

LAW
CBRT Held on 08-03-2020(F/N)

1.

Match List I with List II and select the correct answer using the code given below the Lists:

List I
*(Power as mentioned in Article 72
of the Constitution of India)*

- A. Pardon
- B. Reprieve
- C. Commutation
- D. Respite

List II
(Explanation)

- 1. Postponement of execution of sentence to the future
- 2. It merely substitutes one form of punishments for another with a lighter character
- 3. It rescinds both the sentence and the conviction and absolves the offender from all punishment and disqualification
- 4. A temporary suspension of the punishment fixed by law

Code:

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

2.

The subject of Bankruptcy and Insolvency are covered under which one of the following entries and lists of the Seventh Schedule of the Constitution of India?

- (a) Entry 9, Concurrent List
- (b) Entry 9, Union List
- (c) Entry 45, Concurrent List
- (d) Entry 45, Union List

3.

“Constitutional safeguards to civil servants” is explained under which Parts and Articles of the Constitution of India?

- (a) Part V, Article 74
- (b) Part XIV, Article 311
- (c) Part XIV, Article 312
- (d) Part XIV, Article 312A

4.

Under which one of the following Articles of the Constitution of India, a Review Petition could be filed against any judgement or order of the Supreme Court of India?

- (a) Article 133
- (b) Article 136
- (c) Article 137
- (d) Article 138

5.

On which of the following grounds, the Supreme Court of India may entertain the Curative Petition while exercising its wide powers?

- (a) Non-observance of the principles of natural justice and abuse of the process of the court
- (b) Violation of rights of accused
- (c) Condonation of delay
- (d) Principle of prospective over-ruling

6.

Which fundamental right CANNOT be enforced in Court during the emergency if suspended by the President?

- (a) Right to life
- (b) Right to religion
- (c) Right not to be prosecuted and punished for the same offence more than once
- (d) Right against self incrimination

7.

Which one of the following is NOT explicitly stated in the amendment procedure laid down in Article 368 of the Constitution of India?

- (a) Simple majority in either House of the Parliament
- (b) Special majority of not less than two-thirds of the members present and voting in either House of the Parliament
- (c) Ratification by resolution passed by not less than one-half of the State Legislatures in addition to special majority
- (d) The President may give his assent to the Bill or may return the bill for reconsideration of the Houses of Parliament

8.

Which is the suitable expression for “Right to Vote”?

- (a) It is obligatory in nature
- (b) It is mandatory in nature
- (c) It is moral in nature
- (d) It is statutory in nature

9.

Which of the following is NOT deemed to be the Constitutional Power of the President of India?

- (a) Dissolving both the Houses of Parliament
- (b) Proroguing both the Houses of Parliament
- (c) Addressing both the Houses of Parliament
- (d) Granting pardons

10.

Consider the following statement:

“The decision declaring some of the provisions of the Act to be invalid does not affect the validity of the Act as it remains”

Which one amongst the following principles of the Constitution of India does the above statement refer to?

- (a) Principle of Eclipse
- (b) Principle of Waiver
- (c) Principle of Colourable Legislation
- (d) Principle of Severability

11.

Which among the following citations is more relevant to the judgement relating to “*Sabarimala Temple*”?

- (a) Indian Young Lawyers Association and Ors. v. State of Kerala
- (b) Justice Puttaswamy v. State of Kerala
- (c) Ayyapaa Temple Trustees v. State of Kerala
- (d) Sabarimala v. State of Kerala

12.

Which form of Talaq (*Divorce*) was set aside in the landmark judgment relating to Triple Talaq in the year 2017?

- (a) Talaq-e-sunnat
- (b) Talaq-e- hasan
- (c) Talaq-e-biddat
- (d) Talaq-e-ahasan

13.

Who among the following does NOT fall under the definition of ‘office bearer’ as mentioned in Article 243ZH relating to the Co-operative Societies?

- (a) President
- (b) Chairperson
- (c) Registrar
- (d) Treasurer

14.

A law of preventive detention can provide detention of a person without the intercession of advisory board for a period of:

- (a) one month.
- (b) two months.
- (c) three months.
- (d) six months.

15.

In the recent *Ayodhya Land Dispute Case*, who among the following was a member of the panel of mediators constituted on 08th March 2019?

- (a) Justice Fakkir Mohamed Ibrahim Kalifulla
- (b) Justice Rohinton Fali Nariman
- (c) Justice U.U. Lalit
- (d) Justice Kurian Joseph

16.

Which one of the following with regard to abduction is NOT correct?

- (a) Abduction is a continuing offence
- (b) Only adults can be abducted
- (c) There is usage of force, compulsion or deceitful means in abduction
- (d) Intention is a significant factor in establishing the crime of abduction

17.

'A' threatens to publish a defamatory libel concerning 'Z' unless 'Z' gives him money. He thereby intends to induce 'Z' to give him money. 'A' is guilty of:

- (a) Robbery
- (b) Defamation
- (c) Extortion
- (d) Mischief

18.

Section 497 of Indian Penal Code dealing with the offence of adultery has been decriminalised by the Hon'ble Supreme Court in the case of:

- (a) Sakshi v. Union of India.
- (b) W. Kalyani v. State.
- (c) Joseph Shine v. Union of India.
- (d) Independent Thought v. Union of India.

19.

'A' causes cattle to enter upon a field belonging to 'Z', intending to cause, and knowing that he is likely to cause damage to 'Z's crop. 'A' has committed:

- (a) Criminal Breach of Trust
- (b) Dishonest mis-appropriation of Property
- (c) House Trespass
- (d) Mischief

20.

'A' instigates 'B' to give false evidence. However, 'B' does not give false evidence. Is 'A' guilty for any offence?

- (a) Yes, under Section 116 IPC
- (b) Yes, under Section 193 IPC
- (c) Yes, under Section 209 IPC
- (d) No offence

21.

In which one of the following rulings, in the year 2018, the Supreme Court of India recognized 'Living Will' made by terminally ill patients for passive euthanasia?

- (a) Common Cause (A Regd. Society) v. Union of India
- (b) Independent Thought v. Union of India
- (c) Aruna Shaunbaug v. Union of India
- (d) Gian Kaur v. State of Punjab

22.

Under which of the following, the right of private defence of property, does NOT extend to voluntarily causing death of the aggressor?

- (a) House breaking by night
- (b) Mischief by fire on human dwelling
- (c) Robbery
- (d) Criminal breach of trust

23.

'A' was working with a hatchet. Despite exercising due care and precaution, the head of the hatchet flies off and strikes a man who is standing by. 'A' is guilty of:

- (a) culpable homicide.
- (b) culpable homicide not amounting to murder.
- (c) causing death by a rash act.
- (d) no offence as the act is excusable.

24.

In executing a sentence of solitary confinement, such confinement shall in no case exceed:

- (a) twenty four hours at a time.
- (b) ten days at a time.
- (c) fourteen days at a time.
- (d) one month at a time.

25.

Refusal or failure to record FIR in relation to cognizable offence punishable under Section 326A, 326B, 354, 354B, 370, 370A, 376 or Section 509 is punishable under the IPC with rigorous imprisonment for a term which shall NOT be less than:

- (a) three months.
- (b) six months.
- (c) one year.
- (d) two years.

26.

A case relating to an offence punishable with death, life imprisonment or imprisonment for a term exceeding two years is known as:

- (a) Cognizable case.
- (b) Warrant case.
- (c) Non-bailable case.
- (d) Complaint case.

27.

A report forwarded by a police officer to a Magistrate under sub-section (2) of section 173 of the Code of Criminal Procedure, 1973, is known as:

- (a) Police report.
- (b) Investigation report.
- (c) Record of examination.
- (d) Chargesheet.

28.

In which one of the following judgements has the Hon'ble Supreme Court observed that "a judicial magistrate has wide powers to direct further investigation upon an application or *suo moto*, even at post-cognizance stage before the commencement of the trial" ?

- (a) Vinubhai Haribhai Malviya & Ors v. State of Gujarat & Anr 2019
- (b) Kaptan Singh & Ors v. State of MP & Anr 1997
- (c) Bikash Ranjan Rout v. Government of NCT of Delhi 2015
- (d) Bhagwant Singh v. Commissioner of Police & Anr 1985

29.

Which one of the following provisions of the Code of Criminal Procedure, 1973, relates to the constitutional mandate against double jeopardy?

- (a) Section 303
- (b) Section 300
- (c) Section 301
- (d) Section 307

30.

“Every State Government in co-ordination with the Central Government shall prepare a scheme for providing funds for the purpose of compensation to the victim or his dependants who have suffered loss or injury as a result of the crime and who require rehabilitation”. This is provided for under:

- (a) Section 357 of the Code of Criminal Procedure, 1973.
- (b) Section 357A of the Code of Criminal Procedure, 1973.
- (c) Section 357B of the Code of Criminal Procedure, 1973.
- (d) Section 357C of the Code of Criminal Procedure, 1973.

31.

Which one of the following is competent to issue a warrant for execution of sentence?

- (a) The Court of Sessions
- (b) The Judge or Magistrate who passed the sentence
- (c) The concerned High Court
- (d) Any Magistrate

32.

Which among the following may NOT be charged and tried together?

- (a) Persons accused of the same offence committed in the course of same transaction
- (b) Persons accused of the same offence committed in the course of different transactions
- (c) Persons accused of different offences committed in the course of same transaction
- (d) Persons accused of an offence and persons accused of abetment of, or attempt to commit such offence

33.

All the proceedings conducted under the Code of Criminal Procedure, 1973, for the collection of evidence conducted by a police officer or by any person (other than a Magistrate) who is authorised by a Magistrate in this behalf are known as:

- (a) Inquiry
- (b) Investigation
- (c) Trial
- (d) Criminal proceedings

34.

Under Section 133 of the Code of the Criminal Procedure, 1973, a conditional order for removal of nuisance may be made by:

- (a) any Magistrate.
- (b) only a Judicial Magistrate.
- (c) only an Executive Magistrate.
- (d) any senior police officer.

35.

Under Section 125 of the Code of Criminal Procedure, 1973, a person having sufficient means CANNOT be ordered to provide for maintenance of :

- (a) legitimate minor children (whether married or not).
- (b) illegitimate minor children (whether married or not).
- (c) legitimate or illegitimate sons who are unable to maintain themselves by reason of any physical or mental abnormality or injury.
- (d) legitimate or illegitimate daughter who is married, has attained majority and is unable to maintain herself owing to any physical or mental abnormality or injury.

36.

In which one of the following judgments did the Supreme Court of India recognize the applicability of Section 63 and Section 65 of the Indian Evidence Act, 1872 on admissibility of secondary electronic evidences and overruled the proposition that in cases of admissibility of secondary electronic evidences certificate under Section 65B (4) is NOT always mandatory?

- (a) Shafhi Mohammad v. The State of Himachal Pradesh SLP (Crl.) No. 2302 of 2017
- (b) Anvar P.V. v. P.K. Basheer and Ors 2014 10 SCC 473
- (c) State (N.C.T. of Delhi) v. Navjot Sandhu @ Afsan Guru SC, 2005
- (d) Mohd. Zahid v. State of Tamil Nadu, 1999 Cr LJ 3699 (SC)

37.

In which one of the following cases did the Supreme Court hold that the DNA test can be done to determine paternity?

- (a) Nandlal Wasudeo Badwaik v. Lata Nandlal Badwaik & Anr. (2014) 2 SCC 576
- (b) Devesh Pratap Singh v. Sunita, AIR 1999 MP 174
- (c) Kailash v. State of Madhaya Pradesh, AIR 2007 SC 107
- (d) B.L. Sreedhar & Ors v. K.M. Munireddy & Ors , AIR 2003 SC 578

38.

'A', being charged with embezzlement, retains 'B', an attorney, to defend himself. In the course of the proceedings, 'B' observes that an entry has been made in 'A's account-book, charging 'A' with the sum said to have been embezzled, which was not there in the book at the commencement of his employment. Is this observation of 'B' protected from disclosure under professional communications?

- (a) Yes, Section 128 Indian Evidence Act, 1872
- (b) No, Section 128 Indian Evidence Act, 1872
- (c) No, Section 126 Indian Evidence Act, 1872
- (d) Yes, Section 126 India Evidence Act, 1872

39.

Under which one of the following provisions of the Indian Evidence Act, 1872, can the fact 'last seen' become relevant?

- (a) Section 6, things forming part of same transaction
- (b) Section 7, as opportunity for crime
- (c) Section 7, as state of things
- (d) Section 7, as cause of relevant facts

40.

According to the provisions of the Indian Evidence Act, 1872 which one of the following is correct under the rule 'facts NOT otherwise relevant become relevant'?

- (a) The plea of *alibi*
- (b) Hearsay evidence
- (c) *Res Judicata*
- (d) *Estoppel*

41.

'A' is accused before the court of sessions of attempting to murder a police officer whilst on his trial before 'B', the Magistrate. Can 'B' be examined as to what happened in the court?

- (a) 'B' may be examined as to what happened because it is a matter which occurred in his presence whilst he was so acting
- (b) 'B' being a Magistrate cannot be examined
- (c) 'B' can be examined upon the special order of a superior court
- (d) 'B' cannot be examined even there are special orders of a superior court

42.

When can an improper admission or rejection of evidence be ground on itself for a new trial or reversal of decision in any case?

- (a) It can never be ground for new trial or reversal of the decision
- (b) If it appears to the court before which such objection is raised that there was inadequate evidence independently of the impugned evidence to have justified the decision
- (c) If it appears to the court before which such objection is raised that if the rejected evidence had been received it ought not have varied the decision
- (d) Admission or rejection of evidences are inconsequential to the judgment

43.

When can multiple dying declarations be relied under the Indian Evidence Act, 1872?

- (a) Multiple dying declarations can be relied without corroboration if consistency is maintained by the witness throughout all declarations
- (b) Multiple dying declarations cannot be relied without corroboration even if consistency is maintained by the witness throughout all declarations
- (c) Multiple dying declarations can be relied with corroboration only even if consistency is maintained by the witness throughout all declarations
- (d) Multiple dying declarations cannot be relied in any situation

44.

Which one of the following is NOT included under secondary evidence?

- (a) A copy compared with a copy of a letter made by a copying machine if it is shown that the copy made by the copying machine was made from the original
- (b) A photograph of an original if it is proved that the thing photographed was the original
- (c) Oral account of a copy compared with the original
- (d) Counterparts of documents as against the parties who did not execute them

45.

The question whether 'X' is the legitimate son of 'Z', in view of the fact that 'X' was always treated as such by the members of 'Z's family becomes relevant under which one of the following provisions of the Indian Evidence Act, 1872?

- (a) Section 6
- (b) Section 50
- (c) Section 30
- (d) Section 27

46.

Which particular technology was adopted legislatively for the authentication of electronic records with the enactment of the Information Technology Act, 2000?

- (a) Digital Signature
- (b) Biometrics
- (c) OTP
- (d) SMS Authentication

47.

The constitutional validity of which one of the following provisions of the Information Technology Act, 2000 was upheld in *Shreya Singhal v. Union of India*, 2015?

- (a) 66F
- (b) 69A
- (c) 72A
- (d) 43A

48.

The Information Technology Act, 2000 gives favourable considerations to which one of the following model laws?

- (a) UNCITRAL (United Nations Commission on International Trade Law) Model Law on Electronic Commerce, 1996
- (b) UNCITRAL (United Nations Commission on International Trade Law) Model Law on International Commercial Arbitration, 1985
- (c) Commonwealth Model Law for the Prohibition of Money Laundering
- (d) United Nations Model Provisions on Money Laundering, Terrorist Financing, Preventive Measures and Proceeds of Crime

49.

'A' downloads and copies the musical compositions of 'B' from the computer of 'B' without his authorization and disseminates it further to other blogs and groups. Which of the following laws can be invoked to fasten the liability of 'A'?

- (a) Information Technology Act, 2000 & Copyright Act, 1957
- (b) Personal Data Protection Bill, 2019
- (c) Information Technology Act, 2000 only
- (d) Copyright Act, 1957 only

50.

'A' sends a message of acceptance through email to 'B' to an offer given by 'B'. When is the message deemed to have been dispatched by 'A' under the Information Technology Act, 2000?

- (a) When it enters a computer resource of 'B'
- (b) When it is read by 'B'
- (c) When it is retrieved by 'B'
- (d) When it enters the computer resource of 'B' and goes outside the control of 'A'

51.

If the addressee has designated a computer resource for the purpose of receipt of electronic records, the time of receipt of electronic record shall be determined on which of the following principles?

- (a) Receipt occurs at the time when the electronic record enters the designated computer resource
- (b) Receipt occurs at the time when the originator transmits it to the addressee
- (c) Receipt occurs at the time when it is retrieved by the addressee from another (non-designated) computer resource of his
- (d) Receipt occurs on the actual knowledge of the addressee of the information in the electronic record

52.

'A' fraudulently or dishonestly makes use of pass code of 'B's cell phone for transmission of some electronic record from B's phone to that of 'C'. What is the offence committed by him under Information Technology Act, 2000?

- (a) Section-66C-Punishment for identity theft & Section-43- (Penalty and Compensation) for damage to computer, computer system etc.
- (b) Section-66E- Punishment for violation of privacy
- (c) Section -66C-Punishment for identity theft only
- (d) Section-66D- Punishment for cheating by Personation by using computer resource

53.

Which one of the following is NOT a power vested in the Cyber Appellate Tribunal?

- (a) Dismissing an application for default or deciding it *ex parte*
- (b) Receiving evidence on affidavits
- (c) Issuing commissions for the examination of witnesses or documents
- (d) Issuing a certificate to appeal to the High Court in case a person is aggrieved by any decision or order of the Tribunal

54.

Which one of the following cases discusses the question of jurisdiction of transactions which take place on the internet?

- (a) Maqbool Fida Hussain v. Raj Kumar Pandey, 2008
- (b) Anvar P.V. v. P.K. Basheer, 2014
- (c) Banyan Tree Holdings (P) Ltd. v. A. Murali Krishna Reddy & Anr, 2009
- (d) Sanskar Marathe v. State of Maharashtra, 2015

55.

Which one of the following cases discusses the question of whether or not an Automated Teller Machine (ATM) can be treated as a 'computer terminal' as contemplated by Sec. 2(i) of the Information Technology Act, 2000?

- (a) Diebold Computer Systems Pvt. Ltd. v. Commissioner of Commercial Taxes, 2005
- (b) Tata Consultancy Services v. State of Andhra Pradesh, 2004
- (c) Sanjay Kumar v. State of Haryana, 2013
- (d) Avinash Bajaj v. NCT of Delhi, 2005

56.

On Incorporation of a Company the Registrar of Companies in addition to Certificate of Incorporation, issues a unique identification Number to a Company, which is known as:

- (a) Company Identification Number
- (b) Corporate Number
- (c) Corporate Identity Number
- (d) Corporate Unique Number

57.

Twelve members of a public company went on a business trip where all members met with an accident and subsequently they died except three. The existing members carried the business with the reduced number of members for two years. During the above said period some debt accrued on the company. The creditors want to make all the three members liable for the debt. Whether the members are liable?

- (a) They are not liable as the company has separate legal personality other than its members
- (b) They are not liable as they are only shareholder and not directors
- (c) They are liable for the whole debt contracted during that period by the company
- (d) They are liable as a partner for the whole debt contracted during that period by the company

58.

People who are coming to deal with the company through its directors or other persons, they can assume that the directors or other persons of the company are performing their acts within the scope of their apparent authority by virtue of the doctrine of:

- (a) Ultra-Vires
- (b) Indoor Management
- (c) Constructive Notice
- (d) Holding Out

59.

Lifting of Corporate Veil is a concept in which:

- (a) Director can go beyond the Articles of Association of a Company.
- (b) Members can file an application for winding up of a Company.
- (c) Director will be liable for the loss caused to third party.
- (d) Director can go beyond the Memorandum of Association.

60.

Which of the following types of agreements come within the purview of anti-competitive agreements which are prohibited under the Competition Act, 2002?

1. Refusal to deal
2. Resale price maintenance
3. Tie-in arrangement

Select the correct answer using the code given below:

- (a) 1 and 3 only
- (b) 1 and 2 only
- (c) 1, 2 and 3
- (d) 2 and 3 only

61.

With a view to reduce or eliminate its competitors, R. Hotels Ltd. undertakes the provision of food and beverage services at a price which is below the cost of provision of such services. R. Hotels Ltd. is guilty of the offence of:

- (a) Cartel formation
- (b) Predatory pricing
- (c) Bid rigging
- (d) Creation of entry barriers

62.

Which of the following factors are required to be taken into account by the Competition Commission of India while determining the 'relevant product market' for a particular commodity?

- 1. Regulatory trade barriers
- 2. Existence of specified producers
- 3. Price of goods or services
- 4. Existence of specialized producers

Select the correct answer using the code given below:

- (a) 1, 2 and 3
- (b) 1 and 2 only
- (c) 3 and 4 only
- (d) 1, 3 and 4

63.

Which one of the following cases deals with the issue of 'abuse of dominant position' by an enterprise or a group?

- (a) *Google Inc. & Ors v. Competition Commission of India & Anr*, [2015] 127 CLA 367 (Delhi)
- (b) *CCI v. Steel Authority of India Ltd*, (2010) 10 SCC 744
- (c) *Belaire Apartment Owners' Association v. DLF Ltd & HUDA*, 2011 Comp LR 0239 (CCI)
- (d) *Builders Association of India v. Cement Manufacturers'*, Case No. 29/2010, CCI

64.

Under the provisions of the Prevention of Money-Laundering Act (PMLA), 2002, which one of the following records is required to be maintained by every reporting entity?

- (a) Records of documents related to all subsidies availed by its clients and beneficial owners
- (b) Records of documents evidencing identity of its clients and beneficial owners as well as account files and business correspondence relating to its clients
- (c) Records of documents regarding all transactions which were attempted but not completed
- (d) Records of documents regarding all transactions which were attempted and completed within any notified period

65.

Which one of the following is NOT a power of the Securities Appellate Tribunal for the purpose of discharging their functions under the Securities and Exchange Board of India Act, 1992?

- (a) Summoning and enforcing the attendance of any person and examining him on oath
- (b) Requiring the discovery and production of documents
- (c) Receiving evidence on affidavits
- (d) Imposing fine up to ₹ 5,000 or / and imprisonment for a maximum period of 6 months

66.

Under which one of the following circumstances can an appeal NOT be preferred by an aggrieved person before the Securities Appellate Tribunal?

- (a) Against an order made by an Adjudicating Officer under the SEBI Act
- (b) Against an order made by the Insurance Regulatory and Development Authority
- (c) Against an order made by the National Company Law Tribunal
- (d) Against an order made by the Pension Fund Regulatory and Development Authority

67.

Provisions regarding voluntary winding up of companies which were earlier contained in the Companies Act, 2013 have now been subsumed by which one of the following statutes?

- (a) The Payment and Settlement Systems Act
- (b) The Insolvency and Bankruptcy Code
- (c) The Recovery of Debt Due to Banks and Financial Institutions Act
- (d) The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act

68.

Under the Insolvency and Bankruptcy Code, 2016 a person to whom an operational debt is owed or any person to whom such a debt has been legally assigned or transferred, is known as:

- (a) Corporate Debtor.
- (b) Personal Guarantor.
- (c) Operational Creditor.
- (d) Related Party.

69.

Under the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest (SARFAESI) Act, 2002, 'originator' means:

- (a) a financial institution or bank which has been granted a certificate of registration under Section 3(4) of the Act.
- (b) a person who is liable to pay a financial asset or discharge any financial asset, whether existing, future or contingent.
- (c) the owner of a financial asset which is acquired by an asset management company for the purpose of securitization.
- (d) a foreign institutional investor registered under the Securities and Exchange Board of India (SEBI).

70.

What is the limitation period for filing a complaint under the Consumer Protection Act, 2019?

- (a) Eighteen months from the date of the cause of action
- (b) Two years from the date of the cause of action
- (c) One year from the date of the cause of action
- (d) Six months from the date of the cause of action

71.

Which one of the following statements is NOT correct with regard to 'whistle blowing' under the Limited Liability Partnership Act, 2008?

- (a) The penalty against any partner or employee may be reduced or waived if such Partner has provided useful information during investigation of such a partnership
- (b) The penalty may be reduced or waived in case information given by any partner or employee leads to any conviction under the Act
- (c) The identity of the whistle blower has to be kept secret at all times
- (d) There can be no harassment, demotion or suspension of any partner or employee just because such person has provided information in this regard

72.

In which one of the following situations, does the exemption from realization and repatriation of foreign exchange under the Foreign Exchange Management Act, 1999, NOT apply?

- (a) Foreign currency account held or operated by such person or class of persons and the limit up to which the Reserve Bank of India may specify
- (b) Foreign currency acquired or received before the 8th day of July, 1947
- (c) Foreign exchange due or accrued to any resident in India
- (d) Foreign exchange acquired from employment, business, trade or honorarium upto such limit as may be specified by the Reserve Bank of India

73.

A provision of the interim compensation has been added to the Negotiable Instrument Act in 2018 by inserting Section 143 A. How much interim compensation can now be claimed?

- (a) The amount of the cheque
- (b) Up to half of the amount of the cheque
- (c) Up to 20% of the amount of the cheque
- (d) Up to 15% of the amount of the cheque

74.

The Negotiable Instrument (Amendment) Act, 2015 has cleared the confusion about the territorial Jurisdiction issue in case of dishonor of cheque to ensure fair trial. Thus, the law as it stands now, states that:

- (a) cases can be filed in a court within whose local jurisdiction the bank branch of the payee, where the payee delivers the cheques for the payment through account is situated.
- (b) cases can be filed in a court within whose local jurisdiction the bank branch of the debtor is situated.
- (c) cases can be filed in a court within whose local jurisdiction the bank branch of the promisor is situated.
- (d) cases can be filed in any court in India.

75.

Which one of the following statements with regard to a post-dated cheque is correct?

- (a) It is a valid cheque from the date it is drawn
- (b) It has no validity at all
- (c) It is a Bill of Exchange before the date written on the cheque
- (d) It is valid but is not considered a Negotiable Instrument

76.

'A' proposes, by a letter sent by post, to sell his house to 'B'. 'B' accepts the proposal by a letter sent by post. Two days after sending the proposal, 'A' wants to revoke his proposal. Suggest 'A' as to when he can revoke his offer from the choices given below:

- (a) 'A' may revoke his proposal at any time before or at the moment when 'B' post his letter of acceptance but not afterwards
- (b) 'A' may revoke his proposal at any time before the acceptance reaches to him
- (c) 'A' may revoke his proposal before he actually sold his house
- (d) 'A' may revoke his proposal at any time whenever he likes

77.

'A' promises 'B' to drop a prosecution which he has instituted against 'B' for robbery, and 'B' promises to restore the value of the things. Later on, 'A' refused to complete the promise and 'B' filed a suit to enforce the agreement made between 'A' and 'B'. What is the legal status of the agreement?

- (a) Enforceable
- (b) Valid
- (c) Void
- (d) Voidable

78.

A person who finds goods belonging to another and takes them into his custody, is subject to the same responsibility as a:

- (a) Mortgagee
- (b) Bailee
- (c) Pawnee
- (d) Licensee

79.

Ram lends his car to Shyam for his own driving only. Shyam allows Mohan, his son, to drive. Mohan drove the car, but the car got damaged due to accident. When Ram came to take his car back, he claims compensation from Shyam for the damages to the car. Can Ram claim compensation?

- (a) Yes, Ram can claim compensation from Shyam because Shyam has duty as a borrower not to do unauthorised act as it is not mentioned in the contract
- (b) No, Ram cannot claim compensation from Shyam because the car was in the possession of Mohan
- (c) Yes, Ram can claim compensation from Shyam because Shyam is liable to pay compensation as a bailee
- (d) Yes, Ram can claim compensation from Shyam because Shyam is liable as a pawnee

80.

In absence of any contract to the contrary, whether an agent is entitled to retain goods, paper and other property of the principal received by him, until the amount due to himself for commission, disbursement and services in respect of the same has been paid to him?

- (a) Yes, agent is entitled to retain as right of lien
- (b) Yes, agent is entitled to retain as right of set off
- (c) Yes, agent is entitled to retain as right of counter claim
- (d) No, agent cannot retain because he does not have ownership over the things retained

81.

If a petition was filed by the petitioner in the High Court under Article 226 of the Constitution of India and if dismissed on merits, such decision would operate as *Res Judicata* so as to bar a similar petition in the Supreme Court under Article 32, was decided in the case of:

- (a) Dhulabhai v. State of M.P. (AIR 1969SC78)
- (b) Sinha Ramanuja v. Ranga Ramanuja (AIR 1961SC1720)
- (c) M.L.Sethi v. R.P. Kapur (1972)2 SCC427
- (d) Daryao v. State of U.P. (AIR 1961 SC 1457)

82.

Under the provision of Order 1 Rule 8 of the Code of Civil Procedure, 1908, which one of the following with regard to a 'Representative Suit' is NOT correct?

- (a) The parties must be numerous with same interest in the suit
- (b) The permission must have been granted or direction must have been given by the court
- (c) Notice must have been issued to the parties whom it is proposed to represent the suit
- (d) It compels anyone to represent many if by himself he has a right of suit

83.

Under the provision of Order 8 Rule 1 of the Code of Civil Procedure, 1908, 'Written Statement' can be filed EXCEPT within:

- (a) 30 days from the date of service of summon.
- (b) 90 days from the date of service of summon if defendant failed to file the reply within 30 days.
- (c) 150 days from the date of service of summon if defendant failed to file the reply within 30 days.
- (d) 120 days from the date of service of summon in case of commercial disputes.

84.

Which one of the following with regard to Legal and Equitable Set-off is NOT correct?

- (a) Legal set off must be for an ascertained sum of money but Equitable set off may be allowed even for unascertained sum of money.
- (b) In legal set off it is necessary that the amount claimed as set off must be legally recoverable but must not be time barred. A claim by way of equitable set off is allowed even if it is time barred when there is a fiduciary relationship between the parties.
- (c) A court fee is required in a legal set off but not required in an equitable set off.
- (d) In legal and equitable set off both cross demands should be necessarily arising out of same transaction.

85.

The Code of Civil Procedure, 1908, recognises the right of the decree holder to attach the property of the judgment debtor in execution proceedings and lays down the procedure to effect attachment from:

- (a) Section 60 to 64 and Rule 41 to 57 of Order 21.
- (b) Section 116 to 120 and Rule 01 to 04 of Order 25.
- (c) Section 96 to 99 and Rule 01 to 05 of Order 23.
- (d) Section 08 and Rule 01 of Order 08.

86.

Which of the following statements with regard to 'Caveat' under Section 148-A of the Code of Civil Procedure, 1908, is / are correct?

1. It can be filed to safeguard the interest of a person against an order that may be passed on an application filed by a party in a suit or proceeding instituted or about to be instituted
2. A person lodging such a caveat should necessarily be a party to such an application
3. It can be filed to avoid multiplicity of proceedings

Select the correct answer using the code given below:

- (a) 1 only
- (b) 3 only
- (c) 1 and 3 only
- (d) 1, 2 and 3

87.

Which one of the following statements with regard to the object of 'Restitution' under Section 144 of the Code of Civil Procedure, 1908, is correct?

- (a) It is based upon the well known maxim "*actus curiae neminem gravabit*", i.e. the Court shall harm no one
- (b) It may confer new substantive right to the party not available under general law
- (c) It should not be construed liberally
- (d) Jurisdiction to grant restitution is confined to the case covered under section 144 of CPC only

88.

Under the provision of Order 11 of the Code of Civil Procedure, 1908, which of the following is / are included in the term "Interrogatories"?

1. To ask questions or to make inquiry closely or thoroughly
2. Enabling a party to obtain from his opponent information as a material fact and to get his admission on any matters in question in the suit which otherwise would have to be proved by evidence
3. Which is related to some other matter not relevant for the suit

Select the correct answer using the code given below:

- (a) 1, 2 and 3
- (b) 1 and 2 only
- (c) 2 and 3 only
- (d) 1 only

89.

Under the provision of Order XL Rule 1 of the Code of Civil Procedure, 1908, when can a "Receiver" be appointed by the Court?

1. Only after the decree has been granted
2. Before or after the issuance of the decree
3. Only before the issuance of the final decree

Select the correct answer using the code given below:

- (a) 1 only
- (b) 2 only
- (c) 1 and 2 only
- (d) 1, 2 and 3

90.

Judgment under Section 2(9) of the Code of Civil Procedure, 1908 means:

1. a decree.
2. dismissal of an appeal summarily.
3. statement of grounds of an order or decree.

Select the correct answer using the code given below:

- (a) 1 only
- (b) 3 only
- (c) 1 and 2 only
- (d) 1, 2 and 3

91.

Which one of the following is NOT the remedy in law available to the co-mortgager as per the Transfer of Property Act, 1882?

- (a) A suit for fore-closure under Section 67, Transfer of Property Act
- (b) A suit for indemnity under Section 69, Contract Act
- (c) A suit for contribution with a charge under Section 82, Transfer of Property Act
- (d) A suit on the basis of subrogation under Section 95, Transfer of Property Act

92.

Which one of the following is NOT considered as essential condition for the application of the doctrine of *Lis Pendens* of Transfer of Property Act, 1882?

- (a) There is a pendency of a suit or proceeding
- (b) A right to immovable property is directly and specifically involved in the suit
- (c) The transfer must affect the rights of the other party to litigation
- (d) The suit or proceeding must be collusive

93.

Property of any kind can be transferred EXCEPT:

1. an easement apart from the dominant heritage.
2. right to future maintenance.
3. a public office.
4. by execution of family settlement.

Select the correct answer using the code given below:

- (a) 1 only
- (b) 2 and 3 only
- (c) 1, 2 and 3
- (d) 3 and 4

94.

Which one of the following types of mortgages is NOT defined under Section 58 of the Transfer of Property Act, 1882?

- (a) English Mortgage
- (b) Anomalous Mortgage
- (c) Partial Mortgage
- (d) Mortgage by deposit of title deed

95.

Which one of the following is the literal meaning for *en ventre de sa mere* for the status of a child as per the Transfer of Property Act, 1882?

- (a) Child of 17 years of age
- (b) Child of 12 years of age
- (c) Child of one day of age
- (d) Child in the mother's womb

96.

Which one among the following is NOT the claim recognized under the actionable claim?

- (a) Claim for arrears of rent
- (b) Claim for mesne profit
- (c) Claim for money due under insurance policy
- (d) Claim for return of earnest money

97.

Which one of the following statements with regard to Gift is NOT correct?

- (a) Existed property may be movable or immovable.
- (b) Should be made voluntarily
- (c) Consideration is necessary
- (d) Gift of immovable property should be registered

98.

Consider the following illustration related to the Transfer of Property Act, 1882:

‘A’ lets a farm to ‘B’ on condition that he shall walk a hundred miles in an hour.’

With regard to the above, which one of the following is the correct expression of conditional transfer?

- (a) The lease is voidable at the option of either party
- (b) The lease is irregular
- (c) The lease is void
- (d) The lease is illegal

99.

‘A’ transfers ₹ 5,000 to ‘B’ on condition that he shall marry with the consent of ‘C’, ‘D’ and ‘E’. ‘E’ dies and ‘B’ marries with the consent of ‘C’ and ‘D’. In the eyes of the law:

- (a) ‘B’ is deemed to have fulfilled the condition as per Section 26 of Transfer of Property Act, 1882.
- (b) ‘B’ is deemed not to have fulfilled the condition as per Section 26 of Transfer of Property Act, 1882.
- (c) ‘B’ is deemed to have partially fulfilled the condition as per Section 26 of Transfer of Property Act, 1882.
- (d) such condition is illegal.

100.

Doctrine of *lis pendens* is embodied in:

- (a) Section 52 of Transfer of Property Act, 1882.
- (b) Section 51 of Transfer of Property Act, 1882.
- (c) Section 53 of Transfer of Property Act, 1882.
- (d) Section 52 A of Transfer of Property Act, 1882.

101.

In which one of the following cases, India has claimed *restitutio in integrum* from the International Court of Justice?

- (a) Portugal v. India, 1955
- (b) India v. Pakistan, 1971
- (c) Marshall v. India, 2014
- (d) India v. Pakistan, 2017

102.

In the case of *Abu Salem v. State of Maharashtra*, the Supreme Court took the aid of an international convention to interpret the meaning and scope of the term 'explosive or lethal device'. What is the title of that convention?

- (a) Convention for the Suppression of Terrorist Bombings
- (b) Convention on the Prevention and Punishment of the Crime of Genocide
- (c) Hague Convention, 1970
- (d) Tokyo Convention

103.

The Estrada Doctrine is generally understood to mean that:

- (a) recognition depends on political decisions of other states.
- (b) in the sense of profound realism, recognition is a political question.
- (c) recognition of Government is unnecessary once the State has been recognised.
- (d) recognition is much more a question of policy than law.

104.

The manner of State Succession in respect of Treaties is regulated by:

- (a) Vienna Convention, 1978.
- (b) Vienna Convention, 1983.
- (c) International Customary Law.
- (d) Practice of States.

105.

Which rule of municipal law was resorted to by the International Court of Justice in rendering its decision on the Awards of Compensation made by the UN Administrative Tribunal (1954)?

- (a) *Laches*
- (b) *Res judicata*
- (c) Prescription
- (d) *Estoppels*

106.

The concept of the Exclusive Economic Zone (EEZ) was nurtured in its full strength by which one of the following?

- (a) UNCLOS I
- (b) UNCLOS II
- (c) UNCLOS III
- (d) UNCLOS IV

107.

Who among the following jurists called international law a 'positive international morality'?

- (a) Austin
- (b) Holland
- (c) Julius Stone
- (d) Blackstone

108.

Which one of the following is an ad-hoc Criminal Tribunal established by the United Nations?

- (a) International Criminal Tribunal for East Timor
- (b) International Criminal Tribunal for Bosnia- Herzegovina
- (c) International Criminal Tribunal for the former Yugoslavia (ICTY)
- (d) International Criminal Tribunal for Sri Lanka

109.

Which one of the following is NOT a Chamber of the International Court of Justice?

- (a) The Chamber which may be formed pursuant to Article 26, paragraph 1, to deal with cases falling in the areas of labour and communications
- (b) The Chamber which may be formed pursuant to Article 26, paragraph 4, to deal with issues related to international prisoners
- (c) The Chamber of Summary Procedure, which is required to be formed annually for the speedy despatch of business
- (d) The Chamber which may be formed pursuant to Article 26, paragraph 2, to deal with a particular case, after formally consulting the parties regarding the number of its members

110.

With which one of the following countries does India have extradition arrangements confined to Crimes related to Illicit Traffic in Narcotics Drugs and Psychotropic Substances only?

- (a) Bangladesh (2013)
- (b) Italy (2003)
- (c) Peru (2011)
- (d) Brazil (2008)

111.

Which one of the following countries first ratified the WIPO (World Intellectual Property Organisation) administered "Marrakesh Treaty to facilitate Access to Published Works for Persons who are Blind, Visually Impaired or otherwise Print Disabled"?

- (a) India
- (b) Chile
- (c) Japan
- (d) USA

112.

Which one of the following cases pertains to Section 3(d) of the Patent Act, 1970?

- (a) Dhanpath Seth and Others v. Nil Kamal Plastic Crates Ltd., AIR 2008 HP 23
- (b) Novartis AG v. Union of India, (2013) 6 SCC 1
- (c) Kapil Wadhwa & Ors. v. Samsung Electronics Co. Ltd. & Anr., 2013(53) PTC 112 (Del.)
- (d) Bishwanath Prasad RadheyShayam v. Hindustan Metal Industries, (1979) 2 SCC 511

113.

Which one of the following works is explicitly protected under Indian Copyright Act, 1957?

- (a) Emotes, GIF's and memes
- (b) CRI's (Computer Related Inventions)
- (c) Shape of goods
- (d) Computer databases

114.

Which one of the following classifications deals with Industrial Designs in Intellectual Property System?

- (a) Nice Classification
- (b) Locarno Classification
- (c) Vienna Classification
- (d) Madrid Protocol

115.

In the year 2019, a bilateral Patent Prosecution Highway (PPH) pilot program has commenced between Indian Patent Office (IPO) and:

- (a) USPTO (United States Patent and Trademark Office).
- (b) KIPO (Korean Intellectual Patent Office).
- (c) JPO (Japan Patent Office).
- (d) UKIPO (UK Intellectual Property Office).

116.

The issue of Non Compliance of TRIPS obligations (Agreement on Trade Related aspects of Intellectual Property Rights) between member governments is tenable at:

- (a) International Court of Justice.
- (b) Dispute settlement system of WTO.
- (c) Forum Court having Territorial Jurisdiction on parties.
- (d) TRIPS Council.

117.

Which one of the following issues came up for adjudication in the case of *Amar Nath Sehgal v. Union of India*, 2005 (30) PTC 253?

- (a) Rights against reproduction
- (b) Publication rights of the author
- (c) Moral rights of the author after assignment of copyright
- (d) Economic rights of the author

118.

Which one of the following conditions is NOT required to be taken into account in order to determine as to whether a trade mark is a well known trade mark?

- (a) The record of successful enforcement of the rights in that trade mark, including such enforcement in India
- (b) The trade mark has previously been used in India
- (c) The trade mark has knowledge or recognition in the relevant section of the public
- (d) The duration, extent and geographical area of any use of that trade mark

119.

Which of the following are 'trade marks' as defined by the Singapore Treaty on the Law of Trade Marks?

1. Holograms
2. Motion marks
3. Colour marks
4. Non-visible marks like sound marks or taste marks

Select the correct answer using the code given below:

- (a) 1, 2, 3 and 4
- (b) 1, 2 and 4 only
- (c) 1 and 4 only
- (d) 2 and 3 only

120.

What does the Nice Classification, which was established by the Nice Agreement of 1957, pertain to?

- (a) International classification of goods applied for the purpose of registration under the Industrial Designs Act
- (b) International classification of goods and services applied for the purpose of registration of trade marks
- (c) International classification of goods applied for the purpose of registration under the Geographical Indications of Goods Act
- (d) International classification applied for the purpose of registration under the Biodiversity Act