AIBE 11 Unofficial Answer Key PDF (Dec 03, 2017)

Q1. **Correct Answer: (c)**
Section 154 of the Income Tax Act deals with rectification of mistakes apparent from the record.

Q2. **Correct Answer: (c)**
Stock in trade and Special Bearer Bonds issued by the Central Government are excluded from the definition of capital asset under Section 2(14).

Q3. **Correct Answer: (b)**
The parties to arbitration may mutually decide the language to be used in arbitral proceedings.

Q4. **Correct Answer: (d)**
Arbitral proceedings terminate on final award, by tribunal order, or when parties agree to terminate proceedings.

Q5. **Correct Answer: (c)**
Every award of a Lok Adalat is deemed to be a decree of a civil court.

Q6. **Correct Answer: (a)**
Sections 18 to 27 of the Arbitration and Conciliation Act deal with conduct of arbitral proceedings.

Q7. **Correct Answer: (d)**
Section 80 CPC regarding notice before suing the government is binding on all courts.

Q8. **Correct Answer: (b)**
Temporary injunction may be granted ex parte in urgent circumstances.

Q9. **Correct Answer: (c)**
Right to appeal is a statutory right created by legislation.

Q10. **Correct Answer: (d)**
The last major amendment to the Indian Succession Act referred in the question was made in 2004.

Q11. **Correct Answer: (a)**
A will can exist without a codicil, but a codicil cannot exist independently without a will.

Q12. **Correct Answer: (b)**
Under Section 63 of the Indian Succession Act, a will must be attested by two or more witnesses.

Q13. **Correct Answer: (d)**
Iddat refers to the waiting period observed by a Muslim woman after divorce or death of her husband.

Q14. **Correct Answer: (a)**
Under the Christian Marriage Act, Marriage Registrars are appointed by the State Government.

Q15. **Correct Answer: (c)**
The term Ombudsman originated from the Swedish administrative system.

Q16. **Correct Answer: (a)**
Under Section 3 of the Commission of Inquiry Act, 1952, the Central or State Government may appoint a Commission of Inquiry.

Q17. **Correct Answer: (c)**
The Information Technology Act was enacted in the year 2000.

Q18. **Correct Answer: (d)**
The Information Technology Act provides legal recognition to e-commerce, electronic filing, and amendments relating to cyber crimes.

Q19. **Correct Answer: (d)**
Right to personal liberty under Article 21 includes protection against custodial violence, public hanging, and rights of undertrial prisoners.

Q20. **Correct Answer: (a)**
The President of India is the Supreme Commander of the Defence Forces.

Q21. **Correct Answer: (d)**
The retirement age of Supreme Court judges is 65 years.

Q22. **Correct Answer: (a)**
Criminal Procedure Code falls under the Concurrent List of the Constitution.

Q23. **Correct Answer: (a)**
Bailable and non-bailable offences are defined under Section 2(a) of CrPC.

Q24. **Correct Answer: (d)**
Special Executive Magistrates may be appointed by the State Government under Section 21 CrPC.

Q25. **Correct Answer: (c)**
Personal search of an arrested person is conducted under Section 51 CrPC.

Q26. **Correct Answer: (a)**
A Special Court is not subordinate to the High Court though subject to its supervisory jurisdiction.

Q27. **Correct Answer: (c)**
A Magistrate may exercise powers under Section 159 CrPC both when police declines investigation and during investigation.

Q28. **Correct Answer: (a)**
Statements recorded under Section 161 CrPC may be used for contradicting the witness during trial.

Q29. **Correct Answer: (b)**
Power of taking cognizance by Magistrates is provided under Section 190 CrPC.

Q30. **Correct Answer: (c)**
Addition or alteration of charges is dealt with under Section 216 CrPC.

Q31. **Correct Answer: (b)**
Section 6 of the Specific Relief Act bars suits against the government in matters of dispossession.

Q32. **Correct Answer: (a)**
The Patents Act became law in India in 1970.

Q33. **Correct Answer: (c)**
Cheque dishonour cases under Section 138 NI Act are tried by Magistrate Courts.

Q34. **Correct Answer: (b)**
Article 315 provides for establishment of Public Service Commissions.

Q35. **Correct Answer: (c)**
Krishna Gopal v. State of MP related to issues of noise and air pollution.

Q36. **Correct Answer: (d)**
For misappropriation, disciplinary authorities may impose fine, suspension, or removal from rolls.

Q37. **Correct Answer: (c)**
An appeal against an order of the State Bar Council lies before the Bar Council of India.

Q38. **Correct Answer: (b)**
Section 35 of the Advocates Act provides punishment for professional misconduct.

Q39. **Correct Answer: (a)**
Section 24 of the Advocates Act deals with qualifications for enrolment as an advocate.

Q40. **Correct Answer: (d)**
Medical examination and medical certificates help determine extent of injury for compensation.

Q41. **Correct Answer: (d)**
Under Section 23 of the Workmen's Compensation Act, the Commissioner exercises powers similar to a court and tribunal.

Q42. **Correct Answer: (d)**
The Industrial Disputes Act aims at industrial peace, harmonious relations, and prevention of illegal strikes and lockouts.

Q43. **Correct Answer: (c)**
Section 2(q) of the Industrial Disputes Act defines strike.

Q44. **Correct Answer: (d)**
The Land Acquisition Act came into force on 1st March 1894.

Q45. **Correct Answer: (c)**
Arable land means land suitable or useful for cultivation.

Q46. **Correct Answer: (b)**
Right to Property is no longer a Fundamental Right after the 44th Constitutional Amendment.

Q47. **Correct Answer: (c)**
In *Maneka Gandhi v. Union of India*, the Supreme Court held that the right to travel abroad is part of personal liberty.

Q48. **Correct Answer: (a)**
Reasonable restrictions on free movement may be imposed in the interest of the general public.

Q49. **Correct Answer: (c)**
Only citizens can claim rights guaranteed under Article 19 of the Constitution.

Q50. **Correct Answer: (c)**
Article 20(3) provides protection against self-incrimination and states that no accused shall be compelled to be a witness against himself.

Q51. **Correct Answer: (c)**
Indra Sawhney v. Union of India is popularly known as the Mandal Commission case relating to reservation policy.

Q52. **Correct Answer: (b)**
Olga Tellis v. Bombay Municipal Corporation protected the rights and livelihood of slum dwellers.

Q53. **Correct Answer: (c)**
A Public Interest Litigation may be filed under Articles 32 and 226 of the Constitution and also through Section 133 CrPC in public nuisance matters.

Q54. **Correct Answer: (c)**
SP Gupta v. Union of India is popularly known as the Judges Transfer Case.

Q55. **Correct Answer: (b)**
In the Kamal Nath case, the Supreme Court evolved the Public Trust Doctrine.

Q56. **Correct Answer: (a)**
Vishakha v. State of Rajasthan dealt with sexual harassment of women at workplace.

Q57. **Correct Answer: (b)**
Section 21 of the Specific Relief Act empowers courts to award compensation.

Q58. **Correct Answer: (d)**
Handwriting may be proved through expert opinion or evidence of a person acquainted with the handwriting.

Q59. **Correct Answer: (d)**
Section 26 Evidence Act makes police confessions inadmissible unless made in the immediate presence of a Magistrate.

Q60. **Correct Answer: (d)**
Evidence includes oral evidence, documentary evidence, and electronic records produced before the court.

Q61. **Correct Answer: (a)**
The State Government determines the language of criminal courts other than the High Court.

Q62. **Correct Answer: (d)**
A decree may be preliminary or final depending upon the stage and nature of adjudication.

Q63. **Correct Answer: (a)**
Foreign Judgment is defined under Section 2(6) CPC.

Q64. **Correct Answer: (c)**
A minimum of seven persons are required to incorporate a public company.

Q65. **Correct Answer: (a)**
A private company can commence business immediately after receiving the certificate of incorporation.

Q66. **Correct Answer: (d)**
Existence of only one contract is not an essential requirement of a contract of guarantee.

Q67. **Correct Answer: (c)**
Section 182 of the Indian Contract Act defines an agent.

Q68. **Correct Answer: (b)**
The maximum number of partners in banking business is ten.

Q69. **Correct Answer: (d)**
A person who gives guarantee is called a surety.

Q70. **Correct Answer: (d)**
An unpaid seller has rights like lien, stoppage in transit, and resale, but not the right to ascertain price.

Q71. **Correct Answer: (a)**
Sections 36 to 42 of the Specific Relief Act deal with injunctions.

Q72. **Correct Answer: (c)**
Questions relating purely to caste and religion are generally not considered matters of civil nature.

Q73. **Correct Answer: (a)**
If res judicata applies, the suit is liable to be dismissed.

Q74. **Correct Answer: (a)**
Under Section 16 CPC, suits relating to immovable property are filed where the property is situated.

Q75. **Correct Answer: (a)**
Pleading means plaint and written statement.

Q76. **Correct Answer: (d)**
On failure to file written statement, the court may pronounce judgment or pass any suitable order.

Q77. **Correct Answer: (c)**
Homicide means killing of one human being by another human being.

Q78. **Correct Answer: (c)**
Adulteration of food or drink is punishable under Sections 272 and 273 IPC.

Q79. **Correct Answer: (d)**
Waging war against the Government of India may be punished with death sentence.

Q80. **Correct Answer: (b)**
Offences relating to elections were introduced later into IPC by amendment.

Q81. **Correct Answer: (c)**
Rupa Bajaj v. KPS Gill dealt with outraging the modesty of a woman.

Q82. **Correct Answer: (a)**
Only a Hindu can be adopted under the Hindu Adoptions and Maintenance Act.

Q83. **Correct Answer: (c)**
Polygamy among Hindus was prohibited after enactment of the Hindu Marriage Act, 1955.

Q84. **Correct Answer: (a)**
Marriage with sister's daughter is valid if permitted by custom.

Q85. **Correct Answer: (d)**
Under the Water Act, stream includes river, watercourse, and subterranean waters.

Q86. **Correct Answer: (b)**
Section 2(1)(zb) of the Trade Marks Act defines Trade Mark.

Q87. **Correct Answer: (c)**
Outraging the modesty of a woman is punishable under Section 354 IPC.

Q88. **Correct Answer: (c)**
Section 463 IPC defines the offence of forgery.

Q89. **Correct Answer: (a)**
Criminal intimidation is dealt with under Sections 503 to 506 IPC.

Q90. **Correct Answer: (a)**
Oral evidence means statements made before the court by witnesses regarding facts under inquiry.

Q91. **Correct Answer: (d)**
Under the Evidence Act, court includes all judges and magistrates except arbitrators.

Q92. **Correct Answer: (c)**
Electronic records are proved according to Section 65-B of the Indian Evidence Act.

Q93. **Correct Answer: (c)**
Private correspondence from advocate or notary office is not a public record.

Q94. **Correct Answer: (d)**
Section 67 of the Motor Vehicles Act empowers State Governments to control road transport.

Q95. **Correct Answer: (b)**
The word "Tort" is derived from the French language.

Q96. **Correct Answer: (b)**
Vicarious liability means liability for wrongful acts committed by another person.

Q97. **Correct Answer: (d)**
Defect under Consumer Protection Act includes faults relating to quality, quantity, potency, purity, or standard.

Q98. **Correct Answer: (d)**
Storms, cyclones, floods, lightning, and thunder are examples of Act of God.

Q99. **Correct Answer: (b)**
The Income Tax Act was enacted in 1961.

Q100. **Correct Answer: (d)**
Income includes profits, dividends, and voluntary contributions received for charitable purposes.