

## AIBE 20 Set C 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. The President can declare a National Emergency under Article 352 on which grounds?**

- (A) War, external aggression, or armed rebellion
- (B) Economic instability
- (C) Internal disturbance
- (D) State disagreement

**Correct Answer:** (A) War, external aggression, or armed rebellion

**Solution:**

**Step 1: Understanding Article 352.**

Article 352 allows the President to declare a National Emergency when the security of India or any part of it is under threat due to war, external aggression, or armed rebellion. These are the only constitutionally valid grounds.

**Step 2: Checking Each Option.**

- (A) Matches the constitutional grounds exactly: war, external aggression, and armed rebellion.
- (B) Economic instability is not a ground for National Emergency.
- (C) "Internal disturbance" was a ground before the 44th Amendment, but now only "armed rebellion" is allowed.
- (D) State disagreement has no relevance to Article 352.

**Step 3: Conclusion.**

Only option (A) correctly states the valid grounds under Article 352.

**Quick Tip**

After the 44th Amendment, only war, external aggression, and armed rebellion are valid grounds for declaring a National Emergency.

---

**2. Under Article 368, the Constitution can be amended by which majority?**

- (A) Simple majority
- (B) Two-thirds majority in Parliament

- (C) Majority of State Assemblies
- (D) Judicial order

**Correct Answer:** (B) Two-thirds majority in Parliament

**Solution:**

**Step 1: Understanding Article 368.**

Article 368 of the Indian Constitution provides the procedure for amending the Constitution. It states that amendments require a special majority, which includes two-thirds of the members present and voting, plus a majority of the total membership of each House of Parliament.

**Step 2: Analyzing the Options.**

- (A) Simple majority is used only for ordinary laws, not constitutional amendments.
- (B) Two-thirds majority in Parliament is required for most constitutional amendments, making this the correct choice.
- (C) Majority of State Legislatures is required only for amendments that affect federal provisions, not for all amendments.
- (D) Judicial order cannot amend the Constitution; courts only interpret laws.

**Step 3: Conclusion.**

Thus, under Article 368, the Constitution is amended by a special majority—two-thirds majority in Parliament.

**Quick Tip**

Most constitutional amendments require a special majority in both Houses; only a few need ratification by half of the State Legislatures.

---

**3. Which Article of the Constitution abolishes untouchability?**

- (A) Article 15
- (B) Article 16
- (C) Article 17
- (D) Article 18

**Correct Answer:** (C) Article 17

**Solution:**

**Step 1: Understanding Fundamental Rights.**

The abolition of untouchability is included under the Fundamental Rights, specifically within the Right to Equality (Articles 14–18). These rights ensure equality before the law and prohibit discrimination.

**Step 2: Identifying the Relevant Article.**

Article 17 explicitly states that untouchability is abolished and its practice in any form is forbidden. It also makes enforcement of any disability arising out of untouchability an offence punishable by law.

**Step 3: Checking the Options.**

(A) Article 15 prohibits discrimination on various grounds but does not abolish untouchability.

(B) Article 16 deals with equality of opportunity in public employment.

(C) Article 17 is the only article that abolishes untouchability.

(D) Article 18 abolishes titles, not untouchability.

**Step 4: Conclusion.**

Therefore, the article that abolishes untouchability is Article 17.

#### Quick Tip

Remember: Article 17 = Abolition of Untouchability, Article 18 = Abolition of Titles.

---

**4. Fundamental Duties were added to the Constitution by which Amendment?**

(A) 42nd Amendment

(B) 44th Amendment

(C) 73rd Amendment

(D) 74th Amendment

**Correct Answer:** (A) 42nd Amendment

**Solution:**

**Step 1: Background Understanding.**

Fundamental Duties were not originally part of the Constitution when it came into force in 1950. They were added later to emphasize responsibilities of citizens along with their rights.

**Step 2: Identifying the Amendment.**

The 42nd Constitutional Amendment Act of 1976, also known as the "Mini Constitution," added Article 51A, which lists the Fundamental Duties. This amendment was introduced during the Emergency period under Prime Minister Indira Gandhi.

**Step 3: Eliminating Wrong Options.**

(B) The 44th Amendment restored democratic rights after the Emergency but did not add duties.

(C) The 73rd Amendment deals with Panchayati Raj institutions.

(D) The 74th Amendment deals with Municipalities.

**Step 4: Conclusion.**

Thus, the Fundamental Duties were added by the 42nd Constitutional Amendment Act.

**Quick Tip**

Article 51A lists 11 Fundamental Duties; originally only 10 were added by the 42nd Amendment.

---

**5. The concept of "Basic Structure" of the Constitution was established in which case?**

(A) Golaknath case

(B) Kesavananda Bharati case

(C) Minerva Mills case

(D) ADM Jabalpur case

**Correct Answer:** (B) Kesavananda Bharati case

**Solution:****Step 1: Understanding the Basic Structure Doctrine.**

The Basic Structure doctrine limits the Parliament's power to amend the Constitution. It

states that certain fundamental principles, such as rule of law, separation of powers, secularism, and judicial review, cannot be altered even through constitutional amendments.

**Step 2: Identifying the Case.**

The doctrine was established by the Supreme Court in the 1973 Kesavananda Bharati vs State of Kerala case. In this landmark judgment, a 13-judge bench held that Parliament can amend any part of the Constitution but cannot destroy or alter its basic structure.

**Step 3: Eliminating Incorrect Options.**

- (A) Golaknath case restricted Parliament's power to amend Fundamental Rights but did not define Basic Structure.
- (C) Minerva Mills case reinforced the Basic Structure doctrine but did not originate it.
- (D) ADM Jabalpur case dealt with the suspension of Fundamental Rights during Emergency, not Basic Structure.

**Step 4: Conclusion.**

Hence, the concept of Basic Structure was established in the Kesavananda Bharati case (1973).

**Quick Tip**

Remember: Golaknath = No amendment of FRs; Kesavananda = Basic Structure; Minerva Mills = Reinforced Basic Structure.

---

**6. Right to Education is provided under which Article?**

- (A) Article 19
- (B) Article 21
- (C) Article 21A
- (D) Article 29

**Correct Answer:** (C) Article 21A

**Solution:**

**Step 1: Background Understanding.**

The Right to Education became a Fundamental Right through the 86th Constitutional

Amendment Act, 2002. This amendment aimed to ensure free and compulsory education for children.

**Step 2: Relevant Constitutional Article.**

Article 21A was inserted after Article 21 and mandates that the State shall provide free and compulsory education to all children between the ages of 6 and 14 years. This made education a guaranteed Fundamental Right.

**Step 3: Analyzing the Options.**

(A) Article 19 deals with freedoms like speech, movement, assembly, etc.

(B) Article 21 ensures protection of life and personal liberty but does not specifically mention education.

(C) Article 21A explicitly provides the Right to Education.

(D) Article 29 deals with cultural and educational rights of minorities, not general right to education.

**Step 4: Conclusion.**

Hence, the Right to Education is provided under Article 21A.

**Quick Tip**

Remember: Article 21A = Free & compulsory education (age 6–14), added by the 86th Amendment.

---

**7. Which Article provides for the establishment of the Supreme Court?**

(A) Article 124

(B) Article 125

(C) Article 126

(D) Article 127

**Correct Answer:** (A) Article 124

**Solution:**

**Step 1: Understanding the Constitutional Provision.**

The Supreme Court of India is the apex judicial authority, and its establishment, structure,

and functioning are provided under Part V of the Constitution, which deals with the Union Government.

**Step 2: Identifying the Correct Article.**

Article 124 specifically provides for the establishment and constitution of the Supreme Court. It mentions the appointment of the Chief Justice of India and other judges, along with related procedures.

**Step 3: Analysis of Options.**

(B) Article 125 deals with salaries and allowances of Supreme Court judges.

(C) Article 126 provides for the appointment of an Acting Chief Justice.

(D) Article 127 deals with the appointment of ad hoc judges when required.

**Step 4: Conclusion.**

Thus, the establishment of the Supreme Court is provided under Article 124 of the Constitution.

**Quick Tip**

Remember: Article 124 = Establishment of Supreme Court; Article 125 = Salaries; Article 126 = Acting CJI; Article 127 = Ad hoc Judges.

---

**8. Which Constitutional Amendment is known as the Mini-Constitution?**

(A) 24th Amendment

(B) 42nd Amendment

(C) 44th Amendment

(D) 52nd Amendment

**Correct Answer:** (B) 42nd Amendment

**Solution:**

**Step 1: Background Understanding.**

The 42nd Constitutional Amendment Act, 1976, is often referred to as the Mini-Constitution because it made extensive and far-reaching changes to many parts of the Constitution during the Emergency period.

### **Step 2: Why It Is Called Mini-Constitution.**

This amendment modified the Preamble, strengthened Directive Principles, curtailed the power of the judiciary, expanded the power of the Parliament, and added Fundamental Duties (Article 51A). The scale and scope of the amendments were so large that the amendment resembled rewriting many constitutional provisions.

### **Step 3: Eliminating Incorrect Options.**

(A) The 24th Amendment restored Parliament's power to amend Fundamental Rights but is not called the Mini-Constitution.

(C) The 44th Amendment reversed many effects of the 42nd Amendment but is not referred to as the Mini-Constitution.

(D) The 52nd Amendment introduced the Anti-Defection Law but has no relation to the Mini-Constitution title.

### **Step 4: Conclusion.**

Thus, the 42nd Amendment is known as the Mini-Constitution due to the wide-ranging changes it introduced.

#### **Quick Tip**

The 42nd Amendment changed the Preamble by adding the words Socialis, Secular, and Integrity.

---

### **9. The phrase "procedure established by law" appears in which Article?**

- (A) Article 14
- (B) Article 19
- (C) Article 21
- (D) Article 25

**Correct Answer:** (C) Article 21

#### **Solution:**

##### **Step 1: Understanding the Phrase.**

The phrase "procedure established by law" is a key part of Article 21, which guarantees

protection of life and personal liberty. It means that a person can be deprived of these rights only according to a lawfully enacted procedure.

**Step 2: Judicial Interpretation.**

Initially, Article 21 required only a valid procedure made by law. But after the Maneka Gandhi judgment (1978), the Supreme Court held that this procedure must be just, fair, and reasonable — expanding the scope of Article 21.

**Step 3: Checking the Options.**

- (A) Article 14 deals with equality before the law.
- (B) Article 19 deals with freedoms like speech and movement.
- (C) Article 21 clearly contains the phrase "procedure established by law".
- (D) Article 25 deals with freedom of religion.

**Step 4: Conclusion.**

Hence, the phrase "procedure established by law" appears in Article 21.

**Quick Tip**

Article 21 = Life & Personal Liberty + "procedure established by law".

---

**10. Which of the following is a Directive Principle of State Policy (DPSP)?**

- (A) Right to Equality
- (B) Right to Freedom
- (C) Equal pay for equal work
- (D) Right to Education

**Correct Answer:** (C) Equal pay for equal work

**Solution:**

**Step 1: Understanding DPSPs.**

Directive Principles of State Policy (Part IV of the Constitution, Articles 36–51) guide the State in governance. They are not enforceable in courts but promote social and economic welfare.

**Step 2: Identifying the Correct Option.**

”Equal pay for equal work” is a Directive Principle under Article 39(d). It directs the government to ensure that men and women receive equal wages for the same work, promoting socio-economic justice.

**Step 3: Eliminating Incorrect Options.**

(A) Right to Equality (Articles 14–18) is a Fundamental Right, not a DPSP.

(B) Right to Freedom (Articles 19–22) is also a Fundamental Right.

(D) Right to Education (Article 21A) is a Fundamental Right, not a DPSP (though earlier it was in Article 45 as a DPSP).

**Step 4: Conclusion.**

Therefore, the statement belonging to DPSP is ”Equal pay for equal work”.

**Quick Tip**

DPSPs aim to promote justice & welfare; Article 39(d) ensures ”equal pay for equal work”.

---

**11. Which BNSS section deals with ”arrest by a private person”?**

(A) Section 40

(B) Section 43

(C) Section 45

(D) Section 50

**Correct Answer:** (B) Section 43

**Solution:**

**Step 1: Understanding BNSS.**

The Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, replaced the old CrPC. It includes provisions regarding arrest, investigation, and criminal procedures. One such provision allows a private citizen to arrest in specific situations.

**Step 2: Identifying the Relevant Section.**

Section 43 of the BNSS clearly states that any private person may arrest someone who commits a non-bailable and cognizable offence in their presence. After arrest, the private

individual must hand over the accused to the nearest police officer without delay.

**Step 3: Checking the Options.**

- (A) Section 40 relates to information given to police officers.
- (B) Section 43 deals directly with "arrest by a private person".
- (C) Section 45 concerns arrests by police officers.
- (D) Section 50 involves information about arrest rights, not private arrest.

**Step 4: Conclusion.**

Therefore, the BNSS section dealing with arrest by a private person is Section 43.

**Quick Tip**

Under BNSS, a private person may arrest only for cognizable non-bailable offences committed in their presence (Section 43).

---

**12. Which BNSS section prescribes procedure for receiving information about a cognizable offence (FIR)?**

- (A) Section 173
- (B) Section 175
- (C) Section 176
- (D) Section 177

**Correct Answer:** (A) Section 173

**Solution:**

**Step 1: Understanding FIR under BNSS.**

The BNSS (Bharatiya Nagarik Suraksha Sanhita), 2023, replaces the CrPC and introduces updated procedures for registration of FIRs, arrests, and investigations. A cognizable offence allows the police to act without a warrant.

**Step 2: Relevant BNSS Section.**

Section 173 of the BNSS explains the procedure when information about a cognizable offence is received. This section corresponds to the FIR process — how police must record the information, enter it in the system, give a copy to the informant, and begin investigation.

**Step 3: Checking the Options.**

(B) Section 175 deals with police powers during investigation.

(C) Section 176 relates to inquiries, not FIR registration.

(D) Section 177 deals with jurisdiction of offences.

**Step 4: Conclusion.**

Therefore, the BNSS section prescribing procedure for receiving information about a cognizable offence (FIR) is Section 173.

**Quick Tip**

BNSS Section 173 = FIR process; Section 175 = investigation powers; Section 177 = jurisdiction.