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PAPER – III

LAW

220079

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Question Booklet No. .....

1.

OMR Sheet No.. .....

Subject Code 22 **ROLL No.**

Time Allowed : 150 Minutes **Max. Marks : 150**

No. of pages in this Booklet : 12 No. of Questions : 75

INSTRUCTIONS FOR CANDIDATES

1. Write your Roll No. and the OMR Sheet No. in the spaces provided on top of this page.
2. Fill in the necessary information in the spaces provided on the OMR response sheet.
3. This booklet consists of seventy five (75) compulsory questions each carrying 2 marks.
4. Examine the question booklet carefully and tally the number of pages/questions in the booklet with the information printed above. **Do not accept a damaged or open booklet.** Damaged or faulty booklet may be got replaced within the first **5** minutes. Afterwards, neither the Question Booklet will be replaced nor any extra time given.
5. Each Question has four alternative responses marked (A), (B), (C) and (D) in the OMR sheet. You have to completely darken the circle indicating the most appropriate response against each item as in the illustration.



6. All entries in the OMR response sheet are to be recorded in the original copy only.
7. Use only Blue/Black Ball point pen.
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11. Use of any calculator, mobile phone or log table etc. is strictly prohibited.
12. **There is no negative marking.**

22-16

SEAL

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PAPER-III
LAW

1. Under Article 1 of the Indian Constitution, India i.e., Bharat shall be :
   (A) Union of the States (B) Federal State
   (C) Unitary State (D) Quasi Federal State

2. Parliament can amend :
   (A) Any part of the Constitution
   (B) Any part of the Constitution without disturbing the basic structure
   (C) Only Fundamental Rights
   (D) Only Directive Principles

3. Given below are two statements, one labeled as Assertion (A) and other labeled as Reason (R) :
   Assertion (A) : People of India are the source of the Constitution of India
   Reason (R) : The Constitution of India derives its authority from the people of India
   Mark the correct answer from the code given below :
   (A) Both (A) and (R) are true and (R) is the correct explanation of (A)
   (B) Both (A) and (R) are true and (R) is not the correct explanation of (A)
   (C) (A) is true but (R) is false
   (D) (A) is false but (R) is true

4. Creamy layer test aims to achieve :
   (A) Evasive equality
   (B) Artificial equality
   (C) Distributional equality
   (D) Arbitrary equality

5. Which of the following statements are correct :
   The Indian Constitution is :
   1. An Unwritten Constitution
   2. A Written Constitution
   3. Largely Based upon the Government of India Act, 1935
   4. A gift of British Parliament
   (A) 2 and 4 are correct (B) 2 and 3 are correct
   (C) 1 and 4 are correct (D) 1 and 3 are correct

6. Which one of the following features does not support the federal character of Indian Constitution ?
   (A) Distribution of powers between Centre and States
   (B) Authority of Courts
   (C) Supremacy of the Constitution
   (D) Single Citizenship

7. When the Court declares that certain provisions of the Act are invalid, it does not affect the validity of the Act and it remains as it is. The principle is known as :
   (A) Doctrine of prospective over ruling
   (B) Doctrine of severability
   (C) Doctrine of pleasure
   (D) Doctrine of Eclipse

8. Article 40 of the Constitution of India deals with :
   (A) Provision for Just and humane conditions of work and maternity relief
   (B) Living wages etc. for workers
   (C) Duty of the State to raise the level of nutrition
   (D) Organisation of Village Panchayats

9. Which of the following are matched incorrectly ?
   i. Habeas Corpus – 'To produce the body'
   ii. Quo warranto – 'Issued to a Lower Court to stop proceedings in a case'
   iii. Prohibition – 'Issued to a Lower Court quashing a decision or order'
   iv. Mandamus – 'Commands a person to perform a public duty'
   (A) i, ii and iii (B) ii and iii
   (C) ii, iii and iv (D) ii and iv

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10. Match List–I with List–II using codes given below :

List–I	List–II
i. There is no rigid formula for principles of natural justice	a. R.S. Dass Vs. Union of India
ii. Choice of application of rules of natural justice	b. R.Vs. Sussex Justices
iii. Justice should not only be done, but manifestly and undoubtedly be seen to be done	c. Union of India Vs. P.K. Roy
iv. Meaning of bias	d. Secy. to Govt. Transport Dept. Vs. Munuswamy

	i	ii	iii	iv
(A)	b	d	a	c
(B)	c	a	d	b
(C)	a	c	b	d
(D)	c	a	b	d

11. A mandatory procedural requirement for an administrative tribunal must be :
(A) Legal representation
(B) Cross examination
(C) Reasoned decision
(D) All of the above

12. Judicial review of an administrative action means :
(A) Review by the Parliament
(B) Review by the Government
(C) Review by the Legislative Assembly
(D) Review by the Judiciary

13. Read Assertion (A) and Reason (R) and find out correct answer using codes given below.
Assertion (A) : Legitimate expectation does not grant an absolute right to a claimant
Reason (R) : Legitimate expectation protects the right of fair hearing before a decision which results in negating a promise or withdrawing an undertaking is taken
(A) (A) and (R) are true and (R) is correct explanation of (A)
(B) (A) and (R) are true, but (R) is not correct explanation of (A)
(C) (A) is true and(R) is false
(D) (A) is false and (R) is true

14. Which of the following statements is correct ?
(A) Gullappalli Nageswara Rao Vs. State of AP, is about bias
(B) K.L. Tripathi Vs. State Bank of India, is about right of cross examination
(C) General Medical Council Vs. Spaekmen, is about irrelevance of principles of natural justice; if in reaching a decision, the principles make no difference
(D) N. Kalindi Vs. Tata Locomotives, is about the right of representation by a lawyer being considered to be a part of natural justice and it can be claimed as of right

15. The principle laid down by the Supreme Court in A. K. Kraipak Vs. Union of India is :
(A) Rule of law is embedded in Article 14 of the Constitution of India
(B) Judicial review is a part of basic structure of the Constitution
(C) Principles of natural justice are applicable to administrative proceedings
(D) Post-decisional hearing would be sufficient for the observance of principles of natural justice

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16. Administrative law is concerned with the operation and control of the powers of administrative authorities with emphasis on functions rather than on structure. This definition was given by :
(A) K.C. Davis (B) Jennings
(C) A.V. Dicey (D) Wade

17. Which one of the following is not basic source of administrative law ?
(A) Custom
(B) Delegated legislation
(C) Ordinance promulgated by Governor
(D) Reports of the committees and commission

18. Match List–I with List–II and select the correct answer using the codes given below the list :

List–I	List–II
i. Custom is not a positive law	a. Holland
ii. Customs are not law until approved by judge	b. Sagigny
iii. Custom is not law until adopted into law by State recognition	c. Austin
iv. Custom is law per se	d. Gray

	i	ii	iii	iv
(A)	c	d	a	b
(B)	b	a	d	c
(C)	d	c	a	b
(D)	b	a	c	d

19. Ratio decidendi refers to :
(A) That part of the decision of a court, which has the force of persuasive precedent only
(B) The underlying principle of a judicial decision which forms its authoritative element
(C) The statement of law which lays down a rule that is unnecessary for the purpose of the decision
(D) That part of the judgement, which provides the guidelines to be followed in a particular case

20. Theory of Justice through which a new social, contract approach is adopted is propounded by :
(A) John Austin (B) John Rawls
(C) Ronald Dwarkin (D) Jermy Bentham

21. Which of the following statements is true ?
(A) Possession is prima facie evidence of ownership
(B) Possession confers title to the property
(C) Possession is nothing less than ownership
(D) Possession is superior to ownership

22. "The movement of progressive societies has hitherto been a movement from status to contract" is said by :
(A) Savigny (B) Maine
(C) Puchta (D) Holland

23. Which of the following is a case dealing with point that Corporation has a distinct personality ?
(A) Salomon v Salomon & Co.
(B) Ashby v White
(C) R. v. Tolson
(D) Derry v Peak

24. Which of the following is not a source of law ?
(A) Debates in the Parliament
(B) Statutes
(C) Judicial Decisions
(D) Custom

25. Who of the following was considered as the champion of American realism ?
(A) Salmond (B) Paton
(C) Holmes (D) Pound

26. When mediate possession is transferred and the immediate possession remains with the transferor, this form of constructive delivery of possession is called :
(A) Attornment
(B) Longa Manu
(C) Constitutum Possessorium
(D) Traditio Brevi Manu

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27. **Assertion (A) :** Homicide is the killing of a human being by another human being
Reason (R) : Homicide is always unlawful
Give correct answer from the codes given below :
(A) Both (A) and (R) are true and (R) is the correct explanation of (A)
(B) Both (A) and (R) are true but (R) is not the correct explanation of (A)
(C) (A) is true but (R) is false
(D) (A) is false but (R) is true

28. In exercise of the right of private defence death cannot be caused in case of :
(A) Robbery
(B) House breaking by night
(C) Mischief by fire in dwelling house
(D) Theft, Mischief or House trespass

29. The accused fired two shots with a revolver at point blank range at the Acting Governor but the bullets failed to produce the desired result because of some defect in the ammunition or intervention of leather wallet. What offence is committed ?
(A) Culpable Homicide (B) Attempt to Murder
(C) Attempt to harm (D) Preparation to harm

30. Can a woman be prosecuted for gang rape ?
(A) Occasionally
(B) As the case demands
(C) Not at all
(D) When she is a party to it

31. Which of the mitigating factors do not justify the award of death penalty ?
(A) Where the murder has been previously planned
(B) Such murder involves exceptional depravity
(C) When such murder was against a public servant while on duty
(D) When the offence was committed by the accused under the influence of extreme mental disturbance

32. What offence, if any, has been committed by the accused 'X' in the following illustration: 'X' had some verbal wrangle with his wife 'Y' and in course of that he gave her a blow with great force and after an interval of two hours 'Y' died. Medical evidence provided the causative factor as rupture in the spleen."
(A) Culpable homicide not amounting to murder
(B) Grievous hurt
(C) Homicide
(D) Simple hurt

33. Which of the following properties could not be held to be the subject of an offence of theft, when committed/ taken by a person ?
(A) Durga Idol (B) Cooking Gas
(C) Running Electricity (D) Forgotten Umbrella

34. Environmental Protection in India is promoted by the Indian Judiciary through :
(A) Regular cases
(B) Public interest litigation
(C) Both regular and public interest litigation
(D) Lok Adalat

35. Environmental issues were brought frequently to the Supreme Court of India by :
(A) Upendra Baxi (B) Nani Palkhiwala
(C) M.C. Mehta (D) Soli Sorabjee

36. Match the following with the diseases associated to the Environmental Pollution :

1. Water Pollution	(a) bronchitis
2. Air Pollution	(b) gastroentitis
3. Soil Pollution	(c) deafness
4. Noise Pollution	(d) food poisoning

(A) 1(a) 2(b) 3(c) 4(d)
(B) 1(a) 2(c) 3(d) 4(b)
(C) 1(b) 2(a) 3(d) 4(c)
(D) 1(a) 2(c) 3(b) 4(d)

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37. Match the following cases with the significant factors and principles :

1. Sri Ram Gas Leak	(a) Strict Liability Principle
2. Bhopal Gas Leak Case	(b) Absolute Liability Principle
3. Vellore Citizen's Case	(c) Precautionary Principle
4. Taj Trapezium Case	(d) Polluter Pays Principle

(A) 1(a) 2(b) 3(c) 4(d)
(B) 1(b) 2(a) 3(d) 4(c)
(C) 1(a) 2(d) 3(b) 4(c)
(D) 1(b) 2(c) 3(d) 4(a)

38. Match the following Sections of Indian Penal Code, with the offences related to Environmental Pollution :

1. Section 268	(a) Adulteration of food and drink for sale
2. Section 272	(b) Public Nuisance
3. Section 284	(c) Negligent Conduct with respect to explosive substance
4. Section 286	(d) Negligent Conduct with respect to poisonous substance

(A) 1(b) 2(a) 3(d) 4(c)
(B) 1(a) 2(b) 3(c) 4(d)
(C) 1(a) 2(c) 3(b) 4(d)
(D) 1(b) 2(a) 3(c) 4(d)

39. Public Forest means :
(A) Forests are not property of Government
(B) State Government have proprietary interest
(C) Both (A) and (B)
(D) Private Property

40. Taj Trapezium case is between :
(A) Indian Council for Enviro Legal Action Vs. Union of India, 1996 3 SCC 212
(B) Ramji Patel Vs. Nagarik Upbhokta Marg Darshak Manch, 2000 3 SCC 29
(C) Vineet Kumar Mathur Vs. Union of India, 1996 7 SCC 714
(D) M.C. Mehta Vs. Union of India, 1997 2 SCC 353

41. 'International Law may be defined in broad terms as the body of general principles and Specific Rules which are binding upon the members of the international community in their mutual relations', is the definition given by :
(A) Hall (B) Kelson
(C) Charles G. Fenwick (D) J.L. Brierly

42. 'International Law, whether codified or not implies essentially a restriction of the sovereignty of States, whose relations it governs', is the observation made by :
(A) Lauterpacht (B) J.G. Starke
(C) Edward Hambro (D) Openheim

43. Match List–I with List–II and select the correct answer using the codes given below the list :

List–I	List–II
i. International law is a part of law of nations	a. theory of consent
ii. Treaties and customs are main source of international law	b. Pacta sunt servenda
iii. Consent of the States is the basis of international law	c. theory of law of nature
iv. The agreement entered into by the States will be respected and followed by them in good faith	d. positivism

	i	ii	iii	iv
(A)	d	c	b	a
(B)	b	a	d	c
(C)	c	d	a	b
(D)	b	a	c	d

44. Which of the following organs of the UN has suspended its operation on fully achieving its objectives ?
(A) Security Council (B) ECOSOC
(C) Trusteeship Council (D) General Assembly

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45. The International Court of Justice is governed by :
(A) The Statute of Permanent Court of Justice
(B) The Statute of International Court of Justice
(C) The Charter of the UN
(D) Jay Treaty of 1794

46. Consider the following statements :
(A) Neither the Charter of the UN, nor any general rule of contemporary international law imposes on States, the obligation to refer their legal disputes to the International Court of Justice
(B) The consent of the States is the basis of jurisdiction of the International Court of Justice
(A) Both (A) and (B) are true
(B) Both (A) and (B) are not true
(C) (A) is true but (B) is not true
(D) (B) is true but (A) is not true

47. Which of the following statements is not true about Asylum ?
(A) Territorial Asylum is considered as an attribute of the territorial sovereignty of the State
(B) Asylum and Extradition are mutually exclusive
(C) A decision to grant diplomatic Asylum doesn't involve a derogation from the Sovereignty of that State
(D) There is no duty on the part of a State to grant Asylum

48. If a Muslim husband compares his wife with his mother, it amounts to :
(A) Zihar (B) Khula
(C) Illa (D) Mubarrh

49. Which of the following methods is not a method of dissolution of marriage by a Muslim wife ?
(A) Zihar (B) Talaq
(C) Illa (D) Khula

50. Match the following:

List–I	List–II
a. Islam	1. Usage of prophet
b. Sunna	2. Peace
c. Nikha	3. Payable on demand
d. Prompt dower	4. Civil Contract

	a	b	c	d
(A)	2	1	4	3
(B)	1	2	3	4
(C)	2	3	4	1
(D)	4	2	1	3

51. Bar Tahira v. Ali Hussain Fidalli Chothia, (1979)2 SCC 316 deals with :
(A) Maintenance (B) Guardianship
(C) Marriage (D) Divorce

52. The famous work Dayabhaga was written by :
(A) Vasehaspathi (B) Jimuthavahana
(C) Narmada (D) Vishnu

53. Match the following:

List–I	List–II
a. Ramnad case 1868 (12) MIA 397	1. Hindu Widows Right to Adoption
b. Sarit v. Venkata Subbaiah AIR 1983 AP 356	2. Restitution of Conjugal Rights
c. Dastane v. Dastane AIR 1975 SC 1534	3. Cruelty
d. Mohammad Ahmad Khan v. Shahbano Begum AIR 1985 SC 945	4. Maintenance of a divorced Muslim wife

	a	b	c	d
(A)	1	2	3	4
(B)	2	3	4	1
(C)	1	3	2	4
(D)	2	4	3	1

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54. The status of second wife in a case of bigamous marriage :
(A) Has no status of wife
(B) Has a status of wife
(C) Has a legal status of wife
(D) Has a moral status of wife

37

55. The Preamble to the UN Charter begins with the words :
(A) We, the Nations of the UNO
(B) We, the people of the UN
(C) We, the contracting parties of the Charter
(D) We, the people of the world

56. The body responsible for the implementation of human rights under the Covenant on Civil and Political Rights 1966 is :
(A) UN Commission on Human Rights
(B) Human Rights Council
(C) Human Rights Committee
(D) ECOSOC

57. An individual's right to petition before the Human Rights Committee is recognized under :
(A) Optional Protocol to the Covenant on Cultural, Social and Economic Rights 1966
(B) Second Optional Protocol to the Covenant on Civil and Political Rights 1966
(C) First Optional Protocol to the Covenant on Civil and Political Rights 1966
(D) Second Optional Protocol to the Covenant on Cultural, Social and Economic Rights 1966

58. Which of the following statements is true about the National Human Rights Commission ?
(A) It can intervene in any proceedings involving any violation of human rights pending before a court
(B) Initiate contempt proceedings against any person for disobeying its orders
(C) May inquire into any matter within 2 years from the date on which the act constituting the violation of human rights is alleged to have been committed.
(D) Inquire suo motu or on a petition presented to it by a victim of any other person on his behalf

59. Which of the following bodies are primarily concerned with the Human Rights ?
(A) Human Rights Council
(B) UNESCO
(C) Child Rights Commission
(D) UN Refugees Commission

60. Under the Convention on Child Rights, the term Child is defined as any person :
(A) Below the age of 18 years
(B) Above the age of 18 years
(C) Below the age of 21 years
(D) Above the age of 21 years

61. The specialized agency of the UN which provides for a fund to assistance to the children and adolescents who have been the victims of aggression is :
(A) UNESCO
(B) WHO
(C) UNICEF
(D) CRC

62. In the case of conversion of movable property, which of the following is not correct ?
(A) It consists in deprivation of use by the plaintiff
(B) It is an act of willful interference
(C) Finder of lost goods is liable as converter
(D) Converter shall compensate in addition to return

63. Point out the incorrect statement :
(A) Public nuisance cannot be abated
(B) Private nuisance can be abated
(C) No compensation against public nuisance in whatever circumstances
(D) Private nuisance can become legal by prescription

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64. A common carrier cannot put forward this defence :
(A) Inherent defect in the thing carried
(B) Loss arising out of theft or robbery
(C) Act of King's enemies
(D) Act of God

65. Which one of the following is an 'actionable' wrong ?
(A) Injuria sine damnum
(B) Damnum sine injuria
(C) Both of the above
(D) Volanti non fit injuria

66. Who of the following is not a consumer under the Consumer Protection Act, 1986 ?
(A) A person who gives his pants for stitching to a tailor
(B) A person who purchases goods for sale in his shop
(C) A person who purchases a car for being used as a taxi in his taxi service
(D) A person who avails of medical services free of cost

67. The burden of proof to prove contributory negligence is on :
(A) Defendant
(B) Plaintiff
(C) Any third party
(D) All the above

68. Which of the following is not an essential element of Defamation ?
(A) The statement must be defamatory
(B) The statement must refer to the plaintiff
(C) The intention of the defendant
(D) The statement must be published

69. Which of the following is a duty of every partner under section 10 of the Indian Partnership Act ?
(A) To render true accounts
(B) Not to carry on any business other than that of the firm
(C) To indemnify the firm for any loss caused to it by his fraud in the conduct of the business of the firm
(D) All of the above

70. Holding out is based on the :
(A) Principle of estoppels
(B) Principle of trust
(C) Principle of equity
(D) All the above

71. The breach of warranty in a contract under the Sale of Goods Act, 1930, causes :
(A) Repudiate the contract
(B) Claim for damages
(C) Reject the goods
(D) All the above

72. The Maxim "Nemo Dat Quod Non Habet" means :
(A) A person cannot confer a better title than he has
(B) A person can confer a better title than he has
(C) A person can confer only quasi title that he has
(D) A person cannot confer only quasi title that he has

73. Which of the following results in the relationship of partners ?
(A) A and B buy 100 bales of cotton agreeing to share in between them
(B) A and B joint owners of a ship
(C) A and B agree to work together as carpenters but A shall receive all profits and shall pay wages to B
(D) A and B buy 100 bales of cotton which they agree to sell for their joint account

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74. Read Assertion (A) and Reason (R) and with help of code given below, point out the correct explanation.

Assertion (A) : The doctrine of indoor management seeks to protect the company against the outsider

Reason (R) : The company has right to privacy

(A) Both (A) and (R) are true and (R) is correct explanation of (A)

(B) Both (A) and (R) are true, but (R) is not correct explanation of (A)

(C) (A) is true, but (R) is false

(D) (A) is false, but (R) is true

75. Match items in table A with items in table B, using code given below :

Table–A	**Table–B**
a. Essentials of partnership	i. Section 41
b. Partnership at will	ii. Section 4
c. Effect of non-registration of firm	iii. Section 7
d. Compulsory dissolution of firm	iv. Section 69

	a	b	c	d
(A)	i	ii	iv	iii
(B)	ii	iii	iv	i
(C)	iii	iv	i	ii
(D)	i	ii	iii	iv

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