

Roll No.

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(Write Roll Number from left side exactly as in the Admit Card)

Signature of Invigilators

1. _____

2. _____

2917

Question Booklet Series

X

PAPER-III

Question Booklet No.

(Identical with OMR Answer Sheet Number)

Subject Code : 29

LAW

Time : 2 Hours 30 Minutes

Maximum Marks: 150

Instructions for the Candidates

- Write your Roll Number in the space provided on the top of this page as well as on the OMR Sheet provided.
- At the commencement of the examination, the question booklet will be given to you. In the first 5 minutes, you are requested to open the booklet and verify it:
 - To have access to the Question Booklet, tear off the paper seal on the edge of this cover page.
 - Faulty booklet, if detected, should be get replaced immediately by a correct booklet from the invigilator within the period of 5 minutes. Afterwards, neither the Question Booklet will be replaced nor any extra time will be given.
 - Verify whether the Question Booklet No. is identical with OMR Answer Sheet No.; if not, the full set to be replaced.
 - After this verification is over, the Question Booklet Series and Question Booklet Number should be entered on the OMR Sheet.
- This paper consists of seventy-five (75) multiple-choice type questions. All the questions are compulsory. Each question carries *two* marks.
- Each Question has four alternative responses marked: (A) (B) (C) (D). You have to darken the circle as indicated below on the correct response against each question.

Example: (A) (B) (●) (D), where (C) is the correct response.
- Your responses to the questions are to be indicated correctly in the OMR Sheet. If you mark your response at any place other than in the circle in the OMR Sheet, it will not be evaluated.
- Rough work is to be done at the end of this booklet.
- If you write your Name, Roll Number, Phone Number or put any mark on any part of the OMR Sheet, except the space allotted for the relevant entries, which may disclose your identity, or use abusive language or employ any other unfair means, such as change of response by scratching or using white fluid, you will render yourself liable to disqualification.
- Do not tamper or fold the OMR Sheet in any way. If you do so, your OMR Sheet will not be evaluated.
- You have to return the 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 question booklet and duplicate copy of OMR Sheet after completion of examination.
- Use only Black Ball point pen.**
- Use of any calculator or mobile phone etc. is strictly prohibited.**
- There are no negative marks for incorrect answers.**

[Please Turn Over]

LAW

PAPER III

1. General principle about over ruling of previous decision is
- (A) over ruling is not an act of superior tribunal.
 - (B) over ruling may be express only.
 - (C) a decision can not be over ruled by obiterdicta.
 - (D) a decision can not be over ruled by ratio.
2. Which of the following is not characteristic of a legal right?
- (A) Subject
 - (B) Object
 - (C) Contant
 - (D) Predicate
3. Which of the following principle is not true about animus?
- (A) It may be a general animus
 - (B) It may be for others
 - (C) It is necessarily based on a legal claim
 - (D) It must be of exclusive claim to the object
4. Finders keepers rule was propounded in the case of
- (A) Bridges V. Hawkesworth
 - (B) R. V. Moor
 - (C) Hannah V. Peel
 - (D) Hibbert V. Mckiernan
5. What is true about immediate possession?
- (A) It is acquired directly or personally.
 - (B) It is acquired through agent or servant.
 - (C) It is held by another on account of possessor.
 - (D) It is held by some one for a fixed time.
6. Which of the following is not a mode of acquiring possession?
- (A) By taking
 - (B) By stealing
 - (C) By delivery
 - (D) By operation of law
7. Which of the following is not correct classification of ownership?
- (A) Corporeal and incorporeal ownership
 - (B) Mediate and immediate ownership
 - (C) Vested and contingent ownership
 - (D) Legal and equitable ownership
8. Read the statements and answer with the help of codes:
1. Ownership is a bundle of rights.
 2. It is a branch of public law.
 3. It is a relation between person and property.
- Codes:*
- (A) 1 is untrue
 - (B) 2 is untrue
 - (C) 3 is untrue
 - (D) All are true
9. Original acquisition of ownership may be
- (A) absolute
 - (B) extinctive
 - (C) accessory
 - (D) All of the above

10. Read *Assertion (A)* and *Reason (R)* and give correct answer by using codes:

Assertion (A) : Public corporation can acquire and keep the property

Reason (R) : Public corporation is created by statute and statute provides it legal personality

Codes:

- (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 not true
- (D) (A) is not true but (R) is true

11. Match *List-I* with *List-II* and give correct answer with the help of codes:

List I

List II

- | | |
|-------------------|---------------|
| 1. Purpose theory | (i) Salmond |
| 2. Bracket theory | (ii) Gierke |
| 3. Fiction theory | (iii) Thering |
| 4. Realist theory | (iv) Brinz |

Codes :

- | | | | | |
|-----|-------|-------|-------|------|
| | 1 | 2 | 3 | 4 |
| (A) | (iv) | (iii) | (i) | (ii) |
| (B) | (i) | (ii) | (iii) | (iv) |
| (C) | (iv) | (iii) | (ii) | (i) |
| (D) | (iii) | (iv) | (ii) | (i) |

12. Who said “living persons come and go but this creation of law remains for ever”?

- (A) Maitland
- (B) Salmond
- (C) Sauigny
- (D) Blackstone

13. Which of the following statement is not correct?

- (A) Shareholders may authorise Board to appoint alternate directors.
- (B) If authorised by articles Board may appoint additional director.
- (C) In case of Public Company, casual vacancy may be filled by the Board.
- (D) A Private Company which is not subsidiary to Public Company can not fill casual vacancy according to articles.

14. A buyer can not acquire better title than the seller unless

- (A) owner himself sells
- (B) a person authorised by owner sells
- (C) Both (A) and (B)
- (D) None of the above

15. Which of the following statement is not correct?

- (A) Mutual agency is essential feature of partnership
- (B) A person does not become partner merely by sharing of profits
- (C) Partnership is created by contract and not by status
- (D) A partnership firm is a legal person

16. According to the Supreme Court of India, the concept “decency or morality” is to be decided by applying the ratio of the

- (A) R. V. Hicklin
- (B) R. V. Cicle
- (C) R. V. Padale
- (D) R. V. Govind

17. The doctrine of protective discrimination is applied under Article

- (A) 15 of the Constitution of India
- (B) 16 of the Constitution of India
- (C) Both Articles 15 and 16
- (D) None of the above

18. The Rule of “ejusdem generis” has been applied to interpret the

- (A) “Other authorities” under Article 12 of the Constitution.
- (B) “Right to life” under Article 21 of the Constitution.
- (C) “Minorities” under Article 30 of the Constitution
- (D) “Speech and expression” under Article 19 of the Constitution

19. Indian Constitution originally had

- (A) 395 Articles 22 Parts 9 Schedules
- (B) 325 Articles 20 Parts 8 Schedules
- (C) 320 Articles 22 Parts 7 Schedules
- (D) 392 Articles 22 Parts 9 Schedules

20. Which of the following Article support the secular feature of Indian Constitution?

- (A) Articles 25-28
- (B) Articles 15(a), 16(2), 29(2)
- (C) Articles 325
- (D) All of the above

21. Indian Constitution is framed to work as

- (A) a federal system
- (B) a unitary system
- (C) a federal system in normal times, and unitary system in emergency
- (D) a federal system in emergency and a unitary in normal time

22. Read *Assertion (A)* and *Reason (R)* and with the help of codes given below select the correct answer.

Assertion (A) : Right to education is a Fundamental Right

Reason (R) : The Indian Constitution has no provision for education anywhere in the Constitution before making right to education as Fundamental Right

Codes:

- (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

23. *Assertion (A)* : The President of India has the power to grant pardon or to suspend, remit or commute sentence.

Reason (R) : The President exercises not only executive functions but also judicial and legislative functions.

Codes:

- (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

24. Which of the following Articles of the Constitution does empower the state legislature to adopt Hindi or any state language as the official language of the state?

- (A) Article 345
- (B) Article 346
- (C) Article 348
- (D) Article 349

25. Parliament has power to legislate with respect to a matter in state list provided it is in the

- (A) National Interest
- (B) Interest of the State Concerned
- (C) Interest of the Public
- (D) Interest of Minority

26. Residuary powers are vested in

- (A) Executive
- (B) Parliament
- (C) Judiciary
- (D) State legislature

27. Parliament can legislate a matter given in state list in the national interest:

1. If the Council of State has declared by proper resolution that the matter is of national interest.
2. Resolution will remain in force for such period not exceeding 1 year.
3. Without consent of the state legislature.
4. If the President directs so.

Which of the above is correct?

- (A) 1, 2
- (B) 1, 2, 3
- (C) 1, 2, 3, 4
- (D) 1, 2, 4

28. Proclamation of emergency means:

- (A) Whereby the security of India or of any part of the territory thereof is threatened by war or external aggression or armed rebellion.
- (B) Emergency arising out of the failure of the Constitutional machinery.
- (C) Financial emergency.
- (D) All of the above

29. Which of the following statements are true about the difference between Articles 358 and 359?

1. Article 358 relates to Fundamental Rights (FR) and Article 359 relates to all FRs except Articles 20 and 21.
2. Article 359 relates to all FRs except and Articles 20 and 21 that Article 358 relates to Directive Principles.
3. Article 358 requires Presidential Order for its operation.
4. Article 358 relates to Financial emergency and Article 359 relates to state emergency.

Which of the above is correct?

- (A) 1, 3
- (B) 2, 3, 4
- (C) 1, 3, 4
- (D) 1, 4

30. An amendment of the Constitution of India may be initiated only by the introduction of a bill

- (A) in Lok Sabha
- (B) in Rajya Sabha
- (C) to the President
- (D) in either House of Parliament

31. The expression "Hindu" include

- (A) Jains
- (B) Sikhs
- (C) Buddhists
- (D) All of the above

32. Right to Privacy is a part of Article 21 of the Constitution of India, held in

- (A) Gaurav Jain Vs. Union of India.
- (B) Govind Vs. State of Madhya Pradesh.
- (C) Attorney General Vs. State.
- (D) Vineet Vs. Union of India.

33. Timely medical treatment in government hospital is a right under Article 21 of the Constitution of India, held in

- (A) Prabha Dutta *Vs.* Union of India.
- (B) Lokendra *Vs.* State.
- (C) Paschim Banga Khet Mazdoor *Vs.* State of West Bengal.
- (D) Suk Das *Vs.* Union Territory.

34. "Trial by media" was the subject matter of the Supreme Court discussion in

- (A) State of Maharashtra *Vs.* Rajendra
- (B) Makhbool *Vs.* State of Bombay
- (C) State of Bombay *Vs.* Apte
- (D) Leo Roy *Vs.* Superintendent

35. Right to free legal aid, where conviction for an offence may involve loss of life or personal liberty, is a right under Article 21 of the Constitution, held in

- (A) Bhim Singh *Vs.* State
- (B) M. H. Hoskot *Vs.* State
- (C) D. K. Basu *Vs.* State
- (D) Nilabati *Vs.* State

36. Right to get legal aid is a right under Article 21 of the Constitution of India, held in

- (A) Hussainara *Vs.* Home Secretary
- (B) Meena *Vs.* State
- (C) Parmanand Katara *Vs.* Union of India
- (D) Rupinder *Vs.* Union of India

37. Imprisonment of a person is unconstitutional after that person is declared insane held in

- (A) Veena *Vs.* State of Bihar
- (B) Maneka Gandhi *Vs.* Union of India
- (C) A. K. Gopalan *Vs.* State of Madras
- (D) Anwar Ali *Vs.* State of W.B.

38. Every proceeding before the National Human Rights Commission shall be deemed to be

- (A) an administrative proceeding (Section 18)
- (B) a quasi-judicial proceeding (Section 9)
- (C) a judicial proceeding [Section 13(5)]
- (D) an administrative as well as judicial proceeding (Section 12)

39. Which of the following chapters of the protection of Human Rights Act, 1993 deals with functions and powers of the National Human Rights Commission?

- (A) Chapter II
- (B) Chapter III
- (C) Chapter IV
- (D) Chapter V

40. A person surrendered may be tried and punished only for the offence for which extradition had been sought and granted. This is a stipulation of which of the following principles?

- (A) Specificity
- (B) Speciality
- (C) Exclusivity
- (D) Restrictiveness

41. Which of the following statement is not true regarding extradition?

- (A) Extradition of persons charged with political crimes is not allowed.
- (B) The person charged with having been an accessory in a crime committed, must be present in the state which seeks his extradition at the time of the said crime.
- (C) The principle of double criminality is followed.
- (D) Extradition is not allowed for military criminals.

- 42.** Which is not a source of international law?
 (A) International treaties
 (B) Customary rules
 (C) Writings of highly qualified publicists
 (D) International proposals
- 43.** Which of the following theories of international law prescribes that in order to implement or apply any international law in the domain of municipal law, the rules of international law must undergo a change?
 (A) Theory of dualism
 (B) Specific adoption theory
 (C) Transformation theory
 (D) Delegation theory
- 44.** Recognition of new states is a matter of
 (A) International law
 (B) Constitutional law
 (C) Policy of the State
 (D) Domestic law
- 45.** Read *Assertion (A)* and *Reason (R)* and with the help of codes given below select the correct answer:
Assertion (A) : International law consists for the most part of customary rules.
Reason (R) : Customary rules are the original and oldest source of international law.
- Codes:*
- (A) Both (A) and (R) are true and (R) is the correct explanation of (A)
 (B) Both (A) and (R) are individually true, but (R) is not the correct explanation of (A)
 (C) (A) is true, but (R) is not true
 (D) (A) is not true, but (R) is true
- 46.** The United Nations enjoy immunities and privileges in the territories of its Member States under:
 (A) Article 20 of the Chapter.
 (B) Article 104 of the Chapter.
 (C) Article 105 of the Chapter.
 (D) Article 106 of the Chapter.
- 47.** The ground of 'error of law apparent on the face of records' is concerned with the writ of
 (A) Prohibition
 (B) Certiorari
 (C) Mandamus
 (D) Quo-Warranto
- 48.** Portugal has extradited Abu Salem to India under which of the following?
 (A) International Convention for the Suppression of Terrorist Bombing, 1997.
 (B) International Convention for the Suppression of Financing of Terrorism, 2000.
 (C) UN Security Council Resolution No. 1373 (2001) declaring Terrorism as contrary to the purposes and principles of the UN.
 (D) Indo-Portugal Extradition Treaty.
- 49.** In the event of a dispute as to whether the International Court has jurisdiction or not, the matter shall be settled by
 (A) Security Council
 (B) General Assembly
 (C) Decision of the International Court of Justice
 (D) None of the above
- 50.** In which context the decision in *Maneka Gandhi Vs. Union of India* is relevant in administrative law?
 (A) Separation of powers
 (B) Delegated legislation
 (C) Rule of evidence
 (D) Right of hearing

51. Administrative law is that branch of law, the object of which is to check abuse of power by the following:

- (A) President
- (B) Parliament
- (C) Legislatures
- (D) Administrative authorities

52. Recommendation for the institution of Lokpal in India was made by:

- (A) Santhanam Committee
- (B) Administrative Reforms Commission
- (C) Swaminathan Committee
- (D) Kothari Committee

53. Administrative law has been characterised as the most 'outstanding legal development of the twentieth century'. Who has expressed such view?

- (A) Dicey
- (B) Maitland
- (C) Vanderbilt
- (D) Davis

54. Every High Court shall have superintendence over all courts and tribunals throughout the territories in relation to which it exercises its jurisdiction. This provision has been made by which of the following Articles of the Constitution?

- (A) Article 226
- (B) Article 228
- (C) Article 227
- (D) Article 229

55. Administrative law is the branch of

- (A) Natural law
- (B) Statutory law
- (C) Customary law
- (D) Public law

56. The dissenting judgment in *A.D.M. Jabalpur Vs. Shivakant Shukla* was delivered by

- (A) Justice Khanna
- (B) Justice Bhagwati
- (C) Justice Chandrachud
- (D) Justice Pathak

57. In which case the Supreme Court has held that the rules of Natural Justice are applied in administrative proceedings also?

- (A) *Maneka Gandhi Vs. Union of India*
- (B) *A. K. Kraipak Vs. Union of India*
- (C) *State of Maharashtra Vs. George*
- (D) *A. K. Gopalan Vs. Union of India*

58. A, a carrier, is entrusted by Z with property to be carried by land or by water. A dishonestly misappropriates the property. A has committed

- (A) theft.
- (B) dishonest misappropriation of property.
- (C) criminal breach of trust.
- (D) none of the above

59. A finds a rupee on the high road, not knowing to whom the rupee belongs. A picks up the rupee. Here A has

- (A) committed theft.
- (B) committed dishonest misappropriation of property.
- (C) not committed dishonest misappropriation of property.
- (D) committed criminal breach of trust.

60. Match *List-I* with *List-II* and select the correct answer:

List I

List II

- | | |
|--------------|---------------------------|
| 1. Theft | (i) Section 390, I.P.C. |
| 2. Extortion | (ii) Section 391, I.P.C. |
| 3. Robbery | (iii) Section 378, I.P.C. |
| 4. Dacoity | (iv) Section 383, I.P.C. |

Codes :

- | | | | | |
|-----|-------|------|------|-------|
| | 1 | 2 | 3 | 4 |
| (A) | (iii) | (iv) | (i) | (ii) |
| (B) | (ii) | (i) | (iv) | (iii) |
| (C) | (iv) | (ii) | (i) | (iii) |
| (D) | (iii) | (i) | (ii) | (iv) |

61. In all robbery, there is

- (A) theft
 (B) extortion
 (C) either theft or extortion
 (D) either theft or extortion or criminal breach of trust

62. The law relating to trafficking of person is contained in which of the following sections of I.P.C.?

- (A) Section 369
 (B) Section 370
 (C) Section 370A
 (D) Section 371

63. Point out incorrect response:

The offence of kidnapping from lawful guardianship does not extend to the act of any person who—

- (A) in good faith believes himself to be the father of a legitimate child.
 (B) in good faith believes himself to be the father of an illegitimate child.
 (C) in good faith believes himself to be entitled to lawful custody of such child.
 (D) does not commit the act for an immoral or unlawful purpose.

64. Z intentionally pulls up a woman's veil. He intentionally uses force to her and does so without her consent intending or knowing it to be likely that he may thereby injure, frighten or annoy her. Z is guilty of

- (A) using force to her.
 (B) using criminal force to her.
 (C) committing an assault on her.
 (D) committing an assault or using force to woman with intent to outrage her modesty.

65. *Assertion (A)* : Homicide is not punishable when it comes under any of the general exceptions contained in chapter IV of I.P.C.

Reason (R) : Death may be caused in a variety of ways mediate as well as immediate.

Codes:

- (A) Both (A) and (R) are individually true and (R) is the correct explanation of (A)
 (B) Both (A) and (R) are individually 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

66. The law relating to death caused by act done with intent to cause miscarriage is contained in

- (A) Section 312, I.P.C.
 (B) Section 313, I.P.C.
 (C) Section 314, I.P.C.
 (D) Section 315, I.P.C.

67. Whoever commits lurking house-trespass after sunset and before sunrise, is said to commit:

- (A) criminal trespass by night.
 (B) house-trespass by night.
 (C) lurking house-trespass by night.
 (D) house-breaking by night.

68. The object of the Negotiable Instruments Act, 1881 as set out in the preamble is

- (A) to define the law relating to Promissory Notes, Bills of Exchange and Cheques.
- (B) to define and amend the law relating to Promissory Notes, Bill of Exchange and Cheques.
- (C) to define, amend and consolidate the law relating to Promissory Notes, Bills of Exchange and Cheques.
- (D) to define, amend, consolidate and implement the law relating to Promissory Notes, Bills of Exchange and Cheques.

69. Impact of indorsement is explained in which of the following section of the Negotiable Instruments Act, 1881?

- (A) Section 40
- (B) Section 50
- (C) Section 60
- (D) Section 62

70. Section 10 of the Environment (Protection) Act is in pari materia with

- (A) Section 21 of the Air (Prevention and Control of Pollution) Act.
- (B) Section 20 of the Water (Prevention and Control of Pollution) Act.
- (C) Section 22 of the Air (Prevention and Control of Pollution) Act.
- (D) Section 24 of the Air (Prevention and Control of Pollution) Act.

71. The Environment (Protection) Act was enacted by Parliament in the

- (A) Thirty-sixth year of the Republic of India.
- (B) Thirty-seventh year of the Republic of India.
- (C) Thirty-ninth year of the Republic of India.
- (D) Fortieth year of the Republic of India.

72. Who among the following is not entitled to claim maintenance under section 125 of the Cr.P.C.?

- (A) Divorced wife so long as she does not marry.
- (B) Adoptive mother
- (C) Illegitimate child
- (D) Unmarried sister

73. Who of the following cannot claim maintenance under section 125 of the Cr.P.C.?

- (A) Wife living in adultery
- (B) Wife living separately by mutual consent
- (C) Both (A) and (B)
- (D) Either (A) or (B)

74. Limitation period for filing application in a consumer forum is

- (A) 1 year
- (B) 2 years
- (C) 3 years
- (D) 6 years

75. Which of the following statement is not correct?

- (A) Appeal against order of National Commission is made to Supreme Court.
- (B) Appeal against order of State Commission is made to National Commission.
- (C) Appeal against order of Distt Forum is made to State Commission.
- (D) Appeal against order of National Commission is made to High Court.

2917-III

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ROUGH WORK