



## CUET PG L.L.M. 20 March 2024 Shift II (COQP14)

<b>Time Allowed :</b> 1 hour 45 minutes	<b>Maximum Marks :</b> 300	<b>Total questions :</b> 75
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### General Instructions

**Read the following instructions very carefully and strictly follow them:**

- (i) This question paper comprises 75 questions. All questions are compulsory.
- (ii) Each question carries 04 (four) marks.
- (iii) For each correct response, candidate will get 04 (four) marks.
- (iv) For each incorrect response, 01 (one) mark will be deducted from the total score.
- (v) Un-answered/un-attempted response will be given no marks.
- (vi) To answer a question, the candidate needs to choose one option as correct option.
- (vii) However, after the process of Challenges of the Answer Key, in case there are multiple correct options or change in key, only those candidates who have attempted it correctly as per the revised Final Answer Key will be awarded marks.
- (viii) In case a Question is dropped due to some technical error, full marks shall be given to all the candidates irrespective of the fact who have attempted it or not

**1: In which of the following case, the Supreme Court of India held that "the rule of res judicata applies to a petition filed under Article 32 of the Constitution and if a petition filed by a petitioner in the High Court under Article 226 of the Constitution is dismissed on merits such decision would operate as res judicata so as to bar a similar petition in the Supreme Court under Article 32 of the Constitution"?**

1. State of U.P v Nawab Hussain
2. Gulam Abbas v State of U P
3. Daryao v. State of U.P
4. Iftikar Ahmed v. Syed Meharban Ali

**Correct Answer:** 3. Daryao v. State of U.P

**Solution:**

The Supreme Court's ruling in the case of Daryao v. State of U.P established that the doctrine of "res judicata" applies to petitions filed under Article 32 of the Indian Constitution. In this case, the Court ruled that if a petition is dismissed by the High Court under Article 226 on the merits, it would operate as a bar to filing a similar petition in the Supreme Court under Article 32. This principle ensures that once a matter has been adjudicated upon by a competent court, it cannot be re-litigated, thereby conserving judicial resources.

**Quick Tip**

Always remember that judgments based on "res judicata" prevent re-litigation of the same issue in a different court.

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**2: The chief exponent of "auto limitation theory" regarding the basis of International law is**

1. Starke
2. Jellinek
3. Hart
4. Oppenheim

**Correct Answer:** 2. Jellinek

**Solution:**

Jellinek was a key proponent of the "auto limitation theory," which is an approach to understanding international law. According to this theory, international law imposes limitations on states automatically, without the need for explicit consent or the formal approval of states involved. It argues that international law imposes certain constraints upon state sovereignty to ensure compliance with global norms. This theory is pivotal in understanding how international legal rules function independently of state consent.

**Quick Tip**

Jellinek's theory emphasizes that international law limits itself based on state sovereignty.

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**3: "Individual is the ultimate unit of all laws, International or municipal" given by:**

1. Austin
2. Lauterpacht
3. Starke
4. Fenwick

**Correct Answer:** DROP (No correct answer provided)

**Solution:**

This statement is often attributed to scholars in the field of international law who emphasized the role of individuals in both international and municipal law. However, in this case, there seems to be no definitive attribution to a specific individual, so no correct answer is provided in the answer key. The principle suggests that individuals, rather than states, should be the fundamental subject of international law, a perspective that has gained traction in modern international law debates.

### Quick Tip

In questions with no clear answer, revisit the core concepts to ensure you understand the principle involved.

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#### 4: Which of the following associated with "Droit Administratif"?

1. Edward Coke
2. Montesquieu
3. Aristotle
4. Napoleon Bonaparte

**Correct Answer:** 4. Napoleon Bonaparte

#### **Solution:**

"Droit Administratif" refers to the body of French administrative law, which is strongly associated with the development of the administrative legal system in France. Napoleon Bonaparte played a significant role in its formation by establishing a clear structure of administrative law in his Napoleonic Code. This legal framework helped define the powers and limits of administrative actions in France, influencing administrative law worldwide.

### Quick Tip

Droit Administratif is a French legal principle emphasizing public administration law.

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#### 5: In which of the following case, the Supreme Court of India held that the Indian Constitution has not indeed recognised the Doctrine of Separation of Power in its absolute rigidity but the functions of the different parts of the government have been sufficiently differentiated?

1. Indira Nehru Gandhi v. Raj Narain
2. Maneka Gandhi v. Union of India

3. A.K. Kraipak v. Union of India
4. Ram Jawaya Kapur v. State of Punjab

**Correct Answer:** 4. Ram Jawaya Kapur v. State of Punjab

**Solution:**

The case Ram Jawaya Kapur v. State of Punjab is significant in the context of the separation of powers within the Indian Constitution. The Supreme Court held that while the Constitution does not rigidly adhere to the doctrine of separation of powers, it has sufficiently differentiated the functions of the executive, legislature, and judiciary. This means that while the absolute separation is not mandated, each branch of government is assigned distinct roles and responsibilities, ensuring a functional separation of powers.

**Quick Tip**

The concept of separation of powers is fundamental, but the Indian Constitution does not adopt it rigidly.

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**6: Section 5 of the Limitation Act, 1963 applicable on:**

1. Suits, appeals and applications
2. Suits and appeals only
3. Appeals and Application related with executions
4. Appeals and Application other than executions

**Correct Answer:** 4. Appeals and Application other than executions

**Solution:**

Section 5 of the Limitation Act, 1963 applies to appeals and applications that are not related to execution. This section allows for the condonation of delay in filing appeals or applications under certain circumstances, thus extending the period for filing if the delay is due to valid reasons.

### Quick Tip

Section 5 provides a means of allowing more time for appeals and applications, except those related to execution matters.

### 7: Match List-I with List-II

List-I	List-II
(A) Time barred Debt	(I) Right in personam
(B) Right to reputation	(II) Personal right
(C) Right arising out of a contract	(III) Imperfect right
(D) Right to physical integrity	(IV) Right in rem

Choose the correct answer from the options given below:

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

**Correct Answer:** 4. (A) - (III), (B) - (II), (C) - (IV), (D) - (I)

### Solution:

- (A) Time-barred Debt refers to an imperfect right as the debt is not enforceable after the limitation period.
- (B) Right to reputation is a personal right, where the individual's reputation is protected.
- (C) Right arising out of a contract is a right in rem, as it applies to all third parties.
- (D) Right to physical integrity is a right in personam, as it pertains to the individual's physical protection.

### Quick Tip

Rights in rem are enforceable against the world at large, whereas rights in personam are enforceable against specific individuals.

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### 8: President can return the advice of the Cabinet for reconsideration

1. Twice only
2. Any number of times
3. Once only
4. Not even once

**Correct Answer:** 2. Any number of times

#### **Solution:**

Under Article 74(2) of the Indian Constitution, the President can return the advice of the Cabinet for reconsideration. The advice can be returned any number of times, but the President must act according to the final advice of the Cabinet after reconsideration.

#### Quick Tip

The President can return Cabinet advice as many times as needed but must eventually accept the final advice.

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### 9: Right guaranteed under Article 25 is subject to

1. Fundamental rights, dignity and privacy
2. Public order, morality and health and the other provisions of Part III
3. Public order, decency and health and the other provisions of Part IV
4. Public order, morality and health and the Article 14

**Correct Answer:** 2. Public order, morality and health and the other provisions of Part III

#### **Solution:**

Article 25 of the Indian Constitution guarantees freedom of conscience and the right to freely profess, practice, and propagate religion. However, this right is subject to public order, morality, health, and other provisions of Part III (Fundamental Rights), thus ensuring that religious practices do not violate the public welfare or other constitutional provisions.

### Quick Tip

The right under Article 25 is not absolute and is subject to reasonable restrictions for public order and morality.

**10: Unless approved by the State legislature, the ordinance issued by the Governor shall cease to operate at the expiration of**

1. One year
2. Six months
3. Six weeks
4. Two months

**Correct Answer:** 3. Six weeks

### Solution:

Under Article 213 of the Indian Constitution, an ordinance issued by the Governor must be approved by the State Legislature within six weeks from the date of reassembly, or it shall cease to operate. This provision ensures that ordinances are subject to legislative scrutiny.

### Quick Tip

Ordinances are temporary measures and must be approved within six weeks to remain in force.

**11: Match List-I with List-II**

List-I	List-II
(A) Article 54	(I) Constitution of Parliament
(B) Article 75	(II) Composition of the Council of States
(C) Article 79	(III) Election of President
(D) Article 80	(IV) Appointment of Prime Minister

Choose the correct answer from the options given below:



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

**Correct Answer:** 4. (A) - (III), (B) - (II), (C) - (IV), (D) - (I)

**Solution:**

- Article 54 deals with the election of the President of India.
- Article 75 deals with the appointment of the Prime Minister.
- Article 79 deals with the constitution of the Parliament.
- Article 80 pertains to the composition of the Council of States.

**Quick Tip**

Understand the structure of the Indian Constitution and the roles defined for each article.

**12: Match List-I with List-II**

List-I	List-II
(A) Right to privacy	(I) Justice (Retired) Puttaswamy v Union of India
(B) Death penalty	(II) Bachan Singh Case
(C) Prisoners right	(III) Maneka Gandhi Case
(D) Right to go abroad	(IV) Sunil Batra Case

Choose the correct answer from the options given below:

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

**Correct Answer:** 3. (A) - (I), (B) - (II), (C) - (IV), (D) - (III)

**Solution:**

- The Puttaswamy v Union of India case upheld the right to privacy as a fundamental right.
- Bachan Singh Case is related to the death penalty.
- The Maneka Gandhi Case involved the right to go abroad as a fundamental right.
- Sunil Batra Case deals with prisoners' rights.

**Quick Tip**

Connect legal concepts with landmark judgments for better understanding.

**13: Savigny's Theory is based on**

1. Greek Law
2. Common Law
3. Roman Law
4. Spanish Law

**Correct Answer:** 3. Roman Law

**Solution:**

Savigny's Theory of law emphasizes the idea of "Volksgeist" or the "spirit of the people." He believed that law evolves naturally from the customs of a society. His theory is primarily based on Roman law, which he considered a product of the collective will of the people.

**Quick Tip**

Savigny's theory stresses that law is not merely a set of commands but a manifestation of the people's spirit.

**14: Res Nullius rule implies**

1. A right of easement acquired after a passage of time prescribed by law

2. Owner of a property has right to take benefit form the property
3. Where there is an extinction of previous ownership by an independent adverse act of an acquirer
4. For previously ownerless object, the person took the object as the owner

**Correct Answer:** 4. For previously ownerless object, the person took the object as the owner

**Solution:**

The Res Nullius rule refers to property that has no owner, and it can be acquired by anyone who takes possession of it. The person who takes the object or property becomes its new owner under the principle of Res Nullius.

**Quick Tip**

Remember, Res Nullius applies to property that has no owner, and can be claimed by the first possessor.

**15: Match List-I with List-II**

List-I	List-II
(A) Grotius	(I) De Jure Belli ac Pacis
(B) Austin	(II) Natural law giving imperative to do good and avoid evil
(C) Thomas Aquinas	(III) Postive morality
(D) Samuelvon Pufendorf	(IV) Supremacy of law of Nature

Choose the correct answer from the options given below:

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

**Correct Answer:** 2. (A) - (I), (B) - (III), (C) - (II), (D) - (IV)

**Solution:**

- Grotius is known for De Jure Belli ac Pacis, his work on the law of war and peace.
- Austin is associated with the theory of positive morality.
- Thomas Aquinas emphasized natural law that urges individuals to do good and avoid evil.
- Samuel von Pufendorf is known for his theory of the supremacy of the law of nature.

**Quick Tip**

Match each thinker with their key work or theory for better retention.

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**16: Which of the section in Code of Criminal Procedure Code, 1973 deals with "set off"?**

1. Section 427
2. Section 190
3. Section 428
4. Section 328

**Correct Answer:** 3. Section 428

**Solution:**

Section 428 of the Code of Criminal Procedure, 1973 deals with the concept of "set off." It allows the accused person to have the time spent in judicial custody deducted from the total sentence if convicted, which is known as "set off."

**Quick Tip**

Remember that "set off" refers to adjusting the sentence based on the time already spent in custody.

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**17: Which of the following is correct with reference to Transfer of Property Act, 1882?**

(A) Transfer of Property Act deals only with immovable property

- (B) Transfer of Property Act deals with both movable and immovable property
- (C) Property may be transferred orally under the Transfer of Property Act, 1882 in all cases
- (D) Property can be transferred orally under Transfer of Property Act, 1882

**Correct Answer:** 1. (B) and (C) only

**Solution:**

- The Transfer of Property Act, 1882 applies to both movable and immovable property.
- Property may be transferred orally under the Act, but not in all cases (the transfer of immovable property, for example, must be done in writing).

**Quick Tip**

The Transfer of Property Act applies to both types of property, but remember that immovable property often requires a written deed.

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**18: Consider the following statements:**

- (A) Constitutional Amendment Bill be introduced only with the prior permission of the President.
- (B) Even if both the Houses of the Parliament passed the Constitutional Amendment Bill, the President can refuse to sign.
- (C) If both the Houses of the Parliament passed the Constitutional Amendment Bill, it is mandatory for the President to sign and there is provision for joint sitting.
- (D) If both the Houses of the Parliament has passed the Constitutional Amendment Bill, it is discretionary for the President to sign and there is provision for joint sitting.

1. (A), (B) and (D) only.
2. (A) and (C) only.
3. (C) only.
4. (D) only.

**Correct Answer:** 1. (A), (B) and (D) only.

**Solution:**

- The President's approval is required for introducing a Constitutional Amendment Bill.
- Even if both Houses pass the bill, the President can refuse to sign it, but the decision is discretionary after the bill has been passed.
- There is no provision for joint sitting in case of a Constitutional Amendment Bill, so it is discretionary.

**Quick Tip**

The President's role in constitutional amendments is largely discretionary, except for the procedure laid out by Article 368.

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**19: Where the President issued Proclamation under Article 356, the President may by Proclamation**

- (A) assume to himself all or any functions of the Government of the States
- (B) assume to himself all or any powers vested in or exercisable by the Governor
- (C) declare that the powers of the legislature of the State shall be exercisable by or under the authority of Parliament
- (D) assume to himself any powers vested in or exercisable by a High Court

**Correct Answer:** 1. (A), (B) and (C) only.

**Solution:**

- Under Article 356, the President can take over the functions of the State government, exercise powers vested in the Governor, and declare that the powers of the State legislature be exercised by Parliament.
- The President cannot assume powers from a High Court under this article.

**Quick Tip**

Article 356 allows the President to take emergency measures when a State government is not functioning according to the Constitution.

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**20: Read the following with reference to fundamental rights and directive principles:**

- (A) Primacy is not given to all fundamental rights over directive principles
- (B) Primacy is given to all fundamental rights from Article 14 to Article 32 over directive principles
- (C) Primacy is given only to Directive Principles contained in Art. 39(b) and Art. 39 (c) over the fundamental rights under Arts. 14 and 19
- (D) Primacy is given only to Directive Principles contained in Art. 39(a) and Art. 39 (b) over the fundamental rights under Arts. 14 and 19

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

**Correct Answer:** 4. (C) and (D) only.

**Solution:**

- Directive Principles (such as those in Articles 39(a) and 39(b)) are generally meant to guide state policy, and in certain cases, they can override some fundamental rights like those in Articles 14 and 19.
- The primacy is not given to all fundamental rights but is a selective approach when balancing rights and principles.

**Quick Tip**

Understand how fundamental rights and directive principles interact, especially in cases of conflict.

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**21: A decree for restitution of conjugal rights can be executed in India by**

- 1. Attachment of the property of the respondent
- 2. Attachment of the property of the respondent and by arresting the respondent

3. Arrest of the respondent
4. Either Attachment of the property of the respondent or by arresting the respondent

**Correct Answer:** 4. Either Attachment of the property of the respondent or by arresting the respondent

**Solution:**

A decree for restitution of conjugal rights can be executed under the provisions of the Indian law through either attachment of the property of the respondent or by arresting the respondent. This is an exception to general execution procedures under family law.

**Quick Tip**

The execution of a restitution decree involves either attaching property or arresting the respondent to enforce marital obligations.

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**22: Where in order to give effect to international agreements the Parliament enacts law on matters enumerated in the State List without consulting the affected states, the law is**

- (A) Void
- (B) Valid
- (C) Void to the extent of encroachment
- (D) Valid only to the extent affected state has given the consent

Choose the correct answer from the options given below:

1. (A), (B) and (D) only.
2. (B) and (C) only.
3. (B) only.
4. (D) only.

**Correct Answer:** 3. (B) and (C) only

**Solution:**



When Parliament enacts laws that affect matters in the State List to give effect to international agreements, such laws are valid. However, they may be void to the extent they encroach upon the state's jurisdiction if no consent is given.

#### Quick Tip

State consent is crucial when laws on the State List are enacted to fulfill international obligations.

### 23: Sequence the following as it appears in the Preamble of the Constitution of India:

- (A) Democratic - Fraternity
- (B) Secular - Equality
- (C) Socialist - Liberty
- (D) Sovereign - Justice

Choose the correct answer from the options given below:

1. (A), (B), (C), (D)
2. (D), (C), (A), (B)
3. (D), (C), (B), (A)
4. (C), (B), (D), (A).

**Correct Answer:** 1. (A), (B), (C), (D)

#### Solution:

The Preamble of the Indian Constitution begins with the declaration of India being a Sovereign, Secular, Socialist, Democratic Republic. The sequence of values in the Preamble is Justice, Liberty, Equality, and Fraternity.

#### Quick Tip

Remember the values as they are mentioned in the Preamble for better clarity.

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**24: Which of the following is the exclusive power of the House of People?**

1. Impeachment of the President of India
2. To pass non-confidence motion against the Council of Ministers
3. To ratify the declaration of national emergency
4. To pass Constitutional Amendment Bill

**Correct Answer:** 2. To pass non-confidence motion against the Council of Ministers

**Solution:**

The exclusive power of the House of People (Lok Sabha) is to pass a non-confidence motion against the Council of Ministers, thus holding the government accountable. This is not within the powers of the Rajya Sabha.

**Quick Tip**

The Lok Sabha holds the power to express confidence or non-confidence in the government.

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**25: Which of the following are the circumstances under which a Member of Parliament can be disqualified under the 10th Schedule of the Constitution of India?**

- (A) If he has voluntarily given up his membership of his political party
- (B) If votes or abstains from voting contrary to direction issued by his political party
- (C) A nominated member of a House shall be disqualified if he joins any political party after Six Months
- (D) A nominated member of a House shall be disqualified if he joins any political party before Six Months

: Choose the correct answer from the options given below:

1. (A), (B) and (D) only.

2. (A), (B) and (C) only.
3. (A),(B), (C) and (D)
4. (B), (C) and (D) only.

**Correct Answer:** 3. (A), (B), (C) and (D)

**Solution:**

Under the 10th Schedule of the Indian Constitution, Members of Parliament can be disqualified for actions like voluntarily giving up membership of their party, violating party directions, or joining a political party if nominated.

**Quick Tip**

The 10th Schedule is known as the Anti-Defection Law, aiming to prevent floor-crossing.

**26: Match List-I with List-II:**

List-I	List-II
(A) Ut lite pendente nihil innovetur	(III) Lis Pendens
(B) Qui facit per allium facit	(II) Constructive notice
(C) Nemo dat quod non habet	(I) Onerous gift
(D) Qui sentit commodum sentire debet onus	(IV) Cestui que trust

Choose the correct answer from the options given below:

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

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

**Correct Answer:** 4. (A) - (III), (B) - (I), (C) - (IV), (D) - (II)

**Solution:**

- Ut lite pendente nihil innovetur refers to "lis pendens" meaning a pending suit prevents changes to property rights during litigation.
- Qui facit per alium facit refers to the principle that one acting through another has the same rights.
- Nemo dat quod non habet refers to the rule that one cannot transfer better title than they possess.
- Qui sentit commodum sentire debet onus means the one who benefits must also bear the associated burden.

**Quick Tip**

Legal maxims help in understanding core principles of law and are frequently used in case law.

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**27: Arrange the following as per the sequence in which they appear in the Criminal Procedure Code:**

- (A) Withdrawal from prosecution
- (B) Tender of pardon
- (C) Free legal aid
- (D) Double jeopardy

Choose the correct answer from the options given below:

1. (A), (B), (C), (D)
2. (A), (B)
3. (B), (A), (D), (C)
4. (D), (C), (B), (A)

**Correct Answer:** 3. (B), (A), (D), (C)

**Solution:**

In the Criminal Procedure Code, the sequence starts with the tender of pardon, followed by withdrawal from prosecution, then the application of the double jeopardy rule, and finally, the provision of free legal aid.

**Quick Tip**

The Criminal Procedure Code outlines the order of events for criminal cases, which must be followed for fair trial procedures.

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**28: Which of the following is/are methods of termination of treaty?**

- (A). By consent of parties
- (B). By denunciation or withdrawal
- (C). By concluding another treaty
- (D). According to the provisions of the treaty

Choose the correct answer from the options given below:

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

Choose the correct answer from the options given below:

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

**Correct Answer:** 3. (A), (B), (C) and (D)

**Solution:**

A treaty may be terminated through mutual consent of the parties, denunciation or withdrawal, conclusion of another treaty, or in accordance with provisions specifically laid down within the treaty itself.

**Quick Tip**

Keep in mind the methods of treaty termination—through mutual agreement, denunciation, new treaties, or following the treaty’s own provisions.

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**29: Regard being had to the provisions of the Criminal Procedure Code, 1973 which of the following statement is/are not correct?**

- (A). Criminal Procedure Code came into force on 1st January, 1974
- (B). The term First Information Report is used in Section 207
- (C). The term First Information Report is used in Section 154 and Section 207
- (D). There are six columns in the schedule attached to the Criminal Procedure Code

Choose the correct answer from the options given below:

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

**Correct Answer:** 3. (A), (B), (C) and (D)

**Solution:**

The Criminal Procedure Code came into force on 1st April 1974, not January 1st. The First Information Report (FIR) is mentioned under Section 154 and not Section 207. The Criminal Procedure Code schedule has more than six columns.

### Quick Tip

Section 154 deals with FIR, while Section 207 pertains to the supply of copies of statements.

### 30: Which of the following is an incorrect statement with reference to the Universal Declaration of Human Rights (UDHR)?

- (A). Universal Declaration of Human Rights (UDHR) contains 35 Articles besides the Preamble
- (B). Universal Declaration of Human Rights (UDHR) contains 30 Articles besides the Preamble
- (C). The Draft of Universal Declaration of Human Rights (UDHR) has been adopted in the United Nations General Assembly on 10th December, 1948
- (D). The Draft of Universal Declaration of Human Rights (UDHR) has been adopted in the United Nations General Assembly on 24th October, 1948

Choose the correct answer from the options given below:

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

**Correct Answer:** 4. (B), (C) and (D) only

### Solution:

The UDHR contains 30 articles, not 35, and it was adopted on 10th December, 1948, not 24th October, 1948.

### Quick Tip

The UDHR was adopted on 10th December 1948, with 30 articles defining human rights.

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**31: Who coined the term 'criminology'?**

1. MA. Elliot
2. Raffaele Garofalo
3. William Blackstone
4. Jerome Hall

**Correct Answer:** 2. Raffaele Garofalo

**Solution:**

Raffaele Garofalo, an Italian criminologist, is credited with coining the term 'criminology' in the late 19th century.

**Quick Tip**

Garofalo is known as one of the founders of modern criminology.

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**32: Who coined the term 'victimology'?**

1. Raffaele Garofalo
2. Wolfgang and Ferracuti
3. Benjamin Mendelsohn
4. HLA Hart

**Correct Answer:** 3. Benjamin Mendelsohn

**Solution:**

The term 'victimology' was coined by Benjamin Mendelsohn, a Romanian criminologist, to study the relationship between victims and criminals.

**Quick Tip**

Mendelsohn is considered the father of victimology.



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**33: Which of the following case or cases is/are not related with post decisional hearing?**

- (A). Maneka Gandhi v Union of India
- (B). H L Terhan v. Union of India
- (C). A K Gopalan v State of Madras
- (D). Minerva Mills v Union of India

Choose the correct answer from the options given below:

1. (A), (B) and (D) only
2. (A), (B) and (C) only
3. (C) and (D) only
4. (A) and (B) only

**Correct Answer:** 4. (A) and (B) only

**Solution:**

The cases Maneka Gandhi v Union of India and H L Terhan v Union of India are not related to post decisional hearings, whereas the others are.

**Quick Tip**

Post decisional hearings refer to hearings after a decision has been made, often for a review or clarification.

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**34: In which of the following cases, the Supreme Court has given detailed guidelines so that Section 89 of the Code of Civil Procedure can be utilized so as to achieve the best result?**

1. Gulam Abbas v State of U.P.
2. Fathima Bibi Ahmed Patel v State of Gujarat
3. Dhula Bhai v State of M.P.
4. Afcons Infrastructure Ltd. v Cherian Varkey Construction Co. (P) Ltd

**Correct Answer:** 4. Afcons Infrastructure Ltd. v Cherian Varkey Construction Co. (P) Ltd

**Solution:**

The Supreme Court in the case of Afcons Infrastructure Ltd. v Cherian Varkey Construction Co. (P) Ltd. laid down detailed guidelines for the effective use of Section 89 of the CPC.

**Quick Tip**

Section 89 encourages alternative dispute resolution methods such as mediation and conciliation.

---

**35: Which of the following cases, it was held that "all information of collegium discussion can not be disclosed in public domain, only final decisions are to be uploaded on Supreme Court website"?**

1. Anjali Bhardwaj v CPIO, Supreme Court of India
2. HDFC Bank Ltd. v Union of India
3. Saurav Das v Union of India
4. Supreme Court of India v. Subash Chandra Aggarwal

**Correct Answer:** 4. Supreme Court of India v. Subash Chandra Aggarwal

**Solution:**

In the case of Supreme Court of India v. Subash Chandra Aggarwal, the Court held that only the final decisions of the collegium are to be disclosed and not the entire discussion.

**Quick Tip**

The case emphasizes transparency in judicial appointments while safeguarding internal discussions.

---

**36: What is the maximum penalty under the Right to Information Act, 2005 for delay in furnishing the information?**

1. Rs 200 per day maximum up to Rs.15000
2. Rs 250 per day maximum up to Rs.15000
3. Rs 250 per day maximum up to Rs.25000
4. Rs 500 per day maximum up to Rs.25000

**Correct Answer:** 4. Rs 500 per day maximum up to Rs.25000

**Solution:**

Under the Right to Information Act, the penalty for delay in furnishing information can be Rs. 500 per day, up to a maximum of Rs. 25,000.

**Quick Tip**

RTI provides citizens the right to access information, with penalties to encourage timely responses.

---

**37: Q strikes X. X by this provocation, is excited to extreme violent rage. Y is a bystander and is an enemy of Q. Y, taking advantage of this rage of X, puts a knife into X's hand to cause the death of Q. X kills Q with the knife. What are the offences committed by X and Y, if any?**

1. X and Y have both committed the offence of murder under Section 300 of the Indian Penal Code (IPC)
2. X has committed murder under Section 300 IPC but Y has committed no offence
3. X has committed only culpable homicide, but Y is guilty of murder under Section 300 IPC
4. X and Y have both committed culpable homicide not amounting to murder

**Correct Answer:** 3. X has committed only culpable homicide, but Y is guilty of murder under Section 300 IPC

**Solution:**

X's act constitutes culpable homicide not amounting to murder, whereas Y's act of inducing the killing through provocation results in murder under Section 300 IPC.

### Quick Tip

Understand the distinction between culpable homicide and murder under IPC, focusing on the intent and manner of causing death.

**38: Nayan meets Bala on the high roads, shows a pistol and demands from Bela all the valuables that she is in possession of. She surrenders her gold bangles, and all cash money. Here, Nayan has committed which of the following offence?**

1. Extortion
2. Robbery
3. Theft
4. Dacoity

**Correct Answer:** 2. Robbery

### Solution:

The act committed by Nayan is classified as robbery under Section 390 IPC, as it involves the use of force or fear to take property from someone.

### Quick Tip

Robbery requires the use of force or fear; theft does not involve force.

**39: In which of the following cases has the Supreme Court held that teachers are not 'workman' under Section 2(s) of the Industrial Disputes Act, 1947?**

1. Workmen of Dimakuchi Tea Estate v. Management of Dimakuchi Tea Estate, AIR 1958 SC 353
2. HR Adyathaya v. Sandoz (India) Ltd. (1994) 5 SCC 737
3. J.H. Jadhav v. Forbes Gokak Ltd. (2005)3 SCC 202
4. A. Sundarambal v. Government of Goa, Daman & Diu, AIR 1988 SC 1700

**Correct Answer:** 4. A. Sundarambal v. Government of Goa, Daman & Diu, AIR 1988 SC 1700

**Solution:**

In this case, the Supreme Court ruled that teachers, as members of an educational institution, are not considered 'workmen' under the Industrial Disputes Act.

**Quick Tip**

Remember that educational employees such as teachers are often excluded from the definition of "workman" under labor laws.

---

**40: Which of the following is/are the objective(s) behind the enactment of the Securities and Exchange Board of India Act, 1992?**

- (A). To protect the interest of investors in securities
- (B). To promote the development of securities market
- (C). To ensure that the Indian securities market works at par with markets of other developed nations
- (D). To regulate the securities market

Choose the correct answer from the options given below:

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

**Correct Answer:** 2. (A), (B) and (D) only

**Solution:**

The Securities and Exchange Board of India Act, 1992 was enacted to protect the interests of investors, regulate the securities market, and promote its development.

### Quick Tip

SEBI focuses on investor protection, market regulation, and development.

#### 41: Match List-I with List-II

List-I	List-II
(A). Doctrine of Indoor Management	(I). Gilford Motor Co. Ltd. v Horne (1933) 1
(B). Doctrine of Ultra Vires	(II). Earlander v. New Sombrero Phosphate Co. (18
(C). Lifting of Corporate Veil	(III). Kotla Venkataswamy v. Chinta Ramamurthy, AL
(D). Duties of Promoters	(IV). Dr. A. Lakshmanaswami Mudaliar v. Life Insurance Corp

Choose the correct answer from the options given below:

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

**Correct Answer:** 2. (A)-(I), (B)-(II), (C)-(III), (D)-(IV)

#### Solution:

The correct matches are based on landmark cases in corporate law:

- Doctrine of Indoor Management relates to Gilford Motor Co. Ltd. v Horne.
- Doctrine of Ultra Vires relates to Earlander v. New Sombrero Phosphate Co..
- Lifting of Corporate Veil relates to Kotla Venkataswamy v. Chinta Ramamurthy.
- Duties of Promoters relate to Dr. A. Lakshmanaswami Mudaliar v. Life Insurance Corporation of India.

### Quick Tip

Remember to link the doctrines with their corresponding landmark cases to understand corporate law principles.

#### 42: Which of the following is a valid contract?

1. A, a man feebled by disease, is induced, by B's influence over him as his medical attendant, to agree to pay B an unreasonable sum for his professional services.
2. A, being entitled to an estate for the life of B, agrees to sell it to C. B was dead at the time of the agreement, but both parties were ignorant of the fact.
3. A, with free consent, agrees to sell a horse worth Rs. 1,000 for Rs. 10.
4. A promises B to drop a prosecution which he has instituted against B for robbery, and B promises to restore the value of the things taken.

**Correct Answer:** 4. A promises B to drop a prosecution which he has instituted against B for robbery, and B promises to restore the value of the things taken.

#### Solution:

This contract is valid under Section 23 of the Indian Contract Act, as it involves lawful consideration and the agreement is made with free consent.

### Quick Tip

Understand that a valid contract requires free consent and lawful consideration.

#### 43: X holds a Y at gunpoint and makes him sign a gift deed of all Y's properties in favour of G, X's daughter. This agreement is:

- (A) Valid if ratified by Y
- (B) Void if rescinded by Y
- (C) Void ab-initio

(D) Valid at the option of X

Choose the correct answer from the options given below:

1. (B) only.
2. (B) and (C) only.
3. (C) only.
4. (A) and (B) only.

**Correct Answer:** 3. (C) only

**Solution:**

The agreement is void ab-initio because it was obtained by coercion under Section 15 of the Indian Contract Act.

**Quick Tip**

Contracts made under coercion are void from the outset and not enforceable.

---

**44: Madhu, an unpaid seller, can exercise the right of lien provided under the Sale of Goods Act, 1930, under which of the following circumstances?**

- (A) Before the contract of sale has been concluded
- (B) When the goods are in the possession of Madhu
- (C) After the agent of the buyer has collected the goods but before the buyer has received the same
- (D) After the goods have been delivered to the carrier but the goods have not reached the buyer

Choose the correct answer from the options given below:

1. (A), (B) and (D) only.
2. (C) and (D) only.
3. (A) only.
4. (B) only.



**Correct Answer:** 4. (B) only

**Solution:**

Under Section 47 of the Sale of Goods Act, 1930, an unpaid seller has the right of lien when the goods are in his possession and the buyer has not paid for them.

**Quick Tip**

Remember that the right of lien is exercised when the goods are in possession of the unpaid seller.

---

**45: Hiralal Traders, a partnership firm, enters into a supply contract in March 2020 with Pimela Ltd. for providing 100 bales of cotton for the next 3 years as raw materials to them. X was introduced as a partner in the firm in April 2023. In May 2023, Pimela Ltd. sued the firm and its partners for failure to supply the cotton bales as agreed. In the given suit, determine the liability of X.**

1. X is liable for the act of the firm since all partners are jointly and severally liable under Sections 25 and 26 of the Indian Partnership Act, 1932
2. X is not liable as per Section 31(2) of the Indian Partnership Act, 1932
3. X's liability would depend on the fact that whether Pimela Ltd. has named X in the suit instituted by them
4. X's liability would depend on the time of the default that was made

**Correct Answer:** 4. X's liability would depend on the time of the default that was made

**Solution:**

As per Section 31(2) of the Indian Partnership Act, 1932, a new partner is not liable for acts of the firm before his introduction unless he has agreed to assume such liability.

**Quick Tip**

Remember that a new partner is not liable for pre-existing debts unless agreed upon.

---

**46: X and Y, both Hindus, married in 2022. X, the husband, was 21 years of age while the wife was 16 years of age. According to the provisions of the Hindu Marriage Act, 1955 (HMA), this marriage is:**

1. Void marriage under Section 11 HMA
2. Voidable marriage under Section 10 HMA
3. May be Void or Voidable as desired by the parties
4. Valid marriage

**Correct Answer:** 1. Void marriage under Section 11 HMA

**Solution:**

Under Section 11 of the Hindu Marriage Act, 1955, a marriage is considered void if either party is underage (below 18 for women and 21 for men). Hence, this marriage is void.

**Quick Tip**

Marriages below the legal age of consent are considered void under Section 11 of the Hindu Marriage Act.

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**47: Match List-I with List-II**

List-I	List-II
(A). Mother as natural guardian	(I). T. Sareetha v. T. Venkata Subbaiah, AIR 1983 AP 356
(B). Conversion and Marriage	(II). State of Bombay v. Narasu Appa Mail, AIR 1952 Bom 84
(C). Bigamy	(III). Smt. Sarla Mudgal v. Union of India (1995) 3 SCC 635
(D). Restitution of Conjugal Rights	(IV). Githa Hariharan v. Reserve Bank of India, AIR 1999 SC 1149

Choose the correct answer from the options given below:

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

**Correct Answer:** 1. (A)-(IV), (B)-(II), (C)-(III), (D)-(I)

**Solution:**

- Mother as natural guardian is related to the Githa Hariharan v. Reserve Bank of India case.
- Conversion and Marriage is related to State of Bombay v. Narasu Appa Mail.
- Bigamy is related to Smt. Sarla Mudgal v. Union of India.
- Restitution of Conjugal Rights is related to T. Sareetha v. T. Venkata Subbaiah.

**Quick Tip**

Review landmark cases related to family law and guardianship for a better understanding of these principles.

---

**48: Which of the following case does not pertain to the maintenance of Muslim women?**

1. Mohd. Ahmed Khan v. Shah Bano Begum (1985) 2 SCC 556
2. Shabana Bano v. Imran Khan (2009) 1 SCC 666
3. Ahmedabad Women Action Group v. Union of India (1997) 3 SCC 573
4. Danial Latifi v. Union of India (2001) 7 SCC 740

**Correct Answer:** 3. Ahmedabad Women Action Group v. Union of India (1997) 3 SCC 573

**Solution:**

The Ahmedabad Women Action Group v. Union of India case is not related to the maintenance of Muslim women, but instead deals with issues related to the protection of women's rights and gender equality.

### Quick Tip

Focus on case laws related to Muslim women's maintenance and personal law for exam preparation.

---

**49: Which of the following is NOT a condition for a valid adoption under Section 11 of the Hindu Adoptions and Maintenance Act, 1956?**

1. The same child may be adopted by two or more persons simultaneously
2. If the adoption is by a female and the person to be adopted is a male, the adoptive mother must be at least twenty-one years older than the child to be adopted
3. If the adoption is of a son, the adoptive parents must not have a Hindu son, son's son, or son's son's son living at the time of the adoption
4. The child to be adopted must be actually given and taken in adoption

**Correct Answer:** 1. The same child may be adopted by two or more persons simultaneously

### Solution:

Under Section 11 of the Hindu Adoptions and Maintenance Act, a child cannot be adopted simultaneously by two or more persons. The rest of the conditions, such as the age difference and the eligibility of parents, are valid.

### Quick Tip

Remember that adoption involves clear conditions, especially regarding the number of adoptive parents.

---

**50: Mr. Ceaser, an Indian, derives income from various sources. In the FY 2021-2022, he gained Rs. 50,000 from trading of shares and other securities in the share market and their dividends. This income will be calculated under which of the following heads of income under the Income Tax Act, 1961?**

1. Profit and Gains from Business and Profession
2. Capital Gains
3. Income from Other Sources
4. Both Income from Other Sources and Capital Gains

**Correct Answer:** 2. Capital Gains

**Solution:**

Under the Income Tax Act, 1961, income from trading in shares and securities is generally considered Capital Gains, provided the intention was investment rather than trading.

**Quick Tip**

Understand the distinction between capital gains and income from business or other sources to classify income accurately.

---

**51: Section 17 of the Income Tax Act, 1969 deals with:**

1. 'Salaries' Only
2. 'Deduction from Salary' and 'Salary'
3. Heads of Income and Expenditure
4. 'Salary', 'Perquisite' and 'Profits in lieu of Salary'

**Correct Answer:** 4. 'Salary', 'Perquisite' and 'Profits in lieu of Salary'

**Solution:**

Section 17 of the Income Tax Act, 1961 defines the term 'salary', including 'perquisites' and 'profits in lieu of salary'. It encompasses all income from salary and associated benefits.

**Quick Tip**

Remember that 'Salary' and its components, including 'perquisites', are all taxable under Section 17.

**52: Arrange the following provisions under the Hindu Marriage Act, 1955 in sequence of the sections as they appear in the Act:**

- (A). Legitimacy of children of void and voidable marriages
- (B). Maintenance pendente lite and expenses of proceedings
- (C). Ceremonies for a Hindu Marriage
- (D). Registration of Hindu marriages

Choose the correct answer from the options given below:

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

**Correct Answer:** 1. (C), (D), (B), (A)

**Solution:**

The correct sequence of sections under the Hindu Marriage Act is:

- (C) Ceremonies for a Hindu Marriage (Section 5)
- (D) Registration of Hindu marriages (Section 8)
- (B) Maintenance pendente lite and expenses of proceedings (Section 24)
- (A) Legitimacy of children of void and voidable marriages (Section 16)

#### Quick Tip

Review the section-wise breakdown of the Hindu Marriage Act to understand the flow of legal provisions.

---

**53: Arrange the following landmark decisions of contract law in the sequence of them being pronounced by the courts:**

- (A). Mohori Bibi v. Dharmodas Ghose

- (B). Bhagwan Das Goverdhan Das Kedia v. Girdnari Lal Co.  
(C). Carboloc Smoke Ball Co. v. Carlill  
(D). Lalman Shukla v. Gauri Dutt

Choose the correct answer from the options given below:

1. (C), (D), (B), (A)
2. (C), (A), (D), (B)
3. (D), (C), (A), (B)
4. (A), (D), (B), (C).

**Correct Answer:** 2. (C), (A), (D), (B)

**Solution:**

The landmark decisions in contract law are sequenced as follows:

- (C) Carboloc Smoke Ball Co. v. Carlill (1893)
- (A) Mohori Bibi v. Dharmodas Ghose (1903)
- (D) Lalman Shukla v. Gauri Dutt (1913)
- (B) Bhagwan Das Goverdhan Das Kedia v. Girdnari Lal & Co. (1951)

**Quick Tip**

The timeline of landmark contract law cases plays a vital role in understanding the evolution of contract principles.

---

**54: Which of the following is NOT a principle of an Insurance Contract?**

1. Causa Proxima
2. Mitigation of Risk
3. Subrogation
4. Donatio mortis causa

**Correct Answer:** (4) Donatio mortis causa

**Solution:**

In an insurance contract, the principles include Causa Proxima (the nearest cause), Mitigation of Risk (minimizing potential loss), and Subrogation (the insurer's right to recover the amount paid from a third party). However, **Donatio mortis causa** refers to a gift made in contemplation of death, which is not related to insurance contracts.

#### Quick Tip

In insurance, focus on the principles of indemnity, subrogation, and causa proxima. Remember that gifts or donations made in contemplation of death are not considered in the context of insurance law.

---

**55: Under the Marine Insurance Act, 1963, a marine insurance contract may protect the assured against risks incidental to sea voyage and covers such losses on**

1. Inland waters Only
2. Any land risk only
3. Both inland waters and land risks
4. Neither inland waters nor land risks

**Correct Answer:** (3) Both inland waters and land risks

#### Solution:

The Marine Insurance Act, 1963 allows for coverage not only for risks occurring during sea voyages but also covers both inland waters and land risks. Therefore, the correct answer is that marine insurance can protect against both inland waters and land risks.

#### Quick Tip

Marine insurance covers risks that occur during transportation on the sea as well as inland waters. Be sure to remember that it extends to both types of risks.

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**56: "While pronouncing the constitutionality of a statute, the courts must start with the presumption in favour of its constitutionality"**



Which of the following legal maxims iterate this principle under the rules of interpretation of statutes?

1. Expressio unius est exclusio alterius
2. Noscitur a sociis
3. Generalia specialibus non derogant
4. Ut res magis valeat quam pareat

**Correct Answer:** (4) Ut res magis valeat quam pareat

**Solution:**

The principle of starting with the presumption in favor of a statute's constitutionality is best captured by the maxim "Ut res magis valeat quam pareat", which means "It is better for a thing to have effect than to be void".

**Quick Tip**

In statutory interpretation, when in doubt, a statute should be interpreted in a way that ensures its effectiveness rather than voiding it. This helps ensure the statute's constitutionality.

---

**57: Which of the following is NOT an internal aid in the interpretation of Statutes?**

1. Preamble
2. Parliamentary Notes
3. Long Title
4. Marginal Notes

**Correct Answer:** (2) Parliamentary Notes

**Solution:**

Internal aids to statutory interpretation include the preamble, long title, and marginal notes. Parliamentary notes, however, are considered external aids and not internal aids in interpretation.

### Quick Tip

Internal aids come from within the statute itself, such as the preamble and long title. Parliamentary notes are external and therefore not part of the internal interpretation aids.

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**58: Which of the following is considered to be an ‘anti-competitive agreement’ under Section 3 of the Competition Act, 2002?**

- (A) Supply agreement
- (B) Exclusive distribution agreement
- (C) Tie-in agreements
- (D) Resale price maintenance

Choose the correct answer from the options given below:

1. (A), (B) and (D) only.
2. (B) and (C) only.
3. (A), (B), (C), and (D)
4. (B), (C), and (D) only.

**Correct Answer:** (4) (B), (C) and (D) only

**Solution:**

Under Section 3 of the Competition Act, 2002, anti-competitive agreements include exclusive distribution agreements, tie-in agreements, and resale price maintenance as they limit competition by imposing restrictions on market dynamics.

### Quick Tip

Anti-competitive agreements limit free trade and restrict market functioning. Be familiar with Section 3 of the Competition Act, which defines such practices.

**59: While inquiring whether an enterprise enjoys a dominant position under Section 4 of the Competition Act, 2002, which of the following factors are to be considered?**

- (A) Dependence of consumers on the enterprise
- (B) Market share of the enterprise
- (C) Creation of barriers for new entrants in the market
- (D) Countervailing buying power

Choose the correct answer from the options given below:

1. (A), (B) and (D) only.
2. (B) and (C) only.
3. (A), (B), (C), and (D)
4. (B), (C), and (D) only.

**Correct Answer:** (4) (B), (C) and (D) only

**Solution:**

When determining whether an enterprise holds a dominant position under Section 4, factors such as market share, barriers to entry, and countervailing buying power are essential in understanding the extent of its market power.

#### Quick Tip

To assess dominance, look at market share, entry barriers, and whether countervailing buying power exists. These elements are key in competition law to understand market dominance.

---

**60: Arrange the following Statutes based on the year of their enactment**

- (A) The Forest (Conservation) Act
- (B) The Wildlife (Protection) Act
- (C) The National Green Tribunal Act
- (D) The Environment (Protection) Act

Choose the correct answer from the options given below:

1. (A), (B), (D), (C)
2. (B), (D), (A), (C)
3. (B), (A), (D), (C)
4. (A), (B), (D), (C).

**Correct Answer:** (4) (A), (B), (D), (C)

**Solution:**

The Forest (Conservation) Act came first, followed by the Wildlife (Protection) Act, then the Environment (Protection) Act, and finally the National Green Tribunal Act.

**Quick Tip**

Environmental law statutes follow a chronological order: first the Forest and Wildlife Acts, then the Environment Act, and finally the establishment of the National Green Tribunal.

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**61: In which of the following judgments did the Supreme Court hold that the Environment (Protection) Act, 1986 does not prohibit the issuance of ex-post facto Environmental Clearance?**

1. /S Pahwa Plastics Pvt. Ltd. v. Dastak NGO, SC judgment dated: 25-03-2022
2. AlmitraH. Patel v. Union of India, SC judgment dated: 15-02-2000
3. KM. Chinnappa, T.N. Godavarman Thirumalpad v. Union of India, SC judgment dated: 30-10-2002
4. S. Jagannath v. Union of India, SC judgment dated: 11-12-1996

**Correct Answer:** (3) KM. Chinnappa, T.N. Godavarman Thirumalpad v. Union of India, SC judgment dated: 30-10-2002

**Solution:**

The Supreme Court, in this case, held that the Environment (Protection) Act, 1986 does not prohibit the issuance of ex-post facto Environmental Clearance.

### Quick Tip

When discussing environmental law, remember the KM. Chinnappa case, where ex-post facto Environmental Clearance was permitted under certain circumstances.

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**62: Section 27(2) of the Trade Marks Act, 1999 enshrines which of the following principles of trademark law?**

1. Deceptive Similarity
2. Passing Off
3. Phonetic similarity in trademarks
4. Visual similarity in trademarks

**Correct Answer:** (1) Deceptive Similarity

**Solution:**

Section 27(2) of the Trade Marks Act, 1999 addresses the issue of deceptive similarity, ensuring that marks which can confuse consumers are not allowed.

### Quick Tip

When dealing with trademarks, always check for deceptive similarity. Marks that closely resemble one another and could mislead consumers are prohibited under the law.

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**63: What is the maximum punishment that can be imposed for criminal contempt under the Contempt of Courts Act, 1971 in India?**

1. Fine of Rs. 10,000
2. Fine of Rs. 10,000 and 3 months imprisonment
3. Fine of Rs. 20,000 and 6 months imprisonment
4. Disqualification from legal practice

**Correct Answer:** (2) Fine of Rs. 10,000 and 3 months imprisonment

**Solution:**

The Contempt of Courts Act, 1971 specifies that the maximum punishment for criminal contempt is a fine of Rs. 10,000 and imprisonment for up to 3 months. This can be imposed when someone disrespects or obstructs the authority of the court.

**Quick Tip**

Remember that criminal contempt can result in both a monetary fine and imprisonment. The maximum limit is a fine of Rs. 10,000 and imprisonment for 3 months.

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**64: Arrange the following chapters under the Companies Act as per the sequence in which they appear in the statute**

- (A). Compromise, arrangements, and amalgamation
- (B). Prevention of oppression and mismanagement
- (C). Meetings of Board and its power
- (D). Appointment and qualifications of Directors

Choose the correct answer from the options given below:

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

**Correct Answer:** (1) (C), (D), (B), (A)

**Solution:**

The correct sequence of these chapters as per the Companies Act is: (C) Meetings of Board and its power, (D) Appointment and qualifications of Directors, (B) Prevention of oppression and mismanagement, and (A) Compromise, arrangements, and amalgamation.

### Quick Tip

Be aware of the order of the chapters in the Companies Act. Start with the basic structure of the company (Board meetings, appointments), then move to the preventive aspects (oppression and mismanagement), and finally to processes like compromise and amalgamation.

**65: The definition of Geographical Indication in relation to goods means an indication which identifies**

- (A). such goods as originating in the territory of a country, region or locality
- (B). such goods that are exclusively grown or produced in the said territory, region or locality of the country
- (C). such goods having a reputation or characteristics that is attributable to its geographical origin
- (D). that in case such goods are manufactured then either production, processing or preparation of the goods takes place in such territory, region or locality of the country

Choose the correct answer from the options given below:

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

**Correct Answer:** (3) (B), (C) and (D) only

**Solution:**

The definition of Geographical Indication under Indian law (and other similar laws globally) involves identifying goods that originate from a specific geographical region and that have special characteristics attributed to that region.

### Quick Tip

Geographical Indications (GI) protect goods with unique qualities linked to their geographical origin. Focus on characteristics that are uniquely attributed to the geographical region.

**66:** 'Author' in relation to any musical or artistic work which is computer generated is

1. The composer
2. The artist
3. The Performer
4. The person who caused the work to be created

**Correct Answer:** (4) The person who caused the work to be created

### Solution:

In relation to a computer-generated work, the "author" is the person who caused the work to be created, as per the Copyright Act. This is because the work is generated through the intervention of the creator, rather than an individual artist, composer, or performer.

### Quick Tip

For computer-generated works, remember that authorship is attributed to the person who causes the work to be created, rather than the individual performing or composing the work.

**67:** Under which International Instrument/mechanism can a party bring a claim for violation of its international trade rights and obligations against another member state of the World Trade Organisation (WTO)?

1. The UN Charter
2. WIPO (World Intellectual Property Organisation)
3. Vienna Convention on Diplomatic Relations



#### 4. Dispute Settlement Understanding (DSU)

**Correct Answer:** (4) Dispute Settlement Understanding (DSU)

**Solution:**

The Dispute Settlement Understanding (DSU) is the primary mechanism under the WTO framework that allows member states to bring claims regarding violations of trade obligations against other member states. The DSU provides the process for resolving disputes in international trade.

**Quick Tip**

The DSU is the core dispute resolution system under WTO law. Be sure to associate it with resolving trade disputes between member countries.

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**68:** Which International Organisation is primarily responsible for standardising terms used in international sales contracts including Incoterms?

1. UNCTAD
2. UNCITRAL
3. WTO
4. ISO

**Correct Answer:** (2) UNCITRAL

**Solution:**

The United Nations Commission on International Trade Law (UNCITRAL) is responsible for standardizing terms like Incoterms used in international sales contracts. UNCITRAL plays a significant role in the development of international trade law.

**Quick Tip**

UNCITRAL is the key body for regulating and standardizing international trade law, including terms like Incoterms, which guide international sales contracts.

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**69: Match List-I with List-II**

<b>List-I</b>	<b>List-II</b>
(A) Injuria sine Damno	(I) Gloucester Grammar School case
(B) Damnum sine Injuria	(II) Nichols v. Marsland
(C) Volenti non fit injuria	(III) Bhim Singh v. State of Jammu & Kashmir
(D) Force majeure	(IV) Padmavati v. Dugganaika

Choose the correct answer from the options given below:

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

**Correct Answer:** (1) (A) - (I), (B) - (III), (C) - (IV), (D) - (II)

**Solution:**

The correct matches are: - (A) Injuria sine Damno - (I) Gloucester Grammar School case  
- (B) Damnum sine Injuria - (III) Bhim Singh v. State of Jammu & Kashmir  
- (C) Volenti non fit injuria - (IV) Padmavati v. Dugganaika  
- (D) Force majeure - (II) Nichols v. Marsland

**Quick Tip**

Always remember that legal maxims are linked to specific cases. Familiarize yourself with key case laws to understand the principles behind each maxim.

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**70: When the plaintiff by his own want of care contributes to the damage caused by the wrongful conduct of the defendant, it is considered to be**

1. Remoteness of damage

2. Contributory negligence
3. Inevitable accident
4. Nuisance

**Correct Answer:** (2) Contributory negligence

**Solution:**

Contributory negligence occurs when the plaintiff's own negligence contributes to the harm suffered, thus reducing or eliminating the defendant's liability.

**Quick Tip**

In contributory negligence, the plaintiff's own actions contribute to the injury. It's important to assess how the plaintiff's behavior impacted the outcome of the case.

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**71: Which of the following is NOT a valid purpose of spending the general funds of a Trade Union under section 15 of the Trade Union Act, 1926?**

1. Conduct of trade disputes on behalf of the Trade Union
2. Payment of funeral expenses of deceased members
3. Payment of expenses incurred by a candidate for election as a member of any legislative body constituted under the Indian Constitution
4. Provide educational benefits to the members or their dependants

**Correct Answer:** (3) Payment of expenses incurred by a candidate for election as a member of any legislative body constituted under the Indian Constitution

**Solution:**

Under the Trade Union Act, 1926, the general funds of a trade union cannot be used for political purposes such as election expenses for legislative bodies. The funds must be used for trade-related activities and welfare purposes.

### Quick Tip

Trade Union funds should be used for activities related to the welfare of members, not for political campaigns. Be familiar with the rules on spending from these funds.

**72: Which of the following is/are cases NOT pertaining to dishonour of cheque under the Negotiable Instruments Act, 1881?**

- (A) Modi Cements Ltd. v. Kuchil Kumar Nandi (1998)3 SCC 249
- (B) Indian Overseas Bank v. Industrial Chain Concern (1990)1 SCC 484
- (C) Dashrath Rupsingh Rathod v. State of Maharashtra (2014) 9 SCC 129
- (D) G.J. Raja v. Tejraj Surana, AIR 2019 SC 3817

Choose the correct answer from the options given below:

1. (B) and (C) only.
2. (B) only.
3. (A) only.
4. (C) and (D) only

**Correct Answer:** (4) (C) and (D) only

### Solution:

The cases related to dishonour of cheques under the Negotiable Instruments Act typically concern specific offences under Section 138. Cases (C) and (D) do not pertain directly to dishonour of cheques but focus on other legal issues.

### Quick Tip

When studying the Negotiable Instruments Act, focus on cases directly relating to cheque dishonour under Section 138, which outlines penalties for dishonouring a cheque.

**73: As per Section 35A of the Banking Regulation Act, 1949, the Reserve Bank has the power to give directions under which of the following circumstances?**

- (A) In public interest
- (B) In the interest of public policy
- (C) To secure proper management of banking companies
- (D) To prevent affairs of banking companies being conducted in a manner detrimental to depositor's interest

Choose the correct answer from the options given below:

1. (A) and (D) only.
2. (A), (C) and (D) only.
3. (A), (B), (C) and (D).
4. (B) and (D) only

**Correct Answer:** (2) (A), (C) and (D) only

**Solution:**

Section 35A of the Banking Regulation Act, 1949 grants the Reserve Bank of India the power to issue directions to banking companies when necessary to ensure public interest, proper management of banks, and the protection of depositor interests.

**Quick Tip**

Section 35A empowers the RBI to intervene when the interests of the public, proper management, and depositor protection are at stake. Always associate this with RBI's regulatory authority over banks.

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**74: Sequence the following as per Section 300 of the Indian Penal Code, 1860**

- (A) Sudden and grave provocation
- (B) Act done in good faith for the exercise of right to private defence
- (C) Death caused with mutual consent
- (D) Act done in sudden fight

Choose the correct answer from the options given below:

1. (A), (B), (C), (D)
2. (A), (B), (D), (C).
3. (B), (A), (D), (C)
4. (C), (B), (D), (A)

**Correct Answer:** (2) (A), (B), (D), (C)

**Solution:**

Under Section 300 of the Indian Penal Code, the correct sequence for exceptions is: (A) Sudden and grave provocation, (B) Act done in good faith for the exercise of the right to private defence, (D) Act done in sudden fight, and (C) Death caused with mutual consent.

**Quick Tip**

When studying Section 300, understand the exceptions in sequence. The law allows for certain defences such as provocation and self-defence to mitigate culpability.

**75: Match List-I with List-II**

List-I	List-II
(A) Negligence	(I) Municipal Corporation Delhi v Subhagwanti
(B) Strict liability	(II) Ryland v Fletcher
(C) Res ipsa loquitur	(III) Winterbottom v Wright
(D) Nuisance	(IV) Campbell v Paddington Corporation

Choose the correct answer from the options given below:

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

**Correct Answer:** (3) (A) - (I), (B) - (II), (C) - (III), (D) - (IV) **Solution:**

The correct matches are: - (A) Negligence - (I) Municipal Corporation Delhi v Subhagwanti

- (B) Strict liability - (II) Ryland v Fletcher

- (C) Res ipsa loquitur - (III) Winterbottom v Wright

- (D) Nuisance - (IV) Campbell v Paddington Corporation

#### Quick Tip

Maxims and doctrines in tort law are linked to landmark cases. It's essential to know the case laws that apply to different principles such as negligence and strict liability.