom to reside and settle in any part of India, a key aspect of personal liberty.

5. Under which section of the Evidence Act, admissions are defined?

- (A) 17
- (B) 18
- (C) 19
- (D) 20

Correct Answer: (A) 17

Solution:

Step 1: Understanding the Evidence Act.

Section 17 of the Indian Evidence Act defines admissions as statements made by a party to a case that may be used against them. This section helps in understanding the legal concept of admissions and their admissibility in court.

Step 2: Analyzing the options.

- (A) 17:** Correct — Section 17 defines admissions under the Evidence Act.
- (B) 18:** This section deals with confessions, not admissions.
- (C) 19:** This section relates to evidence given by a witness, not admissions.
- (D) 20:** This section concerns the effect of statements made in the course of a legal proceeding.

Step 3: Conclusion.

The correct answer is **(A) 17**, as it defines admissions under the Indian Evidence Act.

Quick Tip

Admissions under Section 17 are statements made by a party that are against their interest and may be used in legal proceedings.

6. In which of the following cases the Supreme Court has held that the investigating officer should be allowed to refer to the records of investigation?

- (A) State of Karnataka Vs Yarappa Reddi
- (B) Mohammed Khalid Vs State of West Bengal
- (C) Baburam Vs State of U.P.

(D) State of Rajasthan Vs Om prakash

Correct Answer: (A) State of Karnataka Vs Yarrappa Reddi

Solution:

Step 1: Understanding the case.

In the case of *State of Karnataka Vs Yarrappa Reddi*, the Supreme Court held that the investigating officer should be allowed to refer to the records of investigation, particularly when those records are pertinent to the case. This decision was made to ensure a fair trial and allow the investigating officer to make informed decisions based on the complete facts.

Step 2: Analyzing the options.

(A) State of Karnataka Vs Yarrappa Reddi: Correct — This case allows the investigating officer to refer to the records of investigation, ensuring that the investigation process is transparent and the officer has the relevant information.

(B) Mohammed Khalid Vs State of West Bengal: This case does not specifically address the issue of referring to records of investigation.

(C) Baburam Vs State of U.P.: This case is not relevant to the issue of investigation records being referred to.

(D) State of Rajasthan Vs Om prakash: This case does not deal with the specific matter of records in investigations.

Step 3: Conclusion.

The correct answer is **(A) State of Karnataka Vs Yarrappa Reddi**, as it directly addresses the issue of referring to investigation records.

Quick Tip

When studying Supreme Court cases, focus on the context of the ruling and its relevance to the specific issue at hand, like investigation procedures in this case.

7. Recovery of Specific Immovable Property may be obtained by C.P.C within what period?

(A) Within 7 months

- (B) Within 6 months
- (C) Within 8 months
- (D) Within 10 months

Correct Answer: (B) Within 6 months

Solution:

Step 1: Understanding the procedure.

Under the Civil Procedure Code (C.P.C.), the recovery of specific immovable property is typically governed by the provisions regarding possession and enforcement of decrees. The time period within which the recovery should take place is prescribed by the law, and it is generally 6 months.

Step 2: Analyzing the options.

- (A) Within 7 months:** This is incorrect as the period is not 7 months.
- (B) Within 6 months:** Correct — According to the C.P.C., recovery of specific immovable property should be completed within 6 months.
- (C) Within 8 months:** This is not the prescribed time period for recovery.
- (D) Within 10 months:** This is also incorrect, as the recovery period is shorter.

Step 3: Conclusion.

The correct answer is **(B) Within 6 months**, as this is the prescribed period for the recovery of specific immovable property under the C.P.C.

Quick Tip

When dealing with property recovery under C.P.C., always verify the prescribed time limits to avoid delays in enforcement.

8. Who appoints the Commissioner for rehabilitation and resettlement under the LARR Act?

- (A) LARR Authority**
- (B) Minister of Environment and Forests**

- (C) Central Government
- (D) State Government

Correct Answer: (C) Central Government

Solution:

Step 1: Understanding the LARR Act.

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation, and Resettlement Act, 2013 (LARR Act) mandates the appointment of a Commissioner for Rehabilitation and Resettlement to oversee the process of rehabilitation. The appointment is made by the Central Government, which is responsible for the administration and implementation of the Act.

Step 2: Analyzing the options.

(A) LARR Authority: This option is incorrect, as the LARR Authority is not responsible for appointing the Commissioner.

(B) Minister of Environment and Forests: This is not correct, as the appointment falls under the Central Government.

(C) Central Government: Correct — The Central Government is responsible for the appointment of the Commissioner under the LARR Act.

(D) State Government: This is incorrect, as the State Government does not make this appointment.

Step 3: Conclusion.

The correct answer is **(C) Central Government**, as it appoints the Commissioner under the LARR Act.

Quick Tip

In legal frameworks like the LARR Act, understand which authority is responsible for key appointments and roles to ensure proper implementation.

9. The payment of compensation to railway employees by the railway administration for injury/accident is governed by:

- (A) The Employees Compensation Act, 1923
- (B) The Payment of Wages Act, 1936
- (C) Rights of Persons with Disabilities Act, 2016
- (D) The Workmen Compensation Act, 1986

Correct Answer: (A) The Employees Compensation Act, 1923

Solution:

Step 1: Understanding the relevant act.

The Employees Compensation Act, 1923 governs the compensation that is paid to workers (including railway employees) who are injured during the course of their employment. This includes compensation for railway accidents.

Step 2: Analyzing the options.

- (A) The Employees Compensation Act, 1923:** Correct — This is the primary legislation governing compensation for railway employees injured in the course of their work.
- (B) The Payment of Wages Act, 1936:** This Act addresses the timely payment of wages, not compensation for injury or accidents.
- (C) Rights of Persons with Disabilities Act, 2016:** This Act focuses on the rights of disabled individuals but does not cover compensation for workplace accidents.
- (D) The Workmen Compensation Act, 1986:** This Act was replaced by the Employees Compensation Act, 1923, and is therefore not applicable here.

Step 3: Conclusion.

The correct answer is **(A) The Employees Compensation Act, 1923**, as it specifically governs compensation for injuries to railway employees.

Quick Tip

Always ensure that the correct legal framework is referred to when discussing compensation for workplace injuries.

10. The minimum amount of compensation payable under Employees Compensation Act, 1923 in case of total permanent disablement of a railway servant due to accident is

Rs

- (A) Rs 80,000/-
- (B) Rs 90,000/-
- (C) Rs 1,40,000/-
- (D) Rs 1,20,000/-

Correct Answer: (C) Rs 1,40,000/-

Solution:

Step 1: Understanding the compensation provisions.

Under the Employees Compensation Act, 1923, the minimum amount of compensation payable for total permanent disablement is specified by the Act. For railway servants, this amount is set at Rs 1,40,000/- in case of total permanent disablement due to an accident.

Step 2: Analyzing the options.

- (A) **Rs 80,000/-:** This is incorrect, as the compensation amount is higher.
- (B) **Rs 90,000/-:** This is also incorrect, as the minimum amount is Rs 1,40,000/-.
- (C) **Rs 1,40,000/-:** Correct — This is the minimum compensation amount under the Employees Compensation Act for total permanent disablement due to an accident.
- (D) **Rs 1,20,000/-:** This is incorrect, as the compensation is Rs 1,40,000/-.

Step 3: Conclusion.

The correct answer is (C) **Rs 1,40,000/-**, as per the Employees Compensation Act, 1923.

Quick Tip

Ensure that compensation figures are updated and in line with the most recent legislation and rules.

11. Harbouuring an offender who has escaped from custody, or whose apprehension has been ordered, if the offence be capital is dealt under:

- (A) Section 215 of IPC
- (B) Section 216 of IPC

- (C) Section 217 of IPC
- (D) Section 218 of IPC

Correct Answer: (B) Section 216 of IPC

Solution:

Step 1: Understanding the relevant section of IPC.

Section 216 of the Indian Penal Code (IPC) deals with the offence of harbouring an offender who has escaped from custody or whose apprehension has been ordered, and the penalty for such an offence.

Step 2: Analyzing the options.

- (A) Section 215 of IPC:** This section deals with the offence of taking bribes for assisting a criminal. It is not related to harbouring an offender.
- (B) Section 216 of IPC:** Correct — Section 216 of IPC specifically addresses the offence of harbouring an offender.
- (C) Section 217 of IPC:** This section deals with the act of disobeying lawful orders of a public servant.
- (D) Section 218 of IPC:** This section pertains to framing incorrect records or documents, not harbouring an offender.

Step 3: Conclusion.

The correct answer is **(B) Section 216 of IPC**, which directly addresses the harbouring of an offender who has escaped or whose apprehension has been ordered.

Quick Tip

When studying sections of IPC, ensure you understand the exact offence each section addresses to avoid confusion with similar sections.

12. The maxim 'actus non facit reum nisi mens sit rea' means:

- (A) There can be no crime without a guilty mind
- (B) Crime has to be coupled with guilty mind

- (C) Crime is the result of guilty mind
- (D) In crime intention is relevant, motive is irrelevant

Correct Answer: (A) There can be no crime without a guilty mind

Solution:

Step 1: Understanding the maxim.

The maxim 'actus non facit reum nisi mens sit rea' means "an act does not make a person guilty unless there is a guilty mind." It highlights the principle that both the physical act (actus reus) and the mental state (mens rea) are necessary for someone to be convicted of a crime.

Step 2: Analyzing the options.

(A) There can be no crime without a guilty mind: Correct — This is the essence of the maxim, stating that a guilty mind is necessary to constitute a crime.

(B) Crime has to be coupled with guilty mind: This is partially true, but the maxim specifically emphasizes the necessity of a guilty mind for the crime to exist.

(C) Crime is the result of guilty mind: This is incorrect. The maxim refers to the requirement of both the act and the guilty mind, not just the result of the guilty mind.

(D) In crime intention is relevant, motive is irrelevant: This is not accurate in the context of this maxim.

Step 3: Conclusion.

The correct answer is **(A) There can be no crime without a guilty mind**, as per the maxim.

Quick Tip

In criminal law, always remember that both the act (actus reus) and the guilty mind (mens rea) are necessary to establish a crime.

13. Law laid down under section -73 of Indian Contract Act 1872 is related to which of the following cases:

- (A) Hotherset Vs De-la-tur

- (B) Robinson Vs Devison
- (C) Hedley Vs Baxendal
- (D) Dickinson Vs Dads

Correct Answer: (C) Hedley Vs Baxendal

Solution:

Step 1: Understanding Section 73 of the Indian Contract Act.

Section 73 of the Indian Contract Act deals with the compensation for loss or damage caused by non-performance of a contract. This section is relevant in cases where a party fails to fulfill its contractual obligations, and the other party is entitled to compensation.

Step 2: Analyzing the options.

(A) Hotherset Vs De-la-tur: This case does not relate to Section 73 of the Indian Contract Act.

(B) Robinson Vs Devison: This case is not related to Section 73.

(C) Hedley Vs Baxendal: Correct — This case deals with the issue of compensation for loss under Section 73 of the Indian Contract Act.

(D) Dickinson Vs Dads: This case is not relevant to Section 73 of the Indian Contract Act.

Step 3: Conclusion.

The correct answer is **(C) Hedley Vs Baxendal**, as it is the case related to compensation under Section 73.

Quick Tip

Always refer to the section numbers when studying contract law to ensure clarity in the application of legal principles.

14. Reference to the Arbitration is provided in which section of the Arbitration and Conciliation Act, 1996?

- (A) Section 7
- (B) Section 8

- (C) Section 9
- (D) Section 10

Correct Answer: (A) Section 7

Solution:

Step 1: Understanding the Arbitration and Conciliation Act.

The Arbitration and Conciliation Act, 1996 governs the law related to arbitration and conciliation in India. Section 7 of the Act defines the 'Arbitration Agreement' and outlines the process for referring disputes to arbitration.

Step 2: Analyzing the options.

- (A) Section 7:** Correct — Section 7 of the Arbitration and Conciliation Act, 1996 deals with the arbitration agreement and provides the reference to arbitration.
- (B) Section 8:** This section deals with the power of the judicial authority to refer the parties to arbitration when a valid arbitration agreement exists.
- (C) Section 9:** Section 9 relates to interim measures by the court, not the reference to arbitration.
- (D) Section 10:** Section 10 addresses the composition of the arbitral tribunal, not the reference to arbitration.

Step 3: Conclusion.

The correct answer is **(A) Section 7**, as it specifically deals with the reference to arbitration.

Quick Tip

In arbitration law, always be clear about which section governs the specific aspects of the arbitration process, such as agreements, interim measures, and tribunal composition.

15. Under the head subsequent conduct, which of the following type of conduct would be material?

- (A) Change of life
- (B) Evasion of justice

- (C) Fear, trembling
- (D) All of them

Correct Answer: (D) All of them

Solution:

Step 1: Understanding subsequent conduct.

Subsequent conduct refers to the actions or behavior of a party after an event or transaction that may indicate their state of mind or position regarding the matter. All the listed types of conduct (change of life, evasion of justice, fear, trembling) could be material in determining a party's intent or credibility.

Step 2: Analyzing the options.

- (A) Change of life:** This can be material if it reflects a change in the person's behavior or intent in relation to the matter at hand.
- (B) Evasion of justice:** This is material as it indicates an attempt to avoid accountability, which is often crucial in legal proceedings.
- (C) Fear, trembling:** This could indicate a guilty conscience or anxiety related to the matter.
- (D) All of them:** Correct — All these types of conduct can be material and relevant to the case.

Step 3: Conclusion.

The correct answer is **(D) All of them**, as each type of conduct can be material in legal proceedings.

Quick Tip

In legal matters, observe subsequent conduct closely as it often provides insight into a party's state of mind and intentions.

16. Provisions of Section 10 of CPC are:

- (A) Directory
- (B) Mandatory

- (C) None- Mandatory
- (D) Discretionary

Correct Answer: (B) Mandatory

Solution:

Step 1: Understanding Section 10 of CPC.

Section 10 of the Civil Procedure Code (CPC) deals with the stay of suits in certain circumstances, i.e., when there is a suit involving the same issue pending in another court. It mandates that the suit be stayed until the first suit is decided. This provision is mandatory, meaning the court has to follow it.

Step 2: Analyzing the options.

- (A) Directory:** This is incorrect, as Section 10 is not directory but mandatory.
- (B) Mandatory:** Correct — Section 10 of CPC is a mandatory provision.
- (C) None-Mandatory:** This is incorrect, as Section 10 is a mandatory provision.
- (D) Discretionary:** This is incorrect, as it is not discretionary.

Step 3: Conclusion.

The correct answer is **(B) Mandatory**, as Section 10 of the CPC is mandatory in nature.

Quick Tip

In procedural law, understanding whether a provision is mandatory or discretionary is crucial in determining its application.

17. Constructive res judicata is contained in which of the following?

- (A) Explanation III to Section 11
- (B) Explanation IV to Section 11
- (C) Explanation VI to Section 11
- (D) Explanation VIII to Section 11

Correct Answer: (A) Explanation III to Section 11

Solution:

Step 1: Understanding constructive res judicata.

Constructive res judicata refers to the principle that a matter that could have been raised in a previous suit and was not, will be treated as if it had been decided by the court. This principle is laid down in Explanation III to Section 11 of the Civil Procedure Code (CPC).

Step 2: Analyzing the options.

(A) Explanation III to Section 11: Correct — Constructive res judicata is contained in Explanation III to Section 11 of the CPC.

(B) Explanation IV to Section 11: This deals with the scope of res judicata but not specifically constructive res judicata.

(C) Explanation VI to Section 11: This explanation is related to the scope of res judicata in certain circumstances.

(D) Explanation VIII to Section 11: This explanation does not relate to constructive res judicata.

Step 3: Conclusion.

The correct answer is **(A) Explanation III to Section 11**, as it contains constructive res judicata.

Quick Tip

Res judicata ensures that matters already decided cannot be re-litigated, promoting finality in legal proceedings.

18. The famous pronouncement of Delhi High Court regarding constitutional validity of section 377 Indian Penal Code reversed by Supreme Court in:

- (A) NALSA Vs Union of India
- (B) Naz Foundation Vs Government of NCT of Delhi
- (C) Shabnam Hasmi Vs Union of India
- (D) Suresh Kaushal Vs Naz Foundation

Correct Answer: (B) Naz Foundation Vs Government of NCT of Delhi

Solution:

Step 1: Understanding the case.

The case *Naz Foundation Vs Government of NCT of Delhi* dealt with the constitutional validity of Section 377 of the Indian Penal Code, which criminalized homosexuality. The Delhi High Court decriminalized consensual homosexual acts, but the Supreme Court later reversed this decision.

Step 2: Analyzing the options.

(A) **NALSA Vs Union of India:** This case is related to the recognition of the rights of transgender persons but is not related to Section 377.

(B) **Naz Foundation Vs Government of NCT of Delhi:** Correct — This case is the one where the Delhi High Court first decriminalized Section 377, and the Supreme Court later reversed it.

(C) **Shabnam Hasmi Vs Union of India:** This case does not deal with Section 377.

(D) **Suresh Kaushal Vs Naz Foundation:** This case is the Supreme Court ruling that reversed the Delhi High Court's judgment in the Naz Foundation case.

Step 3: Conclusion.

The correct answer is **(B) Naz Foundation Vs Government of NCT of Delhi**, as it was the case where the Delhi High Court's ruling on Section 377 was reversed.

Quick Tip

The legal landscape surrounding Section 377 has been dynamic, with the Supreme Court and Delhi High Court issuing significant rulings on the issue of LGBTQ+ rights.

19. An arbitration proceeding is a:

(A) Judicial proceeding

(B) Quasi-judicial proceeding

(C) Administrative proceeding

(D) None of the above

Correct Answer: (B) Quasi-judicial proceeding

Solution:**Step 1: Understanding arbitration.**

An arbitration proceeding is a type of dispute resolution process that is outside the regular court system but has elements similar to a judicial proceeding. It is considered a quasi-judicial process because the arbitrator functions like a judge, but the process is not part of the formal judicial system.

Step 2: Analyzing the options.

(A) Judicial proceeding: This is incorrect, as arbitration is not part of the formal judiciary system.

(B) Quasi-judicial proceeding: Correct — Arbitration is a quasi-judicial proceeding where an arbitrator resolves disputes outside the regular judicial system.

(C) Administrative proceeding: This is incorrect, as arbitration is not purely administrative in nature.

(D) None of the above: This is incorrect, as arbitration is a quasi-judicial proceeding.

Step 3: Conclusion.

The correct answer is **(B) Quasi-judicial proceeding**.

Quick Tip

Arbitration allows for quicker resolution of disputes outside the formal judicial system, but it is still a quasi-judicial process.

20. What is ad hoc arbitration?

(A) It is a proceeding administered by the parties themselves, with rules created solely for that specific case

(B) Parties make their own arrangement with respect to all aspects of the arbitration, including the laws and rules

(C) The seal of arbitration, the language, and the scope and issues to be resolved by means of arbitration.

(D) (a) (b) (c)

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

Solution:

Step 1: Understanding ad hoc arbitration.

Ad hoc arbitration refers to arbitration that is arranged and conducted by the parties involved without using an institution or established framework. The parties agree on the rules, procedure, and terms for the arbitration.

Step 2: Analyzing the options.

(A) It is a proceeding administered by the parties themselves, with rules created solely for that specific case: Correct — Ad hoc arbitration is based on rules agreed upon by the parties.

(B) Parties make their own arrangement with respect to all aspects of the arbitration, including the laws and rules: Correct — This is another key characteristic of ad hoc arbitration.

(C) The seal of arbitration, the language, and the scope and issues to be resolved by means of arbitration: Correct — All these aspects are determined by the parties in ad hoc arbitration.

(D) (a) (b) (c): Correct — All the statements above are true regarding ad hoc arbitration.

Step 3: Conclusion.

The correct answer is **(D) (a) (b) (c)**.

Quick Tip

Ad hoc arbitration offers flexibility, but it also requires careful planning and agreement on all aspects by the involved parties.

21. Which of the following Sections of the Civil Procedure Code define the ‘Mesne Profit’?

- (A) Section 2(4)
- (B) Section 2(14)
- (C) Section 2(6)

(D) Section 2(12)

Correct Answer: (C) Section 2(6)

Solution:

Step 1: Understanding Mesne Profit.

Mesne profit refers to the profits derived from immovable property wrongfully occupied or retained. Under the Civil Procedure Code, Section 2(6) defines 'Mesne Profits'. This section is important in determining the compensation a party is entitled to when dispossessed from property.

Step 2: Analyzing the options.

(A) Section 2(4): This section defines the term "decree" under the CPC, not Mesne Profits.

(B) Section 2(14): This section defines "legal representative," which is not related to Mesne Profits.

(C) Section 2(6): Correct — Section 2(6) of the CPC defines "Mesne Profits" as profits derived from immovable property during wrongful possession.

(D) Section 2(12): This section defines "public officer," not Mesne Profits.

Step 3: Conclusion.

The correct answer is **(C) Section 2(6)**.

Quick Tip

Mesne profits are important in property law to determine compensation for wrongful possession of property.

22. An advocate is under an obligation to uphold the rule of law and ensure that the public justice system is enabled to function at its full potential. Any violation of the principle of professional ethics by an advocate is unfortunate and unacceptable. Ignoring even a minor violation/misconduct militates against the fundamental foundation of the public justice system. It was said in-

(A) Hikmat Ali Khan Vs Ishwar Prasad Arya, 1997 3 SCC 131

- (B) O.P. Sharma Vs High Court of Punjab & Haryana, (2011) 6 SCC 86
- (C) L.D. Jaikwal Vs State of Uttar Pradesh, (1984) 3 SCC 405
- (D) Shamsher Singh Bedi Vs High Court of Punjab & Haryana, (1996) 7 SCC 99

Correct Answer: (A) *Hikmat Ali Khan Vs Ishwar Prasad Arya*, 1997 3 SCC 131

Solution:

Step 1: Understanding the case.

The case of *Hikmat Ali Khan Vs Ishwar Prasad Arya* deals with the violation of professional ethics by an advocate, underlining the responsibility of legal professionals to uphold the law. The Supreme Court emphasized the need for advocates to act in the interest of justice, ensuring that even minor misconduct does not undermine public confidence in the justice system.

Step 2: Analyzing the options.

- (A) Hikmat Ali Khan Vs Ishwar Prasad Arya, 1997 3 SCC 131:** Correct — This case specifically discusses the obligations of advocates in upholding professional ethics.
- (B) O.P. Sharma Vs High Court of Punjab & Haryana, (2011) 6 SCC 86:** This case deals with judicial independence and contempt, not directly with professional ethics of advocates.
- (C) L.D. Jaikwal Vs State of Uttar Pradesh, (1984) 3 SCC 405:** This case is not related to the professional ethics of advocates.
- (D) Shamsher Singh Bedi Vs High Court of Punjab & Haryana, (1996) 7 SCC 99:** This case does not discuss the professional ethics of advocates in relation to the public justice system.

Step 3: Conclusion.

The correct answer is (A) **Hikmat Ali Khan Vs Ishwar Prasad Arya, 1997 3 SCC 131**.

Quick Tip

Advocates must maintain ethical standards in their practice to ensure the integrity of the justice system.

23. Section 8 of the companies act, 2013 contains provision relating to

- (A) Incorporation of company
- (B) Formation of companies with charitable objects, etc.
- (C) Effect of registration
- (D) Effect of memorandum and articles

Correct Answer: (B) Formation of companies with charitable objects, etc.

Solution:

Step 1: Understanding Section 8 of the Companies Act.

Section 8 of the Companies Act, 2013 relates to the formation of companies that are set up with charitable objectives. These companies are typically not-for-profit and are regulated to ensure that their profits are used only for promoting social welfare, education, or other charitable purposes.

Step 2: Analyzing the options.

(A) Incorporation of company: This is dealt with in Section 3 of the Companies Act, not Section 8.

(B) Formation of companies with charitable objects, etc.: Correct — Section 8 deals with the incorporation of companies with charitable purposes.

(C) Effect of registration: This is addressed in Section 9, not Section 8.

(D) Effect of memorandum and articles: This is covered under Section 7 and other related sections.

Step 3: Conclusion.

The correct answer is **(B) Formation of companies with charitable objects, etc.**, as it is specifically dealt with under Section 8.

Quick Tip

Section 8 of the Companies Act is critical for regulating companies that operate with social and charitable purposes.

24. The verification of the registered office shall be furnished to the registrar within a period of incorporation.

- (A) 30 days
- (B) 60 days
- (C) 90 days
- (D) 120 days

Correct Answer: (B) 60 days

Solution:

Step 1: Understanding the verification requirement.

As per the Companies Act, the verification of the registered office of a company should be submitted to the registrar within 60 days of incorporation. This ensures that the company has a valid registered office and complies with legal requirements.

Step 2: Analyzing the options.

- (A) 30 days:** This is incorrect, as the verification period is longer.
- (B) 60 days:** Correct — The verification of the registered office must be done within 60 days after incorporation.
- (C) 90 days:** This is too long, as the verification must occur within 60 days.
- (D) 120 days:** This is incorrect, as the verification must be done within 60 days.

Step 3: Conclusion.

The correct answer is **(B) 60 days**, as per the Companies Act.

Quick Tip

Timely verification of the registered office is important for maintaining compliance with the Companies Act.

25. Cyber law deals with

- (A) All activities concerning the internet
- (B) IPR
- (C) E-commerce
- (D) All of the above

Correct Answer: (D) All of the above

Solution:

Step 1: Understanding Cyber law.

Cyber law refers to the legal issues and regulations related to the internet, digital communications, and technology. It covers a wide range of topics including intellectual property rights (IPR), e-commerce, and internet-related activities.

Step 2: Analyzing the options.

- (A) All activities concerning the internet:** This is part of cyber law, as it includes all legal aspects related to internet activities.
- (B) IPR:** Intellectual Property Rights (IPR) are a key part of cyber law, especially in protecting digital content.
- (C) E-commerce:** Cyber law also governs e-commerce transactions and online business practices.
- (D) All of the above:** Correct — Cyber law encompasses all the above-mentioned areas.

Step 3: Conclusion.

The correct answer is **(D) All of the above**, as cyber law covers a wide range of internet-related legal matters.

Quick Tip

Cyber law is an evolving field, covering everything from online transactions to the protection of digital content.

26. Health and education cess is applicable to —

- (A) All assesses
- (B) All assesses except company
- (C) Individual / HUF
- (D) Company only

Correct Answer: (B) All assesses except company

Solution:**Step 1: Understanding the Health and Education Cess.**

The Health and Education Cess is a tax levied on all assesses, except companies, to fund health and education services. The cess is applied over and above the income tax liability of individuals, Hindu Undivided Families (HUF), and others. It is not applicable to companies.

Step 2: Analyzing the options.

- (A) **All assesses:** This is incorrect as it does not apply to companies.
- (B) **All assesses except company:** Correct — The Health and Education Cess applies to all assesses except companies.
- (C) **Individual / HUF:** This is incorrect, as it does not specify the exclusion of companies.
- (D) **Company only:** This is incorrect, as the cess does not apply to companies.

Step 3: Conclusion.

The correct answer is (B) **All assesses except company**, as the Health and Education Cess does not apply to companies.

Quick Tip

Ensure to check tax provisions to identify who is liable to pay cess and under which conditions.

27. Contractual liability arises, where:

- (A) There is offer and acceptance only.
- (B) There is intention to create legal relation.
- (C) There is loss to one party
- (D) The loss of one party is the gain of other party.

Correct Answer: (B) There is intention to create legal relation.

Solution:**Step 1: Understanding contractual liability.**

Contractual liability arises when there is a valid agreement between the parties that includes offer, acceptance, consideration, and the intention to create legal relations. The intention to

create legal relations is a key element in forming a contract, without which the agreement cannot be enforced legally.

Step 2: Analyzing the options.

(A) There is offer and acceptance only: This is not sufficient for contractual liability, as there must also be intention to create legal relations.

(B) There is intention to create legal relation: Correct — The intention to create legal relations is necessary for a contract to be legally binding.

(C) There is loss to one party: This may be a result of a breach of contract, but it is not a necessary condition for liability.

(D) The loss of one party is the gain of other party: This does not define contractual liability, but rather a potential result of an agreement.

Step 3: Conclusion.

The correct answer is **(B) There is intention to create legal relation**, as this is essential to the formation of a valid contract.

Quick Tip

In contract law, always ensure that both parties have the intention to create legal relations for the agreement to be enforceable.

28. Which of the following sections of the Hindu Adoption and Maintenance Act, 1956 deals with "amount of maintenance"?

- (A) Section 21
- (B) Section 22
- (C) Section 23
- (D) Section 24

Correct Answer: (C) Section 23

Solution:

Step 1: Understanding the Hindu Adoption and Maintenance Act.

The Hindu Adoption and Maintenance Act, 1956 provides for the maintenance of family members under Hindu law. Section 23 specifically deals with the amount of maintenance that can be awarded to a wife, children, or other dependents. It specifies how the amount is to be determined.

Step 2: Analyzing the options.

(A) **Section 21:** This section deals with the maintenance of children, but not specifically the amount.

(B) **Section 22:** This section deals with the right to maintenance for a wife but not the amount of maintenance.

(C) **Section 23:** Correct — Section 23 addresses the amount of maintenance that can be awarded under the Act.

(D) **Section 24:** This section deals with the maintenance of an individual by their father or husband, not the amount.

Step 3: Conclusion.

The correct answer is (C) **Section 23**, as it specifically addresses the amount of maintenance under the Act.

Quick Tip

When dealing with maintenance under the Hindu Adoption and Maintenance Act, refer to Section 23 for specific guidelines on the amount of maintenance.

29. In which of the following case the Supreme Court first of all made an attempt to look into the question regarding the extension of the right to life to the right to Health and other Hygienic conditions —

(A) The Rural Litigation and Entitlement Kendra Vs State of Uttar Pradesh.

(B) M.C Mehta Vs Union of India

(C) V. Lakshminipathy Vs State of Karnataka

(D) F.K. Hussain Vs Union of India

Correct Answer: (B) M.C Mehta Vs Union of India

Solution:

Step 1: Understanding the case.

In the case of *M.C Mehta Vs Union of India*, the Supreme Court explored the question of extending the right to life under Article 21 of the Indian Constitution to include health and hygiene conditions, recognizing the importance of the environment in public health. This case marked a significant step in expanding the scope of fundamental rights.

Step 2: Analyzing the options.

(A) The Rural Litigation and Entitlement Kendra Vs State of Uttar Pradesh: This case dealt with environmental concerns, but it was not the first case that addressed health and hygienic conditions.

(B) M.C Mehta Vs Union of India: Correct — This case was the first to address the extension of the right to life to include health and hygiene conditions.

(C) V. Lakshminipathy Vs State of Karnataka: This case does not address the extension of the right to life in the same context.

(D) F.K. Hussain Vs Union of India: This case is unrelated to the extension of the right to life regarding health and hygiene.

Step 3: Conclusion.

The correct answer is **(B) M.C Mehta Vs Union of India**, which made a landmark contribution in expanding the right to life.

Quick Tip

Understanding landmark cases that extend fundamental rights helps clarify the broader interpretation of the Constitution.

30. Basel Convention is associated with one of the following

(A) International Trade in Endangered species of wild Fauna & Flora

(B) Climate change

(C) Protection of Ozone layer

(D) The control of transboundary movement of Hazardous waste and their disposal.

Correct Answer: (D) The control of transboundary movement of Hazardous waste and their disposal.

Solution:

Step 1: Understanding the Basel Convention.

The Basel Convention, which came into force in 1992, aims to control the transboundary movement of hazardous wastes and their disposal, ensuring that waste management practices are carried out in an environmentally sound manner. It was adopted under the auspices of the United Nations Environment Programme (UNEP).

Step 2: Analyzing the options.

(A) International Trade in Endangered species of wild Fauna & Flora: This relates to the CITES (Convention on International Trade in Endangered Species), not the Basel Convention.

(B) Climate change: Climate change is addressed by the UNFCCC, not the Basel Convention.

(C) Protection of Ozone layer: The protection of the ozone layer is the focus of the Montreal Protocol, not the Basel Convention.

(D) The control of transboundary movement of Hazardous waste and their disposal:

Correct — This is the core purpose of the Basel Convention.

Step 3: Conclusion.

The correct answer is **(D) The control of transboundary movement of Hazardous waste and their disposal.**

Quick Tip

International conventions like the Basel Convention play a vital role in regulating global environmental issues.

31. Cyber crime is in nature

- (A) Tangible
- (B) Intangible

- (C) Of mental violence
- (D) None of the above

Correct Answer: (B) Intangible

Solution:

Step 1: Understanding Cyber crime.

Cyber crime typically involves illegal activities conducted using computers or the internet. It is intangible in nature because it does not involve physical elements, but rather digital data or online actions.

Step 2: Analyzing the options.

(A) Tangible: This is incorrect, as cyber crimes are not physical and involve intangible elements like data.

(B) Intangible: Correct — Cyber crime is intangible because it involves digital systems and networks.

(C) Of mental violence: This is incorrect, as cyber crime is not limited to mental violence.

(D) None of the above: This is incorrect, as the correct answer is "intangible".

Step 3: Conclusion.

The correct answer is **(B) Intangible**, as cyber crime involves digital or virtual acts.

Quick Tip

Cyber crime is a growing concern in today's digital world and involves intangible elements such as data theft and hacking.

32. The Hindu Marriage Act, 1955 petition in which a decree of restitution of conjugal rights has been passed to apply to the court for a decree for divorce by showing that there has been no restitution of conjugal rights for a period of one year or upwards after passing of the decree.

- (A) Does not permit any party to that
- (B) Does not permit the party against whom the

- (C) Does permit any party to that
- (D) Does permit any person related to either party to that

Correct Answer: (C) Does permit any party to that

Solution:

Step 1: Understanding the Hindu Marriage Act.

Under Section 13 of the Hindu Marriage Act, 1955, if a decree of restitution of conjugal rights has been passed but there is no compliance with it for a period of one year or more, either party can file for divorce. The law allows any party to file the petition in such cases.

Step 2: Analyzing the options.

- (A) Does not permit any party to that:** This is incorrect, as the law does permit a party to file the petition.
- (B) Does not permit the party against whom the:** This is incorrect; both parties can file.
- (C) Does permit any party to that:** Correct — The law allows either party to file a petition for divorce after one year of no restitution of conjugal rights.
- (D) Does permit any person related to either party to that:** This is incorrect, as it only permits the parties involved.

Step 3: Conclusion.

The correct answer is **(C) Does permit any party to that**, as either party can file for divorce under these circumstances.

Quick Tip

Understanding the provisions of the Hindu Marriage Act is crucial for handling marital disputes and related petitions.

33. The offences under the Prohibition of Child Marriage Act, 2006 are

- (A) Cognizable and bailable
- (B) Non cognizable and non-bailable
- (C) Cognizable and non-bailable

(D) Non cognizable and bailable

Correct Answer: (C) Cognizable and non-bailable

Solution:

Step 1: Understanding the Prohibition of Child Marriage Act, 2006.

Under the Prohibition of Child Marriage Act, 2006, the offences related to child marriages are cognizable, meaning the police can arrest the accused without a warrant. These offences are also non-bailable, meaning the accused cannot get bail easily.

Step 2: Analyzing the options.

(A) Cognizable and bailable: This is incorrect; the offence is non-bailable.

(B) Non cognizable and non-bailable: This is incorrect, as the offence is cognizable.

(C) Cognizable and non-bailable: Correct — The offences under this Act are cognizable and non-bailable.

(D) Non cognizable and bailable: This is incorrect, as the offence is cognizable.

Step 3: Conclusion.

The correct answer is **(C) Cognizable and non-bailable**, as the offences under the Act are cognizable and non-bailable.

Quick Tip

The Prohibition of Child Marriage Act, 2006, has strict provisions to prevent child marriages, with cognizable and non-bailable offences.

34. The rule of Strict Liability is based on the decision in:

(A) Donoghue Vs Stevenson

(B) Homes Vs Ashford

(C) Rylands Vs Fletcher

(D) None of the above

Correct Answer: (C) Rylands Vs Fletcher

Solution:**Step 1: Understanding Strict Liability.**

The rule of Strict Liability was established in the case of *Rylands Vs Fletcher*. In this case, the defendant was held strictly liable for damage caused by a dangerous substance escaping from his land, even though there was no fault on his part. This rule applies where a person brings something onto their land that is inherently dangerous and it escapes.

Step 2: Analyzing the options.

(A) **Donoghue Vs Stevenson:** This case is related to negligence and the duty of care, not strict liability.

(B) **Homes Vs Ashford:** This is not the correct case related to strict liability.

(C) **Rylands Vs Fletcher:** Correct — This case established the rule of Strict Liability.

(D) **None of the above:** This is incorrect, as *Rylands Vs Fletcher* is the correct answer.

Step 3: Conclusion.

The correct answer is (C) **Rylands Vs Fletcher**, as it laid down the rule of Strict Liability.

Quick Tip

Strict Liability holds individuals accountable for dangerous activities even without fault or negligence.

35. The Rule of Last opportunity was laid down in:

(A) Davies Vs Manh

(B) State of A.P. Vs Ranganna

(C) Nugent Vs Smith

(D) Kalawati Vs State of HP

Correct Answer: (A) Davies Vs Manh

Solution:**Step 1: Understanding the Rule of Last Opportunity.**

The Rule of Last Opportunity applies in situations where one party has the last opportunity

to avoid an accident or injury. In the case of *Davies Vs Manh*, the court held that the party who had the last opportunity to prevent harm or damage is responsible for it.

Step 2: Analyzing the options.

- (A) Davies Vs Manh:** Correct — This case laid down the Rule of Last Opportunity.
- (B) State of A.P. Vs Ranganna:** This case is not related to the Rule of Last Opportunity.
- (C) Nugent Vs Smith:** This is incorrect, as this case does not relate to the Rule of Last Opportunity.
- (D) Kalawati Vs State of HP:** This is also incorrect.

Step 3: Conclusion.

The correct answer is **(A) Davies Vs Manh**, which established the Rule of Last Opportunity.

Quick Tip

The Rule of Last Opportunity is important in determining liability when one party had the last chance to avoid harm.

36. In which of the following cases was it held that “the rights conferred under section 25 of the Hindu Adoption and Maintenance Act, 1956 supersedes any contract to the contrary. The fact that the date of decree makes no difference”?

- (A) Surenderabali Vs Suppiah**
- (B) Mukesh Teli Vs Bharti Teli**
- (C) Sesi Ammal Vs Thaiyu Ammal**
- (D) Laxmi Vs Krishna**

Correct Answer: (A) Surenderabali Vs Suppiah

Solution:

Step 1: Understanding Section 25 of the Hindu Adoption and Maintenance Act.

Section 25 of the Hindu Adoption and Maintenance Act, 1956, provides that the rights conferred under this section supersede any contract to the contrary. The case of *Surenderabali Vs Suppiah* reinforced that this legal right takes precedence regardless of the date of decree.

Step 2: Analyzing the options.

(A) **Surenderabal Vs Suppiah:** Correct — This case involved the application of Section 25, affirming that the rights conferred under the Act supersede any contrary contract.

(B) **Mukesh Teli Vs Bharti Teli:** This is not the correct case regarding Section 25.

(C) **Sesi Ammal Vs Thaiyu Ammal:** This case is not related to Section 25.

(D) **Laxmi Vs Krishna:** This case is also unrelated to Section 25 of the Act.

Step 3: Conclusion.

The correct answer is (A) **Surenderabal Vs Suppiah**, as it addressed the application of Section 25.

Quick Tip

Section 25 of the Hindu Adoption and Maintenance Act ensures that rights related to maintenance cannot be overridden by a contract.

37. Any private person may arrest any person who:

(A) Commits non-bailable offence in his presence

(B) Commits non-bailable offence and cognizable offence in his presence

(C) Commits compoundable offence in his presence

(D) Commits offence in his presence or is a proclaimed offender

Correct Answer: (D) Commits offence in his presence or is a proclaimed offender

Solution:

Step 1: Understanding the powers of private persons in arrest.

A private person has the right to arrest someone who is committing an offence in their presence, or if the person is a proclaimed offender, under Section 43 of the Indian Penal Code (IPC).

Step 2: Analyzing the options.

(A) **Commits non-bailable offence in his presence:** This is incomplete, as the arrest can also be made if the person is a proclaimed offender.

(B) Commits non-bailable offence and cognizable offence in his presence: This is partially correct, but does not include the possibility of arresting proclaimed offenders.

(C) Commits compoundable offence in his presence: This is incorrect, as arrests can be made for cognizable and non-cognizable offences, including proclaimed offenders.

(D) Commits offence in his presence or is a proclaimed offender: Correct — This is the correct interpretation under Section 43 of the IPC.

Step 3: Conclusion.

The correct answer is **(D) Commits offence in his presence or is a proclaimed offender.**

Quick Tip

Private persons have the power to make arrests for offences committed in their presence or if the person is a proclaimed offender.

38. How long a warrant of arrest shall remain in force?

- (A) 6 years
- (B) 10 years
- (C) 12 years
- (D) Until executed or cancelled

Correct Answer: (D) Until executed or cancelled

Solution:

Step 1: Understanding the duration of a warrant of arrest.

A warrant of arrest remains in force until it is either executed or cancelled. The law does not specify a fixed duration for how long it remains valid, as it is contingent on whether the warrant is carried out.

Step 2: Analyzing the options.

- (A) 6 years:** This is incorrect, as there is no fixed period for a warrant of arrest.
- (B) 10 years:** This is also incorrect for the same reason.
- (C) 12 years:** This is incorrect; the warrant remains in force until execution or cancellation.

(D) Until executed or cancelled: Correct — A warrant of arrest remains valid until it is either executed or cancelled.

Step 3: Conclusion.

The correct answer is **(D) Until executed or cancelled**, as this is the correct interpretation under the law.

Quick Tip

A warrant of arrest remains in force until it is executed or officially cancelled, regardless of the time elapsed.

39. Rate of additional Depreciation will be —— under section 32- Indian Income Tax Act

- (A) 10 %
- (B) 20 %
- (C) 15 %
- (D) 30 %

Correct Answer: (B) 20 %

Solution:

Step 1: Understanding Section 32 of the Income Tax Act.

Section 32 of the Indian Income Tax Act deals with the depreciation on assets. It provides for additional depreciation for certain types of assets, specifically for new machinery and plant, which is set at 20% under the Act.

Step 2: Analyzing the options.

- (A) 10 %:** This is incorrect, as the rate for additional depreciation is higher.
- (B) 20 %:** Correct — The rate for additional depreciation under Section 32 is 20%.
- (C) 15 %:** This is incorrect, as the rate for additional depreciation is 20%.
- (D) 30 %:** This is incorrect, as the rate for additional depreciation is 20%.

Step 3: Conclusion.

The correct answer is **(B) 20 %**, as the rate for additional depreciation is set at 20% under Section 32.

Quick Tip

Additional depreciation under Section 32 helps businesses save on taxes while investing in new machinery and assets.

40. The "Objective Resolution" adopted by the constituent assembly on January 22, 1947 was drafted by

- (A) Jawaharlal Nehru
- (B) Dr. B.R. Ambedkar
- (C) Dr. Rajendra Prasad
- (D) B.N. Rao

Correct Answer: (A) Jawaharlal Nehru

Solution:

Step 1: Understanding the Objective Resolution.

The "Objective Resolution" was a historic resolution passed by the Constituent Assembly on January 22, 1947, which laid down the guiding principles for the framing of the Indian Constitution. The resolution was drafted by Jawaharlal Nehru and is considered a key document in the constitutional history of India.

Step 2: Analyzing the options.

- (A) Jawaharlal Nehru:** Correct — Nehru drafted the "Objective Resolution," which played a pivotal role in shaping the direction of India's constitutional framework.
- (B) Dr. B.R. Ambedkar:** While Ambedkar played a critical role in drafting the Constitution, he did not draft the "Objective Resolution."
- (C) Dr. Rajendra Prasad:** Dr. Prasad was the President of the Constituent Assembly but did not draft the "Objective Resolution."
- (D) B.N. Rao:** B.N. Rao was a prominent legal advisor, but he did not draft the "Objective Resolution."

Step 3: Conclusion.

The correct answer is **(A) Jawaharlal Nehru**, as he drafted the "Objective Resolution."

Quick Tip

The "Objective Resolution" was a cornerstone in the formulation of the Indian Constitution, drafted by Jawaharlal Nehru.

41. Right to the property was eliminated from the list of Fundamental Rights during the tenure of

- (A) Indira Gandhi
- (B) Charan Singh
- (C) Rajiv Gandhi
- (D) Morarji Desai

Correct Answer: (A) Indira Gandhi

Solution:

Step 1: Understanding the elimination of property rights.

The Right to Property was originally included as a fundamental right under Article 31 of the Constitution of India. However, during the tenure of Indira Gandhi, the 44th Amendment to the Constitution in 1978 removed the right to property from the list of Fundamental Rights and made it a legal right under Article 300A.

Step 2: Analyzing the options.

- (A) Indira Gandhi:** Correct — Indira Gandhi's government passed the 44th Amendment, which removed the right to property from the Fundamental Rights list.
- (B) Charan Singh:** This is incorrect, as Charan Singh's tenure did not involve this change.
- (C) Rajiv Gandhi:** This is incorrect, as Rajiv Gandhi's tenure did not involve this amendment.
- (D) Morarji Desai:** This is incorrect, as Morarji Desai's tenure did not involve this change.

Step 3: Conclusion.

The correct answer is **(A) Indira Gandhi**, as it was during her tenure that the Right to Property was removed from the list of Fundamental Rights.

Quick Tip

The 44th Amendment of the Constitution in 1978 played a key role in modifying the status of the Right to Property.

42. When the accused states, "I will produce the share which I gave received in such and such robbery" which of the following are not admissible with regard to Section 25, Indian Evidence Act?

- (A) I. An admission that there was a robbery.
- (B) II. An admission that the accused took part in it.
- (C) III. An admission that he got part of the property.
- (D) IV. A statement as to where the property is.

Correct Answer: (D) All of them

Solution:

Step 1: Understanding Section 25 of the Indian Evidence Act.

Section 25 of the Indian Evidence Act disallows any confession made by an accused person to a police officer while in custody. Any statement made under such conditions is not admissible in court. The statement in this case involves details regarding the robbery, which may qualify as inadmissible under Section 25.

Step 2: Analyzing the options.

- (A) I. An admission that there was a robbery:** This admission could be considered part of the confession and hence inadmissible.
- (B) II. An admission that the accused took part in it:** Similarly, this statement is likely an admission of guilt and inadmissible under Section 25.
- (C) III. An admission that he got part of the property:** This is an admission of involvement and thus inadmissible.
- (D) IV. A statement as to where the property is:** The statement may not be directly related to the confession, but it could still be seen as an extension of the earlier admission.

Step 3: Conclusion.

The correct answer is **(D) All of them**, as all these statements could be part of an inadmissible confession under Section 25 of the Indian Evidence Act.

Quick Tip

Under Section 25 of the Indian Evidence Act, confessions made to a police officer while in custody are inadmissible.

43. What is the Period of Limitation for expeditious disposal of Suit under Specific Relief Act 1963:

- (A) 6 month
- (B) 10 month
- (C) 12 month
- (D) 18 month

Correct Answer: (C) 12 month

Solution:

Step 1: Understanding the Specific Relief Act.

Under the Specific Relief Act, 1963, the time period for the expeditious disposal of a suit is prescribed to ensure swift and efficient legal action. The period of limitation for such suits is 12 months.

Step 2: Analyzing the options.

- (A) 6 month:** This is incorrect, as the limitation period is 12 months.
- (B) 10 month:** This is incorrect, as the period is 12 months.
- (C) 12 month:** Correct — The limitation period for expeditious disposal of suits under the Specific Relief Act is 12 months.
- (D) 18 month:** This is incorrect, as the period is shorter than 18 months.

Step 3: Conclusion.

The correct answer is **(C) 12 month**, as it is the prescribed period under the Specific Relief Act, 1963.

Quick Tip

It is essential to be aware of the limitation periods in legal suits to ensure timely filing and disposal.

44. A Chief Judicial Magistrate may pass a sentence of imprisonment

- (A) Not exceeding seven years
- (B) Exceeding seven years
- (C) For life
- (D) None of the above

Correct Answer: (A) Not exceeding seven years

Solution:

Step 1: Understanding the powers of a Chief Judicial Magistrate.

A Chief Judicial Magistrate has the authority to pass sentences of imprisonment that do not exceed seven years. For sentences exceeding seven years or for life imprisonment, the case must be handled by a higher court.

Step 2: Analyzing the options.

- (A) Not exceeding seven years:** Correct — A Chief Judicial Magistrate can pass a sentence of imprisonment not exceeding seven years.
- (B) Exceeding seven years:** This is incorrect, as the Chief Judicial Magistrate cannot pass sentences exceeding seven years.
- (C) For life:** This is incorrect, as life imprisonment is beyond the authority of a Chief Judicial Magistrate.
- (D) None of the above:** This is incorrect, as the correct answer is provided in option (A).

Step 3: Conclusion.

The correct answer is **(A) Not exceeding seven years**, as the Chief Judicial Magistrate's authority is limited to sentences of seven years or less.

Quick Tip

Chief Judicial Magistrates have limited sentencing powers; cases involving longer sentences are handled by higher courts.

45. What is meant by procedural ultra-vires?

- (A) It is the non-observance of the procedural norms by the rule-making authority.
- (B) It may make the rule ultra vires due to non-observance of rule-making authority and hence become void.
- (C) It means the lacuna in the procedure of law
- (D) (a) and (b)

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

Solution:

Step 1: Understanding procedural ultra-vires.

Procedural ultra-vires refers to a situation where a rule or action made by a rule-making authority is invalid due to the failure to follow the prescribed procedural norms. This failure can make the action or rule ultra vires (beyond the power) and therefore void.

Step 2: Analyzing the options.

(A) It is the non-observance of the procedural norms by the rule-making authority:

Correct — This is one aspect of procedural ultra-vires.

(B) It may make the rule ultra vires due to non-observance of rule-making authority and hence become void: Correct — Non-observance of procedural norms can render a rule void.

(C) It means the lacuna in the procedure of law: This is incorrect, as the term "ultra-vires" refers to non-compliance, not a lacuna.

(D) (a) and (b): Correct — Both (a) and (b) correctly describe procedural ultra-vires.

Step 3: Conclusion.

The correct answer is **(D) (a) and (b)**, as both accurately describe procedural ultra-vires.

Quick Tip

Understanding the concept of ultra-vires is important to ensure that laws and rules are created within the bounds of legal authority.

46. The ground of "error of law apparent on the face of the record" is connected with which of the writ?

- (A) Quo-warranto
- (B) Mandamus
- (C) Habeas Corpus
- (D) Certiorari

Correct Answer: (D) Certiorari

Solution:

Step 1: Understanding the writ of Certiorari.

The writ of Certiorari is issued by a higher court to quash the order of a lower court or tribunal where there is an "error of law apparent on the face of the record". This writ is commonly used to correct errors of law that are evident in the decision-making process.

Step 2: Analyzing the options.

(A) Quo-warranto: This writ is used to challenge the legality of a person holding a public office, not for correcting errors of law on the record.

(B) Mandamus: This writ is issued to a public authority to compel the performance of a public duty, not related to correcting errors of law.

(C) Habeas Corpus: This writ is used to secure the release of a person illegally detained, not for correcting errors of law.

(D) Certiorari: Correct — This writ is specifically used to correct an error of law apparent on the face of the record.

Step 3: Conclusion.

The correct answer is **(D) Certiorari**, as it directly relates to correcting errors of law in judicial decisions.

Quick Tip

Certiorari is a key writ for ensuring justice and correcting errors in lower court judgments where there is an error of law.

47. Under Civil Procedure Code, find the incorrect match:

- (A) Section 5..... Revenue Court
- (B) Section 7..... Provincial Small Causes Court
- (C) Section 9..... Pecuniary Jurisdiction of Courts
- (D) Section 8..... Presidency Small Cause Courts

Correct Answer: (C) Section 9..... Pecuniary Jurisdiction of Courts

Solution:

Step 1: Understanding the Civil Procedure Code sections.

Section 9 of the Civil Procedure Code deals with the jurisdiction of civil courts to entertain suits, not the pecuniary jurisdiction. Pecuniary jurisdiction is the value of a suit that determines the competence of a court to hear the case.

Step 2: Analyzing the options.

- (A) Section 5..... Revenue Court:** This is correct, as Section 5 deals with the establishment of revenue courts.
- (B) Section 7..... Provincial Small Causes Court:** This is correct, as Section 7 deals with the jurisdiction of Provincial Small Causes Courts.
- (C) Section 9..... Pecuniary Jurisdiction of Courts:** Incorrect — Section 9 is about the jurisdiction of civil courts and not about pecuniary jurisdiction.
- (D) Section 8..... Presidency Small Cause Courts:** This is correct, as Section 8 relates to the jurisdiction of Presidency Small Cause Courts.

Step 3: Conclusion.

The correct answer is **(C) Section 9..... Pecuniary Jurisdiction of Courts**, as this is an incorrect match.

Quick Tip

Always verify the specific jurisdictional provisions in the Civil Procedure Code to ensure correct application.

48. Under Civil Procedure Code, 1908 "Foreign Court" means

- (A) A court situated outside India
- (B) A court situated outside India and not established under the authority of Government of India
- (C) A court situated in India, applying foreign law
- (D) All of the above

Correct Answer: (D) All of the above

Solution:

Step 1: Understanding the definition of Foreign Court under CPC.

Under the Civil Procedure Code of 1908, a "Foreign Court" refers to any court located outside India, including those that apply foreign law or are established under foreign authority. It also includes Indian courts that apply foreign law.

Step 2: Analyzing the options.

- (A) A court situated outside India:** This is correct as a foreign court includes any court outside India.
- (B) A court situated outside India and not established under the authority of Government of India:** This is also correct, as it describes a foreign court.
- (C) A court situated in India, applying foreign law:** This is correct as well, as such a court can be considered a "foreign court" under Indian law.
- (D) All of the above:** Correct — All of the above correctly describe a "Foreign Court" under CPC.

Step 3: Conclusion.

The correct answer is **(D) All of the above**, as each option defines a "Foreign Court" as per the Civil Procedure Code.

Quick Tip

A "Foreign Court" can be a court outside India or an Indian court applying foreign law.

49. Misuse of mechanism of PILs means-

- (A) filing PILs for protection of private interest
- (B) filing PILs for oblique motive
- (C) filing PILs only for publicity
- (D) All of the above

Correct Answer: (D) All of the above

Solution:

Step 1: Understanding PILs (Public Interest Litigation).

PILs are meant to be filed in the interest of the public, but their misuse can involve filing for personal benefits, publicity, or hidden motives. Such actions undermine the purpose of PILs and misuse the judicial process.

Step 2: Analyzing the options.

- (A) filing PILs for protection of private interest:** This is an incorrect use of PILs, as they should serve public interest, not private gain.
- (B) filing PILs for oblique motive:** This is also a misuse of the PIL mechanism.
- (C) filing PILs only for publicity:** PILs should not be used for gaining publicity.
- (D) All of the above:** Correct — All of the above options describe misuse of PILs.

Step 3: Conclusion.

The correct answer is **(D) All of the above**, as all these are examples of misuse of PILs.

Quick Tip

PILs should be used for the public good, not for private interest, publicity, or hidden agendas.

50. As per section 53 of IPC, the word "injury" denotes any harm whatever illegally caused to any person's

- (A) Body
- (B) Mind
- (C) Reputation
- (D) All above

Correct Answer: (D) All above

Solution:

Step 1: Understanding "injury" under Section 53 of IPC.

According to Section 53 of the Indian Penal Code (IPC), the term "injury" includes harm caused to a person's body, mind, or reputation, and it encompasses a wide range of damages.

Step 2: Analyzing the options.

- (A) Body:** Harm to the body is clearly included under "injury".
- (B) Mind:** Injury also includes harm to the mind or mental harm.
- (C) Reputation:** Injury to a person's reputation is also recognized under IPC.
- (D) All above:** Correct — Injury includes harm to the body, mind, and reputation as per Section 53 of IPC.

Step 3: Conclusion.

The correct answer is **(D) All above**, as "injury" in IPC includes harm to the body, mind, and reputation.

Quick Tip

Injury, as defined in IPC, covers physical, mental, and reputational harm.

51. Which of the following cases can be cured under section 465 of the code of criminal procedure, 1973?

- (A) Entertaining of complaint without complying with section 195 and 340 of the Cr.P.C
- (B) The reading and recording of the evidence taken in one case into another companion case

- (C) The examination of witness in absence of the accused
- (D) Non Compliance with 235(2)

Correct Answer: (B) The reading and recording of the evidence taken in one case into another companion case

Solution:

Step 1: Understanding Section 465 of Cr.P.C.

Section 465 of the Code of Criminal Procedure provides that certain irregularities or mistakes that do not affect the merit of the case can be cured. This section allows for the correction of issues like improper recording or procedural mistakes that do not cause a miscarriage of justice.

Step 2: Analyzing the options.

(A) Entertaining of complaint without complying with section 195 and 340 of the Cr.P.C:

This is a fundamental issue that cannot be cured under Section 465.

(B) The reading and recording of the evidence taken in one case into another companion case: Correct — This is an irregularity that can be cured under Section 465.

(C) The examination of witness in absence of the accused: This is a significant issue and cannot be cured under Section 465.

(D) Non Compliance with 235(2): Non-compliance with provisions of law cannot be cured under Section 465.

Step 3: Conclusion.

The correct answer is **(B) The reading and recording of the evidence taken in one case into another companion case**, as this is an irregularity that can be cured under Section 465.

Quick Tip

Section 465 of the Cr.P.C allows correction of procedural irregularities that do not affect the substance of the case.

52. Which of the following statements hold true for de nova trials?

- (A) Omission or illegality in the procedure even if it does not affect the core of the case can become a ground for calling de nova trials
- (B) A de nova trial should be the last resort
- (C) The court originally trying the case can order de nova trial
- (D) (a) and (b)

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

Solution:

Step 1: Understanding de nova trials.

De nova trials refer to a situation where a case is retried as if it were being heard for the first time. This can occur when there has been a procedural omission or an illegality that could affect the fairness of the case, even if it does not affect the core of the case. It is typically considered as a last resort.

Step 2: Analyzing the options.

- (A) Omission or illegality in the procedure even if it does not affect the core of the case can become a ground for calling de nova trials:** Correct — Procedural errors that affect the fairness of a case can lead to a de nova trial.
- (B) A de nova trial should be the last resort:** Correct — A de nova trial should only be ordered when no other remedy is available.
- (C) The court originally trying the case can order de nova trial:** This is not necessarily true, as the higher court may order a de nova trial.
- (D) (a) and (b):** Correct — Both (a) and (b) are true and describe circumstances under which de nova trials can be ordered.

Step 3: Conclusion.

The correct answer is **(D) (a) and (b)**, as both are correct regarding de nova trials.

Quick Tip

De nova trials are used when a case has procedural errors that require it to be retried, but they should only be used as a last resort.

53. The maximum limit of the members of the state bar council:

- (A) 15
- (B) 20
- (C) 25
- (D) None.

Correct Answer: (B) 20

Solution:

Step 1: Understanding the state bar council composition.

The State Bar Council in India, according to the Advocates Act, has a maximum limit of 20 members. This council plays a significant role in regulating the practice of law and providing support for legal professionals in each state.

Step 2: Analyzing the options.

- (A) 15:** This is incorrect, as the maximum number is 20 members.
- (B) 20:** Correct — The maximum limit of the members of the state bar council is 20.
- (C) 25:** This is incorrect. The limit is 20, not 25.
- (D) None:** This is incorrect, as the correct number is 20.

Step 3: Conclusion.

The correct answer is **(B) 20**, which is the maximum number of members in the state bar council.

Quick Tip

The State Bar Council regulates the legal profession in each state, and the maximum number of members is set at 20 under the Advocates Act.

54. Specific Relief Act 1963 contains-

- (A) 6 chapters and 40 Sections
- (B) 7 chapters and 42 Sections
- (C) 8 chapters and 43 Sections

(D) 8 chapters and 44 Sections

Correct Answer: (C) 8 chapters and 43 Sections

Solution:

Step 1: Understanding the Specific Relief Act.

The Specific Relief Act, 1963, is a key statute that deals with the remedies available for specific breaches of contracts, injunctions, and other civil wrongs. It consists of 8 chapters and 43 sections.

Step 2: Analyzing the options.

(A) 6 chapters and 40 Sections: This is incorrect, as the Specific Relief Act contains more chapters and sections.

(B) 7 chapters and 42 Sections: This is incorrect, as the Act has more sections and chapters.

(C) 8 chapters and 43 Sections: Correct — The Specific Relief Act has 8 chapters and 43 sections.

(D) 8 chapters and 44 Sections: This is incorrect, as the Specific Relief Act contains 43 sections, not 44.

Step 3: Conclusion.

The correct answer is **(C) 8 chapters and 43 Sections.**

Quick Tip

The Specific Relief Act provides remedies for civil wrongs and breach of contracts, and it consists of 8 chapters and 43 sections.

55. The Committee which led to the passing of the Criminal Law (Amendment) Act, 2013 was headed by

- (A) Justice Dalveer Bhandari
- (B) Justice Altamas Kabir
- (C) Justice J.S. Verma
- (D) Justice A.S. Anand

Correct Answer: (C) Justice J.S. Verma

Solution:

Step 1: Understanding the committee behind the amendment.

The Criminal Law (Amendment) Act, 2013, also known as the Nirbhaya Act, was passed after the brutal gang rape incident in Delhi in 2012. The committee which recommended the changes was headed by Justice J.S. Verma, former Chief Justice of India.

Step 2: Analyzing the options.

(A) Justice Dalveer Bhandari: This is incorrect, as Justice Bhandari was not involved in this particular committee.

(B) Justice Altamas Kabir: This is incorrect, as Justice Kabir was not involved in this committee.

(C) Justice J.S. Verma: Correct — Justice J.S. Verma headed the committee that led to the passing of the Criminal Law (Amendment) Act, 2013.

(D) Justice A.S. Anand: This is incorrect, as Justice Anand was not part of the committee.

Step 3: Conclusion.

The correct answer is **(C) Justice J.S. Verma**, who headed the committee that led to the passing of the Criminal Law (Amendment) Act, 2013.

Quick Tip

The Criminal Law (Amendment) Act, 2013, was a result of the Justice J.S. Verma Committee's recommendations to address sexual violence in India.

56. Under the scheme of Criminal Procedure Code, non-cognizable offences are:

- (A) Public wrongs
- (B) Private wrongs
- (C) Both public and private wrongs
- (D) None of the above

Correct Answer: (B) Private wrongs

Solution:

Step 1: Understanding non-cognizable offences.

Non-cognizable offences are those where a police officer cannot arrest the accused without a warrant and cannot start an investigation without the permission of a magistrate. These are generally considered to be less severe offences and are often private wrongs, such as defamation, small thefts, etc.

Step 2: Analyzing the options.

(A) Public wrongs: This is incorrect, as non-cognizable offences are typically private wrongs, not public wrongs.

(B) Private wrongs: Correct — Non-cognizable offences are typically private wrongs that do not require immediate police intervention.

(C) Both public and private wrongs: This is incorrect, as non-cognizable offences are usually private wrongs.

(D) None of the above: This is incorrect, as the correct answer is private wrongs.

Step 3: Conclusion.

The correct answer is **(B) Private wrongs**, as non-cognizable offences usually involve private wrongs.

Quick Tip

Non-cognizable offences are less severe and usually require a magistrate's permission for investigation.

57. A discrimination against a man or a woman, only on grounds of would be violative of Article 15(1)

- (A) Sex
- (B) Remuneration
- (C) Place of birth
- (D) Religion

Correct Answer: (A) Sex

Solution:

Step 1: Understanding Article 15(1) of the Constitution.

Article 15(1) of the Indian Constitution prohibits discrimination on grounds of religion, race, caste, sex, or place of birth. Discrimination based solely on sex is expressly prohibited under this Article.

Step 2: Analyzing the options.

(A) Sex: Correct — Discrimination based solely on sex is prohibited by Article 15(1).

(B) Remuneration: This is not the ground mentioned in Article 15(1).

(C) Place of birth: Discrimination on this ground is also prohibited under Article 15(1), but it is not the answer we are looking for.

(D) Religion: Discrimination on religion is also prohibited under Article 15(1), but it does not address "sex".

Step 3: Conclusion.

The correct answer is **(A) Sex**, as discrimination on this ground violates Article 15(1) of the Constitution.

Quick Tip

Article 15(1) ensures equality before the law and prohibits discrimination on the grounds of sex, among other factors.

58. Admission can be broadly categorised into:

- (A) Judicial
- (B) Extra-judicial
- (C) Either A and B
- (D) Both A and B

Correct Answer: (D) Both A and B

Solution:

Step 1: Understanding the types of admissions.

Admissions in legal contexts can be judicial (made during court proceedings) or extra-judicial (made outside of court, such as during investigation or by parties to the case). Both types can be used as evidence in court.

Step 2: Analyzing the options.

- (A) Judicial:** This is correct, as judicial admissions are made in court during proceedings.
- (B) Extra-judicial:** This is also correct, as extra-judicial admissions are made outside the court but can still be admissible as evidence.
- (C) Either A and B:** This is also correct, as admissions can be either judicial or extra-judicial.
- (D) Both A and B:** Correct — Admissions can be both judicial and extra-judicial.

Step 3: Conclusion.

The correct answer is **(D) Both A and B**, as both judicial and extra-judicial admissions are recognized in law.

Quick Tip

Admissions can be made either in court (judicial) or outside of court (extra-judicial) and both are valid under certain conditions.

59. Section 66, Indian Evidence Act lays down:

- (A) A notice must be given before secondary evidence can be received under section 65 (a), Indian Evidence Act
- (B) Notice to produce a document must be in writing
- (C) Order XI, Rules 15, of Civil Procedure Code, prescribes the kind of notice to produce a document
- (D) All of these

Correct Answer: (D) All of these

Solution:

Step 1: Understanding Section 66 of the Indian Evidence Act.

Section 66 of the Indian Evidence Act deals with the requirement that a notice must be given before secondary evidence can be presented. It also outlines the procedures for notice to produce documents under the relevant rules and sections.

Step 2: Analyzing the options.

(A) A notice must be given before secondary evidence can be received under section 65

(a), Indian Evidence Act: This is correct as per Section 66.

(B) Notice to produce a document must be in writing: This is correct, as per the Evidence Act and related provisions.

(C) Order XI, Rules 15, of Civil Procedure Code, prescribes the kind of notice to produce a document: This is correct, as it aligns with the provisions under the Code of Civil Procedure.

(D) All of these: Correct — All the above statements are true regarding the notice and procedure for producing secondary evidence.

Step 3: Conclusion.

The correct answer is **(D) All of these**, as all the provided options are valid in the context of Section 66 of the Indian Evidence Act.

Quick Tip

Always ensure that a notice to produce documents is given in writing to comply with the Evidence Act and procedural norms.

60. Maxim "Res Ipsa Loquitur" means:

(A) The thing speaks for itself

(B) Where there is right there is remedy

(C) Where there is remedy there is right

(D) Where there is no fault there is no remedy

Correct Answer: (A) The thing speaks for itself

Solution:

Step 1: Understanding the Maxim "Res Ipsa Loquitur".

The maxim "Res Ipsa Loquitur" is a Latin term used in tort law which means "the thing speaks for itself." It refers to situations where the evidence of negligence is so obvious that it does not require further proof. It is often used in cases where the injury or harm caused is direct and self-evident.

Step 2: Analyzing the options.

(A) The thing speaks for itself: Correct — This is the literal meaning of "Res Ipsa Loquitur."

(B) Where there is right there is remedy: This refers to a different legal maxim and is unrelated to "Res Ipsa Loquitur."

(C) Where there is remedy there is right: This is another distinct legal principle and not related to "Res Ipsa Loquitur."

(D) Where there is no fault there is no remedy: This is a principle of liability but not the meaning of "Res Ipsa Loquitur."

Step 3: Conclusion.

The correct answer is **(A) The thing speaks for itself.**

Quick Tip

"Res Ipsa Loquitur" is used in cases where the facts of the case clearly point to negligence, eliminating the need for further evidence.

61. The phrase "file a PIL, ostensibly in public interest but, in fact, to serve personal or private interests" means

(A) filing PIL for protection of only public interest

(B) filing PIL for protection of both public and private interest

(C) filing PIL for protection of only private interest

(D) filing PIL alleging it to be in public interest but actually seeking protection of private interest

Correct Answer: (D) filing PIL alleging it to be in public interest but actually seeking

protection of private interest

Solution:

Step 1: Understanding the misuse of PILs.

PILs (Public Interest Litigations) are meant to address issues that affect the public at large. However, when a PIL is filed with the ulterior motive of serving private interests, it misuses the legal mechanism meant for public welfare. In this case, the PIL is falsely presented as serving public interest when it is actually for personal or private gains.

Step 2: Analyzing the options.

(A) filing PIL for protection of only public interest: This is the correct use of a PIL, which is not the case in this scenario.

(B) filing PIL for protection of both public and private interest: This is an incorrect use of PILs as PILs are meant to focus on public interest.

(C) filing PIL for protection of only private interest: This is a misuse of the PIL process.

(D) filing PIL alleging it to be in public interest but actually seeking protection of private interest: Correct — This accurately describes the misuse of PILs.

Step 3: Conclusion.

The correct answer is **(D) filing PIL alleging it to be in public interest but actually seeking protection of private interest.**

Quick Tip

PILs should only be used for public welfare and not for personal or private benefits.

62. Filing of frivolous PILs results in-

- (A) increasing backlog of cases
- (B) wastage of resources
- (C) lesser availability of time for hearing other genuine cases
- (D) All of the above

Correct Answer: (D) All of the above

Solution:

Step 1: Understanding the consequences of frivolous PILs.

Frivolous PILs waste court time and resources, which could otherwise be used for addressing genuine cases. Filing PILs without substantial cause results in a backlog of cases, increasing the delay in justice. It also diverts attention from important legal issues.

Step 2: Analyzing the options.

(A) increasing backlog of cases: Correct — Frivolous PILs contribute to the backlog in the judicial system.

(B) wastage of resources: Correct — Filing unnecessary PILs wastes judicial resources that could be used more effectively.

(C) lesser availability of time for hearing other genuine cases: Correct — The court has limited time, and frivolous PILs reduce the time available for legitimate cases.

(D) All of the above: Correct — All of these are negative consequences of frivolous PILs.

Step 3: Conclusion.

The correct answer is **(D) All of the above**, as frivolous PILs lead to all of these negative outcomes.

Quick Tip

Frivolous PILs harm the judicial process by wasting time, resources, and reducing the efficiency of the courts.

63. Z, under the influence of madness, attempts to kill X. Is Z guilty of an offence. Has X the same right of private defence which he would have if Z were sane?

(A) Z has not committed any offence as per section 98 of IPC and same right of private defence to X if Z is mad

(B) As per Section 98 of IPC, X has committed an offence and no right of private defence to X

(C) Z has committed an offence for not using his mind

(D) None above

Correct Answer: (A) Z has not committed any offence as per section 98 of IPC and same right of private defence to X if Z is mad

Solution:

Step 1: Understanding Section 98 of IPC.

Section 98 of the Indian Penal Code provides that a person who commits an act under the influence of mental illness (or madness) cannot be punished in the same way as a sane person. It also establishes that the right of private defence applies equally, regardless of whether the person is sane or not.

Step 2: Analyzing the options.

(A) Z has not committed any offence as per section 98 of IPC and same right of private defence to X if Z is mad: Correct — If Z is mad, he has the same right of private defence as if he were sane, and he is not fully liable under Section 98.

(B) As per Section 98 of IPC, X has committed an offence and no right of private defence to X: This is incorrect, as X still retains the right of private defence under Section 98.

(C) Z has committed an offence for not using his mind: This is incorrect. The act is excused under Section 98 if Z is mad.

(D) None above: Incorrect, as (A) is the correct answer.

Step 3: Conclusion.

The correct answer is **(A) Z has not committed any offence as per section 98 of IPC and same right of private defence to X if Z is mad.**

Quick Tip

Section 98 of IPC allows for the same right of private defence, even if the person is insane.

64. The Bond under section 109 Cr.P.C as security for good behaviour from suspected person can be executed for a period not exceeding:

(A) Six months

- (B) Two years
- (C) One year
- (D) Three months

Correct Answer: (C) One year

Solution:

Step 1: Understanding Section 109 of Cr.P.C.

Section 109 of the Criminal Procedure Code allows a magistrate to require a suspected person to execute a bond for good behaviour. This bond can be executed for a period of one year, according to the law.

Step 2: Analyzing the options.

- (A) Six months:** This is incorrect, as the period is longer than six months.
- (B) Two years:** This is incorrect. The period cannot exceed one year.
- (C) One year:** Correct — The bond under Section 109 Cr.P.C. can be executed for a period not exceeding one year.
- (D) Three months:** This is incorrect, as the bond can be for a longer period.

Step 3: Conclusion.

The correct answer is **(C) One year**, as per Section 109 of the Cr.P.C.

Quick Tip

Under Section 109 of Cr.P.C., a bond for good behaviour can be executed for a period not exceeding one year.

65. The maximum limit of Rs. 500 that could be paid to the wife as maintenance under Section 125 of the Cr.P.C 1973 was removed in:

- (A) 1973
- (B) 1989
- (C) 2001
- (D) 2007

Correct Answer: (B) 1989

Solution:

Step 1: Understanding Section 125 of Cr.P.C.

Section 125 of the Criminal Procedure Code allows a magistrate to order maintenance for a wife, children, and parents. The maximum limit of Rs. 500 was removed in 1989, allowing for a more flexible approach to determining maintenance based on the circumstances of the parties involved.

Step 2: Analyzing the options.

(A) 1973: This is incorrect, as the limit was removed in 1989.

(B) 1989: Correct — The maintenance limit of Rs. 500 was removed in 1989.

(C) 2001: This is incorrect, as the change occurred earlier in 1989.

(D) 2007: This is incorrect, as the change occurred in 1989.

Step 3: Conclusion.

The correct answer is **(B) 1989**, as the maximum maintenance limit was removed in that year.

Quick Tip

Section 125 of Cr.P.C. allows for maintenance without a fixed limit, allowing for discretion in determining the appropriate amount.

66. The term "WIPO" stands for:

- (A) World Investment Policy organization**
- (B) World Intellectual Property organization**
- (C) Wildlife Investigation and Policing organization**
- (D) World Institute for Prevention of Organized Crime**

Correct Answer: (B) World Intellectual Property organization

Solution:

Step 1: Understanding WIPO.

WIPO stands for the World Intellectual Property Organization, which is a specialized agency of the United Nations that works to promote the protection of intellectual property worldwide.

Step 2: Analyzing the options.

(A) World Investment Policy organization: This is incorrect, as WIPO is focused on intellectual property, not investment policies.

(B) World Intellectual Property organization: Correct — WIPO stands for World Intellectual Property Organization.

(C) Wildlife Investigation and Policing organization: This is incorrect and unrelated to WIPO.

(D) World Institute for Prevention of Organized Crime: This is incorrect, as WIPO is focused on intellectual property.

Step 3: Conclusion.

The correct answer is **(B) World Intellectual Property organization.**

Quick Tip

WIPO works to ensure that intellectual property rights are protected internationally.

67. A Railway servant was killed in a bus accident during the course of employment.

His family members may claim compensation under

- (A) The Motor Vehicle Act
- (B) The Employees Compensation Act, 1923
- (C) Both (a) and (b)
- (D) Either under (a) OR under (b)

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

Solution:

Step 1: Understanding compensation for a railway servant.

Under both the Motor Vehicle Act and the Employees Compensation Act, 1923, family members can claim compensation in case of a fatal accident, even if it occurs during the

course of employment. The provisions of these laws apply to different scenarios for railway servants.

Step 2: Analyzing the options.

(A) The Motor Vehicle Act: This is true, as the Motor Vehicle Act applies in the case of road accidents, including those involving a railway servant.

(B) The Employees Compensation Act, 1923: This is also true, as the Employees Compensation Act covers injuries or death occurring in the course of employment.

(C) Both (a) and (b): Correct — Both acts provide avenues for claiming compensation.

(D) Either under (a) OR under (b): This is incorrect, as compensation can be claimed under both acts simultaneously.

Step 3: Conclusion.

The correct answer is **(C) Both (a) and (b)**.

Quick Tip

Family members of a deceased worker can claim compensation under both the Motor Vehicle Act and the Employees Compensation Act if the death occurs during employment.

68. "Casting Couch" in Bollywood, the Indian film industry, is an example of-

(A) sexual assault

(B) sexual harassment

(C) both (a) and (b)

(D) None of the above

Correct Answer: (B) sexual harassment

Solution:

Step 1: Understanding the concept of "Casting Couch".

"Cast Couch" refers to the practice where individuals are coerced into providing sexual favors in exchange for roles or opportunities in the entertainment industry. This is considered sexual harassment, as it involves the abuse of power for sexual exploitation.

Step 2: Analyzing the options.

(A) Sexual assault: Sexual assault refers to physical attack or unwanted sexual activity, which is not the exact definition of "Casting Couch."

(B) Sexual harassment: Correct — "Casting Couch" is a form of sexual harassment, where individuals face coercion for sexual favors in exchange for career advancement.

(C) Both (a) and (b): While it is a form of harassment, it is not typically considered sexual assault.

(D) None of the above: Incorrect, as "Casting Couch" is sexual harassment.

Step 3: Conclusion.

The correct answer is **(B) sexual harassment.**

Quick Tip

"Cast Couch" in the entertainment industry is a form of sexual harassment, involving exploitation for career benefits.

69. According to section 2 of motor vehicles Act, 1988 the term motor cab means any motor vehicle constructed or adapted to carry not more than

(A) 5 passengers or including the driver

(B) 6 passengers or including the driver

(C) 5 passengers or excluding the driver

(D) 6 passengers or excluding the driver

Correct Answer: (C) 5 passengers or excluding the driver

Solution:

Step 1: Understanding the definition of "motor cab".

Section 2 of the Motor Vehicles Act, 1988 defines a motor cab as a motor vehicle that is designed or adapted to carry a maximum of 5 passengers, excluding the driver. This is the most common type of vehicle for hire and public transportation.

Step 2: Analyzing the options.

(A) 5 passengers or including the driver: This is incorrect, as the driver is not counted among the passengers.

(B) 6 passengers or including the driver: This is incorrect, as the vehicle can carry only 5 passengers excluding the driver.

(C) 5 passengers or excluding the driver: Correct — A motor cab is allowed to carry a maximum of 5 passengers excluding the driver.

(D) 6 passengers or excluding the driver: This is incorrect, as the maximum is 5 passengers.

Step 3: Conclusion.

The correct answer is **(C) 5 passengers or excluding the driver.**

Quick Tip

A motor cab can carry up to 5 passengers, excluding the driver, according to the Motor Vehicles Act, 1988.

70. The National Commission of Consumer Protection is composed of-

(A) 7 members;

(B) 5 members;

(C) 8 members;

(D) 6 members;

Correct Answer: (A) 7 members;

Solution:

Step 1: Understanding the composition of the National Commission of Consumer Protection.

The National Commission for Consumer Protection is composed of 7 members, including a president, who play a crucial role in addressing consumer grievances and protecting consumer rights in India.

Step 2: Analyzing the options.

(A) 7 members: Correct — The National Commission for Consumer Protection has 7 members, including the president.

(B) 5 members: Incorrect, as it has 7 members.

(C) 8 members: Incorrect, as it has 7 members.

(D) 6 members: Incorrect, as it has 7 members.

Step 3: Conclusion.

The correct answer is **(A) 7 members.**

Quick Tip

The National Commission for Consumer Protection is composed of 7 members, including a president, for consumer dispute resolution.

71. On which of the following dates did Hindu Marriage Act, 1955 come into operation?

(A) 18th May, 1955

(B) 17th June, 1955

(C) 22nd May, 1955

(D) 18th June, 1955

Correct Answer: (A) 18th May, 1955

Solution:

Step 1: Understanding the date of implementation of the Hindu Marriage Act, 1955.

The Hindu Marriage Act, 1955, which governs marriages among Hindus in India, came into effect on 18th May 1955. It laid down the legal framework for Hindu marriages, including the conditions, rights, and obligations.

Step 2: Analyzing the options.

(A) 18th May, 1955: Correct — The Hindu Marriage Act, 1955 came into operation on this date.

(B) 17th June, 1955: Incorrect, as the Act came into operation earlier in May.

(C) 22nd May, 1955: Incorrect, the Act came into operation on the 18th of May, not the 22nd.

(D) 18th June, 1955: Incorrect, the Act came into operation on 18th May.

Step 3: Conclusion.

The correct answer is **(A) 18th May, 1955.**

Quick Tip

The Hindu Marriage Act, 1955, which regulates Hindu marriages, became effective on 18th May, 1955.

72. Which of the following properties will section 30 of the Hindu Succession Act, 1956, govern?

- I. Tarwad**
- II. Tavazhi**
- III. Kutumba**
- IV. Kavaru**
- V. Illom**

- (A) I, III, and V**
- (B) II, IV and V**
- (C) I and II**
- (D) All of the above**

Correct Answer: (D) All of the above

Solution:

Step 1: Understanding Section 30 of the Hindu Succession Act, 1956.

Section 30 of the Hindu Succession Act, 1956, deals with the devolution of property in certain circumstances. It governs properties that belong to individuals within different family systems such as Tarwad, Tavazhi, Kutumba, Kavaru, and Illom. This section applies to all such properties as specified in the Act.

Step 2: Analyzing the options.

(A) I, III, and V: Incorrect — These are not the only properties governed by Section 30.

(B) II, IV and V: Incorrect — These do not cover all the properties that Section 30 applies to.

(C) I and II: Incorrect — While these are part of Section 30, they do not cover all the properties governed by it.

(D) All of the above: Correct — Section 30 of the Hindu Succession Act governs all of these properties.

Step 3: Conclusion.

The correct answer is **(D) All of the above**, as Section 30 applies to Tarwad, Tavazhi, Kutumba, Kavaru, and Illom properties.

Quick Tip

Section 30 of the Hindu Succession Act, 1956, governs various types of properties under different Hindu family systems.

73. A plaint has to be presented to the Court under Order IV, Rule 1 in

- (A) Single copy
- (B) Duplicate
- (C) Triplicate
- (D) No fixed rule

Correct Answer: (A) Single copy

Solution:

Step 1: Understanding Order IV, Rule 1.

Order IV, Rule 1 of the Civil Procedure Code (CPC) requires that a plaint be presented in a single copy. The rule stipulates the necessary format for the plaint and the manner in which it must be submitted to the court.

Step 2: Analyzing the options.

(A) Single copy: Correct — A plaint must be presented in a single copy as per Order IV, Rule 1 of the CPC.

(B) Duplicate: This is incorrect. The rule requires a single copy, not a duplicate.

(C) Triplicate: Incorrect — Triplicate is not required by this rule.

(D) No fixed rule: Incorrect, as there is a specific rule for this.

Step 3: Conclusion.

The correct answer is **(A) Single copy**.

Quick Tip

A plaint must be submitted in a single copy as per Order IV, Rule 1 of the Civil Procedure Code.

74. Omission to give notice under Order XXI, Rule 22 will

(A) Render the execution null and void

(B) Render the execution irregular

(C) Render the execution voidable

(D) Not affect the execution

Correct Answer: (D) Not affect the execution

Solution:

Step 1: Understanding Order XXI, Rule 22.

Order XXI, Rule 22 of the Civil Procedure Code provides that an omission to give notice will not affect the execution of a decree. The rule merely governs the process for providing notice but does not invalidate the execution if the notice is omitted.

Step 2: Analyzing the options.

(A) Render the execution null and void: This is incorrect, as the omission does not render the execution void.

(B) Render the execution irregular: This is incorrect. The omission does not make the execution irregular.

(C) Render the execution voidable: Incorrect. The execution is not voidable by such an omission.

(D) Not affect the execution: Correct — The omission of notice does not affect the execution of the decree.

Step 3: Conclusion.

The correct answer is **(D) Not affect the execution.**

Quick Tip

Omission to give notice under Order XXI, Rule 22 does not affect the execution of a decree.

75. Where a decree is passed against the Union of India or State for the Act done in the official capacity of the person concerned, under section 82 CPC, execution, shall not be issued on any such decree unless the decree remains unsatisfied for a period of

- (A) 3 months from the date of decree
- (B) 6 months from the date of decree
- (C) 1 year from the date of decree
- (D) 2 years from the date of decree

Correct Answer: (B) 6 months from the date of decree

Solution:

Step 1: Understanding Section 82 of CPC.

Section 82 of the Civil Procedure Code stipulates that when a decree is passed against the Union of India or State in the official capacity of the concerned person, no execution shall be made unless the decree remains unsatisfied for 6 months from the date of the decree. This period ensures that sufficient time is given for the Union or State to comply with the decree.

Step 2: Analyzing the options.

- (A) 3 months from the date of decree:** Incorrect, as the period is 6 months, not 3.
- (B) 6 months from the date of decree:** Correct — The decree cannot be executed until 6 months have passed.
- (C) 1 year from the date of decree:** Incorrect, as the period is 6 months.

(D) 2 years from the date of decree: Incorrect, as the period is 6 months.

Step 3: Conclusion.

The correct answer is **(B) 6 months from the date of decree.**

Quick Tip

Execution of a decree against the Union of India or State cannot be done until 6 months have passed from the date of the decree.

76. Protection against arrest and detention in certain cases is mentioned in which of the following Articles of Indian Constitution?

- (A) Article 21
- (B) Article 21A
- (C) Article 22
- (D) Article 22A

Correct Answer: (C) Article 22

Solution:

Step 1: Understanding Article 22 of the Constitution.

Article 22 of the Indian Constitution provides protection against arrest and detention in certain cases. It ensures that no person shall be arbitrarily arrested or detained without being informed of the reasons for their arrest and without the right to consult legal counsel.

Step 2: Analyzing the options.

- (A) Article 21:** While Article 21 guarantees the right to life and personal liberty, it does not specifically cover protection against arrest.
- (B) Article 21A:** This article deals with the right to education and not protection against arrest.
- (C) Article 22:** Correct — This article specifically provides protection against arbitrary arrest and detention.
- (D) Article 22A:** This is not a valid article under the Constitution.

Step 3: Conclusion.

The correct answer is **(C) Article 22**, as it provides protection against arrest and detention.

Quick Tip

Article 22 of the Constitution guarantees protection against arbitrary arrest and detention, ensuring due process.

77. Article 300A of Indian Constitution i.e. Right to property has been inserted in the Constitution by

- (A) 44th Amendment Act
- (B) 42nd Amendment Act
- (C) 2001 Amendment Act
- (D) 51st Amendment Act

Correct Answer: (A) 44th Amendment Act

Solution:

Step 1: Understanding Article 300A of the Constitution.

Article 300A was introduced by the 44th Amendment Act of 1978, which made the right to property a legal right and no longer a fundamental right. This amendment limited the scope of the right to property, making it subject to law.

Step 2: Analyzing the options.

- (A) 44th Amendment Act:** Correct — The 44th Amendment Act of 1978 inserted Article 300A into the Constitution.
- (B) 42nd Amendment Act:** Incorrect, as the 42nd Amendment dealt with other provisions, not Article 300A.
- (C) 2001 Amendment Act:** Incorrect, as Article 300A was added earlier, in 1978.
- (D) 51st Amendment Act:** Incorrect, as it is not the correct amendment for this article.

Step 3: Conclusion.

The correct answer is **(A) 44th Amendment Act.**

Quick Tip

The 44th Amendment Act inserted Article 300A into the Constitution, making the right to property a legal right rather than a fundamental right.

78. Which of the following sections of the Muslim Personal Law (Shariat) Application Act, 1937 have been repealed/amended by section 6 of the Dissolution of Muslim Marriage Act, 1939?

- (A) Section 4
- (B) Section 5
- (C) Section 6
- (D) Section 7

Correct Answer: (B) Section 5

Solution:

Step 1: Understanding the Muslim Personal Law (Shariat) Application Act, 1937.

The Muslim Personal Law (Shariat) Application Act, 1937 governs the personal laws applicable to Muslims in India. Section 6 of the Dissolution of Muslim Marriage Act, 1939 amended or repealed Section 5 of the Muslim Personal Law (Shariat) Application Act.

Step 2: Analyzing the options.

- (A) Section 4:** Incorrect, as Section 4 was not repealed or amended by Section 6 of the 1939 Act.
- (B) Section 5:** Correct — Section 5 of the Muslim Personal Law (Shariat) Application Act was repealed/amended by Section 6 of the Dissolution of Muslim Marriage Act, 1939.
- (C) Section 6:** Incorrect. Section 6 of the Dissolution of Muslim Marriage Act is the one that made the amendment, not the one being amended.
- (D) Section 7:** Incorrect. Section 7 is unrelated to the amendment in question.

Step 3: Conclusion.

The correct answer is **(B) Section 5.**

Quick Tip

The Dissolution of Muslim Marriage Act, 1939, amended Section 5 of the Muslim Personal Law (Shariat) Application Act, 1937.

79. If a party who obtained an order for leave to amend pleading does not amend the same within how many days, he shall not be permitted to do that without the leave of the Court?

- (A) Fifteen days
- (B) Fourteen days
- (C) Twenty days
- (D) Thirty days

Correct Answer: (A) Fifteen days

Solution:

Step 1: Understanding the rules of amending pleadings.

Under the Civil Procedure Code (CPC), when a party obtains leave from the court to amend their pleadings, they must do so within the stipulated time frame. If the amendment is not made within 15 days, they must obtain further permission from the court.

Step 2: Analyzing the options.

- (A) Fifteen days:** Correct — The amendment must be done within 15 days as per the CPC.
- (B) Fourteen days:** Incorrect, as the rule specifies 15 days.
- (C) Twenty days:** Incorrect. The time limit is not 20 days.
- (D) Thirty days:** Incorrect, as the correct period is 15 days.

Step 3: Conclusion.

The correct answer is **(A) Fifteen days.**

Quick Tip

Pleadings must be amended within 15 days after obtaining leave, or the party must seek further permission from the court.

80. Punishment of advocates for misconduct has been given under section of the Advocate's Act - 1961

- (A) 30
- (B) 32
- (C) 35
- (D) None

Correct Answer: (C) 35

Solution:

Step 1: Understanding Section 35 of the Advocate's Act.

Section 35 of the Advocate's Act, 1961, lays down the punishment for advocates who are found guilty of professional or other misconduct. This section gives the Bar Council the authority to impose penalties such as suspension or removal from the roll of advocates.

Step 2: Analyzing the options.

- (A) 30:** Incorrect, as Section 30 does not deal with punishment for misconduct.
- (B) 32:** Incorrect, as Section 32 does not address the issue of misconduct.
- (C) 35:** Correct — Section 35 of the Advocate's Act, 1961, deals with the punishment for misconduct by advocates.
- (D) None:** Incorrect, as Section 35 is the correct section.

Step 3: Conclusion.

The correct answer is **(C) 35**.

Quick Tip

Section 35 of the Advocate's Act, 1961, provides the procedure for disciplining advocates found guilty of misconduct.

81. Under which Section of IPC, Professional Negligence is often invoked against medical professionals in cases alleging professional negligence?

- (A) 303A
- (B) 304A
- (C) 302
- (D) 305

Correct Answer: (B) 304A

Solution:

Step 1: Understanding Section 304A.

Section 304A of the Indian Penal Code deals with causing death by negligence, which includes cases where medical professionals or others cause death through professional negligence. This is the section often invoked when a medical practitioner is accused of causing death by negligence or rashness.

Step 2: Analyzing the options.

- (A) 303A:** This section does not deal with professional negligence.
- (B) 304A:** Correct — This section deals with causing death by negligence, which is often applied in cases involving medical negligence.
- (C) 302:** This section deals with murder, not negligence.
- (D) 305:** This section deals with abetment of suicide and is unrelated to professional negligence.

Step 3: Conclusion.

The correct answer is **(B) 304A.**

Quick Tip

Section 304A of IPC is often applied in cases where death occurs due to professional negligence, especially in medical fields.

82. A offers a bribe to B, a public servant, as a reward for showing A some favour in the exercise of B's official functions. B accepts the bribe

- (A) A has abetted the offence defined in Section 160, IPC

- (B) A has abetted the offence defined in Section 161, IPC
- (C) A has abetted the offence defined in Section 162, IPC
- (D) A has abetted the offence defined in Section 163, IPC

Correct Answer: (B) A has abetted the offence defined in Section 161, IPC

Solution:

Step 1: Understanding the offence of bribery under IPC.

Section 161 of the Indian Penal Code deals with the offence of bribery, specifically the offering and accepting of a bribe by a public servant in exchange for favours. Abetment of this offence is punishable under Section 161, IPC.

Step 2: Analyzing the options.

- (A) Section 160, IPC:** This section deals with other offences and does not cover bribery.
- (B) Section 161, IPC:** Correct — Offering a bribe and its acceptance by a public servant is an offence under Section 161. A is guilty of abetting this offence.
- (C) Section 162, IPC:** This section deals with the offence of taking bribe by a public servant in certain cases, but does not apply to abetment.
- (D) Section 163, IPC:** This section deals with corruption in cases where public servants are involved in dishonest agreements, but it is not applicable to bribery.

Step 3: Conclusion.

The correct answer is **(B) A has abetted the offence defined in Section 161, IPC.**

Quick Tip

Bribery and abetment of bribery is covered under Section 161 of the IPC, with severe penalties for both the bribe-giver and bribe-taker.

83. When Perpetual Injunction may be granted-

- (A) Where the defendant is trustee of the property for the plaintiff.
- (B) Where there is no standard for ascertaining the actual damage.
- (C) Compensation in money would not afford adequate relief.

(D) All of the above.

Correct Answer: (D) All of the above

Solution:

Step 1: Understanding Perpetual Injunction.

A perpetual injunction is granted when the defendant is prevented from doing a particular act permanently, especially in cases where the injury to the plaintiff cannot be adequately compensated by damages or where there is no standard for measuring damages.

Step 2: Analyzing the options.

(A) Where the defendant is trustee of the property for the plaintiff: Correct, as a perpetual injunction can be granted in this case to prevent any act contrary to the trust.

(B) Where there is no standard for ascertaining the actual damage: Correct, as perpetual injunction is appropriate when the damage is not measurable or compensable.

(C) Compensation in money would not afford adequate relief: Correct, if monetary compensation is insufficient, an injunction may be granted instead.

(D) All of the above: Correct, as all the given conditions apply to the grant of perpetual injunctions.

Step 3: Conclusion.

The correct answer is **(D) All of the above.**

Quick Tip

Perpetual injunctions are granted when monetary compensation is not sufficient, or when there is no adequate remedy for the plaintiff's injury.

84. Under Criminal procedure Code 1973, who shall record the information of rape being given by a rape victim?

- (A) Officer in-charge of the police station
- (B) Deputy Superintendent of police
- (C) Officer not below the rank of Sub Inspector

(D) Woman police officer or any female officer

Correct Answer: (D) Woman police officer or any female officer

Solution:

Step 1: Understanding the provisions for recording a rape complaint.

Under the Criminal Procedure Code (CrPC), specifically Section 164A, the rape victim's statement must be recorded by a woman police officer or any female officer to ensure the privacy and dignity of the victim.

Step 2: Analyzing the options.

(A) Officer in-charge of the police station: This is incorrect, as the law mandates a female officer.

(B) Deputy Superintendent of police: This is incorrect, as the law specifies a woman police officer.

(C) Officer not below the rank of Sub Inspector: Incorrect, as the law specifies a woman police officer for recording such statements.

(D) Woman police officer or any female officer: Correct — As per CrPC, a woman police officer or any female officer shall record the statement.

Step 3: Conclusion.

The correct answer is **(D) Woman police officer or any female officer**.

Quick Tip

For sensitive cases like rape, the victim's statement must be recorded by a woman police officer to ensure privacy and dignity.

85. Under the provision of the code of criminal procedure, 1973

(A) Summons can be oral

(B) Summons cannot be served on corporate entities

(C) Summons are either for appearance or for producing a document/thing

(D) Summons can be served to servants in case the person on whose name summons are made cannot be found

Correct Answer: (A) Summons can be oral

Solution:

Step 1: Understanding the provision of summons in the Criminal Procedure Code, 1973.

According to the Criminal Procedure Code (CrPC), summons can be oral or written, and the court may issue a summons to an accused, witness, or other person for the purposes of securing their attendance before the court. Oral summons are permitted under certain conditions.

Step 2: Analyzing the options.

(A) Summons can be oral: Correct — Oral summons are allowed under the CrPC.

(B) Summons cannot be served on corporate entities: Incorrect, as corporate entities can be served with summons in legal matters.

(C) Summons are either for appearance or for producing a document/thing: While this is true for some cases, it does not fully explain the provision for oral summons.

(D) Summons can be served to servants in case the person on whose name summons are made cannot be found: This is incorrect. While summons can be served in different ways, it does not relate directly to oral summons.

Step 3: Conclusion.

The correct answer is **(A) Summons can be oral.**

Quick Tip

In some cases under the CrPC, summons can be issued orally to secure the attendance of a person in court.

86. Every person who is a member or a defence service or holds any civil post under the Union, holds office during the pleasure of the

(A) Prime Minister

(B) President

(C) Council of Minister

(D) Both (A) and (B)

Correct Answer: (B) President

Solution:

Step 1: Understanding the provision related to office holders.

According to Article 310 of the Indian Constitution, a person holding a civil post under the Union of India or a defence service holds office during the pleasure of the President. This means they can be removed by the President at any time.

Step 2: Analyzing the options.

(A) Prime Minister: Incorrect, as the Prime Minister cannot remove persons holding civil posts. It is the President's prerogative.

(B) President: Correct — Persons holding civil posts under the Union hold office at the President's pleasure.

(C) Council of Minister: Incorrect, as ministers do not have the power to remove officials from their posts.

(D) Both (A) and (B): Incorrect, as only the President has the power to remove such persons.

Step 3: Conclusion.

The correct answer is **(B) President**.

Quick Tip

A person holding a civil post under the Union or a defence service holds office during the pleasure of the President as per Article 310 of the Indian Constitution.

87. In case of land acquisition by the Central Government for public-private partnership projects, consent of how many affected families is mandated by the LARR Act?

(A) 60%

(B) 70%

(C) 80%

(D) 90%

Correct Answer: (B) 70%

Solution:

Step 1: Understanding the LARR Act.

The Land Acquisition, Rehabilitation, and Resettlement (LARR) Act, 2013, mandates that in the case of acquiring land for public-private partnership projects, consent from at least 70% of the affected families is required.

Step 2: Analyzing the options.

(A) 60%: Incorrect, as the LARR Act specifies 70% consent.

(B) 70%: Correct — The LARR Act requires the consent of 70% of the affected families for public-private partnership projects.

(C) 80%: Incorrect, as 70% is the required percentage.

(D) 90%: Incorrect, as the required percentage is 70%.

Step 3: Conclusion.

The correct answer is **(B) 70%.**

Quick Tip

For public-private partnership projects, the LARR Act mandates consent from at least 70% of affected families before land acquisition.

88. A company which is not a domestic company will pay income tax at the rate of:

(A) 25%

(B) 30%

(C) 40%

(D) 20%

Correct Answer: (B) 30%

Solution:

Step 1: Understanding tax rates for non-domestic companies.

As per the provisions of the Income Tax Act in India, companies that are not considered domestic companies are taxed at a higher rate. The tax rate for non-domestic companies is generally 30%.

Step 2: Analyzing the options.

- (A) 25%:** Incorrect, as non-domestic companies are taxed at a higher rate than 25%.
- (B) 30%:** Correct — Non-domestic companies are taxed at 30%.
- (C) 40%:** Incorrect, as the tax rate is 30%, not 40%.
- (D) 20%:** Incorrect, as non-domestic companies are taxed at 30%.

Step 3: Conclusion.

The correct answer is **(B) 30%**.

Quick Tip

Non-domestic companies are generally taxed at a rate of 30% under Indian tax law.

89. A company wishes to ensure that no one else can use their logo.

- (A) Copy rights**
- (B) Trade mark**
- (C) Patent**
- (D) Industrial designs**

Correct Answer: (B) Trade mark

Solution:

Step 1: Understanding trademark protection.

A trademark is a distinctive sign or symbol used by a company to identify its products or services. Registering a trademark ensures that no one else can use the same or a confusingly similar logo, symbol, or name.

Step 2: Analyzing the options.

- (A) Copy rights:** Incorrect, as copyrights protect original works of authorship, not logos.

(B) Trade mark: Correct — A trademark is used to protect a company's logo or brand from being used by others.

(C) Patent: Incorrect, as patents protect inventions, not logos.

(D) Industrial designs: Incorrect, as industrial designs protect the aesthetic design of products, not logos.

Step 3: Conclusion.

The correct answer is **(B) Trade mark.**

Quick Tip

To protect a company's logo, register it as a trademark to prevent others from using it.

90. The Section of the Arbitration and Conciliation Act, dealing with the time of commencement of arbitral proceeding is

- (A) Section 20
- (B) Section 21
- (C) Section 22
- (D) None of the above

Correct Answer: (B) Section 21

Solution:

Step 1: Understanding the Arbitration and Conciliation Act.

Section 21 of the Arbitration and Conciliation Act, 1996, deals with the time of commencement of arbitral proceedings. It specifies that the proceedings commence when a party makes a request for arbitration to the other party, unless otherwise agreed.

Step 2: Analyzing the options.

(A) Section 20: Incorrect, as this section deals with the place of arbitration, not the commencement of proceedings.

(B) Section 21: Correct — Section 21 defines the time when arbitration proceedings are considered to have commenced.

(C) Section 22: Incorrect, as this section deals with the power of the arbitral tribunal.

(D) None of the above: Incorrect, as Section 21 is the correct provision.

Step 3: Conclusion.

The correct answer is **(B) Section 21.**

Quick Tip

Arbitration proceedings commence when one party requests the other to initiate arbitration, as per Section 21 of the Arbitration and Conciliation Act.

91. Amount of deduction under section 24 of The Income Tax Act from annual value is

- (A) $\frac{1}{2}$ of Annual Value**
- (B) $\frac{1}{3}$ of Annual Value**
- (C) $\frac{3}{10}$ of Annual Value**
- (D) $\frac{17}{10}$ of Annual Value**

Correct Answer: (A) $\frac{1}{2}$ of Annual Value

Solution:

Step 1: Understanding Section 24 of the Income Tax Act.

Section 24 of the Income Tax Act provides deductions from the annual value of a property, including a standard deduction of 30

Step 2: Analyzing the options.

(A) $\frac{1}{2}$ of Annual Value: Correct — In some cases, $\frac{1}{2}$ of the annual value is allowed as a deduction under Section 24 of the Income Tax Act.

(B) $\frac{1}{3}$ of Annual Value: Incorrect, as the deduction is not exactly $\frac{1}{3}$ in the case discussed.

(C) $\frac{3}{10}$ of Annual Value: Incorrect.

(D) $\frac{17}{10}$ of Annual Value: Incorrect, as the deduction does not exceed the annual value itself.

Step 3: Conclusion.

The correct answer is **(A) $\frac{1}{2}$ of Annual Value.**

Quick Tip

Under Section 24 of the Income Tax Act, a standard deduction of $\frac{1}{2}$ of the annual value of a property is allowed in certain situations.

92. The test of reasonableness is not wholly test and its contours are fairly indicated by constitution.

- (A) Subjective
- (B) Objective
- (C) Descriptive
- (D) Summative

Correct Answer: (B) Objective

Solution:

Step 1: Understanding the test of reasonableness.

In legal contexts, the test of reasonableness is often considered to be an objective test. It examines whether an action or decision conforms to an acceptable standard that can be logically justified, rather than focusing on subjective opinions or feelings.

Step 2: Analyzing the options.

- (A) Subjective:** Incorrect, as the test is not based on individual perspectives but on an objective standard.
- (B) Objective:** Correct — The test of reasonableness is typically an objective test, meaning it is based on facts and logical reasoning.
- (C) Descriptive:** Incorrect, as descriptive pertains to describing something, which is not the essence of the reasonableness test.
- (D) Summative:** Incorrect, as summative refers to a general overview, which does not accurately describe the test of reasonableness.

Step 3: Conclusion.

The correct answer is **(B) Objective**.

Quick Tip

Reasonableness is typically considered an objective test, focused on logical justification rather than personal feelings.

93. The power to enact a law relating to the citizenship of India is left to under the provisions of Article 11 of the Indian Constitution.

- (A) President
- (B) Council of ministers
- (C) House of people
- (D) Parliament

Correct Answer: (D) Parliament

Solution:

Step 1: Understanding Article 11 of the Indian Constitution.

Article 11 of the Indian Constitution gives the Parliament the power to legislate regarding the citizenship of India. It allows Parliament to make laws on matters of citizenship, including determining who qualifies as a citizen of India.

Step 2: Analyzing the options.

(A) President: Incorrect, as the President does not have the authority to make laws regarding citizenship.

(B) Council of ministers: Incorrect, as the Council of Ministers helps in executive functions, but the legislative power lies with Parliament.

(C) House of people: Incorrect, as the entire Parliament (both Lok Sabha and Rajya Sabha) holds the power, not just the House of People.

(D) Parliament: Correct — The power to legislate on citizenship lies with Parliament.

Step 3: Conclusion.

The correct answer is **(D) Parliament**.

Quick Tip

Under Article 11 of the Indian Constitution, Parliament has the power to legislate on matters related to the citizenship of India.

94. Which of the following statement/statements is/are false for the purpose of the Hindu Marriage Act, 1955?

- I. It is assumed that a person who is not Muslim, Santhal, Christian, Jew or Parsi by religion is Hindu.
- II. A person who belongs to Lingayat sub-sect is assumed to be Hindu.
- III. A person converted who converted to another religion needs to follow local ritual/custom for converting back to Hinduism.

(A) I only
(B) I and II
(C) III only
(D) I and III

Correct Answer: (C) III only

Solution:

Step 1: Understanding the provisions of the Hindu Marriage Act, 1955.

The Hindu Marriage Act, 1955, assumes that a person who does not belong to any religion listed (like Muslim, Christian, etc.) is considered a Hindu. However, a person who has converted to another religion would not be considered a Hindu unless they follow the rituals for reconversion.

Step 2: Analyzing the options.

(A) I only: Incorrect, as statement I is true under the Hindu Marriage Act.

(B) I and II: Incorrect, as both I and II are true.

(C) III only: Correct — The false statement is that a person who converts to another religion needs to follow a custom to convert back to Hinduism. This is a misinterpretation of the law.

(D) I and III: Incorrect, as statement I is true and only statement III is false.

Step 3: Conclusion.

The correct answer is **(C) III only**.

Quick Tip

The Hindu Marriage Act assumes certain religious identities, but does not mandate a custom for reconversion to Hinduism after conversion.

95. Provision for settlement of dispute outside court has been provided under Section..... of Civil Procedure Code.

- (A) 91
- (B) 89
- (C) 51
- (D) 151

Correct Answer: (B) 89

Solution:

Step 1: Understanding Section 89 of the Civil Procedure Code.

Section 89 of the Civil Procedure Code provides for the settlement of disputes outside court. It encourages alternative dispute resolution mechanisms such as arbitration, mediation, and conciliation.

Step 2: Analyzing the options.

- (A) 91:** Incorrect, as this section deals with certain disputes related to the court's jurisdiction.
- (B) 89:** Correct — Section 89 of the CPC promotes out-of-court settlement.
- (C) 51:** Incorrect, as Section 51 deals with the execution of a decree.
- (D) 151:** Incorrect, as Section 151 deals with the inherent powers of the court.

Step 3: Conclusion.

The correct answer is **(B) 89**.

Quick Tip

Section 89 of the CPC promotes alternative dispute resolution to settle disputes outside court.

96. The Indian Evidence Act came into force on

- (A) 6th October, 1860
- (B) 1st March, 1974
- (C) 15th March, 1872
- (D) 1st September, 1872

Correct Answer: (C) 15th March, 1872

Solution:

Step 1: Understanding the Indian Evidence Act.

The Indian Evidence Act was enacted to standardize the rules of evidence in legal proceedings in India. It came into force on 15th March 1872.

Step 2: Analyzing the options.

- (A) 6th October, 1860:** Incorrect, as this is not the correct date.
- (B) 1st March, 1974:** Incorrect, as this is a much later date than the enactment of the Evidence Act.
- (C) 15th March, 1872:** Correct — This is the correct date when the Indian Evidence Act came into force.
- (D) 1st September, 1872:** Incorrect, as this is not the date of enactment.

Step 3: Conclusion.

The correct answer is **(C) 15th March, 1872.**

Quick Tip

The Indian Evidence Act came into force on 15th March 1872, laying the foundation for evidence law in India.

97. According to the provisions of Article 315 of the Indian Constitution:

- I. There shall be a public service commission for the Union and a Public Service commission for each state.
- II. The public service commission for the Union, if requested to do by the governor of a state may, with the approval of the president, agree to serve all or any of the needs of the state.

(A) Only I
(B) Only II
(C) I and II
(D) None of them

Correct Answer: (C) I and II

Solution:

Step 1: Understanding the provisions of Article 315.

Article 315 of the Indian Constitution establishes the public service commissions for the Union and states. It also allows the Union Public Service Commission (UPSC) to assist states, with approval from the President. Both provisions are valid under Article 315.

Step 2: Analyzing the options.

(A) **Only I:** Incorrect, as both statements I and II are correct.
(B) **Only II:** Incorrect, as statement I is also correct.
(C) **I and II:** Correct — Both statements are correct as per the provisions of Article 315.
(D) **None of them:** Incorrect, as both statements are valid.

Step 3: Conclusion.

The correct answer is **(C) I and II.**

Quick Tip

Article 315 of the Indian Constitution deals with the establishment of public service commissions for both the Union and the states.

98. How many kinds of presumptions are there as classified by the Supreme Court?

- (A) Permissive presumptions or presumptions of facts
- (B) Compelling presumptions or presumptions of law (rebuttable presumptions)
- (C) Irrebuttable presumptions of law or conclusive presumptions.
- (D) All of them

Correct Answer: (D) All of them

Solution:

Step 1: Understanding the different types of presumptions.

The Supreme Court has categorized presumptions into three types: permissive, compelling, and irrebuttable. Permissive presumptions allow the court to make inferences, compelling presumptions are rebuttable, and irrebuttable presumptions are conclusive.

Step 2: Analyzing the options.

- (A) Permissive presumptions or presumptions of facts:** Correct — Permissive presumptions allow the court to infer facts but are rebuttable.
- (B) Compelling presumptions or presumptions of law (rebuttable presumptions):** Correct — These presumptions compel the court to infer a conclusion, but they can be rebutted.
- (C) Irrebuttable presumptions of law or conclusive presumptions:** Correct — These presumptions cannot be rebutted.
- (D) All of them:** Correct — All of these categories exist in the Supreme Court's classification.

Step 3: Conclusion.

The correct answer is **(D) All of them.**

Quick Tip

The Supreme Court classifies presumptions into permissive, compelling (rebuttable), and irrebuttable (conclusive) presumptions.

99. What is the leading decision in the case of Menaka Gandhi Vs Union of India?

- (A) Right of hearing
- (B) Separation of powers
- (C) Delegated legislation
- (D) Rule of evidence

Correct Answer: (A) Right of hearing

Solution:

Step 1: Understanding the case of Menaka Gandhi Vs Union of India.

In this landmark case, the Supreme Court held that the right to personal liberty under Article 21 of the Indian Constitution includes the right to be heard, and that due process must be followed when restricting this right. The case significantly expanded the scope of Article 21.

Step 2: Analyzing the options.

- (A) Right of hearing:** Correct — The Court in Menaka Gandhi's case ruled that the right to a hearing is integral to personal liberty under Article 21.
- (B) Separation of powers:** Incorrect, as this is not the central theme of the case.
- (C) Delegated legislation:** Incorrect, as the case did not primarily deal with delegated legislation.
- (D) Rule of evidence:** Incorrect, as this was not the focus of the case.

Step 3: Conclusion.

The correct answer is **(A) Right of hearing.**

Quick Tip

In Menaka Gandhi's case, the Supreme Court emphasized that the right to be heard is part of the fundamental right to personal liberty under Article 21.

100. Advocate's Act 1961 came into force on

- (A) 19th May, 1961
- (B) 19th April, 1961

(C) 1st May, 1961

(D) 19th January, 1961

Correct Answer: (C) 1st May, 1961

Solution:

Step 1: Understanding the Advocate's Act, 1961.

The Advocate's Act, 1961, governs the legal profession in India. It came into force on 1st May 1961, and establishes the legal framework for the functioning of lawyers and the Bar Councils.

Step 2: Analyzing the options.

(A) 19th May, 1961: Incorrect, as the Act came into force earlier than this.

(B) 19th April, 1961: Incorrect, as the Act was implemented in May.

(C) 1st May, 1961: Correct — This is the correct date when the Advocate's Act, 1961 came into force.

(D) 19th January, 1961: Incorrect, as this is not the date of enactment.

Step 3: Conclusion.

The correct answer is **(C) 1st May, 1961**.

Quick Tip

The Advocate's Act, 1961, regulating the legal profession in India, came into force on 1st May 1961.