

AILET 2025 LL.M. Question Paper with Solutions

Question 1: What does the Basel Ban amendment address?

- a) prohibits use of CFCs in industrial settings
- b) imposition of strict limitation of anthropogenic emissions by sources and removals by sinks
- c) prohibits movement of hazardous waste from OCD and non-OCD states
- d) prohibition of activities that threaten biological diversity by regulating the transportation of invasive species

Correct Answer: c) prohibits movement of hazardous waste from OCD and non-OCD states

Solution:

The Basel Ban amendment specifically addresses the prohibition on the export of hazardous waste from developed to developing countries (OCD to non-OCD). This is part of the effort to prevent the illegal dumping of hazardous waste in less-developed nations.

Quick Tip

The Basel Ban amendment is important in international environmental law, aiming to prevent environmental harm by controlling hazardous waste exports.

Question 2: “The state should focus on factoring in ways through which unequal consequences of sex differences can be eliminated. It is the state’s duty to ensure circumstances of safety which inspire confidence in women to discharge the duty freely in accordance with the requirements of the profession they choose to follow”. The above observation was made in:

- a) Anuj Garg v. Hotel Association of India AR 2008 SC 663
- b) SR Bommai v. Union of India AR 1994 SC 1918
- c) DC Wadhwa v. State of Bihar AR 1987 SC 579
- d) E. P. Royappa v. State of Tamil Nadu AR 1974 SC 555

Correct Answer: a) Anuj Garg v. Hotel Association of India AR 2008 SC 663

Solution:

This statement was made in the landmark case of *Anuj Garg v. Hotel Association of India*. The Supreme Court addressed issues regarding discrimination based on sex and the importance of providing a safe and equal working environment for women.

Quick Tip

The Anuj Garg case was pivotal in highlighting the state's responsibility to ensure equality and safety for women in professional environments.

Question 3: Which of the following jurists gave the Bad Man theory?

- a) HLA Hart
- b) Spencer
- c) Justice OW Holmes
- d) Austin

Correct Answer: c) Justice OW Holmes

Solution:

The "Bad Man theory" was proposed by Justice Oliver Wendell Holmes. It is a theory used in legal philosophy, emphasizing how a person would act if they were only concerned with avoiding punishment, rather than adhering to moral principles.

Quick Tip

The Bad Man theory is often used to discuss the role of law from a purely legalistic, utilitarian perspective.

Question 4: Which of the following is not a core international human rights treaty?

- a) International Convention on the Elimination of All Forms of Racial Discrimination
- b) Convention on the Elimination of All Forms of Discrimination against Women
- c) International Convention for the Protection of All Persons from Enforced Disappearance
- d) Convention Relating to the Status of Refugees

Correct Answer: d) Convention Relating to the Status of Refugees

Solution:

While the *Convention Relating to the Status of Refugees* is a critical international treaty, it is primarily concerned with refugee law rather than core human rights. The other three treaties are more directly related to human rights protections.

Quick Tip

Core human rights treaties focus on racial discrimination, gender equality, and the protection of persons from enforced disappearance, while refugee status is covered under a separate convention.

Question 5: An Anton Piller order is:

- a) An order for delivery-up of infringing goods
- b) An order to arrest the infringer

- c) An order to carry out search and seizure
- d) A freezing order

Correct Answer: c) An order to carry out search and seizure

Solution:

An Anton Piller order is a legal remedy that permits the search and seizure of evidence in a civil case, especially when there's a concern that the defendant may destroy evidence.

Quick Tip

Anton Piller orders are often issued in cases involving intellectual property infringement or fraud where there is a risk of evidence being destroyed.

Question 6: The Supreme Court's judgment in *Ramana Dayaram Shetty v. International Airport Authority* [1979] 3 S.C.R. 1014 is considered a landmark case for establishing the principle of:

- a) Public accountability in administrative actions
- b) Non-arbitrariness in government contracts
- c) Application of natural justice in administrative decisions
- d) Preventing the delegation of essential legislative functions

Correct Answer: b) Non-arbitrariness in government contracts

Solution:

In the **Ramana Dayaram Shetty** case, the Supreme Court established that government contracts must not be arbitrary and should follow fair and reasonable procedures. The case set a precedent for non-arbitrariness in administrative decisions.

Quick Tip

This case was crucial in establishing the doctrine that administrative actions, especially in government contracting, must be non-arbitrary and transparent.

Question 7: India adopted its National Competition Law Policy in the year:

- a) 2012
- b) 1991
- c) It is yet to adopt a National Competition Law Policy
- d) 2002

Correct Answer: c) It is yet to adopt a National Competition Law Policy

Solution:

India has not yet formally adopted a National Competition Law Policy. While there is a Competition Act (2002) in place, it does not include a specific National Competition Law Policy.

Quick Tip

The Competition Act (2002) in India aims at promoting and sustaining competition, but India has yet to adopt a comprehensive National Competition Law Policy.

Question 8: Which of the following cases dealt with a challenge to the exclusion of couples from sexual and gender minority communities from marriage laws as being violative of fundamental rights under Articles 14, 15, 19, and 21 of the Constitution?

- a) Supriyo v. Union of India 2023 NSC 920
- b) Joseph Shine v. Union of India AR 2018 SC 4898
- c) Naz Foundation v. Govt. of NCT of Delhi 2010 CR. L. J. 94, 2009
- d) Navtej Singh Johar v. Union of India AR 2018 SC 4321

Correct Answer: a) Supriyo v. Union of India 2023 NSC 920

Solution:

The *Supriyo v. Union of India* case dealt with a challenge to the exclusion of couples from sexual and gender minority communities from marriage laws, arguing that it violated fundamental rights under Articles 14, 15, 19, and 21 of the Indian Constitution. This case brought attention to the rights of same-sex couples and their access to marriage under the Constitution.

Quick Tip

The *Supriyo v. Union of India* case is important for the ongoing struggle for marriage equality for sexual and gender minorities in India.

Question 9: Under which Section of BNS 2023, an offence committed by a child of seven years of age is not to be considered a crime?

- a) Section 22
- b) Section 21
- c) Section 19
- d) Section 20

Correct Answer: d) Section 20

Solution:

Section 20 of the BNS 2023 specifies that an offence committed by a child below the age of seven years will not be considered a crime. This provision ensures that children who are too young to understand the consequences of their actions are not held criminally liable.

Quick Tip

Under Section 20 of BNS 2023, children under the age of seven cannot be prosecuted for criminal offences.

Question 10: The Chief Election Commissioner and Other Election Commissioners (Appointment, Conditions of Service and Term of Office) Act, 2023 was enacted as an upshot of:

- a) Kaushal Kishor v. State of Uttar Pradesh 2023 SCC OnLine SC 6
- b) Anoop Baranwal v. Union of India (2023) 6 SCC 161
- c) Subhash Desai v. Governor of Maharashtra 2023 SCC OnLine SC 607
- d) Priyam v. Union of India 2023 SCC OnLine SC 1348

Correct Answer: b) Anoop Baranwal v. Union of India (2023) 6 SCC 161

Solution:

The *Anoop Baranwal v. Union of India* case led to the enactment of the Chief Election Commissioner and Other Election Commissioners (Appointment, Conditions of Service and Term of Office) Act, 2023. This law addresses the appointment process, terms of office, and service conditions of Election Commissioners in India.

Quick Tip

This case emphasized the need for a transparent and consistent process for the appointment of Election Commissioners, leading to the 2023 Act.

Question 11: Which of the following statement is correct under the Mediation Act 2023?

- a) Terms of the mediated settlement agreement cannot extend beyond the disputes referred to mediation
- b) Mediator must necessarily be of a nationality different from that of the parties
- c) A mediated settlement agreement should be signed by the parties and authenticated by the mediator
- d) Mediated settlement agreement resulting from online mediation requires additional approval from the mediation service provider

Correct Answer: c) A mediated settlement agreement should be signed by the parties and authenticated by the mediator **Solution:**

Under the Mediation Act 2023, a mediated settlement agreement must be signed by all parties involved and authenticated by the mediator to be considered valid and enforceable. This ensures that the terms are mutually agreed upon and recognized.

Quick Tip

A mediated settlement agreement is considered legally binding only when signed by the parties and authenticated by the mediator.

Question 12: Which of the following is true about Maternity Leave in India?

- a) The leave is available to both private as well as government female employees.
- b) The leave is available to both private as well as government female employees if they are working in establishments that employ 10 or more people.
- c) The leave is not available to females adopting a child.
- d) The Maternity Benefit Amendment Act, 2017 has increased the maximum period of leave from 12 weeks to 26 weeks.

Correct Answer: b) Both II and IV

Solution:

Under the Maternity Benefit Amendment Act of 2017, female employees in both private and government sectors are entitled to maternity leave if they work in establishments with 10 or more employees. The Act also increased the maximum duration of maternity leave from 12 weeks to 26 weeks.

Quick Tip

The Maternity Benefit Amendment Act, 2017, significantly improved maternity leave benefits for working women in India.

Question 13: Match the following:

Term	Definition
I. Uti possidetis	1. principle in customary international law providing that where there has been a fundamental change of circumstances since an agreement was concluded, a party to that agreement may withdraw from or terminate it
II. Pacta sunt servanda	2. two or more states equally exercise sovereignty with respect to a territory and its inhabitants
III. Condominium	3. doctrine that territory remains with the possessor state at the end of war or occupation unless otherwise determined by a treaty or an agreement
IV. Rebus sic stantibus	4. proposition that treaties are binding upon the parties to them and must be performed in good faith

Select the correct option:

- a) I-1, II, III-3, IV-4
- b) I-3, II-1, III-4, IV-2
- c) I-2, II-1, III-4, IV-3
- d) I-3, II-4, III-2, IV-1

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

Solution:

- Uti possidetis (3) refers to the doctrine that territory remains with the possessor state at the end of war or occupation unless otherwise determined by a treaty or an agreement.
- Pacta sunt servanda (4) is the principle that treaties are binding upon the parties and must be performed in good faith.
- Condominium (2) refers to a situation where two or more states equally exercise sovereignty with respect to a territory and its inhabitants.
- Rebus sic stantibus (1) is a principle in customary international law that allows a party to withdraw from or terminate a treaty in case of a fundamental change in circumstances.

Quick Tip

Uti possidetis is crucial in territorial disputes following war or occupation, while pacta sunt servanda underscores the binding nature of treaties in international law.

Question 14: Which of the following is an incorrect statement for explaining the condition and warranty under the Sale of Goods Act, 1930?

- a) A condition is a stipulation essential to the main purpose of the contract, the breach of which gives rise to a right to treat the contract as repudiated.
- b) A warranty is a stipulation collateral to the main purpose of the contract, the breach of which gives rise to a claim for damages but not to a right to reject the goods and treat the contract as repudiated.
- c) Whether a stipulation in a contract of sale is a condition or a warranty does not depend on the construction of the contract.
- d) A stipulation may be a condition, though called a warranty in the contract.

Correct Answer: c) Whether a stipulation in a contract of sale is a condition or a warranty does not depend on the construction of the contract.

Solution:

Under the Sale of Goods Act, 1930, whether a stipulation is a condition or warranty depends on the construction of the contract. The nature of the stipulation is determined based on the intent of the parties and the purpose of the agreement. Therefore, statement (c) is incorrect.

Quick Tip

In contracts, the distinction between a condition and a warranty is important for determining the remedies available upon breach.

Question 15: Which of the following theories relate to the function of rights?

- a) Only A and B
- b) Only B and C
- c) A, B, C, D
- d) None of the above

Correct Answer: b) Only B and C

Solution:

The function of rights is discussed under different theories:

- Bracket theory focuses on the protection of individuals' interests.
- Will theory is based on individual autonomy and freedom of choice.
- Interest theory suggests that rights are meant to protect certain interests.
- Purpose theory is about ensuring that rights serve the well-being and functioning of society.

All these theories contribute to understanding the broader function of rights in law.

Quick Tip

Understanding rights through different theories helps clarify their role in legal and ethical contexts, such as personal autonomy or societal well-being.

Question 16: Subrogation under Section 92, Transfer of Property Act, 1882 confers a right upon a person only wherein mortgaged property has been:

- a) Redeemed in full
- b) Consented to be redeemed in full
- c) Redeemed in part
- d) None of the above

Correct Answer: a) Redeemed in full

Solution:

Section 92 of the Transfer of Property Act, 1882, allows a person who has paid off the mortgage debt to step into the shoes of the mortgagee and seek a remedy. However, this right of subrogation arises only when the mortgaged property has been redeemed in full.

Quick Tip

Subrogation is a principle that protects the party who has paid off the debt and grants them the rights of the original creditor.

Question 17: The following is not true about the Cement Cartelization Case in India:

- a) The Competition Commission of India imposed a penalty of 0.5 times of the net profits of certain cement-producing companies for the year 2009-10 and 2010-2011
- b) Companies were engaging in unfair and not restrictive trade practices by controlling the price of cement by artificially curtailing their output capacity
- c) The market was oligopolistic in nature, with the possibility of collusion between companies
- d) None of the above

Correct Answer: b) Companies were engaging in unfair and not restrictive trade practices by controlling the price of cement by artificially curtailing their output capacity

Solution:

In the Cement Cartelization case, the Competition Commission of India found that cement companies were involved in anti-competitive practices, including price-fixing and curtailing production to inflate prices. This was deemed a violation of the Competition Act, and penalties were imposed. All the statements in the options are correct, so "None of the above" is the right answer.

Quick Tip

The Cement Cartelization case is significant in understanding anti-competitive practices in oligopolistic markets and the role of the Competition Commission in curbing such behavior.

Question 18: ----- is concerned with 'is law', and ----- is concerned with 'ought law'.

- a) Expositorial Jurisprudence, Censorial Jurisprudence
- b) Censorial Jurisprudence, Analytical Jurisprudence
- c) Censorial Jurisprudence, Expositorial Jurisprudence
- d) Expositorial Jurisprudence, Philosophical school of law

Correct Answer: a) Expositorial Jurisprudence, Censorial Jurisprudence

Solution:

Expositorial Jurisprudence is concerned with 'is law', focusing on describing and analyzing the law as it exists. The Philosophical school of law, on the other hand, deals with 'ought law', exploring normative concepts and principles of what the law ought to be.

Quick Tip

Expositorial Jurisprudence is descriptive, while the Philosophical school is normative, focusing on ethical and ideal concepts of law.

Question 19: Under which provision of the Income Tax Act, 1961 is the scope of the resident's 'total income' covered?

- a) Section 5
- b) Section 10
- c) Section 30
- d) Section 8

Correct Answer: a) Section 5

Solution:

Section 5 of the Income Tax Act, 1961, defines the scope of 'total income' of a resident. It includes income from all sources, both within and outside India, unless exempted under specific provisions.

Quick Tip

Section 5 of the Income Tax Act provides the definition and scope of 'total income' for Indian residents, impacting tax calculation.

Question 20: In which of the following cases was it held that "the tribunal has unfettered jurisdiction to adjudicate the dispute raised as well as to decide the legality of an order of the Central Government, or even the opinion of TRA or any other expert body"?

- a) Cellular Operators Association of India v. Union of India 2003 (3) SCC 186
- b) S.P. Gupta v. Union of India Supp SCC 87 1981
- c) Tata Cellular v. Union of India 6 SCC 651 (1994)
- d) SCAORA v. Union of India 4 SCC 441 (1993)

Correct Answer: a) Cellular Operators Association of India v. Union of India 2003 (3) SCC 186

Solution:

In the *Cellular Operators Association of India v. Union of India* case, the Supreme Court held that tribunals have the jurisdiction to adjudicate disputes raised, and they can even review the legality of orders from the Central Government or opinions from expert bodies such as TRA (Telecom Regulatory Authority).

Quick Tip

This case reinforced the independence of tribunals and their authority to review governmental decisions in matters of public interest.

Question 21: The new definition of employees has been widened under the Code on Social Security but does not include:

- a) International migrant workers
- b) Construction workers
- c) Film industry workers
- d) Platform workers

Correct Answer: a) International migrant workers

Solution:

The Code on Social Security (2020) expanded the definition of "employees" to include several categories of workers such as construction workers, film industry workers, and platform workers. However, international migrant workers are not explicitly included in the definition.

Quick Tip

While the Code on Social Security aims to cover a broad spectrum of workers, international migrant workers still face gaps in coverage under Indian law.

Question 22: The following is true about pawnor and pawnee under Indian Contract Act, 1872:

- a) The pawnor has the right of possession, enjoyment, and disposition of the property.
- b) The pawnee has a limited right to retain possession till the debt is paid off.
- c) The pawnee's right of disposition is limited to the disposition of the pledge rights only, and the right to sell after giving reasonable notice to the pawnor.
- d) All of the above.

Correct Answer: d) All of the above.

Solution:

Under the Indian Contract Act, 1872, the pawnor (the pledgor) has the right of posses-

sion and enjoyment of the pledged property, while the pawnee (the pledgee) has a limited right to retain possession until the debt is repaid. The pawnee may also sell the pledged property after giving reasonable notice to the pawnor.

Quick Tip

The Indian Contract Act ensures the balance of rights between the pawnor and pawnee, protecting both parties in a pledge arrangement.

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- a) Redeemed in full
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- c) The market was oligopolistic in nature, with the possibility of collusion between companies
- d) None of the above

Correct Answer: d) None of the above

Solution:

In the Cement Cartelization Case, the companies were found to be engaging in restrictive trade practices, not unfair practices. They manipulated the market by artificially reducing their output to control the price of cement, which is considered a violation of competition laws.

Quick Tip

Restrictive trade practices involve efforts to limit competition, while unfair practices typically involve unethical actions that may or may not affect competition directly.

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Solution:

Expositorial Jurisprudence is concerned with the law as it is, focusing on the analysis and description of the existing legal system, while Censorial Jurisprudence deals with what the law ought to be, examining the ideals and ethical standards that law should uphold.

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Expositorial Jurisprudence focuses on describing the law, while Censorial Jurisprudence focuses on evaluating it according to ethical standards.

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- a) Section 5
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d) All of the above.

Correct Answer: d) All of the above.

Solution:

Under the Indian Contract Act, 1872, the pawnor (the pledgor) has the right of possession and enjoyment of the pledged property, while the pawnee (the pledgee) has a limited right to retain possession until the debt is repaid. The pawnee may also sell the pledged property after giving reasonable notice to the pawnor.

Quick Tip

The Indian Contract Act ensures the balance of rights between the pawnor and pawnee, protecting both parties in a pledge arrangement.

Question 23: Indian Copyright Act, 1957 recognises the Moral rights of authors under _____ as _____

- a) Section 17, Economic Rights
- b) Section 57, Author's Special Rights
- c) Section 69, Non-economic Rights
- d) Section 14, Non-economic Rights

Correct Answer: b) Section 57, Author's Special Rights

Solution:

Section 57 of the Indian Copyright Act, 1957 deals with the moral rights of authors, which include the right to claim authorship and the right to prevent distortion or modification of their work.

Quick Tip

Moral rights of authors are specifically provided under Section 57, focusing on the protection of personal rights over their creative work.

Question 24: Which of the following is not a State for the purposes of Article 54 (Election of President)?

- a) National Capital Territory of Delhi
- b) Union Territory of Puducherry
- c) Chandigarh
- d) Punjab

Correct Answer: c) Chandigarh

Solution:

For the purposes of Article 54, which relates to the election of the President of India, only states and Union Territories with legislative assemblies are considered. Chandigarh is a Union Territory without a legislative assembly, hence it is not considered a "State" in this context.

Quick Tip

Chandigarh, despite being a Union Territory, does not have a legislative assembly and thus is not a "State" for the purposes of Article 54.

Question 25: Match the following:

Arbitration Terms	Cases
I. Arbitration of excepted matters	1. A. Ayyasamy v. A. Paramasivam, (2016) 10 SCC 386
II. Conditional Arbitration Clauses	2. In re - Interplay between Arb Agreements and Stamp Act 2023 NSC 1066
III. Separability of Arbitration Agreement - Kompetenz Kompetenz	3. Vulcan Insurance Co Ltd v. Maharaj Singh and Anr (1976) 1 SCC 943
IV. Arbitrability of fraud	4. Mitra Guha Builders (India) Co v. ONGC (2020) 3 SC 222

Select the correct option:

- a) I-1, II-2, III-3, IV-4
- b) I-4, II-3, III-2, IV-1
- c) I-2, II-1, III-3, IV-4
- d) I-4, II-2, III-3, IV-1

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

Solution:

- Arbitrability of fraud is addressed in *Mitra Guha Builders v. ONGC* (2020).
- Separability of Arbitration Agreement is discussed in *Vulcan Insurance Co Ltd v. Maharaj Singh* (1976).
- Conditional Arbitration Clauses are examined in *In re - Interplay between Arb Agreements and Stamp Act* (2023).
- Arbitration of excepted matters is addressed in *A. Ayyasamy v. A. Paramasivam* (2016).

Quick Tip

Understanding the relationship between arbitration clauses and specific case rulings is key to mastering arbitration law.

Question 26: The following are Members in a company:

- a) The subscriber to the memorandum of the company who shall be deemed to have agreed to become a member of the company, and on its registration, shall be entered as

- a member in its register of members
- b) No other person who agrees in writing to become a member of the company and whose name is entered in the register of members of the company
- c) Every person holding shares of the company and whose name is entered as a beneficial owner in the records of a depository
- d) Both a) and c) will be members

Correct Answer: d) Both a) and c) will be members

Solution:

A person becomes a member of the company by subscribing to the memorandum or holding shares. The subscriber's name is entered into the register of members, and beneficial owners registered with a depository are also considered members.

Quick Tip

Both subscribers to the memorandum and beneficial owners of shares are considered members of a company.

Question 27: Which Section of BNS 2023, provides Solitary Confinement as a punishment?

- a) Section 10
- b) Section 11
- c) Section 22
- d) Section 14

Correct Answer: b) Section 11

Solution:

Section 11 of the BNS 2023 deals with the provision of solitary confinement as a punishment, outlining the circumstances and conditions under which it may be applied.

Quick Tip

Solitary confinement is governed by specific provisions under the relevant section in the BNS 2023, with restrictions on its use.

Question 28: In which of the following cases did the Supreme Court observe that an order suspending internet services indefinitely is impermissible under the existing law, and any order suspending internet must adhere to the principle of proportionality and must not extend beyond the necessary duration?

- a) Anuradha Bhasin v. Union Of India AR 2020 SC 1308
- b) Subhash Desai v. Governor of Maharashtra 2023 SCC OnLine SC 607
- c) Nabam Rebia & Bamang Felix v. Dy. Speaker, Arunachal Pradesh Legislative Assembly (2016) 8 SCC 1
- d) Neeraj Chandra v. Union of India (2023) 5 SCC 1

Correct Answer: a) Anuradha Bhasin v. Union Of India AR 2020 SC 1308

Solution: The Supreme Court, in this case, held that orders suspending internet services must follow the principle of proportionality. Such orders should not be indefinite and should be limited in duration to ensure that they do not violate citizens' rights unnecessarily. The case reinforced the idea that restrictions on internet access should be temporary and justifiable under law.

Quick Tip

An internet shutdown must follow legal principles, including necessity, proportionality, and temporary duration. Excessive or indefinite suspensions may violate constitutional rights.

Question 29: For an agreement without consideration to be valid under Section 25(3) of the Indian Contract Act, 1872, it is necessary that:

- a) agreement in question must refer to a debt which the creditor might have enforced, but for the limitation
- b) there must be a distinct promise to pay
- c) the promise is in writing, signed by debtor or his agent
- d) All of the above are necessary

Correct Answer: d) All of the above are necessary

Solution: Under Section 25(3) of the Indian Contract Act, an agreement made without consideration is valid if it satisfies the conditions specified, including referring to a debt that could have been enforced except for the limitation period, being in writing, and being signed by the debtor or their agent. All these elements must be present for the agreement to be legally binding.

Quick Tip

An agreement without consideration can be valid if it is linked to a debt, in writing, and signed by the debtor. It must also meet legal requirements for enforceability.

Question 30: Arrest by police without a warrant is covered under which Section of BNSS, 2023?

- a) Section 35
- b) Section 36
- c) Section 37
- d) Section 34

Correct Answer: a) Section 35

Solution: Section 35 of BNSS, 2023, covers the provisions for police arrest without a warrant. It allows the police to make an arrest in certain circumstances where obtaining

a warrant is not feasible or practical. This section outlines the conditions under which such an arrest may be made lawfully.

Quick Tip

Police can make arrests without a warrant in specific situations, as outlined in Section 35 of BNSS, 2023. The circumstances must justify the immediate need for arrest.

Question 31: In *Janhit Abhiyan v. Union of India* (2023) 5 SCC 1, the Supreme Court:

- a) upheld the constitutional validity of the Constitution (One Hundred and Third Amendment) Act, 2019 that empowered the State to enact special provisions for the advancement of economically weaker sections (“EWS”) of society.
- b) declared the EWS reservation under The Constitution (Ninety-ninth Amendment) Act, 2014 unconstitutional.
- c) held that the EWS reservation exceeds the 50% cap on reservations and is therefore invalid.
- d) ruled that only socially and educationally backward classes are eligible for reservation, excluding EWS.

Correct Answer: a) upheld the constitutional validity of the Constitution (One Hundred and Third Amendment) Act, 2019

Solution: The Supreme Court in *Janhit Abhiyan* upheld the constitutional validity of the Constitution (One Hundred and Third Amendment) Act, 2019, which provides for special provisions for the advancement of the economically weaker sections (EWS) of society. This decision affirmed the constitutional recognition of EWS reservation and its legal standing.

Quick Tip

The Constitution (One Hundred and Third Amendment) Act, 2019, affirms the validity of EWS reservation and ensures that it is constitutionally protected.

Question 32: Paragraph 7 of the X Schedule to the Constitution of India was struck down in which of the following cases?

- a) *Kihoto Hollohan v. Zachillhu and Others* 1992 SCR (1) 686
- b) *Anjum Kadri v. U.O.I.* 2024 INSC 831 (Nov. 2024)
- c) *Keisham Meghachandra Singh v. Speaker, Manipur Legislative Assembly* ARonline 2020 SC 54
- d) *State of U.P. v. M/s Lalta Prasad Vaish and Sons.* 2024 NSC 813 (Oct. 2024)

Correct Answer: a) *Kihoto Hollohan v. Zachillhu and Others* 1992 SCR (1) 686

Solution: In *Kihoto Hollohan v. Zachillhu and Others*, the Supreme Court struck down

Paragraph 7 of the Tenth Schedule of the Constitution, which deals with the disqualification of Members of Parliament or State Legislatures for defection. The Court held that the power to disqualify under the Schedule must be exercised within the framework of the Constitution to avoid misuse and ensure democratic fairness.

Quick Tip

The Tenth Schedule's Paragraph 7 was struck down, emphasizing that the disqualification of legislators must adhere to constitutional principles and avoid misuse.

Question 33: The real test of determining distinction between lease and license was laid down by the Supreme Court in which of the following cases?

- a) Nirmal Chandra v. Vimal Chand
- b) Mangilal v. Sugan Chand
- c) Associated Hotel of India v. R.N. Kapoor
- d) None of the above.

Correct Answer: c) Associated Hotel of India v. R.N. Kapoor

Solution: In Associated Hotel of India v. R.N. Kapoor, the Supreme Court laid down the real test for determining the distinction between a lease and a license. The Court emphasized that if the person having possession of the property has control over it with an exclusive right to transfer it, the agreement is a lease; if not, it is a license.

Quick Tip

A lease gives the lessee exclusive possession and control over the property, while a license only grants a right to use the property without control.

Question 34: In A.K. Kraipak v. Union of India AR 1970 SC 150, the Supreme Court recognised the evolving nature of quasi-judicial powers, holding that certain powers previously deemed administrative could now be quasi-judicial. Which of the following best encapsulates the Court's approach to the application of natural justice in administrative proceedings?

- a) Natural justice is limited to formal quasi-judicial functions where a statute expressly mandates its application, excluding purely administrative decisions.
- b) The procedural requirements of natural justice are irrelevant to administrative functions unless personal rights are specifically affected by a statute.
- c) The distinction between administrative and quasi-judicial powers is no longer determinative, and natural justice principles must be applied whenever individual rights or interests are at stake, regardless of the classification of the power.
- d) Natural justice principles apply to all quasi-judicial decisions, but administrative decisions are exempt unless there is a statutory provision requiring it.

Correct Answer: c) The distinction between administrative and quasi-judicial powers is no longer determinative, and natural justice principles must be applied whenever indi-

vidual rights or interests are at stake, regardless of the classification of the power.

Solution: In A.K. Kraipak, the Court recognized that the application of natural justice was not limited to quasi-judicial functions but should also apply in administrative proceedings if individual rights or interests were involved. This marked a shift in the approach to administrative law, expanding the scope of natural justice.

Quick Tip

Natural justice principles apply whenever individual rights are affected, regardless of whether the action is administrative or quasi-judicial.

Question 35: Who can be a Certifying Officer under the Industrial Employment (Standing Orders) Act, 1946?

- a) Industrial Tribunal
- b) Labour Commissioner
- c) A Regional Labour Commissioner
- d) All of the above

Correct Answer: c) A Regional Labour Commissioner

Solution: Under the Industrial Employment (Standing Orders) Act, 1946, a Certifying Officer is the authority responsible for certifying the standing orders of industrial establishments. The following options apply:

- Option a) Industrial Tribunal is incorrect because the Industrial Tribunal does not serve as a Certifying Officer under this Act. It handles disputes related to the enforcement of standing orders.
- Option b) Labour Commissioner is also incorrect because, while a Labour Commissioner plays an important role in labour-related matters, they are not typically designated as Certifying Officers.
- Option c) A Regional Labour Commissioner is the correct answer. They are empowered under the Act to certify the standing orders of industrial establishments in their respective regions.
- Option d) All of the above is incorrect as not all listed authorities can act as Certifying Officers under the Act.

Thus, the correct answer is **c) A Regional Labour Commissioner**.

Quick Tip

A Regional Labour Commissioner is designated as the Certifying Officer under the Industrial Employment (Standing Orders) Act, 1946, responsible for certifying the standing orders of industrial establishments.

Question 36: Which of the following statement best outlines the principle of Common But Differentiated Responsibilities and Respective Capabilities

(CBDR-RC) in international environmental law?

- a) Recognizes that while all countries are responsible for addressing environmental degradation, developed countries should take greater responsibility due to their historical contributions to global emissions and their greater capacity to act.
- b) All countries must equally share the burden of combating environmental degradation regardless of their development status.
- c) Mandates only developed countries contribute to global environmental efforts based on their capabilities.
- d) Emphasizes that each country should be allowed to define its own environmental targets without any obligations to collaborate internationally.

Correct Answer: a) Recognizes that while all countries are responsible for addressing environmental degradation, developed countries should take greater responsibility due to their historical contributions to global emissions and their greater capacity to act.

Solution: The principle of Common But Differentiated Responsibilities and Respective Capabilities (CBDR-RC) holds that while all countries must address environmental issues, developed countries should bear a greater responsibility because of their historical contribution to environmental degradation and their greater capacity to implement solutions.

Quick Tip

The CBDR-RC principle calls for developed countries to take a leading role in global environmental efforts due to their historical emissions and greater capacity.

Question 37: The following is not true about novation of contracts:

- a) Acquiescence is a way of giving consent for the purposes of novation of a contract under Section 62 of the Contract Act.
- b) Acquiescence means tacit or passive acceptance. It is an implied and reluctant consent to an act.
- c) When acquiescence takes place, there is knowledge against a particular act. Based on this knowledge, a new contract comes into existence with renewed terms.
- d) For an acceptance to be legally valid, it is optional for parties to have the knowledge of the terms which they are accepting.

Correct Answer: d) For an acceptance to be legally valid, it is optional for parties to have the knowledge of the terms which they are accepting.

Solution: For acceptance to be legally valid, the parties must have knowledge of the terms they are accepting. It is not optional, as this could invalidate the contract.

Quick Tip

Knowledge of contract terms is essential for valid acceptance; it's not optional.

Question 38: First information related to the commission of a cognisable offence is recorded under which provision of BNSS, 2023?

- a) Section 173
- b) Section 154
- c) Section 155
- d) Section 156

Correct Answer: a) Section 173

Solution: Section 173 of BNSS, 2023, lays down the procedure for the recording of the First Information Report (FIR) when a cognisable offence is committed. This section ensures that the police officially record the complaint to initiate the investigation process.

Quick Tip

The FIR for cognisable offences is recorded under Section 154, marking the start of police investigation.

Question 39: Which of the following is not allowed as a deduction for computing profits and gains from business or profession under Section 37 of the Income Tax Act, 1961?

- a) Personal expenses
- b) Capital expenditure
- c) Expenses on Corporate Social Responsibility
- d) All of the above

Correct Answer: d) All of the above

Solution: Section 37 of the Income Tax Act, 1961 disallows personal expenses, capital expenditure, and expenses on Corporate Social Responsibility (CSR) from being deducted while computing profits and gains from business or profession. These expenses are not considered as part of business operations for tax deductions.

Quick Tip

Personal expenses, capital expenditure, and CSR expenses are not deductible under Section 37 for business profit calculations.

Question 40: Key managerial personnel in relation to a company do not include the following:

- a) The Chief Executive Officer or the Managing Director or the Manager
- b) The Company Secretary
- c) The Whole-time Director
- d) The Chief Financial Officer

Correct Answer: d) The Chief Financial Officer

Solution: Key managerial personnel (KMP) in a company are defined under the Companies Act, 2013, and include individuals who are entrusted with significant managerial responsibilities. The KMP typically includes:

- Option a) The Chief Executive Officer (CEO), Managing Director, or Manager are considered KMP as they are in charge of the day-to-day operations and overall management of the company.
- Option b) The Company Secretary is also a KMP, responsible for ensuring compliance with legal and regulatory requirements, and advising the board on governance matters.
- Option c) The Whole-time Director is a KMP as well, as they are involved in the management of the company's affairs.

However, option d) The Chief Financial Officer (CFO) is generally not classified as KMP under the Companies Act, although they play an important role in managing the financial aspects of the company.

Thus, the correct answer is **d) The Chief Financial Officer**.

Quick Tip

Key managerial personnel include positions like the CEO, Managing Director, Company Secretary, and Whole-time Director, but not the Chief Financial Officer, unless specifically designated as KMP.

Question 41: A fundamental principle of international humanitarian law is the principle of proportionality. Which of the following statement most appropriately describes the principle?

- a) Prohibits attacks against military objectives which are expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination, which would be excessive in relation to the concrete and direct military advantage anticipated.
- b) Permits measures which are actually essential to accomplish a legitimate military purpose and are not otherwise prohibited by international humanitarian law.
- c) Requires forces to, at all times, distinguish between the civilian population and combatants and between civilian objects and military objectives and accordingly direct operations only against military objectives.
- d) Prohibits use of means and methods of warfare which are of such nature so as to cause superfluous injury or unnecessary suffering.

Correct Answer: a) Prohibits attacks against military objectives which are expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination, which would be excessive in relation to the concrete and direct military advantage anticipated.

Solution: The principle of proportionality under international humanitarian law prohibits attacks that may cause excessive harm to civilians or civilian property in relation to the anticipated military advantage. This ensures that military actions are balanced with humanitarian concerns.

Quick Tip

The principle of proportionality ensures that military actions are justified by the concrete military advantage, minimizing harm to civilians and civilian objects.

Question 42: Which of the following are the contents of a provisional specification, as provided under Section 10 of the Patent Act, 1970?

- a) Title, Description, Abstract
- b) Title, Description and Claims
- c) Title, Description and Drawings (if any)
- d) Title, Description, Drawing, Claims and Abstract

Correct Answer: c) Title, Description and Drawings (if any)

Solution: Section 10 of the Patent Act, 1970 stipulates that a provisional specification must include the title, description of the invention, and drawings, if applicable. The claims can be added in a complete specification, but they are not part of the provisional specification.

Quick Tip

A provisional specification must include title, description, and drawings (if any), but not claims.

Question 43: What designs are prohibited from being registered under the Designs Act, 2000?

- a) Designs which are not new and original
- b) Designs which contain scandalous or obscene matter
- c) Design which is significantly distinguishable from known designs or their combination
- d) Only a) and b)

Correct Answer: d) Only a) and b)

Solution: The Designs Act, 2000 prohibits registration of designs that are not new and original or that contain scandalous or obscene matter. Such designs are not eligible for protection under the Act.

Quick Tip

Designs that are not new and original or contain scandalous/obscene matter cannot be registered under the Designs Act, 2000.

Question 44: Which of the following constitutes an offence of Rioting under BNS, 2023?

- a) Use of force or violence by two persons to prosecute a common object.

- b) Use of force or violence by five or more persons to prosecute a common object.
- c) An unlawful gathering of five or more persons.
- d) A single individual causing public disturbance.

Correct Answer: b) Use of force or violence by five or more persons to prosecute a common object.

Solution: Rioting under the BNS, 2023 refers to the use of force or violence by five or more persons to achieve a common objective. An unlawful gathering or a single individual causing a disturbance does not constitute rioting.

Quick Tip

Rioting is defined as the use of force or violence by five or more persons with a common objective under BNS, 2023.

Question 45: A class action suit may be filed by prescribed number of members of a company before the Tribunal on behalf of the members or depositors for seeking any of the following orders except:

- a) To restrain the company from committing an act which is ultra vires the articles or memorandum of the company
- b) To restrain the company from committing breach of any provision of the company's memorandum or articles
- c) To declare a resolution following the memorandum or articles of the company as void if the resolution was passed by suppression of material facts or obtained by mis-statement to the members or depositors
- d) To restrain the company and its directors from acting on such resolution

Correct Answer: c) To declare a resolution following the memorandum or articles of the company as void if the resolution was passed by suppression of material facts or obtained by mis-statement to the members or depositors

Solution: A class action suit in a company context allows members or depositors to seek specific orders before the Tribunal. However, one of the options listed is not typically within the scope of a class action suit:

- Option a) is correct because a class action suit can be filed to restrain the company from committing an act that is ultra vires (beyond the powers) of the company's articles or memorandum.
- Option b) is also correct because the Tribunal can be asked to restrain the company from breaching any provision of its memorandum or articles.
- Option d) is correct as a class action can seek to restrain the company and its directors from acting on a resolution that violates the articles or memorandum.

However, option c) is not correct. A class action suit cannot be used to declare a resolution as void simply based on the suppression of material facts or misstatement, as this issue typically falls under the realm of corporate governance and requires a different

legal process. The Tribunal cannot directly declare a resolution void in such cases through a class action suit.

Quick Tip

Remember, while class action suits can challenge actions that violate the company's rules, they cannot directly declare resolutions void based on suppression of facts or misstatement; such issues require other legal actions.

Question 46: Pick the incorrect statement:

- a) If an agreement is signed by a party without reading it, the agreement will not be void under S. 20 of the Indian Contract Act, 1872.
- b) The defence of nudum pactum ex quo non oritur actio would not be available to the plaintiff when he signs any agreement without reading it.
- c) The defence of nudum pactum ex quo non oritur actio would be available to the plaintiff when he signs any agreement without reading it.
- d) An agreement without consideration is void.

Correct Answer: c) The defence of nudum pactum ex quo non oritur actio would be available to the plaintiff when he signs any agreement without reading it.

Solution: The defence of "nudum pactum" (a bare promise) is not available when a party signs an agreement without reading it. In such cases, the agreement is still binding, and the lack of consideration would make it void, but the defence of nudum pactum does not apply.

Quick Tip

A signed agreement is binding even if not read, and the lack of consideration makes it void, but the defence of "nudum pactum" doesn't apply in such cases.

Question 47: In relation to the Hindu Marriage Act, 1955 match the following and identify the correct answer:

- | | |
|-------------------------------------|-----------------|
| (A) Conditions for a Hindu Marriage | (i) Section 13 |
| (B) Registration of Hindu Marriage | (ii) Section 10 |
| (C) Judicial Separation | (iii) Section 5 |
| (D) Divorce | (iv) Section 8 |

Select the correct option:

- a) (A)-(iv), (B)-(iii), (C)-(i), (D)-(ii)
- b) (A)-(iii), (B)-(iv), (C)-(i), (D)-(ii)
- c) (A)-(iii), (B)-(iv), (C)-(ii), (D)-(i)
- d) (A)-(ii), (B)-(iii), (C)-(iv), (D)-(i)

Correct Answer: c) (A)-(iii), (B)-(iv), (C)-(ii), (D)-(i)

Solution: The correct sections under the Hindu Marriage Act, 1955 are as follows:

- Conditions for a Hindu Marriage are outlined in Section 5.
- Registration of Hindu Marriage is dealt with in Section 8.
- Judicial Separation is governed by Section 10.
- Divorce is covered in Section 13.

Quick Tip

Section 5: Conditions for Hindu Marriage, Section 8: Registration, Section 10: Judicial Separation, Section 13: Divorce.

Question 48: A company may issue fully paid bonus shares to its shareholders and use the following funds:

- a) Its free reserves
- b) The securities premium account
- c) The capital redemption reserve account
- d) All of the above

Correct Answer: d) All of the above

Solution: A company may issue fully paid bonus shares using its free reserves, the securities premium account, or the capital redemption reserve account. All these sources are allowed for issuing bonus shares.

Quick Tip

Bonus shares can be issued from free reserves, securities premium, or capital redemption reserve.

Question 49: Which of the following reasonable restrictions is Article 25 of the Constitution of India subject to?

- a) Public order and morality
- b) Public order, morality, and health and to the other provisions of Part III
- c) Public order, morality, and decency
- d) Public order, security of the state, and decency

Correct Answer: b) Public order, morality, and health and to the other provisions of Part III

Solution: Article 25 of the Constitution of India guarantees the right to freely profess, practice, and propagate religion, but it is subject to reasonable restrictions relating to public order, morality, and health, as well as other provisions of Part III of the Constitution.

Quick Tip

Article 25 is subject to reasonable restrictions in the interest of public order, morality, health, and other provisions of Part III.

Question 50: Doctrine of 'Cypres' means the interference of Courts:

- a) To carry out the purpose of accumulation in certain events
- b) To supervise the event of accumulation
- c) To implement the rules against accumulation
- d) To see that the accumulated interest is properly expended

Correct Answer: a) To carry out the purpose of accumulation in certain events

Solution: The doctrine of 'Cypres' allows the courts to interfere and modify the terms of a trust or will when it is impossible to carry out the original intention, so that the intended purpose can still be fulfilled as closely as possible.

Quick Tip

The Cypres doctrine is used to ensure the original purpose of a trust or will is achieved when it becomes impossible to follow it exactly.

Question 51: In which of the following cases was the basic structure doctrine applied without a constitutional amendment being challenged?

- a) Supreme Court Advocates-On-Record Association v. Union of India (1994) 1 SCC 268
- b) SR Bommai v. Union of India (1994) 3 SCC 1
- c) Kihoto Hollohan v. Zachillhu and Others (1992) SCR (1) 686
- d) Sankari Prasad Singh Deo v. Union of India (1951) SC 458

Correct Answer: b) S SR Bommai v. Union of India (1994) 3 SCC 1

Solution: The case of **SR Bommai v. Union of India (1994)** is significant as the basic structure doctrine was applied even though there was no constitutional amendment being challenged. The Supreme Court held that secularism is a part of the basic structure of the Constitution, and the President's Rule imposed under Article 356 must align with the principles of the Constitution, including secularism.

Option a) Supreme Court Advocates-On-Record Association v. Union of India dealt with judicial independence and the appointment of judges but did not directly apply the basic structure doctrine without a constitutional amendment.

Option c) Kihoto Hollohan v. Zachillhu focused on the Tenth Schedule (anti-defection law) and its validity but did not involve applying the basic structure doctrine in this manner.

Option d) Sankari Prasad Singh Deo v. Union of India upheld the First Amendment and did not address the basic structure doctrine, as it was a pre-Kesavananda Bharati

case.

Hence, the correct answer is **b) SR Bommai v. Union of India (1994)**.

Quick Tip

The SR Bommai case is a landmark judgment where the basic structure doctrine was applied to uphold secularism and judicial review, even without challenging a constitutional amendment.

Question 52. Generally, time is not of the essence in contracts unless specified. Pick the correct option:

- a) If completion of the work, which is the subject matter of the contract, is of essence to the contract, then the parties would not voluntarily extend the time.
- b) The fact that the parties to the contract agreed to extend the time for the completion of the project indicates that the time was not of essence to the contract, as required under S. 55 of the Indian Contract Act, 1872.
- c) If the party to the contract has clearly and repeatedly stipulated the fact that time is of utmost importance and that the sale consideration needs to be paid on the specified date, it will be established that time is of essence to the contract under S. 55 of the Indian Contract Act, 1872.
- d) All of the above are correct.

Correct Answer: d) All of the above are correct.

Solution:

The principle under Section 55 of the Indian Contract Act, 1872 is that time is not automatically of the essence in contracts unless explicitly stated.

Option a) is correct because if the completion of work is crucial to the contract, the parties would typically not agree to an extension of time.

Option b) is correct as well, because agreeing to extend the time indicates that time was not considered essential at the outset.

Option c) is also correct, as clearly stipulating the importance of time in a contract establishes that time is of essence under Section 55.

Therefore, option d) is the correct choice, as all statements accurately reflect the application of Section 55 of the Indian Contract Act.

Quick Tip

Always check the contract terms. If it explicitly mentions time as crucial, it will be treated as of the essence.

Question 53. A society that has codified its primitive law and cannot have any further modification or growth, will be a ___ society as per Henry Maine.

- a) Stable
- b) Strong

- c) Static
- d) Stereotypical

Correct Answer: c) Static

Solution:

According to Henry Maine, a society that has codified its laws and cannot further evolve is termed as a "static" society. Such societies have rigid laws and do not allow for further modifications or growth.

Quick Tip

"Static" societies have inflexible legal systems that do not adapt easily to change or development.

Question 54. Pick the incorrect option under the Companies Act, 2013:

- a) Every company shall have a Board of Directors consisting of individuals as Directors
- b) Every company shall have a Board of Directors consisting of corporate Directors
- c) A minimum number of three Directors in the case of a public company and two Directors in the case of a private company are required
- d) There can be a maximum of fifteen Directors in a company

Correct Answer: b) Every company shall have a Board of Directors consisting of corporate Directors

Solution:

Under the Companies Act, 2013, it is not necessary for every company to have corporate directors. Companies are required to have individual directors on the board. The statement that every company must have corporate directors is incorrect.

Quick Tip

A Board of Directors can have both individual and corporate directors, but there is no mandatory requirement for all directors to be corporate.

Question 55. In 2023, the Supreme Court held that the fixed-term employees would be entitled to full maternity benefits under Section 5 of the Maternity Benefit Act, 1961 ("Maternity Benefit Act"), even after the expiry of their contractual term in the case of:

- a) Dr. Kavita Yadav v. The Secretary, Ministry of Health and Family Welfare Department and Ors.
- b) Municipal Corporation of Delhi v. Female Workers (Muster Roll) Another
- c) Kapila Hingorani v. State of Bihar
- d) Lieutenant Colonel Nitisha and Ors. v. Union of India

Correct Answer: a) Dr. Kavita Yadav v. The Secretary, Ministry of Health and Family Welfare Department and Ors

Solution:

In 2023, the Supreme Court ruled in the case of Dr. Kavita Yadav v. The Secretary, Ministry of Health and Family Welfare Department and Ors., affirming that fixed-term employees are entitled to full maternity benefits under Section 5 of the Maternity Benefit Act, even after the expiry of their contractual term. The Court emphasized that maternity benefits should not be denied based on the nature of the employment contract and that the right to maternity benefits is a fundamental right under the Constitution.

Option b) Municipal Corporation of Delhi v. Female Workers (Muster Roll) & Another is incorrect because this case did not address the issue of maternity benefits for fixed-term employees.

Option c) Kapila Hingorani v. State of Bihar is incorrect as it is not related to maternity benefits under the Maternity Benefit Act.

Option d) Lieutenant Colonel Nitisha and Ors. v. Union of India is also incorrect, as it does not concern the entitlement to maternity benefits for fixed-term employees.

Quick Tip

The key point here is that fixed-term employees are entitled to maternity benefits even after their contract ends, as confirmed by the Supreme Court in Dr. Kavita Yadav v. The Secretary, Ministry of Health and Family Welfare Department and Ors.

Question 56. The decision of the Supreme Court in PV Narasimha Rao v. State (1998) 4 SCC 626 that pertained to whether a Member of Parliament or the Legislative Assembly, as the case may be, can claim immunity from prosecution on a charge of bribery in a criminal court under Articles 105 and 194 of the Constitution was:

- a) Overruled in Sita Soren v. Union of India (2024)
- b) Upheld in Sita Soren v. Union of India (2024)
- c) Overruled in Subhash Desai v. Principal Secretary (2023)
- d) Upheld in Subhash Desai v. Principal Secretary (2023)

Correct Answer: a) Overruled in Sita Soren v. Union of India (2024)

Solution:

The Supreme Court's decision in PV Narasimha Rao v. State (1998) 4 SCC 626 originally allowed Members of Parliament and the Legislative Assembly to claim immunity from prosecution on charges of bribery under Articles 105 and 194 of the Constitution. However, in the case of Sita Soren v. Union of India (2024), this decision was overruled. The Court concluded that such immunity does not apply in cases of bribery, as it is considered a criminal offense outside the scope of parliamentary or legislative privileges.

Option b) Upheld in Sita Soren v. Union of India (2024) is incorrect, as the decision in PV Narasimha Rao was overruled, not upheld.

Option c) Overruled in Subhash Desai v. Principal Secretary (2023) is incorrect because this case did not address the issue of immunity from prosecution.

Option d) Upheld in Subhash Desai v. Principal Secretary (2023) is also incorrect, as it did not deal with this particular issue.

Quick Tip

The key takeaway is that immunity under Articles 105 and 194 does not cover criminal offenses like bribery, which has been clarified by the overruled decision in PV Narasimha Rao and reaffirmed in Sita Soren v. Union of India.

Question 57. The following is incorrect about malicious prosecution in tort law:

- a) That the plaintiff was prosecuted by the defendant
- b) That the proceedings terminated in plaintiff's favour if they are capable of such termination
- c) That there was reasonable or probable cause for the prosecution
- d) That the prosecution was instituted with a malicious intention

Correct Answer: c) That there was reasonable or probable cause for the prosecution
Solution:

In a malicious prosecution case, the plaintiff needs to prove that the prosecution was initiated without reasonable or probable cause. The presence of reasonable cause is what makes the prosecution lawful, thus, the statement in option (c) is incorrect. For a valid claim of malicious prosecution, there must be malice or a lack of reasonable cause in the initiation of the proceedings.

Quick Tip

For a claim of malicious prosecution, ensure that both malice and lack of reasonable cause are proven.

Question 58. 'Conditional order for removal of nuisance' can be issued under which Section of the BNSS, 2023?

- a) Section 155
- b) Section 152
- c) Section 149
- d) Section 150

Correct Answer: b) Section 152

Solution:

Section 152 of the BNSS, 2023 allows for the issuance of a conditional order for the removal of nuisance. This section empowers the authority to direct the removal of a nuisance under specific conditions, providing a legal framework for such actions.

Quick Tip

Section 152 provides the authority to issue a conditional order for the removal of nuisance.

Question 59. Which legal principle did the Supreme Court deal with in the case of *Motilal Padampat Sagar Mills Co. Ltd. v. State of UP* (1979) 2 SCC 409?

- a) Doctrine of Promissory Estoppel
- b) Doctrine of Waiver
- c) Doctrine of Legitimate Expectation
- d) Doctrine of Public Trust

Correct Answer: a) Doctrine of Promissory Estoppel

Solution:

In the case of *Motilal Padampat Sagar Mills Co. Ltd. v. State of UP*, the Supreme Court dealt with the Doctrine of Promissory Estoppel. The principle prevents a party from departing from a promise that has been relied upon, even in the absence of a formal contract. This doctrine is applied when one party makes a promise, and the other party reasonably relies on it.

Quick Tip

The Doctrine of Promissory Estoppel applies when a promise is made and relied upon, even if no formal contract exists.

Question 60. Which of the following means ‘Fact’ as per BSA, 2023?

- a) Observable physical events
- b) Any mental condition of which a person is conscious
- c) Legal documents, both recorded and written
- d) A document filed in the Court

Correct Answer: b) Any mental condition of which a person is conscious

Solution:

The term ‘Fact’ as per BSA, 2023 refers to mental conditions or states that a person is consciously aware of. This implies that ‘Fact’ is related to something internal to the person, like their thoughts or awareness. Therefore, option b) Any mental condition of which a person is conscious is correct.

Option a) Observable physical events refers to events that are external and visible, but not necessarily related to a person’s conscious mental state.

Option c) Legal documents, both recorded and written, are not mental conditions but formal written records.

Option d) A document filed in the Court is a legal document, not a mental condition or fact as per the definition in BSA, 2023.

Quick Tip

Remember, in legal contexts like BSA, 2023, a 'Fact' typically refers to a mental state or condition that is consciously perceived by the person, rather than external or legal records.

Question 61. Consider the following statements with respect to Geographical Indication protection:

- (i) The WTO TRIPs Agreement identifies Geographical Indications as Intellectual Property
- (ii) Lucknow Chikankari and Bikaneri Bhujia are recognised GIs in India
- (iii) The GI registration can be obtained in respect of goods and services
- (iv) The GI registration is valid for a period of 15 years only and is non-renewable

Which of the statements given above is/are incorrect?

- a) (i) and (ii)
- b) (i), (ii) and (iii)
- c) (iii) and (iv)
- d) All of the above

Correct Answer: c) (iii) and (iv)

Solution:

The correct analysis for the given statements is:

- Statement (i) is correct. The WTO TRIPs Agreement does identify Geographical Indications (GIs) as intellectual property.
- Statement (ii) is correct. Lucknow Chikankari and Bikaneri Bhujia are indeed recognized GIs in India.
- Statement (iii) is incorrect. GI protection is available only for goods and not for services. Therefore, registration cannot be obtained for services under the GI Act.
- Statement (iv) is incorrect. The GI registration is valid for an initial period of 10 years and can be renewed indefinitely, making the registration renewable and not limited to 15 years.

Thus, the correct answer is **c) (iii) and (iv)**.

Quick Tip

Geographical Indications (GIs) are only applicable to goods, not services, and the registration is renewable for a period of 10 years, not limited to 15 years.

Question 62. In which of the following cases was the registration of Hindu marriage made compulsory?

- a) Ashok Kumar v. Vimla Devi
- b) Seema v. Ashwini Kumar
- c) Ashok Hurra v. Rupa Hurra

d) None of the above

Correct Answer: b) Seema v. Ashwini Kumar

Solution:

In the case of **Seema v. Ashwini Kumar**, the Supreme Court held that the registration of Hindu marriages is compulsory. This judgment emphasized the need for registration to ensure the legal validity of the marriage and protect the rights of the parties.

- Option a) Ashok Kumar v. Vimla Devi is incorrect as it did not deal with the issue of compulsory marriage registration.
- Option c) Ashok Hurra v. Rupa Hurra is incorrect as it is related to the validity of divorce proceedings and not marriage registration.
- Option d) None of the above is incorrect because **b) Seema v. Ashwini Kumar** is the correct case.

Thus, the correct answer is **b) Seema v. Ashwini Kumar**.

Quick Tip

In Seema v. Ashwini Kumar, the Supreme Court made marriage registration compulsory under the Hindu Marriage Act to prevent disputes related to the validity of marriages.

Question 63. **The Chancellor, Masters & Scholars of the University of Oxford & Ors. v. Rameshwari Photocopy Services and Ors.** is a Delhi High Court decision dealing with:

- a) Moral rights of authors
- b) Idea expression dichotomy
- c) Performers Rights
- d) Fair Use exception

Correct Answer: d) Fair Use exception

Solution:

The case **The Chancellor, Masters Scholars of the University of Oxford Ors. v. Rameshwari Photocopy Services and Ors.** primarily dealt with the issue of fair use under copyright law. The Delhi High Court examined whether the photocopying of textbooks by Rameshwari Photocopy Services for educational purposes fell within the ambit of the fair use exception.

- Option a) Moral rights of authors is incorrect as the case did not specifically focus on moral rights.
- Option b) Idea-expression dichotomy is incorrect because the case was not about the distinction between ideas and their expression in works.
- Option c) Performers Rights is incorrect as the case did not involve performers' rights.
- Option d) Fair Use exception is the correct answer as the case primarily discussed whether the reproduction of copyrighted works for educational purposes fell within fair use.

Thus, the correct answer is **d) Fair Use exception**.

Quick Tip

The case primarily dealt with whether photocopying of educational material for classroom use is justified under the fair use exception in copyright law.

Question 64. The Comptroller and Auditor-General of India may be removed:

- a) at the Pleasure of the President
- b) by the Parliament in the same manner and on the like grounds as that of a Supreme Court Judge as per Article 148
- c) by the Parliament in the same manner and on the like grounds as that of the Prime Minister of India as per Article 149 of the Constitution
- d) by the Parliament in the same manner and on the like grounds as that of a High Court Judge as per Article 148

Correct Answer: b) by the Parliament in the same manner and on the like grounds as that of a Supreme Court Judge as per Article 148

Solution: As per Article 148 of the Indian Constitution, the Comptroller and Auditor-General (CAG) can be removed by the Parliament in the same manner and on the same grounds as a Supreme Court Judge. The removal process involves a motion for removal being passed by both Houses of Parliament with a special majority.

- Option a) is incorrect as the removal of the CAG is not at the pleasure of the President.
- Option c) is incorrect as Article 149 does not deal with the removal of the CAG.
- Option d) is incorrect as Article 148 specifically outlines the process for removal of the CAG, not the process similar to a High Court Judge.

Thus, the correct answer is **b) by the Parliament in the same manner and on the like grounds as that of a Supreme Court Judge as per Article 148**.

Quick Tip

The Comptroller and Auditor-General of India can be removed in the same manner as a Supreme Court Judge, with a motion passed by both Houses of Parliament.

Question 65. Inference about the existence of the contract can be made from the letters, emails, and other correspondence between the parties. Pick the correct options:

- a) The offer specifying the terms and conditions of the contract can be made through email and the unconditional acceptance of the offer can also be communicated through email
- b) Mere absence of a formal, written, and signed agreement would not vitiate the validity of the unconditional acceptance of the offer nor the implementation of the contract
- c) Both a) and b)

d) None of the above

Correct Answer: c) Both a) and b)

Solution:

In modern contract law, a contract can be formed through electronic communication such as emails or letters, provided that all essential elements (offer, acceptance, intention to create legal relations, and consideration) are met. The absence of a formal, signed written agreement does not invalidate an unconditional acceptance or the contract if the parties have clearly agreed to the terms.

- Option a) is correct because offers and acceptances can validly occur through email.
- Option b) is correct because a contract can be binding even without a formal written agreement if there is unconditional acceptance communicated.
- Option c) is correct as both options a) and b) are valid.

Thus, the correct answer is **c) Both a) and b)**.

Quick Tip

A contract can be formed through email and letters, and the absence of a formal written document does not invalidate a contract if there is clear acceptance.

Question 66. As per the Hindu Marriage Act, 1955, sapinda relationship with reference to any person extends as far as:

- a) the third generation (inclusive) in the line of ascent through the mother, and the fifth (inclusive) in the line of ascent through the father.
- b) the fifth generation (inclusive) in the line of ascent through the mother and father, both.
- c) the third generation (inclusive) in the line of ascent through the father, and the fifth (inclusive) in the line of ascent through the mother.
- d) the fifth generation (inclusive) in the line of ascent through the mother, and the seventh (inclusive) in the line of ascent through the father.

Correct Answer: a) the third generation (inclusive) in the line of ascent through the mother, and the fifth (inclusive) in the line of ascent through the father

Solution:

Under the Hindu Marriage Act, 1955, the term "sapinda" refers to a relationship in which individuals are related within a certain number of generations. Specifically, it means that individuals within a certain generational limit through both the mother and father cannot marry each other due to their close relationship.

- Option a) is correct as the Act specifies that a sapinda relationship extends to the third generation (inclusive) through the mother and the fifth generation (inclusive) through the father. This is the correct interpretation of the law.
- Option b) is incorrect because the relationship does not extend to the fifth generation through both the mother and father. It only extends to the third generation through the mother.

- Option c) is incorrect as it incorrectly switches the number of generations in the line of ascent through the mother and father.
- Option d) is incorrect as the relationship does not extend to the seventh generation through the father.

Thus, the correct answer is **a) the third generation (inclusive) in the line of ascent through the mother, and the fifth (inclusive) in the line of ascent through the father.**

Quick Tip

A sapinda relationship under the Hindu Marriage Act extends to the third generation through the mother and the fifth generation through the father.

Question 67. An arbitration would be an international commercial arbitration, if the dispute arises from a legal relationship considered as commercial under the laws in force in India and where at least one of the parties is

- an individual who is a national of, or habitually resident in, any country other than India
- a body corporate which is incorporated in any country other than India
- an association or a body of individuals whose central management and control is exercised in any country other than India
- the Government of a foreign country

Select the correct option:

- i, ii, iii, iv
- Only i and iv
- Only iii and iv
- Only iv

Correct Answer: a) i, ii, iii, iv

Solution:

An international commercial arbitration is defined under the Arbitration and Conciliation Act, 1996, as an arbitration where the dispute involves at least one party from a foreign jurisdiction. The conditions for such an arbitration include:

- Option i) is correct because an individual who is a national or habitually resident in a country other than India is a valid party for international arbitration.
- Option ii) is correct as a body corporate incorporated outside India can also be a party.
- Option iii) is correct as an association or body whose central management is in a foreign country can also be involved.
- Option iv) is correct as even a foreign government can be a party to international arbitration.

Thus, the correct answer is **a) i, ii, iii, iv.**

Quick Tip

International commercial arbitration involves at least one foreign party, including individuals, corporations, or even foreign governments.

Question 68. The expression 'law' under Article 13(3)(a) of the Constitution of India does include which of the following?

- a) Only ordinances, bye-law, rule, regulation
- b) Ordinance, custom or usage, constitutional amendments, etc.
- c) Only ordinance, regulation, notification
- d) Only ordinance, order, bye-law

Correct Answer: b) Ordinance, custom or usage, constitutional amendments, etc.

Solution:

- Under Article 13(3)(a), the expression "law" includes any law made by the legislature or by any authority within the jurisdiction of India.
- It also includes ordinances, custom or usage, constitutional amendments, etc. This is why option b) is correct.
- Option a) is incomplete as it misses out on custom or usage and constitutional amendments.
- Option c) is incorrect as it omits custom or usage.
- Option d) is also incorrect because it misses key inclusions like custom, usage, and constitutional amendments.

Quick Tip

Article 13(3)(a) of the Constitution includes ordinances, customs, usages, and constitutional amendments as part of 'law'.

Question 69. Which of the following statements is correct, as per Section 44 of BSA, 2023?

- a) The question is, whether A was the legitimate son of B. The fact that A was always treated as such by members of the family, is not relevant.
- b) The question is, whether A and B were not married. The fact that they were usually received and treated by their friends as husband and wife, is not relevant.
- c) The question is, whether A and B were married. The fact that they were usually received and treated by their friends as husband and wife, is irrelevant.
- d) The question is, whether A was the legitimate son of B. The fact that A was always treated as such by the members of the family, is relevant.

Correct Answer: d) The question is, whether A was the legitimate son of B. The fact that A was always treated as such by the members of the family, is relevant.

Solution:

- According to Section 44 of the BSA, 2023, family and social treatment can be important in determining legitimacy.
- Option d) is correct as the treatment of A as the legitimate son is a relevant factor in

determining his legitimacy.

- Option a) is incorrect because family treatment is indeed relevant to establish legitimacy.
- Option b) is incorrect because the treatment of A and B as husband and wife is indeed relevant in certain legal contexts.
- Option c) is incorrect for the same reasons as option b).

Quick Tip

Family and social recognition can be considered in determining legal legitimacy under Section 44 of BSA, 2023.

Question 70. In which of the following cases did a seven-judge bench of the Supreme Court uphold the constitutional validity of sub-classification in the Scheduled Caste and Scheduled Tribe categories?

- a) E.V. Chinnaiah v. State of Andhra Pradesh (2004)
- b) State of Punjab v. Davinder Singh (2024)
- c) The State of Bihar v. Gaurav Kumar (2024)
- d) Janhit Abhiyan v. Union of India (2019)

Correct Answer: b) State of Punjab v. Davinder Singh (2024)

Solution:

- The seven-judge bench of the Supreme Court in the State of Punjab v. Davinder Singh (2024) case upheld the constitutional validity of sub-classification within the Scheduled Caste and Scheduled Tribe categories.
- This landmark decision clarified the application of sub-classification and the manner in which it can be utilized to ensure equitable representation.
- Option b) is correct as it directly relates to the seven-judge bench ruling on sub-classification in the Scheduled Caste and Scheduled Tribe categories.
- Option a), E.V. Chinnaiah v. State of Andhra Pradesh (2004), does not pertain to the same issue, though it dealt with similar aspects of caste-based categorization.
- Options c) and d) also do not address sub-classification in the context mentioned in the question.

Quick Tip

The State of Punjab v. Davinder Singh (2024) case upheld the constitutional validity of sub-classification within the Scheduled Caste and Scheduled Tribe categories.

Question 71. Identify the correct option under the Transfer of Property Act, 1882:

- | | |
|----------------------|-------------------|
| (A) Gift | (I) Section 134 |
| (B) . Mortgaged debt | (II) Section 118 |
| (C) Exchange | (III) Section 105 |
| (D) Lease | (IV) Section 122 |

Select the correct option:

- a) A-I, B-II, C-III, D-IV
- b) A-II, B-III, C-IV, D-I
- c) A-IV, B-II, C-III, D-I
- d) A-IV, B-I, C-II, D-III

Correct Answer: d) A-IV, B-I, C-II, D-III

Solution:

- Gift is governed by Section 122.
- Mortgaged debt is covered under Section 134.
- Exchange is defined in Section 1118.
- Lease is addressed in Section 105.
- The correct answer is d) because it accurately maps the Sections to the corresponding terms.

Quick Tip

Review the sections of the Transfer of Property Act for specific terms: Gift (Section 134), Mortgaged Debt (Section 118), Exchange (Section 105), Lease (Section 122).

Question 72. Which constitutional authority is allowed to empower any other court (except the Supreme Court) to exercise within the local limits of its jurisdiction all or any of the powers (to issue directions or orders or writs) exercisable by the Supreme Court under Article 32?

- a) The Parliament of India
- b) The President in consultation with the Chief Justice of India
- c) The Supreme Court Collegium
- d) The National Judicial Appointment Commission

Correct Answer: a) The Parliament of India

Solution:

- Under Article 32 of the Indian Constitution, the Supreme Court has the authority to issue directions, orders, or writs.
- However, Article 32(3) grants the power to the Parliament of India to empower any other court (except the Supreme Court) to exercise these powers within the local limits of its jurisdiction.
- Option a) is correct because it accurately identifies the Parliament's role in conferring such powers.
- Option b), c), and d) do not have the constitutional authority to enable other courts to issue writs under Article 32.

Quick Tip

The Parliament of India is the constitutional authority that can empower other courts to issue writs and orders within their jurisdiction under Article 32(3).

Question 73. Find the odd one out:

- a) According to Blackstone, it is an established rule to abide by the former precedents where the same points come again in litigation
- b) Ratio decidendi really is that principle of law on which a judicial decision is based
- c) Persuasive precedents are those precedents which the judges are under an obligation to follow but which they may take into consideration
- d) A conditionally authoritative precedent is one which though ordinarily binding on the court to which it is cited, is liable to be disregarded in certain circumstances

Correct Answer: c) Persuasive precedents are those precedents which the judges are under an obligation to follow but which they may take into consideration

Solution:

- Option c) is the odd one out as it incorrectly defines persuasive precedents. Persuasive precedents are those that judges may consider but are not strictly bound to follow, unlike authoritative precedents.
- Option a) is a correct interpretation of stare decisis, the doctrine of following precedents.
- Option b) correctly defines ratio decidendi as the principle of law on which a judicial decision is based.
- Option d) explains conditionally authoritative precedents, which are generally binding but can be disregarded under certain conditions.

Quick Tip

Persuasive precedents are not binding and judges are not obligated to follow them, unlike authoritative precedents.

Question 74. Match the following:

Arbitration Terms	Cases
I. Right to a wholesome environment is a facet of the right to life guaranteed under Article 21 of the Constitution of India	1. Research Foundation for Science Technology and Natural Resource Policy v. Union of India (2005) 10 SCC 510
II. Right to information and community participation for protection of environment and human health is also a right which flows from Article 21	2. Orissa Mining Corpn Ltd v. Ministry of Environment and Forests (2013) 6 SCC 476
III. Precautionary principle and polluter pays principle are part of law of the land	3. Subhash Kumar v. State of Bihar AR 1991 SC 420
IV. Role of gram sabha in safeguarding the customary and religious rights of scheduled tribes and other traditional forest dwellers under the Forest Rights Act	4. Vellore Citizen Welfare Forum v. Union of India (1996) 5 SCC 647

Select the correct option:

- a) I-1, II-2, III-3, IV-4
- b) I-3, II-1, III-4, IV-2
- c) I-2, II-1, III-3, IV-4
- d) I-3, II-4, III-2, IV-1

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

Solution:

- Option b) correctly matches the cases with their respective topics.
- Right to a wholesome environment: Subhash Kumar v. State of Bihar (1991).
- Right to information and community participation: Research Foundation for Science Technology and Natural Resource Policy v. Union of India (2005).
- Precautionary principle and polluter pays principle: Vellore Citizen Welfare Forum v. Union of India (1996).
- Gram sabha role under Forest Rights Act: Orissa Mining Corporation Ltd. v. Ministry of Environment and Forests (2013).

Quick Tip

The Precautionary Principle and the Polluter Pays Principle were recognized in Vellore Citizen Welfare Forum v. Union of India (1996).

Question 75. An order for the maintenance of wives, children and parents is provided under which Section of BNSS, 2023?

- a) Section 143
- b) Section 144
- c) Section 125
- d) Section 127

Correct Answer: b) Section 144

Solution:

- Section 144 of the BNSS, 2023 provides for maintenance of wives, children, and parents.
- This provision allows individuals to seek maintenance if they are unable to maintain themselves, ensuring social justice and welfare.

Quick Tip

Section 144 of the BNSS, 2023 mandates the maintenance of wives, children, and parents who are unable to support themselves.

Question 76. Which of the following cases held that a constitutional authority cannot do indirectly what it is not permitted to do directly, specifically in the context of repromulgation of ordinances, and considered this practice as a fraud on the Constitution?

- a) Minerva Mills v. Union of India (1980)
- b) DC Wadhwa v. State of Bihar (1986)
- c) Rameshwar Prasad v. Union of India (2006)
- d) Kunhayammed & Ors v. State of Kerala (2000)

Correct Answer: b) DC Wadhwa v. State of Bihar (1986)

Solution:

- DC Wadhwa v. State of Bihar (1986) dealt with the issue of the repromulgation of ordinances and held that a constitutional authority cannot do indirectly what it is not permitted to do directly, considering it a fraud on the Constitution.
- This case highlights the principle of separation of powers and limits the misuse of ordinances by the executive.

Quick Tip

The DC Wadhwa v. State of Bihar (1986) case struck down the practice of repromulgation of ordinances, viewing it as a fraud on the Constitution.

Question 77: Which of the following is a ground for revocation of patent?

- a) That the patent was obtained wrongfully in contravention of rights of petitioner
- b) That the invention, so far as claimed in any claim of the complete specification, was claimed in a valid claim of earlier priority date contained in the complete specification of another patent granted in India
- c) That the invention, so far as claimed in any claim of the complete specification, is not useful

d) All of the above

Correct Answer: d) All of the above

Solution: To revoke a patent, the following grounds are valid:

1. If the patent was obtained wrongfully, contravening the rights of a petitioner. 2. If the invention claimed in the patent overlaps with a prior invention that was granted earlier in India. 3. If the invention, as specified in the patent, does not have utility or is non-functional.

Thus, the correct answer is **d) All of the above**.

Quick Tip

To avoid patent revocation, ensure that your invention is unique, useful, and properly documented as distinct from existing patents in India.

Question 78: As per _____ of the Copyright Act, 1957, copyright in a design shall cease to exist if the article to which the design has been applied has been reproduced more than _____ by an industrial process.

- a) Section 15, fifty times
- b) Section 11, thirty times
- c) Section 32, five times
- d) Section 52, fifteen times

Correct Answer: a) Section 15, fifty times

Solution: Under Section 15 of the Copyright Act, 1957, the copyright on a design ceases if the design is reproduced more than fifty times by an industrial process. This provision ensures that designs intended for mass production lose their exclusive copyright after a certain threshold of reproduction, to encourage further innovation and use of the design. Thus, the correct answer is **a) Section 15, fifty times**.

Quick Tip

In industrial design, ensure that the production quantity does not exceed the legal limit, or the design copyright may be invalidated.

Question 79: In which of the following cases, talaq-e-biddat was declared as unconstitutional by the Supreme Court?

- a) Shah Bano v. Union of India
- b) Shayara Bano v. Union of India
- c) Shamim Ara v. State of Uttar Pradesh
- d) Noor Saba Khatoon v. Mohd. Quasim

Correct Answer: b) Shayara Bano v. Union of India

Solution: In the case of Shayara Bano v. Union of India (2017), the Supreme Court declared the practice of talaq-e-biddat (instant triple talaq) unconstitutional. The court held that this practice violated the fundamental rights of Muslim women under the Con-

stitution. This landmark judgment upheld the right to equality and protection from arbitrary practices.

Thus, the correct answer is **b) Shayara Bano v. Union of India.**

Quick Tip

Talaq-e-biddat, also known as "instant divorce," was declared unconstitutional, emphasizing the need for reform in personal laws for gender equality.

Question 80: Under the Legal Services Authorities Act 1987, which of the following persons who have to file or defend a case is entitled to legal services under the Act:

- I. member of a Scheduled Caste or Scheduled Tribe
- II. victim of trafficking in human beings or beggar as referred to in article 23 of the Constitution
- III. woman or a child
- IV. industrial workman

Select the correct option:

- a) I, II and III
- b) I, II and IV
- c) I, III and IV
- d) I, II, III and IV

Correct Answer: d) I, II, III and IV

Solution: Under the Legal Services Authorities Act 1987, individuals from specific marginalized or vulnerable groups are entitled to free legal services. These include:

- 1. Scheduled Caste or Scheduled Tribe members.
- 2. Victims of trafficking in human beings or beggars.
- 3. Women and children.
- 4. Industrial workmen.

Thus, the correct answer is **d) I, II, III and IV.**

Quick Tip

Legal services are available to vulnerable groups, ensuring equal access to justice for marginalized sections of society.

Question 81: Under Section 35 of the Transfer of Property Act, 1882, the transferor or his representative may require the transferee to make his election if the transferee does not signify the same:

- a) Within two years
- b) Within one year
- c) Within a reasonable time
- d) None of the above

Correct Answer: b) Within one year

Solution: Section 35 of the Transfer of Property Act, 1882, deals with the election of the transferee in cases of transfer of property with a condition. If the transferee does not signify his decision or election, the transferor or their representative may require the transferee to make his election within one year

Thus, the correct answer is **c) Within a reasonable time.**

Quick Tip

In property transfers, ensure that elections are made within one year to avoid complications or disputes.

Question 82: Which of the following rights did the Supreme Court recognise for non-minorities in the T.M.A. Pai Foundation case (2002) 8 SCC 481 regarding the establishment and administration of educational institutions?

- a) Right to equality under Article 14 and right to property under Article 300A
- b) Right to freedom of religion under Article 25 and right to establish institutions under Article 30
- c) Right to freedom of speech under Article 19(1)(a) and right to privacy under Article 21
- d) Right to carry on any occupation under Article 19(1)(g) and right to manage charitable institutions under Article 26

Correct Answer: d) Right to carry on any occupation under Article 19(1)(g) and right to manage charitable institutions under Article 26

Solution: In the T.M.A. Pai Foundation case (2002), the Supreme Court recognized that non-minorities have the right to carry on any occupation, trade, or business under Article 19(1)(g). The Court also recognised the right to manage charitable institutions under Article 26. This judgment emphasized the rights of both minorities and non-minorities in the context of establishing and administering educational institutions.

Thus, the correct answer is **d) Right to carry on any occupation under Article 19(1)(g) and right to manage charitable institutions under Article 26.**

Quick Tip

In cases involving educational institutions, pay close attention to constitutional provisions like Articles 19(1)(g) and 26, which deal with the right to carry on any occupation and manage institutions.

Question 83: Match the following offences with the corresponding Sections under BNS, 2023.

Offences	Sections
(A) Voyeurism	(1) Section 77
(B) Word, gesture or act intended to insult	(2) Section 79 the modesty of a woman
(C) Stalking	(3) Section 75
(D) Sexual Harassment	(4) Section 78

Select the correct options:

- a) A-1, B-3, C-2, D-4
- b) A-3, B-2, C-1, D-4
- c) A-1, B-2, C-4, D-3
- d) A-4, B-1, C-2, D-3

Correct Answer: c) A-1, B-2, C-4, D-3

Solution: The correct matching of offences with corresponding sections under the BNS, 2023 is:

- Voyeurism corresponds to Section 77.
- Word, gesture, or act intended to insult the modesty of a woman corresponds to Section 79.
- Stalking corresponds to Section 78.
- Sexual Harassment corresponds to Section 75.

Thus, the correct answer is **c) A-1, B-2, C-4, D-3**.

Quick Tip

To solve matching questions, first read through the sections or provisions involved and then eliminate incorrect matches.

Question 84: At the heart of the Paris Agreement climate change regime is Intended Nationally Determined Contributions (INDC). Which of the following best describes an INDC?

- a) Legally binding targets for reducing greenhouse gas emissions for all countries, regardless of their economic status
- b) Fixed regional targets set by the United Nations that countries must comply with to mitigate climate change
- c) Voluntary commitments made by countries outlining their plans to reduce greenhouse gas emissions and adapt to climate impacts, based on national circumstances
- d) Financial mechanism to provide developing countries with funding for climate adaptation and mitigation efforts

Correct Answer: c) Voluntary commitments made by countries outlining their plans to reduce greenhouse gas emissions and adapt to climate impacts, based on national circumstances

Solution: Under the Paris Agreement, INDCs are voluntary commitments made by each country that outline their plans to reduce greenhouse gas emissions and adapt to the impacts of climate change. These commitments are tailored to each country's national circumstances, capacities, and development priorities. The idea is for countries to contribute voluntarily to global efforts to mitigate climate change.

Thus, the correct answer is c) **Voluntary commitments made by countries outlining their plans to reduce greenhouse gas emissions and adapt to climate impacts, based on national circumstances.**

Quick Tip

INDCs are not legally binding; they allow flexibility and are based on each country's capabilities and circumstances.

Question 85: Match the following with the relevant provisions of the Protection of Plant Variety and Farmers Rights Act, 2001:

- | | |
|---------------------------|---------------|
| I. Breeders Rights | A. Section 30 |
| II. Researchers Rights | B. Section 41 |
| III. Farmers Rights | C. Section 28 |
| IV. Rights of Communities | D. Section 39 |
- a) I-C, II-A, III-D, IV-B
b) I-C, II-A, III-B, IV-D
c) I-A, II-B, III-C, IV-D
d) I-D, II-C, III-B, IV-A

Correct Answer: a) I-C, II-A, III-D, IV-B

Solution: The correct matching of the rights under the Protection of Plant Variety and Farmers Rights Act, 2001 is as follows:

- Breeders' Rights correspond to Section 28.
- Researchers' Rights correspond to Section 30.
- Farmers' Rights correspond to Section 39.
- Rights of Communities correspond to Section 41.

Thus, the correct answer is **I-C, II-A, III-D, IV-B.**

Quick Tip

The Protection of Plant Variety and Farmers Rights Act ensures that breeders, researchers, farmers, and communities have distinct rights related to plant varieties and biodiversity.

Question 86: As per the Hindu Adoptions and Maintenance Act, 1956, which of the following statement is false?

- a) A Hindu male or a female who is of sound mind and is not a minor can adopt a son or daughter.
b) Only the father, mother or the guardian of the child has the capacity to give the child in adoption.
c) If the adoption is by a male and the person to be adopted is a female, or if the adoption is by a female and the person to be adopted is a male, the person adopting shall be at least eighteen years older than the person to be adopted.
d) The person being adopted shall necessarily be Hindu.

Correct Answer: c) If the adoption is by a male and the person to be adopted is a

female, or if the adoption is by a female and the person to be adopted is a male, the person adopting shall be at least eighteen years older than the person to be adopted.

Solution: This statement is false as per the Hindu Adoptions and Maintenance Act, 1956. The Act allows a Hindu male or female to adopt, but there is no specific requirement that the person adopting must be at least eighteen years older than the person to be adopted when the gender is different.

Quick Tip

Under the Hindu Adoptions and Maintenance Act, 1956, the Act does not impose the specific age difference requirement for adoption based on gender.

Question 87: Which Constitutional Amendment Act introduced the concept of consequential seniority in promotions for Scheduled Castes and Scheduled Tribes?

- a) 85th Amendment Act, 2001
- b) 77th Amendment Act, 1995
- c) 86th Amendment Act, 2002
- d) 81st Amendment Act, 2000

Correct Answer: a) 85th Amendment Act, 2001

Solution: The 85th Amendment Act of 2001 introduced the concept of consequential seniority in promotions for Scheduled Castes and Scheduled Tribes.

Quick Tip

The 85th Amendment Act of 2001 deals with the provision of consequential seniority for SC/ST promotions.

Question 88: Which of the following is correct regarding the ‘Accomplice’ under BSA, 2023?

- a) Is not a competent witness against an accused person
- b) Is a competent witness against an accused person but any conviction based on that is illegal
- c) Is a competent witness against an accused person and conviction is not illegal if it proceeds upon the corroborated testimony of an accomplice
- d) Is not a competent witness against an accused person but its conviction is not illegal

Correct Answer: c) Is a competent witness against an accused person and conviction is not illegal if it proceeds upon the corroborated testimony of an accomplice

Solution: Under the law, an accomplice can be a competent witness, and their testimony can be used in court if it is corroborated by other evidence.

Quick Tip

An accomplice's testimony can be considered valid if it is corroborated by independent evidence.

Question 89: Marshalling securities under Section 81 of the Transfer of Property Act, 1882 means the entitlement of subsequent mortgagee to have the prior mortgage debt satisfied out of the property:

- a) Not mortgaged to him but to the prior mortgagee alone
- b) Mortgaged commonly to him and to the prior mortgagee
- c) Not mortgaged to him, but owned by the mortgager
- d) None of the above

Correct Answer: a) Not mortgaged to him but to the prior mortgagee alone

Solution: Marshalling securities under Section 81 means that a subsequent mortgagee can have the prior mortgage debt satisfied from the property that was not mortgaged to him, but was mortgaged to the prior mortgagee.

Quick Tip

Marshalling allows a subsequent mortgagee to claim satisfaction from property not mortgaged to him but to the prior mortgagee.

Question 90: Decide the incorrect statement with respect to Hart-Fuller debate on the Nazi Grudger case:

- a) Hart argued from a positivist approach that moral issues should not be considered within a legal system and that a law should not be invalidated on moral judgment. The wives could not be punished on the ground that it was not law but later could be punished on the ground that it was retrospective legislation.
- b) Fuller explained that the wives were correctly sentenced because at the time there was no Nazi law as it was devoid of morality and thus had no legitimacy.
- c) Fuller contended that the women in the case would become criminally liable not because what they did was illegal but because a later statute rendering it illegal by repealing the Nazi law and assuming retrospective effect.
- d) Hart admits that it could be wrong to punish a person when what they did was then permitted by statute because of the Latin principle of Nulla Poena Sine Lege which means there can be no punishment without law.

Correct Answer: c) Fuller contended that the women in the case would become criminally liable not because what they did was illegal but because a later statute rendering it illegal by repealing the Nazi law and assuming retrospective effect

Solution: Fuller argued that the Nazi law was invalid due to its immorality. However, it was not correct to say that the wives were sentenced because there was no Nazi law at the time; the law was effective at the time they were prosecuted.

Quick Tip

Hart's positivist theory argues that laws must be obeyed even if they are morally wrong, while Fuller stresses the importance of morality in law.

Question 91: Match the following:

- | | |
|---|---------------------------------------|
| 1. The Code on Wages | A) Employees Compensation Act |
| 2. Industrial Relations Code | B) The Equal Remuneration Act |
| 3. The Code on Social Security | C) The Trade Unions Act |
| 4. Code on Occupational Safety, Health and Working Conditions | D) The Contract Labour Regulation Act |

Select the correct option:

- a) 1-A, 2-D, 3-B, 4-C
- b) 1-B, 2-C, 3-A, 4-D
- c) 1-B, 2-A, 3-C, 4-D
- d) 1-A, 2-C, 3-B, 4-D

Correct Answer: b) 1-B, 2-C, 3-A, 4-D

Solution: The correct matching of the codes and acts is as follows: - The Code on Wages is related to the Equal Remuneration Act. - The Industrial Relations Code pertains to the Trade Unions Act. - The Code on Social Security is aligned with the Employees Compensation Act. - The Code on Occupational Safety corresponds to the Contract Labour Regulation Act.

Quick Tip

Understanding the specific regulations linked to each code can help in correctly matching them with the relevant acts.

Question 92: Match the following School of Jurisprudence with the correct Description:

- | | |
|------------------|--|
| 1. Natural Law | A) Rules Based on reason |
| 2. Analytical | B) Principles enforced by courts |
| 3. Realism | C) Immutable and eternal rules based on moral/divine law |
| 4. Philosophical | D) Law as it is |

Select the correct option:

- a) 1-A, 2-B, 3-C, 4-D
- b) 1-C, 2-B, 3-D, 4-A
- c) 1-C, 2-D, 3-B, 4-A
- d) 1-D, 2-C, 3-B, 4-A

Correct Answer: c) 1-C, 2-D, 3-B, 4-A

Solution: The matching is as follows: - Natural Law is based on immutable rules derived from moral or divine law. - Analytical jurisprudence focuses on law as it is. - Realism emphasizes principles enforced by courts. - Philosophical jurisprudence is based on reasoning and logical deduction.

Quick Tip

Different schools of jurisprudence offer distinct approaches: Natural Law is moral, Analytical Law focuses on enforcement, Realism deals with practical law, and Philosophical Law is reason-based.

Question 93: Which of the following statement best describes a social media intermediary?

- a) A platform that provides e-commerce services and facilitates online shopping by connecting online retailers with buyers.
- b) An intermediary which enables online interaction between two or more users and allows them to create, upload, share, disseminate, modify, or access information using its services.
- c) An intermediary that primarily facilitates financial transactions between individuals and businesses.
- d) A website that hosts digital content but does not enable any interaction between users.

Correct Answer: b) An intermediary which enables online interaction between two or more users and allows them to create, upload, share, disseminate, modify, or access information using its services.

Solution: A social media intermediary refers to platforms that facilitate communication and content sharing between users. They are central to the exchange of information and interactions online.

Quick Tip

Social media intermediaries enable online communication and content creation, not just transactions or hosting content.

Question 94: A key pillar of international Refugee law is that “No Contracting State shall expel or return [...] a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.” This is also referred to as:

- a) Principle of non-refoulement
- b) Right to asylum
- c) Access to durable solution
- d) Protection against discrimination

Correct Answer: a) Principle of non-refoulement

Solution: The principle of non-refoulement is central to international refugee law, ensuring that refugees are not sent back to places where they face threats to their life or freedom.

Quick Tip

The principle of non-refoulement protects refugees from being returned to dangerous situations where their safety is at risk.

Question 95: A transfer of property may be made without writing in every case in which writing is not expressly required by law. Which of the following would be such a case?

- a) Gift of immovable property
- b) Transfer of actionable claim
- c) Sale of immovable property of the value of less than 100
- d) Simple mortgage irrespective of the amount secured

Correct Answer: c) Sale of immovable property of the value of less than 100

Solution: The Sale of immovable property of the value of less than 100 allows the transfer of actionable claims without a written document unless specified by law, unlike gifts or sales of immovable property, which require writing.

Quick Tip

Sale of immovable property of the value of less than 100 can be transferred without writing, unlike other types of property transfers, which have stricter documentation requirements.

Question 96: What does the principle of non-regression mean in international environmental law?

- a) Measures of environmental protection already achieved should not be reversed or diminished
- b) All environmental laws must be continuously revised to be more lenient
- c) Acknowledges inherent flexibility whereby stringent environmental standards may be reversed to accommodate developmental concerns
- d) Requires that states moderate their commitments to international environmental agreements over time

Correct Answer: a) Measures of environmental protection already achieved should not be reversed or diminished

Solution: The principle of non-regression ensures that environmental protections are

not weakened over time, emphasizing the importance of continuous improvement and safeguarding environmental standards.

Quick Tip

Non-regression emphasizes the need to prevent the rollback of hard-earned environmental protections in international law.

Question 97: Which of the following statement best captures the key difference between a Lok Adalat and Permanent Lok Adalat?

- a) Permanent Lok Adalat mediates, while Lok Adalats conciliates
- b) Jurisdiction of Permanent Lok Adalat includes any civil matter, while Lok Adalats is limited to public utility services
- c) Permanent Lok Adalat has the power to adjudicate the matter if the dispute does not relate to any offence, while Lok Adalat has no powers of adjudication
- d) Award of a Permanent Lok Adalat cannot be appealed against, while decision of the Lok Adalat is subject to regular appeal process

Correct Answer: c) Permanent Lok Adalat has the power to adjudicate the matter if the dispute does not relate to any offence, while Lok Adalat has no powers of adjudication

Solution: Permanent Lok Adalat (PLA) has the power to adjudicate matters, whereas Lok Adalat primarily resolves disputes through conciliation. PLA deals with civil matters, while Lok Adalat is mostly for public utility services.

Quick Tip

Permanent Lok Adalat has adjudicatory powers, while Lok Adalat focuses on conciliation, particularly for public utility services.

Question 98: “Associate company” in relation to another company means a company:

- a) In which that other company has a significant influence, but which is not a subsidiary company of the company having such influence and includes a joint venture company.
- b) Where control of at least twenty per cent of total voting power, or control of or participation in business decisions is given under an agreement.
- c) Where a joint arrangement whereby the parties that have joint control of the arrangement have rights to the net assets of the arrangement.
- d) All of the above.

Correct Answer: d) All of the above.

Solution: An associate company refers to a company in which another company has significant influence (typically 20

Quick Tip

An associate company is defined by significant influence, typically through a 20% or greater voting share, but does not have full control.

Question 99: What is the condition prescribed under Section 6 of the Income Tax Act, 1961 for an individual to be classified as a 'Resident' in India for tax purposes?

- a) The individual stays in India for 90 days or more during the relevant financial year.
- b) The individual stays in India for 182 days or more during the relevant financial year.
- c) The individual has stayed in India for at least 150 days in the past 4 years.
- d) The individual must own property in India.

Correct Answer: b) The individual stays in India for 182 days or more during the relevant financial year.

Solution: Under Section 6 of the Income Tax Act, an individual is considered a resident of India if they stay in the country for 182 days or more during the relevant financial year.

Quick Tip

The key condition for residency is the duration of stay (182 days or more) during the financial year.

Question 100: Pick the correct statement:

- a) A pure monopoly may be either regulated such as power generation or unregulated having control over natural resources or technology-driven firms
- b) Monopolistic competition is characterised by product differentiation, brand loyalty and there is no price competition
- c) In an oligopoly, there are few sellers in the market who are highly sensitive to each other's pricing and marketing strategies
- d) All of the above are correct

Correct Answer: d) All of the above are correct

Solution: Each statement accurately describes characteristics of different market structures:

- Pure monopoly can be regulated or unregulated.
- Monopolistic competition involves differentiation and brand loyalty with some level of price competition.
- Oligopolies are markets with few players, each sensitive to others' strategies.

Quick Tip

Understanding market structures helps in identifying how businesses compete and influence prices.
