



# LAW Paper III

### Time Allowed : 2½ Hours]

[Maximum Marks : 150

Note : This Paper contains Seventy Five (75) multiple choice questions, each question carrying Two (2) marks. Attempt *All* questions.

- 1. In which of the following cases the Supreme Court of India has laid down the test of "instrumentality or agency of the government" as to the interpretation of definition of state under Article 12 of the Constitution of India ?
  - (A) Sukhdev Singh Vs BhagatramSardar Singh Raghuvanshi(1975)
  - (B) Sabhajit Tewary Vs Union of India (1975)
  - (C) Smt. Ujjam Bai Vs State of Uttar Pradesh (1962)
  - (D) Ramanna Dayaram Shetty Vs
     International Airport Authority
     of India (1979)

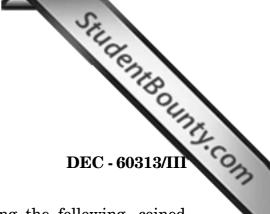
- 2. In which of the following cases the Supreme Court of India held that the National Awards do not amount to "titles" within the meaning of Article 18(1) and they should not be used as suffixes or prefixes ?
  - (A) M.R. Balaji Vs State of Mysore(1963)
  - (B) Balaji Raghavan Vs Union of India (1996)
  - (C) Common Cause a RegisteredSociety Vs Union of India(1987)
  - (D) People's Union for Democratic
     Rights Vs Union of India
     (1982)

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- 3. In ..... the Supreme Court of India held right to livelihood as a fundamental right ?
  - (A) Hussainara Khatoon Vs Stateof Bihar—I (1979)
  - (B) Prem Shankar Shukla Vs DelhiAdministration (1980)
  - (C) Olga Tellis & BombayMunicipal Corporation (1985)
  - (D) Sheela Barse Vs State of Maharashtra (1983)
- 4. Which of the following Articles of the Constitution of India declared the Supreme Court as a court of record ?
  - (A) Article 131
  - (B) Article 129
  - (C) Article 143
  - (D) Article 134

- 5. The doctrine of occupied field is related to the interpretation of the provisions of :
  - (A) Article 245 of the Constitution of India
  - (B) Article 254 of the Constitution of India
  - (C) Article 246 of the Constitution of India
  - (D) Article 13 of the Constitution of India
- 6. Which Amendment to the Preamble of the Constitution of India substituted the words "SOVEREIGN SOCIALIST SECULAR DEMO-CRATIC REPUBLIC" for the words "SOVEREIGN DEMOCRATIC REPUBLIC" ?
  - (A) 7th Amendment to the Constitution of India
  - (B) 25th Amendment to the Constitution of India
  - (C) 42nd Amendment to the Constitution of India
  - (D) 44th Amendment to the Constitution of India



Which Article of the Constitution of 7. Who, among the following, coined 9. India provides for right to work ? the term "Rule of Law" ? (A) Article 40 (A) Lowell (B) Article 41 (B) W.F. Willoughby (C) H. Finer (C) Article 42 (D) Article 43 (D) A.V. Dicey 8. A person must be citizen of India 10. Which of the following is not a and must not be less than ..... part of the principles of natural justice ? years of age to become member of Rajya Sabha. (A) Nemo judex in causa sua (A) 20 (B) Audi alteram partem (B) 25 (C) Doctrine of jan sunwais (C) 30 (D) Justice should not only be done (D) 35 but seen to have been done 5 [P.T.O.

- 11. The Supreme Court of India has widened its scope of giving relief under writ of habeas corpus from unlawful detention to lawful detention under inhuman and cruel conditions in which of the following decisions ?
  - (A) Sunil Batra II
  - (B) A.K. Ashoka Vs. JailAdministration
  - (C) In re : An Advocate
  - (D) Abdul Latiff Vs. Commissioner
- 12. The Central Vigilance Commission was constituted as a result of the recommendation of the Committee on Prevention of Corruption which is also known as :
  - (A) Santhanam Committee
  - (B) Jaganath Committee
  - (C) Kejariwal Committee
  - (D) Romanathan Committee

- 13. While laying the judicial policy regarding administrative discretion in ...... the Supreme
  Court of India ruled that the rule of law means that decision should be made by the application of known principles and rules and in general, such decision should be predictable and the citizen should know where he is :
  - (A) West Bengal *Vs* Shivanand Pathak
  - (B) P.K. Ghosh Vs J.G. Rajput
  - (C) Sarwan Singh Vs Union of India
  - (D) Jaisinghani Vs Union of India

- 14. Assertion (A) : Judicial review is unfattered and absolute under the Indian Legal System.
  - Reason (R) : In spite of ouster clause in the statute a petition can be filed in High Courts and the Supreme Court.

### **Codes** :

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

- StudentBounty.com 15. The Supreme Court emphasized on the content and reach of the equalising principle great enunciated in Art. 14, one shall not violate its activist magnitude was held in .....
  - (A) Maneka Gandhi Vs UOI
  - (B) Javed Vs State of Haryana
  - (C) Rameshwar Prasad Vs State of Bihar
  - (D) Union Carbide Vs UOI
- 16. With reference to Right of Privacy in context of doctor-patient relation the Supreme Court gave a trend setting judgement in the following decision :
  - (A) Mrs. Zeto Vs Treta Hospital
  - (B) People's union for Civil Liberties Vs UOI
  - (C) Dr. Ramesh Thapper Vs State of Madras
  - (D) Mr. 'X' Vs Hospital 'Z'

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- 17. Right to Education was a fundamental right under Art, 21 and that it directly flows from the right to life was the verdict in ......
  - (A) Unni Krishnan Vs State of A.P.
  - (B) Vishakha Vs State of Rajasthan
  - (C) Indira Gandhi Vs Raj Narayan
  - (D) Xavier's College Vs State of M.P.

- (A) Sunil Batra Vs Union of India
- (B) Shankari Prasad Vs UOI
- (C) Minerva Mills Vs UOI
- (D) State of Madras Vs Champakam Dorairajan

- Lord Devlin in his book on
   'Enforcement of Morals' takes his start from the report of ......
  - (A) Wolfenden Report
  - (B) HLA Hart Report
  - (C) Cheshire Law Report
  - (D) Cross and John's Report
- 20. Corporate Sole and Corporate Aggregate are the concepts to determine the legal aspect relating to ......
  - (A) Personality
  - (B) Corporate Governance
  - (C) Ownership of shares
  - (D) Values of CSR

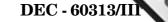
- 21. Bracket Theory amount to putting a bracket round the members in order to treat them as unit. This statement refers to ...... legal.
  - (A) Personality of a Corporation
  - (B) Personality of a Human being
  - (C) Hierarchy of Institutions of Court
  - (D) Immunities granted to judges and diplomats
- 22. Function of law is to deal with morals in public interest. The Indian Penal Code as well as the Constitution of India deals with this in the following sections :
  - (A) Section 293 IPC and Art. 19(1)(a) of the Constitutional Law
  - (B) Section 40 IPC and Art. 13 of the Constitutional Law
  - (C) Section 307 of IPC and Art. 12 of the Constitutional Law
  - (D) Section 107 of IPC and Art. 134of the Constitutional Law

- 23. Assertion (A) : The word dishonestly is not synonymous with fraudulently.
  - Reason (R) : Deception is essential for fraud for but not dishonestly and wrongful gain or wrongful loss of property is necessary for dishonestly but not for fraud.

## **Codes** :

- (A) (A) is true but (R) is false
- (B) (A) is false but (R) is true
- (C) Both (A) and (R) are true
- $(D) \ Both \ (A) \ and \ (R) \ are \ false$

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24.	Assertion (A)	The word mens	25.	
	Reason (R) :	rea has nowhere	<ul> <li>basis of</li></ul>	basis of
		been used or		(A) Due care and attention
		defined in the IPC.		(B) Act of Triviality
		It is just a		
		conception implied		(C) Presumptions based on facts of
		by Courts in every		each case
		criminal act with		(D) The extent of 'Principle of harm
		no corresponding		caused'
		expression in the	26.	The first draft of the Indian Penal
		IPC.		Code was prepared by
	Codes :			(A) First Law Commission
	<ul> <li>(A) (A) is true but (R) is false</li> <li>(B) (A) is false but (R) is true</li> <li>(C) Both (A) and (R) are true</li> <li>(D) Both (A) and (R) are false</li> </ul>			(B) Tenth Law Commission
				(C) By the British Parliament
				(D) The Committee headed by Lord
				Cornwallis in 1856

- 27. Abducting a woman to compel her to marry is an offence under Section ......
  - (A) 366
  - (B) 266
  - (C) 272 read with 312
  - (D) 359-A
- 28. When is attempt punishable ?
  - (A) With guilty mind do an act but fail
  - (B) With no guilty mind and no intention to harm a person
  - (C) An act done in good faith
  - (D) An act of preparation

- 29. Thug is a person habitually associated with other/others for the purpose of committing the offence of ......
  - (A) Robbery and dacoity
  - (B) Robbery with murder
  - (C) Theft and cheating
  - (D) Robbery or child stealing
- 30. Intentional abandonment of child under twelve years by the parents is punishable under the following Section :
  - (A) Section 320
  - (B) Section 308
  - (C) Section 317

(D) Section 326

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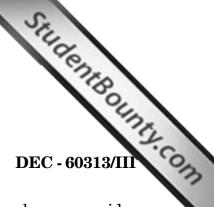
31. Fill in the blank with appropriate answer given below :

The Auto-fuel Policy was evolved after which committee's recommendation ?

(A) Dr. R. A. Mashelkar

- (B) Justice P.N. Bhagwati
- (C) Dr. A. Gnanam
- (D) Dr. Arunab Ghose
- 32. The silent valley case is concerned with which type of project in the Kerala State ?
  - (A) Nuclear power project
  - (B) Coal power project
  - (C) Hydroelectric project
  - (D) Water Therapy project

- 33. After the judgement of the suprement of India in M.C. Mehta Vs Union of India what type of Gas was introduced in India ?
  - (A) Petroleum Liquid Gas
  - (B) Compressed Natural Gas
  - (C) Coal base Liquid Gas
  - (D) Intelligent Quotient Gas
- 34. In which case the Supreme Court extended the retrospective application of the Forests Act, 1980 ?
  - (A) Ambia Quarry Works Vs Stateof Gujarat
  - (B) State of HP Vs Ganesh Wood Products
  - (C) Upendra Jha Vs State of Bihar
  - (D) State of Bihar Vs Banshi Ram



- 35. Agenda 21 is form part of which declaration of International Environmental Law ?
  - (A) Havana Declaration
  - (B) Stockholm Declaration
  - (C) Rio Declaration
  - (D) Vancouver Declaration
- 36. In which case the doctrine of public trust was advocated by the Apex Court ?
  - (A) M.C. Mehta Vs Kamal Nath
  - (B) M.C. Mehta Vs Union of India
  - (C) M.C. Mehta Vs State of Tamil Nadu
  - (D) Shreeram Fertilizers Vs M.C. Mehta

- 37. Carbon dioxide, carbon monoxide, nitrogen oxide and hydrocarbons etc constitute part of which type of pollution ?
  - (A) Combustion process
  - (B) Industrial process
  - (C) Agricultural process
  - (D) Air scavenging process
- 38. The expression "Natural environment" is part of which Article of the Constitution of India ?
  (A) Article 48 A
  (B) Article 51 A
  (C) Article 51 A (g)
  (D) Article 51 A (c)

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- 39. Which author of International Law expounded the traditional definition of International Law?
  - (A) J.G. Strake
  - (B) Ian Brownlie
  - (C) J.L. Brierly
  - (D) Hans Kelsen
- 40. Assertion (A) : Extradition is a concept coupled with political aspects.
  - **Reason** (R) : Law of Extradition is a Dual Law.

# **Codes** :

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

- 41. How many Judges are there in the
  - ICJ ?
  - (A) 15
  - (B) 17
  - (C) 18
  - (D) 19
- UNICTRAL stands for : 42.
  - (A) United Nations Inter **Commission for Trade Disputes**
  - (B) United Nations Commission for International Trade Law
  - (C) United Commission for International Trade Disputes Law
  - (D) United Nations Collective International Trade Law

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43.	How many members are elected to	45.	
	the ECOSOC from the total strength		'International Law' is associated ?
	of General Assembly ?		
	(A) Fifty-six		(A) Bentham
	(B) Fifty-four		(B) Hugo Grotius
	(C) Fifty-seven		(C) Oppenheim
	(D) Fifty-five		(D) J.G. Strake
44.	What does the term extra-territorial		
	refers to in International Law ?	46.	In which year the convention on the
	(A) Asylum granted to terrorists		Reduction of statelessness was
	(B) Asylum granted to political		adopted ?
	offenders		(A) 1964
	(C) Asylum granted outside the		(B) 1965
	territory of a state		
	(D) Asylum granted in the colony		(C) 1962
	by a state		(D) 1961
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- 47. The present position under the Hindu Marriage Act and the Special Marriage Act is not as stated in one of the following statements :
  - (A) Children of unannulled voidable marriage are legitimate in the same way as children of an otherwise valid marriage are
  - (B) Children of annulled voidable and void marriage (whether declared void or not) are legitimate but they will inherit the property of their parents alone and of none else
  - (C) If the marriage is void or voidable under any other provision of the law, except Sections 11 and 12, the children will be illegitimate. Such a case will be, for instance, when marriage is void for lack of performance of valid ceremonies.
  - (D) Such children can inherit the separate property of their father under Section 8, Hindu Succession Act, and also lay claim on the coparcenary interest of the father

- StudentBounty.com 48. Assertion (A): If at the time of marriage either party has a spouse living under Hindus Law, it will be one of the for grounds declaring the marriage void.
  - In the case of (A) **Reason** (R) : the second marriage will be void only, if the first marriage is valid.

## **Codes** :

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

- 49. Zihar is a form of divorce where :
  - (A) A husband compares his wife with his real sister
  - (B) A husband compares his wife with his sister-in-law
  - (C) A husband compares his wife with his mother
  - (D) Both (A) and (B)
- 50. The Supreme Court considered the question as to the true theory of adoption in which of the following cases ?
  - (A) B.S. Agalawe Vs P.M. Agalawe,AIR 1988 SC 845
  - (B) Vasant Vs Dattu, AIR 1987SC 398
  - (C) Chambashhaa Vs
     Kulandaivelu, AIR 1963
     SC 185
  - (D) Madhusudan Vs Chandrika, AIR 1975 MP 1974

- 51. Which one of the following statements is *incorrect* ? Guardian under Section 4(b) of the Hindu Minority and Guardianship Act, 1956, inter alia, includes ......
  - (A) a natural guardian
  - (B) a guardian appointed by the will of the minor's father or mother
  - (C) a guardian appointed or declared by a court
  - (D) a person empowered to act as such under any law except enactment relating to any Court of Wards
- 52. Which one of the following Sections under the Hindu Adoptions and Maintenance Act, 1956 provides for maintenance of widowed daughterin-law ?
  - (A) Section 16
  - (B) Section 17
  - (C) Section 18

(D) Section 19

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- 53. In ....., the Supreme Court, rejecting the prayer for the enactment of a Common Civil Code. ruled that the issue was for the legislature to deal with.
  - (A) Ahmedabad Women Action Group (AWAG) Vs U.O.I.
  - (B) Unni Krishnan Vs State of A.P.
  - (C) Sukhnandan Thakur Vs State of Bihar
  - (D) Centre for Legal Research Vs State of Kerala
- 54. Restitution of conjugal rights is a remedy having its genesis under ..... law. (A) Indian
  - (B) English
  - (C) Jewish
  - (D) American

- StudentBounty.com The International Day for the 55. Elimination of violence against women is celebrated on :
  - (A) 25th November
  - (B) 28th November
  - (C) 30th November
  - (D) 10th December
- 56. Which one of the following instruments provides for the establishment of Human Rights Committee ?
  - (A) United Nations Charter
  - (B) Universal Declaration of Human Rights
  - (C) International Covenant on Economic Social and Cultural Rights
  - (D) International Covenant on Civil and Political Rights
- 57. ዥ Viena Conference on Human Rights was held in the year :
  - (A) 1991
  - (B) 1992
  - (C) 1993
  - (D) 1994

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- 58. The Nobel Peace Prize was awarded in 1977 for the contribution to the cause of Human Rights to :
  - (A) Amnesty International
  - (B) Human Rights Watch
  - (C) World Health Organisation
  - (D) Human Rights Committee
- 59. The U.N. General Assembly proclaims the Right to Development as Human Rights in the year :
  - (A) 1976
  - (B) 1978
  - (C) 1980
  - (D) 1982
- 60. The National Human Rights Commission investigates :
  - (A) Complaints against Development Rights of Indians
  - (B) Complaints against Right to Liberty
  - (C) Complaints against other Investigating Agency
  - (D) Complaints against Human Rights Violations

- 61. Consider the following statements :All persons are joint tort-feasors, who :
  - (1) aid in the commission of wrongful act
  - (2) expect one and the same result of their act
  - (3) joined the act complained

Which of the statements given above are *correct* ?

- $(A) \hspace{0.2cm} (1) \hspace{0.2cm} and \hspace{0.2cm} (2)$
- (B) (1) and (3)
- (C) (2) and (3)
- (D) (1), (2) and (3)
- 62. Which one of the following statements is *correct*? When the act of defendant falls in tort and breach of contract, the defendant may be used :
  - (A) either in tort or breach of contract
  - (B) both in tort and breach of contract
  - (C) in tort only
  - (D) in breach of contract only

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- 63. In Municipal Corporation of DelhiVs Subhagwanti, the Supreme Courtapplied which one of the followingprinciples ?
  - (A) Last opportunity rule
  - (B) Contributory negligence
  - (C) Basic negligence
  - (D) Res ipsa loquitur
- 64. Consider the following situation : The plaintiff, while passing through the public way near defendant's premises injured by fall of snow accumulated on the roof of the defendant's house as a result of severe storm, for which no warning has been given by the defendant to passer-by. It is a case of which one of the following ?
  - (A) Nuisance only
  - (B) Negligence only
  - (C) Both Nuisance and Negligence
  - (D) An act of God

- 65. Consider the following statements : In case of joint publication of defamatory statement :
  - (1) a corporation is liable for the malice of its agent
  - (2) the proprietor of a newspaperis liable for the malice of the editor
  - (3) a lawyer is liable for the malice in the notice issued under the instructions of his client
  - (4) the employer is liable for the malice of a typist who types a defamatory letter as dictated by his employer

Which of the statements given above are *correct* ?

- (A) (1) and (2)
- (B) (1) and (3)
- (C) (3) and (4)

(D) (1) and (4)

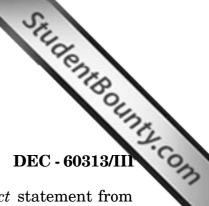
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67. Assertion (A) : As

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fu	lness		<ul><li>(A) is</li><li>(A) is</li></ul>				
	oing an act with forget-		the of (A)	corre	ct ez	(R) ut (R) is xplana	tion
	oing an act without displaying ental alertness		correct	t expla	nation	$(\mathbf{R})$ $\mathbf{id} (\mathbf{R}) \mathbf{is}$ of (A) $(\mathbf{R})$	
ca	use harm to others	Cod	des :			tunity n his d	
(B) Do	oing an act with intention to				need provid	not led wit	be h an
sir	nilar circumstances				above	d in Asser omplai:	tion,
pr	udent man would take in	Reason (R) :		Before rejecting the complaint, as			
re	asonable care which a				be	omplair procee or rejec	eded
(A) Do	<ul><li>mean ?</li><li>(A) Doing an act by failing to take</li></ul>				Distric	mplaint ct Consu n may a	umer
mean					Amen 2002 o	uced by dment on recei	Act, pt of
66. What	What does tort of negligence				new	provi	



- 68. Section 15 of the Indian Partnership Act is related to ......
  - (A) Duty of the partners
  - (B) Partners retirement
  - (C) Right of the partners
  - (D) Partners personal property
- 69. Which of the following Sections of the Indian Partnership Act, 1932 contains the rule of facit relocation ?
  - (A) Section 16
  - (B) Section 17
  - (C) Section 14
  - (D) Section 19

70. Identify the *correct* statement from the following :

Section 12 of the Indian Partnership Act, 1932 .....

- (A) is a mixed statement of rights and duties of partners in reference to the conduct of the business
- (B) is a statement of rights of the partners in reference to the conduct of business
- (C) is a statement of duties of the partners in the conduct of the business
- (D) is a statement of obligations of specific partners in the conduct of the business
- 71. The Sale of Goods Act, 1930 is based on .....
  - (A) The Indian Contract Act, 1872
  - (B) The Transfer of Property Act, 1893
  - (C) The English Sales of Goods Act, 1893
  - (D) The Indian Partnership Act, 1932



72. A contract for sale of goods can be avoided under which of the following conditions as per Section 8 of the Sale of Goods Act, 1930 ?

If the goods have perished/damaged due to the ......

- (A) fault of either of the buyer or the seller
- (B) fault neither of the buyer nor the seller
- (C) fault of the seller
- (D) fault of the buyer
- 73. The breach of 'warranty' in a contract under the Sale of Goods Act, 1930 causes .......
  - (A) repudiate the contract
  - (B) claim for damages
  - (C) reject the goods
  - (D) both (B) and (C)

- 74. In ....., it was ruled that alteration of the date of payment is a material alteration ?
  - (A) Showmnn Vs Usman Khan
  - (B) A. Subba Reddy Vs Neelapa Reddy
  - (C) Seth Tulsidas Lalchand Vs Raja Gopal
  - (D) Mohammad Akbar Khan Vs Attar Singh
- 75. A foreign company under how many days of the establishment of place of business in India shall go for registration under the relevant law ?
  (A) 30 days
  - (B) 60 days
  - (C) 45 days

(D) 50 days

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# **ROUGH WORK**