AIBE 9 Unofficial Answer Key PDF (Mar 06, 2016)

Q1. **Correct Answer: (c)**
Formation of customary international law requires both state practice and acceptance of such practice as law.

Q2. **Correct Answer: (d)**
The Controller of Certifying Authorities maintains disclosure records of Certifying Authorities, Cross Certifying Authorities, and Foreign Certifying Authorities.

Q3. **Correct Answer: (c)**
Under Section 37 of the IT Act, a Digital Signature Certificate may be suspended on request of the subscriber or in public interest.

Q4. **Correct Answer: (d)**
Before the Cyber Appellate Tribunal, a relative who is neither an officer nor legal practitioner cannot represent the appellant.

Q5. **Correct Answer: (d)**
None of the statements are fully correct because rape was not renamed as sexual assault, it is not gender neutral, and age of consent was fixed at 18 years.

Q6. **Correct Answer: (c)**
A second or subsequent conviction for stalking is cognizable and non-bailable.

Q7. **Correct Answer: (a)**
In kidnapping, consent of a minor is wholly immaterial.

Q8. **Correct Answer: (b)**
Under the Trade Unions Act, a person who has attained 15 years of age may become a member of a registered trade union.

Q9. **Correct Answer: (b)**
Spurious goods are goods falsely claimed to be genuine though actually not genuine.

Q10. **Correct Answer: (d)**
In motor accident claims, the insurance company is liable to pay compensation as per policy and statutory provisions.

Q11. **Correct Answer: (c)**
The Indian Evidence Act applies to judicial proceedings before courts.

Q12. **Correct Answer: (b)**
Fact in issue means a fact whose existence or non-existence is disputed by the parties.

Q13. **Correct Answer: (c)**
In bailable offences, bail may be granted as a matter of right by both police officers and courts.

Q14. **Correct Answer: (d)**
Statements made during conciliation proceedings are confidential and cannot be used as evidence in judicial or arbitral proceedings.

Q15. **Correct Answer: (c)**
The Serious Fraud Investigation Office investigates cases referred to it by the Central Government.

Q16. **Correct Answer: (d)**
Directive Principles are not enforceable by courts but are fundamental in governance of the country.

Q17. **Correct Answer: (a)**
The President of India has the power to dissolve the Lok Sabha.

Q18. **Correct Answer: (c)**
A Constitutional Amendment Bill may be introduced in either House of Parliament.

Q19. **Correct Answer: (c)**
The Central Pollution Control Board conducts research and works to improve air quality.

Q20. **Correct Answer: (c)**
The Indian Fisheries Act, 1897 prohibits destruction of fish by explosives or poisoning water.

Q21. **Correct Answer: (b)**
Section 10 CPC does not apply where the previously instituted suit is pending in a foreign court.

Q22. **Correct Answer: (a)**
The principle of Res Judicata is mandatory in nature.

Q23. **Correct Answer: (b)**
International law is considered weak mainly due to lack of compulsory enforcement and sanction mechanisms.

Q24. **Correct Answer: (b)**
Moon and deep seabed are recognized as Common Heritage of Mankind territories.

Q25. **Correct Answer: (c)**
Establishment of democratic governments worldwide is not an express objective of the United Nations.

Q26. **Correct Answer: (c)**
The Criminal Law Amendment Act, 2013 was based on recommendations of the Justice J.S. Verma Committee.

Q27. **Correct Answer: (d)**
Perpetual injunction is a judicial remedy, preventive in nature, restraining wrongful acts.

Q28. **Correct Answer: (c)**
The provisions of both the Companies Act and Co-operative Societies Act do not apply to registered trade unions.

Q29. **Correct Answer: (b)**
According to Salmond, every legal right corresponds to a duty imposed on another person.

Q30. **Correct Answer: (b)**
A precedent loses binding force if the decision is abrogated or overruled.

Q31. **Correct Answer: (a)**
Government contracts not complying with Article 299 are unenforceable.

Q32. **Correct Answer: (d)**
Under Section 35 of the Advocates Act, the State Bar Council may reprimand, suspend, or remove an advocate.

Q33. **Correct Answer: (d)**
A person convicted under the Untouchability Offences Act or involving moral turpitude is disqualified from enrolment.

Q34. **Correct Answer: (d)**
Once limitation starts running, it is not stopped by subsequent disability.

Q35. **Correct Answer: (b)**
An instrument capable of being construed as both promissory note and bill of exchange is called an ambiguous instrument.

Q36. **Correct Answer: (d)**
Net worth of a foreign company for CSR purposes is calculated under Sections 198 and 381 of the Companies Act, 2013.

Q37. **Correct Answer: (d)**
The theory which believes evil should be returned by evil is the Retributive Theory of punishment.

Q38. **Correct Answer: (b)**
The Registrar may take action for striking off the name of a company from the register.

Q39. **Correct Answer: (d)**
Railway Board, universities, and even judiciary fall within the scope of State under Article 12 in certain contexts.

Q40. **Correct Answer: (b)**
Procedure established by law means a procedure enacted by a competent legislature.

Q41. **Correct Answer: (b)**
Objections regarding non-joinder or mis-joinder must be raised at the earliest opportunity.

Q42. **Correct Answer: (a)**
Objection regarding place of suing should be raised before the court of first instance at the earliest opportunity.

Q43. **Correct Answer: (a)**
On death, retirement, or removal of a next friend, the suit is generally stayed until substitution.

Q44. **Correct Answer: (d)**
The Ministry of IT has authority to block websites in India.

Q45. **Correct Answer: (c)**
Right of private defence is available when there is no time to seek protection from public authorities.

Q46. **Correct Answer: (d)**
Termination due to ill-health, abandonment, or superannuation are excluded from retrenchment.

Q47. **Correct Answer: (b)**
Under Section 14(3) of the Child Labour Act, imprisonment may extend up to two years.

Q48. **Correct Answer: (b)**
The burden to prove reasonable excuse for withdrawal from society lies on the respondent.

Q49. **Correct Answer: (b)**
A proclaimed person may claim attached property within two years of attachment.

Q50. **Correct Answer: (b)**
Whether a statement was recorded during investigation is generally a question of fact.

Q51. **Correct Answer: (d)**
A Magistrate receiving a final report under Section 173(2) CrPC may accept it, reject it, or order further investigation.

Q52. **Correct Answer: (b)**
Proceedings under Section 125 CrPC are summary in nature and do not finally determine civil rights of the parties.

Q53. **Correct Answer: (d)**
A contingent contract based on a specified uncertain event not happening becomes void if the event occurs or becomes impossible before expiry of the fixed time.

Q54. **Correct Answer: (a)**
Under the IT Act, the Central Government prescribes security procedures and practices for digital signatures.

Q55. **Correct Answer: (c)**
Duty of care, breach of duty, and resulting damage are all essential ingredients of negligence.

Q56. **Correct Answer: (d)**
Vicarious liability includes liability of principal, master, and partners for acts of others.

Q57. **Correct Answer: (d)**
Necessity rule applies where the maker of the statement is dead, incapable, absent, or unavailable without unreasonable delay.

Q58. **Correct Answer: (c)**
Secondary evidence includes copies of documents and oral accounts of their contents.

Q59. **Correct Answer: (b)**
An unregistered will must be proved by examining at least one attesting witness.

Q60. **Correct Answer: (d)**
Section 106 Evidence Act applies to any person having special knowledge of facts.

Q61. **Correct Answer: (c)**
In cognizable offences, police may arrest without warrant and investigate without prior Magistrate approval.

Q62. **Correct Answer: (b)**
During investigation, searches without warrant may generally be conducted by the investigating officer.

Q63. **Correct Answer: (b)**
Proceedings under Section 209 CrPC are inquiry proceedings before commitment to Sessions Court.

Q64. **Correct Answer: (d)**
Proposal and acceptance form promise, promise with consideration forms agreement, and enforceability makes it a contract.

Q65. **Correct Answer: (b)**
Communication of acceptance is complete against the proposer when it is put into transmission beyond acceptor's control.

Q66. **Correct Answer: (b)**
In a general offer, the acceptor must have knowledge of the offer before acceptance by conduct.

Q67. **Correct Answer: (a)**
An unborn person acquires vested interest upon birth under the Transfer of Property Act.

Q68. **Correct Answer: (a)**
Fraudulent transfer of property intended to defeat creditors is voidable at the option of affected creditors.

Q69. **Correct Answer: (b)**
Joint promisors are jointly and severally liable to the decree holder.

Q70. **Correct Answer: (b)**
"At sight" in Negotiable Instruments law means payable on demand.

Q71. **Correct Answer: (d)**
Section 5 of the Limitation Act does not apply to suits, execution proceedings, or election petitions unless expressly provided.

Q72. **Correct Answer: (c)**
CSR Committee is mandatory for companies meeting thresholds of net profit, turnover, or net worth under Section 135 Companies Act.

Q73. **Correct Answer: (b)**
A disqualified heir transmits no interest to his or her own heirs.

Q74. **Correct Answer: (b)**
Courts may direct discretionary powers to be exercised according to law but cannot dictate manner of exercise.

Q75. **Correct Answer: (b)**
The Supreme Court struck down the age restriction rule in *Indian Council of Legal Aid and Advice v. Bar Council of India.*

Q76. **Correct Answer: (a)**
An arbitral award is not a contract though it must be written and signed.

Q77. **Correct Answer: (c)**
Lack of inherent jurisdiction in a tribunal cannot be cured by consent of parties.

Q78. **Correct Answer: (c)**
A suspended advocate must prove good character and integrity before resuming practice.

Q79. **Correct Answer: (d)**
The Arbitration and Conciliation Act, 1996 is based on the UNCITRAL Model Law.

Q80. **Correct Answer: (a)**
SEBI is empowered to issue regulations regarding shelf prospectus.

Q81. **Correct Answer: (c)**
"Kitten" is not included within the definition of cattle under the Indian Forest Act.

Q82. **Correct Answer: (b)**
The principle that the 1996 Arbitration Act should be interpreted independently was laid down in *Sundaram Finance Ltd. v. NEPC India Ltd.*

Q83. **Correct Answer: (d)**
Auditors are prohibited from rendering internal audit, actuarial, and managerial services to the company.

Q84. **Correct Answer: (c)**
Teasing animals in a zoo may attract both imprisonment and fine under the Wildlife Protection Act.

Q85. **Correct Answer: (c)**
Forests and wildlife were shifted from the State List to the Concurrent List by the 42nd Constitutional Amendment.

Q86. **Correct Answer: (b)**
Droit des Gens was written by Emerich de Vattel.

Q87. **Correct Answer: (a)**
For Section 34 IPC, common intention must be proved though overt act by every accused is not necessary.

Q88. **Correct Answer: (c)**
Government may refer industrial disputes to Board or Court under the Industrial Disputes Act.

Q89. **Correct Answer: (c)**
Loss of confidence may justify discharge and denial of reinstatement in employment disputes.

Q90. **Correct Answer: (b)**
Consumer complaints before the National Commission must generally be filed within two years from cause of action.

Q91. **Correct Answer: (a)**
Grievous hurt under the Motor Vehicles Act carries the same meaning as under IPC.

Q92. **Correct Answer: (c)**
A retracted confession requires corroboration before it can form basis of conviction.

Q93. **Correct Answer: (d)**
For inadmissibility under Section 25 Evidence Act, the confession need not relate to any particular crime.

Q94. **Correct Answer: (a)**
Unexplained delay in recording witness statements affects reliability of evidence.

Q95. **Correct Answer: (b)**
Pre-summoning evidence may be dispensed with where complaint is by a public servant in official discharge.

Q96. **Correct Answer: (c)**
A written and registered agreement made out of natural love and affection without consideration is valid.

Q97. **Correct Answer: (b)**
Salary of a public officer cannot be transferred under the Transfer of Property Act.

Q98. **Correct Answer: (c)**
The provision relates to transfer of actionable claims.

Q99. **Correct Answer: (a)**
Even a trespasser dispossessed otherwise than by due process may sue under Section 6 Specific Relief Act.

Q100. **Correct Answer: (a)**
Injunction cannot be granted where specific performance itself cannot be enforced.

Your Personal Exam Guide