Your Personal Exams Guide

AIBE 10 Unofficial Answer Key PDF (Mar 26, 2017)

Q1. **Correct Answer: (c)**
Government employees may refer unresolved grievances and labour disputes to the Public Sector Labor-Management Council.

Q2. **Correct Answer: (d)**
The EU Directive on mediation aims to ensure better access to ADR in cross-border commercial disputes.

Q3. **Correct Answer: (a)**
A minimum of seven members are required to incorporate a Public Limited Company.

Q4. **Correct Answer: (b)**
When a bill is passed by Parliament and assented to by the President, it becomes a law.

Q5. **Correct Answer: (d)**
A suit on a promissory note may be instituted where the cause of action arose or where any defendant resides.

Q6. **Correct Answer: (b)**
A warrant of arrest may be executed at any place within India.

Q7. **Correct Answer: (a)**
The Chairperson of the Cyber Appellate Tribunal is appointed by the Central Government in consultation with the Chief Justice of India.

Q8. **Correct Answer: (d)**
Statements made by third parties are generally not admissible as admissions under Section 18 of the Evidence Act.

Q9. **Correct Answer: (c)**
Father is not a Class I heir under the Hindu Succession Act, 1956.

Q10. **Correct Answer: (a)**
Robbery is either theft or extortion accompanied by violence or threat.

Q11. **Correct Answer: (c)**
An adolescent under the Factories Act is a person who is more than 15 years but less than 18 years of age.

Q12. **Correct Answer: (d)**
The Land Acquisition Act provides for acquisition, possession, assessment, and payment of compensation.

Q13. **Correct Answer: (d)**
Complaint under the Consumer Protection Act includes unfair trade practices, defects in goods, and excess pricing.

Q14. **Correct Answer: (b)**
The maxim *audi alteram partem* means no one should be condemned unheard.

Q15. **Correct Answer: (a)**
In *P.D. Gupta v. Ram Murti*, the Supreme Court observed that misconduct envisages breach of discipline.

Q16. **Correct Answer: (d)**
Work of carpenter is not specifically included within the definition of artistic work under the Copyright Act.

Q17. **Correct Answer: (c)**
In the case of co-operative societies, income tax exemption limit referred here is Rs. 20,000.

Q18. **Correct Answer: (a)**
Concealment of a material defect like a right of way gives the purchaser the right to rescind the contract.

Q19. **Correct Answer: (d)**
All the powers mentioned are provided to the office of Ombudsman under Republic Act No. 6770.

Q20. **Correct Answer: (a)**
Mediation is the most visible form of ADR in most EU member countries.

Q21. **Correct Answer: (d)**
Situation clause is not a clause of the Memorandum of Association.

Q22. **Correct Answer: (d)**
Minto-Morley Reforms are associated with the Indian Councils Act, 1909.

Q23. **Correct Answer: (c)**
A defendant may claim both set-off and counterclaim in a written statement.

Q24. **Correct Answer: (a)**
Section 93 CrPC deals with issuance of search warrants.

Q25. **Correct Answer: (a)**
M.C. Mehta v. Union of India is a landmark environmental law case.

Q26. **Correct Answer: (c)**
Discovery of facts based on confession made in police custody is admissible under Section 27 of the Evidence Act.

Q27. **Correct Answer: (a)**
Pre-emption on the ground of Shafie-i-Jar was declared unconstitutional in *Bhau Ram v. Baij Nath.*

Q28. **Correct Answer: (c)**
Section 498A IPC was enacted to deal with cruelty and dowry-related offences against married women.

Q29. **Correct Answer: (d)**
The owner of the factory is responsible for payment of wages under the Payment of Wages Act.

Q30. **Correct Answer: (d)**
District Forum, State Commission, and National Commission are all Consumer Disputes Redressal Agencies.

Q31. **Correct Answer: (d)**
PIL is criticized for private motives, political misuse, and increase in litigation.

Q32. **Correct Answer: (d)**
Vikramaditya v. Smt. Jamila Khatoon dealt with defrauding the client by exploiting illiteracy.

Q33. **Correct Answer: (d)**
An appeal to the High Court against an ITAT order must be filed within 120 days.

Q34. **Correct Answer: (d)**
Specific performance cannot be granted where compensation is adequate or where contracts are determinable.

Q35. **Correct Answer: (d)**
Marriage, divorce, arbitration, criminal law, and criminal procedure were included in the Concurrent List under the Government of India Act, 1935.

Q36. **Correct Answer: (d)**
Set-off cannot be claimed in the situations given because mutuality of claims is absent.

Q37. **Correct Answer: (c)**
Both *Joginder Kumar v. State of U.P.* and *D.K. Basu v. State of W.B.* are landmark cases on arrest.

Q38. **Correct Answer: (d)**
There is no fixed maximum number of witnesses that may be produced in a case.

Q39. **Correct Answer: (c)**
The adoptive father is the natural guardian of an adopted son.

Q40. **Correct Answer: (b)**
Penal statutes are generally construed strictly.

Q41. **Correct Answer: (c)**
An occupier must give 90 days' notice before closing down a factory.

Q42. **Correct Answer: (c)**
Laboratory reports in consumer disputes are generally required within 45 days.

Q43. **Correct Answer: (d)**
The Supreme Court may refuse relief under Article 32 in cases of delay, malafide intention, or infructuous petitions.

Q44. **Correct Answer: (c)**
Distinctiveness is not an essential requirement for patentability under the Patents Act.

Q45. **Correct Answer: (a)**
Section 124 of the Indian Contract Act defines a contract of indemnity.

Q46. **Correct Answer: (b)**
Ex-officio authority arises from holding a particular official position.

Q47. **Correct Answer: (b)**
Habeas Corpus is a writ filed to challenge unlawful detention or imprisonment.

Q48. **Correct Answer: (b)**
Possession of property worth Rs.1000 is not the determining condition under Order 33 CPC for indigent persons.

Q49. **Correct Answer: (c)**
Plea bargaining is not applicable to offences committed against women or children.

Q50. **Correct Answer: (c)**
CERT-In is constituted under Section 70B of the Information Technology Act.

Q51. **Correct Answer: (a)**
The Environment (Protection) Act, 1986 came into force on 19th November 1986.

Q52. **Correct Answer: (b)**
Section 6 of the Indian Evidence Act embodies the doctrine of *Res Gestae*.

Q53. **Correct Answer: (d)**
In family matters, personal law of the parties generally governs the rights and obligations.

Q54. **Correct Answer: (d)**
The writ of Certiorari is issued to quash orders of inferior courts or tribunals passed without jurisdiction.

Q55. **Correct Answer: (c)**
Section 30 of the Negotiable Instruments Act provides for liability of the drawer in case of dishonour.

Q56. **Correct Answer: (a)**
Part III of the Arbitration and Conciliation Act, 1996 formalizes the process of conciliation.

Q57. **Correct Answer: (d)**
The President must act on the aid and advice of the Council of Ministers under constitutional principles.

Q58. **Correct Answer: (d)**
A decree may be transferred for execution under all the circumstances mentioned in Section 39 CPC.

Q59. **Correct Answer: (d)**
Assistant Public Prosecutors are appointed under Section 25 CrPC.

Q60. **Correct Answer: (a)**
Character in civil cases is generally irrelevant unless it directly affects the matter in issue.

Q61. **Correct Answer: (a)**
Under the Hindu Adoption and Maintenance Act, if a female adopts a male child, she must be at least 21 years older than the child.

Q62. **Correct Answer: (a)**
Terms such as voluntarily, dishonestly, fraudulently, and reason to believe are defined expressions indicating mens rea under IPC.

Q63. **Correct Answer: (a)**
Sabbatical refers to paid leave granted for study or research purposes.

Q64. **Correct Answer: (b)**
The Motor Vehicles Act, 1939 came into force in the year 1940.

Q65. **Correct Answer: (a)**
Prof. Krishnaraj Goswami v. Vishwanath D. Mukashikar is related to deliberate delay in filing suit causing loss.

Q66. **Correct Answer: (a)**
Section 27 of the Specific Relief Act deals with parties who cannot be compelled to perform specific contracts.

Q67. **Correct Answer: (c)**
Jammu and Kashmir earlier enjoyed a special constitutional position and had its own Constitution.

Q68. **Correct Answer: (d)**
A person cannot act as next friend or guardian if he is minor, adverse party, or lacks written consent.

Q69. **Correct Answer: (d)**
Section 6 of the Hindu Succession Act incorporates the Mitakshara coparcenary law.

Q70. **Correct Answer: (d)**
Crime generally requires a human being, guilty intention, and injury to society or another person.

Q71. **Correct Answer: (d)**
Dealer includes persons engaged in body building, repair, leasing, or hire-purchase of motor vehicles.

Q72. **Correct Answer: (a)**
Under Section 25 of the Land Acquisition Act, compensation awarded by the court cannot be less than the Collector's award.

Q73. **Correct Answer: (b)**
The undertaking in a promissory note must be unconditional.

Q74. **Correct Answer: (a)**
The Kerala High Court decision in *Nair Service Society v. UGC* dealt with reservation relaxation criteria.

Q75. **Correct Answer: (d)**
In *Smt. Gangabai v. Vijay Kumar*, it was held that right of appeal exists only when clearly provided by statute.

Q76. **Correct Answer: (b)**
Section 436A CrPC deals with the maximum detention period of undertrial prisoners.

Q77. **Correct Answer: (c)**
The reformative theory of punishment seeks to rehabilitate and reform offenders.

Q78. **Correct Answer: (a)**
Pakala Narayan Swami v. Emperor is a leading case on dying declaration.

Q79. **Correct Answer: (c)**
Drawer, drawee, and payee are all parties to a bill of exchange.

Q80. **Correct Answer: (d)**
Income accruing outside India but received in India is taxable for all assessees according to residential status provisions.

Q81. **Correct Answer: (a)**
Section 88 IPC protects acts done in good faith for a person's benefit with consent.

Q82. **Correct Answer: (b)**
Where there are multiple widows, they together take one share under Hindu Succession law.

Q83. **Correct Answer: (c)**
Under Section 112 Evidence Act, a child born within 280 days after dissolution of marriage is presumed legitimate.

Q84. **Correct Answer: (a)**
Section 446A CrPC empowers the court to cancel bonds and bail bonds.

Q85. **Correct Answer: (a)**
A reference is made when a subordinate court seeks the High Court's opinion on a question of law.

Q86. **Correct Answer: (b)**
Article 14 permits reasonable classification under the principle of equality before law.

Q87. **Correct Answer: (b)**
The distinction between Sections 299 and 300 IPC was clarified in *Reg v. Govinda.*

Q88. **Correct Answer: (b)**
Appeals against orders of the Bar Council of India lie before the Supreme Court.

Q89. **Correct Answer: (b)**
Perpetual injunction is granted at the discretion of the court.

Q90. **Correct Answer: (c)**
Article 17 abolishes untouchability in India.

Q91. **Correct Answer: (a)**
Under Section 115 CPC, the High Court may call for records of subordinate courts in revision jurisdiction.

Q92. **Correct Answer: (a)**
Kashmira Singh v. State of M.P. discussed evidentiary value of co-accused confession.

Q93. **Correct Answer: (b)**
An application for maintenance under Section 18(2) HAMA is generally filed before the District Court.

Q94. **Correct Answer: (c)**
Income tax and gift tax are examples of direct taxes.

Q95. **Correct Answer: (b)**
Article 368 provides the constitutional amendment power.

Q96. **Correct Answer: (d)**
Review under Section 114 CPC may be sought in all the situations mentioned.

Q97. **Correct Answer: (b)**
In *Moti Ram v. State of M.P.*, the Supreme Court emphasized that bail is the rule and jail is the exception.

Q98. **Correct Answer: (b)**
Section 320 CrPC deals with compoundable offences.

Q99. **Correct Answer: (c)**
Section 89(1) CPC provides for settlement of disputes outside court through ADR methods.

Q100. **Correct Answer: (d)**
No appeal lies where a Magistrate of First Class imposes only a fine not exceeding Rs.100.

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