

AIBE 20 Set D Question Paper with Solutions

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

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- i) The AIBE (All India Bar Examination) 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 grounds for a decree for dissolution of marriage under Section 2 of the Dissolution of Muslim Marriages Act, 1939 are that the:

- I.** whereabouts of the husband have not been known for a period of two years.
- II.** husband has been sentenced to imprisonment for a period of five years.
- III.** husband has failed to perform, without reasonable cause, his marital obligations for a period of two years.
- IV.** husband has neglected or has failed to provide for maintenance of his wife for a period of one year.

- (A) III and IV
- (B) I and II
- (C) I, II, III and IV
- (D) None of these

Correct Answer: (D) None of these

Solution:

Step 1: Understand the grounds for dissolution under the Act.

The Dissolution of Muslim Marriages Act, 1939 provides various grounds for a woman to seek dissolution of marriage. These include situations such as the husband's imprisonment, failure to perform marital obligations, and failure to provide maintenance.

Step 2: Analyze the options.

- (A) III and IV: While both are grounds for dissolution, other grounds like the husband's imprisonment or unknown whereabouts are also relevant.
- (B) I and II: These are valid grounds but don't cover all the necessary grounds under the Act.
- (C) I, II, III and IV: This includes all grounds, but the statement is incorrect because other specific conditions must be met in various situations.
- (D) None of these: This is the correct answer because none of the above combinations of conditions meet the exact requirements as per Section 2 of the Act.

Step 3: Conclusion.

Therefore, the correct answer is (D) as none of the listed combinations accurately represents all the grounds required for dissolution of marriage.

Quick Tip

The Dissolution of Muslim Marriages Act, 1939 includes several specific grounds for dissolution, including imprisonment, failure to fulfill marital obligations, and failure to provide maintenance.

2. As per The Information Technology Act, 2000, "intermediary", with respect to any particular electronic records, means any person who on behalf of another person receives, stores or transmits that record or provides any service with respect to that record, including:

- I.** telecom service providers.
- II.** search engines.
- III.** cyber cafes.
- IV.** online-auction sites.

- (A) I and IV
- (B) I and II
- (C) I, II and IV
- (D) I, II, III and IV

Correct Answer: (D) I, II, III and IV

Solution:

Step 1: Understand the definition of intermediary under the IT Act.

According to The Information Technology Act, 2000, an intermediary refers to any entity that facilitates the storage, transmission, or receipt of electronic records. This includes various service providers such as telecom service providers, search engines, cyber cafes, and online platforms like auction sites.

Step 2: Analyze the options.

- (A) I and IV: This is incomplete because it misses cyber cafes and search engines, which are intermediaries under the Act.
- (B) I and II: This is incomplete because it excludes cyber cafes and online-auction sites.
- (C) I, II and IV: This is incomplete because it misses cyber cafes.
- (D) I, II, III and IV: This is the correct answer as it includes all relevant intermediaries as defined by the Information Technology Act, 2000.

Step 3: Conclusion.

Therefore, the correct answer is (D) because it includes all the entities listed in the Act as intermediaries: telecom service providers, search engines, cyber cafes, and online-auction sites.

Quick Tip

Under the Information Technology Act, 2000, intermediaries include telecom service providers, search engines, cyber cafes, and online-auction sites, as they all facilitate the transmission and receipt of electronic records.

3. Under Section 37 of the Arbitration and Conciliation Act, 1996, which of the following orders is not appealable?

- (A) Refusing to refer parties to arbitration under Section 8
- (B) Refusing to appoint an arbitrator under Section 11
- (C) Refusing to grant any measure under Section 9
- (D) Refusing to grant an interim measure under Section 17

Correct Answer: (B) Refusing to appoint an arbitrator under Section 11

Solution:

Step 1: Understand Section 37 of the Arbitration and Conciliation Act.

Section 37 of the Arbitration and Conciliation Act, 1996 outlines the orders that can be appealed. The provision generally allows appeals against decisions concerning the reference to arbitration, interim measures, or any decision related to the arbitral process. However, certain orders, like the refusal to appoint an arbitrator, are not appealable.

Step 2: Analyze the options.

- (A) Refusing to refer parties to arbitration under Section 8: This is appealable under Section 37.
- (B) Refusing to appoint an arbitrator under Section 11: This is not appealable, as the refusal to appoint an arbitrator does not fall under the appealable orders in Section 37.
- (C) Refusing to grant any measure under Section 9: This is appealable under Section 37.
- (D) Refusing to grant an interim measure under Section 17: This is appealable under Section 37.

Step 3: Conclusion.

Therefore, the correct answer is (B) because the refusal to appoint an arbitrator under Section 11 is not an appealable order as per Section 37 of the Arbitration and Conciliation Act, 1996.

Quick Tip

Under Section 37 of the Arbitration and Conciliation Act, the refusal to appoint an arbitrator under Section 11 is not appealable, while other decisions related to the arbitral process can be appealed.

4. Under Section 9A of The Advocates Act, 1961, a legal aid committee constituted by a Bar Council shall consist of:

- (A) Not exceeding thirteen but not less than nine members.
- (B) Not exceeding eleven but not less than seven members.
- (C) Not exceeding nine but not less than five members.
- (D) Not exceeding seven but not less than three members.

Correct Answer: (C) Not exceeding nine but not less than five members.

Solution:**Step 1: Understand the provision under Section 9A.**

Section 9A of The Advocates Act, 1961 specifies the formation of a legal aid committee by a Bar Council. The section defines the size of the committee, ensuring that it has at least five members but no more than nine.

Step 2: Analyze the options.

- (A) Not exceeding thirteen but not less than nine members: This option exceeds the permissible range as per Section 9A.
- (B) Not exceeding eleven but not less than seven members: This is also incorrect, as the Act specifies a smaller range.
- (C) Not exceeding nine but not less than five members: This is the correct answer as it accurately reflects the range prescribed in Section 9A.
- (D) Not exceeding seven but not less than three members: This option underestimates the minimum number of members required.

Step 3: Conclusion.

Therefore, the correct answer is (C) as the Act specifies the committee should have not more than nine and not fewer than five members.

Quick Tip

Section 9A of The Advocates Act, 1961 requires the legal aid committee to have between five and nine members, ensuring adequate representation.

5. Which Section of the Advocates Act, 1961 provides for the disciplinary powers of the Bar Council of India?

- (A) Section 35
- (B) Section 36
- (C) Section 37
- (D) Section 38

Correct Answer: (B) Section 36

Solution:**Step 1: Understand the disciplinary powers under the Advocates Act.**

Section 36 of the Advocates Act, 1961 provides the Bar Council of India with the disciplinary powers to take action against advocates for professional misconduct.

Step 2: Analyze the options.

- (A) Section 35: This section deals with the power to disqualify an advocate from practicing, not disciplinary powers.
- (B) Section 36: This is the correct answer as it specifically deals with the disciplinary powers of the Bar Council of India.
- (C) Section 37: This section pertains to the jurisdiction of the State Bar Councils.
- (D) Section 38: This section deals with the establishment of State Bar Councils, not disciplinary powers.

Step 3: Conclusion.

Therefore, the correct answer is (B) because Section 36 specifically provides for the disciplinary powers of the Bar Council of India.

Quick Tip

Section 36 of the Advocates Act, 1961 provides the Bar Council of India with the power to take disciplinary actions against advocates for misconduct.

6. Match List I (General Defences in Tort) with List II (Leading Cases) and select the correct answer using the codes given below.

List I

- I.** Act of God
- II.** Consent (Volenti non fit injuria)
- III.** Statutory Authority
- IV.** Necessity

List II

- 1. Vaughan v Taff Vale Rail Co. (1900) 5 H N 679
- 2. Kirk v Gregory (1876) 1 Ex. D 35
- 3. Nichols v Marsland (1876) 2 Ex. D 1
- 4. Hall's Brooklands Auto Racing Club (1933) 1 KB 205

(A) I-3, II-2, III-4, IV-1

- (B) I-2, II-3, III-4, IV-1
- (C) I-4, II-1, III-3, IV-2
- (D) I-4, II-1, III-2, IV-3

Correct Answer: (C) I-4, II-1, III-3, IV-2

Solution:

Step 1: Understand the general defences in tort.

General defences in tort include situations where the defendant is excused from liability due to specific reasons such as an act of God, consent by the plaintiff, statutory authority, or necessity.

Step 2: Match the cases with the defences.

- (I) Act of God: This defence is illustrated in the case of Hall's Brooklands Auto Racing Club (1933) 1 KB 205.
- (II) Consent (Volenti non fit injuria): This is shown in the case Vaughan v Taff Vale Rail Co. (1900) 5 H N 679.
- (III) Statutory Authority: This is demonstrated in Nichols v Marsland (1876) 2 Ex. D 1.
- (IV) Necessity: This is explained in Kirk v Gregory (1876) 1 Ex. D 35.

Step 3: Conclusion.

Therefore, the correct answer is (C) because the defences align with the leading cases as shown above.

Quick Tip

In tort law, general defences such as Act of God, Consent, Statutory Authority, and Necessity are crucial for determining liability, each being demonstrated by key cases.

7. The Central Consumer Protection Council, as provided under Section 3(2) of the Consumer Protection Act, 2019, shall consist of:

- (A) a Chairperson and ten other members, or a Chairperson and such other members as may be prescribed.

- (B) a Chairperson and five other members.
- (C) a Chairperson and such other members as may be prescribed.
- (D) a Chairperson and ten other members.

Correct Answer: (C) a Chairperson and such other members as may be prescribed.

Solution:

Step 1: Understand the provision under Section 3(2).

Section 3(2) of the Consumer Protection Act, 2019 defines the composition of the Central Consumer Protection Council, which includes a Chairperson and such other members as may be prescribed by the government. The exact number of members is flexible and determined by regulation.

Step 2: Analyze the options.

- (A) "a Chairperson and ten other members, or a Chairperson and such other members as may be prescribed": This option is incorrect as the number of members is not fixed.
- (B) "a Chairperson and five other members": This option is incorrect as it specifies a fixed number of members.
- (C) "a Chairperson and such other members as may be prescribed": This is the correct answer as per Section 3(2), which allows for flexibility in the number of members.
- (D) "a Chairperson and ten other members": This option specifies a fixed number, which is not prescribed by the Act.

Step 3: Conclusion.

Therefore, the correct answer is (C) because the Act specifies that the composition may include a Chairperson and such other members as may be prescribed.

Quick Tip

The Consumer Protection Act, 2019 provides flexibility in the number of members of the Central Consumer Protection Council, specifying only a Chairperson and "such other members as may be prescribed."

8. In which of the following cases, the Supreme Court of India held that, the Preamble is not part of the Constitution?

- (A) In re: The Kerala Education Bill, 1957, AIR 1958 SC 956
- (B) Kesavananda Bharati v. State of Kerala, AIR 1973 SC 1461
- (C) In re: The Berubari Union and Exchange of Enclaves, AIR 1960 SC 845
- (D) Minerva Mills Ltd. v. Union of India, AIR 1980 SC 1789

Correct Answer: (C) In re: The Berubari Union and Exchange of Enclaves, AIR 1960 SC 845

Solution:

Step 1: Understand the case law on the Preamble.

The Supreme Court of India, in the case of ****In re: The Berubari Union and Exchange of Enclaves, AIR 1960 SC 845****, held that the Preamble is not part of the Constitution and cannot be used to alter or amend the Constitution. This decision reversed the earlier view that considered the Preamble to be an integral part of the Constitution.

Step 2: Analyze the options.

- (A) In re: The Kerala Education Bill, 1957, AIR 1958 SC 956: This case dealt with the interpretation of educational laws and did not involve the Preamble.
- (B) Kesavananda Bharati v. State of Kerala, AIR 1973 SC 1461: This case is famous for the "basic structure" doctrine, but it did not state that the Preamble is not part of the Constitution.
- (C) In re: The Berubari Union and Exchange of Enclaves, AIR 1960 SC 845: This is the correct case where the Supreme Court held that the Preamble is not part of the Constitution.
- (D) Minerva Mills Ltd. v. Union of India, AIR 1980 SC 1789: This case dealt with the balance between fundamental rights and the Directive Principles of State Policy but did not address the issue of the Preamble's status.

Step 3: Conclusion.

Therefore, the correct answer is (C) as it was in the ****Berubari Union case**** where the Preamble was held not to be part of the Constitution.

Quick Tip

The Supreme Court's decision in ****In re: The Berubari Union and Exchange of Enclaves, AIR 1960 SC 845**** clarified that the Preamble is not part of the Constitution, although later judgments have regarded it as a guiding principle.

9. Which Article in the Constitution of India relates to the subject-matter of laws made by Parliament to give effect to treaties and international agreements?

- (A) Article 249
- (B) Article 251
- (C) Article 253
- (D) Article 255

Correct Answer: (C) Article 253

Solution:

Step 1: Understand the provision under Article 253.

Article 253 of the Constitution of India empowers the Parliament to make laws for the implementation of international treaties and agreements. It gives the Parliament authority to legislate on matters specified in the Union List to fulfill obligations arising from treaties or international agreements.

Step 2: Analyze the options.

- (A) Article 249: This article deals with the power of Parliament to legislate on matters in the State List under certain circumstances.
- (B) Article 251: This article pertains to the relationship between laws made by Parliament and laws made by the State Legislature.
- (C) Article 253: This is the correct article as it relates to the power of Parliament to make laws to implement international treaties and agreements.
- (D) Article 255: This article deals with the conditions for the enactment of laws under the Union List and is not related to international treaties.

Step 3: Conclusion.

Therefore, the correct answer is (C) because Article 253 specifically allows Parliament to make laws to give effect to treaties and international agreements.

Quick Tip

Article 253 of the Constitution of India gives Parliament the authority to make laws for the implementation of international treaties and agreements.

10. In which of the following judgments was the issue of "right to privacy" dealt with by the Supreme Court of India?

I. Kharak Singh v. State of Uttar Pradesh Ors. (AIR 1963 SC 1295)

II. PUC1 v. Union of India (AIR 1997 SC 568)

III. Justice K.S. Puttaswamy (Retd.) Anr. v. Union of India Ors. (2017) 10 SCC 1

IV. M.P. Sharma v. Satish Chandra (AIR 1954 SC 300)

(A) II, III and IV

(B) II and III

(C) Only III

(D) I, II, III and IV

Correct Answer: (C) Only III

Solution:

Step 1: Understand the landmark case on "right to privacy."

The issue of "right to privacy" was specifically dealt with in the case of ****Justice K.S. Puttaswamy (Retd.) Anr. v. Union of India Ors. (2017)****, where the Supreme Court declared the right to privacy as a fundamental right under the Constitution of India. This was a landmark judgment that overruled previous decisions that had denied the right to privacy as a fundamental right.

Step 2: Analyze the options.

- (A) II, III and IV: This is incorrect because only the ****Puttaswamy case**** (III) addressed the issue of the "right to privacy".

- (B) II and III: While **PUC1 v. Union of India** involved privacy, it did not decisively declare the right to privacy as a fundamental right.
- (C) Only III: This is correct as only the **Puttaswamy case** addressed the "right to privacy" in the manner described.
- (D) I, II, III and IV: This option is incorrect as cases I, II, and IV did not focus on the "right to privacy" as an individual constitutional right.

Step 3: Conclusion.

Therefore, the correct answer is (C) because only the **Puttaswamy case** (III) was related to the issue of "right to privacy."

Quick Tip

The right to privacy was explicitly declared as a fundamental right in the **Puttaswamy case (2017)**, overruling previous judgments that denied it.

11. Which of the following actions is required if territory is ceded to any other country by the Union of India?

- (A) Executive action of the Union of India
- (B) Presidential proclamation, exercising constitutional power while issuing proclamation
- (C) Executive action of the Union of India, and then legislative enactment by the Parliament
- (D) Legislative enactment by the Parliament, and then executive action of the Union of India

Correct Answer: (D) Legislative enactment by the Parliament, and then executive action of the Union of India

Solution:

Step 1: Understand the constitutional process for ceding territory.

When territory is ceded to another country, it requires both legislative enactment and executive action as per the constitutional provisions. First, the Parliament must enact a law to ratify such a decision, followed by executive action from the Union of India to implement the decision.

Step 2: Analyze the options.

- (A) Executive action of the Union of India: This is not enough on its own, as legislative enactment is also required.
- (B) Presidential proclamation: A proclamation by the President does not suffice for ceding territory; legislative action is necessary.
- (C) Executive action, and then legislative enactment: This sequence is incorrect, as legislative enactment must come before executive action.
- (D) Legislative enactment by the Parliament, and then executive action: This is the correct sequence for ceding territory, as required by the Constitution.

Step 3: Conclusion.

Therefore, the correct answer is (D) because both legislative enactment and executive action are required for ceding territory.

Quick Tip

For territory to be ceded to another country, it requires legislative enactment by Parliament, followed by executive action by the Union of India.

12. The President has referred a question to the Supreme Court and the Supreme Court, as per Article 143 of the Constitution of India, has advised the President accordingly. Can the advice given by the Supreme Court be considered as 'judicial precedent'?

- (A) No, because it is not considered as a judgment
- (B) Yes, because it is considered as a judgment
- (C) No, because it is pronounced in open court
- (D) Yes, because it is pronounced in open court

Correct Answer: (D) Yes, because it is pronounced in open court

Solution:

Step 1: Understand the nature of advice given under Article 143.

Under Article 143, the President can seek the opinion of the Supreme Court on matters of public importance. While this opinion is advisory and not binding, it is considered to have the authority of judicial precedent if it is pronounced in open court.

Step 2: Analyze the options.

- (A) No, because it is not considered as a judgment: This is incorrect because the advice provided is given in the form of a judgment.
- (B) Yes, because it is considered as a judgment: This is misleading as the advice is given in a non-binding advisory capacity.
- (C) No, because it is pronounced in open court: This is incorrect as the public nature of the opinion does not preclude its consideration as judicial precedent.
- (D) Yes, because it is pronounced in open court: This is the correct answer, as the opinion of the Supreme Court under Article 143 is considered judicial precedent when pronounced in open court.

Step 3: Conclusion.

Therefore, the correct answer is (D) because the advice given by the Supreme Court is considered judicial precedent when pronounced in open court.

Quick Tip

The advisory opinion given by the Supreme Court under Article 143 is considered judicial precedent when pronounced in open court.

13. In a criminal trial of defamation, the trial court, i.e., the High Court, has restrained publication of any news on the given case. Which of the following constitutional powers has been exercised by the High Court while passing given order?

- (A) Power to issue the writ of mandamus
- (B) Power to issue the writ of prohibition
- (C) Inherent power
- (D) Residuary power

Correct Answer: (C) Inherent power

Solution:**Step 1: Understand the nature of the High Court's power.**

In this case, the High Court has exercised its inherent powers. The High Court can use its inherent powers to pass any order to prevent the abuse of its process or to meet the ends of justice. This power allows the court to restrain publication in a defamation case.

Step 2: Analyze the options.

- (A) Power to issue the writ of mandamus: This option is incorrect as mandamus compels a public authority to perform its duty.
- (B) Power to issue the writ of prohibition: This option is incorrect as the writ of prohibition prevents lower courts from proceeding in matters beyond their jurisdiction, which is not applicable here.
- (C) Inherent power: This is the correct answer because the High Court's inherent powers are being used to restrain publication.
- (D) Residuary power: This is not applicable as the residual powers of the state do not cover this issue.

Step 3: Conclusion.

Therefore, the correct answer is (C) because the High Court is using its inherent powers to pass the order.

Quick Tip

The High Court's inherent powers can be used to pass orders that prevent the abuse of its process, such as restraining publication in a defamation case.

14. The Supreme Court of India has declared that 'Right to Information' is a fundamental right of every citizen of India. Which of the following stated provisions is used as the source of the fundamental right given by the Supreme Court?

- (A) Article 19(1)(b), Constitution of India
- (B) Right to Information Act, 2005
- (C) Article 19(1)(a), Constitution of India

(D) Article 19(1)(a), Constitution of India and Right to Information Act, 2005, collectively

Correct Answer: (C) Article 19(1)(a), Constitution of India

Solution:

Step 1: Understand the Right to Information as a fundamental right.

The Supreme Court of India has held that the Right to Information is a fundamental right under Article 19(1)(a) of the Constitution of India, which guarantees the right to freedom of speech and expression. The Court has interpreted this right to include the right to access information from the government.

Step 2: Analyze the options.

- (A) Article 19(1)(b): This article pertains to the right to form associations or unions, not to the right to information.
- (B) Right to Information Act, 2005: While the Act provides for the procedure and mechanism for accessing information, the fundamental right originates from Article 19(1)(a).
- (C) Article 19(1)(a), Constitution of India: This is the correct answer, as the Supreme Court has recognized the Right to Information as part of the right to freedom of speech and expression.
- (D) Article 19(1)(a), Constitution of India and Right to Information Act, 2005, collectively: While this is true in practice, the primary source is Article 19(1)(a).

Step 3: Conclusion.

Therefore, the correct answer is (C) because the Supreme Court's declaration that the Right to Information is a fundamental right is based on Article 19(1)(a) of the Constitution.

Quick Tip

The Supreme Court has declared that the Right to Information is a fundamental right under Article 19(1)(a) of the Constitution of India, which guarantees the freedom of speech and expression.

15. Which of the following Schedules of the Constitution of India deals with the subject matter of “Validation of certain Acts & Regulations”?

- (A) Schedule IX
- (B) Schedule III
- (C) Schedule V
- (D) Schedule X

Correct Answer: (A) Schedule IX

Solution:

Step 1: Understanding the purpose of Schedule IX.

Schedule IX of the Constitution was created to protect certain laws from being challenged in courts. These laws mainly relate to land reforms and socio-economic legislation.

Step 2: Subject matter of validation.

The Ninth Schedule specifically deals with the “Validation of certain Acts and Regulations” by placing them under protection from judicial review, ensuring they cannot be struck down for violating Fundamental Rights.

Step 3: Eliminating other schedules.

Schedule III deals with oaths and affirmations. Schedule V deals with administration of Scheduled Areas. Schedule X deals with anti-defection law. None of these relate to validation of Acts and Regulations.

Step 4: Conclusion.

Thus, the correct Schedule dealing with validation of Acts and Regulations is Schedule IX.

Quick Tip

Remember: Schedule IX = Protection + Validation of laws, especially land reform laws.

16. Consider the following statements regarding Article 32 of the Constitution of India:

- I. The Article is silent about the locus standi about who may approach the Supreme Court.
- II. The Article is silent about the opposite party against whom the relief under Article 32 may be granted.
- III. The Article creates room for even a sixth type of writ within its scope.

Select the correct answer:

- (A) I is false
- (B) II is false
- (C) III is false
- (D) All Statements are true

Correct Answer: (C) III is false

Solution:

Step 1: Understanding Article 32.

Article 32 grants the Right to Constitutional Remedies, allowing individuals to approach the Supreme Court directly for the enforcement of Fundamental Rights. It is often called the “heart and soul” of the Constitution.

Step 2: Examining Statement I.

Article 32 does not explicitly restrict who may file a petition. Over time, the Supreme Court has allowed even public interest litigations. Hence, Statement I is correct.

Step 3: Examining Statement II.

Article 32 focuses on the enforcement of Fundamental Rights and does not specify who the opposing party must be. Thus, Statement II is also correct.

Step 4: Examining Statement III.

Article 32 empowers the Court to issue five specific types of writs—Habeas Corpus, Mandamus, Certiorari, Prohibition, and Quo-Warranto. It does not create or permit a “sixth type” of writ. Hence, Statement III is false.

Step 5: Conclusion.

Since only Statement III is false, Option (C) is the correct answer.

Quick Tip

Article 32 = Heart & soul of the Constitution; gives power to issue 5 writs—no sixth writ exists.

17. By virtue of Articles 129 and 215, the Supreme Court of India and the High Courts in the States are courts of record and possess contempt jurisdiction. What is true about

the lower Judiciary in the same connection?

- (A) Lower Judiciary has to bear with its contempt
- (B) Lower Judiciary has to complain about its contempt to the Supreme Court of India
- (C) Lower Judiciary can itself punish the contemnor
- (D) The respective High Courts can take up the matter of such contempt

Correct Answer: (D) The respective High Courts can take up the matter of such contempt

Solution:

Step 1: Understanding contempt powers.

Under Articles 129 and 215, the Supreme Court and High Courts are courts of record and have the power to punish for contempt of court. This power is not granted to the lower judiciary.

Step 2: Status of lower judiciary.

Lower courts such as District Courts do not have inherent contempt jurisdiction. They cannot punish individuals for contempt committed against them. Their role is limited to reporting such matters.

Step 3: Role of the High Court.

In cases where contempt is committed against a lower court, the High Court under whose territorial jurisdiction the lower court functions takes action. This is clearly provided under the Contempt of Courts Act, 1971.

Step 4: Conclusion.

Hence, only the respective High Court can take up matters of contempt of a lower court, making Option (D) correct.

Quick Tip

Remember: Supreme Court High Courts = courts of record with contempt powers;
Lower courts = must refer contempt matters to High Courts.

18. The Supreme Court of India in R.K. Anand v. Registrar, Delhi High Court (2009) 8 SCC 106 held an advocate guilty of misconduct for:

- (A) Threatening judges and using abusive language
- (B) Filing false affidavits and reckless allegations
- (C) Interfering in a criminal trial by influencing a witness
- (D) Circulating scandalous pamphlets

Correct Answer: (C) Interfering in a criminal trial by attempting to influence a witness

Solution:

Step 1: Understanding the case background.

In the R.K. Anand case, the Supreme Court examined professional misconduct committed by an advocate during the BMW hit-and-run trial. The misconduct involved unethical interference in judicial proceedings.

Step 2: Nature of misconduct.

The advocate was found attempting to influence a key witness in the criminal case. This act directly interfered with the administration of justice and compromised the fairness of the trial.

Step 3: Court's ruling.

The Supreme Court held that such conduct amounts to serious professional misconduct and violates the ethical standards expected from an officer of the court.

Step 4: Conclusion.

Thus, the advocate was held guilty of misconduct for interfering in a criminal trial by influencing a witness. Option (C) is correct.

Quick Tip

Professional misconduct includes influencing witnesses, tampering with evidence, and actions that obstruct justice.

19. Match List I with List II and select the correct answer using the codes given below:

List I

- i. Legitimacy of children of void and voidable marriages
- ii. Punishment of bigamy

- iii. Judicial separation
- iv. Voidable marriages

List II

1. Section 10, The Hindu Marriage Act, 1955
2. Section 12, The Hindu Marriage Act, 1955
3. Section 17, The Hindu Marriage Act, 1955
4. Section 16, The Hindu Marriage Act, 1955

- (A) i - 3; ii - 4; iii - 1; iv - 2
(B) i - 4; ii - 3; iii - 2; iv - 1
(C) i - 4; ii - 3; iii - 1; iv - 2
(D) i - 1; ii - 2; iii - 4; iv - 3

Correct Answer: (C) i - 4; ii - 3; iii - 1; iv - 2

Solution:

Step 1: Understanding each section of the Hindu Marriage Act.

Section 16 deals with the legitimacy of children from void and voidable marriages. Hence, item i matches with 4.

Section 17 provides punishment for bigamy. Hence, item ii matches with 3.

Section 10 deals with judicial separation. Hence, item iii matches with 1.

Section 12 deals with voidable marriages. Hence, item iv matches with 2.

Step 2: Matching the correct pairs.

Thus, the correct pairing becomes:

i - 4, ii - 3, iii - 1, iv - 2.

Step 3: Conclusion.

This exact sequence corresponds to Option (C).

Quick Tip

Remember: Sec 10 = Judicial separation; Sec 12 = Voidable; Sec 16 = Legitimacy; Sec 17 = Bigamy punishment.

20. Under the Indian Contract Act, 1872, what happens if the principal debtor leaves part of the debt unpaid and there are two or more co-sureties?

- (A) The creditor alone bears the unpaid portion
- (B) The debtor's family becomes liable
- (C) The co-sureties share the unpaid portion equally
- (D) The first-approached surety pays the whole amount

Correct Answer: (C) The co-sureties share the unpaid portion in equal contribution

Solution:

Step 1: Understanding co-surety liability.

Under the Indian Contract Act, 1872, when multiple co-sureties guarantee a single debt, their obligation is joint and equal unless specifically contracted otherwise.

Step 2: Rule for unpaid debt.

If the principal debtor defaults and a part of the debt remains unpaid, the co-sureties must contribute equally to cover the unpaid portion. This ensures fairness among all who undertook the responsibility.

Step 3: Eliminating incorrect options.

The creditor does not bear the unpaid amount (A). The debtor's family has no such legal responsibility (B). No rule requires the first-approached surety to pay the entire amount (D).

Step 4: Conclusion.

Therefore, the correct position under the Indian Contract Act is that the co-sureties share the unpaid portion equally.

Quick Tip

Co-sureties = Equal contribution unless a different contract specifies otherwise.

21. Under the Specific Relief Act, 1963, when can a defendant in possession of movable property be compelled to deliver it to the plaintiff?

- (A) When the property is held as agent or trustee of the plaintiff.
- (B) When the property is held as mortgaged asset of the plaintiff.

- (C) When the property is held as lessee or sub-tenant of the plaintiff.
- (D) When the property is held as co-owner in common with the plaintiff.

Correct Answer: (A) When the property is held as agent or trustee of the plaintiff

Solution:

Step 1: Rule under the Specific Relief Act.

The Specific Relief Act, 1963 provides remedies for recovery of specific movable property. A defendant may be compelled to deliver property if the plaintiff has a superior legal right over it.

Step 2: Agent or trustee relationship.

When a defendant holds movable property as an *agent* or *trustee*, the ownership or beneficial interest belongs to the plaintiff. The defendant merely holds it on behalf of the plaintiff and must return it when demanded.

Step 3: Eliminating other options.

A mortgaged asset (B) gives rights to the mortgagee, not necessarily an obligation to hand over property. A lessee or sub-tenant (C) has possessory rights, so they cannot be compelled automatically. Co-owners (D) have equal rights in property; one cannot compel the other to deliver it.

Step 4: Conclusion.

Thus, a defendant can be compelled to deliver movable property only when holding it as an agent or trustee of the plaintiff.

Quick Tip

Specific Relief Act: Property must be returned if held in fiduciary capacity (agent or trustee).

22. Read the following statements and choose the correct option:

Statement 1: Under the Administrative Tribunals Act, 1985, a Joint Administrative Tribunal for two or more States exercises the same jurisdiction, powers, and authority as an Administrative Tribunal for those States.

Statement 2: For the purposes of contempt, a Tribunal exercises powers similar to those of a High Court, and references to “High Court” in the Contempt of Courts Act, 1971 are construed to include such Tribunals.

In the context of the above statements under the Administrative Tribunals Act, 1985, which one of the following is correct?

- (A) Both Statements 1 and 2 are false
- (B) Only Statement 1 is true
- (C) Only Statement 2 is true
- (D) Both the Statements are true

Correct Answer: (D) Both the Statements are true

Solution:

Step 1: Examining Statement 1.

The Administrative Tribunals Act, 1985 allows the creation of a Joint Administrative Tribunal (JAT) for two or more States. Such a tribunal has the same jurisdiction, powers, and authority as an individual State Administrative Tribunal. Therefore, Statement 1 is correct.

Step 2: Examining Statement 2.

Section 17 of the Administrative Tribunals Act states that an Administrative Tribunal has the same powers as a High Court for the purpose of contempt. Hence, references to “High Court” in the Contempt of Courts Act, 1971 apply to Tribunals as well. Therefore, Statement 2 is also correct.

Step 3: Conclusion.

Since both statements accurately reflect the provisions under the Act, the correct option is (D) Both the Statements are true.

Quick Tip

Administrative Tribunals Act: JAT has equal powers as State AT; Tribunals have High Court-level contempt powers.

23. Given below are two statements, one labelled as Assertion (A) and the other as Reason (R).

Assertion (A): A Money Bill can be introduced only in the House of the People (Lok Sabha) and not in the Council of States (Rajya Sabha).

Reason (R): The Council of States may only make recommendations on a Money Bill within 14 days, but the House of the People may accept or reject them, and in either case, the Bill is deemed to be passed.

In the context of the above assertion and reason under Article 109 of the Constitution of India, which one of the following is correct?

- (A) Both (A) and (R) are true, and (R) explains (A)
- (B) Both (A) and (R) are true, but (R) does not explain (A)
- (C) (A) true, (R) false
- (D) (A) false, (R) true

Correct Answer: (A) Both (A) and (R) are true, and (R) is the correct explanation of (A)

Solution:

Step 1: Verifying Assertion (A).

Article 109 clearly states that a Money Bill can only be introduced in the Lok Sabha. Rajya Sabha has no authority to introduce a Money Bill. Therefore, Assertion (A) is true.

Step 2: Verifying Reason (R).

According to Article 109(2), the Rajya Sabha can only recommend amendments to a Money Bill within 14 days. Lok Sabha may accept or reject these recommendations. In both situations, the Bill is considered passed. Hence, Reason (R) is true.

Step 3: Relationship between (A) and (R).

Reason (R) correctly explains why only Lok Sabha has the power to introduce a Money Bill — because Rajya Sabha has only a recommendatory role, with no decisive power. This limited role justifies the exclusive introduction power given to Lok Sabha.

Step 4: Conclusion.

Thus, both (A) and (R) are true, and (R) is the correct explanation of (A).

Quick Tip

Money Bill: Only Lok Sabha can introduce; Rajya Sabha can only recommend—Bill passes after 14 days automatically.

24. A company, registered under the Companies Act, 2013, is required to file a declaration of commencement of business before starting operations. The directors ignore this obligation, and the firm commences business activities without filing the declaration. How much penalty can be imposed on the company by the Registrar concerned for such non-compliance?

- (A) 25,000
- (B) 50,000
- (C) 75,000
- (D) 1,00,000

Correct Answer: (B) 50,000

Solution:

Step 1: Legal requirement.

Under Section 10A of the Companies Act, 2013, every company must file a declaration of commencement of business before starting operations. This ensures that the company has paid up its share capital and is ready for lawful functioning.

Step 2: Penalty for non-compliance.

If the company starts business without filing the declaration, the Registrar of Companies (ROC) shall impose a penalty on the company. The prescribed penalty is 50,000 for the company and an additional 1,000 per day on officers in default.

Step 3: Conclusion.

Thus, the penalty to be imposed on the company itself is 50,000.

Quick Tip

Section 10A Compliance: Company = 50,000 penalty; Officers = 1,000 per day until compliance.

25. If multiple offences carry different punishments but it is unclear which one has been committed, how does Section 72 of the Indian Penal Code ensure proportional justice?

- (A) By imposing punishment for the offence with the lowest prescribed term.
- (B) By applying punishment equal to the average of all possible offences.
- (C) By leaving the choice of punishment to the prosecuting authority.
- (D) By suspending the punishment until further clarification is made.

Correct Answer: (A) By imposing punishment for the offence with the lowest prescribed term

Solution:

Step 1: Understanding Section 72 IPC.

Section 72 states that when a person is charged with multiple offences, and it is uncertain which specific offence was committed, the punishment must be the least severe among the applicable punishments.

Step 2: Purpose of the rule.

This ensures that no individual is subjected to harsher punishment merely due to ambiguity in the offence. It maintains fairness and prevents excessive penalization.

Step 3: Eliminating other options.

Averaging punishments (B) has no legal basis, prosecuting authority (C) cannot decide punishment, and suspending punishment (D) is not mandated by IPC.

Step 4: Conclusion.

Thus, proportional justice is ensured by awarding the lowest of the possible punishments.

Quick Tip

IPC Section 72 = When in doubt, award the *minimum* possible punishment.

26. Mr. X owns a bakery where he employs Y, a 16-year-old adolescent. At first, X gives Y every Sunday off as his weekly holiday. After two months, X decides to change the weekly holiday to Wednesday and pastes a notice about this change on the bakery wall. According to the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986, this change is:

- (A) valid, since employers can change the holidays anytime by giving notice.
- (B) invalid, since weekly holidays cannot be altered before completion of at least three months.
- (C) valid, since the adolescent is given a full day of rest every week.
- (D) invalid, only if the notice is not displayed in the establishment.

Correct Answer: (C) Valid, since the adolescent is given a full day of rest every week

Solution:

Step 1: Understanding the legal provision.

Under the Child and Adolescent Labour (Prohibition and Regulation) Act, an adolescent must be given one full day of rest every week. However, the Act does not mandate that the weekly rest must always be on the same day.

Step 2: Validity of changing the weekly holiday.

As long as the adolescent receives one complete day of rest, the employer may change the weekly holiday by issuing a notice. There is no requirement of waiting for three months before changing the weekly rest day.

Step 3: Evaluating the options.

Option B is incorrect because the Act does not specify a minimum three-month period.

Option A is partially correct, but incomplete because the requirement of one weekly rest day is primary. Option D is incorrect because even if notice is displayed, weekly rest must still be ensured.

Step 4: Conclusion.

The change is valid because the adolescent continues to receive a full weekly rest day, making Option (C) correct.

Quick Tip

Child Adolescent Labour Act: Weekly rest is mandatory; the specific day can be changed with notice.

27. Which person will *not* be treated as a consumer under the definition of the Consumer Protection Act, 2019?

- (A) A person who purchases a refrigerator on instalments for home use.
- (B) A person who buys a television, partly paid and partly promised, for family use.
- (C) A person who purchases goods for the purpose of resale or for any commercial purpose.
- (D) A person who uses furniture bought by a relative with the latter's consent.

Correct Answer: (C) A person who purchases goods for the purpose of resale or for any commercial purpose

Solution:

Step 1: Legal definition under CPA 2019.

The Consumer Protection Act, 2019 defines a consumer as a person who buys goods or services for consideration but **not** for resale or commercial purposes. Personal, domestic, and household use is covered under the definition.

Step 2: Why Option C is excluded.

A person who purchases goods for resale or commercial use is specifically excluded from the definition of "consumer." Therefore, such a person cannot claim consumer protection rights under the Act.

Step 3: Evaluating other options.

Options A and B involve goods purchased for personal or family use, so these persons remain consumers. Option D also qualifies as a consumer, because the Act includes users of goods with the consent of the buyer.

Step 4: Conclusion.

Thus, only Option (C) falls outside the legal definition of a consumer.

Quick Tip

Consumer = Personal use; Not a consumer = Resale or commercial purpose.

28. Given below are two statements, one labelled as Assertion (A) and the other labelled as Reason (R).

Assertion (A): The President of India has the power to grant pardons, reprieves, respites, or remissions of punishment, or to suspend, remit, or commute the sentence of any person convicted of an offence, including cases where the punishment is by a Court Martial or where the sentence is death.

Reason (R): This power under Article 72 overrides and completely nullifies the powers of the Governor to commute or remit a death sentence under State law.

In the context of the above assertion and reason under Article 72 of the Constitution of India, which one of the following is correct?

- (A) Both (A) and (R) are true, and (R) explains (A)
- (B) Both (A) and (R) are true, but (R) does not explain (A)
- (C) (A) true, (R) false
- (D) (A) false, (R) true

Correct Answer: (C) (A) is true, but (R) is false

Solution:

Step 1: Verifying Assertion (A).

Article 72 grants the President the power to pardon, commute, remit, or suspend sentences for offences under Union law, Court Martial cases, and death sentences. Therefore, Assertion (A) is true.

Step 2: Verifying Reason (R).

Article 72 does not nullify or override the Governor's powers under Article 161. Both the President and Governor have concurrent but independent powers of clemency. The President's power is broader but does not eliminate the Governor's authority. Hence, Reason (R) is false.

Step 3: Relationship between (A) and (R).

Since (A) is factually correct and (R) is incorrect, (R) cannot explain (A).

Step 4: Conclusion.

Thus, the correct answer is (C): Assertion is true, but Reason is false.

Quick Tip

President and Governor both have clemency powers; Article 72 does not cancel Article 161.

29. In the following question, a Statement is followed by two Conclusions, I and II.

Statement:

Under the Protection of Women from Domestic Violence Act, 2005, a Magistrate may issue a protection order to prevent the respondent from committing acts of domestic violence, contacting the aggrieved person, alienating assets or stridhan without permission, or causing harm to her dependents.

Conclusions:

- I. A protection order can cover not just physical violence but also financial and emotional aspects of domestic violence.
- II. The Magistrate has wide powers to restrict the respondent's conduct to safeguard the aggrieved person and her dependents.

In the context of the above Statement and Conclusions under the Protection of Women from Domestic Violence Act, 2005, which one of the following is correct?

- (A) Only Conclusion I
- (B) Only Conclusion II
- (C) Both Conclusions I and II
- (D) Neither I nor II

Correct Answer: (C) Both Conclusions I and II follow

Solution:

Step 1: Understanding protection orders under the Act.

The Protection of Women from Domestic Violence Act, 2005 recognises not only physical violence but also emotional, economic, verbal, and psychological abuse. Protection orders can address all these forms.

Step 2: Evaluating Conclusion I.

The Act clearly includes financial abuse (like alienating assets) and emotional/psychological harassment. Therefore, the protection order is not limited to physical violence. Conclusion I is correct.

Step 3: Evaluating Conclusion II.

The Magistrate may restrict the respondent from entering the victim's residence, contacting her, alienating property, or harming dependents. This shows wide discretionary powers for protection. Conclusion II is also correct.

Step 4: Conclusion.

Since both conclusions logically follow from the statement, Option (C) is the correct answer.

Quick Tip

Domestic Violence Act covers physical, emotional, verbal, sexual, and economic abuse—protection orders address all these areas.

30. According to the Motor Vehicles Act, 1988, which factor determines the jurisdiction of the licensing authority in applying for a driving license?

- (A) The place where the applicant has family ancestral property.
- (B) The place where the applicant has held a bank account for more than a year.
- (C) The place where the applicant votes in local body elections.
- (D) The place where the applicant ordinarily resides or carries on business.

Correct Answer: (D) The place where the applicant ordinarily resides or carries on business

Solution:

Step 1: Understanding jurisdiction for licensing.

Section 9 of the Motor Vehicles Act, 1988 specifies that an application for a driving license must be made to the licensing authority in whose jurisdiction the applicant ordinarily resides

or carries on business.

Step 2: Reason for the rule.

This ensures that the authority responsible for issuing and verifying the license is familiar with the applicant's residence or work location, making verification easier and efficient.

Step 3: Eliminating incorrect options.

Ancestral property (A), bank account location (B), or voting location (C) have no relevance in determining licensing jurisdiction. The Act does not recognise these factors.

Step 4: Conclusion.

Therefore, jurisdiction is determined strictly by the applicant's ordinary residence or place of business. Hence, Option (D) is correct.

Quick Tip

Motor Vehicles Act: Apply for DL where you ordinarily reside or work—not based on property, bank, or voting records.

31. If a convict sentenced to life imprisonment is being considered for remission fractions under Section 57 of the Indian Penal Code, which equivalent term of years is applied by the court?

- (A) Ten years of imprisonment
- (B) Twenty years of imprisonment
- (C) Forty years of imprisonment
- (D) Fifty years of imprisonment

Correct Answer: (B) Twenty years of imprisonment

Solution:

Step 1: Understanding Section 57 IPC.

Section 57 of the Indian Penal Code does *not* define life imprisonment as 20 years. Instead, it provides a legal fiction for calculating fractions of punishment when remission or commutation is considered.

Step 2: Equivalent term used by courts.

For the limited purpose of *calculating fractions* (such as one-half, one-third), life imprisonment is taken as equivalent to **20 years**. This does *not* mean that life imprisonment ends after 20 years; it simply creates a standard numerical value for calculations.

Step 3: Eliminating incorrect options.

10 years (A), 40 years (C), or 50 years (D) are not recognized equivalents under Section 57 IPC. Only 20 years is used for fractional computation.

Step 4: Conclusion.

Thus, when courts compute remission fractions under Section 57, life imprisonment is treated as equivalent to **20 years**.

Quick Tip

Section 57 IPC: Life imprisonment 20 years; but for calculating fractions, courts treat it as 20 years.

32. According to the Payment of Gratuity Act, 1972, under what circumstance is the completion of five years of continuous service not mandatory for payment of gratuity to an employee by his employer?

- (A) Voluntary retirement from the post by the employee.
- (B) Dismissal of the employee due to misconduct at work.
- (C) Death or disablement of the employee due to accident or disease.
- (D) Transfer of the employee by conduct of business within the same organization.

Correct Answer: (C) Death or disablement of the employee due to accident or disease

Solution:

Step 1: Understanding the 5-year rule.

Under the Payment of Gratuity Act, 1972, an employee becomes eligible for gratuity after completing five years of continuous service. This is the general rule for all normal employment situations.

Step 2: Exception to the 5-year requirement.

Section 4(1) of the Act clearly provides that ****in cases of death or disablement****, the requirement of completing five years of service is ***waived***. The employer must pay gratuity to the employee or to the nominee/legal heir.

Step 3: Eliminating incorrect options.

Voluntary retirement (A) still requires five years of service. Dismissal due to misconduct (B) may even forfeit gratuity (depending on the misconduct). Transfer within the same organization (D) does not affect gratuity eligibility and does not remove the five-year condition.

Step 4: Conclusion.

Thus, gratuity is payable even without five years of service only in the event of death or permanent disablement.

Quick Tip

Gratuity Act: 5-year rule waived only for death or permanent disablement—gratuity must still be paid.

33. If a bailiff executes an eviction based on a civil court order later declared void for lack of jurisdiction, what protection does Section 76 of the Indian Penal Code provide?

- (A) The bailiff is punishable as the order was invalid from the beginning.
- (B) The bailiff can be punished only with a reduced penalty.
- (C) The bailiff is exempt if he acted in good faith under the order.
- (D) The bailiff is required to compensate the evicted person.

Correct Answer: (C) The bailiff is exempt if he acted in good faith under the order

Solution:

Step 1: Understanding Section 76 IPC.

Section 76 protects a person who acts under the authority of a court order or under a legal obligation, provided the person acts ***in good faith***. If the order later turns out to be invalid, the person is still protected.

Step 2: Application to the scenario.

A bailiff executing a civil court's eviction order is legally bound to carry out the order. If later the order is declared void due to lack of jurisdiction, the bailiff's action is still protected—so long as he acted honestly, believing the order to be valid.

Step 3: Eliminating other options.

(A) Incorrect: He is **not** punishable if acting in good faith. (B) Incorrect: No reduced penalty applies—complete protection is given. (D) Incorrect: Compensation, if any, is the responsibility of the State or court—not the bailiff.

Step 4: Conclusion.

Thus, the bailiff is protected under Section 76 IPC because he acted under a court order in good faith.

Quick Tip

IPC Section 76 = Acts done under court orders in good faith → complete exemption from criminal liability.

34. Under the Bharatiya Nyaya Sanhita, 2023, what is the maximum number of consecutive days an offender may be kept in solitary confinement at a time?

- (A) Seven
- (B) Ten
- (C) Fourteen
- (D) Twenty-one

Correct Answer: (C) Fourteen

Solution:

Step 1: Understanding solitary confinement under BNS 2023.

The Bharatiya Nyaya Sanhita, 2023 retains similar restrictions to the earlier IPC regarding solitary confinement, treating it as a severe form of punishment and therefore strictly regulated.

Step 2: Maximum consecutive duration allowed.

The law specifies that solitary confinement cannot exceed ****14 days at a time**** under any circumstances. This is to prevent physical and psychological harm to the prisoner.

Step 3: Eliminating other options.

7 days (A) and 10 days (B) are below the permissible maximum. 21 days (D) is beyond the statutory limit and is not legally allowed at one stretch.

Step 4: Conclusion.

Therefore, the maximum number of consecutive days an offender may be kept in solitary confinement at one time is ****14 days****.

Quick Tip

Solitary confinement = maximum 14 days at a time; considered an exceptional and highly restricted punishment.

35. According to the Motor Vehicles Act, 1988, what is the fixed amount of compensation payable in the event of death caused by a motor vehicle accident under no-fault liability?

- (A) Twenty-five thousand rupees
- (B) Fifty thousand rupees
- (C) One lakh rupees
- (D) Seventy-five thousand rupees

Correct Answer: (B) Fifty thousand rupees

Solution:

Step 1: Understanding no-fault liability.

Under Section 140 of the Motor Vehicles Act, 1988, compensation is payable on a no-fault basis, meaning the claimant is not required to prove negligence. This provision aims to provide immediate financial relief.

Step 2: Amount payable in case of death.

For death due to a motor vehicle accident, the fixed compensation under no-fault liability is **** 50,000****, as specified in the Act. This is a statutory minimum amount regardless of fault

or circumstances.

Step 3: Eliminating incorrect options.

25,000 (A) was an older amount under older versions of the Act. 1,00,000 (C) and 75,000 (D) are not prescribed under no-fault liability for death.

Step 4: Conclusion.

Therefore, the compensation payable under no-fault liability in case of death is ** 50,000**.

Quick Tip

Section 140 MV Act: No-fault compensation → Death = 50,000; Permanent disability = 25,000.

36. Given below are two statements, one labelled as Assertion (A) and the other labelled as Reason (R).

Assertion (A): An employee can be deemed to be in continuous service for one year only if he has worked for 365 days in the preceding twelve months, without any interruption.

Reason (R): Under the Payment of Gratuity Act, 1972, continuous service may also include periods of interruption due to sickness, accident, leave, lay-off, strike, or lock-out not caused by the employee's fault.

In the context of the above assertion and reason under the Payment of Gratuity Act, 1972, which one of the following is correct?

- (A) Both true, (R) explains (A)
- (B) Both true, (R) does not explain (A)
- (C) (A) true, (R) false
- (D) (A) false, (R) true

Correct Answer: (D) (A) is false, but (R) is true

Solution:

Step 1: Checking Assertion (A).

Assertion (A) is **false** because the Payment of Gratuity Act does *not* require an employee to work for 365 uninterrupted days to be considered in continuous service. The

concept of continuous service includes several permissible interruptions.

Step 2: Checking Reason (R).

Reason (R) is **true** as per Section 2A of the Payment of Gratuity Act, 1972. Continuous service includes days lost due to:

- sickness,
- accident,
- leave,
- lay-off,
- strike,
- lock-out, or
- cessation of work not due to employee's fault.

Step 3: Relationship between A and R.

Since Assertion (A) is wrong and Reason (R) is correct, Reason (R) cannot explain Assertion (A).

Step 4: Conclusion.

Therefore, the correct answer is **(D)** (A) is false, but (R) is **true**.

Quick Tip

Continuous service under Gratuity Act includes interruptions—365 days of uninterrupted work is NOT required.

37. Read the following statements and choose the correct option.

Statement 1: Under the Indian Penal Code, if a person harbours an offender who has escaped custody for an offence punishable with imprisonment up to 3 years, he shall be punished with imprisonment up to 7 years.

Statement 2: The law provides an exception for harbouring or concealing by the husband or wife of the offender.

In the context of the above statements under the Indian Penal Code, which one of the following is correct?

(A) Both false

- (B) Only Statement 1 true
- (C) Only Statement 2 true
- (D) Both true

Correct Answer: (C) Only Statement 2 is true

Solution:

Step 1: Checking Statement 1.

Statement 1 is **false**. Under IPC Section 216, harbouring an offender who has escaped custody or whose apprehension has been ordered is punishable. However, the punishment depends on the **severity of the offence committed by the offender**, not a fixed rule that “up to 3 years → harbourer gets up to 7 years.” Therefore, Statement 1 incorrectly states the punishment provision.

Step 2: Checking Statement 2.

Statement 2 is **true**. IPC Section 216 explicitly provides an **exception** for a husband or wife who harbours or conceals their spouse. They are exempt from punishment under this section.

Step 3: Conclusion.

Thus, only Statement 2 is true, while Statement 1 is incorrect. Hence the correct option is **(C)**.

Quick Tip

IPC 216: Spousal exception — a husband/wife cannot be punished for harbouring their spouse.

38. If a person attempts an offence punishable with a maximum of 10 years imprisonment, what is the maximum years of imprisonment that can be imposed under Section 62 of the Bharatiya Nyaya Sanhita, 2023?

- (A) Five years
- (B) Seven years
- (C) Ten years

(D) Three years

Correct Answer: (A) Five years

Solution:

Step 1: Understanding Section 62 of BNS, 2023.

Section 62 deals with punishment for attempts to commit offences. It states that if an attempted offence is punishable with imprisonment, the punishment for attempt cannot exceed one-half of the maximum term prescribed for the actual offence.

Step 2: Applying the rule to the given situation.

The offence in question carries a maximum punishment of 10 years. According to Section 62, the maximum punishment for attempt = one-half of 10 years = 5 years. This matches option (A).

Step 3: Conclusion.

Therefore, the highest punishment that can be imposed for the attempt of an offence punishable with 10 years imprisonment is 5 years.

Quick Tip

For attempts under BNS Section 62, always remember: maximum punishment = $\frac{1}{2}$ of the maximum punishment for the completed offence.

39. A juvenile aged 14 years is brought before the court for an offence not punishable with death or imprisonment for life. Under which provision of the Code of Criminal Procedure, 1973, will the case primarily fall?

- (A) Section 27
- (B) Section 125
- (C) Section 302
- (D) Section 482

Correct Answer: (A) Section 27

Solution:

Step 1: Understanding the treatment of juvenile offenders.

The Code of Criminal Procedure (CrPC) contains specific provisions for dealing with juveniles. Section 27 deals with offences committed by persons under the age of 16 years. Since the juvenile in the question is 14 years old, Section 27 is directly relevant.

Step 2: Applying the legal provision.

Section 27 states that offences not punishable with death or imprisonment for life, when committed by a juvenile under 16, must be tried by the Juvenile Court or by the Court of a Chief Judicial Magistrate. The given offence meets both conditions: the accused is under 16, and the offence is not punishable with death or life imprisonment.

Step 3: Conclusion.

Therefore, the case will fall under Section 27 of the CrPC, making option (A) the correct choice.

Quick Tip

CrPC Section 27 applies to juveniles under 16 years for offences not punishable with death or life imprisonment.

40. Under Section 290-L of Bharatiya Nagarik Suraksha Sanhita, 2023, within how many days from the date of framing of charge can an accused file an application for plea bargaining?

- (A) 15
- (B) 30
- (C) 45
- (D) 60

Correct Answer: (B) 30

Solution:**Step 1: Understanding Section 290-L (BNSS, 2023).**

Section 290-L of the Bharatiya Nagarik Suraksha Sanhita, 2023, lays down the procedural time limit for filing an application for plea bargaining by an accused person after charges

have been framed.

Step 2: Applying the provision.

The law clearly specifies that the accused must file the application for plea bargaining **within 30 days** from the date of framing of charge. Any application after this period is not maintainable.

Step 3: Conclusion.

Thus, the maximum number of days allowed to file a plea bargaining application is 30 days. Therefore, option (B) is correct.

Quick Tip

BNSS Section 290-L fixes a strict 30-day limit from the framing of charge for filing plea bargaining applications.

41. Under the Bharatiya Nyaya Sanhita, 2023, if a person is ordered to pay a fine of 4,000 but fails to do so, what is the maximum simple imprisonment the court may impose on the defaulter?

- (A) One year
- (B) Two months
- (C) Four months
- (D) Six months

Correct Answer: (B) Two months

Solution:

Step 1: Understanding imprisonment in default of fine under BNS 2023.

The Bharatiya Nyaya Sanhita, 2023, provides rules regarding how long a person may be imprisoned if they fail to pay a fine imposed by the court. The duration of default imprisonment depends on the amount of fine.

Step 2: Applying the provision to 4,000.

For fines up to 5,000, BNS allows a maximum of **two months** of simple imprisonment in default of payment. Since the fine in this question is 4,000, it falls within this category.

Step 3: Conclusion.

Therefore, the maximum simple imprisonment the court may impose is **two months**. Hence, option (B) is correct.

Quick Tip

Under BNS 2023, failure to pay small fines (up to 5,000) can lead to simple imprisonment of up to two months.

42. According to Section 18 of the Bharatiya Nagarik Suraksha Sanhita, 2023, what is the minimum period of practice as an advocate required to be considered eligible for appointment as a Public Prosecutor or Additional Public Prosecutor?

- (A) 3 years
- (B) 5 years
- (C) 7 years
- (D) 10 years

Correct Answer: (C) 7 years

Solution:

Step 1: Understanding Section 18 of BNSS, 2023.

Section 18 specifies the qualification criteria for being appointed as a Public Prosecutor or Additional Public Prosecutor. The key requirement relates to the minimum number of years of practice as an advocate.

Step 2: Applying the provision.

According to the provision, a person must have completed **at least 7 years of practice** as an advocate to be eligible for the post of Public Prosecutor or Additional Public Prosecutor.

Step 3: Conclusion.

Thus, the required minimum practice period is 7 years. Hence, option (C) is correct.

Quick Tip

Public Prosecutor eligibility under BNSS requires a minimum of 7 years' active legal practice.

43. Under the Indian Evidence Act, 1872, when can facts that are otherwise irrelevant be considered relevant?

- (A) Only when they prove the guilt of the accused directly
- (B) Only when they form part of a dying declaration
- (C) When they are inconsistent with a fact in issue or relevant fact
- (D) When they are part of an admission made in writing

Correct Answer: (C) When they are inconsistent with a fact in issue or relevant fact

Solution:

Step 1: Understanding relevancy under the Evidence Act.

Normally, only facts that directly relate to a fact in issue are admissible. However, the Evidence Act provides exceptions where otherwise irrelevant facts become relevant due to their logical connection.

Step 2: Section 11 of the Evidence Act.

Section 11 states that facts that are otherwise irrelevant become relevant if: (1) They are inconsistent with a fact in issue or relevant fact, or (2) They make the existence or non-existence of a fact in issue highly probable or improbable.

Step 3: Conclusion.

Thus, facts inconsistent with facts in issue become relevant, making option (C) the correct answer.

Quick Tip

Section 11 of the Evidence Act: Inconsistency with a fact in issue makes an irrelevant fact relevant.

44. What condition must be satisfied for prior evidence to be relevant under Section 33 of the Indian Evidence Act, 1872?

- (A) The evidence must have been recorded in the presence of a jury
- (B) The proceeding was between the same parties or their representatives in interest
- (C) The evidence must have been published in a government gazette
- (D) The evidence must have been corroborated by expert opinion

Correct Answer: (B) The proceeding was between the same parties or their representatives in interest

Solution:

Step 1: Understanding Section 33 of the Evidence Act.

Section 33 allows evidence given in a previous proceeding to be relevant in a later proceeding, but only under strict conditions. One major condition is that the earlier proceeding must have involved the same parties or their representatives.

Step 2: Why this condition is essential.

The rationale is fairness: a party should not be bound by prior testimony unless that party (or their representative) had the opportunity to cross-examine the witness in the earlier case. This preserves natural justice.

Step 3: Eliminating other options.

Recording before a jury, publication in a gazette, or expert corroboration have no connection with Section 33.

Step 4: Conclusion.

Thus, the only correct condition required is that the earlier proceeding involved the same parties or their representatives. Hence, option (B) is correct.

Quick Tip

Section 33 makes earlier testimony relevant only when both proceedings involve the same parties or their representatives.

45. During a court trial, the defence lawyer objects to the admissibility of certain papers produced as evidence. The judge clarifies that only documents categorized as public documents under the Indian Evidence Act, 1872, can be accepted without strict proof. Which category of documents would fall under public documents in this context?

- (A) Draft agreements between individuals
- (B) Personal diaries of government officials
- (C) Internal notes of a private company
- (D) Judicial and executive acts of public officers

Correct Answer: (D) Judicial and executive acts of public officers

Solution:

Step 1: Understanding public documents under Section 74 of the Evidence Act.

Section 74 defines public documents as records of acts of sovereign authorities, official bodies, tribunals, and public officers—whether judicial or executive. These documents are presumed genuine and may be accepted without strict proof.

Step 2: Applying the rule to the options.

Judicial acts (court judgments, orders) and executive acts (official government decisions) clearly fall within the scope of public documents.

Step 3: Eliminating incorrect options.

- Draft agreements between individuals are private documents.
- Personal diaries of officials are not official acts.
- Internal notes of private companies are private records.

Step 4: Conclusion.

Hence, the correct category of public documents is judicial and executive acts of public officers, making option (D) correct.

Quick Tip

Public documents = Records of judicial or executive acts, or acts of public officers (Section 74 Evidence Act).

46. Which condition must be satisfied for things said or done by one conspirator to be admissible against others under the Bharatiya Sakshya Adhiniyam, 2023?

- (A) The statement must be made after the conspiracy has ended
- (B) The statement must involve unrelated matters of personal benefit
- (C) There must be reasonable ground to believe a conspiracy exists
- (D) There must be proof that each conspirator personally committed the act

Correct Answer: (C) There must be reasonable ground to believe a conspiracy exists

Solution:

Step 1: Understanding the rule for admissibility in conspiracy cases.

Under the Bharatiya Sakshya Adhiniyam, 2023 (corresponding to Section 10 of the Evidence Act), statements or acts of one conspirator are admissible against others only when a prima facie conspiracy is shown to exist.

Step 2: Essential condition.

Before any such statements are admitted, the court must be satisfied that there is a **reasonable ground to believe that a conspiracy existed**. Only then can acts and declarations of one conspirator be used against the rest.

Step 3: Eliminating incorrect options.

- (A) is incorrect because statements made *after* the conspiracy ends are not admissible.
- (B) is incorrect because irrelevant personal matters are not covered.
- (D) is incorrect because personal commission of the act is *not required*—participation in conspiracy is enough.

Step 4: Conclusion.

Thus, the correct condition is that the court must first find reasonable grounds to believe a conspiracy exists. Hence, option (C) is correct.

Quick Tip

Statements of a conspirator become admissible only after the court is satisfied that a conspiracy prima facie exists.

47. As per Section 30 of the Code of Criminal Procedure, 1973, if a Magistrate sentenced a person to two years imprisonment and a fine, what is the maximum imprisonment he may impose in default of payment of the fine?

- (A) 1 year
- (B) 2 years
- (C) 6 months
- (D) 3 months

Correct Answer: (C) 6 months

Solution:

Step 1: Understanding Section 30 CrPC.

Section 30 allows a Magistrate of the First Class to award imprisonment in default of fine, but only up to a certain limit. If a substantive sentence of imprisonment is already imposed, the default imprisonment must not exceed the prescribed maximum.

Step 2: Applying the provision to the given case.

A Magistrate may impose default imprisonment up to: - ***1/4th of the maximum term he is authorized to award***, or - ***A maximum of 6 months***, whichever is lower. Since the magistrate has already imposed 2 years imprisonment (which he is authorized to award), the maximum default imprisonment possible is ***6 months***, as per Section 30(1)(b).

Step 3: Conclusion.

Therefore, the maximum imprisonment that may be imposed in default of paying the fine is ***6 months***. Hence, option (C) is correct.

Quick Tip

Default imprisonment is not a punishment for the offence itself—it is only a penalty for non-payment of fine.

48. As per the Constitution of India, after the 86th Constitutional Amendment, which directive principle was modified to ensure early childhood care and education below the age of six?

- (A) Article 39
- (B) Article 41
- (C) Article 47
- (D) Article 45

Correct Answer: (D) Article 45

Solution:

Step 1: Understanding the 86th Constitutional Amendment.

The 86th Amendment Act, 2002 introduced significant reforms in the field of education. It inserted Article 21A (Right to Education) and also amended Article 45 to focus specifically on early childhood care and education for children below six years.

Step 2: What Article 45 states after amendment.

After the amendment, Article 45 reads: *“The State shall endeavour to provide early childhood care and education for all children until they complete the age of six years.”*

Step 3: Eliminating other options.

- Article 39 deals with economic justice and child development but was not modified by the 86th Amendment.
- Article 41 concerns the right to work, education, and public assistance.
- Article 47 relates to nutrition, standard of living, and public health.

Step 4: Conclusion.

The directive principle modified by the 86th Amendment to ensure education and care for children below six is Article 45. Hence, option (D) is correct.

Quick Tip

86th Amendment: Added Article 21A and revised Article 45 to focus on early childhood care (0–6 years).

49. According to the Code of Civil Procedure, 1908, who can direct the Court that passed the decree to take security when an execution order is challenged in appeal?

- (A) Only the High Court exercising writ jurisdiction

- (B) The Appellate Court hearing the appeal
- (C) The District Registrar of Property Records
- (D) The Police Authority of the concerned jurisdiction

Correct Answer: (B) The Appellate Court hearing the appeal

Solution:

Step 1: Understanding execution proceedings under CPC.

When a decree is passed by a trial court and an appeal is filed challenging the execution order, the appellate court gains supervisory authority over the matter. The appellate court may issue directions to the trial court regarding security or stay of execution.

Step 2: Power under Section 96 and Order 41 CPC.

Order 41 of the CPC empowers the appellate court to stay execution and to direct the decree-passing court to obtain security from the judgment-debtor if necessary. This ensures that the decree-holder's rights are protected while the appeal is pending.

Step 3: Eliminating incorrect options.

- The High Court's writ jurisdiction is unrelated to execution appeals.
- District Registrar and Police Authority have no role in execution-related appeals.

Step 4: Conclusion.

Thus, only the ****Appellate Court hearing the appeal**** has the authority to direct the decree-passing court to take security. Hence, option (B) is correct.

Quick Tip

In execution matters, supervisory and stay powers lie primarily with the appellate court under Order 41 CPC.

50. Under the Code of Civil Procedure, 1908, how many High Court Judges constitute the judicial membership of the Rule Committee?

- (A) Three Judges of the High Court
- (B) Two Judges of the High Court
- (C) Four Judges of the High Court

(D) Five Judges of the High Court

Correct Answer: (A) Three Judges of the High Court

Solution:

Step 1: Understanding Rule Committees under CPC.

Every High Court is required to constitute a Rule Committee under Section 123 of the Code of Civil Procedure, 1908. This committee recommends rules regulating the procedure of subordinate courts.

Step 2: Composition of the judicial members.

The Section clearly states that the Committee shall include **three Judges of the High Court**. These judges form the judicial component responsible for supervising procedural reforms.

Step 3: Conclusion.

Thus, three High Court Judges constitute the judicial membership of the Rule Committee. Hence, option (A) is correct.

Quick Tip

Rule Committee under CPC = 3 High Court Judges + other nominated members.

51. According to The Copyright Act, 1957, what is ordinarily the maximum punishment for copyright infringement under Section 63?

- (A) Imprisonment up to three years and fine up to two lakh rupees
- (B) Imprisonment up to two years and fine up to one lakh rupees
- (C) Imprisonment up to five years and fine up to three lakh rupees
- (D) Imprisonment up to seven years and fine up to five lakh rupees

Correct Answer: (A) Imprisonment up to three years and fine up to two lakh rupees

Solution:

Step 1: Understanding Section 63 of the Copyright Act.

Section 63 prescribes penalties for knowingly infringing copyright. The section sets a range for punishment, including imprisonment and monetary fines.

Step 2: Maximum punishment ordinarily allowed.

The Act provides that the offender may be punished with **imprisonment up to 3 years** and may also be fined **up to 2,00,000**. This is the standard maximum penalty unless aggravated circumstances are present.

Step 3: Conclusion.

Therefore, the ordinary maximum punishment under Section 63 is imprisonment up to three years with a fine up to two lakh rupees. Hence, option (A) is correct.

Quick Tip

Section 63 = 3 years imprisonment + 2 lakh fine for ordinary copyright infringement.

52. As per the Constitution of India, a linguistic community in India seeks to preserve its unique script and literature. Which constitutional provision guarantees them the right to conserve the same?

- (A) Article 14
- (B) Article 19(1)
- (C) Article 29(1)
- (D) Article 32

Correct Answer: (C) Article 29(1)

Solution:

Step 1: Understanding Article 29(1).

Article 29(1) provides that **any section of citizens having a distinct language, script, or culture of its own shall have the right to conserve the same**. This applies directly to linguistic communities wanting to preserve their unique script and literature.

Step 2: Why other articles are not applicable.

- Article 14 deals with equality before law, not cultural rights.
- Article 19(1) provides fundamental freedoms but does not directly protect linguistic preservation.
- Article 32 provides the right to constitutional remedies, not specific cultural rights.

Step 3: Conclusion.

Since Article 29(1) specifically guarantees the right of linguistic minorities to conserve their language, script, and culture, option (C) is correct.

Quick Tip

Article 29(1) protects cultural and linguistic identity—especially language, script, and literature.

53. Under Section 58 of the Code of Civil Procedure, 1908, what is the maximum period of detention in civil prison for a decree amount exceeding 5,000?

- (A) Six weeks
- (B) Two months
- (C) Three months
- (D) Six months

Correct Answer: (C) Three months

Solution:

Step 1: Understanding Section 58 CPC.

Section 58 lays down the limits for detention in civil prison depending on the amount in the decree. For decree amounts between 2,000 and 5,000, the maximum detention is six weeks. For amounts **exceeding 5,000**, the maximum detention allowed is **three months**.

Step 2: Applying the provision.

Since the question states that the decree amount exceeds 5,000, the period must be the higher limit under Section 58.

Step 3: Conclusion.

Thus, the maximum permissible detention is three months. Hence, (C) is correct.

Quick Tip

Under Section 58: Up to 5,000 → 6 weeks; Above 5,000 → 3 months.

54. Which of the following situations falls within Section 58(1)(a)(i) of the Code of Civil Procedure, 1908?

- (A) Decree for 1,800, detention up to three months
- (B) Decree for 3,500, detention up to six weeks
- (C) Decree for 6,200, detention up to six months
- (D) Decree for 10,000, detention up to one year

Correct Answer: (B) Decree for 3,500, detention up to six weeks

Solution:

Step 1: Understanding Section 58(1)(a)(i).

This clause applies when the decree amount is **less than 5,000**. In such cases, the maximum detention allowed is **six weeks**.

Step 2: Checking each option.

- (A) 1,800 → less than 5,000, but detention of 3 months is **not allowed**.
- (B) 3,500 → less than 5,000 and detention up to six weeks → **fits perfectly**.
- (C) 6,200 → exceeds 5,000 → belongs to 3-month category, not 6 months.
- (D) 10,000 → no category allows detention up to 1 year; CPC's maximum limit is 3 months.

Step 3: Conclusion.

The only situation that matches Section 58(1)(a)(i) is a decree amount below 5,000 with detention up to six weeks. Hence, option (B) is correct.

Quick Tip

Section 58(1)(a)(i) applies only when the decree amount is under 5,000 — maximum detention = 6 weeks.

55. A civil suit is filed against Ajay, and the court issues summons requiring him to appear. After receiving the summons, Ajay consults his lawyer to understand the timeline for filing his written statement of defence under the Code of Civil Procedure,

1908. Within how many days from the date of service of summons must he submit his written statement?

- (A) Thirty days
- (B) Fifteen days
- (C) Sixty days
- (D) Ninety days

Correct Answer: (A) Thirty days

Solution:

Step 1: Understanding Order 8 Rule 1 CPC.

Order 8 Rule 1 of the CPC mandates that a defendant must file his written statement within **30 days** from the date of service of summons.

Step 2: Extended period.

The court may extend the time up to 90 days for valid reasons, but the **mandatory initial period** is 30 days.

Step 3: Conclusion.

Since the question asks for the statutory timeline, the correct answer is thirty days. Hence, option (A) is correct.

Quick Tip

Written statement deadline under CPC = 30 days (extendable up to 90 days with court permission).

56. How long does the registered address furnished under Section 14A(1) of the Code of Civil Procedure, 1908, remain valid if not changed?

- (A) Six years after final determination of the cause
- (B) Three years after the institution of the suit
- (C) Two years after final determination of the cause
- (D) Five years from the date of decree

Correct Answer: (C) Two years after final determination of the cause

Solution:

Step 1: Understanding Section 14A CPC.

Section 14A deals with the requirement to furnish a registered address for the service of notices and process during litigation. The purpose is to ensure smooth communication between the court and the parties.

Step 2: Validity rule.

Under Section 14A(5), the registered address furnished by a party remains valid for a period of: **Two years after the final determination of the cause**, unless the party files a formal change of address. This ensures that even after disposal of the case, communication relating to execution or follow-up can still reach the party.

Step 3: Conclusion.

Thus, the correct validity period is two years after the final determination of the cause. Therefore, option (C) is correct.

Quick Tip

Section 14A(5) → Registered address stays valid for 2 years after final determination unless changed.

57. According to Section 25(a) of the Arbitration and Conciliation Act, 1996, what happens if the claimant fails to submit his statement of claim without sufficient cause?

- (A) The tribunal adjourns the case indefinitely
- (B) The tribunal imposes a penalty but continues proceedings
- (C) The tribunal assumes the claim is admitted
- (D) The tribunal terminates the proceedings

Correct Answer: (D) The tribunal terminates the proceedings

Solution:

Step 1: Understanding Section 25 of the Arbitration Act.

Section 25 provides consequences for default by parties. Clause (a) specifically deals with the claimant failing to submit the statement of claim.

Step 2: Rule under Section 25(a).

If the claimant does not submit the statement of claim **without showing sufficient cause**, the arbitration tribunal has the authority to **terminate the proceedings**. This is because the claimant's failure means there is no claim to adjudicate.

Step 3: Eliminating incorrect options.

- (A) The tribunal does not adjourn indefinitely.
- (B) Penalties are not imposed; termination is the outcome.
- (C) The tribunal does not assume the claim is admitted; it requires the claim to be filed.

Step 4: Conclusion.

Thus, failure to submit the statement of claim without sufficient cause results in termination of proceedings. Hence, option (D) is correct.

Quick Tip

Arbitration Act Section 25(a): No statement of claim → No arbitration → Proceedings terminated.

58. If a case is transmitted to the Central Government under Section 10 of the Special Marriage Act, 1954, what is the time limit for solemnizing the marriage after its decision?

- (A) One month
- (B) Two months
- (C) Six months
- (D) Three months

Correct Answer: (D) Three months

Solution:**Step 1: Understanding Section 10 of the Special Marriage Act, 1954.**

Section 10 provides the procedure when an objection to the marriage is referred to the Central Government for inquiry and decision. The marriage officer must wait for the Government's decision before proceeding.

Step 2: Time limit after decision.

Once the Central Government communicates its decision, the Special Marriage Act requires that the marriage must be solemnized within **three months** from the date of such decision. If not solemnized within this period, the entire procedure may need to be repeated.

Step 3: Conclusion.

Therefore, the legally prescribed time limit is three months. Hence, option (D) is correct.

Quick Tip

Special Marriage Act: After Central Government's decision, marriage must be solemnized within 3 months.

59. What is the maximum term of imprisonment prescribed under Section 31 of the Protection of Women from Domestic Violence Act, 2005 for breach of protection order?

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

Correct Answer: (B) One year

Solution:**Step 1: Understanding Section 31 of the DV Act, 2005.**

Section 31 deals specifically with the penalty for breach of a protection order or interim protection order passed under the Act. Breach of such an order is treated as a cognizable and non-bailable offence.

Step 2: Punishment prescribed.

Section 31(1) clearly provides that the punishment for violating a protection order shall be: **imprisonment of either description for a term which may extend to one year, or with fine up to 20,000, or both.**

Step 3: Conclusion.

Thus, the maximum imprisonment for breach of a protection order under Section 31 is one year. Hence, option (B) is correct.

Quick Tip

Domestic Violence Act Section 31: Breach of protection order → Up to 1 year imprisonment + possible fine.

60. Under which provision of the Indian Constitution can a Public Interest Litigation (PIL) be filed directly in the Supreme Court?

- (A) Article 21
- (B) Article 32
- (C) Article 226
- (D) Article 14

Correct Answer: (B) Article 32

Solution:

Step 1: Understanding PIL jurisdiction.

Public Interest Litigation (PIL) is a mechanism that allows individuals or groups to approach constitutional courts for enforcement of fundamental rights or matters of public importance. It can be filed in the Supreme Court or the High Court.

Step 2: Article 32 – Direct access to Supreme Court.

Article 32 gives the right to constitutional remedies and allows any person to approach the Supreme Court directly for enforcement of fundamental rights. PILs filed in the Supreme Court are filed under this article. Dr. B.R. Ambedkar called Article 32 the “heart and soul of the Constitution.”

Step 3: Eliminating other options.

- Article 21 is a fundamental right but not a procedural remedy.
- Article 226 empowers High Courts, not the Supreme Court.
- Article 14 guarantees equality, not a route to file petitions.

Step 4: Conclusion.

Thus, PILs can be filed directly in the Supreme Court under Article 32. Hence, option (B) is correct.

Quick Tip

PIL in Supreme Court → Article 32; PIL in High Court → Article 226.

61. Under the Land Acquisition Act, 1894, what is the minimum period that must elapse between the publication of notice and the appearance of persons interested before the Collector?

- (A) Not less than 7 days
- (B) Not less than 60 days
- (C) Not less than 15 days
- (D) Not less than 30 days

Correct Answer: (C) Not less than 15 days

Solution:

Step 1: Understanding the notice requirement under the 1894 Act.

Under Section 9(1) of the Land Acquisition Act, 1894, the Collector must issue a public notice inviting claims from persons interested in the land being acquired. This notice also specifies the date on which they must appear before the Collector.

Step 2: Time period between notice and appearance.

The Act clearly states that the time given between the *publication of the notice* and the *appearance before the Collector* must be ****not less than 15 days****. This ensures adequate time for interested persons to prepare and submit their claims.

Step 3: Conclusion.

Since the statutory minimum is 15 days, option (C) is correct.

Quick Tip

Land Acquisition Act Section 9(1): Notice → Minimum 15 days → Appearance before Collector.

62. Under which provision can a citizen file a public case in the Court of Magistrate regarding issues of public interest?

- (A) Section 302 of the Indian Penal Code
- (B) Section 144 of Code of Criminal Procedure, 1973
- (C) Section 133 of Code of Criminal Procedure, 1973
- (D) Section 482 of Code of Criminal Procedure, 1973

Correct Answer: (C) Section 133 of Code of Criminal Procedure, 1973

Solution:

Step 1: Understanding Section 133 CrPC.

Section 133 of the Code of Criminal Procedure deals with **public nuisances**. It empowers an Executive Magistrate to pass conditional orders for removal of a nuisance that affects the public. Any citizen can approach the Magistrate to report a public nuisance or issue impacting public interest.

Step 2: Why Section 133 is used for public interest matters.

This provision allows individuals to raise complaints on matters such as health hazards, obstruction of public pathways, pollution, illegal constructions, or any situation affecting the general public. It is one of the earliest forms of “local-level public interest litigation.”

Step 3: Eliminating incorrect options.

- (A) Section 302 IPC deals with murder, not public issues.
- (B) Section 144 CrPC relates to urgent cases of nuisance or danger but does not permit citizens to directly file a public case.
- (D) Section 482 CrPC concerns inherent powers of High Courts, not magistrates.

Step 4: Conclusion.

Since Section 133 CrPC specifically allows citizens to approach the Magistrate regarding matters of public interest, option (C) is correct.

Quick Tip

Section 133 CrPC = Public nuisance complaints → Citizen can directly seek relief from Magistrate.

63. According to Section 44AA(2)(i) of the Income-tax Act, 1961, a person carrying on business must maintain books of account if income from business or profession exceeds:

- (A) 1,20,000
- (B) 50,000
- (C) 5,00,000
- (D) 10,00,000

Correct Answer: (A) 1,20,000

Solution:

Step 1: Understanding Section 44AA of the Income-tax Act.

Section 44AA specifies the conditions under which a person engaged in business or profession must maintain books of account. Sub-section (2)(i) deals particularly with small businesses.

Step 2: Income threshold requirement.

Under Section 44AA(2)(i), a person carrying on business must maintain books if: **income from business exceeds 1,20,000 in any of the three preceding years.** This limit is specifically prescribed for mandatory maintenance of books.

Step 3: Eliminating other options.

- 50,000 (Option B) is too low and not prescribed in the Act.
- 5,00,000 and 10,00,000 apply to turnover limits, not the income-based threshold.

Step 4: Conclusion.

Therefore, the correct limit is 1,20,000. Hence, option (A) is correct.

Quick Tip

Income $\geq$ 1,20,000 (or turnover $\geq$ 10 lakh) $\rightarrow$ Books of account compulsory under Section 44AA.

64. Under the Patents Act, 1970, which situation prevents a patent application from being published even after the expiry of the prescribed period?

- (A) When the applicant has filed a request for early examination
- (B) When secrecy direction is imposed under Section 35
- (C) When the patent has already been granted by the Controller
- (D) When the applicant has requested for an extension of time

Correct Answer: (B) When secrecy direction is imposed under Section 35

Solution:

Step 1: Understanding publication under the Patents Act.

Normally, every patent application is published automatically after 18 months from the date of filing or priority date. This is a mandatory publication requirement unless specific exceptions apply.

Step 2: Section 35 — Secrecy directions.

Under Section 35, the Controller may issue a secrecy direction when an invention is relevant for defence purposes or national security. In such a case, the application ****cannot be published****, even after the expiry of the 18-month period, until the secrecy direction is withdrawn.

Step 3: Eliminating other options.

- (A) Early examination request accelerates examination, not publication.
- (C) Grant of patent does not prevent prior publication; publication precedes grant.
- (D) Extension requests do not stop publication.

Step 4: Conclusion.

The only condition that prevents publication beyond the prescribed time is secrecy directions under Section 35. Hence, option (B) is correct.

Quick Tip

Patents Act: Secrecy direction = No publication until government approves.

65. Given below are two statements, one labelled as Assertion (A) and the other labelled as Reason (R).

Assertion (A): Any person having an interest in a newspaper declared forfeited, may apply to the High Court to set aside the declaration within two months of its publication in the Official Gazette.

Reason (R): The Special Bench of the High Court to hear such applications must always consist of exactly three judges, regardless of the strength of that High Court.

In the context of the above assertion and reason under the Code of Criminal Procedure, 1973, which one of the following is correct?

- (A) Both (A) and (R) are true, and (R) is the correct explanation of (A).
- (B) Both (A) and (R) are true, but (R) is not the correct explanation of (A).
- (C) (A) is true, but (R) is false.
- (D) (A) is false, but (R) is true.

Correct Answer: (C) (A) is true, but (R) is false.

Solution:

Step 1: Verifying Assertion (A).

Section 96 of the Code of Criminal Procedure, 1973 allows any person having an interest in a newspaper declared forfeited to apply to the High Court to set aside the declaration. This must be done **within two months** of publication in the Official Gazette. Therefore, Assertion (A) is true.

Step 2: Verifying Reason (R).

Section 96(5) states that such an application must be heard by a **Special Bench of the High Court consisting of at least three judges**. It does **not** require the bench to “always” consist of exactly three judges. It may consist of more, depending on the strength of the High Court. Therefore, Reason (R) is false because of the incorrect word “always” and “exactly.”

Step 3: Conclusion.

Assertion (A) is true and Reason (R) is false. Thus, option (C) is correct.

Quick Tip

CrPC Section 96: Forfeiture of publications → Application within 2 months → Special Bench of at least 3 judges.

66. Read the following statements and choose the correct option.

Statement 1: Under the Bharatiya Sakshya Adhiniyam, 2023, admissions are generally relevant and may be proved against the person making them, but cannot ordinarily be proved by or on behalf of that person.

Statement 2: An admission can still be proved on behalf of the person making it if it relates to the existence of a state of mind or body, made at or about the time when such condition existed, and supported by conduct showing its truthfulness.

In the context of the above statements under the Bharatiya Sakshya Adhiniyam, 2023, which one of the following is correct?

- (A) Both Statements 1 and 2 are false
- (B) Only Statement 1 is true
- (C) Only Statement 2 is true
- (D) Both the Statements are true

Correct Answer: (D) Both the Statements are true

Solution:

Step 1: Understanding Statement 1.

The Bharatiya Sakshya Adhiniyam (corresponding to Section 21 of the Indian Evidence Act) states that admissions are relevant **only against** the person making them. They are generally ***not admissible in favour*** of the person making the admission. Thus, Statement 1 is true.

Step 2: Understanding Statement 2.

There are exceptions where an admission ***can*** be proved in favour of the person who made it. One such exception is when the admission relates to the person's ***state of mind, intent, bodily condition, or mental condition***, made at or around the time of the event, and supported by conduct showing its truthfulness. Thus, Statement 2 is also true.

Step 3: Conclusion.

Since both statements correctly reflect the provisions and exceptions under the Bharatiya Sakshya Adhiniyam, 2023, the correct answer is (D).

Quick Tip

General rule: Admissions cannot be proved in favour of the maker. Exception: Statements about state of mind or body supported by conduct *can* be used in favour.

67. Which type of allowance qualifies for deduction under Section 16(ii) of the Income-tax Act, 1961?

- (A) House Rent Allowance granted by private companies
- (B) Entertainment Allowance granted to government employees
- (C) Transport Allowance provided to all salaried persons
- (D) Leave Travel Allowance given for domestic travel

Correct Answer: (B) Entertainment Allowance granted to government employees

Solution:

Step 1: Understanding Section 16(ii).

Section 16(ii) of the Income-tax Act specifically allows a deduction for **Entertainment Allowance**, but only when it is received by **government employees**. Private sector employees cannot claim this deduction.

Step 2: What the deduction covers.

The deduction is the least of the following: 1. Actual entertainment allowance received, 2. 20% of basic salary, 3. 5,000. Thus, the provision exclusively favours government employees.

Step 3: Eliminating incorrect options.

- (A) HRA is an exemption under Section 10(13A), not a deduction under Section 16.
- (C) Transport Allowance exemption was mostly withdrawn except for specially abled persons.
- (D) LTA is exempt under Section 10(5), not a deduction.

Step 4: Conclusion.

Therefore, only **Entertainment Allowance granted to government employees** qualifies for deduction under Section 16(ii). Hence, option (B) is correct.

Quick Tip

Section 16(ii) = Deduction only for Entertainment Allowance of government employees.

68. Read the given statements and choose the correct option.

Statement 1: Under the Negotiable Instruments Act, 1881, a negotiable instrument made, drawn, accepted, or transferred without consideration creates no obligation of payment between the parties to the transaction.

Statement 2: According to the same Act, if the consideration for which a negotiable instrument was issued fails in part, the holder in immediate relation is entitled to recover only the proportionate amount corresponding to the consideration actually received.

In the context of the above statements under the Negotiable Instruments Act, 1881, which one of the following is correct?

- (A) Both Statements 1 and 2 are false
- (B) Only Statement 1 is true
- (C) Only Statement 2 is true
- (D) Both the Statements are true

Correct Answer: (D) Both the Statements are true

Solution:

Step 1: Verifying Statement 1.

Under Section 43 of the Negotiable Instruments Act, 1881, a negotiable instrument made, drawn, accepted, or transferred without consideration does not create liability between the immediate parties. Thus, if there is no consideration, there is ****no enforceable obligation**** of payment. Therefore, Statement 1 is true.

Step 2: Verifying Statement 2.

Section 44 of the Act states that when consideration fails either wholly or ****partially****, the holder in immediate relation can recover ****only the amount actually due****—that is, the proportionate value corresponding to the consideration received. Therefore, Statement 2 is also true.

Step 3: Conclusion.

Since both statements correctly reflect Sections 43 and 44 of the Negotiable Instruments Act, 1881, the correct option is (D).

Quick Tip

NI Act: - Section 43 → No consideration = No liability between immediate parties.
- Section 44 → Partial failure of consideration = Holder can recover proportionate amount.

69. In the following question, a statement is followed by two Conclusions, I and II.

Statement:

Under the Environment (Protection) Act, 1986, when an offence is committed by a company, every person who was directly in charge of and responsible to the company at the time of the offence, as well as the company itself, is deemed guilty. However, a person may escape liability if he proves that the offence was committed without his knowledge or that he exercised due diligence to prevent it.

Conclusions:

- I. A company as well as its responsible officers may be held liable for environmental offences under the Act.
- II. An officer of a company can never escape liability once the company is found guilty of an offence.

In the context of the above Statement and Conclusions under the Environment (Protection) Act, 1986, which one of the following is correct?

- (A) Only Conclusion I follows
- (B) Only Conclusion II follows
- (C) Both Conclusions I and II follow
- (D) Neither Conclusion I nor II follows

Correct Answer: (A) Only Conclusion I follows

Solution:

Step 1: Examine Conclusion I.

The statement clearly says: - The company is guilty, and - Every person directly in charge and responsible at the time of offence is also deemed guilty. Thus, responsible officers **may be held liable**. Therefore, Conclusion I is true.

Step 2: Examine Conclusion II.

The statement also provides a statutory defence: A person can escape liability if he proves:
1. The offence occurred without his knowledge, or 2. He exercised due diligence to prevent it. Therefore, an officer is **not automatically liable**, and he **can escape liability**. Hence, Conclusion II is false.

Step 3: Conclusion.

Only Conclusion I follows from the given statement, making option (A) correct.

Quick Tip

Environment (Protection) Act: Officers are deemed liable, but due diligence or lack of knowledge is a valid defence.

70. Under Section 24(a) of the Income-tax Act, 1961, what percentage of the annual value of an income from house property is allowed as a standard deduction?

- (A) 20
- (B) 40
- (C) 30
- (D) 50

Correct Answer: (C) 30

Solution:

Step 1: Understanding Section 24(a).

Section 24(a) of the Income-tax Act provides a statutory standard deduction from the annual value of house property. This deduction applies to all taxpayers irrespective of actual expenditure on repairs or maintenance.

Step 2: Rate of deduction.

The Act specifically allows a **standard deduction of 30%** of the annual value. This amount is fixed and not dependent on the condition, age, or cost of maintenance of the property.

Step 3: Conclusion.

Thus, the percentage allowed is 30%, making option (C) correct.

Quick Tip

House property income → Standard deduction always = 30% of annual value (Section 24).

71. After a government notification is issued for acquiring Mr. Mehta's farmland under the Land Acquisition Act, 1894, he notices that the income from his crops steadily decreases until the authorities finally take possession. He approaches the court claiming compensation for this reduction in profits. According to the Act, what type of loss is compensable in such a case?

- (A) Loss due to falling land prices in the market
- (B) Loss due to cancellation of tenant agreements
- (C) Loss of employment in nearby areas
- (D) Bona fide diminution of profits due to acquisition process

Correct Answer: (D) Bona fide diminution of profits due to acquisition process

Solution:

Step 1: Understanding compensable losses under the 1894 Act.

Section 23 of the Land Acquisition Act recognizes various kinds of compensable losses, including actual monetary losses suffered due to acquisition proceedings before possession is taken.

Step 2: Application to the given case.

If a farmer's income falls because the land is under acquisition and the process disrupts normal cultivation, the loss is directly linked to the acquisition. This is considered a **bona fide diminution of profits**. Such losses are compensable.

Step 3: Eliminating other options.

- Market price fluctuations (A) are not compensable.
- Loss from tenant cancellations (B) is a private arrangement, not caused by acquisition.
- Loss of employment in nearby areas (C) is unrelated to acquisition of this particular land.

Step 4: Conclusion.

Thus, loss due to genuine reduction in profits caused by the acquisition process is compensable, making option (D) the correct answer.

Quick Tip

Compensation covers only those losses directly traceable to the acquisition process—not market changes or unrelated private losses.

72. According to Section 35A of the Code of Civil Procedure, 1908, what is the maximum amount a Court can award as compensatory costs in ordinary cases?

- (A) 2,000
- (B) 10,000
- (C) 5,000
- (D) 3,000

Correct Answer: (D) 3,000

Solution:

Step 1: Understanding Section 35A CPC.

Section 35A of the Code of Civil Procedure deals with compensatory costs for false or vexatious claims or defenses. It empowers the court to impose monetary compensation on a party who litigates dishonestly.

Step 2: Maximum limit for ordinary cases.

Under Section 35A(2), the maximum compensatory cost that a court may award in an ordinary case cannot exceed **3,000**. The statute imposes a strict upper limit to prevent excessive awards.

Step 3: Conclusion.

Thus, the highest amount allowed under this provision is 3,000. Hence, option (D) is correct.

Quick Tip

Section 35A CPC → False or vexatious claims → Maximum compensatory costs = 3,000 (ordinary cases).

73. According to the Indian Contract Act, 1872, when is the communication of an acceptance complete against the proposer?

- (A) When the acceptor prepares the letter of acceptance
- (B) When it is dispatched beyond the control of the acceptor
- (C) When it is delivered to the office of the proposer party
- (D) When the proposer acknowledges receipt in his records

Correct Answer: (B) When it is dispatched beyond the control of the acceptor

Solution:

Step 1: Postal Rule under Section 4 of the Contract Act.

Section 4 provides the rules for communication of proposals and acceptances. According to the postal rule, communication of acceptance is complete as against the proposer when the acceptance is **put into transmission**—i.e., dispatched—so that it is no longer within the control of the acceptor.

Step 2: Application of the rule.

This means that once the acceptor posts the letter or otherwise dispatches the acceptance, the proposer becomes bound, even if the letter is delayed or lost.

Step 3: Conclusion.

Therefore, communication of acceptance is complete against the proposer at the moment of dispatch, making option (B) correct.

Quick Tip

Contract Act → Acceptance complete against proposer when dispatched; complete against acceptor when proposer receives it.

74. Rahul rents a shop in the city for running his retail business. Later, the landlord decides to terminate the lease. Since the lease is for purposes other than agriculture or manufacturing and there is no special contract between the parties, the landlord wonders how many days' notice he must legally give under the Transfer of Property Act, 1882, to end the lease. What is the required notice period?

- (A) Five days' notice
- (B) Fifteen days' notice
- (C) Forty-five days' notice
- (D) Sixty days' notice

Correct Answer: (B) Fifteen days' notice

Solution:

Step 1: Identify the type of lease.

The shop is rented for a retail business. This means it is a **lease for purposes other than agriculture or manufacturing**. Such leases fall under ****Section 106 of the Transfer of Property Act, 1882****.

Step 2: Apply Section 106 TPA.

Section 106 states: - For agricultural/manufacturing leases → 6 months' notice. - For all other leases (like shops, offices, houses, business premises) → ****15 days' notice****.

Since Rahul's lease is for non-agricultural, non-manufacturing purposes, the required notice is 15 days.

Step 3: Conclusion.

Thus, the landlord must give ****15 days' notice****, making option (B) correct.

Quick Tip

TPA Section 106: - Agricultural/manufacturing = 6 months' notice - All other leases = 15 days' notice Unless there is a contract stating otherwise.

75. According to the Negotiable Instruments Act, 1881, what is the maximum sentence of imprisonment that a Magistrate may pass in a summary trial under Section 143?

- (A) Six months' imprisonment
- (B) Two years' imprisonment
- (C) One year's imprisonment
- (D) Three years' imprisonment

Correct Answer: (C) One year's imprisonment

Solution:

Step 1: Understanding Section 143 of the NI Act.

Section 143 introduces summary trials for cheque dishonour cases under Section 138 of the NI Act. This provision was inserted to ensure speedy disposal of cheque bounce cases.

Step 2: Maximum imprisonment in summary trials.

The proviso to Section 143(1) states that in a summary trial, the Magistrate may pass a sentence of imprisonment **not exceeding one year**. If the case requires a longer sentence, the Magistrate must convert the case to a regular summons trial.

Step 3: Conclusion.

Thus, the maximum imprisonment that may be awarded in a summary trial is ****one year****, making option (C) correct.

Quick Tip

NI Act: Summary trial → Max 1 year imprisonment. Longer sentence needs conversion to regular trial.

76. In the following question, a Statement is followed by two Conclusions, I and II.

Statement:

As per Section 157 of the Companies Act, 2013, every company must, within fifteen days of receiving intimation under Section 156, furnish the Director Identification Number (DIN) of all its Directors to the Registrar with prescribed fees. Failure to comply attracts penalties.

Conclusions:

- I. If a company fails to furnish the DIN, it can be penalized.
- II. Every officer of the company in default is also liable for penalties.

In the context of the above Statement and Conclusions, which one of the following is correct?

- (A) Only Conclusion I follows
- (B) Only Conclusion II follows
- (C) Both Conclusions I and II follow
- (D) Neither Conclusion I nor II follows

Correct Answer: (C) Both Conclusions I and II follow

Solution:

Step 1: Verifying Conclusion I.

Section 157 explicitly states that if a company does not furnish the DINs of its directors within the prescribed time, the ****company itself**** is liable to penalties. Therefore, Conclusion I is true.

Step 2: Verifying Conclusion II.

Under the Companies Act, the phrase “company and every officer in default” applies. This means that when the company commits a default, ****officers responsible for compliance**** are also individually liable. Thus, non-filing of DIN under Section 157 attracts penalties on:
- the company, and - its officers in default. Hence, Conclusion II is also true.

Step 3: Conclusion.

Both conclusions correctly follow from Section 157, making option (C) the right answer.

Quick Tip

Companies Act: “Company + Officer in default” are jointly liable for compliance failures, including DIN filing.

77. Read the following Statements related to the Information Technology Act, 2000 and choose the correct option.

Statement 1: Under the Information Technology Act, 2000, a Digital Signature Certificate may be suspended by the Certifying Authority on the request of the subscriber, an authorized representative, or if it is considered necessary in the public interest.

Statement 2: Under the same Act, a Digital Signature Certificate can remain suspended indefinitely without providing the subscriber an opportunity of being heard.

- (A) Both Statements 1 and 2 are false
- (B) Only Statement 1 is true
- (C) Only Statement 2 is true
- (D) Both the Statements are true

Correct Answer: (B) Only Statement 1 is true

Solution:

Step 1: Evaluating Statement 1.

Section 37 of the Information Technology Act, 2000 allows suspension of a Digital Signature Certificate: - on the request of the subscriber, - on the request of an authorised representative, or - in public interest. Thus, Statement 1 is completely correct.

Step 2: Evaluating Statement 2.

The Act **does not** allow indefinite suspension. Section 37(2) clearly states that suspension: - cannot exceed a reasonable period, and - must give the subscriber an opportunity of being heard before revocation or prolonged suspension. Therefore, a certificate ***cannot*** remain suspended indefinitely without hearing. Thus, Statement 2 is false.

Step 3: Conclusion.

Only Statement 1 is correct, making option (B) the correct answer.

Quick Tip

IT Act: Suspension allowed — but not indefinitely, and subscriber must be given a hearing.

78. Read the following Statement and Conclusions, and choose the correct option.

Statement:

According to the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986, the appropriate Government credits 15,000 to the Child and Adolescent Labour Rehabilitation Fund for each child or adolescent for whom the fine amount from the employer has been

deposited. The amount in the Fund is deposited or invested in banks, and the interest accrued is also payable to the child or adolescent.

Conclusions:

- I. The child or adolescent is entitled not only to the credited amount but also to the interest accrued on it.
- II. The Government is not required to deposit any money other than what is collected as fines from the employer.

In the context of the above Statement and Conclusions, which one of the following is correct?

- (A) Only Conclusion I follows
- (B) Only Conclusion II follows
- (C) Both Conclusions I and II follow
- (D) Neither Conclusion I nor II follows

Correct Answer: (A) Only Conclusion I follows

Solution:

Step 1: Evaluating Conclusion I.

The statement explicitly says that: - 15,000 is credited to the Rehabilitation Fund, and - the interest accrued on that amount is **also payable to the child or adolescent**. Therefore, Conclusion I directly follows from the statement and is true.

Step 2: Evaluating Conclusion II.

The statement never mentions that the Government is not required to deposit any money beyond fines collected from the employer. It only states how money is credited and how interest is paid—****not**** what other contributions the Government may or may not have to make. Thus, Conclusion II does **not** follow from the given statement.

Step 3: Conclusion.

Only Conclusion I follows, making option (A) correct.

Quick Tip

For child labour rehabilitation, both the fund amount and the accrued interest belong to the child.

79. Given below are two statements, one labelled as Assertion (A) and the other labelled as Reason (R).

Assertion (A): The Bharatiya Nyaya Sanhita, 2023, prescribes the death penalty for certain forms of gang rape.

Reason (R): The purpose of this provision is to make all sexual offences non-bailable.

In the context of the above assertion and reason, which one of the following is correct?

- (A) Both (A) and (R) are true, and (R) is the correct explanation of (A).
- (B) Both (A) and (R) are true, but (R) is not the correct explanation of (A).
- (C) (A) is true, but (R) is false.
- (D) (A) is false, but (R) is true.

Correct Answer: (C) (A) is true, but (R) is false.

Solution:

Step 1: Verifying Assertion (A).

The Bharatiya Nyaya Sanhita (BNS), 2023, indeed prescribes the **death penalty** for certain aggravated forms of gang rape, such as: - gang rape of minors, - gang rape causing severe injury, - gang rape involving extreme brutality. Therefore, Assertion (A) is true.

Step 2: Verifying Reason (R).

The purpose of the provision prescribing death penalty is **not** to make all sexual offences non-bailable. Different sexual offences have different bail classifications under BNS: - Some are non-bailable, - Some are bailable, - Some have enhanced punishments depending on severity.

Thus, the claim that the purpose is to make all sexual offences non-bailable is incorrect. Therefore, Reason (R) is false.

Step 3: Conclusion.

Since Assertion (A) is true and Reason (R) is false, option (C) is correct.

Quick Tip

BNS 2023: Death penalty applies only to specific aggravated sexual offences — it does not make all sexual offences non-bailable.

80. Given below are two statements, one labelled as Assertion (A) and the other labelled as Reason (R).

Assertion (A): Under the Bharatiya Nagarik Suraksha Sanhita, 2023, if the proclaimed person appears within the time specified in the proclamation, the Court shall release the attached property.

Reason (R): The attachment of property under the Bharatiya Nagarik Suraksha Sanhita, 2023, is intended to compel the appearance of the proclaimed person before the Court, not to permanently deprive him of his property.

In the context of the above assertion and reason, which one of the following is correct?

- (A) Both (A) and (R) are true, and (R) is the correct explanation of (A).
- (B) Both (A) and (R) are true, but (R) is not the correct explanation of (A).
- (C) (A) is true, but (R) is false.
- (D) (A) is false, but (R) is true.

Correct Answer: (A) Both (A) and (R) are true, and (R) is the correct explanation of (A).

Solution:

Step 1: Verifying Assertion (A).

Under the Bharatiya Nagarik Suraksha Sanhita (BNSS) 2023, provisions corresponding to earlier CrPC Sections 82–85 state that if the proclaimed person appears within the time specified in the proclamation, the Court must order the ****release of the property**** that was attached. Thus, Assertion (A) is true.

Step 2: Verifying Reason (R).

The purpose of attaching the property of an absconding or proclaimed offender is ****not punitive****. Its purpose is to: - compel and ensure the appearance of the accused before the Court, - prevent evasion of justice, - create pressure for compliance.

It is not meant to permanently confiscate the property unless the accused continues to abscond. Thus, Reason (R) is also true.

Step 3: Relationship between (A) and (R).

Reason (R) correctly explains why the property must be released if the person appears on time — because the purpose of attachment is only to secure appearance, not to deprive

ownership. Therefore, (R) is the correct explanation for (A).

Step 4: Conclusion.

Both statements are true, and (R) explains (A), so option (A) is correct.

Quick Tip

BNSS: Attachment is a coercive measure, not punishment. Appearance = Property must be released.

81. Read the given Statements and choose the correct option.

A dispute arises between two companies regarding the enforcement of their arbitration clause. Examine the following statements:

Statement 1: An arbitration agreement must be in writing, and it can be contained in a contract, an exchange of letters, telex, telegrams, or electronic communications.

Statement 2: An arbitration agreement may arise solely from the conduct of the parties, without any written record.

- (A) Only Statement 1 is true
- (B) Only Statement 2 is true
- (C) Both Statements 1 and 2 are true
- (D) Neither Statement 1 nor 2 is true

Correct Answer: (A) Only Statement 1 is true

Solution:

Step 1: Evaluating Statement 1.

Section 7 of the Arbitration and Conciliation Act, 1996 clearly states that an arbitration agreement **must be in writing**. It may appear in: - a signed document, - an exchange of letters, telex, telegrams, or - electronic communications (email, etc.) showing agreement. Thus, Statement 1 is correct.

Step 2: Evaluating Statement 2.

The Act explicitly requires a **written** arbitration agreement. An arbitration clause **cannot arise merely from conduct** without any written record. Conduct may show consent in

performance, but without writing, it cannot constitute a valid arbitration agreement.

Therefore, Statement 2 is false.

Step 3: Conclusion.

Only Statement 1 is true, making option (A) correct.

Quick Tip

Arbitration Act: Arbitration agreement must be in writing — emails and exchanges count, conduct alone does not.

82. In the following question, a Statement is followed by two Conclusions, I and II.

Statement:

According to the Advocates Act, 1961, when the term of a State Bar Council expires without an election, the Bar Council of India shall constitute a Special Committee consisting of the ex officio member of the State Bar Council as Chairman and two nominated members. The Special Committee has the power to discharge all functions of the State Bar Council until the new Council is constituted, and elections must be held within six months unless the period is extended by the Bar Council of India.

Conclusions:

- I. The Special Committee is empowered to handle pending disciplinary matters of the State Bar Council.
- II. The Bar Council of India may extend the six-month period for holding elections to the State Bar Council, for recorded reasons.

In the context of the above Statement and Conclusions, which one of the following is correct?

- (A) Only Conclusion I follows
- (B) Only Conclusion II follows
- (C) Both Conclusions I and II follow
- (D) Neither Conclusion I nor II follows

Correct Answer: (C) Both Conclusions I and II follow

Solution:**Step 1: Evaluating Conclusion I.**

The Statement says that the Special Committee “shall discharge all functions of the State Bar Council.” This includes: - administrative functions, - regulatory functions, and - **disciplinary functions**.

Pending disciplinary matters are part of the statutory functions of the Bar Council under the Advocates Act. Therefore, the Special Committee can handle them. Thus, Conclusion I follows.

Step 2: Evaluating Conclusion II.

The Statement expressly provides that the six-month time period for conducting elections “may be extended by the Bar Council of India” if reasons are recorded. Therefore, Conclusion II also directly follows from the Statement.

Step 3: Conclusion.

Both conclusions logically follow, so option (C) is correct.

Quick Tip

Advocates Act: When a State Bar Council’s term expires without elections → Special Committee takes over all functions; BCI may extend election deadline.

83. Read the given statements and choose the correct option.

Statement 1: Under the Income-tax Act, 1961, a deduction equal to 30% of the annual value is allowed while computing income from house property.

Statement 2: Where the property has been acquired or constructed with borrowed capital, the maximum deduction for interest payable on such capital is capped at 2,00,000, subject to conditions.

- (A) Both Statements 1 and 2 are false
- (B) Only Statement 1 is true
- (C) Only Statement 2 is true
- (D) Both the Statements are true

Correct Answer: (D) Both the Statements are true

Solution:

Step 1: Evaluating Statement 1.

Section 24(a) of the Income-tax Act provides a **standard deduction of 30%** of the annual value of house property. This applies irrespective of actual repair or maintenance expenses. Therefore, Statement 1 is true.

Step 2: Evaluating Statement 2.

Section 24(b) allows deduction for **interest on borrowed capital** used for purchase, construction, repair, renewal, or reconstruction of property.

For a self-occupied property, the maximum deduction allowable is **2,00,000**, provided the construction is completed within the specified time period (generally 5 years from the end of the financial year in which borrowing was made). Thus, Statement 2 is also true.

Step 3: Conclusion.

Since both statements correctly reflect Section 24(a) and Section 24(b) of the Income-tax Act, the correct option is (D).

Quick Tip

Income from House Property: - 30% Standard Deduction (Sec 24a) - Interest Deduction up to 2 lakh for self-occupied property (Sec 24b)

84. Given below are two statements, one labelled as Assertion (A) and the other labelled as Reason (R).

Assertion (A): Under the Hindu Succession Act, 1956, a daughter in a Joint Hindu Family governed by Mitakshara Law becomes a coparcener by birth in her own right, just like a son.

Reason (R): This provision grants daughters the same rights, liabilities, and disabilities in coparcenary property as those of sons.

In the context of the above assertion and reason under the Hindu Succession Act, 1956, which one of the following is correct?

(A) Both (A) and (R) are true, and (R) is the correct explanation of (A).

- (B) Both (A) and (R) are true, but (R) is not the correct explanation of (A).
(C) (A) is true, but (R) is false.
(D) (A) is false, but (R) is true.

Correct Answer: (A) Both (A) and (R) are true, and (R) is the correct explanation of (A).

Solution:

Step 1: Verifying Assertion (A).

The Hindu Succession (Amendment) Act, 2005 amended Section 6, granting daughters the status of **coparceners by birth**, in the same manner as sons, in Joint Hindu Families governed by Mitakshara law. Therefore, Assertion (A) is true.

Step 2: Verifying Reason (R).

The amended Section 6 explicitly provides that daughters shall have: - the same rights in coparcenary property as sons, - the same liabilities, and - the same disabilities (if any).

Thus, the provision establishes complete equality between sons and daughters in coparcenary matters. Therefore, Reason (R) is also true.

Step 3: Relationship between (A) and (R).

Reason (R) explains **why** a daughter becomes a coparcener by birth — because the law grants her equal rights, liabilities, and disabilities similar to those of a son. Thus, (R) is the correct explanation for (A).

Step 4: Conclusion.

Both (A) and (R) are true, and (R) correctly explains (A). Hence, option (A) is correct.

Quick Tip

Hindu Succession (Amendment) Act, 2005: Daughters = Sons in coparcenary rights, liabilities, and inheritance.

85. As per the Indian Contract Act, 1872, an acceptance must be absolute and unqualified. What is the legal effect if an offeree's response to a proposal introduces a new term?

- (A) It becomes a valid acceptance, and the new term is incorporated as a mere suggestion.

- (B) It operates as a valid acceptance if the new term is not a material alteration.
- (C) It constitutes a counter-proposal, thereby rejecting the original proposal.
- (D) It suspends the original proposal until the new term is accepted or rejected by the proposer.

Correct Answer: (C) It constitutes a counter-proposal, thereby rejecting the original proposal.

Solution:

Step 1: Acceptance under Contract Law.

Section 7 of the Indian Contract Act requires that acceptance must be **absolute and unqualified**. Any variation or introduction of a new condition makes the acceptance invalid.

Step 2: Effect of introducing a new term.

If the offeree adds a new condition, this is not acceptance but a **counter-offer**. A counter-offer automatically rejects the original offer.

Step 3: Conclusion.

Thus, introducing a new term results in a counter-proposal, making option (C) correct.

Quick Tip

“Qualified acceptance” = No acceptance → It becomes a counter-offer.

86. The Indian Contract Act, 1872, provides for specific situations where an agreement without consideration is not void. Which of the following agreements is valid despite the lack of fresh consideration?

- (A) An oral promise by ‘A’ to pay ‘B’ 5000 for a service ‘B’ voluntarily rendered to ‘A’ last month.
- (B) A written and registered promise by a husband, out of natural love and affection, to transfer a property to his wife.
- (C) A promise to subscribe 1 lakh to a public charitable fund.
- (D) A promise made by a minor upon attaining majority to pay a debt incurred during his minority.

Correct Answer: (B) A written and registered promise by a husband, out of natural love and affection, to transfer a property to his wife.

Solution:

Step 1: Rule for agreements without consideration.

Section 25 of the Contract Act lists exceptions where an agreement without consideration is still valid. One such exception is a **written and registered agreement made out of natural love and affection between parties standing in near relation.**

Step 2: Applying the rule to options.

Option (B) matches Section 25(1): - Husband and wife = near relation - Written and registered agreement - Based on natural love and affection Hence, it is valid even without consideration.

Step 3: Eliminating incorrect options.

(A) Past voluntary services → Not enforceable unless done at promisor's request (Section 25(2)).

(C) Promise to charity → Not enforceable without consideration unless acted upon (no such fact given).

(D) Promise by a major to pay minor-period debt → Void; minor's contracts are void ab initio.

Step 4: Conclusion.

Only option (B) is valid.

Quick Tip

Section 25 → Love affection (written + registered) = Valid even without consideration.

87. In the context of delegated legislation, the judicial doctrine that prevents a legislature from conferring “uncontrolled legislative power” on the administration is known as the doctrine of:

(A) Ultra Vires

(B) Excessive Delegation

(C) Conditional Legislation

(D) Separation of Powers

Correct Answer: (A) Ultra Vires

Solution:

Step 1: Understanding delegated legislation.

Delegated (or subordinate) legislation involves the legislature transferring some law-making power to the executive. However, such delegation has limits. The executive cannot be given absolute or uncontrolled authority.

Step 2: Doctrine of Ultra Vires.

The doctrine of **ultra vires** ensures that: - no authority can act beyond the powers granted to it, and - the legislature itself cannot delegate unlimited or uncontrolled legislative power.

If excessive or unguided power is delegated, courts strike it down as **ultra vires**.

Step 3: Eliminating other options.

(B) Excessive Delegation → describes the problem but is not the legal doctrine applied by courts.

(C) Conditional Legislation → refers to legislative control, not judicial review.

(D) Separation of Powers → broader constitutional principle, not specific to delegated legislation.

Step 4: Conclusion.

Courts apply the doctrine of **ultra vires** to prevent uncontrolled delegation. Hence, option (A) is correct.

Quick Tip

Ultra Vires = “Beyond powers” → Used by courts to invalidate excessive or unguided delegation.

88. For a petition for nullity of marriage under the Hindu Marriage Act, 1955, on the ground that consent was obtained by fraud, what is a statutory bar to granting the decree?

- (A) The petition was filed more than six months after the discovery of the fraud.
- (B) The petitioner has lived with the respondent as husband and wife after the discovery of the fraud.
- (C) The petition refers to the social status of the respondent's family.
- (D) The parties have not attempted reconciliation through a counselling center.

Correct Answer: (B) The petitioner has lived with the respondent as husband and wife after the discovery of the fraud.

Solution:

Step 1: Relevant provision under the Hindu Marriage Act.

Section 12(1)(c) of the Hindu Marriage Act allows a marriage to be annulled if consent was obtained by fraud. However, Section 12(2)(a)(i) imposes a statutory bar.

Step 2: What is the statutory bar?

The law provides that a decree of nullity cannot be granted if, after discovering the fraud, **the petitioner lived with the respondent as husband and wife**. This is treated as **condonation**, meaning the petitioner has accepted the marriage despite fraud.

Step 3: Eliminating incorrect options.

- (A) The Act has no six-month limit for filing a fraud-based nullity petition.
- (C) Social status of respondent's family is irrelevant.
- (D) Counselling is not a statutory condition for nullity.

Step 4: Conclusion.

Since cohabitation after discovering fraud bars nullity, option (B) is correct.

Quick Tip

Under HMA → Fraud-based nullity barred if petitioner voluntarily cohabits after discovering the fraud.

89. In the absence of an agreement between the parties, the arbitration proceedings are said to have commenced under Section 21 of the Arbitration and Conciliation Act, 1996:

- (A) on the date of appointment of arbitrator
- (B) on the date the arbitration agreement is signed
- (C) on the date the request for reference is received by the respondent
- (D) on the date the arbitral tribunal issues notice

Correct Answer: (C) on the date the request for reference is received by the respondent

Solution:

Step 1: Understanding Section 21.

Section 21 of the Arbitration and Conciliation Act, 1996 provides that unless the parties agree otherwise, arbitration proceedings commence when the **request for referring the dispute to arbitration is received by the respondent.**

Step 2: Applying the rule.

The date of receipt of the request by the respondent is legally treated as the commencement date of arbitration, not the date of signing the agreement or appointment of arbitrator.

Step 3: Conclusion.

Hence, option (C) is correct.

Quick Tip

Arbitration begins when the respondent receives the request — not when arbitrator is appointed.

90. Which of the following public interest litigations expanded Article 21 of the Indian Constitution to include right to enjoyment of pollution-free water and air?

- (A) Subhash Kumar v. State of Bihar, (1991) 1 SCC 598
- (B) Nilabati Behera v. State of Orissa, (1993) 2 SCC 746
- (C) Sheela Barse v. Union of India, (1986) 3 SCC 596
- (D) Olga Tellis v. Bombay Municipal Corporation, (1985) 3 SCC 545

Correct Answer: (A) Subhash Kumar v. State of Bihar, (1991) 1 SCC 598

Solution:

Step 1: Understanding Article 21 expansion.

Article 21 guarantees the right to life, and the Supreme Court has interpreted this to include the right to a healthy environment.

Step 2: Landmark case.

In **Subhash Kumar v. State of Bihar (1991)**, the Court held that the right to life includes the right to enjoyment of **pollution-free water and air**. This case is a cornerstone of environmental jurisprudence in India.

Step 3: Eliminating other options.

(B) Nilabati Behera → custodial compensation case.

(C) Sheela Barse → child rights and custodial justice.

(D) Olga Tellis → right to livelihood (pavement dwellers case).

Step 4: Conclusion.

Thus, option (A) is correct.

Quick Tip

Environmental rights are protected under Article 21 → Subhash Kumar case established this principle.

91. Which Public Interest Litigation case resulted in the Supreme Court of India laying down the principle of ‘Absolute Liability’?

(A) M.C. Mehta v. Union of India, AIR 1987 SC 1086

(B) M.C. Mehta v. Union of India, 1988 SCR (2) 530

(C) M.C. Mehta v. Kamal Nath, (1997) 1 SCC 388

(D) M.C. Mehta v. Union of India, AIR 1997 SC 734

Correct Answer: (A) M.C. Mehta v. Union of India, AIR 1987 SC 1086

Solution:**Step 1: Absolute Liability Doctrine.**

In the landmark case of **M.C. Mehta v. Union of India (1987)**, the Supreme Court laid down the principle of **Absolute Liability** for industries engaged in hazardous activities. The

ruling established that companies causing harm to the environment or public must bear full responsibility, irrespective of fault.

Step 2: Explanation of options.

(A) Correct: This case is the landmark PIL case where the Court first introduced the doctrine of absolute liability.

(B) Incorrect: This case dealt with the Bhopal Gas leak disaster but did not establish absolute liability.

(C) Incorrect: This case focused on the issue of the right to environment, not absolute liability.

(D) Incorrect: While it deals with environmental concerns, it does not lay down absolute liability.

Step 3: Conclusion.

Thus, option (A) is correct.

Quick Tip

Absolute liability: No need for fault, just the hazardous nature of the activity leads to full responsibility.

92. In which of the following cases, the Supreme Court of India has pointed out that the rule of *nemo judex in causa sua* is subject to the doctrine of necessity?

(A) Sahni Silk Mills (P) Ltd. v. Employees' State Insurance Corporation, (1994) 5 SCC 346

(B) In Re: Delhi Laws Act, AIR 1951 SC 332

(C) J. Mohapatra & Co. v. State of Orissa, (1984) 4 SCC 103

(D) Union of India v. G. Ganayutham, (1997) 7 SCC 463

Correct Answer: (C) J. Mohapatra Co. v. State of Orissa, (1984) 4 SCC 103

Solution:

Step 1: Rule of *nemo judex in causa sua*.

The rule of ***nemo judex in causa sua*** (no one should be a judge in their own cause) is a fundamental principle of natural justice, which prevents bias in judicial proceedings.

However, this principle is subject to the **doctrine of necessity**, which allows a judge or decision-maker to act in cases where they might have a personal interest, but no alternative exists for a fair decision.

Step 2: Application of the rule in the case.

In the case of **J. Mohapatra Co. v. State of Orissa (1984)**, the Supreme Court discussed how the principle of *nemo judex in causa sua* was subject to the doctrine of necessity in certain situations. This allowed the Court to rule despite potential conflicts of interest, as no alternative was available.

Step 3: Eliminating other options.

(A) Sahni Silk Mills → This case relates to employee insurance and does not discuss judicial necessity or conflicts of interest.

(B) In Re: Delhi Laws Act → Deals with the constitutionality of laws and does not focus on the principle of *nemo judex* or necessity.

(D) Union of India v. G. Ganayutham → Related to civil services, but does not address judicial necessity or conflicts of interest.

Step 4: Conclusion.

Therefore, the correct answer is option (C), where the Court applied the doctrine of necessity to allow a decision despite potential conflicts of interest.

Quick Tip

The rule of **nemo judex in causa sua** is flexible under the doctrine of necessity, allowing judicial action when no alternative exists.

93. As per Section 11 of the Code of Civil Procedure, 1908 for Res Judicata to be applicable on a subsequent suit, the former suit:

I. has been finally decided.

II. can only be instituted prior to the subsequent suit.

III. relates to the same matter directly and substantially in issue in the subsequent suit.

IV. is between the same parties, or between parties under whom they or any of them claim.

- (A) I, II, and III
- (B) I, II, and IV
- (C) II, III, and IV
- (D) I, III, and IV

Correct Answer: (C) II, III, and IV

Solution:

Step 1: Understand the condition for Res Judicata.

Under Section 11 of the Code of Civil Procedure, Res Judicata bars the subsequent suit if the matter in the former suit has already been decided, and the same issue arises in the subsequent suit. The condition for Res Judicata requires the matter to be directly and substantially the same, and it should involve the same parties or their representatives.

Step 2: Analyze the options.

- (A) I, II, and III: While these conditions are partially true, they don't cover the complete scope needed for Res Judicata to apply.
- (B) I, II, and IV: This option is incorrect, as II is not required for Res Judicata.
- (C) II, III, and IV: This option is correct, as it meets all the conditions required by Section 11 for Res Judicata to apply.
- (D) I, III, and IV: This is incomplete, as II is necessary for Res Judicata in this context.

Step 3: Conclusion.

Therefore, the correct answer is (C) because Res Judicata applies when the matter is directly and substantially the same, and it involves the same parties or those under whom they claim.

Quick Tip

For Res Judicata to apply, the matter in the former suit must be directly and substantially the same as in the subsequent suit, and it must involve the same parties or their representatives.

94. Where the decree is for the payment of money, execution by detention in prison shall not be ordered unless, after giving the judgment-debtor an opportunity of

showing cause, the Court is satisfied that the judgment-debtor:

I. judgment-debtor is likely to abscond or leave the local limits of the jurisdiction of the Court.

II. judgment-debtor has, before the institution of the suit in which the decree was passed, dishonestly transferred any part of his property.

III. decree is for a sum for which the judgment-debtor was bound in a fiduciary capacity to account.

IV. judgment-debtor has, or has had since the date of the decree, the means to pay such amount of the decree and neglected to pay the same.

(A) I, II, and III

(B) II, III, and IV

(C) I, III, and IV

(D) I, II, III, and IV

Correct Answer: (D) I, II, III, and IV

Solution:

Step 1: Understand the condition for execution of the decree.

Section 51 of the Code of Civil Procedure allows execution of a decree through detention in prison only under specific conditions. The Court must be satisfied that the judgment-debtor poses a risk of absconding, has dishonestly transferred property, is bound by fiduciary duties, or has neglected to pay the decree amount despite having the means to do so.

Step 2: Analyze the options.

- (A) I, II, and III: These conditions are incomplete, as they don't cover the scenario where the debtor has the means to pay and neglects to do so.

- (B) II, III, and IV: This option excludes the possibility of absconding, which is an important condition.

- (C) I, III, and IV: This option also misses the dishonest transfer of property, which is a key condition for execution.

- (D) I, II, III, and IV: This option correctly includes all conditions for the execution of the decree through detention.

Step 3: Conclusion.

Therefore, the correct answer is (D) because all conditions mentioned are necessary for the Court to order detention in prison for non-payment of a decree.

Quick Tip

For execution of a decree by detention, the debtor must meet specific conditions, including a risk of absconding, dishonest transfer of property, fiduciary obligations, or having the means to pay but neglecting to do so.

95. As per the Code of Civil Procedure, 1908, a decree ex parte can be set aside against a defendant:

- I.** if he satisfies the Court that the summons was not duly served.
- II.** if he satisfies the Court that he was prevented by any sufficient cause from appearing when the suit was called for hearing.
- III.** if he satisfies the Court that there has been an irregularity in the service of summons despite the fact that defendant had notice of the date of hearing and had sufficient time to appear and defend the plaintiff's claim.
- IV.** without notice being served on the opposite party.

- (A) I and II
- (B) I, II and III
- (C) I and IV
- (D) I, II, III and IV

Correct Answer: (A) I and II

Solution:

Step 1: Understand the conditions for setting aside an ex parte decree.

According to the Code of Civil Procedure, a decree passed ex parte can be set aside if the defendant proves certain conditions. These conditions typically involve the failure of service or the inability to appear due to valid reasons.

Step 2: Analyze the options.

- (A) I and II: This is the correct answer. If the summons was not served properly, or if the defendant had a valid cause preventing his appearance, the decree can be set aside.
- (B) I, II and III: Irregularities in the service of summons alone are not enough unless the defendant has not had proper notice or opportunity.
- (C) I and IV: Without proper notice being served, the decree cannot be set aside; there must be valid grounds for non-appearance.
- (D) I, II, III and IV: Including option IV makes this incorrect, as it doesn't fit the standard provisions for setting aside an ex parte decree.

Step 3: Conclusion.

Therefore, the correct answer is (A) because these conditions satisfy the legal grounds for setting aside an ex parte decree.

Quick Tip

To set aside an ex parte decree, the defendant must demonstrate that the summons was not duly served or that a valid reason prevented his appearance.

96. When is a confession made by a person in police custody admissible under the Bharatiya Sakshya Adhiniyam, 2023?

- (A) Only if it is made voluntarily in writing.
- (B) Only if it is made in the immediate presence of a Magistrate.
- (C) Only if it is supported by two independent witnesses.
- (D) Only if it is recorded after the charge sheet is filed.

Correct Answer: (B) Only if it is made in the immediate presence of a Magistrate.

Solution:**Step 1: Understand the provision under Bharatiya Sakshya Adhiniyam, 2023.**

According to the Bharatiya Sakshya Adhiniyam, 2023, a confession made by a person in police custody is admissible in court only if it is made in the immediate presence of a

Magistrate. This ensures that the confession is made voluntarily and without any coercion or undue influence by the police.

Step 2: Analyze the options.

- (A) "Only if it is made voluntarily in writing": While the confession must be voluntary, the requirement for it to be in writing is not specified under the act.
- (B) "Only if it is made in the immediate presence of a Magistrate": This is the correct requirement under the law for the confession to be admissible.
- (C) "Only if it is supported by two independent witnesses": This is not a requirement for the admissibility of a confession in police custody.
- (D) "Only if it is recorded after the charge sheet is filed": The timing of recording after the charge sheet is not a condition under this law.

Step 3: Conclusion.

Therefore, the correct answer is (B) because a confession made in the presence of a Magistrate is the necessary condition for it to be admissible.

Quick Tip

Confessions made during police custody must be recorded in the presence of a Magistrate to be admissible in court under the Bharatiya Sakshya Adhiniyam, 2023.

97. Which Section of The Bharatiya Sakshya Adhiniyam, 2023 pertains to opinions of experts?

- (A) Section 19
- (B) Section 20
- (C) Section 21
- (D) Section 22

Correct Answer: (C) Section 21

Solution:

Step 1: Understand the provision under Bharatiya Sakshya Adhiniyam, 2023.

Section 21 of The Bharatiya Sakshya Adhiniyam, 2023 specifically deals with the opinions of experts. This section outlines the admissibility of expert opinions in legal proceedings.

Step 2: Analyze the options.

- (A) Section 19: This section does not pertain to expert opinions.
- (B) Section 20: This section is unrelated to expert opinions.
- (C) Section 21: This is the correct section that covers expert opinions in the context of the law.
- (D) Section 22: This section is not related to expert opinions.

Step 3: Conclusion.

Therefore, the correct answer is (C) Section 21, as it directly pertains to the opinions of experts.

Quick Tip

Expert opinions are admissible in court under Section 21 of The Bharatiya Sakshya Adhiniyam, 2023.

98. Which of the following statements is incorrect as per The Bharatiya Sakshya Adhiniyam, 2023?

- (A) A contracts, in writing, with B, for the delivery of indigo upon certain terms. The contract mentions the fact that B had paid A the price of other indigo contracted for, verbally, on another occasion. Oral evidence is offered that no payment was made for the other indigo. The evidence is admissible.
- (B) A agrees absolutely in writing to pay B one thousand rupees on 1st March, 2023. The fact that, at the same time, an oral agreement was made that the money should not be paid till 2023 can be proved.
- (C) A enters into a written contract with B to work certain mines, the property of B, upon certain terms. A was induced to do so by a misrepresentation of B as to their value. This fact may be proved.
- (D) A orders goods from B by a letter in which nothing is said as to the time of payment, and

accepts the goods on delivery. B sues A for the price. A may show that the goods were supplied on credit for a term still unexpired.

Correct Answer: (B) A agrees absolutely in writing to pay B one thousand rupees on 1st March, 2023. The fact that, at the same time, an oral agreement was made that the money should not be paid till 2023 can be proved.

Solution:

Step 1: Understand the concept of admissible evidence.

Under The Bharatiya Sakshya Adhiniyam, 2023, certain written contracts allow the introduction of oral evidence only under specific conditions. The provision allows for written contracts to be supplemented by oral evidence under specific conditions such as misrepresentation or omission in the contract.

Step 2: Analyze the options.

- (A) This option is correct; evidence of verbal agreements can supplement written contracts under certain conditions.
- (B) This option is incorrect because, if a written contract is made, the terms cannot be altered or supplemented by oral evidence, especially when they are contradictory.
- (C) This option is correct; misrepresentation can be proven and allows oral evidence.
- (D) This option is correct as oral evidence can be allowed to show the term of credit for payment.

Step 3: Conclusion.

Therefore, the correct answer is (B) because oral evidence contradicting written agreements is inadmissible.

Quick Tip

Oral evidence contradicting written terms of a contract is inadmissible unless there is a misrepresentation or omission.

99. As per The Hindu Marriage Act, 1955, two persons are said to be within the "degrees of prohibited relationship" if:

- I.** one is a lineal ascendant of the other, including relationship by adoption.
- II.** one was the wife or husband of a lineal ascendant or descendant of the other, including relationship by half or uterine blood as well as by full blood.
- III.** one was the wife of the brother or of the father's or mother's brother or of the grandfather's or grandmother's brother of the other.
- IV.** the two are brother and sister, uncle and niece, aunt and nephew, or children of brother and sister, or of two brothers or of two sisters.

- (A) I, III and IV
- (B) III and IV
- (C) II, III and IV
- (D) I, II, III and IV

Correct Answer: (D) I, II, III and IV

Solution:

Step 1: Understand the degrees of prohibited relationship.

As per The Hindu Marriage Act, 1955, prohibited relationships are those where the individuals are closely related by blood or marriage. The Act prohibits marriages between such persons to avoid inbreeding and ensure family lineage clarity.

Step 2: Analyze the options.

- (A) I, III and IV: This is incorrect because Option II is also part of the prohibited relationships.
- (B) III and IV: This excludes the important conditions about ascendants and descendants.
- (C) II, III and IV: This misses the relationship by adoption (I).
- (D) I, II, III and IV: This is the correct answer as it includes all the necessary prohibited relationships.

Step 3: Conclusion.

Therefore, the correct answer is (D) because it includes all the relevant prohibited relationships according to The Hindu Marriage Act, 1955.

Quick Tip

The Hindu Marriage Act, 1955 prohibits marriages within specific degrees of consanguinity, including ascendants, descendants, siblings, and certain other close relations.

100. Which Article of the Constitution of India lays down the duty of every citizen to protect and improve the natural environment?

- (A) Article 4KA
- (B) Article 39A
- (C) Article 51A(g)
- (D) Article 51A(h)

Correct Answer: (C) Article 51A(g)

Solution:

Step 1: Understand the article in the Constitution.

Article 51A of the Indian Constitution outlines the Fundamental Duties of every citizen of India. Specifically, clause (g) of Article 51A states that it is the duty of every citizen to protect and improve the natural environment, including forests, lakes, rivers, and wildlife.

Step 2: Analyze the options.

- (A) Article 4KA: This is not a valid article in the Indian Constitution.
- (B) Article 39A: This pertains to equal justice and free legal aid, not the protection of the environment.
- (C) Article 51A(g): This is the correct answer, as it directly pertains to the duty of every citizen to protect and improve the natural environment.
- (D) Article 51A(h): This is also not related to the protection of the environment.

Step 3: Conclusion.

Therefore, the correct answer is (C) Article 51A(g), as it specifically mandates the duty of citizens to protect and improve the environment.

Quick Tip

Article 51A(g) of the Indian Constitution outlines the fundamental duty of every citizen to protect and improve the natural environment.
