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BCI | Set-A- English | AIBE-IX

SL. NO. 921973

Name of the Candidate		Signature of Invigilator
Enrollment number		
Signature of Candidate		

Important Instructions

(Kindly read these instructions carefully before attempting this question paper)

- Candidates should get this Question booklet signed by the invigilator and fill the required details on the top of this page.
- This Booklet contains 100 questions and each question carries 1 marks.
- There is **no negative** marking.
- Duration of this exam is **3 hours** only.
- Only books and notes are allowed for this examination.
- Mobile phones, labtop, tabs and/or any other electronics devices are strictly prohibited in the examinations hall.
- On possession of any electronic device inside the Examination hall, the candidate will be disqualified from the examination.
- Candidates shall not be allowed to leave the Examination Hall before the conclusion of the examination.
- Candidates should not remove any pages(S) from the booklet and f any page(S)found missing from his/her booklet would lead to disqualification.
- Use only **blue/black ball pen** to fill the OMR answer sheet.
- OMR filled with pencil or ink pen would be **disqualified.**
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1. State practice for the formation of customary rule includes
   1. State actions
   2. State claims
   a) only 1
   b) only 2
   c) both 1 and 2
   d) neither 1 nor 2

2. The Controller of Certifying Authorities in India must maintain a database of the disclosure records of
   1. Certifying Authority
   2. Cross Certifying Authority
   3. Foreign Certifying Authority
   a) 1 and 2
   b) 2 and 3
   c) 3 and 1
   d) 1, 2 and 3

3. Under section 37 of the I T Act, 2000, the certifying authority can suspend the digital signature certificate if
   1. The subscriber is found guilty of malpractice
   2. The subscriber is involved in cyber terrorism
   3. The subscriber requests for the same
   4. In public interest
   a) 1 and 2
   b) 2 and 3
   c) 3 and 4
   d) 4 and 1

4. In the cases before Cyber Appellate Tribunal, the appellant
   a) Cannot appear in person without a legal practitioner
   b) Cannot authorize a legal practitioner to appear on his behalf
   c) Cannot authorize his officer to appear on his behalf
   d) Cannot authorize his relative who is neither his officer nor a legal practitioner to appear on his behalf

5. In the light of the Criminal Law Amendment Act, 2013, which of the following statement is /are correct
   a) The word "rape" in section 375 of Indian Penal Code, 1860 has been replaced with sexual assault
   b) Rape is now a gender neutral offence
   c) The amendment has fixed the age for consensual sex as 16 years
   d) All the above

6. The offence of stalking upon second or subsequent conviction is
   a) Non cognizable and Bailable
   b) Cognizable and Bailable
   c) Cognizable and Non-bailable
   d) Non cognizable and Non-bailable

7. In kidnapping, the consent of minor is
   a) wholly immaterial
   b) partly immaterial
   c) wholly material
   d) partly material

8. Under the provisions of the Trade Unions Act, 1926, any person who has attained the age of..... may be a member of a registered Trade Union subject to any rules of the Trade Union to the contrary.
   a) 14 years
   b) 15 years
   c) 18 years
   d) 21 years

9. Spurious goods under the provisions of the Consumer Protection Act, 1986 imply
   a) Such goods and services which are of poor quality.

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b) Such goods and services which are claimed to be genuine but they are actually not so
c) Such goods and services which might be stolen in nature
d) Such goods and services which are not usable in nature

10. Who is liable to pay compensation in case of death or permanent disablement?
a) Owner of the vehicle
b) State Government
c) Driver
d) Insurance Company

11. Indian Evidence Act applies to
a) Proceedings before tribunals
b) Proceedings before the arbitrator
c) Judicial proceedings in court
d) All of the above

12. Fact in issue means
a) Fact, existence or non existence of which is admitted by the parties
b) Fact, existence or non existence of which is disputed by the parties
c) Fact, existence or non existence of which is not disputed by the parties
d) All the above

13. In a bailable offence bail is granted as a matter of right
a) By the police officer
b) By the court
c) Both by the police officer and the court
d) either (a) or (b)

14. The conciliation proceedings
a) can be used as evidence in any judicial proceedings.
b) can be used as evidence only in Arbitral proceedings.
c) Can be used as evidence only on the discretion of the judge or arbitrator.
d) Cannot be used as evidence in any judicial or arbitral proceedings.

15. The Serious Fraud Investigation Office
a) Takes up cases suo motto
b) Takes up cases for investigation on the basis of application made by the people concerned
c) Takes up cases for investigations referred to it by Central Government
d) All of the above

16. Directive Principles are
a) justifiable as fundamental rights
b) justifiable but not as fundamental rights
c) decorative portions of Indian Constitution
d) not justifiable, yet fundamental in the governance of the country

17. Who has the power to dissolve the Lok Sabha
a) President
b) Prime Minister
c) Speaker of Lok Sabha
d) Council of Ministers

18. An amendment of the Constitution can be initiated by introduction of Bill for such purpose in
a) Council of States
b) House of People
c) either in council of States or House of people
d) none of the above

19. Which of the following is a function of Central Pollution Control Board under the provisions of Section 16 of the Air (Prevention and Control of Pollution Act, 1981.?
a) To carry out and sponsor investigation and research relating to problems of

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pollution and prevention, control or abatement of pollution.

b) To improve the quality of air
c) Both A and B
d) neither A nor B

20. The destruction of fish by use of explosive or by poisoning the water is prohibited by
    a) Indian Environment (Protection) Act, 1986
    b) The Water (Prevention and Control of Pollution) Act, 1974
    c) Indian Fisheries Act, 1897
    d) The National Green Tribunal Act, 2010

21. Section 10 of CPC does not apply
    a) when the previous suit is pending in the same court
    b) when the previous suit is pending in a foreign court
    c) when the previous suit is pending in any other court of India.
    d) when the previous suit is pending in a court outside India established by the Central Government

22. Principle of Resjudicata is
    a) Mandatory
    b) Directory
    c) Discretionary
    d) All the above

23. International law is a weak law because
    a) It is not enforceable as such, it is not a law but a positive morality
    b) There is absence of compulsory dispute settlement mechanisms and independent system of sanctions
    c) It only includes States as subjects
    d) There is no dependable sources available

24. Which of the following territories have been declared as Common Heritage of Mankind Territories.
    (1) Moon
    (2) High seas
    (3) Deep sea bed
    (4) Antarctica
    a) 1, 2 and 4
    b) 1 and 3
    c) 2,3, and 4
    d) 2 and 4

25. Which of the following is not the objective of the United Nations
    a) Maintenance of International peace and security
    b) Ensuring respect for treaty obligations
    c) Establishment of democratic governments throughout the world
    d) Promotion of better standards of life

26. The committee that led to the passing of the Criminal Law Amendment Act, 2013 was headed by
    a) Justice Dalveer Bhandari
    b) Justice Altamas Kabeer
    c) Justice J.S. Verma.
    d) Justice J.S. Anand

27. What is true of perpetual injunction
    a) It is a judicial process
    b) preventive in nature
    c) the thing prevented is a wrongful act
    d) all of the above

28. The provisions of .....do not apply to trade unions registered under the provisions of Trade Union Act, 1926
    a) The Co-operative Societies Act, 1912
    b) The Companies Act, 1956
    c) Both a and b
    d) Neither a nor b

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29. According to Salmond every legal right
    a) Cannot be vested in a person
    b) Is availed against a person upon whom lies the correlative duty
    c) Cannot oblige the person bound to an act or omission in favour of the person entitled
    d) Cannot have a title

30. The binding force of precedent is destroyed or weakened by
    a) Public opinion
    b) Abrogated decision
    c) Res judicata
    d) Lis pendens

31. Which of the following is true in respect of a Government contract which does not confirm to provisions of Article 299 of the Constitution
    a) They are not enforceable in court against the parties
    b) They can be rectified by the Government
    c) Both A and B
    d) Neither A nor B

32. State Bar Council under the provisions of section 35 of the Advocates Act, 1961 has the authority to
    a) Reprimand the advocate
    b) Suspend the advocate from practice for such period of time as it may deem fit
    c) Remove the name of the advocate from the state roll of advocates
    d) All of these

33. Which of the following is untrue regarding qualification for a person to be admitted on the state rolls maintained by State Bar Councils
    a) The minimum age of requirement is 21 years.
    b) He must be an Indian Citizen
    c) He must not have been convicted of an offence involving moral turpitude
    d) They must not have been convicted of an offence under the provisions of the Untouchability (Offences) Act 1958

34. Time which has begun to run can be stopped in case of
    a) Minority
    b) Insanity
    c) Idiocy
    d) None of the above

35. If an instrument may be construed either as promissory note or bill of exchange, it is
    a) a valid instrument
    b) an ambiguous instrument
    c) a returnable instrument
    d) none of the above

36. How is the net worth of a foreign Company calculated for the purpose of Corporate Social Responsibility.
    a) The networth will be calculated as per section 198 of Companies Act, 2013
    b) It shall be calculated as per section 197 of the Companies Act, 2013
    c) It shall be calculated as per section 197 and section 381 of the Companies Act, 2013
    d) It shall be calculated as per section 198 and section 381 of Companies Act, 2013

37. According to one of the theories of punishment evil should be returned by evil. This theory is called the
    a) Reformative Theory
    b) Deterrent Theory
    c) Preventive Theory
    d) Retributive Theory

38. Which of the following actions can be taken by a Registrar under section 4 (5) of the Companies Act, 2013

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a) He can direct the Company to change it's name within a period of 6 months after passing an ordinary resolution
b) Take action for striking off the name of the Company from the registrar of Companies
c) Order winding up of the Company on his own accord
d) All of these

39. Which of the following are included in the concept of "State" under Article 12
a) Railway Board and Electricity Board
b) Judiciary
c) University
d) All of the above

40. The word procedure established by law in Article 21 means
a) that due process of law must be followed
b) A procedure laid down or enacted by a competent authority
c) The same thing as due process of law
d) A law which is reasonable, just and fair.

41. Objection as to non-joinder or mis-joinder of parties under Order 1, Rule 13 of CPC
a) Can be taken at any stage of the proceedings
b) should be taken at the earliest possible opportunity or shall be invalid
c) can be taken in appeal or revision for the first time
d) either a or c

42. Objection as to the place of suing
a) can only be taken before the court of first instance at the earliest possible opportunity
b) can also be taken before the appellate court for the first time
c) can also be taken before the court of revision for the first time
d) all of the above

43. On the retirement , removal or death of a next friend, under Order, XXXII, Rule 10 of CPC, the suit is liable to be
a) stayed
b) dismissed
c) rejected
d) either a, b or c

44. In India which of the following authorities has the power to block websites?
a) CERT-in
b) MCIIPC
c) C-DAC
d) Ministry of IT

45. The right to private defence is
a) available under all circumstances
b) available when there is time to have the recourse to the protection of public authorities
c) available when there is no time to have recourse of public authorities
d) All the above

46. Which of the following can be considered retrenchment under the provisions of the Industrial Disputes Act, 1947?
a) Termination due to ill-health
b) Abandonment of job by an employee
c) Termination on account of reaching the age of superannuation
d) None of these

47. Which of the following statement holds true regarding imprisonment under the provisions of section 14(3) of the Child Labour (prohibition and Regulation) Act, 1986
a) It may extend to one year.
b) It may extend to two years.
c) It may extend to six months.
d) It may extend to one month

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48. Onus to prove reasonable excuse for withdrawl from the Society of the other is on
    a) Petitioner
    b) Respondent
    c) Both a and b
    d) Either a or b

49. A proclaimed person whose property has been attached can claim the property or the sale proceeds on appearance
    a) within 6 months of attachment
    b) within 2 years of attachment
    c) within 3 years of attachment
    d) within 1 year of attachment

50. The question whether a statement was recorded in the course of investigation is a
    a) question of law
    b) question of fact
    c) mixed question of law and fact
    d) question of law or of fact depends on facts and circumstances

51. Where the police submits a final report under section 173(2) of Cr. PC for dropping of proceedings to a magistrate, the Magistrate
    a) may accept the same
    b) may reject the same
    c) may reject the same and order further investigation
    d) any of the above

52. The orders under section 125 of Cr. PC are
    a) summary in nature but finally determine the rights and obligations of the parties
    b) summary in nature and do not finally determine the rights and obligations of the parties which are to be finally determined by a civil court
    c) Substantive in nature and finally determine the rights and obligations of the parties.
    d) Substantive in nature and are not subject to determination of a right of the parties by a civil court.

53. A contingent contract based on the specified uncertain events not happening within a fixed time under section 35
    a) remains valid even if the event does not happen within that fixed time
    b) becomes void at the expiration of the time fixed
    c) becomes void if the happening of that event becomes impossible before the expiry of time fixed.
    d) both b and c

54. Which among the following is authorized under the Information Technology Act, 2000 to prescribe the security procedures and practices for the purpose of sections 14 and 15 of the act?
    a) Central Government
    b) State Government
    c) Certifying authority
    d) Issuing authority

55. The essential ingredient of the tort of negligence are
    (1) When one owes a duty of care towards the other.
    (2) When one commits a breach of that duty and
    (3) The other person suffers damage as a consequence thereof
    Choose correct response for below
    a) None of them are essential ingredients
    b) Only the first is an essential ingredient
    c) All of them are essential ingredients
    d) Even if the first is absent the tort of negligence is committed

56. Vicarious liability includes

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a) Liability of the principal for the tort of his agent
b) Liability of the master for the tort of his servant
c) Liability of the partners for each others tort
d) all of the above

57. Necessity rule as to admissibility of evidence is applicable when the maker of a statement
a) is dead or has become incapable of giving evidence
b) is a person who can be found but his attendance cannot be procured without unreasonable delay or expenses
c) is a person who cannot be found
d) all of the above

58. Secondary evidence of a document means
a) Copies of the document
b) oral account of the contents of the documents
c) both a and b
d) none of the above

59. A Will is required to be proved by calling at least one attesting witness
a) when it is registered
b) when it is unregistered
c) when it is admitted
d) All of the above

60. Any person in section 106 of Evidence Act refers to
a) a party to the suit
b) a stranger to the suit
c) a person who is not a party to the suit but interested in the outcome of the suit
d) all of the above

61. In a cognizable case under IPC, police have the
a) Authority to arrest a person without warrant
b) Authority to investigate the offence without permission of the Magistrate
c) Both a and b
d) Either (a) or (b)

62. During investigation a search can be conducted without warrant by
a) any police officer
b) by the investigating officer
c) both (a and b)
d) either a or b

63. Committal proceedings under section 209 of Cr. PC are in the nature of
a) aid in investigation
b) inquiry
c) trial
d) either inquiry or trial

64. Which is correct
a) proposal + acceptance=promise
b) promise + consideration=agreement
c) agreement + enforceability=contract
d) all of the above

65. Communication of acceptance is complete as against the proposer
a) when it comes to the knowledge of the proposer
b) when it is put in course of transmission to him so as to be out of power of the acceptor
c) when the acceptance is communicated to the proposer
d) all of the above

66. In cases of general offer, for a valid contract
a) the acceptor need not have the knowledge of the offer
b) the acceptor must have the knowledge of the offer before acceptance by performance

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c) the acceptor may acquire the knowledge of the offer after the performance of the condition for acceptance
d) knowledge does not matter so long as the condition is performed with or without knowledge

67. Under the provision of the Transfer of Property act, 1882, the unborn person acquires vested interest on transfer for his benefit
a) upon his birth
b) 7 days after his birth
c) 12 days after his birth
d) no such provision is made

68. Every transfer of immovable property made with intent to defeat or delay the creditors of the transferor shall be voidable
a) at the option of creditor so defeated or delayed
b) at the option of debtor
c) at the option of court
d) none of the above

69. Where co-judgment debtors are in the position of joint promisors, each is
a) not jointly and severally liable to the decree holder
b) jointly and severally liable to the decree holder
c) jointly liable to the decree holder only
d) severally liable to the decree holder only

70. At sight under section 21 of the Negotiable Instruments Act, 1881 means
a) on presentation
b) on demand
c) on coming into vision
d) none of the above

71. Section 5 of the limitation act applies to
a) Suits
b) Execution
c) Election petitions
d) None of the above

72. Which of the following Companies will have to constitute Corporate Social responsibility Committee under the Companies Act, 2013
a) A Company having a net profit of 2.5 cores in a financial year, a net worth of 300 crores and a turnover of rupees 800 crore
b) A Company having a net profit of 3 cores, in a financial year, a net worth of 300 crores and a turnover of rupees 600 crore
c) A Company having a net profit of 5 cores or more, a net worth of 500 crores and a turnover of rupees 1000 crore or more
d) A Company having a net profit of 5 cores or more, a net worth of 500 crores and a turnover of rupees 5000 crore or more

73. A disqualified person/heir
a) Transmits an interest to his or her own heir
b) Transmits no interest to his or her own heir
c) May or may not transmit an interest to his or her own heir as per the discretion of the court
d) May only transmit an interest to his or her own heir with the consent of the other heirs.

74. In cases in which a specific act confers a discretionary power on an authority
a) The court can direct the manner in which the power is exercised
b) The court can direct that the power be exercised in accordance with law
c) Both A and B
d) Neither A nor B

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75. The Bar Council of India Rule which stipulated that persons aged 45 years and above could not be enrolled as advocates was struck down by the Supreme Court in
    a) In E.S. Reddi v Bar Council of India
    b) Indian Council of Legal Aid and Advise v Bar Council of India
    c) P. Shanmugam v Bar Council of India
    d) Legal Committee v Bar Council of India

76. Which is an incorrect statement
    a) An Arbitral award is a contract.
    b) An Arbitral award must be in writing and signed
    c) An Arbitral award included an interim award.
    d) None of the above

77. Which of the following statements hold true for adjudicatory bodies
    a) Doctrine of stare Decisis applies to them
    b) Doctrine of Resjudicate does not apply to them
    c) Inherent lack of jurisdiction in a tribunal cannot be cured or created by the act of the parties
    d) None of the above

78. The Supreme court held in V.C. Rangadurai v D. Gopalan An advocate who has been disbarred or suspended from practice must prove after expiration of a reasonable length of time that
    a) He appreciates the insignificance of his dereliction
    b) He has lived a consistent life of poverty and integrity
    c) He possesses the good character necessary to guarantee uprightness and honour in his professional dealings
    d) The burden is on the applicant to establish that he entitled to resume the privilege of practicing law without restrictions.

79. The present Arbitration and Conciliation Act of 1996 is based on
    a) Constitution of India
    b) Supreme Court of India guidelines
    c) European Commercial Arbitration Procedure
    d) UNCITRAL

80. Who among the following is authorized to issue regulations regarding shelf prospectus
    a) SEBI
    b) Central Government
    c) Company Law Board
    d) National Company Law Tribunal

81. Which of the following is not included in the definition of cattle as given under the Indian Forest Act, 1927
    a) Rams
    b) Kids
    c) Kitten
    d) None of these

82. The provisions of the Arbitration and conciliation Act of 1996 have to be interpreted being uninfluenced by the principles underlying the 1940 Act. This observation was laid down in
    a) M.M.T.C. Ltd vs Sterlite Industries (India) Ltd
    b) Sunderam Finance ltd. V N.E.P.C. Ltd.
    c) Olympus Superstructures Pvt Ltd v. Meera Vijay
    d) Orma Impex Pvt Ltd v Nissari Pvt. Ltd.

83. Which of the following services cannot be provided to the Company by an auditor appointed under the provisions of the Companies Act, 2013
    a) Internal Audit
    b) Actuarial services
    c) Managerial Services
    d) All of these

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84. Under the Wild Life (Protection) Act, 1972, any person who teases an animal in a zoo maybe punished
    a) with fine with may extend to 5000
    b) with imprisonment which may extend upto 1 year
    c) Both A and B
    d) Neither A or B

85. The entry on forests and protection of Wild animals and birds was moved from.....to the .....by the 42nd Amendment to the Constitution of India
    a) Centre list to State list
    b) Centre list to Concurrent list
    c) State list to Concurrent list
    d) State list to Union list

86. Droit des Gens (Law of Nations) 1758 was written by
    a) Cornelius van Bynkershoek
    b) Emerich de Vattel
    c) Richard Zouch
    d) Jean Bodin

87. To establish section 34
    a) Common Intention must be proved but not overt act is required to be proved.
    b) Common intention and overt act both are required to be proved
    c) Common intention need not be proved but only overt act is required to be proved.
    d) All of the above

88. Under the provisions of the Industrial Disputes Act, 1947, the appropriate government can by order in writing
    a) Refer the dispute to a Board for promoting a settlement of the dispute
    b) Refer any matter appearing to be relevant to the dispute to a court for inquiry
    c) both a and b
    d) neither a nor b

89. Which of the following statement is true for loss of confidence by management in the workman?
    a) Even when dismissal or discharge is held to be wrongful, the court may not yet order reinstatement if the employer is able to establish that the workman held a position of trust and there was loss of confidence.
    b) Loss of confidence may also be a ground for discharge simpliciter of the workman
    c) Both a and b
    d) Neither a nor b

90. Under the provisions of the Consumer Protection Act, 1986, the period of limitation for filing complaint before the National Commission is
    a) 1 year from the date on which cause of action has arisen
    b) 2 year from the date on which cause of action has arisen
    c) 3 year from the date on which cause of action has arisen
    d) 4 year from the date on which cause of action has arisen

91. Grievous hurt under the Motor vehicles Act, 1988 means
    a) Grievous hurt as defined in IPC
    b) Grievous hurt as defined in medical laws
    c) Grievous hurt as detected by medical practitioner
    d) none of the above

92. A retracted confession
    a) can be solely made the basis of conviction
    b) cannot be solely made the basis of conviction

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c) cannot be solely made the basis of conviction unless the same is corroborated
d) both a and c are correct

93. A confession to be inadmissible under section 25 of the act
a) must relate to the same crime for which offender is charged
b) may relate to the same crime for which offender is charged
c) must relate to another crime
d) none of the above

94. An unjustified and unexplained long delay on the part of the investigating officer in recording the statement of a material witness would render the evidence of such witness
a) Unreliable
b) Inadmissible
c) Inadmissible and unreliable
d) None of the above

95. Recording of pre-summoning evidence may be dispensed with under section 200 of Cr. PC.
a) If the complaint is supported by the affidavit of the complainant
b) If the complaint is made in writing by a public servant in the discharge of his official duties
c) both a and b are correct
d) only a is correct but b is incorrect

96. Contract without consideration made in writing and registered and made on account of natural love and affection is
a) void
b) reasonable
c) valid
d) unenforceable

97. Under the Transfer of Property Act, 1882
a) the salary of a public officer can be transferred
b) the salary of a public officer cannot be transferred
c) public office can be transferred
d) none of the above

98. Where a debt is transferred for the purpose of securing an existing or future debt, the debt so transferred, if received by the transferor or recovered by the transferee is applicable first, in payment of cost of such recovery. This is the provision of
a) mortgaged debt
b) gift
c) actionable claim
d) lease

99. A suit under section 6 of the Specific Relief Act can be brought by
a) trespasser
b) a tenant holding over
c) servant
d) manager

100. Injunction cannot be granted in a suit
a) in which the specific performance cannot enforced
b) for breach of negative contract to enforce specific contract
c) for declaration where the plaintiff is in possession
d) neither a, nor b, nor c