AIBE 12 Unofficial Answer Key PDF (Jun 10, 2018)

Q1. **Correct Answer: (4)**
Any public-spirited person, NGO, or group acting in public interest can file a Public Interest Litigation before the High Court or Supreme Court.

Q2. **Correct Answer: (2)**
The Doctrine of Pleasure applies to civil servants who hold office during the pleasure of the President or Governor.

Q3. **Correct Answer: (4)**
Articles of Association can be altered by shareholders through passing a special resolution under the Companies Act.

Q4. **Correct Answer: (3)**
Article 361 grants immunity and protection to the President and Governors from legal proceedings during their term of office.

Q5. **Correct Answer: (1)**
Section 298 IPC deals with deliberate acts intended to wound religious feelings through words or gestures.

Q6. **Correct Answer: (4)**
Criminal intimidation punishable under Section 506 IPC is compoundable under Section 320(1) CrPC.

Q7. **Correct Answer: (4)**
Lok Adalat is an innovative ADR mechanism for speedy and inexpensive settlement of disputes.

Q8. **Correct Answer: (2)**
Under Muslim law, a brother is not considered a legal guardian of the property of a minor.

Q9. **Correct Answer: (2)**
The Indian Evidence Act was enacted in the year 1872.

Q10. **Correct Answer: (4)**
Professional ethics prohibit lawyers from strikes, improper influence on courts, and abuse of judicial process.

Q11. **Correct Answer: (1)**
Droite Administration refers to the French system of administrative law.

Q12. **Correct Answer: (4)**
Cyber crimes in India are primarily governed by the Information Technology Act.

Q13. **Correct Answer: (2)**
The First Constitutional Amendment Act was enacted in 1951.

Q14. **Correct Answer: (1)**
Section 107 IPC defines abetment by instigation of an offence or illegal omission.

Q15. **Correct Answer: (4)**
ADM Jabalpur v. Shivkant Shukla was the landmark Habeas Corpus case during the Emergency period.

Q16. **Correct Answer: (3)**
Section 24A of the Advocates Act deals with disqualification and admission for enrolment in the State Bar Council roll.

Q17. **Correct Answer: (4)**
Every subscriber to the Memorandum must take at least one share in the company.

Q18. **Correct Answer: (3)**
GST was implemented in India from 1st July 2017.

Q19. **Correct Answer: (2)**
Examination-in-chief is conducted by the advocate of the party who calls the witness.

Q20. **Correct Answer: (4)**
The Climate Change Convention emerged from the Rio De Janeiro Earth Summit held in 1992.

Q21. **Correct Answer: (3)**
Permanent Account Number (PAN) is defined under the Income Tax Act, 1961.

Q22. **Correct Answer: (1)**
Marriage with a woman during her iddat period is considered irregular under Muslim law.

Q23. **Correct Answer: (1)**
Section 10 CPC provides for stay of suit where the matter is directly and substantially in issue in a previously instituted suit.

Q24. **Correct Answer: (4)**
Persons incapable of understanding questions or giving rational answers due to age, illness, or unsoundness of mind are incompetent witnesses under Section 118.

Q25. **Correct Answer: (1)**
S.R. Bommai v. Union of India dealt with the imposition of President's Rule in states.

Q26. **Correct Answer: (3)**
The Coastal Regulation Zone Notification was issued in 1991 under the Environment Protection Act.

Q27. **Correct Answer: (4)**
A lawful guardian includes a legal representative, court-appointed guardian, or authorized guardian of a minor.

Q28. **Correct Answer: (3)**
A protected workman is an office bearer or executive member of a registered trade union in the establishment.

Q29. **Correct Answer: (4)**
A trademark may consist of a word, device, label, or combination used to distinguish goods or services.

Q30. **Correct Answer: (3)**
Lok Adalat received statutory recognition through the Legal Services Authorities Act, 1987.

Q31. **Correct Answer: (3)**
The Shah Bano case dealt with maintenance rights of divorced Muslim women under Section 125 CrPC.

Q32. **Correct Answer: (1)**
A garnishee is a third party directed by the court to surrender money to satisfy a debt or claim.

Q33. **Correct Answer: (4)**
Under Section 18 of the Land Acquisition Act, the Collector is empowered to refer disputes regarding compensation to the court.

Q34. **Correct Answer: (1)**
A suit for specific performance of a contract must generally be filed within three years under the Limitation Act.

Q35. **Correct Answer: (1)**
The definition of complainant is given under Section 2(1)(b) of the Consumer Protection Act.

Q36. **Correct Answer: (4)**
Order 35 Rule 1 CPC deals with plaint in interpleader suits.

Q37. **Correct Answer: (2)**
In *Dr. Mary v. Dr. Vincent*, it was held that Family Courts have concurrent jurisdiction in matrimonial matters.

Q38. **Correct Answer: (3)**
Section 35 of the Advocates Act, 1961 deals with punishment of advocates for professional misconduct.

Q39. **Correct Answer: (4)**
All the listed cases are important Public Interest Litigation cases.

Q40. **Correct Answer: (2)**
Under Section 239 CrPC, the Magistrate may discharge the accused if the charges are found to be groundless.

Q41. **Correct Answer: (1)**
Article 213 empowers the Governor to promulgate ordinances when the State Legislature is not in session.

Q42. **Correct Answer: (2)**
An arrested person cannot be detained by police for more than 24 hours without the authority of a Magistrate.

Q43. **Correct Answer: (4)**
Under Muslim law, an illegitimate son is generally not entitled to maintenance from the father.

Q44. **Correct Answer: (1)**
In civil cases, the burden of proof lies on the petitioner or the party asserting a fact.

Q45. **Correct Answer: (4)**
A police officer may discharge an arrested person on bail, bond, or by special order of the Magistrate under Section 59 CrPC.

Q46. **Correct Answer: (4)**
Industrial dispute includes disputes between employers, workmen, or between workmen connected with employment or non-employment.

Q47. **Correct Answer: (1)**
The rule in *Rylands v. Fletcher* established the principle of strict or absolute liability.

Q48. **Correct Answer: (4)**
An agreement to sell does not itself constitute a completed sale and therefore is not an essential element of a valid sale.

Q49. **Correct Answer: (3)**
In *D.K. Basu v. State of West Bengal*, the Supreme Court condemned custodial deaths and laid down arrest guidelines.

Q50. **Correct Answer: (2)**
The doctrine of Lis Pendens is contained in Section 52 of the Transfer of Property Act.

Q51. **Correct Answer: (1)**
International Law is recognized as true law governing relations among nations.

Q52. **Correct Answer: (1)**
Under Sunni law, deferred mahr becomes payable upon divorce or death of the husband.

Q53. **Correct Answer: (3)**
A dying declaration must be made by the deceased person before death regarding the cause of death.

Q54. **Correct Answer: (4)**
Judgment may be delivered by reading the whole judgment, operative part, or making the substance available in open court.

Q55. **Correct Answer: (1)**
Section 242 CrPC deals with evidence for prosecution in warrant cases instituted otherwise than on police report.

Q56. **Correct Answer: (4)**
Abetment of suicide is punishable under Section 306 IPC and therefore "None of the above" is correct.

Q57. **Correct Answer: (1)**
Section 5 of the Specific Relief Act deals with recovery of specific immovable property.

Q58. **Correct Answer: (3)**
Section 29 of the Wealth Tax Act relates to return of wealth tax.

Q59. **Correct Answer: (4)**
The Collector must give immediate notice of corrections made in the award to all interested persons.

Q60. **Correct Answer: (1)**
Section 80 IPC provides protection for accidental acts done without criminal intention or negligence.

Q61. **Correct Answer: (1)**
The case exposed the plight of domestic working women who were sexually assaulted by army personnel.

Q62. **Correct Answer: (1)**
Chapter III of the Information Technology Act provides legal recognition to digital signatures.

Q63. **Correct Answer: (3)**
An FIR contains information relating to the commission of a cognizable offence.

Q64. **Correct Answer: (1)**
Control over subordinate courts is vested in the High Court under the Constitution.

Q65. **Correct Answer: (3)**
Section 34 CPC deals with payment of interest by the court.

Q66. **Correct Answer: (3)**
A question suggesting the answer expected by the examiner is called a misleading or leading question.

Q67. **Correct Answer: (4)**
A surety may undertake personal liability, create charge on property, or both under Section 145 CPC.

Q68. **Correct Answer: (3)**
Section 49 of the Factories Act provides for appointment of welfare officers.

Q69. **Correct Answer: (3)**
The term "case" in Section 115 CPC has a wide meaning and includes civil proceedings other than suits.

Q70. **Correct Answer: (3)**
Once A discovers the true owner and dishonestly appropriates the purse, he commits criminal misappropriation.

Q71. **Correct Answer: (3)**
Order 33 Rule 1 refers to sufficient property excluding the means of livelihood.

Q72. **Correct Answer: (3)**
Section 22-B of the Legal Services Authorities Act relates to powers of Permanent Lok Adalat.

Q73. **Correct Answer: (2)**
Section 152 CPC permits correction of clerical or arithmetical mistakes in judgments, decrees, or orders.

Q74. **Correct Answer: (1)**
A confessional statement made voluntarily before a Magistrate is admissible in evidence.

Q75. **Correct Answer: (3)**
In *Keshavananda Bharati v. State of Kerala*, the Supreme Court evolved the Basic Structure Doctrine.

Q76. **Correct Answer: (2)**
Section 41 CrPC empowers police officers to arrest without warrant in specified circumstances.

Q77. **Correct Answer: (3)**
Financial relations between Centre and States are provided under Articles 264 to 293 of the Constitution.

Q78. **Correct Answer: (3)**
Mahatma Gandhi was prosecuted under Section 124A IPC for sedition against the British Government.

Q79. **Correct Answer: (1)**
Police may seek security for good behaviour from habitual offenders under Sections 109 and 110 CrPC.

Q80. **Correct Answer: (2)**
The presumption that a joint family possesses joint property belongs to the Mitakshara school, not Dayabhaga.

Q81. **Correct Answer: (2)**
An appeal against an order passed by the National Commission under Section 27 of the Consumer Protection Act lies before the Supreme Court.

Q82. **Correct Answer: (3)**
The Disciplinary Committee under the Advocates Act is empowered to punish advocates for professional misconduct.

Q83. **Correct Answer: (1)**
Part III of the Arbitration and Conciliation Act, 1996 deals with the process of conciliation.

Q84. **Correct Answer: (4)**
Article 50 of the Constitution directs separation of judiciary from the executive in public services.

Q85. **Correct Answer: (3)**
In-camera trials are generally conducted in rape cases punishable under Section 376 IPC.

Q86. **Correct Answer: (2)**
In the tort of conspiracy, the combination must be intended to cause damage to the victim.

Q87. **Correct Answer: (3)**
Sections 31 to 33 of the Specific Relief Act deal with cancellation of instruments.

Q88. **Correct Answer: (4)**
Victimization, false implication, and false allegations of absence are all unfair labour practices by employers.

Q89. **Correct Answer: (4)**
A suit for compensation for false imprisonment must generally be filed within one year from the end of imprisonment.

Q90. **Correct Answer: (3)**
The concept of Rule of Law was propounded by A.V. Dicey.

Q91. **Correct Answer: (4)**
The CrPC does not prescribe any fixed time limit for filing an FIR, though delay may affect evidentiary value.

Q92. **Correct Answer: (3)**
Rules framed by the Supreme Court regarding appeals are treated as special law and prevail over general CPC provisions.

Q93. **Correct Answer: (3)**
Section 60 of the Sale of Goods Act deals with anticipatory breach of contract.

Q94. **Correct Answer: (3)**
Sections 63 to 70 of the Copyright Act deal with criminal remedies and penalties for infringement.

Q95. **Correct Answer: (3)**
Section 17 of the Registration Act, 1908 provides for compulsory registration of documents relating to immovable property.

Q96. **Correct Answer: (1)**
Section 67 of the Motor Vehicles Act, 1988 empowers State Governments to control road transport.

Q97. **Correct Answer: (3)**
Right to education is mainly a constitutional/public right and not a purely private right.

Q98. **Correct Answer: (4)**
A summons is a milder form of process used for appearance or production of documents.

Q99. **Correct Answer: (3)**
Kashmira Singh v. State of Punjab is a leading case relating to confession evidence.

Q100. **Correct Answer: (3)**
Section 138 of the Negotiable Instruments Act provides remedy in cases of cheque dishonour due to insufficient funds.