

LAW
PAPER - II

Note : This paper contains fifty (50) objective type questions of two (2) marks each. All questions are compulsory.

1. Read Assertion (A) and Reason (R) and answer using the code given below :

Assertion (A) : The preamble to the constitution of India clearly indicates the ideals set before the Nation.

Reason (R) : The ideals set before the Nation are Justice, Equity, Fraternity of the individual and unity and integrity of the Nation.

Code :

- (1) Both (A) and (R) are true and (R) is the correct explanation of (A)
- (2) Both (A) and (R) are true but (R) is not the correct explanation of (A)
- (3) (A) is true but (R) is false**
- (4) (A) is false but (R) is true

2. Arrange the following leading cases in order, pronounced by the Supreme Court by using the code given below :

- (a) Selvi v. State of Karnataka
- (b) Official Liquidator v. Dayananda
- (c) I.R. Coelho v. State of Tamil Nadu
- (d) P.A. Inamdar v. State of Maharashtra

Code :

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

3. Which of the following statement is correct ?
- (1) The Fundamental Duties are mandatory on all the persons
 - (2) The Fundamental Duties have always been a part of the Constitution of India
 - (3) The Fundamental Duties have been added through an amendment to the Constitution of India**
 - (4) The Fundamental Duties can be enforced by Writs
4. Read Assertion (A) and Reason (R) and answer using the code given below :
- Assertion (A) : No person is eligible for appointment as Governor unless he is a citizen of India and has completed the age of Thirty Five Years.
- Reason (R) : He is debarred from holding any other office of profit during his term of office.
- Code :
- (1) Both (A) and (R) are true and (R) is the correct explanation of (A).
 - (2) Both (A) and (R) are true but (R) is not the correct explanation of (A).**
 - (3) (A) is true but (R) is false.
 - (4) (A) is false but (R) is true.
5. Which one of the following pairs is correctly matched with regard to the provisions of the Constitution of India ?
- (1) Art 352.... Effect of proclamation of Emergency
 - (2) Art 353....Application of provisions relating to distribution of revenues while a proclamation is in operation
 - (3) Art 354.... Determination of executive powers of the Union, during emergency
 - (4) Art 355.... Duty of the Union to protect States against external aggression and internal disturbance**
6. Which one of the following pairs is **not** correctly matched with regard to constitutional amendment ?
- (1) The Constitution (Seventh Amendment) Act1956.
 - (2) The Constitution (Fourteenth Amendment) Act.....1962.
 - (3) The Constitution (Thirty First Amendment) Act.....1973.
 - (4) The Constitution (Forty Second Amendment) Act.....1975.**

7. Match List-I with List-II and give the correct answer by using the code given below the lists :

List-I	List-II
(a) The principles of constructive resjudicata are also applicable to writ petition	(i) Woman's Education Trust V. State of Haryana
(b) Writ petition dismissed for want of prosecution can be restored	(ii) M. Nagabhushana V. State of Karnataka
(c) Direction given by the High Court under Article 226 cannot be altered by the State Government	(iii) Ratan Singh V. State of Rajasthan
(d) The disposal of several writ petitions in a batch by a single order would be permissible if facts of all cases are similar or almost similar	(iv) V. Porukutty Mannadissior V. State of Kerala

Code :

(a) (b) (c) (d)

(1) (ii) (iii) (iv) (i)

(2) **(iii) (iv) (i) (ii)**

(3) (ii) (i) (iv) (iii)

(4) (iv) (iii) (i) (ii)

8. "Judges do not make law, but only declare what has always been law." This statement is of :

(1) Salmond

(2) **Blackstone**

(3) Willis

(4) Allen

9. Which of the following statements is/are correct in regard to a valid custom ?

(a) The custom has to possess a sufficient measure of antiquity.

(b) The custom must have been enjoyed 'as of right'.

(c) The custom need not to be consistent with other custom in the same area.

(d) The custom must be certain and precise.

Code :

(1) Only (a) and (b) are correct.

(2) Only (a), (b) and (c) are correct.

(3) **Only (a), (b) and (d) are correct.**

(4) (a), (b), (c) and (d) all are correct.

10. Match List-I with List-II and select the correct answer using the code given below :

List-I (Theory)	List-II (Jurist)
(a) Scientific Positivism	(i) Herbert Spencer
(b) Social Solidarity	(ii) Gierke
(c) Organic Theory of Society	(iii) Auguste Comte
(d) Theory of reality of group personality	(iv) Duguit

Code :

- (a) (b) (c) (d)
- (1) (i) (iv) (ii) (iii)
- (2) **(iii) (iv) (i) (ii)**
- (3) (ii) (iv) (iii) (i)
- (4) (iv) (ii) (i) (iii)

11. Match List-I with List-II and select the correct answer using the code given below :

List-I	List-II (Jural correlatives)
(a) Right	(i) Liability
(b) Privilege	(ii) Disability
(c) Power	(iii) Duty
(d) Immunity	(iv) No-right

Code :

- (a) (b) (c) (d)
- (1) (i) (ii) (iii) (iv)
- (2) **(iii) (iv) (i) (ii)**
- (3) (iii) (ii) (iv) (i)
- (4) (iv) (i) (iii) (ii)

12. "Ownership denotes the relation between a person and an object forming the subject-matter of his ownership." This observation was made by :

- (1) **Salmond** (2) Pound (3) Holland (4) Savigny

13. Read the following statements and give the correct answer by using the code given below :

Assertion (A) : A perfect duty is one which a person not merely ought to perform, but may be justly compelled to perform.

Reason (R) : A perfect duty is one which is not merely recognised by law but enforceable.

Code :

(1) **(A) and (R) both are correct and (R) is the correct explanation of (A).**

(2) (A) and (R) both are correct and (R) is not the correct explanation of (A).

(3) (A) is correct but (R) is wrong.

(4) (A) is wrong but (R) is correct.

14. In which of the following cases Judge Alvarez has aptly remarked, “The fundamental principles of international law are passing through a serious crisis and this necessitates its reconstruction. A new international law is developing which embodies not only this reconstruction but also some entirely new elements” ?

(1) Anglo - Norwegian Fisheries Case

(2) Aegean Sea Continental Shelf Case

(3) **Conditions of admission of a State to the United States**

(4) International Status of South West Africa

15. Which of the following statement/statements is/are not correct ?

(a) The words ‘International Law’ were used for the first time by eminent British Jurist, Jeremy Bentham in 1780.

(b) J.S. Starke has remarked that international law is a “living and expanding code.”

(c) Prof. Oppenheim has remarked that international law is the vanishing point of jurisprudence.

(d) Holland has viewed that International law is mere a positive morality.

Code :

(1) Only (c) is incorrect.

(2) (a) and (d) both are incorrect.

(3) **(b), (c) and (d) are only incorrect.**

(4) (a), (b), (c) and (d) all are incorrect.

16. Which of the following is not a theory of relationship between international law and municipal law ?

- (1) Specific Adoption Theory
- (2) Delegation Theory
- (3) Declaratory Theory**
- (4) Monism

17. Match List-I with List-II and give the correct answer by using the code given below the lists :

List-I	List-II
(a) Decision given by the Permanent Court of Arbitration	(i) The Right of Minorities in the upper Silesia (Minority schools)
(b) The principle/doctrine of Forum Prorogatum was enunciated in the case	(ii) Pious Fund case
(c) A leading case on “reprisal “ is :	(iii) The Asylum(Colombia v. Peru) case
(d) Case decided by International Court of Justice under ‘Contentious Jurisdiction’	(iv) Naulilaa Incident

Code :

- (a) (b) (c) (d)
- (1) (ii) (i) (iv) (iii)**
- (2) (i) (ii) (iii) (iv)
- (3) (iii) (iv) (i) (ii)
- (4) (iv) (iii) (ii) (i)

18. Which of the following cases are not related to “recognition” ?

- (a) Civil Air Transport Incorporated Co. v. Central Air Transport Corporation
- (b) The Azantzazu Mendi case
- (c) Barcelona Traction case
- (d) United States v. Schooner

Code :

- (1) Only (d)
- (2) (a), (b) and (c) only
- (3) (c) and (d) both**
- (4) (a), (b), (c) and (d) all

19. Which of the following statement/statements is/are correct ?

- (a) The most important purpose of the United Nations is to maintain international peace and security.
- (b) The principles of the United Nations are provided under Article 2 of the U. N. Charter.
- (c) Section 6 of the U. N. Charter provides for provisions to withdraw of a Member-State from the United Nations.
- (d) There are five (5) principal organs of the United Nations.

Code :

- (1) Only (a) is correct.
- (2) (a), (b) and (c) are correct.
- (3) (a), (b), (c) and (d) all are correct.
- (4) **Only (a) and (b) are correct.**

20. In which of the following cases the Supreme Court held that “it is now well established that in the absence of any rule of Hindu Law, the court have authority to decide cases on the principle of justice, equity and good conscience” ?

- (1) **Gurunath v. Kamlabai**
- (2) Lohar Amrit v. Doshi Janti Lal
- (3) Sarastivali v. Jagadammbai
- (4) Munna Lal v. Rajkumar

21. Match List-I with List-II and indicate the correct answer using the code given below :

List-I

List-II

- | | |
|-----------------------------------------|-------------------------------|
| (a) Vishwanath Agrawal vs Sarla Agrawal | (i) Divorce by mutual consent |
| (b) Geeta Maugalani v Jagdesh Maugalani | (ii) Saptapadi |
| (c) Manish Goel v Rohni Goel | (iii) Cruelty |
| (d) Vishnu Prakash v Sheela Devi | (iv) Desertion |

Code :

- (a) (b) (c) (d)
- (1) (ii) (iv) (iii) (i)
- (2) (i) (iii) (iv) (ii)
- (3) **(iii) (iv) (i) (ii)**
- (4) (i) (iv) (iii) (ii)

22. A Hindu Contracting Second Marriage during pendency of appeal against the decree of divorce is :

- (1) Valid
- (2) Invalid
- (3) Factum valid
- (4) **Void**

23. A Married Hindu Contracting Second Marriage after professing Islam, would be guilty of offence punishable under :
- (1) Section 17 HM Act 1955 only
 - (2) Section 494 IPC only
 - (3) Section 17 HM Act read with S.494 IPC**
 - (4) Neither S.17 nor S.494.IPC
24. Which is NOT the modern source of Hindu Law ?
- (1) Precedent
 - (2) Legislation
 - (3) Dharamshastra**
 - (4) Justice, equity and good conscience
25. In which of the following case, the Supreme court held that “Triple Talaq” would be treated as a “Single Talaq” and not a valid talaq ?
- (1) Bai Tahira Case
 - (2) Fazlunbi Case
 - (3) Mohd Ahmad Khan Case
 - (4) Shamim Ara Case**
26. Read Assertion (A) and Reason (R) and answer by using code given below :
- Assertion (A) : An agreement would be void if both the parties to the agreement were under a mistake as to a matter of fact not essential to the agreement.
- Reason (R) : Because Section 20 of the Indian Contract Act so provides.
- Code :
- (1) (R) is correct , but (A) is incorrect.
 - (2) (A) is correct, but (R) is incorrect.
 - (3) Both (A) and (R) are correct.
 - (4) Both (A) and (R) are incorrect.**
27. Match List-I with List-II and select the correct answer using the code given below :
- | List-I | List-II |
|-------------------------------|----------------------------------|
| (a) Lapse of offer | (i) Week v. Tybald |
| (b) General offers | (ii) Henthon v. Fraser |
| (c) Communication of proposal | (iii) Coffee Board v. CCT |
| (d) Implied proposal | (iv) Lalman Shukla v. Gauri Datt |
- Code :
- (a) (b) (c) (d)
 - (1) (iv) (iii) (i) (ii)
 - (2) (ii) (i) (iii) (iv)
 - (3) (ii) (i) (iv) (iii)**
 - (4) (i) (ii) (iv) (iii)

28. "Consideration is the recompense given by the party contracting to the other" : Above definition is attributed to _____.

- (1) Pollock (2) Justice Patterson
(3) Cheshire and Fifoot (4) **Blackstone**

29. Which of the following statement is correct ?

- (1) Acceptance may be made in the manner prescribed or indicated by the offerer.
(2) Acceptance has to be made in the manner prescribed or indicated by the offeree.
(3) **Acceptance has to be made in the manner prescribed or indicated by the offerer.**
(4) Acceptance need not be made in the manner prescribed or indicated by the offerer.

30. In which of the following cases law of frustration was applied ? Answer using code given below :

- (a) Paradine v. Jane
(b) Taylor v. Caldwell
(c) Krell v. Henry
(d) Cricklewood Property and Investment Trust Ltd. v. Leighton's Investment Trust Ltd.

Code :

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

31. Which one of the following cases enshrine the present position of the doctrine of public policy in India ?

- (1) Ramchand Hirachand v. Askar Nawaz Jung
(2) **Gherulal Parakh v. Mahadeodas**
(3) Muniyammal v. Raja
(4) Geeta Satish Gokarna v. Satish Shankarrao Gokarna

32. Read Assertion (A) and Reason (R) and answer using code given below :

Assertion (A) : A contract is a property in the nature of a promise supported by some consideration upon which either the remedy of specific performance or that of damages is available.

Reason (R) : Above principle is laid down in Sunrise Associates v. Govt. of NCT of Delhi.

Code :

- (1) Both (A) and (R) are correct.
- (2) Both (A) and (R) are incorrect.**
- (3) (A) is correct, but (R) is incorrect.
- (4) (R) is correct, but (A) is incorrect.

33. Which of the following statement/s is/are correct ? Answer by using the code below :

- (a) In tort duty is imposed by law and is owed to the community at large.
- (b) A tort is founded upon consent of parties.
- (c) A tort is civil wrong for which the remedy is a common law action for liquidated damages.
- (d) In tort 'motive' for the violation of right is immaterial.

Code :

- (1) **Only (a) is correct.**
- (2) (a) and (b) are correct.
- (3) (a), (b) and (c) are correct.
- (4) (a), (b), (c) and (d) are correct.

34. Match List-I (Name of defence) with List-II (Related case) and give the answer by using the code given below :

List-I

- (a) Plaintiff a wrongdoer
- (b) Act of God
- (c) Inevitable accident
- (d) Mistake

List-II

- (i) Nichols v. Marsland
- (ii) Bird v. Holbrook
- (iii) Consolidated Co. v. Curtis
- (iv) Stanley v. Powell

Code :

- (a) (b) (c) (d)
- (1) (iv) (iii) (ii) (i)
- (2) (iii) (iv) (i) (ii)
- (3) **(ii) (i) (iv) (iii)**
- (4) (i) (ii) (iii) (iv)

35. Read Assertion (A) and Reason (R) and give correct answer with the help of code given below :

Assertion (A) : The relations of partners *inter se* is that of principal and agent.

Reason (R) : The rules of the law of agency does not apply in case of their liability.

Code :

- (1) Both (A) and (R) are true and (R) is the correct explanation of (A)
- (2) Both (A) and (R) are true but (R) is not the correct explanation of (A)
- (3) (A) is right but (R) is wrong**
- (4) (A) is wrong but (R) is right

36. A servant is engaged by the master under _____.

- (1) **Contract of service**
- (2) Contract for services
- (3) Contract from services
- (4) Contract in services

37. Match List-I (Name of Rule) with List-II (Related case) and give correct answer by using code given below :

List-I

List-II

- | | |
|------------------------------|----------------------------------------------------|
| (a) Last opportunity | (i) Bernina Mills v. Armstrong |
| (b) Apportionment of damages | (ii) Davies v. Mann |
| (c) Alternative danger | (iii) Shyam sunder v. State of Rajasthan |
| (d) Identification | (iv) Vidya Devi v. M.P. Road Transport Corporation |

Code :

- (a) (b) (c) (d)
- (1) **(ii) (iv) (iii) (i)**
- (2) (i) (iii) (ii) (iv)
- (3) (iii) (ii) (i) (iv)
- (4) (iv) (i) (ii) (iii)

38. Which of the following is an exception to the rule of strict liability ?

- (1) Defendant's own fault (2) **Statutory authority**
(3) Consent of third party (4) Act of defendant

39. Match the appropriate statements with that of its authors :

Statement	Author
(a) The behaviour as criminal is part of the political process	(i) Klare H. J.
(b) Disobedience of law may be termed as a crime	(ii) Huda
(c) Crime is not absolute like sin	(iii) Terence Morris
(d) Crime is an act committed or omitted in violation of a public law	(iv) Blackstone

Code :

(a) (b) (c) (d)

2 (iv) (iii) (ii) (i)

(2) (ii) (iii) (i) (iv)

(3) (i) (iv) (ii) (iii)

(4) (i) (ii) (iii) (iv)

40. In the absence of any evidence as to the *mens rea*, in which of the cases the criminal liability can be fixed upon a person ?

- (1) Where the consequences are not so harmful to the society.
(2) Where there is no violent presumption.
(3) The intended consequence is not injurious but conjointly injurious on other facts.
(4) Where an act is not performed wantonly.

41. In the application of the principle 'Nemo debet pro eadem causa bis vexari', what enquiries are relevant ?
- (1) Whether the accused is not in jeopardy on the first indictment ?
 - (2) Whether there was final verdict ?**
 - (3) Whether the previous charge was not the same as that of the present one ?
 - (4) Whether the statute directs not to have a second trial ?
42. Read the following statements and state where the principles of joint liability is applied instantly flowing from mens rea ?
- (1) When he himself commits a crime.
 - (2) When he shares in the commission of crime.**
 - (3) When he, with a view to the commission of crime, sets some third agency to work.
 - (4) When he helps the offender after commission of the crime in screening the offence.
43. Acts done in moments of delusion are protected because :
- (1) By virtue of absence of free will.
 - (2) Lack of intelligence to distinguish between good and evil.
 - (3) Expediency grounds says so.
 - (4) Circumstances are such that they are incompatible to the existence of Mens rea.**
44. Which of the factors are essential for fixing criminal liability on importing girls from different territory other than India for seduction ?
- (1) That girl must be below the age of 21 years.**
 - (2) That imported girl must be from Indian origin irrespective of age.
 - (3) That girl must be from Jammu and Kashmir or any other UN recognised country and is brought forcefully to render domestic help.
 - (4) That girl is on a tourist Visa and above 21 years and is likely that she will be forced to illicit intercourse.

45. Read Assertion (A) and Reason (R) and answer using the code given below :

Assertion (A) : There is a more continuous and systematic surveillance over industrial disputes on the part of the government by resorting to compulsory adjudications as the tradition of free collective bargaining has always been weak in India .

Reason (R) : With respect to the merits and demerits of collective bargaining Vis-a-Vis compulsory adjudications there is a serious conflict and over lapping of views .

Code :

- (1) Both (A) and (R) are true and (R) is the correct explanation of (A).
- (2) Both (A) and (R) are true and (R) is not the correct explanation of (A).
- (3) (A) is true but (R) is false.
- (4) (A) is false but (R) is true.

46. Match List-I with List-II and select the correct answer using the code given below the list :

List-I	List-II
(a) Food corporation of India staff union (i) Settlements are the “live wires” of the Act v. Food corporation of India and others for ensuring industrial peace and prosperity.	
(b) Virudhachalam v. Management of Lotus Mills	(ii) An unregistered trade union or trade union whose registration has been cancelled has no right.
(c) B. Srinivasa Reddy v. Karnataka water Supply and Drainage Board Employees Association	(iii) Reflection of recent judicial trends on the interpretation of definition of industry.
(d) Coir Board, Ernakulam, Cochin and Devi P.S. and others for assessing the representative character of Trade Union by a secret ballot system.	(iv) Norms and procedure to be followed another v. Indira

Code :

- (a) (b) (c) (d)
- (1) (iv) (i) (ii) (iii)
- (2) (i) (ii) (iii) (iv)
- (3) (iii) (ii) (i) (iv)
- (4) (ii) (i) (iv) (iii)

47. Which one of the following is wrong ?
- (1) The right to strike or declare lock-out may be controlled or restricted by appropriate industrial legislation.
 - (2) The conciliation officers under the industrial disputes Act are charged with the duty of adjudication of disputes.**
 - (3) An interim award is like a preliminary decree within the meaning of Section 2 (2) of Code of Civil Procedure.
 - (4) The Works Committee is not authorised to consider real or substantial changes in the conditions of service.
48. The Fifth Schedule, under the Industrial Disputes Act contains several unfair labour practices. In which of the conditions of category I, it is required to establish that Employer Sponsored Trade Union of workmen is said to be Unfair Labour Practice ?
- (1) Employees or their Trade Union
 - (2) Employee only
 - (3) Employers or their Trade Union**
 - (4) Employer and Employee Collectively
49. When a party to dispute under the Industrial Disputes Act is prevented from appearing at the hearing, due to sufficient cause and is faced with *exparte* award, the Industrial Tribunal has :
- (1) no power to set aside the *exparte* award.
 - (2) only duty to set aside the *exparte* award.
 - (3) both power and duty to set aside the *exparte* award which is based on the rule of statutory construction.**
 - (4) express provision in the Act or rules giving the tribunal the jurisdiction to set aside the award.
50. "The concept of compulsory adjudication of industrial disputes was statutorily ushered with a view to providing a forum and compelling the parties to resort to the forum for arbitration, so as to avoid confrontation and dislocation in industry."
- The above observation was made by one of the justice in a case decided by the Supreme Court :
- (1) Justice V.R. Krishna Iyer
 - (2) Justice O. Chinnappa Reddy
 - (3) Justice Desai**
 - (4) Justice Gajendragadkar

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