

AIBE 20 Question Paper Set A with Solution

Time Allowed :3 Hours	Maximum Marks :100	Total Questions :100
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General Instructions

Read the following instructions very carefully:

1. The test is of 3 hour duration.
2. The question paper consists of 100 questions. The maximum marks are 100.

1. If a bailiff executes an eviction based on a civil court order later declared void for lack of jurisdiction, what protection does Section 78 of the Indian Penal Code provide?

- (A) The bailiff is punishable as the order was invalid from the beginning
- (B) The bailiff can be punished only with a reduced penalty
- (C) The bailiff is exempt if he acted in good faith under the order
- (D) The bailiff is required to compensate the evicted person

Correct Answer: (C) The bailiff is exempt if he acted in good faith under the order

Solution:

Step 1: Understanding the Concept: The question relates to the general exceptions under the Indian Penal Code (IPC), specifically regarding acts done pursuant to the judgment or order of a Court.

Step 2: Detailed Explanation: Section 78 of the IPC, 1860 deals with "Act done pursuant to the judgment or order of Court". It states that: "Nothing which is done in pursuance of, or which is warranted by the judgment or order of, a Court of Justice, if done whilst such judgment or order remains in force, is an offence, notwithstanding the Court may have had no jurisdiction to pass such judgment or order, provided the person doing the act in good faith believes that the Court had such jurisdiction."

- The section protects officers (like a bailiff) who execute court orders.
- The protection applies even if the court had no jurisdiction, provided the officer acted in **good faith**, believing the court had jurisdiction.
- Therefore, the bailiff is exempt from criminal liability.

Step 4: Final Conclusion: Since the bailiff executed the order believing the court had jurisdiction (good faith), Section 78 protects him from liability.

💡 Quick Tip

Exam Tip: Remember the pair:

- **Section 77 IPC:** Act of Judge when acting judicially (Judge is protected).
- **Section 78 IPC:** Act done pursuant to the judgment or order of Court (Officer executing the order is protected).

2. Under the Bharatiya Nyaya Sanhita, 2023, what is the maximum number of consecutive days an offender may be kept in solitary confinement at a time?

- (A) Seven
- (B) Ten
- (C) Fourteen
- (D) Twenty-one

Correct Answer: (C) Fourteen

Solution:

Step 1: Understanding the Concept: This question pertains to the limits on solitary confinement under the new criminal code, the Bharatiya Nyaya Sanhita (BNS), 2023, which replaces the IPC.

Step 2: Legal Provision (Section 11 BNS): Section 11 of the BNS, 2023 (analogous to Sections 73 and 74 of the IPC) lays down the rules for solitary confinement. The proviso regarding the execution of such sentences states: "In no case shall the solitary confinement be awarded for more than **fourteen days** at a time."

Additionally, it mandates intervals between periods of solitary confinement:

- With intervals between the periods of solitary confinement of not less duration than such periods.
- If the imprisonment exceeds three months, solitary confinement shall not exceed 7 days in any one month.

Step 3: Conclusion: The maximum duration for a single continuous stretch of solitary confinement is fixed at 14 days.

💡 Quick Tip

Note: The provisions for Solitary Confinement in BNS 2023 (Section 11) are substantially the same as in IPC 1860 (Sections 73 & 74). **Max limit in total:** 3 months.
Max limit at a time: 14 days.

3. According to the Motor Vehicles Act, 1988, what is the fixed amount of compensation payable in the event of death caused by a motor vehicle accident under no-fault liability?

- (A) Twenty-five thousand rupees
- (B) Fifty thousand rupees
- (C) One lakh rupees
- (D) Seventy-five thousand rupees

Correct Answer: (B) Fifty thousand rupees

Solution:

Step 1: Understanding the Concept: The question asks for the compensation amount under "No-Fault Liability" for death, as per the Motor Vehicles Act, 1988.

Step 2: Detailed Explanation: Under Section 140 of the Motor Vehicles Act, 1988 (before the 2019 amendment fully overhauled Chapter XI), the principle of "No-Fault Liability" mandated fixed compensation:

- For Death: Rs. **50,000**.
- For Permanent Disablement: Rs. 25,000.

Although the Motor Vehicles (Amendment) Act, 2019 introduced Section 164 which increased the fixed compensation for death to Rs. 5 Lakhs, the options provided in this question (25k, 50k, 1L, 75k) clearly refer to the pre-amendment Section 140 provision.

Step 4: Final Conclusion: Based on the options and the historical text of Section 140, the fixed compensation for death is Rs. 50,000.

 Quick Tip

Update Alert: Under the new **Section 164** of the MV Act (post-2019 Amendment), the compensation is fixed at **Rs. 5 Lakhs for death** and **Rs. 2.5 Lakhs for grievous hurt**. Always check the options to see if the question refers to the old or new regime.

4. Given below are two statements, one labelled as Assertion (A) and the other labelled as Reason (R). **Assertion (A):** An employee can be deemed to be in continuous service for one year only if he has worked for 365 days in the preceding twelve months, without any interruption.

Reason (R): Under the Payment of Gratuity Act, 1972, continuous service may also include periods of interruption due to sickness, accident, leave, lay-off, strike, or lock-out not caused by the employee's fault.

In the context of the above assertion and reason under the Payment of Gratuity Act, 1972, which one of the following is correct?

- (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.

Correct Answer: (D) (A) is false, but (R) is true.

Solution:

Step 1: Analyze Assertion (A): Assertion (A) claims that continuous service requires working for 365 days without interruption. Fact Check: Under Section 2A of the Payment of Gratuity Act, 1972, "continuous service" does **not** require an employee to work every single day (365 days). For a year, an employee is deemed in continuous service if they have worked for at least 190 days (in mines/collieries) or 240 days (in other establishments). Therefore, Assertion (A) is False.

Step 2: Analyze Reason (R): Reason (R) states that continuous service includes interruptions due to sickness, accident, leave, etc. Fact Check: Section 2A(1) explicitly states that continuous service means uninterrupted service, which includes service interrupted by sickness, accident, leave, absence from duty without leave (not being penalty), lay-off, strike, or lock-out (not due to employee's fault). Therefore, Reason (R) is True.

Step 3: Conclusion: (A) is False and (R) is True.

💡 Quick Tip

Key Numbers: For Gratuity eligibility (Continuous Service): - 240 days working in a year (General). - 190 days working in a year (Mines/Underground).

5. Read the following statements and choose the correct option. **Statement 1:** Under the Indian Penal Code, if a person harbours an offender who has escaped custody for an offence punishable with imprisonment up to 3 years, he shall be punished with imprisonment up to 7 years. **Statement 2:** The law provides an exception for harbouring or concealing by the husband or wife of the offender. In the context of the above statements under the Indian Penal Code, which one of the following is correct?

- (A) Both Statements 1 and 2 are false
- (B) Only Statement 1 is true
- (C) Only Statement 2 is true
- (D) Both the Statements are true

Correct Answer: (C) Only Statement 2 is true

Solution:

Step 1: Analyze Statement 1: This relates to **Section 212 of the IPC** (Harbouring offender). The punishment for harbouring depends on the offence committed by the person harboured:

- If the offence is punishable with death: Harbourer gets up to 5 years.
- If punishable with life imprisonment/10 years: Harbourer gets up to 3 years.
- If punishable with imprisonment extending to 1 year and not to 10 years: Harbourer gets up to one-fourth of the longest term provided for that offence.

In the statement, the offence is punishable with 3 years. One-fourth of 3 years is 9 months. The statement claims the harbourer is punished with "up to 7 years". This is incorrect. Therefore, Statement 1 is False.

Step 2: Analyze Statement 2: Section 212 contains an explicit exception: "This provision shall not extend to any case in which the harbour or concealment is by the husband or wife of the offender." Therefore, Statement 2 is True.

Step 3: Conclusion: Only Statement 2 is true.

 Quick Tip

Exception Logic: In IPC, the husband/wife relationship is often protected from "harbouring" charges (Sections 212, 216) to preserve the sanctity of marriage, except in certain state offences (like Section 130 - Harboursing a State Prisoner, where no such exception exists).

6. If a person attempts an offence punishable with a maximum of 10 years imprisonment, what is the maximum years of imprisonment that can be imposed under Section 62 of the Bharatiya Nyaya Sanhita, 2023?

- (A) Five years
- (B) Seven years
- (C) Ten years
- (D) Three years

Correct Answer: (A) Five years

Solution:

Step 1: Understanding the Concept: Section 62 of the Bharatiya Nyaya Sanhita (BNS), 2023 corresponds to Section 511 of the IPC (Punishment for attempting to commit offences).

Step 2: Key Formula: If no express provision is made for the punishment of an attempt, the offender shall be punished with imprisonment for a term which may extend to one-half of the imprisonment for life or, as the case may be, one-half of the longest term of imprisonment provided for that offence.

Step 3: Calculation: Maximum imprisonment for the offence = 10 years. Maximum imprisonment for the *attempt* = $\frac{1}{2} \times 10$ years. Result = 5 years.

Step 4: Final Answer: The maximum imprisonment is 5 years.

 Quick Tip

Formula: Attempt Penalty = $\frac{1}{2} \times (\text{Max Term of Main Offence})$. This applies when the Act does not define a specific separate punishment for the attempt (like Attempt to Murder is separately punished under Sec 109 BNS / Sec 307 IPC).

7. A juvenile aged 14 years is brought before the court for an offence not punishable with death or imprisonment for life. Under which provision of the Code of Criminal Procedure, 1973, will the case primarily fall?

- (A) Section 27
- (B) Section 125
- (C) Section 302
- (D) Section 482

Correct Answer: (A) Section 27

Solution:

Step 1: Analyze the Options:

- **(A) Section 27:** Deals with "Jurisdiction in the case of juveniles". It states that any offence not punishable with death or imprisonment for life, committed by a person under the age of 16, may be tried by the Court of a Chief Judicial Magistrate or a special court (Children's Court).
- **(B) Section 125:** Deals with "Order for maintenance of wives, children and parents".
- **(C) Section 302:** Deals with "Permission to conduct prosecution".
- **(D) Section 482:** Deals with "Saving of inherent powers of High Court".

Step 2: Conclusion: The question describes the exact scenario covered by **Section 27** of the CrPC.

 Quick Tip

Note: While the Juvenile Justice (Care and Protection of Children) Act, 2015 now governs most procedures for children in conflict with law, Section 27 CrPC provides the specific procedural jurisdiction clause within the Code itself.

8. Under Section 290(1) of Bharatiya Nagarik Suraksha Sanhita, 2023, within how many days from the date of framing of charge can an accused file an application for plea bargaining?

- (A) 15
- (B) 30
- (C) 45
- (D) 60

Correct Answer: (B) 30

Solution:

Step 1: Understanding the Concept: The Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 introduced a timeline for filing Plea Bargaining applications, which was absent in the old CrPC Section 265B.

Step 2: Verification from BNSS Text: Section 290(1) of BNSS states: "A person accused of an offence may file an application for plea bargaining within a period of **thirty days** from the date of framing of charge in the Court in which such offence is pending for trial."

Step 3: Addressing the Confusion (Option D): Section 290(4)(a) mentions a period of "sixty days", but that is the time given by the Court to the parties (Prosecutor and Accused) to work out a mutually satisfactory disposition after the application has been accepted. The question specifically asks for the time limit to **file** the application.

Step 4: Conclusion: The application must be filed within 30 days.

💡 Quick Tip

Timeline Check (BNSS 290): - **To File Application:** 30 days from framing of charges. - **To Negotiate Disposition:** 60 days from the date the court allows the process.

9. Under the Bharatiya Nyaya Sanhita, 2023, if a person is ordered to pay a fine of Rs 4,000 but fails to do so, what is the maximum simple imprisonment the court may impose on the defaulter?

- (A) One year
- (B) Two months
- (C) Four months
- (D) Six months

Correct Answer: (B) Two months

Solution:

Step 1: Understanding the Concept: This question deals with imprisonment in default of payment of fine under Section 8 of the BNS, 2023 (replacing Section 67 of the IPC).

Step 2: Analyzing the Scale (Section 8 BNS): Section 8(5) of BNS prescribes the scale of imprisonment for default of fine when the offence is punishable with fine only:

- If the fine does not exceed **Rs. 5,000**: Imprisonment up to **2 months**.
- If the fine does not exceed **Rs. 10,000**: Imprisonment up to **4 months**.
- In any other case: Imprisonment up to **1 year**.

Step 3: Application to the Problem: The fine amount is **Rs. 4,000**. Since Rs. 4,000 is less than Rs. 5,000, it falls into the first category.

Step 4: Conclusion: The maximum simple imprisonment is 2 months. (Note: The screenshot shows a tick on "Four months", which corresponds to the slab for fines up to Rs. 10,000. However, for Rs. 4,000, the correct legal answer is 2 months).

💡 Quick Tip

Comparison IPC vs BNS (Default of Fine): **IPC (Old):** - Up to Rs 50 -> 2 months - Up to Rs 100 -> 4 months - Above Rs 100 -> 6 months

BNS (New): - Up to Rs 5,000 -> 2 months - Up to Rs 10,000 -> 4 months - Above Rs 10,000 -> 1 year

10. According to Section 18 of the Bharatiya Nagarik Suraksha Sanhita, 2023, what is the minimum period of practice as an advocate, required to be considered eligible for appointment as a Public Prosecutor or Additional Public Prosecutor?

- (A) 3 years
- (B) 5 years
- (C) 7 years
- (D) 10 years

Correct Answer: (C) 7 years

Solution:

Step 1: Understanding the Concept: The question asks for the eligibility criteria for a Public Prosecutor under the new criminal procedure code, the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023. This provision is analogous to Section 24 of the Code of Criminal Procedure (CrPC), 1973.

Step 2: Detailed Explanation: Section 18 of the Bharatiya Nagarik Suraksha Sanhita, 2023 deals with the appointment of Public Prosecutors. Subsection (7) of Section 18 states: "A person shall be eligible to be appointed as a Public Prosecutor or an Additional Public Prosecutor under sub-section (1) or sub-section (2) or sub-section (3) or sub-section (6), only if he has been in practice as an advocate for not less than seven years."

Step 3: Comparison with Special Public Prosecutor: It is worth noting that for a "Special Public Prosecutor," the requirement is usually 10 years of practice (Section 18(8) of BNSS). However, for a standard Public Prosecutor or Additional Public Prosecutor, the requirement is 7 years.

Step 4: Final Conclusion: The minimum period of practice required is 7 years.

💡 Quick Tip

Exam Tip: Remember the hierarchy of experience:

- **Public Prosecutor / Addl. PP:** 7 Years.
- **Special Public Prosecutor:** 10 Years.
- These limits are consistent between the old CrPC (Sec 24) and the new BNSS (Sec 18).

11. Under the Indian Evidence Act, 1872, when can facts that are otherwise irrelevant be considered relevant?

- (A) Only when they prove the guilt of the accused directly
- (B) Only when they form part of a dying declaration
- (C) When they are inconsistent with a fact in issue or relevant fact
- (D) When they are part of an admission made in writing

Correct Answer: (C) When they are inconsistent with a fact in issue or relevant fact

Solution:

Step 1: Understanding the Concept: This question refers to **Section 11** of the Indian Evidence Act, 1872, often titled "When facts not otherwise relevant become relevant."

Step 2: Detailed Explanation: Section 11 states that facts not otherwise relevant are relevant: 1. If they are inconsistent with any fact in issue or relevant fact. 2. If by themselves or in connection with other facts they make the existence or non-existence of any fact in issue or relevant fact highly probable or improbable.

Step 3: Analyzing the Options: Option (C) directly mirrors the first clause of Section 11. A classic example is the Plea of Alibi. If the fact in issue is whether 'A' committed a crime in Calcutta on a certain date, the fact that 'A' was in Lahore on that date is relevant because it is inconsistent with the fact in issue (he cannot be in two places at once).

Step 4: Final Conclusion: Facts become relevant if they are inconsistent with a fact in issue or relevant fact.

💡 Quick Tip

Key Concept: Section 11 (Plea of Alibi) is the most common application of this rule. Remember the keyword "Inconsistent".

12. What condition must be satisfied for prior evidence to be relevant under Section 33 of the Indian Evidence Act, 1872?

- (A) The evidence must have been recorded in the presence of a jury.
- (B) The proceeding was between the same parties or their representatives in interest.
- (C) The evidence must have been published in a government gazette.
- (D) The evidence must have been corroborated by expert opinion.

Correct Answer: (B) The proceeding was between the same parties or their representatives in interest.

Solution:

Step 1: Understanding the Concept: Section 33 of the Indian Evidence Act deals with the relevancy of evidence given by a witness in a judicial proceeding (or before a person authorized by law) in a subsequent proceeding.

Step 2: Legal Requirements (Provisos of Section 33): For such evidence to be admissible in a later stage or future proceeding, three specific conditions (provisos) must be met: 1. The proceeding was between the same parties or their representatives in interest. 2. The adverse party in the first proceeding had the right and opportunity to cross-examine. 3. The questions in issue were substantially the same in the first as in the second proceeding.

Step 3: Evaluating Options:

- (A) Jury presence is not a condition under Section 33.
- (B) This matches the first proviso of Section 33 perfectly.

- (C) Publication in a gazette is irrelevant to Section 33.
- (D) Expert corroboration is not a prerequisite for admissibility under Section 33.

Step 4: Final Conclusion: The correct condition is that the proceeding must have been between the same parties or their representatives.

 Quick Tip

Memory Hook: Section 33 = **Res Judicata for Evidence**. It requires Same Parties, Same Issue, and Opportunity to Cross-Examine.

13. During a court trial, the defence lawyer objects to the admissibility of certain papers produced as evidence. The judge clarifies that only documents categorized as public documents under the Indian Evidence Act, 1872, can be accepted without strict proof. Which category of documents would fall under public documents in this context?

- (A) Draft agreements between individuals
- (B) Personal diaries of government officials
- (C) Internal notes of a private company
- (D) Judicial and executive acts of public officers

Correct Answer: (D) Judicial and executive acts of public officers

Solution:

Step 1: Understanding the Concept: The question asks to identify "Public Documents" as defined under the Indian Evidence Act, 1872.

Step 2: Legal Provision (Section 74): Section 74 defines Public Documents. The following are public documents: 1. Documents forming the acts, or records of the acts: - (i) of the sovereign authority, - (ii) of official bodies and tribunals, and - (iii) of public officers, legislative, judicial and executive of any part of India or of the Commonwealth, or of a foreign country. 2. Public records kept in any State of private documents.

Step 3: Analyzing Options:

- (A) Private document (Section 75).
- (B) Personal diaries are private unless they are official records of acts.
- (C) Private document.
- (D) "Judicial and executive acts of public officers" maps directly to Section 74(1)(iii).

Step 4: Final Conclusion: Judicial and executive acts of public officers are public documents.

 Quick Tip

Contrast: - **Section 74:** Public Documents (e.g., FIR, Judgment, Voters List). - **Section 75:** Private Documents (All other documents, e.g., Contracts, Wills).

14. Which condition must be satisfied for things said or done by one conspirator to be admissible against others under the Bharatiya Sakshya Adhiniyam, 2023?

- (A) The statement must be made after the conspiracy has ended
- (B) The statement must involve unrelated matters of personal benefit
- (C) There must be reasonable ground to believe a conspiracy exists
- (D) There must be proof that each conspirator personally committed the act

Correct Answer: (C) There must be reasonable ground to believe a conspiracy exists

Solution:

Step 1: Understanding the Concept: This question relates to the doctrine of agency in conspiracy, found in Section 10 of the Indian Evidence Act, which is retained in the Bharatiya Sakshya Adhiniyam (BSA), 2023.

Step 2: Detailed Explanation: The provision (Section 10 of IEA / Equivalent in BSA) states that: "Where there is reasonable ground to believe that two or more persons have conspired together to commit an offence or an actionable wrong, anything said, done or written by any one of such persons in reference to their common intention..." is a relevant fact against each of the persons believed to be so conspiring.

Step 3: Key Requirement: The prima facie condition for this section to apply is the existence of "reasonable ground to believe" that a conspiracy exists. Without this foundation, the acts of one cannot be used against the other.

Step 4: Final Conclusion: The court must first have reasonable grounds to believe a conspiracy exists (Option C).

 Quick Tip

Agency Principle: This section treats each conspirator as an agent of the others.

Time Frame: The statement must be made during the conspiracy, not after it has ended (eliminating Option A).

15. As per Section 30 of Code of Criminal Procedure, 1973, if a Magistrate sentenced a person to two years' imprisonment and a fine, what is the maximum imprisonment he may impose in default of payment of the fine?

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

Correct Answer: (C) 6 months

Solution:

Step 1: Understanding the Concept: The question deals with the limitations on impris-

onment in default of payment of a fine under Section 30 of the CrPC, read with Section 65 of the IPC.

Step 2: Analyzing Section 30 CrPC: Section 30(1) states that the Court of a Magistrate may award such term of imprisonment in default of payment of fine as is authorized by law, provided that the term: (b) shall not exceed one-fourth of the term of imprisonment which the Magistrate is competent to inflict as punishment for the offence otherwise than as imprisonment in default of payment of the fine.

Step 3: Analyzing IPC Section 65: Section 65 of the IPC states: "The term for which the Court directs the offender to be imprisoned in default of payment of a fine shall not exceed one-fourth of the term of imprisonment which is the maximum fixed for the offence, if the offence be punishable with imprisonment as well as fine."

Step 4: Application to the Problem: The question states the person was sentenced to 2 years. In competitive exams, this phrasing often implies that 2 years is the maximum punishment for the specific offence in question (or the context implies applying the 1/4th rule to the main sentence/offence term).

$$\text{Max Default Imprisonment} = \frac{1}{4} \times \text{Maximum Term (2 years)}$$

$$\text{Max Default Imprisonment} = \frac{1}{4} \times 24 \text{ months} = 6 \text{ months}$$

Alternative Logic (Magistrate's Competence): Even if we consider the Magistrate's general powers (JMFC = 3 years), 1/4th would be 9 months. Since 9 months is not an option, the question relies on the "1/4 of the offence term" rule, where the offence term is 2 years.

Step 5: Final Answer: The maximum imprisonment in default is 6 months.

 Quick Tip

The 1/4th Rule: For imprisonment in default of fine: Limit = $\frac{1}{4} \times$
(Maximum authorized imprisonment for the offence).

16. As per the Constitution of India, after the 86th Constitutional Amendment, which directive principle was modified to ensure early childhood care and education below the age of six?

- (A) Article 39
- (B) Article 41
- (C) Article 47
- (D) Article 45

Correct Answer: (D) Article 45

Solution:

Step 1: Understanding the Concept: The 86th Constitutional Amendment Act, 2002, made significant changes regarding education.

Step 2: Changes Introduced: 1. Article 21A: Added as a Fundamental Right (Right to Education for ages 6-14). 2. Article 45 (DPSP): The text was substituted. The original text

(education up to 14 years) was moved to Article 21A. The new Article 45 reads: "The State shall endeavour to provide early childhood care and education for all children until they complete the age of six years." 3. Article 51A(k): Added a fundamental duty for parents/guardians.

Step 3: Conclusion: Article 45 was the specific Directive Principle modified to focus on children below the age of six.

 Quick Tip

Age Group Confusion: - **Article 21A:** 6 to 14 years (Right). - **Article 45:** 0 to 6 years (Directive).

17. According to the Code of Civil Procedure, 1908, who can direct the Court that passed the decree to take security when an execution order is challenged in appeal?

- (A) Only the High Court exercising writ jurisdiction
- (B) The Appellate Court hearing the appeal
- (C) The District Registrar of Property Records
- (D) The Police Authority of the concerned jurisdiction

Correct Answer: (B) The Appellate Court hearing the appeal

Solution:

Step 1: Understanding the Concept: This question pertains to Order 41, Rule 5 and Rule 6 of the CPC, which deal with the "Stay of proceedings and of execution" during an appeal.

Step 2: Detailed Explanation: Order 41 Rule 5: The Appellate Court may order a stay of execution. When doing so, it can impose conditions, such as requiring security for the performance of the decree. Order 41 Rule 6: Specifically mentions that the Court which passed the decree shall, on sufficient cause shown, require security. However, the question asks "who can direct the Court that passed the decree...". The Appellate Court (the court hearing the appeal) has the supervisory power to grant a stay subject to the lower court taking security, or to explicitly direct the lower court regarding the execution process while the appeal is pending.

Step 3: Eliminating Alternatives: (A) Writ jurisdiction is not the primary mechanism; statutory appeal powers under CPC are. (C) (D) Administrative authorities like Registrars or Police have no role in directing judicial security measures in civil decrees.

Step 4: Conclusion: The Appellate Court hearing the appeal is the correct authority.

 Quick Tip

Process: An appeal does not automatically operate as a stay. The appellant must apply for it. The Appellate Court grants it, usually ordering the appellant to furnish security to the satisfaction of the Executing Court.

18. Under the Code of Civil Procedure, 1908, how many High Court Judges constitute the judicial membership of the Rule Committee?

- (A) Three Judges of the High Court
- (B) Two Judges of the High Court
- (C) Four Judges of the High Court
- (D) Five Judges of the High Court

Correct Answer: (A) Three Judges of the High Court

Solution:

Step 1: Understanding the Concept: The "Rule Committee" is constituted under Section 123 of the Code of Civil Procedure (CPC), 1908, to frame rules for the High Court.

Step 2: Composition of the Committee (Section 123): Section 123(2) states that the Committee shall consist of the following persons: 1. Three Judges of the High Court established at the town at which such Committee is constituted. 2. Two legal practitioners enrolled in that Court. 3. A Judge of a Civil Court subordinate to the High Court.

Step 3: Verification: The section explicitly mentions "three Judges of the High Court".

Step 4: Final Answer: Three Judges.

💡 Quick Tip

Rule Committee Members: - 3 High Court Judges. - 2 Advocates/Legal Practitioners. - 1 Subordinate Civil Judge. (Total 6 members usually).

19. According to The Copyright Act, 1957, what is ordinarily the maximum punishment for copyright infringement under Section 63?

- (A) Imprisonment up to three years and fine up to two lakh rupees
- (B) Imprisonment up to two years and fine up to one lakh rupees
- (C) Imprisonment up to five years and fine up to three lakh rupees
- (D) Imprisonment up to seven years and fine up to five lakh rupees

Correct Answer: (A) Imprisonment up to three years and fine up to two lakh rupees

Solution:

Step 1: Understanding the Concept: The question asks for the criminal penalty for copyright infringement as defined in Section 63 of the Copyright Act, 1957.

Step 2: Legal Provision (Section 63): Section 63 states that any person who knowingly infringes or abets the infringement of copyright shall be punishable with:

- **Imprisonment:** Not less than six months but which may extend to **three years**.
- **Fine:** Not less than fifty thousand rupees but which may extend to **two lakh rupees**.

Step 3: Analyzing Options: Option (A) correctly states the maximum limits (3 years and 2 lakh rupees).

Step 4: Final Conclusion: The correct punishment ceiling is imprisonment up to 3 years and a fine up to 2 lakhs.

💡 Quick Tip

Min/Max Rule: For Copyright Infringement (Sec 63): - Min: 6 months + 50k. - Max: 3 years + 2 Lakhs. Exceptions exist for non-commercial use (Sec 63A).

20. As per the Constitution of India, a linguistic community in India seeks to preserve its unique script and literature. Which constitutional provision guarantees them the right to conserve the same?

- (A) Article 28(1)
- (B) Article 29(1)
- (C) Article 30(2)
- (D) Article 32

Correct Answer: (B) Article 29(1)

Solution:

Step 1: Understanding the Concept: The question identifies a Fundamental Right related to the protection of interests of minorities, specifically regarding language, script, or culture.

Step 2: Detailed Explanation:

- **Article 29(1):** States that "Any section of the citizens residing in the territory of India or any part thereof having a distinct **language, script or culture** of its own shall have the right to **conserve the same**."
- **Article 28(1):** Relates to religious instruction in educational institutions.
- **Article 30(2):** Relates to non-discrimination in granting aid to educational institutions managed by minorities.
- **Article 32:** Right to Constitutional Remedies.

Step 3: Conclusion: The right to conserve a unique script falls squarely under Article 29(1).

💡 Quick Tip

Key Distinction: - **Article 29:** Protects the interests (Language/Script/Culture) of any section of citizens (not just minorities). - **Article 30:** Protects the right of minorities (Religious/Linguistic) to establish and administer educational institutions.

21. Under Section 58 of the Code of Civil Procedure, 1908, what is the maximum period of detention in civil prison for a decree amount exceeding 5,000?

- (A) Six weeks
- (B) Two months
- (C) Three months
- (D) Six months

Correct Answer: (C) Three months

Solution:

Step 1: Understanding the Concept: Section 58 of the Code of Civil Procedure (CPC) prescribes the limits for detention in a civil prison in execution of a decree for the payment of money.

Step 2: Analyzing Section 58(1): The detention limits are: 1. Amount exceeding 5,000: Detention shall not exceed three months. 2. Amount between 2,000 and 5,000: Detention shall not exceed six weeks. 3. Amount not exceeding 2,000: No detention allowed (Section 58(1A)).

Step 3: Application: The question specifies the amount exceeds 5,000. Therefore, the maximum period is three months.

💡 Quick Tip

Memory Chart (CPC Sec 58): - > Rs 5,000 → Max 3 Months. - Rs 2,000 - Rs 5,000 → Max 6 Weeks. - < Rs 2,000 → No Civil Imprisonment.

22. Which of the following situation falls within Section 58(1)(b) of the Code of Civil Procedure, 1908?

- (A) Decree for 1,800, detention up to three months
- (B) Decree for 3,500, detention up to six weeks
- (C) Decree for 6,200, detention up to six months
- (D) Decree for 10,000, detention up to one year

Correct Answer: (B) Decree for 3,500, detention up to six weeks

Solution:

Step 1: Understanding the Concept: This requires applying Section 58(1)(b) of the CPC, which covers the intermediate slab of decree amounts.

Step 2: Section 58(1)(b) Rule: "Where the decree is for the payment of a sum of money exceeding two thousand rupees, but not exceeding five thousand rupees, for a period not exceeding six weeks."

Step 3: Analyzing Options:

- (A) 1,800 is less than 2,000. No detention allowed. (Incorrect).
- (B) 3,500 is between 2,000 and 5,000. Maximum detention is 6 weeks. This matches Section 58(1)(b). (Correct).
- (C) 6,200 is above 5,000. Max detention should be 3 months, not 6 months. (Incorrect).

- (D) 10,000 is above 5,000. Max detention is 3 months. (Incorrect).

Step 4: Final Conclusion: Option (B) correctly represents the application of Section 58(1)(b).

 Quick Tip

Calculation Check: Always check if the amount falls strictly within the range (2000 ; Amount ≤ 5000) for the 6-week rule.

23. A civil suit is filed against Ajay, and the court issues summons requiring him to appear. After receiving the summons, Ajay consults his lawyer to understand the timeline for filing his written statement of defence under the Code of Civil Procedure, 1908. Within how many days from the date of service of summons must he submit his written statement?

- (A) Thirty days
- (B) Fifteen days
- (C) Sixty days
- (D) Ninety days

Correct Answer: (A) Thirty days

Solution:

Step 1: Understanding the Concept: This question pertains to the timeline for filing a Written Statement by the defendant under Order VIII Rule 1 of the CPC.

Step 2: Legal Provision (Order VIII Rule 1): "The defendant shall, within thirty days from the date of service of summons on him, present a written statement of his defence."

Step 3: The Proviso (Extension): While the court may extend this period for reasons to be recorded in writing, the extension shall not be later than ninety days from the date of service. However, the primary statutory period asked in the question is 30 days.

Step 4: Conclusion: The initial mandatory period is 30 days.

 Quick Tip

Commercial Courts Exception: For Commercial Suits, the period is 30 days extendable up to 120 days (strict deadline), unlike the general CPC rule where the 90-day limit is considered directory (flexible) by the Supreme Court in exceptional cases.

24. How long does the registered address furnished under Section 14A(1) of the Code of Civil Procedure, 1908, remain valid if not changed?

- (A) Six years after final determination of the cause
- (B) Three years after the institution of the suit

- (C) Two years after final determination of the cause
- (D) Five years from the date of decree

Correct Answer: (C) Two years after final determination of the cause

Solution:

Step 1: Understanding the Concept: The question refers to "Section 14A" of the CPC regarding "registered address". It is important to note that Section 14A regarding Registered Address is a State Amendment (specifically Bombay/Maharashtra Amendment Act 65 of 1977), as the central CPC handles registered addresses under Order VI Rule 14A. However, the provisions are similar.

Step 2: Legal Provision (Section 14A(5) - Bombay Amendment / Order VI Rule 14A(5)): The text of the provision states: "The address furnished under this rule shall hold good for service of notice... for a period of two years after the final determination of the cause or matter."

Step 3: Analyzing Options: Option (C) correctly states "Two years after final determination of the cause". (Note: The screenshot shows a tick mark on Option A, but legally, the validity period defined in the statute is two years).

Step 4: Final Conclusion: The correct legal duration is two years.

 Quick Tip

Exam Note: Even if a previous student marked "6 years" on the paper, strictly follow the Bare Act. Section 14A (State Amendment) and Order 6 Rule 14A (Central Act) both specify a **2-year** validity post-disposal.

25. According to Section 25(a) of the Arbitration and Conciliation Act, 1996, what happens if the claimant fails to submit his statement of claim without sufficient cause?

- (A) The tribunal adjourns the case indefinitely
- (B) The tribunal imposes a penalty but continues proceedings
- (C) The tribunal assumes the claim is admitted
- (D) The tribunal terminates the proceedings

Correct Answer: (D) The tribunal terminates the proceedings

Solution:

Step 1: Understanding the Concept: Section 25 of the Arbitration and Conciliation Act, 1996 deals with the "Default of a party" during arbitral proceedings.

Step 2: Analyzing Section 25(a): The section states that unless otherwise agreed by the parties, where, without showing sufficient cause: "(a) the claimant fails to communicate his statement of claim in accordance with sub-section (1) of section 23, the arbitral tribunal shall terminate the proceedings."

Step 3: Comparison with other defaults: - If the Respondent fails to submit a statement of defence (Section 25(b)): The tribunal continues (does not treat it as admission). - If a party fails to appear (Section 25(c)): The tribunal may proceed ex-parte.

Step 4: Conclusion: For the claimant's failure to file the claim, the proceedings are terminated.

 Quick Tip

Distinction: - **Claimant defaults:** Termination (Case ends). - **Respondent defaults:** Continuation (Case proceeds, no automatic admission of guilt).

26. If a case is transmitted to the Central Government under Section 10 of the Special Marriage Act, 1954, what is the time limit for solemnizing the marriage after its decision?

- (A) One month
- (B) Two months
- (C) Six months
- (D) Three months

Correct Answer: (D) Three months

Solution:

Step 1: Understanding the Concept: The question relates to the procedure followed when an objection to a marriage is received by a Marriage Officer outside India, as governed by Section 10 of the Special Marriage Act, 1954.

Step 2: Legal Provision (Section 10): Section 10 deals with the "Procedure on receipt of objection by Marriage Officer abroad." If an objection is made, the Marriage Officer transmits the record to the Central Government. The Central Government makes a decision on the objection. Section 10(4) states: "If the Central Government decides that the objection... is not reasonable... the marriage may be solemnized within three months from the date of such decision."

Step 3: Conclusion: The statute explicitly provides a window of three months for the marriage to be solemnized following a favorable decision from the Central Government.

 Quick Tip

Timeline Tip: In the Special Marriage Act, the general validity of a notice is also 3 months (Section 14). This 3-month period is a recurring timeline in this Act for solemnization.

27. What is the maximum term of imprisonment prescribed under Section 31 of the Protection of Women from Domestic Violence Act, 2005 for breach of protection order?

- (A) Six months
- (B) One year

- (C) Two years
- (D) Three years

Correct Answer: (B) One year

Solution:

Step 1: Understanding the Concept: The Protection of Women from Domestic Violence Act (PWDVA), 2005, provides for penalties if a respondent violates a protection order issued by the Magistrate.

Step 2: Legal Provision (Section 31): Section 31(1) states: "A breach of protection order, or of an interim protection order, by the respondent shall be an offence under this Act and shall be punishable with imprisonment of either description for a term which may extend to one year, or with fine which may extend to twenty thousand rupees, or with both."

Step 3: Conclusion: The maximum imprisonment prescribed is one year.

 Quick Tip

Nature of Offence: Under Section 32 of the PWDVA, the offence under Section 31 is Cognizable and Non-bailable, despite the punishment being only up to 1 year. This is a crucial exam point.

28. Under which provision of the Indian Constitution can a Public Interest Litigation (PIL) be filed directly in the Supreme Court?

- (A) Article 21
- (B) Article 32
- (C) Article 226
- (D) Article 14

Correct Answer: (B) Article 32

Solution:

Step 1: Understanding the Concept: Public Interest Litigation (PIL) is a relaxation of the principle of locus standi, allowing public-spirited citizens to approach the court for the enforcement of constitutional rights.

Step 2: Constitutional Provisions: Article 32: Grants the right to move the Supreme Court for the enforcement of Fundamental Rights (Writs). This is the provision under which PILs regarding violation of fundamental rights are filed in the SC. Article 226: Grants the power to High Courts to issue writs. PILs in High Courts are filed under this article. Article 21 14: These are substantive rights (Right to Life, Right to Equality), not the procedural provision for filing the case.

Step 3: Conclusion: For filing directly in the Supreme Court, Article 32 is the correct answer.

💡 Quick Tip

Comparison: - **Supreme Court (Art 32):** Only for Fundamental Rights. - **High Court (Art 226):** For Fundamental Rights AND other legal rights (Wider jurisdiction).

29. Under the Land Acquisition Act, 1894, what is the minimum period that must elapse between the publication of notice and the appearance of persons interested before the Collector?

- (A) Not less than 7 days
- (B) Not less than 60 days
- (C) Not less than 15 days
- (D) Not less than 30 days

Correct Answer: (C) Not less than 15 days

Solution:

Step 1: Understanding the Concept: This question pertains to the procedural requirements for acquiring land under the Land Acquisition Act, 1894 (specifically the notice stage).

Step 2: Legal Provision (Section 9): Section 9 deals with the "Notice to persons interested." Subsection (2) states regarding the notice: "Such notice shall state the particulars of the land so needed... and requiring all persons interested in the land to appear personally or by agent before the Collector at a time and place therein mentioned (such time not being earlier than fifteen days after the date of publication of the notice)..."

Step 3: Conclusion: The statute mandates a minimum notice period of 15 days.

💡 Quick Tip

Note: While the 1894 Act is repealed by the 2013 LARR Act, many exams still test the 1894 provisions. Under the 2013 Act (Section 21), the period is significantly longer (60 days). Since the question specifically cites the 1894 Act, the answer is 15 days.

30. Under which provision can a citizen file a public case in the Court of Magistrate regarding issues of public interest?

- (A) Section 302 of the Indian Penal Code
- (B) Section 144 of Code of Criminal Procedure, 1973
- (C) Section 133 of Code of Criminal Procedure, 1973
- (D) Section 482 of Code of Criminal Procedure, 1973

Correct Answer: (C) Section 133 of Code of Criminal Procedure, 1973

Solution:

Step 1: Understanding the Concept: The question asks about the magisterial power to

handle cases involving "public interest," which in the context of the CrPC usually refers to public nuisance.

Step 2: Analyzing the Sections: Section 133 CrPC: Conditional order for removal of nuisance. It allows a Magistrate (District Magistrate, SDM, or Executive Magistrate) to take action to remove public nuisances (obstructions, health hazards, etc.) upon receiving a police report or other information. This is often used for public interest issues at the local level. Section 144 CrPC: Power to issue order in urgent cases of nuisance or apprehended danger (temporary/emergency nature). Section 302 IPC: Punishment for Murder (Substantive offence, not a procedural filing section). Section 482 CrPC: Inherent powers of the High Court (Not Magistrate).

Step 3: Conclusion: Section 133 is the primary provision for removing public nuisances and is considered a "public interest" provision within the CrPC.

 Quick Tip

Keyword Association: - Public Nuisance / Removal of Obstruction → Section 133 CrPC. - Urgent/Emergency Order → Section 144 CrPC.

31. According to Section 44AA(2)(i) of the Income-tax Act, 1961, a person carrying on business must maintain books of account if income from business or profession exceeds:

- (A) 1,20,000
- (B) 50,000
- (C) 5,00,000
- (D) 10,00,000

Correct Answer: (A) 1,20,000

Solution:

Step 1: Understanding the Concept: Section 44AA mandates the maintenance of books of account for certain professions and businesses.

Step 2: Analyzing Section 44AA(2)(i): This section applies to persons carrying on business or profession (other than notified professions under 44AA(1)). The requirement kicks in if: Income from business or profession exceeds one lakh twenty thousand rupees (1,20,000) or Total sales/turnover exceeds ten lakh rupees.

Step 3: Important Amendment Note: The Finance Act, 2017, increased these limits only for Individuals and Hindu Undivided Families (HUFs) to 2.5 Lakhs (Income) and 25 Lakhs (Sales). However, for all other persons (e.g., firms), the limit remains 1,20,000. Since the question quotes the section generally and the options include the specific statutory figure of 1,20,000 (and not 2.5 Lakhs), option (A) is the correct standard legal answer based on the statutory text.

 Quick Tip

Limits for Books (Sec 44AA): - General Rule: Income $\leq$ 1.2L OR Turnover $\leq$ 10L. - Individual/HUF: Income $\leq$ 2.5L OR Turnover $\leq$ 25L. Always choose 1.2L if 2.5L is not in options.

32. Under the Patents Act, 1970, which situation prevents a patent application from being published even after the expiry of the prescribed period?

- (A) When the applicant has filed a request for early examination.
- (B) When secrecy direction is imposed under Section 35.
- (C) When the patent has already been granted by the Controller.
- (D) When the applicant has requested for an extension of time.

Correct Answer: (B) When secrecy direction is imposed under Section 35.

Solution:

Step 1: Understanding the Concept: Ordinarily, patent applications are published after 18 months (Section 11A). However, there are exceptions.

Step 2: Detailed Explanation: Section 11A(3): Lists circumstances where the application shall NOT be published. These include: Where secrecy directions have been imposed under Section 35 (relevant for defence purposes). Where the application has been abandoned or withdrawn. Section 35: Empowers the Controller to give directions for prohibiting or restricting the publication of information if the invention is relevant for defence purposes.

Step 3: Analyzing Options: Option (B) directly corresponds to the statutory exception for secrecy directions.

 Quick Tip

Publication Rule (Sec 11A): - Automatic Publication: After 18 months. - Exceptions: Secrecy Directions (Sec 35) OR Withdrawal/Abandonment.

33. Given below are two statements, one labelled as Assertion (A) and the other labelled as Reason (R).

Assertion (A): Any person having an interest in a newspaper declared forfeited, may apply to the High Court to set aside the declaration within two months of its publication in the Official Gazette.

Reason (R): The Special Bench of the High Court to hear such applications must always consist of exactly three judges, regardless of the strength of that High Court.

In the context of the above assertion and reason under the Code of Criminal Procedure, 1973, which one of the following is correct?

- (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.

Correct Answer: (C) (A) is true, but (R) is false.

Solution:

Step 1: Analyze Assertion (A): Provision: Section 96(1) of the CrPC allows any person having an interest in a forfeited newspaper/book to apply to the High Court to set aside the declaration. Time Limit: "within two months from the date of such publication". Verdict: Assertion (A) is True.

Step 2: Analyze Reason (R): Provision: Section 96(2) of the CrPC. Text: "Every such application shall... be heard and determined by a Special Bench of the High Court composed of three Judges and, where the High Court consists of less than three Judges, of all the Judges of that High Court." Analysis: The Reason states the bench must always consist of exactly three judges "regardless of the strength". This statement ignores the statutory exception for High Courts with fewer than 3 judges. Therefore, the statement is legally incorrect. Verdict: Reason (R) is False.

Step 3: Conclusion: (A) is true, but (R) is false.

💡 Quick Tip

Reading Statutory Text: Always look for the "Exceptions" or "Provisos". The phrase "regardless of..." in an option is often a red flag indicating the statement is too absolute and likely false.

34. Read the following statements and choose the correct option.

Statement 1: Under the Bharatiya Sakshya Adhiniyam, 2023, admissions are generally relevant and may be proved against the person making them, but cannot ordinarily be proved by or on behalf of that person.

Statement 2: An admission can still be proved on behalf of the person making it if it relates to the existence of a state of mind or body, made at or about the time when such condition existed, and is supported by conduct showing its truthfulness.

In the context of the above statements under the Bharatiya Sakshya Adhiniyam, 2023, which one of the following is correct?

- (A) Both Statements 1 and 2 are false
- (B) Only Statement 1 is true
- (C) Only Statement 2 is true
- (D) Both the Statements are true

Correct Answer: (D) Both the Statements are true

Solution:

Step 1: Understanding the Concept: The question deals with the relevancy of Admissions

under the new Bharatiya Sakshya Adhiniyam (BSA), 2023 (analogous to Section 21 of the Indian Evidence Act, 1872).

Step 2: Analyze Statement 1: General Rule: Admissions are relevant and may be proved against the person who makes them (Section 21 IEA / Section 23 BSA). They cannot be proved by the person making them (self-serving admissions are generally excluded). Verdict: Statement 1 is True.

Step 3: Analyze Statement 2: Exception: There are three exceptions where an admission can be proved by the maker. One of these is: "An admission may be proved by or on behalf of the person making it, if it consists of a statement of the existence of any state of mind or body... made at or about the time... and is accompanied by conduct rendering its falsehood improbable." (Section 21(2) IEA / Section 23(2) BSA). Verdict: Statement 2 accurately describes this legal exception. Statement 2 is True.

Step 4: Conclusion: Both statements are correct representations of the law.

💡 Quick Tip

Self-Serving vs. Self-Harming: - Self-Harming (Confession/Admission): Admissible against maker. - **Self-Serving:** Generally inadmissible, unless it falls under specific exceptions (e.g., res gestae, state of mind/body).

35. Which type of allowance qualifies for deduction under Section 16(ii) of the Income-tax Act, 1961?

- (A) House Rent Allowance granted by private companies
- (B) Entertainment Allowance granted to government employees
- (C) Transport Allowance provided to all salaried persons
- (D) Leave Travel Allowance given for domestic travel

Correct Answer: (B) Entertainment Allowance granted to government employees

Solution:

Step 1: Understanding the Concept: The question relates to "Deductions from Salaries" under Section 16 of the Income Tax Act, 1961.

Step 2: Analysis of Section 16: Section 16 provides for three specific deductions from income chargeable under the head "Salaries": 1. Section 16(ia): Standard Deduction (Available to all employees). 2. Section 16(ii): Entertainment Allowance. 3. Section 16(iii): Professional Tax (Tax on employment).

Step 3: Detailed Rule for Section 16(ii): The deduction for Entertainment Allowance under Section 16(ii) is restricted only to Government employees (Central or State Government). For non-government employees, the entertainment allowance is fully taxable.

Step 4: Conclusion: Only Entertainment Allowance granted to government employees qualifies for deduction under this specific subsection.

 Quick Tip

Entertainment Allowance Deduction Limit (Govt Employees): Least of the following is deductible: 1. Statutory Limit: 5,000. 2. 20% of Basic Salary. 3. Actual Allowance received.

36. Read the given statements and choose the correct option. Statement 1: Under the Negotiable Instruments Act, 1881, a negotiable instrument made, drawn, accepted, or transferred without consideration creates no obligation of payment between the parties to the transaction. **Statement 2:** According to the same Act, if the consideration for which a negotiable instrument was issued fails in part, the holder in immediate relation is entitled to recover only the proportionate amount corresponding to the consideration actually received. **In the context of the above statements under the Negotiable Instruments Act, 1881, which one of the following is correct?**

- (A) Both Statements 1 and 2 are false
- (B) Only Statement 1 is true
- (C) Only Statement 2 is true
- (D) Both the Statements are true

Correct Answer: (D) Both the Statements are true

Solution:

Step 1: Understanding the Concept: This question tests knowledge of Sections 43 and 44 of the Negotiable Instruments Act, 1881, regarding the absence or failure of consideration.

Step 2: Analyzing Statement 1 (Section 43): Section 43 states: "A negotiable instrument made, drawn, accepted, indorsed, or transferred without consideration, or for a consideration which fails, creates no obligation of payment between the parties to the transaction." Thus, Statement 1 is True.

Step 3: Analyzing Statement 2 (Section 44): Section 44 deals with "Partial absence or failure of money-consideration". It states that if the consideration fails in part, the sum which a holder standing in immediate relation is entitled to receive is proportionately reduced. Thus, Statement 2 is True.

Step 4: Conclusion: Both statements accurately reflect the statutory provisions.

 Quick Tip

Parties in Immediate Relation: These rules (absence of consideration defense) apply only between immediate parties (e.g., Drawer vs Payee). They do not apply to a "Holder in Due Course" who takes the instrument for value and good faith.

37. In the following question, a statement is followed by two Conclusions, I and II. Statement: Under the Environment (Protection) Act, 1986, when an offence is committed by a company, every person who was directly in charge of and responsible to the company at

the time of the offence, as well as the company itself, is deemed guilty. However, a person may escape liability if he proves that the offence was committed without his knowledge or that he exercised due diligence to prevent it. **Conclusions:** I. A company as well as its responsible officers may be held liable for environmental offences under the Act. II. An officer of a company can never escape liability once the company is found guilty of an offence. **In the context of the above Statement and Conclusions under the Environment (Protection) Act, 1986, which one of the following is correct?**

- (A) Only Conclusion I follows
- (B) Only Conclusion II follows
- (C) Both Conclusions I and II follow
- (D) Neither Conclusion I nor II follows

Correct Answer: (A) Only Conclusion I follows

Solution:

Step 1: Analyze the Statement (based on Section 16 of EPA, 1986): The statement establishes the principle of "Vicarious Liability" for companies. It says two things: 1. Company + Person in charge are deemed guilty (General Rule). 2. Person can escape liability if they prove lack of knowledge or due diligence (Exception/Defense).

Step 2: Evaluate Conclusion I: "A company as well as its responsible officers may be held liable..." This aligns directly with the General Rule mentioned in the statement. Thus, Conclusion I follows.

Step 3: Evaluate Conclusion II: "An officer... can never escape liability..." This contradicts the specific exception mentioned in the statement ("However, a person may escape liability if..."). Thus, Conclusion II does not follow.

Step 4: Final Conclusion: Only Conclusion I is correct based on the provided text.

 Quick Tip

Reasoning Tip: In "Statement Conclusion" questions, watch out for extreme words like "never", "always", or "all" in the conclusions. If the statement provides an exception (like "due diligence"), an absolute conclusion ("never escape") is usually false.

38. Under Section 24(a) of the Income-tax Act, 1961, what percentage of the annual value of an income from house property is allowed as a standard deduction?

- (A) 20
- (B) 40
- (C) 30
- (D) 50

Correct Answer: (C) 30

Solution:

Step 1: Understanding the Concept: The question asks for the flat rate of Standard Deduction allowed under the head "Income from House Property".

Step 2: Legal Provision (Section 24(a)): Section 24 of the Income Tax Act, 1961, lists deductions from income from house property. Clause (a) states: "a sum equal to thirty per cent of the annual value."

Step 3: Explanation: This is a statutory flat deduction given to cover repairs and maintenance, regardless of the actual expenditure incurred by the owner.

Step 4: Final Answer: 30 percent.

 Quick Tip

Key Deductions under House Property (Sec 24): - **Sec 24(a):** Standard Deduction @ 30% of NAV. - **Sec 24(b):** Interest on borrowed capital (Home Loan Interest).

39. After a government notification is issued for acquiring Mr. Mehta's farmland under the Land Acquisition Act, 1894, he notices that the income from his crops steadily decreases until the authorities finally take possession. He approaches the court claiming compensation for this reduction in profits. According to the Act, what type of loss is compensable in such a case?

- (A) Loss due to falling land prices in the market
- (B) Loss due to cancellation of tenant agreements
- (C) Loss of employment in nearby areas
- (D) Bona fide diminution of profits due to acquisition process

Correct Answer: (D) Bona fide diminution of profits due to acquisition process

Solution:

Step 1: Understanding the Concept: This question relates to the factors considered for determining compensation under the Land Acquisition Act, 1894.

Step 2: Legal Provision (Section 23): Section 23(1) of the Land Acquisition Act, 1894, lists the matters to be considered by the Court in determining compensation. The sixth clause specifically covers: "The damage (if any) bona fide resulting from diminution of the profits of the land between the time of the publication of the declaration under section 6 and the time of the Collector's taking possession of the land."

Step 3: Application: Mr. Mehta's loss of crop income between the notification and possession falls exactly under this clause.

Step 4: Final Conclusion: The correct compensable head is the bona fide diminution of profits.

 Quick Tip

Section 23 Clauses: 1. Market Value. 2. Damage to standing crops/trees. 3. Severance of land. 4. Injurious affection to other property. 5. Expenses for change of residence. 6. Diminution of profits between declaration and possession.

40. According to Section 35A of the Code of Civil Procedure, 1908, what is the maximum amount a Court can award as compensatory costs in ordinary cases?

- (A) 2,000
- (B) 10,000
- (C) 5,000
- (D) 3,000

Correct Answer: (D) 3,000

Solution:

Step 1: Understanding the Concept: Section 35A of the CPC deals with "Compensatory costs in respect of false or vexatious claims or defences".

Step 2: Legal Provision (Section 35A(2)): The section states that "No Court shall make any such order for the payment of an amount exceeding three thousand rupees or exceeding the limits of its pecuniary jurisdiction, whichever amount is less."

Step 3: Note on Amendments: While some states (like UP) have amended this amount to be higher (e.g., 1 Lakh), the question refers to the Code of Civil Procedure, 1908 in general (Central Act). The Central Act limit stands at 3,000.

Step 4: Final Answer: 3,000.

 Quick Tip

Costs in CPC: - Section 35: General Costs (Discretionary). - Section 35A: Compensatory Costs for false claims (Max 3,000). - Section 35B: Costs for causing delay.

41. According to the Indian Contract Act, 1872, when is the communication of an acceptance complete against the proposer?

- (A) When the acceptor prepares the letter of acceptance
- (B) When it is dispatched beyond the control of the acceptor
- (C) When it is delivered to the office of the proposer party
- (D) When the proposer acknowledges receipt in his records

Correct Answer: (B) When it is dispatched beyond the control of the acceptor

Solution:

Step 1: Understanding the Concept: Section 4 of the Indian Contract Act, 1872, defines the rules for the completion of communication.

Step 2: Legal Provision (Section 4): The communication of an acceptance is complete: 1. As against the proposer: When it is put in a course of transmission to him so as to be out of the power of the acceptor (i.e., dispatched). 2. As against the acceptor: When it comes to the knowledge of the proposer.

Step 3: Application: The question asks for the completion "against the proposer". This occurs the moment the letter is posted/dispatched.

💡 Quick Tip

Postal Rule: - Contract Concluded: When the letter is posted (Acceptor is bound only later, Proposer is bound immediately). - Revocation of Acceptance: Possible before the letter reaches the Proposer.

42. Rahul rents a shop in the city for running his retail business. Later, the landlord decides to terminate the lease. Since the lease is for purposes other than agriculture or manufacturing and there is no special contract between the parties, the landlord wonders how many days' notice he must legally give under the Transfer of Property Act, 1882, to end the lease. What is the required notice period?

- (A) Five days' notice
- (B) Fifteen days' notice
- (C) Forty-five days' notice
- (D) Sixty days' notice

Correct Answer: (B) Fifteen days' notice

Solution:

Step 1: Understanding the Concept: This question involves the classification of leases and the statutory notice period required for termination under Section 106 of the Transfer of Property Act, 1882.

Step 2: Analyzing Section 106: In the absence of a written contract or local usage: 1. Manufacturing/Agricultural Purposes: Lease is deemed to be year-to-year, terminable by six months' notice. 2. Any Other Purpose: Lease is deemed to be month-to-month, terminable by fifteen days' notice.

Step 3: Application: Rahul's lease is for a "retail business" (shop). This falls under "Any Other Purpose" (not agriculture or manufacturing). Therefore, the tenancy is month-to-month, requiring 15 days' notice.

Step 4: Final Answer: Fifteen days' notice expiring with the end of a month of the tenancy (though the "end of month" requirement was relaxed by amendment, the 15-day duration stands).

💡 Quick Tip

Section 106 Summary: - Agri/Mfg: 6 Months. - Residential/Commercial (Shops): 15 Days.

43. According to the Negotiable Instruments Act, 1881, what is the maximum sentence of imprisonment that a Magistrate may pass in a summary trial under Section 143?

- (A) Six months' imprisonment
- (B) Two years' imprisonment
- (C) One year's imprisonment
- (D) Three years' imprisonment

Correct Answer: (C) One year's imprisonment

Solution:

Step 1: Understanding the Concept: Section 143 of the Negotiable Instruments Act empowers the Court to try cases of dishonour of cheques summarily.

Step 2: Legal Provision (Section 143): The proviso to Section 143(1) states: "Provided that in the case of any conviction in a summary trial under this section, it shall be lawful for the Magistrate to pass a sentence of imprisonment for a term not exceeding one year and an amount of fine exceeding five thousand rupees."

Step 3: Comparison with Regular Trial: - Under Section 138 (Regular Trial), the maximum imprisonment is two years. - Under Section 143 (Summary Trial), the maximum imprisonment is one year.

Step 4: Final Answer: One year's imprisonment.

 **Quick Tip**

Exam Trap: Do not confuse the general punishment under Section 138 (2 years) with the specific limit for Summary Trial under Section 143 (1 year).

44. In the following question, a Statement is followed by two Conclusions, I and II.

Statement: As per Section 157 of the Companies Act, 2013 every company must, within fifteen days of receiving intimation under Section 156, furnish the Director Identification Number (DIN) of all its Directors to the Registrar with prescribed fees. Failure to comply attracts penalties.

Conclusions: I. If a company fails to furnish the DIN, it can be penalized.

II. Every officer of the company in default is also liable for penalties.

In the context of the above Statement and Conclusions, which one of the following is correct?

- (A) Only Conclusion I follows
- (B) Only Conclusion II follows
- (C) Both Conclusions I and II follow
- (D) Neither Conclusion I nor II follows

Correct Answer: (A) Only Conclusion I follows

Solution:

Step 1: Understanding the Concept: The question is a logical reasoning problem based on a legal statement derived from the Companies Act, 2013. We must determine which conclusions logically follow *strictly* from the provided statement.

Step 2: Analyzing the Statement: The statement explicitly mentions: 1. Duty: Every company must furnish the DIN to the Registrar. 2. Consequence: Failure to comply attracts penalties.

Step 3: Analyzing Conclusion I: "If a company fails to furnish the DIN, it can be penalized."
- This is a direct inference from the statement "Failure to comply attracts penalties". Since the duty is placed on the company, the penalty naturally applies to it. - Conclusion I follows.

Step 4: Analyzing Conclusion II: "Every officer of the company in default is also liable for penalties." - While Section 157(2) of the Companies Act, 2013, *does* indeed impose liability on officers in default, the provided statement text does not mention "officers" or "officers in default". - In logical reasoning questions, one must not bring in outside knowledge unless the text supports it. The text only mentions the "company". - Therefore, based strictly on the statement, Conclusion II does not follow.

Step 5: Final Conclusion: Only Conclusion I follows.

 Quick Tip

Logical Reasoning Tip: Always stick to the information provided in the "Statement". Even if a conclusion is legally correct in the real world (like officer liability), if it is not mentioned or implied in the text, it does not "follow" for the purpose of the question.

45. Read the following Statements related to the Information Technology Act, 2000 and choose the correct option. Statement 1: Under the Information Technology Act, 2000, a Digital Signature Certificate may be suspended by the Certifying Authority on the request of the subscriber, an authorized representative, or if it is considered necessary in the public interest. **Statement 2:** Under the same Act, a Digital Signature Certificate can remain suspended indefinitely without providing the subscriber an opportunity of being heard.

- (A) Both Statements 1 and 2 are false
- (B) Only Statement 1 is true
- (C) Only Statement 2 is true
- (D) Both the Statements are true

Correct Answer: (B) Only Statement 1 is true

Solution:

Step 1: Understanding the Concept: This question tests knowledge of Section 37 of the Information Technology Act, 2000, which deals with the suspension of Digital Signature Certificates (DSC).

Step 2: Analyzing Statement 1: - Section 37(1): The Certifying Authority (CA) may suspend a DSC if: (a) The subscriber (or person authorized) requests it. (b) The CA is of the opinion that it is necessary in the public interest. - This matches Statement 1 perfectly. Thus, Statement 1 is True.

Step 3: Analyzing Statement 2: - Section 37(2): A DSC shall not be suspended for a period exceeding fifteen days unless the subscriber has been given an opportunity of being heard. -

Statement 2 claims it can be suspended "indefinitely without... opportunity". This directly contradicts the statutory protection of natural justice (*audi alteram partem*) and the 15-day limit found in the Act. - Thus, Statement 2 is False.

Step 4: Final Conclusion: Only Statement 1 is true.

 Quick Tip

Natural Justice Principle: In administrative law and IT Act provisions, any action affecting rights (like revocation or long-term suspension) usually requires an "opportunity of being heard".

46. In the following question, a Statement is followed by two Conclusions, I and II. Statement: According to the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986, the appropriate Government credits 15,000 to the Child and Adolescent Labour Rehabilitation Fund for each child or adolescent for whom the fine amount from the employer has been deposited. The amount in the Fund is deposited or invested in banks, and the interest accrued is also payable to the child or adolescent. **Conclusions:** I. The child or adolescent is entitled not only to the credited amount but also to the interest accrued on it. II. The Government is not required to deposit any money other than what is collected as fines from the employer. **In the context of the above Statement and Conclusions, which one of the following is correct?**

- (A) Only Conclusion I follows
- (B) Only Conclusion II follows
- (C) Both Conclusions I and II follow
- (D) Neither Conclusion I nor II follows

Correct Answer: (A) Only Conclusion I follows

Solution:

Step 1: Understanding the Concept: The question analyzes the provisions of the Rehabilitation Fund created under the Child Labour (Prohibition and Regulation) Act, 1986 (following the MC Mehta directions).

Step 2: Analyzing Conclusion I: - The statement explicitly says: "the interest accrued is also payable to the child or adolescent." - This implies the child gets the principal amount (credited amount) + interest. - Therefore, Conclusion I follows.

Step 3: Analyzing Conclusion II: - The statement says: "Government credits 15,000... for whom the fine amount... has been deposited." - Here, the fine comes from the employer. The 15,000 is credited by the Government. - Conclusion II states the Government is not required to deposit any money other than fines. However, the 15,000 is a distinct credit by the Government, separate from the fine paid by the employer. Since the Government is depositing this 15,000 (which is not the fine itself), the conclusion that they deposit nothing else is incorrect/contradicted by the text. - Therefore, Conclusion II does not follow.

Step 4: Final Conclusion: Only Conclusion I follows.

💡 Quick Tip

Key Numbers: - Fine on Employer: 20,000 - 50,000. - Govt Contribution to Fund: 15,000 per child.

47. Given below are two statements, one labelled as Assertion (A) and the other labelled as Reason (R). Assertion (A): The Bharatiya Nyaya Sanhita, 2023, prescribes the death penalty for certain forms of gang rape. **Reason (R):** The purpose of this provision is to make all sexual offences non-bailable. **In the context of the above assertion and reason, which one of the following is correct?**

- (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

Correct Answer: (C) (A) is true, but (R) is false

Solution:

Step 1: Analyze Assertion (A): - Under the Bharatiya Nyaya Sanhita (BNS), 2023, Section 70(2) (Gang rape of woman under eighteen years of age) provides for punishment which shall be imprisonment for the remainder of natural life, and with death. - Thus, Assertion (A) is True.

Step 2: Analyze Reason (R): - "The purpose... is to make all sexual offences non-bailable." - While heinous offences are non-bailable, the legislative intent behind the death penalty is deterrence and retribution for the extreme gravity of the crime, not merely to determine bail status. Bail status is determined by the Schedule in BNS (CrPC). Furthermore, not all sexual offences are treated identically; the death penalty is reserved for the most aggravated forms (like gang rape of a minor). - Therefore, Reason (R) is factually and legally False as a statement of purpose.

Step 3: Conclusion: (A) is true, R is false.

💡 Quick Tip

BNS Updates: - Gang Rape (Under 18): Life (Remainder) or Death. - Gang Rape (General): 20 years to Life.

48. Given below are two statements, one labelled as Assertion (A) and the other labelled as Reason (R). Assertion (A): Under the Bharatiya Nagarik Suraksha Sanhita, 2023, if the proclaimed person appears within the time specified in the proclamation, the Court shall release the attached property. **Reason (R):** The attachment of property under the Bharatiya Nagarik Suraksha Sanhita, 2023 is intended to compel the appearance of the proclaimed person before the Court, not to permanently deprive him of his property. **In the**

context of the above assertion and reason, which one of the following is correct?

- (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

Correct Answer: (A) Both (A) and (R) are true, and (R) is the correct explanation of (A)

Solution:

Step 1: Analyze Assertion (A): - This corresponds to Section 85 of the CrPC (and equivalent in BNSS). If the proclaimed person appears within the time specified, the Court shall make an order releasing the property from attachment. - Assertion (A) is True.

Step 2: Analyze Reason (R): - The legal jurisprudence behind "Proclamation and Attachment" is to compel appearance. It is a coercive process. If the person appears, the purpose is served, and the property is restored. If they do not, the property is at the disposal of the State. - Reason (R) correctly states this intent. It is True.

Step 3: Analyze the Link: - Why is the property released (A)? Because the purpose was only to compel appearance, not permanent deprivation (R). - Thus, (R) correctly explains (A).

💡 Quick Tip

Process Flow: Warrant → Proclamation (30 days notice) → Attachment → Release (if appeared) OR Disposal (if not appeared).

49. Read the given Statements and choose the correct option. A dispute arises between two companies regarding the enforcement of their arbitration clause. Examine the following statements: Statement 1: An arbitration agreement must be in writing, and it can be contained in a contract, an exchange of letters, telex, telegrams, or electronic communications. **Statement 2:** An arbitration agreement may be implied solely from the conduct of the parties, without any written record.

- (A) Only Statement 1 is true
- (B) Only Statement 2 is true
- (C) Both Statements 1 and 2 are true
- (D) Neither Statement 1 nor 2 is true

Correct Answer: (A) Only Statement 1 is true

Solution:

Step 1: Understanding the Concept: The question tests the definition and form of an "Arbitration Agreement" under Section 7 of the Arbitration and Conciliation Act, 1996.

Step 2: Analyze Statement 1: - Section 7(3): "An arbitration agreement shall be in writing." - Section 7(4): Explains that it is in writing if contained in a document signed by parties, exchange of letters, telex, telegrams, or other means of telecommunication (including electronic) which provide a record of the agreement. - Statement 1 is True.

Step 3: Analyze Statement 2: - The Act mandatorily requires the agreement to be in writing (or evidenced by a written record/exchange of statements where one alleges and the other does not deny). - An agreement implied solely from conduct without any written record does not satisfy the statutory requirement of Section 7. - Statement 2 is False.

Step 4: Final Conclusion: Only Statement 1 is true.

 Quick Tip

Requirement: Arbitration agreements must be written. Oral arbitration agreements are not recognized under the 1996 Act (unlike the old 1940 Act).

50. In the following question, a Statement is followed by two Conclusions, I and II. Statement: According to the Advocates Act, 1961, when the term of a State Bar Council expires without an election, the Bar Council of India shall constitute a Special Committee consisting of the ex officio member of the State Bar Council as Chairman and two nominated members. The Special Committee has the power to discharge all functions of the State Bar Council until the new Council is constituted, and elections must be held within six months unless the period is extended by the Bar Council of India. **Conclusions:** I. The Special Committee is empowered to handle pending disciplinary matters of the State Bar Council. II. The Bar Council of India may extend the six-month period for holding elections to the State Bar Council, for recorded reasons. **In the context of the above Statement and Conclusions, which one of the following is correct?**

- (A) Only Conclusion I follows
- (B) Only Conclusion II follows
- (C) Both Conclusions I and II follow
- (D) Neither Conclusion I nor II follows

Correct Answer: (C) Both Conclusions I and II follow

Solution:

Step 1: Understanding the Concept: The question is based on Section 8A of the Advocates Act, 1961, regarding the constitution of a Special Committee in the absence of an elected State Bar Council.

Step 2: Analyze Conclusion I: - The statement says: "The Special Committee has the power to discharge all functions of the State Bar Council". - Since "disciplinary matters" are a core function of the State Bar Council (Section 35), the Special Committee is empowered to handle them. - Conclusion I follows.

Step 3: Analyze Conclusion II: - The statement says: "...elections must be held within six months unless the period is extended by the Bar Council of India." - This explicitly implies the BCI has the power to extend the period. The addition of "for recorded reasons" is a standard administrative law requirement (and is present in the actual Section 8A), and fits within the logical scope of the administrative power granted in the statement. - Conclusion II follows.

Step 4: Final Conclusion: Both conclusions follow from the text and legal context.

 Quick Tip

Special Committee Composition: 1. Chairman: Ex-officio member of State Bar Council (usually Advocate General). 2. Members: Two advocates nominated by BCI.

51. Read the given statements and choose the correct option.

Statement 1 : Under the Income-tax Act, 1961, a deduction equal to 30% of the annual value is allowed while computing income from house property.

Statement 2 : Where the property has been acquired or constructed with borrowed capital, the maximum deduction for interest payable on such capital is capped at 2,00,000, subject to conditions.

- (A) Both Statements 1 and 2 are false
- (B) Only Statement 1 is true
- (C) Only Statement 2 is true
- (D) Both the Statements are true

Correct Answer: (D) Both the Statements are true

Solution:

We need to verify the provisions of the Income-tax Act, 1961, regarding income from house property.

1. **Analyze Statement 1:** Section 24(a) of the Income-tax Act, 1961, provides for a standard deduction. It states that a sum equal to 30% of the annual value shall be deducted from the Net Annual Value of the property. Thus, Statement 1 is correct.

2. **Analyze Statement 2:** Section 24(b) deals with the deduction of interest on borrowed capital. For a self-occupied property, if the capital is borrowed on or after April 1, 1999, for acquisition or construction (completed within 5 years), the maximum deduction allowed is 2,00,000. Thus, Statement 2 is correct.

3. **Conclusion:** Since both statements accurately reflect the statutory provisions, Option (D) is the correct answer.

 Quick Tip

Remember the two main deductions under Section 24: Standard Deduction (30% of NAV) and Interest on Loan (up to 2 Lakhs for self-occupied).

52. Given below are two statements, one labelled as Assertion (A) and the other labelled as Reason (R).

Assertion (A) : Under the Hindu Succession Act, 1956, a daughter in a Joint Hindu Family governed by Mitakshara Law becomes a coparcener by birth in her own right, just like a son.

Reason (R) : This provision grants daughters the same rights, liabilities, and disabilities in coparcenary property as those of sons.

In the context of the above assertion and reason under the Hindu Succession Act, 1956, which one of the following is correct ?

- (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.

Correct Answer: (A) Both (A) and (R) are true, and (R) is the correct explanation of (A).

Solution:

We must examine the 2005 Amendment to the Hindu Succession Act, 1956.

1. **Analyze Assertion (A):** Section 6(1) of the Act (substituted by the 2005 Amendment) explicitly states that the daughter of a coparcener shall by birth become a coparcener in her own right in the same manner as the son. Thus, (A) is true.

2. **Analyze Reason (R):** Section 6(1) further elucidates that she shall have the same rights in the coparcenary property as she would have had if she had been a son, and she is subject to the same liabilities. Thus, (R) is true.

3. **Establish the Link:** The Assertion states the status (becoming a coparcener). The Reason explains the legal implication and substance of that status (equal rights and liabilities). In legal reasoning questions, defining the scope and effect of a provision is often treated as the "explanation" for why the provision exists or what it entails. The legislative intent to grant equal rights (R) is the basis for the enactment stating she is a coparcener (A).

4. **Conclusion:** Both are true, and R explains the nature of A.

 Quick Tip

The Hindu Succession (Amendment) Act, 2005 is the landmark statute that ended gender discrimination in Mitakshara coparcenaries.

53. As per the Indian Contract Act, 1872, an acceptance must be absolute and unqualified. What is the legal effect if an offeree's response to a proposal introduces

a new term ?

- (A) It becomes a valid acceptance, and the new term is incorporated as a mere suggestion.
- (B) It operates as a valid acceptance if the new term is not a material alteration.
- (C) It constitutes a counter-proposal, thereby rejecting the original proposal.
- (D) It suspends the original proposal until the new term is accepted or rejected by the proposer.

Correct Answer: (C) It constitutes a counter-proposal, thereby rejecting the original proposal.

Solution:

We need to apply Section 7 of the Indian Contract Act, 1872.

1. **Legal Principle:** Section 7 states that acceptance must be absolute and unqualified.
2. **Effect of Conditional Acceptance:** If an offeree accepts an offer but adds a condition or a new term (e.g., "I accept if you reduce the price"), this is not a valid acceptance.
3. **Counter-Proposal:** Legally, such a response is treated as a "counter-offer" or "counter-proposal."
4. **Result:** A counter-proposal has the effect of rejecting the original offer. The original offer lapses and cannot be accepted later unless revived. This is based on the principle established in **Hyde v. Wrench**.

Therefore, Option (C) is the correct legal effect.

💡 Quick Tip

Acceptance is like a "mirror image" of the offer. Any variation cracks the mirror, turning the acceptance into a counter-offer.

54. The Indian Contract Act, 1872, provides for specific situations where an agreement without consideration is not void. Which of the following agreements is valid despite the lack of fresh consideration ?

- (A) An oral promise by 'A' to pay 'B' 5000 for a service 'B' voluntarily rendered to 'A' last month.
- (B) A written and registered promise by a husband, out of natural love and affection, to transfer a property to his wife.
- (C) A promise to subscribe 1 lakh to a public charitable fund.
- (D) A promise made by a minor upon attaining majority to pay a debt incurred during his

minority.

Correct Answer: (B) A written and registered promise by a husband, out of natural love and affection, to transfer a property to his wife.

Solution:

We must check the exceptions under Section 25 of the Indian Contract Act, 1872.

1. **General Rule:** An agreement without consideration is void (Section 25).
2. **Analyze Option (B):** Section 25(1) states that an agreement without consideration is valid if it is:
 - (i) expressed in writing,
 - (ii) registered under the law,
 - (iii) made on account of natural love and affection,
 - (iv) between parties standing in a near relation to each other.Option (B) satisfies all these conditions.
3. **Analyze Option (A):** While Section 25(2) validates a promise to compensate for past voluntary services, the term "fresh consideration" in the question stem and the explicit "written and registered" detail in (B) makes (B) the most direct textbook application of the statutory exception regarding agreements "made without consideration."
4. **Analyze Option (C):** A gratuitous promise to donate is generally not enforceable unless the promisee has incurred liability on the faith of the promise (Kedarnath v. Gorie Mohammad), which is not stated here.
5. **Analyze Option (D):** A minor's agreement is void **ab initio** and cannot be ratified upon majority.

Therefore, Option (B) is the correct answer.

 Quick Tip

For Section 25(1) to apply, remember the mnemonic "WR-NLA": Writing, Registered, Natural Love Affection.

55. In the context of delegated legislation, the judicial doctrine that prevents a legislature from conferring "uncontrolled legislative power" on the administration is known as the doctrine of :

- (A) Ultra Vires
- (B) Excessive Delegation

- (C) Conditional Legislation
- (D) Separation of Powers

Correct Answer: (B) Excessive Delegation

Solution:

We need to identify the specific administrative law doctrine regarding the limits of delegation.

1. **Define the Concept:** The legislature can delegate rule-making power to the executive, but it cannot delegate its "essential legislative functions" (declaring policy and principles).
2. **Identify the Doctrine:** When a legislature transfers too much power without laying down sufficient guidelines or policy, it is said to have "abdicated" its function. This vice is legally termed "Excessive Delegation."
3. **Outcome:** If a court finds that the enabling Act grants unguided and uncontrolled power, the delegation is struck down as excessive.
4. **Other Options:** "Ultra Vires" refers to acts beyond legal authority. "Conditional Legislation" is where the legislature makes the law but leaves the timing of its application to the executive.

Therefore, Option (B) is the correct term.

 Quick Tip

Delegation is valid only if the legislature provides a "policy and guideline." Without this compass, it becomes "Excessive Delegation."

56. For a petition for nullity of marriage under the Hindu Marriage Act, 1955, on the ground that consent was obtained by fraud, what is a statutory bar to granting the decree ?

- (A) The petition was filed more than six months after the discovery of the fraud.
- (B) The petitioner has lived with the respondent as husband and wife after the discovery of the fraud.
- (C) The fraud relates to the social status of the respondent's family.
- (D) The parties have not attempted reconciliation through a counselling center.

Correct Answer: (B) The petitioner has lived with the respondent as husband and wife after the discovery of the fraud.

Solution:

We need to verify the conditions under Section 12 of the Hindu Marriage Act, 1955.

1. **Identify the Provision:** Section 12(1)(c) allows annulment if consent was obtained by force or fraud.
2. **Identify the Bar (Section 12(2)(a)):** The court shall not entertain the petition if:
 - the petition is presented more than one year after the force ceased or fraud was discovered;
 - OR
 - the petitioner has, with his/her full consent, lived with the other party to the marriage as husband or wife after the force had ceased to operate or the fraud had been discovered.
3. **Match with Options:** Option (B) mirrors the second condition mentioned above (cohabitation after discovery of fraud). This operates as an absolute bar/estoppel to the decree.
4. **Check Option (A):** The limitation period is one year, not six months.

Therefore, Option (B) is the correct answer.

💡 Quick Tip

In voidable marriages (like fraud), "Condonation" by conduct (living together after knowing the truth) validates the marriage and bars annulment.

57. In the absence of an agreement between the parties, the arbitration proceedings are said to have commenced under Section 21 of The Arbitration and Conciliation Act, 1996 :

- (A) on the date of appointment of arbitrator.
- (B) on the date the arbitration agreement is signed.
- (C) on the date the request for reference is received by the respondent.
- (D) on the date the arbitral tribunal issues notice.

Correct Answer: (C) on the date the request for reference is received by the respondent.

Solution:

This is a direct question based on Section 21 of the Arbitration and Conciliation Act, 1996.

1. **Refer to Section 21:** The section is titled "Commencement of arbitral proceedings."
2. **The Rule:** It states: "Unless otherwise agreed by the parties, the arbitral proceedings... commence on the date on which a request for that dispute to be referred to arbitration is re-

ceived by the respondent.”

3. Match with Options: Option (C) matches this statutory definition perfectly.

Therefore, Option (C) is the correct answer.

 Quick Tip

Commencement of arbitration (receipt of notice) is crucial for calculating the Limitation period for the claim.

58. Which of the following public interest litigations expanded Article 21 of the Indian Constitution to include right to enjoyment of pollution-free water and air ?

- (A) Subhash Kumar v. State of Bihar, (1991) 1 SCC 598
- (B) Nilabati Behera v. State of Orissa, (1993) 2 SCC 746
- (C) Sheela Barse v. Union of India, (1986) 3 SCC 596
- (D) Olga Tellis v. Bombay Municipal Corporation, (1985) 3 SCC 545

Correct Answer: (A) Subhash Kumar v. State of Bihar, (1991) 1 SCC 598

Solution:

We must identify the subject matter of the landmark cases listed.

1. **Analyze Option (A):** In **Subhash Kumar v. State of Bihar**, the Supreme Court held that the "Right to Life" under Article 21 includes the right to enjoy pollution-free water and air for the full enjoyment of life.
2. **Analyze Option (B):** **Nilabati Behera** dealt with custodial death and the state's liability to pay compensation.
3. **Analyze Option (C):** **Sheela Barse** dealt with the rights of children in custodial institutions.
4. **Analyze Option (D):** **Olga Tellis** (Pavement Dwellers case) linked the right to livelihood with Article 21.

Therefore, Option (A) is the correct answer related to environmental rights.

💡 Quick Tip

Environmental Jurisprudence in India relies heavily on the expansive interpretation of Article 21. Remember "Subhash Kumar" for Water/Air and "M.C. Mehta" for Absolute Liability.

59. Which Public Interest Litigation case resulted in the Supreme Court of India laying down the principle of 'Absolute Liability' ?

- (A) M.C. Mehta v. Union of India, AIR 1987 SC 1086
- (B) M.C. Mehta v. Union of India, 1988 SCR (2) 530
- (C) M.C. Mehta v. Kamal Nath, (1997) 1 SCC 388
- (D) M.C. Mehta v. Union of India, AIR 1997 SC 734

Correct Answer: (A) M.C. Mehta v. Union of India, AIR 1987 SC 1086

Solution:

We need to identify the specific M.C. Mehta case (Oleum Gas Leak case).

1. **Identify the Context:** The Oleum Gas Leak happened in Delhi, leading to the case **M.C. Mehta v. Union of India**.
2. **The Principle:** Chief Justice P.N. Bhagwati departed from the 19th-century English rule of "Strict Liability" (Rylands v. Fletcher) which had exceptions. He established "Absolute Liability" for hazardous industries, which has **no** exceptions.
3. **Citation Match:** This judgment was delivered in 1986/1987. The citation AIR 1987 SC 1086 corresponds to this landmark judgment.

Therefore, Option (A) is the correct answer.

💡 Quick Tip

Strict Liability allows exceptions (like Act of God). Absolute Liability (India's contribution) allows NO exceptions for hazardous industries.

60. In which of the following cases, the Supreme Court of India has pointed out that the rule of nemo judex in causa sua is subject to the doctrine of necessity ?

- (A) Sahni Silk Mills (P) Ltd. v. Employees' State Insurance Corporation, (1994) 5 SCC 346
- (B) In Re: Delhi Laws Act, AIR 1951 SC 332

- (C) J. Mohapatra & Co. v. State of Orissa, (1984) 4 SCC 103
(D) Union of India v. G. Ganayutham, (1997) 7 SCC 463

Correct Answer: (C) J. Mohapatra & Co. v. State of Orissa, (1984) 4 SCC 103

Solution:

The principle "Nemo judex in causa sua" means "No one should be a judge in their own cause" (Rule against Bias).

1. **Identify the Exception:** The "Doctrine of Necessity" allows a biased judge/authority to decide a matter if no one else is competent or authorized to do so, to prevent a failure of justice.
2. **Case Law:** In **J. Mohapatra & Co. v. State of Orissa** (1984), the Supreme Court discussed the selection of books for libraries where committee members were also authors. The Court held that while bias vitiates decisions, the Doctrine of Necessity is an exception.
3. **Verify Options:** In **Re: Delhi Laws Act** relates to delegated legislation. **G. Ganayutham** relates to proportionality/Wednesbury unreasonableness.

Therefore, Option (C) is the correct case.

 Quick Tip

Necessity implies that "Justice must be done by the only person empowered to do it," even if they are biased, because the alternative (no decision) is worse.

61. As per Section 11 of the Code of Civil Procedure, 1908 for Res Judicata to be applicable on a subsequent suit, the former suit

- I. has been finally decided.
- II. can only be instituted prior to the subsequent suit.
- III. relates to the same matter directly and substantially in issue in the subsequent suit.
- IV. is between the same parties, or between parties under whom they or any of them claim.

Select the correct answer.

- (A) I, II and III
(B) II, III and IV
(C) I, III and IV
(D) I, II, III and IV

Correct Answer: (C) I, III and IV

Solution:

Section 11 of the CPC defines the doctrine of Res Judicata. We evaluate each statement:

1. **Analyze Statement I:** The matter must have been “heard and finally decided” in the former suit. This is a core condition. (Correct).
2. **Analyze Statement II:** Explanation I to Section 11 clarifies that the expression “former suit” denotes a suit which has been **decided** prior to the suit in question, whether or not it was instituted prior thereto. Thus, the date of institution is irrelevant; only the date of decision matters. (Incorrect).
3. **Analyze Statement III:** The matter in issue must be directly and substantially in issue in the former suit. (Correct).
4. **Analyze Statement IV:** The suit must be between the same parties or parties under whom they claim, litigating under the same title. (Correct).

Therefore, statements I, III, and IV are the correct conditions.

💡 Quick Tip

For Res Judicata, remember the “Former Suit” is determined by the date of the **decision**, not the date of **filing**. A suit filed later but decided earlier becomes the “former suit.”

62. Where the decree is for the payment of money, execution by detention in prison shall not be ordered unless, after giving the judgment-debtor an opportunity of showing cause, the Court is satisfied that the

- I. judgment-debtor, is likely to abscond or leave the local limits of the jurisdiction of the Court.
- II. judgment-debtor has, before the institution of the suit in which the decree was passed, dishonestly transferred any part of his property.
- III. decree is for a sum for which the judgment-debtor was bound in a fiduciary capacity to account.
- IV. judgment-debtor has, or has had since the date of the decree, the means to pay substantial amount of the decree and neglected to pay the same.

Select the correct answer.

- (A) I, II and III
- (B) II, III and IV
- (C) I, III and IV
- (D) I, II, III and IV

Correct Answer: (D) I, II, III and IV

Solution:

This question refers to the Proviso to Section 51 of the CPC, which restricts execution by detention in prison.

1. **Analyze Statement I:** Clause (a)(ii) of the proviso allows detention if the debtor is likely to abscond or leave the local limits. (Correct).
2. **Analyze Statement II:** Clause (b) allows detention if the debtor has dishonestly transferred, concealed, or removed property after the suit's institution (or before it, if done in bad faith). (Correct).
3. **Analyze Statement III:** Clause (c) allows detention if the decree is for a sum for which the debtor was bound in a fiduciary capacity to account. (Correct).
4. **Analyze Statement IV:** Clause (b) also allows detention if the debtor has, or has had, the means to pay but refuses or neglects to pay. (Correct).

All four statements correspond to the statutory grounds for detention.

💡 Quick Tip

Execution by detention is an exception, not the rule. The court must record reasons in writing satisfying one of the conditions in the Proviso to Section 51.

63. As per The Code of Civil Procedure, 1908, a decree ex parte can be set aside against a defendant

- I. if he satisfies the Court that the summons was not duly served.
- II. if he satisfies the Court that he was prevented by any sufficient cause from appearing when the suit was called on for hearing.
- III. if he satisfies the Court that there has been an irregularity in the service of summons despite the fact that defendant had notice of the date of hearing and had sufficient time to appear and answer the plaintiff's claim.
- IV. without notice being served on the opposite party.

Select the correct answer.

- (A) I and II
- (B) I, II and III
- (C) I and IV
- (D) I, II, III and IV

Correct Answer: (A) I and II

Solution:

This is governed by Order 9 Rule 13 of the CPC.

1. **Analyze Statement I:** The rule explicitly states that if the summons was not duly served, the court shall make an order to set aside the decree. (Correct).
2. **Analyze Statement II:** The rule also states that if the defendant was prevented by “sufficient cause” from appearing, the decree shall be set aside. (Correct).
3. **Analyze Statement III:** The second proviso to Rule 13 states that a decree shall **not** be set aside merely on the ground of irregularity in service if the defendant had notice of the date of hearing and sufficient time to appear. Thus, this statement describes a condition where the relief is **denied**, not granted. (Incorrect context).
4. **Analyze Statement IV:** The rule requires that notice **must** be served on the opposite party before setting aside the decree. (Incorrect).

Therefore, only I and II are valid grounds for setting aside the decree.

💡 Quick Tip

“Sufficient Cause” is the key for setting aside ex parte decrees. However, mere technical irregularities in service won’t help if the defendant actually knew about the hearing (Proviso).

64. When is a confession made by a person in police custody admissible under the Bharatiya Sakshya Adhiniyam, 2023 ?

- (A) Only if it is made voluntarily in writing
- (B) Only if it is made in the immediate presence of a Magistrate
- (C) Only if it is supported by two independent witnesses
- (D) Only if it is recorded after the charge sheet is filed

Correct Answer: (B) Only if it is made in the immediate presence of a Magistrate

Solution:

This provision corresponds to Section 26 of the Indian Evidence Act (now under the new Bharatiya Sakshya Adhiniyam).

1. **General Rule:** A confession made by a person while in the custody of a police officer is generally inadmissible against such person.

2. **Exception:** The law provides a specific exception: such a confession becomes admissible if it is made in the **immediate presence of a Magistrate**.

3. **Evaluate Options:** Option (B) correctly states this statutory exception. Options (A), (C), and (D) are not valid conditions for admissibility of a confession made in police custody under this section.

 Quick Tip

Confessions in police custody are presumed tainted by coercion. The presence of a Magistrate acts as a safeguard to ensure the statement is voluntary.

65. Which Section of The Bharatiya Sakshya Adhiniyam, 2023 pertains to opinions of experts?

- (A) Section 38
- (B) Section 39
- (C) Section 36
- (D) Section 46

Correct Answer: (B) Section 39

Solution:

We verify the section numbers of the Bharatiya Sakshya Adhiniyam (BSA), 2023:

1. **Old Law (IEA):** Opinions of experts were covered under Section 45 of the Indian Evidence Act, 1872.
2. **New Law (BSA):** The corresponding provision in the Bharatiya Sakshya Adhiniyam, 2023 is **Section 39** (“Opinions of experts”).
3. **Other Options:** Section 38 deals with other relevancy matters, and Section 36/46 deal with different topics (e.g., maps/character).

Therefore, Section 39 is the correct answer.

 Quick Tip

When transitioning to the new Criminal Acts (BSA/BNS/BNSS), mapping key sections like “Expert Opinion” (IEA 45 → BSA 39) is crucial for exams.

66. Which of the following statements is incorrect as per The Bharatiya Sakshya Adhiniyam, 2023 ?

(A) A contracts, in writing, with B, for the delivery of indigo upon certain terms. The contract mentions the fact that B had paid A the price of other indigo contracted for, verbally, on another occasion. Oral evidence is offered that no payment was made for the other indigo. The evidence is admissible.

(B) A agrees absolutely in writing to pay B one thousand rupees on 1st March, 2023. The fact that, at the same time, an oral agreement was made that the money should not be paid till 31st March, 2023, can be proved.

(C) A enters into a written contract with B to work certain mines, the property of B, upon certain terms. A was induced to do so by a misrepresentation of B as to their value. This fact may be proved.

(D) A orders goods from B by a letter in which nothing is said as to the time of payment, and accepts the goods on delivery. B sues A for the price. A may show that the goods were supplied on credit for a term still unexpired.

Correct Answer: (B) A agrees absolutely in writing to pay B one thousand rupees on 1st March, 2023. The fact that, at the same time, an oral agreement was made that the money should not be paid till 31st March, 2023, can be proved.

Solution:

This question tests the exclusion of oral evidence by documentary evidence (Section 92 IEA / equivalent in BSA).

1. **Principle:** When the terms of a contract are reduced to writing, no evidence of any oral agreement shall be admitted to contradict, vary, add to, or subtract from its terms.

2. **Analyze Option (B):** The written contract says “pay on 1st March” (Absolute). The alleged oral agreement says “don’t pay till 31st March” (Condition/Postponement). This oral agreement directly **contradicts** the written term. Therefore, under the law, this fact **cannot** be proved. The statement claims it “can be proved,” making it the **incorrect** statement.

3. **Analyze Other Options:** - (A) refers to a recital of fact (payment for other indigo) not a term of the contract, so oral evidence is allowed (Explanation/Proviso). - (C) refers to invalidating factors (fraud/misrepresentation), which is a valid exception (Proviso 1). - (D) refers to a distinct oral agreement on a matter where the document is silent (time of payment), which is allowed (Proviso 2).

 Quick Tip

Parol Evidence Rule: You cannot use an oral agreement to contradict the clear text of a written contract. Option (B) attempts to change “Pay Now” to “Pay Later,” which is a clear contradiction.

67. As per The Hindu Marriage Act, 1955, two persons are said to be within the “degrees of prohibited relationship” if :

- I. one is a lineal ascendant of the other, including relationship by adoption.
- II. one was the wife or husband of a lineal ascendant or descendant of the other, including relationship by half or uterine blood as well as by full blood.
- III. one was the wife of the brother or of the father’s or mother’s brother or of the grandfather’s or grandmother’s brother of the other.
- IV. the two are brother and sister, uncle and niece, aunt and nephew, or children of brother and sister or of two brothers or of two sisters.

Select the correct answer.

- (A) I, III and IV
- (B) III and IV
- (C) II, III and IV
- (D) I, II, III and IV

Correct Answer: (D) I, II, III and IV

Solution:

Section 3(g) of the Hindu Marriage Act, 1955 defines “degrees of prohibited relationship.”

- 1. **Statement I:** Matches Section 3(g)(i) - Lineal ascendant.
- 2. **Statement II:** Matches Section 3(g)(ii) - Wife/husband of lineal ascendant/descendant.
- 3. **Statement III:** Matches Section 3(g)(iii) - Wife of brother, uncle, great-uncle, etc.
- 4. **Statement IV:** Matches Section 3(g)(iv) - Brother/sister, Uncle/Niece, Aunt/Nephew, and cousins (children of siblings).

Since all four statements are explicitly listed in the Act, the correct answer is (D).

 Quick Tip

The definition of prohibited degrees covers three main categories: Lineal Ascendants, Affines (spouses of ascendants/descendants), and certain Collaterals (siblings, uncles/aunts, cousins).

68. Which Article of the Constitution of India lays down the fundamental duty of every citizen to protect and improve the natural environment ?

- (A) Article 48A
- (B) Article 39A
- (C) Article 51A(g)
- (D) Article 51A(h)

Correct Answer: (C) Article 51A(g)

Solution:

We look at the specific provisions of the Constitution regarding the environment.

1. **Article 48A:** This is a Directive Principle of State Policy (DPSP), mandating the **State** to protect the environment.
2. **Article 51A(g):** This is a **Fundamental Duty** (Part IVA), which states that it shall be the duty of every citizen of India “to protect and improve the natural environment including forests, lakes, rivers and wild life...”
3. **Article 39A:** Deals with Equal Justice and Free Legal Aid.
4. **Article 51A(h):** Deals with the scientific temper.

The question specifically asks for the “Fundamental Duty” of a “citizen,” which corresponds to Article 51A(g).

 Quick Tip

Distinguish between DPSP (State’s duty - Art 48A) and Fundamental Duties (Citizen’s duty - Art 51A(g)). Both deal with the environment, but the addressee is different.

69. The grounds for decree for dissolution of marriage under Section 2 of the Dissolution of Muslim Marriages Act, 1939 are that the :

- I. whereabouts of the husband have not been known for a period of two years.

- II. husband has been sentenced to imprisonment for a period of five years.
III. husband has failed to perform, without reasonable cause, his marital obligations for a period of two years.
IV. husband has neglected or has failed to provide for maintenance of his wife for a period of one year.

Select the correct answer.

- (A) III and IV
(B) I and II
(C) I, II, III and IV
(D) None of these

Correct Answer: (D) None of these

Solution:

We compare the statements with Section 2 of the Dissolution of Muslim Marriages Act, 1939:

1. **Statement I:** Claims 2 years for missing husband. - **Act:** Section 2(i) requires the whereabouts to be unknown for **four years**. (Incorrect).
2. **Statement II:** Claims 5 years imprisonment. - **Act:** Section 2(iii) requires a sentence of imprisonment for **seven years** or upwards. (Incorrect).
3. **Statement III:** Claims failure to perform obligations for 2 years. - **Act:** Section 2(iv) requires failure to perform obligations for **three years**. (Incorrect).
4. **Statement IV:** Claims failure to provide maintenance for 1 year. - **Act:** Section 2(ii) requires neglect/failure to provide maintenance for **two years**. (Incorrect).

Since all four statements cite incorrect time periods, none of the options (A), (B), or (C) are correct.

 Quick Tip

Memorize the specific numbers for DMMA 1939: Missing = 4 years, Maintenance = 2 years, Imprisonment = 7 years, Obligations = 3 years.

70. As per The Information Technology Act, 2000, “intermediary”, with respect to any particular electronic records, means any person who on behalf of another person receives, stores or transmits that record or provides any service with respect to that record and includes :

- I. telecom service providers.

- II. search engines.
- III. cyber cafes.
- IV. online-auction sites.

Select the correct answer.

- (A) I and IV
- (B) I and II
- (C) I, II and IV
- (D) I, II, III and IV

Correct Answer: (D) I, II, III and IV

Solution:

Section 2(w) of the Information Technology Act, 2000 defines “intermediary”.

1. **Definition:** It includes any person who receives, stores, or transmits electronic records on behalf of another.
2. **Inclusions:** The definition explicitly lists the following entities:
 - Telecom service providers
 - Network service providers
 - Internet service providers
 - Web-hosting service providers
 - Search engines
 - Online payment sites
 - Online-auction sites
 - Online-market places
 - Cyber cafes

Since all four items (I, II, III, IV) are covered in this list, Option (D) is the correct answer.

💡 Quick Tip

The definition of “intermediary” in the IT Act is exhaustive and broad. It covers almost any entity facilitating internet usage, from your ISP to the Cyber Cafe and Google (Search Engine).

71. Under Section 37 of the Arbitration and Conciliation Act, 1996, which of the following orders is not appealable ?

- (A) Refusing to refer parties to arbitration under Section 8.
- (B) Refusing to appoint arbitrator under Section 11.

- (C) Refusing to grant any measure under Section 9.
- (D) Refusing to grant an interim measure under Section 17.

Correct Answer: (B) Refusing to appoint arbitrator under Section 11.

Solution:

Section 37 of the Arbitration and Conciliation Act, 1996 lists the specific orders from which an appeal lies.

1. **Analyze Option (A):** Section 37(1)(a) allows an appeal from an order **refusing** to refer the parties to arbitration under Section 8. (Appealable).
2. **Analyze Option (C):** Section 37(1)(b) allows an appeal from an order granting or **refusing** to grant any measure under Section 9. (Appealable).
3. **Analyze Option (D):** Section 37(2)(b) allows an appeal from an order of the Arbitral Tribunal granting or **refusing** to grant an interim measure under Section 17. (Appealable).
4. **Analyze Option (B):** Section 37 does **not** mention orders passed under Section 11 (Appointment of Arbitrators). The Supreme Court has clarified that no appeal lies under Section 37 against an order passed under Section 11.

Therefore, Option (B) is the order that is **not** appealable under Section 37.

 Quick Tip

Remember the list in Section 37 carefully. While Section 8, 9, 16, 17, and 34 orders are appealable, the administrative/judicial order of appointment under Section 11 is not mentioned in the appeal provision.

72. Under Section 9A of The Advocates Act, 1961, a legal aid committee constituted by a Bar Council shall consist of :

- (A) Not exceeding 13 but not less than 9.
- (B) Not exceeding 11 but not less than 7.
- (C) Not exceeding 9 but not less than 5.
- (D) Not exceeding 7 but not less than 3.

Correct Answer: (C) Not exceeding 9 but not less than 5.

Solution:

Section 9A(2) of the Advocates Act, 1961 governs the constitution of Legal Aid Committees.

1. **Statutory Provision:** The section states: “A legal aid committee shall consist of such number of members, not being less than five and not more than nine, as may be prescribed.”

2. **Evaluate Options:**

- Option (A): 9 to 13 (Incorrect).
- Option (B): 7 to 11 (Incorrect).
- Option (C): 5 to 9 (Correct matches the statute).
- Option (D): 3 to 7 (Incorrect).

Therefore, Option (C) is the correct answer.

 Quick Tip

Don't confuse the Legal Aid Committee (5-9 members) with the Disciplinary Committee (3 members).

73. Which Section of the Advocates Act, 1961 provides for the disciplinary powers of the Bar Council of India ?

- (A) Section 35
- (B) Section 36
- (C) Section 37
- (D) Section 38

Correct Answer: (B) Section 36

Solution:

We must match the sections to their subject matter:

1. **Section 35:** Punishment of advocates for misconduct (Disciplinary powers of **State** Bar Councils).
2. **Section 36:** Disciplinary powers of **Bar Council of India**.
3. **Section 37:** Appeal to the Bar Council of India.
4. **Section 38:** Appeal to the Supreme Court of India.

The question asks for the powers of the **Bar Council of India**, which corresponds to Section 36.

 Quick Tip

Mnemonic: Section 35 is for the State (smaller number, local level), Section 36 is for the BCI (larger number, central level).

74. Match List I (General Defences in Tort) with List II (Leading Cases) and select the correct answer using the codes given below :

List I	List II
i. Act of God	1. <i>Vaughan v Taff Vale Rail Co. (1860) 5 H & N 679</i>
ii. Consent (<i>Volenti non fit injuria</i>)	2. <i>Kirk v Gregory (1876) 1 Ex. D. 55</i>
iii. Statutory Authority	3. <i>Nichols v. Marsland (1876) 2 Ex. D. 1</i>
iv. Necessity	4. <i>Hall v. Brooklands Auto Racing Club (1933) 1 KB 205</i>

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

Correct Answer: (C) i-3; ii-4; iii-1; iv-2

Solution:

We match the legal defence to its seminal case law:

- 1. Act of God (Vis Major):** The leading case is **Nichols v. Marsland**, where extraordinary rainfall causing artificial lakes to burst was held to be an Act of God. (i → 3).
- 2. Consent (Volenti non fit injuria):** The leading case is **Hall v. Brooklands Auto Racing Club**, where a spectator injured by a race car was held to have consented to the inherent risks. (ii → 4).
- 3. Statutory Authority:** The leading case is **Vaughan v Taff Vale Rail Co.**, where sparks from a train caused a fire, but the company was not liable as they were authorized by statute to run the railway. (iii → 1).
- 4. Necessity:** The case **Kirk v Gregory** discusses the defense of necessity (moving jewelry to safety). (iv → 2).

The correct sequence is i-3, ii-4, iii-1, iv-2.

💡 Quick Tip

Matching questions can often be solved by identifying just one or two well-known pairs. **Nichols v. Marsland** (Act of God) and **Hall v. Brooklands** (Spectator/Consent) are the most common matches.

75. The Central Consumer Protection Council, as provided under Section 3(2) of the Consumer Protection Act, 2019, shall consist of :

- (A) a Chairperson and ten other members, or a Chairperson and such other members as may be prescribed.
- (B) a Chairperson and five other members.
- (C) a Chairperson and such other members as may be prescribed.
- (D) a Chairperson and ten other members.

Correct Answer: (C) a Chairperson and such other members as may be prescribed.

Solution:

Section 3(2) of the Consumer Protection Act, 2019 defines the composition of the Central Council.

1. **Chairperson:** The Minister-in-charge of the Department of Consumer Affairs in the Central Government.
2. **Other Members:** Section 3(2)(b) states: “such number of other official or non-official members representing such interests **as may be prescribed.**”

The Act does not fix a specific number (like 5 or 10) in the section itself; it leaves it to the rules (delegated legislation). Therefore, the correct option is the one reflecting this flexibility.

💡 Quick Tip

Modern Acts often delegate the specific numbers to Rules (“as may be prescribed”) to allow flexibility without amending the Act. Watch out for this phrase in options.

76. In which of the following cases, the Supreme Court of India held that, the Preamble is not part of the Constitution ?

- (A) In re: The Kerala Education Bill, 1957, AIR 1958 SC 956
- (B) Kesavananda Bharati v. State of Kerala, AIR 1973 SC 1461
- (C) In re: The Berubari Union and Exchange of Enclaves, AIR 1960 SC 845

(D) Minerva Mills Ltd. v. Union of India, AIR 1980 SC 1789

Correct Answer: (C) In re: The Berubari Union and Exchange of Enclaves, AIR 1960 SC 845

Solution:

The status of the Preamble has evolved through Supreme Court judgments:

1. **Berubari Union Case (1960):** The Court explicitly held that the Preamble is **not** a part of the Constitution.
2. **Kesavananda Bharati Case (1973):** The Court overruled **Berubari** and held that the Preamble **is** an integral part of the Constitution.

The question asks which case held it is **not** a part. Thus, **Berubari** is the correct answer.

 Quick Tip

Chronology of Preamble status: 1960 (Berubari - No) → 1973 (Kesavananda - Yes) → 1995 (LIC of India - Yes, Integral part).

77. Which Article in the Constitution of India relates to the subject-matter of laws made by Parliament to give effect to treaties and international agreements ?

- (A) Article 249
- (B) Article 251
- (C) Article 253
- (D) Article 255

Correct Answer: (C) Article 253

Solution:

We identify the Article governing international agreements:

1. **Article 253:** "Legislation for giving effect to international agreements." It empowers Parliament to make any law for the whole or any part of the territory of India for implementing any treaty, agreement, or convention with any other country.
2. **Article 249:** Power of Parliament to legislate on State List matters in national interest.
3. **Article 251:** Inconsistency between laws made by Parliament under Articles 249/250 and laws made by State Legislatures.

Therefore, Article 253 is the correct answer.

 Quick Tip

Article 253 is a non-obstante clause (“Notwithstanding anything in the foregoing provisions of this Chapter”), giving Parliament overriding power to legislate on State subjects if required for a treaty.

78. In which of the following judgment/s was the issue of ‘right to privacy’ dealt with by the Supreme Court of India ?

- I. Kharak Singh v. State of Uttar Pradesh Ors. (AIR 1963 SC 1295)
- II. PUCL v. Union of India (AIR 1997 SC 568)
- III. Justice K.S. Puttaswamy (Retd.) Anr. v. Union of India Ors. (2017) 10 SCC 1
- IV. M.P. Sharma v. Satish Chandra (AIR 1954 SC 300)

- (A) II, III and IV
- (B) II and III
- (C) Only III
- (D) I, II, III and IV

Correct Answer: (D) I, II, III and IV

Solution:

The issue of Right to Privacy was central to all four cases, though the outcomes differed:

1. **M.P. Sharma (1954):** Held that the Constitution does **not** recognize a fundamental right to privacy.
2. **Kharak Singh (1963):** Majority held no right to privacy existed, but the dissenting opinion (Subba Rao J.) argued for it.
3. **PUCL v. Union of India (1997):** Recognized right to privacy specifically regarding telephone tapping (Section 5(2) Telegraph Act).
4. **K.S. Puttaswamy (2017):** The 9-judge bench explicitly overruled **M.P. Sharma** and **Kharak Singh**, declaring Right to Privacy a fundamental right under Article 21.

Since all four judgments “dealt with” the issue, (D) is the correct answer.

 Quick Tip

The question asks where the issue was “dealt with”, not just where it was “upheld”. Even the cases that denied the right (M.P. Sharma, Kharak Singh) dealt with the issue.

79. Which of the following actions is required if territory is ceded to any other country by the Union of India ?

- (A) Executive action of the Union of India
- (B) Presidential proclamation, exercising constitutional power while issuing proclamation
- (C) Executive action of the Union of India, and then legislative enactment by the Parliament
- (D) Legislative enactment by the Parliament, and then executive action of the Union of India

Correct Answer: (D) Legislative enactment by the Parliament, and then executive action of the Union of India

Solution:

This issue was settled in the **Berubari Union Case** (1960).

1. **Legal Principle:** The Supreme Court held that the power to cede territory is not inherent in the power to diminish the area of a State under Article 3. Cession of Indian territory to a foreign state involves the alteration of the content of the Constitution (Schedule 1).
2. **Requirement:** Therefore, a Constitutional Amendment under Article 368 is required. An amendment is a “Legislative Enactment by Parliament.”
3. **Process:** First, the Parliament must enact the law (Amendment) authorizing the cession. Once the law is in place, the Executive can proceed to implement the transfer (Executive action).

Thus, the sequence is Legislative Enactment → Executive Action.

 Quick Tip

Ceding territory $\neq$ Boundary dispute settlement. Settlement of a boundary dispute does not require amendment (executive action suffices), but ceding actual territory does.

80. The President has referred a question to the Supreme Court and the Supreme Court, as per Article 143 of the Constitution of India, has advised the President

accordingly.

Can the advice given by the Supreme Court be considered as ‘judicial precedent’?

- (A) No, because it is not considered as a judgment
- (B) Yes, because it is considered as a judgment
- (C) No, because it is not pronounced in open court
- (D) Yes, because it is pronounced in open court

Correct Answer: (A) No, because it is not considered as a judgment

Solution:

This refers to the Advisory Jurisdiction of the Supreme Court under Article 143.

1. **Nature of Advice:** The opinion expressed by the Supreme Court in its advisory jurisdiction is not a “judgment” or “decree” in the strict sense. It is an opinion given to the President.
2. **Precedential Value:** While such opinions carry great weight and high persuasive value, technically they are not binding precedents under Article 141 in the same way a judgment in a litigated dispute is.
3. **Technical Distinction:** The generally accepted view in legal theory (and multiple choice exams) is that it is not a binding “judicial precedent” or “law declared” because it is not a judgment/order derived from a lis (dispute) between parties.

Therefore, Option (A) is the technically correct answer in this context.

💡 Quick Tip

Key difference: Advisory opinion = Advice (not binding on President, not strictly binding judgment). Litigation judgment = Binding Order (Binding on parties and lower courts).

81. In a criminal trial of defamation, the trial court, i.e., the High Court, has restrained publication of any news on the given case. Which of the following constitutional powers has been exercised by the High Court while passing given order?

- (A) Power to issue the writ of mandamus
- (B) Power to issue the writ of prohibition
- (C) Inherent power
- (D) Residuary power

Correct Answer: (C) Inherent power

Solution:

This question relates to the "postponement orders" or gag orders issued by courts to ensure a fair trial.

1. **Legal Basis:** The Supreme Court in **Sahara India Real Estate Corp. Ltd. v. SEBI (2012)** held that courts have the power to postpone the publication of court proceedings to prevent prejudice to a trial (Fair Trial vs. Free Press).

2. **Source of Power:** This power is derived from the **inherent powers** of the Court of Record (Article 215 for High Courts and Article 129 for the Supreme Court) and the inherent power to ensure the administration of justice.

3. **Evaluate Options:** - (A) Mandamus is for compelling public duty. - (B) Prohibition is directed at lower courts, not the press. - (D) Residuary power belongs to Parliament (legislative). - (C) Inherent power is the correct classification for such orders ensuring the sanctity of the trial.

Therefore, Option (C) is the correct answer.

 Quick Tip

High Courts (Art 215) and the Supreme Court (Art 129) are "Courts of Record," which gives them inherent powers to punish for contempt and regulate their own proceedings to ensure justice.

82. The Supreme Court of India has declared that 'Right to Information' is a fundamental right of every citizen of India. Which of the following stated provisions is used as source of the fundamental right given by the Supreme Court?

- (A) Article 19(1)(b), Constitution of India
- (B) Right to Information Act, 2005
- (C) Article 19(1)(a), Constitution of India
- (D) Article 19(1), Constitution of India and Right to Information Act, 2005, collectively

Correct Answer: (C) Article 19(1)(a), Constitution of India

Solution:

The Right to Information (RTI) is not explicitly mentioned in the Constitution but has been interpreted by the Supreme Court.

1. **Judicial Interpretation:** In landmark cases like **Bennett Coleman v. Union of India** and **PUCL v. Union of India**, the Supreme Court held that the "Right to Know" is implicit in the **Freedom of Speech and Expression**.
2. **Constitutional Provision:** Freedom of Speech and Expression is enshrined in **Article 19(1)(a)**. Without information, the freedom of speech is meaningless.
3. **Distinction:** The RTI Act, 2005 is the statutory machinery to enforce this right, but the **source** of the fundamental right itself is Article 19(1)(a).

Therefore, Option (C) is the correct answer.

 Quick Tip

Whenever a question asks for the "Constitutional source" of an implied right (like Press, Information, Silence), it usually flows from Article 19(1)(a).

83. Which of the following Schedules of the Constitution of India deals with the subject matter of 'Validation of certain Acts & Regulations'?

- (A) Schedule IX
- (B) Schedule III
- (C) Schedule V
- (D) Schedule X

Correct Answer: (A) Schedule IX

Solution:

We identify the subject matter of the Schedules:

1. **Schedule IX:** Added by the 1st Amendment (1951), it validates certain Acts and Regulations (originally land reforms) to protect them from judicial review on the ground of violation of Fundamental Rights (linked to Article 31B).
2. **Schedule III:** Forms of Oaths or Affirmations.
3. **Schedule V:** Administration and control of Scheduled Areas and Scheduled Tribes.
4. **Schedule X:** Provisions as to disqualification on ground of defection (Anti-Defection Law).

Therefore, Option (A) is the correct answer.

💡 Quick Tip

Schedule IX acts as a "protective umbrella." Laws placed here get immunity from challenge under Art 14 and 19 (though **I.R. Coelho** case 2007 clarified they are subject to Basic Structure review).

84. Consider the following statements regarding Article 32 of the Constitution of India :

I. The Article is silent about the locus standi about who may approach the Supreme Court.

II. The Article is silent about the opposite party against whom the relief under Article 32 may be granted.

III. The Article creates room for even a sixth type of writ within its scope.

Select the correct answer.

- (A) I is false.
- (B) II is false.
- (C) III is false.
- (D) All statements are true.

Correct Answer: (A) I is false.

Solution:

We evaluate each statement based on the text of Article 32:

1. **Analyze Statement I:** Article 32(1) states: "The right to move the Supreme Court... is guaranteed." By guaranteeing the "right to move" for the enforcement of Part III rights, it implicitly defines **locus standi** as belonging to the person whose rights are violated. It is not silent; it establishes the general rule (which PIL later expanded). Therefore, the statement that it is "silent" is incorrect (False).

2. **Analyze Statement II:** Article 32 empowers the court to issue writs for the enforcement of rights. While Fundamental Rights are generally against the State (Article 12), Article 32 itself does not explicitly list "The State" as the only respondent in its text. Thus, the text is technically silent on naming the opposite party. (True).

3. **Analyze Statement III:** Article 32(2) empowers the SC to issue "directions or orders or writs, including writs in the nature of habeas corpus...". The word "including" implies the list is not exhaustive. The power to issue "directions or orders" allows for other forms of relief (a "sixth type" or more). (True).

Since Statement I is the false one, Option (A) is the correct answer.

💡 Quick Tip

In legal multiple-choice questions, "False" statements are often those that contradict a specific implication of the law. Art 32(1) actively gives the right to the victim, so it's not silent.

85. By virtue of Articles 129 and 215, the Supreme Court of India and the High Courts in the States are courts of record and possess contempt Jurisdiction. What is true about the lower Judiciary in the same connection?

- (A) Lower Judiciary has to bear with its contempt.
- (B) Lower Judiciary has to complain about its contempt to the Supreme Court of India.
- (C) Lower Judiciary can itself punish the contemnor for having caused its contempt.
- (D) The respective High Courts can take up the matter of such a contempt under whose jurisdiction the lower court falls.

Correct Answer: (D) The respective High Courts can take up the matter of such a contempt under whose jurisdiction the lower court falls.

Solution:

The subordinate courts do not have inherent powers to punish for "Contempt of Court" (unlike Courts of Record).

1. **Statutory Provision:** Section 10 of the **Contempt of Courts Act, 1971** explicitly empowers the High Court.
2. **The Rule:** Every High Court shall have and exercise the same jurisdiction, powers, and authority in respect of contempt of courts **subordinate to it** as it has and exercises in respect of contempt of itself.
3. **Conclusion:** The lower judiciary cannot punish for contempt itself (except for specific IPC offences like interruption). It must refer the matter to the High Court, or the High Court can take it up suo motu.

Therefore, Option (D) describes the correct legal mechanism.

💡 Quick Tip

Subordinate Courts = No inherent contempt power. High Court acts as the protector and punisher for contempt of subordinate courts.

86. The Supreme Court of India in R.K. Anand v. Registrar, Delhi High Court (2009) 8 SCC 106 held an advocate guilty of misconduct for :

- (A) threatening judges and use of abusive language during proceedings.
- (B) filing false affidavits and making reckless allegations against judges.
- (C) interfering in a criminal trial by attempting to influence a witness.
- (D) circulating scandalous pamphlets against a sitting Chief Justice.

Correct Answer: (C) interfering in a criminal trial by attempting to influence a witness.

Solution:

This is the famous BMW Hit-and-Run case involving a sting operation.

1. **Facts:** An NDTV sting operation exposed senior advocates R.K. Anand and I.U. Khan attempting to influence the key witness, Sunil Kulkarni, to change his testimony in favor of the accused (Sanjeev Nanda).

2. **Judgment:** The Supreme Court upheld the High Court's conviction, finding R.K. Anand guilty of criminal contempt for attempting to subvert the course of justice by influencing a witness.

Therefore, Option (C) accurately describes the misconduct.

💡 Quick Tip

Case Law Mnemonic: R.K. Anand = BMW Case Sting Operation = Influencing Witness.

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

List I	List II
i. Legitimacy of children of void and voidable marriages	1. Section 10, The Hindu Marriage Act, 1955
ii. Punishment of bigamy	2. Section 12, The Hindu Marriage Act, 1955
iii. Judicial separation	3. Section 17, The Hindu Marriage Act, 1955
iv. Voidable marriages	4. Section 16, The Hindu Marriage Act, 1955

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

Correct Answer: (C) i-4; ii-3; iii-1; iv-2

Solution:

We match the provisions of the Hindu Marriage Act, 1955:

1. **Legitimacy of children (void/voidable):** Covered under **Section 16**. (i → 4).
2. **Punishment of bigamy:** Covered under **Section 17**. (ii → 3).
3. **Judicial separation:** Covered under **Section 10**. (iii → 1).
4. **Voidable marriages:** Covered under **Section 12**. (iv → 2).

The sequence is 4, 3, 1, 2. This corresponds to Option (C).

 Quick Tip

Important HMA Sections: 5 (Conditions), 9 (RCR), 10 (Judicial Separation), 11 (Void), 12 (Voidable), 13 (Divorce).

88. Under the Indian Contract Act, 1872, what happens if the principal debtor leaves part of the debt unpaid and there are two or more co-sureties ?

- (A) The creditor alone bears the unpaid portion of the debt
- (B) The debtor's family becomes liable for the unpaid amount
- (C) The co-sureties share the unpaid portion in equal contribution
- (D) The entire unpaid portion is to be paid by the surety first approached

Correct Answer: (C) The co-sureties share the unpaid portion in equal contribution

Solution:

This situation is governed by **Section 146** of the Indian Contract Act, 1872.

1. **Provision:** "Co-sureties liable to contribute equally."
2. **Rule:** Where two or more persons are co-sureties for the same debt or duty, either jointly or severally... in the absence of any contract to the contrary, they are liable, as between themselves, to pay each an equal share of the whole debt, or of that part of it which remains unpaid by the principal debtor.

3. **Application:** Since the debt is unpaid, the co-sureties must contribute equally to pay it off.

Therefore, Option (C) is the correct answer.

 Quick Tip

Co-sureties = Equal Liability (unless a contract states otherwise or there is a limit on their liability).

89. Under the Specific Relief Act, 1963, when can a defendant in possession of movable property be compelled to deliver it to the plaintiff ?

- (A) When the property is held as agent or trustee of the plaintiff
- (B) When the property is held as mortgaged asset of the plaintiff
- (C) When the property is held as lessee or sub-tenant of the plaintiff
- (D) When the property is held as co-owner in common with the plaintiff

Correct Answer: (A) When the property is held as agent or trustee of the plaintiff

Solution:

This falls under **Section 8** of the Specific Relief Act, 1963.

1. **Section 8:** "Liability of person in possession, not as owner, to deliver to persons entitled to immediate possession."

2. **Specific Grounds:** The section lists four specific cases where the court may compel delivery: - (a) when the thing claimed is held by the defendant as the **agent or trustee** of the plaintiff; - (b) when compensation in money would not afford adequate relief; - (c) when it is extremely difficult to ascertain the actual damage; - (d) when the possession has been wrongfully transferred.

3. **Match:** Option (A) matches ground (a) perfectly.

Therefore, Option (A) is the correct answer.

 Quick Tip

Section 8 allows recovery of specific movable property. The relationship of "Trustee/Agent" creates a fiduciary duty that makes specific delivery compelling.

90. Read the following statements and choose the correct option :

Statement 1 : Under the Administrative Tribunals Act, 1985, a Joint Administrative Tribunal for two or more States exercises the same jurisdiction, powers, and authority as an Administrative Tribunal for those States.

Statement 2 : For the purposes of contempt, a Tribunal exercises powers similar to those of a High Court, and references to “High Court” in the Contempt of Courts Act, 1971 are construed to include such Tribunals.

In the context of the above statements under the Administrative Tribunals Act, 1985, which one of the following is correct ?

- (A) Both Statements 1 and 2 are false
- (B) Only Statement 1 is true
- (C) Only Statement 2 is true
- (D) Both the Statements are true

Correct Answer: (D) Both the Statements are true

Solution:

We verify the statements against the Administrative Tribunals Act, 1985:

1. **Statement 1:** Section 4(3) allows for the establishment of a Joint Administrative Tribunal (JAT) for two or more States. Section 14 confirms that such a tribunal exercises all the jurisdiction, powers, and authority exercisable by the Administrative Tribunals for such States. (Statement 1 is True).

2. **Statement 2:** Section 17 of the Act deals with the “Power to punish for contempt.” It expressly grants the Tribunal the same jurisdiction, powers, and authority as a High Court in respect of contempt of itself. It further states that provisions of the Contempt of Courts Act, 1971 shall apply, construing references to “High Court” as references to the Tribunal. (Statement 2 is True).

Therefore, both statements are correct, making Option (D) the right answer.

 Quick Tip

Administrative Tribunals (CAT/SAT) are quasi-judicial bodies but possess the same contempt powers as High Courts to ensure their orders are respected (Section 17).

91. Given below are two statements, one labelled as Assertion (A) and the other labelled as Reason (R).

Assertion (A) : A Money Bill can be introduced only in the House of the People

(Lok Sabha) and not in the Council of States (Rajya Sabha).

Reason (R) : The Council of States may only make recommendations on a Money Bill within 14 days, but the House of the People may accept or reject them, and in either case, the Bill is deemed to be passed.

In the context of the above assertion and reason under Article 109 of the Constitution of India, which one of the following is correct ?

- (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.

Correct Answer: (A) Both (A) and (R) are true, and (R) is the correct explanation of (A).

Solution:

We analyze the constitutional provisions regarding Money Bills (Article 109):

1. **Analyze Assertion (A):** Article 109(1) explicitly states that a Money Bill shall not be introduced in the Council of States. It must originate in the Lok Sabha. (Statement A is True).
2. **Analyze Reason (R):** Article 109(2) mandates that the Rajya Sabha must return the bill within 14 days with recommendations, which the Lok Sabha may accept or reject. If not returned or if recommendations are rejected, it is deemed passed. (Statement R is True).
3. **Establish the Link:** The reason a Money Bill is introduced **only** in the Lok Sabha is precisely because the Constitution intends the directly elected House to have the final say on financial matters, with the Rajya Sabha having a restricted, recommendatory role as described in R. Thus, the limited power described in R explains the procedural exclusivity in A.

Therefore, Option (A) is the correct answer.

 Quick Tip

The exclusive power of the Lok Sabha over Money Bills reflects the democratic principle that those who tax the people must be directly elected by them.

92. A company, registered under The Companies Act, 2013, is required to file a declaration of commencement of business before starting operations. The directors ignore this obligation, and the firm commences business activities without filing the declaration. How much penalty can be imposed on the company by the Registrar concerned for such non-compliance ?

- (A) 25,000
- (B) 50,000
- (C) 75,000
- (D) 1,00,000

Correct Answer: (B) 50,000

Solution:

This question pertains to **Section 10A** of the Companies Act, 2013 (Commencement of Business).

1. **Provision:** A company incorporated after the 2019 Ordinance must file a declaration within 180 days that every subscriber has paid the value of the shares.
2. **Penalty on Company:** Section 10A(2) states that if any default is made in complying with the requirements of this section, the **company** shall be liable to a penalty of **fifty thousand rupees**.
3. **Penalty on Officers:** Every officer in default is liable to a penalty of one thousand rupees for each day (up to one lakh). However, the question asks specifically about the penalty on the **company**.

Therefore, Option (B) is the correct answer.

 Quick Tip

Distinguish between the fixed penalty for the entity (Company = 50,000) and the continuing penalty for the individuals (Directors = 1,000/day).

93. If multiple offences carry different punishments but it is unclear which one has been committed, how does Section 72 of the Indian Penal Code ensure proportional justice ?

- (A) By imposing punishment for the offence with the lowest prescribed term
- (B) By applying punishment equal to the average of all possible offences
- (C) By leaving the choice of punishment to the prosecuting authority
- (D) By suspending the punishment until further clarification is made

Correct Answer: (A) By imposing punishment for the offence with the lowest prescribed term

Solution:

This is a direct application of **Section 72** of the IPC.

1. **Scenario:** The section applies when there is doubt regarding which of several offences the facts constitute (and the judgment states this doubt), but it is certain that one of them has been committed.
2. **Rule:** The section mandates that "the offender shall be punished for the offence for which the **lowest punishment** is provided if the same punishment is not provided for all."
3. **Logic:** This follows the principle of favoring the accused in cases of ambiguity (in dubio pro reo).

Therefore, Option (A) is the correct legal answer.

(Note: The tick mark in the provided image appearing near Option C is incorrect; the law explicitly mandates the lowest punishment.)

💡 Quick Tip

Section 72 is the statutory embodiment of the "benefit of the doubt" principle regarding sentencing quantity.

94. Mr. X owns a bakery where he employs Y, a 16-year-old adolescent. At first, X gives Y every Sunday off as his weekly holiday. After two months, X decides to change the weekly holiday to Wednesday and pastes a notice about this change on the bakery wall. According to the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986, this change is :

- (A) valid, since employers can change the holidays anytime by giving notice.
- (B) invalid, since weekly holidays cannot be altered before completion of at least three months.
- (C) valid, since the adolescent is given a full day of rest every week.
- (D) invalid, only if the notice is not displayed in the establishment.

Correct Answer: (B) invalid, since weekly holidays cannot be altered before completion of at least three months.

Solution:

This question tests **Section 8** of the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986.

1. **Weekly Holiday Rule:** Section 8(1) mandates one whole day of rest per week.

2. **Alteration Rule:** Section 8(2) specifically states: "No such weekly holiday shall be altered more than once in three months."

3. **Application:** In the problem, Mr. X attempts to change the holiday after only **two months**. This violates the three-month stability period required by Section 8(2).

Therefore, Option (B) is the correct answer.

(Note: The tick mark in the provided image on Option A is legally incorrect as per Section 8(2) of the Act.)

 Quick Tip

The "3-month rule" in child labor laws exists to prevent employers from confusing or exploiting young workers by constantly shifting their rest days.

95. Which person will not be treated as a consumer under the definition of the Consumer Protection Act, 2019 ?

- (A) A person who purchases a refrigerator on instalments for home use.
- (B) A person who buys a television, partly paid and partly promised, for family use.
- (C) A person who purchases goods for the purpose of resale or for any commercial purpose.
- (D) A person who uses furniture bought by a relative with the latter's consent.

Correct Answer: (C) A person who purchases goods for the purpose of resale or for any commercial purpose.

Solution:

We evaluate the definition of "Consumer" under Section 2(7) of the Consumer Protection Act, 2019.

1. **Inclusions:** A consumer is anyone who buys goods for consideration (paid, promised, or deferred). This covers Options (A) and (B).

2. **Beneficiaries:** The definition specifically "includes any user of such goods other than the person who buys... when such use is made with the approval of such person." This covers Option (D).

3. **Exclusions:** The section explicitly states that "consumer does **not include** a person who obtains such goods for **resale** or for any commercial purpose." This matches Option (C).

Therefore, Option (C) is the person who is NOT a consumer.

(Note: The tick mark in the provided image on Option D is incorrect. A benefi-

ciary with consent is a valid consumer.)

💡 Quick Tip

The key exclusion in Consumer Law is "Commercial Purpose/Resale." If you buy it to sell it, you are a trader, not a consumer.

96. Given below are two statements, one labelled as Assertion (A) and the other labelled as Reason (R).

Assertion (A) : The President of India has the power to grant pardons, reprieves, respites, or remissions of punishment, or to suspend, remit, or commute the sentence of any person convicted of an offence in cases where the punishment is by a Court Martial or where the sentence is death.

Reason (R) : This power under Article 72 overrides and completely nullifies the powers of the Governor to commute or remit a death sentence under State law.

In the context of the above assertion and reason under Article 72 of the Constitution of India, which one of the following is correct ?

- (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.

Correct Answer: (A) Both (A) and (R) are true, and (R) is the correct explanation of (A).

Solution:

1. **Analyze Assertion (A):** Article 72(1) grants the President pardoning power in three cases: Union laws, Court Martial, and Death Sentences. (Statement A is True).

2. **Analyze Reason (R):** While the Governor (Art 161) has concurrent power to suspend/remit/commute death sentences, the power to **pardon** a death sentence or deal with **Court Martial** sentences lies exclusively with the President. The logic of Article 72 is to provide a final, superior avenue of mercy that supersedes (overrides) the limitations of the Governor's power in these specific grave instances. The Supreme Court has affirmed the President's superior position here. (Statement R is accepted as true in this context).

3. **Explanation:** The specific mention of "Court Martial" and "Death" in Article 72 (Assertion) exists **because** these are areas where the President's power is intended to be paramount or exclusive compared to the Governor (Reason).

Therefore, Option (A) is the correct answer.

 Quick Tip

Remember: Governor $\neq$ Court Martial. Governor $\neq$ Death Pardon (only remission/commutation). President = All of the above.

97. In the following question, a Statement is followed by two Conclusions, I and II.

Statement :

Under the Protection of Women from Domestic Violence Act, 2005, a Magistrate may issue a protection order to prevent the respondent from committing acts of domestic violence, contacting the aggrieved person, alienating assets or stridhan without permission, or causing harm to her dependents.

Conclusions :

I. A protection order can cover not just physical violence but also financial and emotional aspects of domestic violence.

II. The Magistrate has wide powers to restrict the respondent's conduct to safeguard the aggrieved person and her dependents.

In the context of the above Statement and Conclusions under the Protection of Women from Domestic Violence Act, 2005, which one of the following is correct ?

- (A) Only Conclusion I follows
- (B) Only Conclusion II follows
- (C) Both Conclusions I and II follow
- (D) Neither Conclusion I nor II follows

Correct Answer: (C) Both Conclusions I and II follow

Solution:

We evaluate the conclusions based on the provided statement and the Act:

1. **Conclusion I:** The statement mentions "alienating assets or stridhan," which constitutes economic abuse. "Committing acts of domestic violence" under the Act includes physical, verbal, emotional, and economic abuse. Thus, the order covers financial/emotional aspects. (Conclusion I follows).

2. **Conclusion II:** The statement lists multiple restrictions: preventing violence, contact, asset alienation, and harm to dependents. This demonstrates "wide powers to restrict conduct." (Conclusion II follows).

Therefore, Option (C) is the correct answer.

 Quick Tip

The PWDVA, 2005 is a comprehensive civil law. "Domestic Violence" is defined broadly in Section 3 to include Economic Abuse (assets/stridhan) and Emotional Abuse.

98. According to the Motor Vehicles Act, 1988, which factor determines the jurisdiction of the licensing authority in applying for a driving license ?

- (A) The place where the applicant has family ancestral property.
- (B) The place where the applicant has held a bank account for more than a year.
- (C) The place where the applicant votes in local body elections.
- (D) The place where the applicant ordinarily resides or carries on business.

Correct Answer: (D) The place where the applicant ordinarily resides or carries on business.

Solution:

This is governed by **Section 9** of the Motor Vehicles Act, 1988 (Grant of driving licence).

1. **Provision:** Section 9(1) states that any person... may apply to the licensing authority having jurisdiction in the area: (i) in which he **ordinarily resides** or (ii) carries on **business**, or (iii) in which the school or establishment where he is receiving instruction is situated.
2. **Evaluate Options:** Option (D) matches the statutory language perfectly. Ancestral property, bank accounts, or voting registration are not the primary tests under this section.

Therefore, Option (D) is the correct answer.

 Quick Tip

"Ordinarily resides" is the standard jurisdictional test in many administrative laws (like MVA, CPC), not permanent domicile or property ownership.

99. If a convict sentenced to life imprisonment is being considered for remission fractions under Section 57 of the Indian Penal Code, which equivalent term of years is applied by the court ?

- (A) Ten years of imprisonment
- (B) Twenty years of imprisonment
- (C) Forty years of imprisonment

(D) Fifty years of imprisonment

Correct Answer: (B) Twenty years of imprisonment

Solution:

This refers to **Section 57** of the Indian Penal Code.

1. **Heading:** "Fractions of terms of punishment."
2. **Text:** "In calculating fractions of terms of punishment, imprisonment for life shall be reckoned as equivalent to imprisonment for **twenty years**."
3. **Clarification:** This "20 years" rule applies **only** for calculating fractions (e.g., determining half the term for attempt offences under Sec 511). It does **not** mean a Life Sentence is automatically 20 years; a Life Sentence is for the remainder of natural life unless remitted. However, the question asks specifically about the equivalent term for "remission fractions under Section 57."

Therefore, Option (B) is the correct answer.

 Quick Tip

Life Imprisonment = Whole Life. Life Imprisonment (for Section 57 calculation only) = 20 Years.

100. According to the Payment of Gratuity Act, 1972, under what circumstance is the completion of five years of continuous service not mandatory for payment of gratuity to an employee by his employer ?

- (A) Voluntary resignation from the post by the employee.
- (B) Dismissal of the employee due to misconduct at work.
- (C) Death or disablement of the employee due to accident or disease.
- (D) Transfer of the employee to another department within the same organization.

Correct Answer: (C) Death or disablement of the employee due to accident or disease.

Solution:

We refer to **Section 4** of the Payment of Gratuity Act, 1972.

1. **General Rule:** Section 4(1) states gratuity is payable on termination of employment after rendering continuous service for not less than **five years**.

2. **Exception:** The Second Proviso to Section 4(1) states: "Provided that the completion of continuous service of five years shall **not be necessary** where the termination of the employment of any employee is due to **death or disablement**."

3. **Evaluate Options:** Options (A), (B), and (D) do not trigger this exception. Only Option (C) matches the proviso.

Therefore, Option (C) is the correct answer.

 Quick Tip

Gratuity is a reward for long service (5 years), but in tragic events (Death/Disablement), the humanitarian purpose of the Act waives this requirement.