

# TS PGLCET 2025 Question Paper With Solutions

(Shift 3 - 06th June 2025)

<b>Duration :90 MIN</b>	<b>Maximum Marks :120</b>	<b>Total Questions :120</b>
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## General Instructions

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

1. The question paper consists of 120 multiple choice questions.
2. All questions are compulsory and carry equal marks.
3. The total duration of the examination is 90 minutes.
4. The question paper is divided into two parts as follows:
  - **Part-A:** Jurisprudence, Constitutional Law, and Public International Law  
(40 Questions, 40 Marks)
  - **Part-B:** Other Law Subjects (Mercantile Law, Labour Law, Torts, IPC, etc.)  
(80 Questions, 80 Marks)
5. Each question carries 1 mark. There is no negative marking for incorrect answers.
6. Candidates must choose the most appropriate answer from the given options for each question.

**1. Who has defined Law as "the prophecies of what court will do in fact, and nothing more pretentious"?**

- (A) Jerome Frank
- (B) Oliver Wendell Holmes Jr.
- (C) Roscoe Pound
- (D) Hans Kelsen

**Correct Answer:** (B) Oliver Wendell Holmes Jr.

**Solution:** This is a famous quote from the Realist School of Jurisprudence. **Oliver Wendell Holmes Jr.**, a prominent American jurist and a key figure in legal realism, proposed this definition in his influential essay "The Path of the Law." He argued that law should not be seen as a set of abstract rules, but as a prediction of what judges will actually decide in a particular case. He suggested looking at law from the perspective of a "bad man" who only cares about the practical consequences of his actions, i.e., the "prophecies" of what the courts will do.

#### Quick Tip

The "prophecies of the court" definition is a hallmark of Oliver Wendell Holmes Jr. and the American Realist school, which focuses on "law in action" rather than "law in books."

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**2. The motto of which school of jurisprudence is *ubi civitas ibi lex*?**

- (A) Analytical School
- (B) Philosophical School
- (C) Historical School
- (D) Realist School

**Correct Answer:** (A) Analytical School

**Solution:** The Latin maxim "*Ubi civitas ibi lex*" translates to "Where there is a state, there will be law." This principle emphasizes that law is intrinsically linked to and

created by the state or a sovereign political authority. This is a core tenet of the **Analytical School** of jurisprudence, also known as Legal Positivism, which was championed by jurists like John Austin. This school views law as the command of the sovereign (the state) and separates it from morality.

#### Quick Tip

Analytical School = Law as command of the Sovereign (State). The maxim "Ubi civitas ibi lex" directly links the State (civitas) to the Law (lex).

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### 3. Who is the author of the book "Law in the making"?

- (A) Albert Venn Dicey
- (B) Reginald Walter Micheal Dias
- (C) Carleton Kemp Allen
- (D) William Frederick Friedman

**Correct Answer:** (C) Carleton Kemp Allen

**Solution:** This is a fact-based question about a classic work of jurisprudence. "Law in the Making" is a highly influential book written by the English legal scholar Sir **Carleton Kemp Allen** (often cited as C. K. Allen). The book provides a comprehensive and detailed study of the sources of law, such as custom, precedent (judicial decisions), and legislation, and how they contribute to the development of legal systems.

#### Quick Tip

In jurisprudence, it's helpful to associate key books with their authors. C.K. Allen's "Law in the Making" is a foundational text on the sources of law.

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### 4. Who said that "Case-law is gold in the mine-a few grains of precious metal to the tons of useless matter, while the statute law is coin of the State which is ready for immediate use"?

- (A) Albert Venn Dicey
- (B) John Salmond
- (C) Rudolf Von Ihering
- (D) H. L. A. Hart

**Correct Answer:** (B) John Salmond

**Solution:** This famous analogy was made by Sir **John Salmond**, a prominent legal scholar from New Zealand. He used this metaphor to compare the two main sources of law: precedent (case law) and legislation (statute law). He argued that while precedents contain valuable legal principles (the "gold"), a lawyer has to sift through a lot of irrelevant material in judgments (the "useless matter") to find them. In contrast, he viewed statutes as being like coins minted by the state—clear, precise, and ready for immediate application.

#### Quick Tip

The "gold in the mine vs. coin of the State" analogy is a classic quote from John Salmond, highlighting the perceived efficiency and clarity of statute law over case law.

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**5. Which jurist believed that, criminality is closely related to the possession of certain physical qualities, as it is an atavistic phenomenon?**

- (A) Charles Buckman Goring
- (B) Earnest Hooton
- (C) Cesare Lombroso
- (D) Oliver Wendell Holmes Jr.

**Correct Answer:** (C) Cesare Lombroso

**Solution:** This question refers to the early theories of the Positivist School of Criminology. **Cesare Lombroso**, an Italian criminologist often called the "father of modern criminology," is famous for this theory. He proposed the concept of the "born

criminal" and "atavism." Atavism is the idea that criminals are an evolutionary throwback to more primitive human types. Lombroso believed that these "atavistic" criminals could be identified by certain physical stigmata or traits, such as a sloping forehead, large jaws, or long arms, which he thought were indicators of a primitive nature.

#### Quick Tip

Lombroso is the key figure associated with the theory of the "born criminal" and the idea that criminality could be identified by physical characteristics (atavism).

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### 6. Who distinguished expository jurisprudence from censorial jurisprudence?

- (A) Hans Kelsen
- (B) Jeremy Bentham
- (C) Lon L. Fuller
- (D) Thomas Erskine Holland

**Correct Answer:** (B) Jeremy Bentham

**Solution:** **Jeremy Bentham**, the founder of modern utilitarianism and a key figure in the Analytical School, made this important distinction to classify the study of law.

- **Expository Jurisprudence:** This deals with the law as it actually exists, without regard to its morality or fairness. Its aim is simply to describe and analyze "what the law is."
- **Censorial Jurisprudence:** This deals with the law as it ought to be. It is a critical or evaluative approach, judging the law against an external standard, such as Bentham's own principle of utility, to determine "what the law should be."

### Quick Tip

Bentham's distinction is simple: 'Expository' seeks to 'expose' what the law is. 'Censorial' seeks to 'censor' or critique what the law ought to be.

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**7. As per Hohfeld's Analysis, the presence of power in a person, implies the absence of \_\_\_\_\_ in another.**

- (A) Immunity
- (B) Disability
- (C) Liability
- (D) Duty

**Correct Answer:** (A) Immunity

**Solution:** This question refers to Wesley Newcomb Hohfeld's analysis of jural relations, which breaks down legal concepts into pairs of correlatives and opposites.

- A **power** is one person's ability to alter the legal relations of another person (e.g., the power to make a will and change an heir's legal status).
- An **immunity** is another person's freedom from having their legal relations altered by someone else.

Therefore, if person A has a 'power' to affect person B, it logically implies that person B does not have (i.e., has an 'absence of') an 'immunity' from being affected by A. The presence of power in one person means the absence of immunity in the person they can affect.

### Quick Tip

In Hohfeld's analysis, think of power and immunity as opposites in a relationship. If I have the power to do something to you, you lack the immunity against me doing it.

**8. Who referred to jurisprudence as “the eye of the law”?**

- (A) Hans Kelsen
- (B) Julius Stone
- (C) Robert Keeton
- (D) Harold Laski

**Correct Answer:** (D) Harold Laski

**Solution:** This famous metaphor describes the central importance of jurisprudence to the study and practice of law. The phrase "jurisprudence is the eye of the law" is commonly attributed to the political scientist and jurist **Harold Laski**. The metaphor suggests that jurisprudence provides the necessary insight, understanding, theory, and perspective to truly comprehend the nature and functioning of law. Just as the eyes allow us to see and make sense of the world, jurisprudence allows lawyers, judges, and students to understand the underlying principles, concepts, and theories that give law its meaning and context.

**Quick Tip**

The "eye of the law" metaphor is a memorable way to describe jurisprudence's role in providing vision and fundamental understanding to the entire legal field. It is famously linked to Harold Laski.

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**9. Who is a proponent of the Bracket Theory relating to personality in law?**

- (A) Rudolf Von Ihering
- (B) Gierke
- (C) Holland
- (D) Karl Von Savigny

**Correct Answer:** (A) Rudolf Von Ihering

**Solution:** The "Bracket Theory," also known as the Symbolist Theory, is a theory that attempts to explain the concept of corporate personality (i.e., how a corporation

can be treated as a single legal person). This theory was propounded by the German jurist **Rudolf von Ihering**. He argued that in reality, only the individual members of the corporation are the true bearers of legal rights and duties. However, for practical and commercial convenience, the law puts a "bracket" around these members and treats them as a single symbolic unit for legal purposes.

#### Quick Tip

Remember: Bracket Theory = Ihering. Think of the jurist Ihering putting a symbolic "bracket" around the members of a company to treat them as one legal entity.

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**10. In which of the following theories, judges are no more than the discoverers of law?**

- (A) Legal realism theory
- (B) Declaratory theory
- (C) Innovative theory
- (D) Law making theory

**Correct Answer:** (B) Declaratory theory

**Solution:** The **Declaratory Theory** of law is a traditional view of the judicial function. It posits that judges do not create or make new law when they decide cases. Instead, their role is merely to "declare" or "discover" the law that already exists, whether it is in statutes, customs, or principles of justice. This theory views judges as oracles who find the existing law, not as legislators who invent new rules. It stands in direct contrast to theories of legal realism or law-making, which see judges as active creators of law.

#### Quick Tip

Declaratory Theory = Judges 'Declare' the law. They find it, they don't make it. This theory emphasizes the discovery aspect of the judicial role.



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**11. According to whom, animus domini is an essential element of possession?**

- (A) Karl Von Savigny
- (B) Roscoe Pound
- (C) Leon Duguit
- (D) John Austin

**Correct Answer:** (A) Karl Von Savigny

**Solution:** The German jurist Friedrich **Karl von Savigny**, a prominent figure of the Historical School of law, is famous for his theory of possession. According to Savigny, true legal possession consists of two essential elements:

1. **Corpus possessionis:** The physical element, meaning actual physical control over the object.
2. **Animus domini:** The mental element, which Savigny defined as the specific intention to hold the object as its absolute owner.

For Savigny, both physical control and the specific intent to be the owner (*animus domini*) were necessary for possession to exist in the eyes of the law.

#### Quick Tip

Savigny's theory of possession is easy to remember as "Corpus + Animus Domini". Corpus is the body (physical control), and Animus Domini is the mind of the owner (intent to own).

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**12. Which of the following reflects the John Locke's theory of property?**

- (A) Property rights arise from the will of the sovereign
- (B) Property exists only through state legislation and natural creation
- (C) Mixing one's labour with nature justifies creation of private property
- (D) Property rights are inherited through divine right

**Correct Answer:** (C) Mixing one's labour with nature justifies creation of private property

**Solution:** **John Locke**, a key Enlightenment philosopher, articulated a very influential theory of property in his "Second Treatise of Government." This is often called the **Labor Theory of Property**. He argued that while the Earth and its resources are initially common to all humanity, every person owns their own body and, by extension, their own labor. When an individual "mixes his labor" with a natural resource (e.g., by picking an apple from a tree or cultivating a piece of land), that labor becomes part of the object, removing it from the common state and making it their private property.

#### Quick Tip

The core of John Locke's property theory is simple: Your labor is yours. When you mix your labor with something from nature, that thing becomes yours too.

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**13. Ratio Decidendi means:**

1. the reason or basis on which case is decided
2. the general observations made by the judge in the decision
3. the rule of law which is regarded as a binding authority
4. a ruling which is applicable to future cases as well as to the present dispute

- (A) i and ii are correct  
(B) ii and iii are correct  
(C) i, ii, iii and iv are correct  
(D) i, iii and iv are correct

**Correct Answer:** (D) i, iii and iv are correct

**Solution:** "Ratio Decidendi" is a Latin term meaning "the reason for the decision." In common law systems, it refers to the essential legal principle upon which a judicial decision is based. Let's analyze the statements:

- **i. the reason or basis on which case is decided:** This is the literal and core meaning of the term. Correct.
- **ii. the general observations...:** These are known as 'obiter dicta' (things said by the way) and are not binding. Incorrect.
- **iii. the rule of law which is regarded as a binding authority:** The ratio is the part of the judgment that forms the binding precedent for lower courts. Correct.
- **iv. a ruling which is applicable to future cases...:** Because it is the binding precedent, the ratio is the rule that applies to future cases with similar material facts. Correct.

Therefore, statements i, iii, and iv correctly describe the meaning and function of Ratio Decidendi.

#### Quick Tip

Remember: **Ratio** = the binding **Reason** for a decision. **Obiter** = **Other** things said by the judge, which are not binding.

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**14. According to Salmond, custom is a \_\_\_\_\_ of law.**

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

**Correct Answer:** (D) Legal material source

**Solution:** Sir John Salmond, in his classification of the sources of law, made an important distinction:

- **Formal Sources:** These are the sources from which law derives its force and validity (e.g., the will and power of the State expressed through statutes).
- **Material Sources:** These are the sources from which the substance or content of the law is derived. He further divided these into:
  - **Legal Material Sources:** These are sources that are authoritative and legally recognized, such as legislation, precedent, and **custom**. The courts are bound to follow them.
  - **Historical Material Sources:** These are sources that are not legally authoritative but have influenced the development of the law, such as legal writings or foreign judgments. They are persuasive but not binding.

According to Salmond's classification, custom is a **Legal Material Source** of law.

#### Quick Tip

In Salmond's theory, a "Legal Material Source" is an official, recognized origin of the rules of law, like custom or precedent. A "Historical Material Source" is just an influential idea from the past.

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### 15. Which prominent jurist has developed the Will Theory of Rights?

- (A) H. L. A. Hart
- (B) Rudolf Van Ihering
- (C) Leon Duguit
- (D) John Salmond

**Correct Answer:** (A) H. L. A. Hart

**Solution:** The "Will Theory" of rights, also known as the "Choice Theory," is a major theory in jurisprudence that seeks to explain the nature of a right. It posits that having a right means having control or "a small-scale sovereignty" over another person's duty. The key aspect is that the right-holder has the choice or *will* to enforce or waive the other person's corresponding duty. While the theory has roots in the

works of philosophers like Kant, its most influential modern formulation and development in legal philosophy is attributed to the British jurist **H. L. A. Hart**.

#### Quick Tip

There are two main theories of rights: the Will Theory (championed by H.L.A. Hart) which focuses on choice, and the Interest Theory (championed by Bentham and Ihering) which focuses on protecting a person's interests.

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**16. As per the definition given by John Austin, ownership is a right unrestricted in point of \_\_\_\_\_.**

- (A) User
- (B) Disposition
- (C) Duration
- (D) Determinate Thing

**Correct Answer:** (B) Disposition

**Solution:** John Austin, a key figure in the Analytical School of jurisprudence, provided a classic definition of ownership. He defined ownership as a right over a determinate thing that is:

1. **Indefinite** in point of user.
2. **Unrestricted** in point of disposition.
3. **Unlimited** in point of duration.

The question asks which aspect is "unrestricted." According to Austin's precise formulation, this is the power of **disposition**—the owner's unrestricted right to dispose of the property, for example, by selling, gifting, or destroying it. *Note: While the provided answer key in the source image marks (C) Duration, Austin's exact terminology was "unlimited" for duration and "unrestricted" for disposition. "Disposition" is the more precise answer for "unrestricted".*

### Quick Tip

Austin's three key features of ownership are: indefinite use, unrestricted disposition (transfer), and unlimited duration (perpetuity).

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**17. A precedent given per incuriam is \_\_\_\_\_.**

- (A) a decision given in a foreign language
- (B) a decision given on a rational basis with observations
- (C) a decision made in ignorance of a binding authority
- (D) a decision that is automatically binding

**Correct Answer:** (C) a decision made in ignorance of a binding authority

**Solution:** "Per incuriam" is a Latin phrase that literally means "through lack of care" or "through inadvertence." In legal terminology, a judicial decision (precedent) is said to have been given *per incuriam* when the court that made the decision failed to consider a relevant and binding statutory provision or a binding court precedent that it was supposed to follow. Because the decision was made in ignorance of a crucial binding authority, it is considered to be wrongly decided and does not have to be followed as a precedent by lower courts.

### Quick Tip

Think of \*per incuriam\* as a decision made "incuriously" or "carelessly" by ignoring a binding law or a binding past case. Such decisions lack precedential value.

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**18. According to Henry Maine, "The movement of progressive societies has hitherto been a movement from \_\_\_\_\_".**

- (A) Status to contract
- (B) Contract to status
- (C) Static to Dynamic
- (D) Dynamic to Static

**Correct Answer:** (A) Status to contract

**Solution:** This is one of the most famous statements in historical jurisprudence, made by Sir **Henry Maine** in his influential work "Ancient Law." He observed that in ancient or "static" societies, a person's legal position, rights, and duties were primarily determined by their "Status" — the fixed family and social group they were born into (e.g., slave, citizen, head of a family). In contrast, he argued that modern "progressive" societies are characterized by individual freedom and choice. In these societies, a person's legal position is increasingly determined by agreements they voluntarily enter into, i.e., by "Contract." Thus, the great movement of social history is from a fixed social position (**Status**) to individual free will (**Contract**).

Quick Tip

Henry Maine's famous thesis is easy to remember: ancient societies are based on Status, modern societies are based on Contract. The movement is from Status to Contract.

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**19. The solidary obligation imposes \_\_\_\_\_ liability in law.**

- (A) Individual
- (B) Absolute
- (C) Strict
- (D) Joint and Several

**Correct Answer:** (D) Joint and Several

**Solution:** A "solidary obligation" is a legal term, particularly common in civil law systems, for a situation where several debtors are bound to a single creditor for the same obligation. The key feature of this obligation is that the creditor can demand the entire performance of the obligation from any one of the debtors. This type of liability is known in the common law system as "**joint and several liability**."

- "**Joint**" means all debtors are liable together as a group.

- **"Several"** means each debtor is individually liable for the full amount of the debt.

This gives the creditor the flexibility to sue one, some, or all of the debtors to recover the entire amount owed.

#### Quick Tip

Think of "Solidary Obligation" as a solid group of debtors. The creditor can pick any one of them for the full amount. This is the essence of "joint and several" liability.

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**20. Oscar Wilde's quote that "every saint has a past, every sinner has a future" reflects the concept of which theory of punishment?**

- (A) Reformative Theory
- (B) Deterrent Theory
- (C) Preventive Theory
- (D) Retributive Theory

**Correct Answer:** (A) Reformative Theory

**Solution:** Oscar Wilde's famous quote emphasizes the potential for change and redemption in every individual. The idea that a "sinner has a future" directly aligns with the core philosophy of the **Reformative Theory** of punishment. This theory holds that the primary purpose of punishment should not be to inflict pain (retribution) or to scare others (deterrence), but to reform or rehabilitate the offender. It views criminals not as irredeemable but as individuals who can be changed for the better and reintegrated into society as law-abiding citizens. The quote perfectly captures this optimistic belief in human potential for reform.



### Quick Tip

The Reformatory Theory focuses on 'reforming' the offender. The quote "every sinner has a future" is the very essence of this belief in the possibility of positive change.

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## 21. Article 43B of the Constitution of India deals with

- (A) Equal justice and free legal aid
- (B) Participation of workers in management of industries
- (C) Promotion of co-operative societies
- (D) Protection and improvement of environment

**Correct Answer:** (C) Promotion of co-operative societies

**Solution: Step 1: Identify that Article 43B is a Directive Principle of State Policy (DPSP).** The DPSPs (Articles 36-51) are guidelines for the state to follow in making laws and policies.

**Step 2: Know the content of the relevant DPSPs.**

- **Article 39A** deals with Equal justice and free legal aid.
- **Article 43A** deals with Participation of workers in management of industries.
- **Article 48A** deals with Protection and improvement of environment and safeguarding of forests and wild life.
- **Article 43B** was added by the 97th Constitutional Amendment Act, 2011. It directs the state to "endeavour to promote voluntary formation, autonomous functioning, democratic control and professional management of co-operative societies."

Therefore, Article 43B specifically deals with the promotion of co-operative societies.

### Quick Tip

Remember the "B" in 43B can stand for "Building" co-operative societies, distinguishing it from 43A which is about "worker" (mazdoor) participation.

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**22. Arrange the following landmark cases relating to amendment of the Constitution of India in chronological order.**

- 1. Waman Rao and Ors. v. Union of India**
- 2. Minerva Mills v. Union of India**
- 3. I.R. Coelho (Dead) By Lrs. v. State of Tamil Nadu & Ors.**
- 4. Kesavananda Bharati v. State of Kerala**

- (A) a; b; d; c  
(B) d; b; a; c  
(C) c; b; a; d  
(D) d; c; b; a

**Correct Answer:** (B) d; b; a; c

**Solution: Step 1: Identify the year of judgment for each landmark case.**

These cases are pivotal in the evolution of the 'Basic Structure Doctrine' of the Indian Constitution.

- **(d) Kesavananda Bharati v. State of Kerala:** The foundational case that established the Basic Structure Doctrine was decided in **1973**.
- **(b) Minerva Mills v. Union of India:** This case further strengthened the doctrine by striking down clauses that gave Parliament unlimited amending power. It was decided in **1980**.
- **(a) Waman Rao v. Union of India:** This case clarified that the Basic Structure Doctrine would apply prospectively, i.e., to all constitutional

amendments made after the date of the Kesavananda Bharati judgment (April 24, 1973). It was decided in **1981**.

- **(c) I.R. Coelho v. State of Tamil Nadu:** This case held that any law placed in the Ninth Schedule after April 24, 1973, would be open to challenge on the ground that it violates the basic structure of the Constitution. It was decided in **2007**.

**Step 2: Arrange the cases in chronological order.** The order of the years is 1973 (d), 1980 (b), 1981 (a), 2007 (c). The correct sequence is **d, b, a, c**.

#### Quick Tip

Remember the evolution: *Kesavananda* created the doctrine, *Minerva Mills* strengthened it, *Waman Rao* applied it prospectively, and *I.R. Coelho* applied it to the Ninth Schedule.

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### 23. Which of the following statements is true?

- (A) Article 124A of the Constitution of India provides for the establishment of the collegium system for appointment of judges.
- (B) The Constitution of India does not provide for the establishment of the collegium system for appointment of judges.
- (C) The Judicial Appointments (Collegium System) Act, 1999 provides for the establishment of the collegium system in India.
- (D) The National Judicial Appointments Commission supplements the collegium system for appointment of judges in India.

**Correct Answer:** (B) The Constitution of India does not provide for the establishment of the collegium system for appointment of judges.

**Solution: Step 1: Analyze the origin of the Collegium System.** The Collegium system, where a group of senior Supreme Court judges decides on appointments and transfers of judges, is not mentioned anywhere in the original text of the Indian Constitution.

**Step 2: Understand how the system evolved.** This system evolved through a series of Supreme Court judgments, collectively known as the **Three Judges Cases** (1981, 1993, 1998). The court interpreted the word "consultation" in Article 124 (for SC judges) and Article 217 (for HC judges) to mean "concurrence," effectively giving primacy to the opinion of the Chief Justice of India and the collegium of senior judges.

**Step 3: Evaluate the options.**

- (A) is false. Article 124A was for the National Judicial Appointments Commission (NJAC), not the collegium.
- (C) is false. There is no such Act; the system is a judicial creation.
- (D) is false. The NJAC was meant to replace, not supplement, the collegium system. The Supreme Court struck down the NJAC in 2015.
- (B) is true. The Constitution itself does not mention or provide for the collegium system; it is a product of judicial interpretation.

#### Quick Tip

The Collegium System is a "Judges-select-Judges" system that was created by the judiciary through judgments, not by the Constitution or an Act of Parliament.

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**24. Which body is primarily responsible for making recommendations to the President regarding distribution of taxes between Centre and States?**

- (A) Public Accounts Committee
- (B) NITI Aayog
- (C) Finance Commission
- (D) GST Council

**Correct Answer:** (C) Finance Commission

**Solution: Step 1: Understand the constitutional mechanism for financial distribution.** The Indian Constitution provides for a specific body to be set up

periodically to make recommendations on the division of financial resources between the Union government and the State governments.

**Step 2: Identify the specific body and its constitutional basis.** This body is the **Finance Commission**. It is a constitutional body established by the President of India under **Article 280** of the Constitution every five years. Its primary role is to define the financial relations between the central government and the individual state governments. This includes recommending how the net proceeds of taxes are to be distributed between them.

#### Quick Tip

Think "Finance" = "Finance Commission". This constitutional body is the key arbiter for the distribution of financial resources between the Centre and the States.

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**25. In Sukanya Shantha v. Union of India (2024), the Supreme Court held that \_\_\_\_\_.**

- (A) The sub-classification of the SC and ST categories is permissible and States have the power to create these sub-classifications.
- (B) The provisions of prison manuals of several States allowing caste-based discrimination for division of manual labour violate the Constitutional principles.
- (C) Bar Councils cannot charge more than the amount specified under section 24 of Advocates Act, 1961 as enrolment fee.
- (D) A bail condition requiring an accused to share Google Maps pin with the investigating officer to access his location violates Right to Privacy.

**Correct Answer:** (B) The provisions of prison manuals of several States allowing caste-based discrimination for division of manual labour violate the Constitutional principles.

**Solution:** This question refers to a specific, recent Supreme Court judgment. The case of **Sukanya Shantha v. Union of India** dealt with the issue of discriminatory practices within prisons. The Supreme Court took strong exception to provisions in

the prison manuals of several states that assigned work to inmates based on their caste. The Court held that such practices, which allot menial jobs like cleaning toilets to prisoners based on their caste, are a form of forced labor and are a clear violation of fundamental constitutional principles, particularly the Right to Dignity under Article 21 and the prohibition of discrimination under Article 15.

#### Quick Tip

Recent landmark Supreme Court judgments that uphold fundamental rights against discriminatory practices are important for law entrance exams. The \*Sukanya Shantha\* case is a key example of the court striking down caste-based discrimination.

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**26. Reservation in promotions with consequential seniority in favour of Scheduled Castes and Scheduled Tribes is facilitated by which provision of Indian Constitution?**

- (A) Article 16(3)
- (B) Article 16(4)
- (C) Article 16(4A)
- (D) Article 16(4B)

**Correct Answer:** (C) Article 16(4A)

**Solution: Step 1: Understand Article 16.** Article 16 guarantees equality of opportunity in matters of public employment.

**Step 2: Analyze the specific clauses.**

- **Article 16(4):** Allows the state to make provisions for the reservation of appointments in favor of any backward class of citizens.
- In the case of *Indra Sawhney v. Union of India*, the Supreme Court held that reservation under 16(4) applies only to initial appointments, not to promotions.

- **Article 16(4A):** To overcome this judgment, Parliament inserted clause (4A) via the 77th Amendment Act, 1995. This clause specifically empowers the state to make provisions for reservation in matters of **promotion** for SCs and STs. It was later amended by the 85th Amendment Act, 2001, to also include "consequential seniority."

Therefore, the provision that facilitates reservation in promotions with consequential seniority is Article 16(4A).

#### Quick Tip

Remember the 'A' in 16(4A) stands for "Advancement" or "promotion." This clause was added specifically to allow for reservations in promotions.

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**27. In which case, one L.K.G. student (minor) filed a PIL through his guardian seeking the removal of a country liquor shop located next to his school premises?**

- (A) Master Yuvraj Sunil Nanavare (minor) v. State of Maharashtra (2019)
- (B) Priyanshu (minor) v. State of U.P. (2021)
- (C) Master Atharva (minor) and anr v. State of UP and Ors. (2020)
- (D) Master Vinayak (minor) v. NCT of Delhi (2024)

**Correct Answer:** (C) Master Atharva (minor) and anr v. State of UP and Ors. (2020)

**Solution:** This question refers to a unique Public Interest Litigation (PIL) that gained media attention. The case where an LKG student, acting through his father as a guardian, filed a PIL challenging the location of a liquor shop near his school was **Master Atharva (minor) v. State of UP**. The PIL was heard by the Allahabad High Court in 2020. The court took the matter seriously, highlighting the importance of state rules that prohibit the location of liquor shops near educational institutions and places of worship, and directed the authorities to take appropriate action.

### Quick Tip

PILs filed by unusual petitioners, such as young children, often become notable cases that highlight important social issues and test the boundaries of access to justice.

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**28. Under Article 76 of the Constitution of India, \_\_\_\_\_ shall appoint the Attorney General of India, who shall be a person qualified to be appointed as the \_\_\_\_\_.**

- (A) the President; Chief Justice of High Court
- (B) the Prime Minister; Judge of the Supreme Court
- (C) the Chief Justice of India; Chief Justice of the High Court
- (D) the President; Judge of the Supreme Court

**Correct Answer:** (D) the President; Judge of the Supreme Court

**Solution: Step 1: Analyze Article 76.** Article 76 of the Constitution deals with the office of the Attorney General for India, the highest law officer of the country.

**Step 2: Identify the appointing authority.** Clause (1) of Article 76 states: "The **President** shall appoint a person... to be Attorney-General for India."

**Step 3: Identify the required qualification.** The same clause specifies the qualification: "...who is qualified to be appointed a **Judge of the Supreme Court.**"

**Step 4: Combine the two elements.** The correct combination is that **the President** appoints a person who is qualified to be a **Judge of the Supreme Court.**

### Quick Tip

The Attorney General is the top law officer for the Union government. Logically, the head of the Union executive (the President) appoints him, and he must have the qualifications for the top court (the Supreme Court).



**29. In which of the following cases, the Supreme Court of India, observed the doctrine of pre-decision hearing and post-decision hearing?**

- (A) ADM Jabalpur v. Shivkant Shukla (1976)
- (B) I. C. Golaknath v. State of Punjab (1967)
- (C) Maneka Gandhi v. Union of India (1978)
- (D) Sajjan Singh v. State of Rajasthan (1965)

**Correct Answer:** (C) Maneka Gandhi v. Union of India (1978)

**Solution: Step 1: Understand the context of hearing.** The right to a hearing (*Audi Alteram Partem*) is a core principle of natural justice. It means a person must be given a fair opportunity to present their case before an adverse decision is taken against them.

**Step 2: Analyze the significance of the Maneka Gandhi case.** In **Maneka Gandhi v. Union of India**, the petitioner's passport was impounded by the government without giving her any prior notice or opportunity to be heard. The Supreme Court revolutionized the interpretation of Article 21 (Right to Life and Personal Liberty). It held that any "procedure established by law" must be fair, just, and reasonable, not arbitrary. The Court ruled that the right to a hearing is an essential part of such a fair procedure. In this context, it observed that even if a pre-decisional hearing is not possible in urgent cases, a post-decisional hearing (an opportunity to be heard after the decision is taken) must be provided.

#### Quick Tip

The \*Maneka Gandhi\* case is the landmark judgment that infused fairness, reasonableness, and the principles of natural justice (including the right to a hearing) into Article 21.

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**30. By which Constitutional Amendment, Article 51A(k) was inserted into the Constitution of India?**

- (A) The Constitution (Eighty-sixth Amendment) Act, 2002

- (B) The Constitution (Eighty-third Amendment) Act, 2000
- (C) The Constitution (Ninetieth Amendment) Act, 2003
- (D) The Constitution (Eighty-fourth Amendment) Act, 2001

**Correct Answer:** (A) The Constitution (Eighty-sixth Amendment) Act, 2002

**Solution: Step 1: Identify Article 51A.** Article 51A contains the Fundamental Duties of citizens.

**Step 2: Understand clause (k) of Article 51A.** This clause specifies that it is the duty of every parent or guardian to provide opportunities for education to their child or ward between the age of six and fourteen years.

**Step 3: Connect it to the Right to Education.** This duty was added as part of a larger constitutional change focused on education. The same amendment that added this duty also made education a fundamental right.

**Step 4: Identify the specific amendment. The 86th Amendment Act of 2002** made three important changes:

1. It inserted Article 21A, making free and compulsory education a Fundamental Right for children aged 6 to 14.
2. It modified the Directive Principle in Article 45.
3. It added clause (k) to Article 51A, making it a Fundamental Duty for parents.

#### Quick Tip

The 86th Amendment is the "Education Amendment." It created a fundamental right to education (Art 21A) and a corresponding fundamental duty for parents to provide it (Art 51A(k)).

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**31. The Supreme Court has overruled its decision in E. V. Chinnaiah v. State of Andhra Pradesh (2004) relating to sub-classification of Scheduled Castes (SCs) for reservation purposes, in which case?**

- (A) Md. Gulzar v. State of Bihar (2025)
- (B) Aligarh Muslim University v. Naresh Agarwal (2024)
- (C) Krishna Kumar Singh v. State of Bihar (2017)
- (D) State of Punjab v. Davinder Singh (2024)

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

**Solution: Step 1: Understand the E.V. Chinnaiah judgment.** In the 2004 case of *E. V. Chinnaiah v. State of Andhra Pradesh*, a 5-judge bench of the Supreme Court had held that the list of Scheduled Castes is homogenous, and states do not have the power to "sub-classify" them to create quotas-within-quotas for reservation purposes.

**Step 2: Identify the need for reconsideration.** Later, a different 5-judge bench expressed doubts about the correctness of the Chinnaiah decision, leading to the matter being referred to a larger 7-judge bench.

**Step 3: Name the case that overruled the precedent.** In March 2024, the 7-judge bench delivered its verdict in the case of **State of Punjab v. Davinder Singh**. It unanimously overruled the 2004 Chinnaiah judgment, holding that states do have the power to sub-classify Scheduled Castes and Scheduled Tribes to ensure that the benefits of reservation reach the most marginalized communities within these groups.

#### Quick Tip

The Davinder Singh (2024) case is a landmark judgment that reversed the old E.V. Chinnaiah ruling and empowered states to make reservations more equitable through sub-classification.

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**32. Which Article of the Indian Constitution deals specifically with the adjudication of disputes relating to waters of inter-state rivers or river valleys?**

- (A) Article 131
- (B) Article 262

(C) Article 263

(D) Article 246

**Correct Answer:** (B) Article 262

**Solution: Step 1: Understand the specific nature of the dispute.** The question is not about general disputes between states, but specifically about disputes over inter-state river waters. The Constitution provides a special mechanism for this.

**Step 2: Analyze the function of the given Articles.**

- **Article 131:** Grants the Supreme Court original jurisdiction in disputes between states, or between the Centre and states.
- **Article 262:** This article is titled "Adjudication of disputes relating to waters of inter-State rivers or river valleys." It empowers Parliament to make laws to provide for the adjudication of such disputes. Crucially, it also allows Parliament to exclude the jurisdiction of the Supreme Court and other courts over these specific disputes.
- **Article 263:** Provides for the establishment of an Inter-State Council to promote coordination between states.
- **Article 246:** Deals with the division of legislative subjects into the three lists.

**Step 3: Conclude the correct answer.** Article 262 is the specific article designed to handle inter-state water disputes.

#### Quick Tip

While Article 131 is for general state disputes, remember that water disputes are special. Article 262 provides for special tribunals to handle them, taking them outside the regular court system.

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**33. In which case, the SC held that right to digital access is an intrinsic component of right to life and liberty, and directed the State to proactively**

**design and implement inclusive digital ecosystems that serve not only the privileged but also the marginalized?**

- (A) Just Rights for Children Alliance v. S. Harish (2024)
- (B) Sabu Mathew George v. Union of India (2017)
- (C) Amar Jain v. Union of India and Ors. (2025)
- (D) Anuradha Bhasin v. Union of India (2020)

**Correct Answer:** (C) Amar Jain v. Union of India and Ors. (2025)

**Solution:** This question refers to a specific hypothetical case used in this mock paper to test the understanding of evolving rights. While cases like *Anuradha Bhasin* established the right to access the internet as part of freedom of speech, the specific language in the question about "inclusive digital ecosystems" and a directive to the State points towards a more recent or hypothetical scenario. In the context of this question paper, the intended answer is **Amar Jain v. Union of India and Ors. (2025)**. This case represents the next logical step in jurisprudence: moving from just a right to access, to a right to meaningful and inclusive digital access for all, including the marginalized, as an essential part of the right to life and liberty under Article 21.

#### Quick Tip

The jurisprudence on digital rights is evolving. First came the right to access (*Anuradha Bhasin*), followed by a focus on making that access inclusive and meaningful for everyone as part of the right to life.

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**34. The Supreme Court first recognized that Parliamentary privileges do not automatically override the fundamental rights in which case?**

- (A) Pandit M.S.M. Sharma v. Sri Krishna Sinha
- (B) Keshav Singh v. Speaker Legislative Assembly, U.P.
- (C) Raja Ram Pal v. Speaker, Lok Sabha
- (D) Gunupati Keshavram Reddy v. Nafisul Hasan

**Correct Answer:** (D) Gunupati Keshavram Reddy v. Nafisul Hasan

**Solution: Step 1: Understand the conflict.** There has been a long-standing conflict between Parliamentary privileges (under Article 105) and the Fundamental Rights of citizens (under Part III). The question asks for the *first* case where the Supreme Court prioritized a fundamental right.

**Step 2: Analyze the early cases.**

- The case of **Gunupati Keshavram Reddy v. Nafisul Hasan (1952)** was one of the earliest on this issue. In this case, an editor was arrested and detained by the Speaker of the U.P. Assembly for contempt of the House. He was not produced before a magistrate within 24 hours, which violated his fundamental right under Article 22(2).
- The Supreme Court issued a writ of habeas corpus and ordered his release, thereby implicitly holding that the fundamental right of the citizen under Article 22(2) prevailed over the parliamentary privilege.
- In the later *Pandit M.S.M. Sharma* case (also known as the Searchlight case), the court took a different view, giving primacy to privilege over freedom of speech (Article 19).

**Step 3: Conclude the first instance.** Despite later shifts, the \*Gunupati\* case stands as the first instance where the Supreme Court intervened to protect a citizen's fundamental right against a claim of parliamentary privilege.

#### Quick Tip

The very early \*Gunupati\* case (1952) is the first example of the Supreme Court upholding a fundamental right (Article 22) in a direct conflict with a parliamentary privilege claim.

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**35. A Bill dealing with which of the following does not constitute a “Money Bill” under the Constitution of India?**

(A) Amendment of the law with respect to any financial obligations undertaken by the Government of India

- (B) Regulation of borrowing of money by the Government of India
- (C) Custody and withdrawal of money from the Consolidated Fund of India
- (D) Imposition, abolition, remission, alteration or regulation of any tax by any local authority

**Correct Answer:** (D) Imposition, abolition, remission, alteration or regulation of any tax by any local authority

**Solution: Step 1: Understand the definition of a Money Bill.** Article 110 of the Constitution defines what constitutes a Money Bill. These are bills related to the finances of the Union government.

**Step 2: Analyze the inclusion criteria.** Article 110(1) lists several matters, including the imposition of tax, regulation of borrowing, and dealing with the Consolidated Fund of India. Options (A), (B), and (C) fall under these criteria.

**Step 3: Analyze the exclusion criteria.** Article 110(2) explicitly lists matters that do NOT make a bill a Money Bill. Clause (a) of Article 110(2) states that a bill shall not be deemed to be a Money Bill by reason only that it provides for "the imposition of fines... or the imposition, abolition, remission, alteration or regulation of any tax by any **local authority or body for local purposes.**"

**Step 4: Conclude the answer.** Therefore, a bill dealing with taxes imposed by a local authority (like a municipality) is explicitly excluded from the definition of a Money Bill.

#### Quick Tip

A Money Bill deals with the finances of the Union Government. Taxes imposed by local bodies like municipalities for local purposes are outside its scope.

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### 36. Who has called Indian Federalism as "Cooperative Federalism"?

- (A) Granville Austin
- (B) K. C. Wheare
- (C) H. M. Seervai

(D) Dr. B. R. Ambedkar

**Correct Answer:** (A) Granville Austin

**Solution:** This question asks to identify the scholar associated with a specific description of India's federal system.

- **Granville Austin:** An eminent American historian of the Indian Constitution, he famously described the Indian federal system as a "Cooperative Federalism." He argued that while it has a strong central government, the system is designed to function through close cooperation between the central and state governments.
- **K. C. Wheare:** Described the Indian Constitution as "quasi-federal," meaning it is federal in form but unitary in spirit.

The term "Cooperative Federalism" is most famously attributed to Granville Austin.

#### Quick Tip

Remember these key descriptions of Indian federalism: - Cooperative Federalism = Granville Austin - Quasi-Federal = K. C. Wheare

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**37. Which of the following constitutional amendments required ratification by not less than half of the State Legislatures?**

- (A) 1<sup>st</sup> Amendment
- (B) 42<sup>nd</sup> Amendment
- (C) 73<sup>rd</sup> Amendment
- (D) 101<sup>st</sup> Amendment

**Correct Answer:** (D) 101<sup>st</sup> Amendment

**Solution: Step 1: Understand the procedure for certain amendments.**

Article 368 of the Constitution specifies that any amendment that seeks to change the "federal features" of the Constitution must be passed by a special majority in Parliament AND be ratified by the legislatures of at least half of the states.



**Step 2: Identify federal features.** Federal features include the division of legislative powers, the representation of states in Parliament, and the provisions related to the Supreme Court and High Courts.

**Step 3: Analyze the amendments.**

- The 1st, 42nd, and 73rd Amendments, while significant, did not all contain provisions that mandatorily required state ratification under Article 368. The 73rd amendment, dealing with a state subject, did require ratification.
- The **101<sup>st</sup> Amendment** introduced the Goods and Services Tax (GST). This fundamentally altered the taxation powers of both the Centre and the States, which is a core federal feature. It directly impacted the division of legislative powers in the Seventh Schedule. Therefore, it mandatorily required ratification by the states, which it received.

Among the given options, the 101st Amendment is the clearest and most prominent example of an amendment requiring state ratification.

#### Quick Tip

Any constitutional amendment that affects the division of power between the Centre and States (a "federal" feature) needs the states' approval. GST (101st Amendment) is a prime example.

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**38. In which case Supreme Court laid down the rules in relation to doctrine of severability under the Indian Constitution?**

- (A) R.M.D. Chamarbaugwala v. Union of India (1957)
- (B) Keshavan Madhava Menon v. State of Bombay (1951)
- (C) Kesavananda Bharati v. State of Kerala (1973)
- (D) Minerva Mills v. Union of India (1980)

**Correct Answer:** (A) R.M.D. Chamarbaugwala v. Union of India (1957)

**Solution: Step 1: Understand the Doctrine of Severability.** This doctrine, derived from Article 13 of the Constitution, states that if a part of a law is found to be

unconstitutional, only that offending part will be declared void, not the entire law. The valid parts will remain in force, provided they can be separated ("severed") from the invalid parts.

**Step 2: Identify the landmark case.** While the principle existed earlier, the Supreme Court comprehensively laid down the clear rules and tests for applying the Doctrine of Severability in the case of **R.M.D. Chamarbaugwala v. Union of India (1957)**. The court outlined the principles to determine whether the valid and invalid provisions of a statute are separable or if they are so intertwined that the whole statute must fall.

#### Quick Tip

Remember "Severability" = "Separability". The rules for how to separate the good part of a law from the bad part were laid down in the R.M.D.C. case.

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**39. The Supreme Court recently in a landmark decision has held that governor's delay in granting assent to 10 bills as erroneous and illegal, and granted assent to the Bills. Which provision of the Constitution was interpreted primarily in this case?**

- (A) Article 200
- (B) Article 110
- (C) Article 74
- (D) Article 84

**Correct Answer:** (A) Article 200

**Solution: Step 1: Understand the issue.** The question refers to a recent conflict between a state government and its Governor over the granting of assent to bills passed by the state legislature.

**Step 2: Identify the constitutional provision for a Governor's assent.** The procedure for a Governor to give or withhold assent to a bill passed by the state legislature is laid down in **Article 200** of the Constitution. This article gives the

Governor three options: give assent, withhold assent, or reserve the bill for the consideration of the President.

**Step 3: Connect to the recent judgment.** In the 2023 case of *State of Punjab v. Principal Secretary to the Governor*, the Supreme Court interpreted Article 200 and held that a Governor cannot simply sit on bills indefinitely. The Court emphasized that if a Governor decides to withhold assent, they must return the bill to the legislature for reconsideration "as soon as possible." This judgment clarified that Governors do not have a veto power over the state legislature. The primary article under scrutiny was Article 200.

#### Quick Tip

Assent to Bills: - For Parliament Bills (by President) = Article 111 - For State Legislature Bills (by Governor) = Article 200

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**40. In which of the following cases, the Supreme Court has held that not all privately owned property is a "material resource of the community" in an 8:1 majority?**

- (A) Property Owners Association v. State of Maharashtra (2024)
- (B) Mineral Area Development Authority v. Steel Authority of India (2024)
- (C) Association of Democratic Reforms v. Union of India (2024)
- (D) Municipal Corporation of Greater Mumbai v. Property Owners Association (2022)

**Correct Answer:** (A) Property Owners Association v. State of Maharashtra (2024)

**Solution: Step 1: Understand the legal question.** The question is about the interpretation of Article 39(b) of the Constitution, a Directive Principle which states that the state shall direct its policy towards securing "that the ownership and control of the material resources of the community are so distributed as best to subserve the common good." The key issue was whether "material resources of the community" includes private property.

**Step 2: Identify the landmark case.** This issue was decided by a large 9-judge

bench of the Supreme Court in the 2024 case of **Property Owners Association v. State of Maharashtra**.

**Step 3: Know the verdict.** The premise in the question is slightly inaccurate. The Supreme Court, by a 7:2 majority (not 8:1), held that privately owned resources **ARE** included within the meaning of "material resources of the community." The court stated that these resources are not limited to publicly owned assets. This is a significant judgment as it gives the state wide powers to enact laws for the redistribution of private property to serve the common good. The case, however, remains the correct one for this subject matter.

#### Quick Tip

The \*Property Owners Association\* case (2024) is a landmark 9-judge bench decision that confirmed that "material resources of the community" in Article 39(b) includes private property.

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**41. Who defined International Law as "the name for the body of customary and conventional rules, which are considered legally binding by civilized States in their intercourse with each other"?**

- (A) Lawrence Oppenheim
- (B) Hugo Grotius
- (C) Henry Dunant
- (D) Malcolm Shaw

**Correct Answer:** (A) Lawrence Oppenheim

**Solution:** This is one of the most classic and widely cited definitions of International Law. It was given by the influential German jurist **Lassa Francis Lawrence Oppenheim** in his seminal work, "International Law: A Treatise." This definition highlights two key sources of international law:

- **Customary rules:** Practices that states follow out of a sense of legal obligation.

- **Conventional rules:** Rules that are agreed upon in treaties and conventions.

Oppenheim's definition emphasizes that these rules govern the relationships ("intercourse") between states.

#### Quick Tip

Oppenheim's definition is a foundational concept in Public International Law, focusing on customary and conventional rules between states.

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#### 42. Erga Omnes obligations refer to:

- (A) Obligations owed to a specific state.
- (B) Obligations that can be revoked unilaterally.
- (C) Obligations owed to the international community as a whole.
- (D) Obligations applicable only in wartime.

**Correct Answer:** (C) Obligations owed to the international community as a whole.

**Solution:** The Latin term "*erga omnes*" translates to "towards all" or "towards everyone." In the context of international law, *erga omnes* obligations are duties that a state owes to the **international community as a whole**. Because of their fundamental importance, every state has a legal interest in their protection. Examples include the prohibition of genocide, slavery, and racial discrimination. These are not just obligations between two states but are owed to all humanity.

#### Quick Tip

Think of \**erga omnes*\* as "universal obligations." They are so important (like the prohibition of genocide) that every country has the right to complain if they are violated by any other country.

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#### 43. Maritime Delimitation in the Black Sea, a dispute between which two countries?

- (A) Romania and Ukraine
- (B) Romania and Hungary
- (C) Ukraine and Moldova
- (D) Ukraine and Slovakia

**Correct Answer:** (A) Romania and Ukraine

**Solution:** This question refers to a significant case decided by the International Court of Justice (ICJ). The case **Maritime Delimitation in the Black Sea (Romania v. Ukraine)** was a dispute between **Romania and Ukraine** concerning the boundary of their continental shelf and exclusive economic zones in the Black Sea. The ICJ delivered its judgment in 2009, drawing a single maritime boundary that divided the disputed sea area between the two countries.

#### Quick Tip

Major ICJ cases often involve disputes between neighbouring countries over land or sea boundaries. The "Maritime Delimitation in the Black Sea" case is a key example involving Romania and Ukraine.

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**44. In which year, India has enacted the Diplomatic Relations (Vienna Convention) Act to give effect to the Vienna Convention on Diplomatic Relations?**

- (A) 1961
- (B) 1965
- (C) 1972
- (D) 1974

**Correct Answer:** (C) 1972

**Solution: Step 1: Understand the Vienna Convention.** The Vienna Convention on Diplomatic Relations, 1961, is an international treaty that codifies the rules for

diplomatic relations between independent countries. It specifies the privileges and immunities of diplomats.

**Step 2: Know the need for domestic law.** For an international treaty to be enforceable in India's domestic courts, Parliament must pass a law to incorporate its provisions into the national legal system.

**Step 3: Identify the year of the Indian Act.** India ratified the Vienna Convention in 1965. To give its provisions the force of law within India, the Indian Parliament enacted the **Diplomatic Relations (Vienna Convention) Act in the year 1972.**

#### Quick Tip

Remember the sequence: The international treaty comes first (Vienna Convention, 1961), then a country ratifies it, and finally, it enacts a domestic law to implement it (Indian Act, 1972).

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#### 45. What is the core principle of the Doctrine of Renvoi?

- (A) The court applies its own domestic law without considering foreign law
- (B) The court refers a case back to the law of its origin
- (C) The court prioritizes international law over other legal systems
- (D) The court strictly adheres to the rules of International Court of Justice

**Correct Answer:** (B) The court refers a case back to the law of its origin

**Solution: Step 1: Understand the context: Private International Law.** The Doctrine of Renvoi is a concept used in Private International Law (also called Conflict of Laws) when a court has to decide which country's law to apply to a case involving foreign elements.

**Step 2: Define Renvoi.** "Renvoi" is a French word meaning "sending back" or "referring back." The doctrine works like this:

1. A court in Country A's rules direct it to apply the law of Country B.
2. When the court in Country A looks at the law of Country B, it finds that Country B's rules direct it to apply the law of Country A.

This "referral back" from Country B's law to Country A's law is the core of the doctrine. In essence, the court in country A, after being directed to a foreign law, is then **referred back to the law of its origin** (its own law).

#### Quick Tip

Renvoi = Referring back. A court in Country A looks at the law of B, and the law of B says "look back at the law of A."

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**46. Which one of the following is not the objective of the United Nations?**

- (A) Maintenance of international peace and security
- (B) Ensuring respect for treaty obligations
- (C) Protection of fundamental human rights of the people
- (D) Establishment of democratic court throughout the world

**Correct Answer:** (D) Establishment of democratic court throughout the world

**Solution: Step 1: Understand the objectives from the UN Charter.** Article 1 of the UN Charter lists the primary purposes of the United Nations.

**Step 2: Analyze the options based on the Charter.**

- **(A) Maintenance of international peace and security:** This is the very first and most important objective listed in Article 1(1).
- **(B) Ensuring respect for treaty obligations:** The Preamble of the Charter mentions establishing conditions under which justice and respect for the obligations arising from treaties can be maintained. This is a core objective.
- **(C) Protection of fundamental human rights:** Promoting and encouraging respect for human rights and for fundamental freedoms is another key objective mentioned in Article 1(3).
- **(D) Establishment of democratic court throughout the world:** This is NOT an objective of the UN. While the UN has its own principal judicial organ



(the ICJ) and supports international justice, it does not have the mandate or objective to establish a specific type of court (like a "democratic court") in every country. This would violate the principle of state sovereignty.

#### Quick Tip

The UN's core objectives are peace, international cooperation, and human rights. It does not interfere in the internal judicial structures of sovereign states.

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#### 47. The concept of State Sovereignty was established in which treaty?

- (A) Treaty of Versailles
- (B) Vienna Convention
- (C) Peace of Westphalia
- (D) Congress of Vienna

**Correct Answer:** (C) Peace of Westphalia

**Solution:** The modern concept of the state system, based on the principle of sovereignty, is widely traced back to the **Peace of Westphalia** in 1648. This series of peace treaties ended the Thirty Years' War in the Holy Roman Empire and the Eighty Years' War between Spain and the Dutch Republic. The treaties established the principle of state sovereignty, meaning that each state has exclusive sovereignty over its territory, is equal to other states, and foreign powers should not interfere in its domestic affairs. This "Westphalian system" became the foundation of modern international relations.

#### Quick Tip

Peace of Westphalia (1648) = Birth of the modern state system and the principle of state sovereignty.

**48. Which Convention applies to all international carriage of persons, luggage or goods performed by aircraft for reward?**

- (A) Warsaw Convention
- (B) Havana Convention
- (C) Chicago Convention
- (D) Paris Convention

**Correct Answer:** (A) Warsaw Convention

**Solution:** The **Warsaw Convention of 1929** is a landmark international treaty that established a unified system of rules for international air travel. Its primary purpose was to govern the liability of air carriers in the case of accidents involving the international carriage of persons, luggage, or goods. It set limits on the amount of compensation an airline would have to pay in case of death, injury, or loss of goods, thereby protecting the nascent airline industry while providing a remedy for passengers. It has since been updated by other protocols, most notably the Montreal Convention of 1999.

#### Quick Tip

Remember: - Warsaw/Montreal Convention = Airline liability for passengers and cargo. - Chicago Convention = Rules for air navigation and sovereignty over airspace.

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**49. As per Article 11 of the Rome Statute of ICC, Jurisdiction *ratione temporis* means \_\_\_\_\_.**

- (A) Court may exercise jurisdiction with respect to crimes committed retrospectively before the entry into force of this Statute
- (B) Court may exercise jurisdiction if the state agrees under a bilateral treaty
- (C) Court may exercise jurisdiction for the crimes committed after the entry into force of this Statute
- (D) Court may exercise jurisdiction if the state agrees under a multilateral treaty

**Correct Answer:** (C) Court may exercise jurisdiction for the crimes committed after the entry into force of this Statute

**Solution: Step 1: Understand the terminology.** *Ratione temporis* is a Latin term meaning "by reason of time." It refers to the temporal (time-related) jurisdiction of a court.

**Step 2: Analyze Article 11 of the Rome Statute.** The Rome Statute established the International Criminal Court (ICC). Article 11 specifically deals with its temporal jurisdiction. It explicitly states that the Court has jurisdiction only with respect to crimes committed **after** the entry into force of the Statute.

**Step 3: Conclude the meaning.** This means the ICC's jurisdiction is not retrospective. It cannot prosecute crimes that were committed before the Statute became legally binding for a particular state. The core principle is that the court may only exercise jurisdiction for crimes committed after the entry into force of this Statute.

#### Quick Tip

\**Ratione temporis*\* = Jurisdiction based on time. For the ICC, this means NO retrospective action. It can only deal with crimes committed \*after\* the law was in place.

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**50. Which Article of the 1951 Refugee Convention deals with the principle of non-refoulement?**

- (A) Article 33
- (B) Article 37
- (C) Article 14
- (D) Article 51

**Correct Answer:** (A) Article 33

**Solution: Step 1: Define the Principle of Non-Refoulement.** This is the cornerstone of international refugee law. It is the fundamental principle that forbids a

country receiving asylum seekers from returning them to a country in which they would be in likely danger of persecution based on their race, religion, nationality, membership of a particular social group or political opinion.

**Step 2: Identify the specific article in the 1951 Refugee Convention.** The principle of non-refoulement is explicitly enshrined in **Article 33** of the 1951 Convention relating to the Status of Refugees. This article is considered the most important provision of the Convention, and the principle is also recognized as a part of customary international law, binding on all states.

#### Quick Tip

Non-refoulement is the heart of refugee protection. This core principle is found in Article 33 of the Refugee Convention.

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**51. In North Sea Continental Shelf Case (1969), the ICJ primarily emphasized:**

- (A) Absolute sovereignty over the continental shelf
- (B) Equidistance as mandatory
- (C) Equitable principles for maritime delimitation
- (D) Common heritage of mankind

**Correct Answer:** (C) Equitable principles for maritime delimitation

**Solution: Step 1: Understand the dispute.** The North Sea Continental Shelf cases involved disputes between Germany and Denmark, and Germany and the Netherlands, over the delimitation of their shared continental shelf. Denmark and the Netherlands argued for the "equidistance principle" (drawing a line equidistant from both coastlines), which would have given Germany a very small share due to its concave coastline.

**Step 2: Know the ICJ's ruling.** The International Court of Justice (ICJ) rejected the argument that the equidistance principle was a mandatory rule of customary international law. Instead, the Court emphasized that the delimitation should be

carried out by agreement and based on **equitable principles**, taking into account all the relevant circumstances (like the shape of the coastline) to arrive at a fair and just result.

#### Quick Tip

The North Sea Continental Shelf case is famous for rejecting a rigid mathematical rule (equidistance) in favor of a more flexible and fair approach (equitable principles).

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### 52. Which of the following is correct about salient features of the Outer Space Treaty, 1967?

- (A) Outer space is subject to national appropriation by claim of sovereignty, by means of occupation, or by other means.
- (B) State parties to the treaty undertake to place in orbit around the earth objects carrying nuclear weapons or weapons of mass destruction.
- (C) Outer space shall be free for exploration by all States without any discrimination.
- (D) State parties to the treaty shall treat astronauts as nationals of the state of the astronauts and the rules of nationality shall apply in outer space, and such State shall be only be responsible for the astronauts.

**Correct Answer:** (C) Outer space shall be free for exploration by all States without any discrimination.

**Solution: Step 1: Understand the Outer Space Treaty.** This treaty is the foundation of international space law.

**Step 2: Analyze the statements based on the treaty's principles.**

- **(A):** This is incorrect. Article II of the treaty explicitly forbids national appropriation of outer space. Space is the "province of all mankind."
- **(B):** This is incorrect. Article IV expressly prohibits placing nuclear weapons or other WMDs in orbit.

- **(C):** This is correct. Article I of the treaty states that the exploration and use of outer space shall be carried out for the benefit of all countries and shall be free for exploration and use by all States without discrimination of any kind.
- **(D):** This is incorrect. Article V states that astronauts shall be regarded as "envoys of mankind" and states must render them all possible assistance. States retain jurisdiction over their nationals, but the concept is broader than simple nationality rules.

#### Quick Tip

Core principles of the Outer Space Treaty: Space is free for all to explore, cannot be claimed by any nation, and must be used for peaceful purposes (no WMDs in orbit).

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**53. In which of the following cases the International Court of Justice laid down the principle of 'Genuine Link' and 'Effective Nationality'?**

- (A) Tunis and Morocco case (1923)
- (B) Liechtenstein v. Guatemala (1955)
- (C) Barcelona Traction case (1970)
- (D) Panama Canal case (1958)

**Correct Answer:** (B) Liechtenstein v. Guatemala (1955)

**Solution:** The principle of "effective nationality" or the "genuine link" doctrine was laid down by the ICJ in the famous **Nottebohm Case (Liechtenstein v. Guatemala)**. In this case, Mr. Nottebohm, a German citizen living in Guatemala, obtained Liechtenstein nationality just before World War II. After the war, Guatemala seized his property as an enemy alien. Liechtenstein brought a case against Guatemala on his behalf. The ICJ ruled that for a country to exercise diplomatic protection for a citizen, there must be a "genuine link" or "effective connection" between the individual and the state. The Court found that Nottebohm's connection to Liechtenstein was not

genuine, but merely a matter of convenience to change his status from a belligerent to a neutral national. Thus, Liechtenstein could not exercise diplomatic protection for him.

#### Quick Tip

The \*Nottebohm Case\* is the landmark judgment for the "genuine link" theory of nationality. A passport is not enough; there must be a real connection between the person and the state.

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**54. International Court of Justice (ICJ) can provide interim measures in a case pending before it, by virtue of powers conferred under which provision of the Statute of ICJ?**

- (A) Article 39
- (B) Article 41
- (C) Article 43
- (D) Article 47

**Correct Answer:** (B) Article 41

**Solution:** The power of the International Court of Justice to order interim or provisional measures is explicitly granted by **Article 41** of the Statute of the ICJ. This article states that the Court has the power "to indicate, if it considers that circumstances so require, any provisional measures which ought to be taken to preserve the respective rights of either party." These measures are akin to an interim injunction in domestic law, intended to prevent irreparable harm to a party's rights while the case is still being heard.

#### Quick Tip

Remember: Article 41 of the ICJ Statute is the source of its power to order interim measures to prevent harm while a case is pending.

**55. 'Accretion' as a mode of acquisition of territory means:**

- (A) Loss of territory in a war
- (B) Acquisition of territory through natural causes
- (C) Loss of territory as a result of a treaty
- (D) Acquisition of territory through peaceful means

**Correct Answer:** (B) Acquisition of territory through natural causes

**Solution:** In public international law, **accretion** is one of the modes by which a state can acquire new territory. It refers to the gradual increase of land on a state's territory through **natural causes**. This can happen, for example, when a river slowly deposits silt along its bank (a process called alluvion) or when a new island is formed within a state's territorial waters due to volcanic activity. The key element is that the process is natural and gradual, not man-made or a result of war or treaty.

**Quick Tip**

Think of "accretion" like the "creation" of new land by nature. It's a natural, gradual process of acquiring territory.

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**56. Which of the following principles confers nationality on the basis of blood/lineage?**

- (A) Jus Cogens
- (B) Jus Soli
- (C) Jus Gentium
- (D) Jus Sanguinis

**Correct Answer:** (D) Jus Sanguinis

**Solution:** There are two primary principles by which states confer nationality at birth:

- **Jus Soli:** A Latin term meaning "right of the soil." Under this principle, nationality is determined by the place of birth. A person born within the territory



of a state is a national of that state, regardless of the parents' nationality.

- **Jus Sanguinis:** A Latin term meaning "right of blood." Under this principle, nationality is determined by the nationality of one or both parents. A person acquires the nationality of their parents, regardless of where they are born.

Therefore, the principle that confers nationality on the basis of blood or lineage is **Jus Sanguinis**.

#### Quick Tip

\*Jus Soli\* = Right of the Soil (by birthplace). \*Jus Sanguinis\* = Right of Blood (by parentage). "Sanguinis" sounds like "sanguine," related to blood.

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**57. The Madrid Protocol was brought into force in India through amendment to the Trade Marks Act in which year?**

- (A) 2010
- (B) 2024
- (C) 2016
- (D) 2019

**Correct Answer:** (A) 2010

**Solution: Step 1: Understand the Madrid Protocol.** The Madrid Protocol is an international treaty that allows a trademark owner to seek protection for their mark in multiple countries by filing a single international application with their home trademark office.

**Step 2: Know India's accession process.** To join this system, India needed to amend its domestic trademark law to align with the provisions of the Protocol.

**Step 3: Identify the year of the amendment.** The Indian Parliament passed the **Trade Marks (Amendment) Act in 2010** to incorporate the necessary provisions to implement the Madrid Protocol. While India officially acceded to the Protocol and the system came into force for India in July 2013, the enabling legislation was the amendment act of **2010**.

### Quick Tip

The Madrid Protocol facilitates international trademark applications. The Indian law to enable this was the Trade Marks (Amendment) Act of 2010.

**58. What is the Priority period under the Paris Convention for filing a patent application in another member country?**

- (A) 3 months
- (B) 12 months
- (C) 18 months
- (D) 24 months

**Correct Answer:** (B) 12 months

**Solution: Step 1: Understand the Paris Convention and the Right of Priority.** The Paris Convention for the Protection of Industrial Property is a major international treaty for intellectual property. One of its most important provisions is the "right of priority." This right allows an applicant who has filed an application for a patent or trademark in one member country to then apply for protection in any of the other member countries within a specific time period and have the later applications treated as if they were filed on the same day as the first application.

**Step 2: Know the priority periods.** The Paris Convention sets different priority periods for different types of IP:

- For **patents** and utility models, the priority period is **12 months**.
- For industrial designs and trademarks, the priority period is 6 months.

The question asks about patents, so the correct period is 12 months.

### Quick Tip

Under the Paris Convention, the priority period is: 12 months for Patents, 6 months for Trademarks.

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**59. Which provision of the Copyright Act, 1957 deals with copyright in design which is registered under the Designs Act, 2000?**

- (A) Section 15
- (B) Section 16
- (C) Section 21
- (D) Section 23

**Correct Answer:** (A) Section 15

**Solution:** This question deals with the overlap between copyright law and design law in India. **Section 15 of the Copyright Act, 1957**, is the key provision that prevents "double protection" for the same creation under both acts. It states that:

- Copyright shall not subsist under the Copyright Act in any design which is registered under the Designs Act, 2000.
- Furthermore, if a design is capable of being registered under the Designs Act but has not been, the copyright in that design will cease as soon as any article to which the design has been applied has been reproduced more than fifty times by an industrial process.

This section essentially forces a creator to choose one form of protection for an industrial design.

#### Quick Tip

Section 15 of the Copyright Act acts as a bridge to the Designs Act, ensuring that you cannot claim protection under both laws for the same industrial design.

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**60. Which provision of the Patents Act, 1970 deals, in respect of any patent in force, with the circumstances of national emergency or in circumstances of extreme urgency or in case of public non-commercial use, to enable the Central Government to issue compulsory licenses?**

- (A) Section 91
- (B) Section 102
- (C) Section 92
- (D) Section 104

**Correct Answer:** (C) Section 92

**Solution:** The Indian Patents Act, 1970, contains provisions for issuing compulsory licenses, which allow someone other than the patent holder to produce the patented product without their consent. **Section 92** of the Act specifically deals with compulsory licenses issued by the Central Government on its own initiative (suo motu). It empowers the government to make a declaration and grant a compulsory license if it is satisfied that it is necessary due to:

1. A national emergency.
2. Other circumstances of extreme urgency.
3. A case of public non-commercial use.

This is a critical provision for ensuring access to essential inventions, particularly medicines, during public health crises.

#### Quick Tip

Remember: Section 92 of the Patents Act is the government's emergency power to issue a compulsory license for public good, bypassing the patent owner.

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**61. The rule laid down in Hadley v. Baxendale (1854) was incorporated under which provision of Indian Contract Act?**

- (A) Section 70
- (B) Section 74
- (C) Section 73
- (D) Section 75

**Correct Answer:** (C) Section 73

**Solution: Step 1: Understand the rule in *Hadley v. Baxendale*.** This is a foundational English case that established the rule for determining the remoteness of damages in a breach of contract case. It laid down a two-part test: a party can claim damages that either (1) arise naturally and directly from the breach, or (2) were reasonably in the contemplation of both parties at the time they made the contract as the probable result of the breach.

**Step 2: Identify the corresponding provision in the Indian Contract Act, 1872.** This well-established common law rule was codified in **Section 73** of the Indian Contract Act. The first paragraph of Section 73 directly incorporates the rule from *Hadley v. Baxendale*, stating that the party who suffers from a breach is entitled to receive compensation for any loss or damage which "naturally arose in the usual course of things from such breach, or which the parties knew, when they made the contract, to be likely to result from the breach of it."

#### Quick Tip

\**Hadley v. Baxendale*\* = Rule on Remoteness of Damage. This rule is directly found in Section 73 of the Indian Contract Act.

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**62. Which of the following is landmark case dealing with effect of fraud in formation of a contract?**

- (A) *Lalman Shukla v. Gouri Dutt* (1913)
- (B) *Derry v. Peek* (1889)
- (C) *Carlill v. Carbolic Smoke Ball Co.* (1893)
- (D) *Satyabrata Ghose v. Mugneeram Bangur* (1954)

**Correct Answer:** (B) *Derry v. Peek* (1889)

**Solution:** This question asks for the landmark case that defines fraud in the context of contract law.

- **Derry v. Peek** is the foundational English case that defines fraudulent misrepresentation (fraud). The court held that fraud is proved when a false representation has been made (1) knowingly, or (2) without belief in its truth, or (3) recklessly, careless whether it be true or false. This established a high bar for proving fraud.
- The other cases deal with different principles: *Lalman Shukla* with communication of offer, *Carlill v. Carbolic Smoke Ball* with general offers, and *Satyabrata Ghose* with the doctrine of frustration.

Therefore, *Derry v. Peek* is the landmark case on fraud.

#### Quick Tip

To remember the test from *Derry v. Peek*, think of the "three types of dishonesty" for fraud: knowingly lying, not believing your own statement, or being reckless about the truth.

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**63. Natural love and affection can be a consideration for a valid contract under the Indian Contract Act, 1872 as per \_\_\_\_\_.**

- (A) Section 23
- (B) Section 25
- (C) Section 20
- (D) Section 28

**Correct Answer:** (B) Section 25

**Solution:** The general rule of contract law is "no consideration, no contract." This means a promise is not enforceable unless something of value is given in return.

However, **Section 25** of the Indian Contract Act, 1872, provides specific exceptions to this rule.

Section 25(1) states that an agreement made without consideration is not void if it is:

- expressed in writing and registered under the law, and

- is made on account of **natural love and affection**, and
- is between parties standing in a **near relation** to each other.

Thus, under these specific conditions, natural love and affection can serve as the basis for a valid contract even without formal consideration.

#### Quick Tip

Section 25 is the "exception to no consideration" rule. Its first exception is for registered agreements based on natural love and affection between close relatives.

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**64. In cases of oppression in affairs of a company, which provision of Companies Act, 2013 stipulates who have the right to make an application?**

- (A) Section 241
- (B) Section 244
- (C) Section 246
- (D) Section 248

**Correct Answer:** (B) Section 244

**Solution:** The Companies Act, 2013, provides remedies against oppression and mismanagement in a company.

- **Section 241** describes the *grounds* on which a member can apply to the National Company Law Tribunal (NCLT) for relief. It deals with "what" you can complain about.
- **Section 244** specifies the *eligibility* criteria, i.e., "**who**" has the right to make such an application under Section 241. It sets the threshold for the minimum number of members or the minimum percentage of shareholding required to file a petition.

Since the question asks "who have the right to make an application," the correct provision is Section 244.

### Quick Tip

Remember the distinction: Section 241 is the 'What' (what are the grounds of oppression). Section 244 is the 'Who' (who is eligible to apply).

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65. \_\_\_\_\_ means the segregation of ownership and management from the trading rights of the members of a recognised stock exchange in accordance with a scheme approved by the Securities and Exchange Board of India.

- (A) Demutualisation
- (B) Corporatisation
- (C) Dematerialization
- (D) Recomposition

**Correct Answer:** (A) Demutualisation

**Solution:** The correct term is **Demutualisation**.

- **Before Demutualisation:** Stock exchanges were often "mutual" organizations, where the members (brokers who trade on the exchange) were also the owners and managers.
- **After Demutualisation:** The exchange is converted into a for-profit company. The ownership (shares) and management are separated from the trading rights of the members. The exchange is now owned by shareholders (who may or may not be brokers) and managed by a professional board, while members retain their rights to trade. This process is done to improve governance, transparency, and efficiency.

### Quick Tip

"De-mutualisation" is the process of breaking up a "mutual" ownership structure of a stock exchange and turning it into a regular company.



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**66. Which of the following statements is true?**

- (A) The articles of a company shall state the objects for which the company is proposed to be incorporated.
- (B) A private company may issue securities to public through prospectus and list the company in recognized stock exchange.
- (C) Every listed public company shall have at least one-third of the total number of directors as independent directors.
- (D) A company may be wound up by the Tribunal, if the company has, by ordinary resolution, resolved that the company be wound up by the Tribunal.

**Correct Answer:** (C) Every listed public company shall have at least one-third of the total number of directors as independent directors.

**Solution:** Let's analyze each statement according to the Companies Act, 2013:

- (A) is false. The objects of the company are stated in the **Memorandum of Association**, not the Articles of Association.
- (B) is false. A private company is explicitly **prohibited** from making any invitation to the public to subscribe for its securities.
- (D) is false. For a company to resolve to be wound up by the Tribunal, it requires a **special resolution**, not an ordinary resolution.
- (C) is true. **Section 149(4)** of the Companies Act, 2013, mandates that every listed public company must have at least one-third of its board comprised of independent directors. This is to ensure good corporate governance.

**Quick Tip**

Remember the key documents: Memorandum of Association (MOA) contains the fundamental objects and capital. Articles of Association (AOA) contain the internal rules and regulations.

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**67. In which of the following cases Supreme Court held that the Competition Act applies to State monopolies, Government companies and Public Sector Undertakings?**

- (A) Coal India Ltd & Anr. v. Competition Commission of India & Anr. (2023)
- (B) Alliance Digital Foundation v. Competition Commission of India & others (2023)
- (C) JCB India Ltd & Anr. v. Competition Commission of India & Anr. (2024)
- (D) Competition Commission of India v. State of Mizoram & Ors. (2022)

**Correct Answer:** (A) Coal India Ltd & Anr. v. Competition Commission of India & Anr. (2023)

**Solution:** This is a landmark judgment from 2023 that settled a major question in Indian competition law. In the case of **Coal India Ltd. v. Competition Commission of India**, the Supreme Court held that the Competition Act, 2002, is applicable to state-owned monopolies and Public Sector Undertakings (PSUs). Coal India had argued that since it was a state monopoly created by a nationalization act, it was exempt from the purview of competition law. The Supreme Court rejected this argument, stating that all entities, regardless of whether they are public or private, are subject to the rules of fair competition if they are engaged in economic activity.

**Quick Tip**

The Coal India judgment of 2023 established a level playing field, confirming that even government-owned monopolies must adhere to competition laws.

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**68. The sale of goods or provision of services, at a price which is below the cost, as may be determined by regulations, of production of the goods or provision of services, with a view to reduce competition or eliminate the competitors, is called \_\_\_\_\_.**

- (A) Dominant Position
- (B) Tie-in Arrangement

- (C) Predatory Price  
(D) Resale price Maintenance

**Correct Answer:** (C) Predatory Price

**Solution:** The definition provided in the question is the classic definition of **Predatory Pricing**. Under the Competition Act, 2002, this is considered an abuse of dominant position. It is an anti-competitive strategy where a dominant company deliberately sells its products or services at a price below its cost of production. The goal is to incur short-term losses to drive smaller competitors out of the market. Once the competition is eliminated, the dominant firm can raise its prices to monopoly levels to recoup its losses and earn higher profits.

**Quick Tip**

Think of "Predatory" pricing like a predator hunting its prey. The big company (predator) attacks smaller rivals (prey) with unsustainably low prices to "kill" the competition.

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**69. Corporate Insolvency Resolution Process (CIRP) shall be completed within a period of \_\_\_\_\_ days from the date of admission of the application by the Adjudicating Authority.**

- (A) 30  
(B) 60  
(C) 90  
(D) 180

**Correct Answer:** (D) 180

**Solution:** This question refers to the timeline for the Corporate Insolvency Resolution Process (CIRP) under the Insolvency and Bankruptcy Code (IBC), 2016.

- **Section 12(1)** of the IBC mandates that the CIRP must be completed within a period of **180 days** from the date the application is admitted by the

Adjudicating Authority (the NCLT).

- The code also provides for a one-time extension of up to 90 days in exceptional circumstances.
- However, the initial, standard period for completion is 180 days.

#### Quick Tip

The standard timeline for CIRP under IBC is 180 days. Think of it as a 6-month window to resolve the company's insolvency.

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### 70. Who is corporate debtor as per section 3(8) of the Insolvency and Bankruptcy Code, 2016?

- (A) A corporate person who owes a debt to any person
- (B) A corporate person who owes a debt to a corporate person
- (C) Any person who owes a debt to a corporate person
- (D) Any person who owes a debt to any person

**Correct Answer:** (A) A corporate person who owes a debt to any person

**Solution:** The Insolvency and Bankruptcy Code, 2016, provides precise definitions for key terms. **Section 3(8)** of the IBC defines a "corporate debtor" as "**a corporate person who owes a debt to any person.**" Let's break this down:

- **Corporate Person:** It must be a company or LLP.
- **Debtor:** It must be the one who *owes* the money.
- **to any person:** The creditor can be anyone (an individual, another company, a bank, etc.).

Option (A) perfectly matches this legal definition.

### Quick Tip

To define "Corporate Debtor," just combine the words: it is a "Corporate" entity that is a "Debtor" (owes money).

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**71. The Central Government has constituted National Company Law Tribunal (NCLT) under \_\_\_\_\_ of the Companies Act, 2013.**

- (A) Section 10FB
- (B) Section 10FR
- (C) Section 10FX
- (D) Section 10GB

**Correct Answer:** (A) Section 10FB

**Solution:** This question has slightly confusing options, but there is a correct historical context.

- The National Company Law Tribunal (NCLT) was ultimately constituted and brought into force under **Section 408 of the Companies Act, 2013**.
- However, the legislative foundation for creating the NCLT was first laid much earlier by the **Companies (Second Amendment) Act, 2002**. This amendment inserted a series of new sections into the old Companies Act, 1956.
- Specifically, it inserted **Section 10FB**, which was titled "Constitution of National Company Law Tribunal."

Although the NCLT became a reality under the 2013 Act, the provision that originally introduced the concept into law was Section 10FB of the (amended) 1956 Act. Given the options, this is the intended correct answer.

### Quick Tip

The NCLT was first proposed via Section 10FB in an amendment to the old 1956 Act, but was finally established under Section 408 of the new 2013 Act.

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**72. Which of the following statements is not true?**

- (A) An agreement by way of wager is void and no suit shall be brought for recovering anything alleged to be won on any wager.
- (B) When a promisee accepts performance of the promise from a third person, he cannot afterwards enforce it against the promisor.
- (C) The performance of any promise may be made in any manner, or at any time which the promisee prescribes or sanctions.
- (D) When a contract becomes void, any person who has received any advantage under such contract is not bound to restore it.

**Correct Answer:** (D) When a contract becomes void, any person who has received any advantage under such contract is not bound to restore it.

**Solution:** Let's analyze each statement based on the Indian Contract Act, 1872.

- (A) is true. This is the essence of Section 30, which deals with wagering agreements.
- (B) is true. This is the principle laid down in Section 41 regarding the effect of accepting performance from a third party.
- (C) is true. This is the rule stated in Section 50 regarding the manner and time of performance.
- (D) is false. This statement is directly contradicted by **Section 65**, which establishes the principle of restitution. Section 65 states that when a contract becomes void, any person who has received any advantage under it **is bound to restore it**, or make compensation for it, to the person from whom he received it.

Therefore, the statement that is not true is (D).

**Quick Tip**

Section 65 of the Contract Act is based on fairness. It says you can't keep a benefit you received from a contract that has become void; you must give it back.

---

**73. In which landmark case the Apex Court addressed the systemic issue of child labor, focusing on constitutional rights and the role of the state in protecting children?**

- (A) M. C. Mehta v. State of Tamil Nadu (1996)
- (B) Sujeet Kumar v. State of Bihar (2025)
- (C) Bachpan Bachao Andolan v. Union of India (2011)
- (D) Vishal Jeet v. Union of India (1990)

**Correct Answer:** (A) M. C. Mehta v. State of Tamil Nadu (1996)

**Solution:** The case of **M. C. Mehta v. State of Tamil Nadu (1996)** is a landmark PIL that dealt specifically with the issue of child labor in hazardous industries, particularly the matchstick and fireworks industries in Sivakasi, Tamil Nadu. The Supreme Court took a comprehensive view, interpreting Article 24 (Prohibition of child labour), Article 39 (DPSPs), and Article 45 (Education). It issued a wide range of directives to the government for the eradication of child labor, including conducting surveys, ensuring education for the children, and creating a Child Labour Rehabilitation-cum-Welfare Fund.

#### Quick Tip

The \*M. C. Mehta\* cases are a series of landmark PILs on environmental and social issues. The 1996 case is famous for its detailed judgment on child labor.

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**74. Under the Trade Unions Act 1926, which provision deals with the effects of change of name and amalgamation of Trade Unions?**

- (A) Section 12
- (B) Section 17
- (C) Section 26
- (D) Section 32

**Correct Answer:** (C) Section 26

**Solution:** This is a direct question on the provisions of the Trade Unions Act, 1926.

- Section 23 deals with the procedure for changing the name of a trade union.
- Section 24 deals with the amalgamation (merger) of trade unions.
- Section 25 deals with the notice of change of name or amalgamation.
- **Section 26** is titled "Effects of change of name and of amalgamation." It clarifies that such a change or merger does not affect the existing rights or obligations of the union or invalidate any legal proceedings by or against the union.

Therefore, Section 26 is the provision that deals with the "effects" of these actions.

#### Quick Tip

The Trade Unions Act follows a logical sequence: Section 23 (Change Name), Section 24 (Amalgamate), Section 25 (Give Notice), Section 26 (What are the Effects?).

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### 75. What is the minimum age requirement to be a member of a Trade Union?

- (A) 15 years
- (B) 18 years
- (C) 21 years
- (D) 14 years

**Correct Answer:** (A) 15 years

**Solution:** The minimum age for membership in a trade union is specified in **Section 21 of the Trade Unions Act, 1926**. This section states that any person who has attained the age of **fifteen years** is eligible to become a member of a registered Trade Union. The Act further clarifies in a proviso that a person must have attained the age of eighteen years to be an office-bearer of the union.



### Quick Tip

Remember the two age limits under the Trade Unions Act: 15 years to be a member, 18 years to be an office-bearer.

---

**76. The term “collective bargaining” was first used in the field of industrial relations in which year?**

- (A) 1956
- (B) 1891
- (C) 1948
- (D) 1826

**Correct Answer:** (B) 1891

**Solution:** "Collective bargaining" is the process of negotiation between employers and a group of employees (usually represented by a trade union) aimed at reaching agreements to regulate working conditions. The term is widely credited to have been coined by **Beatrice Webb**, a British social reformer and economist. She first used the term in her book "The Co-Operative Movement in Great Britain," which was published in **1891**.

### Quick Tip

The term "collective bargaining" was coined by Beatrice Webb in 1891, a key fact in the history of industrial relations.

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**77. Till what age of the child will a mother get two nursing breaks in the course of her daily work, under the Maternity Benefit Act, 1961?**

- (A) 9 months
- (B) 15 months
- (C) 12 months
- (D) 24 months

**Correct Answer:** (B) 15 months

**Solution:** The provision for nursing breaks is contained in **Section 11 of the Maternity Benefit Act, 1961**. This section provides that every woman who returns to work after delivering a child shall be allowed two breaks during her daily work to nurse the child. The law specifies that this entitlement continues **until the child attains the age of fifteen months**.

**Quick Tip**

Under the Maternity Benefit Act, the right to nursing breaks at work continues until the child is 15 months old.

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**78. The maximum period for which any woman shall be entitled to maternity benefit shall be \_\_\_\_\_ weeks of which not more than \_\_\_\_\_ weeks shall precede the date of her expected delivery.**

- (A) 26; 8
- (B) 12; 6
- (C) 24; 12
- (D) 18; 6

**Correct Answer:** (A) 26; 8

**Solution:** This question refers to the provisions of the Maternity Benefit Act, 1961, as amended by the Maternity Benefit (Amendment) Act, 2017.

- **Section 5(3)** of the amended Act increased the total duration of paid maternity leave to **twenty-six weeks**.
- The proviso to this section states that the woman can avail this benefit for a period not earlier than **eight weeks** from the date of her expected delivery.

Therefore, the correct combination is 26 weeks in total, with a maximum of 8 weeks before the expected delivery date.

### Quick Tip

The 2017 amendment to the Maternity Benefit Act is significant. Remember the new limits: 26 weeks total leave, with up to 8 weeks available before delivery.

**79. Working for \_\_\_\_\_ days during the preceding 12-month period is considered continuous service for a period of one year, even if there are interruptions, under the Industrial Disputes Act, 1947.**

- (A) 180
- (B) 200
- (C) 240
- (D) 300

**Correct Answer:** (C) 240

**Solution: Step 1: Understand the concept of "Continuous Service".** In labour law, the concept of continuous service is crucial for determining a worker's eligibility for benefits like retrenchment compensation, gratuity, and lay-off compensation.

**Step 2: Identify the relevant legal provision.** Section 25B of the Industrial Disputes Act, 1947, defines what constitutes "continuous service."

**Step 3: State the rule from the Act.** Section 25B(2) creates a legal fiction. It states that a workman shall be deemed to be in continuous service for a period of one year if they have actually worked under an employer for not less than **two hundred and forty days** during a period of twelve calendar months preceding the date with reference to which the calculation is to be made. The rule for a workman employed below ground in a mine is 190 days. Since the question is general, the standard of 240 days applies.

### Quick Tip

The number 240 is the standard for "continuous service" under the Industrial Disputes Act. This accounts for a full year's work, excluding weekly offs and other holidays.

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**80. Which of the following statements is not true about strikes and lockouts?**

- (A) No employer carrying on any public utility service shall lock-out any of his workmen without giving notice of lock-out, within six weeks before locking out.
- (B) No workman who is employed in any industrial establishment shall go on strike in breach of contract during the pendency of conciliation proceedings before a Board.
- (C) No person shall knowingly expend any money in direct furtherance or support of any illegal strike or lock-out.
- (D) No person employed in a public utility service shall go on strike in breach of contract within seven days of giving such notice of strike.

**Correct Answer:** (D) No person employed in a public utility service shall go on strike in breach of contract within seven days of giving such notice of strike.

**Solution:** Let's analyze the statements based on the Industrial Disputes Act, 1947.

- Statements (A), (B), and (C) are all true and reflect the provisions of Sections 22, 23, and 25 of the Act, which place restrictions on strikes and lock-outs.
- Statement (D) is **not true**. Section 22(1) of the Act prohibits a person in a public utility service from going on strike without giving notice, but it also provides a cooling-off period. It states that no person shall go on strike **within fourteen days** of giving such notice. This 14-day period is meant to allow for conciliation and negotiation. Striking within seven days would violate this mandatory 14-day cooling-off period.

#### Quick Tip

For strikes in public utility services, remember the key time limits from Section 22: notice must be given within 6 weeks before striking, and there is a mandatory 14-day cooling-off period after giving notice.

**81. Which section of the Industrial Disputes Act, 1947 deals with the prohibition of lay-off?**

- (A) Section 25M
- (B) Section 25R
- (C) Section 30A
- (D) Section 33C

**Correct Answer:** (A) Section 25M

**Solution:** Chapter V-B of the Industrial Disputes Act, 1947, lays down special provisions relating to lay-off, retrenchment, and closure that are applicable to larger industrial establishments (those with one hundred or more workmen, a number that can be changed by notification). **Section 25M** of this chapter is titled "Prohibition of lay-off." It mandates that employers in these establishments cannot lay-off their workmen without obtaining **prior permission** from the appropriate government or specified authority. This requirement of prior permission acts as a prohibition on unilateral lay-offs.

**Quick Tip**

Remember the key sections in Chapter V-B: 25M (Prohibition of Lay-off), 25N (Conditions for Retrenchment), and 25-O (Procedure for Closing Down).

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**82. Under the Wage Code, 2019, the term “wages” excludes which of the following?**

- (A) Bonus
- (B) Dearness Allowance
- (C) House Rent Allowance
- (D) Gratuity

**Correct Answer:** (D) Gratuity

**Solution: Step 1:** Understand the definition of 'Wages' in the Wage Code,

**2019.** Section 2(y) of the Code provides a comprehensive definition. It includes basic pay, dearness allowance, and retaining allowance.

**Step 2: Identify the specific exclusions.** The same section also provides a list of components that are **excluded** from the definition of wages. This list includes:

- Bonus payable under any law.
- Value of house-accommodation or supply of light, water, medical attendance.
- Employer's contribution to any pension or provident fund.
- Conveyance allowance.
- House Rent Allowance.
- **Gratuity** payable on the termination of employment.
- Retrenchment compensation and other retirement benefits.

While bonus and HRA are in the exclusion list, there is a proviso that if these excluded components exceed 50

#### Quick Tip

The new Wage Code has a specific list of exclusions from the definition of 'wages'. Gratuity, being a terminal (end-of-service) benefit, is a key exclusion from the regular wage calculation.

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**83. As per the Factories Act 1948, no woman shall be required or allowed to work in a factory except between the hours of:**

- (A) 05:00 A.M. and 06:00 P.M.
- (B) 07:00 A.M. and 08:00 P.M.
- (C) 08:00 A.M. and 09:00 P.M.
- (D) 06:00 A.M. and 07:00 P.M.

**Correct Answer:** (D) 06:00 A.M. and 07:00 P.M.

**Solution:** This question pertains to the restrictions on the working hours for women under the Factories Act, 1948, which are designed for their safety and well-being.

**Section 66(1)(b)** of the Act explicitly states that no woman shall be required or allowed to work in any factory except between the hours of **6 A.M. and 7 P.M.** The Act does allow the State Government to vary these limits for any factory or group of factories, but it also specifies that no such variation can authorize the employment of any woman between the hours of 10 P.M. and 5 A.M. The standard, default timing laid down in the act is 6 A.M. to 7 P.M.

#### Quick Tip

The standard working hours for women under the Factories Act are generally considered daytime hours, which the law specifies as 6 AM to 7 PM. Night work is prohibited.

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**84. The Factories Act, 1948 is applicable to a factory, meaning any premises with workers are working on any day of the preceding twelve months, and in any part of which a manufacturing process is being carried on with the aid of power.**

- (A) 10 or more
- (B) 20 or more
- (C) 50 or more
- (D) 100 or more

**Correct Answer:** (A) 10 or more

**Solution: Step 1: Understand the definition of "Factory" in the Act.** Section 2(m) of the Factories Act, 1948, defines what constitutes a factory. The definition depends on whether the manufacturing process uses power.

**Step 2: Identify the criteria based on the use of power.** The Act provides two separate criteria:

- **With the aid of power:** A premises qualifies as a factory if **ten or more**

workers are employed and a manufacturing process is carried on with the aid of power.

- **Without the aid of power:** A premises qualifies as a factory if **twenty or more** workers are employed and a manufacturing process is carried on without the aid of power.

**Step 3: Apply the correct criterion from the question.** The question specifically asks about a factory where the process is being carried on "with the aid of power." According to the Act, the minimum number of workers required in this case is 10.

#### Quick Tip

Remember the two numbers for the definition of a factory: 10 with power, 20 without power.

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**85. In which of the following cases, the Supreme Court expounded the law on criterion used for determining whether an employee is a workman under Industrial Disputes Act 1947, and held that employee in managerial position is not workman?**

- (A) M/s. Bharti Airtel Limited v. A. S. Raghavendra (2024)
- (B) Syndicate Bank and Ors. v. K. Umesh Nayak (1994)
- (C) Ushaben Joshi v. Union of India & Ors. (2024)
- (D) Bangalore Water Supply & Sewerage Board v. A. Rajappa (1978)

**Correct Answer:** (A) M/s. Bharti Airtel Limited v. A. S. Raghavendra (2024)

**Solution:** This question refers to a recent and significant judgment on the definition of a "workman" under the Industrial Disputes Act, 1947. In the 2024 case of **M/s. Bharti Airtel Limited v. A. S. Raghavendra**, the Supreme Court clarified the test to be used. The court emphasized the "dominant nature of the work" test. It held that to determine if an employee is a workman, one must look at the primary nature



of their duties. If the main duties are managerial or supervisory, the employee is not a workman, even if they perform some incidental clerical or manual tasks. The court held that an employee in a managerial position does not fall under the definition of a workman.

#### Quick Tip

The test to identify a "workman" is not based on their designation, but on the dominant nature of their work. The \*Bharti Airtel\* case (2024) reaffirmed that managerial employees are not workmen.

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#### 86. The Trade Union cannot spend its common fund on:

- (A) Education of children of its members
- (B) Funding of a political party
- (C) Payment of salary to its office bearers
- (D) Legal Proceedings related to Union or its members

**Correct Answer:** (B) Funding of a political party

**Solution: Step 1: Understand the rules for Trade Union funds.** The Trade Unions Act, 1926, has specific rules about how a union can spend its money. It distinguishes between a general fund and a political fund.

**Step 2: Know what the general fund can be used for. Section 15** of the Act lists the permissible objects for spending the general fund. This includes administrative expenses, payment of salaries, legal expenses, compensation for loss from trade disputes, and social benefits for members like allowances for sickness, unemployment, or death, and the education of their children. Options (A), (C), and (D) are all allowed under Section 15.

**Step 3: Know the purpose of the political fund. Section 16** allows a trade union to constitute a separate fund for political purposes. This means that direct funding of a political party or for political activities must come from this separate, voluntary fund, and not from the general common fund.

### Quick Tip

A trade union's general fund is for the day-to-day welfare and activities of the union and its members. Political activities require a separate, optional political fund.

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#### 87. Which of the following is the first registered Trade Union in India?

- (A) Madras Labour Union
- (B) Bombay Labour Union
- (C) Allahabad Labour Union
- (D) All India Trade Union Congress

**Correct Answer:** (A) Madras Labour Union

**Solution:** This is a historical question about the origins of the trade union movement in India. The **Madras Labour Union** is widely regarded as the first systematically organized trade union in India. It was founded in **1918** by **B. P. Wadia**, a close associate of the social reformer Annie Besant, primarily for the workers of the Buckingham and Carnatic Mills in Madras (now Chennai). While there were earlier associations and strikes, the Madras Labour Union is considered the first to have a formal structure, regular membership, and a clear charter of demands, marking the beginning of the modern trade union movement in the country.

### Quick Tip

The first registered and organized trade union in India was the Madras Labour Union, founded by B. P. Wadia in 1918.

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#### 88. Which Act is a key part of the Occupational Safety, Health and Working Conditions Code, 2020?

- (A) The Industrial Disputes Act, 1947
- (B) The Factories Act, 1948

- (C) The Minimum Wages Act, 1948
- (D) The Trade Unions Act, 1926

**Correct Answer:** (B) The Factories Act, 1948

**Solution: Step 1: Understand the New Labour Codes.** The Government of India has consolidated numerous central labour laws into four comprehensive codes. The Occupational Safety, Health and Working Conditions Code, 2020 (OSH Code) is one of them.

**Step 2: Know the purpose of the OSH Code.** The OSH Code aims to consolidate and amend the laws regulating the occupational safety, health, and working conditions of employees.

**Step 3: Identify the laws subsumed by the OSH Code.** The OSH Code replaces and subsumes 13 older labour laws. The most significant of these, which forms the core of the new code's provisions for manufacturing units, is **The Factories Act, 1948**. Other major acts like the Mines Act, the Dock Workers Act, and the Building and Other Construction Workers Act are also subsumed, but the Factories Act is the key piece of legislation related to general industrial safety that is part of this code.

#### Quick Tip

The new OSH Code is a single law for workplace safety. It replaced many old laws, with the most important one being the Factories Act, 1948.

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**89. In one of landmark judgment, the Supreme Court of India observed that the presence of an accused in the Indian territory at the time the offence had been committed, would not be an essential ingredient for the person to be charged under the provisions of the Indian Penal Code.**

**Identify the case:**

- (A) Mobarik Ali Ahmed v. The State of Bombay (1957)
- (B) M.T. Enrica Lexie & Anr. v. Doramma & Ors (2012)
- (C) State Bank of India v. Dr. Vijay Mallya (2002)

(D) Emperor v. Vinayak Damodar Savarkar, (1911)

**Correct Answer:** (A) Mobarik Ali Ahmed v. The State of Bombay (1957)

**Solution:** This question deals with the extra-territorial jurisdiction of the Indian Penal Code (IPC). The landmark case that established the principle described is **Mobarik Ali Ahmed v. The State of Bombay (1957)**. In this case, the appellant, a Pakistani national in Karachi, made false representations to a person in Bombay via letters and telegrams, inducing him to part with money. The appellant argued that he could not be tried by an Indian court as he was not physically present in India when the offense was committed. The Supreme Court rejected this argument. It held that the offense of cheating was completed in Bombay where the deception took effect and money was delivered. The Court ruled that physical presence is not required; if the consequences of an act committed outside India are felt within India, the person can be tried under the IPC.

#### Quick Tip

The \*Mobarik Ali\* case established that the IPC can apply to foreigners abroad if their actions cause harm or have consequences inside India. The location of the effect of the crime matters, not just the physical location of the accused.

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**90. The legal maxim *qui facit per alium facit per se* was applied in which of the following landmark cases relating to misappropriation of property?**

- (A) Overseas Tankship (UK) Ltd v. Morts Dock & Engineering Co Ltd. (1961)
- (B) The Mayor of Bradford v. Pickles (1895)
- (C) Hamlyn v. Houston & Co. (1903)
- (D) Lloyd v. Grace, Smith & Co. (1912)

**Correct Answer:** (D) Lloyd v. Grace, Smith & Co. (1912)

**Solution: Step 1: Understand the legal maxim.** *Qui facit per alium facit per se* is a fundamental maxim of agency law and vicarious liability. It translates to "He who

acts through another does the act himself." This means a principal (employer) is liable for the acts of their agent (employee) done in the course of employment.

**Step 2: Analyze the cases.**

- **Lloyd v. Grace, Smith & Co. (1912):** This is the landmark case where the principle was firmly applied. A solicitor's firm was held liable for the fraud and misappropriation committed by their managing clerk, even though the fraud was for the clerk's own benefit and not the firm's. The House of Lords held that as long as the agent was acting within the apparent scope of his authority, the principal is liable. This directly applies the maxim.
- *The Mayor of Bradford v. Pickles (1895):* This case established that a lawful act does not become unlawful merely because it is done with a bad motive. It is not about vicarious liability.
- *Hamlyn v. Houston & Co. (1903):* This is another case on vicarious liability, but \*Lloyd v. Grace, Smith & Co.\* is the more famous authority on misappropriation.

**Note:** The provided answer key in the source image (marking option B) is incorrect. The maxim is about vicarious liability, while \*Bradford v. Pickles\* is about motive. The most fitting case among the options is (D).

**Quick Tip**

The maxim \*Qui facit per alium facit per se\* is the bedrock of vicarious liability. The classic case applying this to an agent's fraud is \*Lloyd v. Grace, Smith & Co\*.

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**91. The landmark case of Peninsular & Oriental Steam Navigation Company v. Secretary of State (1861) primarily deals with which of the following?**

- (A) Constitutional functions of the State
- (B) Sovereign and non-sovereign functions of the State
- (C) Vicarious Liability of State

(D) Residuary functions of the Government

**Correct Answer:** (B) Sovereign and non-sovereign functions of the State

**Solution:** This is a foundational case in Indian administrative law regarding the tortious liability of the State. In **P & O Steam Navigation Co. v. Secretary of State**, the Calcutta Supreme Court, led by Chief Justice Barnes Peacock, introduced the distinction between **sovereign and non-sovereign functions** of the State to determine its liability.

- **Sovereign Functions:** Acts that can only be performed by the state by virtue of its sovereignty (e.g., maintaining an army, making treaties). The state was held to be immune from liability for torts committed during these functions.
- **Non-Sovereign Functions:** Acts that are similar to those performed by private individuals or corporations (e.g., running a commercial enterprise, maintaining a dockyard). The state was held to be liable for torts committed during these functions.

While the case is about the vicarious liability of the state, its primary contribution was establishing this specific distinction.

#### Quick Tip

The P&O case is the origin of the "sovereign vs. non-sovereign function" test for determining if the government can be sued for the wrongful acts of its employees in India.

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**92. The rape and murder of a thirty-one-year-old female postgraduate trainee doctor in August, 2024 sparked a huge protest in Kolkata and across the country. In which medical college did the incident take place?**

- (A) AIIMS Kalyani
- (B) KPC Medical College and Hospital
- (C) The Calcutta Homoeopathic Medical College and Hospital

(D) R. G. Kar Medical College and Hospital

**Correct Answer:** (D) R. G. Kar Medical College and Hospital

**Solution:** This question refers to a tragic and high-profile incident that occurred in Kolkata in August 2024. A postgraduate trainee doctor was found dead under horrific circumstances in a seminar hall at the **R. G. Kar Medical College and Hospital**. The incident, involving rape and murder, led to widespread outrage and protests by the medical community and the general public, demanding better security for doctors and swift justice for the victim.

#### Quick Tip

High-profile current affairs events that lead to public outcry are important for general knowledge. The 2024 Kolkata doctor case is linked to the R. G. Kar Medical College.

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**93. Nichols v. Marsland (1876) is an English case that established the defence of \_\_\_\_\_.**

- (A) Inevitable accident
- (B) Necessity
- (C) Plaintiff the wrongdoer
- (D) Act of God

**Correct Answer:** (D) Act of God

**Solution:** The case of **Nichols v. Marsland** is a landmark English case in the Law of Torts that helped establish the defense of **Act of God**. In this case, the defendant had created artificial lakes on his land by damming a natural stream. An unprecedented and extraordinarily heavy rainfall caused the dams to burst, and the resulting flood damaged the plaintiff's bridges. The court held that the defendant was not liable. It ruled that the incident was caused by an "Act of God"—a natural

catastrophe so extraordinary that no reasonable human foresight could be expected to anticipate or provide against it.

#### Quick Tip

The defense of "Act of God" applies to extreme and unforeseeable natural events. The bursting of dams due to extraordinary rainfall in *\*Nichols v. Marsland\** is the classic example.

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#### 94. Which of the following is incorrectly matched?

- (A) *R v. Wheat and Stocks* — mistake of law
- (B) *M’Naghten case* — defence of insanity
- (C) *R v. Tolson* — defence of infancy
- (D) *R v. Dudley & Stephens* — defence of necessity

**Correct Answer:** (A) *R v. Wheat and Stocks* — mistake of law AND (C) *R v. Tolson* — defence of infancy

**Solution:** Let’s analyze each pair to find the incorrect match(es).

- **(B) *M’Naghten case* — defence of insanity:** This is correctly matched. The *M’Naghten Rules* are the famous legal test for criminal insanity in many common law jurisdictions.
- **(D) *R v. Dudley & Stephens* — defence of necessity:** This is correctly matched. This famous case of shipwreck and cannibalism is the leading authority on the limits of the defense of necessity.
- **(A) *R v. Wheat and Stocks* — mistake of law:** This is incorrectly matched. This case, similar to *\*R v. Tolson\**, deals with the offense of bigamy and is a key case on **mistake of fact**, not mistake of law.
- **(C) *R v. Tolson* — defence of infancy:** This is incorrectly matched. The case of *\*R v. Tolson\** is the landmark judgment on the **defence of mistake of**



**fact.** Mrs. Tolson remarried, genuinely believing her first husband, who had been missing for years, was dead. The defence of infancy relates to the age of the accused.

Both (A) and (C) are incorrectly matched. In a single-choice question context, both are validly incorrect, indicating a possible flaw in the question design.

#### Quick Tip

Remember these key criminal law cases: \*M’Naghten\* = Insanity, \*Dudley Stephens\* = Necessity, \*Tolson\* = Mistake of Fact.

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**95. In *Arnesh Kumar v. State of Bihar* (2014), the Supreme Court has established guidelines to prevent arbitrary arrests in cases relating to the offence under \_\_\_\_\_.**

- (A) Section 498A of IPC
- (B) Section 376 of IPC
- (C) Section 302 of IPC
- (D) Section 304B of IPC

**Correct Answer:** (A) Section 498A of IPC

**Solution:** The landmark judgment in *Arnesh Kumar v. State of Bihar* was delivered by the Supreme Court to address the widespread misuse of **Section 498A of the Indian Penal Code** (cruelty by husband or his relatives). The court noted that this section had become a weapon for disgruntled wives, leading to the automatic and often unnecessary arrest of the husband and his family members. To prevent this, the court issued a set of mandatory guidelines for the police, directing them not to automatically arrest an accused under Section 498A and to first satisfy themselves about the necessity for arrest based on a checklist. These guidelines also apply to other offenses punishable with imprisonment for a term which may be less than seven years.

### Quick Tip

The \*Armesh Kumar\* guidelines are the Supreme Court's answer to the problem of automatic arrests, particularly in cases under Section 498A IPC.

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**96. Under Indian Penal Code 1860, “Right to Private Defence” extends to \_\_\_\_\_.**

- (A) Protection of both body and property
- (B) Protection of property only
- (C) Protection of body only
- (D) Protection of neither body nor property

**Correct Answer:** (A) Protection of both body and property

**Solution:** The Right of Private Defence is detailed in Sections 96 to 106 of the Indian Penal Code, 1860. **Section 97** of the IPC explicitly states that every person has a right to defend:

1. His own **body**, and the body of any other person, against any offence affecting the human body.
2. The **property**, whether movable or immovable, of himself or of any other person, against any act which is an offence falling under the definition of theft, robbery, mischief or criminal trespass.

Therefore, the right extends to the protection of **both body and property**.

### Quick Tip

The Right of Private Defence is comprehensive. It allows you to defend your own body and property, as well as the body and property of others.

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**97. The Single Judge Bench of Justice Devashis Baruah was dealing with a Writ Petition filed by a lawyer alleging an infraction to Article 21 of the**

**Constitution for violating his basic fundamental right by the Police Authorities by handcuffing him without just cause. On which State police, the High Court imposed Rs. 5,00,000/- for handcuffing an advocate?**

- (A) Assam
- (B) Kerala
- (C) Tripura
- (D) Telangana

**Correct Answer:** (A) Assam

**Solution:** This question refers to a notable recent case where a court upheld the dignity of an individual against arbitrary police action. In 2023, Justice Devashis Baruah of the **Gauhati High Court** (which has jurisdiction over Assam and other northeastern states) took strong exception to the handcuffing of an advocate by the **Assam** police. The court reiterated the principles laid down by the Supreme Court in cases like *\*Prem Shankar Shukla v. Delhi Administration\**, which hold that handcuffing is a dehumanizing act and should only be used in very rare and exceptional circumstances where there is a clear danger of the accused escaping. Finding no such justification, the High Court imposed a compensation of Rs. 5,00,000 on the Assam State Government for violating the lawyer's fundamental right to dignity under Article 21.

#### Quick Tip

The Gauhati High Court's decision to penalize the Assam police for unlawfully handcuffing a lawyer is a recent and strong affirmation of the Supreme Court's long-standing rules against routine handcuffing.

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**98. A makes an attempt to steal some jewels by breaking open a box, and finds after so opening the box, that there is no jewel in it. What is the nature of his offence as per the general principles of criminal law?**

#### 1. Inchoate Crime

## 2. Impossible Attempt

## 3. Immature Offence

- (A) i and ii
- (B) i and iii
- (C) i, ii, iii
- (D) ii and iii

**Correct Answer:** (A) i and ii

**Solution:** Let's analyze the nature of the offense.

- **Inchoate Crime (i):** An inchoate crime is a crime that has been started but is not completed. "Attempt" is a classic example of an inchoate crime. Since A attempted to steal, he has committed an inchoate crime.
- **Impossible Attempt (ii):** This is a specific type of attempt where the commission of the full crime was impossible due to factual circumstances unknown to the offender. Here, it was factually impossible to steal the jewels because they were not there. This is a classic example of an "impossible attempt," which is still punishable as an attempt under law.
- **Immature Offence (iii):** This is not a standard legal term used to classify offenses in criminal law.

Therefore, the offense committed by A is both an inchoate crime and an impossible attempt.

### Quick Tip

An attempt to commit a crime is punishable even if it was impossible to complete the crime. Such an attempt is known as an "inchoate crime" and, more specifically, an "impossible attempt."

**99. What is the minimum punishment for voluntarily causing grievous hurt using acid under BNS?**

- (A) 10 years imprisonment
- (B) 7 years imprisonment
- (C) Life imprisonment and fine
- (D) Rigorous imprisonment up to 14 years

**Correct Answer:** (A) 10 years imprisonment

**Solution:** This question refers to the new penal code, the Bharatiya Nyaya Sanhita (BNS), 2023. The offense of voluntarily causing grievous hurt by use of acid is covered under **Section 118(2) of the BNS**. This section provides for a stringent punishment to deter such heinous crimes. The prescribed punishment is imprisonment for a term which shall **not be less than ten years**, but which may extend to imprisonment for life, and with fine. Therefore, the minimum punishment is 10 years of imprisonment.

**Quick Tip**

The BNS has specified strict minimum punishments for serious crimes. For an acid attack causing grievous hurt, the minimum imprisonment is 10 years.

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**100. Corporate Criminal liability is well established in India and clarified by Supreme Court in various decisions. Which among the following cases is not relevant to the topic?**

- (A) Standard Chartered Bank v. Director of Enforcement (2005)
- (B) Sunil Bharti Mittal v. Central Bureau of India (2015)
- (C) Iridium India Telecom Ltd. v. Motorola Inc. (2011)
- (D) G. J. Raja v. Tejraj Surana (2019)

**Correct Answer:** (D) G. J. Raja v. Tejraj Surana (2019)

**Solution:** Let's analyze the relevance of each case to corporate criminal liability.

- **Standard Chartered Bank v. Director of Enforcement (2005):** A landmark case where the Supreme Court held that a corporation can be prosecuted for offenses that require both imprisonment and a fine.
- **Sunil Bharti Mittal v. CBI (2015):** Established the principle that the criminal liability of a company's directing minds (like a director) cannot be automatically imputed to the company, and vice-versa, without specific evidence.
- **Iridium India Telecom v. Motorola Inc. (2011):** Held that a corporation can be held liable for offenses involving mens rea (a guilty mind).
- **G. J. Raja v. Tejraj Surana (2019):** This case is not relevant to corporate criminal liability in general. It deals with a specific issue under the Negotiable Instruments Act, 1881, concerning whether a drawer of a cheque can be prosecuted for dishonor if they had issued a 'stop payment' instruction to their bank.

Therefore, the G. J. Raja case is not relevant to the general topic of corporate criminal liability.

#### Quick Tip

The three key Supreme Court cases establishing corporate criminal liability are \*Standard Chartered\*, \*Iridium\*, and \*Sunil Bharti Mittal\*.

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**101. Which section under BNS criminalizes voyeurism, defined as capturing images of a woman engaged in a private act without consent?**

- (A) Section 77
- (B) Section 74
- (C) Section 75
- (D) Section 76

**Correct Answer:** (A) Section 77

**Solution:** The new penal code, the Bharatiya Nyaya Sanhita (BNS), 2023, has restructured the provisions of the old Indian Penal Code. The offense of "voyeurism" was previously criminalized under Section 354C of the IPC. In the new BNS, this offense is now covered under **Section 77**. It retains the definition of voyeurism as the act of watching or capturing the image of a woman engaging in a private act in circumstances where she would usually have the expectation of not being observed, and provides for punishment for the same.

#### Quick Tip

Under the new BNS, key offenses against women have been renumbered. Voyeurism, which was 354C in the IPC, is now Section 77 in the BNS.

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**102. The rule *res ipsa loquitur* is related to the tort of:**

- (A) Negligence
- (B) False Imprisonment
- (C) Defamation
- (D) Malicious Prosecution

**Correct Answer:** (A) Negligence

**Solution:** *Res ipsa loquitur* is a Latin maxim that means "the thing speaks for itself." It is a rule of evidence used in the tort of **Negligence**. It applies in situations where the exact cause of an accident is not known, but the circumstances surrounding the accident are such that it would not have occurred without negligence on the part of the defendant. For the rule to apply, two conditions must be met:

1. The thing that caused the injury must have been under the exclusive control and management of the defendant.
2. The accident must be of a kind that does not ordinarily happen if those who have the management use proper care.

If these conditions are met, the burden of proof shifts to the defendant to prove that they were not negligent.

#### Quick Tip

\*Res ipsa loquitur\* is used when an accident is so obviously someone's fault that "the thing speaks for itself," creating a presumption of negligence.

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**103. What is the limitation period within which a complaint shall be filed under the Consumer Protection Act, 2019?**

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

**Correct Answer:** (D) 2 years

**Solution: Step 1: Understand "Limitation Period".** A limitation period is the maximum time after an event within which legal proceedings may be initiated. If a case is filed after this period, it is considered "time-barred" and will not be heard.

**Step 2: Identify the relevant legal provision.** Section 69 of the Consumer Protection Act, 2019, deals with the limitation period for filing a complaint.

**Step 3: State the rule from the Act.** Section 69(1) explicitly states that a complaint shall be filed within **two years** from the date on which the cause of action has arisen. A "cause of action" is the event that gives a person the right to sue (e.g., the date a defective product was sold or a service was found deficient). The Act also allows for complaints to be admitted after two years if the complainant can show sufficient cause for the delay.

#### Quick Tip

The standard time limit to file a consumer complaint is 2 years from the date the problem arose.



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**104. The term “product liability” is defined under which provision of Consumer Protection Act, 2019?**

- (A) Section 2(34)
- (B) Section 2(36)
- (C) Section 2(40)
- (D) Section 2(45)

**Correct Answer:** (A) Section 2(34)

**Solution: Step 1: Understand the significance of the 2019 Act.** One of the most important new features of the Consumer Protection Act, 2019, was the introduction of a detailed regime for Product Liability. This holds manufacturers, sellers, and service providers responsible for any harm caused by a defective product or deficient service.

**Step 2: Locate the definition in the Act.** Like most statutes, the definitions of key terms are provided in Section 2 of the Act.

**Step 3: Identify the specific sub-section.** The term "product liability" is specifically defined in **Section 2(34)** of the Consumer Protection Act, 2019. It defines it as the responsibility of a product manufacturer or product seller, of any product or service, to compensate for any harm caused to a consumer by such defective product manufactured or sold or by deficiency in services relating thereto.

#### Quick Tip

The introduction of a detailed Product Liability framework is a key feature of the 2019 Consumer Protection Act. The main definition for this concept is found in Section 2(34).

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**105. In which of the following cases the Supreme Court has recognized the right against the adverse effects of climate change?**

- (A) M. K. Ranjitsinh v. Union of India (2024)

- (B) Ashok Kumar Sinha v. Union of India (2024)
- (C) T. N. Godavarman Thirumulpad v. Union of India (2023)
- (D) Binai Kumar Dalei and Ors. v. State of Odisha (2022)

**Correct Answer:** (A) M. K. Ranjitsinh v. Union of India (2024)

**Solution:** This question refers to a very recent and landmark environmental law judgment. In the 2024 case of **M. K. Ranjitsinh v. Union of India**, which primarily dealt with the protection of the endangered Great Indian Bustard, the Supreme Court significantly expanded the scope of fundamental rights. A bench led by Chief Justice D. Y. Chandrachud explicitly recognized the "**right against the adverse effects of climate change**" as a distinct fundamental right. The court held that this right is implicitly derived from the Right to Life (Article 21) and the Right to Equality (Article 14) of the Constitution.

#### Quick Tip

The "Great Indian Bustard case" (\*M.K. Ranjitsinh\*, 2024) is a key current affairs judgment where the Supreme Court explicitly created a new fundamental right against the adverse impacts of climate change.

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**106. Under Christian Law, non-compliance of decree of Restitution of Conjugal Rights shall act as one of the grounds for divorce after how many years of passing of decree?**

- (A) 3 Years
- (B) 2 Years
- (C) 4 Years
- (D) 1 Year

**Correct Answer:** (D) 1 Year

**Solution: Step 1: Understand Restitution of Conjugal Rights (RCR).** An RCR decree is a court order directing a spouse who has withdrawn from the society of the other without reasonable excuse to return and cohabit.

**Step 2: Know the governing law for Christians.** Divorce for Christians in India is governed by the Indian Divorce Act, 1869.

**Step 3: Identify the relevant provision and amendment.** Originally, the Act required a waiting period of two years after an RCR decree before divorce could be sought on this ground. However, the **Indian Divorce (Amendment) Act, 2001**, made significant changes to modernize the law. The amended **Section 10(1)(x)** states that a petition for divorce can be filed if there has been no restitution of conjugal rights for a period of **one year or upwards** after the passing of a decree for RCR.

#### Quick Tip

The waiting period after an RCR decree to file for divorce was reduced from 2 years to 1 year by the 2001 amendment to the Indian Divorce Act, bringing it in line with other personal laws.

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**107. In which case, the Supreme Court held that an unmarried Hindu daughter can claim maintenance from her father until she is unable to maintain herself, by an application under Hindu Adoption and Maintenance Act, 1956?**

- (A) Abhilasha v. Prakash and Ors. (2020)
- (B) Manish Jain v. Akanksha Jain (2017)
- (C) Rajnesh v. Neha and Ors. (2020)
- (D) Ashnoor Singh v. Harpal Kaur (2020)

**Correct Answer:** (A) Abhilasha v. Prakash and Ors. (2020)

**Solution:** This question refers to a significant clarification on the maintenance rights of daughters. In the case of **Abhilasha v. Prakash and Ors. (2020)**, the Supreme Court addressed the question of whether an unmarried daughter could claim maintenance from her father after attaining majority. The court held that while a daughter cannot claim maintenance under Section 125 of the Code of Criminal Procedure after becoming a major, she can still claim it under personal law. The court

clarified that under **Section 20(3) of the Hindu Adoptions and Maintenance Act, 1956 (HAMA)**, a Hindu father has an obligation to maintain his unmarried daughter, even after she attains majority, as long as she is unable to maintain herself out of her own earnings or property. This right continues until she gets married.

#### Quick Tip

The *\*Abhilasha v. Prakash\** case is a key judgment that affirmed an unmarried Hindu daughter's right to maintenance from her father under HAMA, extending beyond the age of majority until her marriage.

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**108. Which of the following is a landmark judgment relating to cyber-crimes in India?**

- (A) Amar Singh v. Union of India (2011)
- (B) Dr. L Prakash v. State of Tamil Nadu (2002)
- (C) Anuradha Bhasin v. Union of India (2020)
- (D) R. S. Bagga v. Union of India (2015)

**Correct Answer:** (B) Dr. L Prakash v. State of Tamil Nadu (2002)

**Solution:** While there are many important cyber law cases, the case of **Dr. L. Prakash v. State of Tamil Nadu** is often cited as an early and significant judgment dealing with online obscenity and the application of criminal statutes to the internet. This case involved the publication of obscene material on a website. The Madras High Court dealt with the challenges of regulating online content and applying provisions of the Indian Penal Code to acts committed in cyberspace. It highlighted the difficulties in dealing with issues like jurisdiction and evidence in the digital realm, making it a key case in the initial phase of cyber-crime jurisprudence in India. The most famous cyber law case is *\*Shreya Singhal v. Union of India\** (2015), which struck down Section 66A of the IT Act, but among the given options, *\*Dr. L. Prakash\** is the most relevant landmark for cyber-crimes.

### Quick Tip

For cyber law, remember these key cases: \*Dr. L. Prakash\* (an early case on online obscenity) and \*Shreya Singhal\* (the landmark case on online free speech and Section 66A).

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**109. The Protection of Human Rights Act, 1993 does not provide for the establishment of which of the following institutions for better protection of human rights?**

- (A) Human Rights Courts
- (B) National Human Rights Commission
- (C) State Human Rights Council
- (D) State Human Rights Commission

**Correct Answer:** (C) State Human Rights Council

**Solution: Step 1: Understand the framework of the Protection of Human Rights Act, 1993.** This Act provides a comprehensive structure for the promotion and protection of human rights in India.

**Step 2: Identify the institutions established by the Act.** The Act provides for the establishment of the following key bodies:

- A **National Human Rights Commission (NHRC)** at the central level (Section 3).
- A **State Human Rights Commission (SHRC)** in each state (Section 21).
- **Human Rights Courts** in each district for speedy trial of human rights violation cases (Section 30).

**Step 3: Identify the institution NOT mentioned in the Act.** The term "State Human Rights Council" is not used in the Act. The Act establishes "Commissions" at the national and state levels, and "Courts" at the district level. Therefore, a "State Human Rights Council" is not an institution provided for under this law.

### Quick Tip

The Protection of Human Rights Act sets up Commissions (National and State) and Courts (Human Rights Courts). The term "Council" is not used for this purpose in the Act.

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**110. The Delhi Press Patra Prakashan, filed a trademark infringement suit against BCCI, for using the name of their magazine for the AI-powered robotic dog unveiled during the IPL, 2025. What is the name of the robotic dog?**

- (A) Tinkle
- (B) Champak
- (C) Amar
- (D) Skippy

**Correct Answer:** (B) Champak

**Solution:** This hypothetical question is based on famous Indian brands. "Champak" is a very popular and long-running children's magazine published by Delhi Press Patra Prakashan. Using this well-known trademark for a new product, like an AI-powered robotic dog for the IPL, without permission would be a classic case of trademark infringement. The basis of the suit would be that the use of the name "Champak" by the BCCI for its product is likely to cause confusion among the public and dilute the distinctiveness of the magazine's brand.

### Quick Tip

Connecting famous brand names to hypothetical legal disputes is a common way to frame current affairs and IP law questions. Champak is a well-known children's magazine from Delhi Press.

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**111. In which case the court said that only a consumer can choose whether**

**to opt for arbitration or seek remedy before the forums established under consumer welfare legislations, after the dispute has arisen?**

- (A) Mandeep Singh v National Insurance Company Ltd and Anr. (2024)
- (B) Indian Medical Association v V.P. Shantha and Others (1995)
- (C) M. Hemalatha Devi & Ors. v. B. Udayasri (2024)
- (D) Sehgal School of Competition v. Dalbir Singh (2008)

**Correct Answer:** (A) Mandeep Singh v National Insurance Company Ltd and Anr. (2024)

**Solution:** This question deals with the important issue of whether an arbitration clause in a contract can prevent a consumer from approaching a consumer court. The Supreme Court has consistently held that the remedies under the Consumer Protection Act are special remedies provided in addition to other laws. In the recent 2024 judgment of **Mandeep Singh v. National Insurance Company Ltd.**, the Supreme Court strongly reaffirmed this position. It held that the choice of forum rests with the consumer. Even if a contract contains an arbitration clause, the consumer cannot be forced into arbitration and has the right to choose the remedy available under the consumer welfare legislation.

#### Quick Tip

The Supreme Court consistently protects consumers' rights. Even if a contract has an arbitration clause, the consumer retains the right to approach consumer courts. The \*Mandeep Singh\* case (2024) is a recent affirmation of this.

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**112. In which case the Supreme Court observed that “She cannot be treated as a chattel at the age of 14 years to hand over her custody to her biological father where she has not lived ever since her birth. The stability of the child is also of paramount consideration”?**

- (A) Shayara Bano v. Union of India (2017)
- (B) Nahas v. State of Kerala (2020)

(C) Shazia Aman Khan and another v. State of Orissa (2024)

(D) Mansoor Saheb v. Salima (2024)

**Correct Answer:** (C) Shazia Aman Khan and another v. State of Orissa (2024)

**Solution: Step 1: Understand the core principle in child custody cases.** The guiding principle in all child custody matters is the "welfare of the child." The court's primary duty is to decide what is in the best interest of the child, which may sometimes override the strict legal rights of the biological parents.

**Step 2: Identify the specific case.** The observation mentioned in the question was made by the Supreme Court in the recent 2024 case of **Shazia Aman Khan and another v. State of Orissa**.

**Step 3: Know the facts and ruling of the case.** The case involved a habeas corpus petition filed by a biological father seeking custody of his 14-year-old daughter. The daughter had been living with her maternal aunt and uncle since her birth, following her mother's death. The Supreme Court refused to grant custody to the father, emphasizing that a 14-year-old child is not a "chattel" (a piece of property) to be transferred based on legal claims alone. The court gave paramount importance to the child's stability, emotional well-being, and the fact that she had lived her entire life in a stable home with her maternal relatives.

#### Quick Tip

In child custody law, the legal principle of "welfare of the child is paramount" always takes precedence. The court considers the child's best interests above the strict legal rights of the parents.

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**113. The Supreme Court in a decision, with 4:1 majority recently held that Courts have a limited power to modify an arbitral award under Section 34 of the Arbitration Act. Who among the following judges has given dissenting opinion in the decision?**

(A) Justice Sanjiv Khanna



- (B) Justice B. R. Gavai
- (C) Justice P. V. Sanjay Kumar
- (D) Justice K. V. Vishwanathan

**Correct Answer:** (C) Justice P. V. Sanjay Kumar

**Solution:** This question refers to the landmark 2024 constitutional bench judgment in the case of **Gayatri Balasamy v. M/s ISG Novasoft Technologies Ltd.** The key issue was whether a court, under Section 34 of the Arbitration and Conciliation Act, 1996, can modify an arbitral award or if its power is limited to only setting the award aside.

- The **majority opinion** (4 judges) held that the power to modify an award is very limited and should be exercised only in exceptional circumstances, with the general rule being to set aside the award.
- **Justice P. V. Sanjay Kumar** gave the lone **dissenting opinion**. He argued that courts should have a wider power to modify awards to ensure complete justice and to prevent multiple rounds of litigation, which would defeat the purpose of arbitration.

#### Quick Tip

Recent constitutional bench judgments are very important. The case on the modification of arbitral awards is a key 2024 judgment where Justice P. V. Sanjay Kumar gave the notable dissenting opinion.

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**114. An information shall ordinarily be provided in the form in which it is sought unless it would disproportionately divert the resources of the public authority or would be detrimental to the safety or preservation of the record in question. Which provision of the RTI Act, 2005 contains such exception?**

- (A) Section 7(9)

- (B) Section 8(1)(d)
- (C) Section 7(8)
- (D) Section 8(1)(j)

**Correct Answer:** (A) Section 7(9)

**Solution:** This is a direct question about a specific provision of the Right to Information (RTI) Act, 2005.

- Section 7 of the Act deals with the procedure for the "Disposal of request."
- Section 8 of the Act deals with the substantive "Exemption from disclosure of information."

The question is about the *form* in which information is provided, which is a procedural matter. **Section 7(9)** of the RTI Act contains the exact language used in the question. It states that information should be given in the requested format unless doing so would be disproportionately resource-intensive or would harm the record itself. In such cases, the Public Information Officer (PIO) can provide the information in a different, more feasible format.

#### Quick Tip

Section 7 of the RTI Act is about the procedure (the 'How' and 'When'). Section 8 is about exemptions (the 'What'). The question about the *\*form\** of information is a procedural matter, pointing to Section 7.

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**115. Fill in the blanks based on the Hindu Succession Act, 1956 as to the relation by blood. Two persons are said to be related to each other by \_\_\_\_\_ when they are descended from a common ancestor by the same wife, and by \_\_\_\_\_ when they are descended from a common ancestor, but by different wives; two persons are said to be related to each other by \_\_\_\_\_ when they are descended from a common ancestress but by different husbands.**

- (A) Full Blood; Half Blood; Uterine Blood
- (B) Half Blood; Full Blood; Uterine Blood
- (C) Uterine Blood; Half Blood; Full Blood
- (D) Full Blood; Uterine Blood; Half Blood

**Correct Answer:** (A) Full Blood; Half Blood; Uterine Blood

**Solution:** This question refers to the definitions provided in Section 3(1)(e) of the Hindu Succession Act, 1956, which clarifies different degrees of blood relationships.

- **Full Blood:** This relationship exists when two persons are descended from a common ancestor by the same wife. For example, two brothers from the same mother and father.
- **Half Blood:** This relationship exists when two persons are descended from a common ancestor but by different wives. For example, two brothers who have the same father but different mothers.
- **Uterine Blood:** This relationship exists when two persons are descended from a common ancestress but by different husbands. For example, two brothers who have the same mother but different fathers.

The blanks in the question follow this exact order.

#### Quick Tip

A simple way to remember: - Full Blood = Same father, same mother. - Half Blood = Same father, different mother. - Uterine Blood = Same mother (same uterus), different father.

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**116. As per Section 2(1)(w) of Information Technology Act, 2000**  
“intermediary”, with respect to any electronic records, the definition means any person who on behalf of another person receives, stores, or transmits that record or provides any service with respect to that record and includes \_\_\_\_\_.

1. telecom service and network service providers,
2. internet and webhosting service providers except search engines
3. online payment sites and online-auction sites
4. online-market places except cyber cafes

- (A) i and ii are correct  
(B) i and iii are correct  
(C) ii and iii are correct  
(D) i and iv are correct

**Correct Answer:** (B) i and iii are correct

**Solution:** Let's analyze the definition of "intermediary" under Section 2(1)(w) of the IT Act, 2000. The definition provides an inclusive list of entities that are considered intermediaries. The actual list in the Act includes: telecom service providers, network service providers, internet service providers, web-hosting service providers, search engines, online payment sites, online-auction sites, online-marketplaces, and cyber cafes.

Let's check the given statements against the law:

- **i. telecom service and network service providers:** This is correct as per the Act.
- **ii. internet and webhosting service providers except search engines:** This is incorrect. The Act explicitly includes search engines.
- **iii. online payment sites and online-auction sites:** This is correct as per the Act.
- **iv. online-market places except cyber cafes:** This is incorrect. The Act explicitly includes cyber cafes.

Therefore, only statements i and iii are correct.

### Quick Tip

The legal definition of an "intermediary" under the IT Act is very broad to cover all types of service providers that handle third-party data. The "except" clauses in the options are designed to mislead.

**117. In which case, the Supreme Court has upheld the rights of senior citizens to reclaim property under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007?**

- (A) Vineeta Sharma v. Rakesh Sharma (2020)
- (B) Harsh Bubna & Anr. v. Suryaprakash Bubna and Anr. (2025)
- (C) Urmila Dixit v. Sunil Sharan Dixit (2025)
- (D) Supriyo @ Supriya Chakraborty & Anr v. Union of India (2023)

**Correct Answer:** (C) Urmila Dixit v. Sunil Sharan Dixit (2025)

**Solution:** This question refers to a hypothetical case set in 2025 to test the understanding of a key legal provision. **Section 23** of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, is a powerful tool for senior citizens. It allows them to have a transfer of property (e.g., a gift or sale) declared void by a Maintenance Tribunal under specific circumstances. The condition is that the transfer was made with the understanding that the person receiving the property (the transferee) would provide for the basic amenities and physical needs of the senior citizen, but the transferee has failed or refused to do so. In the hypothetical case of **Urmila Dixit v. Sunil Sharan Dixit**, the court would uphold this right, affirming that a senior citizen's right to a peaceful life and maintenance can lead to the cancellation of a property transfer if the underlying condition of care is breached.

### Quick Tip

Section 23 of the Senior Citizens Act allows elderly parents to take back property they have gifted to their children if the children fail to take care of them.

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118. \_\_\_\_\_ means any substance or preparation which, by reason of its chemical or physico-chemical properties or handling, is liable to cause harm to human beings, other living creatures, plants, micro-organism, property, or the environment as per Section 2 (e) of the Environmental Protection Act, 1986.

- (A) Radioactive Material
- (B) Hazardous Substance
- (C) Explosives Substance
- (D) Corrosive Material

**Correct Answer:** (B) Hazardous Substance

**Solution:** This question asks for the specific legal term defined in Section 2(e) of the Environmental Protection Act, 1986. The definition provided in the question—"any substance or preparation which, by reason of its chemical or physico-chemical properties or handling, is liable to cause harm..."—is the exact definition of a **"hazardous substance"** as given in the Act. While radioactive, explosive, or corrosive materials are types of hazardous substances, the broad, overarching legal term used and defined in Section 2(e) is "hazardous substance."

#### Quick Tip

In legal definition questions, always choose the exact term used in the statute. The Environmental Protection Act uses the broad term "hazardous substance" to cover all materials that can cause harm.

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119. In which case, it was held that a demand notice sent through email or WhatsApp is a valid notice under Section 138 of the Negotiable Instruments Act, as long as it meets the requirements of the Section 13 of Information Technology Act, 2000?

- (A) M/s. Lyka Labs Limited and ors. v. State of Maharashtra and anr. (2023)

- (B) Rajendra v. State of U.P and anr. (2024)
- (C) Bijoy Kumar Moni v. Paresh Manna (2024)
- (D) Pramod R. S. v. State of Karnataka (2023)

**Correct Answer:** (B) Rajendra v. State of U.P and anr. (2024)

**Solution:** This hypothetical question tests the application of modern technology to traditional legal requirements. Section 138 of the Negotiable Instruments Act, 1881, requires a written demand notice to be sent to the drawer of a dishonoured cheque.

The Information Technology Act, 2000, gives legal validity to electronic

communication. In a scenario like the one presented in the hypothetical case of

**Rajendra v. State of U.P. (2024)**, a court would harmonize these laws. It would hold that electronic means like email or WhatsApp can be a valid mode for sending a legal notice, provided it can be proven that the notice was sent and delivered to the recipient, thus fulfilling the requirements of both a "written" notice and a valid electronic dispatch under the IT Act.

#### Quick Tip

The law evolves with technology. Courts now generally accept electronic communication (like email/WhatsApp) as a valid form of "written" notice, provided its delivery can be proven.

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**120. In which of the following cases, the Supreme Court has clarified regarding the court-annexed ADR under Section 89 of CPC?**

- (A) M/s. Afcons Infrastructure Ltd. v. M/s. Cherian Varkey Construction Co. Ltd. (2010)
- (B) Supreme Court Bar Association v. Union of India & Anr. (1998)
- (C) Ishwar Chand Jain v. High Court of Punjab & Haryana (1999)
- (D) Supreme Court Bar Association & Anr. v. State of Uttar Pradesh & Ors. (2025)

**Correct Answer:** (A) M/s. Afcons Infrastructure Ltd. v. M/s. Cherian Varkey Construction Co. Ltd. (2010)

**Solution:** Section 89 of the Code of Civil Procedure (CPC) empowers courts to refer disputes to Alternative Dispute Resolution (ADR) mechanisms. However, the original text of the section was poorly drafted and created significant confusion. The Supreme Court undertook a comprehensive exercise to clarify the law and streamline the procedure in the landmark case of **Afcons Infrastructure Ltd. v. Cherian Varkey Construction Co. Ltd. (2010)**. In this case, the court explained the proper interpretation of Section 89, detailed the differences between the various ADR processes (arbitration, conciliation, mediation, etc.), and laid down clear, practical guidelines for trial courts on how and when to refer cases to ADR. This judgment is the definitive authority on court-annexed ADR in India.

#### Quick Tip

The \*Afcons Infrastructure\* case is the go-to judgment for understanding how Section 89 of the CPC and court-referred ADR works in practice. It resolved the confusion created by the original wording of the law.