

AP PGLCET 2023 Question Paper with Solutions

Time Allowed : 3 Hours (180 Minutes)

Maximum Marks : 200

Total Questions : 48

General Instructions for AP-PGLCET 2023

Read the following instructions very carefully and strictly follow them:

1. Duration of Exam: 90 Minutes
2. Total Number of Questions: 120 Questions
3. Section-wise Distribution of Questions:
 - Jurisprudence and Legal Theory - 40 Questions
 - Constitutional Law - 30 Questions
 - Other Laws - 50 Questions
4. Type of Questions: Multiple Choice Questions (Objective)
5. Marking Scheme: One mark awarded for each correct response
6. Negative Marking: There is no provision for negative marking.

1. Who coined the expression 'Legal Theory'?

- (A) Julius Stone
- (B) Salmond
- (C) Friedman
- (D) Keeton

Correct Answer: (C) Friedman

Solution:

The expression 'Legal Theory' was coined by Wolfgang Friedman, a prominent jurist known for his work in jurisprudence. His book, *Legal Theory* (1944), is a seminal text that

explores various schools of jurisprudential thought. Thus, the correct answer is:

Friedman

Quick Tip

Friedman's *Legal Theory* is a key resource for understanding the evolution of jurisprudential schools, including analytical, historical, and sociological approaches.

2. Who defined jurisprudence as formal science of positive law?

- (A) Ulpian
- (B) Bentham
- (C) Austin
- (D) Holland

Correct Answer: (D) Holland

Solution:

Thomas Erskine Holland defined jurisprudence as the "formal science of positive law," emphasizing its systematic and scientific study of law as it exists, distinct from moral or natural law. This definition aligns with the analytical school's focus on law as a system of rules. Thus, the correct answer is:

Holland

Quick Tip

Holland's definition underscores the analytical approach, focusing on the structure of positive law, unlike Austin's command theory.

3. Paton described Realism as left wing of

- (A) Analytical School
- (B) Historical School

- (C) Philosophical School
- (D) Sociological School

Correct Answer: (D) Sociological School

Solution:

George W. Paton described Realism, particularly American Legal Realism, as the "left wing" of the Sociological School, as it emphasizes the practical impact of law on society and judicial behavior over abstract rules. Thus, the correct answer is:

Sociological School

Quick Tip

Legal Realism critiques formalistic approaches, aligning with the Sociological School's focus on law's social context.

4. According to declaratory theory of precedent, judges are

- (A) Law makers
- (B) Law creators
- (C) Law finders
- (D) Law inventors

Correct Answer: (C) Law finders

Solution:

The declaratory theory of precedent, associated with jurists like Blackstone, posits that judges do not create law but merely find or declare existing law based on established principles and precedents. Thus, the correct answer is:

Law finders

Quick Tip

The declaratory theory contrasts with the creative role of judges in modern judicial activism, emphasizing their interpretive function.

5. According to Salmond, custom is

- (A) Formal source
- (B) Literary source
- (C) Historical material source
- (D) Legal material source

Correct Answer: (C) Historical material source

Solution:

Salmond classified custom as a historical material source of law, as it derives from long-standing societal practices but requires legal recognition to become binding. It is not a formal source, which includes legislation or precedent. Thus, the correct answer is:

Historical material source

Quick Tip

Customs become legal sources only when recognized by courts or statutes, distinguishing them from formal sources like legislation.

6. Of theories of corporate personality, the German jurist Dr. Gierke is the leading exponent of

- (A) Realist theory
- (B) Fiction theory
- (C) Bracket theory
- (D) Concession theory

Correct Answer: (A) Realist theory

Solution:

Otto von Gierke advocated the Realist theory of corporate personality, asserting that corporations have a real, organic existence with collective will, akin to a natural person, beyond mere legal fiction. Thus, the correct answer is:

Realist theory

Quick Tip

Realist theory contrasts with Fiction theory, which views corporations as artificial entities created by law.

7. Which of the following is not a characteristic of legal right?

- (A) Subject matters of right
- (B) Person of inheritance
- (C) Person of incidence
- (D) Novation of right

Correct Answer: (D) Novation of right

Solution:

A legal right, per Salmond, includes characteristics like the subject (right-holder), object (thing claimed), content (subject matter), and person of incidence (duty-bearer). Novation, the replacement of an obligation, is not a characteristic but a contractual concept. Thus, the correct answer is:

Novation of right

Quick Tip

Legal rights involve a relationship between right-holders and duty-bearers, with novation being irrelevant to their structure.

8. Res nullius rule implies

- (A) A right of easement acquired after a passage of time prescribed by law
- (B) Owner of a tree has the right to the fruits of the tree
- (C) For a previously ownerless object, who took it first became the owner
- (D) Acquiree

Correct Answer: (C) For a previously ownerless object, who took it first became the owner

Solution:

The **res nullius** rule, rooted in Roman law, means that an ownerless object (**res nullius**) becomes the property of the first person to take possession of it, such as wild animals or abandoned property. Thus, the correct answer is:

For a previously ownerless object, who took it first became the owner

Quick Tip

Res nullius applies to unowned property, distinguishing it from **res communis** (common property) or easements.

9. Ownership which is imperfect but capable of being made perfect on fulfillment of some condition is

- (A) Vested ownership
- (B) Trust ownership
- (C) Equitable ownership
- (D) Contingent ownership

Correct Answer: (D) Contingent ownership

Solution:

Contingent ownership is imperfect ownership dependent on fulfilling a condition (e.g., a will's condition), which, once met, becomes perfect. Vested ownership is already perfect, and equitable ownership pertains to trust law. Thus, the correct answer is:

Contingent ownership

Quick Tip

Contingent ownership hinges on future events, unlike vested ownership, which is immediate and unconditional.

10. The cancellation of the driving licence of a person is an example of

- (A) Preventive theory
- (B) Reformatory theory
- (C) Expiatory theory
- (D) Deterrent theory

Correct Answer: (A) Preventive theory

Solution:

Cancelling a driving license prevents the individual from committing further offenses, aligning with the preventive theory of punishment, which aims to incapacitate the offender. Deterrent theory focuses on discouraging others, reformatory on rehabilitation, and expiatory on atonement. Thus, the correct answer is:

Preventive theory

Quick Tip

Preventive theory seeks to stop future crimes by restricting the offender's ability, like license cancellation.

11. Who said "Exclusiveness is the essence of possession"?

- (A) Savigny
- (B) Holland
- (C) Gray
- (D) Salmond

Correct Answer: (D) Salmond

Solution:

John Salmond, in his work on jurisprudence, stated that "exclusiveness is the essence of possession," emphasizing that possession involves exclusive control over a thing, distinguishing it from mere custody. Thus, the correct answer is:

Salmond

Quick Tip

Salmond's focus on exclusiveness highlights possession as a relationship of control, central to property law.

12. Who is considered as the father of English Jurisprudence?

- (A) Sir John Austin
- (B) Bentham
- (C) Salmond
- (D) None of the above

Correct Answer: (B) Bentham

Solution:

Jeremy Bentham is considered the father of English Jurisprudence due to his foundational work in utilitarianism and analytical positivism, influencing modern legal theory. Austin built on Bentham's ideas, but Bentham's contributions are primary. Thus, the correct answer is:

Bentham

Quick Tip

Bentham's utilitarian principle, seeking the greatest happiness, shaped analytical jurisprudence.

13. Which of the following Jurists has explained legal rights and duties in terms of Jural Co-relations and Jural Opposites?

- (A) Hohfeld
- (B) Holmes
- (C) Holland
- (D) Roscoe Pound

Correct Answer: (A) Hohfeld

Solution:

Wesley Newcomb Hohfeld developed the framework of jural correlations and opposites, analyzing legal rights and duties as relationships (e.g., right-duty, privilege-no-right). This analytical model is widely used in jurisprudence. Thus, the correct answer is:

Hohfeld

Quick Tip

Hohfeld's jural relations (right, privilege, power, immunity) provide a precise tool for dissecting legal concepts.

14. Ratio Decidendi of a case means

- (A) The final order of the Court
- (B) The underlying principle or legal reasons on which the result of the case depends
- (C) The judgment delivered by the court
- (D) That part of the judgment which has persuasive effect

Correct Answer: (B) The underlying principle or legal reasons on which the result of the case depends

Solution:

Ratio decidendi refers to the legal principle or reasoning that forms the binding precedent of a case, determining its outcome. It is distinct from *obiter dicta*, which are non-binding

remarks. Thus, the correct answer is:

The underlying principle or legal reasons on which the result of the case depends

Quick Tip

Ratio decidendi is the binding part of a judgment, crucial for the doctrine of precedent in common law systems.

15. Which one of the following writers is the leading exponent of the Analytical School of Jurisprudence?

- (A) Starke
- (B) Oppenheim
- (C) John Austin
- (D) Hobbes

Correct Answer: (C) John Austin

Solution:

John Austin, with his command theory of law, is the leading exponent of the Analytical School, defining law as a sovereign's command backed by sanctions. Hobbes influenced positivism, but Austin formalized it. Thus, the correct answer is:

John Austin

Quick Tip

Austin's *Province of Jurisprudence Determined* is a cornerstone of analytical positivism, separating law from morality.

16. Which one of the following writers was the founder of the Historical School of Jurisprudence?

- (A) Salmond

- (B) John Austin
- (C) Roscoe Pound
- (D) Savigny

Correct Answer: (D) Savigny

Solution:

Friedrich Carl von Savigny founded the Historical School, emphasizing that law evolves organically from a nation's culture, customs, and history, as seen in his work **System of Modern Roman Law**. Thus, the correct answer is:

Savigny

Quick Tip

Savigny's Historical School contrasts with Austin's positivism, focusing on law's cultural and historical roots.

17. A source of law which confers binding authority as a rule and converts the rule in law is called

- (A) A material source of law
- (B) A formal source of law
- (C) An absolute source of law
- (D) An informal source of law

Correct Answer: (B) A formal source of law

Solution:

A formal source of law, such as legislation or precedent, confers binding authority and converts rules into enforceable law. Material sources (e.g., customs) provide content but lack inherent binding force. Thus, the correct answer is:

A formal source of law

Quick Tip

Formal sources like statutes or judicial precedents are authoritative, unlike material sources, which inspire law.

18. Legal sources of law are those sources which are recognized as such by the law itself e.g.

- (A) Religion, history and precedent
- (B) Custom, treaty and religion
- (C) The statute law, custom and precedent
- (D) Treaty, convention and religion

Correct Answer: (C) The statute law, custom and precedent

Solution:

Legal sources of law are recognized by the legal system itself, including statute law (legislation), custom (when legally recognized), and precedent (judicial decisions). Religion and treaties may influence law but are not primary legal sources. Thus, the correct answer is:

The statute law, custom and precedent

Quick Tip

Legal sources are authoritative within the legal system, with statutes, customs, and precedents forming the core in common law jurisdictions.

19. A legal right possesses the following characteristics

- (A) Subject, Object, Matter of content, Acts and Title
- (B) Subject, Object, purpose, Title and Aim
- (C) Aim, purpose, long title, Short title and Act
- (D) Act, title, subject, object and purpose

Correct Answer: (A) Subject, Object, Matter of content, Acts and Title

Solution:

Per Salmond, a legal right includes the subject (right-holder), object (thing claimed), matter of content (scope), acts (enforceable actions), and title (legal basis). Other options include irrelevant elements like aim or purpose. Thus, the correct answer is:

Subject, Object, Matter of content, Acts and Title

Quick Tip

Legal rights are structured relationships, with title providing the legal foundation, as per Salmond's analysis.

20. A child in the mother's womb is by legal fiction regarded as already born. If he is born alive, he will have a legal status. Though law normally takes cognizance of living human beings yet the law makes an exception in case of an infant in

- (A) Nemo det quod non habet
- (B) En venture sa mere
- (C) Ubi jus ibi remedium
- (D) Vinculum juris

Correct Answer: (B) En venture sa mere

Solution:

The legal fiction that a child in the womb (*en venture sa mere*, meaning "in the mother's womb") is treated as born for certain legal purposes (e.g., inheritance), provided it is born alive, is recognized in Indian law under the Transfer of Property Act, 1882, and Hindu Succession Act, 1956. Thus, the correct answer is:

En venture sa mere

Quick Tip

En venture sa mere protects the unborn child's rights, such as property inheritance, contingent on live birth.

21. Preamble says that the Constitution was adopted on

- (A) 26th January 1949
- (B) 26th November 1949
- (C) 26th December 1949
- (D) 26th January 1950

Correct Answer: (B) 26th November 1949

Solution:

The Preamble of the Indian Constitution states it was adopted on 26th November 1949 by the Constituent Assembly, though it came into effect on 26th January 1950 (Republic Day).

Thus, the correct answer is:

26th November 1949 26th November 1949 26th November 1949 26th November 1949

Quick Tip

Distinguish between adoption (26th November 1949) and enforcement (26th January 1950) of the Constitution.

22. Which one of the following is not an authority falling within the definition of 'State' under Article 12 of the Constitution?

- (A) Council of Scientific and Industrial Research
- (B) Indian Statistical Institute
- (C) Board of Control for Cricket in India
- (D) Bharat Petroleum Corporation

Correct Answer: (C) Board of Control for Cricket in India

Solution:

Under Article 12, 'State' includes government, Parliament, legislatures, and authorities under government control. CSIR, ISI, and BPCL are government-controlled or public sector

entities, but BCCI, a private body, is not, as held in *Zee Telefilms v. Union of India* (2005). Thus, the correct answer is:

Board of Control for Cricket in India

Quick Tip

For Article 12, 'State' includes entities with significant government control or public functions, but not private bodies like BCCI.

23. Article 1 (1) of the Constitution reads: India, that is Bharat, shall be

- (A) A Federation of States
- (B) A Union of States
- (C) A Federal Union
- (D) A Union of Centre, States and Union Territories

Correct Answer: (B) A Union of States

Solution:

Article 1(1) of the Indian Constitution declares, "India, that is Bharat, shall be a Union of States," emphasizing a unitary bias with federal features, as the states derive authority from the Constitution. Thus, the correct answer is:

A Union of States

Quick Tip

India's 'Union of States' reflects a centralized federal structure, distinct from a loose federation.

24. Which Article of the Constitution defines a Money Bill?

- (A) Article 109
- (B) Article 110

- (C) Article 111
- (D) Article 112

Correct Answer: (B) Article 110

Solution:

Article 110 of the Indian Constitution defines a Money Bill, listing matters like taxation, borrowing, and expenditure. It is certified by the Speaker and requires only Lok Sabha approval. Thus, the correct answer is:

Article 110

Quick Tip

Money Bills are exclusive to Lok Sabha, with Rajya Sabha having only recommendatory powers under Article 109.

25. The Indian Parliament shall consist of

- (A) The House of the People
- (B) The Council of States
- (C) The Council of States and the House of the People
- (D) The President, the Council of States and the House of the People

Correct Answer: (D) The President, the Council of States and the House of the People

Solution:

Under Article 79, the Indian Parliament consists of the President, the Council of States (Rajya Sabha), and the House of the People (Lok Sabha). The President's role includes assenting to bills. Thus, the correct answer is:

The President, the Council of States and the House of the People

Quick Tip

The President is integral to Parliament, as legislative assent completes the law-making process.

26. A member of the state public service commission is removed from his office by

- (A) Governor of the State
- (B) President of India
- (C) Parliament
- (D) Legislative Assembly

Correct Answer: (B) President of India

Solution:

Under Article 317, a member of a State Public Service Commission can be removed by the President of India on grounds like misbehavior, following a Supreme Court inquiry. The Governor or legislature cannot remove them. Thus, the correct answer is:

President of India

Quick Tip

The President's role in PSC removals ensures independence, with the Supreme Court safeguarding due process.

27. The first constitutional amendment was challenged in the case

- (A) Sajjan Singh V. State of Rajasthan
- (B) Golaknath V. State of Punjab
- (C) Sankari Prasad V. Union of India
- (D) Keshavananda Bharti V. State of Kerala

Correct Answer: (C) Sankari Prasad V. Union of India

Solution:

The First Constitutional Amendment (1951), which added Articles 31A and 31B, was challenged in **Sankari Prasad v. Union of India** (1951), where the Supreme Court upheld Parliament's power to amend the Constitution, including fundamental rights. Thus, the correct answer is:

Sankari Prasad V. Union of India

Quick Tip

Sankari Prasad established early judicial deference to constitutional amendments, later revisited in **Golaknath**.

28. Proper respect is shown to national anthem by standing up when the national anthem is sung. It will not be right to say that disrespect is shown by not joining in the singing. It has been held in:

- (A) Bijo Emmanuel v. State of Kerala
- (B) Surya Narain v. Union of India
- (C) Ram Jawaya Kapur v. Union of India
- (D) State of Rajasthan v. G. Chawla

Correct Answer: (A) Bijo Emmanuel v. State of Kerala

Solution:

In **Bijoe Emmanuel v. State of Kerala** (1986), the Supreme Court held that standing during the national anthem shows respect, and not singing does not constitute disrespect, protecting the rights of Jehovah's Witnesses under Article 25. Thus, the correct answer is:

Bijo Emmanuel v. State of Kerala

Quick Tip

Bijoe Emmanuel balances freedom of religion with respect for national symbols under the Constitution.

29. Appellate jurisdiction of the supreme court in appeals from high courts in regards to civil matters pertain only to a

- (A) Question of law
- (B) Substantial question of law
- (C) Question of fact
- (D) Both question of fact and law

Correct Answer: (B) Substantial question of law

Solution:

Under Article 133, the Supreme Court's appellate jurisdiction in civil matters from High Courts is limited to cases involving a substantial question of law, ensuring focus on significant legal issues rather than factual disputes. Thus, the correct answer is:

Substantial question of law

Quick Tip

'Substantial question of law' requires a legal issue of general importance, as per *Sir Chunilal V. Mehta v. Century Spinning* (1962).

30. Amendment incorporated Ninth Schedule of Indian Constitution.

- (A) First Amendment
- (B) Second Amendment
- (C) Third Amendment
- (D) Fourth Amendment

Correct Answer: (A) First Amendment

Solution:

The First Constitutional Amendment (1951) introduced the Ninth Schedule to protect land reform laws from judicial review, as upheld in *Sankari Prasad v. Union of India*. Thus, the correct answer is:

First Amendment

Quick Tip

The Ninth Schedule was added to shield laws from fundamental rights challenges, though limited by **IR Coelho** (2007).

31. "Preamble is a key to open the mind of the makers" said in

- (A) Keshavanandhabharati's case
- (B) Benbarri case
- (C) Shankari Prasad's case
- (D) Minerva Mills case

Correct Answer: (A) Keshavanandhabharati's case

Solution:

In **Kesavananda Bharati v. State of Kerala** (1973), the Supreme Court described the Preamble as "a key to open the mind of the makers," highlighting its role in interpreting the Constitution's intent. Thus, the correct answer is:

Keshavanandhabharati's case

Quick Tip

The Preamble's interpretive role was affirmed in **Kesavananda**, establishing it as part of the Constitution's basic structure.

32. Who tests the restrictions placed on Fundamental rights?

- (A) Parliament
- (B) President
- (C) Supreme Court
- (D) Prime Minister

Correct Answer: (C) Supreme Court

Solution:

The judiciary, particularly the Supreme Court and High Courts, tests restrictions on fundamental rights through judicial review under Articles 13, 32, and 226, ensuring they are reasonable and constitutional, as seen in cases like *Maneka Gandhi v. Union of India* (1978). Thus, the correct answer is:

Supreme Court

Quick Tip

Judicial review ensures fundamental rights restrictions align with constitutional principles like reasonableness and proportionality.

33. Who of the following is legal person?

- (A) The Prime Minister of India
- (B) A firm of partners
- (C) The Government of India
- (D) None of the above

Correct Answer: (C) The Government of India

Solution:

A legal person includes entities capable of holding rights and duties, such as the Government of India, which is recognized as a juristic person under law. The Prime Minister is a natural person in office, and a firm is not a separate legal entity in Indian partnership law. Thus, the correct answer is:

The Government of India

Quick Tip

Legal persons include corporations and governments, distinct from natural persons or unincorporated firms.

34. Fundamental Rights under Articles 20 and 21 are enforceable during the operation of emergency through Amendment Act

- (A) 44th
- (B) 46th
- (C) 45th
- (D) 48th

Correct Answer: (A) 44th

Solution:

The 44th Amendment (1978) restored the enforceability of Articles 20 (protection against conviction) and 21 (right to life) during emergencies, reversing restrictions imposed by the 42nd Amendment. Thus, the correct answer is:

44th44th44th44th

Quick Tip

The 44th Amendment strengthened fundamental rights protections post-1975 emergency, ensuring Articles 20 and 21 remain inviolable.

35. If a person is not the member of either house of Parliament, he cannot be appointed as a minister at the Centre for a period more than

- (A) 1 month
- (B) 6 months
- (C) 3 months
- (D) It is not essential to be a member of either house to remain a minister

Correct Answer: (B) 6 months

Solution:

Under Article 75(5), a non-member of Parliament can be appointed a minister but must become a member of either House within 6 months, failing which they cease to be a minister.

Thus, the correct answer is:

6 months

Quick Tip

Article 75(5) ensures ministers are accountable to Parliament, requiring membership within a fixed period.

36. Judicial Review is device to check arbitrary power of the

- (A) Executive
- (B) Judiciary
- (C) Legislature
- (D) Press

Correct Answer: (C) Legislature

Solution:

Judicial review, under Articles 13, 32, and 226, is a mechanism to check the arbitrary power of the executive, ensuring its actions comply with the Constitution and law, as seen in **Marbury v. Madison** (global) and **State of Madras v. V.G. Row** (India). Thus, the correct answer is:

Legislature

Quick Tip

Judicial review primarily targets executive actions, though it can also scrutinize legislative and judicial acts for constitutionality.

37. A writ which is the form of a command is

- (A) Quo Warranto
- (B) Prohibition
- (C) Mandamus

(D) Certiorari

Correct Answer: (C) Mandamus

Solution:

Mandamus is a writ in the form of a command, directing a public authority to perform a legal duty, as per Article 32 or 226. Other writs serve different purposes: *Quo Warranto* questions authority, *Prohibition* prevents overreach, and *Certiorari* corrects errors. Thus, the correct answer is:

Mandamus

Quick Tip

Mandamus ensures public officials act lawfully, compelling performance of mandatory duties.

38. Which one of the following is not mentioned in the Constitution?

- (A) Administrative Tribunal
- (B) Political party
- (C) Cabinet
- (D) No-confidence Motion

Correct Answer: (B) Political party

Solution:

The Constitution mentions Administrative Tribunals (Article 323A), Cabinet (Article 352, implied), and No-confidence Motion (Article 75, indirectly). Political parties are not explicitly mentioned, though regulated under the Representation of the People Act, 1951. Thus, the correct answer is:

Political party

Quick Tip

Political parties operate under statutory law, not constitutional provisions, despite their role in governance.

39. Which is the only State of India to have the common Civil Code?

- (A) Jammu and Kashmir
- (B) Mizoram
- (C) Nagaland
- (D) Goa

Correct Answer: (D) Goa

Solution:

Goa is the only Indian state with a Uniform Civil Code, based on the Portuguese Civil Code of 1867, governing personal laws like marriage and succession for all communities. Other states follow community-specific personal laws. Thus, the correct answer is:

Goa

Quick Tip

Goa's UCC is a legacy of Portuguese rule, making it unique in India's diverse personal law system.

40. In the NJAC case, the Supreme Court struck down the 99th Constitutional Amendment on the ground that it violated the basic constitutional feature of

- (A) Rule of Law
- (B) Separation of Powers
- (C) Judicial Independence
- (D) Legislative Sovereignty

Correct Answer: (C) Judicial Independence

Solution:

In **Supreme Court Advocates-on-Record Association v. Union of India** (2015), the Supreme Court struck down the 99th Constitutional Amendment, which established the National Judicial Appointments Commission, for violating the basic structure doctrine, specifically the independence of the judiciary, by undermining the collegium system. Thus, the correct answer is:

Judicial Independence**Quick Tip**

The NJAC case reaffirmed judicial primacy in appointments, protecting the judiciary's independence as a basic structure.

41. International Law can be applied in the field of Municipal Law only when Municipal Law either permits it or adopts it specifically

- (A) Correct
- (B) Incorrect
- (C) Partly correct
- (D) Partly incorrect

Correct Answer: (A) Correct

Solution: International Law is generally not automatically applicable within a country's domestic legal system unless the Municipal Law (domestic law) of that country explicitly permits or adopts it. This principle is rooted in the concept of state sovereignty, where each nation has the authority to determine how and when international laws are integrated into its own legal framework. Therefore, the statement is correct. The correct answer is:

Correct**Quick Tip**

Ensure all question details are complete to avoid ambiguity in legal examinations.

42. Who is called as the father of International law

- (A) Bentham
- (B) Hugo Grotius
- (C) Oppenheim
- (D) Suez

Correct Answer: (B) Hugo Grotius

Solution:

Hugo Grotius, a Dutch jurist, is widely regarded as the father of international law due to his seminal work *De Jure Belli ac Pacis* (1625), which laid the foundations for modern international law. Thus, the correct answer is:

Hugo Grotius

Quick Tip

Remember Hugo Grotius for his contributions to the principles of international law, especially regarding war and peace.

43. Which year was the United Nations established

- (A) 1967
- (B) 1976
- (C) 1945
- (D) 1942

Correct Answer: (C) 1945

Solution:

The United Nations was established on October 24, 1945, following the ratification of its Charter after World War II to promote international cooperation and peace. Thus, the correct answer is:

1945

Quick Tip

Recall key historical dates like 1945 for the UN's establishment, tied to the end of World War II.

44. **Res judicata** is a part of general principles of law. It was held in

- (A) Mavrommatis Palestine concessions case
- (B) N. Administrative Tribunal case
- (C) S. Lotus case
- (D) Serbian and Brazillian loan case

Correct Answer: (A) Mavrommatis Palestine concessions case

Solution:

The principle of **res judicata**, which prevents re-litigation of settled matters, was recognized as a general principle of law in the **Mavrommatis Palestine Concessions case** (1924) by the Permanent Court of International Justice. Thus, the correct answer is:

Mavrommatis Palestine concessions case

Quick Tip

Res judicata ensures finality in legal disputes; associate it with landmark international cases like Mavrommatis.

45. According to which theory of recognition, recognition is a political and discretionary act

- (A) Monistic Theory
- (B) Constitutive theory
- (C) Declaratory theory
- (D) Facultative theory

Correct Answer: (B) Constitutive theory

Solution:

The Constitutive theory of recognition holds that a state's legal existence depends on recognition by other states, which is a political and discretionary act. In contrast, the Declaratory theory views recognition as merely acknowledging an existing state. Thus, the correct answer is:

Constitutive theory

Quick Tip

Distinguish Constitutive (recognition creates statehood) from Declaratory (recognition acknowledges statehood) theories in international law.

46. The words 'international law' used for the first time by

- (A) Hall
- (B) Hobbes
- (C) Oppenheim
- (D) Jeremy Bentham

Correct Answer: (D) Jeremy Bentham

Solution:

Jeremy Bentham, an English philosopher and jurist, is credited with first using the term "international law" in his work *An Introduction to the Principles of Morals and Legislation* (1789). Thus, the correct answer is:

Jeremy Bentham

Quick Tip

Bentham's contributions extend beyond utilitarianism to coining key legal terms like "international law."

47. The expression 'International Law' was coined by

- (A) Grotius
- (B) Bentham
- (C) Holland
- (D) Oppenheim

Correct Answer: (B) Bentham

Solution:

As noted in Question 46, Jeremy Bentham coined the term "international law" in 1789, distinguishing it from earlier terms like "law of nations" used by Grotius. Thus, the correct answer is:

Bentham

Quick Tip

Link Bentham's coinage of "international law" to his broader influence in analytical jurisprudence.

48. Who described International Law as merely a positive morality?

- (A) Grotius
- (B) Bentham
- (C) Austin
- (D) Kelsen

Correct Answer: (C) Austin

Solution:

John Austin, an analytical jurist, described international law as "positive morality" rather than true law, as it lacks a sovereign authority to enforce it, per his command theory. Thus, the correct answer is:

Austin

Quick Tip

Austin's view on international law reflects his strict definition of law as commands backed by sanctions.

49. Treaty, generally speaking, binds States which are parties to the treaty. A State becomes party to the treaty by

- (A) Signing the treaty
- (B) Ratifying the treaty
- (C) Enforcing the treaty
- (D) Enacting domestic legislation to implement the treaty

Correct Answer: (B) Ratifying the treaty

Solution:

A state becomes a party to a treaty through ratification, which signifies its consent to be bound by the treaty's obligations, as per the Vienna Convention on the Law of Treaties (1969). Signing indicates intent, but ratification formalizes commitment. Thus, the correct answer is:

Ratifying the treaty

Quick Tip

Ratification is the key step for treaty obligation; signing alone is not sufficient in international law.

50. In International Law, which of the following territories will be considered as 'terra nullius' territory?

- (A) Outer space
- (B) Territory subjected to the sovereignty of the State
- (C) A newly formed volcanic island on the high seas
- (D) The area consisting of deep seabed and ocean floor

Correct Answer: (C) A newly formed volcanic island on the high seas

Solution:

Terra nullius refers to territory belonging to no state. A newly formed volcanic island on the high seas, not under any state's sovereignty, qualifies as *terra nullius*. Outer space and the deep seabed are governed by international regimes, and state territory is not *terra nullius*. Thus, the correct answer is:

A newly formed volcanic island on the high seas

Quick Tip

Terra nullius applies to unclaimed territories; recall examples like new islands not yet claimed by any state.

51. Which one of the following is not a maritime zone under 1982 UN Convention of the Law of the Sea?

- (A) Contiguous Zone
- (B) Exclusive Economic Zone
- (C) Inclusive Deep Seabed
- (D) Internal Waters and Archipelagic Waters

Correct Answer: (C) Inclusive Deep Seabed

Solution:

The 1982 UN Convention on the Law of the Sea (UNCLOS) defines maritime zones such as the Contiguous Zone, Exclusive Economic Zone (EEZ), and Internal Waters and Archipelagic Waters. The "Inclusive Deep Seabed" is not a recognized maritime zone under UNCLOS; the deep seabed is referred to as the "Area" and is governed separately. Thus, the correct answer is:

Inclusive Deep Seabed

Quick Tip

Familiarize yourself with UNCLOS maritime zones: Territorial Sea, Contiguous Zone, EEZ, Continental Shelf, and the Area.

52. An accused is extradited for a particular crime and the country which gets back the criminal is entitled to prosecute that person only for the crime for which he was extradited. This is known as

- (A) Rule of peculiarity
- (B) Rule of specialty
- (C) Rule of specificity
- (D) Attendant clause

Correct Answer: (C) Rule of specificity

Solution:

The Rule of specificity in international law stipulates that a person extradited for a specific crime can only be prosecuted for that crime in the receiving state, ensuring fairness in extradition proceedings. Thus, the correct answer is:

Rule of specificity

Quick Tip

The Rule of Specialty protects extradited individuals from prosecution for unrelated crimes, a key principle in extradition treaties.

53. In which case the ICJ held that warship have right to innocent passage through international straights in time of undeclared war as well as in peace time.

- (A) Corfu Channel Case
- (B) SS Lotus case
- (C) North Sea Continental Shelf case

(D) Right to Passage case

Correct Answer: (A) Corfu Channel Case

Solution:

In the *Corfu Channel Case* (1949), the International Court of Justice (ICJ) held that warships have the right to innocent passage through international straits during peacetime and undeclared war, provided the passage is non-threatening. Thus, the correct answer is:

Corfu Channel Case

Quick Tip

The *Corfu Channel Case* is a landmark for the principle of innocent passage in international maritime law.

54. Recognition de jure implies:

- (A) International Court of Justice gives recognition
- (B) The recognized state fulfils the requirement laid down under the international law
- (C) That the state fulfills the above requirement in fact
- (D) That the state is recognized by the neighboring state

Correct Answer: (B) The recognized state fulfils the requirement laid down under the international law

Solution:

Recognition *de jure* implies that a state fully meets the criteria for statehood under international law (e.g., defined territory, population, government, capacity to enter relations), granting it full legal recognition. Thus, the correct answer is:

The recognized state fulfils the requirement laid down under the international law

Quick Tip

De jure recognition signifies formal legal acceptance, unlike *de facto* recognition, which acknowledges factual existence.

55. The quorum of the International Court of Justice is

- (A) 10 Judges
- (B) 9 Judges
- (C) 7 Judges
- (D) 8 Judges

Correct Answer: (B) 9 Judges

Solution:

According to the Statute of the International Court of Justice, the quorum required for the Court to conduct its proceedings is nine judges. Thus, the correct answer is:

9 Judges

Quick Tip

The ICJ consists of 15 judges, but a quorum of 9 is sufficient for decision-making.

56. ILO was originally an organ of

- (A) UNO
- (B) IMF
- (C) League of Nations
- (D) GATTSS

Correct Answer: (C) League of Nations

Solution:

The International Labour Organization (ILO) was established in 1919 as an organ of the League of Nations under the Treaty of Versailles. It later became a specialized agency of the

United Nations. Thus, the correct answer is:

League of Nations

Quick Tip

The ILO's origins are tied to the League of Nations, reflecting its early focus on labor standards post-World War I.

57. Frustration of contract implies

- (A) Commercial hardship
- (B) Physical impossibility due to disappearance of the subject-matter of the contract or the object has failed to materialize
- (C) Both (a) and (b)
- (D) None of the above

Correct Answer: (B) Physical impossibility due to disappearance of the subject-matter of the contract or the object has failed to materialize

Solution:

Under the Indian Contract Act, 1872, frustration of contract (Section 56) occurs when performance becomes impossible due to unforeseen events, such as the destruction of the subject matter. Commercial hardship does not constitute frustration. Thus, the correct answer is:

Physical impossibility due to disappearance of the subject-matter of the contract or the object has failed

Quick Tip

Frustration under Section 56 requires impossibility, not mere difficulty or financial loss.

58. A party to a contract can be discharged from performing it, if it has become

- (A) Expensive

- (B) Onerous
- (C) Commercially inviable
- (D) Impossible

Correct Answer: (D) Impossible

Solution:

Under Section 56 of the Indian Contract Act, 1872, a contract is discharged if performance becomes impossible due to unforeseen circumstances (doctrine of frustration). Expense or commercial inviability does not suffice. Thus, the correct answer is:

Impossible

Quick Tip

Distinguish impossibility (discharges contract) from difficulty or loss, which does not under contract law.

59. Every promise and every set of promises, forming the consideration for each other, is an

- (A) Agreement
- (B) Contract
- (C) Obligation
- (D) Lawful promise

Correct Answer: (A) Agreement

Solution:

Under Section 2(e) of the Indian Contract Act, 1872, every promise and every set of promises forming the consideration for each other constitutes an agreement. A contract requires additional elements like enforceability. Thus, the correct answer is:

Agreement

Quick Tip

An agreement (promise + consideration) becomes a contract only when it is legally enforceable (Section 2(h)).

60. A proposal when accepted becomes a

- (A) Promise
- (B) Contract
- (C) Offer
- (D) Acceptance

Correct Answer: (A) Promise

Solution:

Under Section 2(b) of the Indian Contract Act, 1872, when a proposal (offer) is accepted, it becomes a promise. A contract is formed only when the promise is supported by consideration and is legally enforceable. Thus, the correct answer is:

Promise

Quick Tip

A proposal + acceptance = promise; add consideration and enforceability to form a contract.

61. Consideration should be something in return of promise which

- (A) Both the law and parties regard, as having some value
- (B) Only law regards as having some value
- (C) Only parties regard some value
- (D) Only adequate value necessary

Correct Answer: (A) Both the law and parties regard, as having some value

Solution:

Under Section 2(d) of the Indian Contract Act, 1872, consideration is something done or promised at the promisor's request, which both the law and the parties regard as having value. Adequacy of consideration is not necessary. Thus, the correct answer is:

Both the law and parties regard, as having some value

Quick Tip

Consideration must have value in the eyes of the law and parties, but it need not be adequate.

62. Contract Act, 1872 doesn't include

- (A) Social agreements
- (B) Commercial agreement
- (C) Domestic Agreement
- (D) a & c

Correct Answer: (D) a & c

Solution:

The Indian Contract Act, 1872, applies to agreements enforceable by law (Section 10). Social and domestic agreements, lacking legal intent, are not enforceable and thus not covered by the Act. Commercial agreements are included. Thus, the correct answer is:

a & c

Quick Tip

Social and domestic agreements lack legal intent unless explicitly intended to be binding.

63. Promises which form the consideration or part of the consideration for each other are called

- (A) Reciprocal promises
- (B) Cross offer
- (C) Conditional offer
- (D) Conditional promises

Correct Answer: (A) Reciprocal promises

Solution:

Under Section 2(f) of the Indian Contract Act, 1872, promises that form the consideration or part of the consideration for each other are called reciprocal promises, as they mutually support the agreement. Thus, the correct answer is:

Reciprocal promises

Quick Tip

Reciprocal promises involve mutual obligations, like payment and delivery in a sale contract.

64. Under the Indian Contract Act, 1872 which is one of the following does not fall in the meaning of fraud

- (A) Active concealment of a fact
- (B) Suggesting, as a fact, of that which is not true, by one who does not believe it to be true
- (C) Positive assertion of unwarranted statements
- (D) A promise made without any intention of performing it

Correct Answer: (C) Positive assertion of unwarranted statements

Solution:

Under Section 17 of the Indian Contract Act, 1872, fraud includes active concealment, suggesting a false fact knowingly, and making a promise without intent to perform. A positive assertion of unwarranted statements is not explicitly listed as fraud unless done with deceitful intent. Thus, the correct answer is:

Positive assertion of unwarranted statements

Quick Tip

Fraud under Section 17 requires intent to deceive; mere unwarranted statements without intent may not qualify.

65. Which of the following sections of Indian Contract Act, 1872 states, "In order to convert a proposal into a promise, the acceptance must be absolute and unqualified

- (A) Section 6
- (B) Section 8
- (C) Section 5
- (D) Section 7

Correct Answer: (D) Section 7

Solution:

Section 7 of the Indian Contract Act, 1872, states that acceptance must be absolute and unqualified to convert a proposal into a promise. Conditional or qualified acceptance does not form a valid agreement. Thus, the correct answer is:

Section 7

Quick Tip

Section 7 emphasizes that acceptance must mirror the proposal exactly to form a valid promise.

66. Claim for necessities of life supplied to a lunatic under section 68

- (A) Can be enforced against the lunatic's property
- (B) Can be enforced against the lunatic personally when he ceases to be lunatic
- (C) Cannot be enforced against the lunatic or his estate
- (D) Can be enforced against the guardian of the lunatic

Correct Answer: (A) Can be enforced against the lunatic's property

Solution:

Under Section 68 of the Indian Contract Act, 1872, claims for necessities supplied to a person incapable of contracting (e.g., a lunatic) can be enforced against their property, not personally or against a guardian. Thus, the correct answer is:

Can be enforced against the lunatic's property

Quick Tip

Section 68 protects suppliers of necessities to incapable persons by allowing claims against their estate.

67. In case of breach of contract, compensation can be claimed under section 73

- (A) For remote consequence of the breach
- (B) For the proximate and natural consequences of breach
- (C) For direct consequences of the breach
- (D) For indirect consequences of the breach

Correct Answer: (B) For the proximate and natural consequences of breach

Solution:

Section 73 of the Indian Contract Act, 1872, allows compensation for loss or damage caused by a breach that is a proximate and natural consequence or reasonably foreseeable. Remote or indirect losses are not compensable. Thus, the correct answer is:

For the proximate and natural consequences of breach

Quick Tip

Section 73 follows the *Hadley v. Baxendale* principle: only foreseeable losses from a breach are compensable.

68. 'A' promises to make a sculpture for 'B'

- (A) 'A' must perform this promise personally
- (B) A's son can perform the promise
- (C) A's servant can perform the promise
- (D) A's employer can perform the promise

Correct Answer: (A) 'A' must perform this promise personally

Solution:

Under the Indian Contract Act, 1872, a contract involving personal skill or expertise (e.g., making a sculpture) must be performed personally by the promisor (Section 40), unless otherwise agreed. Thus, the correct answer is:

'A' must perform this promise personally

Quick Tip

Contracts requiring personal skill (e.g., art) cannot be delegated unless the contract permits it.

69. On attaining the age of majority, a minor's agreement

- (A) Becomes valid
- (B) Becomes void
- (C) Can be ratified by him
- (D) Cannot be ratified by him

Correct Answer: (D) Cannot be ratified by him

Solution:

Under Section 11 of the Indian Contract Act, 1872, a minor's agreement is void ab initio. Upon attaining majority, the agreement cannot be ratified as it was never valid. Thus, the correct answer is:

Cannot be ratified by him

Quick Tip

A minor's contract is void from the start; ratification is not possible as there is no valid agreement to ratify.

70. Where consent is caused by fraud or misrepresentation, the contract is

- (A) Unenforceable
- (B) Void
- (C) Voidable at the option of the aggrieved party
- (D) Not affected in any manner

Correct Answer: (C) Voidable at the option of the aggrieved party

Solution:

Under Sections 17 and 18 of the Indian Contract Act, 1872, a contract induced by fraud or misrepresentation is voidable at the option of the party whose consent was so caused. Thus, the correct answer is:

Voidable at the option of the aggrieved party

Quick Tip

Fraud or misrepresentation affects free consent, making contracts voidable, not void, allowing the aggrieved party to rescind.

71. The age of majority for the purpose of the Indian Contract Act is

- (A) 16 years
- (B) 18 years
- (C) 21 years
- (D) 18 years for girls and 21 years for boys

Correct Answer: (B) 18 years

Solution:

Under Section 11 of the Indian Contract Act, 1872, the age of majority is 18 years, as per the Indian Majority Act, 1875, for the purpose of contracting capacity. Thus, the correct answer is:

18 years

Quick Tip

The age of majority is uniformly 18 under the Indian Majority Act, except in specific cases like guardianship.

72. Owing to strike in the factory of X, he is not able to supply the goods to Y as per the terms of the agreement. The agreement in such a case

- (A) Is discharged
- (B) Is not discharged
- (C) Is not discharged
- (D) Is voidable at the option of X

Correct Answer: (B) Is not discharged

Solution:

Under Section 56 of the Indian Contract Act, 1872, a contract is discharged only if performance becomes impossible due to unforeseen events. A strike may not constitute impossibility unless it renders performance absolutely impossible. Thus, the correct answer is:

Is not discharged

Quick Tip

Strikes may not always trigger frustration; assess if the event makes performance truly impossible under Section 56.

73. An intention to close down any establishment under Section 25 FFA requirement is Notice

- (A) At least 60 days before the date on which the intended is to become effective
- (B) At least 30 days before the date on which the intended is to become effective
- (C) At least 90 days before the date on which the intended is to become effective
- (D) At least 100 days before the date on which the intended is to become effective

Correct Answer: (A) At least 60 days before the date on which the intended is to become effective

Solution:

Under Section 25FFA of the Industrial Disputes Act, 1947, an employer must give at least 60 days' notice to the appropriate government before closing an establishment employing 50 or more workers. Thus, the correct answer is:

At least 60 days before the date on which the intended is to become effective

Quick Tip

Section 25FFA protects workers by mandating advance notice of closure to allow government intervention.

74. Which of the following is not a right of an incorporated trade union

- (A) Perpetual succession
- (B) Common seal with power to acquire and hold movable and immovable property
- (C) Cannot sue or be sued on the name of trade union
- (D) None of the above

Correct Answer: (C) Cannot sue or be sued on the name of trade union

Solution:

Under the Trade Unions Act, 1926, a registered trade union enjoys rights like perpetual succession and the ability to hold property with a common seal (Section 13). It can also sue

or be sued in its name. Thus, the inability to sue or be sued is not a right and is incorrect. The correct answer is:

Cannot sue or be sued on the name of trade union

Quick Tip

Registered trade unions have legal personality, enabling them to sue and be sued under the Trade Unions Act.

75. Which Labour Legislation has been enacted on the basis of Right to Association?

- (A) Minimum Wages Act
- (B) Payment of Wages Act
- (C) Trade Unions Act
- (D) Industrial Disputes Act

Correct Answer: (C) Trade Unions Act

Solution:

The Trade Unions Act, 1926, is based on the right to association, guaranteed under Article 19(1)(c) of the Indian Constitution, allowing workers to form and join trade unions. Thus, the correct answer is:

Trade Unions Act

Quick Tip

The right to association under Article 19(1)(c) underpins the Trade Unions Act, enabling collective bargaining.

76. Which one is not a right of a recognized union?

- (A) A right of 'Check-off'
- (B) To use notice board on the premises of the undertaking
- (C) To appear on behalf of the union in domestic inquiry

(D) Inspecting the undertaking

Correct Answer: (D) Inspecting the undertaking

Solution:

Recognized trade unions typically have rights like check-off (deduction of dues), using notice boards, and representing members in inquiries. Inspecting the undertaking is not a standard right unless specified by agreement or law. Thus, the correct answer is:

Inspecting the undertaking

Quick Tip

Rights of recognized unions are often negotiated; inspection rights are not universal and depend on specific agreements.

77. A trade union might be in certain circumstances be an industry -

- (A) Des Raj V. State of Punjab
- (B) Vasudev V. State of Maharashtra
- (C) Bangalore Water Supply Case
- (D) Gujarat Majdur Sabha Case

Correct Answer: (C) Bangalore Water Supply Case

Solution:

In the *Bangalore Water Supply and Sewerage Board v. A. Rajappa* (1978) case, the Supreme Court held that a trade union could be considered an industry under certain circumstances, expanding the definition under the Industrial Disputes Act, 1947. Thus, the correct answer is:

Bangalore Water Supply Case

Quick Tip

The *Bangalore Water Supply* case broadly defined "industry" under the ID Act, including even non-profit activities.

78. Which of the following is an object on which general funds could be spent as per section 15 of the Trade Union Act, 1926?

- (A) Payment to buy goods required for the enterprise
- (B) Payment of employees in the factory establishment
- (C) The payment of expenses for the administration of trade union or any member thereof
- (D) Payment to buy goods required for the factory establishment

Correct Answer: (C) The payment of expenses for the administration of trade union or any member thereof

Solution:

Section 15 of the Trade Unions Act, 1926, allows general funds to be spent on administrative expenses, salaries of officers, legal proceedings, and welfare activities for members, not on enterprise or factory goods. Thus, the correct answer is:

The payment of expenses for the administration of trade union or any member thereof

Quick Tip

Section 15 specifies permissible expenditures for trade union funds, focusing on administration and member welfare.

79. How many members should sign the notice of dissolution?

- (A) 5 members and the secretary of the trade union
- (B) 10 members and the secretary of the trade union
- (C) 20 members and the secretary of the trade union
- (D) 7 members and the secretary of the trade union

Correct Answer: (D) 7 members and the secretary of the trade union

Solution:

Under Section 27 of the Trade Unions Act, 1926, a notice of dissolution of a trade union must be signed by seven members and the secretary of the union. Thus, the correct answer is:

7 members and the secretary of the trade union

Quick Tip

Section 27 ensures formal dissolution procedures, requiring a minimum number of member signatures for validity.

80. As per the Trade Unions Act, 1926, a person may be admitted to membership of the Union on attaining-

- (A) 15 years of age
- (B) 14 years of age
- (C) 16 years of age
- (D) 18 years of age

Correct Answer: (A) 15 years of age

Solution:

Section 21 of the Trade Unions Act, 1926, allows a person to be admitted to trade union membership upon attaining the age of 15. Thus, the correct answer is:

15 years of age

Quick Tip

The minimum age for trade union membership is lower than the age of majority to encourage worker participation.

81. Which of the following is machinery for settlement of industrial disputes?

- (A) Indian Labour Conference
- (B) Joint Management Council

- (C) Industrial Tribunal
- (D) Standing Labour Committees

Correct Answer: (C) Industrial Tribunal

Solution:

Under the Industrial Disputes Act, 1947, Industrial Tribunals (Section 7A) are formal mechanisms for settling industrial disputes, unlike conferences or councils, which are advisory. Thus, the correct answer is:

Industrial Tribunal

Quick Tip

Industrial Tribunals are adjudicatory bodies under the ID Act, distinct from advisory bodies like the Indian Labour Conference.

82. Definition of workman is defined in

- (A) Section 2(s) of ID Act, 1947
- (B) Section 2(1) of IRC, 2020
- (C) Section 2(j) of ID Act, 1947
- (D) Section 2(m) of ID Act, 1947

Correct Answer: (A) Section 2(s) of ID Act, 1947

Solution:

The definition of "workman" is provided in Section 2(s) of the Industrial Disputes Act, 1947, covering employees engaged in manual, skilled, or technical work. Thus, the correct answer is:

Section 2(s) of ID Act, 1947

Quick Tip

Section 2(s) defines "workman" broadly, excluding managerial or supervisory roles under the ID Act.

83. With regard to the reference of industrial disputes under Section 10 of the Industrial Disputes Act, 1947, which of the following statements is correct-

- (A) It is a judicial act
- (B) It is an administrative act
- (C) It is a quasi-judicial act
- (D) It is a legislative act

Correct Answer: (B) It is an administrative act

Solution:

Under Section 10 of the Industrial Disputes Act, 1947, the government's reference of disputes to tribunals or courts is an administrative act, as it involves executive discretion, not judicial adjudication. Thus, the correct answer is:

It is an administrative act

Quick Tip

Reference under Section 10 is an administrative decision, not a judicial or quasi-judicial process.

84. With regard to the prohibition of lockout and strikes in Public Utility Services, which of the following sections are applicable to such services

- (A) Section 24 and 25 of ID Act, 1947
- (B) Section 22 and 23 of ID Act, 1947
- (C) Section 26 and 27 of ID Act, 1947
- (D) Section 21 and 23 of ID Act, 1947

Correct Answer: (B) Section 22 and 23 of ID Act, 1947

Solution:

Sections 22 and 23 of the Industrial Disputes Act, 1947, govern the prohibition of strikes and lockouts in public utility services, requiring notice and restricting actions during conciliation.

Thus, the correct answer is:

Section 22 and 23 of ID Act, 1947

Quick Tip

Section 22 imposes stricter conditions on public utility services to prevent disruptions via strikes or lockouts.

85. Right to Strike in India is

- (A) Fundamental right
- (B) Statutory right
- (C) Both fundamental and statutory right
- (D) None of the above

Correct Answer: (B) Statutory right

Solution:

The right to strike in India is a statutory right under the Industrial Disputes Act, 1947, subject to conditions (e.g., Section 22). It is not a fundamental right, as per judicial rulings like *All India Bank Employees' Association v. N.I. Tribunal* (1962). Thus, the correct answer is:

Statutory right

Quick Tip

The right to strike is regulated by the ID Act and is not absolute, unlike fundamental rights under the Constitution.

86. The Trade Unions Act defines the expression 'Trade Union' in its

- (A) Section 2(e)
- (B) Section 2(f)
- (C) Section 2(g)

(D) Section 2(h)

Correct Answer: (D) Section 2(h)

Solution:

The definition of "Trade Union" is provided in Section 2(h) of the Trade Unions Act, 1926, describing it as any combination formed primarily to regulate relations between workmen and employers. Thus, the correct answer is:

Section 2(h)

Quick Tip

Section 2(h) defines "Trade Union" broadly, covering both temporary and permanent associations for labor rights.

87. To be a member of a Trade Union, a person must attain the age of:

- (1) 15 years
- (2) 16 years
- (3) 18 years
- (4) 21 years

Correct Answer: (3) 18 years

Solution:

According to the Trade Unions Act, 1926, to become a member of a trade union, a person must have completed 18 years of age. This age limit ensures that the person is legally an adult and capable of entering into binding agreements and taking part in union activities. Therefore, the minimum age for membership is 18 years.

Quick Tip

The minimum age to join a trade union is 18 years as per the Trade Unions Act.

Topic: Labour Laws – Trade Union Membership

88. According to Section 9A of the Trade Unions Act, minimum requirement about membership of a trade union is

- (A) Seven
- (B) Ten percent or one hundred of the workmen
- (C) Ten percent or one hundred of the workmen whichever is less
- (D) Ten percent or one hundred of the workmen whichever is less subject to minimum seven

Correct Answer: (D) Ten percent or one hundred of the workmen whichever is less subject to minimum seven

Solution:

Section 9A of the Trade Unions Act, 1926, specifies that a trade union must have at least ten percent or one hundred of the workmen, whichever is less, engaged or employed in the establishment, subject to a minimum of seven members, to be eligible for registration. Thus, the correct answer is:

Ten percent or one hundred of the workmen whichever is less subject to minimum seven
--

Quick Tip

Section 9A ensures a trade union has sufficient representation but sets a low minimum threshold to encourage formation.

89. The criminal wrong is considered to be

- (A) Private wrong
- (B) Public wrong
- (C) Civil wrong
- (D) None of these

Correct Answer: (B) Public wrong

Solution:

A criminal wrong is considered a public wrong because it is an offense against the state or society, prosecuted by the state under criminal law (e.g., Indian Penal Code, 1860). Civil

wrongs, like torts, are private disputes between individuals. Thus, the correct answer is:

Public wrong

Quick Tip

Criminal wrongs affect public order, distinguishing them from civil wrongs, which seek private remedies.

90. The criminal liability arises in

- (A) Involuntary act only
- (B) Voluntary acts only
- (C) External acts only
- (D) Internal act only

Correct Answer: (B) Voluntary acts only

Solution:

Under the Indian Penal Code, 1860, criminal liability typically arises from voluntary acts accompanied by **mens rea** (guilty mind), as per general principles of criminal law.

Involuntary acts (e.g., under duress) or purely internal acts (thoughts) do not incur liability.

Thus, the correct answer is:

Voluntary acts only

Quick Tip

Criminal liability requires both **actus reus** (voluntary act) and **mens rea** (intent), except in strict liability cases.

91. Which section is a key to the chapter, 'General-exceptions' and, thus in a way, controls the code?

- (A) Section 6 of IPC

- (B) Section 8 of IPC
- (C) Section 9 of IPC
- (D) Section 10 of IPC

Correct Answer: (A) Section 6 of IPC

Solution:

Section 6 of the Indian Penal Code, 1860, states that every definition and provision in the IPC is subject to the general exceptions in Chapter IV (Sections 76–106). It acts as a key to the chapter by making these exceptions applicable across the code. Thus, the correct answer is:

Section 6 of IPC

Quick Tip

Section 6 ensures general exceptions like mistake, accident, or insanity apply to all IPC offenses unless specified otherwise.

92. C intentionally gives D a sword-cut or club-wound sufficient to cause the death of a man in the ordinary course of nature. D dies in consequence. Here.....

- (A) C is guilty of murder
- (B) C is guilty of culpable homicide
- (C) C has not committed any offence
- (D) C has committed an offence, which attracts no punishment

Correct Answer: (A) C is guilty of murder

Solution:

Under Section 300 of the Indian Penal Code, 1860, murder includes an act done with the intention of causing bodily injury sufficient in the ordinary course of nature to cause death. C's intentional act of inflicting a deadly wound on D, resulting in death, constitutes murder. Thus, the correct answer is:

C is guilty of murder

Quick Tip

Section 300 defines murder by intent and the nature of injury; distinguish from culpable homicide (Section 299).

93. Punishment for rape is provided under of IPC.

- (A) Section 375
- (B) Section 376
- (C) Section 376A
- (D) Section 376B

Correct Answer: (B) Section 376

Solution:

Section 376 of the Indian Penal Code, 1860, prescribes the punishment for rape, including imprisonment for a minimum of seven years or life. Section 375 defines rape, while Sections 376A and 376B cover specific aggravated forms. Thus, the correct answer is:

Section 376

Quick Tip

Section 376 is the primary provision for rape punishment; related sections (376A–E) address specific scenarios.

94. How many persons are needed to call Robbery a Dacoity?

- (A) Five or more
- (B) Two
- (C) Five
- (D) Ten

Correct Answer: (A) Five or more

Solution:

Under Section 391 of the Indian Penal Code, 1860, dacoity is defined as robbery committed by five or more persons conjointly. Thus, the correct answer is:

Five or more

Quick Tip

Dacoity (Section 391) requires five or more participants, distinguishing it from robbery (Section 390).

95. Match List -I with List -II and select the correct answer by using the code given below lists

List-I

- a. *Birendra Kumar Gosh vs. Emperor*
- b. *R vs. Prince*
- c. *Dudley vs. Stephens*
- d. *R vs. Tolson*

List-II

- 1. Common object
- 2. Necessity no defence
- 3. Act done in furtherance of common intention
- 4. Absolute liability
- 5. Mistaken belief

- (A) a-4, b-3, c-5, d-2
- (B) a-1, b-2, c-3, d-4
- (C) a-3, b-4, c-2, d-5
- (D) a-3, b-4, c-1, d-2

Correct Answer: (C) a-3, b-4, c-2, d-5

Solution:

Matching the cases: a. *Birendra Kumar Ghosh v. Emperor* (act done in furtherance of common intention, Section 34 IPC); b. *R v. Prince* (absolute liability, no defense of mistake); c. *Dudley v. Stephens* (necessity no defense in murder); d. *R v. Tolson* (mistaken belief as defense). The correct match is a-3, b-4, c-2, d-5. Thus, the correct answer is:

a-3, b-4, c-2, d-5

Quick Tip

Memorize landmark cases and their principles, e.g., *Dudley v. Stephens* for necessity and *R v. Prince* for strict liability.

96. Respondent superior means

- (A) Let the principal be liable
- (B) Let the agent be liable
- (C) Let both of them be liable
- (D) Let none of them be liable

Correct Answer: (A) Let the principal be liable

Solution:

Respondeat superior is a legal doctrine meaning "let the master answer," holding the principal or employer liable for the wrongful acts of their agent or employee committed within the scope of employment. Thus, the correct answer is:

Let the principal be liable

Quick Tip

Respondeat superior applies in tort law to hold employers vicariously liable for employees' actions during work.

97. The following is not a good defence for tort of nuisance:

- (A) Acts done under statutory authority
- (B) Acts done for common benefit
- (C) Property is put to natural user of land
- (D) Act done for several years continuously for 20 years

Correct Answer: (B) Acts done for common benefit

Solution:

In tort law, defenses to nuisance include statutory authority, natural use of land, and prescription (20 years' continuous act). Acts done for common benefit are not a recognized defense, as nuisance focuses on interference with land use, not public benefit. Thus, the correct answer is:

Acts done for common benefit

Quick Tip

Nuisance defenses hinge on legal rights (e.g., statutory authority) or established use, not vague notions like common benefit.

98. Independent tortfeasors

- (A) Are two or more persons acting independently concur to produce a single damage
- (B) Are two or more persons acting independently at the same time produce different damages
- (C) Are two or more persons acting independently at different times produce different damages
- (D) Are two or more person acting jointly at the same time produce different damages

Correct Answer: (A) Are two or more persons acting independently concur to produce a single damage

Solution:

Independent tortfeasors are multiple persons whose independent acts combine to cause a single harm, making them jointly liable (e.g., pollution from multiple sources harming one property). Different damages or joint action do not apply. Thus, the correct answer is:

Are two or more persons acting independently concur to produce a single damage

Quick Tip

Independent tortfeasors are liable for a single harm caused by their combined independent acts, unlike joint tortfeasors.

99. Which of the following is false with respect to Section 34 of the Indian Penal Code?

- (A) It is only a rule of evidence
- (B) It does not create a distinct offence
- (C) It lays down a principle of liability
- (D) It is a penal provision

Correct Answer: (D) It is a penal provision

Solution:

Section 34 of the Indian Penal Code (IPC) is not a penal provision by itself. It does not create any separate offence. Instead, it is a rule of evidence or a principle of criminal liability that deals with the acts done by several persons in furtherance of a common intention. It helps in attributing liability to all persons who share a common intention to commit an offence, even if only one of them physically commits the act. Therefore, option (D) is false because Section 34 is not a penal provision, but a principle to determine liability.

It is a penal provision

Quick Tip

Section 34 IPC is a rule of evidence and principle of liability; it does not itself define any offence.

100. Life imprisonment means

- (A) Imprisonment for life
- (B) Imprisonment for 12 years
- (C) Imprisonment for 20 years
- (D) Imprisonment for 14 years

Correct Answer: (A) Imprisonment for life

Solution:

Under Section 53 of the Indian Penal Code, 1860, life imprisonment means imprisonment for the remainder of the convict's natural life, unless commuted or remitted. Fixed terms like 12, 14, or 20 years do not apply. Thus, the correct answer is:

Imprisonment for life

Quick Tip

Life imprisonment is for the convict's entire life unless altered by legal processes like pardon or commutation.

101. The general defences as provided in the Chapter of General Exceptions in the Indian Penal Code (IPC) can be pleaded

- (A) For IPC offences only
- (B) For IPC offences and offences under local law only
- (C) For IPC offences and offences under special law only
- (D) For IPC offences and offences under local or special law

Correct Answer: (D) For IPC offences and offences under local or special law

Solution:

General exceptions in Chapter IV of the IPC (Sections 76–106) can be pleaded for IPC offenses and, unless excluded, for offenses under local or special laws, as per judicial interpretations (e.g., **State of Maharashtra v. Mayer Hans George**). Thus, the correct answer is:

For IPC offences and offences under local or special law

Quick Tip

General exceptions apply broadly unless a special law explicitly excludes them, ensuring uniform defenses.

102. Ubi jus ibi remedium means

- (A) Where there is a right, there is a remedy
- (B) Where there is a law. there is a remedy
- (C) Where there is a right. there is a writ
- (D) Where there is a remedy. there is a right

Correct Answer: (A) Where there is a right, there is a remedy

Solution:

Ubi jus ibi remedium is a legal maxim meaning "where there is a right, there is a remedy," ensuring that every legal right has a corresponding remedy in law, a cornerstone of tort law. Thus, the correct answer is:

Where there is a right, there is a remedy

Quick Tip

This maxim underpins tort law, ensuring remedies for breaches of legal rights, as seen in cases like *Ashby v. White*.

103. "Tortious liability arises from the breach of a duty primarily fixed by law; this duty is towards persons generally and its breach is redressible by an action for unliquidated damages." Who said this?

- (A) Salmond
- (B) Pollock
- (C) Kenney
- (D) Winfield

Correct Answer: (D) Winfield

Solution:

This definition of tortious liability was given by Percy Henry Winfield, emphasizing that torts involve breaches of legal duties owed generally, remedied by unliquidated damages.

Thus, the correct answer is:

Winfield

Quick Tip

Winfield's definition highlights the general duty and unliquidated damages as key features of tort law.

104. Application for copyright can be filed in

- (A) IP Office
- (B) Copyright Office
- (C) Civil Court
- (D) Department of trade

Correct Answer: (B) Copyright Office

Solution:

Under the Copyright Act, 1957, applications for copyright registration in India are filed with the Copyright Office, administered by the Registrar of Copyrights. Thus, the correct answer is:

Copyright Office

Quick Tip

The Copyright Office handles registration, distinct from IP offices for patents or trademarks.

105. A patent right granted for an

- (A) Identification of source
- (B) Invention
- (C) Indication about quality
- (D) Good and service

Correct Answer: (B) Invention

Solution:

Under the Patents Act, 1970, a patent is granted for a new, inventive, and industrially applicable invention. The option "identification of source" relates to trademarks, not patents. Due to incomplete options, the assumed correct answer based on standard law is:

Invention

Quick Tip

Patents protect inventions; trademarks protect source identifiers like logos or brand names.

106. Consumer Protection Act is significant to

- (A) Immovable Goods
- (B) Movable Goods
- (C) Particular Goods and Services
- (D) All Goods and Services

Correct Answer: (D) All Goods and Services

Solution:

The Consumer Protection Act, 2019, protects consumers in transactions involving goods and services, excluding immovable property (e.g., real estate). Due to incomplete options, the assumed correct answer is:

All Goods and Services

Quick Tip

The Consumer Protection Act covers movable goods and services, not immovable property like land.

107. What is the time limit for filing a complaint under the Consumer Protection Act, 2019?

- (1) within one year
- (2) within two years
- (3) within three years
- (4) within ten years

Correct Answer: (2) within two years

Solution:

As per Section 31(2) of the Consumer Protection Act, 2019, a complaint must be filed within two years from the date on which the cause of action has arisen. This time limit is set to ensure timely resolution of consumer disputes. If a complaint is filed after the prescribed period, it may be dismissed unless the complainant can provide sufficient cause for the delay.

Quick Tip

Under the Consumer Protection Act, 2019, the complaint must be filed within two years from the cause of action.

Topic: Consumer Protection Act, 2019 – Time Limits for Filing Complaints

108. Which of the following is known as Consumer disputes redressal agency?

- (A) District forum
- (B) State commission
- (C) National commission
- (D) All the above

Correct Answer: (D) All the above

Solution:

Under the Consumer Protection Act, 2019, consumer disputes redressal agencies include the District Consumer Disputes Redressal Commission, State Consumer Disputes Redressal Commission, and National Consumer Disputes Redressal Commission. Thus, the correct answer is:

All the above

Quick Tip

All three levels—District, State, and National Commissions—form the consumer disputes redressal framework.

109. Which one of the following statement is correct?

- (A) Copyright Law in India was governed by the Patent Act
- (B) Copyright Law in India was governed by the Trademarks Act
- (C) There was no Copyright Law in India prior to 1957
- (D) Copyright Law in India was governed by the Copyright Act 1914

Correct Answer: (D) Copyright Law in India was governed by the Copyright Act 1914

Solution:

Before the Copyright Act, 1957, copyright in India was governed by the Indian Copyright Act, 1914, based on British law. The Patent Act and Trademarks Act cover different IP rights, and copyright law existed pre-1957. Thus, the correct answer is:

Copyright Law in India was governed by the Copyright Act 1914

Quick Tip

The 1914 Act applied colonial copyright law in India until replaced by the 1957 Act post-independence.

110. Trade Related Aspects of Intellectual Property Rights Agreement came into force in which of the following years?

- (A) 1996
- (B) 2006
- (C) 1999
- (D) 2000

Correct Answer: (None provided; correct answer: 1995)

Solution:

The TRIPS Agreement, part of the WTO framework, came into force on January 1, 1995. None of the provided options (1996, 2006, 1999, 2000) are correct, but based on standard knowledge, the correct answer is:

1995

Quick Tip

TRIPS, effective from 1995, sets global IP standards under the WTO, crucial for trade-related IP rights.

111. Which of these Conventions are known as the First Intellectual Property Treaty?

- (A) Paris Convention
- (B) Patent Co-operation Treaty
- (C) Patent Law Treaty
- (D) Berne Convention

Correct Answer: (A) Paris Convention

Solution:

The Paris Convention for the Protection of Industrial Property (1883) is considered the first intellectual property treaty, covering patents, trademarks, and industrial designs. The Berne Convention (1886) followed for copyrights. Thus, the correct answer is:

Paris Convention

Quick Tip

The Paris Convention (1883) predates other IP treaties, establishing principles like national treatment.

112. What is considered as the Magna Carta of Environmental Protection?

- (A) Chipko movement

- (B) Stockholm declaration
- (C) Constitutional provisions of Environmental law
- (D) All the above

Correct Answer: (B) Stockholm declaration

Solution:

The Stockholm Declaration (1972), adopted at the UN Conference on the Human Environment, is known as the Magna Carta of Environmental Protection, establishing foundational principles for global environmental law. The Chipko movement and constitutional provisions are significant but not termed as such. Thus, the correct answer is:

Stockholm declaration

Quick Tip

The 1972 Stockholm Declaration set global environmental norms, influencing laws like India's Environment Protection Act.

113. In which of the following, a person is constantly followed/chased by another person or group of several peoples?

- (A) Phishing
- (B) Bulling
- (C) Stalking
- (D) Identity theft

Correct Answer: (C) Stalking

Solution:

The act of constantly following or chasing a person is defined as stalking under Section 354D of the Indian Penal Code, 1860. Due to incomplete options, the assumed correct answer based on standard legal knowledge is:

Stalking

Quick Tip

Stalking (Section 354D IPC) includes persistent following or contacting, often criminalized to protect personal safety.

114. Which of the following are famous and common cyber-attacks used by hackers to infiltrate the user's system?

- (1) Dos and Drive-by Downloads
- (2) Malware & Malvertising
- (3) Phishing and Password attacks
- (4) All of the above

Correct Answer: (4) All of the above

Solution:

Hackers use various methods to infiltrate users' systems. Denial of Service (DoS) attacks disrupt normal functioning by overwhelming the system. Drive-by downloads involve the automatic downloading of malicious software without user consent. Malware refers to malicious software designed to damage or gain unauthorized access, while malvertising uses online advertisements to spread malware. Phishing attacks trick users into revealing sensitive information, and password attacks aim to crack user passwords. All these methods are commonly used by hackers to compromise systems.

Quick Tip

Common cyber-attacks include DoS, drive-by downloads, malware, malvertising, phishing, and password attacks.

Topic: Cybersecurity – Common Cyber Attacks

115. Research is related with

- (A) Discovery of Ideas
- (B) Solution of a problem
- (C) Investigation of a problem
- (D) All of the above

Correct Answer: (D) All of the above

Solution:

Research involves discovering new ideas, solving problems, and investigating issues systematically to advance knowledge. All provided aspects are integral to research. Thus, the correct answer is:

All of the above

Quick Tip

Research is a multifaceted process encompassing idea generation, problem-solving, and systematic inquiry.

116. What is the purpose of doing research?

- (A) To identify problem
- (B) To find the solution
- (C) Both A and B
- (D) None of the above

Correct Answer: (C) Both A and B

Solution:

The purpose of research is to identify problems and find solutions through systematic investigation, contributing to knowledge or practical outcomes. Thus, the correct answer is:

Both A and B

Quick Tip

Research aims to both pinpoint issues and develop solutions, forming a cycle of inquiry and resolution.

117. The experimental study is based on

- (A) The manipulation of variable
- (B) Conceptual parameters
- (C) Replication of research
- (D) Survey of literature

Correct Answer: (A) The manipulation of variable

Solution:

Experimental studies involve manipulating one or more independent variables to observe their effect on a dependent variable, establishing cause-and-effect relationships. Thus, the correct answer is:

The manipulation of variable

Quick Tip

Experimental research relies on variable manipulation and control to test hypotheses scientifically.

118. "A systematic step-by step procedure following logical process of reasoning" called

- (A) Experiment
- (B) Observation
- (C) Deduction
- (D) Scientific method

Correct Answer: (D) Scientific method

Solution:

The scientific method is a systematic, step-by-step procedure involving observation, hypothesis, experimentation, and reasoning to derive knowledge. Thus, the correct answer is:

Scientific method

Quick Tip

The scientific method is the backbone of empirical research, ensuring logical and reproducible results.

119. The Right to Information Act, 2005 provides that 'subject to the provisions of this Act, all citizens shall have the right to information' in its

- (A) Section 3
- (B) Section 4
- (C) Section 5
- (D) Section 6

Correct Answer: (A) Section 3

Solution:

Section 3 of the Right to Information Act, 2005, states that all citizens have the right to information, subject to the Act's provisions, establishing the fundamental right to access public information. Thus, the correct answer is:

Section 3

Quick Tip

Section 3 of the RTI Act is the cornerstone, granting citizens the right to access public information.

120. Research based on observed and measured phenomena and deriving knowledge from actual experience rather than from theory or belief is

- (A) Empirical research
- (B) Theoretical research
- (C) Conceptual research
- (D) Fundamental research

Correct Answer: (A) Empirical research

Solution:

Empirical research relies on observed and measured phenomena, deriving knowledge from actual experience or data, unlike theoretical or conceptual research, which focuses on ideas or frameworks. Thus, the correct answer is:

Empirical research

Quick Tip

Empirical research emphasizes data and observation, distinguishing it from theoretical or belief-based studies.