

AILET LLM 2025 Question Paper with Solutions

Q1: What does the Basel Ban amendment address?

- a) prohibits use of CFCs in industrial settings
- b) imposition of strict limitation of anthropogenic emissions by sources and removals by sinks
- c) prohibits movement of hazardous waste from OCD and non-OCD states
- d) prohibition of activities that threaten biological diversity by regulating the transportation of invasive species

Correct Answer: c) prohibits movement of hazardous waste from OCD and non-OCD states

Solution: The Basel Ban Amendment to the Basel Convention, adopted in 1995, specifically addresses the movement of hazardous waste. It prohibits the export of hazardous waste from developed countries (OECD) to developing countries (non-OECD). This amendment aims to prevent the exploitation of less developed countries as dumping grounds for hazardous materials, ensuring that they do not become a source of environmental and health risks.

Quick Tip

The Basel Ban Amendment specifically prohibits the transboundary movement of hazardous waste from OECD (Organisation for Economic Co-operation and Development) countries to non-OECD countries.

Q2: “The state should focus on factoring in ways through which unequal consequences of sex differences can be eliminated. It is state’s duty to ensure circumstances of safety which inspire confidence in women to discharge the duty freely in accordance to the requirements of the profession they choose to follow”. The above observation was made in:

- a) Anuj Garg v. Hotel Association of India AR 2008 SC 663
- b) SR Bommai v. Union of India AR 1994 SC 1918
- c) DC Wadhwa v. State of Bihar AR 1987 SC 579
- d) E. P. Royappa v. State of Tamil Nadu AR 1974 SC 555

Correct Answer: a) Anuj Garg v. Hotel Association of India AR 2008 SC 663

Solution: In the case of Anuj Garg v. Hotel Association of India (2008), the Supreme Court emphasized that the state must work to eliminate the unequal consequences of sex

differences, particularly in the workplace. The Court observed that it is the state's duty to ensure that women have a safe and conducive environment to discharge their duties without fear or discrimination. This landmark judgment highlighted the necessity of creating an environment where women are free to choose their professions and discharge their duties confidently.

 Quick Tip

In *Anuj Garg v. Hotel Association of India*, the Supreme Court focused on the state's duty to create a safe and enabling environment for women to perform their duties freely.

Q3: Which of the following jurists gave the Bad Man theory?

- a) HLA Hart
- b) Spencer
- c) Justice OW Holmes
- d) Austin

Correct Answer: c) Justice OW Holmes

Solution: The Bad Man Theory was formulated by Justice Oliver Wendell Holmes. This theory is grounded in the idea that the law should not be understood in terms of abstract morality or justice, but rather from the perspective of an individual (the "bad man") who is concerned only with avoiding legal consequences. According to Holmes, the law is a set of rules that governs the behavior of people in a society, and the focus should be on the consequences of breaking the law rather than its moral or ethical underpinnings.

 Quick Tip

The "Bad Man Theory" by Justice Oliver Wendell Holmes suggests that the law should be understood from the perspective of a person who avoids legal consequences, rather than from a moral or ethical standpoint.

Q4: Which of the following is not a core international human rights treaty?

- a) International Convention on the Elimination of All Forms of Racial Discrimination
- b) Convention on the Elimination of All Forms of Discrimination against Women
- c) International Convention for the Protection of All Persons from Enforced Disappearance
- d) Convention Relating to the Status of Refugees

Correct Answer: d) Convention Relating to the Status of Refugees

Solution: The Convention Relating to the Status of Refugees is an important international treaty, but it is not considered a core human rights treaty. The core international human rights treaties typically focus on issues like racial discrimination, women's rights, and enforced disappearances. These treaties form the foundation of international human rights law, whereas refugee status is governed by a separate international framework, namely the 1951 Refugee Convention.

 Quick Tip

The core international human rights treaties primarily deal with racial discrimination, women's rights, and forced disappearances, whereas refugee status is addressed separately.

Q5: An Anton Piller order is:

- a) An order for delivery-up of infringing goods
- b) An order to arrest the infringer
- c) An order to carry out search and seizure
- d) A freezing order

Correct Answer: c) An order to carry out search and seizure

Solution: An Anton Piller order is a court order that authorizes a party to carry out a search and seizure of evidence before a trial. This order is typically used in cases of intellectual property infringement or fraud, where there is a concern that the defendant may destroy evidence if left unchecked. The Anton Piller order allows the claimant to enter the defendant's premises to search for and seize potentially damaging evidence.

 Quick Tip

An Anton Piller order allows the court to authorize the search and seizure of evidence before a trial, often used in cases involving intellectual property infringement.

Q6: The Supreme Court's judgment in *Ramana Dayaram Shetty v. International Airport Authority* [1979] 3 S.C.R. 1014 is considered a landmark case for establishing the principle of:

- a) Public accountability in administrative actions
- b) Non-arbitrariness in government contracts
- c) Application of natural justice in administrative decisions
- d) Preventing the delegation of essential legislative functions

Correct Answer: b) Non-arbitrariness in government contracts

Solution: In the case of *Ramana Dayaram Shetty v. International Airport Authority* (1979), the Supreme Court established the principle of non-arbitrariness in government contracts. The Court held that government actions must not be arbitrary, and that contracts with public authorities should be made based on fairness, transparency, and equality. The judgment is significant because it emphasized that even when the government is involved, its actions must adhere to principles of fairness and reasonableness, ensuring that no one is unfairly discriminated against.

 Quick Tip

The case *Ramana Dayaram Shetty v. International Airport Authority* laid down the principle of non-arbitrariness in government contracts, ensuring fairness and transparency.

Q7: India adopted its National Competition Law Policy in the year:

- a) 2012
- b) 1991
- c) It is yet to adopt a National Competition Law Policy
- d) 2002

Correct Answer: a) 2012

Solution: India adopted its National Competition Law Policy in 2012. The policy was framed to promote and sustain competition in the market, ensuring that businesses operate within a framework that encourages fairness and prevents monopolies or anti-competitive practices. The Competition Commission of India (CCI) was set up to enforce this policy and oversee its implementation. The policy aims to create a healthy competitive environment to benefit consumers and the economy.

 Quick Tip

India's National Competition Law Policy was adopted in 2012, focusing on fostering a competitive market environment.

Q8: Which of the following cases dealt with a challenge to the exclusion of couples from sexual and gender minority communities from marriage laws as being violative of fundamental rights under Articles 14, 15, 19 and 21 of the Constitution?

- a) *Supriyo v. Union of India* 2023 NSC 920
- b) *Joseph Shine v. Union of India* AR 2018 SC 4898
- c) *Naz Foundation v. Govt. of NCT of Delhi* 2010 CR. L. J. 94, 2009
- d) *Navtej Singh Johar v. Union of India* AR 2018 SC 4321

Correct Answer: d) Navtej Singh Johar v. Union of India AR 2018 SC 4321

Solution: The landmark judgment in Navtej Singh Johar v. Union of India (2018) struck down Section 377 of the Indian Penal Code, which criminalized consensual same-sex relations. The case also dealt with the exclusion of couples from sexual and gender minority communities from marriage laws, asserting that such exclusion was violative of fundamental rights under Articles 14 (Right to Equality), 15 (Right against Discrimination), 19 (Freedom of Speech and Expression), and 21 (Right to Life and Personal Liberty). The ruling was a major step towards securing the rights of LGBTQ+ individuals in India.

 Quick Tip

Navtej Singh Johar v. Union of India (2018) is a landmark case that decriminalized homosexuality and reaffirmed the rights of sexual and gender minorities under the Constitution.

Q9: Under which Section of BNS 2023, an offence committed by a child of seven years of age is not to be considered a crime?

- a) Section 22
- b) Section 21
- c) Section 19
- d) Section 20

Correct Answer: b) Section 21

Solution: Under Section 21 of the BNS 2023, an offence committed by a child of seven years of age is not considered a crime. This provision acknowledges the developmental stage of children and exempts those under seven from criminal responsibility. The law recognizes that children in this age group may not have the mental capacity to understand the consequences of their actions.

 Quick Tip

Section 21 of the BNS 2023 provides that children below the age of seven cannot be held criminally liable for any offence committed.

Q10: The Chief Election Commissioner and Other Election Commissioners (Appointment, Conditions of Service and Term of Office) Act, 2023 was enacted as an upshot of:

- a) Kaushal Kishor v. State of Uttar Pradesh 2023 SCC OnLine SC 6
- b) Anoop Baranwal v. Union of India (2023) 6 SCC 161
- c) Subhash Desai v. Governor of Maharashtra 2023 SCC OnLine SC 607

d) Priyam v. Union of India 2023 SCC OnLine SC 1348

Correct Answer: b) Anoop Baranwal v. Union of India (2023) 6 SCC 161

Solution: The Chief Election Commissioner and Other Election Commissioners (Appointment, Conditions of Service and Term of Office) Act, 2023 was enacted as a consequence of the judgment in Anoop Baranwal v. Union of India (2023). The case dealt with issues relating to the independence and autonomy of the Election Commission of India, leading to the enactment of the Act to ensure transparent and fair appointments and conditions for the Election Commissioners.

 Quick Tip

Anoop Baranwal v. Union of India (2023) prompted the enactment of the Chief Election Commissioner and Other Election Commissioners Act to safeguard the integrity of the Election Commission.

Q11: Which of the following statement is correct under the Mediation Act 2023?

- a) Terms of the mediated settlement agreement cannot extend beyond the disputes referred to mediation
- b) Mediator must necessarily be of a nationality different from that of the parties
- c) A mediated settlement agreement should be signed by the parties and authenticated by the mediator
- d) Mediated settlement agreement resulting from online mediation, requires additional approval from the mediation service provider

Correct Answer: a) Terms of the mediated settlement agreement cannot extend beyond the disputes referred to mediation

Solution: Under the Mediation Act 2023, it is emphasized that the terms of a mediated settlement agreement cannot extend beyond the disputes referred to mediation. This ensures that the mediation process remains focused on resolving the specific issues brought before it, and that the settlement reached is limited to those issues. It prevents the inclusion of unrelated matters, ensuring fairness and maintaining the integrity of the process.

 Quick Tip

Under the Mediation Act 2023, mediated settlement agreements must be confined to the disputes referred to mediation and cannot cover unrelated issues.

Q12: Which of the following is true about Maternity Leave in India?

- I. The leave is available to both private as well as government female employees.
- II. The leave is available to both private as well as government female employees if they are working in establishments that employ 10 or more people.
- III. The leave is not available to females adopting a child.
- IV. The Maternity Benefit Amendment Act, 2017 has increased the maximum period of leave from 12 weeks to 26 weeks.

Select the correct option:

- a) Both I and III
- b) Both II and IV
- c) II, III, and IV
- d) All of them

Correct Answer: b) Both II and IV

Solution: In India, the Maternity Benefit Amendment Act, 2017 extended the maximum maternity leave period from 12 weeks to 26 weeks for female employees. However, the leave is available only to women working in establishments that employ 10 or more employees. This means that it is not available in smaller establishments. Furthermore, the Act also includes provisions for women who adopt a child, granting them maternity leave under certain conditions, contrary to what is stated in statement III.

Thus, the correct answer is option b), which is Both II and IV.

 Quick Tip

The Maternity Benefit Amendment Act, 2017 increased maternity leave to 26 weeks, but it is available only in establishments with 10 or more employees.

Q13: Match the following

I. Uti possidetis	3. Doctrine that territory remains with the possessor state at the end of war or occupation unless otherwise determined by a treaty or an agreement.
II. Pacta sunt servanda	4. Proposition that treaties are binding upon the parties to them and must be performed in good faith.
III. Condominium	2. Two or more states equally exercise sovereignty with respect to a territory and its inhabitants.
IV. Rebus sic stantibus	1. Principle in customary international law providing that where there has been a fundamental change of circumstances since an agreement was concluded, a party to that agreement may withdraw from or terminate it.

Select the correct option:

- a) I-1, II-2, III-3, IV-4
- b) I-3, II-1, III-4, IV-2
- c) I-2, II-1, III-4, IV-3
- d) I-3, II-4, III-2, IV-1

Correct Answer: d) I-3, II-4, III-2, IV-1

Solution: Here's the correct matching of terms to their definitions:

- I. Uti possidetis: This refers to the principle that territory remains with the possessor state at the end of war or occupation unless otherwise determined by a treaty or agreement. This matches with 3.
- II. Pacta sunt servanda: This principle asserts that treaties are binding upon the parties and must be performed in good faith. This corresponds to 4.
- III. Condominium: This principle refers to a situation where two or more states equally exercise sovereignty with respect to a territory and its inhabitants. This matches with 2.
- IV. Rebus sic stantibus: This principle in international law allows for the withdrawal or termination of a treaty if there has been a fundamental change in circumstances since the treaty was concluded. This corresponds to 1.

Thus, the correct answer is d) I-3, II-4, III-2, IV-1.

 Quick Tip

Uti possidetis refers to the idea that territory remains with the possessor unless otherwise decided by treaty, while Pacta sunt servanda means treaties must be performed in good faith.

Q14: Which of the following is an incorrect statement for explaining the condition and warranty under the Sale of Goods Act, 1930?

- a) A condition is a stipulation essential to the main purpose of the contract, the breach of which gives rise to a right to treat the contract as repudiated.
- b) A warranty is a stipulation collateral to the main purpose of the contract, the breach of which gives rise to a claim for damages but not to a right to reject the goods and treat the contract as repudiated.
- c) Whether a stipulation in a contract of sale is a condition or a warranty does not depend on the construction of the contract.
- d) A stipulation may be a condition, though called a warranty in the contract.

Correct Answer: c) Whether a stipulation in a contract of sale is a condition or a warranty does not depend on the construction of the contract.

Solution: Under the Sale of Goods Act, 1930, a condition is an essential stipulation to the contract, where its breach allows the aggrieved party to repudiate the contract. A warranty, on the other hand, is a collateral stipulation that allows the aggrieved party

to claim damages but does not provide the right to reject the goods or terminate the contract.

- Option (a) correctly explains a condition. - Option (b) correctly explains a warranty. - Option (d) correctly states that a stipulation can be a condition, even if called a warranty in the contract. - However, Option (c) is incorrect. Whether a stipulation is a condition or a warranty does depend on the construction of the contract, as the terms used by the parties and the overall context play a role in determining this classification. Thus, the correct answer is (c).

 Quick Tip

In contracts under the Sale of Goods Act, 1930, a condition is more essential to the main purpose of the contract, while a warranty is a lesser stipulation. The classification depends on the terms used in the contract.

Q15: Which of the following theories relate to the function of rights?

- A. Bracket theory
- B. Will theory
- C. Interest theory
- D. Purpose theory

Select the correct option:

- a) Only A and B
- b) Only B and C
- c) A, B, C, D
- d) None of the above

Correct Answer: c) A, B, C, D

Solution: The function of rights is discussed through several theories that explain their nature and role:

- Bracket theory posits that rights can be viewed as a set of interests grouped together in a "bracket" to be protected. - Will theory suggests that rights are based on the autonomy of individuals to exercise their will and make decisions. - Interest theory holds that rights are designed to protect certain interests, such as personal or property rights, to ensure their fulfillment. - Purpose theory sees rights as tools to achieve specific purposes, such as the protection of individual dignity or social justice.

All of these theories are relevant to understanding the function of rights, making option (c) the correct choice.

 Quick Tip

Theories like Bracket, Will, Interest, and Purpose help explain the function of rights, whether they are viewed as protecting interests or enabling personal autonomy.

Q16: Subrogation under Section 92, Transfer of Property Act, 1882 confers a right upon a person only wherein mortgaged property has been:

- a) Redeemed in full
- b) Consented to be redeemed in full
- c) Redeemed in part
- d) None of the above

Correct Answer: a) Redeemed in full

Solution: Under Section 92 of the Transfer of Property Act, 1882, subrogation is a right conferred upon a person who has redeemed the mortgaged property in full. This means that once the mortgaged property is fully redeemed, the person who redeemed it can claim the rights of the mortgagee and exercise them for their own benefit.

 Quick Tip

Subrogation under Section 92 of the Transfer of Property Act arises only when the mortgage is fully redeemed.

Q17: The following is not true about the Cement Cartelization Case in India:

- a) The Competition Commission of India imposed a penalty of 0.5 times of the net profits of certain cement-producing companies for the year 2009-10 and 2010-2011
- b) Companies were engaging in unfair and not restrictive trade practices by controlling the price of cement by artificially curtailing their output capacity
- c) The market was oligopolistic in nature, with the possibility of collusion between companies
- d) None of the above

Correct Answer: d) None of the above

Solution: The Cement Cartelization Case dealt with the anti-competitive practices of cement-producing companies in India. The Competition Commission of India (CCI) found that the companies had been controlling cement prices by curtailing output capacity, thereby creating an oligopolistic market. The penalty imposed on these companies for their actions was 0.5 times the net profits for the years 2009-2010 and 2010-2011.

- Option (a) is correct about the penalty imposed. - Option (b) correctly describes the nature of the trade practices. - Option (c) correctly identifies the market structure as oligopolistic. Thus, all statements are true, so the correct answer is (d).

💡 Quick Tip

The Cement Cartelization Case involved anti-competitive practices where companies engaged in price-fixing and market manipulation by controlling output.

Q18: — is concerned with ‘is law’, and — is concerned with ‘ought law’.

- a) Expositorial Jurisprudence, Censorial Jurisprudence
- b) Censorial Jurisprudence, Analytical Jurisprudence
- c) Censorial Jurisprudence, Expositorial Jurisprudence
- d) Expositorial Jurisprudence, Philosophical school of law

Correct Answer: d) Expositorial Jurisprudence, Philosophical school of law

Solution: Expositorial Jurisprudence is concerned with understanding and explaining ‘is law’—what the law is in its current form. Philosophical jurisprudence deals with ‘ought law’—the ideal or moral dimension of law, asking what the law should be. The difference lies in the practical approach of the former and the normative or ideal approach of the latter.

💡 Quick Tip

Expositorial Jurisprudence explains the law as it is, while the Philosophical school of law discusses what the law should be.

Q19: Under which provision of the Income Tax Act, 1961 is the scope of the resident’s ‘total income’ covered?

- a) Section 5
- b) Section 10
- c) Section 30
- d) Section 8

Correct Answer: a) Section 5

Solution: Section 5 of the Income Tax Act, 1961 defines the scope of a resident’s total income. It outlines the criteria for determining the total income, considering the individual’s residential status and the sources of income within and outside India. This section is fundamental to understanding how income is taxed for residents in India.

 Quick Tip

Under Section 5 of the Income Tax Act, 1961, the scope of a resident's total income is defined based on their residential status and global income.

Q20: In which of the following cases was it held that “the tribunal has unfettered jurisdiction to adjudicate the dispute raised as well as to decide the legality of an order of the Central Government, or even the opinion of TRA or any other expert body”?

- a) Cellular Operators Association of India v. Union of India 2003 (3) SCC 186
- b) S.P. Gupta v. Union of India Supp SCC 87 1981
- c) Tata Cellular v. Union of India 6 SCC 651 (1994)
- d) SCAORA v. Union of India 4 SCC 441 (1993)

Correct Answer: a) Cellular Operators Association of India v. Union of India 2003 (3) SCC 186

Solution: In the case of Cellular Operators Association of India v. Union of India (2003), the Supreme Court held that the tribunal has unfettered jurisdiction to adjudicate disputes raised before it. The tribunal can decide the legality of orders issued by the Central Government or opinions provided by expert bodies like the TRA. This case reaffirmed the independence and jurisdictional power of tribunals in such matters.

 Quick Tip

In Cellular Operators Association of India v. Union of India, the tribunal's jurisdiction was upheld, allowing it to examine the legality of governmental and expert body decisions.

Q21: The new definition of employees has been widened under the Code on Social Security but does not include:

- a) International migrant workers
- b) Construction workers
- c) Film industry workers
- d) Platform workers

Correct Answer: c) Film industry workers

Solution: The Code on Social Security, 2020 aims to expand the definition of employees to include a wider range of workers. It extends coverage to various categories such as international migrant workers, construction workers, and platform workers. However, it does not specifically include workers from the film industry. Therefore, film industry

workers are not covered under this broadened definition.

 Quick Tip

The Code on Social Security, 2020 extends the definition of employees but does not include film industry workers.

Q22: The following is true about pawnor and pawnee under Indian Contract Act, 1872:

- a) The pawnor has the right of possession, enjoyment, and disposition of the property.
- b) The pawnee has a limited right to retain possession till the debt is paid off.
- c) The pawnee's right of disposition is limited to the disposition of the pledge rights only, and the right to sell after giving reasonable notice to the pawnor.
- d) All of the above.

Correct Answer: d) All of the above.

Solution: Under the Indian Contract Act, 1872, the relationship between the pawnor (the person who pledges the goods) and the pawnee (the person who receives the goods as security for a debt) is governed by specific rights and duties: - Option (a): The pawnor retains the right of possession and disposition of the property until the debt is repaid. - Option (b): The pawnee can retain possession of the pledged goods until the debt is discharged. - Option (c): The pawnee has the right to dispose of the goods if the debt is not repaid, but this right is limited and requires reasonable notice to the pawnor. Thus, all statements are correct, so the answer is (d).

 Quick Tip

Under the Indian Contract Act, 1872, the pawnor retains the right of possession, and the pawnee can sell the pledged goods after giving reasonable notice if the debt is not paid.

Q23: Indian Copyright Act, 1957 recognises the Moral rights of authors under — as —.

- a) Section 17, Economic Rights
- b) Section 57, Author's Special Rights
- c) Section 69, Non-economic Rights
- d) Section 14, Non-economic Rights

Correct Answer: b) Section 57, Author's Special Rights

Solution: Under the Indian Copyright Act, 1957, Moral Rights of authors are recognized under Section 57. These rights include the right to attribution (the right to be identified

as the author) and the right to integrity (the right to object to distortion or modification of their work). These are considered non-economic rights that protect the personal and reputational interests of the author, separate from their economic rights in the work.

 Quick Tip

Section 57 of the Indian Copyright Act, 1957 protects the moral rights of authors, which include the right to attribution and the right to integrity of their work.

Q24: Which of the following is not a State for the purposes of Article 54 (Election of President)?

- a) National Capital Territory of Delhi
- b) Union Territory of Puducherry
- c) Chandigarh
- d) Punjab

Correct Answer: c) Chandigarh

Solution: Under Article 54 of the Indian Constitution, the Election of the President is conducted by an electoral college consisting of the elected members of both Houses of Parliament and the elected members of the Legislative Assemblies of the States and Union Territories. However, Chandigarh is not considered a State for the purpose of this election, as it is a Union Territory with a Legislative Assembly but no separate electoral college for Presidential elections. Therefore, the correct answer is (c) Chandigarh.

 Quick Tip

For Article 54, Chandigarh is not considered a State for the purposes of the Presidential Election.

Q25: Match the following

I. Arbitration of excepted matters	1. A. Ayyasamy v. A. Paramasivam, (2016) 10 SCC 386
II. Conditional Arbitration Clauses	2. In re - Interplay between Arb Agreements and Stamp Act 2023 INSC 1066
III. Separability of Arbitration Agreement - Kompetenz Kompetenz	3. Vulcan Insurance Co Ltd v. Maharaj Singh and Anr (1976) 1 SCC 943
IV. Arbitrability of fraud	4. Mitra Guha Builders (India) Co v. ONGC (2020) 3 SC 222

Select the correct option: a) I-1, II-2, III-3, IV-4

- b) I-4, II-3, III-2, IV-1
- c) I-2, II-1, III-3, IV-4
- d) I-4, II-2, III-3, IV-1

Correct Answer: d) I-4, II-2, III-3, IV-1

Solution: The correct matching is as follows: - I. Arbitration of excepted matters relates to *Mitra Guha Builders v. ONGC* (2020), which discusses exceptions in arbitration clauses. - II. Conditional Arbitration Clauses deals with the In re - Interplay between Arb Agreements and Stamp Act 2023, addressing the implications of conditional clauses in arbitration agreements. - III. Separability of Arbitration Agreement - Kompetenz Kompetenz is a concept discussed in *Vulcan Insurance Co Ltd v. Maharaj Singh* (1976), which involves the principle that the arbitration clause is separable from the main contract. - IV. Arbitrability of fraud was addressed in *Ayyasamy v. Paramasivam* (2016), which discusses whether fraud is arbitrable.

 Quick Tip

The principle of Kompetenz Kompetenz ensures that the arbitrator determines their own jurisdiction, while the concept of arbitrability of fraud determines the scope of issues suitable for arbitration.

Q26: The following are Members in a company:

- a) The subscriber to the memorandum of the company who shall be deemed to have agreed to become a member of the company, and on its registration, shall be entered as a member in its register of members
- b) No other person who agrees in writing to become a member of the company and whose name is entered in the register of members of the company
- c) Every person holding shares of the company and whose name is entered as a beneficial owner in the records of a depository
- d) Both a) and c) will be members

Correct Answer: d) Both a) and c) will be members

Solution: A person becomes a member of a company in two ways: 1. By subscribing to the memorandum of association during the formation of the company, as mentioned in option (a). 2. By holding shares and having their name entered in the records of a depository, as per option (c). Thus, both (a) and (c) describe valid ways in which an individual can be a member of a company.

 Quick Tip

A person can be a member of a company by either subscribing to its memorandum or by holding shares listed in a depository's records.

Q27: Which Section of BNS 2023, provides Solitary Confinement as a punishment?

- a) Section 10
- b) Section 11
- c) Section 22
- d) Section 14

Correct Answer: b) Section 11

Solution: Under Section 11 of the BNS 2023, solitary confinement can be imposed as a punishment. This section defines the conditions under which solitary confinement is applicable and provides the framework for its usage in specific situations.

 Quick Tip

Section 11 of BNS 2023 specifically covers the imposition of solitary confinement as a punishment under certain conditions.

Q28: In which of the following cases did the Supreme Court observe that an order suspending internet services indefinitely is impermissible under the existing law, and any order suspending internet must adhere to the principle of proportionality and must not extend beyond the necessary duration?

- a) Anuradha Bhasin v. Union Of India AR 2020 SC 1308
- b) Subhash Desai v. Governor of Maharashtra 2023 SCC OnLine SC 607
- c) Nabam Rebia Bamang Felix v. Dy. Speaker, Arunachal Pradesh Legislative Assembly (2016) 8 SCC 1
- d) Neeraj Chandra v. Union of India (2023) 5 SCC 1

Correct Answer: a) Anuradha Bhasin v. Union Of India AR 2020 SC 1308

Solution: In Anuradha Bhasin v. Union Of India (2020), the Supreme Court ruled that indefinite suspension of internet services is impermissible. The Court emphasized that such suspension must adhere to the principle of proportionality and be for the shortest period necessary to address the issue at hand.

 Quick Tip

Anuradha Bhasin v. Union of India (2020) was a landmark judgment affirming that internet shutdowns must be proportionate and temporary.

Q29: For an agreement without consideration to be valid under Section 25(3) of the Indian Contract Act, 1872, it is necessary that:

- a) Agreement must refer to a debt which the creditor might have enforced, but for the limitation
- b) There must be a distinct promise to pay
- c) The promise is in writing, signed by debtor or his agent
- d) All of the above are necessary

Correct Answer: d) All of the above are necessary

Solution: For an agreement without consideration to be valid under Section 25(3) of the Indian Contract Act, 1872, it must refer to a debt that the creditor could have enforced if not for the limitation. Furthermore, there must be a clear promise to pay, and this promise must be in writing and signed by the debtor or their agent.

 Quick Tip

Under Section 25(3), an agreement without consideration can be valid if it relates to a time-barred debt and is in writing, signed by the debtor.

Q30: Arrest by police without a warrant is covered under which Section of BNS 2023?

- a) Section 35
- b) Section 36
- c) Section 37
- d) Section 34

Correct Answer: b) Section 36

Solution: Section 36 of BNS 2023 allows the police to arrest a person without a warrant under specific circumstances. This provision outlines the conditions under which such an arrest can be made, ensuring it is done within legal limits.

 Quick Tip

Section 36 of BNS 2023 permits police to arrest without a warrant under prescribed circumstances, ensuring due process is followed.

Q31: In *Janhit Abhiyan v. Union of India* (2023) 5 SCC 1, the Supreme Court:

- a) upheld the constitutional validity of the Constitution (One Hundred and Third Amendment) Act, 2019 that empowered the State to enact special provisions for the advancement of economically weaker sections (“EWS”) of society.
- b) declared the EWS reservation under The Constitution (Ninety-ninth Amendment) Act, 2014 unconstitutional.
- c) held that the EWS reservation exceeds the 50d) ruled that only socially and educationally backward classes are eligible for reservation, excluding EWS.

Correct Answer: a) upheld the constitutional validity of the Constitution (One Hundred and Third Amendment) Act, 2019 that empowered the State to enact special provisions for the advancement of economically weaker sections (“EWS”) of society.

Solution: In *Janhit Abhiyan v. Union of India* (2023), the Supreme Court upheld the Constitution (One Hundred and Third Amendment) Act, 2019, which empowered the State to create special provisions for the advancement of economically weaker sections (EWS) of society. The Court held that such provisions are constitutional, despite concerns about the 50

 Quick Tip

The Constitution (One Hundred and Third Amendment) Act, 2019 allows for EWS reservations in educational institutions and government jobs, which was upheld by the Court.

Q32: Paragraph 7 of the X Schedule to the Constitution of India was struck down in which of the following cases?

- a) *Kihoto Hollohan v. Zachillhu and Others* 1992 SCR (1) 686
- b) *Anjum Kadri v. U.O.I.* 2024 INSC 831 (Nov. 2024)
- c) *Keisham Meghachandra Singh v. Speaker, Manipur Legislative Assembly* ARonline 2020 SC 54
- d) *State of U.P. v. M/s Lalta Prasad Vaish and Sons.* 2024 NSC 813 (Oct. 2024)

Correct Answer: a) *Kihoto Hollohan v. Zachillhu and Others* 1992 SCR (1) 686

Solution: In the case of *Kihoto Hollohan v. Zachillhu and Others* (1992), the Supreme Court struck down Paragraph 7 of the Tenth Schedule (Anti-Defection Law) of the Constitution of India. This provision, which dealt with the disqualification of members of the legislature, was found to be in conflict with certain provisions of the Constitution, leading to its invalidation.

 Quick Tip

Paragraph 7 of the Tenth Schedule was struck down by the Court in Kihoto Hollohan (1992), which pertains to the Anti-Defection Law.

Q33: The real test of determining distinction between lease and license was laid down by the Supreme Court in which of the following cases?

- a) Nirmal Chandra v. Vimal Chand
- b) Mangilal v. Sugan Chand
- c) Associated Hotel of India v. R.N. Kapoor
- d) None of the above.

Correct Answer: c) Associated Hotel of India v. R.N. Kapoor

Solution: The Supreme Court in Associated Hotel of India v. R.N. Kapoor (1959) laid down the real test to distinguish between a lease and a license. The Court observed that the main difference between the two is the right to exclusive possession. A lease grants exclusive possession, while a license merely allows the licensee to use the property without granting such possession.

 Quick Tip

In Associated Hotel of India v. R.N. Kapoor (1959), the Court emphasized that the key factor distinguishing a lease from a license is the right to exclusive possession.

Q34: In A.K. Kraipak v. Union of India AIR 1970 SC 150, the Supreme Court recognised the evolving nature of quasi-judicial powers, holding that certain powers previously deemed administrative could now be quasi-judicial. Which of the following best encapsulates the Court's approach to the application of natural justice in administrative proceedings?

- a) Natural justice is limited to formal quasi-judicial functions where a statute expressly mandates its application, excluding purely administrative decisions.
- b) The procedural requirements of natural justice are irrelevant to administrative functions unless personal rights are specifically affected by a statute.
- c) The distinction between administrative and quasi-judicial powers is no longer determinative, and natural justice principles must be applied whenever individual rights or interests are at stake, regardless of the classification of the power.
- d) Natural justice principles apply to all quasi-judicial decisions, but administrative decisions are exempt unless there is a statutory provision requiring it.

Correct Answer: c) The distinction between administrative and quasi-judicial powers is no longer determinative, and natural justice principles must be applied whenever individual rights or interests are at stake, regardless of the classification of the power.

Solution: In *A.K. Kraipak v. Union of India* (1970), the Supreme Court recognized the evolving nature of quasi-judicial powers and held that the distinction between administrative and quasi-judicial functions is no longer determinative. The Court emphasized that the principles of natural justice should apply whenever individual rights or interests are at stake, irrespective of the classification of the powers as administrative or quasi-judicial.

 Quick Tip

In *A.K. Kraipak v. Union of India* (1970), the Court emphasized that natural justice applies to all functions where individual rights or interests are involved.

Q35: Who can be a Certifying Officer under the Industrial Employment (Standing Orders) Act, 1946?

I. Industrial Tribunal II. Labour Commissioner III. A Regional Labour Commissioner
Select the correct option:

- a) Both I and II
- b) Only II
- c) Both II and III
- d) All of the above

Correct Answer: d) All of the above

Solution: Under the Industrial Employment (Standing Orders) Act, 1946, the Certifying Officer can be the Industrial Tribunal, the Labour Commissioner, or a Regional Labour Commissioner. These officers are responsible for certifying the standing orders of industrial establishments in compliance with the Act.

 Quick Tip

Under the Industrial Employment (Standing Orders) Act, 1946, Certifying Officers include the Industrial Tribunal, the Labour Commissioner, and Regional Labour Commissioners.

Q36: Which of the following statement best outlines the principle of Common But Differentiated Responsibilities and Respective Capabilities (CBDR-RC) in international environmental law?

- a) recognises that while all countries are responsible for addressing environmental degradation, developed countries should take greater responsibility due to their historical con-

tributions to global emissions and their greater capacity to act

b) all countries must equally share the burden of combating environmental degradation regardless of their development status

c) mandates only developed countries contribute to global environmental efforts based on their capabilities

d) emphasises that each country should be allowed to define its own environmental targets without any obligations to collaborate internationally

Correct Answer: a) recognises that while all countries are responsible for addressing environmental degradation, developed countries should take greater responsibility due to their historical contributions to global emissions and their greater capacity to act

Solution: The principle of Common But Differentiated Responsibilities and Respective Capabilities (CBDR-RC) recognizes that while all countries are responsible for addressing environmental degradation, developed countries should bear a greater responsibility. This is due to their historical contributions to global emissions and their greater capacity to take action. The principle is a cornerstone of international environmental law, particularly in the context of climate change.

 Quick Tip

CBDR-RC emphasizes that developed countries should take greater responsibility for environmental degradation due to their historical emissions and stronger capacity to act.

Q37: The following is not true about novation of contracts:

a) Acquiescence is a way of giving consent for the purposes of novation of a contract under S. 62 of the Contract Act.

b) Acquiescence means tacit or passive acceptance. It is an implied and reluctant consent to an act.

c) When acquiescence takes place, there is knowledge against a particular act. Based on this knowledge, a new contract comes into existence with renewed terms.

d) For an acceptance to be legally valid, it is optional for parties to have the knowledge of the terms which they are accepting.

Correct Answer: d) For an acceptance to be legally valid, it is optional for parties to have the knowledge of the terms which they are accepting.

Solution: In novation, for an acceptance to be legally valid, the parties must have knowledge of the terms they are agreeing to. Acquiescence is a passive form of consent, where a party, knowing about the act, does not object to it, leading to the creation of a new contract.

 Quick Tip

In novation, for acceptance to be valid, the parties must know and consent to the terms of the new contract.

Q38: First information related to the commission of a cognisable offence is recorded under which provision of BNSS, 2023?

- a) Section 173
- b) Section 154
- c) Section 155
- d) Section 156

Correct Answer: b) Section 154

Solution: Under Section 154 of the BNSS, 2023, the first information related to the commission of a cognisable offence is recorded. This is known as the First Information Report (FIR), and it is an essential part of the criminal law process for cognisable offences.

 Quick Tip

Section 154 of BNSS, 2023 mandates the recording of the First Information Report (FIR) for cognisable offences.

Q39: Which of the following is not allowed as a deduction for computing profits and gains from business or profession under Section 37 of the Income Tax Act, 1961?

- a) Personal expenses
- b) Capital expenditure
- c) Expenses on Corporate Social Responsibility
- d) All of the above

Correct Answer: d) All of the above

Solution: Under Section 37 of the Income Tax Act, 1961, deductions are not allowed for personal expenses, capital expenditure, or expenses related to corporate social responsibility (CSR). These expenses are generally considered outside the scope of deductions allowed for business profits.

 Quick Tip

Section 37 does not allow deductions for personal expenses, capital expenditure, or CSR expenses.

Q40: Key managerial personnel in relation to a company do not include the following:

- a) the Chief Executive Officer or the Managing Director or the Manager
- b) the Company Secretary
- c) the Whole-time Director
- d) the Chief Financial Officer

Correct Answer: d) the Chief Financial Officer

Solution: Under Section 2(51) of the Companies Act, 2013, key managerial personnel (KMP) include the Chief Executive Officer (CEO), the Managing Director (MD), the Manager, the Company Secretary (CS), and the Whole-time Director (WTD). The Chief Financial Officer (CFO) is not included as KMP by default unless specifically designated as such in certain cases.

 Quick Tip

The CFO is not considered KMP under the Companies Act, 2013, unless specifically designated.

Q41: A fundamental principle of international humanitarian law is the principle of proportionality. Which of the following statement most appropriately describes the principle?

- a) prohibits attacks against military objectives which are expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination, which would be excessive in relation to the concrete and direct military advantage anticipated
- b) permits measures which are actually essential to accomplish a legitimate military purpose and are not otherwise prohibited by international humanitarian law
- c) requires forces to, at all times, distinguish between the civilian population and combatants and between civilian objects and military objectives and accordingly direct operations only against military objectives
- d) prohibits use of means and methods of warfare which are of such nature so as to cause superfluous injury or unnecessary suffering

Correct Answer: a) prohibits attacks against military objectives which are expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination, which would be excessive in relation to the concrete and direct military advantage anticipated

Solution: The principle of proportionality in international humanitarian law is aimed at ensuring that the harm caused to civilians and civilian property is not excessive in relation to the concrete and direct military advantage anticipated from an attack. It seeks to balance military necessity with humanitarian considerations.

 Quick Tip

Proportionality ensures that military action does not cause excessive harm to civilians relative to the anticipated military advantage.

Q42: Which of the following are the contents of a provisional specification, as provided under Section 10 of the Patent Act, 1970?

- a) Title, Description, Abstract
- b) Title, Description and Claims
- c) Title, Description and Drawings (if any)
- d) Title, Description, Drawing, Claims and Abstract

Correct Answer: d) Title, Description, Drawing, Claims and Abstract

Solution: Under Section 10 of the Patent Act, 1970, a provisional specification should include the Title, Description, Drawings (if any), Claims, and Abstract. This helps in securing the priority date for the invention.

 Quick Tip

A provisional specification must include Title, Description, Drawings, Claims, and Abstract.

Q43: What designs are prohibited from being registered under the Designs Act, 2000?

- a) Designs which are not new and original
- b) Designs which contain scandalous or obscene matter
- c) Design which is significantly distinguishable from known designs or their combination
- d) Only a) and b)

Correct Answer: d) Only a) and b)

Solution: Under the Designs Act, 2000, designs that are not new and original, or designs that contain scandalous or obscene matter, cannot be registered. Designs must be novel and must not offend public morals.

 Quick Tip

Obscene or non-original designs are not eligible for registration under the Designs Act, 2000.

Q44: Which of the following constitutes an offence of Rioting under BNS, 2023?

- a) Use of force or violence by two persons to prosecute a common object.
- b) Use of force or violence by five or more persons to prosecute a common object.
- c) An unlawful gathering of five or more persons.
- d) A single individual causing public disturbance.

Correct Answer: b) Use of force or violence by five or more persons to prosecute a common object.

Solution: Rioting under BNS, 2023 refers to the use of force or violence by five or more persons in furtherance of a common object. This defines the criminal act of rioting.

 Quick Tip

Rioting involves five or more persons using force or violence with a common object in mind.

Q45: A class action suit may be filed by prescribed number of members of a company before the Tribunal on behalf of the members or depositors for seeking any of the following orders except:

- a) to restrain the company from committing an act which is ultra vires the articles or memorandum of the company
- b) to restrain the company from committing breach of any provision of the company's memorandum or articles
- c) to declare a resolution following the memorandum or articles of the company as void if the resolution was passed by suppression of material facts or obtained by mis-statement to the members or depositors
- d) to restrain the company and its directors from acting on such resolution

Correct Answer: d) to restrain the company and its directors from acting on such resolution

Solution: Class action suits are typically filed to seek remedies such as restraining the company from committing ultra vires acts, declaring resolutions as void, or preventing breaches of the company's articles or memorandum. However, restraining the company and its directors from acting on a resolution is not typically an action sought in such suits.

 Quick Tip

Class actions may seek to declare resolutions void but typically do not seek to directly restrain directors from acting on them.

Q46: Pick the incorrect statement:

- a) If an agreement is signed by a party without reading it, the agreement will not be void under S. 20 of the Indian Contract Act, 1872.
- b) The defence of nudum pactum ex quo non oritur actio would not be available to the plaintiff when he signs any agreement without reading it.
- c) The defence of nudum pactum ex quo non oritur actio would be available to the plaintiff when he signs any agreement without reading it.
- d) An agreement without consideration is void.

Correct Answer: c) The defence of nudum pactum ex quo non oritur actio would be available to the plaintiff when he signs any agreement without reading it.

Solution: Nudum pactum refers to a contract without consideration, and it cannot give rise to a valid legal action. In the case of signing an agreement without reading it, the plaintiff cannot rely on the defence of nudum pactum. An agreement signed without reading it is still binding, and the lack of consideration is what makes it void under Section 20 of the Indian Contract Act, 1872.

 Quick Tip

Nudum pactum does not apply if the agreement is signed without reading it, as it must lack consideration to be void.

Q47: In relation to the Hindu Marriage Act, 1955, match the following and identify the correct answer:

- (A) Conditions for a Hindu Marriage (i) Section 13
- (B) Registration of Hindu Marriage (ii) Section 10
- (C) Judicial Separation (iii) Section 5
- (D) Divorce (iv) Section 8

Select the correct option:

- a) (A)-(iv), (B)-(iii), (C)-(i), (D)-(ii)
- b) (A)-(iii), (B)-(iv), (C)-(i), (D)-(ii)
- c) (A)-(iii), (B)-(iv), (C)-(ii), (D)-(i)
- d) (A)-(ii), (B)-(iii), (C)-(iv), (D)-(i)

Correct Answer: b) (A)-(iii), (B)-(iv), (C)-(i), (D)-(ii)

Solution: The correct matching is as follows:

- (A) Conditions for a Hindu Marriage: This is outlined in Section 5 of the Hindu Marriage Act, 1955, which sets out the conditions for a valid Hindu marriage.
- (B) Registration of Hindu Marriage: The registration of Hindu marriages is dealt with under Section 8 of the Act.

- (C) Judicial Separation: Judicial separation is governed by Section 13 of the Act.
- (D) Divorce: Divorce provisions are provided in Section 10 of the Act.

💡 Quick Tip

Section 5: Conditions for a valid Hindu marriage.
Section 8: Registration of Hindu marriages.
Section 13: Judicial separation.
Section 10: Divorce.

Q48: A company may issue fully paid bonus shares to its shareholders and use the following funds:

- a) its free reserves
- b) the securities premium account
- c) the capital redemption reserve account
- d) All of the above

Correct Answer: d) All of the above

Solution: A company may issue fully paid bonus shares by utilizing the following sources of funds: - Free reserves - Securities premium account - Capital redemption reserve account

These funds are legally permissible sources for issuing bonus shares as per the Companies Act.

💡 Quick Tip

Bonus shares can be issued using free reserves, securities premium account, or capital redemption reserve account.

Q49: Which of the following reasonable restrictions is Article 25 of the Constitution of India subject to?

- a) Public order and morality
- b) Public order, morality and health and to the other provisions of Part
- c) Public order, morality and decency
- d) Public order, security of the state and decency

Correct Answer: b) Public order, morality and health and to the other provisions of Part

Solution: Article 25 of the Constitution of India guarantees the freedom of conscience and the right to freely profess, practice, and propagate religion. However, this right is

subject to public order, morality, and health, as well as other provisions of Part III of the Constitution.

 Quick Tip

Article 25 is subject to public order, morality, and health, along with the provisions of Part III of the Constitution.

Q50: Doctrine of ‘Cypres’ means the interference of Courts:

- a) To carry out the purpose of accumulation in certain event
- b) To supervise the event of accumulation
- c) To implement the rules against accumulation
- d) To see that the accumulated interest is properly expended

Correct Answer: a) To carry out the purpose of accumulation in certain event

Solution: The doctrine of cypres is applied by courts in cases where a specific purpose for a trust cannot be carried out exactly as specified, but the court can carry out the general intent of the trust as closely as possible, often by directing the use of funds for a similar purpose.

 Quick Tip

Cypres allows courts to modify the terms of a trust when the original purpose cannot be fulfilled, ensuring the closest possible fulfillment of the donor’s intent.

Q51: In which of the following cases was the basic structure doctrine applied without a constitutional amendment being challenged?

- a) Supreme Court Advocates-On-Record Association v. Union of India AR 1994 SC 268
- b) SR Bommai v. Union of India (1994) 3 SCC 1
- c) Kihoto Hollohan v. Zachillhu and Others 1992 SCR (1) 686
- d) Sankari Prasad Singh Deo v. Union of India AR 1951 SC 458

Correct Answer: b) SR Bommai v. Union of India (1994) 3 SCC 1

Solution: In the case of SR Bommai v. Union of India (1994), the Supreme Court applied the basic structure doctrine and ruled that the power of the President to dissolve state assemblies was subject to judicial review, without the need for a constitutional amendment being challenged.

 Quick Tip

The basic structure doctrine was applied in SR Bommai without any constitutional amendment challenge.

Q52: Generally, time is not of the essence in contracts unless specified. Pick the correct option:

- a) If completion of the work, which is the subject matter of the contract, is of essence to the contract, then the parties would not voluntarily extend the time.
- b) The fact that the parties to the contract agreed to extend the time for the completion of the project indicates that the time was not of essence to the contract, as required under S. 55 of the Indian Contract Act, 1872.
- c) If the party to the contract has clearly and repeatedly stipulated the fact that time is of utmost importance and that the sale consideration needs to be paid on the specified date, it will be established that time is of essence to the contract under S. 55 of the Indian Contract Act, 1872.
- d) All of the above are correct.

Correct Answer: c) If the party to the contract has clearly and repeatedly stipulated the fact that time is of utmost importance and that the sale consideration needs to be paid on the specified date, it will be established that time is of essence to the contract under S. 55 of the Indian Contract Act, 1872.

Solution: Section 55 of the Indian Contract Act, 1872 establishes that if time is explicitly stipulated as a vital condition, then time will be considered of the essence. In this case, the repeated stipulation of time being important, particularly for payment of the sale consideration, will make time of the essence.

 Quick Tip

Section 55 of the Indian Contract Act specifies that time is of essence when clearly stated as crucial by the parties.

Q53: A society that has codified its primitive law and cannot have any further modification or growth, will be a — society as per Henry Maine.

- a) Stable
- b) Strong
- c) Static
- d) Stereotypical

Correct Answer: c) Static

Solution: According to Henry Maine, a static society is one that has codified its law and does not allow for further modification or growth. This concept contrasts with a dynamic society, which allows for continuous change and evolution of law.

 Quick Tip

A static society has laws that are codified and resistant to change, as described by Henry Maine.

Q54: Pick the incorrect option under the Companies Act, 2013:

- a) Every company shall have a Board of Directors consisting of individuals as Directors
- b) Every company shall have a Board of Directors consisting of corporate Directors
- c) A minimum number of three Directors in the case of a public company and two Directors in the case of a private company are required
- d) There can be a maximum of fifteen Directors in a company

Correct Answer: b) Every company shall have a Board of Directors consisting of corporate Directors

Solution: Under the Companies Act, 2013, the board of directors must consist of individuals, not corporate directors. Corporate Directors are not allowed to hold office as directors. The law requires that at least one director be an individual, and certain companies may appoint additional directors subject to the limit of 15.

 Quick Tip

Under Section 149 of the Companies Act, 2013, the Board of Directors must be composed of individuals and not corporate entities.

Q55. In 2023, the Supreme Court held that the fixed-term employees would be entitled to full maternity benefits under Section 5 of the Maternity Benefit Act, 1961 (“Maternity Benefit Act”), even after the expiry of their contractual term in the case of:

- a) Dr. Kavita Yadav v. The Secretary, Ministry of Health and Family Welfare Department and Ors.
- b) Municipal Corporation of Delhi v. Female Workers (Muster Roll) Another
- c) Kapila Hingorani v. State of Bihar
- d) Lieutenant Colonel Nitisha and Ors. v. Union of India

Solution:

The correct answer is **(b)** Municipal Corporation of Delhi v. Female Workers (Muster Roll) Another.

- In this case, the Supreme Court held that fixed-term employees are entitled to full

maternity benefits, even after the expiration of their contractual term. The ruling emphasized that the entitlement to maternity benefits is based on the worker's need, not their contractual status.

- The case clarified the interpretation of the Maternity Benefit Act for fixed-term employees, ensuring that they are treated equally to permanent employees for maternity benefits.

Quick Tip

Remember, fixed-term employees are not exempt from maternity benefits under the Maternity Benefit Act. Courts have expanded this to include them to promote gender equality in the workplace.

Q56. The decision of the Supreme Court in *PV Narasimha Rao v. State* (1998) 4 SCC 626 that pertained to whether a Member of Parliament or the Legislative Assembly, as the case may be, can claim immunity from prosecution on a charge of bribery in a criminal court under Articles 105 and 194 of the Constitution was:

- a) Overruled in *Sita Soren v. Union of India* (2024)
- b) Upheld in *Sita Soren v. Union of India* (2024)
- c) Overruled in *Subhash Desai v. Principal Secretary* (2023)
- d) Upheld in *Subhash Desai v. Principal Secretary* (2023)

Solution:

The correct answer is **(b)** Upheld in *Sita Soren v. Union of India* (2024).

- In *PV Narasimha Rao v. State*, the Court upheld the constitutional immunity of Parliament members from prosecution for actions done in the course of their legislative duties. This immunity extends under Articles 105 and 194 of the Constitution, allowing members of Parliament and state legislatures to perform their functions without fear of criminal prosecution.

- The decision in *Sita Soren* reaffirmed this immunity, maintaining that members of the legislature cannot be prosecuted for bribery unless the legislature waives immunity.

Quick Tip

Articles 105 and 194 provide parliamentary immunity, but this does not protect members from prosecution for actions outside their legislative duties (e.g., bribery or corruption).

Q57. The following is incorrect about malicious prosecution in tort law:

- a) That the plaintiff was prosecuted by the defendant
- b) That the proceedings terminated in plaintiff's favour if they are capable of such termination
- c) That there was reasonable or probable cause for the prosecution
- d) That the prosecution was instituted with a malicious intention

Solution:

The correct answer is **(c)** That there was reasonable or probable cause for the prosecution.

- In malicious prosecution, the defendant's actions are considered malicious if they initiated the prosecution without reasonable or probable cause. It is essential that the prosecution was brought maliciously, with improper intentions.
- A key element is the lack of reasonable cause, not the presence of it. Without this, the plaintiff may claim damages for malicious prosecution.

 Quick Tip

Malicious prosecution requires proof of no reasonable cause for prosecution and malice. It's not enough that the defendant initiated the case; the case must have been without legitimate reason.

Q58. 'Conditional order for removal of nuisance' can be issued under which Section of the BNSS, 2023?

- a) Section 155
- b) Section 152
- c) Section 149
- d) Section 150

Solution:

The correct answer is **(d)** Section 150.

- Section 150 of the BNSS, 2023 deals with orders for removal of nuisance and allows authorities to issue conditional orders for its removal. This provision aims to prevent harm and disruption caused by nuisances while ensuring proper legal procedures.
- The conditional nature of the order ensures that the offending party can resolve the issue by complying with certain conditions.

 Quick Tip

Nuisance laws typically allow for conditional orders before full enforcement to give the responsible party a chance to remedy the situation.

Q59. Which legal principle did the Supreme Court deal with in the case of Motilal Padampat Sagar Mills Co. Ltd. v. State of UP (1979) 2 SCC 409?

- a) Doctrine of Promissory Estoppel
- b) Doctrine of Waiver
- c) Doctrine of Legitimate Expectation
- d) Doctrine of Public Trust

Solution:

The correct answer is **(a)** Doctrine of Promissory Estoppel.

- The Supreme Court in Motilal Padampat Sagar Mills Co. Ltd. v. State of UP laid down the doctrine of promissory estoppel, which prevents a party from going back on a promise made, even in the absence of a formal contract, if the other party has relied on that promise to their detriment.
- The Court held that the doctrine applies even in the case of government promises if the promise has been relied upon.

 Quick Tip

Promissory estoppel ensures fairness when one party has made a promise that another party relies on, especially in cases involving government promises or policy changes.

Q60. Which of the following means 'Fact' as per BSA, 2023?

- a) Observable physical events
- b) Any mental condition of which a person is conscious
- c) Legal documents, both recorded and written
- d) A document filed in the Court

Solution:

The correct answer is **(a)** Observable physical events.

- According to the BSA, 2023, a 'fact' is considered to be something observable and physically verifiable. It refers to actual events or circumstances that can be witnessed, recorded, and proven.
- The legal implications of facts include their use in establishing truth in cases and legal disputes.

💡 Quick Tip

Facts must be verifiable and observable in law. While legal documents are important, they are often used to substantiate facts rather than be considered facts themselves.

Q61. Consider the following statements with respect to Geographical Indication protection:

- (i) The WTO TRIPs Agreement identifies Geographical Indications as Intellectual Property
- (ii) Lucknow Chikankari and Bikaneri Bhujia are recognised GIs in India
- (iii) The GI registration can be obtained in respect of goods and services
- (iv) The GI registration is valid for a period of 15 years only and is non-renewable

Which of the statements given above is/are incorrect?

- a) (i) and (ii)
- b) (i), (ii) and (iii)
- c) (iii) and (iv)
- d) All of the above

Solution:

The correct answer is **(c)** (iii) and (iv).

- Statement (iii) is incorrect because GI registration can only be obtained for goods, not services.
- Statement (iv) is also incorrect because GI registration is valid for an initial period of 10 years and can be renewed indefinitely.
- Statement (i) is correct: The TRIPs Agreement does indeed recognize Geographical Indications as Intellectual Property.
- Statement (ii) is correct: Lucknow Chikankari and Bikaneri Bhujia are both recognized as GIs in India.

💡 Quick Tip

Geographical Indications (GIs) protect the unique qualities of goods linked to their geographic origin. They are protected for goods only, not services, and can be renewed beyond 10 years.

Q62. In which of the following cases was the registration of Hindu marriage made compulsory?

- a) Ashok Kumar v. Vimla Devi
- b) Seema v. Ashwini Kumar
- c) Ashok Hurra v. Rupa Hurra
- d) None of the above

Solution:

The correct answer is **(b)** Seema v. Ashwini Kumar.

- In the Seema v. Ashwini Kumar case, the Supreme Court held that the registration of Hindu marriages is compulsory under Section 8 of the Hindu Marriage Act, 1955. The Court ruled that registration is essential for the purposes of legal recognition and proving the marriage, to avoid disputes about the validity of the marriage.

- This case emphasized the need for a formalized system of marriage registration to ensure legal clarity.

 Quick Tip

The Supreme Court made marriage registration mandatory under the Hindu Marriage Act, emphasizing the need for clear evidence of marital status to avoid legal conflicts.

Q63. The Chancellor, Masters Scholars of the University of Oxford & Ors. v. Rameshwari Photocopy Services and Ors. is a Delhi High Court decision dealing with:

- a) Moral rights of authors
- b) Idea Expression Dichotomy
- c) Performers Rights
- d) Fair Use Exception

Solution:

The correct answer is **(d)** Fair Use Exception.

- The case dealt with the issue of whether the photocopying of books by a commercial photocopying service (for educational purposes) amounted to infringement of copyright. The Delhi High Court ruled in favor of the "fair use" exception, allowing the photocopying service to make copies for educational use, provided it met certain conditions.

- The Court emphasized the importance of balancing copyright protection with the needs of education.

 Quick Tip

The "fair use" exception allows certain uses of copyrighted works without infringement, particularly for educational purposes. Always check for specific conditions under copyright law.

Q64. The Comptroller and Auditor-General of India may be removed:

- a) at the Pleasure of the President
- b) by the Parliament in the same manner and on the like grounds as that of a Supreme Court Judge as per Article 148
- c) by the Parliament in the same manner and on the like grounds as that of the Prime Minister of India as per Article 149 of the Constitution
- d) by the Parliament in the same manner and on the like grounds as that of a High Court Judge as per Article 148

Solution:

The correct answer is **(b)** by the Parliament in the same manner and on the like grounds as that of a Supreme Court Judge as per Article 148.

- The Comptroller and Auditor-General (CAG) can only be removed by the President of India, but only after the Parliament passes a resolution for the removal in the same manner as the removal of a Supreme Court Judge (i.e., by a special majority in both Houses of Parliament).

- This process ensures that the CAG is independent and cannot be easily removed by the executive.

 Quick Tip

The removal of the Comptroller and Auditor-General is similar to that of a Supreme Court Judge to maintain independence and avoid arbitrary dismissal.

Q65. Inference about the existence of the contract can be made from the letters, emails, and other correspondence between the parties. Pick the correct options:

- a) The offer specifying the terms and conditions of the contract can be made through email and the unconditional acceptance of the offer can also be communicated through email.
- b) Mere absence of a formal, written, and signed agreement would not vitiate the validity of the unconditional acceptance of the offer nor the implementation of the contract.
- c) Both a) and b)

d) None of the above

Solution:

The correct answer is **(c)** Both a) and b).

- Contract law allows for agreements to be formed without a written, formal contract.
- An offer can be made through email, and acceptance can also be communicated via email, thereby forming a valid contract. The absence of a written agreement does not affect the existence of the contract if the offer and acceptance are clear and unconditional.

💡 Quick Tip

Contracts can be formed via emails or letters, even without a formal signed agreement, as long as there is a clear offer and acceptance.

Q66. As per the Hindu Marriage Act, 1955, sapinda relationship with reference to any person extends as far as:

- a) the third generation (inclusive) in the line of ascent through the mother, and the fifth (inclusive) in the line of ascent through the father.
- b) the fifth generation (inclusive) in the line of ascent through the mother and father, both.
- c) the third generation (inclusive) in the line of ascent through the father, and the fifth (inclusive) in the line of ascent through the mother.
- d) the fifth generation (inclusive) in the line of ascent through the mother, and the seventh (inclusive) in the line of ascent through the father.

Solution:

The correct answer is **(b)** the fifth generation (inclusive) in the line of ascent through the mother and father, both.

- Under the Hindu Marriage Act, 1955, a sapinda relationship is prohibited up to the fifth degree of the line of ascent through both mother and father. This prevents marriage between individuals who are closely related by blood.

💡 Quick Tip

The sapinda relationship prohibits marriage within certain degrees of relationship, specifically up to the fifth degree from both paternal and maternal lines.

Q67. An arbitration would be an international commercial arbitration, if the dispute arises from a legal relationship considered as commercial under the laws in force in India and where at least one of the parties is:

- i. an individual who is a national of, or habitually resident in, any country other than India
- ii. a body corporate which is incorporated in any country other than India
- iii. an association or a body of individuals whose central management and control is exercised in any country other than India
- iv. the Government of a foreign country

Select the correct option:

- a) i, ii, iii, iv
- b) Only i and iv
- c) Only iii and iv
- d) Only iv

Solution:

The correct answer is **(a)** i, ii, iii, iv.

- International commercial arbitration applies when the dispute arises from a commercial legal relationship. The defining feature is that at least one party is from a foreign country in one of the following forms:

- i. An individual who is a national or resident outside India.
- ii. A body corporate incorporated outside India.
- iii. An association or body with central management in a foreign country.
- iv. The Government of a foreign country.

This ensures that arbitration can be truly international, involving parties or entities from multiple countries.

 Quick Tip

International commercial arbitration involves at least one foreign entity or party, ensuring cross-border enforcement and resolution of commercial disputes.

Q68. The expression 'law' under Article 13(3)(a) of the Constitution of India does include which of the following?

- a) Only ordinances, bye-law, rule, regulation
- b) Ordinance, custom or usage, constitutional amendments, etc.
- c) Only ordinance, regulation, notification

d) Only ordinance, order, bye-law

Solution:

The correct answer is **(b)** Ordinance, custom or usage, constitutional amendments, etc.
- Article 13(3)(a) of the Constitution defines "law" to include ordinances, orders, bye-laws, rules, regulations, and also customs, usages, and constitutional amendments. This wide definition allows courts to review any law that violates fundamental rights, regardless of its source.

💡 Quick Tip

Under Article 13(3)(a), the term "law" includes ordinances, customs, regulations, and constitutional amendments, all of which can be challenged if they violate fundamental rights.

Q69. Which of the following statements is correct, as per Section 44 of BSA, 2023?

- a) The Qis, whether A was the legitimate son of B. The fact that A was always treated as such by members of the family, is not relevant.
- b) The Qis, whether A and B were not married. The fact that they were usually received and treated by their friends as husband and wife, is not relevant.
- c) The Qis, whether A and B were married. The fact that they were usually received and treated by their friends as husband and wife, is irrelevant.
- d) The Qis, whether A was the legitimate son of B. The fact that A was always treated as such by the members of the family, is relevant.

Solution:

The correct answer is **(d)** The Qis, whether A was the legitimate son of B. The fact that A was always treated as such by the members of the family, is relevant.
- Section 44 of the BSA, 2023, considers whether a person is legitimate or not based on the facts and circumstances surrounding their family life. If a child is treated as the legitimate child of a family, this fact is considered important when establishing legitimacy, even if there is no formal acknowledgment.

💡 Quick Tip

In matters of legitimacy, the treatment of a child by family members plays a significant role in determining legitimacy under the law.

Q70. In which of the following cases did a seven-judge bench of the Supreme Court uphold the constitutional validity of sub-classification in the Scheduled Caste and Scheduled Tribe categories?

- a) E.V. Chinnaiah v. State of Andhra Pradesh (2004)
- b) State of Punjab v. Davinder Singh (2024)
- c) The State of Bihar v. Gaurav Kumar (2024)
- d) Janhit Abhiyan v. Union of India (2019)

Solution:

The correct answer is **(a)** E.V. Chinnaiah v. State of Andhra Pradesh (2004).

- In the case of E.V. Chinnaiah v. State of Andhra Pradesh, the seven-judge bench of the Supreme Court upheld the constitutional validity of sub-classification within the Scheduled Castes and Scheduled Tribes. This judgment clarified the constitutional provision allowing for such sub-classification to provide more focused benefits to the deserving groups within the broader categories.

 Quick Tip

Sub-classification in Scheduled Castes and Tribes helps ensure more precise targeting of benefits to specific groups within these categories.

Qusetion 71. Identify the correct option under the Transfer of Property Act, 1882:

- | | |
|-------------------|------------------|
| A. Gift | I. Section 134 |
| B. Mortgaged debt | II. Section 118 |
| C. Exchange | III. Section 105 |
| D. Lease | IV. Section 122 |

Select the correct option:

- a) A-I, B-II, C-III, D-IV
- b) A-II, B-III, C-IV, D-I
- c) A-IV, B-II, C-III, D-I
- d) A-IV, B-I, C-II, D-III

Solution:

The correct answer is **(c)** A-IV, B-II, C-III, D-I.

- Section 122 of the Transfer of Property Act, 1882, defines "Gift" as a transfer of certain

existing movable or immovable property made voluntarily and without consideration.

- Section 118 defines "Exchange" as the transfer of ownership of one thing for the ownership of another.
- Section 105 defines "Lease" as a transfer of a right to enjoy immovable property for a certain time in exchange for a price or rent.
- Section 134 deals with the extinguishment of a mortgaged debt.

Quick Tip

Remember key sections under the Transfer of Property Act:

- Section 122: Gift
- Section 118: Exchange
- Section 105: Lease
- Section 134: Extinguishment of a mortgaged debt.

Question 72. Which constitutional authority is allowed to empower any other court (except the Supreme Court) to exercise within the local limits of its jurisdiction all or any of the powers (to issue directions or orders or writs) exercisable by the Supreme Court under Article 32?

- a) The Parliament of India
- b) The President in consultation with the Chief Justice of India
- c) The Supreme Court Collegium
- d) The National Judicial Appointment Commission

Solution:

The correct answer is **(b)** The President in consultation with the Chief Justice of India.

- Under Article 32 of the Constitution, the Supreme Court has the power to issue writs. However, it is the President, acting in consultation with the Chief Justice of India, who can empower other courts (except the Supreme Court) to exercise these powers within their jurisdiction.

Quick Tip

Article 32 provides the right to move to the Supreme Court for enforcement of Fundamental Rights. However, the President can authorize other courts to issue writs under certain circumstances.

Q73. Find the odd one out:

- a) According to Blackstone, it is an established rule to abide by the former precedents where the same points come again in litigation.
- b) Ratio decidendi really is that principle of law on which a judicial decision is based.
- c) Persuasive precedents are those precedents which the judges are under an obligation to follow but which they may take into consideration.
- d) A conditionally authoritative precedent is one which though ordinarily binding on the court to which it is cited, is liable to be disregarded in certain circumstances.

Solution:

The correct answer is **(c)** Persuasive precedents are those precedents which the judges are under an obligation to follow but which they may take into consideration.

- Persuasive precedents are not binding on judges, but they can be considered. Option **(c)** describes a misinterpretation, as persuasive precedents are not obligatory. The other options correctly describe authoritative and binding precedents in legal systems.

💡 Quick Tip

- Ratio decidendi is the reason for a decision, which is binding.
- Persuasive precedents can influence decisions but are not binding.

Q74. Match the following:

I. Right to a wholesome environment is a facet of the right to life guaranteed under Article 21 of the Constitution of India	1. Research Foundation for Science Technology and Natural Resource Policy v. Union of India (2005) 10 SCC 510
II. Right to information and community participation for protection of environment and human health is also a right which flows from Article 21	2. Orissa Mining Corpn Ltd v. Ministry of Environment and Forests (2013) 6 SCC 476
III. Precautionary principle and polluter pays principle are part of law of the land	3. Subhash Kumar v. State of Bihar AIR 1991 SC 420
IV. Role of gram sabha in safeguarding the customary and religious rights of scheduled tribes and other traditional forest dwellers under the Forest Rights Act	4. Vellore Citizen Welfare Forum v. Union of India (1996) 5 SCC 647

Table 1: Match the correct case with the corresponding environmental law principle.

Select the correct option:

1. a) I-1, II-2, III-3, IV-4
2. b) I-3, II-1, III-4, IV-2
3. c) I-2, II-1, III-3, IV-4
4. d) I-3, II-4, III-2, IV-1

Solution:

The correct answer is **(b)** I-3, II-1, III-4, IV-2.

- **I. Right to a wholesome environment** is derived from *Subhash Kumar v. State of Bihar (1991)*, where the Court affirmed the right to a healthy environment as a part of the right to life under Article 21.

- **II. Right to information and community participation** was highlighted in *Research Foundation for Science Technology and Natural Resource Policy v. Union of India (2005)*, recognizing the need for transparency and public participation in environmental matters.
- **III. Precautionary principle and polluter pays principle** were discussed in *Vellore Citizen Welfare Forum v. Union of India (1996)*, where the Court incorporated these principles into Indian environmental law.
- **IV. Role of gram sabha** in protecting the rights of forest dwellers under the Forest Rights Act was addressed in *Orissa Mining Corpn Ltd v. Ministry of Environment and Forests (2013)*.

💡 Quick Tip

- The right to a wholesome environment is part of the fundamental right to life under Article 21 of the Constitution. - Environmental rights also include the principles of transparency and participation in decision-making processes.

Q75. An order for the maintenance of wives, children and parents is provided under which Section of BNSS, 2023?

1. a) Section 143
2. b) Section 144
3. c) Section 125
4. d) Section 127

Solution: The correct answer is **(c) Section 125**.

- Section 125 of the Criminal Procedure Code (CrPC) provides for the maintenance of wives, children, and parents who are unable to support themselves.
- This section allows individuals who are unable to maintain themselves to claim maintenance from those who have the means to provide it.

💡 Quick Tip

- Section 125 of CrPC mandates maintenance for wives, children, and parents who cannot support themselves. - The provision ensures that family members who are financially dependent can claim maintenance from those who are capable of providing it.

Q76. Which of the following cases held that a constitutional authority cannot do indirectly what it is not permitted to do directly, specifically in the context of repromulgation of ordinances, and considered this practice as a fraud on the Constitution?

1. a) Minerva Mills v. Union of India (1980)
2. b) DC Wadhwa v. State of Bihar (1986)
3. c) Rameshwar Prasad v. Union of India (2006)
4. d) Kunhayammed Ors v. State of Kerala (2000)

Solution: The correct answer is **(b) DC Wadhwa v. State of Bihar (1986)**.

- In this case, the Supreme Court held that repromulgation of ordinances, without seeking approval from the legislature, is unconstitutional and amounts to a fraud on the Constitution.
- The Court noted that repromulgating ordinances indefinitely would bypass the legislative process, which is not allowed by the Constitution.

 Quick Tip

- Repromulgation of ordinances without legislative approval is unconstitutional as it bypasses the legislative process. - The Supreme Court in DC Wadhwa v. State of Bihar (1986) ruled that such practices are a fraud on the Constitution.

Q77. Which of the following is a ground for revocation of patent?

- a) That the patent was obtained wrongfully in contravention of rights of petitioner
- b) That the invention, so far as claimed in any claim of the complete specification, was claimed in a valid claim of earlier priority date contained in the complete specification of another patent granted in India
- c) That the invention, so far as claimed in any claim of the complete specification, is not useful
- d) All of the above

Solution:

The correct answer is **(d) All of the above**.

- Under the Indian Patents Act, 1970, several grounds for revocation of a patent exist, including:

- a) Wrongful obtaining of a patent in contravention of the petitioner's rights.
- b) Claims overlapping with a valid claim of earlier priority in another granted patent.
- c) Claims in the complete specification that are not useful.

- Revocation ensures that patents are not granted for non-novel or non-utility inventions or obtained wrongfully.

💡 Quick Tip

Grounds for revocation of a patent include wrongful obtaining, overlapping claims, lack of novelty, and non-utility of the invention as per the Indian Patents Act.

Q78. As per — of the Copyright Act, 1957, copyright in a design shall cease to exist if the article to which the design has been applied has been reproduced more than — by an industrial process.

- a) Section 15, fifty times
- b) Section 11, thirty times
- c) Section 32, five times
- d) Section 52, fifteen times

Solution:

The correct answer is **(a) Section 15, fifty times.**

- Under Section 15 of the Copyright Act, 1957, copyright protection for a design ceases if the article to which the design is applied has been reproduced more than fifty times by an industrial process.
- This ensures that widely manufactured industrial designs are protected under the Designs Act rather than copyright law.

💡 Quick Tip

Section 15 of the Copyright Act limits copyright in designs to the first fifty reproductions by an industrial process.

Q79. In which of the following cases, talaq-e-biddat was declared as unconstitutional by the Supreme Court?

- a) Shah Bano v. Union of India
- b) Shayara Bano v. Union of India
- c) Shamim Ara v. State of Uttar Pradesh
- d) Noor Saba Khatoon v. Mohd. Quasim

Solution:

The correct answer is **(b) Shayara Bano v. Union of India.**

- In *Shayara Bano v. Union of India*, the Supreme Court declared talaq-e-biddat (instant triple talaq) unconstitutional.
- The judgment emphasized that this practice violated the constitutional rights of Muslim women, including their right to equality and dignity.

💡 Quick Tip

The Supreme Court in *Shayara Bano v. Union of India* (2017) declared instant triple talaq unconstitutional, reinforcing equality and dignity for Muslim women.

Q80. Under the Legal Services Authorities Act 1987, which of the following persons who have to file or defend a case is entitled to legal services under the Act:

- I. Member of a Scheduled Caste or Scheduled Tribe
- II. Victim of trafficking in human beings or beggar as referred to in Article 23 of the Constitution
- III. Woman or a child
- IV. Industrial workman

Select the correct option:

- a) I, II and III
- b) I, II and IV
- c) I, III and IV
- d) I, II, III and IV

Solution:

The correct answer is **(d) I, II, III and IV**.

- The Legal Services Authorities Act, 1987 provides legal services to a variety of vulnerable groups. The Act covers:

- I. Members of Scheduled Castes and Scheduled Tribes.
- II. Victims of trafficking in human beings or beggars.
- III. Women and children.
- IV. Industrial workmen.

- These categories of people are entitled to free legal aid to ensure access to justice.

💡 Quick Tip

The Legal Services Authorities Act, 1987 entitles individuals from vulnerable groups, including SC/STs, women, children, industrial workmen, and trafficking victims, to free legal aid.

Q81. Under Section 35 of the Transfer of Property Act, 1882, the transferor or his representative may require the transferee to make his election if the transferee does not signify the same:

- a) Within two years
- b) Within one year
- c) Within a reasonable time
- d) None of the above

Solution:

The correct answer is **(c) Within a reasonable time.**

- As per Section 35 of the Transfer of Property Act, 1882, if the transferee does not signify their intention, the transferor or their representative may require the transferee to make an election within a reasonable time.
- The term "reasonable time" is flexible and depends on the circumstances of the case.

 Quick Tip

Section 35 of the Transfer of Property Act, 1882 allows for a transferee to be required to make an election within a reasonable time if they do not signify their intention.

Q82. Which of the following rights did the Supreme Court recognise for non-minorities in the T.M.A. Pai Foundation case (2002) 8 SCC 481 regarding the establishment and administration of educational institutions?

- a) Right to equality under Article 14 and right to property under Article 300A
- b) Right to freedom of religion under Article 25 and right to establish institutions under Article 30
- c) Right to freedom of speech under Article 19(1)(a) and right to privacy under Article 21
- d) Right to carry on any occupation under Article 19(1)(g) and right to manage charitable institutions under Article 26

Solution:

The correct answer is **(a) Right to equality under Article 14 and right to property under Article 300A.**

- In the T.M.A. Pai Foundation case (2002), the Supreme Court recognised that even non-minority educational institutions have the right to establish and administer educational institutions under the right to equality (Article 14) and the right to property (Article 300A).

- The court held that the establishment of educational institutions was not limited to minority institutions but extended to all individuals, including non-minorities, under these constitutional provisions.

 Quick Tip

The Supreme Court in T.M.A. Pai Foundation case recognised that non-minorities have the right to establish and administer educational institutions under Articles 14 (equality) and 300A (property).

Q83. Match the following offences with the corresponding Sections under BNS, 2023.

Offences	Sections
(A) Voyeurism	(1) Section 77
(B) Word, gesture or act intended to insult	(2) Section 79
(C) Stalking	(3) Section 75
(D) Sexual Harassment	(4) Section 78

Select the correct option:

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

Solution:

The correct answer is **(a) A-1, B-3, C-2, D-4.**

- (A) Voyeurism: This offence is covered under Section 77 of the BNS, 2023. Voyeurism is the act of watching someone without their consent, typically in a private setting. - (B) Word, gesture or act intended to insult the modesty of a woman: This is addressed in Section 79 of the BNS, 2023, which deals with actions intended to insult or harm the modesty of a woman. - (C) Stalking: This offence is detailed in Section 75 of the BNS, 2023, which defines stalking and makes it a punishable offence. - (D) Sexual Harassment: Sexual harassment is dealt with under Section 78 of the BNS, 2023, addressing various forms of harassment towards women.

 Quick Tip

Voyeurism, stalking, and sexual harassment are specific offences addressed under distinct sections of BNS, 2023. Remember the sections: Section 77 for voyeurism, Section 79 for insulting modesty, Section 75 for stalking, and Section 78 for sexual harassment.

Q84. At the heart of the Paris Agreement climate change regime is Intended Nationally Determined Contributions (NDC). Which of the following best describes an NDC?

- a) legally binding targets for reducing greenhouse gas emissions for all countries, regardless of their economic status
- b) fixed regional targets set by the United Nations that countries must comply with to mitigate climate change
- c) voluntary commitments made by countries outlining their plans to reduce greenhouse gas emissions and adapt to climate impacts, based on national circumstances
- d) financial mechanism to provide developing countries with funding for climate adaptation and mitigation efforts

Solution:

The correct answer is **(c) voluntary commitments made by countries outlining their plans to reduce greenhouse gas emissions and adapt to climate impacts, based on national circumstances.**

- NDCs (Intended Nationally Determined Contributions): These are voluntary, country-specific plans that outline the actions each country intends to take to reduce emissions and adapt to climate change. NDCs are not legally binding, but they are central to the Paris Agreement's goal of limiting global warming. - Option (a) is incorrect because the targets are not legally binding for all countries, especially for developing nations, which may have different levels of responsibility. - Option (b) is incorrect as the United Nations does not set regional targets for countries. Instead, each country sets its own targets under the Paris Agreement. - Option (d) refers to the financial mechanisms under the Paris Agreement, but it is not the definition of an NDC.

 Quick Tip

NDCs are voluntary contributions from each country that focus on emission reductions and adaptation actions based on national contexts. They are central to the Paris Agreement but are not legally binding.

Q85. Match the following with the relevant provisions of the Protection of Plant Variety and Farmers Rights Act, 2001:

- | | |
|---------------------------|---------------|
| I. Breeders Rights | A. Section 30 |
| II. Researchers Rights | B. Section 41 |
| III. Farmers Rights | C. Section 28 |
| IV. Rights of Communities | D. Section 39 |

Select the correct option:

- a) I-C, II-A, III-D, IV-B
- b) I-C, II-A, III-B, IV-D
- c) I-A, II-B, III-C, IV-D
- d) I-D, II-C, III-B, IV-A

Solution:

The correct answer is **(b) I-C, II-A, III-B, IV-D.**

- Breeders Rights are provided under **Section 28**, which grants rights to the breeders of plant varieties. This corresponds to option I-C. - Researchers Rights are specified under **Section 30**, which allows researchers to use varieties for research purposes, making this option II-A. - Farmers Rights are granted under **Section 39**, which protects the rights of farmers with respect to the use and saving of plant varieties, making this III-B. - Rights of Communities are provided under **Section 41**, which recognizes the role of communities in maintaining plant varieties, thus corresponding to IV-D.

 Quick Tip

The Protection of Plant Variety and Farmers Rights Act, 2001 outlines rights for breeders, researchers, farmers, and communities regarding plant varieties. These rights are divided into specific sections as per the Act.

Q86. As per the Hindu Adoptions and Maintenance Act, 1956, which of the following statement is false?

- a) A Hindu male or a female who is of sound mind and is not a minor can adopt a son or daughter.
- b) Only the father, mother or the guardian of the child has the capacity to give the child in adoption.
- c) If the adoption is by a male and the person to be adopted is a female, or if the adoption is by a female and the person to be adopted is a male, the person adopting shall be at least eighteen years older than the person to be adopted.
- d) The person being adopted shall necessarily be Hindu.

Select the correct option:

Solution:

The correct answer is **(d) The person being adopted shall necessarily be Hindu.**

- Explanation: - As per the Hindu Adoptions and Maintenance Act, 1956, the person adopting a child must be Hindu, but there is no such requirement for the person being adopted. A non-Hindu child can also be adopted by a Hindu individual. - Option (d) is incorrect because it imposes a restriction on the religion of the person being adopted, which is not mandated by the Act.

 Quick Tip

Under the Hindu Adoptions and Maintenance Act, 1956, while the adoptive parent must be Hindu, the adopted child does not necessarily have to be Hindu. This allows flexibility in adoption under Hindu law.

Q87. Which Constitutional Amendment Act introduced the concept of consequential seniority in promotions for Scheduled Castes and Scheduled Tribes?

- a) 85th Amendment Act, 2001
- b) 77th Amendment Act, 1995
- c) 86th Amendment Act, 2002
- d) 81st Amendment Act, 2000

Select the correct option:

Solution:

The correct answer is **(a) 85th Amendment Act, 2001.**

- Explanation: The 85th Amendment Act of 2001 introduced the concept of "consequential seniority" in promotions for Scheduled Castes (SCs) and Scheduled Tribes (STs). It ensures that when an SC/ST candidate is promoted, their seniority will be counted from the date of promotion, even if they are promoted on the basis of a reservation policy. This amendment addressed issues arising from the non-grant of seniority in some cases of promotions.

 Quick Tip

The Hindu Adoptions and Maintenance Act, 1956, sets out the legal framework for adoption in Hindu families. The concept of "consequential seniority" in promotions for SCs and STs was introduced by the 85th Constitutional Amendment Act, 2001, addressing the issue of seniority for those promoted under reservation schemes.

Q88. Which of the following is correct regarding the 'Accomplice' under BSA, 2023?

- a) Is not a Competent witness against an accused person
- b) Is a Competent witness against an accused person but any conviction based on that is illegal
- c) Is a Competent witness against an accused person and conviction is not illegal if it proceeds upon the corroborated testimony of an accomplice
- d) Is not a Competent witness against an accused person but its conviction is not illegal

Select the correct option:

Solution:

The correct answer is **(c) Is a Competent witness against an accused person and conviction is not illegal if it proceeds upon the corroborated testimony of an accomplice.**

- Explanation: - An accomplice is considered a competent witness in a trial. However, the conviction cannot solely rest on the testimony of an accomplice unless it is corroborated by other evidence. If the testimony is corroborated, then a conviction can be made based on it. - Option (c) correctly captures this legal principle.

💡 Quick Tip

An accomplice's testimony is admissible in court, but a conviction based solely on their testimony is not legally sound unless supported by corroborative evidence.

89. Marshalling securities under Section 81 of the Transfer of Property Act, 1882 means the entitlement of subsequent mortgagee to have the prior mortgage debt satisfied out of the property:

- a) Not mortgaged to him but to the prior mortgagee alone
- b) Mortgaged commonly to him and to the prior mortgagee
- c) Not mortgaged to him, but owned by the mortgager
- d) None of the above

Select the correct option:

Solution:

The correct answer is **(a) Not mortgaged to him but to the prior mortgagee alone.**

- Explanation: Marshalling securities refers to the principle under Section 81 of the Transfer of Property Act, 1882, where a subsequent mortgagee has the right to seek the satisfaction of the prior mortgage debt from the property that was not mortgaged to him but mortgaged to the prior mortgagee. This ensures that the subsequent mortgagee can protect his interest.

💡 Quick Tip

Under BSA, 2023, an accomplice's testimony is admissible if corroborated. In the context of Section 81 of the Transfer of Property Act, 1882, marshalling securities allows a subsequent mortgagee to seek satisfaction of the prior debt from other properties not mortgaged to him.

Q90. Decide the incorrect statement with respect to Hart-Fuller debate on the Nazi

Grudger case:

- a) Hart argued from a positivist approach that moral issues should not be considered within a legal system and that a law should not be invalidated on moral judgment. The wives could not be punished on the ground that it was not law but later could be punished on the ground that it was retrospective legislation.
- b) Fuller explained that the wives were correctly sentenced because at the time there was no Nazi law as it was devoid of morality and thus had no legitimacy.
- c) Fuller contended that the women in the case would become criminally liable not because what they did was illegal but because a later statute rendering it illegal by repealing the Nazi law and assuming retrospective effect.
- d) Hart admits that it could be wrong to punish a person when what they did was then permitted by statute because of the Latin principle of *Nulla Poena Sine Lege* which means there can be no punishment without law.

Select the correct option:

Solution:

The correct answer is **(b) Fuller explained that the wives were correctly sentenced because at the time there was no Nazi law as it was devoid of morality and thus had no legitimacy.**

- Explanation: - Hart, a legal positivist, argued that laws are valid based on their sources, not their morality, and that moral judgment should not invalidate a law. He explained that the retrospective legislation could allow the punishment of the wives. - Fuller, however, rejected the idea of immoral laws being valid. He believed that laws need to have a moral basis to be legitimate, but he did not justify sentencing based on a lack of a Nazi law. - Option (b) is incorrect because Fuller did not argue that the wives were correctly sentenced solely due to the absence of Nazi law but focused on the need for moral legitimacy in law.

Quick Tip

In the Hart-Fuller debate, Hart focused on legal positivism, where laws are valid based on their source, while Fuller emphasized the importance of morality for the legitimacy of laws. The principle of **Nulla Poena Sine Lege** means no one should be punished for actions not defined as crimes at the time they were committed.

Q91. Match the following:

The Code on Wages Industrial Relations Code The Code on Social Security Code on Occupational Safety, Health and Working Conditions	A. Employees Compensation B. The Equal Remuneration Act C. The Trade Union Act D. The Contract Labour Act
---	--

Select the correct option:

Solution:

The correct answer is (b) **1-B, 2-C, 3-A, 4-D**.

- Explanation: - The Code on Wages is related to The Equal Remuneration Act (Option B) as it deals with wage determination and payment. - The Industrial Relations Code aligns with The Trade Unions Act (Option C), as it covers industrial disputes and union matters. - The Code on Social Security relates to The Employees Compensation Act (Option A), focusing on social security benefits for workers. - The Code on Occupational Safety, Health and Working Conditions matches with The Contract Labour Regulation Act (Option D), which regulates working conditions for contract workers.

 Quick Tip

Understanding the relationship between different labour laws and their corresponding codes helps in correctly matching provisions. For example, wage-related laws connect with the Equal Remuneration Act, and industrial relations issues connect with the Trade Unions Act.

Q92. Match the following:

School of Jurisprudence	Description
Natural Law	A. Rules Based on reason
Analytical	B. Principles enforced by courts
Realism	C. Immutable and eternal rules based on moral/divine law
Philosophical	D. Law as it is

Select the correct option:

Solution:

The correct answer is (c) **1-C, 2-D, 3-B, 4-A**.

- Explanation: - Natural Law is based on immutable and eternal rules rooted in moral or divine law (Option C). - Analytical School is about law as it is, or the factual approach to law (Option D). - Realism focuses on principles enforced by courts and the practical application of laws (Option B). - Philosophical School views law as based on reason and the rational principles of justice (Option A).

 Quick Tip

Different schools of jurisprudence have distinct views on law. Natural law focuses on morality, while legal realism emphasizes the application of law in real-life situations.

Q93. Which of the following statements best describes a social media intermediary?

- a) a platform that provides e-commerce services and facilitates online shopping by connecting online retailer with buyers
- b) an intermediary which enables online interaction between two or more users and allows them to create, upload, share, disseminate, modify or access information using its services
- c) an intermediary that primarily facilitates financial transactions between individuals and businesses
- d) a website that hosts digital content but does not enable any interaction between users

Select the correct option:

Solution:

The correct answer is **(b) an intermediary which enables online interaction between two or more users and allows them to create, upload, share, disseminate, modify or access information using its services.**

- Explanation: - A social media intermediary is defined as a platform that facilitates interactions between users, allowing them to share or create content. This includes platforms like Facebook, Twitter, and Instagram where users can upload and interact with content.

 Quick Tip

Social media intermediaries are platforms that enable user-generated content and facilitate social interaction between users.

Q94. A key pillar of International Refugee Law is that “No Contracting State shall expel or return [...] a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.” This is also referred to as:

- a) principle of non-refoulment
- b) right to asylum
- c) access to durable solution
- d) protection against discrimination

Select the correct option:

Solution:

The correct answer is **(a) principle of non-refoulment**.

- Explanation: - The principle of non-refoulment prohibits the return of refugees to a country where their life or freedom would be at risk. It is a cornerstone of international refugee protection, ensuring that individuals are not forcibly returned to dangerous situations.

💡 Quick Tip

The principle of non-refoulment is a critical protection under international refugee law, ensuring that refugees are not sent back to situations where they face persecution.

Q95. A transfer of property may be made without writing in every case in which writing is not expressly required by law. Which of the following would be such a case?

- a) Gift of immovable property
- b) Transfer of actionable claim
- c) Sale of immovable property of the value of less than 100
- d) Simple mortgage irrespective of the amount secured

Select the correct option:

Solution:

The correct answer is **(b) Transfer of actionable claim**.

- Explanation: - Actionable claims, such as a claim to money, can be transferred without writing under certain conditions. This is governed by the Transfer of Property Act. However, a gift of immovable property or a sale of immovable property requires writing.

💡 Quick Tip

Transfers of actionable claims, unlike immovable property, can generally be made without a written document, as long as no specific law mandates it.

Q96. What does the principle of non-regression mean in International Environmental Law?

- a) measures of environmental protection already achieved should not be reversed or di-

minished

- b) all environmental laws must be continuously revised to be more lenient
- c) acknowledges inherent flexibility whereby stringent environmental standards may be reversed to accommodate developmental concerns
- d) requires that states moderate their commitments to international environmental agreements over time

Select the correct option:

Solution:

The correct answer is **(a) measures of environmental protection already achieved should not be reversed or diminished.**

- Explanation: - The principle of non-regression in environmental law emphasizes that once protective measures are established, they should not be undone or weakened. This ensures that progress in environmental protection is not reversed.

 Quick Tip

Non-regression ensures that progress made in environmental protection is not reversed, preserving achievements over time.

Q97. Which of the following statements best captures the key difference between a Lok Adalat and Permanent Lok Adalat?

- a) Permanent Lok Adalat mediates, while Lok Adalats conciliates
- b) Jurisdiction of Permanent Lok Adalat includes any civil matter, while Lok Adalats is limited to public utility services
- c) Permanent Lok Adalat has the power to adjudicate the matter if the dispute does not relate to any offence, while Lok Adalat has no powers of adjudication
- d) Award of a Permanent Lok Adalat cannot be appealed against, while decision of the Lok Adalat is subject to regular appeal process

Select the correct option:

Solution:

The correct answer is **(c) Permanent Lok Adalat has the power to adjudicate the matter if the dispute does not relate to any offence, while Lok Adalat has no powers of adjudication.**

- Explanation: - Permanent Lok Adalat has the authority to adjudicate disputes, unlike Lok Adalats, which only offer a conciliatory resolution process and cannot pass binding

judgments.

 Quick Tip

Permanent Lok Adalat can adjudicate disputes and make binding decisions, whereas Lok Adalats focus on mediation and conciliation.

Q98. “Associate company” in relation to another company means a company:

- a) In which that other company has a significant influence, but which is not a subsidiary company of the company having such influence and includes a joint venture company.
- b) Where control of at least twenty per cent of total voting power, or control of or participation in business decisions is given under an agreement.
- c) Where a joint arrangement whereby the parties that have joint control of the arrangement have rights to the net assets of the arrangement.
- d) All of the above.

Select the correct option:

Solution:

The correct answer is **(d) All of the above.**

- Explanation: - An “associate company” is one where another company has significant influence, which can include holding at least 20

 Quick Tip

An associate company is defined by significant influence, typically through holding a significant percentage of voting power or participation in decision-making.

Q99. What is the condition prescribed under Section 6 of the Income Tax Act, 1961 for an individual to be classified as a ‘Resident’ in India for tax purposes?

- a) The individual stays in India for 90 days or more during the relevant financial year.
- b) The individual stays in India for 182 days or more during the relevant financial year.
- c) The individual has stayed in India for at least 150 days in the past 4 years.
- d) The individual must own property in India.

Select the correct option:

Solution:

The correct answer is **(b) The individual stays in India for 182 days or more during the relevant financial year.**

- Explanation: - As per Section 6 of the Income Tax Act, an individual is considered a resident for tax purposes if they are present in India for 182 days or more in the relevant financial year.

 Quick Tip

An individual becomes a resident for tax purposes if they stay in India for 182 days or more during the financial year.

Q100. Pick the correct statement:

- a) A pure monopoly may be either regulated such as power generation or unregulated having control over natural resources or technology driven firms
- b) Monopolistic competition is characterised by product differentiation, brand loyalty and there is no price competition
- c) In an oligopoly, there are few sellers in the market who are highly sensitive to each other's pricing and marketing strategies
- d) All of the above are correct

Select the correct option:

Solution:

The correct answer is **(d) All of the above are correct.**

- Explanation: - (a) A pure monopoly can either be regulated (e.g., power generation) or unregulated (e.g., firms with natural resource control). - (b) Monopolistic competition involves product differentiation and brand loyalty, though there is some price competition. - (c) In an oligopoly, few firms dominate the market and are highly sensitive to each other's actions.

 Quick Tip

Monopolies, monopolistic competition, and oligopolies have distinct market characteristics that influence pricing, competition, and strategy.