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ROLL No

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TEST BOOKLET No.

221

TEST FOR POST GRADUATE PROGRAMMES

LAW (for LL.M.)

Time: 2 Hours

Maximum Marks: 450

INSTRUCTIONS TO CANDIDATES

1. You are provided with a Test Booklet and an Optical Mark Reader (OMR) Answer Sheet to mark your responses. Do not soil the Answer Sheet. Read carefully all the instructions given on the Answer Sheet.
2. Write your Roll Number in the space provided on the top of this page.
3. Also write your Roll Number, Test Code, and the Test Subject in the columns provided for the same on the Answer Sheet. Darken the appropriate bubbles with a Ball Point Pen.
4. The test comprises two parts:

Part I	Proficiency in English, Analytical & other abilities and General Knowledge
Part II	Proficiency in the law related subjects
5. The paper consists of 150 objective type questions. All questions carry equal marks.
6. Each question has four alternative responses marked A, B, C and D and you have to darken the bubble fully by a Ball Point Pen corresponding to the correct response as indicated in the example shown on the Answer Sheet.
7. Each correct answer carries 3 marks and each wrong answer carries 1 minus mark.
8. Space for rough work is provided at the end of this Test Booklet.
9. You should return the Answer Sheet to the Invigilator before you leave the examination hall. However, you can retain the Test Booklet.
10. Every precaution has been taken to avoid errors in the Test Booklet. In the event of any such unforeseen happenings, the same may be brought to the notice of the Observer/Chief Superintendent in writing. Suitable remedial measures will be taken at the time of evaluation, if necessary.



Law (for LL.M.)

PART – I

1. The highest number of telephone users is in
 - (A) China
 - (B) U.S.A.
 - (C) Canada
 - (D) India
2. The largest natural gas reserves are found in
 - (A) Russia
 - (B) Antarctica
 - (C) Senegal
 - (D) South Africa
3. Which one of the following Vitamins is responsible for blood clotting?
 - (A) Vitamin A
 - (B) Vitamin E
 - (C) Vitamin C
 - (D) Vitamin K
4. The average monthly income of a person in a family of 5 members is Rs.1000/-. What will be monthly average income of one person in the same family, if the income of one person is increased by Rs.12,000/- per year?
 - (A) Rs.1,200/-
 - (B) Rs.1,600/-
 - (C) Rs.2,000/-
 - (D) Rs.3,400/-
5. 10 sheep and 5 pigs were bought for Rs.6,000/-. If the average price of a sheep is Rs.450/-, find the average price of a pig
 - (A) Rs.380/-
 - (B) Rs.410/-
 - (C) Rs.340/-
 - (D) Rs.300/-
6. Lumbini is a sacred place of the
 - (A) Muslims
 - (B) Buddhists
 - (C) Christians
 - (D) Sikhs



7. Penicillin was invented by
- (A) Dr. Jonas E. Salk (B) Gregor Mendel
(C) Paul Ehrlich (D) A. Fleming
8. Who among the following is associated with the invention of computers?
- (A) Edison (B) Babbage
(C) Mac Millan (D) Rangabhashyam
9. What is the Kyoto Protocol?
- (A) A United Nations resolution with a goal of increasing food production
(B) An international treaty with a goal of endangered species
(C) An international treaty with a goal of reducing major greenhouse gases.
(D) A United Nations resolution with a goal of eliminating terrorism.
10. The Revolt of 1857 was the first great struggle of the Indian people for freedom from British imperialism but it failed. The main reason for the failure was
- (A) paucity of financial resources
(B) all the native rulers did not join the revolt
(C) there were less number of fighters
(D) imprisonment of Bahadur Shah and death of Rani of Jhansi while fighting with sword in hand.
11. Literacy rate recorded in Kerala as per Census 2011 is
- (A) less than 80% (B) between 80% - 85%
(C) between 85% - 90% (D) above 90%



Direction (Q. Nos. 12 – 16): Read the following passage carefully and answer the questions given below:

If the reason in the region of thought is the aim of science, the rule of equality in the region of behaviour is the aim of democracy. Democracy is not a political arrangement or a form of government. It is a pattern of life, an active conviction which informs and inspires every thought, word and deed. Our present Constitution induces in its more fortunate members far too great readiness to accept privilege as though it were inherent in the social order, as though it were normal and even proper and just.

If we are sincere in our professions of democracy we should not shut our eyes to the most obvious defects of the present social order. A system which does not offer security and decent employment to multitudes of trained young men suffers from fundamental vice. Society is in danger of splitting into pieces if the few who have the benefits of civilisation are not willing to share them with the rest. No state is stable unless it procures for all its members the essentials of a good life. We acknowledge that health is better than disease; sufficiency is better than poverty, shelter is better than cold and exposure, ease of mind better than racking anxiety. It is our duty to obtain these essentials of civilised life for the mass of the population, to work for basic economic justice for all, if necessary by the imposition of higher taxes on incomes, land, value and inheritance. Riches were created by the maker for being spent on social purpose. It was Blackstone not Lenin who wrote: "The law not only regards life and protects every man in enjoyment of it, but also furnishes him with everything necessary for its support. For there is no man so indecent or wretched but that he may demand a supply sufficient for all the necessities of life from the more opulent part of the community"

12. What is the fundamental tenet of democracy according to the author?

- (A) Right to choose representatives
- (B) Right to stand for public offices
- (C) The presence of effective opposition
- (D) The operation of the principle of equality



13. What according to the author is the fundamental vice of the present social order?
- (A) It provides fertile ground for sycophancy to grow
 - (B) It is based on a system of class privileges
 - (C) It does not offer security and employment to trained young men
 - (D) It is steeped in blind beliefs and irrational ways of thought
14. "Society is in danger of splitting to pieces" What does it mean?
- (A) Society will be broken into fragments - one fragment living at one place and other at another place
 - (B) Society will be divided into so many sections
 - (C) The peace and harmony of the society will be gone
 - (D) Society will be bombarded from above broken and destroyed.
15. What according to the author are the essentials of a civilised life?
- (A) Cultivation of moral virtues and cultured existence
 - (B) Good manners and excellent patterns of social behaviour
 - (C) Development of science and economic betterment
 - (D) Health, prosperity, shelter and peace of mind
16. What is Blackstone's view about the law?
- (A) Law regulates the behaviour and actions of the people living in society.
 - (B) Law protects the rights of people and punishes those guilty of the breach or infringement of social codes.
 - (C) Law protects life and creates and safeguards conditions for the enjoyment of life by every citizen. It also sees that every citizen may have a share in the wealth of the community, the rich people sharing their wealth with the poor.
 - (D) Law protects the privileges of a few persons of the society who claim to be the leaders of the society.



Direction (Q. Nos. 17 – 21): Read the following sentences and note the bold word. One of the words or phrases given below each sentence conveys almost the same meaning as the bold word in the sentence. Select the word or phrase which is nearest in meaning to the bold word.

17. The **abortive** coup staged by the military leaders had behind it the connivance of some of the prominent political leaders of the country
- (A) excellent (B) much called for
(C) ending in failure (D) well-time
18. Hard work **buttressed** by perseverance leads one to accomplish one's aim in life
- (A) mixed with (B) combined with
(C) supported (D) accumulated
19. She lost her weight in the **debilitating** climate of the district
- (A) moist (B) unhealthy
(C) making weak (D) hot
20. She was helpless before the **inexorable** fate which was irresponsive to all her entreaties
- (A) mysterious (B) merciless
(C) unyielding (D) irresistible
21. All plans of India to bring prosperity to the people will be **jettisoned**, if she fails to control the expanding population
- (A) will be partly successful (B) thrown overboard
(C) rendered infructuous (D) balked



Direction (Q. Nos. 22 – 24): Select one of the choices that best completes the sentence.

22. Scientists often say that _____ the answer to the prosperity and happiness of life on Earth.
- (A) it is not politicians or economists but that they have
 - (B) they and not politicians or economists have
 - (C) it is not politicians or economists but it is they who have
 - (D) it is they, not politicians or economists who have
23. _____ the room, the door suddenly swung to and hit him in the face.
- (A) On entering
 - (B) Entering
 - (C) While entering
 - (D) As he entered
24. Whatever may be his pitfalls
- (A) one should not question his conduct
 - (B) one should not question into his conduct
 - (C) his conduct should not be called into question
 - (D) his conduct cannot be called in question

Direction (Q. Nos. 25 and 26): Fill in the blanks with correct prepositions.

25. The ultimate decision on complete decentralisation of power rests _____ the council of ministers.
- (A) with
 - (B) at
 - (C) on
 - (D) upon
26. Today polio is almost unheard of as most people are immune _____ it as a result vaccination.
- (A) to, of
 - (B) against, by
 - (C) from, in
 - (D) by, of

Direction (Q. Nos. 27 – 28): Use appropriate article/s.

27. They rallied to _____ support of _____ prime minister in the hour of crisis.

(A) a, the (B) a, a
(C) the, the (D) an, a

28. _____ speaker of Lok Sabha recited to _____ president. _____ long speech of welcome.

(A) A, an, the (B) The, the, a
(C) The, an, the (D) A, the, the

Direction (Q. Nos. 29 – 32): Choose the correct meaning of the phrases given below

29. Struck several bad patches

(A) Came across bad sail
(B) Went through many illnesses
(C) Had many professional difficulties
(D) Did not do well in the examination

30. A wild goose chase

(A) An absurdly hopeless enterprise
(B) A fuss over a matter
(C) To be insensitive to criticism
(D) To speak boastfully of oneself

31. To set the cat among the pigeons

(A) To maintain status quo (B) To obey the rules
(C) To solve the problem (D) To start a problem



32. Pour cold water on it

- | | |
|----------------|---------------------|
| (A) Encourage | (B) Find fault with |
| (C) Discourage | (D) Improve |

Direction (Q. Nos. 33 – 35): Choose the correct synonyms of the words given below:

33. Obstinate

- | | |
|----------------|--------------|
| (A) Unyielding | (B) Apparent |
| (C) Oppressive | (D) Irritant |

34. Abjure

- | | |
|--------------|--------------|
| (A) Curse | (B) Renounce |
| (C) Misjudge | (D) Disagree |

35. Probity

- | | |
|---------------|----------------|
| (A) Integrity | (B) Impudence |
| (C) Profane | (D) Vulnerable |

36. Why Zakia Ehsan Jafri was in the news?

- (A) She has been pleading that mercy killing be legalised in India
- (B) It was on her petition that the Supreme Court framed a special investigation team to investigate the Gujarat Riot cases
- (C) She is the petitioner in the Gujarat fake encounter case, in which CBI investigation has been ordered by the Supreme Court
- (D) She has been honoured by the President of India for her bravery

37. Which of the following states has the maximum number of Special Economic Zones (SEZ) in India?

- | | |
|--------------------|-------------------|
| (A) Andhra Pradesh | (B) Gujarat |
| (C) Maharashtra | (D) Uttar Pradesh |



38. NATO has agreed to transfer complete security responsibility to Afghanistan by the end of
- (A) 2012 (B) 2013
(C) 2014 (D) 2015
39. Dr. Jean Druze, economist, who taught at Delhi School of Economics, and is considered as the architect of National Rural Employment Guarantee Act (NREGA) is a national of
- (A) Sweden (B) Belgium
(C) Russia (D) France
40. Which of the following states implemented the Right to Service Act from August 15, 2011 in the state, assuming prompt delivery of 67 basic services?
- (A) Punjab (B) Kerala
(C) Haryana (D) Uttar Pradesh
41. Name the author of the book 'Deaf Heaven' who approached the Supreme Court for Aruna Shaunbag with a petition for 'mercy killing'
- (A) Aruna Roy (B) Pinki Virani
(C) Aurundathi Roy (D) Jumpa Lahiri
42. Which of the following news papers has the largest circulation in the world?
- (A) Wall Street Journal (B) Yomiuri Shimbun
(C) Times of India (D) New York Times
43. UN General Assembly had declared 2011 as the International Year of
- (A) Water (B) Tigers
(C) Forests (D) None of the above



PART- II

44. Under the Repatriation of Prisoners Act, the repatriation means
- (A) transfer of certain prisoners from India to a country or place outside India and reception in India of certain prisoners from a country or place outside India
 - (B) reception of certain prisoners from a country or place outside India
 - (C) migration of offenders from one country to another country
 - (D) transfer of certain prisoners from India to a country or place outside India
45. Fiduciary relationship means, the relationship is based on
- (A) trust
 - (B) contract
 - (C) money
 - (D) blood relation
46. According to the provisions of the Right to Information Act, 2005 the amount of penalty for refusal to receive an application for providing or for not providing information by public authorities amounts to
- (A) Rs.250 per day and total amount upto Rs.25,000
 - (B) Rs.150 per day and total amount upto Rs.12,500
 - (C) Rs.100 per day and total amount upto Rs.7,500
 - (D) Rs.50 per day and total amount upto Rs.5,000
47. If the information is a matter of life or liberty of a person, the information, as per the Right to Information Act, 2005 can be obtained
- (A) within 24 hours from the time of request
 - (B) within 30 hours from the time of request
 - (C) within 32 hours from the time of request
 - (D) within 48 hours from the time of request



Direction (Q. Nos. 48 and 49): Answer the questions based on the Legal Principle and Factual Situation stated below.

48. **LEGAL PRINCIPLE:** Whoever kidnaps or abducts any person in order that such person may be murdered or may be so disposed of as to be put in danger of being murdered shall be punished.

FACTUAL SITUATION: A kidnaps K intending and knowing the fact to be likely that K may be sacrificed to an idol so that his wife will be cured from the three months long fever. Police arrested A. A defends himself that his intention is not to murder K. Decide.

DECISION:

- (A) A is not liable because he has not kidnapped for murder
 - (B) A is not liable for intention to murder rather than liable for kidnapping
 - (C) A is liable for kidnapping and abduction
 - (D) A is liable for both kidnapping and abducting in order to murder.
49. **LEGAL PRINCIPLE:** Whoever, intending to take dishonestly any movable property out of the possession of any person without that person's consent, moves property in order to such taking, is said to commit theft.

FACTUAL SITUATION: Kirit puts a bait for dog in his pocket and induces Amrit's dog to follow him. Amrit's dog began to follow Kirit. Amrit when came to know about it informed police. Police arrived at Kirit's house and Kirit without any fear told to police that I have not brought the dog myself as the people steal the goods and objects. The dog has come on his own feet upto my house. Decide.

**DECISION:**

- (A) Kirit has not committed any offence because he has stolen nothing from Amrit's possession.
- (B) Kirit has not committed any offence because he has not stolen any movable goods or objects from Amrit's possession.
- (C) Kirit has committed the offence of undue influence because he has influenced unduly the dog.
- (D) Kirit has committed the offence of theft as his intention is to take away the dog from Amrit's possession without his consent and his offence is complete when the dog began to follow.

Direction (Q. Nos. 50 and 51): Answer the questions based on the Legal Principle and Factual Situation stated below:

LEGAL PRINCIPLE: Imposition of President Rule in a State – Article 356 has been used in the Constitutional history of India more than a hundred times and very recently to dissolve the Legislative Assembly of Bihar.

Article 356, in so far as it is relevant for the present purposes, enacts: "If the President, on receipt of report from the Governor of a State or otherwise is satisfied that a situation has arisen in which the Government of the State cannot be carried on in accordance with the provisions of this Constitution, the President may by proclamation impose presidential rule in the state"

So, these are the Constitutional provisions in case of failure of the Constitutional machinery in States.

FACTUAL SITUATION I: The Mayawati Government in Uttar Pradesh fell due to the withdrawal of support given to it by the BJP. The State Governor placed the U.P. Assembly under suspended animation. Soon thereafter the Governor sends a report to the President recommending dissolution of the Assembly and proclamation of President's rule under Article 356, in the State. On the basis of the Governor's report the President dissolved the Assembly.



50. Was the Presidential action under Article 356 dissolving the U.P Assembly constitutionally valid?

- (A) Presidential action was valid
- (B) Presidential action was invalid
- (C) Not questionable
- (D) None of the above

FACTUAL SITUATION II: The President of India issues a proclamation imposing the President's rule in the State of Uttar Pradesh on the ground that the State has failed to curb the ongoing communal violence in the State which has received inspiration from the *Ram Jannabhoomi* and *Babri Masjid* issue.

51. Is this proclamation under Article 356 constitutionally valid?

- (A) No, because curbing communal violence cannot be a good ground to invoke the proclamation under Article 356.
- (B) Yes, imposition of President's rule in U.P. was a valid exercise of power
- (C) Presidential action is immune to any remark etc.
- (D) None of the above

52. From which of the countries, Constitution of India has adopted fundamental duties?

- | | |
|--------------------|------------|
| (A) USA | (B) Canada |
| (C) Erstwhile USSR | (D) UK |

53. The basic nature of Constitution is "Federalism" And the Federalism consists of

- (A) supremacy of Constitution
- (B) division of powers between Union and State Governments
- (C) existence of independent judiciary and a rigid procedure of its amendment
- (D) All of the above



54. The Doctrine of "Double Jeopardy" in Article 20(2) of Constitution means

- (A) no one can be tried and punished more than once for the same offence
- (B) one can be tried several times for the same offence
- (C) punishments once awarded cannot be enhanced in appeal or revision
- (D) one can be tried more than once but punished only once

55. Match the following:

- | | |
|--------------------------|-------------------------|
| a. Right to go abroad | 1. Bhim Singh's case |
| b. Prisoner's right | 2. Menaka Gandhi's case |
| c. Death penalty | 3. Bacchan Singh's case |
| d. Governments liability | 4. Sunil Batra's case |
| (A) a-2, b-4, c-1, d-3 | (B) a-4, b-2, c-3, d-1 |
| (C) a-2, b-4, c-3, d-1 | (D) a-4, b-2, c-1, d-3 |

Direction (Q. No. 56): Answer the question considering the Assertion (A) and Reason (R) given below:

56. Assertion: (A) A Habeas Corpus writ petition dismissed by the Supreme Court can be admitted by the High Court under Article 226 of the Constitution.

Reason: (R) In exercising writ jurisdiction the powers of the Supreme Court and High Court are concurrent.

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



57. Which one of the following statements is true with regard to the Fundamental Right of the minorities in educational matters?

1. The minority has only the right to administer the educational institutions.
2. The minority has the right to establish and administer educational institutions.
3. The right is absolute and not subject to any restriction.
4. Reasonable restrictions may be imposed to promote efficiency and prevent mal-administration.

Select the correct answer using the codes given below:

- | | |
|----------------|-------------|
| (A) 1, 2 and 3 | (B) 2 and 4 |
| (C) 2, 3 and 4 | (D) 1 and 3 |

58. A telephonic conversation was secretly taped by the police while the accused was having conversation with his friend. Can this lay basis for raising the issue validly that

- (A) it infringes the Fundamental Right against testimonial compulsion under Article 20(3) of the Constitution
- (B) it infringes the Fundamental Right to privacy under Article 19 of the Constitution.
- (C) it infringes the Fundamental Right guaranteed in Article 21 of the Constitution relating to personal liberty.
- (D) there is no constitutional bar to the prosecution.

Direction (Q. Nos. 59 and 60): Answer the questions considering the Assertion (A) and Reason (R) given below:

59. Assertion: (A) Directive Principles are not enforceable by any Court.
Reason: (R) Directive Principles are more or less fundamental in governance of the country.

- (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.



60. Assertion: (A) The Constitution bestows executive powers of the Union in the President of India.
Reason: (R) President of India is the Constitutional head of the State.
- (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.
61. The doctrine of "Territorial nexus" means that
- (A) laws made by the State Legislature may have their application to the people of other states when there is direct relation between such laws and people of other states.
(B) the territory of every State is open to all citizens of India for the purpose of trade and commerce.
(C) the State Legislature is sovereign within its territory.
(D) laws made by sovereign State Legislature cannot be questioned on the ground of extra territorial operation.
62. In *Union of India V. Bijan Ghosh*, (AIR 1997 SC 3019) the announcement of conferment of award of Bharat Ratna posthumously on *Netaji Subhash Chandra Bose* was declared as cancelled by the Supreme Court. Because
- (A) petition regarding disputes and unhappiness of family members of Netaji Bose upon posthumously announcement of award where proper particulars of his death and place and manner of disposal of his mortal remains.
(B) petition regarding the disputes of details of his stay after he escaped from India.
(C) petition in respect disputes of award after a long time after independence of India.
(D) petition in lieu of disputes regarding negligence to the family members of him after independence.



63. In a criminal case, an accused person, who in consideration of his non-prosecution offers to give evidence against other accused, is called
- (A) accomplice (B) hostile witness
(C) approver (D) hostile accomplice
64. If a witness makes a statement in a Court, knowing it to be false, he commits the offence of
- (A) forgery (B) falsehood
(C) perjury (D) breach of trust
65. The permanent seat of the International Court of Justice is located in
- (A) Paris (B) Geneva
(C) Rome (D) The Hague
66. In which of the following cases the Supreme Court declared Section 303 of the Indian Penal Code as unconstitutional?
- (A) *Sher Singh Vs. State of Punjab*
(B) *Mithu Vs. State of Punjab*
(C) *Bachan Singh Vs. State of Punjab*
(D) *Triveni Singh Vs. State of Punjab*

Direction (Q. No. 67): Choose the correct answer considering the Assertion (A) and Reason (R) given below.

67. Assertion: (A) Property is a comprehensive term and includes copy right.
Reason: (R) Transfer of property Act deals with all kinds of property including patents.
- (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.



68. Which of the following is not an essential condition for admissibility of dying declaration?
- (A) Death of person making declaration
 - (B) Statement must be as to cause of his death
 - (C) Person making statement was under expectation of death at the time he made his statement
 - (D) Statement is as to any of circumstances of transaction which resulted into his death
69. Which of the following statements is incorrect regarding dumb witness?
- (A) A dumb witness may give his evidence by writing in open Court.
 - (B) A dumb witness may give his evidence by signs in open Court.
 - (C) Evidence given by a dumb witness in writing before Court shall be deemed to be documentary evidence.
 - (D) A dumb witness may give his evidence in any manner which can make it intelligible.
70. Examination after cross examination of witness by the party who has called him is termed as
- (A) main examination
 - (B) additional cross examination
 - (C) re-examination
 - (D) re-cross examination
71. In *Baby Manji Yamada Vs. Union of India* (2009), the Supreme Court held that the medical procedure for surrogacy in India is
- (A) illegal
 - (B) legal
 - (C) sometimes legal and sometimes illegal
 - (D) both illegal and immoral



72. The Supreme Court has recently held that involuntary administration of scientific techniques of Narco Analysis, Polygraph Examination and Brain Electric Activation Profile (BEAP) are
- (A) not violative of Article 20(3) of the Constitution
 - (B) violative of Article 20(3) of the Constitution
 - (C) violative of Article 20(1) of the Constitution
 - (D) neither violative of Articles 20(1) nor 20(3) of the Constitution
73. In the light of the judgement of the Supreme Court in *Ramdeo Chauhan alias Raj Nath Chauhan Vs. Bank Kant Das* (2010) (12 SCALE 180), which of the following statements is true?
- (A) No decision of the apex court can be violative of the rights of citizens.
 - (B) Even the decisions of the Supreme Court can be violative of the rights of the citizens.
 - (C) Decision of the apex court being the law of the land can never ever be violative of the rights of the citizens.
 - (D) It is for the people to decide whether any of the decisions is violative of their rights and if so they can get them corrected by legislative process.
74. The principle of absolute liability has been laid down in which one of the following legislations?
- (A) Water (Prevention and Control of Pollution) Act, 1974
 - (B) Environment Protection Act, 1986
 - (C) National Environment Appellate Authority Act, 1997
 - (D) Public Liability Insurance Act, 1991
75. *In-camera* trial refers to
- (A) trial before open court
 - (B) trial broadcast *via* television networks
 - (C) trial to which the public and press are not admitted
 - (D) summary trial



76. In which of the following case has a three judge bench of the Supreme Court of India recently sentenced the accused to life imprisonment with a qualification that he would not be released till the end of his life?
- (A) *Ramdeo Chauhan alias Raj Nath Chauhan Vs. Bank Kant Das* (2010)
 - (B) *Swamy Shraddhananda Vs. State of Karnataka* (2008)
 - (C) *Hardeep Singh Vs. State of Haryana* (2008)
 - (D) *Dinesh Kumar Vs. State of Rajasthan* (2008)
77. A marriage between a Hindu woman and a Christian man can be validly solemnised under
- (A) the Indian Christian Marriage Act, 1872
 - (B) the Special Marriage Act, 1954
 - (C) the Indian Christian Marriage Act, 1872 as well as the Special Marriage Act, 1954
 - (D) the Hindu Marriage Act, 1955
78. According to one of the theories of punishment, 'evil' should be returned by 'evil' This theory is known as
- (A) deterrent theory
 - (B) reformatory theory
 - (C) preventive theory
 - (D) retributory theory



Direction (Q. Nos. 79 and 80): Answer the questions based on the Principle and Factual Situation stated below.

79. **PRINCIPLE:** The Indian Penal Code makes preparation to wage war against the Government punishable.

FACTUAL SITUATION: X, the chairman of a political party during an election campaign alleged that the ruling party was responsible for inflation, increase in crimes and all other evils that prevailed in the country and hence, exalted his party members and other people to overthrow the present government in the next election.

- (A) X is guilty as he was provoking his party men to overthrow the Government
- (B) X is not liable as what he was saying was true
- (C) X is liable as he was making an irresponsible statement
- (D) X is not liable as his act does not amount to preparation for waging war against the Government

80. **PRINCIPLE:** A person who is under a legal obligation to save the life of a human being will be liable for an illegal omission to do so.

FACTUAL SITUATION: A man who knew swimming was watching a child drowning. He said to himself: "It is not my child, why do I bother?"

- (A) The man will be responsible for the death of the child as he knew swimming and hence was obliged to save the child
- (B) The man will not be liable as he was not duty bound to save the child
- (C) The man will be liable as he knew that the child would be drown if he did not save it still did not save the child
- (D) The man will not be responsible as others could have helped the child



Direction: In the question below are given two statements followed by four conclusions numbered I, II, III and IV. You have to take the two given statements to be true even if they seem to be at variance from commonly known facts. Read the conclusions and then decide which of the given conclusions logically follow the two given statements, disregarding commonly known facts.

81.

- Statements: A. All statutes of legislature are law of the land.
B. Judge made law is laid down by the Courts.
- Conclusions: I. Constitution is a statute
II. Both statutes and judge made law form the law of the land.
III. Courts make statutes.
IV. Judge made law is superior to statutes.

- (A) Both I and IV follow (B) Only IV follows
(C) Only II follows (D) None follows

82. Who among the following judges gave a dissenting opinion in the case of *ADM Jabalpur Vs. Shivkant Shukla* also known as the *Habeas Corpus* case?

- (A) Justice A.N. Sen (B) Justice P.N. Bhagwati
(C) Justice V.R. Krishna Iyer (D) Justice H.R. Khanna

83. *D.K. Basu Vs. State of West Bengal* deals with

- (A) safeguards against sexual exploitation
(B) safeguards for children
(C) safeguards for unorganised workers
(D) safeguards for arrested persons



84. In what context was the term 'judicial overreach' used recently?
- (A) The powers of judiciary to bring to justice even the citizens of India outside India, for instance through the extra-territorial operation of the Indian Penal Code.
 - (B) The expanding realm of public interest litigation and judicial activism in India.
 - (C) The jurisdiction of judiciary on MNCs, as seen in the Bhopal gas leak case where the subsidiary of a company incorporated in the United States had to submit to the jurisdiction of courts in India.
 - (D) The High Court in a state of the union hearing a matter falling in the territorial jurisdiction of another state's High Court

Direction: Answer the question based on the Principle and Factual Situation stated below.

85. **PRINCIPLE:** Duty to protect its citizens and right to punish the offenders vests with the 'State' at all times. However, right to defend one's body or property in certain circumstances can be resorted to by an individual where 'State' protection is not readily available. That is why it is provided in the Indian Penal Code, 1860 that nothing is an offence which is done in the exercise of the right of private defence. Every person has a right to defend his property against any act of theft, robbery, mischief or criminal trespass where there is no time to have recourse to the protection of the public authority. This right to private defence of property extends to causing of death of the wrong-doer, if the person exercising the right apprehends that death or grievous hurt at the hands of the aggressor/wrong-doer is inevitable while protecting his property against any such offence or attempt to commit such offence.



FACTUAL SITUATION: 'A's cattle was being regularly stolen and 'A' was unable to apprehend the thief. One night, 'A' finally manages to catch 'B' untying his cow from the cowshed under the cover of darkness. 'A' slowly walked up to 'B' and slashed his neck with a sickle leading to the death of 'B'. Is 'A' guilty of the offence of culpable homicide?

- (A) No, 'A' was only exercising his right of private defence of property
 - (B) No, 'B's' continued stealing of his cattle would have rendered his business inoperable
 - (C) Yes, 'A' had no reasonable apprehension that 'A' could suffer death or any grievous hurt if he did not kill 'B'
 - (D) Yes, 'A' should have first challenged 'B' to surrender before taking any steps to cause 'B's' death
86. 'X' offers a reward of Rs.5000/- to anyone who would restore to him his lost dog. 'Y' found the dog and returns to him without knowing of the reward. Here
- (A) 'Y' can claim the reward
 - (B) 'Y' can't claim the reward
 - (C) 'Y' can take back the dog if the reward is not given to him
 - (D) None of the above
87. The relevant provision of the Code of Criminal Procedure, 1973 requires that, special reasons shall be recorded while awarding
- (A) life-imprisonment
 - (B) fine of huge amounts
 - (C) death penalty
 - (D) rigorous imprisonment
88. '*Res ipsa loquitur*' means
- (A) residing in the land without knowledge
 - (B) consent of the person to suffer some harm
 - (C) a rule pertaining to contributory negligence
 - (D) things speak for itself



89. Legislative Privilege includes
- (A) speeches made in the legislature
 - (B) speeches made during legislative sessions
 - (C) speeches made by the legislators with the permission of the Chair, while in session
 - (D) anything said or any vote given by a member of the legislature in the legislature during the conduct of the business of the legislature
90. The maxim *ubi jus ibi remedium* means
- (A) infringement of a legal right without any remedy
 - (B) where there is a right there is a remedy
 - (C) a moral wrong is not actionable
 - (D) None of the above
91. Any agreement by any workman relinquishing the rights under the Workmen Compensation Act, 1923
- (A) is a valid contract
 - (B) is liable to be set aside as invalid by the authority constituted under the Act in his discretion
 - (C) is null and void
 - (D) is valid if the consent of the workman is given voluntarily
92. An advertisement about giving a reward to any one who actually finds a lost dog of the owner is
- (A) not an offer
 - (B) an invitation to offer
 - (C) a standing offer
 - (D) a general offer



93. Causing damage, however substantial, to another person is not actionable in law unless there is also violation of a legal right. This principle is also known by the maxim
- (A) *ex turpi causa non oritur action*
 - (B) *damnum sine injuria*
 - (C) *injuria sine damnum*
 - (D) *nemo dat quod non habet*
94. A intended to kill B but killed C mistaking him for B. A is guilty of
- (A) culpable homicide not amounting to murder
 - (B) culpable homicide amounting to murder
 - (C) homicide by negligence as he did not intend to kill C
 - (D) no offence
95. A visual symbol in the form of a word, a device or a label applied to articles of commerce can be better protected under the Intellectual Property Law as a
- (A) patent
 - (B) copyright
 - (C) trademark
 - (D) design
96. The defence of unsoundness of mind under the IPC requires proof of
- (A) impairment of emotional faculty
 - (B) impairment of will faculty
 - (C) impairment of cognitive faculty so as to make accused incapable to distinguish between right and wrong
 - (D) impairment of both emotional and will faculty
97. 'Plea bargaining' has been introduced in the Indian law by making provision for it in the
- (A) Constitution of India
 - (B) Criminal Procedure Code by amending it in 2005
 - (C) Indian Penal Code, 1860 by amending it in 2005
 - (D) Evidence Act, 1872 by amending it in 2005



98. W purchased a bottle of ginger beer from a retailer. As she consumed most part of the contents of the bottle, she found a decomposed remains of a snail in the bottle. After seeing the remains of a snail, W fell sick on the thought of what she had consumed. She sued the manufacturer of the beer for negligence. Which of the following legal advice is appropriate?
- (A) W cannot sue the manufacturer for negligence in the absence of a contract
 - (B) W can sue only the retailer from whom she purchased the beer
 - (C) W cannot sue the retailer
 - (D) W can sue the manufacturer as he had a duty to take care to see that bottles did not contain any other substance than the beer hence is liable to have broken that duty
99. Sahib appointed Sewak as his driver. One day Sahib sent the driver to fetch some goods from a nearby mall. On his way Sewak injured a pedestrian who was trying to cross the road at the zebra crossing as per the traffic signal. Here
- (A) the pedestrian cannot sue Sewak for compensation/damages for the injuries received
 - (B) Sahib can direct Sewak to pay the compensation to the pedestrian if proceeded against under law
 - (C) the pedestrian can sue Sewak as well as Sahib
 - (D) the pedestrian cannot sue Sahib
100. Supreme Court of India recognised sexual harassment as a human rights violation in India in
- (A) *Vaishaka Vs. State of Rajasthan*
 - (B) *Birdhichand Vs. State of Maharashtra*
 - (C) *Ahmed Khan Vs. Shah Bano Begum*
 - (D) *Tukaram Vs. State of Maharashtra*

101. Rio Declaration relates to
 - (A) United Nations Women Convention
 - (B) World Trade Organisation
 - (C) United Nations Human Rights
 - (D) International Legal Framework for Biodiversity and Sustainable Development
102. The seat of the International Criminal Court is at
 - (A) Vienna
 - (B) The Hague
 - (C) Switzerland
 - (D) Melbourne
103. The rule of evidence which forbids a person from denying the truth of the statement formerly made by him is called
 - (A) *Res judicata*
 - (B) Estoppel
 - (C) Admission
 - (D) Confession
104. Law can be broadly divided into procedural law which tells us the procedure for obtaining justice and the substantive law which
 - (A) substantiates moral principles
 - (B) supplements procedural law
 - (C) creates rights and duties
 - (D) None of the above
105. The Supreme Court in one of the following cases has held that right to life under Article 21 does not include right to die
 - (A) *P. Rathinam Vs. Union of India*
 - (B) *Gian Kaur Vs. State of Punjab*
 - (C) *K. Karunakaran Vs. State of UP*
 - (D) *Om Prakash Vs. State of Punjab*



106. The opinion of a medical expert in a criminal trial
- (A) is binding on the court
 - (B) is a relevant fact
 - (C) is not to be relied on at all
 - (D) None of the above
107. The damages are possible to be liquidated in the case of
- (A) tort
 - (B) breach of contract
 - (C) crime
 - (D) All of the above
108. Issues shall be framed at the first hearing of the suit by
- (A) the parties by mutual consent
 - (B) the plaintiff
 - (C) the court
 - (D) the court with the consent of both the parties i.e. plaintiff and the defendant
109. Article 43 of the Constitution which forms part of the Directive Principles of the State policy enjoin the state to take steps to provide
- (A) minimum wage to the workers
 - (B) living wage to the workers
 - (C) statutory minimum wage to the workers
 - (D) real wage to the workers



Direction: Answer the question based on the Principle and Facts given below.

110. **PRINCIPLE:** Justice must not only be done, but also be seem to be done.

FACTS: A judge is a shareholder in a Company, which is a party to a case before him. The integrity of the judge is above suspicion. Both the opposing counsels affirm their faith in the impartiality of the judge. The case is at the stage of final arguments. The judge, however, recuses himself from the case, on the ground of his shareholding. Which of the following is the most appropriate statement in the light of the Principle cited here?

- (A) Had the judge continued to hear the case, its outcome might have appeared to be prejudiced, even though it would not have been so.
- (B) The judge should have continued hearing the case since he was an honest judge.
- (C) The judge should have continued hearing since the counsels of both the parties had requested him to do so and, had thus agreed to adjudication by him.
- (D) The judge could have lost objectivity in the case and therefore recused from it.

- 111 Indian Federal System is largely based on the pattern of

- | | |
|-------------------------|---------------------------|
| (A) American Federation | (B) Australian Federation |
| (C) Swiss Federation | (D) Canadian Federation |



112. In which of the following cases it was said by the Supreme Court in 2005 that: "It is well accepted by thinkers, philosophers and academicians that if JUSTICE, LIBERTY, EQUALITY and FRATERNITY, including social economic and political justice, the golden goals set out in the Preamble of the Constitution, are to be achieved, the Indian polity has to be educated and educated with excellence. Education is a national wealth which must be distributed equally and widely, as far as possible in the interest of creating an egalitarian society, to enable the country to rise high and face global competition"?
- (A) *Onkar Lal Bajaj Vs. Union of India* (AIR 2005 SC 2562)
(B) *Zee Telefilms Ltd. Vs. Union of India* (AIR 2005 SC 2677)
(C) *Gopala Krishnan Nair Vs. State of Kerala* (AIR 2005 SC 3053)
(D) *P.A. Inamadar Vs. State of Maharashtra* [(2005)6 SCC 537]
113. Which of the following is not a 'state' within the meaning of state under Article 12 of the Constitution of India?
- (A) BCCI (B) State Bank of India
(C) Airport Authority of India (D) Rajasthan Electricity Board
114. "Law as such is found and not made. It is to be found in popular faith, common convictions, customs, traits, habits, traditions which in course of time grow into legal rules." This concept of law was propounded by
- (A) Thibaut (B) Henry Maine
(C) Savigny (D) Salmond



115. One of the bases of conferring jurisdiction on the International Court of Justice is called *forum prorogatum* which means
- (A) unilateral implied acceptance of jurisdiction of the forum during the continuance of a particular case
 - (B) unilateral implied acceptance of jurisdiction of the forum after the end of a particular case
 - (C) unilateral express acceptance of jurisdiction of the forum during the continuance of a particular case
 - (D) unilateral express acceptance of jurisdiction of the forum after the end of a particular case
116. A woman whose marriage has been annulled by a decree of nullity under the Hindu Marriage Act, 1955 seeks maintenance under Section 125 of Cr.P.C. as against her husband. Which one of the following statements is correct?
- (A) The woman would succeed as the provision is applicable to all women.
 - (B) The woman would succeed as even an ex-wife can claim maintenance.
 - (C) The woman would succeed as her marriage was brought to an end through judicial process
 - (D) The woman will not succeed as an ex-wife
117. Who among the following have the power to order police investigation into a cognizable offence under Section 156(3) Cr.P.C.?
- (A) Magistrate
 - (B) Session Court
 - (C) High Court
 - (D) All of the above
118. Property that falls to the state for want of an heir or forfeiture is called
- (A) escrow
 - (B) attach property
 - (C) escheat
 - (D) None of the above



119. Plea bargaining under the Cr.P.C., 1973 means
- (A) an agreement arrived at between the opposing lawyers and the judge reducing the sentence of the accused in exchange for his pleading guilty to the offence.
 - (B) a procedure by which an accused voluntarily pleads guilty in exchange for a lesser sentence and in pursuance thereof an agreement is reached between the accused, victim, investigating officer and the prosecutor resulting in a satisfactory disposition of the case of which a report is made and signed by the presiding officer of the trial court.
 - (C) an agreement in writing between the prosecutor and the defence lawyer to settle the claim of the victim and seek acquittal of the accused.
 - (D) None of the above
120. Who said that "at the most the law may be considered as depsychological command"?
- (A) John Austin
 - (B) John Salmond
 - (C) Von Savigny
 - (D) Hans Kelsen
121. 'A' shakes his fist at 'Z', intending or knowing it to be likely that he may thereby cause 'Z' to believe that he is about to strike 'Z' 'A' has committed the offence of
- (A) voluntarily causing of grievous hurt
 - (B) battery
 - (C) assault
 - (D) wrongful restraint
122. Who coined the word "Lokayukta"?
- (A) Atal Bihari Vajpayee
 - (B) B.R. Ambedkar
 - (C) L.M. Singhvi
 - (D) Jaya Prakash Narayan



123. Cognition refers to
- (A) the ability to recognise
 - (B) the reflex to a condition
 - (C) the faculty of perception
 - (D) an inclination towards seeking recognition
124. The grant of asylum is
- (A) in consonance with the right to demand asylum
 - (B) a right of the State springing forth from the concept of Sovereignty
 - (C) mandatory under international comity
 - (D) permissible only in consular premises
125. The reasons for the proliferation of delegated legislation includes
- (A) pressure on parliamentary time
 - (B) lack of technical knowledge by law makers
 - (C) uncertainties of the evolving situations
 - (D) All of the above
126. The idea of "norms" and "grundnorms" in jurisprudence is associated with
- (A) Hyde
 - (B) Pollock
 - (C) Austin
 - (D) Kelsen
127. A owes to B rupees 500 which has become time barred. B's claim to rupees 500 is
- (A) in the nature of an imperfect legal right
 - (B) in the nature of a perfect legal right
 - (C) in the nature of only a moral right
 - (D) No right at all



128. Article 2(1) of the UN charter embodies the principle of
- (A) Sovereign equality of states
 - (B) Non interference in domestic matters
 - (C) General good prevailing over than of individuals
 - (D) None of the above
129. The Universal Declaration of Human Rights was adopted on..... since then celebrated as "Human Rights Day"
- (A) December 10, 1947
 - (B) December 10, 1948
 - (C) December 10, 1949
 - (D) November 10, 1949
130. Which of the following two rights do *not* find place in the International Covenant on Economic, Social and Cultural Rights (ICCESCR)?
- 1. Right to work.
 - 2. Right to adequate food.
 - 3 Right to self determination.
 - 4. Right to privacy
- (A) 1 and 2
 - (B) 2 and 3
 - (C) 3 and 4
 - (D) 1 and 4
131. Consider the following statements relating to the ICJ. Which of the two from the above statements are correct?
- 1. Jurisdiction of the International Court of Justice is voluntary
 - 2. Jurisdiction of the International Court of Justice can be imposed on Member-Nation of the U.N.
 - 3. General Assembly and Security Council may refer a matter to International Court of Justice for advice.
 - 4. International Court of Justice is a court of appeal from Supreme Courts of Member-Nations.
- (A) 1 and 3 only
 - (B) 2 and 4 only
 - (C) 3 and 4 only
 - (D) 1 and 4 only



132. A wagering agreement in India is declared by the Indian Contract Act, 1872 as
- (A) illegal and void
 - (B) void but not illegal
 - (C) voidable at the option of the aggrieved party
 - (D) immoral but not illegal
133. Unlawful detaining or threatening *to* detain any property with the intention of causing any person *to* enter into an agreement *would* amount *to* which one of the following?
- (A) Unlawful detention
 - (B) Duress
 - (C) Undue influence
 - (D) Coercion
134. Which of the following statements is/are among the purposes of the United Nations as enshrined in Article I of the UN Charter?
- I To maintain international peace and security
 - II To develop friendly relations among countries
 - III To enjoin that all members refrain from threat or use of force
 - IV To be a center for harmonising the actions of states
- (A) I, II and III
 - (B) I, II and IV
 - (C) II, III and IV
 - (D) I, II, III and IV
135. Condominium means
- (A) exercising individual sovereignty
 - (B) non-exercise of individual sovereignty
 - (C) exercising sovereignty jointly
 - (D) exercising sovereignty in different spheres



136. Which of the following are included in the list of fundamental duties (Part IV) of the Indian Constitution added on the basis of Swaran Singh Committee recommendations?
1. To abide by the Constitution and respect its ideal and institutions
 2. To safeguard public property and to abjure violence
 3. To uphold and protect the sovereignty, unity and integrity of India
 4. To uphold and protect secularism
 5. To render national service when called upon
- (A) 1, 3 and 4 (B) 1, 2 and 4
(C) 1, 2, 3 and 4 (D) 1, 2, 3 and 5
137. Who among the following propounded the interest theory of legal rights?
- (A) Watson (B) A.V Dicey
(C) Paton (D) Ihering
138. Which of the following is the correlative of immunity?
- (A) No-right (B) Duty
(C) Disability (D) None of the above
139. Consider the following statements under the Limitation Act, 1963
- I. Nothing shall be deemed to be done in good faith which is not done with due care and attention.
 - II. The word Plaintiff includes also any person from or through whom the plaintiff derives his right to sue.
- (A) Statement I only is true (B) Statement II only is true
(C) Both statements are true (D) Both statements are false



140. Under the Limitation Act, 1963 every suit instituted appeal preferred, and application made after the prescribed period
- (A) shall be dismissed if limitation is set up as defence
 - (B) shall be dismissed if limitation is pleaded at any stage
 - (C) shall be dismissed although limitation is not set up as defence
 - (D) None of the above
141. Hearsay evidence
- (A) unopposed by the defence is admissible
 - (B) even if opposed by the defence is admissible
 - (C) even if unopposed by the defence is inadmissible
 - (D) None of the above
142. Under the code of Civil Procedure, 1908 the validity of a decree passed without jurisdiction can be challenged on the ground of lack of jurisdiction
- (A) before the framing of the issue
 - (B) only as a preliminary issue
 - (C) at any stage
 - (D) None of the above
143. Sufficient cause to set aside an ex parte decree is a
- (A) question of fact
 - (B) question of Law
 - (C) Both (A) and (B)
 - (D) None of the above
144. Under the Indian Partnership Act, 1932 a stipulation that one partner has no right to participate in the management is
- (A) void
 - (B) voidable
 - (C) valid
 - (D) None of the above



145. Match List I with List II

List I (Jurists)	List II (Views on international law)
(a) Holland	1. Vanishing point of jurisprudence
(b) John Austin	2. Positive International Morality
(c) Bentham	3. International Courtesy
(d) Jethro Brown	4. Law in the making
(A) (a)-4, (b)-2, (c)-3, (d)-1	(B) (a)-1, (b)-2, (c)-3, (d)-4
(C) (a)-3, (b)-2, (c)-1, (d)-4	(D) (a)-4, (b)-3, (c)-1, (d)-2

146. Match List I with List II

List I (Terms)	List II (Definitions)
(a) Contract	1. A promise or a set of promises
(b) Promise	2. Price of the promise
(c) Agreement	3. An accepted proposal
(d) Consideration	4. An agreement enforceable by law
(A) (a)-4, (b)-2, (c)-3, (d)-1	(B) (a)-1, (b)-3, (c)-4, (d)-2
(C) (a)-3, (b)-2, (c)-1, (d)-4	(D) (a)-4, (b)-3, (c)-1, (d)-2

147. Consider the following judgements of the Supreme Court relating to the appointment and transfer of judges of the Supreme Court and High Courts:

1. *S.P. Gupta Vs. Union of India*
2. *Sankal Chand Seth Vs. Union of India*
3. *In re Special Reference No.1 of 1998*
4. *Supreme Court Advocates on Record Association (SCARA) Vs. Union of India*

Which one of the following is the correct chronological sequence in which the above judgements were delivered?

- | | |
|-------------------|-------------------|
| (A) 1 - 4 - 3 - 2 | (B) 2 - 1 - 3 - 4 |
| (C) 2 - 1 - 4 - 3 | (D) 1 - 2 - 4 - 3 |



148. The exception to the common law principle *actus non facit reum nisi mens sit rea* are the offences of
- | | |
|-----------------------|-----------------------|
| (A) strict liability | (B) group liability |
| (C) inchoate offences | (D) None of the above |
149. An ordinance promulgated by the President
- (A) shall cease to operate after 6 weeks
 - (B) shall cease to operate after 6 months
 - (C) shall cease to operate at the expiration of 6 weeks from the reassembly of Parliament
 - (D) shall cease to operate if it is not laid before the Parliament
150. Indian Parliament can legislate on any subject in the state list
- (A) for the implementation of international treaties or agreements
 - (B) if the council of the states declares by a two third majority resolution that it is expedient to do so in national interest
 - (C) if the legislature of two or more states requests it to do so
 - (D) in all the above cases