

Test Booklet Code &amp; Serial No.

प्रश्नपत्रिका कोड व क्रमांक

**Paper-II****LAW****C****Signature and Name of Invigilator**

Seat No.

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(In figures as in Admit Card)

1. (Signature) .....

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2. (Signature) .....

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OMR Sheet No.

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(To be filled by the Candidate)

**SEP - 60221****Time Allowed : 2 Hours]****[Maximum Marks : 200****Number of Pages in this Booklet : 24****Number of Questions in this Booklet : 100****Instructions for the Candidates**

- Write your Seat No. and OMR Sheet No. in the space provided on the top of this page.
- This paper consists of **100** objective type questions. Each question will carry *two* marks. *All* questions of Paper II will be compulsory.
- At the commencement of examination, the question booklet will be given to the student. In the first 5 minutes, you are requested to open the booklet and compulsorily examine it as follows :
  - To have access to the Question Booklet, tear off the paper seal on the edge of this cover page. Do not accept a booklet without sticker-seal or open booklet.
  - Tally the number of pages and number of questions in the booklet with the information printed on the cover page. Faulty booklets due to missing pages/questions or questions repeated or not in serial order or any other discrepancy should not be accepted and correct booklet should be obtained from the invigilator within the period of 5 minutes. Afterwards, neither the Question Booklet will be replaced nor any extra time will be given. The same may please be noted.
  - After this verification is over, the OMR Sheet Number should be entered on this Test Booklet.
- Each question has four alternative responses marked (A), (B), (C) and (D). You have to darken the circle as indicated below on the correct response against each item.  
**Example :** where (C) is the correct response.  

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| (A) | (B) | (C) | (D) |
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- Your responses to the items are to be indicated in the **OMR Sheet given inside the Booklet only**. If you mark at any place other than in the circle in the OMR Sheet, it will not be evaluated.
- Read instructions given inside carefully.
- Rough Work is to be done at the end of this booklet.
- If you write your Name, Seat Number, Phone Number or put any mark on any part of the OMR Sheet, except for the space allotted for the relevant entries, which may disclose your identity, or use abusive language or employ any other unfair means, you will render yourself liable to disqualification.
- You have to return original OMR Sheet to the invigilator at the end of the examination compulsorily and must not carry it with you outside the Examination Hall. You are, however, allowed to carry the Test Booklet and duplicate copy of OMR Sheet on conclusion of examination.
- Use only Blue/Black Ball point pen.
- Use of any calculator or log table, etc., is prohibited.
- There is no negative marking for incorrect answers.

**विद्यार्थ्यासाठी महत्वाच्या सूचना**

- परिक्षार्थींनी आपला आसन क्रमांक या पृष्ठावरील वरच्या कोपऱ्यात लिहावा. तसेच आपणास दिलेल्या उत्तरपत्रिकेचा क्रमांक त्याखाली लिहावा.
- सदर प्रश्नपत्रिकेत **100** बहुपर्यायी प्रश्न आहेत. प्रत्येक प्रश्नास **दोन** गुण आहेत. या प्रश्नपत्रिकेतील **सर्व** प्रश्न सोडविणे अनिवार्य आहे.
- परीक्षा सुरू झाल्यावर विद्यार्थ्याला प्रश्नपत्रिका दिली जाईल. सुरुवातीच्या 5 मिनीटांमध्ये आपण सदर प्रश्नपत्रिका उघडून खालील बाबी अवश्य तपासून पहाव्यात.
  - प्रश्नपत्रिका उघडण्यासाठी प्रश्नपत्रिकेवर लावलेले सील उघडावे. सील नसलेली किंवा सील उघडलेली प्रश्नपत्रिका स्विकारू नये. पहिल्या पृष्ठावर नमूद केल्याप्रमाणे प्रश्नपत्रिकेची एकूण पृष्ठे तसेच प्रश्नपत्रिकेतील एकूण प्रश्नांची संख्या पडताळून पहावी. पृष्ठे कमी असलेली/कमी प्रश्न असलेली/प्रश्नांचा चुकीचा क्रम असलेली किंवा इतर त्रुटी असलेली सदोष प्रश्नपत्रिका सुरुवातीच्या 5 मिनिटातच पर्यवेक्षकाला परत देऊन दुसरी प्रश्नपत्रिका मागवून घ्यावी. त्यानंतर प्रश्नपत्रिका बदलून मिळणार नाही तसेच वेळही वाढवून मिळणार नाही याची कृपया विद्यार्थ्यांनी नोंद घ्यावी.
  - वरीलप्रमाणे सर्व पडताळून पाहिल्यानंतरच प्रश्नपत्रिकेवर ओ.एम.आर. उत्तरपत्रिकेचा नंबर लिहावा.
- प्रत्येक प्रश्नासाठी (A), (B), (C) आणि (D) अशी चार विकल्प उत्तरे दिली आहेत. त्यातील योग्य उत्तराचा रकाना खाली दर्शविल्याप्रमाणे ठळकपणे काळा/निळा करावा.  
**उदा. :** जर (C) हे योग्य उत्तर असेल तर.  

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| (A) | (B) | (C) | (D) |
|-----|-----|-----|-----|
- या प्रश्नपत्रिकेतील प्रश्नांची उत्तरे ओ.एम.आर. उत्तरपत्रिकेतच दर्शवावीत. इतर ठिकाणी लिहिलेली उत्तरे तपासली जाणार नाहीत.
- आत दिलेल्या सूचना काळजीपूर्वक वाचाव्यात.
- प्रश्नपत्रिकेच्या शेवटी जोडलेल्या कोन्या पानावरच कच्चे काम करावे.
- जर आपण ओ.एम.आर. वर नमूद केलेल्या ठिकाणा व्यतिरिक्त इतर कोठेही नाव, आसन क्रमांक, फोन नंबर किंवा ओळख पटेल अशी कोणतीही खूण केलेली आढळून आल्यास अथवा असभ्य भाषेचा वापर किंवा इतर गैरमार्गांचा अवलंब केल्यास विद्यार्थ्याला परीक्षेस अपात्र ठरविण्यात येईल.
- परीक्षा संपल्यानंतर विद्यार्थ्याने मूळ ओ.एम.आर. उत्तरपत्रिका पर्यवेक्षकांकडे परत करणे आवश्यक आहे. तथापि, प्रश्नपत्रिका व ओ.एम.आर. उत्तरपत्रिकेची द्वितीय प्रत आपल्याबरोबर नेण्यास विद्यार्थ्यांना परवानगी आहे.
- फक्त निळ्या किंवा काळ्या बॉल पेनचाच वापर करावा.
- कॅलक्युलेटर किंवा लॉग टेबल वापरण्यास परवानगी नाही.
- चुकीच्या उत्तरासाठी गुण कपात केली जाणार नाही.

**SEP - 60221/II—C**



SEP - 60221/II—C

## Law Paper II

**Time Allowed : 120 Minutes]****[Maximum Marks : 200**

**Note :** This Paper contains **Hundred (100)** multiple choice questions. Each question carrying **Two (2)** marks. Attempt *All* questions.

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| <ol style="list-style-type: none"> <li>1. Who has propounded the 'pigeon hole' theory ?<br/>               (A) Pollock<br/>               (B) Salmond<br/>               (C) Winfield<br/>               (D) Austin</li> <li>2. Joint tort feasers means :<br/>               (A) A single person acting in furtherance of his own will commit multiple damages<br/>               (B) Two or more persons acting in furtherance of common design cause a single damage<br/>               (C) Two or more persons acting in furtherance of common design, at a different time cause different damages<br/>               (D) A single person acting in furtherance of his will, commit tort leads to damages at different time and different jurisdiction</li> <li>3. The term '<i>novos actus interveniens</i>' implies .....<br/>               (A) Direct damages<br/>               (B) Damages aries from vicarious liability<br/>               (C) Remoteness or aloofness of damages<br/>               (D) A damage that can be foreseen</li> </ol> | <ol style="list-style-type: none"> <li>4. Consider the following statements as <i>true</i> or <i>false</i> :<br/>               (I) A circus company keeps wild animals and trained them. One of them escapes and causes injury to a spectator, company is not liable.<br/>               (II) A person who brings and keeps any dangerous things, keeps it at his risk, if it escapes damages, he is liable.<br/>               (A) Both statements (I) and (II) are false<br/>               (B) Statement (I) is false but (II) is true<br/>               (C) Both statements (I) and (II) are true<br/>               (D) Statement (I) is true and (II) is false</li> <li>5. Two motorists driving negligently and coming from the opposite direction collide and a pedestrian is crushed between their vehicles. The motorists are .....<br/>               (A) Not liable for their act, as accident is unintentional phenomenon<br/>               (B) Independent tort feasers<br/>               (C) Joint tort feasers<br/>               (D) Vicariously liable for the act committed by other</li> </ol> |
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6. With respect to the suit for damages for malicious prosecution, consider the following statements :
- (a) That the plaintiff was prosecuted by the defendant
  - (b) The prosecution was instituted without any reasonable and probable cause
  - (c) The defendant acted maliciously and not with the mere intention of carrying the law into effect
  - (d) Plaintiff suffered damage as a result of the prosecution
- Choose the *correct* option :
- (A) (a), (b) and (c) correct
  - (B) All (a), (b), (c) and (d) correct
  - (C) Only (b) and (d) correct
  - (D) Only (a) and (d) correct
7. The maxim, “*Qui facit per alium facit per se*” describes which of the following :
- (A) Strict liability
  - (B) Absolute liability
  - (C) Vicarious liability
  - (D) Contractual liability
8. **Assertion (A) :** For an ‘Act of God’ to be an exception, there is to be working of the natural forces so unexpected that no human force or skill could reasonably to anticipate it.
- Reason (R) :** It is not an absolute exception can be overlooked.
- Which one of the following is the *correct* option ?
- (A) (A) is correct, but (R) is wrong
  - (B) (R) is correct, but (A) is wrong
  - (C) Both (A) and (R) are correct
  - (D) Both (A) and (R) are wrong
9. The rule of absolute liability was first laid down by :
- (A) Lord Atkin in 1933
  - (B) Winfield in 1735
  - (C) Justice Blackburn in 1868
  - (D) Chief Justice Holt in 1868

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10. With respect to the Consumer Protection Act, 1986, match the following pairs.

**List I**

- (a) Jurisdiction of District Forum
- (b) Jurisdiction to State Commission
- (c) Jurisdiction of National Commission
- (d) Power to set aside *ex parte* orders

**List II**

- (1) Section 11
- (2) Section 21
- (3) Section 22A
- (4) Section 22C
- (5) Section 17

Select the *correct* option :

- (a) (b) (c) (d)
- (A) (1) (4) (2) (3)
- (B) (1) (4) (2) (5)
- (C) (4) (5) (2) (1)
- (D) (5) (4) (3) (2)

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

**Assertion (A) :** An offer is the expression of the offerer to do or abstain from doing something.

**Reason (R) :** It should be made with a view to obtaining the assent of the offeree to the proposed act or abstinence.

**Codes :**

- (A) Both (A) and (R) are true and (R) is good explanation of (A)
  - (B) Both (A) and (R) are true and (R) is not good explanation of (A)
  - (C) (A) is true but (R) is false
  - (D) (A) is false but (R) is true
12. Voidable agreement signifies :
- (A) an agreement enforceable
  - (B) an agreement enforceable at the option of the acceptor whose consent is not free
  - (C) not enforceable
  - (D) Both (A) and (B)

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| <p>13. Which of the following are the examples of 'standard form of contracts' under the Contract Act, 1872 ?</p> <p>(A) Insurance policies for life, fire and marine</p> <p>(B) Tickets of railways for passengers and carriage of goods</p> <p>(C) Bill of lading</p> <p>(D) All of the above</p> <p>14. The contract of indemnity under English Law covers liability arises by the Act of :</p> <p>(A) Promisor himself</p> <p>(B) Third party</p> <p>(C) Vis major or Act of God</p> <p>(D) All of the above</p> <p>15. 'Future Goods' as defined in the Sale of Goods Act, 1930 means :</p> <p>(A) Goods to be manufactured on produced after making of the contract of sale</p> <p>(B) Goods to be acquired by the seller after making of the contract of sale</p> <p>(C) Both (A) and (B)</p> <p>(D) Either (A) or (B)</p> <p>16. 'Goodwill' of a partnership firm business is the property of the partnership under section ..... of Partnership Act, 1932.</p> <p>(A) 14</p> <p>(B) 15</p> <p>(C) 16</p> <p>(D) 17</p> | <p>17. Which of the following is not Negotiable Instrument under Section 13 of NI Act, 1881 ?</p> <p>(A) Promissory Note</p> <p>(B) Cheque</p> <p>(C) Bank draft</p> <p>(D) Bill of Exchange</p> <p>18. Which document is the evidence that all the requirements of Companies Act have been complied with in respect of registration ?</p> <p>(A) Memorandum of Association</p> <p>(B) Articles of Association</p> <p>(C) Certificate of incorporation</p> <p>(D) Certificate of commencement of business</p> <p>19. In every listed company how many directors shall be independent directors ?</p> <p>(A) at least 2/3rd of the total number of directors</p> <p>(B) at least 1/3rd of the total number of directors</p> <p>(C) at least 1/2 of the total number of directors</p> <p>(D) at least 3/4th of the total number of directors</p> |
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20. Which of the following company is required to constitute a corporate social responsibility committee ?

- (A) Every company having net worth of Rs. 500 crores or more
- (B) Every company having net worth of Rs. 5 crores or more
- (C) Every company having net worth of Rs. 100 crores or more
- (D) Every company having net worth of Rs. 1000 crores or more

21. Read Assertion (A) and Reason (R) and with the help of codes given below, point out the *correct* answer.

**Assertion (A) :** The marriage between a minor Hindu male of 19 years and a minor Hindu female of 16 years is valid.

**Reason (R) :** Though the child marriage is restrained by law, the doctrine of '*factum valet*' validates such marriage.

**Codes :**

- (A) Both (A) and (R) are correct and (R) is the reason of (A)
- (B) Both (A) and (R) are correct but (R) is not the reason of (A)
- (C) (A) is incorrect and (R) is correct
- (D) Both (A) and (R) are incorrect

22. Match the following and select the *correct* answer using the codes given below it :

**List I**

- (a) Chhanda
- (b) Virmitrodaya
- (c) Halhed's Code
- (d) Vivad Ratnakar

**List II**

- (1) Mitra Misra
- (2) A treatise on adoption
- (3) Mithila School
- (4) Vedanga

**Codes :**

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

23. The rules relating to Sapinda Relationship are based on the principle of :

- (A) Endogamy
- (B) Exogamy
- (C) Polygamy
- (D) Monogamy

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24. Under the Special Marriage Act, the High Court is endowed with power to make rules regulating the procedure under this, the Act does not envisage to make the rules for the following :
- (A) Awarding of damages against any correspondents
  - (B) The forms and contents of petitions for nullity of marriage or for divorce
  - (C) The impleading by the petitioner of the adulterer as a co-respondent on a petition for divorce
  - (D) For laying down penalty for offences against marriage
25. The marriages of all the persons who are citizens of India belonging to various religions should be made compulsorily registrable in their respective states where the marriage is solemnized. This was held by the Supreme Court in the following case :
- (A) Gita Hariharan Vs. Reserve Bank of India
  - (B) Seema Vs. Ashwani Kumar
  - (C) John Vallamathom Vs. Union of India
  - (D) Srivastava Vs. Srivastava
26. Which one of the Acts made it mandatory to prove adultery on the part of the husband in addition to other matrimonial offences like cruelty, desertion, conversion or bigamy ?
- (A) Special Marriage Act, 1954
  - (B) Indian Divorce Act, 1869
  - (C) Dissolution of Muslim Marriage Act, 1939
  - (D) Parsi Marriage and Divorce Act, 1936
27. In which of the following cases the Supreme Court held that a Hindu husband after conversion to Islam cannot marry again till his pre conversion marriage is dissolved ?
- (A) Lily Thomas Vs. Union of India
  - (B) S. Nagalingam Vs. Sivagami
  - (C) Naveen Kohli Vs. Neelu Kohli
  - (D) Seema Vs. Ashwani Patel
28. The Supreme Court has described the concept of live-in-relationship in the case :
- (A) Indra Sarma Vs. V.K.V. Sarma
  - (B) Payal Sharma Vs. State of Maharashtra
  - (C) Lily Thomas and Ors Vs. Union of India and Ors
  - (D) Danial Latifi and Anr Vs. Union of India

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| <p>29. Which of the following is not a instance of irregular marriage under Muslim Law ?</p> <p>(A) A marriage without witnesses</p> <p>(B) A marriage with a relationship by affinity</p> <p>(C) A marriage with fifth wife</p> <p>(D) A marriage with a woman undergoing Iddat</p> <p>30. Option of Puberty under Muslim Law means :</p> <p>(A) A girl who was married by a guardian during her minority, has a right to repudiate her marriage on attaining puberty</p> <p>(B) A girl who was married by a guardian during her minority, has no right to repudiate her marriage on attaining puberty</p> <p>(C) A girl who was married by a guardian during her minority, has right to repudiate her marriage on attaining puberty only with the permission of court</p> <p>(D) A girl who was married by a guardian during her minority, has right to repudiate her marriage on attaining puberty only with the consent of husband</p> | <p>31. According to Section 2(a) of Environment (Protection) Act, 1986 the term 'environment' includes :</p> <p>(A) Water, air and land only</p> <p>(B) Living creatures, plants and micro-organisms only</p> <p>(C) Water, air and land and the interrelationship which exists among and between water, air, land, human beings, living creatures, plants, micro-organisms and property</p> <p>(D) Human beings, plants and animals only</p> <p>32. Who was the chairperson of the World Commission on Environment and Development ?</p> <p>(A) Christiana Langer</p> <p>(B) Gro Harlem Brundtland</p> <p>(C) Jane Goodall</p> <p>(D) Rachel Carson</p> <p>33. In which case the Hon'ble Supreme Court declared that allowing free trade in fireworks or explosives is a serious invasion of freedoms and rights conferred on citizens by part III of the Constitution of India ?</p> <p>(A) Anirudh Kumar Vs. MCD (2015)</p> <p>(B) M.C. Mehta Vs. UOI (1996)</p> <p>(C) Arjun Gopal Vs. UOI (2017)</p> <p>(D) State of Rajasthan Vs. G. Chawla (1959)</p> |
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| <p>34. In which year public hearing was made a part of Environmental Impact Assessment in India ?</p> <p>(A) 2006</p> <p>(B) 2003</p> <p>(C) 1997</p> <p>(D) 2010</p> <p>35. How many full time judicial members shall be there in National Green Tribunal ?</p> <p>(A) Not less than 5 but maximum 10</p> <p>(B) Not less than 10 but maximum 20</p> <p>(C) Not less than 3 but maximum 5</p> <p>(D) Not less than 15 but maximum 20</p> <p>36. In the 19th century, human rights became a central concern over the issue of ..... .</p> <p>(A) Slavery</p> <p>(B) Poverty</p> <p>(C) Torture</p> <p>(D) Disability</p> <p>37. Who proposed to the UN General Assembly in 2001. The drafting of the first ever convention of the rights of the people with disabilities ?</p> <p>(A) Vicente Fox</p> <p>(B) Roosevelt</p> <p>(C) Kofi Annan</p> <p>(D) Henry Dunant</p> | <p>38. “All human beings are born free and equal in dignity and rights. They are endowed with reasons and conscience and should act towards one another in a spirit of brotherhood.” This is contained in Article 1 of the ..... .</p> <p>(A) Bill of Rights</p> <p>(B) Universal Declaration of Human Rights</p> <p>(C) US Constitution</p> <p>(D) International Covenant on Civil and Political Rights</p> <p>39. In which of the following cases did the Supreme Court place reliance on the CEDAW ?</p> <p>(A) Vineet Narain Case</p> <p>(B) D. K. Basu Case</p> <p>(C) Vishakha Case</p> <p>(D) Sunil Batra Case</p> <p>40. Who was the first chairman of the National Human Rights Commission ?</p> <p>(A) Justice A.S. Anand</p> <p>(B) Justice Ranganath Mishra</p> <p>(C) Justice A.M. Ahmadi</p> <p>(D) Justice Shivaraj Patil</p> |
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41. Which one of the following areas has not been provided under proviso clause of Art 27(2) of the TRIPS regarding patentable subject matter ?

- (A) Members may exclude from patentability inventions commercial exploitation of which is necessary to protect *ordre public*
- (B) Members may exclude from patentability inventions preventing within their territory of the commercial exploitation of which is necessary to protect morality or serious prejudice to environment
- (C) Members may exclude from patentability inventions preventing within their territory which contravene the provision of their constitution or basic law of the land
- (D) Members may exclude from patentability inventions within their territory of the commercial exploitation to protect human, animal or plant life or health

42. Match the pair :

## I

- (a) The personhood theory
- (b) The natural rights theory
- (c) The utilitarian theory
- (d) The ethic and reward theory

## II

- (1) The creation comes from the effort and creativity of its author, therefore an author has a natural right over the production of their intellectual labour
- (2) The industrial progress and cultural goods have a beneficial effect on society. Thus, IPR rights are incentive to the creator because of the profit they bring for the whole society
- (3) The ethics requires a fair and proportional contribution for the effort that the creator has made for the social utility
- (4) The developing of the personality is inherent to the property right. The IPR permit and protect the developing of the personality which extends to the material things

Choose the *correct* option from below :

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

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| <p>43. Which one of the following treaty deals with the rights of performers (actors, singers, musicians, etc) producers of phonograms (persons or legal entities that take the initiative and have the responsibility for the fixation of sounds) particularly in the digital environment ?</p> <p>(A) UNCITRAL</p> <p>(B) WPPT</p> <p>(C) PTC</p> <p>(D) WCT</p> <p>44. The “Lay Observer Test” has been evolved in which of the following case pertaining to the Copyright Act ?</p> <p>(A) Apple Computer Inc Vs. Microsoft Corporation and Hewlett-Packard Co. 35 F3d 1435</p> <p>(B) R.G. Anand Vs. Delux Films AIR 1978 SC 1613</p> <p>(C) Mattel Inc and Ors Vs. Jayant Agarwalla and Ors 2008(153) DLT Sus</p> <p>(D) Eastern Book Company and Ors Vs. D.B. Modak and Anr (2008) 1 SCC 1</p> | <p>45. Which one of following is not the ground for grant of compulsory licence one patent after the expiration of three years u/s 84(1) of the Patents Act, 1970 ?</p> <p>(A) That the reasonable requirements of the public with respect to the patented invention have not been satisfied</p> <p>(B) That the patented invention is not available to the public at a reasonable affordable price</p> <p>(C) That the patented invention is not worked in the territory of India</p> <p>(D) That the patented invention is related with the medicine which is useful to deal with health hazards in the territory of India</p> |
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| <p>46. Which one of the following is <i>not</i> the absolute grounds for refusal of registration of trademark u/s 9 of the Trademarks Act, 1999 ?</p> <p>(A) The trademarks which are devoid of any distinctive character, that is to say, not capable of distinguishing the goods or services</p> <p>(B) The trademarks which consist exclusively of marks or indications which may serve in trade to designate the kind, quality, quantity, intended purpose, values etc or other characteristics of goods or services</p> <p>(C) The trademarks which consist exclusively of marks or indications which have become customary in the current language or in the bonafied and established practices of the trade</p> <p>(D) The trademark which is already registered under the Copyright Act, 1957, or related with or may have conflict with the patented product under the Patents Act, 1970 or in conflict with Design Act, 1999</p> | <p>47. Which one of the category of intellectual property rights is subject to a specific period of validity and protection will remain valid unless the registration is cancelled :</p> <p>(A) The Copyrights Act, 1957</p> <p>(B) The Patents Act, 1970</p> <p>(C) The Geographic Indications of Goods Act, 1999</p> <p>(D) The Design Act, 2000</p> <p>48. Which one of the following is not the case of Biopiracy ?</p> <p>(A) Turmeric (US Patent No. 5401504)</p> <p>(B) Neem (EPO Patent No. 436257)</p> <p>(C) Basmati Rice (US Patent No. 5663484)</p> <p>(D) Ginger Cough (EPO Patent No. 539295)</p> <p>49. With regard to S. 18 of the IT Act, 2000, which deals with the functions of the controller of certifying authority, which one of the following statement is <i>incorrect</i> ?</p> <p>(A) Controller has to exercise supervision over the activities of Certifying Authority</p> <p>(B) Controller has to laid down the standards to be maintained by Certifying Authority</p> <p>(C) Controller has to divide and adjudicate the disputes between Certifying Authority</p> <p>(D) Controller has to specify the conditions subject to which the Certifying Authorities shall conduct their business</p> |
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## SEP - 60221/II—C

50. Which of the following provisions of the Information Technology Act, 2000 (As amended by the Information Technology (amendment) Act, 2008) deals with the punishment for cheating by impersonation by using computer resources ?
- (A) S. 66 B  
(B) S. 66 C  
(C) S. 66 D  
(D) S. 66 F
51. The rationale for prohibition of anti-competitive agreements is :
- (A) Best allocation of economic resources  
(B) Lowest price and highest quality  
(C) Higher level of wages to workers  
(D) Both (A) and (B)
52. The Motor Accident Claims Tribunal are vested with ..... .
- (A) Powers to bye-pass the rules of Cr.P.C.  
(B) Power to arbitrate  
(C) Power to conduct summary proceeding  
(D) Power to ignore the rules of evidence
53. Which of the following is the essential characteristics of a Parliamentary System of Government ?
- (A) The President is the real Executive Head of the Government  
(B) The Council of Ministers is a part of the Legislature and is responsible to it  
(C) Ministers are not collectively responsible to the Legislature  
(D) Council of Ministers are not answerable to the Legislature

## SEP - 60221/II—C

54. Which of the following is not a characteristic of a Federal Constitution ?
- (A) Supremacy of constitution
  - (B) A written constitution
  - (C) The method of amendment of the constitution is rigid
  - (D) All powers of the state belongs to one Government
55. Under which of the following constitution, Article I says that all legislature powers herein granted shall be vested in a congress ?
- (A) United States of America
  - (B) Australia
  - (C) Canada
  - (D) India
56. The American Constitution provides that federal judges, including judges of the Supreme Court of the United States, are appointed by the President by and with the advice and consent of the ..... .
- (A) Cabinet
  - (B) Senate
  - (C) Vice-President
  - (D) Chief Justice of US Supreme Court
57. France is one of the countries which have a constitutional court for constitutional review is known as :
- (A) Droit Administratif
  - (B) Conseil Constitutionnel
  - (C) Corte costituzionale della Repubblica Italiana
  - (D) Administrative Tribunal
58. Clause 5 of Article 15 of the Constitution of India, inserted by the 93rd Constitutional Amendment Act, 2005 is an enabling provision and was in response to the court's explanation in :
- (A) K.C. Vasanth Kumar Vs. State of Karnataka
  - (B) Rajendran Vs. Union of India
  - (C) P.A. Inamdar Vs. State of Maharashtra
  - (D) Kathi Raning Rawat Vs. State of Saurashtra

## SEP - 60221/II—C

59. **Assertion-I (A1) :** The ombudsman in England is concerned with the function of investigation complaints from people who claim to have sustained injustice in consequence of maladministration in connection with action taken in exercise of administrative function of government department.
- Assertion-II (A2) :** It is not for the Ombudsman to criticise policy, or to examine the merits of a discretionary decision taken by a department without its involving elements of maladministration.
- (A) A1 is true but A2 is false  
(B) A1 is false but A2 is true  
(C) Both A1 and A2 are true  
(D) Both A1 and A2 are false
60. The Freedom of Information Act, 1966 in the United States applies only to :
- (A) Congress  
(B) Federal agencies  
(C) Federal Courts  
(D) Parts of the executive office of the President
61. According to ....., natural law is the set of principles of practical reasonableness in ordering human life and human community.
- (A) Lon Fuller  
(B) John Finnis  
(C) H.L.A. Hart  
(D) John Rawls
62. The concept of Austin's sovereignty is influenced by :
- (A) St. Thomas Aquinas  
(B) Hobbes  
(C) Locke  
(D) Rousseau
63. Who said, "the substantive right is one thing, and having a right is to claim it is another" ?
- (A) Hart  
(B) Gerber  
(C) MacCormik  
(D) Raz

**SEP - 60221/II—C**

64. According to ....., law may be defined as the body of principles recognised and applied by the state in the administration of justice.
- (A) Salmond  
(B) Savigny  
(C) Dias  
(D) Dicey
65. The Jural correlative of 'Right' is :
- (A) Power  
(B) Privilege  
(C) No right  
(D) Duty
66. According to ....., there are no standards of justice that are globally significant.
- (A) Thomas Hobbes  
(B) John Rawls  
(C) Thomas Nagel  
(D) Julius Stone
67. Fiction theory is related to which one of the following concepts ?
- (A) Legal Personality  
(B) Ownership  
(C) Right  
(D) Justice
68. Ownership of a right is called :
- (A) Corporeal ownership  
(B) Incorporeal ownership  
(C) Beneficial ownership  
(D) Contingent ownership
69. To which of the following concepts, the Hart-Fuller debate relates to :
- (A) Personality  
(B) Right  
(C) Morality  
(D) Justice
70. In Roscoe Pound's scheme of interests 'Public Interest' involves :
- (A) Interests of the state as a juristic person  
(B) Interests of the state as guardian of social interests  
(C) Both (A) and (B)  
(D) None of the above

## SEP - 60221/II—C

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| <p>71. The term 'procedure established by law' under Article 21 of the Constitution of India is borrowed from :</p> <ul style="list-style-type: none"><li>(A) French Constitution</li><li>(B) Canadian Constitution</li><li>(C) Japanese Constitution</li><li>(D) Weimer Constitution of Germany</li></ul> <p>72. Article 75(1A) inserted by the 91st Amendment Act, 2003 laid down :</p> <ul style="list-style-type: none"><li>(A) The salaries and allowances of the Ministers</li><li>(B) The total number of Ministers including the Prime Minister, in the Council of Minister shall not exceed Fifteen Percent</li><li>(C) Tenure of the Minister</li><li>(D) Council of Ministers to advice the President</li></ul> <p>73. A commission was constituted in 1983 to examine and review the working of existing arrangements between the centre and the states is :</p> <ul style="list-style-type: none"><li>(A) Kalelkar Committee</li><li>(B) Santhanam Committee</li><li>(C) Sarkaria Commission</li><li>(D) Mandal Commission</li></ul> | <p>74. The procedure relating to the removal of a judge of the Supreme Court is regulated by :</p> <ul style="list-style-type: none"><li>(A) The Judges (Inquiry) Act, 1968</li><li>(B) Commissions of Inquiry Act, 1952</li><li>(C) Supreme Court Rules</li><li>(D) Prevention of Corruption Act, 1988</li></ul> <p>75. The President's rule imposed in May 1987 in Punjab was allowed to continue for five years under :</p> <ul style="list-style-type: none"><li>(A) 44th Constitutional Amendment Act, 1978</li><li>(B) 25th Constitutional Amendment Act, 1971</li><li>(C) 68th Constitutional Amendment Act, 1991</li><li>(D) 93rd Constitutional Amendment Act, 2005</li></ul> |
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## SEP - 60221/II—C

76. **Assertion I :** Art. 370 of the Constitution of India empowers the President to declare by public notification that the provisions of Art. 370 shall cease to be operative or shall be operate only with such exception and modifications and from such date as he may specify.
- Assertion II :** The President cannot issue such a notification without the recommendation of the Constituent Assembly of the state.
- (A) Both the Assertions are true
- (B) Assertion I is true but Assertion II is false
- (C) Assertion I is false but Assertion II is true
- (D) Both the Assertions are false
77. What is the jurisdiction of Election Commission of India over elections ?
- (A) Parliament and state legislature
- (B) Parliament, state legislature and local bodies
- (C) Parliament, state legislature, office of the President and Vice President
- (D) Parliament and office of the President
78. As per ....., Administrative law is the law concerning the powers and procedures of administrative agencies, including especially the law governing judicial review of administrative action.
- (A) Sir Ivor Jennings
- (B) Kenneth Culp Davis
- (C) Griffith and Street
- (D) A.V. Dicey
79. Principles of natural justice are applicable to administrative proceedings was held by supreme court in ..... case.
- (A) Indira Nehru Gandhi Vs. Raj Narain
- (B) A.K. Kraipak Vs. Union of India
- (C) Mahavir Singh Vs. State of Rajasthan
- (D) Gullapali Nageshwar Rao Vs. A.P. State Road Transport Corporation
80. Which of the following is not an instance of non-application of mind in review of administrative discretion ?
- (A) Acting Mechanically
- (B) Acting under Dictation
- (C) Imposing Fetters on the Exercise of Discretion
- (D) Malafide Exercise of Power

## SEP - 60221/II—C

81. International law is not true law but positive international morality only analogous to the rules binding a club or society is said by :
- (A) Salmond
  - (B) Bentham
  - (C) Austin
  - (D) Holland
82. Which set of the following is the correct sequence of sources of International law listed under Article 38 of the statute of International Court of Justice ?
- (A) International custom, International conventions, Judicial decisions, General principles of law recognised by civilised nations
  - (B) International conventions, Judicial decisions, General principles of law recognised by civilised nations, International custom
  - (C) Judicial decisions, International custom, International conventions, General principles of law recognised by civilised nations
  - (D) International conventions, International custom, General principles of law recognised by civilised nations, Judicial decisions and teachings of the most highly qualified publicists
83. According to which theory it is the act of recognition alone which constitutes statehood ?
- (A) Declaratory theory
  - (B) Constitutive theory
  - (C) Naturalist theory
  - (D) Positivist theory
84. Child's nationality is based upon parents nationality. This principle is known as .....
- (A) Jus soli
  - (B) Jus sanguinis
  - (C) Jus rem
  - (D) Jus personam
85. An accused is extradited for a particular crime and the country which gets back the criminal is entitled to prosecute that person only for the crime for which he was extradited. This is known as .....
- (A) Rule of speciality
  - (B) Rule of double criminality
  - (C) Rule of rendition
  - (D) Rule of prosecutor

## SEP - 60221/II—C

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| <p>86. What is the term of non-permanent members of the Security Council ?</p> <p>(A) 5 years</p> <p>(B) 1 year</p> <p>(C) 2 years</p> <p>(D) 3 years</p> <p>87. The reference of a dispute to certain persons freely chosen by the parties, who make an award is known as ..... .</p> <p>(A) Negotiation</p> <p>(B) Arbitration</p> <p>(C) Conciliation</p> <p>(D) Mediation</p> <p>88. The procedure of WTO dispute settlement is known as ..... .</p> <p>(A) WTO arbitration</p> <p>(B) WTO conciliation</p> <p>(C) Dispute settlement understanding</p> <p>(D) WTO General Council</p> <p>89. International Humanitarian Law is a part of :</p> <p>(A) Public International Law</p> <p>(B) Private International Law</p> <p>(C) Both (A) and (B)</p> <p>(D) Domestic Law</p> | <p>90. The Third Geneva Convention 1949 is concerned with :</p> <p>(A) Prisoners of war</p> <p>(B) Refugees</p> <p>(C) Aliens</p> <p>(D) Offenders</p> <p>91. Read Assertion (A) and Reason (R) and with the help of codes given below point out the <i>correct</i> explanation.</p> <p><b>Assertion (A) :</b> In theft the property is taken out of the possession of another person and the offence is complete as soon as the property is moved.</p> <p><b>Reason (R) :</b> In criminal misappropriation there is no invasion of another's possession. The property often comes innocently or casualty into possession.</p> <p><b>Codes :</b></p> <p>(A) Both (A) and (R) are individually true and (R) is the correct explanation of (A)</p> <p>(B) Both (A) and (R) are individually true and (R) is not the correct explanation of (A)</p> <p>(C) (A) is true but (R) is false</p> <p>(D) (A) is false but (R) is true</p> |
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## SEP - 60221/II—C

92. Which of the following explains the correct distinction between section 34 and section 149 of IPC ?
- (A) The common object must be one specified in section 141 whereas under section 34 the common intention may be any intention
- (B) Section 34 requires some act, however small to be done, whereas under section 149 mere membership of the assembly is sufficient
- (C) Section 34 enunciates a mere principle of liability, but creates no offence, while section 149 creates a specific offence
- (D) All of the above
93. In which case the supreme court held that Section 377 IPC will continue to govern non-consensual sexual acts against adults, all acts of carnal intercourse against minors and acts of bestiality.
- (A) Naz Foundation Vs. Government of NCT of Delhi and others
- (B) National Legal Services Authority Vs. U.O.I. and others
- (C) Navtej Singh Johar and others Vs. U.O.I.
- (D) Suresh Kumar Kaushal and Another Vs. Naz Foundation and others
94. Which of the following is a valid defence within the purview of Section 84 of IPC ?
- (A) Uncontrollable impulse
- (B) Irresistible impulse
- (C) Impulsive insanity
- (D) Insanity caused an act
95. Match List I with List II and select the *correct* answer from the codes given below it :
- List I**
- (a) Common Object
- (b) Common Intention
- (c) Instigation
- (d) Dishonest Intention
- List II**
- (1) Abetment
- (2) Theft
- (3) Joint Liability
- (4) Constructive Liability
- Codes :**
- (a) (b) (c) (d)
- (A) (1) (2) (3) (4)
- (B) (4) (3) (1) (2)
- (C) (3) (4) (2) (1)
- (D) (2) (3) (4) (1)

## SEP - 60221/II—C

96. Criminal breach of trust is an offence which signifies :
- (A) Entrustment
  - (B) Dominion
  - (C) Both (A) and (B)
  - (D) Mischief
97. 'A' without any excuse fires a loaded cannon into a crowd of persons and kills one of them. 'A' has committed :
- (A) Culpable homicide
  - (B) Murder
  - (C) Attempt to murder
  - (D) Causing death by negligent act
98. A person who causes one thing to resemble another thing, intending by means of that resemblance to practice deception, or knowing it to be likely that deception will thereby practised is known as ..... .
- (A) Forgery
  - (B) Counterfeit
  - (C) Cheating
  - (D) Mischief
99. The object of ..... of punishment is to make incapacitation of criminal and denies him ability and an opportunity to commit further crime.
- (A) Preventive theory
  - (B) Deterrent theory
  - (C) Reformatory theory
  - (D) Retributive theory
100. Section ..... of Cr.P.C. empowered the court to award compensation for loss or injury suffered by a person even in cases where fine does not form a part of sentence.
- (A) 357
  - (B) 357(1)
  - (C) 357(2)
  - (D) 357(3)

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