

LL.M. ADMISSION TEST – 2011

Date of Exam : 1 May, 2011 (Sunday)

Center Name : _____

Duration : 90 Minutes

Admit Card No : _____

Max. Marks : 150

Answer Sheet No : _____

INSTRUCTIONS TO CANDIDATES

1. No clarification on the Question paper can be sought. Answer the questions as they are.
2. There are **100** multiple choice objective type questions of one mark each which has to be answered in the OMR sheet.
3. Candidates have to indicate the correct answer by darkening one of the four responses provided in the OMR Sheet. Use **ONLY HB PENCIL AND DO NOT USE BALL POINT/INK/GEL PEN.**

Example: For the question, "Where is the Taj Mahal located?". The correct answer is B. The candidate has to darken the corresponding circle as indicated below:

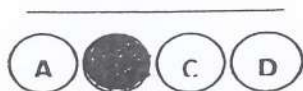
A) Kolkata

B) Agra

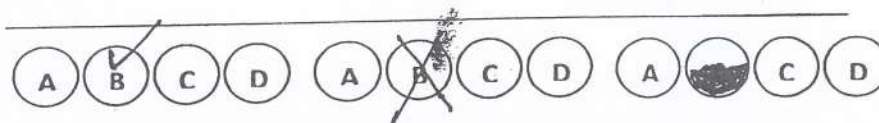
C) Bhopal

D) Delhi

Right Method



Wrong Methods



4. There is one essay question of 50 marks which has to be answered in a separate sheet with a pen. **Total marks are 150.**
5. There is no negative marking.
6. Answering the questions by any method other than the method mentioned above shall be considered incorrect and no marks will be awarded for the same.
7. More than one response to a question shall be counted as **Zero**.
8. The candidate shall not write anything on the Answer Sheet other than the details required and in the spaces provided for.
9. After the examination is over, the candidate has to return the test booklet along with the Answer Sheet, to the invigilator.
10. The use of any unfair means by any candidate will result in the cancellation of his/ her candidature.
11. Impersonation is an offence and the candidate, apart from disqualification, may have to face criminal prosecution.
12. No electronic gadgets like mobile phone or calculator will be permitted inside the test centers.

LLM Entrance Test

1. *Autre fois Acquit* principle is related to :
 - (A) self –incrimination
 - (B) ex-post facto law
 - (C) retrospective operation
 - (D) double jeopardy
2. "Right to Life" under Article 21 does not include:
 - (A) Right to food
 - (B) Right to legal aid
 - (C) Right to vote
 - (D) Right to livelihood
3. Article 33 empowers Parliament to:
 - (A) Enforce Fundamental Rights
 - (B) Impose marital law
 - (C) Declare emergency
 - (D) Modify Fundamental Rights in relation to Armed Forces
4. By which Amendment the word "armed rebellion" has been substituted in place of "internal disturbance" under Article 352? it is
 - (A) 39th
 - (B) 42nd
 - (C) 44th
 - (D) 52nd
5. According to the decision of *B. Emmanuel vs State of Kerala*, what is imperative to show the requisite respect to the National Anthem?
 - (A) To bow
 - (B) To sing the same
 - (C) To stand respectfully.
 - (D) To sing and stand respectfully
6. How many duties are conferred on citizens in Article 51-A:
 - (A) 8
 - (B) 9
 - (C) 11
 - (D) 14
7. Which of the following Articles of the Constitution of India relates/relate to the protection and improvement of environment?
 - (A) Article 48A only
 - (B) Article 51A only
 - (C) Both Article 48A and Article 51A

(D) Neither Article 48A nor Article 51A

8. In which one of the following cases, did the Supreme Court observe that there is a need to confine the exercise of power under Article 356(1) strictly to the situation mentioned therein which is a condition precedent to the said exercise?

- (A) S. R. Bommai vs Union of India
- (B) Minerva Mills Ltd. vs Union of India
- (C) Golak Nath vs State of Punjab
- (D) State of Rajasthan vs Union of India

9. All cases regarding the interpretation of the Constitution can be brought to the Supreme Court under Jurisdiction:

- (A) Appellate
- (B) Advisory
- (C) Original
- (D) All of the above

10. Under which Article of the Indian Constitution, the Parliament is empowered to make provisions with respect to elections to legislatures?

- (A) 326
- (B) 327
- (C) 328
- (D) 329

11. In which of the following cases has the Supreme Court ruled that the reasons have to be communicated to the legislature by the Government if the advice of Public Service Commission has not been accepted?

- (A) Jai Shankar Prasad v. State of Bihar
- (B) Asha Kaul v. State of Jammu and Kashmir
- (C) Jagtar Singh v. The Director, Central Bureau of Investigation
- (D) H. Mukherjee v. Union of India

12. Which of the following pairs is correctly matched?

- | | |
|---------------|---------------------------------------|
| (A) Art. 31-A | Acquisition of estates |
| (B) Art. 31-B | Exercise of Police Power |
| (C) Art. 32 | Appointment of Chief Justice of India |
| (D) Art. 148 | Attorney General of India |

13. No criminal proceedings shall be instituted or continued against which one of the following in any court during the term of his office?

- (A) President, Vice-President or Governor
- (B) President, Prime Minister and Governor
- (C) President and Governor only
- (D) President, Vice-President and Prime Minister

14. In which of the following cases the Supreme Court held that Narco analysis, brain mapping etc, violate the 'right against self-incrimination'?
- (A) Parliament attack case
 - (B) Selvi Vs State of Karnataka
 - (C) Naz Foundation case
 - (D) None of these
15. In which one of the following cases the new concept of doctrine of equality i.e. 'protection against arbitrariness' was propounded by Justice Bhagwant?
- (A) Air India v. Narges Mirza
 - (B) Pradeep Jain v. Union of India
 - (C) E. P Royappa v. Union of India
 - (D) D. K. Bakshi v. Union of India
16. The concept of continuing mandamus was evolved in
- (A) Maneka Gandhi case One of the writs
 - (B) Vineet Narain case
 - (C) D.K. Basu case
 - (D) Golaknath case
17. Under Art. 316 (2), a member of Public Service Commission shall hold office for a term of:
- (A) 4 years until he attains the age of 65 years for both Union as well as States
 - (B) 6 years until he attains the age of 65 years for Union and 62 years for States
 - (C) 6 years until he attains the age of 65 years for union as well as States
 - (D) None of the above
18. "Hicklin Test" under Article 19 (2) is related to –
- (A) Decency and Morality
 - (B) Defamation
 - (C) Integrity of India
 - (D) None of the above
19. Article 15 prohibits discrimination on grounds only of:
- (A) Religion, Race, Caste, Sex, Place of birth, Residence or any of them
 - (B) Religion, Race, Caste, Sex, Place of birth
 - (C) Religion, Race, Caste, Sex, Place of birth or any of them
 - (D) None of the above
20. Article 24 prohibits child labour in:
- (A) All employments
 - (B) Hazardous industries
 - (C) All employments excluding households

(D) None of the above

21. Following is example of source of Law

- (A) Custom
- (B) Traits
- (C) Taboos
- (D) Dogmas

22. Which of the following regards natural law as only a phrase of the English language, and natural rights as “nonsense on stilts”?

- (A) Kelsen
- (B) Salmond
- (C) Bentham
- (D) Fuller

23. The grundnorm, according to Kelsen could be:

- (A) Constitution
- (B) Will of the dictator
- (C) Principle “*pacta sunt servanda*”
- (D) All of the above

24. Who said: “Law is not a set of rules but is a method or technique for harmonizing conflicting social interest?”

- (A) Ihering
- (B) Bentham
- (C) R. Pound
- (D) Hugo

25. Select the correct option:

- (A) ‘Sources of Law’ : Salmond
- (B) ‘Nature and Sources of Law’ : Gray
- (C) ‘Des rech des hesitzes’ : Savigny
- (D) All of the above

26. Who classified the sources of law as binding and persuasive sources

- (A) Salmond
- (B) Allen
- (C) Keeton
- (D) Duguit

27. Austin’s positive morality is the other name for

- (A) Customs without sanction
- (B) Local custom

- (C) Legal custom
- (D) Conventional custom

28. Who defines right as a “legally protected interest”

- (A) Ihering
- (B) Salmond
- (C) Austin
- (D) Holland

29. The doctrine of precedent requires

- (A) existence of local custom
- (B) Sanction behind the custom
- (C) Consistency
- (D) Hierarchy of courts

30. Which if the following jurist has laid down the concept of “causa instrumentalis” and “causa principalis”?

- (A) Puchta
- (B) Savigny
- (C) Maine
- (D) Montesquieu

31. What is justice, equity and good conscience

- (A) Existence of justice
- (B) Common law principle
- (C) Decision that is fair and just to parties to the dispute
- (D) Principle of natural justice

32. According to Hart, which secondary rule is a remedy for uncertainty of regime of primary? Rules?

- (A) Secondary rule of recognition
- (B) Secondary rule of adjudication
- (C) Secondary rule of legislation
- (D) Secondary rule of validation

33. What are primary sources of law?

- (A) Law journals
- (B) Constitution
- (C) Interpretation of law
- (D) Legal treatises

34. Which one of the following jurists emphasized that “we cannot understand what a thing is, unless we study what it does”?
- (A) Austin
 - (B) Pound
 - (C) Kelson
 - (D) Salmond
35. Who said “Jurisprudence is the science of law the statement and systematic arrangement of the rules followed by the courts and the principles involved in these rules”?
- (A) Gray
 - (B) Salmond
 - (C) Allen
 - (D) Bryce
36. Which of the following is a juristic person?
- (A) State
 - (B) Companies
 - (C) Associations
 - (D) All the above
37. Who supported the fiction theory of corporate personality?
- (A) Savigny
 - (B) Salmond
 - (C) Dicey
 - (D) All the above
38. The natural theory of property is supported by
- (A) Gracius
 - (B) Blackstone
 - (C) A and B
 - (D) B and C
39. The jurist who supported the will theory of legal right
- (A) Austin
 - (B) Locke
 - (C) Kelsen
 - (D) All the above
40. ‘*Jura in re alia*’ means
- (A) Encumbrance over material or material things
 - (B) Patents
 - (C) Trade-marks
 - (D) None of the above

41. The definition, "Tort means a civil wrong which is not exclusively a breach of trust" is given by:
- (A) Salmond
 - (B) Pollock
 - (C) Winfield
 - (D) Section 2(m), the Limitation Act, 1963
42. The guiding principle of foreseeability laid down in Wagon Mound's case for determination of liability in tort has been followed in India in which one of the following cases?
- (A) C. B. Singh vs The Cantonment Board, Agra
 - (B) Sushma Mitra vs M.P.S.R.T. Corporation
 - (C) Veeran vs Krishnamurthy
 - (D) Manindra Nath vs Mathuradas
43. A employs B, a surgeon, to attend his infant son C. By reason of B's negligence C is injured. Which one of the following is correct?
- (A) A can sue B for tort only
 - (B) Both A and C can sue B for tort only
 - (C) A can sue B for tort or for breach of contract
 - (D) A can sue B neither for tort nor breach of contract
44. Who defined "Act of God" as "an operation of natural force so unexpected to anticipate it"?
- (A) Salmond
 - (B) Winfield
 - (C) Frazier
 - (D) Pollock
45. In Municipal Corporation of Delhi vs Subhagwanti, the Supreme Court applied which one of the following principles?
- (A) Last opportunity rule
 - (B) Contributory negligence
 - (C) Basic negligence
 - (D) Res ipsa loquitur
46. The window panels of a building belonging to the defendant, which was by the side of a highway, had been broken one Friday in an air-raid. The plaintiff was injured by a glass falling from the window the next Thursday by which time no repairs had been got done by the defendant. In this case, which one of the following is correct?
- (A) The defendant is liable for negligence
 - (B) The defendant is liable for nuisance
 - (C) The defendant is not liable either of nuisance or of negligence

(D) The defendant would get the defense of inevitable accident

47. Last Opportunity Rule is related to:

- (A) Vicarious liability
- (B) Contributory negligence
- (C) Nuisance
- (D) Defamation

48. Special damage has got to be proved in an action for:

- (A) Trespass
- (B) False Imprisonment
- (C) Public Nuisance
- (D) None

49. Kasturilal case deals with principle of

- (A) Negligence
- (B) Nuisance
- (C) Sovereign immunity
- (D) Joint Tortfeasors

50. Where does vicarious liability generally arise from?

- (A) A contract of service
- (B) A contract for service
- (C) A contract of service as well as a contract for service
- (D) A wrongful act of the master

51. A man's reputation is his property, and if possible, more valuable, than other property. It was observed in:

- (A) Dixon v. Holden
- (B) Monson v. Tunsands Ltd.
- (C) Youssoupoff v. M. G. M. Pictures Ltd.
- (D) Austic v. Dowling

52. The absolute liability principle was propounded in

- (A) IMA case
- (B) Bhopal Case
- (C) Gas leak case
- (D) Common case

53. "Shock must be such as arises from reasonable fear of immediate personal injury to oneself". It was held in:

- (A) Mrs. Hambrook v. Stokers Bros
- (B) Mrs. Dulieu v. White and sons
- (C) Bourhill v. young

(D) Wilkinson v. Downton

54. 'De minimis non curat lex' means:

- (A) Law taken account of every trifling matter
- (B) Law cares every comfort of the party
- (C) Law does not take account of every trifling matter
- (D) Discomfort is the test of nuisance

55. 'The infliction of body restraint which is not expressly is impliedly authorized by law is the false imprisonment' who said it?

- (A) Winfield
- (B) Pollock
- (C) Blackburn
- (D) Salmond

56. Constitutional tort was developed in

- (A) Bhopal Case
- (B) Rudal Shah Case
- (C) Kasturilal Case
- (D) CEPC Case

57. Obstructing a Public way by digging a trench is:

- (A) Private Nuisance
- (B) Public Nuisance
- (C) Trespass
- (D) Negligence

58. Malicious Prosecution is a tort intending to protect:

- (A) Against abuse of legal proceedings
- (B) Right of the police to prosecute the criminal
- (C) The accused against police excesses
- (D) The police against civil proceedings against it

59. Which one of the following sets correctly identifies the specific defences available in an action for defamation?

- (A) Privilege, truth, fair comment
- (B) Privilege, mistake, fair comment
- (C) Truth, mistake, fair comment
- (D) Truth, privilege, mistake

60. In contributory negligence –

- (A) Both parties have contributed to negligence equally.
- (B) Only one party is negligent and other has not taken due care.
- (C) One party is negligent resulting in injury while the other has taken due care.

(D) When lack of care is equal is equal on both sides.

61. The communication of an offer or proposal is complete when-

- (A) It comes to the knowledge of the person to whom it is made.
- (B) The letter containing the proposal is put in the court of transmission.
- (C) The person to whom the proposal is made, reads the letter.
- (D) When the proposal is communicated to the person to whom it is made.

62. Which one of the following will constitute a valid acceptance?

- (A) An inquiry as to fitness of the subject matter of contract
- (B) Addition of superfluous term, while accepting the offer
- (C) A provisional acceptance
- (D) A conditional acceptance

63. When a contract is caused by fraud, the contract is

- (A) Void or initio
- (B) Voidable from inception
- (C) Voidable by subsequent events
- (D) Valid

64. The case of Mohori Bibi v. Dharmodas Ghose

- I. Is the decision of the Supreme Court of India regarding minor's contract.
- II. Has laid down that in India, a minor's contract is void.
- III. Has laid down that minor's contract becomes valid when he attains majority.

Which of the following statement(s) is/ are correct?

- (A) I and III
- (B) III above
- (C) I and II
- (D) II alone

65. In which of the following cases, Subba Rao J. cautioned against the evolution of new heads of public policy:

- (A) Gherulal v. Mahadeo
- (B) Gangamma v. Kupammal
- (C) Khubchand v. Beram
- (D) Bhagwan Datt Shastri v. Raja Ram

66. A contract may be discharged by mutual agreement between the parties. It is called-

- (A) Rescission or cancellation of contract
- (B) Alteration of contract
- (C) Novation of contract
- (D) None of the above

67. Which doctrine was prevailing before the doctrine of frustration?

- (A) Doctrine of unjust enrichment
- (B) Doctrine of implied term
- (C) Doctrine of non-performance
- (D) None of the above

68. The loss or damage arising from a breach of contract has to be ascertained:

- (A) At the time of breach of contract
- (B) At the time of making of contract
- (C) At the time of frustration of contract
- (D) None of the above

69. What is an agreement to discover a treasure by magic?

- (A) Valid contract as it is voluntarily concluded
- (B) Void contract as it is impossible of performance
- (C) Voidable contract as it amounts to misrepresentation
- (D) Unenforceable contract as it is against notions of public policy

70. If a contract is caused by mistake as to a law not in force in India i.e. a foreign law, such contract is:

- (A) Valid and enforceable
- (B) Voidable
- (C) Void ab initio and unenforceable
- (D) Valid but unenforceable

71. Liability of the surety under the Indian Contract Act is

- (A) Conditional on default
- (B) Independent of default
- (C) Can be conditional and can be independent
- (D) Either (a) or (b)

72. A contracts to pay B Rs. 10,000/- if B's house is burnt.
What type of contract is this?

- (A) Wagering contract
- (B) Unlawful contract
- (C) Contingent contract
- (D) Voidable contract

73. Which one of the following statements is correct?
Promissory estoppel is

- (A) A variant of deception
- (B) Not a form of contract
- (C) An equitable doctrine
- (D) A type of offer

74. Under Section 73 of the Indian Contract Act –
- (A) Special damages can not be claimed
 - (B) Special damages can be claimed if the party breaking the contract is made known of the special circumstances at any time before the breach
 - (C) Special damages can be claimed if the party breaking the contract is made known of the special circumstances at the time of the contract
 - (D) None of the above
75. By threat of suicide. A induced his wife and son to execute a contract.
What is it according to the Indian Contract Act?
- (A) An unlawful contract
 - (B) voidable contract
 - (C) A void contract
 - (D) It is not a contract at all
76. What is the period of limitation for a suit against pawnee to recover the thing pledged, under the Indian Contract Act?
- (A) 1 year from the date of pawn
 - (B) 3 years from the date of pawn
 - (C) 12 years from the date of pawn
 - (D) 30 years from the date of pawn
77. Which of the following principle is the determining factor in quasi-contractual obligations?
- (A) Principle of natural justice and equity
 - (B) Principle of equity, trusts and relief
 - (C) Principle of just and reasonable solution
 - (D) None of the above
78. A material alteration made in a written document/ contract by a party without the consent of the other party, makes the contract-
- (A) Voidable
 - (B) Void
 - (C) Illegal
 - (D) Unenforceable
79. In case of breach of contract, where the penalty clause is stipulated, it means-
- (A) The party complaining the breach of the contract need not ti prove the actual loss.
 - (B) The discretion lies with the defaulter
 - (C) The discretion lies with the court
 - (D) The party complaining the breach of the contract must prove actual loss
80. 'A' breaks his promise to sell and deliver certain goods to 'B'. In respect of general damages, 'B' is entitled to receive from 'A' –

- (A) The difference between the contract and the market price of goods.
- (B) The difference between the contract and fair price of goods.
- (C) The difference between the contract and reasonable price of goods.
- (D) None of the above

81. Indian Penal Code is divided into-

- (A) XXI Chapters and 503 Sections
- (B) XXIII Chapters and 511 Sections
- (C) XXII Chapters and 511 Sections
- (D) XXIII Schedules and 511 Sections

82. A, a public servant is authorized by warrant from court of justice to apprehend Z.B. knowing that fact and also that C is not Z, willfully represents to A that C is Z and thereby cause A to apprehend C. How does B abet?

- (A) By way of instigation
- (B) By way of conspiracy
- (C) By way of aiding
- (D) By way of supporting

83. P instigates Q to cause the death of R. P gives a gun to Q to shoot at R. Q shoots at R in the presence of P causing R's death.

Which one of the following statement is correct?

- (A) Both P and Q are liable for criminal conspiracy
- (B) Both P and Q are jointly liable for the murder of R
- (C) Q is liable for murder, P is only an abettor
- (D) Only P is liable for criminal conspiracy

84. 'Good Faith' as defined under Indian Penal Code (Sec.52) means-

- (A) An act done with due care and attention
- (B) An actual belief that the act done is not contrary to law
- (C) An act, in fact, done honestly
- (D) An act done under bona fide belief

85. A cuts down a tree on B's land with the intention of dishonestly taking the tree out of B's possession, without B's consent. A has committed. which offence?

- (A) Criminal misappropriation
- (B) Criminal breach of trust
- (C) Extortion
- (D) Theft

86. What is the basic difference between an offence of abetment by conspiracy and the offence of criminal conspiracy?

- (A) In case of conspiracy, mere agreement is enough whereas in case of abetment by conspiracy an act should have taken place in pursuance of conspiracy
- (B) There is no difference at all

- (C) In case of conspiracy, an act should also have taken place, but in case of abetment by conspiracy, no act needs to have taken place
- (D) In case of abetment by conspiracy, there need not be an agreement whereas in case of criminal conspiracy, agreement is essential
87. The accused is a warehouse-keeper. The complainant, going on a journey, entrusts his furniture to the accused under a contract that the furniture would be returned on payment of stipulated sum of money. The accused sells the furniture. The accused is guilty of which one of the following?
- (A) Criminal misappropriation
(B) Theft
(C) Robbery
(D) Criminal breach of trust
88. Which section of I.P.C. describes 'dacoity with murder'?
- (A) Sec. 378
(B) Sec. 399
(C) Sec. 396
(D) None of these
89. Supreme Court of India struck down Section 303 of I.P.C. as unconstitutional in which one of the following cases
- (A) Machhi Singh vs State of Punjab
(A) Bachan Singh vs State of Punjab
(B) Santa Singh vs State of Punjab
(C) Mithu vs State of Punjab
90. Section 97 of I.P.C provides the right of private defence of property, for the offence of –
- (A) Cheating
(B) Misappropriation
(C) Theft and robbery
(D) None of the above
91. The general defenses provided in General. Exceptions in the Indian Penal Code (IPC) can be pleaded
- (A) for IPC offences only
(B) for IPC offences and offences under local law only
(C) for IPC offences and offences under special law only
(D) for IPC offences and offences under local or special laws
92. K. M. Nanavati Case refers to
- (A) Culpable Homicide
(B) Murder
(C) Grave and sudden provocation
(D) Rash and Negligent death

93. Illegal means

- (A) Everything which is prohibited by law
- (B) Everything which is an offence
- (C) Everything which furnishes ground for civil action
- (D) All of the above

94. Consider the following statements:

For the offence of adultery, under Section 497 I.P.C.

1. Both the partners can be punished.
 2. The wife shall not be punishable as an abettor.
 3. The imprisonment for adultery may extend for a term of five years.
- Which of the statements given above is/are correct?

- (A) 2 only
- (B) 1 and 2
- (C) 2 and 3
- (D) 1 and 3

95. Punishment for Dowry Death under IPC is:

- (A) Not less than 3 yrs
- (B) Not less than 5 yrs
- (C) Not less than 7 yrs. And in rare circumstances may extend to death sentence
- (D) Not less than 7yrs. which may extend to imprisonment of life

96. Section 511 of IPC does not apply in case of-

- (A) Attempt of riot
- (B) Attempt of murder
- (C) Attempt of theft
- (D) None

97. 'Wrongful Gain' as defined under IPC is:

- (A) Gain by lawful means of property to which the person gaining is not legally entitled.
- (B) Gain by unlawful means of property to which the gaining is legally entitled.
- (C) Gain by unlawful means of movable property to which the person gaining is not legally entitled.
- (D) Gain by unlawful means of property to which the person gaining is not legally entitled.

98. What is the basic difference between Section 34 and Section 149 of I.P.C.?

- (A) Section 34 creates a principle of joint liability and does not create a specific offence.
Section 149 creates a specific offence
- (B) Section 149 does not create a specific offence but Section 34 creates a specific offence
- (C) Both create specific offences but the principle of joint liability is created only by Section 34
- (D) Both create specific offences but the principle of joint liability is created only by Section 149

99. Mathura Case was instrumental in

- (A) Reform of offences against woman
- (B) Rape laws
- (C) Consent theory
- (D) Eve teasing

100. D. K. Basu case developed

- (A) Custodial Jurisprudence
- (B) Labour jurisprudence
- (C) Human rights jurisprudence
- (D) Matrimonial Jurisprudence

LL.M. Admission Test-2011

PART-II

Date of Exam: 1 May, 2011 (Sunday) Center Name : _____

Max. Marks : 50 Admit Card No : _____

Answer any one question from the following in the attached sheet with pen:

What is contract? Discuss the philosophical basis of contract.

OR

“The law of murder is the weakest part of Indian Penal Code”. Discuss the law of murder in the light of the above statement.

OR

What is absolute liability? Discuss it in the light of Oleum Gas leak case.

OR

Discuss the contribution of the Indian Supreme Court in combating custodial violence in the light decided cases.

2012 ✓

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The candidate has to darken the corresponding circle as indicated below:

A) Kolkata

B) Agra

C) Bhopal

D) Delhi

Right Method**Wrong Method**

4. There is one essay question of 50 marks which has to be answered in a separate sheet with a pen. **Total marks are 150.**
5. There is no negative marking.
6. Answering the question by any method other than the method mentioned above shall be considered incorrect and no marks will be awarded for the same.
7. More than one response to a question shall be counted as *Zero*.
8. The candidate shall not write anything on the Answer Sheet other than the details required and in the spaces provide for.
9. After the examination is over, the candidate has to return the test booklet along with the Answer Sheet, to the invigilator.
10. The use of any unfair means by any candidate will result in the cancellation of his/her candidature.
11. **Impersonation is an offence and the candidate, apart from disqualification, may have to face criminal prosecution.**
12. **No electronic gadgets like mobile phone or calculator will be permitted inside the test centers.**

LL.M. ENTRANCE TEST

1. Which of the following chronology is correct according to preamble of Indian Constitution?
 - a. Sovereign, Socialist, Secular, Democratic, Republic
 - b. Sovereign, Secular, Socialist, Democratic, Republic
 - c. Sovereign, Secular, Democratic, Sovereign, Republic
 - d. Socialist, Sovereign, Secular, Democratic, Republic
2. Who was the chairman of the constituent assembly?
 - a. Jawaharlal Nehru
 - b. Dr. B. R. Ambedkar
 - c. C. Rajgopalchari
 - d. Dr. Rajendra Prasad
3. Which among the following is state as per Art 12?
 1. State Bank of India
 2. Board of Control for Cricket in India
 3. Children Aid Society
 4. State Electricity Board
 - a. 1, 3 and 4
 - b. 1, 2 and 3
 - c. 2, 3 and 4
 - d. 1, 2 and 4
4. Find out the incorrect statement
 - a. Freedom of speech and expression includes Right to Information
 - b. Freedom of profession includes freedom to carry occupation, trade.
 - c. Freedom of property is fundamental right.
 - d. Freedom of association includes freedom of unions.
5.
 1. Person shall be prosecuted and punished for the same offence more than once.
 2. Person accused shall be compelled to be witness against himself.Which of the above statement/s is/are correct?
 - a. Only 1
 - b. Only 2
 - c. Both 1 and 2
 - d. Nether 1 and 2
6. If the President wants to resign, he shall address his letter of resignation to
 - a. Chief Justice of India
 - b. Prime Minister of India
 - c. Vice-President of India
 - d. Speaker of Lok Sabha

7. In the Constitution of India, economic and social planning is included in the—
 - a. Union List of the VII Schedule
 - b. State List of the VII Schedule
 - c. Concurrent List of the VII Schedule
 - d. None of the above
8. The president convenes and prorogues all sessions of Parliament in consultation with
 - a. The speaker
 - b. The prime minister
 - c. the prime minister and the leader of the Opposition in Lok Sabha
 - d. None of the above
9. The minimum age required to become a member of Rajya Sabha is
 - a. 21 years
 - b. 25 years
 - c. 30 years
 - d. 35 years
10. Who has power to proclaim emergency
 - a. Prime minister
 - b. President
 - c. Speaker of Lok Sabha
 - d. Commodore in chief of army.
11. The right to freedom of religion guaranteed in Article 25 of the Constitution of India is subject to which of the following?
 - a. Public order, morality and to the other provisions of Part III of the Constitution of India
 - b. Public order, morality and health
 - c. Reasonable restrictions in the interests of the security of the State
 - d. Public order, morality and health and to the other provisions of Part III of the Constitution of India.
12. Consider the following statements:
 1. The powers of High Courts under Article 226 of the Constitution of India are wider than those of Supreme Court under Article 32 of the Constitution of India.
 2. Both High Court and Supreme Court have concurrent power to enforce the fundamental rights.
 3. It is mandatory for a petitioner first to approach the High Court instead of approaching the Supreme Court directly for enforcement of fundamental rights.

Which of the statements given above are correct?

 - a. 1, 2 and 3
 - b. 1 and 2
 - c. 2 and 3
 - d. 1 and 3

13. Which of the following are among the fundamental duties as listed in the Constitution?
- I. To preserve the heritage of our composite culture
 - II. To abide by the constitution
 - III. To strive for excellence in scientific research to win international fame
 - IV. To render national service when called upon to do so
- a. I, II and III
 - b. I and II
 - c. I, II and IV
 - d. II III and IV
14. Which of the following are the circumstances under which an elected Member of Parliament may be disqualified on the ground of defection?
- I. If he voluntarily gives up his membership of a political party
 - II. If he votes or abstains from voting contrary to any direction issued by his political party without prior permission of the political party
 - III. If he speaks against the political party
 - IV. If he joins a political party other than the party on whose ticket he contested and got elected
- a. I, II and III
 - b. I, II and IV
 - c. I, III and IV
 - d. II, III and IV
15. The term of office of a judge of the International Court of Justice is?
- a. 5 years
 - b. 6 years
 - c. 9 years
 - d. 10 years
16. Which of the following are among the fundamental duties as listed in the Constitution?
- I. To preserve the heritage of our composite culture
 - II. To abide by the constitution
 - III. To strive for excellence in scientific research to win international fame
 - IV. To render national service when called upon to do so
- a. I, II and III
 - b. I and II
 - c. I, II and IV
 - d. II III and IV
17. The Directive Principles of State Policy in the Constitution do not include
- a. Minimum working wages
 - b. Primary Education
 - c. Legal Aid to the poor
 - d. Healthcare
18. A Bill passed in the Parliament only becomes an Act after:
- a. The President gives his assent
 - b. It is passed by both the houses
 - c. The Prime Minister signs it
 - d. The Supreme Court declares the Bill as valid

19. India can be termed as secular state because:
- All religions are equally protected
 - It does not have any official religion
 - No discrimination is done based on one's caste
 - All of the above
20. The legislative powers of India are vested with the:
- Prime Minister
 - President
 - Chief Justice of India
 - Parliament
21. The concept of possession, according to Savigny must have which of the following ingredient ingredients?
- animus domini only
 - corpus possessionis only
 - animus domini and corpus possessions
 - quasi possession
22. The Pigeon-hole theory, about the nature of tort, has been propounded by whom among the following?
- Salmond
 - Winfield
 - Street
 - Pollock
23. Sources of Law are those which are authoritative
- Legal
 - Historical
 - Formal
 - Informal
24. When a custom is not in conformity with statute law
- Valid
 - Void
 - Voidable
 - Illegal
25. In modern times which rule has been given wider application in interpretation?
- Golden rule
 - Literal rule
 - Mischief rule
 - None of the above
26. The maxim "Quum is verbis nulla ambiguitas est non debet admitti voluntaria questia" means
- Where there is no ambiguity in words the question of intention ought not to be admitted.
 - The intention has to be admitted when there is ambiguity in the letter.
 - While interpreting letter intention has to be considered
 - No interpretation beyond letter

27. Where most of the law is embodied in legislation such legal systems are called
- Civil Law System
 - Continental Legal System
 - Deductive Legal System
 - Functional Legal System
28. The historical interpretation is the other name for
- Liberal interpretation
 - Sociological interpretation
 - Literal interpretation
 - Mischief interpretation
29. Which of the following includes in law?
- Ordinance
 - Rule
 - Circular
 - Notification
- Only 1
 - 1,2 and 3
 - 1,2 and 4
 - All of the above
30. The term 'Duty' implies:
- Obligation
 - An act the opposite of which would be a wrong
 - One may perform a certain act
 - None of the above
31. According to Bentham, Censorial Jurisprudence means:
- What law is
 - What the law ought to be
 - Both (a) & (b)
 - None of the above
32. The expression "*Sentential legis*" refers to:
- Consensus
 - Unwritten law
 - Verbal expression of law
 - True intention of legislature
33. Who wrote "*Anatomy of the law*"?
- Fuller
 - Fitzgerald
 - Allen Buchanan
 - Kelsen
34. Who wrote "*General Theory of Law and State*"?
- Fuler
 - Fitzgerald
 - Allen Buchanan
 - Kelsen

35. In precedents rules and principles are laid down to
 - a. Functional method
 - b. Organic method
 - c. Inductive method
 - d. Deductive method
36. Mischief rule was laid down in
 - a. *Donoghue case*
 - b. *Ashby Vs White*
 - c. *Heyden's case*
 - d. *Becke Vs Crare*
37. Concession of corporate personality is allied to
 - a. Fiction theory
 - b. Realist theory
 - c. Bracket theory
 - d. Symbolist theory
38. The main exponent of Realist theory is
 - a. Hohfeld
 - b. Kelsen
 - c. Gierke
 - d. Paton
39. Historical theory of property is propounded by
 - a. Maine
 - b. Thering
 - c. Starke
 - d. Allen
40. The doctrine of eminent domain is propounded by
 - a. Spencer
 - b. Hugo Grotious
 - c. Maine
 - d. Starke
41. 1. A tort is inflicted against or without consent.
 2. In tort no privity is needed.
 Which of the statement/s is/are true?
 - a. Only 1
 - b. Only 2
 - c. Both 1 and 2
 - d. Neither 1 nor 2
42. Which one of the following is not a valid defence in Tort?
 - a. Volenti non fit injuria
 - b. Scienti non fit injuria
 - c. Consent
 - d. Vis Major

43. Which of the following is the remedy against the false imprisonment?
- Quo Warranto
 - Certiorari
 - Mandamus
 - Habeas Corpus
44. 1. Ubi jus ibi remedium means there is wrong with remedy.
2. Res ipsa loquitur means things speak itself.
- Which of the above statement/s is/ are correct?
- Only 1
 - Only 2
 - Both 1 and 2
 - Neither 1 nor 2
45. Match the pair
- | | |
|--|---|
| 1. Damnum Sine Injuria | a. Act of god |
| 2. Volenti not fit injuria | b. Damage suffered without violation of the legal right |
| 3. Vis major | c. Harm suffered voluntarily not constitutes injury. |
| 4. Qui facit per alium facit per se d, | Act of agent is the act of principal. |
- 1-b, 2-c, 3-d, 4-a
 - 1-c, 2-b, 3-a, 4-d
 - 1-b, 2-c, 3-a, 4-d
 - 1-c, 2-b, 3-d, 4-a
46. In Rylands vs. Fletcher, which of the following principle lays down?
- Fault liability
 - Strict liability
 - Insurance liability
 - Conditional liability
47. X was invited for dinner by Y. While stepping up the stairs leading to Y's residence, due to slippery stairs and low light Y slipped and injured. Whether X is liable?
- 'X' is liable because Y suffered injury while going to X's residence.
 - 'X' is not liable because it was not his duty to take care.
 - 'X' is liable because his premises were unsafe and he had not taken any effort.
 - 'X' is not liable as Y has not taken proper care.
48. Which of the following would not be classified as libel?
- a newspaper article with untrue statements
 - a letter with untrue statements sent to only one person
 - a true statement
 - a published speech at a Veteran's Day parade
49. 1. A false statement in written and printed form is considered as libel.
2. A false statement with spoken word or with gestures is considered as slander.
- Which of the above is/are correct?
- Only 1
 - Only 2
 - Both 1 and 2
 - Neither 1 nor 2

50. Which of the following cannot be considered as defence in defamation?
- Justification of truth
 - Meeting proceedings
 - Fair and bona fide comment
 - Consent
51. Tort of conspiracy occurs where:
- Two or more persons combine to injure third party by lawful means.
 - Two or more persons combine to injure third party by unlawful means.
 - Two or more persons combine to help third party by unlawful means.
 - Two or more persons combine to help third party by lawful means.
52. In public nuisance, a private right of actions lies;
- When the injury is particular, direct and substantial
 - When there is proof of damage
 - When injury is merely consequential
 - None of the above
53. A tractor carrying people collides with a train at unmanned railway crossing and many people died and some of injured. In a suit of compensation who will be liable?
- Railway would be liable as it has not immunity.
 - Tractor driver would liable as he breach his duty to take care.
 - Passengers of trolley are guilty of contributory negligence.
 - Nobody would be liable as it was merely an accident.
54. X unlawfully locks Y in a room. Y can open the room from inside with a duplicate he possessed. But Y forgot that he has key. X came after two hour and opened the door. Y remained locked for that two hour, X is?
- Not liable as Y has duplicate key.
 - Liable as his act is unlawfull.
 - Not liable as he did not know that Y has duplicate key.
 - Not liable because Y forget about the duplicate key.
55. In auction sale, A was the highest bidder. The auctioneer accepts the offer without speaking but striking the hammer for three times. This amounts to?
- Express acceptance
 - Implied acceptance
 - Future acceptance
 - No acceptance
56. Consider the following statements about legal propositions:
- Joint tort-feasors can be sued jointly and severally.
 - They are liable for the whole damage resulting from the tort.
 - Damages may be recovered from all or either of them.
- Which of the statements given above is/are correct?
- 1, 2 and 3
 - 2 and 3
 - 1 and 3
 - 2 only

57. Consider the following statements: All persons are joint tort-feasors, who?

1. Aid in the commission of wrongful act.
2. Expect one and the same result of their act.
3. Joined the act complained.

Which of the statements given above are correct?

- a. 1 and 2
- b. 1 and 3
- c. 2 and 3
- d. 1, 2 and 3

58. Consider the following situation:

The plaintiff, while passing through the public way-near defendant's premises injured by fall of snow accumulated on the roof of the defendant's house as a result of severe storm, for which no warning had been given by the defendant to passer-by. It is a case of which one of the following?

- a. Nuisance only
- b. Negligence only
- c. Nuisance and negligence both
- d. An act of God

59. Which of the following is an important factor/ are important factors to constitute the tort of nuisance?

1. Abnormal sensitivity on the part of the plaintiff.
2. Malice on the part of the defendant.

Select the correct answer using the code given below:

- a. 1 only
- b. 2 only
- c. Both 1 and 2
- d. Neither 1 nor 2

60. The right of private defense of property extends to causing death of the wrongdoer under certain descriptions.

Which one of the following description is not included?

- a. Robbery
- b. House breaking by night
- c. Lurking house trespass by night
- d. Mischief by fire on any human dwelling

61. Which one of the following statements is correct in regard to a contract for sale of immovable property?

- a. Time is always the essence of the contract
- b. Time is never the essence of the contract
- c. Time would not be regarded as the essence of the contract unless it is shown that parties intended so
- d. Since it is a sale of immovable property, even parties cannot intend to make time, the essence of the contract

62. Doctrine of frustration comes into play
 - a. when both the parties are frustrated
 - b. when either of the parties is frustrated
 - c. when the object has failed
 - d. when there is commercial hardship
63. Generally, quasi-contractual obligations are based on the theory of
 - a. implied term
 - b. just and reasonable solution
 - c. implied-in-fact contract
 - d. unjust enrichment
64. An agreement to which the consent of the promisee is freely given, is not void merely because
 - a. consideration is not there
 - b. consideration is not adequate
 - c. consideration is past
 - d. consideration is not spelt out clearly
65. What is the primary object of law of damages for a breach of contract?
 - a. To enrich the party who sustained loss
 - b. To give some type of compensation
 - c. To punish the party who committed breach of contract
 - d. To put the party who sustained loss in the same position as if the contract has been Performed
66. For breach of contract
 - a. punitive damages are not recoverable
 - b. damages are compensatory, not penal
 - c. an inconvenience caused by the breach of contract is not taken into account while assessing damages
 - d. motive for and the manner of breach are not taken into account while assessing damages
67. Which one of the following does not amount to fraud?
 - a. Active concealment of fact
 - b. A promise without any intention of performing it
 - c. Suggestion as a fact of that which is not true by one who does not believe it to be true
 - d. A representation made without knowing it to be false, honestly believing it to be true
68. Which one of the following statements is not correct?
 - a. In cases of general offers, communication of acceptance is not necessary
 - b. Acceptance has to be made in the manner prescribed by the proposer (if not prescribed, then in some usual and reasonable manner)
 - c. A communication of acceptance to a person other than the offered is no communication in the eyes of law
 - d. The communication may not be made by acceptor himself
69. Which one of the following is an essential component of a valid contract?
 - a. Social and economic pressures, the parties are exposed to
 - b. Dominance of one party over the other
 - c. Legal influence of the parties
 - d. Competence and the contractual capacities of the parties

70. Which of the following agreement(s) is/are void?

1. Agreement without consideration.
2. Agreement in restraint of legal proceedings.
3. Agreement affected by fraud.

Select the correct answer using the code given below:

- a. 3 only
- b. 2 only
- c. 1, 2 and 3
- d. 1 and 2

71. A supplies to B- A lunatic with necessities suitable to his condition in life. Can A recover the value of necessities from B?

1. A cannot recover as B is not competent to make a contract.
2. A cannot recover as no legal action lies against B.
3. A can recover by making B's property liable.

Which of the above is/are the valid reason(s)?

- a. 1 only
- b. 1 and 2
- c. 2 and 3
- d. 3 only

72. Consider the following statements:

1. If an infant obtains property or goods by misrepresenting his age, he can be compelled to restore it even though the infant has sold the goods or converted them.
2. There is no estoppel against minor.

Which of the statements given above is/are correct?

- a. 1 only
- b. 2 only.
- c. Both 1 and 2
- d. Neither 1 nor 2

73. A contingent contract is a

- a. contract to do something only if some event, collateral to such contract, does not happen
- b. contract to do or not to do something, if some event, collateral to such contract happens
- c. contract to do or not to do something, if some event, collateral to such contract, does not happen
- d. contract not to do something. If some event, collateral to such contract happens

74. Consider the following statements:

1. A written and registered agreement based on natural love and affection between near relatives is enforceable without consideration.
2. An agreement to which the consent of the promisor is freely given is not void merely because the consideration is inadequate.

Which of the statements given above is/are correct?

- a. 1 only
- b. 2 only
- c. Both 1 and 2
- d. Neither 1 nor 2

75. Consider the following statements:

1. A shopkeeper's catalogue of price is not an offer.
2. An auctioneer's announcement that specified goods will be sold by auction on a certain day is not an offer to hold the auction.

Which of the statements given above is/are correct?

- a. 1 only
- b. 2 only
- c. Both 1 and 2
- d. Neither 1 nor 2

76. Which one of the following is explicitly stated in Section 2b. of the Indian Contract Act 1872?

- a. A proposal, when accepted becomes a promise
- b. A proposal, when accepted become a contract
- c. A proposal, when accepted becomes an agreement
- d. A proposal, when accepted becomes assurance

77. 'A' enters into a bet with 'B'. 'A' promises that he will pay Rs. 50,000/- to 'B' if Srilanka defeats India in cricket world cup. 'B' in turn promises to pay Rs. 50,000/- to 'A' if India defeats Srilanka. India defeats Srilanka and 'B' instead of paying the amount to 'A' executes a promissory note in favour of 'A', promising that he will pay money On or before a specified date. No witness attests the promissory note. The promissory note is not registered; 'B' fails to pay within the stipulated time. On the basis of the above, which one of the following is the correct answer?

- a. The promissory note has no validity in the eye of law because it is not attested
- b. The promissory note has no validity in the eye of law because it is not registered
- c. The promissory note has no validity in the eye of law because it is for debt due on wagering contract
- d. The promissory note has no validity in the eye of law because betting should involve only cash transactions

78. Consider the following statements:

1. Doctrine of frustration is not applicable when the rights and obligations of the parties arise under the Transfer of Property Act.
2. If and when there is frustration, the contract automatically comes to an end.

Which of the statements given above is/are correct?

- a. 1 only
- b. 2 only
- c. Both 1 and 2
- d. Neither 1 nor 2

79. Consider the following statements:

Where the tender of performance is rejected by the other party,

1. The promisor has to still perform the contract but can claim damages.
2. The promisor is excused from further performance and is entitled to sue the promisee for breach of contract.

Which of the statements given above is/are correct?

- a. 1 only
- b. 2 only
- c. Both 1 and 2
- d. Neither 1 nor 2

80. Consider the following statements:
1. Misrepresentation is also a subtle species of fraud.
 2. Section 56 of the Indian Contract Act, 1872 does not leave the matter to be determined according to the intention of the parties.
- Which of the statements given above is/are correct?
- a. 1 only
 - b. 2 only
 - c. Both 1 and 2
 - d. Neither 1 nor 2
81. Which of the following instance constitute offence?
- a. Soldier fires on a mob by the order of his superior.
 - b. Farmer working his farm with hatchet and head flies off and kills nearby man.
 - c. Offence which is done by a child under seven years of age.
 - d. Offence done by a child of eleven years of age having maturity to judge the consequences.
82. A is living in a house with B, a child, which set on fire. People gathered below the house with a blanket. Three persons shouted to throw the child B from top of the house. B threw the child but couldn't survive.
- Who has committed offence in above incidence?
- a. A has committed offence.
 - b. No one has committed offence.
 - c. Three persons from committed offence and will be punished by death imprisonment.
 - d. A and the three persons have committed offence.
83. A made a plan with B for poisoning Z with an agreement that A should administer the poison. B explained the plan to C without mentioning name of A and requested C to procure poison. C procured poison and delivered it to B for the explained purpose. A administered the poison to and Z died in consequences. Whether C is guilty?
- a. Yes
 - b. No
 - c. May be
 - d. Neither of all.
84. A holds z down and fraudulently takes Z's money and jewels from Z's clothes without Z's consent. A is guilty of?
- a. Theft
 - b. Extortion
 - c. Robbery
 - d. Cheating
85. C finds a ring lying in the garden. By taking it C Commits:-
- a. No offence
 - b. Theft
 - c. Criminal misappropriation of property
 - d. Criminal breach of trust

86. Which of the following is not grievous hurt?
- Privation of any member joint.
 - Fracture or dislocation of bone
 - Emasculation
 - Suffering of ten days from bodily pain
87. Consider the following statements:
To constitute abetment it is
- necessary that the act abetted must be committed.
 - not necessary that the act abetted must be committed.
 - necessary that the person abetted must have the same intention or knowledge as that of the a better.
- Which of the statement given above represent(s) the correct position of law?
- 2 only
 - 2 and 3
 - 1 only
 - 3 only
88. Consider the following statements:
- Intention is the essence of sedition.
 - Intention is irrelevant in sedition.
 - Result is the essence of sedition.
 - Intention and result both are important in sedition.
- Which of the statement given above is/are correct?
- 1 only
 - 2 and 3
 - 1 and 3
 - 4
89. Which of the following cases will amount(s) to culpable homicide?
- A police constable fired at an unruly mob in obedience to the orders of his higher officer and killed several persons.
 - A person killed one of the offenders at the time of commission of robbery.
 - Death is caused without premeditation in a sudden fight.
- Select the correct answer using the code given below:
- 1 and 2
 - 2 and 3
 - 3 only
 - 1, 2 and 3
90. Which of the following case is related to 'joint liability'?
- R v. Arnold
 - Mehboob Shah v. Emperor
 - R v. Heyens
 - R v. Prince
91. A person is said to have abetted a crime by aiding
- either prior to or at the time of commission of an act
 - at the time of commission of an act
 - prior to the act is done
 - either prior to or posterior or at the time of commission of an act

92. Punishment for 'Criminal Breach of Trust' is given under:
- Sec. 406 of I.P.C
 - Sec. 407 of I.P.C
 - Sec. 416 of I.P.C
 - None of these
93. 'Every Person' as defined under section 2 of IPC, includes
- Legal persons
 - Natural persons
 - Both legal persons and natural persons
 - None of the above
94. The following is a continuous offence
- Kidnap
 - Abduction
 - Rape
 - Murder
95. Section 374 IPC deals with
- Forced labour
 - Buying and Selling of persons as slaves
 - Buying and selling of girls for prostitution
 - Kidnapping
96. 'A' threatens to publish a defamatory libel concerning 'Z' unless 'Z' gives him money. He thus induces 'Z' to give him money. Thus 'A' has committed.
- Theft
 - Extortion
 - Robbery
 - Dacoity
97. The subject matter of theft is
- Moveable property
 - Immoveable property
 - Tangible property
 - Intangible property
98. Section 498-A was introduced in the year
- 1972
 - 1987
 - 1983
 - 1994
99. If death is likely result, it is _____, if it is the most probable result it is _____
- Homicide, genocide
 - Culpable homicide; murder
 - Murder, culpable homicide
 - murder, causing death by negligence

100. In respect of section 300, the following statement is incorrect
- a. The sentence of death should be awarded in rarest of rare cases
 - b. A delay in execution of death sentence will be itself be a ground for modification of death sentence into one of life imprisonment
 - c. In a conviction for murder if direct evidence is satisfactory and reliable the same can not be rejected in hypothetical medical evidence
 - d. An accused can be held guilty of murder on the basis of circumstantial evidence if the circumstances unerringly point to the guilt of the accused and they are consistent with his guilt

LL.M. ADMISSION TEST – 2013

Date of Exam : April 28, 2013 (Sunday) Centre Name : _____
Duration : 90 Minutes Admit Card No : _____
Max. Marks : 150 Answer Sheet No : _____

INSTRUCTIONS TO CANDIDATES

1. No clarification on the Question paper can be sought. Answer the questions as they are.
2. There are 100 multiple choice objective type questions of one mark each which has to be answered in the OMR sheet.
3. Candidates have to indicate the correct answer by darkening one of the four responses provided in the OMR Sheet. Use **ONLY HB PENCIL AND DO NOT USE BALL POINT/INK/GEL PEN.**

Example: For the question, "Where is the Taj Mahal located?"

A) Kolkata B) Agra C) Bhopal D) Delhi

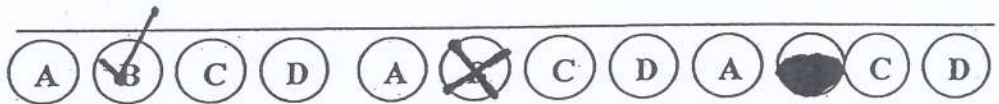
The correct answer is B.

The candidate has to darken the corresponding circle as indicated below:

Right Method



Wrong Method



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12. **No electronic gadgets like mobile phone or calculator will be permitted inside the test centers.**

LL.M. ADMISSION TEST

1. Who was the author of the Advocates-on-record judgment which resulted in giving primacy to Supreme Court's Collegiums in appointment of Judges to the Higher Judiciary?
 - a. Justice M. N. Venkatachalaiah
 - b. Justice P. N. Bhagawati
 - c. Justice J. S. Verma
 - d. Justice A. S. Anand
2. The Members of the Parliamentary Committee
 - a. are appointed by the President in consultation with the Prime Minister
 - b. are appointed by the President on the recommendation of the Speaker
 - c. are taken from various groups and parties in Parliament in proportion to their respective strength
 - d. both (b) and (c)
3. Appointment of District Judge is made by,
 - a. High Court
 - b. Governor
 - c. President
 - d. Chief Minister
4. Match the Pairs,

<ol style="list-style-type: none">1. Third Schedule2. Fifth Schedule3. Seventh Schedule4. Tenth Schedule	<ol style="list-style-type: none">a. Disqualification on ground of defectionb. Union, State, Concurrent listc. Forms of Oathsd. Provisions for Scheduled areas and Scheduled tribes
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 - a. 1-a,2-b,3-c,4-d
 - b. 1-b,2-a,3-d,4-c
 - c. 1-a,2-b,3-d,4-c
 - d. 1-c, 2-d, 3-b, 4-a
5. In which of the following judgments, the Supreme Court struck down Clauses 4 and 5 of Article 368 of Constitution of India because they exclude judicial review.
 - a. *Indira Gandhi v. Raj Narain*
 - b. *Waman Rao v. Union of India*
 - c. *Minerva Mills Ltd. v. Union of India*
 - d. None of the above
6. "No action lies against the Government for injury done to an individual in the course of exercise of its sovereign functions". All of the following actions are covered by the above provision, except
 - a. improper arrest, negligence or trespass by police officers.
 - b. loss of movables from government custody owing to negligence of its officers.
 - c. injury due to the negligence of servants of the government employed in a railway or a dockyard.
 - d. administration of justice.

7. Which of the following Articles of Constitution cannot be amended by a simple majority in both the Houses of Parliament?
 - a. Article 2
 - b. Article 3
 - c. Article 4
 - d. Article 15
8. The Rule of Law means
 - a. existence of written rules to regulate the conduct of government officials.
 - b. that no person can be punished unless his guilt is established by a fair trial.
 - c. that the power to make laws vests in the elected representatives of the people.
 - d. independence of the Judiciary
9. There is no provision in the Constitution for the impeachment of
 - a. the Chief Justice of a High Court
 - b. the Chief Justice of India
 - c. the Governor
 - d. the Vice-President
10. The Supreme Court of India upheld the decision to implement the quota for Other Backward Classes (OBCs) in higher educational institutions. The court, however, excluded the "Creamy layer" from being a beneficiary. The reason is:
 - a. Creamy layer is not an OBC; it is a forward caste
 - b. Creamy layer is politically powerful
 - c. It can compete with others on equal footing
 - d. The inclusion of creamy layer would be unjust.
11. A telephonic conversation of the accused with his friend was secretly tapped by the police. Can this lay the basis for raising the issue that :
 - a. It infringes the fundamental right against testimonial compulsion under Article 20 (3) of the Constitution
 - b. It infringes the fundamental right to privacy under Article 19 of the Constitution
 - c. It infringes the fundamental right guaranteed in Article 21 relating to personal liberty
 - d. There is no constitutional bar to the prosecution of such accused.
12. In 1980, an inmate of Tihar Jail managed to send a scribbled piece of paper to Justice V. R. Krishna Iyer of the Supreme Court narrating physical torture of the prisoners. In which of the following case the Supreme Court converted it into a writ petition.
 - a. Charles Shobhraj
 - b. Sunil Batra
 - c. Keshavananda Bharati
 - d. D.K. Basu
13. Supreme Court of India repented for ADM Jabalpur (Habeas Corpus) case in
 - a. Maneka Gandhi case
 - b. Sheela Barse Case
 - c. Ramdeo Chauhan Case
 - d. None of the above

14. Which of the following statement regarding Comptroller & Auditor General (CAG) of India is not correct?
- CAG shall be appointed by President of India.
 - CAG shall be removed from his office by impeachment.
 - Salary of CAG shall be charged upon consolidated fund of India
 - Reports of CAG relating to the Accounts of the Union shall be submitted directly before each House of Parliament.
15. The appointment of legally qualified judicially trained and experienced persons ensures better administration of justice and enhances public confidence in the work of Right to Information Commission/s. This view was expressed by the Supreme Court of India in the case of
- Namit Sharma
 - Dinesh Trivedi
 - Tata Press
 - People's Union for Civil Liberties
16. Which schedule of the Constitution cannot be questioned in Court of law on the ground of violation of fundamental rights?
- Tenth Schedule
 - Ninth Schedule
 - Twelfth Schedule
 - Eleventh Schedule
17. Which one of the following Fundamental Rights is available to both citizens and aliens?
- The right to six freedoms
 - Cultural and Educational rights
 - The right to equality
 - The right to equal opportunity in public employment
18. The Supreme Court of India laid down the foundation of a 'solidaristic welfare state' in
- Inamdar case
 - Society for Unaided Private Schools of Rajasthan case
 - T.M.A. Pai case
 - Subhashchandra Agarwal case
19. Who can classify any specific cast as 'Scheduled'?
- The President
 - The Governor
 - The Prime Minister
 - The Chief Minister
20. Right to speedy trial under Article 21 of Constitution of India was firstly decided in
- Imtiaz Ahmed Case
 - Hussainara Khatoon Case
 - Malik Mazhar Sultan Case
 - Ranjan Dwivedi Case

21. Which of the following Schools of Jurisprudence attempts to examine the manner, circumstances and factors responsible for growth of law and interprets the social situation and forces?

- a. Sociological school
- b. Philosophical School
- c. Historical School
- d. Realist School

22. Arrange the following stages of development of law according to Henry Maine

- 1. Law made by ruler under divine inspiration
- 2. Customary law
- 3. Codification
- 4. Knowledge of law in the hands of Priests

Select the Correct order of development using the code given below:

- a. 4-2-3-1
- b. 1-2-4-3
- c. 2-1-4-3
- d. 3-2-4-1

23. The work of theorist John Rawls could best be described as falling within which of the following jurisprudential approaches/schools of thought?

- a. Postmodernism.
- b. Liberal positivism.
- c. Legal positivism.
- d. Race Theory

24. Which of the following propositions would be rejected by those who describe themselves as Critical Legal Theorists?

- a. Law is politics
- b. Law is determinate
- c. Law reflects economic power.
- d. Law is unstable.

25. Match the pairs

- A.Right
- B.Liberty
- C.Immunity
- D.Power

- 1. No right
- 2. Liability
- 3. Duty
- 4. Disability

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

26. Which one of the following is right in re-propria?
- Licence
 - Easement
 - Ownership
 - Tenant
27. According to Salmond, legal sources of law
- are recognized as such by the law itself
 - lack formal recognition by the law
 - operate mediately
 - are the only gates through which new principles can find entrance into the law
- Which of the above statements is/are correct?
- I and III are correct
 - I and IV are correct
 - I, III and IV are correct
 - only I is correct
28. Who propounded the legal theory called "Utilitarian Individualism"?
- Austin
 - Salmond
 - Taylor
 - Bentham
29. A primary duty is that duty :
- Which should be fulfilled primarily where there are more than one duties
 - Which is covered under the first list of duties
 - Which is imposed on the persons of primary sector
 - Which exists per se independent of any other duty
30. Possession is prima facie evidence of the ownership hence,
- Long adverse possession confers title even to a property which originally belonged to another
 - In all cases possession leads to ownership
 - Transfer of possession does not lead to transfer of ownership
 - Long adverse possession does not confer title to a property which belongs to another
31. Ratio Decidendi of a case is which one of the following
- The order of the court
 - The underlying principle or legal reasons on which the results of the case depends
 - The final decree passed by court
 - The part of the judgment that has persuasive value
32. Who among the following divided the sources of law into formal sources and material sources?
- Allen
 - Salmond
 - Keeton
 - Gray

33. Restitutive Theory of Justice means:
- It empowers the state to impose punishment
 - It is incapable to reform the wrong doer
 - Reparation for loss, damage, or injury caused
 - It enlarges the limits of jurisprudence
34. There is clear cut division between the spheres of the legislatures and the judiciary. The former makes the laws and later applies them. Which one of the following propounds this doctrine?
- Analytical Jurisprudence
 - Historical Jurisprudence
 - Sociological Jurisprudence
 - Philosophical Jurisprudence
35. Jurimetrics means
- Scientific investigation of legal problems
 - Qualitative approach to law
 - Speculation about law
 - None of the above
36. Bentham addressed the questions of 'is' and the 'ought'
- Question of the ought does not concern Bentham
 - The law of ought to reflect Natural right
 - Question of ought can be answered from the point of view of maximisation of pleasure and minimisation of pain.
 - Study of all human laws
37. What is a rule according to Hart?
- A statement of an accepted standard of behaviour
 - An enforceable command
 - A moral standard
 - Instrument of Government
38. What is Hart's response to Fuller?
- That the internal consistency and efficiency of the legal system bears no relation to its morality
 - Morality is of no relevance to law
 - Inner morality is reflection of external morality of disguise
 - Morality is middle ground between Positivism and Natural law
39. What distinguishes Critical Legal Studies (CLS) from other Critical analysis of law?
- The CLS movement critiques the traditional idea that objectivity and neutrality are inherent in legal system
 - CLS question the fundamental assumptions upon which traditional theory is based
 - CLS use other disciplines which bear no or little relation to law in order to reveal hidden aspects of the law
 - None of the above

40. Ownership without possession can be termed as
- No ownership
 - Quasi ownership
 - Non- Corporeal ownership
 - Incomplete ownership
41. The doctrine of common employment is an exception to the rule:
- Res Ipsa Loquitor
 - Strict Liability
 - Vicarious liability
 - Absolute liability
42. The test of reasonable foresight is applicable to the cases of
- Negligence
 - Defamation
 - Damages
 - Vicarious liability

Assertion and Reason

The following three questions consist of two statements one is Assertion 'A' and other is Reason 'R'. You have to examine these two statements and choose correct answer.

43. Assertion (A): In case of employment government never be held liable for the wrong committed by its servant
Reason (R): In tort master is liable for the wrongs committed by his servant in the course of employment.
- Both A and R are true and R is the correct explanation of A
 - Both A and R are true and R is not a correct explanation of A
 - A is true but R is false
 - A is false but R is true
44. Assertion (A): X writes letter to his wife Y containing defamatory matter about Z. X is not liable for defamation.
Reason (R): In case of defamation communication between husband and wife or vice versa is not a publication and what passes between them is protected.
- Both A and R are true and R is the correct explanation of A
 - Both A and R are true and R is not a correct explanation of A
 - A is true but R is false
 - A is false but R is true
45. Assertion (A): A supplied reconditioned motor car to B. B took the car out on business. While taking a turn in the corner a rear wheel came off. A is liable for damages.
Reason (R): Manufacturer owes duty to take reasonable care to the immediate user.
- Both A and R are true and R is the correct explanation of A
 - Both A and R are true and R is not a correct explanation of A
 - A is true but R is false
 - A is false but R is true

46. X unlawfully locks Y in a room. Y can open the room from inside with a duplicate key he possessed. But Y forgot that he has key. X came after two hours and opened the door. Y remained locked for that two hour, X is?
- Not liable as Y has duplicate key.
 - Liable as his act is unlawful.
 - Not liable as he did not know that Y has duplicate key.
 - Not liable because Y forgot about the duplicate key.
47. The test of directness was first time propounded in
- Re Polemis case
 - Wagon Mound case
 - Donoghue case
 - Rylands case
48. Negligence involves
- A legal duty to exercise due care
 - Breach of the said duty
 - Consequential damage
- 1 only
 - 1, 2
 - 1,2 and 3
 - None of the above
49. Who propounded the absolute liability principle?
- M. C. Mehta
 - Justice P. N. Bhagwati
 - Justice A. S. Anand
 - Justice D. A. Desai
50. Which of the statement below is wrong regarding the 'Joint tortfeasors'?
- They are jointly and severally liable
 - They can always be sued jointly
 - If sued jointly, the damages may be levied from all or either
 - Each is responsible for the injury sustained
51. Master is liable for the wrongs of servant, if
- Servant has acted outside the scope of his duty in violation of express order.
 - Servant is doing his duty as per the service rules
 - Servant is drunk while on duty
 - Servant has acted in self defence against criminal conduct of third person
52. To avail the defence of qualified privilege the defendant has to prove which of the following point/s ?
- The statement was made in the course of legal, social or moral duty and for self protection.
 - The statement was made without malice
- Only 1
 - Only 2
 - Both 1 and 2
 - Neither 1 nor 2

53. Match the Pairs

- | | |
|------------------------|---|
| A. Strict liability | 1. <i>Metropolitan Asylum District v Hill</i> |
| B. Statutory authority | 2. <i>Rylands v Fletcher</i> |
| C. Act of god | 3. <i>Donoghue v. Stevenson</i> |
| D. Manufacturer's duty | 4. <i>Nicholas v. Marsland</i> |
- a. A-1, B-2, C-3, D-4
b. A-2, B-1, C-4, D-3
c. A-3, B-4, C-1, D-2
d. A-4, B-3, C-2, D-1

54. Match the Pairs

- | | |
|--|---|
| A. <i>Volenti non fit injuria</i> | 1. Welfare of people is supreme law |
| B. <i>Res ipsa loquitur</i> | 2. Where sufferer is willing no injury is done |
| C. <i>Salus populi suprema lex</i> | 3. Thing speaks itself |
| D. <i>Sie utere tuo ut alienum non laedas injure</i> | 4. So use your own property as not to your neighbours |
- a. A-4, B-3, C-2, D-1
b. A-2, B-3, C-1, D-4
c. A-1, B-3, C-2, D-4
d. A-4, B-3, C-1, D-2

55. Match the Pairs

- | | |
|--|-------------------------------|
| A. <i>Ashby v. White</i> | 1. Trespass |
| B. <i>Bird v. Jones</i> | 2. Vicarious liability |
| C. <i>Six carpenter's case</i> | 3. False imprisonment |
| D. <i>State of Rajsthan v. Vidyawati</i> | 4. <i>Injuria sine damnum</i> |
- a. A- 3, B-4, C-1, D-2
b. A- 4, B-3, C-2, D-1
c. A-3, B-4, C-2, D-1
d. A-4, B-3, C-1, D-2

56. Which of the following is an element of strict liability in Tort?

- a. Duty to take care
b. Breach of duty
c. Fault
d. No- fault

57. A has grown a Tree on his land. The branches of the Tree are overhanging on the land of B. Under the law, B is entitled to
- Enter into the land of A without his permission and cut the tree
 - Forcibly enter into A's land and chop off the branches
 - Chop off the branches from his own land and take away the branches
 - Chop off the overhanging branches while remaining on his land and inform A about the same.
58. *De minimi's non curat lex* means
- Law does not take account of every trifling matter
 - Plaintiff must present the damage in minimum degree
 - Your behaviour should not hamper the work of others
 - You must not withdraw the support of the land of others
59. A Building was erected by the defendant which caused diminution of light to two ground floor windows of the plaintiff's house. Subsequently Electric lights were always needed in the place. An action for damages can be brought on the ground of
- Public Nuisance
 - Private Nuisance
 - Negligence
 - Strict Liability
60. Which one of the following is not an Exception to the Rule of *volenti non fit injuria*?
- Surgeon amputates a limb of patient to save his life
 - Injury is caused while doing lawful acts under contract
 - Injury is caused while play- fighting with naked swords at a religious function
 - Injury is caused to a player in a football match
61. Which of the following statement is / are correct?
The communication of revocation is complete
- as against the person who makes it, when it is put into a course of transmission to the person to whom it is made, so as to be out of the power of the person who makes it.
 - as against the person to whom it is made, when it comes to his knowledge.
- Only 1
 - Only 2
 - Both 1 and 2
 - Neither 1 nor 2
62. Consider the following statements
- A proposal may be revoked at any time before the communication of acceptance is complete as against the proposer.
 - An acceptance may be revoked only after communication of the acceptance is complete as against acceptor.
- Only 1
 - Only 2
 - Both 1 and 2
 - Neither 1 nor 2

63. Which of the following statement is/are correct?
1. A lunatic asylum patient, who is at intervals of sound mind may contract during those intervals
 2. A sane man who is so drunk that he cannot understand the terms of a contract may contract while such drunkenness lasts.
- a. Only 1
 - a. Only 2
 - b. Both 1 and 2
 - c. Neither 1 nor 2
64. A Contract to pay B sum of money when B marries C. C dies without being married to B. The contract becomes
- a. Valid
 - b. Void
 - c. Void ab intio
 - d. None of the above
65. Consider the following statements:
1. An agreement where both the parties are under mistake as to subject matter
 2. An agreement to restraint of trade
 3. An agreement by way of wager
 4. An agreement, the consideration of which is unlawful
- Which of the above agreements are expressly declared to be void
- a. 1,2,3
 - b. 2,3,4
 - c. 1,3,4
 - d. 2,4,1
66. 'A' promises to Paint a picture for 'B' by a certain day, at a certain price. 'A' dies before that day. The contract:
- a. Can be enforced by A's representatives
 - b. Can be performed by A's representatives
 - c. Can be enforced by B
 - d. Cannot be enforced by A's representative or by B
67. Which of the following statements is/are correct?
1. Bailor is bound to disclose to the Bailee faults in the goods bailed or expose the Bailee to extraordinary risks.
 2. Bailee is bound to take as much case of the goods as a man of ordinary prudence.
- a. Only 1
 - b. Only 2
 - c. Both 1 and 2
 - d. Neither 1 nor 2

68. When goods are displayed in a shop window with price tags attached to them, the offer comes from the:
- Manufacturer
 - Shop owner
 - General Public
 - Customer
69. A Contract implied by law is known as
- Expressed contract
 - Contingent contract
 - Quasi contract
 - Implied contract
70. Active concealment of fact is associated with
- Mistake
 - Fraud
 - Misrepresentation
 - Undue Influence
71. A Counter offer is
- An invitation to treat
 - An acceptance of the offer
 - A rejection of the offer
 - A bargain
72. Which one of the following is not a wagering agreement
- A lottery
 - An agreement to buy a ticket for horse race
 - A contract of Insurance
 - Commercial transaction, intention of which is not to deliver the goods but only to pay difference in price.
73. A promise not supported by consideration is called
- Nudum pactum
 - Acceptance
 - Agreement
 - Proposal
74. A minor's agreement is void. This proposition is made in
- Nihal Chand Vs. Jan Khan*
 - Sreekrishnan Vs. Kurukshethra University*
 - Mohari Beevi Vs. Dharmodas Khosh*
 - Nanjappa Vs. Muthuswamy*
75. An agreement which is enforceable by law at the option of one or more of the parties, but not at the option of the other or others is
- Void agreement
 - Voidable contract
 - Valid contract
 - Nudum pactum

76. A bid at an Auction sale is
- An implied offer to buy
 - An express offer to buy
 - An invitation to offer to buy
 - An invitation to come to bid
77. Which of the following gives the Buyer right to reject goods, repudiate the contract and claim damages-?
- Warranty
 - Guarantee
 - Garnishee
 - None
78. The maxim *qui facit per alium facit per se* means
- He who does an act through another is deemed in law to do it himself
 - He who acts negligently is deemed as wrong does in law
 - He who violates the legal rights of other must pay for that
 - He who injures other either directly or indirectly must pay for the same
79. Which of the following is not a ground for termination of agency?
- Agent renounces the business of the agency
 - Business of the agency has been completed
 - The agent is going abroad for a longer period
 - The Principal/Agent has died under unnatural circumstances
80. The Doctrine of Impossibility of Performance rendering contract void in India is based on
- The theory of Implied Term
 - Theory of Just and Reasonable solution
 - Supervening Impossibility of Illegality
 - Principle of Unjust Enrichment
81. Which of the following act does not constitute an offence?
- Act of Child under Seven years of age.
 - Act of a person unsound mind.
 - Act of a person capable of judgement.
- A alone
 - C alone
 - A and B
 - A, B and C
82. 'X' is Surgeon and in good faith communicates to Patient that he cannot live. The Patient dies.
- X has committed an offence of murder.
 - X has committed no offence.
- A is correct
 - B is correct
 - Neither A nor B
 - None of the above

83. According to Section 100 of Indian Penal Code, the Private Defence of the body extends to causing death is not available against an assault
- Causing apprehension of Grievous hurt.
 - With the intention of Kidnapping or Abduction.
 - With the Intention of Gratifying Unnatural lust.
 - With Intention of Robbery.
84. Which of the following statement regarding Abetment is correct
- To constitute the offence of Abetment it is not necessary that the act abetted should be committed, or that the effect requisite to constitute the offence should be caused.
 - It is necessary that the person Abetted should be capable by law of committing an offence, or that he should have the same guilty intention or knowledge as that of abettor.
- Only A
 - Only B
 - Both A and B
 - Neither A nor B
85. A instigates a 5 year old Child B to steal a Diamond Watch. Consequently B does so. In this case
- A commits no offence but B commits Theft
 - Both A and B commits Theft
 - B does not commits Theft but A commits Abetment of Theft
 - A and B both have committed no offence.
86. 'A' foreigner stabbed 'B' another foreigner in a foreign vessel on the High Seas. Both 'A' and 'B' brought to Mumbai for treatment where 'B' died. 'A' is also available in Mumbai. Which one of the following Proposition is correct in respect of applicability of Indian Penal code to trial of 'A'?
- 'A' and 'B' both are foreigners and the offence took place on the high seas, IPC is not applicable and hence 'A' cannot be prosecuted in India.
 - IPC not applicable to foreigners and hence 'A' cannot be tried in India.
 - 'A' can be tried as offence is completed in India and 'A' is available in Mumbai. 'A' should be tried in Mumbai.
 - IPC is applicable to Indians as well as foreigners, 'A' must be tried in India.
87. Which of the following regarding Unlawful Assembly is correct?
- It requires only five members.
 - An Assembly which was not unlawful subsequently become unlawful.
- Only A
 - Only B
 - Both A and B
 - Neither A nor B
88. A knows Z to be behind a bush. B does not know it. A, intending to cause induces B to fire at the bush. B fires and kills Z. Here
- B is guilty of offence of Murder.
 - A has committed offence of Culpable Homicide.
 - Both A and B are guilty.
 - None of the above.

89. Ramu strikes Rakesh. Rakesh by this provocation excited to violent rage. Mitul, a bystander intending to take advantage of Rakesh's rage and to cause him to kill Ramu, puts a knife into Rakesh's hand for that purpose. Rakesh kills Ramu with the knife. Which of the following is true?
- Rakesh may have committed only Culpable Homicide.
 - Mitul is guilty of Murder.
 - Both a and b is true.
 - None of the above.
90. Which of the following elements constitutes Criminal Misappropriation of Property?
- Movable property belonging to a person other than accused
 - Any property belonging to a person other than the accused
 - The accused must have misappropriated the property of his own use
 - There must be dishonest intention on the part of the accused
- Which of the above is correct?
- A,B,C,D
 - A, B and C
 - A, C and D
 - A, B and D
91. Which one of the following is not punishable under the Indian Penal Code?
- Preparation to commit dacoity
 - Preparation to wage war against the state
 - Preparation to commit murder
 - Preparation to commit depredation on the territory of a friendly power
92. Vineet is a big industrialist residing in Chennai, sends Rs. 50000/- to Yuvraj which is his agent at Bangalore and directed him to deliver the money equally to two poor students Abhinav and Anamika who are studying in Bangalore. Instead of doing so, Yuvraj gives the money to two other poor deserving students. The agent Yuvraj has committed:
- Criminal Breach of Trust
 - Cheating
 - No offence
 - Criminal misappropriation of property
93. 'A' makes an attempt to steal some jewels by breaking open a Box and finds there no jewel in it, 'A' is guilty of Attempt of Theft. What punishment may be awarded to him :-
- The same punishment as for Theft
 - One half of the term of imprisonment provided for the offence of Theft or with such fine as provided for the offence or with both
 - Express provision is provided for punishment "Attempt to Theft" in Indian Penal Code
 - Only Fine

94. 'A', by putting 'Z' in fear of grievous hurt dishonestly induces 'Z' to sign or affix his seal to a blank paper and delivered it to 'A'. 'Z' signs and delivers the paper to 'A' and 'A' converted the paper into valuable security. 'A' has committed
- Theft
 - Criminal Breach of Trust
 - Cheating
 - Extortion
95. Who wrote Open letter to Chief justice of India after Mathura Case?
- Justice V. R. Krishna Iyer and Justice P.N. Bhagawati
 - Upendra Baxi, Lotika Sarkar, Raghunath kelkar and Vasudha Dagamwar
 - Justice J. S. Verma
 - Sakshi and Majlis
96. 'A' knows that 'B' is suffering from a disease in his head and also knows that if a fist blow is given to 'B' on his head, it is likely to cause his death. Knowing it 'A' gives a fist blow to B on his head and causes death of 'B'. 'A' is:
- Guilty of Culpable Homicide not amounting to Murder since he does not think that his act is likely to cause death.
 - Guilty of Murder since he had knowledge that in all probability it is likely to cause death of 'B'.
 - Guilty of no offence since the blow is not sufficient to cause the death of a person of normal health.
 - Guilty of causing hurt only.
97. Indian Government proposes to privatize sick government sector and liberalize Import-Export policy of India. 'B' criticizes this policy and states that it will have adverse impact. After going through this Article various Trade unions and Student unions organized peaceful protest:
- B is liable U/S 124A for causing disaffection against the Government of India.
 - B is not liable U/S 124A, because he simply expressed his disapprobation towards the policy.
 - B is liable U/S 124A because his article results in Public disorder.
 - B is not liable U/S 124A, because requisite publication of seditious matter is lacking in the case.

Directions: Given below is a statement of legal principle followed by a factual situation - Apply the principle to the facts and select the most appropriate answer among the four alternatives given.

98. **Principle:-** Every member of Unlawful Assembly guilty of offence committed in prosecution of common object:-

Facts:- 'A' along with Eight others went to a nearby village to take revenge on his enemies. In this fight A was injured. The members of the opposite party ran away. Thereafter A's friends followed the opponents and killed one of them.

- A and his companions are liable to be punished for the murder.
- Only A is liable, others are liable for minor offences only

LL.M. ADMISSION TEST – 2013

PART II

Date of Exam: 28 April, 2013 (Sunday)

Center Name _____

Max Mark: 50

Admit Card No. _____

ANSWER ANY ONE QUESTION FROM THE FOLLOWING IN THE ATTACHED SHEET WITH PEN:

Discuss the important Amendments to Criminal Law suggested by Justice J. S. Verma Committee in case sexual assault of extreme nature against women.

OR

Corruption is a violation of fundamental rights. Critically examine the various efforts of the Indian Parliament and civil society towards formulation of Lokpal Bill.

OR

Discuss the development of Right to Food jurisprudence by the Indian Supreme Court in the light of National Food Security Bill.

OR

Critically analyse the implications of recent Supreme Court judgment in Novartis case in providing access to medicine and public health.



14

LL.M. ADMISSION TEST – 2014

Date of Exam. : 4th May, 2014 (Sunday)

Duration : 90 Minutes

Max. Marks : 100

Center's Name : _____

Roll No. : _____

OMR Sheet No. : _____

Date of Birth : _____

Question Booklet
Sl. No.

20372

INSTRUCTIONS TO CANDIDATES

1. No clarification on the question paper can be sought. Answer the questions as they are.
2. There are **100** multiple choice objective type questions of **one** mark each which have to be answered in the OMR sheet. Total marks are **100**.
3. Candidates have to indicate the correct answer by darkening one of the four responses provided in the OMR Sheet. Use **ONLY HB PENCIL AND DO NOT USE BALL POINT/ INK/GEL PEN** for answering multiple choice objective questions.

Example : For the question, "Where is the Taj Mahal located ?"

(a) Kolkata

(b) Agra

(c) Bhopal

(d) Delhi

The correct answer is (b).

The candidate has to darken the corresponding circle as indicated below :

Right Method

(a) ☒ (b) ☐ (c) ☐ (d) ☐

Wrong Methods

(a) ☒ (b) ☒ (c) ☐ (d) ☐ (a) ☐ (b) ☒ (c) ☐ (d) ☐ (a) ☐ (b) ☐ (c) ☒ (d) ☐

4. There is no negative marking.
5. Answering the questions by any method other than the method mentioned above shall be considered incorrect and no marks will be awarded for the same.
6. More than one response to a question shall be counted as **Wrong**.
7. The candidate shall not write anything on the OMR Answer Sheet other than the details required and in the spaces provided for.
8. After the Test is over, the candidate has to return the test booklet along with the OMR Answer Sheet, to the invigilator.
9. Use of any unfair means by any candidate will result in the cancellation of his/her candidature.
10. **Impersonation is an offence and the candidate, apart from disqualification, may have to face criminal prosecution.**
11. **No electronic gadgets like mobile phone or calculator will be permitted inside the test centers.**



1. The "Directive Principles of State Policy" under the Constitution of India aim at creating a
 - (a) Secular Society
 - (b) Casteless Society
 - (c) Welfare State
 - (d) Industrial State
2. In India, the Governor of a State retires at the age of
 - (a) 60
 - (b) 65
 - (c) 62
 - (d) There is no retirement age
3. Which one of the following schedules of the Constitution of India takes away the judicial review of the courts ?
 - (a) Schedule VII
 - (b) Schedule VIII
 - (c) Schedule IX
 - (d) Schedule X
4. Who decides in the Parliament whether a bill is a money bill?
 - (a) Speaker of the Lok Sabha
 - (b) Chairman of the Rajya Sabha
 - (c) President
 - (d) Minister for Parliamentary Affairs
5. The Constitution of India describes India as
 - (a) A Federation
 - (b) A Quasi Federation
 - (c) A cooperative federation
 - (d) Union of States



11. Who can seek the advisory opinion of the Supreme Court of India ?
 - (a) The Prime Minister
 - (b) The President
 - (c) The Union Law Minister
 - (d) The Attorney General
12. Which of the following statement with respect to Public Interest Litigation is correct?
 - (a) Only an aggrieved party can approach the court of law to seek redressal of grievances
 - (b) One can seek this legal remedy before Supreme Court of India only
 - (c) Remedy can be sought by a person only against Government actions
 - (d) Any public-spirited person can seek this remedy
13. The Parliamentary Committee which scrutinizes the appropriation accounts of the Government of India and the Report of the Comptroller and Auditor General is
 - (a) Estimates Committee
 - (b) Public Accounts Committee
 - (c) General Purpose Committee
 - (d) Joint Committee on offices of profit
14. Which one of the following Constitutional Amendments led to the constitution of Administrative Tribunals in India ?
 - (a) 42nd Amendment
 - (b) 25th Amendment
 - (c) 27th Amendment
 - (d) 44th Amendment
15. The President shall constitute the Finance Commission every
 - (a) Five years or earlier
 - (b) Four years or earlier
 - (c) Seven years or earlier
 - (d) Three years or earlier



6. Under the Constitution of India, the entire executive power of the Union is vested in the
 - (a) President of India
 - (b) Prime Minister of India
 - (c) Union Council of Ministers
 - (d) Parliament of India
7. The person who administers the oath of office to the new President in India is
 - (a) The Prime Minister
 - (b) The Speaker of the Lok Sabha
 - (c) The Chief Justice of India
 - (d) The Attorney-General of India
8. The three types of Justice referred to in the Preamble of the Constitution are
 - (a) Economic, Political and Social
 - (b) Economic, Social and Religion
 - (c) Economic, Religious and Political
 - (d) Political, Social and Religious
9. A member of a State Assembly can be disqualified by the
 - (a) Governor
 - (b) Governor in consultation with the Election Commission
 - (c) Election Commission
 - (d) Governor on the advice of the Chief Minister
10. The Supreme Court of India to the exclusion of any other Court has jurisdiction in any dispute between
 - (a) The Government of India and one or more States
 - (b) The Government of India and a citizen
 - (c) The Government of India and any foreign government
 - (d) The Government of India and a non-citizen



16. Amendment to the Constitution of India may be introduced in
 - (a) Lok Sabha and Legislative Assemblies of States only
 - (b) Lok Sabha, Rajya Sabha and Legislative Assemblies of States only
 - (c) Lok Sabha and Rajya Sabha only
 - (d) Lok Sabha only
17. Which one of the following offices was not created by the Constitution ?
 - (a) The Comptroller and Auditor General of India
 - (b) The Election Commission
 - (c) The Planning Commission
 - (d) The Union Public Service Commission
18. The President of India enjoys 'the right to return' with respect to
 - (a) Both money and non-money bills
 - (b) Only money bills
 - (c) Only non-money bills
 - (d) None of the above
19. Universal adult franchise was for the first time introduced in India
 - (a) Under the Government of India Act, 1935
 - (b) Under the Indian Independence Act, 1947
 - (c) Under the Constitution of India
 - (d) Under the Government of India Act, 1919
20. Under the Government of India Act, 1935, the total number of ministers, including the Prime Minister, in the Council of Ministers shall not exceed
 - (a) 15% of the total number of members of the House of the People
 - (b) 10% of the total number of members of the House of the People
 - (c) 20% of the total number of members of the House of the People
 - (d) 12% of the total number of members of the House of the People



21. Which of the following is not 'laws properly so called' according to Austin ?
- (a) Indian Penal Code
 - (b) Constitution of India
 - (c) Copyright Act
 - (d) NDPS Act
22. The Hart-Fuller debate discussed
- (a) Validity of Nazi laws
 - (b) Morality of the Hiroshima/Nagasaki bombings
 - (c) Morality of the Holocaust
 - (d) Law making in a federation
23. The positivist school postulates that
- (a) Law and morality are synonymous
 - (b) Law and morality are necessarily interconnected
 - (c) Law and morality are not necessarily interconnected
 - (d) There is no relation between law and morality
24. According to natural law theory is
- (a) An unjust law is not law
 - (b) An unjust law is not good law
 - (c) An unjust law should not be obeyed
 - (d) An unjust law is law
25. Which of the following schools is most anti-consequentialist ?
- (a) Exclusive positivism
 - (b) Inclusive positivism
 - (c) Critical Legal Theory
 - (d) Natural law



26. *Grundnorm* is a concept related to
- (a) *Karl Savigny*
 - (b) *Roberto Unger*
 - (c) *Hans Kelsen*
 - (d) *Joseph Raz*
27. Exclusive positivism, or Hard positivism asserts that
- (a) the rules of adjudication are indeterminate
 - (b) secondary rules are legislative
 - (c) rule of adjudication has a minimum content of morality
 - (d) rule of recognition has no element of morality
28. Which of these is a positivist critique of natural law theory ?
- (a) Natural law is of divine origin
 - (b) Natural law is unclear
 - (c) Natural law encourages anarchy
 - (d) Natural law is immoral
29. The Delhi High Court in *Naz Foundation* case supported which of the following relationships between law and morality ?
- (a) Enforcement of public morality is subject to fundamental rights
 - (b) Criminal law can enforce public morality
 - (c) Criminal law must enforce public morality
 - (d) Constitutional morality requires the enforcement of public morality
30. Which of the following is a compilation of John Austin's lectures ?
- (a) *Prerogative of State Explained*
 - (b) *Province of Jurisprudence Determined*
 - (c) *Providence of Jurisprudence*
 - (d) *Provinciality of Law*



31. Which of these is not a source of law ?
- (a) Custom
 - (b) Legislation
 - (c) *Obiter dicta*
 - (d) Foreign Statute
32. Which of these statements is true of Utilitarianism ?
- (a) The principle of utility is the criterion of morality
 - (b) There is a divide between public and private domains
 - (c) State can regulate only egregious wrongs
 - (d) Only minimal State is moral
33. *Oliver Wendell Holmes'* famous "Bad man theory of law" is accepted as valid by
- (a) Critical Legal Theory
 - (b) Critical Race Theory
 - (c) American Legal Realism
 - (d) Scandinavian Realism
34. Which of the following is not one of *Fuller's* desiderata ?
- (a) Minimal Retrospectivity
 - (b) Generality
 - (c) Specificity
 - (d) Understandability
35. Which of the following is asserted by positivists ?
- (a) Law should be obeyed because it is enacted by the sovereign
 - (b) Law enacted by a sovereign is always moral
 - (c) Law enacted by a sovereign is always immoral
 - (d) Obligation to obey law is a separate moral inquiry unrelated to validity of law



36. According to the historical source, what is the source of law ?
- (a) *Volksgeist*
 - (b) *Language*
 - (c) *Custom*
 - (d) *Volksglauben*
37. Which of the following theorists was not a supporter of codification of laws ?
- (a) *John Austin*
 - (b) *Jeremy Bentham*
 - (c) *Ronald Dworkin*
 - (d) *Karl Savigny*
38. Which of these schools does not justify fundamental rights in the Constitution ?
- (a) Natural law
 - (b) Utilitarianism
 - (c) Positivism
 - (d) Sociological School
39. The social contract theory explains
- (a) Sources of law
 - (b) Consequences of unorganized society
 - (c) Origin of State
 - (d) Customary law
40. Which of the following statements is not true of legal personality ?
- (a) A legal person is capable of holding rights and duties
 - (b) A Corporation is a legal person
 - (c) A temple deity can be a legal person
 - (d) A foetus cannot be a legal person



41. Tort is a word of
- (a) French Language
 - (b) English Language
 - (c) Chinese Language
 - (d) Japanese Language
42. Tort is a
- (a) Civil Wrong
 - (b) Criminal Wrong
 - (c) Civil as well as Criminal Wrong
 - (d) None of the above
43. Damages Suffered due to tortious act is redressed by claim for
- (a) Liquidated Damages
 - (b) Unliquidated Damages
 - (c) Liquidated Damages as well as Unliquidated Damages
 - (d) Restorable Damages
44. Which of the following is not a valid defence in Torts ?
- (a) *Volenti Non Fit Injuria*
 - (b) *Vis Major*
 - (c) *Scienti Non Fit Injuria*
 - (d) *Consent*
45. The principle *ubi jus ibi remedium* was recognized in
- (a) *Winterbotton V. Wright*
 - (b) *Champman V. Pickersgill*
 - (c) *Ashby V. White*
 - (d) *Rylands V. Fletcher*



46. The maxim *res ipsa loquitur* is a
- (a) Rule of law
 - (b) Rule of procedure
 - (c) Rule of evidence
 - (d) Rule of negligence
47. For an action in torts
- (a) There should be violation of legal rights
 - (b) Damages should have accrued to plaintiff whether there is a violation of legal right or not
 - (c) Violation of right is essential
 - (d) None of the above
48. Mental condition of the wrong doer at the time of wrong doing is
- (a) Relevant in all torts
 - (b) Relevant to torts based on fault
 - (c) Relevant in torts based on strict liability
 - (d) Not relevant in tortious liability
49. The rule of "No fault liability" signifies
- (a) Rule of strict liability
 - (b) Rule of vicarious liability
 - (c) Rule of singular liability
 - (d) Rule of legal liability
50. Indian Supreme Court formulated the rule of absolute liability in
- (a) *M.C. Mehta vs. Union of India*
 - (b) *Town Area Committee vs. Prabhudayal*
 - (c) *Vishnu Datt case*
 - (d) *Pagadala vs. The Commissioner, Nellore Municipality*



51. Act of God is a valid defence to the rule of strict liability, that signifies
- (a) An act of supernatural powers
 - (b) An act of religious person
 - (c) An act of religious institutions
 - (d) An act of the State
52. When one person is held liable for the wrongful act of others, it is called
- (a) Vicarious Liability
 - (b) Group Liability
 - (c) Tough Liability
 - (d) General Liability
53. *Respondeat Superior* means
- (a) Let the principal be liable
 - (b) Let the servant be liable
 - (c) Let both be liable
 - (d) Let none of them be liable
54. *The maxim qui facit per alium facit per se* means
- (a) He who does an act through another is deemed in law to do it himself
 - (b) He who acts negligently is deemed as wrong doer in law
 - (c) He who violates the legal rights of others must pay for that
 - (d) He who injures other either directly or indirectly must pay
55. Which of the following statements is true ?
- (a) Doctrine of common employment is applicable in India as well as England
 - (b) Doctrine of common employment is applicable in India but not in England
 - (c) Doctrine of common employment is applicable in England but not in India
 - (d) It is applicable neither in England nor in India, but is of historical importance only



56. In the Indian Legal System
- (a) There is a separate Act to deal with the state liability for tortious act of its servants
 - (b) There is no separate statutory provision on state liability. It is enshrined in Art. 300 of the Constitution of India
 - (c) Art. 244 deals with state liability and Art. 300 with liability of the Centre
 - (d) There is no provision regarding state liability for tortious act
57. The nature of joint tortfeasors liability is
- (a) Joint
 - (b) Several
 - (c) Joint and Several
 - (d) Joint but not several
58. Under the Indian Law
- (a) Libel is actionable per se
 - (b) Slander is actionable per se
 - (c) Libel and Slander are actionable per se
 - (d) None of the above
59. Fair comment is a recognised defence against a suit for defamation. It is essential that
- (a) The comment must be fair
 - (b) The matter commented upon must be of public interest
 - (c) It must be an expression of opinion rather than an assertion of fact
 - (d) All of the above
60. Defamation is
- (a) A civil wrong
 - (b) A crime
 - (c) A civil wrong as well as a crime
 - (d) None of the above



61. An agreement to keep the offer open for a certain period of time cannot be cancelled before the expiry of that time period if
- (a) it is made with lawful objective
 - (b) it has sufficient consideration
 - (c) it is provisionally accepted
 - (d) it has been accepted with a condition subsequent
62. Insurance covers and railway carriage receipts are examples of
- (a) Standard form contracts
 - (b) Provisional contracts
 - (c) Counter proposals
 - (d) Letter of Intent
63. A clause in a loan agreement permitting the financier to seize the financed vehicle in the event of default in payment would amount to
- (a) void agreement due to unequal bargaining power
 - (b) unlawful agreement due to coercion
 - (c) voidable agreement due to fraud
 - (d) void agreement due to mistake
64. Accord and satisfaction are terms related to
- (a) Performance of contract
 - (b) Impossibility of performance of contract
 - (c) Breach of Contract
 - (d) Contingent Contracts
65. "There is no reason why compensation for non-pecuniary damage should not be allowed". This was held by the House of Lords in the case of
- (a) *Bliss v SE Thames Regional Health Authority*
 - (b) *Hayes v Dodd*
 - (c) *Farley v Skinner*
 - (d) *McMohan v Fields*



66. A loan given to the son at the instance of his father who executed all the essential documents is enforceable against the father because
- (i) it has sufficient consideration
 - (ii) consideration was provided by the father
 - (iii) it was done at the desire of the promisor
 - (iv) it was done at the request of the promisor
- (a) i and ii
(b) i, ii and iii
(c) ii, iii and iv
(d) all of the above
67. Surety has following rights against the creditor
- (i) Rights to Securities
 - (ii) Right to share reduction
 - (iii) Right of set off
 - (iv) Right of subrogation
- (a) i, ii and iii
(b) all of the above
(c) i, iii and iv
(d) none of the above
68. A tells B that he will pay him Rs. 1,000 when he turns 30. Is this a contingent contract?
- (a) Yes. The payment is contingent upon the occurrence of an event.
 - (b) Yes. When B turns 30, A will pay him Rs. 1,000.
 - (c) No. There is no consideration.
 - (d) No. B definitely will turn 30. There is no possibility of the event not happening.
- This is not a contingent contract.



69. A orders a pizza from Dominos. The Dominos delivery person accidentally delivers it to C. C eats it. Is C obliged to pay Dominos for pizza?
- (a) No. The mistake was made by the pizza delivery man.
 - (b) No. C didn't make any mistake.
 - (c) Yes. C ate the pizza knowing that he hadn't ordered it. Having derived the benefit of the contract, he must now pay for it.
 - (d) Yes. C stole the pizza.
70. A contracts with B to pay him a large sum of money when he marries C. B married D instead. He now asks for the money. Is the contract now void?
- (a) The contract is void as B has married someone else.
 - (b) The contract is void as it restrains B's choice in marriage
 - (c) The contract is still valid as B may still marry C at some point in future, and would then become eligible for money.
 - (d) The contract is valid and enforceable now as it depends on B marrying and not who he marries.
71. A contract with or by a minor is a
- (a) Valid contract
 - (b) Void contract
 - (c) Voidable contract
 - (d) Voidable at the option of either party
72. An acceptance can be revoked
- (a) At any time before the communication of acceptance is complete as against the promisee.
 - (b) After its acceptance comes to the knowledge of the promise
 - (c) Both (a) & (b)
 - (d) Neither (a) nor (b)
73. An agreement not to raise the plea of limitation is
- (a) Valid and binding
 - (b) Void
 - (c) Voidable
 - (d) Illegal



74. If the time is not the essence of the contract, the failure to perform the contract by specified time makes the contract
- (a) Void
 - (b) Voidable at the instance of the promisee
 - (c) Remains valid but the promisee can claim compensation for the loss suffered by him by such failure
 - (d) Remains valid and can be performed at any subsequent time without the promisor being liable for the loss suffered by the promisee
75. The damages under Section 73 of Indian Contract Act are
- (a) Liquidated
 - (b) Compensatory
 - (c) Penal
 - (d) None of the above
76. Which of the following statement is correct in the Indian context ?
- (a) Past consideration is no consideration
 - (b) Consideration can be past, present or future
 - (c) Consideration can only be present
 - (d) Consideration can only be present and future
77. In the Indian context an agreement in restraint of trade is valid if it relates to
- (a) Sale of goodwill
 - (b) Mutual adjustment
 - (c) Business contingency
 - (d) None of the above
78. Where the proposal and acceptance is through letters, the contract is made
- (a) At the place where the letter of acceptance is posted
 - (b) At the place where the acceptance is received
 - (c) At the place at which the acceptance is addressed
 - (d) All of the above



79. Section 73 of the Indian Contract Act incorporates rules from which of the following cases ?

- (a) *East Ham B.C v. Bernard Sunley & Sons Ltd.*
- (b) *Shearson Lehman Hutton Inc v. MacLaine Watson & Co Ltd.*
- (c) *Hadley v. Baxendale*
- (d) *Fish v. Kempton*

80. The term *consensus ad-idem* means

- (a) General consensus
- (b) Reaching an agreement
- (c) Meeting of minds upon the same thing in the same sense
- (d) All of the above

81. A (a 25 year old man) was B's (a 23 year old woman) neighbour. He fell in love with her and wanted to ask her to enter into a relationship with him. He sent her a number of text messages proclaiming his love for her. She did not respond to his overtures. On November 18, 2013, A went to B's house and told her that he was in love with her, and wanted to marry her. She told him that she was not interested and asked him to leave. A believed that B was only playing hard to get, and if he persisted, she would change her mind. On November 25, 2013, when B was returning home from her workplace, A met her again and proclaimed his love for her again. She again told him that she was not interested, and threatened to complain to the police. In spite of this, a week later, when B was leaving for work, she noticed that A was waiting outside her house, with a bouquet of flowers, and he tried to give her the flowers. B ignored him once again, and went to the police station to complain about A's acts. Under what Section of the Indian Penal Code should the police register the FIR

- (a) Section 354A for the offence of sexual harassment.
- (b) Section 354C for the offence of voyeurism.
- (c) Section 354D for the offence of stalking.
- (d) Section 509



82. A, a woman approached B, a doctor who runs a private clinic saying that she has been raped, and wanted first aid. The doctor asked her whether she had lodged a FIR. A told him that she had not, and did not want to do so, since the person who had raped her was a cousin. Which of the following will be the appropriate course of action for B to take to avoid legal liability ?
- (a) Provide first aid, and immediately inform the police, even though A does not want to.
 - (b) Provide first aid, advise A that she should inform the police, but not do so himself.
 - (c) Tell A that he cannot provide first aid unless she informs the police, and a FIR is registered.
 - (d) None of the Above
83. A approached the police station in Dwarka seeking to file a FIR against B for committing the offence of voluntarily causing grievous hurt, which is a cognizable offence. The SHO refused to register the FIR saying that on the facts of the case, a cognizable offence does not seem to have been made out. A approached a local criminal lawyer who was convinced that the offence had been made out. Which of the following steps would be the most appropriate one to take ?
- (a) Approach the jurisdictional Superintendent of Police, seeking registration of the FIR
 - (b) Approach the jurisdictional magistrate, requesting her to ask the police to conduct an investigation.
 - (c) File a FIR against the SHO for refusing to register a FIR for a cognizable offence.
 - (d) (a) and (b) are appropriate, (c) is not.
84. A, an American citizen was employed as an Air marshal by Air India. On January 4, 2014, he was deputed on Air India Flight 102 from New York to New Delhi. The aircraft was registered in India. As the aircraft entered Pakistani airspace, A took out his loaded gun and fired at the chief air purser, another American citizen, instantly killing him. A few passengers managed to disarm A, and restrained him. The flight landed in New Delhi half an hour later, and A was handed over to the police. He was produced before the Chief Metropolitan Magistrate, Dwarka, under whose jurisdiction the Indira Gandhi International Airport lies. The issue is one of jurisdiction.
- (a) An Indian court has jurisdiction to try A for the offence of murder.
 - (b) An Indian court does not have the jurisdiction to try A. He should be extradited to the United States for trial.
 - (c) An Indian court does not have the jurisdiction to try A. It is the Pakistani court which has the jurisdiction
 - (d) The case is triable only by the International Criminal Court.



85. A, a 19 year old woman, had consensual sexual intercourse with B, a 17 year old boy. When B's parents found out, they approached the police for registration of a FIR for statutory rape. The police officer insisted that no offence had been made out.
- (a) The police officer is right. Rape law is gender-specific. Only a woman can be a victim of rape, and not a man. So, no offence is made out.
 - (b) The police officer is partly right, and partly wrong. This is not an offence of statutory rape, punishable under the IPC, but the offence of penetrative sexual assault, punishable under the Protection of Children from Sexual Offences Act, 2012.
 - (c) The police officer is wrong. This crime is punishable under the Juvenile Justice Act, 2000.
 - (d) None of the Above.
86. A was convicted by a Sessions Court for the offence of murdering B. On an appeal against the conviction, the High Court discharged B, using its powers under the Cr.P.C. A few months later, the police while conducting further investigation found more incriminatory evidence against A. They approached the prosecutor, seeking her advice as to whether they could prosecute A again for B's murder
- (a) A cannot be prosecuted for B's murder because of the doctrine of double jeopardy.
 - (b) A cannot be prosecuted for B's murder, because there was an inordinate delay in the investigation.
 - (c) A can be prosecuted for B's murder. The doctrine of double jeopardy is not attracted in this case.
 - (d) None of the Above.
87. A, was arrested for illegal possession of a weapon, which is punishable under Arms Act. When he was lodged in prison, he was informed that plea bargaining is an option available to him. At what stage of the process can he file an application for plea bargaining ?
- (a) He can file the application as soon as the FIR is filed.
 - (b) He can file the application only at the time of framing of charges, when he is asked to plead.
 - (c) He can file the application as soon as the chargesheet is forwarded to the Magistrate.
 - (d) He cannot file any application. The victim/state has to file such an application.



88. Which of the following persons may be charged and tried together?
- (a) Persons accused of an offence and persons accused of abetment of, or attempt to commit such offence
 - (b) Persons accused of different offences committed in the course of the same transaction
 - (c) Both (a) and (b) are correct.
 - (d) None of the Above
89. A, a journalist was writing an article on the rape and murder of a young woman in Bangalore. To humanize and put a face to the story, she wanted to publish the name of the young woman. She sought the permission of the parents of the woman, who orally informed her that they had no objection to their daughter's name being published. A published the article in a national newspaper.
- (a) A has committed an offence, since disclosing the identity of a rape victim is an offence under the Indian Penal Code
 - (b) A has not committed an offence, since she took the permission of the parents
 - (c) A has committed an offence, since she did not have the permission of the Court.
 - (d) A has not committed an offence, since once a woman who has been raped is deceased, her name can be published.
90. In an appeal against inadequacy of sentence, what of the following things can the appellate court not do ?
- (a) Acquit the accused
 - (b) Reduce the sentence of the accused
 - (c) Alter the conviction to an aggravated category of offence for which the accused was not convicted
 - (d) None of the Above



91. Which of the following appeals abate on the death of the accused ?
- (a) Appeals for enhancement of sentence
 - (b) Appeals against acquittals
 - (c) Appeals against convictions, except an appeal from a sentence of fine.
 - (d) All of the Above
92. Under which of the following circumstances does the right to private defence of the body extend to causing death of the assailant ?
- (a) An assault with intention of committing rape
 - (b) An act of throwing or administering acid or an attempt to throw or administer acid which may reasonably cause the apprehension that grievous hurt will otherwise be the consequence of such act
 - (c) An assault with the intention of kidnapping or abducting
 - (d) All of the above.
93. Under which of the following circumstances can a police officer arrest a person without an order from a Magistrate ?
- (a) If the person commits an offence in the presence of a police officer.
 - (b) If the officer knows of a design by the person to commit a cognizable offence, and believes that the commission of the offence cannot be otherwise prevented.
 - (c) He can arrest without an order from a Magistrate in case of (a), but not (b)
 - (d) He can arrest without an order from a Magistrate both for (a) and (b)



94. A and B were a married couple. At the time of the wedding, the bride's parents had given their daughter (A), three gold necklaces, four sets of gold bangles, and a diamond ring as *stridhan*. The jewellery was kept in a bank locker, which was in B's name. Owing to an extra-marital relationship, B left the matrimonial home and moved to a different city to live with the woman he was having a relationship with. A filed for divorce, and also asked B to return the gold jewellery. A refused to return the jewellery. He instead sold the necklaces, bangles, and the ring, and deposited the money in his account. A filed a criminal complaint alleging that B had committed the offence of criminal breach of trust.
- (a) The offence is not made out, since there was no entrustment.
 - (b) The offence is not made out, since the jewellery is the joint property of both the spouses.
 - (c) This is an offence of theft, not criminal breach of trust.
 - (d) None of the above.
95. A (a 28 year old man) and B (a 27 year old woman) were in a romantic relationship and were living together. After being in a relationship for nearly three years, A asked B whether they could have sexual intercourse. B said that she would consent to sexual intercourse only if A agreed to marry her. A promised to marry B, and thereafter they had sexual intercourse multiple times over the next three years. Subsequently, B discovered that A was not being faithful to her and was in a relationship with another woman. She broke off the relationship, and sought to initiate criminal proceedings against A. Which of the following offences can A be prosecuted for ?
- (a) Criminal breach of trust
 - (b) Adultery
 - (c) Cheating, if B is able to prove that A never had the intention of marrying her.
 - (d) Custodial Rape



96. A (a 42 year old man), and B (a 37 year old woman) had been married for 15 years. They had two children, C and D. Their marriage was not a happy one. A constantly physically abused B. He used to slap and kick her, as well as insult her. The violence in fact led to B attempting to commit suicide. However, at no point did A demand dowry from B or her relatives. If B were to consider initiating criminal proceedings against A, would Section 498A of the Indian Penal Code apply?
- (a) It would not, since a demand for dowry is one of the prerequisites for attracting Section 498A
 - (b) It would, since any conduct which is likely to drive the woman to commit suicide attracts Section 498A
 - (c) This is a case of domestic violence, so a FIR should actually be filed under the Protection of Women from the Domestic Violence Act.
 - (d) It would not, since the couple had been married for more than 7 years.
97. A magazine published a semi-nude photograph of a woman, in a campaign against breast cancer. The tag-line of the photograph was to encourage women to get regular medical tests done to ensure early detection of the disease. A respected lawyer in Delhi felt that the photograph was obscene and would result in young minds being corrupted. Hence, he filed a complaint against the editor of the magazine invoking Section 292 of the Indian Penal Code. In light of recent Supreme Court jurisprudence on Section 292, which of the following is not a standard that should be used to judge whether the photograph is obscene ?
- (a) If the picture has the effect of depraving or debauching the minds of the persons who may see the picture, it would be obscene.
 - (b) In judging whether a picture is obscene, contemporary mores and national standards should be considered, and not the standards of a group of susceptible and sensitive people.
 - (c) The picture has to be viewed in the background in which it is shown and the message that it seeks to convey to the public and the world at large.
 - (d) None of the above.



98. Where a criminal proceeding has been initiated on the basis of a police report, copies of which of the following documents does the Magistrate have to supply to the accused free of cost ?
- (a) The police report (Chargesheet)
 - (b) The First Information Report
 - (c) Confessions and statements recorded under Section 164, Cr.P.C.
 - (d) All of the above
99. Which of the following statements with respect to victim compensation is incorrect ?
- (a) Under Section 357(1), Cr.P.C., the Court can direct the accused to pay compensation only if the accused is punished with a sentence of fine or with some other sentence of which fine is a part. Amount of compensation cannot exceed the amount of fine that can be imposed under the section for which the person has been convicted, and the amount of fine that particular court may impose by law.
 - (b) Under Section 357(3), Cr.P.C., a court can award compensation even if fine is not part of the sentence. There is no limit on the amount of compensation that the court may ask the accused to pay the victim.
 - (c) If a person is acquitted of a crime, the trial court cannot make a recommendation of compensation under Section 357A, Cr.P.C.
 - (d) If a crime has been committed, the victim is identified, but the accused cannot be traced, the victim can make an application for compensation to the State or District Legal Services Authority.
100. A, a man, was legally married to B. They had two children from the marriage. During the subsistence of the marriage A entered into a relationship with another woman, C. He then proposed marriage to her, and they got married at a local temple. C was not aware that A was already married. Which of the following offences have been committed?
- (a) A has committed the offence of bigamy
 - (b) A has committed the offence of adultery
 - (c) A has committed the offence of bigamy, and also the offence of concealing his previous marriage from C
 - (d) A has not committed any offence.

LL.M. ADMISSION TEST -2014

PART II

Date of Exam: 04th May, 2014 (Sunday) . Centre Name: _____

Maximum Marks : 50

Roll No: _____

ANSWER ANY ONE QUESTION FROM THE FOLLOWING IN THE ATTACHED ANSWER SHEET WITH PEN

1. The Supreme Court of India has held that its application of the "rarest of rare case" doctrine in imposing the death penalty has been arbitrary". Do you agree with this observation? Critically analyse.

Or

2. Critically analyse the Supreme Court's recent attempts to counter criminalization of politics.

Or

3. Critically analyse Indian jurisprudence on "no fault liability" in tort law.

Or

4. Should pre-nuptial agreements be enforceable under the Indian Contract Act? Analyse in light of Section 23 of the Indian Contract Act.



LL.M. ADMISSION TEST – 2015

Date of Exam. : 03 rd May, 2015(Sunday)	Center's Name : _____
Duration : 90 Minutes	Admit Card No. : _____
Max. Marks : 150	Answer Sheet No. : _____

Question Booklet
Sl. No.

21060

INSTRUCTIONS TO CANDIDATES

1. No clarification on the question paper can be sought. Answer the questions as they are.
2. There are **100** multiple choice objective type questions of **one** mark each which has to be answered in the OMR sheet.
3. Candidates have to indicate the correct answer by darkening one of the four responses provided in the OMR Sheet. Use **ONLY HB PENCIL AND DO NOT USE BALL POINT/INK/GEL PEN**

Example : For the question, "Where is the Taj Mahal located ?" The correct answer is (b).

The candidate has to darken the corresponding circle as indicated below :

(a) Kolkata (b) Agra (c) Bhopal (d) Delhi

Right Method

(a) ☒ (b) ☐ (c) ☐ (d) ☐

Wrong Methods

(a) ☒ (b) ☒ (c) ☐ (d) ☐ (a) ☒ (b) ☒ (c) ☐ (d) ☐ (a) ☐ (b) ☒ (c) ☐ (d) ☐

4. There is one essay question of 50 marks which has to be answered in separate sheet with a pen. **Total marks are 150.**
5. There is no negative marking.
6. Answering the questions by any method other than the method mentioned above shall be considered incorrect and no marks will be awarded for the same.
7. More than one response to a question shall be counted as **Zero**.
7. The candidate shall not write anything on the Answer Sheet other than the details required and in the spaces provided for.
9. After the examination is over, the candidate has to return the test booklet along with Answer Sheet, to the invigilator.
10. The use of any unfair means by any candidate will result in the cancellation of his / her candidature.
11. **Impersonation is an offence and the candidate, apart from disqualification, may have to face criminal prosecution.**
12. **No electronic gadgets like mobile phone or calculator will be permitted inside the test centers.**

SEAL



08018

DO NOT WRITE HERE



1. "Distribution of various things to various persons in proportion to their personal dignity." Which doctrine is reflected by the statement ?
 - (a) Commutative justice
 - (b) Distributive justice
 - (c) Corrective justice
 - (d) None of the above
2. According to Hobbes, the ultimate objective of law and sovereign power is to
 - (a) command subjects
 - (b) establish peace
 - (c) decide between just and unjust law
 - (d) impart justice only
3. Who has written the book titled of "The Vocation of Our Age for Legislation and Jurisprudence"?
 - (a) Edmund Burke
 - (b) Sir Henry Maine
 - (c) Friedrich Carl von Savigny
 - (d) Roscoe Pound
4. Who among the following is the chief exponent of the English historical school of law ?
 - (a) Savigny
 - (b) Henry Maine
 - (c) Herbert Spencer
 - (d) Coolidge Carter



5. Match the following works with their authors.

- | | |
|------------------------|--|
| A. Charles Darwin | (i) The Communist Manifesto |
| B. Karl Marx | (ii) The Province of Jurisprudence
Determined |
| C. Rudolph von Ihering | (iii) Origin of Species |
| D. John Austin | (iv) Law as a Means to an End |

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

6. 'Every legal system comprises of a series of norms in order of rank with supposition that there is a great norm which gives legal validity to other norms in hierarchy.' The norm was termed by Kelson

- (a) Sovereign Norm
- (b) Delegated Norm
- (c) Grand Norm
- (d) Natural Law

7. Match the names of the jurists with as their opinions of Jurisprudence.

- | | |
|--|------------------|
| A. The study and systematic arrangement of the general principles of law | (i) Julius Stone |
| B. Lawyer's extra version | (ii) Keeton |
| C. Science of the first principles of the civil law | (iii) Allen |
| D. The scientific synthesis of the essential principles of law | (iv) Salmond |

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



8. The term '*Dominium*' means
- (a) An absolute right to a thing
 - (b) Only a physical control over a thing
 - (c) a & b both
 - (d) None of the above
9. Stammler's opinion of law reflects its
- (a) inviolability
 - (b) autocratic collective will
 - (c) a & b both
 - (d) none of the above
10. The term '*Eunomics*' used by the Lon Fuller, he defines as
- (a) the natural law as authoritative law
 - (b) doctrine of binding ultimate ends
 - (c) the theory or study of good order and workable arrangements
 - (d) none of the above
11. Finnis has established relation of natural law with other subjects. Such list contains _____ subjects.
- (a) Five
 - (b) Eight
 - (c) Seven
 - (d) Twenty



12. Who is the supporter of '*Social Contract Theory*'?
- (a) Kant
 - (b) Grotious
 - (c) Rousseau
 - (d) All the above
13. Defence against external aggression is a
- (a) Primary function of State
 - (b) Secondary function of State
 - (c) Ancillary function of State
 - (d) None of the above
14. Who among the following supports the theory that Judges make the law?
- (a) Blackstone
 - (b) Coke
 - (c) Dicey
 - (d) None of the above
15. Which is not the safeguard against the delegated legislation?
- (a) Parliamentary Control
 - (b) Judicial Control
 - (c) Publicity
 - (d) None of the above
16. Relationship between law and morals can be established as
- (a) Morals as the basis of law
 - (b) Morals as the test of positive law
 - (c) Morals as the end of law
 - (d) All the above.



17. Law provides Indemnity is a perfect example of
- (a) Social justice
 - (b) Distributive Justice
 - (c) Corrective Justice
 - (d) None of the above
18. *"International law is the vanishing point of jurisprudence."* Statement made by
- (a) Sir William Blackstone
 - (b) Sir Henry Maine
 - (c) Sir Thomas Erskine Holland
 - (d) H.L.A. Hart
19. According to Salmond , a perfect duty is one
- (a) which is recognized by law
 - (b) which is enforced by law
 - (c) a & b both
 - (d) none of the above
20. Power of making treaty is conferred upon
- (a) The Parliament
 - (b) President of India
 - (c) Prime Minister of India
 - (d) President of India but is subject to ratification by the Parliament
21. The writ of mandamus would be issued when there is failure to
- (a) perform a mandatory duty
 - (b) perform a discretionary duty
 - (c) perform an obligation arising out of contract
 - (d) perform a duty by a private institution



22. India borrowed the idea of incorporating fundamental rights in the Constitution from
- (a) Constitution of France
 - (b) Constitution of USA
 - (c) Constitution of Britain
 - (d) Charter of Human Rights
23. Money Bill can be introduced in
- (a) House of the People
 - (b) Council of States
 - (c) Either of the two Houses
 - (d) None of the above
24. What can be the maximum interval between the two sessions of each House of Parliament ?
- (a) three months
 - (b) six months
 - (c) nine months
 - (d) one year
25. Which of the following States has separate Constitution ?
- (a) Sikkim
 - (b) Mizoram
 - (c) Jammu & Kashmir
 - (d) None of the above



26. India is Republic because
- (a) The Head of State is elected (indirectly) by the people
 - (b) The Head of Government is elected by the people
 - (c) The Government is responsible to the people
 - (d) The Constitution of India was made by the people
27. Rescission of contract means
- (a) To renew a contract
 - (b) To cancel a contract
 - (c) To alter a contract
 - (d) None of these
28. On accepting a proposal, it becomes a
- (a) agreement
 - (b) valid agreement
 - (c) contract
 - (d) promise
29. Caveat Emptor means
- (a) Seller be aware
 - (b) Callous agent
 - (c) Buyer be aware
 - (d) None of these
30. When goods are put on display with a price tag attached to them it is said to be
- (a) Offer
 - (b) Invitation to offer
 - (c) Agreement
 - (d) None of the above



31. According to the law of contract, considerations and objects are unlawful
- (a) In case they are fraudulent
 - (b) When they are immoral
 - (c) When they are forbidden by law
 - (d) All the above
32. For the enforcement of any of the Fundamental Rights
- (a) writ petition must be moved in the High Court
 - (b) writ petition cannot be filed directly in the Supreme Court
 - (c) writ petition can be directly moved in the Supreme Court
 - (d) writ petition can be directly moved in the Supreme Court with its leave
33. The power of the President of India to issue an Ordinance is a
- (a) Executive power
 - (b) Legislative power
 - (c) Constituent power
 - (d) Administrative power
34. The clemency of capital punishment may be granted by
- (a) President of India
 - (b) Chief Justice of India
 - (c) Prime Minister of India
 - (d) Parliament
35. Hussainara Khatoon V. State of Bihar was the case where Supreme Court
- (a) directed release of all undertrials who were in jail for periods longer than maximum term of imprisonment for which they could be sentenced if convicted of the offence charged
 - (b) exhorted the state governments to establish more criminal courts to ensure speedy trial of undertrials
 - (c) only (a) is correct
 - (d) both (a) & (b)



36. Organization of village panchayats is contained in
- (a) Article 41
 - (b) Article 42
 - (c) Article 40
 - (d) Article 43A
37. National Capital Territory of Delhi has been constituted by
- (a) 71st Amendment
 - (b) 82nd Amendment
 - (c) 69th Amendment
 - (d) Ordinance promulgated by the President
38. Section 326 B in IPC which was added by Criminal Law (Amendment) Act, 2013 refers to
- (a) Trafficking of a person
 - (b) Attempting to throw acid
 - (c) Sexual assault
 - (d) Both (a) & (b)
39. Who will inquire the suicidal death of woman within seven years of marriage ?
- (a) only Police
 - (b) only executive Magistrate
 - (c) only judicial Magistrate can investigate
 - (d) both (a) & (c)



40. Which of the following is Montesquieu's work?
- (a) Spirit of law
 - (b) Civilisation and the growth of law
 - (c) The Theory of Justice
 - (d) Law as Fact
41. Concept of 'Volksgeist' was propounded by
- (a) Kant
 - (b) Ehrlich
 - (c) Savigny
 - (d) Maine
42. Who gave the theory of sovereignty for the first time in a proper sense ?
- (a) Bodin
 - (b) Machiavelli
 - (c) Bentham
 - (d) Dicey
43. An evidence obtained by improper or unlawful means is
- (a) Relevant
 - (b) Irrelevant
 - (c) Relevant and admissible
 - (d) Irrelevant and inadmissible



44. In relation to First Information Report, which of the following statements is not correct ?
- (a) It is not a substantive evidence
 - (b) It merely marks the beginning of the investigation
 - (c) It cannot be used as a previous statement for any reason
 - (d) The informant need not be an eye-witness
45. Where a case relates to two or more offences of which at least one is cognizable and others non-cognizable
- (a) The case shall be deemed to be a cognizable case
 - (b) The case shall be deemed to be a non-cognizable case
 - (c) Either (a) or (b)
 - (d) Depend on the magistrate's direction
46. Actus reus means
- (a) External manifestation of the will
 - (b) Such action which are prohibited by law
 - (c) The whole definition of the crime with the exception of mental element and it even includes a mental element in so far as that is contained in the definition of act.
 - (d) External physical acts prohibited by law
47. A, an officer of a court of justice was ordered to arrest Y by the court. He arrests Z after due inquiry believing Z to be Y
- (a) A has committed the offence of wrongful confinement
 - (b) A is guilty of criminal negligence
 - (c) A has committed no offence, because he is protected by Sec. 76, IPC
 - (d) None of the above is correct



48. 'A' in his madness, attempts to kill 'B'. 'B' hits 'A' with an iron rod seriously injuring him
- (a) 'B' has no right to private defence since 'A' is mad
 - (b) 'B' has right to private defence though 'A' is mad
 - (c) 'B' is guilty of inflicting grievous injury on 'A'
 - (d) None of the above
49. A instigates B to murder C. B stabbed C but C recovers from the wound.
- (a) A is not guilty of instigation as desired result not obtained
 - (b) A is guilty of abetting B to commit murder
 - (c) A is guilty of abetting B to commit grievous hurt
 - (d) None of these
50. A self-styled expert in family planning, gave B some chemical after the consumption of which the child in the womb of B died in the womb.
- (a) A has committed the offence of murder
 - (b) A has committed the offence of culpable homicide not amounting to murder
 - (c) A has committed the offence of causing miscarriage
 - (d) A has committed no offence
51. Z takes away a gold chain of his wife which was given by her father as Stridhan, without her consent, and pledge it to raise money for domestic use. Z is
- (a) Not guilty of theft as the chain was their joint property
 - (b) Not guilty of theft as the property was temporarily taken away
 - (c) Guilty of theft
 - (d) Guilty of criminal misappropriation
52. Goods under Sale of Goods includes
- (a) All movable property
 - (b) All movable property excepting money and actionable claims
 - (c) All movable property excepting money only
 - (d) All movable property excepting actionable claims only



53. Goods are said to be in deliverable state when they are in such state that
- (a) The buyer is bound to take delivery of the goods
 - (b) The goods are ready but buyer has option of refusing to take delivery
 - (c) Half of the total order of the goods are ready
 - (d) None of the above
54. According to Indian Contract Act, in which of the following situation an agreement in restraint of trade is valid ?
- (a) Sale of goodwill
 - (b) Business contingency
 - (c) Mutual adjustment
 - (d) None of the above
55. The plaintiff, a one-eyed man, employed by the defendants, was working in conditions involving some risk of eye injury but the likelihood of injury was not sufficient of call upon the defendants to provide goggles as to a normal two-eyed workman. The plaintiff was injured in the eye while working. The defendants are
- (a) Liable because the plaintiff being a one-eyed workman magnitude of risk of injury to his remaining eye was very high and consequently the defendants should have provided him with goggles
 - (b) Not liable because the defendants were not duty bound to provide goggles to the plaintiff
 - (c) Liable because the plaintiff's nature of duties was such that eye injury was probable
 - (d) Not liable because the plaintiff and voluntarily undertaken the job fully appreciating the risks involved



56. Law of torts have developed mainly through
- (a) Enactments
 - (b) Judicial decisions
 - (c) Customs and precedents
 - (d) All the above
57. Two strangers took lift in a jeep. A bolt fixing the right front wheel to the axle gave way toppling the jeep. Two strangers were thrown out and one of them died of injuries and the other sustained injuries.
- (a) The driver is responsible for the accident as he did not take care and caution
 - (b) The owner is responsible as he let the driver to drive a defective vehicle
 - (c) The strangers are responsible as they took the lift willingly (*volenti non fit injuria*)
 - (d) Both the driver and owner are responsible
58. The doctrine 'res ipsa loquitur' does not apply
- (a) When two inferences are possible
 - (b) When the thing which causes the damage is not the exclusive control of the defendant
 - (c) both (a) and (b)
 - (d) neither (a) nor (b)
59. Sampling is based on
- (a) census
 - (b) probability
 - (c) objection A study
 - (d) number of cases



60. Identify odd thing out
- (a) Literature review
 - (b) Research problem
 - (c) Objective & hypothesis
 - (d) Conclusion
61. Directive principles are
- (a) justiciable as fundamental rights
 - (b) justiciable but not as fundamental rights
 - (c) decorative portion of Indian Constitution
 - (d) not justiciable but fundamental in governance of the country
62. Find the odd one out
- (a) Right to Equality
 - (b) Cultural and Educational Rights
 - (c) Right against exploitation
 - (d) Right to Property
63. Which of the following writs is issued by an appropriate judicial forum in order to free a person who is illegally detained ?
- (a) Quo Warranto
 - (b) Certiorari
 - (c) Habeas Corpus
 - (d) None of the above
64. Which Article of the Constitution gives Governor power to grant pardon in certain cases ?
- (a) Article 151
 - (b) Article 155
 - (c) Article 161
 - (d) Article 165



65. As per Article 274, of Constitution whose prior recommendation is required to Bills affecting taxation in which states are interested
- (a) Speaker of the Lok Sabha
 - (b) President
 - (c) Prime Minister
 - (d) Both (a) & (b)
66. A man ran to a lake stating that he would jump in it but he was caught before he could reach it. He is guilty of
- (a) attempt to culpable homicide
 - (b) attempt to suicide
 - (c) attempt to injure himself
 - (d) no offence
67. In which of the following way the right of stoppage in transit can not be exercised by the unpaid seller ?
- (a) By taking actual possession of the goods
 - (b) By giving notice of such intention
 - (c) By either of them
 - (d) None of them
68. Quit India movement was declared by the Indian National Congress in Mumbai Session of AICC on
- (a) August 8, 1942
 - (b) August 15, 1947
 - (c) January 26, 1950
 - (d) None of the above



69. The Preamble of our Constitution proclaims that "We, the people of India" have established"
- (a) a Sovereign, Socialist, Secular, Democratic Republic
 - (b) a Sovereign, Democratic Republic
 - (c) a Sovereign, Secular, Democratic Republic
 - (d) a Sovereign, Socialist, Secular Republic
70. The term of President of India is for
- (a) five years from the date of entering upon office
 - (b) four years from the date of entering upon office
 - (c) five years from the date of declaration of result of election
 - (d) Life
71. Give correct response
- (a) The Council of Ministers are collectively responsible to the President of India
 - (b) The Council of Ministers are collectively responsible to the Parliament
 - (c) The Council of Ministers are collectively responsible to the Lok Sabha
 - (d) The Council of Ministers are collectively responsible to the Prime Minister
72. Rajya Sabha has a term of
- (a) six years
 - (b) it is a permanent body in which one third of members retire after every second year
 - (c) five years from the date of oath taken by the members
 - (d) ten years
73. Representatives of Union Territories in Lok Sabha are chosen by
- (a) direct election
 - (b) indirect election
 - (c) nomination
 - (d) none of the above



74. Parliament consists of
- (a) Lok Sabha and Rajya Sabha
 - (b) Lok Sabha, Rajya Sabha and the President
 - (c) Lok Sabha, Rajya Sabha, President and Vice President
 - (d) Lok Sabha, Rajya Sabha, President and Comptroller & Auditor General
75. In case of Concurrent List both Union and State Legislatures may make laws, but in case of conflict
- (a) President has the discretion to choose which prevails
 - (b) Supreme Court decides which prevails
 - (c) Union Law prevails
 - (d) State Law prevails in the State which made the law but elsewhere the Union Law prevails
76. Who is the first law officer of the Government of India
- (a) Chief Justice of India
 - (b) Attorney General
 - (c) Solicitor General
 - (d) Law Secretary
77. Which case is related to Promissory Estoppel ?
- (a) Chappell & Co. Ltd. v. Nestle Co. Ltd.
 - (b) Lakeman v. Mountstephen
 - (c) Currie v. Misa
 - (d) Central London Property Trust Ltd. v. High Trees House Ltd.



78. The plaintiff, a bullion merchant, was arrested by the police on a charge of purchasing stolen goods. Gold and silver ornaments were seized from the plaintiff and kept in the police station custody. The duty constable appropriated the gold ornaments and escaped to a foreign country. The plaintiff after being acquitted brought an action against the State for compensation. In this case compensation is
- (a) Payable as there is misappropriation by the servants of the State
 - (b) Payable due to the fact that the police constable is in duty
 - (c) Payable by the police constable himself and not by the State
 - (d) Not payable as the act was committed in discharge of sovereign function
79. The plaintiff, a lady visitor to a restaurant, was injured by the ceiling fan which fell on her. The reason for the falling of fan was a latent defect in the metal of the suspension rod of the fan. In an action against the defendant, he is
- (a) Not liable because injury was not foreseeable
 - (b) Liable because injury was foreseeable
 - (c) Liable because of the doctrine of 'res ipsa loquitur'
 - (d) Liable because of the last opportunity rule
80. **Assertion (A) :** A person can claim damages, if he has sustained any loss monetary or otherwise.
- Reason (R) :** Where there is infringement of a legal right, law will allow compensation.
- (a) Both A and R are true and R is the correct explanation of A
 - (b) Both A and R are true and R is not a correct explanation of A
 - (c) A is true but R is false
 - (d) A is false but R is true
81. **Assertion (A) :** He who keeps ferocious animal keeps it at his peril.
- Reason (R) :** It is not wrongful to keep a ferocious animal, the wrong is in allowing it to escape from the keeper's control with the result that it does damage.
- (a) Both A and R are true and R is the correct explanation of A
 - (b) Both A and R are true and R is not a correct explanation of A
 - (c) A is true but R is false
 - (d) A is false but R is true



82. During rainy season there is water logging in many areas of city. The dirty water remains for months because of faulty drainage. The water causes hardships and diseases. Which one of the following correctly describes the reason for the disposal of the case ?
- (a) The facts show no 'nuisance'
 - (b) Lack of financial capacity on the part of the Municipal corporation is not a defence
 - (c) Water logging was caused by heavy rains which is an act of nature exempting the Municipal Corporation
 - (d) A duty is imposed on the municipal corporation by the statute
83. In which case the strict maxim of law that '*No person can be indemnified unless he has actually been damaged*', has been liberalised on the basis of equity ?
- (a) Dugdale v. Lovering
 - (b) Secretary of State v. Bank of India Ltd.
 - (c) Gajanan Moreshwar v. Moreshwar Madan
 - (d) Bank of Bihar v. Damodar Prasad
84. The defendants published in their newspaper a photograph of one Mr. 'C' and Miss. 'X', together with the words, " Mr. 'C' the race-horse owner, and Miss. 'X', whose engagement has been announced". The information on which the defendants based their statement was derived from Mr. 'C'. In fact, Mr. 'C' and Mrs. 'C' were not living together. Mrs. 'C' sued the defendants for defamation, the innuendo being that Mr. 'C' was not her husband but lived with her in immoral cohabitation. The defendants would be
- (a) Liable because a publisher is responsible for the consequences of any publication and the plaintiff's innuendo is established
 - (b) Not liable because he genuinely believed the news to be true and so published the same
 - (c) Liable because they had been negligent in publishing the news
 - (d) Not liable because they have verified the veracity of the news from Mr. 'C' before publishing the same



85. Every injury imports damage though it does not cost the party one farthing. For a damage is not merely pecuniary, but an injury imports a damage, when a man is thereby hindered of his right. As in an action for slanderous words, though a man does not lose a penny by reason of speaking them yet he shall have an action. A man shall've an action against another for riding over his ground, though it does him no damage, for it is an invasion of his property, and the other has no right to come there. This opinion was expressed by
- (a) Chief Justice Hilt in *Ashby v. White*
 - (b) Justice Hankford in Gloucester Grammar school case
 - (c) Lord Macmillan in *Donogue v. Stevenson*
 - (d) None of the above
86. 'A' a qualified voter, was denied his right to vote by the Returning Officer. Thus candidate for whom A voted was nevertheless elected. An action in tort against the Returning Officer
- (a) does not lie because A suffered no harm the candidate he wanted to voted for was elected
 - (b) does not lie because there was no malice
 - (c) lies because a legal right was injured even though no harm was caused
 - (d) none of the above
87. Defamation is divided into libel and slander under
- (a) Indian Law only
 - (b) English Law only
 - (c) Both under English Law & Indian Law only
 - (d) None of the above



88. Tort is a violation of
- (a) a right in rem
 - (b) a right in personam
 - (c) both right in rem & right in personam
 - (d) neither a right in rem & nor a right in personam
89. In which of the following cases, it was observed that if an act is otherwise lawful it does not become unlawful merely because the same has been done with an evil motive ?
- (a) Allen v. Flood
 - (b) Mayor of Bradford Corpn. v. Pickles
 - (c) Town Area Committee v. Prabhu Dayal
 - (d) Stone v. Bollon
90. A lady died at the time of the birth of her child. An unqualified midwife attended her to on her own request at the time of the delivery. Her husband brought an action for damages in this case.
- (a) no damages are payable as the deceased lady voluntarily engaged the midwife
 - (b) damages are payable to the husband as his consent was not taken
 - (c) no damages are payable as the unqualified midwife can be criminally tried
 - (d) damages are payable as the consent of the deceased was irrelevant
91. The propounder of pigeon hole theory is
- (a) Salmond
 - (b) Austin
 - (c) Winfield
 - (d) Clerk & Lindsell



92. A railway company was authorized by law to run railway trains on a track. The sparks from the engine set fire to the adjoining property belonging to the plaintiff. Which one of the following defenses will be most appropriate for the defendant to raise in a action for nuisance by the plaintiff ?
- (a) Public good
 - (b) Nuisance due to other's acts
 - (c) Reasonable act in conducting his business
 - (d) Statutory authority
93. Trespass to goods is
- (a) Actionable per se
 - (b) Actionable only when damage is caused
 - (c) not actionable at all
 - (d) all the above
94. A, a lorry driver, was permitted by his employer to stop during long journey to obtain refreshment. One day, while walking towards a café (having drawn up the lorry by the roadside), the driver was involved in a collision with the plaintiff, a pedestrian. The plaintiff got injured.
- (a) The employer will not be liable for A's act
 - (b) The employer will be liable for A's act because he was acting in the course of his employment
 - (c) The employee will not be liable because he was authorized to stop during long journey to obtain refreshment and accident occurred in this process
 - (d) None of the above
95. Z sued A,B,C, and D for damages for making defamatory statements and he was awarded a decree of Rs. 30,000/-. He executed the decree against A alone and could recover a sum of only Rs. 10,000/-
- (a) Z can file execution proceedings against B,C. and D for the recovery of balance of amount
 - (b) Z can not do so
 - (c) Z should file only against the one from whom he can recover the amount
 - (d) None of the above



96. last opportunity rule is
- (a) an exception to contributory negligence
 - (b) a modification to contributory negligence
 - (c) an alternative to contributory negligence
 - (d) supplements to contributory negligence
97. Remoteness of damages is determined by
- (a) the test of directness
 - (b) the test of reasonable foresight
 - (c) both (a) and (b)
 - (d) none of the above
98. Deepak. v. State of Haryana (2015) is the case relating to
- (a) Delay in lodging FIR in case of rape
 - (b) Transfer of investigation to CBI
 - (c) Issuance of summoning orders
 - (d) Presumption of dowry death
99. Jaat community is not entitled to be included as backward community in OBCs has been held by the Supreme Court in the case of
- (a) Ram Singh and Ors. v. Union of India
 - (b) Rashmi Behl v. State of U.P.
 - (c) Sampath Singh v. State of Haryana
 - (d) Satish Kumar Dabgar v. Union of India
100. A division bench of a High Court consists of
- (a) 1
 - (b) 2
 - (c) 3
 - (d) More than 2



LL.M. ADMISSION TEST – 2016

Date of Exam. : 01st May, 2016 (Sunday)

Center's Name : _____

Duration : 90 Minutes

Admit Card No. : _____

Max. Marks : 150

Answer Sheet No. : _____

Question Booklet
Sl. No.

INSTRUCTIONS TO CANDIDATES

31865

1. No clarification on the Question Paper can be sought. Answer the questions as they are.
2. There are **100** multiple choice objective type questions of **one** mark each which has to be answered in the OMR sheet.
3. Candidates have to indicate the correct answer by darkening one of the four responses provided in the OMR Sheet. Use **ONLY HB PENCIL AND DO NOT USE BALL POINT/INK/GEL PEN**

Example : For the question, "Where is Taj Mahal located ?" The correct answer is (b).

The candidate has to darken the corresponding circle as indicated below :

(a) Kolkata

(b) Agra

(c) Bhopal

(d) Delhi

Right Method

(a) ● (c) (d)

Wrong Methods

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

4. There is one essay question of **50** marks which has to be answered in separate sheet with a pen.
Total marks are 150.

5. There is no negative marking.

6. Answering the questions by any method other than the method mentioned above shall be considered incorrect and no marks will be awarded for the same.

7. More than one response to a question shall be counted as **Zero**.

8. The candidate shall not write anything on the Answer Sheet other than the details required and in the spaces provided for.

9. After the examination is over, the candidate has to return the test booklet along with Answer Sheet, to the invigilator.

10. The use of any unfair means by any candidate will result in the cancellation of his /her candidature.

11. **Impersonation is an offence and the candidate, apart from disqualification, may have to face criminal prosecution.**

12. **No electronic gadgets like mobile phone or calculator will be permitted inside the test center.**





DO NOT WRITE HERE



PART – I

- 1: In the landmark judgment of National Legal Services Authority (NALSA) V. Union of India, Supreme Court while declaring transgender people to be a 'third gender' observed
 - (a) the Constitution of India will be equally applicable to transgender people
 - (b) the right to self-identification of their gender as male, female or third-gender
 - (c) reservations to be given in admissions to educational institutions and jobs
 - (d) all of the above
2. Recently Union of India Vs. Sriharan dealt with
 - (a) Compensation
 - (b) State power of remission
 - (c) Restitution
 - (d) Probation
3. Which Article of the Indian Constitution deals with the suability of the Union of India ?
 - (a) Article 100
 - (b) Article 200
 - (c) Article 300
 - (d) Article 330
4. Which of the following is not correctly matched ?
 - (a) Article 153 – Office of Governor
 - (b) Article 156 – Term of the Governor
 - (c) Article 154 – Executive Authority of Governor
 - (d) Article 155 – Removal of Governor
5. A took his wife B to England for vacations. Due to some business emergency A had to go back to his place of work immediately while leaving B in England owing to her ill health. A promised to pay B 300 Pounds per week as maintenance during her stay in England but failed to pay. If A sued by B then
 - (a) A is liable for breach of contract
 - (b) A is not liable because he cannot be presumed to have any intention to enter into a contract with his wife B
 - (c) A is not liable because of lack of consideration on the part of B
 - (d) A is liable because a promise to one's wife result in a binding contract even in the absence of a consideration for the promise



6. Which of the following cases are related to Doctrine of Eclipse ?
- (a) Deep Chand V. State of UP
 - (b) State of Gujrat V. Ambica Mills
 - (c) Dulare Lodh V. 3rd Additional District Judge
 - (d) All the above
7. Which of the following Constitutional Amendments provide for the formation of a National Judicial Appointments Commission ?
- (a) The Constitution (97th Amendment) Act, 2012
 - (b) The Constitution (98th Amendment) Act, 2013
 - (c) The Constitution (99th Amendment) Act, 2014
 - (d) The Constitution (100th Amendment) Act, 2015
8. According to the Supreme Court a person belonging to non reserved class transplanted by adoption or marriage or conversion or any other voluntary act to a family belonging to reserved class does not become eligible to the benefits of reservation either under Article 15(4) or 16(4) of the Constitution in
- (a) Indra Sawheny V. Union of India
 - (b) Kumari Madhuri Patel V. Additional Commissioner Tribal Development
 - (c) Valsamma Paul V. Cochin University
 - (d) M.D. Kesekar V. Vishwanth Pandu Barde
9. When a writ is issued to an inferior court or tribunal on grounds of exceeding its jurisdiction or acting contrary to the rules of natural justice, it is called a writ of
- (a) Certiorari
 - (b) Mandamus
 - (c) Quo Warranto
 - (d) Habeas Corpus
10. **Assertion (A) :** By amendment, Preamble cannot destroy the basic feature of the Constitution.
- Reason (R) :** The power to amend does not include the power to abrogate the Constitution.
- (a) Both A and R are true and R is the correct explanation of A
 - (b) Both A and R are true but R is not a correct explanation of A
 - (c) A is true but R is false
 - (d) A is false but R is true



11. Language to be used in the Supreme Court and in the High Courts and for Acts, Bills etc. in the Legislature shall be
 - (a) Hindi
 - (b) English
 - (c) Hindi or English
 - (d) None of the above
12. The appointment of only lady principals or lady teachers in a Women's College
 - (a) Violative of Article 14
 - (b) Is not violative of Article 14
 - (c) Violative subject to conditions
 - (d) None of the above
13. The concept of judicial review was borrowed from the Constitution of
 - (a) Britain
 - (b) France
 - (c) USA
 - (d) None of the above
14. In which of the following States of India is Article 31 of the Indian Constitution applicable even after it was deleted by the 44th Amendment Act ?
 - (a) Jammu and Kashmir
 - (b) Himachal Pradesh
 - (c) Sikkim
 - (d) Arunachal Pradesh
15. Common intention under Sec. 34 implies
 - (a) Similar intention
 - (b) Pre-arranged planning
 - (c) Presence of common knowledge
 - (d) Common design for common object
16. Admiralty jurisdiction does not extend over
 - (a) Offences committed on Indian ships on the High seas
 - (b) Offences committed on foreign merchant ships in Indian territorial water
 - (c) Offences committed on foreign warships in Indian territorial water
 - (d) Piracy



17. The term 'offence' as defined in IPC means
- (a) Any Act made punishable by the Penal Code
 - (b) Any Act made punishable by the Penal Code or any special or local law, in certain cases.
 - (c) Both (a) and (b)
 - (d) None of these
18. In cases of common intention which of the following statements hold true ?
- (a) The members of the mob are presumed to have common intention for the offences committed
 - (b) In cases excluding gang rape cases it is necessary for the common intention to be there from the beginning
 - (c) For establishing of common intention it is necessary to prove individual acts of the accused by direct evidence
 - (d) In gang rape cases it is not necessary for the common intention to be there from the beginning, it can be developed at the last minute before committing of the offence
19. Is it binding on the part of a state to make SC/ST reservation in matter of promotion ?
- (a) Yes
 - (b) Sometimes
 - (c) Occasionally
 - (d) No
20. Good faith as per the definition of IPC means
- (a) An act, in fact done honestly
 - (b) An act done under bonafide belief
 - (c) An act done with due care and attention
 - (d) None of the above
21. X enticed a minor girl G of age 17 years 11 month out of lawful guardianship and kept her with him in a hotel in another city and later on deserted her. While G was loitering on the streets of that city, M took her with him and to his village to look for her parents. G was finally recovered from his house by the police
- (a) Only M is guilty of kidnapping
 - (b) Only X is guilty of kidnapping
 - (c) Both X and M are guilty of kidnapping
 - (d) None of the above



22. Identity of the rape victim must be protected. Which of the following statements is not true for the protection of the identity of a rape victim ?
- (a) The judgments of the SC, HC and lower courts should avoid using the name of the victim and simply describe her as the victim
 - (b) The name of the victim should not be disclosed by the court unless it is absolutely unavoidable
 - (c) Publishing the photograph of the victim in the newspaper is an offence
 - (d) None of these
23. In which of the following cases did the Supreme Court overrule the judgment of Delhi High Court and declared that Section 377 of IPC is not unconstitutional ?
- (a) NAZ Foundation V. Government of NCT of Delhi
 - (b) Suresh Kumar Kaushal and another V. NAZ Foundation and others
 - (c) NAZ Foundation V. Union of India
 - (d) Naz Foundation V. Ram Lal and others
24. The correct understanding of the offence of theft as defined in Sec. 378 IPC is
- (a) The offence of theft is committed the moment one takes into possession another's property
 - (b) Moving of property out of the possession of another without his consent
 - (c) Dishonest taking of any movable property out of the possession of another
 - (d) None of the above
25. Which of the following is false about the presumption of innocence ?
- (a) This holds good in all kinds of trials including criminal trial
 - (b) In this case the charge must be reasonably proved
 - (c) It can be easily rebutted
 - (d) Graver the crime, greater will be the degree of doubt that is reasonable
26. A struck his wife B on the head a single blow with a roller pin. B fell down bleeding from nose and became senseless. A thinking that B was dead hung her with a piece of rope from the ceiling which actually caused B's death. A is guilty of
- (a) Causing culpable homicide not amounting to murder
 - (b) Causing grievous hurt
 - (c) Murder
 - (d) None of the above



27. X instigates Z to murder Y. Z stabbed Y but Y recovers from the wound
- (a) X is not guilty of abetment as desired result not obtained
 - (b) X is guilty of abetment to commit grievous hurt
 - (c) X is guilty of abetment to commit murder
 - (d) None of these
28. 'B' and 'C' were on the railway platform. 'B' has taken a ticket from Allahabad to Delhi. 'B' an illiterate woman handed over the ticket to 'C' in order to ascertain whether she had a right ticket. 'C' under the pretence of returning the ticket to Delhi substituted the ticket for the ticket of a shorter journey and returned that as 'B' 's ticket. In this case, 'C' is liable for
- (a) Cheating 'B'
 - (b) Criminal misappropriation
 - (c) Theft
 - (d) Criminal breach of trust
29. Which of the following statements correctly describe the clause thirdly of Sec. 300 ?
- (a) Intention to cause bodily injury sufficient in ordinary course of nature to cause death
 - (b) It must be proved that the accused intended to inflict the very injury that is present
 - (c) Knowledge that an act of that kind will be likely to cause death must be proved
 - (d) None of the above
30. Criminal Law Amendment Act, 2013 added new clause in the definition of rape under Sec. 375 IPC. The newly added circumstance under which a man is said to commit 'rape' is
- (a) With or without her consent when she is under eighteen years of age
 - (b) When she is unable to communicate consent
 - (c) Both of the above
 - (d) None of the above
31. As per the Criminal Law Amendment Act 2013, enhanced punishment of rigorous imprisonment for a term of not less than 10 years is provided for rape if woman is under
- (a) 16 years of age
 - (b) 14 years of age
 - (c) 15 years of age
 - (d) None of the above



32. Which is not the essential element of offence of kidnapping ?
- (a) Without the consent of the guardian
 - (b) Minor
 - (c) Intention of the accused
 - (d) None of the above
33. A is tried for murder of B by intentionally shooting him dead. The fact that A was in the habit of shooting at people with intent to murder them is
- (a) Relevant fact
 - (b) Irrelevant fact
 - (c) Collateral fact
 - (d) Admission
34. Mark the incorrect statement.
- (a) In civil cases, character evidence is inadmissible unless the character of a party is a fact in issue
 - (b) In criminal cases, the fact that the person accused is of a good character is irrelevant
 - (c) A previous conviction is relevant as evidence of bad character in criminal cases
 - (d) In criminal proceedings, evidence of bad character is admissible when evidence of good character has been given.
35. Hearsay evidence is generally inadmissible. However, in certain cases it is admissible. Which of the following is such a case ?
- (a) Res gestae
 - (b) Admission and confession
 - (c) Dying declaration.
 - (d) All of the above
36. A borrows Rs. 200 from B and executes a promissory note in which the interest rate is given 1%. The promissory note is filed and proved in the court. A wants to lead evidence to the effect that the interest settled between the parties was 0.5%.
- (a) This evidence cannot be allowed
 - (b) This evidence can be allowed
 - (c) This evidence may be allowed
 - (d) None of the above



37. A local development authority announced a housing scheme and accepted applications under it, subsequently finding that the scheme was in violation of the Master Plan, it cancelled the project.
- (a) It is free to do so without any shackles of promissory estoppel
 - (b) It is not free to do so due to promissory estoppel
 - (c) It is free to do so without any shackles of promissory estoppel as there cannot be any estoppel against the government in the exercise of its sovereign, legislative and executive function
 - (d) None of the above
38. Ghanshyam and Afzal are good friends. They are traders and together keep on doing business transaction very often. In April 2016, they enter in a contract. Afzal has certain confidential information from his private sources about some change in prices that would affect Ghanshyam's willingness to proceed with the contract. As per Indian Contract Act, 1872, identify which of the following is applicable.
- (a) Afzal is bound to inform Ghanshyam about the change in price because he is a close friend to him
 - (b) Afzal is bound to inform Ghanshyam about the change in price because they have been doing many business transactions together
 - (c) Afzal is bound to inform Ghanshyam about the change in price because otherwise that would amount to fraud since it would clearly show Afzal's intentions to mislead Ghanshyam
 - (d) Afzal is not bound to inform Ghanshyam about the change in price
39. The contracts where one of the parties has almost nil opportunities to bargain over the special terms of the agreement while the other party, usually the big corporate, is in a position to dictate its terms. The terms are prepared by the big corporate while the other party has no choice but either to accept the terms or leave the deal altogether. Such contracts are known as
- (a) Adhesion Contracts
 - (b) Standard form of Contracts
 - (c) Voidable Contracts because the giant company may exploit the weakness of the individual
 - (d) Both (a) and (b)



40. A and B entered into a contract for sale of a Machine. The Contract provided that the party committing breach will pay Rs. 1,500 to other as damages. B committed breach of the contract. To which of the following A is entitled ?
- (a) Rs.1,500 as damages from B
 - (b) To reasonable compensation
 - (c) To reasonable compensation even exceeding Rs.1,500
 - (d) To reasonable compensation not exceeding Rs.1,500
41. The differentiating factor between a social agreement and a valid contract is
- (a) Intention to create legal relation
 - (b) Consensus ad idem
 - (c) Consideration
 - (d) Certainty of performance
42. A clause of one Special Voluntary Retirement Package (SVRP) stated *inter alia* that once option is made, the employee making the offer cannot withdraw it. Section 5 of the Contract Act states that an acceptance may be revoked at any time before the communication of the acceptance is complete as against the acceptor, but not afterwards. Decide which of the following is true ?
- (a) The provisions of the Sec. 5 shall have effect always
 - (b) The provisions of SVRP shall be enforceable since it is statutory in nature
 - (c) Both may be made applicable at the same time
 - (d) Since SVRP is a matter of invitation to offer, Sec. 5 is not applicable
43. A applies to a banker for a loan at a time when there is stringency in the money market. The banker declines to make the loan except at an unusually high rate of interest. A accepts the loan on these terms.
- (a) The contract is valid and not induced by undue influence
 - (b) The contract is voidable because it is induced by undue influence
 - (c) The contract is void because it is induced by undue influence
 - (d) None of the above



44. When a contract is made on telephone it becomes complete at the place where the acceptance is heard. In which of the following cases it has been held so ?
- (a) Carlill Vs Carbolic Smoke Ball Co.
 - (b) Bhagwan Das Vs Girdhari Lal
 - (c) Mohori Bibee Vs Dharmodas Ghose
 - (d) Satyabrata Ghose Vs Mugnee Ram
45. Find out the correct response. Past consideration is no consideration, this statement is
- (a) Correct under Indian Law of Contract
 - (b) Correct under English Law of Contract
 - (c) Correct under both English as well as Indian Law of Contract
 - (d) Not correct under both English as well as Indian Law of Contract
46. Contingent contracts to do or not to do anything, if an impossible event happens, are void, only if at the time of making of the agreement
- (a) The impossibility of the event is known to the parties to the agreement
 - (b) The impossibility of the event is not known to the parties to the agreement
 - (c) The impossibility of the event is unascertained
 - (d) Both (a) and (b)
47. Simrat and Sarthak make a contract grounded on the erroneous belief that a particular debt is barred by the Indian Law of Limitation. The contract is
- (a) Void
 - (b) Voidable
 - (c) Neither void nor voidable
 - (d) Both (a) and (b)
48. Find out the correct answer. A makes a promise to pay Rs. 4,500 to X, Y and Z. X dies. In the absence of any contract
- (a) Y and Z can jointly claim performance of contract from A
 - (b) Any of the survivors promise alone can claim performance of contract
 - (c) Y, Z and legal representatives of X should jointly claim performance of contract
 - (d) Legal representatives of X alone can claim performance of contract



49. A contract by which one party promises to save the other from loss caused to him by the conduct of the promisor himself, or by the conduct of any other person, is called
- (a) Contract of Guarantee
 - (b) Contract of Indemnity
 - (c) Contract of Bailment
 - (d) Contract of Pledge
50. In which of the following there is no contract ?
- (a) A teaches his parrot to speak a proposal and sends it to 'B', The parrot speaks the proposal before B and B tells his acceptance to the parrot
 - (b) A sits in a public carrier and purchases ticket
 - (c) A after standing on a weighing machine at a railway station, puts a coin in it
 - (d) A gives an advertisement that whosoever will bring lost dog he would be awarded
51. Ramesh employs Suresh to beat Mahesh. Ramesh promises to indemnify Suresh against all the consequences of the act. Suresh beats Mahesh and has to pay damages to Mahesh for the beatings committed upon him.
- (a) Ramesh is liable to indemnify Suresh for those damages
 - (b) Ramesh is not liable to indemnify Suresh for those damages
 - (c) Ramesh is liable to indemnify Mahesh for the loss occurred due to the beatings
 - (d) Ramesh is liable to indemnify both Suresh and Mahesh
52. The leading case of Harvey V. Facey relates to which one of the following
- (a) Conditional acceptance
 - (b) Cross proposal
 - (c) Continuing offer
 - (d) Invitation to offer



53. X offered a reward of Rs. 65,000 through an advertisement to anyone who would bring back his missing son. Y brings the son of X. In which situation of the following, Y would be entitled to get the award ?
- (a) When he read the advertisement and started searching the son and brought him
 - (b) When he started searching the son, he did not know about the reward but before bringing the son, knew about the advertisement
 - (c) When he did not know about the advertisement till he brought the son to X
 - (d) None of the above
54. In case of guarantee, the liability of the surety is
- (a) Primary as compare to that of the principal debtor
 - (b) Secondary as compare to that of the principal debtor
 - (c) Co-extensive with that of the principal debtor
 - (d) All of the above
55. A takes a loan from BS with the promise to pay it back within six months. It is also stipulated that on the failure to pay within the six months, A will be liable to pay double the amount borrowed. Which one of the following is the correct statement ?
- (a) It is the nature of penalty so only a reasonable rate of interest can be claimed
 - (b) It is in the nature of liquidated damage so the stipulated amount can be claimed
 - (c) It is a valid agreement so A is liable to pay double the amount borrowed
 - (d) None of the above
56. In case of non-fulfilment of the contractual obligations, only the parties to the contract can sue each other. This statement may be called as
- (a) Privity of Consideration
 - (b) Privity of Contract
 - (c) Both (a) and (b)
 - (d) None of the above



57. In which case of the following, the doctrine of frustration was recognised in India ?
- (a) Bhagwandas V. Girdharilal and Co.
 - (b) Satyabrati Ghosh V. Mungneeram Bangur and Co.
 - (c) Khwaja Mohammad Khan V. Hussaini Begum
 - (d) Raj Rani V. Perm Adib
58. In which case of the following, an agreement without consideration may be a contract ?
- (a) If the agreement is in writing
 - (b) If the agreement is in writing and registered
 - (c) If the agreement is in writing and made out of the natural love and affection
 - (d) If the agreement is made out of natural love and affection and is registered
59. In a self-service shop, a customer X selects certain goods and brings them to the counter of the Cashier. In which of the following circumstances, the contract of sale is concluded ?
- (a) When X selects the goods
 - (b) When X selects the goods and brings them to the counter of the Cashier.
 - (c) When Cashier accepts the payment
 - (d) None of the above
60. X promises Y to drop a prosecution which he has instituted against Y for robbery and Y promises to restore the value of the things taken. Which one of the following is the correct answer ?
- (a) The agreement is a contract
 - (b) The agreement is immoral
 - (c) The agreement is void as it is in restraint of legal proceedings
 - (d) The agreement is void as its object is unlawful



61. X sends a registered insured parcel by post to Y but post office does not deliver the parcel to Y. In the suit instituted by Y against the post office, it is agreed that Y is not a party to a contract between X and the Post Officer, Y cannot bring a suit to enforce the contract. Which one of the following is the correct in this case ?
- (a) Y is not entitled to file the suit
 - (b) Y can only file suit on behalf of X
 - (c) Y can file the suit as a constructive trust has been created in his favour
 - (d) Only X is entitled to file the suit
62. Mental condition of the wrong-doer at the time of wrong doing is
- (a) relevant in all torts
 - (b) relevant in torts based on fault
 - (c) relevant in torts based on strict liability
 - (d) not relevant in tortious liability
63. A tractor with trolley carrying several persons collides with a train on an unmanned railway crossing in which many people are killed and injured. In a suit for compensation
- (a) The railway would be liable because it has no immunity
 - (b) The tractor driver would be liable as there was a breach of duty to take care on his part
 - (c) The passengers in the trolley are guilty of contributory negligence
 - (d) Nobody would be liable in such a situation as it would be taken to be a mere case of accident
64. State which of the following statements is correct about the Consumer Protection Act, 1986 ?
- A) The provisions of the Act are in addition to any other law in force
 - B) The Act is special legislation with respect to consumer disputes
 - C) The provisions of the Act are in addition to and are not in derogation of any other law in force
 - D) The provisions of the Act bar jurisdiction of other courts

Codes :

- (a) A), B) and D)
- (b) B) and D)
- (c) A), B) and C)
- (d) B) and C)



65. An overloaded rickshaw with three adults and a child on it, while being driven on the correct side of the road, is hit by a bus driven at high speed and coming on the wrong side. Which one of the following is correct in this context ?
- (a) There is no contributory negligence on the part of the rickshaw driver as the fact of overloading did not contribute to the occurrence of the accident
 - (b) There is contributory negligence on the part of the rickshaw driver as he had overloaded the rickshaw
 - (c) The bus driver is not liable as the rickshaw driver had the last opportunity to avert the accident
 - (d) The bus driver and the rickshaw driver both are liable for the accident
66. In which case it was held that the State Government was in a position of a bailee in relation of goods seized by its officers and was, therefore, bound to take reasonable care of the seized goods ?
- (a) Kasturi Lal Ralia Ram Jain V. State of U. P.
 - (b) State of Rajasthan V. Mst. Vidhyawati
 - (c) State of Bombay V. Memon Mahomed Haji Hasam
 - (d) N. Nagendra Rao & Co V. State of A. P
67. The defendant had filed a complaint to the Magistrate against the plaintiff. The complaint was dismissed. The defendant moved the Sessions Judge in appeal. He got himself examined in Sessions Trial although he knew the charge was false and he was acting without reasonable and probable cause. His complaint was dismissed by the Session Judge. Thereupon the plaintiff filed a suit for malicious prosecution against the defendant. Which one of the following conclusion is correct ?
- (a) The defendant is liable for malicious prosecution
 - (b) The defendant is not liable for malicious prosecution
 - (c) The defendant is not liable to pay damages to the plaintiff
 - (d) The plaintiff's suit must be dismissed



68. A threw a light squib into a crowd, it fell upon X. "X", in order to prevent injury to himself, threw it further. It fell upon "Y" and "Y" in his turn, did the same thing and it then fell on "B", as a result of which, B lost one of his eyes. Who would be liable for this ?
- (a) A
 - (b) X
 - (c) Y
 - (d) Himself
69. A rickshaw carrying three passengers was going on correct side of the road when it was hit by a bus coming from the opposite direction on the wrong side of the road. The speed of the bus was very high, so much so that after hitting the rickshaw, it also hit a motorbike coming from the same side from where the rickshaw was coming. In relation to this case which of the statement is correct ?
- (a) the suit filed by passengers deserves to be dismissed since the rickshaw was overloaded
 - (b) the motor biker did not have valid licence at the time of accident which is an offence under law therefore motor biker is not entitle to any compensation
 - (c) the owner of bus is liable to pay compensation to both passengers of rickshaw and biker after deducting a sum proportionate to their contributory negligence
 - (d) the owner of bus is liable to pay compensation to both passengers of rickshaw and biker without reducing the amount of compensation
70. Which of the following is not a principle of factual causation ?
- (a) Multiplier theory
 - (b) 'But for' test
 - (c) 'Material contribution' rule
 - (d) Necessary Element in a Sufficient Set



71. A car mechanic was employed by his master, the defendant to repair cars. He repaired a car and then drove the car for a short distance to check whether he had repaired the car properly or not. In the process he caused an accident injuring the plaintiff. The master is
- (a) Liable because it was his servant who had negligently caused the accident for which he was vicariously liable
 - (b) Not liable because the mechanic was supposed to repair only and as such driving by him was outside his course of employment
 - (c) Liable because driving was necessarily incidental to the duties of the mechanic since he was duty bound to check by driving whether the repair he had done were correctly done or not
 - (d) Not liable because repairing and driving were two distinct acts, and the mechanic was not authorised to drive but was duty bound to repair only
72. The owner of a van put notice on the van to the effect that no unauthorised person is allowed on the van, the driver cannot give lift to any person and that the owner would not be liable for the damages to any unauthorised person on the van. The driver nevertheless, gave lift to A, an unauthorised person, who was killed owing to the driver's negligence. The owner
- (a) Can take the defence of Volenti non fit injuria and will not be liable as A himself took the risk of injury
 - (b) Will not be liable because though the driver was doing his duty in driving the van, his giving lift to A was outside the course of employment
 - (c) Will be liable because the act of merely putting a notice on the van does not exempt the owner of his vicarious liability for the tortious acts done by his driver
 - (d) Will be liable because his driver acted well within the course of his employment when he gave lift to A



73. A film critic in his review of a film comments adversely on the cinematic values and quality of the film. The director of the film sues the film critic for defamation. Which of the following is correct, use the code given below ?

1. The film critic is not liable as he can raise the defence of justification.
2. The critic is not liable because it was a fair and bonafide comment in public interest.
3. It was an expression of opinion and not assertion of facts.
4. It was a fair criticism of a film meant for public entertainment.

Codes :

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

74. Who is a consumer under the Consumer Protection Act, 1986 ?

- (a) A person who gives his pants for stitching to a tailor
- (b) A person who purchases goods for sale in his shop
- (c) A person who purchases a car for being used as a taxi in his taxi service
- (d) A person who avails of medical services *free of cost*

75. The Rule of 'Absolute Liability' was laid down in the case

- (a) M.C. Mehta V. Union of India
- (b) Union Carbide Corporation V. Union of India [Bhopal Gas Tragedy case]
- (c) Minu B. Mehta V. Balakrishna
- (d) Indian Council For Enviro-Legal V. Union of India

76. Which one of the following is not an example of vicarious liability ?

- (a) Liability of the principal for the tort of his agent
- (b) Liability of partners for each others' tort
- (c) Liability of the master for the tort of his servant
- (d) Liability of the parents for the tort of the children



77. The Supreme Court observed that noise pollution cannot be tolerated, even if such noise was a direct result of and was connected with religious activities in the case of
- (a) A. P. Pollution Control Board V. Prof. M.V. Naidu
 - (b) Church of God (Full Gospel) in India V. KKR Majestic Colony Welfare Association
 - (c) K. M. Chinappa V. Union of India
 - (d) Narmada Bachao Andolan V. Union of India
78. The judgment striking down the NJAC Act had a ratio of
- (a) 3:1
 - (b) 4:1
 - (c) 2:1
 - (d) None of the above
79. Shreya Singhal V. Union of India dealt with
- (a) 66 A IT Act
 - (b) 501 IPC
 - (c) 64 IT Act
 - (d) Section 8 RTI Act
80. Which case cited mediation in rape case sans legal permissibility ?
- (a) Niketan Dussa V. State of Orissa
 - (b) Shashi Kumar V. Union of India
 - (c) M.P. V. Madan Lal 2015
 - (d) Manjit V. State
81. The method of enquiry adopted by the critical legal thinkers includes which of the following ?
- (a) Trashing
 - (b) Delegitimation
 - (c) Deriefication
 - (d) All the above



82. The interpretation given to Article 21 by the Supreme Court in *Maneka Gandhi V. Union of India* A.I.R. 1978 SC 597 can be best classified as
- (a) Naturalist
 - (b) Positivist
 - (c) Sociological
 - (d) Historical
83. P's son had been missing for some time. P sent his servant Q in search of his son. Thereafter, through handbill P offered a reward of Rs. 501 to whoever was able to trace the whereabouts of his son. Q was successful in tracing the son and brought him to P. Then he came to know of the reward and claimed it. P refused to pay. In this case
- (a) Q is entitled to the reward because P had made general offer and whoever fulfilled the condition of offer was entitled to the reward. Q had, in fact, fulfilled that condition of offer
 - (b) Since Q was not aware of the offer at the time when he acted upon it, no valid acceptance could come into existence. Thus Q is not entitled to the reward
 - (c) Since Q was P's servant and was sent by him to trace the son, he cannot claim the reward
 - (d) Q is not entitled to the reward. It would be P's grace if he gives him Rs. 501 or any amount by way of reward
84. August Comte's view that society is like an organism and it can progress when it is guided by scientific principle, is also known as
- (a) Scientific approach
 - (b) Scientific positivism
 - (c) Law of metaphor
 - (d) Scientific outlook
85. Who says, "the only right which man can possess is always to do his duty"?
- (a) Comte
 - (b) Duguit
 - (c) Salmond
 - (d) Austin



86. Which of the following is the most appropriate statement ?
- (a) Possession is a matter of law and ownership is a matter of fact
 - (b) Possession is a matter of fact and ownership a matter of law
 - (c) Both possession and ownership are a matter of fact only
 - (d) Both possession and ownership are a matter of law only
87. Consider the following statements.
- i) Judicial precedent is evidence of law in civilian culture.
 - ii) Judicial precedent is source of law in common law culture.
 - iii) Doctrinal writings are a source of law in civilian culture.
 - iv) Common law culture views law as a set of rules of conduct and civilian culture views it as a means of resolving disputes in courts.
- (a) Only iv) is incorrect
 - (b) Only i) and iii) are incorrect
 - (c) Only i) and iv) are incorrect
 - (d) Only i), iii) and iv) are incorrect
88. In which case the SC held that unwed mother can be the sole guardian of a child ?
- (a) Keshav Kumar V. State
 - (b) ABC V. State of (NCT of Delhi)
 - (c) Raman Bhai V. State of Maharashtra
 - (d) David V. Pinto Kumar
89. Who has been appointed as Chairman of 21st Law Commission ?
- (a) Justice B. S. Chauhan
 - (b) Justice K. G. Balakrishnan
 - (c) Justice Dattu
 - (d) Justice Sodhi
90. Which case dealt with compensation issue to the victims of crime ?
- (a) Ankush Shivaji V. State of Maharashtra
 - (b) Harjit Singh V. Union of India
 - (c) Satyapal V. State of Union of India
 - (d) Manohar Singh V. State of Rajasthan



91. Which of the following is associated with the theory of possession ?
- (a) Corpus possessionis
 - (b) Animus possidendi
 - (c) Animus domini
 - (d) All the above
92. "In civilised society men must be able to assume that others will commit no intentional aggression upon them". It has been stated by Pound as
- (a) Jural Postulate I
 - (b) Jural Postulate II
 - (c) Jural Postulate III
 - (d) Jural Postulate IV
93. Which of the following pair is incorrect ?
- (a) Liberal feminism – strives for equal treatment for men and women under law
 - (b) Radical feminism – exposes male dominant perspective of law
 - (c) Cultural feminism – views equality as sameness
 - (d) Postmodern feminism – suspects grand theory
94. Rule regarding reasonableness is not that a custom will be admitted if reasonable, but that it will be admitted unless it is unreasonable
- (a) Holland
 - (b) Allen
 - (c) Hobbes
 - (d) Austin
95. Under the umbrella of analytical view of Austin which of the following statements is not true ?
- (a) Custom becomes a law when it is so declared by the sovereign
 - (b) The custom not so declared are positive morality
 - (c) Sovereign can abrogate custom
 - (d) Customs even without such declaration of sovereign are positive law



96. "Law . . . is a part of a complex social totality in which it constitutes as well as is constituted, shapes as well as is shaped." Whose words are these ?
- (a) M. G. Kelman
 - (b) Karl Marx
 - (c) Duncan Kennedy
 - (d) D Kairy's
97. Analytical jurist contended that
- (a) Legislation is always superior to precedent
 - (b) Precedent is always superior to legislation
 - (c) Legislation and precedent both give way to each other
 - (d) There is no difference in the authority of legislation and precedent
98. Who observed the following very recently ? "Ultimately, it is the fundamental right of a woman and the government's fundamental duty to protect their (women) right".
- (a) M.P. High Court
 - (b) Rajasthan High Court
 - (c) Bombay High Court
 - (d) U.P. High Court
99. Which of the following courts recently held that engaging musclemen to recover loans by banks and financial institutions to be unlawful ?
- (a) Rajasthan High Court
 - (b) Kerala High court
 - (c) U. P. High Court
 - (d) Karnataka High Court
100. The case of Save Life Foundation and Anr. V. Union of India and Anr. was recently in news for the reasons
- (a) Sentencing
 - (b) Protection of bystander
 - (c) Victim compensation
 - (d) Witness protection



PART – II

ANSWER ANY ONE QUESTION FROM THE FOLLOWING IN THE ATTACHED ANSWER SHEET.

1. "The right of privacy is not a guaranteed right under our Constitution and therefore the attempt to ascertain the movements of an individual which is merely a manner in which privacy is invaded is not an infringement of a fundamental right guaranteed by Part III. " Track the relevant case law jurisprudence to address the Constitutional questions involved in the determination of right to privacy in various situations.

OR

2. H. L. A. Hart as positivist views that application of laws raises several complications in the real world. He said every word of law has "fuzzy edges". He was of the view the courts must exercise discretion deciding on the basis of extra legal considerations. Ronald D workin through his work "The Model of Rules" (1977) responded to this issue and took a different stand. Comment and critically sift these two competing and differing stands of the two eminent jurists and develop your own arguments as well.

OR

3. Explain the doctrine of frustration of contract with reference to Krell V. Henry (1903). Also analyse, in detail, the various theories of frustration with the help of leading cases.

OR

4. How do you approach the two seemingly conflicting propositions :
 - (i) It is undesirable that a young person who commits an offence and who genuinely does not know that he is doing something seriously wrong should suffer the operation of the criminal law. But is a blanket presumption such as it presently exists in England and Wales, the best way to achieve protection for such a person.
 - (ii) It seems in today's context and social conditions, the operation of the presumption that children between the age of 10 and 14 are *doli incapax* may rise to anomalies and absurdities.

LL.M. ADMISSION TEST – 2017

Date of Exam. : 7th May, 2017 (Sunday)

Center's Name : _____

Duration : 90 Minutes

Admit Card No. : _____

Max. Marks : 150

Answer Sheet No. : _____

INSTRUCTIONS TO CANDIDATES

1. No clarification on the question paper can be sought. Answer the questions as they are.
2. There are **100** multiple choice objective type questions of **one** mark each which has to be answered in the OMR sheet.
3. Candidates have to indicate the correct answer by darkening one of the four responses provided in the OMR Sheet. Use **ONLY HB PENCIL AND DO NOT USE BALL POINT/INK/GEL PEN.**

Example : For the question, "Where is Taj Mahal located ?" The correct answer is (b).

The candidate has to darken the corresponding circle as indicated below :

(a) Kolkata

(b) Agra

(c) Bhopal

(d) Delhi

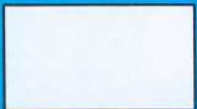
Right Method

(a) ☒ (b) ☐ (c) ☐ (d) ☐

Wrong Methods

(a) ☒ (b) ☒ (c) ☐ (d) ☐ (a) ☒ (b) ☒ (c) ☐ (d) ☐ (a) ☐ (b) ☒ (c) ☐ (d) ☐

4. There is one essay question of **50** marks which has to be answered in separate sheet with a pen.
Total marks are 150.
5. There is no negative marking.
6. Answering the questions by any method other than the method mentioned above shall be considered incorrect and no marks will be awarded for the same.
7. More than one response to a question shall be counted as **Zero**.
8. The candidate shall not write anything on the Answer Sheet other than the details required and in the spaces provided for.
9. After the examination is over, the candidate has to return the test booklet along with Answer Sheet, to the invigilator.
10. The use of any unfair means by any candidate will result in the cancellation of his / her candidature.
11. **Impersonation is an offence and the candidate, apart from disqualification, may have to face criminal prosecution.**
12. **No electronic gadgets like mobile phone or calculator will be permitted inside the test center.**



DO NOT WRITE HERE

PART – I

1. In both Plato's and Aristotle's philosophy of law and justice
 - (a) *will* rather than *reason* occupied the supreme place
 - (b) *justice* rather than *religion* occupied the supreme place
 - (c) *reason* rather than *will* occupied the supreme place
 - (d) *truth* rather than *unjustness* occupied the supreme place
2. Rousseau, a great champion of individual freedoms and rights makes individual subject only to the
 - (a) *Will* of the majority
 - (b) General *will*
 - (c) Sovereign *will*
 - (d) Community *will*
3. Which one of the following writers advocated retention of only such laws which promoted four goals of subsistence, abundance, equality and security ?
 - (a) Jeremy Bentham
 - (b) Locke
 - (c) David Hume
 - (d) August Comte
4. Holland says, Jurisprudence is not a science of legal relations *a priori* as they might have been or should have been, but is a *posteriori* that is to say from Law which has been
 - (a) actually imposed or positive law
 - (b) sought to be implemented
 - (c) strongly recommended
 - (d) yet to be applied
5. The typical nineteenth century Austinian positivistic approach envisaging *Status quo, laissez faire*, sanctity of contract inherited both by Indian judges and lawyers have largely contributed in the perpetuation of
 - (a) Political and economic degeneration
 - (b) Economic development and social unrest
 - (c) Social & economic stagnation, exploitation and inequalities
 - (d) Political, social and economic chaos



6. In the nineties and in the early part of the twenty first century, Holmesian thesis of law which Julius Stone perceived as lawyer's extra-version has become an effective practice and integral part of Indian Judicial process leaving behind the old fashioned dictum that
- (a) Judges not only make law but also interpret
 - (b) Judges only interpret law and do not make it
 - (c) Judges only pronounce judgment based on existing law
 - (d) Judges only decide on the basis of whatever is presented before them
7. _____ said that 'The inn that shelters for the night is not the journey's end. The law, the traveller, must be ready for morrow. It must have a principle of growth.'
- (a) Justice V. D. Tulzapurkar
 - (b) Justice P.N. Bhagwati
 - (c) Justice Krishna Iyer
 - (d) Justice Cardozo
8. Which one of the following pairs is not correctly matched ?
- (a) *sic utere tuo ut alienum non laedas* : to use your own property as not to injure your neighbour's right
 - (b) *re legitima portis* : a person cannot dispose off his entire property
 - (c) *jus tertii* : to set up title of a third person other than himself or the plaintiff
 - (d) *nec vi nec clam nec precario* : possessor must show to the competitor
9. Hagerstorm rejected the notion of law as command and insisted on morals or as he puts it
- (a) common sense notion of justice as a necessary aspect of law
 - (b) morality as necessary aspect of law
 - (c) justice as a necessary aspect of law
 - (d) ethics as a necessary aspect of law
10. The three defects in the Simple Social Structure of Primary rules as enunciated by Hart are
- (a) their inadequacy, immobility and efficiency
 - (b) their uncertainty, static nature and inefficiency
 - (c) their mobility, easiness and simplicity
 - (d) their abnormality, violability and unsoundness



11. The distinction between duty imposing rule and power conferring Rules of Hart is what Alf Ross refers to as the distinction between
- (a) norms of conduct and norms of competence
 - (b) rules of society and rules of law
 - (c) norms of character and norms of civility
 - (d) norms of conduct and norms of society
12. Professor Thibaut's proposals for a code on the pattern of Napoleonic Code for Germany was instantaneously answered in 1814 by Savigny in his famous pamphlet
- (a) Province and Function of Law
 - (b) *Volksgeist*
 - (c) Province of Law Determined
 - (d) On the Vocation of Our Age for Legislation and Jurisprudence
13. 'I have a right to do as I please.' The term 'right' in this statement refers to
- (a) Claim
 - (b) Liberty
 - (c) Power
 - (d) Immunity
14. According to Henry Maine, the progressive societies are those which proceed to develop law with the help of three new instrumentalities viz.
- (a) Ancient books, judgments and legislations
 - (b) Legal fiction, equity and legislation
 - (c) Customs, court decisions and codes
 - (d) Usages, customs and judge made law
15. According to Durkheim, Mechanical Solidarity is based on likeness and a sense of common identity. People are bound together by the fact that they have been brought up to act and think alike, follow similar routines and
- (a) share a common thinking
 - (b) share a common interest
 - (c) share a common objective
 - (d) share a common conscience
16. Mainly there are four classes of rights in *re-aliena* viz
- (a) Lease, Servitudes, Securities, Trust
 - (b) Lease, Trust, Bond, Instrument
 - (c) Bond, Hundi, Instrument, Lease
 - (d) Lease, Security, Bond, Debenture



17. Who made an observation that the object of Concession Theory was to keep personality under lock and key ?
- (a) Maitland (b) Starke
(c) Bodin (d) Kelson
18. Etymologically *seisin* is associated with *possessio* and *besitz* and in early English law it was used to describe possession of both
- (a) servant and things (b) property and legal right
(c) chattels and real property (d) house and chattels
19. Consider the following statements
1. The main assumption of Realist theory is that corporate personality is a reality.
 2. A corporation is a representation of psychological reality that exists independently of the fiat of the State and are recognised rather than created by it.
 3. The Realist theory asserts that group personality has the same feature as a human personality.
 4. The Realist theory does not represent any reaction against the omnipotence of State implied in the fiction.
- (a) 1, 2 and 4 (b) 2, 3 and 4
(c) 1, 2 and 3 (d) 1, 3 and 4
20. The Supreme Court has directed the Law Commission of India to examine various issues relating to the working of Tribunals including the desirability of providing statutory appeals directly to Supreme Court from orders of Tribunals on issues not affecting national or public interest and other aspects of statutory framework in respect of Tribunals in
- (a) Devika Biswas v. Union of India
(b) M. S. Kazi v. MES
(c) Swaraj Abhiyan v. Union of India
(d) Gujarat Urja Vikas Nigam Ltd. v. Essar Power Ltd.
21. In _____, the Supreme Court directed to upload copies of FIR within _____ hours on police website.
- (a) PUCL v. Union of India, 12 hours
(b) Youth Bar Association v. Union of India, 24 hours
(c) Common Causes v. Union of India, 48 hours
(d) Shanti Bhushan v. Registrar, SC, 24 hours



22. Constitution Bench of the Supreme Court held that the cap of 14 years Rule on aggregate punishment under Section _____ of CrPC is not applicable to Sessions Court.
- (a) 30 (1) (b) 33(2) (c) 32 (1) (d) 31 (2)
23. The 21st Law Commission released its first report in October 2016 on
- (a) Death Penalty
(b) Surrogacy
(c) International Parental Child Abduction
(d) Mental Health
24. In _____, former Judge of the Supreme Court of India _____ was invited by Supreme Court to present his view.
- (a) BCCI case, Justice R.M. Lodha
(b) Saumya Murder case, Justice M. Katju
(c) Nirbhaya case, Justice B.S. Chauhan
(d) NJAC case, Justice H. L. Dattu
25. Which of the following High Courts held that Section 52 (1) (i) of the Copyright Act is broad enough to cover the acts of photocopying and the creation of course packs by University for its students?
- (a) Madras (b) Bombay (c) Calcutta (d) Delhi
26. Supreme Court lifted the ban on registration of 2000 CC plus diesel cars with imposition of _____ % cess on ex-showroom price which will be levied as environmental tax which has to be paid either by the manufacturer, dealer or buyer.
- (a) 4 (b) 3 (c) 2 (d) 1
27. Supreme Court recently quashed criminal proceeding against which Indian player for allegedly hurting religious sentiments by portraying himself as Lord Vishnu on the cover of a business magazine?
- (a) M. S. Dhoni (b) Virat Kohli
(c) Milkha Singh (d) Sachin Tendulkar



28. Which of the following statutes define offences in absolute terms, i.e., without mentioning the necessity of *mens rea*?
- (a) The Narcotics Drugs and Psychotropic Substances Act
 - (b) Prevention of Corruption Act
 - (c) Negotiable Instruments Act
 - (d) All of the above
29. Under the Law of Tort, a minor _____
- (a) is not liable for tortuous act
 - (b) is liable for tortuous act in the same manner but not to the same extent as an adult
 - (c) is liable in the same manner and to the same extent as an adult
 - (d) is liable for simple torts in the same manner and extent as an adult
30. The Narco-Analysis technique involves the intravenous administration of
- (a) Sodium Pentothal
 - (b) Potassium Pentothal
 - (c) Magnesium Pentothal
 - (d) All of the above
31. A sentence of imprisonment for life may be commuted for imprisonment for a term not exceeding _____ years or for Fine.
- (a) 10 (b) 12 (c) 14 (d) 20
32. Simultaneous civil and criminal proceedings are
- (a) maintainable
 - (b) not maintainable
 - (c) maintainable but result of one proceeding is binding on another
 - (d) maintainable but result of one proceeding is not binding on another
33. Which of the following change/s was/were introduced in the Code of Criminal Procedure in 1973?
- (a) Separation of Executive and Judiciary
 - (b) Abolition of third class magistrates courts
 - (c) Limitation for taking cognizance of offences
 - (d) All of the above



34. Who among the following laid down the *Hicklin Test* (1869), which is still followed by the courts in various countries as the authoritative test to determine 'obscenity'?
- (a) Cockburn (b) Lord Atkin
(c) Blackburn (d) Lord Denning
35. The action for criminal contempt may be taken by
- (a) by the Supreme Court of India or the High Court on its own motion
(b) on a motion made by the Advocate General
(c) on a motion by any other person with the consent in writing of the Advocate-General
(d) all of the above
36. Central Vigilance Commissioner can be removed from the office only after an enquiry conducted by
- (a) President of India (b) Prime Minister
(c) Supreme Court of India (d) Speaker of Lok Sabha
37. No court shall take cognisance of an offence punishable with fine only, after the expiry of the period of limitation of
- (a) Two months (b) Three months
(c) Ninety days (d) Six months
38. At any time before the judgment is pronounced, prosecution of any person may be withdrawn with the consent of the court by
- (a) The person on whose instance FIR was recorded
(b) Investigating officer of the case
(c) Public Prosecutor or Assistant Public Prosecutor in-charge of the case
(d) Person aggrieved by the offence
39. Delhi High Court referred to _____ of Constitution of India to hold that Lieutenant Governor is the administrative head of the NCT of Delhi.
- (a) Article 239 (b) Article 239AA
(c) Article 239 and 239 AA (d) Article 239A



40. Which of the following statement/s regarding 'Surrogacy (Regulation) Bill, 2016 is/ are correct ?
- I. The Bill allows for altruistic surrogacy. But does not prohibit commercial surrogacy completely.
 - II. The Bill will regulate surrogacy in India and provides for establishment of National Surrogacy Board at the Central level and State Surrogacy Boards.
 - III. The Bill allows altruistic surrogacy for the couples with proven infertility and upon fulfilment of some other conditions.
 - IV. The surrogate mother has to be a close relative of the intending couple and be an unmarried woman of 20 – 25 years.
- (a) II and III (b) I and IV
(c) II, III and IV (d) All of the above
41. Which countries Court of Appeals upheld open internet rules that prohibit broadband carriers from playing favourites of blocking competing online service ?
- (a) England (b) India
(c) United States (d) Japan
42. Which of the following is true about the Child – friendly Courts ?
- I. Separate waiting rooms for children
 - II. Judge and Police officers not to be in their uniforms
 - III. Video-camera trial for accused
 - IV. Direct contact between child and the accused in few cases only
- (a) I and III (b) I and IV
(c) I, II, III (d) All of the above
43. Which of the following statements is true about malice-in-law and malice-in-fact ?
- (a) The former is a wrongful act done intentionally with evil motive whereas the latter is a wrongful act done intentionally without a just cause
 - (b) The former is a wrongful act done intentionally without just cause whereas the latter is a wrongful act done intentionally with evil motive
 - (c) The former is a wrongful act done intentionally whereas the latter is a wrongful act done intentionally
 - (d) Both have same consequences



44. 'Although, prima facie and as a general rule, there must be a mind at fault before there can be a crime, it is not an inflexible rule, and a statute may relate to such a subject-matter and may be so framed as to make an act criminal whether there has been any intention to break the law or otherwise to do wrong, or not.' This was held in
- (a) *R v. Andrews* (b) *R v. Prince*
(c) *R v. Tolson* (d) *R v. Duffy*
45. The case of *Hochster v. De La Tour* deals with
- (a) Quasi-Contract (b) Anticipatory breach of contract
(c) Doctrine of promissory estoppel (d) Quantummerit
46. Which of the following State provides for 69% of reservations ?
- (a) Rajasthan (b) Tamil Nadu
(c) Karnataka (d) Uttrakhand
47. A two judge bench of the Supreme Court set aside the Jammu and Kashmir High Court's judgment which had held that various key provisions of the _____ were outside the legislative competence of Parliament, as they interfered with Section 140 of the Transfer of Property Act of Jammu & Kashmir, 1920.
- (a) Indian Partnership Act
(b) Specific Relief Act
(c) Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act
(d) Sales of Goods Act
48. The President of India is not bound by the advice of the Union Council of Ministers
- (a) in dismissing a civil servant on the ground of security of State
(b) in exercising power to grant pardon
(c) on the question of removal of a Governor
(d) in deciding the question whether a member of Lok Sabha has become disqualified to continue as a member
49. The Constitution of India has no provision for the removal of
- (a) The Vice-President
(b) The Chief-Justice of India
(c) The Chief-Justice of High Courts
(d) The Governor



50. In which of the following cases, the Supreme Court introduced the present collegiums system of appointment and transfer of Judges ?
- (a) *S. P. Gupta's case*
 - (b) *SC Advocates on Record Association v. Union of India*
 - (c) Re-Presidential reference 1999
 - (d) *S. R. Bommai's case*
51. Which one of the following statements is NOT correct ?
- (a) Where a court is not competent to frame charge in an offence it shall not be competent to permit, withdrawing from prosecution.
 - (b) The Public Prosecutor is bound to receive instructions from the government and such instructions would not amount to an extraneous influence.
 - (c) An order granting permission to withdraw the prosecution solely on the ground that where about of the accused was not available, is permissible.
 - (d) The Magistrate has discretion to grant or refuse permission to withdraw the prosecution.
52. The term '*Contra proferentem*' means that
- (a) an ambiguous term will be construed against the party responsible for its inclusion in the contract.
 - (b) any ambiguity in the definition clause excluding the liability must be interpreted in favour of the party which is in a weak position.
 - (c) any ambiguity in the terms and conditions including the liability must not be interpreted in favour of the party which is not in a strong position.
 - (d) any ambiguity in the terms of contract excluding the liability must be interpreted in favour of the party which is financially weak.
53. In some cases, it has been pleaded on behalf of the Government that the law of estoppel is not applicable in view of
- (a) doctrine of laches
 - (b) doctrine of *lex rei sitae*
 - (c) doctrine of executive necessity
 - (d) doctrine of *Lex Regia*



54. According to Salmond and Winfield, "A promise without consideration is a gift; one made for a consideration is a bargain." However, in the following circumstances a contract without consideration will be perfectly valid
- I. An agreement in writing made on account of natural love and affection
 - II. Contract of Agency
 - III. Promise to pay a time-barred debt
 - IV. Oral promise made on account of natural love and affection
- (a) I, II, III, IV (b) I, II, IV (c) I and II (d) I, II, III
55. Following are some of the exceptions under which third parties, which are strangers to the contract, can bring law suit to enforce their rights arising out of a contract
- I. In cases of agency and gifts
 - II. In case of provisions in marriage settlement of minors
 - III. Beneficiaries in case of trust
 - IV. In case provision is made for the marriage or maintenance of a female member of the family on the partition of a Hindu Undivided Family.
- (a) I, II, III, IV (b) II, III, IV (c) I, II, III (d) I, III, IV
56. If any person has been supplied with necessities and he is not competent to contract due to lunacy, the reasonable price of those things can be recovered from him under the
- (a) Sale of Goods Act (b) Specific Relief Act
(c) Contract Act (d) Equity
57. A who is a minor takes loan from B. On attaining majority, A executes a bond in favour of B for the loan taken during the minority. Is A liable?
- (a) A is liable as he executed the bond on attaining majority
 - (b) A is liable on the basis of doctrine of estoppels
 - (c) A is liable as he has ratified the agreement
 - (d) A is not liable as he cannot ratify the agreement on attaining majority
58. The doctrine of undue influence was evolved by the
- (a) Privy Council
 - (b) Court of Equity in England
 - (c) Supreme Court of India
 - (d) Supreme Court of U. S. A.



59. Which of the following statements is false ?
- (a) The defence of *non est factum* was evolved by the judiciary to save the position of a person who signed a document but could not read it due to his blindness or illiteracy.
 - (b) In course of time, the defence of *non est factum* came to be applied to other areas also besides blindness and illiteracy.
 - (c) The doctrine of *non est factum* applies in case of a misrepresentation inducing a mistaken belief regarding the class and character of a supposed document.
 - (d) The doctrine originally applied to the negotiable instruments but it came under criticism and after being overhauled by the House of Lords, it applies only to contracts.
60. An agreement curtailing the period of limitation has been distinguished from an agreement resulting in the release or forfeiture of the rights if an action is not brought within a certain period. Such clauses are generally there in
- (a) insurance agreements
 - (b) sale agreements
 - (c) tender agreements
 - (d) shipment agreement
61. Which of the following are not types of agents?
- I. *Del Credere*
 - II. *pacca adatia*
 - III. Broker
 - IV. Factor
- (a) I and III
 - (b) III and IV
 - (c) III
 - (d) All of the above
62. There are two important theories of doctrine of frustration, viz., theory of implied term and
- (a) theory of commercial dealings
 - (b) theory of just and reasonable solution
 - (c) theory of supersession
 - (d) theory of relativity



63. The doctrine of supervening impossibility will not apply in the following cases
- I. Difficulty in performance
 - II. Outbreak of war
 - III. Commercial impossibility
 - IV. Strikes, Lock-outs and civil disturbances
- (a) I, II, III, IV (b) II, III, IV
(c) I, III, IV (d) I, II, III
64. Where an Amendment seeks to make any change in any of the provisions mentioned in the proviso to Article 368 of the Constitution of India
- (a) it must be passed by simple majority
 - (b) it must be passed by special majority
 - (c) it must be ratified by legislatures of majority of the States
 - (d) it must be ratified by legislatures of not less than one half of the States
65. No specific time limit for ratification of an Amending Bill by the State Legislatures is laid down, however, the resolution ratifying the proposed Amendment should be
- (a) passed before the Amending Bill is presented to the President for his assent
 - (b) sent to the Union Council of Ministers
 - (c) considered first by majority of both the Houses of Parliament
 - (d) initiated at the instance of the Governor
66. For the further continuance of the emergency beyond the period of six months, approval by Parliament would be required
- (a) every month (b) every six months
 - (c) every year (d) every three months



67. Which one of the following is not the duty of the Finance Commission of India ?
- (a) The distribution of between the Union and the States of the net proceeds of taxes
 - (b) The principle which should govern the grant-in-aid of the revenue of the State out of the Consolidated Fund of India
 - (c) The measures needed to augment the Contingency Fund of India
 - (d) The measures needed to augment the Consolidated Fund of India of a State to supplement the resources of the Municipalities in a State
68. The power to prorogue the House is vested in
- (a) The Prime Minister
 - (b) The Speaker
 - (c) The Vice President
 - (d) The President
69. According to D. D. Basu, if the Prime Minister, who is defeated in the House or who loses the confidence of the House, refuses to resign, the President may dismiss him, and this power is confided in the Constitution of India in
- (a) Article 75 (1)
 - (b) Article 75 (2)
 - (c) Article 76
 - (d) Article 77
70. The objectives laid down in Article 40 have been fulfilled by enacting the Constitution 73rd and 74th Amendments Act 1992 known as the
- (a) Nationalisation of Banks Act 1992
 - (b) Nationalization of Insurance Companies Act 1992
 - (c) Withdrawal of Privy Purses Act 1992
 - (d) Panchayati and Nagarpalika Act 1992
71. Whereas the 25th Amendment gave primacy to Directive Principles of State Policy contained in Article 39 (b) and (c) over the Fundamental Rights in Articles 14, 19 or 31 of the Constitution of India, the 42nd Amendment gave precedence to all Directive Principles over the Fundamental Rights guaranteed in
- (a) Articles 13, 14 or 15
 - (b) Articles 15, 16 or 19
 - (c) Articles 14, 19 or 31
 - (d) Article 14, 16 or 19



72. The places of worship like Temples, Mosques, Gurudwaras cannot be used for hiding criminals or carrying on anti-national activities. They cannot be used for political purposes. The State has power to prohibit such activities under
- (a) Article 25 (2) (b) Article 26 (a)
(c) Article 27 (d) Article 28
73. The rule of *res judicata* is not applicable to the writ of
- (a) *Mandamus* (b) *Habeas corpus*
(c) *Certiorari* (d) *Quo warranto*
74. Article 19 (4) empowers the State to impose reasonable restrictions on the right of freedom of association and union in the interest of
- (a) "public order" or "morality" or sovereignty or integrity of India
(b) security of State, friendly relations with foreign countries and untouchability
(c) "public order" or security of State
(d) "public order" or "morality" or security of State
75. Article 14 of the Constitution permits classification but prohibits
- (a) group law (b) class legislation
(c) religious classification (d) single person law
76. Dicey wrote, "every official from the Prime Minister down to the Constable or a Collector of taxes is under the same responsibility for every act done without legal justification as any other citizen." Dicey gave three meanings of the Rule of Law
- I. Absence of arbitrary power or supremacy of law
II. Equality before law
III. The Constitution is the result of the ordinary law of the land
IV. There is no exception from the operation of law
- (a) I, II, III, IV (b) II, III, IV
(c) I, II, III (d) I, II, IV



77. Any law, executive order made by the State during the period of emergency cannot be challenged on the ground that they are inconsistent with the rights guaranteed under
- (a) Article 22
 - (b) Article 21
 - (c) Article 20
 - (d) Article 19
78. Which of the following statements is not correct ?
- (a) The power of the legislature under Article 245 of the Constitution to enact laws is a plenary power subject only to its legislative competence and other constitutional limitations.
 - (b) The power to validate a law retrospectively is unfettered.
 - (c) The legislature has power to alter the existing laws retrospectively.
 - (d) The power to make laws include the power to give effect to it prospectively
79. What is 'fellow servant' Rule ?
- (a) gratuitously and temporarily assists the servant in his work
 - (b) a common law doctrine that barred or reduced the amount of money an injured employee could recover against an employer if an injury was caused solely by the negligence of a fellow worker.
 - (c) a common law doctrine that allowed the amount of money an injured employee could recover against an employer if an injury was caused solely by the negligence of a fellow worker.
 - (d) a common law doctrine that enhances the amount of money an injured employee could recover against an employer if an injury was caused solely by the negligence of a fellow worker.
80. According to Justice Holmes, law is
- (a) A social institution to satisfy social wants
 - (b) Aggregate of rules set up by men as politically superior or sovereign, to men as politically inferior
 - (c) The statement of circumstances in which the public force will be brought to bear upon men through courts
 - (d) A crystallised common sense of the communities



81. _____ says that the Realist Movement is a 'gloss' on the Sociological School of law.
- (a) Savigny (b) Julius Stone
(c) Olivecrona (d) Hagerstrom
82. The influence of the individuals upon the legal development is _____ by the *Volkgeist* Theory.
- (a) minimized (b) maximised
(c) neutralized (d) nullified
83. The Tort litigation is increasing in India particularly under the Motor Vehicles Act 1988 as there is a provision under this Act for compulsory compensation to be given
- (a) in normal circumstances of death by hit and run
(b) in hit and run cases and in certain cases the principle of no fault liability has been recognised
(c) immediately and within one year in case of death of the victim
(d) to the dependents of the deceased in hit and run cases
84. According to Winfield
- (a) Tortious liability arises from breach of duty primarily fixed by the law. This duty is towards persons generally and its breach is redressible by action for unliquidated damages.
(b) A tort is an infringement of right of a private individual giving a right of compensation at the suit of the injured party.
(c) A tort is a civil wrong for which the remedy in common law is action for unliquidated damages and which is not exclusively breach of contract or of trust or breach of other merely equitable obligation.
(d) A tort consists of those wrongs or unlawful acts which violates legal rights of a person for which law provides the remedy of unliquidated damages.



85. Which one of the following is not an instance of *Injuria Sine Damnum* ?
- (a) *Ashby v. White*
 - (b) *Marzetti v. Williams*
 - (c) *Moghal steamship v. McGregor Gow*
 - (d) *Bhim Singh v. State of J&K*
86. There shall be no appeal by a convicted person in any of the following cases
- (a) Where a High Court passes only a sentence of imprisonment for a term not exceeding six months
 - (b) Where a Sessions Court passes a sentence of the fine not exceeding Rs.500
 - (c) Where a Magistrate of first class passes a sentence of imprisonment for a term not exceeding one month
 - (d) All of the above
87. Regarding bail applications, a Bench comprising of Justice A. K. Goel and Justice U. U. Lalit of the Supreme Court of India has asked all High Courts to issue directions to their Subordinate Courts that
- I. All bail applications normally be disposed of by judicial officers within one week.
 - II. Magisterial trial where accused is in custody be concluded within six months.
 - III. Session trial where accused is in custody normally be concluded within two years.
 - IV. Efforts to be made to dispose of all cases, which are ten years old, by the end of the year.
 - V. The above timelines may, however, will not be the touchstone for assessment of judicial performance in annual confidential reports.
- (a) II, III, IV
 - (b) I, II, III
 - (c) IV and V
 - (d) All of the above
88. What is the significance of *Pravasi Bhalai Sangathan v. Union of India* (AIR 2014 SC 1591) case as a result of which the Law Commission of India has submitted its Report No.267 in March 2017 ?
- (a) Overseas Citizenship
 - (b) State Entry Tax Laws
 - (c) NEET Entrance test
 - (d) Hate Speech



89. Which of the following is correct in respect of 'Right to be Forgotten' ?

- I. The Karnataka High Court in a landmark judgment recently has accepted, applied and approved the 'Right to be Forgotten' in Indian context.
- II. It allows offenders who had served their sentence to object to the publication of information regarding their crime and conviction in order to ease their process of social integration.
- III. The origin of this right can be traced back to the French jurisprudence on the 'right to oblivion'.
- IV. The Right to be Forgotten can be inferred from the provisions of the Information Technology (IT) Act 2000 (amended in 2008) as well as from the IT Rules, 2011.

- (a) I and II
- (b) I, II, III
- (c) I, II, IV
- (d) All of the above

90. There is difference between the torts of libel and slander. Which of the following is not correct ?

- (a) Libel is a defamatory statement in permanent form and Slander is a defamatory statement in a transient form.
- (b) Libel is actionable per se whereas damage must be proved for slander.
- (c) Libel may be prosecuted as a crime as well as a tort, whereas slander is only a tort.
- (d) Difference between libel and slander is clearer in cases of publication through radio, audio and video.

91. Which of the following is not a bar to the right to rescind the contract in cases of misrepresentation ?

- (a) lapse of time
- (b) restitution in Integrum impossible
- (c) indemnity
- (d) third party acquires rights



92. Under Section 105 of IPC, the right of private defence of property in cases of theft commences when a reasonable apprehension of danger to the property commences and
- (a) continues till the offender has effected his retreat with the property
 - (b) continues till the assistance of public authorities is obtained
 - (c) continues till the property has been recovered
 - (d) all of the above
93. Preparation for the commission of a crime is
- (a) punishable under the IPC
 - (b) not punishable under the IPC
 - (c) punishable when the preparation is with the intention of waging war against the Government of India or preparation to commit dacoity
 - (d) punishable only when the preparation is with the intention of waging
94. In _____, Supreme Court bench of Justices Dipak Misra and Prafulla C. Pant observed "any kind of liberal approach or thought of mediation in this regard (between rape victim and the accused) is thoroughly and completely sans legal permissibility."
- (a) *State of MP v. Madanlal*
 - (b) *ABC v. NCT of Delhi*
 - (c) *State v. Manohar Singh*
 - (d) *State v. Hariharan*
95. In which of the following cases, Supreme Court held that an offence under the criminal law does not depend upon the gender of the accused ?
- (a) *Nalini Singh v. State*
 - (b) *Jamuna Pal v. State*
 - (c) *Nandini Sukumar v. State*
 - (d) *Vasanthi Stanley v. State*
96. Which of the following provisions of IPC prescribes death sentence as the only punishment for murder ?
- (a) Section 302
 - (b) Section 303
 - (c) Section 305
 - (d) Section 307



97. Which one of the following correctly identifies the remedies available to the victim in case of false imprisonment ?
- (a) Injunction, abatement, action for damages
 - (b) Habeas corpus, action for damages, injunction
 - (c) Self-help, habeas corpus, action for damages
 - (d) Injunction, self help, action for damages
98. In _____, the Supreme Court held that women can be arrested by police at any time and even in absence of lady constable if the arresting officer records the proper reason for such arrest.
- (a) *State of Maharashtra v. Christian Community Welfare Council of India*
 - (b) *Jaya Sinha v. State of Karnataka*
 - (c) *Aruna Roy v. State of UP*
 - (d) *State of Gujarat v. Priya Pillai*
99. Which of the following was never held or observed by the Privy Council in *Mohori Bibee v. Dharamodas Ghose*
- (a) An agreement made by a minor is void.
 - (b) The minor's agreement being void, he could not be asked to repay.
 - (c) Section 64 and 65 of the Indian Contract Act 1872 allow compensation to be made by a person who gets undue benefit in a case, but those Sections do not cover the case where the agreement is void ab initio as in the case of a minor.
 - (d) Since the loan had been given to the minor with the full knowledge about his infancy, the money lender can still be asked to be compensated under the Specific Relief Act 1963.
100. Which of the following sections of Indian Penal Code aims at achieving the age-old principle of peaceful co-existence of different countries of the world, especially neighbouring countries?
- (a) Section 124 & 127
 - (b) Section 127 & 126
 - (c) Section 125 & 126
 - (d) Section 124 & 125



SPACE FOR ROUGH WORK

SEAL



LL.M. ADMISSION TEST – 2017

PART II

**Question Booklet
Sl. No.**

51288

Date of examination : 7th May, 2017 (Sunday)

Centre Name

Maximum Marks : 50

Roll No.....

ANSWER ANY ONE QUESTION FROM THE FOLLOWING IN THE ATTACHED ANSWER SHEET.

1. The life of law is not logic, but it is experience – Critically examine this statement.

OR

2. Whether or not the traditional doctrine of Privity of Contract has become outdated and in dire need of reform? Give reasons for your answer in view of the complex business relations and transnational nature of the business of the modern world.

OR

3. Briefly explain and critically evaluate the procedure for removing the judges of the Supreme Court and High Courts by referring to constitutional provisions, statute, rules and judicial decisions. What, in your opinion, are the reasons for the failure of such removal procedures taken against judges?

OR

4. “..... there must remain a realm of private morality and immorality” that is “not the law’s business.” - Analyse this statement against the backdrop of Hart – Devlin Debate and its relevance in present times.
-

Provisional Answer Key LL.M. 2017

Q.No.	Key	Q.No.	Key	Q.No.	Key	Q.No.	Key
1	c	26	d	51	c	76	c
2	b	27	a	52	a	77	d
3	a	28	b	53	c	78	b
4	a	29	c	54	d	79	b
5	c	30	a	55	b	80	c
6	b	31	c	56	a	81	b
7	d	32	d	57	d	82	a
8	d	33	d	58	b	83	b
9	a	34	a	59	d	84	a
10	b	35	d	60	a	85	c
11	a	36	a	61	d	86	a
12	d	37	d	62	b	87	b
13	b	38	c	63	c	88	d
14	b	39	c	64	d	89	b
15	d	40	a	65	a	90	d
16	a	41	c	66	b	91	c
17	a	42	c	67	c	92	d
18	c	43	b	68	d	93	c
19	c	44	c	69	b	94	a
20	d	45	b	70	d	95	d
21	b	46	b	71	c	96	b
22	d	47	c	72	a	97	c
23	c	48	d	73	b	98	a
24	b	49	d	74	a	99	d
25	d	50	b	75	b	100	c

LL.M. ADMISSION TEST – 2018

Date of Exam. : 6th May, 2018 (Sunday)

Duration : 90 Minutes

Max. Marks : 150

Center's Name : _____

Roll No. : _____

OMR Sheet No. : _____

Date of Birth : _____

INSTRUCTIONS TO CANDIDATES

1. No clarification on the Question paper can be sought. Answer the questions as they are.
2. There are 100 multiple choice objective type questions of one mark each which has to be answered in the OMR sheet.
3. Candidates have to indicate the correct answer by darkening one of the four responses provided, with BLACK/BLUE BALL POINT PEN in the OMR Answer sheet
Example : For the question, "Where is the Taj Mahal located ?"
(a) Kolkata (b) Agra (c) Bhopal (d) Delhi

The correct answer is B.

The candidate has to darken the corresponding circle as indicated below:

Right Method

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

Wrong Methods

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

4. There is one essay question of 50 marks which has to be answered in a separate sheet with pen. Total marks are 150.
5. There will be **Negative Marking** for multiple choice objective type questions. 0.25 marks will be deducted for every wrong answer.
6. Answering the question by any method other than the method mentioned above shall be considered wrong answer.
7. More than one response to a question shall be counted as wrong answer.
8. The candidate shall not write anything on the Answer Sheet other than the details required and in the spaces provide for.
9. After the examination is over, the candidate has to return the test booklet along with the Answer Sheet, to the invigilator.
10. The use of any unfair means by any candidate will result in the cancellation of his/her candidature.
11. Impersonation is an offence and the candidate, apart from disqualification, may have to face criminal prosecution.
12. Electronic gadgets like mobile phones, pagers or calculators etc. are strictly not permitted inside the Test Centre/Hall.
13. The candidates shall not leave the hall before the Test is over.

SEAL



DO NOT WRITE HERE



PART - I

1. For Austin, 'general jurisprudence' means the science concerned with the exposition of the principles, notions and distinctions which are
 - (a) relative to the different systems of law
 - (b) comparative to the different systems of law
 - (c) common to the different systems of law
 - (d) linked to different systems of law

2. The Sociological School of Jurisprudence is chiefly concerned with the relationship of law to
 - (a) contemporary social ideas
 - (b) contemporary legal positions
 - (c) contemporary political institutions
 - (d) contemporary social institutions

3. The life of law has not been logic, it has been experience. The felt necessity of the time, prevalent moral and political theories, institutions of public policy have had a good deal more to do than syllogism in determining the rules by which men should be governed. This was the message of
 - (a) Law of Vedanta
 - (b) Holmesian law
 - (c) Justinian Code
 - (d) Greek Law

4. Which one of the following defines right as 'an interest recognized and protected by law' ?
 - (a) Salmond
 - (b) Holland
 - (c) Keeton
 - (d) Allen

5. Bentham was the real originator of law as 'Sovereign's Command' as revealed in his work
 - (a) The Principles of Legislation
 - (b) Fragment on Government
 - (c) Introduction to the Principles of Morals and Legislation
 - (d) Rationale of Judicial Evidence

10. There are certain inconsistencies in the Savigny's perception of law

1. His insistence on custom as the expression of popular consciousness is not historically and sociologically correct.
2. His concept of law is negative, obscurant and narrow sectarian in outlook and content.
3. *Savigny's Volksgeist* is reappearing as a cancerous divisive force in body politic of several countries.
4. Give and take and imitation has no place in the program in a modern industrial and welfare state which is in abundance in his concept of law.

Which of the above mentioned statement(s) is /are correct ?

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

11. *Themistes* are the first earliest forms and instruments of law having originated from the Homeric words *Themis* which means

- (a) The Law Giver (b) Law Propounder
(c) Goddess of Justice (d) The King Almighty

12. _____ claimed that he "discovered" the Law of Three Stages as the governing principle of societal progress.

- (a) August Comte (b) Herbert Spencer
(c) Ihering (d) Oliver Wendell

13. According to Ehrlich, 'the centre of gravity of legal development lies not in legislation nor in juristic science, nor in judicial decisions but in

- (a) individual himself (b) people themselves
(c) society itself (d) world itself

14. Although it is not easy to tag Holmes with a label of a school, yet his life and works have become source of inspiration to

- (a) Romans, Greeks and Historical jurists
(b) Greeks, British and positivists
(c) Romans, British and naturalists
(d) Neo-Austinians, Sociological jurists and Realists



15. The main supporters of Expiatory Theory are
(a) Plato and Locke (b) Bodin and Hegel
(c) Hegel and Kohler (d) Starke and Hobbes
16. Salmond originally divided the sources of law into
(a) formal and material (b) concrete and absolute
(c) formal and informal (d) custom and legislation
17. According to the *Lalitha Kumari* judgment, while ensuring and protecting the rights of the accused and the complainant, a preliminary inquiry should be made time bound and in any case it should not exceed _____ days.
(a) 2 (b) 3 (c) 5 (d) 7
18. The ascertainment of the *ratio decidendi* of a case depends upon a process of abstraction from the totality of facts that occurred in it. The higher the abstraction,
(a) the wider the *ratio decidendi*
(b) the clearer the *ratio decidendi*
(c) the appropriate the *ratio decidendi*
(d) the narrower the *ratio decidendi*
19. There are four features of morality which Hart says are necessary for a clear picture of his concept of law. These four features, he describes under the heads of
(a) Command, Sovereign, Duty and Sanction
(b) Accordance, Duty, Obedience and Moral Pressure
(c) Importance, Immunity from deliberate change, Voluntary character of moral offences and Forms of moral pressure
(d) Primary Rules, Secondary Rules, Rules of Recognition and Moral Pressure
20. The Supreme Court has held that "sexual intercourse or sexual acts by a man with his own wife, the wife not being _____ years, is not rape".
(a) 15 (b) 16 (c) 17 (d) 18



21. Who deduced his legal theory from the inherent self-consciousness of a reasonable man ?
- (a) Fichte (b) J.S. Mill (c) Kant (d) Hegel
22. Right to divorce is a
- (a) right *strictosensu* (b) liberty
- (c) power (d) privilege
23. In which of the following judgments, a Constitution Bench of the Supreme Court has held that the sale and installation of a lift is a works contract ?
- (a) State of A. P. v. Kone Elevators (India) Ltd.
- (b) Kone Elevators (India) Ltd. v. State of Tamil Nadu
- (c) Schindler Elevators v. State of Delhi
- (d) Schindler Elevator v. State of Tamil Nadu
24. If the promisee accepts the anticipatory breach committed by the promisor, then
- (a) The promisee need not perform his part of the contract and he cannot claim damages from the promisor.
- (b) The promisee must perform his part of the contract before claiming damages from the promisor.
- (c) The promisee need not perform his part of the contract and he can also claim damages without waiting till the date of performance.
- (d) The promisee need not perform his part of the contract but he can also claim damages from the promisor only after the date of performance.
25. A gratuitous bailment is terminated
- (a) On the death of bailor and bailee both
- (b) On the death of either bailor or bailee
- (c) On the death of bailee
- (d) On the death of bailor



26. If the pawnor makes a default in payment of debt, at the stipulated time of promise
- (a) Pawnee has no right to sell the goods nor retain the goods as collateral security but has a right to sue the pawnor for the debt.
 - (b) Pawnee has no right to sell the goods pledged but has a right to retain the goods as collateral security.
 - (c) Pawnee has a right to sell the goods pledged after giving a reasonable notice of sale to the pawnor.
 - (d) Pawnee has a right to sell the goods pledged without giving notice to the pawnor.
27. In case of a sub-agent lawfully appointed, which of the following is correct?
- (a) As regards third parties, the sub-agent can neither bind the principal nor the original agent
 - (b) As regards third parties, the sub-agent can bind only the original agent
 - (c) As regards third parties, the sub-agent binds the principal as an original agent can bind.
 - (d) As regards third parties, the sub-agent cannot bind the principal as an original agent.
28. Which one of the following statements is not correct in so far as 'jural' relations are concerned ?
- (a) Y's duty with regard to X would be expressed by X as 'You must' (X has a right in strict sense or claim)
 - (b) X's freedom to do something in relation to Y would be expressed by X as 'I may' (X has a liberty or privilege)
 - (c) X's ability to alter Y's legal position would be expressed by X as 'I can' (X has a power)
 - (d) Y's inability to alter X's legal position would be expressed by X as 'You cannot' (X has a liberty)



29. A time barred debt or the Directive Principles of State Policy under the Constitution of India are examples of
- (a) perfect rights
 - (b) perfect duties
 - (c) imperfect rights
 - (d) imperfect duties
30. Who won the 2017 Right to Livelihood Award, otherwise known as Alternative Nobel Prize ?
- (a) Colin Gonsalves
 - (b) Fali Nariman
 - (c) Prashant Bhushan
 - (d) Harish Salve
31. Which one of the following statements is NOT correct ?
- (a) The condition on which ownership depends may be either a condition precedent or a condition subsequent.
 - (b) The contingent ownership of a thing is nothing but a simple chance.
 - (c) A condition subsequent is one on the fulfilment of which a title already complete, is extinguished.
 - (d) A condition precedent is one by the fulfilment of which the title is perfected.
32. Which one of the following pairs is NOT correctly matched ?
- (a) *Quia Omne quod Solo inaedificatur solo cedit* by whatever mean it be, what is affixed to land becomes eroded to it
 - (b) *Quicquid plantatur solo, solo cedit* Whatever is planted or affixed to the soil is ceded to the soil
 - (c) *Nec vi nec calum nec precario* Possession must be to the extent to show that it is possession adverse to the competition
 - (d) *Rechtsband sachenbesitz* Possession in rem
33. Article 358 of the Constitution provides that when the proclamation of emergency is issued by the President under Article 352, the freedoms granted under Article 19 are
- (a) not suspended
 - (b) automatically suspended and would continue to be so for the period of emergency
 - (c) applicable to some extent
 - (d) suspended through an executive order by the President



34. Which one of the following statements is NOT correct ?
- (a) Under Article 16 of the Constitution, the guarantee against discrimination is limited to 'employment' and 'appointment' under the State
 - (b) Article 15 of the Constitution is more general and deals with all cases of discrimination which do not fall under Article 16 of the Constitution.
 - (c) Article 16 of the Constitution embodies the particular application of general rule of equality laid down in Article 14 of the Constitution with special reference for appointment and employment under the State.
 - (d) Article 16 of the Constitution does not guarantee equality of opportunity in matters of appointment.
35. A Judge of the Supreme Court of India may be removed from his office under Article 124(4) of the Constitution by an order of the President of India only on grounds of
- (a) proved misbehaviour
 - (b) misconduct
 - (c) ill health and incapacity
 - (d) proved misconduct or incapacity
36. In _____, the Supreme Court observed that "what is practiced in our prisons is the theory of retribution and deterrence and the ground situation emphasizes this, while our criminal justice system believes in reformation and rehabilitation and that is why handcuffing and solitary confinement are prohibited. It is this 'rejection' of the philosophy of our criminal justice system that leads to violence in prisons and eventually unnatural deaths." The Supreme Court highlighted the need for an overhaul, in order to ameliorate the conditions of prisoners across the country and thereby reduce the number of unnatural deaths.
- (a) *Re – Inhuman Conditions in 1, 382 Prisons*
 - (b) *Sunil Batra v. Delhi Administration*
 - (c) *Prem Shankar Shukla v. Delhi Administration*
 - (d) *Francies Coralie Mullin v. The Administrator, Union Territory of Delhi & others*

37. In India, the scheme of distribution of sources of revenue between the Centre and the States is based on the scheme laid down in
- (a) Government of India Act, 1861
 - (b) Government of India Act, 1907
 - (c) Government of India Act, 1919
 - (d) Government of India Act, 1935
38. Which one of the following cases is not an instance of *Damnum Sine Injuria* ?
- (a) *Moghal Steamship Co. v. McGregor Gow and Co.*
 - (b) *Dickson v. Reuters Telegraph Co.*
 - (c) *Bradford Corporation v. Pickles*
 - (d) *Ashby v. White*
39. Which one of the following is the first Indian building to get the trademark under the Trademarks Act 1999, for its architectural design ?
- (a) Taj Mahal Palace, Mumbai
 - (b) Lotus Temple
 - (c) Mysore Palace
 - (d) Taj Mahal
40. In which of the following countries, has the Supreme Court disqualified its President in connection with the Panama Papers Scam ?
- (a) Bangladesh
 - (b) Pakistan
 - (c) Nepal
 - (d) Sri Lanka
41. Non-pecuniary loss includes the following heads of damage :
- (a) pain and suffering, loss of amenities and loss of expectation of life
 - (b) mental shock and agony, loss of limbs and loss of amenities
 - (c) health decay, loss of comforts and happiness
 - (d) welfare, well-being of children and health
42. Which of the following is true about the Child – friendly Courts ?
- I. Separate waiting rooms for children
 - II. Judge and Police officers not to be in their uniforms
 - III. Video-camera trial for accused
 - IV. Direct contact between child and the accused in few cases only
- (a) I and III
 - (b) I and IV
 - (c) I, II, III
 - (d) All of the above



48. Which one of the following statements is not correct ?
- (a) section 34 and 120A of I.P.C. lay down different principles of law and there is substantial difference between the two.
 - (b) section 34 of I.P.C. lays down a principle in respect of a crime committed by several persons in furtherance of common intention of all.
 - (c) In section 120A, I.P.C., the liability is based on an agreement between two or more persons to do or cause to be done an illegal act or an act which is not illegal, by illegal means
 - (d) It is very much material whether the illegal act is the ultimate object of such agreement, or is merely incidental to that object.
49. The maximum period of solitary confinement provided under section 73 of I.P.C. is
- (a) one month (b) two months (c) three months (d) six months
50. An act resulting in death done with the knowledge of its very serious consequences does not by itself become murder under sub-section(4) of section 300, I.P.C., it must further be shown that
- (a) the accused had some knowledge about the fact that it will cause death.
 - (b) even though the accused knew about the consequences, he did the act and had no excuse for incurring such a risk.
 - (c) the accused had no valid excuse for the act done by him.
 - (d) his intention was to kill the victim as the victim had certain qualities which were against the norms of the society.
51. There are two explanations attached to section 403 I.P.C. According to the first, a dishonest misappropriation for a time only is also misappropriation within the meaning of this section. The second explanation lays emphasis on
- (a) finder's identity and his status (b) finder's liability and on his title
 - (c) finder's duty and on his title (d) finder's choice and his liability



52. The decision in *Additional District Magistrate, Jabalpur v. Shivakant Shukla* has been specifically overruled in
- (a) *Victim Families Association and anr. v. UOI*
 - (b) *Justice K.S. Puttuswamy v. UOI*
 - (c) *Mahipal Singh Rana v. State of Uttar Pradesh*
 - (d) *UOI v. Bhanudas Krishna Gawde*
53. In *Baldev Singh v. State of Punjab*, the Supreme Court emphasized the need to scrutinize, re-look and re-visit the sentencing policy under section _____ of the IPC.
- (a) 304B (b) 304A (c) 304 (d) 363
54. If a minor's guardian makes a contract with an insurance company insuring minor's property against fire, in the event of fire
- (a) the minor is entitled to enforce his claim for compensation for loss of property against the insurance company.
 - (b) the minor is not entitled to enforce his claim for compensation for loss of property against the insurance company.
 - (c) the guardian of the minor is entitled to enforce his claim for compensation for loss of property against the insurance company.
 - (d) no one is not entitled to enforce his claim for compensation for loss of property against the insurance company as the contract is void.
55. Which of the following statements is not correct ?
- (a) When the acceptance is required by post, but the same is made by telephone or telegram i.e., by a quicker mode, will result in a valid contract.
 - (b) But if the deviation from the prescribed manner is to the disadvantage of the offeror, he is entitled to treat the acceptance as invalid.
 - (c) If the offeror wants the acceptance to be sent by wagon, but the same is sent by post, and the letter reaches after the arrival of the wagon, the offeror is entitled to treat the acceptance as invalid.
 - (d) The communication of the acceptance is complete as against the proposer, when it comes to the knowledge of the acceptor.



56. In contracts of sale and purchase of goods, the measure of damages will be
- (a) the difference between the price contracted and the price actually paid.
 - (b) the difference between the market price and the price actually paid.
 - (c) the difference between the price agreed upon and the market price.
 - (d) the difference between the market price and the speculated paid.
57. A law which disqualifies a person with more than two children from holding the post of Panch/Sarpanch is valid and not violative of Article 14 of Constitution. In which of the following cases, the Supreme Court held this
- (a) *P.U.C.L. v. Union of India*
 - (b) *Javed v. State of Haryana*
 - (c) *Indira Jaysingh v. Registrar General*
 - (d) *Mohd. Aslam v. Union of India*
58. Choose the correct answer :
- After the House is dissolved, the Speaker is
- (a) Removed from the office immediately
 - (b) He remains as Speaker until the first meeting of the House of the People after the dissolution
 - (c) He has to submit his resignation to the President of India within twenty-four hours
 - (d) None of the above
59. 'Doctrine of unjust enrichment' was laid down by the Supreme Court in which one of the following cases ?
- (a) *Sarla Mudgal v. Union of India*
 - (b) *Mafatlal Industries Ltd. v. Union of India*
 - (c) *Chander Mohan v. Union of India*
 - (d) *Unni Krishnan v. State of A.P.*



60. In which of the following cases, the Supreme Court introduced the 'theory of alternative institutional mechanism' ?
- (a) *S. P. Sampath Kumar v. UoI*
 - (b) *Standard Chartered Bank v. City Bank*
 - (c) *Sarbananda Sonowal v. UoI*
 - (d) *Standard Chartered Bank v. Bank of India*
61. The rule of Absolute Liability was first laid down by
- (a) Lord Atkin in 1635
 - (b) Justice Blackburn in 1868
 - (c) Winfield in 1765
 - (d) Chief Justice Holt in 1868
62. Which of the following statements is NOT correct ?
- (a) Contingent contracts to do or not to do anything if an uncertain future event happens or not, cannot be enforced by law unless and until the event happens.
 - (b) If the event become impossible, such a contract becomes void.
 - (c) If the agreement is contingent on an impossible event, it is void.
 - (d) Such contracts are not enforceable if the contingency contemplated takes place or becomes impossible of taking place.
63. There is no definition of the word 'defraud' but courts in India have followed the well-known analysis of the word by
- (a) Sir James Stephen
 - (b) John Austin
 - (c) Justice Holmes
 - (d) Lord MacNaughten
64. The judgment of the Supreme Court in *Rattan Lal v. State of Punjab* by the application of Clause(1) of Article 20 of the Constitution of India, held that the said Clause prevents retrospective operation of
- (a) criminal laws
 - (b) civil as well as criminal laws
 - (c) only those civil and criminal laws which provide undue advantage
 - (d) only those criminal law which are against the interest of the accused



65. Which of the following provisions is based on the rule of *volenti non fit injuria*
(a) section 87 of the I.P.C. (b) section 92 of the I.P.C.
(c) section 94 of the I.P.C. (d) section 81 of the I.P.C.
66. Which Article of the Constitution of India makes pre-constitutional laws applicable in India ?
(a) Article 368 (b) Article 372A (c) Article 372 (d) Article 360
67. The principle of 'post-decisional hearing' was not followed in
(a) *Swadeshi Cotton Mills v. Union of India*
(b) *Tata Oil Mills v. Union of India*
(c) *H.L. Treahan v. Union of India*
(d) *K. I. Shephard v. Union of India*
68. Which one of the following is not correct ?
(a) Tax may be imposed by way of ordinance
(b) Preventive detention may be authorized by way of ordinance
(c) An ordinance promulgated by the President has its operation for a period of 6 months
(d) Ordinance may be promulgated by the President on any matter for which Parliament has power to make laws
69. Match the following
(a) Right to live with human dignity enshrined in Article 21 derives life breath from Directive Principles of State Policy under clauses (e) and (f) of Article 39, 41 and 42
(b) Speedy trial is an essential ingredient of just, fair and reasonable procedure guaranteed by Article 21
(c) In a P.I.L., a total stranger to a trial cannot be permitted to question the correctness of conviction of the accused
(d) In case of helplessness or disability, any member of the public can maintain an appeal for an appropriate order, direction or writ, if there is a violation of a constitutional right.
1. *Bhagwati J. in Bandhua Mukti Morcha v. UOI*
 2. *P. N. Bhagwati J. in Hussainara Khatoon v. State of Bihar*
 3. *Ahmadi J. in Simranjit Singh v. UOI*
 4. *Bhagwati J. in S. P. Gupta v. UOI*

Codes :

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



70. Which one of the following statements regarding 'Public Trust' doctrine is not true ?
- (a) It is based on legal theory of the ancient Roman Empire.
 - (b) The underlying idea of this doctrine is to develop trust among the public.
 - (c) 'Environment' bears a very close relationship to this doctrine.
 - (d) The doctrine enjoins upon the resources for the enjoyment by the general public.
71. Which of the following corporations, for the purpose of auditing, are kept completely out of the purview of CAG of India ?
- I. Industrial Finance Corporation
 - II. Food Corporation of India
 - III. Central Warehousing Corporation
 - IV. Life Insurance Corporation of India
 - V. Reserve Bank of India
- (a) II, IV and V
 - (b) I, II and V
 - (c) I, II, IV and V
 - (d) II, III and IV
72. The Legislative Council of a State can be abolished or created by
- (a) President of India on the recommendation of the Parliament
 - (b) Governor on the recommendation of the Legislative Assembly
 - (c) Parliament, through a simple legislation
 - (d) Parliament on the recommendation of the Legislative Assembly of the State concerned
73. The Supreme Court in *Rakesh Kumar Paul v. State of Assam* held that an accused is entitled to statutory bail (default bail) under section 167(2)(a)(2) of Code of Criminal procedure, if the police failed to file the charge-sheet within _____ days of his arrest for the offence punishable with 'imprisonment up to _____ years'.
- (a) 60 days, 10 years
 - (b) 90 days, 10 years
 - (c) 60 days, 7 years
 - (d) 90 days, 7 years



74. The Chief Election Commissioner of India can be removed from office during his tenure by
- (a) The Chief Justice of India if some charges are proved against him
 - (b) By the President on the basis of a resolution of the Union Cabinet
 - (c) By a committee consisting of Chief Justice of India
 - (d) By the President on the basis of resolution passed by the Parliament by two-third majority
75. Who among the following introduced local self-government in India ?
- (a) Lord Macaulay
 - (b) Lord Canning
 - (c) Lord Ripon
 - (d) Lord Dennings
76. Which of the following statements is correct concerning the Overseas Citizens of India (OCI) Scheme as per Citizenship Amendment Act, 2015 ?
- I. It seeks to merge the Person of Indian Origin (PIO) and Overseas Citizens of India (OCI) schemes.
 - II. It seeks to give equal rights to the OCI card holder as an NRI.
- (a) Both I and II
 - (b) Only I
 - (c) Only II
 - (d) Neither I nor II
77. In spite of being a non-member, who among the following can participate in the proceedings of either House of Parliament, without having the right to vote ?
- (a) The Attorney General of India
 - (b) The Vice-President
 - (c) The Chief Justice of India
 - (d) The Comptroller and Auditor General of India
78. The principle of law laid down in *Hadley v. Baxendale* relates to
- (a) Special Damages
 - (b) Quasi – Contract
 - (c) Fraud
 - (d) Unjust Enrichment



79. 'Compensation can be awarded to a person who suffered personal injuries at the hand of government officers which amounted to tortious act.' This was held in

- (a) *P. Rathinam v. UOI* (b) *D. K. Basu v. State of West Bengal*
(c) *Rudal Shah v. State of Bihar* (d) *Arvinder S. Bagga v. State of U.P.*

80. After matching list I and II, point out the correct code.

List I

List II

- | | |
|--|------------------------|
| 1. <i>Mersey Dock's v. Proctor</i> | a. Statutory Authority |
| 2. <i>Metropolitan Asylum District v. Hill</i> | b. Vicarious Liability |
| 3. <i>Nichols v. Marsland</i> | c. Inevitable Accident |
| 4. <i>Holmes v. Mather</i> | d. Act of God |
| (a) 1-b, 2-a, 3-d, 4-c | (b) 1-c, 2-b, 3-a, 4-d |
| (c) 1-a, 2-b, 3-c, 4-d | (d) 1-d, 2-a, 3-b, 4-c |

81. Which of the following tort is an exception to the rule of irrelevance of motive in the law of Torts ?

- (a) Malicious prosecution (b) Nuisance
(c) Conspiracy (d) All of the above

82. _____ propounded the theory that the primary purpose of the law of Tort is social engineering.

- (a) Prof. Hart (b) Prof. William L. Prosser
(c) Prof. Fraser (d) Prof. Kenny

83. The famous '*Six carpenters*' case is related to

- (a) Trespasser *ab initio* (b) Malicious prosecution
(c) False imprisonment (d) Nuisance

84. Which of the following enactment/s provide for compensation to the victim without going into the question of fault ?

- (a) Fatal Accident Act (b) Workman's Compensation Act
(c) Motor Vehicles Act (d) All of the above



85. In which one of the following cases did the Court of Exchequer explain the principle of *res ipsa loquitur*?
- (a) *Scott v. London & St. Katharine Docks Co.*
 - (b) *Hedley Byrne Co. Ltd. v. Heller & Partners*
 - (c) *Derry v. Peak*
 - (d) *Cann v. Willson*
86. Which one of the following is a good defence for the tort of private nuisance?
- (a) The plaintiff has come to the place of nuisance.
 - (b) The activity is for the benefit of all.
 - (c) The activity has been carried on for the last 20 years.
 - (d) The plaintiff is a very sensitive person.
87. As per Schedule 1 of the Code of Criminal Procedure, 1973, if it is not specifically mentioned whether an offence under a special enactment is cognizable or not, an offence punishable with Imprisonment for less than _____ years is non-cognizable.
- (a) two
 - (b) three
 - (c) five
 - (d) one
88. In *PUCL v. State of Maharashtra*, the Supreme Court has issued 16 Guidelines regarding investigation of _____
- (a) Custodial Deaths
 - (b) Encounter Deaths
 - (c) Rape cases
 - (d) Juvenile offenders
89. In which one of the following cases, the Supreme Court has held that the Government Employees can also file Public Interest Litigation since the Right to Judicial Remedies is a Constitutional Right available to all citizens of India?
- (a) *Vijay Shankar Pandey v. UoI*
 - (b) *T. S. R. Subramanian v. UoI*
 - (c) *Manohar Lal Sharma v. UoI*
 - (d) *Abhay Singh v. UoI*



90. The Chief Minister of a State in India is not eligible to vote in the Presidential election if
- (a) He is an acting Chief Minister.
 - (b) He himself is a candidate.
 - (c) He is member of the Upper House of the State Legislature.
 - (d) He is yet to prove his majority on the floor of the Lower House of the State Legislature.
91. A two-Judge Bench of the Supreme Court in *Sher Singh @ Partapa v. State of Haryana*, held that the prosecution can discharge the initial burden to prove the ingredients of section _____ of IPC, even by preponderance of probabilities.
- (a) 500 (b) 498A (c) 489A (d) 304B
92. In which of the following cases, the Supreme Court has held in strong words that "imposing the mother tongue as the medium of instruction violates the fundamental rights." ?
- (a) *English Medium Students' Parents' Association v. State of Karnataka*
 - (b) *NEET case*
 - (c) *Pramati Educational & Cultural Trust v. UoI*
 - (d) *Associated Management of (Govt. Recognised – unaided – English Medium) Primary and Secondary Schools v. UoI*
93. The Law Commission of India in its 259th Report suggested for inclusion of a new Fundamental Right in the Constitution. Identify it from the following
- (a) Right to childhood care (b) Right to reject a candidate in elections
 - (c) Right to Privacy (d) Right to be Forgotten
94. Which of the following lawyers argued the *Kulbhushan Singh Jadav* case in the International Court of Justice ?
- (a) K. K. Venugopal (b) Ram Jethmalani
 - (c) Harish Salve (d) Fali Nariman



95. The Constitution Bench of the Supreme Court which decided the 'Triple Talaq' case consisted of how many women Judge/s ?
(a) 0 (b) 1 (c) 2 (d) 3
96. Which of the following High Courts declared the river Ganga and Yamuna as legal persons ?
(a) Kolkata (b) Allahabad (c) Patna (d) Uttarakhand
97. The Supreme Court appointed _____ as *amicus curiae* in the petition seeking re-investigation in the Mahatma Gandhi assassination case.
(a) Colin Gonsalves (b) Zal Adhyarujina
(c) Amrendra Sharan (d) Raju Ramachandran
98. A sessions court can take cognizance of new offences and add new accused under section _____ of Cr.P.C., even when the magistrate had rejected the prayer earlier.
(a) 193 (b) 195 (c) 216 (d) 319
99. The Supreme Court clarified that in case there is connectivity problems due to geographical location or there is some other unavoidable difficulty, the time for uploading FIRs can be extended upto _____ hours.
(a) 12 (b) 72 (c) 48 (d) 24
100. In _____, a Constitutional Bench of the Supreme Court held that the Supreme Court by invoking Article 32, 136 and 142 of the Constitution is empowered to transfer a case from a court in the State of Jammu and Kashmir to a court outside the State or vice versa.
(a) *Common Causes and Another v. UOI*
(b) *Khurshid Ahmad Khan v. State of Uttar Pradesh*
(c) *Anita Kushwaha v. Pushap Sudan*
(d) *Shayara Bano v. UOI*

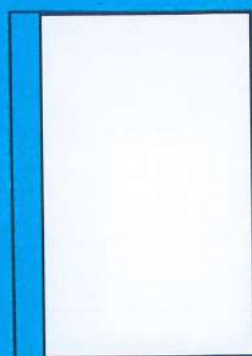


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LL.M. ADMISSION TEST – 2018

PART II



Date of examination : 6th May, 2018 (Sunday) Centre Name

Maximum Marks : 50

Roll No.....

ANSWER ANY ONE QUESTION FROM THE FOLLOWING IN THE ATTACHED ANSWER SHEET.

1. Critically analyse the 'right to privacy' being held to be part of fundamental rights in the jurisprudential context. Illustrate your answer with suitable examples.
2. Critically examine the role of constitutional values and morality under the Indian Constitution with suitable illustrations.
3. Critically analyse the need for judicial self-restraint in the Supreme Court of India in the context of specific decisions of the court.
4. Do you feel that the Supreme Court of India, while deciding the cases, has led to 'judicial legislation'? Critically analyse the same in the context of judicial decisions.

Provisional Answer Key LL.M. 2018

Q.No.	Key	Q.No.	Key	Q.No.	Key	Q.No.	Key
1	c	26	c	51	c	76	a
2	d	27	c	52	b	77	a
3	b	28	d	53	b	78	a
4	a	29	c	54	a	79	c
5	c	30	a	55	d	80	a
6	d	31	b	56	c	81	d
7	a	32	d	57	b	82	b
8	d	33	b	58	b	83	a
9	c	34	d	59	b	84	d
10	d	35	d	60	a	85	a
11	c	36	a	61	b	86	c
12	a	37	d	62	d	87	b
13	c	38	d	63	a	88	b
14	d	39	a	64	d	89	a
15	c	40	b	65	a	90	c
16	a	41	a	66	c	91	d
17	d	42	c	67	b	92	d
18	a	43	d	68	b	93	b
19	c	44	b	69	c	94	c
20	d	45	a	70	b	95	a
21	a	46	d	71	a	96	d
22	c	47	c	72	d	97	c
23	b	48	d	73	a	98	a
24	c	49	c	74	d	99	b
25	b	50	b	75	c	100	c



LL.M. ADMISSION TEST – 2019

Date of Exam. : 5 th May, 2019 (Sunday)	Center Name : _____
Duration : 90 Minutes	Roll No. : _____
Max. Marks : 150	OMR Sheet No. : _____
	Date of Birth : _____

INSTRUCTIONS TO CANDIDATES

1. No clarification on the Question paper can be sought. Answer the questions as they are.
2. There are **150** multiple choice objective type questions of one mark each which has to be answered in the OMR Answer Sheet.
3. Candidates have to indicate the correct answer by darkening one of the four responses provided in the OMR Answer Sheet. Use **ONLY BLACK/BLUE BALL POINT PEN**.

Example : For the question, "Where is Taj Mahal located ?"

- (a) Kolkata (b) Agra (c) Bhopal (d) Delhi

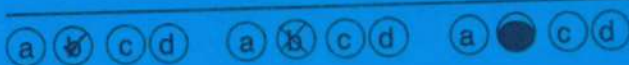
The correct answer is B.

The candidate has to darken the corresponding circle as indicated below:

Right Method



Wrong Methods



4. There will be **Negative Marking** for multiple choice objective type questions. **0.25 marks** will be deducted for every wrong answer.
5. Answering the question by any method other than the method mentioned above shall be considered incorrect and no marks will be awarded for the same.
6. More than one response to a question shall be counted as **Zero**.
7. The candidate shall not write anything on the OMR Answer Sheet other than the details required and in the spaces provided for.
8. After the examination is over, the candidate has to return the test booklet including OMR Answer Sheet, to the invigilator.
9. The use of any unfair means by any candidate will result in the cancellation of his/her candidature.
10. **Impersonation is an offence** and the candidate, apart from disqualification, may have to face criminal prosecution.
11. **No Electronic gadgets** like mobile phone or calculator etc. will be permitted inside the Test Centre/Hall.
12. The candidates shall not leave the hall before the Test is over.



1. "A" owes "B" Rs. 3,000, "C" pays to "B" Rs. 2,000 and "B" accepts it in satisfaction of his claim against "A".

This payment

- (a) is not a discharge of the whole claim
 - (b) is a discharge of the entire claim
 - (c) can be a discharge only when the balance is paid
 - (d) will be a discharge only if the amount is paid by "A"
2. Which one of the following is not an essential feature of a wagering agreement ?
- (a) Insurable contract
 - (b) Uncertain event
 - (c) Mutual chances or gain or loss
 - (d) Neither party to have control over the event
3. Clayton's principle is related to which of the following concepts of the Contract Act ?
- (a) Appropriation of payments
 - (b) Performance of reciprocal promises
 - (c) Void agreements
 - (d) Capacity to Contract
4. Consider the following statements :
- 1. In case of breach of contract generally damages are awarded.
 - 2. In case of breach of contract, remedy of specific performance of contract is always given.
 - 3. In case of breach of contract, fine is also imposed along with the award of damages.
 - 4. In exceptional cases where damages are not adequate compensation, remedy of specific performance can be given.

Which of the statements given above are correct ?

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



5. Consider the following statements :

The liability of the infant for necessities supplied to him is :

1. contractual and can be enforced against him.
2. quasi-contractual and the rule is embodied in Section 68 of the Indian Contract Act.
3. limited only to the property of the infant, if any.

Which of the statements given above are correct ?

- (a) 1 and 2 (b) 2 and 3 (c) 1 and 3 (d) only 2
6. A minor borrowed some money on a promissory note. After attaining majority, he executed another promissory note in respect of the original loan plus the accrued interest. The creditor filed a suit to recover the money on the basis of the second promissory note. The suit is liable
- (a) to be dismissed as the money was not advanced to the minor for necessities
 - (b) to be dismissed as the first promissory note being void cannot constitute a valid consideration
 - (c) to be decreed as the second promissory note was executed when the debtor had become major
 - (d) to be decreed as the loan given under the first promissory note constitutes past consideration and the past consideration is valid under the Indian law
7. A takes a loan from B with promise to pay it back within six months. It is also stipulated that on the failure to pay within six months, A will be liable to pay double the amount borrowed
- (a) It is in the nature of penalty so only a reasonable rate of interest can be claimed
 - (b) It is in the nature of liquidated damages, so the stipulated amount can be claimed
 - (c) It is a valid agreement, so A is liable to pay double the amount borrowed
 - (d) It is an unconscionable clause and renders the entire agreement void
8. A trader supplied to a minor wheat and rice required for food. On the failure of the minor to pay for it, the trader files a suit.
- The trader
- (a) will get no relief since minor's agreements are void
 - (b) will get no relief since the supplies were not made at the desire of the minor
 - (c) can recover the price of the goods supplied, as there was an implied promise
 - (d) is entitled to be reimbursed out of the property of the minor, since the articles supplied constitute necessities



9. Sub-agent is responsible for his acts to the agent but not to the principal. Find the correct option with reference to the Contract Act, 1872.
- (a) The statement is true and the provision in this regard is there in the Section 192
 - (b) The statement is false and nothing has been provided under the Act
 - (c) The statement is partially true and Section 192 does not deal with this
 - (d) None of the above
10. A patient in a lunatic asylum, who is, at intervals, of sound mind, may contract during those intervals. Choose the correct option.
- (a) A person in a lunatic asylum cannot enter into any contract
 - (b) As per Sec. 12, during the intervals when he is of sound mind, he can enter into contract
 - (c) Though, as per Sec. 12, he may enter into an agreement during the intervals when he is of sound mind, such agreements shall not be enforceable in any court of law
 - (d) None of the above
11. Pritam Kakkar, a famous singer, contracts with Tanisha Entertainment Ltd. (TBL), to sing live at theatre Magnetic Dreams (MD) for two nights in every week during the next two months. TBL engages to pay him 50,000/- rupees for each night's performance. On the sixth night, Pritam wilfully absents himself from the theatre. TBL, in consequence, rescinds the contract. Choose the correct option as per the Indian Contract Act, 1872.
- (a) Pritam Kakkar has breached the contract wilfully. So, he is not entitled for any payment whatsoever
 - (b) TBL must pay him for the five nights on which he had sung at theatre
 - (c) Since the contract is for two months, Pritam Kakkar is entitled for the total amount as per the terms of the contract
 - (d) None of the above
12. As per Contract Act, 1872, Match List – I with List – II and select the correct answer by using the codes given below the lists.

List – I

- A. Promises express or implied
- B. Coercion
- C. Undue Influence
- D. Misrepresentation

List – II

- i. Sec. 15
- ii. Sec. 9
- iii. Sec. 18
- iv. Sec. 16

Codes :

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



13. In case of guarantee, the liability of the surety is
(a) Primary as compare to that of the principal debtor
(b) Secondary as compare to that of the principal debtor
(c) Co-extensive with that of the principal debtor
(d) All of the above
14. Between the finder and the owner of the good there is no contract, but
(a) The finder of the goods has the right to sue the owner for compensation for the expenses voluntarily incurred by him to preserve the goods and to find out the owner
(b) The finder can mix goods found by him with his own goods
(c) The finder cannot sell the goods found by him under any circumstances
(d) The finder of the goods is subject to the same responsibility as that of a Bailee
15. When a contract is made on telephone it becomes complete at the place where acceptance is heard.
In which of the following cases it has been held so ?
(a) Carlill v. Carbolic Smoke Ball Co.
(b) Bhagwan Das v. Girdhari Lal
(c) Mohori Bibee v. Dharmodas Ghose
(d) Satyabrata Ghose v. Mugneeram
16. B is A's daughter. A and B enter into a contract. A has private information of a change in prices which would affect B's willingness to proceed with the contract. A did not give this information to B. State whether the contract
(a) Is void but not illegal
(b) Is valid
(c) Is voidable at the option of B
(d) Is void because of being illegal
17. The two rules (i) General Damages and (ii) Special Damages were propounded for the first time in
(a) Carlill v. Carbolic Smoke Ball Co.
(b) Hadley v. Baxendale
(c) Victoria Laundry Ltd. v. Newman Industries Ltd.
(d) Hobbs v. L. and S. W. Rly
18. Moses v. Macferlan (1555-1774) is a case relating to
(a) Theory of unjust enrichment
(b) The right of lien
(c) Test of agency
(d) Doctrine of frustration



19. In *Seksaria Cotton Mills Ltd. v. State of Bombay*, the Supreme Court described the role of
- (a) Auctioneer
 - (b) Del Credre Agent
 - (c) Factors
 - (d) Broker
20. Find out the correct answer : The object of allowing damages in the case of breach of contract is
- (a) To place the plaintiff so far as the money can do it, in the same position with respect to damages as if the contract has been performed
 - (b) To punish the defendant for breach of contract
 - (c) To put the plaintiff in the same position as if the contract has not been made
 - (d) To compensate the actual loss arising from the breach
21. Article 352 of the Constitution of India relates to proclamation of Emergency. After amendment of this provision, the grounds available to the President for proclaiming emergency are "war, external aggression or armed rebellion". Prior to the Constitution (Forty-fourth Amendment) Act of 1978, when could emergency under this provision be declared ?
- (a) "war, external aggression or civil strife"
 - (b) "failure of constitutional machinery"
 - (c) "war, external aggression or internal disturbance"
 - (d) "political or financial instability"
22. Part XIV-A entitled "Tribunals" was inserted by the Constitution (Forty-Second) Amendment Act, 1976. Clause (2)(d) of Article 323-A and Clause (3)(d) of Article 323-B excluded jurisdiction of all courts, except that of the Supreme Court under Article 136. In which case were these clauses struck down as being unconstitutional to the extent they barred the jurisdiction of the High Courts under Articles 226/227 and that of the Supreme Court under Article 32 ?
- (a) *Maneka Gandhi v. Union of India*, AIR 1978 SC 597
 - (b) *Minerva Mills v. Union of India*, AIR 1980 SC 1789
 - (c) *S. R. Bommai v. Union of India*, AIR 1994 SC 1918
 - (d) *L. Chandra Kumar v. Union of India*, AIR 1997 SC 1125
23. In whose presence does the Vice-President of India make and subscribe the oath laid out in Article 69 of the Constitution before entering upon his office ?
- (a) Chief Justice of India or in his absence, the senior most Judge of the Supreme Court available
 - (b) President, or some person appointed by him
 - (c) Prime Minister or in his absence, the Home Minister
 - (d) Attorney-General for India or in his absence, the Chief Election Commissioner



24. Which of the following has not been discussed in Justice K. S. Puttaswamy vs. UOI ?
(a) Cooper and Maneka: Interrelationship between rights
(b) Habermas's theory of communicative rationality and public sphere
(c) Thomson's Reductionism
(d) Bork's critique
25. According to Article 15(5), inserted by the Constitution (Ninety-third Amendment) Act, 2005, which of the following most correctly describe "backward classes" ?
(a) Socially and educationally backward
(b) Politically and educationally backward
(c) Socially and economically backward
(d) Educationally and economically backward
26. Article 21A Right to Education mandates the State to provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine. Which of the following word (helping verb) has been used by the legislature to show the level of commitment in the opening sentence of Article 21-A ?
(a) May (b) Shall (c) Can (d) None of these
27. The members to be nominated by the President under Article 80 of the Indian Constitution shall consists of persons having special knowledge or practical experience in respect of such matters as the following, namely
(a) Literature, science, politics and social service
(b) Literature, science, art and social service
(c) Literature, science, art and social science
(d) Language, literature, art and social service
28. Doctrine of Pleasure is associated with which Article of the Constitution ?
(a) Article 323 (b) Article 308 (c) Article 309 (d) Article 310
29. Who among the following is part of the electoral college for the election of the President of India ?
(a) Nominated Anglo-Indian member of the Lok Sabha
(b) Nominated members of the Rajya Sabha
(c) Elected members of the Legislative Assemblies in the States
(d) Elected members of the Legislative Councils in the States
30. As per Article 368, an Amendment to which of the following provisions of the Constitution of India requires ratification by at least one-half of the States ?
(a) Seventh Schedule (b) Fundamental Rights (Part III)
(c) Directive Principles (Part IV) (d) Fundamental Duties (Part IVA)



31. The 'harm principle' by J. S. Mill has been discussed in which of the following landmark judgments on constitutional question ?
(a) *Indian Young Lawyers Association and Ors. v. The State of Kerala*
(b) *Onkar Lal Bajaj v. Union of India*
(c) *Navtej Singh Johar and Ors. v. Union of India*
(d) *Bharat Kumar v. State of Kerala*
32. In which of the following situations does the President of India address a Joint Session of the Parliament ?
(a) At the first session after General Election
(b) At the commencement of the first session of each year
(c) Neither (a) nor (b)
(d) Both (a) and (b)
33. Which of the following words is not a part of the Preamble to the Constitution of India ?
(a) Liberty (b) Freedom (c) Justice (d) Equality
34. Under the Constitution of India, what is the minimum number of judges of the Supreme Court required for hearing and deciding a reference made by the President of India under Article 143 ?
(a) Three (b) Five (c) Seven (d) Nine
35. *Sowmithri Vishnu v. UOI and Yusuf Abdul Aziz v. State of Bombay* is pertinent to which of the following decisions of the Supreme Court of India ?
(a) *Union of India v. S. B. Vohra* (b) *Joseph Shine v. Union of India*
(c) *Navtej Singh Johar v. UOI* (d) *Shayra Bano v. UOI*
36. 'P' gave her expensive dress to 'D', a drycleaner for getting it cleaned, who in turn gave the dress to his worker 'M' for the purpose of cleaning. 'M' without permission of 'D' gave the dress to a lady 'X' for wearing on some party. 'X' returned the dress to M in a damaged condition. 'P' files suit against 'D' for her loss.
(a) 'D' is not vicariously liable for misappropriation committed by his servants since it is a criminal act for which 'D' is not vicariously liable
(b) 'D' is not liable because he never authorised 'M' to give the dress to 'X' and had specifically prohibited him to do so
(c) 'D' is vicariously liable since master is liable for all the acts of servant done on the workplace
(d) 'D' is vicariously liable since 'M' is 'D's employee and the dress was entrusted to 'M' by 'D'



37. In which of the following landmark decisions of Supreme Court, compensation was awarded as per common law principle of trespass to person against a medical professional ?
- (a) Spring Meadows Hospital v. Harjol Ahluwalia
 - (b) Dr. Pinnamaneni Narasimha Rao v. Gundavarau Jayaprakasu
 - (c) Samira Kohli v. Dr. Prabha Manchanda
 - (d) Martin F. D' Souza v. Mohd. Ishfaq
38. Tinu and Pinki, age 10, were playing in the park. During their play, suddenly, Tinu started advancing towards Pinki showing his fist. In order to avoid being hit by Tinu, Pinki stood behind Mohan, a bystander and used him as a shield by keeping Mohan between herself and Tinu. As Tinu closed in, Pinki gently pushed Mohan toward Pinki, hoping Pinki would jump back and give Mohan a chance to escape. Mohan stumbled and fell, suffering an injury. Mohan brings an action against Tinu. Which of the following arguments on Tinu's behalf has the greatest chance of success ?
- (a) Tinu should only be liable for nominal damages for the gentle push but not for damages for Mohan's injury because he did not intend nor could he foresee such a result
 - (b) Tinu should not be liable because a child of age 10 cannot form the requisite intent for committing wrong
 - (c) Tinu should not be liable because a gentle push cannot constitute a battery
 - (d) Tinu should not be liable because a child on a playground has a privilege to touch a bystander and even to give the person a gentle push
39. Which of the following cases doesn't form part of the famous trilogy of House of Lords decisions relied upon in *Anns v. London borough of Merton* case ?
- (a) Home Office v. Dorset Yacht Co. Ltd.
 - (b) Hedley Byrne and Co. Ltd. v. Heller and Partner Ltd.
 - (c) Donoghue v. Stevenson
 - (d) Junior Books Ltd. v. Veitchi Co. Ltd.
40. The famous case of six carpenters (1610) discussed the concept
- (a) Trespass ab initio
 - (b) Dispossession
 - (c) Maintenance and champerty
 - (d) Slander of goods



41. Which of the following is true about the economic analysis theory ?
I. It doesn't provide correct cost- benefit analysis of precautions
II. Economic analysis has been replaced by corrective justice theory
III. The theory correctly explains the adversarial nature of tort law
IV. Economic analysis equates legal liability with costs
(a) Both II and III (b) Both I and III
(c) IV only (d) II and IV
42. 'Nuisance' is interference with a person's right relating to
(a) Possession (b) Leave and licence
(c) Use and enjoyment of land (d) Ownership
43. In "Negligence", a defendant can take the defence of
(a) *Scienti non fit injuria* (b) Voluntary assumption of risk
(c) Last opportunity (d) All of the above
44. '*Ex turpi causa oritur non actio*' means
(a) Action arises if the act is unlawful
(b) No action arises if the act is unlawful
(c) No action arises if delay in filing action
(d) Action arises if involved directly
45. 'Defamation' is an offence under
(a) Section 205, I.P.C. (b) Section 300, I.P.C.
(c) Section 499, I.P.C. (d) None of the above
46. Which of the following pair is not correctly matched ?
(a) *Mens Rea* – R.v. Prince
(b) Necessity – D.P.P. v. Beard
(c) Insanity – Mc Naughten case
(d) Intoxication – Basudev v. State of Pepsu
47. Even though a man's knowledge that a particular consequence will probably result from his act is sometimes an insufficient basis for saying that he intends it, there are strong reasons for holding that as a legal matter he can be held to intend something that he knows for sure he is doing. This is called
(a) skewed intent (b) oblique intent
(c) hypothetical intent (d) square intent



48. The punishment for refusing to offer first aid or medical treatment to victims of offences under Section 326A, 376, 376A, 376B, 376C, 376D or Section 376E of the Indian Penal Code, 1860 applies in case of
- (a) Public hospitals run by Central Government or State Government or any local body
 - (b) Private Hospitals
 - (c) Public hospitals run by Central Government or State Government or any local body and Private hospitals
 - (d) None of the above
49. Is it an indispensable element of dishonesty as defined in Section 24 with Section 23 that the alleged wrongful gain should be intended to be caused to a person who is not legally entitled to the property ?
- (a) Yes
 - (b) No
 - (c) Depends
 - (d) None of these
50. In which of the following mens rea has been considered to be an essential element of an offence ?
- (a) Srinivasmal Barolia v. Emperor
 - (b) R. v. Tolson
 - (c) Nathulal v. State of Madhya Pradesh
 - (d) All of the above
51. **Assertion (A) :** Nothing is an offence which is done in the exercise of the right of private defence.
- Reason (R) :** Where the aid of the society cannot be obtained, individual may do everything necessary to protect himself.
- Codes :**
- (a) Both (A) and (R) are true and (R) is the correct explanation of (A)
 - (b) Both (A) and (R) are true, but (R) is not the correct explanation of (A)
 - (c) (A) is true but (R) is false
 - (d) (A) is false but (R) is true



52. The appellant was charged under Section 302 read with Section 34 of the I.P.C. with the murder of a sub-postmaster. Sub-postmaster was counting money in the backroom. Several persons appeared at the door of the office and demanded the post master to give up the money and immediately afterwards fired pistols at him. Postmaster died immediately and the assailants fled in different directions without taking money. One of them was chased and caught with a pistol in his hand. It was not clear as to who fired the fatal shot. While holding the appellant liable for murder the Privy Council laid down the following principles :
- (a) "Criminal act" means that unity of criminal behaviour which results in something for which an individual would be liable if it were all done by himself alone, in a criminal offence.
 - (b) Even if the appellant did nothing as he stood outside the door, in crimes they also serve who only stand and wait.
 - (c) Section 34 deals with the doing of separate acts, similar or diverse, by several persons ; if all are done in furtherance of a common intention, each person is liable for the result of them all, as if he had done them himself, for 'that act' in the latter part of the section must include the whole action covered by a "criminal act" in the first part because they refer to it.
 - (d) Care must be taken not to confuse same or similar intention with the common intention.
53. The power of the District Superintendent of Police to regulate the volume of music on the roads on the occasion of festivals is provided under
- (a) Clause (4) of Section 15-A of the Police Act
 - (b) Clause (2) of Section 27 of the Police Act
 - (c) Clause (4) of Section 30 of the Police Act
 - (d) Clause (3) of Section 16 of the Police Act
54. In which case the supreme court held that if a student and teacher fall in love with each other, it does not mean that the teacher has taken undue advantage of his official position ?
- (a) Geejaganda Somaiah v. State of Karnataka 2007
 - (b) Sanjay v. State of Maharashtra 2007
 - (c) Omkar Prasad Verma v. State of Madhya Pradesh 2007
 - (d) Kailash v. State of Madhya Pradesh 2007



55. Give correct response. In *J. M. Desai v. State of Bombay*, A.I.R. 1960 S.C. 889, Mr. Desai was the Managing Director of a Dying Company, the company entered into a contract with the textile Commissioner undertaking to dye a large quantity of cloth. Out of the lot some were returned back to the commissioner by the company while others, even after repeated demand, remained undelivered. Therefore, the Managing Director was charged for an offence and he pleaded that the clothes were eaten up by white ants and that he was not personally responsible for damage done to them and their non-delivery.
- (a) In order to punish a person by application of Section 34 mental as well as physical participation was necessary, therefore, in absence of actual physical participation the Managing Director was not liable.
 - (b) Since the act was not done in furtherance of a common intention, therefore, Managing Director cannot be punished for any offence, in the absence of evidence that the offence was committed with his consent or knowledge.
 - (c) The Managing Director would be vicariously liable for the offence of criminal misappropriation under Section 409 IPC because he was responsible for supervision and control of the servants of the company who might have caused the loss negligently.
 - (d) The Managing Director would be liable under Section 409 read with Section 34 I.P.C. because physical presence is not necessary in offences involving diverse acts which may be done at different time and places.
56. Give the correct response.
- (a) Sec. 34 needs active participation while Sec. 149 does not
 - (b) Sec. 34 does not create specific offence while Sec. 149 does
 - (c) Sec. 34 speaks of common intention while Sec. 149 speaks of common object
 - (d) All of these
57. Which of the following matter was approved in *Mahender Chawla and Ors. v. Union of India and Ors.* ?
- (a) Witness Protection Scheme
 - (b) Victim Protection Scheme
 - (c) Probation of Offenders Scheme
 - (d) Child Protection Scheme
58. Chapter X of Indian Penal code deals with
- (a) Offences against the public tranquility
 - (b) Offences by or relating to public servants
 - (c) Offences relating to contempt of the lawful authority of public servants
 - (d) Offences relating to elections



59. A, in a great fire, pulls down B's house in order to prevent the conflagration from spreading. He does this without the intention, in good faith, to saving human life or property. In this case
- (a) A would be liable because no amount of necessity can justify causing of harm to innocent parties
 - (b) A would be liable for causing harm by doing mischief to B and will not succeed in his defence of necessity
 - (c) A would not be liable because he had no intention to cause harm to B's property but to save it from being damaged by fire
 - (d) A would not be liable because he has pulled down B's house in order to prevent the conflagration from spreading i.e. the act was done in good faith for the purpose of avoiding greater harm to person or property : the rule is that causing of lesser evil is justified to avoid greater evil
60. In the context of the exception of grave and sudden provocation, which of the following is correct ?
- (a) Provocation should not be voluntarily provoked by the offender
 - (b) Lawful exercise of the right of private defence does not give provocation
 - (c) Lawful exercise of powers by a public servant in obedience to the law does not amount to provocation
 - (d) All the above
61. A man suddenly murdered his wife and sister in law and he made no attempt to run away. This case
- (a) Falls within Sec. 84
 - (b) Does fall within Sec. 84 because of absence of motive
 - (c) Does not fall within Sec. 84 because of presence of motive behind the act
 - (d) Does not fall within Sec. 84 because absence of motive does not imply unsoundness of mind
62. In case of an offence punishable with fine only, an offender who is sentenced to pay a fine of not exceeding Rs. 100 but exceeding Rs. 50, the imprisonment in default of payment of fine shall not exceed
- (a) Two months
 - (b) Three months
 - (c) Four months
 - (d) Six months



63. Give the incorrect response. Section 90 of I.P.C. lays down that in following cases, consent shall not be a valid consent
- (a) Consent given by a person under fear of injury or under a misconception of fact, provided the person doing the act knows or has reason to believe that the consent was given in consequence of such fear or misconception
 - (b) The consent is given by a person who from unsoundness of mind, or intoxication, is unable to understand the nature and consequence of that to which he gives his consent
 - (c) If the consent is given by a person who is under 18 years of age
 - (d) If the consent is given by a person who is under 12 years of age
64. In case of imprisonment for non-payment of fine, if a part of the fine is paid, such sentence
- (a) Shall be reduced proportionately
 - (b) Shall not be reduced in direct proportion to the fine paid
 - (c) Shall be reduced but subject to the discretion of the court as to the quantum of reduction
 - (d) All of the above
65. Word Benefit used in Sec. 88, 89 and 90 I.P.C. means
- (a) Other benefits then pecuniary benefits
 - (b) Mere pecuniary benefit
 - (c) Other as well as pecuniary benefit
 - (d) None of the above
66. X gave poisoned halva to Y with an intention to kill him. Y ate one morsel and kept it on the side Z who was sitting there, picked it up and ate it. Z died
- (a) X is guilty of murder of Z
 - (b) X is guilty of only culpable homicide not amounting to murder
 - (c) X is not guilty of murder
 - (d) X is guilty neither of murder nor of culpable homicide as he never intended to kill Z
67. Recently, the Hashimpra verdict of the Delhi High Court was in national news. What was the ratio of this decision ?
- (a) The fresh trial was ordered
 - (b) Further investigating was directed
 - (c) The trial court's acquittal was reversed to sentence 16 cops to life imprisonment
 - (d) The case was transferred



68. Point out the incorrect response. The principle underlying Section 91 of I.P.C. is that consent will only condone the act causing harm to the person giving the consent, which will otherwise be an offence. Acts which are offences independently of any harm which they may cause will not be covered by consent given by the sufferer. Some instances of such acts are
- (a) Offences against public safety
 - (b) Causing miscarriage to a woman
 - (c) Mischief
 - (d) Public nuisance
69. Chapter XX of I.P.C. deals with
- (a) Offences related to marriage
 - (b) Defamation
 - (c) Offences against property
 - (d) None of the above
70. Y intentionally deceives Z into a belief that Y has performed, Y's part of a contract made with Z which he has not performed, and thereby dishonestly induces Z to pay money. Y has committed
- (a) The offence of theft
 - (b) The offence of extortion
 - (c) The offence of cheating
 - (d) The offence of criminal breach of trust
71. In which of the following cases the Supreme Court held that "Doctors cannot be held guilty only because something has gone wrong" ?
- (a) Maniben v. State of Gujrat, AIR 2010 SC 1261
 - (b) Southern Railway Officer v. Union of India, AIR 2010 SC 1241
 - (c) Tameswar v. Ramvishal, AIR 2010 SC 1209
 - (d) Malaya Kumara Ganguly v. Sukumar, AIR 2010 SC 1162
72. "The word attempt clearly conveys with it, the idea that if the attempt had succeeded the offence charged would have been committed". It was stated
- (a) Lord Atkin
 - (b) Chief Justice Cockburn
 - (c) Chief Justice Ahmadi
 - (d) None of the above
73. How many types of punishment have been prescribed under the Indian Penal Code ?
- (a) Three
 - (b) Six
 - (c) Five
 - (d) Four
74. "Active concealment of fact" is associated with which one of the following ?
- (a) Misrepresentation
 - (b) Undue influence
 - (c) Fraud
 - (d) Mistake



75. Consider the following statements in respect of criminal conspiracy.

1. There has to be always an agreement to commit an offence.
2. The agreement must be between two or more persons.
3. Unlawful means always be used.
4. The agreement may be for any act prohibited by the law.

Which of the statements given above is/are correct ?

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

76. **Assertion (A)** : A person compelled by threats, from another, which reasonably cause apprehension of his instant death, commits murder of the third person, can plead the defence of compulsion.

Reason (R) : Consent of the deceased (above 12 years) is a defence to the charge of murder if the act causing death is done in good faith for the benefit of the deceased without intention to kill. Of the above statements.

- (a) Both (A) and (R) are true and (R) is the correct explanation of (A)
- (b) Both (A) and (R) are true and (R) is not a correct explanation of (A)
- (c) (A) is true but (R) is false
- (d) (A) is false but (R) is true

77. Where a snake charmer to show his own skill placed a venomous snake on the head of a spectator without the intention to cause harm. Spectator is trying to push of the snake was beaten and died, the snake charmer is guilty

- (a) Under clause (1) of Sec. 300 (b) Under clause (3) of Sec. 299
(c) Under clause (1) of Sec. 299 (d) Under clause (2) of Sec. 300

78. Give the incorrect response.

- (a) Where there is sufficient time of cooling down, there would be no sudden provocation
- (b) Only words of gesture can cause grave provocation
- (c) Under exception first of Sec. 300 the provocation must be grave and sudden
- (d) Confession of adultery by wife to her husband by wife is grave and sudden provocation

79. R takes a loan from M on the security of his bike. But when M was away. R took away the vehicle. The loan was not repaid. R is guilty of

- (a) No offence as the bike belonged to him
- (b) No offence as what he owes is some money that could be repaid
- (c) Theft as he takes away the vehicle from the possession of M with dishonest intention
- (d) Dishonest misappropriation of property as he had no right to appropriate the property



80. X, a rich person residing at Kochi, sends Rs. 50,000 to his agent at Chennai with a direction that the money be given equal to two poor students A and B who are studying in the Engineering College over there. Instead of doing so, the agent gives the money equally to two other very poor deserving students. The agent has committed
- (a) Criminal breach of trust (b) No offence
(c) Cheating (d) Criminal misappropriation
81. Which of the following elements constitute criminal misappropriation of property ?
1. Movable property belonging to a person other than the accused.
 2. Any property belonging to a person other than the accused.
 3. The accused must have misappropriated the property to his own use.
 4. There must be dishonest intention on the part of the accused.
- Select the correct answer using the codes given below :
- (a) 1, 2, 3 and 4 (b) 1, 3 and 4 (c) 2 and 4 (d) 2 and 3
82. Theft in dwelling house is described in
- (a) Section 378 of I.P.C. (b) Section 379 of I.P.C.
(c) Section 380 of I.P.C. (d) None of the above
83. Give best response. Actus non facit reum nisi mens sit rea, (act itself does not make a man guilty unless his intentions were so). Thus mens rea means
- (a) Expectations in the mind that the bodily motions will lead to certain consequences
(b) Mens rea means the mental state expressly or impliedly mentioned in the definition of the crime charged, which mental state constitutes a necessary requirement of that crime
(c) Mens rea denotes that guilty frame of mind with which an act is done
(d) Mens rea means evil intent or knowledge of the wrongfulness of conduct
84. Give correct response. In Allen v. Whitehead, the defendant, an occupier and licensee of a refreshment house employed a manager for running the refreshment house. He used to visit it only once or twice a week. He had given express instructions to the manager that no prostitutes were to be allowed to congregate on the premises of the house. The manager, in spite of his instructions to the contrary, allowed some women, whom he knew to be prostitutes, to congregate on the premises. The defendant had no personal knowledge of it. Held that
- (a) The defendant was not liable but the manager was liable because the defendant had given express instructions to the manager not to allow prostitutes to congregate on his premises
(b) The defendant was not liable for the offence of allowing prostitutes to congregate on his premises because he had no knowledge about it
(c) The defendant was held vicariously liable for knowingly suffering prostitutes to meet and remain in the refreshment house
(d) None of the above answer is right



85. For granting pardon under Section 306 of the Code of Criminal Procedure, 1973
- (a) The witness must not be directly involved in the offence
 - (b) The accused should have been given an opportunity to cross examine the person getting pardon
 - (c) The person getting pardon need not be in police custody
 - (d) The offence should not be punishable with imprisonment exceeding 10 years
86. The maximum possible compensation awardable under Section 356 of the Code of Criminal Procedure, 1973
- (a) Depends on the court in which the case is being tried
 - (b) Cannot exceed the maximum fine possible fine for the offence
 - (c) Cannot exceed Rs. 1,00,00,000
 - (d) Depend upon the discretion of the judge
87. If the accused is convicted in a criminal case for the offence under an statute which does not provide for an payment of compensation
- (a) The Court cannot award compensation under Section 357 of the Cr.P.C. and no civil proceedings are possible
 - (b) The Court cannot award compensation under Section 357 of the Cr.P.C., but other civil remedies are possible
 - (c) The Court can award compensation under Section 357 of the Cr.P.C., but the award will be taken account in subsequent civil suits
 - (d) The Court can award compensation under Section 357 of the Cr.P.C., but the award will not be taken into account in subsequent civil suits
88. _____ of the Code of Criminal Procedure ,1973 states that compensation payable to the victim under Section 357-A will be in addition to the compensation payable under Section 326-A or 376-D of I.P.C.
- (a) Section 357
 - (b) Section 357 A
 - (c) Section 357 B
 - (d) Section 357 C
89. Section 401 of the Code of Criminal Procedure, 1973
- I. Allows the Court to convert finding of acquittal into conviction
 - II. Allows the Court to pardon the pardon
 - III. Does not allow the Court to act suo motu
 - IV. Is only applicable to High Court
- (a) I and II
 - (b) II and IV
 - (c) II, III, IV
 - (d) I, II, III



90. In which of the following cases did the Supreme Court lay down the guidelines for the premature release of life convict ?
- (a) Lanman Naskar v. Union of India
 - (b) Boucher Pierre Andre v. Superintendent, Central Jail
 - (c) Kasmer Singh v. State of Haryana
 - (d) Raghbir Singh v. State of Haryana
91. The maxim '*Cogitationis poenam nemo patitur means*'
- (a) No one suffers punishment for mere intent
 - (b) Intentions are punishable but not the thoughts
 - (c) The thoughts as well as intentions of men are punishable
 - (d) None of the above
92. Abhijeet is charged u/s 242 of the Indian Penal Code (45 of 1860), with "having been in possession of counterfeit coin, having known at the time when he became possessed thereof that such coin was counterfeit", the word "fraudulently" being omitted in the charge. Applying Section 215 Cr. P.C.
- (a) If it appears that Abhijeet was in fact misled by this omission, the error shall be regarded as material
 - (b) If it appears that Abhijeet was deliberately misled by this omission, the error shall be regarded as material
 - (c) Unless it appears that Abhijeet was in fact misled by this omission, the error shall not be regarded as material
 - (d) None of them
93. Armaan is charged with cheating Benny, and the manner in which he cheated Benny is not set out in the charge, or is set out incorrectly. Armaan defends himself, calls witnesses and gives his own account of the transaction. What will the Court infer from this while applying Section 215 Cr. P.C. ?
- (a) The Court may infer from this that the omission to set out the manner of the cheating is valid
 - (b) The Court may infer from this that the omission to set out the manner of the cheating is a cognisable offence
 - (c) The Court may infer from this that the omission to set out the manner of the cheating is not material
 - (d) None of them



94. What do you mean by pursuit ?
- (a) authorising the destruction of corporations for the purpose of engaging in any lawful enterprise, business, pursuit, or occupation, is not restricted in meaning to a scheme for making money, but includes any object consistent with the interest of society
 - (b) authorising the dissolution of corporations for the purpose of engaging in any lawful enterprise, business, pursuit, or occupation, is not restricted in meaning to a scheme for making money, but includes any object consistent with the interest of society
 - (c) authorising the formation of corporations for the purpose of engaging in any lawful enterprise, business, pursuit, or occupation, is not restricted in meaning to a scheme for making money, but includes any object consistent with the interest of society
 - (d) authorising the reconstruction of corporations for the purpose of engaging in any lawful enterprise, business, pursuit, or occupation, is not restricted in meaning to a scheme for making money, but includes any object consistent with the interest of society
95. Atif is charged with the murder of Khuda Baksh on the 21st January, 1882. In fact, the murdered person's name was Haidar Baksh, and the date of the murder was the 20th January, 1882. Atif was never charged with any murder but one, and had heard the inquiry before the Magistrate, which referred exclusively to the case of Haidar Baksh. What will the Court infer from this while applying Section 215 Cr. P.C. ?
- (a) The Court may infer from these facts that Atif was not misled and that the error in the charge was immaterial
 - (b) The Court may infer from these facts that Atif was misled and that the error in the charge was immaterial
 - (c) The Court may infer from these facts that Atif was misled and that the error in the charge was material
 - (d) None of them
96. Consider the following statement(s) :
- A police officer has the power to arrest any person without an order from a Magistrate or warrant of arrest, if he has reason to suspect his complicity in a cognizable offence punishable with imprisonment which may extend to seven years, provided that he is satisfied for reasons in writing that such arrest is necessary.
- (a) To prevent such person from committing any further offence
 - (b) For proper investigation of the offence
 - (c) To prevent such person from tampering with or causing the evidence of the offence to disappear
 - (d) To compel the absconding co-accused to surrender



97. 'G', a 17 years old girl, was married to 'H'. 'H' during the subsistence of the said marriage entered into another marriage with 'P'. The court may take cognizance for the offence of bigamy, if the complaint is brought by
- (a) Her father, mother, brother, sister, son or daughter or by her father's or mother's brother or sister
 - (b) Any other person related to her by blood, marriage or adoption, with the leave of the court
 - (c) Some other person on her behalf, with leave of Court, but where there is a guardian appointed in her respect, then only after such guardian has been heard
 - (d) All these
98. Indicate the correct statement regarding the rights of an arrestee. A person arrested without warrant has the right to
- I. Be informed of the particulars of the offence for which he is arrested
 - II. Have a relative or friend named by him to be informed about his arrest
 - III. Have an advocate of his choice remain present throughout interrogation
 - IV. Be medically examined by a medical officer
- Which of the statements given above are correct ?
- (a) I, II and III (b) II, III and IV (c) I, II and IV (d) I, II, III and IV
99. The person seeking suspension of conviction should specifically draw the attention of the Appellate Court to the consequences that may arise if the conviction is not stayed as held by the Supreme Court in
- (a) Sheo Prasad Bhora v. State of Assam, AIR 2007 SC 918
 - (b) P.V. George v. State of Kerala, AIR 2007 SC 1034
 - (c) Navjot Singh Sidhu v. State of Punjab, AIR 2007 SC 1003
 - (d) Kuldip Nayar v. Union of India, (2006) 7 SCC 1
100. Which of the following statements is true ?
- (a) a woman can never be arrested after sunset and before sunrise under the provisions of Cr. P.C.
 - (b) a woman can be arrested after sunset and before sunrise only under exceptional circumstances
 - (c) a woman can be arrested after sunset and before sunrise only under exceptional circumstances with the prior permission of Judicial Magistrate of first class within whose jurisdiction the offence is committed or the arrest is to be made
 - (d) none of the above
101. "Plea Bargaining" a new chapter was added in Criminal Procedure Code, 1973 by the Criminal Law Amendment Act, 2005 (2 of 2006) is contained in
- (a) Sections 265 A to 265 E (b) Sections 265 A to 265 L
 - (c) Sections 265 A to 265 M (d) Sections 265 A to 265 N



102. The Code of Criminal Procedure (Amendment) Act, 2005 (25 of 2005) came into force on
- (a) 22nd June, 2006
 - (b) 21st June, 2005
 - (c) 23rd June, 2006
 - (d) 23rd July, 2006
103. According to Section 41A(1) of Cr.P.C. as inserted by code of Criminal Procedure (Amendment) Act, 2008 (5 of 2009) and amended in 2010, the Police Officer shall issue a notice directing the alleged accused though he has committed a cognizable offence, to appear before him or such other place as specified in the notice in all the cases where the arrest of the person is not required under the
- (a) Provisions of Sub-section (1)(a) of Section 41
 - (b) Provisions of Sub-section (1)(b) of Section 41
 - (c) Provision of Sub-section (1)(c) of Section 41
 - (d) Provision of Sub-section (1) of Section 41
104. In cases of consecutive sentence on conviction of several offences at one trial by a metro politian message the aggregate punishment
- (a) Shall not exceed twice the amount of the punishment which the Magistrate is competent to inflict for a single offence
 - (b) Shall not exceed the amount of the punishment which the Magistrate is competent to inflict for a single offence as prescribed under Section 29 of Cr.P.C.
 - (c) Shall not exceed three times the amount of punishment which the Magistrate is competent to inflict for a single offence
 - (d) Shall not exceed 14 years
105. In a prosecution of an offence punishable under Section 175, I.P.C. for non compliance/ disobedience of the summoned/issued under Section 91 of Cr.P.C.
- (a) The accused cannot take the defence that the document(s)/thing to be produced is not necessary or desirable for the investigation inquiry or trial
 - (b) A accused can take the defence that the documents things ordered to be produced is not necessary or desirable for the investigation or inquiry or trial
 - (c) The accused cannot question the necessity or the desirability of the documents /thing ordered to be produced for investigation, inquiry or trial
 - (d) The accused cannot be permitted to take the defence that the documents /things ordered to be produced is not necessary or desirable for the investigation or inquiry or trial, as the necessity or desirability stands at adjudged before the issuance of summon to produce the document/thing



106. The propositions are
- I. Delay and dispatch of FIR is not the circumstance which can throw out prosecution case in its entirety.
 - II. Delay and despatch of FIR is a circumstance which can throw out the prosecution case in its entirety.
 - III. The extraordinary delay in sending the FIR is a circumstance which provides a legitimate basis for suspecting that the FIR was recorded much later than the stated date and hour, affording sufficient time to the prosecution to introduce improvement.

Which of the following is correct in respect of the aforesaid preposition ?

- (a) I is true, II and III are false (b) I and III are true but II is false
(c) II and III are true but I is false (d) III is true, I and II are false
107. In which case the 'Constitution of the Family Welfare Committees by the District Legal Services Authorities' was directed, which was subsequently modified by the Supreme Court ?
- (a) *Rajesh Sharma* (b) *Roshan Lal*
(c) *Deep Singh* (d) *Nathuram*
108. The Muslim Women (Protection of Rights on Divorce) Act, 1986 deals with
- (a) Claim of maintenance by the Muslim women
(b) Claim of maintenance by the Muslim divorced women
(c) Claim of maintenance by the children of the marriage with said Muslim divorced women
(d) Both (b) and (c)
109. In a non bailable offence, triable by Magistrate, application for bail under Section 437 of Cr.P.C. can be moved before the court of
- (a) Magistrate competent to try and entertain the case
(b) Chief Judicial Magistrate or Additional Chief Judicial Magistrate
(c) Court of Session
(d) Both (a) and (c)
110. If an accused is charged of a major offence, but on the facts established he cannot be held guilty of that major offence. At the same time the facts established indicates that the minor offence has been committed, the person so tried for major offence can be convicted for such minor offence. It has been so provided
- (a) Under Section 220 of Cr.P.C. (b) Under Section 223 of Cr.P.C.
(c) Under Section 222 of Cr.P.C. (d) Under Section 221 of Cr.P.C.



111. Magistrate has the power under Section 259 of Cr.P.C. to convert a summons trial case into a warrant trial case
- (a) relating to any offence irrespective of the punishment prescribed
 - (b) relating to an offence punishable to the term exceeding 6 months
 - (c) relating to an offence punishable for a term exceeding 1 year
 - (d) relating to an offence punishable for a term exceeding 2 years
112. Which of the following countries have not yet ratified the Paris Climate Agreement, 2016 ?
- (a) Russia
 - (b) United States
 - (c) India
 - (d) All the three
113. What is the subject of the recent UN Security Council Resolution 2451 of 21st December, 2018 ?
- (a) The situation in the Central African Republic
 - (b) The situation in Somalia
 - (c) The situation in the Middle East
 - (d) Maintenance of international peace and security
114. Which Geneva Convention of 1949 deals with Prisoners of War ?
- (a) 1st
 - (b) 2nd
 - (c) 3rd
 - (d) All the three
115. Which Article of the Vienna Convention on the Law of Treaties, 1969 lays down rights and obligations for third parties to the treaty ?
- (a) Articles 31-33
 - (b) Articles 19-23
 - (c) Articles 34-38
 - (d) Articles 39-41
116. In which case was the essential element of International custom, '*opinio juris*', clarified ?
- (a) S. S. Lotus Case [P.C.I.J. 1927]
 - (b) Legality of the Threat or Use of Nuclear Weapons Case, [I.C.J. Reports, 1996]
 - (c) Anglo-Norwegian Fisheries case [I.C.J. Reports, 1953]
 - (d) Asylum case [I.C.J. Reports, 1950]
117. Which entry in the lists occurring in the VII Schedule to the Indian Constitution mentions 'Entering into treaties with foreign countries and implementing of treaties, agreements and conventions with foreign countries' ?
- (a) Entry 14, List I
 - (b) Entry 10, List I
 - (c) Entry 15, List I
 - (d) Entry 16, List I



118. The Constitution of India encourages settlement of international disputes by
(a) Negotiation (b) Judicial settlement
(c) Mediation (d) Arbitration
119. Which of the following cases deal with 'retroactivity' of 'Recognition' under International Law ?
(a) *Luther v. Sagor* [1921] 1 KB 456
(b) *Arantzazu Mendi* [1939] AC 256
(c) *Haile Selassie v. Cable and Wireless Ltd (No. 2)* [1939] 1 Ch. 182
(d) *Civil Air Transport Inc. v. Central Air Transport Corporation* [1953] AC 70
120. Which body was the predecessor to the present 'Human Rights Council' of the United Nations ?
(a) The Commission on Human Rights
(b) UN Human Rights Committee
(c) Economic and Social Council
(d) The Committee on the Elimination of Discrimination against Women
121. '2019' is the International Year of which of the following ?
(a) International Year of Pulses
(b) International Year of Soils
(c) International Year of Indigenous Languages
(d) International Year of Small Island Developing States
122. In which country is the headquarter of the International Seabed Authority [established under the UN Convention on the Law of the Sea] located ?
(a) Hamburg, Germany (b) Washington D.C., U.S.A.
(c) London, United Kingdom (d) Kingston, Jamaica
123. Which decision of the International Tribunal for the Law of the Sea established that the Precautionary Principle is incorporated within the UNCLOS [UN Convention on the Law of the Sea] ?
(a) The "Tomimaru" Case (*Japan v. Russian Federation*)
(b) Case concerning Land Reclamation by Singapore in and around the Straits of Johor (*Malaysia v. Singapore*)
(c) Dispute concerning delimitation of the maritime boundary between Bangladesh and Myanmar in the Bay of Bengal (*Bangladesh/Myanmar*)
(d) Responsibilities and obligations of States sponsoring persons and entities with respect to activities in the Area (Request for Advisory Opinion submitted to the Seabed Disputes Chamber)



124. In which case, of the International Court of Justice, the concept of counter measures, discussed ?
- (a) Legality of the Threat or Use of Nuclear Weapons
 - (b) Gabčíkovo-Nagymaros Project case
 - (c) *Rainbow Warrior* case
 - (d) *Serbian Loans* case
125. To what aspect of International Law, is the concept of '*terra nullius*' applicable ?
- (a) Territory under International Law
 - (b) State Responsibility under International Law
 - (c) Recognition under International Law
 - (d) Statehood under International Law
126. Which international dispute resolution body completed its mandate in 2017 ?
- (a) International Criminal Tribunal for Rwanda
 - (b) International Criminal Tribunal for the former Yugoslavia
 - (c) The Nuremberg Tribunal
 - (d) International Criminal Court
127. Practice theory of rules was given by
- (a) Eugen Ehrlich
 - (b) H. L. A. Hart
 - (c) F. K. Von Savigny
 - (d) Roscoe Pound
128. Legal philosopher to whom the statement "Discretion is like a hole in a doughnut" is attributed is
- (a) N. Maccormick
 - (b) Joseph Raz
 - (c) Ronald Dworkin
 - (d) R. Alexy
129. The question "should one regard as continuing to be legally valid something which offended against fundamental principles of justice and the rule of law when it was legally valid in terms of the positive law of the legal system which had perished" was the focal point of the debate between
- (a) Hart and Fuller
 - (b) Hart and Devlin
 - (c) Hart and Dworkin
 - (d) Hart and Austin



130. Pair the following correctly :

Column A

- A. Martha Nussbaum
- B. John Rawls
- C. Robert Nozick
- D. Immanuel Kant
- (a) A – C, B – D, C – B, D – A
- (c) A – D, B – C, C – A, D – B

Column B

- A. Entitlement Theory
- B. Categorical Imperative
- C. Capabilities Approach
- D. Difference Principle
- (b) A – B, B – C, C – D, D – A
- (d) A – C, B – D, C – A, D – B

131. *Lex injusta Non-est Lex* was the position held by

- (a) St. Thomas Augustine
- (b) J. S. Mill
- (c) Lon. L. Fuller
- (d) Jeremy Bentham

132. According to Hohfeld's analysis of rights, the right to transfer one's property is

- (a) Duty and power
- (b) Claim and liability
- (c) Power and liberty
- (d) Liberty only

133. Trust is an example of

- (a) Personal right
- (b) Right in re aliena
- (c) Right in re propria
- (d) Sanctioning right

134. The proponent of fiction theory of personality was

- (a) Gierke
- (b) Kelsen
- (c) Hohfeld
- (d) Savigny

135. Which of the following theorist considered possession as being constituted by *corpus possessionis* and *animus possidendi* ?

- (a) Salmond
- (b) Holmes
- (c) Pollock
- (d) Savigny

136. Justice Holme's dissent in *Lochner v. New York* was hailed as the best exposition of

- (a) Realist Jurisprudence
- (b) Sociological Jurisprudence
- (c) Critical legal approach
- (d) Postmodern approach

137. Which is the following feminist tradition accepts the hierarchical ordering of binary divisions in western thought but seeks to reverse sexualisation of the dichotomies ?

- (a) Liberal feminists
- (b) Radical Feminist
- (c) Cultural Feminists
- (d) Post-modern feminists



138. The statement "Law is not simply an armed receptacle for values and priorities determined elsewhere; it is part of a complex social totality in which it constitutes as well is constituted, shapes as well as is shaped" was made by

(a) Hillaire Barnett (b) R. Epstein
(c) D. Kairys (d) M. Kramer

139. The statement "the living law is the law which dominates life itself even though it has not been posited in legal propositions" was made by

(a) Austin Sarat (b) Jhering
(c) Duguit (d) Ehrlich

140. The statement "One whose desires and impulses are not his own, has no character, no more than a steam engine has a character" was made by

(a) Isaiah Berlin (b) J. S. Mill
(c) Jeremy Bentham (d) John Locke

141. Classify the following thinkers correctly :

Column A

A. Roberto Unger
B. Michel Foucault
C. Karl Llewellyn
D. John Finnis

Column B

A. Critical legal thinker
B. Natural Law thinker
C. Postmodern thinker
D. Legal Realist

- (a) A – C, B – D, C – B, D – A
(b) A – D, B – C, C – A, D – B
(c) A – A, B – C, C – D, D – B
(d) A – C, B – D, C – A, D – B

142. "... law currently locates itself above or separate to the physical realm, in reality the converse is true. Humans are physical beings dependent on, and subject to, their only home and ultimate jurisdiction – Earth." This statement captures

(a) Anthropocentrism (b) Eurocentrism
(c) Ethnocentrism (d) Ecocentrism

143. Wolfgang Friedmann described his legal theory as

(a) Positive study of theory of law
(b) Normative study of theory
(c) Technical theory of law
(d) Negative theory of law







144. Inability to distinguish between duty imposing and power conferring rules was a criticism levelled by
(a) Hans Kelsen against John Austin
(b) Ronald Dworkin against H. L. A. Hart
(c) H. L. A. Hart against John Austin
(d) Roscoe Pound against Hans Kelsen
145. The expression "internal morality of law" primarily pertains in the first place to
(a) Substantive aims (b) Procedural requirements
(c) Internal aspect of law (d) Minimum content of natural law
146. Grand theorisation, essentialism and limited focus on issues around sex, sexuality and reproduction are criticisms levelled against
(a) Liberal Feminists (b) Radical Feminists
(c) Marxist Feminists (d) Post-modern Feminists
147. "If we take a view of our friend the bad man we shall find that he does not care two straws for the axioms or deductions, but that he does want to know what the Massachusetts or English courts are likely to do in fact" is a classic statement made by
(a) W. Twining (b) Brian Leiter
(c) O. W. Holmes (d) E. Pashukanis
148. Who among the following claims law to be an "autopoietic system" ?
(a) Jurgen Habermas (b) Pierre Bourdieu
(c) David Trubeck (d) Niklas Luhmann
149. Which of the following is not a proponent of the critical theory that emerged as a response to the disillusionment with the civil rights movement in the United States of America ?
(a) Karl Renner (b) Kimberle Crenshaw
(c) M. Matsuda (d) Richard Delgado
150. Who among the following is not a Scandinavian realist ?
(a) Axel Hagerstrom (b) E. A. Hoebel
(c) K. Olivercrona (d) A. Ross





L.L.M.





INSTRUCTIONS FOR MARKING





Correct Method





   

Wrong Method



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SET - B

LL.M ADMISSION TEST – 2020

1. The Constitution (One Hundred and Fourth amendment) Act, 2020, has extended the reservation of seats for SCs and STs in the Lok Sabha and State Legislative assemblies from:

- (a) Fifty to Sixty years (b) Sixty to Seventy years
(c) Seventy to Eighty years (d) Forty to Fifty years

2. The total number of judges in the Supreme Court of India including the Chief Justice of India at present is:

- (a) 29 (b) 30 (c) 32 (d) 34

3. The exchange of certain enclaves between India and Bangladesh along with the conferment of citizenship was carried out through the:

- (a) Constitution (One Hundredth Amendment) Act, 2015
(b) Constitution (One Hundred and Fourth amendment) Act, 2020
(c) Constitution (One Hundred and Second amendment) Act, 2018
(d) Legislation enacted under article 4 of the Constitution.

4. For the impeachment of the President, a Resolution can be moved only after giving

- (a) 10 days' notice (b) 14 days' notice (c) 7 days' notice (d) 30 days' notice

5. How many fundamental duties are there in Part IV A?

- (a) 8 (b) 10 (c) 11 (d) 12

6. When can the joint sitting of both the Houses of Parliament be convened?

- (a) When a bill is rejected by the other House
(b) When Houses have finally disagreed as to the amendments to be made in the bill

(c) when more than 6 months have elapsed from the date of the reception of the bill by the other House without the bill being passed by it

(d) All the above

7. A bill pending in the Parliament shall not lapse

(a) when the Council of States is prorogued

(b) when the House of the People is prorogued

(c) when a bill pending in the Council of States which has not been passed by House of People

(d) All the above

8. A Money Bill passed by the House of the People and transmitted to the Council of States, the Council of States:

(a) Cannot make any recommendations on the Money Bill

(b) Can keep the Bill only during the duration of the session

(c) Cannot delay for more than 14 days

(d) cannot delay for more than 30 days

9. Who will decide if any question arises whether a Bill is a Money Bill or not?

(a) President

(b) Vice President

(c) Speaker

(d) Finance Minister

10. The minimum number of judges in the Supreme Court required for the purpose of hearing any reference under Article 143 is

(a) 2

(b) 3

(c) 5

(d) 7

11. Who can be removed from office in like manner and on the like grounds as a judge of the Supreme Court?

(a) Attorney General

(b) Comptroller and Auditor General

(c) Advocate General

(d) Solicitor General

12. Under Article 200 of the Constitution, when a Bill is passed by the State Legislative Assembly and presented to the Governor, the Governor may

- (a) Assent to the Bill (b) Withhold the Assent
(c) Reserve the Bill for the consideration of the President (d) (a) or (b) or (c)

13. Which provision of the Constitution of India authorises the Parliament to make a law to remove the jurisdiction of the Supreme Court?

- (a) Article 262 (b) Article 263 (c) Article 144 (d) Article 147

14. The Interstate Council was established under:

- (a) Parliamentary Law (b) the Constitution
(c) Executive Order (d) Sarkaria Commission recommendation

15. The Constitution of India came into force with effect from 26th January 1950 based on:

- (a) Resolution of Constituent Assembly (b) Article 394
(c) Order of Governor General (d) Order of President of Constituent Assembly

16. If an amendment to the First Schedule to the Constitution is made to change the name of a State, then the procedure required is:

- (a) Two thirds majority in both Houses of Parliament
(b) Two thirds majority in both Houses and ratification by not less than half of the states
(c) Simple majority of both the Houses of Parliament
(d) Simple majority in both Houses and ratification by not less than half of the states

17. For the first time in India, one of the Houses of Parliament passed a resolution for the removal of a judge. Who was the judge?

- (a) Justice V. Ramaswamy (b) Justice Soumitra Sen (c) Justice Dinakaran (d) None

18. President can promulgate an Ordinance under Article 123 if,

- (a) Council of States is adjourned and House of the People is prorogued
- (b) Council of States is prorogued and House of the People is adjourned
- (c) Council of States is adjourned and House of the People is dissolved
- (d) Both Council of States and House of the People are not in session

19. The presidential election can be challenged only in

- (a) High Court of Delhi
- (b) Supreme Court
- (c) Election Commission
- (d) Special Tribunal

20. The doctrine of eclipse was first used to interpret

- (a) Article 13 (1)
- (b) Article 13 (2)
- (c) Article 13 (3)
- (d) Article 13 (4)

21. The doctrine of Severability was extended to constitutional amendments as well by the Supreme Court in:

- (a) Golaknath v. State of Punjab
- (b) Minerva Mills v. Union of India
- (c) Keshavananda Bharati v. State of Kerala
- (d) Kihoto Hollohon v. Zachilhu

22. 'Proclamation of emergency' means a proclamation issued under:

- (a) Article 352
- (b) Article 356
- (c) Article 360
- (d) All of them

23. The total number of members in the Legislative Council of a State shall not exceed _____ of the total number of members in Legislative Assembly.

- (a) One half
- (b) One fourth
- (c) One third
- (d) No limits

24. The process of 'Proportional representation' by means of 'single transferable vote' is not used in the election of:

- (a) Vice President (b) Council of States (c) Legislative Council (d) President

25. Paragraph 3 of the X Schedule was omitted by:

- (a) The Constitution (Fifty Second Amendment) Act, 1985
(b) The Constitution (Fifty Eighth Amendment) Act, 1987
(c) The Constitution (Ninety First Amendment) Act, 2003
(d) The Constitution (Ninety Sixth Amendment) Act, 2011

26. The total number of judges in the Supreme Court including the Chief Justice of India was increased to 34 by:

- (a) The Constitution (One Hundred and Second Amendment) Act, 2018
(b) The Constitution (One Hundred and Third Amendment) Act, 2019
(c) The Constitution (One Hundred and Fourth Amendment) Act, 2020
(d) The Supreme Court (Number of Judges) Amendment Act, 2019

27. The power to prorogue the House of the People is exercised by:

- (a) President (b) Prime Minister (c) Speaker (d) Council of Ministers

28. A Member of Parliament disqualified under the Anti defection law, is also disqualified to be appointed as a Minister is provided for by:

- (a) X Schedule (b) Rules of the Houses
(c) Convention (d) Constitution (Ninety First) Amendment Act, 2003

29. The Council of State enjoys co-equal power with the House of the People in

- (a) Constitutional Amendment Bills (b) Introduction of Money Bills
(c) Creation of All India Services (d) All of them

30. The Session of the House of the People is adjourned by:

- (a) Prime Minister (b) President (c) Council of Ministers (d) Speaker

31. 'X' sells a minor, but a married girl to a brothel keeper. Has 'X' committed any offence under the Indian Penal Code, 1860?

- (a) Trafficking of person.
(b) Procurement of a girl by kidnapping or abduction
(c) Selling minor for purposes of prostitution.
(d) Both Trafficking and Selling minor for purposes of prostitution.

32. Identify the offence committed in the following situation:

Y, a butcher selling beef was threatened in the open market by a group of people that if he bought or sold beef, he would be prosecuted and his living in the municipality would be jeopardized.

- (a) Extortion (b) Assault (c) Intentional insult (d) Criminal intimidation.

33. Identify the wrong statements relating to the offence of Waging War against the Government of India under the Indian Penal Code?

(I) The expression "waging war" means an act of war and does not include an act of defiance of Government of India in a like manner and by the like means as a foreign country would do.

(II) The number of perpetrators and the manner in which they are equipped or armed is material to determine the guilt.

(III) The key element in determining the guilt is *quo animo* of the perpetrators and there is no distinction between principal and accessory.

(IV) The object of the gathering must be to obtain by force or violence an object of public or private nature, thereby striking directly against the authority of the State.

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

34. W is bathing. T pours into the bathwater a solution which he knows is animal urine. Decide the liability of T.

- (a) T is guilty of assault
- (b) T is guilty of intentional insult
- (c) T is guilty of corrupting water
- (d) T is guilty of criminal force

35. The principle '*de minimus non curat lex*' means

- (a) Law would not take action in serious matters
- (b) Law does not ignore any act which causes the slightest harm.
- (c) Law would not take actions on small and trivial matters
- (d) Law would take action only if it is proved that harm whether small or large has been sustained by a victim.

36. Which out of the following is not a source of Criminal Law?

- (a) Legislation
- (b) Customs
- (c) Local laws
- (d) Constitution of India

37. Which of the following offences is true of the offence of affray under the Indian Penal Code, 1860?

- (a) The act of affray must be committed by three persons or more done in a public place.
- (b) The act of affray must necessarily include violence.
- (c) The act of affray should result in the disturbance of peace and tranquillity of the locality.
- (d) The act of affray should always be premeditated.

38. Causing the death of a child in the mother's womb amounts to the offence of

- (a) Death caused by an act done with the intent to cause miscarriage
- (b) Culpable homicide amounting to murder
- (c) Voluntarily causing grievous hurt
- (d) Attempt to murder.

39. Which of the following offences cannot be made against both moveable and immovable property under the Indian Penal Code, 1860?

- (I) Extortion
- (II) Theft

(III) Criminal Misappropriation

(IV) Dishonestly receiving stolen property

(a) I and II

(b) I and IV

(c) II and III

(d) III and IV

40. Which of the following is a principle in relation to the offence of criminal conspiracy under the Indian Penal Code, 1860?

(I) When two or more persons agree to commit a crime of conspiracy, then regardless of hatching of any plans for its commission, a crime has been committed by each one who joins in the agreement.

(II) All conspirators should agree to the common purpose for the commission of the crime at the same time

(III) The offence of criminal conspiracy is complete the moment when there is an agreement between the parties as to the purpose of the commission of an act and how it is to be accomplished

(IV) Criminal conspiracy is an act of mutual agency for the prosecution of a common plan and confers constructive liability on all the parties for any act done in pursuance of the agreement.

(a) I and II

(b) I and IV

(c) II and III

(d) III and IV

41. Which of the following is true on the current death penalty jurisprudence in India?

(a) The option to impose a sentence of imprisonment for life cannot be conscientiously exercised having regard to the nature and circumstances of the crime and all the relevant circumstances.

(b) The number of death *ipso facto* will be a relevant aggravating circumstance alone and the mental condition of the accused will be the relevant mitigating circumstance

(c) The discretion in the matter of choosing between the sentences of death and life imprisonment is to be exercised by the judge after balancing all the aggravating and mitigating circumstances of the crime

(d) The circumstances and the manner of committing the crime should be such that it pricks the judicial conscience of the Court to the extent that the only and inevitable conclusion should be awarding death penalty.

42. Identify the offence committed in the following situation:

‘Y’, standing at the gate of a college openly addressed two girls who were strangers to him, in amorous words indicative of illicit sexual relations with them and asked them to come along with him.

- | | |
|------------------------|---|
| (a) Intentional insult | (b) Criminal intimidation |
| (c) Obscene act | (d) Assault to outrage the modesty of a woman |

43. The punishment for trafficking of a person is imprisonment for life, which shall mean imprisonment for the remainder of the natural life of that person is applicable when the offender is

- | | | | |
|---------------------|--------------------|-----------------------|---------------------|
| (a) Public official | (b) Police officer | (c) Repeated offender | (d) Habitual dealer |
|---------------------|--------------------|-----------------------|---------------------|

44. Identify the offence committed in the following situation:

While at a supermarket, ‘Z’ removed the label of a cheaper hairbrush and stuck it over the label on the hairbrush she intended to buy, thus hoping to pay less than the true price, She paid the lower price at the pay counter but was apprehended while on her way outside.

- | | |
|---|--------------|
| (a) Criminal Misappropriation of property | (b) Theft |
| (c) Cheating | (d) Mischief |

45. Which of the following is not a guiding rule when the question of justification of an offence arises either due to a mistake of fact or mistake of law?

- (a) When an act is in itself criminal and is more severely punishable if certain circumstances co-exist, ignorance of such circumstances is no answer to a charge for the aggravated offence.
- (b) When an act is prima facie innocent and proper unless certain circumstances co-exist, ignorance of such circumstances is an answer to the charge
- (c) When an act which is in itself wrong is, under certain circumstances, criminal, a person who does the wrong act can take up as a defence, ignorance of facts which turned the wrong into a crime
- (d) When the character of the act is changed, the mind of the accused should be in absolute ignorance of the circumstances which altered such character of the act.

46. 'X', a landlord after repeatedly demanding and not getting the rent of his flat from tenant 'H', one day locked the flat in order not to allow 'H' to enter it, till he pays off the rent to 'X'. Which of the following offence has he committed?

- (a) Wrongful confinement
- (b) Assault
- (c) Criminal force
- (d) Wrongful restraint

47. 'Y' gives grave and sudden provocation to 'M'. 'M' on this provocation, fires a pistol at 'Y', intending to kill him but, neither intending nor knowing himself to be likely to kill 'S', who is near him but out of his sight. The act of 'M' results in the immediate death of 'S'. The liability of the act is on

- (a) Manu is guilty of culpable homicide
- (b) Manu and Yojana are guilty of murder
- (c) Yojana is guilty of culpable homicide.
- (d) Manu and Yojana are guilty of culpable homicide.

48. During a cricket match between 'ML' Sports Club and 'TK' Sports Club, a heated argument commenced between the captains of the two teams in the municipal park. It ensued into a fight between the two teams causing the bystanders to intervene. What offence has been committed?

- (a) Affray
- (b) Public Nuisance
- (c) Intentional insult with intent to provoke breach of peace
- (d) Rioting

49. Identify the principle which is not applicable in the case of *Mens rea* under the Indian Penal Code, 1860.

- (a) *Mens rea* is not an essential ingredient in cases where the act is not criminal in any real sense but which in the interests of the public has been prohibited and imposed with a penalty.
- (b) *Mens rea* is not an essential ingredient in acts amounting to public nuisance
- (c) *Mens rea* is an essential ingredient in cases which although are criminal in form, are in reality, only a summary mode of enforcing a civil right
- (d) *Mens rea* is an essential ingredient except in cases where the implementation of the object of the statute would otherwise be defeated.

50. Identify the offence committed in the following situation:

A verbal altercation cropped up between 'P' and 'Q' during which 'P' slapped 'Q' on the face. As a result of the slap, 'Q' lost the balance of his body and fell hitting his head on the side of a wooden table stationed behind him. 'Q' was taken to the hospital immediately where he was kept under observation. Two days later, he left the hospital without the permission of the doctor treating him. A week after he left the hospital, he died due to septicemia (infection on the wounded area).

- (a) Causing grievous hurt by act endangering human life
- (b) Voluntarily causing grievous hurt
- (c) Causing death by rash or negligent act
- (d) Voluntarily causing hurt

51. Non – bailable warrants should be issued to bring in a person to the court when summons of bailable warrants would be likely to have the desired result. In which of the following cases is it not so?

- (a) Police authorities are unable to find the person to serve with a summons
- (b) Police authorities are unable to find the person to serve with a warrant
- (c) It is reasonable to believe that the person will not voluntarily appear in court
- (d) It is considered that the person could harm someone if not placed into custody immediately.

52. In which of the following cases can an appeal not be preferred before a Court of Session?

- (a) An order made after an inquiry against a person requiring him to give security for keeping peace or for good behaviour
- (b) An order of conviction made by a Chief Judicial Magistrate after a case was forwarded to him by a Judicial Magistrate of the second class owing to not being empowered to pass a sufficiently severe sentence
- (c) An order of acquittal passed by a Chief Judicial Magistrate in respect of a cognizable and bailable offence
- (d) An order passed by Judicial Magistrate of the first class to release a person on probation of good conduct.

53. Who is empowered under S.144 A of the Code of Criminal Procedure, 1973 to prohibit mass drill or training with arms in public places?

- (a) District Magistrate
- (b) District Police Commissioner
- (c) Chief Judicial Magistrate
- (d) Court of Session

54. When a person who is bound by any bond taken under this Code to appear before a court does not appear,

- (a) the officer presiding in such court may issue a warrant directing that such a person be arrested and produced before him
- (b) the officer presiding in such court may cancel the warrant directing that such a person be simply apprehended by the police
- (c) the officer presiding in such court may issue proclamation directing that such a person is absconding and be produced before him
- (d) the officer presiding in such court must issue proclamation directing that such a person is absconding and be declared as a proclaimed offender.

55. Which of the following point must be considered by a Court of Session while granting bail to an applicant apprehending arrest in a case where he is accused of committing rape of a woman below the age of twelve years?

- (a) The possibility of the applicant to flee from justice.
- (b) The possibility of the accusation being made with an object of injuring or humiliating the applicant by having him so arrested.
- (c) The presence of the applicant seeking anticipatory bail shall be obligatory at the time of the final hearing of the application and passing of final order by the Court.
- (d) None of the above.

56. Which of the following is not true of an order discharging an accused in the absence of the complainant?

- (a) A Magistrate before discharging the accused must apply his mind to the evidence in the case.
- (b) A Magistrate discharging the accused can review his order.
- (c) A complainant can file a fresh complainant against the same accused on the same facts.

(d) A Magistrate may discharge an accused on absence of complainant if the offence is not a cognizable offence.

57. The power to issue a commission for the examination of a primary witness in a case involving the gang rape of a woman below the age of eighteen years, under the Code of Criminal Procedure, 1973 is conferred on

- (a) Court of Session only.
- (b) any Magistrate above the rank of Chief Judicial Magistrate.
- (c) any Magistrate.
- (d) Judicial Magistrate of First Class only.

58. In which of the following cases can the accused claim the principle of *autrefois acquit or convict*?

- (a) 'A' was tried for causing grievous hurt with a deadly weapon and convicted. The injured dies afterwards. 'A' was tried for murder
- (b) 'A' was charged and convicted for the offence of theft. He was afterwards tried on the same facts for the offence of theft in a building.
- (c) 'A' and 'B' were charged with and convicted of the offence of criminal conspiracy. They were tried and convicted of the offence of cheating committed by them in pursuance of the earlier criminal conspiracy.
- (d) 'A' was tried for the offence of attempted robbery. Subsequently, he was tried afresh for illegal possession of firearms under the Arms Act, 1959.

59. Identify the correct procedure in relation to the investigation and trial of gang rape of a woman under S.376 D of the Indian Penal Code, 1860?

- (a) The court may take appropriate measures to ensure that the woman against whom the offence is committed is not confronted by the accused while her evidence is to be recorded, only, if the age of the woman is below eighteen years while at the same time ensuring the right of fair trial of the accused.
- (b) No court shall take cognizance where a public servant is accused of the offence except with the previous sanction of the concerned Government; Central or State as the case may be.
- (c) For the purposes of recording the statement during the course of investigation, the Magistrate need not administer oath to a person against whom the offence is committed.
- (d) The investigation of the offence shall be completed within three months from the date on which the information was recorded by the officer in charge of the police station.

60. An order to pay compensation under Section 357 of the Code of Criminal Procedure, 1973 to a woman against whom the offence of gang rape has been committed can be passed by

(a) Court of Session. (b) Court of Appeal. (c) Court of Revision. (d) All the above.

61. If the purpose of agreement is unlawful then such a contract of indemnity is –

(a) Void (b) Valid (c) Voidable (d) None of the above

62. In contract of indemnity, the liability of the indemnifier is –

(a) Primary (b) Secondary
(c) Neither primary nor secondary (d) None of the above

63. 'B' owes 'C' a debt guaranteed by 'X'. 'C' does not sue 'B' for a year after the debt has become payable. In the meantime 'B' becomes insolvent. Which of the following is correct according to Indian Contract Act, 1872?

(a) 'X' is discharged from the guarantee
(b) 'X' is not discharge from the guarantee
(c) Mere forbearance on the part of 'C' to sue discharge 'X'
(d) None of the above

64. The person, who gives the guarantee in a contract of guarantee is called:

(a) The surety (b) The creditor (c) The principal debtor (d) None of them

65. In which of the following case there is creation of contract of bailment:

(a) Guest using the goods of his host
(b) A servant having custody of the goods of his master
(c) Delivery of a car for repair
(d) X's friend used his car without his permission

66. According to the Indian Contract Act, 1872 a person who finds goods belonging to another and takes them into his custody is subject to same responsibility as a –

- (a) Bailee (b) Bailor (c) Surety (d) Pawnee

67. In pledge goods are bailed –

- (a) for sale (b) as a security for payment of debt
(c) for auction (d) as a gift

68. 'X' leaves a cow in the custody of 'Y' for two years. The cow gives birth to a calf during this period. Which of the following is correct according to Indian Contract Act, 1872?

- (a) 'Y' is bound to deliver the cow as well calf to 'X'
(b) 'Y' is not bound to deliver the cow or calf to 'X'
(c) 'Y' is bound to deliver only cow not calf to 'Y'
(d) None of the above

69. If a third person wrongfully causes injury to the good bailed or deprives the bailee of the possession of them, according to Indian Contract, Act 1872 an action against wrong doer can be brought by –

- (a) Bailor only (b) Bailee only (c) Bailor or Bailee (d) None of them

70. According to Indian Contract, 1872 if an agency is created by ratification , then there is a contract between the principal and the third party-

- (a) from the date of ratification
(b) from the date when the agent first contracted
(c) from the date notified by the third party
(d) from the date notified by the principal

71. The judicial decision of K.C. Skaria v. The Government of Kerala(2006) related to-

- (a) The right of the agent to sue the principal for account (b) Liability of bailor

(c) Revocation of continuing guarantee

(d) Release of principal debtor

72. According to Indian Contract Act, 1872 the surety stands discharged –

(a) by death

(b) by revocation

(c) by variance in terms of the contract

(d) in (a), (b), (c) above

73. Which of the following statement is wrong regarding “agency” according to Indian Contract Act, 1872?

(a) Principal should be competent to contract

(b) Consideration is necessary to create an agency

(c) Agency may be created by ratification

(d) The authority of agent may be expressed or implied

74. Which of the following is correct according to the Indian Contract Act, 1872?

(a) Pledge made by a person having a limited interest is valid to the extent of that interest

(b) Pledge made by a person under voidable contract is valid

(c) Pledge made by a mercantile agent is valid

(d) Goods may be pledge by the servant in the absence of owner

75. According to Indian Contract Act, 1872 the principle of agency of necessity is –

(a) applicable in emergent situations where communication with the principal is not possible

(b) applicable in normal situations if the communication with the principal is not possible

(c) unknown to the law agency

(d) None of the above

76. Display of goods in a shop with price tag is

(a) a general offer

(b) a counter offer

(c) an offer

(d) an invitation to offer

77. What type of contract is formed between the finder of goods and the actual owner of the goods?

(a) No contract is formed

(b) A quasi-contract under section 71 of the Indian Contract Act

(c) A contingent contract

(d) A wagering contract

78. An agreement without consideration is:

(a) Void

(b) Illegal

(c) Voidable

(d) Enforceable

79. An agreement to share the benefits of a public office is:

(a) valid

(b) voidable

(c) void

(d) none of the above

80. A notice in the newspaper inviting tenders is:

(a) a proposal

(b) an invitation to proposal

(c) a promise

(d) an invitation for negotiation

81. Which one of the following statements is true?

(a) offer and acceptance are revocable

(b) offer and acceptance are irrevocable

(c) An offer can be revoked but acceptance cannot

(d) An offer cannot be revoked but acceptance can be

82. The phrase "Quantum Meruit" literally means:

(a) As much as earned

(b) The fact in itself

- (c) A contract for the sale (d) None of these

83. How many contracts are there in a contract of guarantee?

- (a) Two contracts (b) Three contracts (c) Four contracts (d) None of these

84. According to Limited Liability Partnerships Act, 2008, a LLP is -

- (a) a body corporate (b) a distinct legal entity from its partners
(c) a juristic person (d) all of the above

85. Which of the following is a valid partnership for the purpose Indian Partnership Act, 1932?

- (a) partnership between two partnership
(b) partnership between one partnership firm and an individual
(c) partnership between one partnership firm and a company
(d) partnership between an individual and a company

86. Where a partner is entitled to interest on the capital contributed by him , such interest is payable

- (a) out of profits only (b) out of capital if no profits
(c) out of capital if losses (d) none of the above

87. According to the Indian Partnership Act, 1932, where the partnership at will, the firm may be dissolved by any partner

- (a) by giving public notice in writing of his intention to dissolve the firm
(b) by giving notice in writing to all other partners of his intention to dissolve the firm
(c) by giving oral notice to any other partner of his intention to dissolve the firm
(d) by giving oral notice to all other partners of his intention to dissolve the firm

88. What is the right of a outgoing partner to carry on competing business according to the Indian Partnership Act, 1932?

- (a) May carry on a business competing with that of the firm and may advertise such business.
- (b) May use the firm name
- (c) May represent himself as carrying on the business of the old firm.
- (d) May solicit the custom of person who were dealing with the firm before he ceased to be a partner

89. Which of the following matching is incorrectly made under the Indian Partnership Act, 1932?

- (a) No new partner to be introduced – section 31(1).
- (b) No liability before joining the firm –section 32(1).
- (c) Right to the use of partnership property –section 15.
- (d) Partner's authority in emergency – section 21.

90. Which of the following liabilities remains when a minor decides not to become a partner, according to Indian Partnership Act, 1932?

- (a) His rights and liabilities as a minor continue up to date on which he gives public notice of his election not to become a partner.
- (b) His share shall not be liable for any acts of the firm after the date of giving public notice of his election not to become a partner.
- (c) He shall be entitled to sue the partners for his share of property and profits of the firm.
- (d) All the above.

91. Within the Hohfeldian scheme *Doli incapax* manifests the following connotation of right

- (a) Liberty (b) Immunity (c) Power (d) Liability

92. Within the Hohfeldian scheme right to vote is an example of

- (a) Power and liberty (b) Claim and liberty (c) Power and claim (d) Liberty and immunity

93. "True law is right reason in agreement with nature." Whose words are these
 (a) St. Thomas Aquinas (b) Aristotle (c) John Finnis (d) Cicero
94. The first principle of John Rawls theory of Justice embodies the following
 (a) Liberty only (b) Equality and fraternity
 (c) Liberty and equality (d) Fraternity and Liberty
95. Abstraction as a method adopted by Rawls is strongly criticised by
 (a) Libertarians (b) Liberals (c) Contractarians (d) Feminists
96. Taxation of earnings from labour is on a par with forced labour. Who holds this view?
 (a) John Rawls (b) Robert Nozick (c) J.S.Mill (d) Jeremy Bentham
97. The author of 'The Constitution of Liberty' is
 (a) F.A.Hayek (b) Milton Friedman (c) Robert Nozick (d) Judith Butler
98. Who among the following is not a proponent of metaphysical theory of property
 (a) Grotius (b) Kant (c) Hegel (d) Miller
99. Which of the following is not the basis of Kant's categorical imperative?
 (a) Intelligible realm (b) Autonomy (c) Heteronomy (d) Duty
100. "Power must be analysed as something which circulates or rather as something which only functions in the form of a chain." Whose words are these?
 (a) Jean Francois Lyotard (b) Michel Foucault (c) Jacques Derrida (d) Hegel
101. "The prophecies of what the courts will do in fact and nothing more pretentious, are what I mean by the law." Who stated this?

- (a) Jerome Frank (b) Karl Llewellyn (c) O. W. Holmes (d) W. Twinning

102. Which of the following does Austin regard as constituting positive morality'?

- (a) Laws of God
(b) Human laws not set by political superior or in pursuance of a legal right
(c) Laws by analogy
(d) Both (b) and (c)

103. The assumption of legal theory that law has an objective existence apart from the human beings who live it and create it is called

- (a) Deconstruction (b) Reification (c) Trashing (d) Delegitimation

104. Match the Following:

S.No.	Column 1	Column 2
A	Volksgeist	Martha-Marie Kleinhans
B	Autopoietic theory of law	Roscoe Pound
C	Social Engineering	Karl Von Savigny
D	Critical Legal Pluralism	Niklas Luhmann

- (a) A-B, B-A, C-D, D-C (b) A-C, B-D, C-B, D-A
(c) A-C, B-A, C-B, D-D (d) A-D, B-C, C-A, D-B

105. Who among the following philosophers offers a deontological approach to justice

- (a) Jeremy Bentham (b) J.S.Mill (c) Immanuel Kant (d) None of the above

106. The notion of rights as side constraints was propounded by

- (a) Robert Nozick (b) Ronald Dworkin (c) Roscoe Pound (d) Hegel

107. The book 'Idea of Justice' is written by

- (a) Michel Foucault (b) Amartya Sen (c) Martha Nussbaum (d) Jean Dreze

108. Ownership of self is an idea held by which of the following stream of thought

- (a) Egalitarians (b) Neo-Liberals (c) Libertarians (d) Utilitarians

109. The second wave of feminism is also known as

- (a) Radical feminism (b) Liberal feminism
(c) Postmodern feminism (d) Difference feminism

110. Fiction theory of personality was propounded by

- (a) Savigny and Salmond (b) Brinz and Barker (c) Gierke and Maitland (d) Hohfeld

111. Where, in a tortious litigation, the court forms a very low opinion about the claim of the plaintiff, it awards:

- I. Contemptuous damages
II. Nominal damages

- (a) Only I is correct (b) Both I & II are correct
(c) Only II is correct (d) Neither I nor II are correct

112. The victim of a tort committed by joint tortfeasors may file a suit against:

- I. One or some or all of the tortfeasors
II. All of the tortfeasors only

- (a) Only I is correct (b) Both I & II are correct
(c) Only II is correct (d) Neither I nor II are correct

113. Case of Read v. Coker [1853 138 All ER 1437] is related to:

- (a) Battery (b) False Imprisonment (c) Assault (d) Malicious Prosecution

114. In Malicious Prosecution-

- (I) Element of Malice must be present
(II) Acquittal of the plaintiff is sufficient proof of Malicious Prosecution

- (a) Only I is correct (b) Only II is correct
(c) Both I & II are correct (d) Both I & II are incorrect

115. Which of the following is not a defence to the tort of Battery-

- (a) Self-defence (b) Acting in Support of Law
(c) Irresistible Impulse (d) Ejection of Trespasser

116. The maxim '*sic utere tuo ut alienum non leadas*' means:

- (a) Hurt no one by your words of mouth or actions
(b) Voluntarily acceptance of risk does not give rise to a cause of action
(c) Exercise your right in such a manner so as not to interfere with others' rights
(d) None of the above

117. While granting 'injunctions,' as a remedy in tort, the court is guided by the provisions of:

- (a) The Limitation Act, 1963 (b) The Specific Relief Act, 1963
(c) The Evidence Act, 1872 (d) The General Clauses Act, 1897

118. Which one of the following case is not related to the general defence of *voluntati non-fit injuria*:

- (a) Woodlridge v. Summer (b) T.C. Balakrishnan v. T.R. Subramaniam
(c) Hall v. Brooklands Auto Racing Club (d) R. v. Williams

119. One who sells his goods on the name of others may be sued for committing the tort of:

- (a) Breach of confidence (b) Conspiracy (c) Passing off (d) Deceit

120. 'An act in relation to goods of a person which results in an unjustifiable denial of his title to them' constitutes the tort of:

- (a) Conversion (b) Negligence (c) Nuisance (d) None of the above

121. An act of interference with the rights relating use or enjoyment of property of public in general amounts to:

- (a) Private nuisance (b) Public nuisance (c) Trespass to property (d) Trespass to person

122. 'A,' the defendant who pulled away the chair of the speaker who was about to sit as a result of which the speaker fell down and sustained bodily injuries may be sued for committing:

- (a) Tort of battery (b) Tort of Assault (c) Both (a) & (b) (d) None of the above

123. For interference with the right of consortium of a married couple, the husband may file a suit for?

- (a) Deprivation of matrimonial rights (b) Enticement
(c) False Imprisonment (d) None of the above

124. In which one of the following cases the test of reasonable foreseeability was not allowed?

- (a) S.C.M. (UK) Ltd. V. W.J. Whittall & sons
(b) Overseas Tankship (U.K.) v. Morts Dock Engineering Co. Ltd.
(c) Hambrook v. Stokes Bros.
(d) Bourhill v. Young

125. The test of 'Necessary Element of Sufficient Set (NESS)' is related to:

- (a) Factual causation (b) Legal causation
(c) Both (a) & (b) (d) (d) None of the above

126. A person sued for the tort of defamation for expressing his opinion in public interest based on existing facts, may claim the defence of:

- (a) Absolute Privilege (b) Qualified Privilege (c) Fair Comment (d) All the above.

127. A consumer who has been misled by an advertisement about quality of goods he purchased may file suit under which tortious liability?

- (a) Nuisance (b) Negligence (c) Strict liability (d) Absolute liability

128. A person who is partly responsible for the damage suffered by him may not be allowed full claim of damages on the grounds of:

- (a) Negligence (b) Composite Negligence
(c) Contributory Negligence (d) All the above

129. The definition of the tort of conspiracy as, “the tort of conspiracy is committed when two or more persons combine to cause damage to a third person by unlawful means and the damage actually results in”, is given in or by:

- (a) Sir Salmond
- (b) Dr. Winfield
- (c) The General Clauses Act, 1897
- (d) The Limitation Act, 1963.

130. A licensee who uses the premises of the licensor and suffers the damage inside the premises due to non-disclosure of the defect may sue licensee under:

- I. Liability for dangerous premises based on strict liability
- II. Liability for dangerous premises and the Indian Limitation Act, 1963

- (a) Only I is correct
- (b) Both I & II are correct
- (c) Only II is correct
- (d) Neither I nor II are correct

131. When Kelson defined International Law as a primitive legal order, it meant that International Law lacks:

- (a) Legislative organ
- (b) judicial organ
- (c) Enforcement organ
- (d) All the above

132. The International Law Commission is aided by consultations with various bodies like

- (a) Asian-African Legal Consultative Committee
- (b) European Commission on Legal Cooperation
- (c) Inter-American Council of Jurists
- (d) All the above

133. Human Rights Council was established in

- (a) 1949
- (b) 1969
- (c) 2002
- (d) 2006

134. The Sustainable Developments Goals are sought to be realised by

- (a) 2030
- (b) 2025
- (c) 2035
- (d) 2040

135. The Rome Statute entered into force in

- (a) 1996 (b) 1998 (c) 2000 (d) 2002

136. Who was the first Indian Judge in the International Court of Justice?

- (a) Sir Benegal Rau (b) R. S. Pathak (c) Dalveer Bhandari (d) Nagendra Singh

137. The International Humanitarian Law was developed by the pioneering work done by

- (a) Henry Dunant (b) Dinstein (c) Leiden (d) T. Meron

138. '*Opinio juris sive necessitatis*' was first formulated by

- (a) Francois Geny (b) D. Anzilotti (c) R. Mullerson (d) Tunkin

139. '*Pacta sunt servanda*' means

- (a) States must enter into agreements (b) Agreements are binding
(c) Fact is to be proved (d) Agreements are not binding

140. How many members are there in the International Law Commission?

- (a) 30 (b) 40 (c) 34 (d) 46

141. Monist theory in international law is supported by

- (a) Lauterpacht (b) Triepel (c) Strupp (d) Anzilotti

142. The extinction of statehood takes place in international law as a result of

- (a) Merger (b) Absorption (c) Annexation (d) All of them

143. Dualist theory in international law is supported by

- (a) Lauterpacht (b) Kelson (c) Triepel (d) Strupp

144. The 1970 Declaration on Principles of International Law provides for

- (a) Sovereign equality of all states irrespective of their size
- (b) States have equal rights
- (c) States have equal duties
- (d) All of them

145. ILO was created in

- (a) 1946
- (b) 1919
- (c) 1944
- (d) 1945

146. UNESCO was established in

- (a) 1919
- (b) 1939
- (c) 1946
- (d) 1949

147. How many judges are elected to International Criminal Court?

- (a) 18
- (b) 16
- (c) 15
- (d) 12

148. The phrase 'war crime' includes

- (a) Wilful killing
- (b) Torture
- (c) Taking civilians as hostages
- (d) All of them

149. The International Tribunal for the Law of the Sea is based in

- (a) London
- (b) New York
- (c) Hamburg
- (d) Perth

150. The Sustainable Development Goals are to be realised by

- (a) 2025
- (b) 2030
- (c) 2035
- (d) 2040

Master Answer Key LL.M. SET- B

Q.No	Key	Q.No	Key	Q.No.	Key	Q.No.	Key	Q.No.	Key	Q.No.	Key
1	C	26	D	51	B	76	D	101	C	126	C
2	D	27	A	52	C	77	B	102	D	127	B
3	A	28	D	53	A	78	A	103	B	128	C
4	B	29	A	54	A	79	C	104	B	129	B
5	C	30	D	55	D	80	B	105	C	130	A
6	D	31	D	56	A	81	A	106	A	131	D
7	D	32	D	57	C	82	A	107	B	132	D
8	C	33	D	58	B	83	B	108	C	133	D
9	C	34	D	59	A	84	D	109	D	134	A
10	C	35	C	60	D	85	D	110	A	135	D
11	B	36	B	61	A	86	A	111	A	136	A
12	D	37	C	62	A	87	B	112	A	137	A
13	A	38	A	63	B	88	A	113	C	138	A
14	B	39	C	64	A	89	B	114	A	139	B
15	B	40	B	65	C	90	D	115	C	140	C
16	C	41	C	66	A	91	B	116	C	141	A
17	B	42	C	67	B	92	A	117	B	142	D
18	D	43	B	68	A	93	D	118	D	143	C
19	B	44	C	69	C	94	C	119	C	144	D
20	A	45	C	70	B	95	D	120	A	145	B
21	D	46	D	71	A	96	B	121	B	146	C
22	A	47	A	72	D	97	A	122	A	147	A
23	C	48	A	73	B	98	A	123	B	148	D
24	C	49	C	74	A	99	C	124	D	149	C
25	C	50	D	75	A	100	B	125	A	#150	B

#Question No. 150: Deleted



LL.M. ADMISSION TEST – 2021

Question Booklet Sl. No.

Date of Exam. :	Center's Name :
Duration : 90 Minutes	Roll No. :
Max. Marks : 150	OMR Sheet No. :
	Date of Birth :

INSTRUCTIONS TO CANDIDATES

1. No clarification on the Question paper can be sought. Answer the questions as they are.
2. There are **150** multiple choice objective type questions of one mark each which has to be answered in the OMR Sheet. **Total Marks are 150.**
3. Candidates have to indicate the most appropriate answer by darkening one of the four responses provided, with **BLACK/BLUE BALL POINT PEN** in the OMR Answer Sheet.

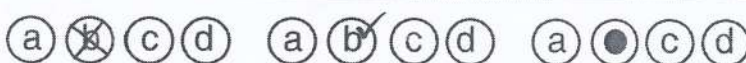
Example : For the question, "Where is the Taj Mahal located ?"

(a) Kolkata (b) Agra (c) Bhopal (d) Delhi

Right Method



Wrong Methods



4. There will be **Negative Marking** for multiple choice objective type questions. **0.25 marks** will be deducted for every wrong answer.
5. Answering the question by any method other than the method mentioned above shall be considered wrong answer.
6. More than one response to a question shall be counted as wrong answer.
7. The candidate shall not write anything on the OMR Answer Sheet other than the details required and in the spaces provide for.
8. After the examination is over, the candidate can carry the test booklet along with candidate's copy of the OMR after handing over the original OMR to the invigilator.
9. The use of any unfair means by any candidate will result in the cancellation of his/her candidature.
10. **Impersonation is an offence and the candidate, apart from disqualification, may have to face criminal prosecution.**
11. **Electronic gadgets like mobile phones, pagers and calculators etc. are strictly not permitted inside the Test Centre/Hall.**
12. **The candidates shall not leave the hall before the end of the Test.**



DO NOT WRITE HERE



1. The Constitution (Forty-Second Amendment) Act, 1976 inserted which of the following words to the Preamble of the Constitution of India ?
 - (a) Socialist and Secular
 - (b) Socialist and Sovereign
 - (c) Secular and Democratic
 - (d) Secular and Republic
2. Under Article 3 of the Constitution of India, the proposal in a Bill affecting the area, boundaries or names of any of the States is referred by the President to the Legislature of that State for expressing its views thereon within a specified time period as allowed by the President. The Bill for the above stated purpose could be introduced in either House of Parliament only if :
 - (a) It receives the approval of the Chief Minister of the State concerned
 - (b) It receives the approval from the Head of the Delimitation Commission
 - (c) It receives the recommendation of the Prime Minister
 - (d) It receives the recommendation of the President
3. Which of the following Constitutional Amendment incorporated the provision under Part-III of the Constitution of India providing for special provisions for socially and educationally backward classes of citizens or for Scheduled Castes or the Scheduled Tribes in admission to educational institutions including private educational institutions, whether aided or unaided by the State, other than the minority educational institutions ?
 - (a) The Constitution (One Hundred and Third Amendment) Act, 2019
 - (b) The Constitution (Eighty-First Amendment) Act, 2000
 - (c) The Constitution (Eighty-Fifth Amendment) Act, 2001
 - (d) The Constitution (Ninety-Third Amendment) Act, 2005
4. 'Office of profit' has been mentioned as a disqualification for the offices of President, Vice President, Governor and for members of Parliament and of State Legislatures under various provisions of the Constitution of India. Apart from these provisions, under which Article, 'Office of Profit' has been mentioned as a disqualification ?
 - (a) Article 18
 - (b) Article 76
 - (c) Article 165
 - (d) Article 148
5. Which is the ground for the impeachment of the President mentioned under the provisions of the Constitution of India ?
 - (a) High Treason
 - (b) Corruption
 - (c) Violation of the Constitution
 - (d) Violation of the Code of Conduct
6. Article 38 of Part IV of the Constitution of India was amended vide
 - (a) The Constitution (First Amendment) Act, 1951
 - (b) The Constitution (Forty-Fourth Amendment) Act, 1978
 - (c) The Constitution (Forty-Second Amendment) Act, 1976
 - (d) The Constitution (Eighty-Sixth Amendment) Act, 2002



7. *Vide* the Constitution (Eighty Sixth Amendment) Act, 2002, which one of the following Fundamental Duties was added in Part IVA of the Constitution of India ?
- (a) To value and preserve the rich heritage of our composite culture
 - (b) To safeguard public property and to abjure violence
 - (c) To provide opportunities for education to children between the age of six to fourteen years
 - (d) To defend the country and render national service when called upon to do so
8. The President of India is elected by the members of the electoral college, which comprises of
- (a) Elected members of both Houses of Parliament and elected members of the State Legislative Assemblies
 - (b) Elected members of House of People and of the Legislative Assemblies of all the States
 - (c) All members of both Houses of Parliament and of the State Legislatures
 - (d) All members of both Houses of Parliament and of the State Legislative Assemblies
9. "Our Constitution aims at bringing about a synthesis between 'Fundamental Rights' and the 'Directive Principles of State Policy' by giving to the former a pride of place and to the latter a place of permanence. Together, not individually, they form the core ...they constitute its true conscience."
- The above statement has been taken from, which one of the following judgments ?
- (a) *Minerva Mills v. Union of India*, (1980) 2 SCC 591
 - (b) *Kesavananda Bharati v. State of Kerala*, (1973) 4 SCC 225
 - (c) *Excel Wear v. Union of India*, (1978) 4 SCC 224
 - (d) *Maneka Gandhi v. Union of India* (1978) 1 SCC 248
10. The total number of Ministers, including the Prime Minister, in the Council of Ministers shall not exceed certain percentage of the total number of members of the Lok Sabha. This percentage is
- (a) Five Percent
 - (b) Ten Percent
 - (c) Fifteen Percent
 - (d) Twenty Percent
11. How many Anglo Indian members were nominated to the House of the People by the President under Article 331 of the Indian Constitution ?
- (a) One
 - (b) Two
 - (c) Three
 - (d) Four



12. Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 have superseded the 2011 Rules. In the Rules, 2021, the requirement of publication of rules and regulations, privacy policy and user agreements which stipulate that no user shall post information which would contravene any law in force has been retained. Which of the following decisions of the Supreme Court of India has now been embodied in these Rules ?
- (a) *Ranjit Udeshi v. State of Maharashtra*, AIR 1965 SC 881
(b) *S. Rangarajan v. P. Jagjivan*, (1989) 2 SCC 574
(c) *Shreya Singhal v. Union of India*, AIR 2016 SC 1523
(d) *Aveek Sarkar v. State of West Bengal*, (2014) 4 SCC 257
13. As per the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, any intermediary who primarily or solely enables online interaction between two or more users and allows them to create, upload, share, disseminate, modify or access information using its services and has more than 50 lakh registered users is classified as a 'significant social media intermediary'. Thus, all popular social networking platforms such as WhatsApp, Facebook, Instagram and Twitter would be required to observe these additional requirements, which are known as
- (a) Due Diligence Requirements
(b) Due Reporting Requirements
(c) Due Freedom Requirements
(d) Due Safety Requirements
14. If any decision on the question as to the disqualification of members of Parliament under Article 102 of the Constitution of India is to be taken, the decision of the President on that question will be final, only if it is according to the opinion of
- (a) Prime Minister
(b) Council of Ministers
(c) Election Commission
(d) Speaker of the Lok Sabha
15. Who calls the joint sitting of both the Houses of Parliament, if after a Bill is passed by one House and is transmitted to the other House, the other House rejects or disagrees to it ?
- (a) Prime Minister
(b) Speaker of the Lok Sabha
(c) Vice President
(d) President
16. As per Article 112 of the Constitution of India, Annual Financial Statement includes
- (a) A statement of the estimated receipts and the expenditure of the Government of India for that year
(b) A statement of the total receipts and the total expenditure of the Government of India for that year
(c) A statement of the total cost of infrastructural expenditure of the Government of India for that year
(d) A statement of the total cost of overall expenditure of the Government of India for that year



17. In *M. C. Mehta Vs. Union of India*, AIR1987 SC1086 (*Shriram Foods & Fertilizers case*) the principle that was constitutionally laid that
- (a) In the case of escape of toxic gas the enterprise is strictly and absolutely liable to compensate all those who are affected by the accident
 - (b) In the case of escape of toxic gas the enterprise is only liable for the negligence
 - (c) In the case of escape of toxic gas the enterprise is only liable for the failure to take reasonable care if any
 - (d) In the case of escape of toxic gas the enterprise is not liable for the accident
18. Supreme Court declared National Judicial Appointments Commission (NJAC) Act, 2014 and the Constitution (Ninety Ninth Amendment) Act, 2014 as unconstitutional and void. What was the strength of the Bench of the Supreme Court of India in this decision ?
- (a) Three Judges
 - (b) Five Judges
 - (c) Seven Judges
 - (d) Nine Judges
19. *Common Cause v. Union of India*, (2018) 5 SCC 1 is quoted for
- (a) Hanging by rope
 - (b) Delay in execution
 - (c) Living wills and passive euthanasia
 - (d) Custodial violence
20. Under Article 368 of the Constitution of India, if the amendment seeks to make changes to Articles 54, 55, 73, 162, 241 or any of the lists of the Seventh Schedule, apart from getting it passed from both the Houses of Parliament, it is required to be ratified by the State Legislatures. What is the extent of such ratification ?
- (a) Not less than one-tenth of the State Legislatures
 - (b) Not less than one-third of the State Legislatures
 - (c) Not less than one-fourth of the State Legislatures
 - (d) Not less than one-half of the State Legislatures
21. Provisions as to disqualification on the ground of defection was first incorporated in the Constitution of India *vide*
- (a) The Constitution (Forty Fourth Amendment) Act, 1978
 - (b) The Constitution (Forty Second Amendment) Act, 1976
 - (c) The Constitution (Fifty Second Amendment) Act, 1985
 - (d) The Constitution (Forty Ninth Amendment) Act, 1984
22. Para 3 of the provisions as to disqualification on the ground of defection i.e. of the Tenth Schedule was omitted *vide* the Constitution (Ninety First Amendment) Act, 2003, which related to
- (a) Disqualification on ground of defection to apply in case of split
 - (b) Disqualification on ground of defection not to apply in case of split
 - (c) Disqualification on ground of defection not to apply in case of merger
 - (d) Disqualification on ground of defection to apply in case of merger



23. Power of President or Governor to promulgate an Ordinance under Articles 123 or 213 is a _____ power conferred by the Constitution.
(a) Constitutional (b) Supreme (c) Executive (d) Legislative
24. Each House of Parliament is the sole judge of lawfulness of its own proceedings and the validity of any proceedings of Parliament cannot be called in question on ground of any alleged irregularity of procedure. Under which provision of the Constitution of India has this been prescribed ?
(a) Article 74 (b) Article 84 (c) Article 122 (d) Article 124
25. How many languages are presently listed in the Eighth Schedule to the Constitution of India ?
(a) 22 (b) 20 (c) 18 (d) 14
26. Right to vote has been recognised under the Indian Constitution as a
(a) Personal Right (b) Legal right
(c) Fundamental Right (d) Constitutional Right
27. In the case of Indian Young Lawyers' Association v. State of Kerala (2018) the dissenting opinion was delivered by
(a) Justice Dr. D. Y. Chandrachud (b) Justice Indu Malhotra
(c) Justice Nariman (d) Justice Deepak Misra
28. Who has powers of superintendence, direction and control over the elections of the President and Vice President of India ?
(a) The Comptroller General of India (b) The Attorney General of India
(c) The Election Commission of India (d) The Finance Commission of India
29. Who has the right of audience in all the courts in India, in the performance of official duties ?
(a) The Comptroller General of India (b) The Attorney General of India
(c) The Election Commission of India (d) The Finance Commission of India
30. Which provision of the Indian Penal Code provides for punishment in case of a woman subjected to cruelty ?
(a) Section 468 (b) Section 473
(c) Section 498A (d) Section 498B
31. A "heartbeat bill" is a legislation regulating which of the following ?
(a) Euthanasia (b) Capital punishment
(c) Termination of pregnancy (d) Inter-community marriage



32. Admissibility of a dying declaration in Section 32 of the Evidence Act can be traced to which of the following legal maxims ?
(a) *nunc pro tunc*
(b) *qui facit per alium facit per se*
(c) *volenti non fit injuria*
(d) *nemo maritatus presumuntur mentiri*
33. Who among the following can withdraw a case from prosecution under Section 321 of Criminal Procedure Code ?
(a) Public Prosecutor
(b) Public Prosecutor in-charge of a case, with the consent of the Court
(c) State Government
(d) High Court
34. In a cognizable case, the power of the police under Criminal Procedure Code extends to
(a) Investigating the case except the power to arrest without warrant
(b) Investigating the case and power to arrest without warrant
(c) Investigating the case after permission of the Magistrate
(d) Investigating the case after informing the Magistrate
35. What is the effect of compounding of an offence under Criminal Procedure Code ?
(a) Conviction (b) Discharge (c) Acquittal (d) Pardon
36. What is the maximum term of imprisonment that can be awarded in a summary trial ?
(a) One month (b) Three months
(c) Six months (d) One year
37. When a complaint is presented before a Magistrate and the Magistrate proceeds to examine the complaint and witnesses, the Magistrate is said to be conducting
(a) Inquiry (b) Investigation
(c) Trial (d) Both (a) and (b)
38. Which of the following statements is correct ?
(a) Magistrate cannot arrest a person
(b) Private person cannot arrest a person
(c) Police officer can arrest a person
(d) None of the above
39. Which of the following statements are correct in respect of imposition of conditions in case of a bailable offence ?
(a) Conditions can be imposed by police
(b) Conditions can be imposed by court
(c) No condition can be imposed either by the police or court
(d) Only mild conditions can be imposed by the court only



40. What is the significance of classification between summons case and warrant case ?
- (a) For determining the trial procedure to be adopted
 - (b) For determining the investigation procedure to be adopted
 - (c) For deciding the issuance of process to the accused
 - (d) Both (a) and (c)
41. Which of the following persons are not entitled to claim maintenance under Section 125(4) Criminal Procedure Code ?
- (a) Wife living in adultery
 - (b) Wife living separately by mutual consent
 - (c) Both (a) and (b)
 - (d) None of the above
42. Which of the following irregularity of the Magistrate is curable and does not result in proceedings being set aside merely on the ground of such irregularity ?
- (a) if he tenders pardon under Section 306 Criminal Procedure Code
 - (b) if he demands security for good behavior
 - (c) if he cancels a bond to keep peace
 - (d) if he attaches and sells property under Criminal Procedure Code
43. In *Joseph Shine v. Union of India*, AIR 2018 SC 4898, which of the following provisions of IPC was declared unconstitutional ?
- (a) Section 309 (b) Section 377 (c) Section 494 (d) Section 497
44. Which of the following does not fall within the category of grievous hurt ?
- (a) Emasculation
 - (b) Privation of any joint
 - (c) Disfiguration of chest
 - (d) Dislocation of tooth
45. Which is not an ingredient for the offence of dowry death ?
- (a) Unnatural death
 - (b) Death within 7 years of marriage
 - (c) Death must take place in matrimonial home
 - (d) Cruelty or harassment with woman in relation to dowry
46. Sections 82 and 83 of Indian Penal Code embody which legal principle ?
- (a) *Doli incapax*
 - (b) *Actus non facit reum nisi mens sit rea*
 - (c) *Volenti non fit injuria*
 - (d) *De minimis non curat lex*



47. Robbery is an aggravated form of
(a) Theft (b) Extortion
(c) Both (a) and (b) (d) Neither (a) nor (b)
48. A man who monitors the use by a woman of the internet, email or any other form of electronic communication, commits which offence under the IPC ?
(a) Voyeurism (b) Assault (c) Trafficking (d) Stalking
49. What is the minimum punishment prescribed for the offence of acid attack under Section 326A IPC ?
(a) Three years (b) Seven years
(c) Ten years (d) Life imprisonment
50. 'A' intentionally pulls up a woman's veil, without her consent. A becomes liable for
(a) Criminal intimidation (b) Extortion
(c) Criminal assault (d) Criminal force
51. In order to decide whether a particular authority is an instrumentality or agency of the state the following test(s) can be applied in view of the decision of the Supreme Court in *Som Prakash Rehi v. Union of India*, AIR 1981 S.C. 212
(a) Entire share capital of the corporation is held by Government ; the corporation enjoys monopoly status
(b) Existence of deep and pervasive State control
(c) The functions of the corporation are of public importance and, closely related to governmental functions, or a department of Government is transferred to a corporation
(d) All the above
52. Which of the following is not an official language for the Union Territory of Jammu and Kashmir ?
(a) Hindi (b) Urdu (c) Punjabi (d) English
53. As per the Consumer Protection Act, 2019, what is the limit of pecuniary jurisdiction of the District Commission ?
(a) Ten lakh rupees (b) Fifty lakh rupees
(c) One crore rupees (d) Five crore rupees
54. In *State of Punjab v. Davinder Singh*, 2020 SCCOnline SC 677, pronounced on 27 August, 2020, a five-Judge Bench of the Supreme Court agreed to revisit which of the following judgments ?
(a) *Indra Sawhney v. Union of India*, 1992 Supp (3) SCC 217
(b) *E.V. Chinnaiah v. State of A.P.*, (2005) 1 SCC 394
(c) *Bir Singh v. Delhi Jal Board*, (2018) 10 SCC 312
(d) *State of Karnataka v. Umadevi*, (2006) 4 SCC 1



55. According to the recent Constitution Bench of the Supreme Court, who among the following has the power to make reservation for in-service candidates in postgraduate medical courses ?
- (a) Medical Council of India (b) Union Government
(c) State Government (d) Concerned University
56. Which of the following is a primary test for determining the age of an accused under the law relating to juvenile offenders ?
- (a) Blood test (b) Ossification test
(c) Bolam test (d) Blood pressure evaluation
57. In *Dr. Jaishri Laxmanrao Patil v. Chief Minister*, decided on 5th May 2021 it was held that
- (a) Judgment in the case of *Indra Sawhney v. Union of India* [1992 Suppl. (3) SCC 217] needs to be referred to larger bench
(b) The Constitution (One Hundred and Second Amendment) is invalid
(c) The 50% rule spoken in *Balaji* and affirmed in *Indra Sawhney* is to fulfill the objective of equality as engrafted in Article 14 of which Articles 15 and 16 are facets. 50% is Reasonable
(d) The court held The Act, 2018 of Maharashtra did not violate the principle of equality
58. Doctrine of 'indirect discrimination' was analyzed by Justice D.Y. Chandrachud in
- (a) *Lt. Col. Nitisha vs Union of India*, Delivered on 25th March 2021
(b) *Secretary, Ministry of Defence v Babita Puniya* February 17, 2020
(c) *Navtej Singh Johar v. Union of India* (2018) 10 SCC 1
(d) *Indian Young Lawyers Assn. v. State of Kerala*, 2018 SCC OnLine SCC 1690
59. Justice Arun Mishra took over as the Chairperson of which of the following bodies ?
- (a) National Company Law Appellate Tribunal
(b) National Consumer Disputes Redressal Commission
(c) Lokpal of India
(d) National Human Rights Commission
60. Who appoints the Advocates-General in States, who are the highest law officers ?
- (a) Prime Minister (b) Chief Minister
(c) President (d) Governor



61. Who all shall have the right to speak in, and otherwise to take part in the proceedings of, either House, any joint sitting of the Houses, and any committee of Parliament of which he may be a member, but shall not be entitled to vote ?
(a) Members of Parliament and Attorney General of India
(b) Ministers of Government and Attorney General of India
(c) Members of House of People and Solicitor General of India
(d) Members of Council of States and Attorney General of India
62. *R. K. Garg v Union of India* AIR 1981, SC 138 – is known as
(a) Equal pay for equal work case (b) Bearer Bonds case
(c) Minimum Wages case (d) Asiatic workers case
63. Bandh was held as illegal and unconstitutional in the case of
(a) *Rattan Lal v. State of Punjab*
(b) *Bharat Kumar K Palicha v. State of Kerala*
(c) *K.T. Moopil Nair v. State of Kerala*
(d) *Kamadhenu v Food Corporation of India*
64. Freedom from noise pollution is a part of Art.21, was held in
(a) *Subhash Kumar v. State of Bihar* 1991
(b) *M.C. Mehta v. Union of India* (1988)
(c) *Inre Noise pollution: 2005*
(d) *Indian Council for Enviro Legal Action v. Union of India* 1996
65. Which Human Rights are often understood as the third generation rights ?
(a) Cultural Rights (b) Collective Rights
(c) Digital Rights (d) Economic Rights
66. Name the two Union Territories formed out of the State of Jammu and Kashmir after repealing the special status granted by the Indian Constitution.
(a) Union Territories of Kashmir and Jammu
(b) Union Territories of Jammu and Kashmir and Ladakh
(c) Union Territories of Kashmir and Ladakh
(d) Union Territories of Jammu and Srinagar
67. Which Act of the Parliament of India contained the provisions to reconstitute the State of Jammu and Kashmir ?
(a) The Jammu and Kashmir Reorganisation Act, 2018
(b) The J and K and Ladakh Region Reorganisation Act, 2018
(c) The J and K and Ladakh Region Reorganisation Act, 2019
(d) The Jammu and Kashmir Reorganisation Act, 2019



68. Who has been given the power to grant pardon or to commute a death sentence ?
(a) Prime Minister (b) President
(c) Speaker (d) Vice President
69. An organization that was founded in 1919, later became the first specialized agency of the United Nations in 1946.
(a) Food and Agricultural Organization
(b) International Monetary Fund
(c) Postal Union
(d) International Labour Organisation
70. "International law consists of those rules of conduct which reason deduces as consonant to justice from the nature of the society existing among independent nations; with such definitions and modifications as may be established by general consent." – stated by
(a) Wheaton (b) Oppenheim (c) Pollock (d) Brownlie
71. Which amongst the following is not a main organ of the United Nations ?
(a) Trusteeship Council
(b) Economic and Social Council
(c) United Nations Secretariat
(d) United Nations Educational, Scientific and Cultural Organization
72. The Tobar doctrine is also known as
(a) Doctrine of Separation (b) Doctrine of Succession
(c) Doctrine of Legitimacy (d) Doctrine of Self Determination
73. Mohori Bibee v. Dharmodas Ghose (1903) 30 Cal 539 (PC) deals with
(a) Capacity to contract (b) Rule of *res gestae*
(c) Doctrine of pith and substance (d) *Res ipsa loquitur*
74. According to Section 4 of the Indian Contract Act, 1872, the communication of an acceptance is complete as against the proposer
(a) When it is put in a course of transmission and is out of the power of the acceptor
(b) When it is agreed to be sent to the other party to the contract
(c) When the courier has been decided and will be transmitted
(d) When it is being processed for transmission
75. Every agreement of which the object or consideration is unlawful is
(a) Void (b) Voidable (c) Valid (d) None of the above
76. Every agreement by which any one is restrained from exercising a lawful profession, trade or business of any kind, is to that extent
(a) Void (b) Voidable (c) Valid (d) None of the above



77. A _____ is a contract to do or not to do something, if an uncertain future event happens. It also cannot be enforced by law unless and until that event has happened. If the event becomes impossible, such contracts become void.
- (a) Contingent contract (b) Quasi contract
(c) Breach of contract (d) Voidable contract
78. Delivery of goods from one person to another for a special purpose is called as
- (a) Mortgage (b) Pledge
(c) Contract (d) Bailment
79. Delivery of goods as security for payment of a debt or performance of a promise is called
- (a) Mortgage (b) Pledge
(c) Contract (d) Agency
80. When a person delegates his authority to another person and appoints him/her to do some specific job or a number of them in specified areas of work, it establishes a relationship of
- (a) Master-servant (b) Principal-agent
(c) Parent-child (d) Husband-wife
81. Name the doctrine whereby there is an obligation of the State to protect and take into custody the rights and privileges of its citizens and it acts as provider of protection to those unable to care for themselves.
- (a) Socialist state (b) Welfare state
(c) Trustee (d) Parens patriae
82. Which of the following jurists delineated the distinction between 'principle' and 'policy' ?
- (a) H.L.A. Hart (b) Ronald Dworkin
(c) Marc Galanter (d) Lon Fuller
83. Which of the following laws places an embargo on the civil court granting injunction in respect of all disputes arising out of a contract relating to infrastructural projects ?
- (a) Specific Relief (Amendment) Act, 2018
(b) Right to Fair Compensation and Transparency in Land Acquisition Act, 2013
(c) Civil Procedure Code (Amendment) Act, 2015
(d) Injunctions Act, 2020



84. Match the following :

Column – I

- A. Social Engineering
- B. Volksgeist
- C. Social Solidarity
- D. Inner Morality

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

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

Column – II

- I. Karl Von Savigny
- II. Lon Fuller
- III. Roscoe Pound
- IV. Leon Duguit

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

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

85. Universal Declaration on Human Rights was adopted by General Assembly in the year

(a) 1945

(b) 1946

(c) 1948

(d) 1950

86. In 2015, the then UN Secretary-General Ban Ki-moon highlighted the new development agenda calling on countries to begin efforts to achieve certain goals over the next 15 years. According to him, these goals represent “our shared vision of humanity and a social contract between the world’s leaders and the people”. What are these goals known as ?

(a) Sustainable Development Goals (SDGs)

(b) Millennium Development Goals (MDGs)

(c) Multiple Development Goals (MDGs)

(d) Global Development Goals (GDGs)

87. How many goals are mentioned in the SDG ?

(a) 7

(b) 10

(c) 17

(d) 20

88. Which of the following is not a source of International Law ?

(a) International Conventions

(b) International Customs

(c) *Opinio juris*

(d) None of the above

89. A contract against public policy is

(a) Valid

(b) Void

(c) Voidable

(d) Invalid

90. What is one of the main additions to the new Consumer Protection Act, 2019 ?

(a) Defective Goods

(b) Deficient Services

(c) E-Commerce

(d) Grievance Redressal

91. Precautionary Credit Line (PCL) of IMF is

(a) For countries very poor, and have record of implementing policies for poor

(b) For countries with weak fundamentals and policies, and a track record of implementing such policies is poor

(c) For countries which are very rich and a track record of paying the debts

(d) For countries with sound fundamentals and policies, and a track record of implementing such policies



92. United Nations General Assembly (UNGA) Resolution 377 (V) - is famously known as
(a) Resolution for UNCTAD
(b) Ackerman Resolution
(c) Uniting for Peace Resolution
(d) UNITAR Resolution
93. Jus cogens means
(a) Peremptory norm of International Law (b) The judgements of ICJ
(c) Just resolution of disputes (d) Statutory law
94. Which of the following is a requisite condition for a contract with the Government under Article 299 of the Constitution of India ?
(a) The contract must be expressed to be made by the President
(b) The contract is to be executed in the manner as directed by the President
(c) The contract must be entered into on behalf of the President
(d) All of the above
95. In common law jurisprudence, which of the following is the oldest writ ?
(a) Writ of trespass
(b) Writ of certiorari
(c) Writ of habeas corpus
(d) Writ of trespass on the case
96. The Jurisprudence is the Lawyer's extraversion, was stated by
(a) Austin (b) Julius Stone (c) Pollock (d) Buck Land
97. Which of the following statements is true ?
(a) All civil wrongs are torts and all torts are civil wrongs
(b) All courts are tribunals but all tribunals are not courts
(c) All rights have corresponding duties but all duties do not have corresponding duties
(d) None of the above
98. Which of the following doctrines is closest to the maxim "quando aliquid prohibetur ex directo, prohibetur et per obliquum", i.e. what cannot be done directly, should also not be done indirectly ?
(a) Doctrine of pith and substance
(b) Doctrine of territorial jurisdiction
(c) Doctrine of colourable legislation
(d) Doctrine of repugnancy



99. From which nine-Judge Bench judgment of the Supreme Court has the following been excerpted ?
- “[I]t is privacy which is a powerful guarantee if the state were to introduce compulsory drug trials of non-consenting men or women. The sanctity of marriage, the liberty of procreation, the choice of a family life and the dignity of being are matters which concern every individual irrespective of social strata or economic well being. The pursuit of happiness is founded upon autonomy and dignity. Both are essential attributes of privacy which makes no distinction between the birth marks of individuals.”
- (a) *K.S. Puttaswamy v. Union of India*, AIR 2017 SC 4161
(b) *Navtej Singh Johar v. Union of India*, AIR 2018 SC 4321
(c) *Indian Young Lawyers' Association v. State of Kerala*, (2019) 11 SCC 1
(d) *Joseph Shine v. Union of India*, AIR 2018 SC 4898
100. Which of the following judgments relates to the proclamation of President's Rule in a State under Article 356 of the Constitution of India ?
- (a) *Indore Development Authority v. Manohar Lal Sharma*, AIR 2020 SC 1496
(b) *S.R. Bommai v. Union of India*, AIR 1994 SC 1918
(c) *R.C. Poudyal v. Union of India*, AIR 1993 SC 1804
(d) *Sushila Aggarwal v. Govt. of NCT of Delhi*, (2020) 5 SCC 1
101. *Doli incapax* means incapable of crime forming a defence for children that a child is incapable of crime. Basis of this presumption lies in the theory of criminal responsibility, which means that a person should be held criminally responsible only for acts he intends to commit. *Doli incapax* finds its importance in which of the legislations in India ?
- (a) Child Labour (Prohibition and Regulation) Act
(b) Juvenile Justice (Care and Protection) of Children Act
(c) Criminal Procedure Code
(d) Prohibition of Child Marriage Act
102. “Laws too gentle are seldom obeyed; to severe, seldom executed.” Who said this ?
- (a) Benjamin Franklin
(b) Theodore Roosevelt
(c) Oliver Wendell Holmes
(d) George Whitecross Paton
103. “Obedience to the law is demanded as a right, not asked as a favor.” Who said this ?
- (a) Benjamin Franklin
(b) Theodore Roosevelt
(c) St. Thomas Aquinas
(d) John Finnis
104. ‘Development as freedom’ is based upon concept of “the enhancement of freedoms that allow people to lead lives that they have reason to live” is based upon the book written by
- (a) John Rawls
(b) Amartya Sen
(c) Robert Nozick
(d) Jean Dreze



105. In Development as Freedom, five specific types of freedoms have been outlined. Which one of the following set of freedoms did NOT find mention there ?
(a) Political Freedoms and Protective Security
(b) Economic Facilities and Social Opportunities
(c) Protective Security and Transparency Guarantees
(d) Economic Equality and Democratic Guarantees
106. Who amongst the following enunciated the principle: "It is the greatest happiness of the greatest number that is the measure of right and wrong ?"
(a) Jeremy Bentham (b) James Mill
(c) Robert Owen (d) F.A. Hayek
107. Who gave 'Pure Theory of Law' ?
(a) John Austin (b) H L A Hart (c) Hans Kelsen (d) Jeremy Bentham
108. "Law is social engineering which means a balance between the competing interests in society," in which applied science are used for resolving individual and social problems. Who said this ?
(a) Roscoe Pound (b) Leon Duguit
(c) Hans Kelsen (d) Jeremy Bentham
109. "Law is derived from social facts and depends not on the State authority but on social compulsion." Whose words are these ?
(a) Roscoe Pound (b) Leon Duguit
(c) Benjamin Nathan Cardozo (d) Eugen Ehrlich
110. "The nature of any legal system is a reflection of the spirit of its people, which is known as Volksgeist." Find out who from the following is the jurist, who rejected the theories of natural law as well as positive law.
(a) Montesquieu (b) F. K. Von Savigny
(c) Henry Maine (d) Georg Friedrich Puchta
111. This school of jurisprudence, which studies law as it is and in its actual working and its effects. This school rejects traditional definition of law and also avoids any dogmatic formulation and fully concentrates on decisions given by the courts. Name the school.
(a) Natural Law School (b) Positive Law School
(c) Historical School (d) Realist Law School
112. "Natural law is nothing other than the participation of eternal law in rational creatures... the imprint of God's providential plan on man's natural reason" Who stated this ?
(a) Immanuel Kant (b) Thomas Aquinas
(c) Henry Maine (d) Edmund Burke



113. A usage is a repetition of acts whereas _____ is the law or general rule that arises from such repetition. It also derives its authority from its adoption into the law and is binding regardless of any acts of assent by the parties. What is this ?
(a) Habit (b) Law (c) Custom (d) Fiction
114. There are two basic concepts, which together govern the right to property of an individual. According to these concepts, the possessor has a better claim to the title of the object than anyone, except the _____. Fill the blank from the following options :
(a) Owner (b) Legal Heir (c) Trustee (d) Auctioneer
115. "Fiat jūsticia ruat coelum" is a Latin legal phrase, which means
(a) Justice must be realized keeping in view the consequences
(b) Let justice be done irrespective of caste or creed
(c) Justice must be realized regardless of expenditure
(d) Let justice be done though the heavens fall
116. The four elements of a '*wrong*' are: duty, breach of duty, causation and injury. What kind of wrongs are these as recognized by the common law ?
(a) Customary (b) Tortious (c) Contractual (d) Criminal
117. 'Pigeon Hole Theory' under law of torts was coined by
(a) John William Salmond (b) Percy Henry Winfield
(c) Frederick Pollock (d) L J Bowen
118. "Law of Tort is a general liability which originates from the violation of duty determined by the law." Who said this ?
(a) John William Salmond (b) Percy Henry Winfield
(c) Frederick Pollock (d) L J Bowen
119. The aggrieved party suffered due to a tort committed by many wrongdoers may file a civil suit against :
1. Anyone of the wrongdoers
2. Few of the wrongdoers
3. All of the wrongdoers
(a) Only 1 is correct
(b) Both 1 and 2 are correct
(c) Only 3 is correct
(d) Neither 1 nor 2 are correct



120. Depending upon the apportionment of compensation done by the court or otherwise, the aggrieved party suffered due to a tort committed by many tort-feasors may get compensation from
1. Anyone of the tort-feasors
 2. Few of the tort-feasors
 3. All of the tort-feasors
- (a) Only 1 and 2 are correct (b) Only 2 and 3 are correct
(c) Only 1 and 3 are correct (d) All 1, 2 and 3 are correct
121. Which of the following is not a defence to the tort of Defamation ?
- (a) Self-defence (b) Truth (c) Privilege (d) Fair comment
122. The maxim 'ubi jus ibi remedium' means
- (a) Where there is a wrong, there is a remedy
(b) Hurt no one by your words of mouth or actions
(c) Exercise your right in such a manner so as not to interfere with others' rights
(d) None of the above
123. The Latin maxim 'Ex turpi causa non oritur actio' means
- (a) From a dishonourable cause, an action does not arise
(b) No recovery of damages if arisen from an illegal activity
(c) None of the above
(d) All of the above
124. 'An interference of a person's right to property without the owner's consent and without lawful justification' constitutes the tort of
- (a) Conversion (b) Negligence
(c) Nuisance (d) None of the above
125. 'A statement, which may not be defamatory, but an innocent one which contains a secondary meaning, enough to make it a defamatory and derogatory statement' is known as
- (a) Defamation (b) Innuendo (c) Libel (d) Slander
126. Article 300A deals with
- (a) State liability for breach of contract
(b) Right to property
(c) Civil services
(d) Doctrine of occupied field
127. Doctrine of Pith and substance is used to decide
- (a) Legislative competence (b) Executive competence
(c) Judicial competence (d) Collective responsibility



128. Article 253 deals with
(a) Doctrine of repugnancy
(b) The competency to make laws for implementing international treaties is vested with the parliament
(c) Doctrine of ancillary powers
(d) Distribution of powers
129. The Kellogg-Briand Pact was an agreement to outlaw war was signed in
(a) 1919 (b) 1920 (c) 1928 (d) 1945
130. Which is an international agreement regulating treaties between states, which is also known as the 'treaty on treaties' and establishes comprehensive rules, procedures, and guidelines for how treaties are defined, drafted, amended, interpreted, and generally operated and is considered a codification of customary international law and state practice concerning treaties ?
(a) The Hague Convention on the Law of Treaties (HCLT)
(b) The United Nations Convention on the Law of Treaties (UNCLT)
(c) The Vienna Convention on the Law of Treaties (VCLT)
(d) The Geneva Convention on the Law of Treaties (GCLT)
131. Which of the following statements is correct ?
(a) International Court of Justice (ICJ) comprises of 12 Judges.
(b) No two Judges may be the nationals of the same country at the same time.
(c) Term of a Judge of ICJ is five years.
(d) The current President of ICJ is Judge Peter Tomka.
132. Montevideo Convention codifies
(a) Piracy (b) Terrorism (c) Genocide (d) Statehood
133. Under the United Nations Convention on the Law of the Sea, the territorial sea of a State extends to
(a) 12 Miles (b) 12 Nautical Miles
(c) 200 Miles (d) 200 Nautical Miles
134. According to which concept of the law of the sea, a vessel may be allowed to pass through the archipelagic and territorial waters of another State, subject to certain restrictions ?
(a) Right to innocent passage (b) Right to sovereignty
(c) Right to self-determination (d) Right to territorial waters
135. Which institution is not established under the 1982 United Nations Convention on the Law of the Sea (UNCLOS) ?
(a) The International Tribunal for the Law of the Sea (ITLOS)
(b) The International Seabed Authority (ISA)
(c) The Commission on the Limits of the Continental Shelf (CLCS)
(d) The International Arbitral Authority for the Law of the Sea (IAALOS)



136. Declaratory theory is related to
(a) Recognition (b) Succession
(c) State responsibility (d) Self determination
137. In international law on treaties, the maxim 'Pacta tertiis nec nocent nec prosunt' means
(a) A treaty binds only the parties
(b) A treaty does not create obligations for a third state
(c) Both (a) and (b)
(d) None of the above
138. Which of the following countries has never been a permanent member of the United Nations Security Council ?
(a) Japan (b) France (c) China (d) USSR
139. In the Nicaragua case (1986), the International Court of Justice ruled the following :
I. Upheld the justification of self-defence set up by USA.
II. Rejected the justification of self-defence set up by USA.
III. Intervention of USA in supporting the Contras' rebellion was violative of customary international law.
IV. Intervention of USA in supporting the Contras' rebellion was legally justified.
(a) I and IV (b) II and III (c) I, III and IV (d) II and IV
140. Which of the following Human Rights is enshrined in both the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights ?
(a) Right to work (b) Right to life
(c) Right to equality (d) Right to self-determination
141. In which case it was held that the powers of the Security Council to recommend to members that they refer their case to the International Court of Justice did not involve an obligation to do so ?
(a) Corfu Channel Case (b) Monetary Gold Case
(c) Minorities School Case (d) Naughtybalm Case
142. The French Constitutional principle of *laïcité* is closest to which basic feature of the Indian Constitution ?
(a) Republicanism (b) Parliamentary form of Government
(c) Secularism (d) Independence of judiciary
143. While Truman Doctrine can be said to mark the beginning of, fall of the Berlin Wall marks the end of
(a) Communism (b) Socialism (c) Cold war (d) Capitalism



144. The doctrine of *rebus sic stantibus* in treaty law means
(a) Every treaty in force is binding upon the parties to it and must be performed
(b) Treaty is a source of international law
(c) Rules of international law automatically form part of municipal law
(d) A treaty becomes inapplicable due to fundamental change of circumstances
145. Which of the following is not a fair dealing exception to copyright infringement under Indian law ?
(a) Reporting of current events (b) Research
(c) Criticism or review (d) Promotion of industry
146. Under the Statute of International Court of Justice, the statement, "subject to the provisions of Article 59, judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law." – is found under
(a) Article 28 (b) Article 38 (c) Article 36 (d) Article 17
147. Peaceful settlement of international disputes under Chapter VI of the UN Charter provides for the following methods :
I. Hostile blockade
II. Economic sanctions
III. Judicial settlement
IV. Enquiry.
(a) I and II (b) III and IV
(c) None of the above (d) All of the above
148. Which specialised agency of the United Nations was also one of the essential wings of the League of Nations ?
(a) World Health Organisation
(b) World Trade Organisation
(c) International Labour Organisation
(d) Food and Agriculture Organisation
149. Tender years doctrine is a legal principle in family law dealing with
(a) Minimum legal age to marry
(b) Custody of child in divorce proceedings
(c) Statutory rape
(d) None of the above
150. In case of a marriage between parties which are within a prohibited relationship, the Hindu Marriage Act renders it
(a) Void (b) Voidable (c) Valid (d) None of the above



ALL INDIA LAW ENTRANCE TEST-2021
LL.M. ADMISSION TEST-2021

MASTER ANSWER KEY

Q.No.	Ans	Q.No.	Ans	Q.No.	Ans	Q.No.	Ans	Q.No.	Ans
1.	a.	31.	c.	61.	b.	91.	d	121.	a.
2.	d.	32.	d.	62.	b	92.	c	122.	d.
3.	d.	33.	b.	63.	b	93.	a	123.	a.
4.	a.	34.	b.	64.	c	94.	d.	124.	a.
5.	c.	35.	c.	65.	b	95.	a.	125.	b.
6.	b.	36.	b.	66.	b.	96.	b	126.	b
7.	c.	37.	a.	67.	d.	97.	b.	127.	a
8.	a.	38.	c.	68.	b.	98.	c.	128.	b
9.	b.	39.	c.	69.	d	99.	a.	129.	c.
10.	c.	40.	d.	70.	a	100.	b.	130.	c.
11.	b.	41.	c.	71.	d	101.	b.	131.	b.
12.	c.	42.	a.	72.	c	102.	a.	132.	d.
13.	a.	43.	d.	73.	a.	103.	b.	133.	b.
14.	c.	44.	c.	74.	a.	104.	b.	134.	a.
15.	d.	45.	c.	75.	a.	105.	d.	135.	d.
16.	a.	46.	a.	76.	a.	106.	a.	136.	a
17.	a	47.	c.	77.	a.	107.	c.	137.	c.
18.	b.	48.	d.	78.	d.	108.	a.	138.	a.
19.	c	49.	c.	79.	b.	109.	d.	139.	b.
20.	d.	50.	d.	80.	b.	110.	b.	140.	d.
21.	c.	51.	d	81.	d.	111.	d.	141.	a
22.	b.	52.	c.	82.	b.	112.	b.	142.	c.
23.	d.	53.	c.	83.	a.	113.	c.	143.	c.
24.	c.	54.	b.	84.	b.	114.	a.	144.	d.
25.	a.	55.	c.	85.	c.	115.	d.	145.	d.
26.	d.	56.	b.	86.	a.	116.	b.	146.	b
27.	b	57.	c	87.	c.	117.	a.	147.	b.
28.	c.	58.	a	88.	d.	118.	b.	148.	c.
29.	b.	59.	d.	89.	b.	119.	c.	149.	b.
30.	c.	60.	d.	90.	c.	120.	d.	150.	a.



LL.M. ADMISSION TEST – 2022

Question Booklet Sl. No.

Date of Exam. :	Center's Name :
Duration : 90 Minutes	Roll No. :
Max. Marks : 150	OMR Sheet No. :
	Date of Birth :

INSTRUCTIONS TO CANDIDATES

- No clarification on the Question Paper can be sought. Answer the questions as they are.**
- There are two (2) Sections (A and B) in this Question Booklet. Section A has 100 Multiple Choice Questions (MCQ) of one mark each to be answered in the OMR Response Sheet only. Section B has 10 Descriptive Questions and the candidate has to answer only two (2) questions of 25 marks each to be answered in the Answer Booklet **only with the BLACK/BLUE BALL POINT PEN**. No Additional Sheet/Answer Booklet will be provided. **Total marks are 150.**
- Candidates have to indicate the most appropriate answer by darkening one of the four responses provided, with **only BLACK/BLUE BALL POINT PEN** in the OMR Response Sheet.

Example : For the question, "Where is the Taj Mahal located ?"

- a) Kolkata b) Agra c) Bhopal d) Delhi

Right Method



Wrong Methods



- There will be Negative Marking for Multiple Choice Questions (MCQ). For every wrong answer 0.25 marks will be deducted.**
- Answering the question by any method other than the method mentioned above shall be considered wrong answer.
- More than one response to a question shall be counted as *wrong answer*.
- The candidate shall not write anything on the OMR Response Sheet and Answer Booklet other than the details required and in the spaces provided for.
- After the examination is over, the candidate can carry the Question Booklet along with candidate's copy of the OMR Response Sheet. Candidate will hand over the original OMR Response Sheet and Answer Booklet to the Invigilator.
- The use of any unfair means by any candidate will result in the cancellation of his/her candidature.
- Impersonation is an offence and the candidate, apart from disqualification, may have to face criminal prosecution.**
- Electronic gadgets like mobile phones, digital watch, pagers and calculators etc. are strictly not permitted inside the Test Centre/Hall.**
- The candidates shall not leave the hall before the end of the Test.**

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LLM

DO NOT WRITE HERE

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**SECTION – A : PART I – ENGLISH**

- I. Directions (Q. 1 – Q. 8) : Each set of questions in this section is based on the passage. The questions are to be answered on the basis of what is stated or implied in the passage. Choose the most appropriate answer; that is, the response that most accurately and completely answers the questions.**

It is undeniable that the Corona virus disease has taken the world by surprise. Governments radically forced guidelines that, in a matter of days, shut down businesses indefinitely and people found themselves compelled to abide by new norms. While the hygiene measures remained the same as for previous pandemics, the social distancing norms were particularly disruptive and made the experience unique.

To society, social distancing presents the dangers of increasing social rejection, growing impersonality and individualism, and the loss of a sense of community. It negatively affects learning and growth, and it prevents people from effectively socialising, which is a fundamental human need. First and foremost, the measures carried a strong psychological message, which is the fear of others, along with the idea that others are potential carriers of deadly germs and life-threatening diseases. The alarming rate of contamination and death from the virus contributed to establishing more panic and even paranoia among many.

What is particularly concerning is the fact that this psychological effect could potentially remain in our communities, even long after the pandemic. Whether this is at work, in restaurants, or in public spaces, our society has long been characterised by physical interactions between people. We are used to working in groups, going places, meeting new people, and making conversations with them on a daily basis. As we navigate through life, much of what fulfills us are the bonds we create with other people, and more often than not, those bonds materialise through physical interactions. Indeed, feeling insufficiently connected to others is associated with profound and lasting negative consequences on physical and mental health, even leading to increased mortality.

Physical interactions are an essential part of human social experience, and they are particularly important for the social development of young people. Indeed, young people flourish socially through connections and fulfilling relationships, which are also an integral part of their learning. By closing schools, the pandemic has prevented many children and adolescents from socialising with others. This has affected their ability to make quality connections, which impacts their personal growth. Long-term isolation leaves these basic human needs unsatisfied and ultimately affects mental health.

1. The uniqueness of the experience referred to in paragraph 1 primarily refers to
 - a) An experience which is exceptionally different from others because it was memorable.
 - b) An extraordinary realisation that the entire world is suffering.
 - c) The thrill of living one's life on one's own terms.
 - d) The compulsion to distance oneself from others was disturbingly unprecedented.
2. The passage indicates that social distancing norms
 - a) Had an overall detrimental impact on the people
 - b) Was imperative to save all lives
 - c) Were similar to hygiene norms adopted during earlier pandemics
 - d) Were extremely successful in preserving physical and social well-being
3. According to the passage, the core need of a human being is
 - a) Academic advancement
 - b) Advantageous socialising
 - c) Adhering to government directives
 - d) Self-preservation



4. Mankind finds its greatest fulfilment in
 - a) Earning its livelihood
 - b) The deep relationships forged by physical interaction
 - c) Striking conversations with other people
 - d) Surviving the pandemic
5. Which of the following statements best describe the relationship between the first and the final paragraph ?
 - a) The first paragraph expresses the author's concern and the final paragraph substantiates the idea.
 - b) The first paragraph outlines the issue and the final paragraph sums up the challenges.
 - c) The first paragraph discusses the issue while the final paragraph contradicts it.
 - d) The paragraphs are not related and convey different ideas.
6. The phrase "navigate through life" in paragraph 3 implies
 - a) Reaching milestones
 - b) Accomplishing goals
 - c) Finding a direction
 - d) Enduring trauma
7. What long term psychological impact is the author concerned about ?
 - a) People will get used to living in isolation even after the pandemic is over.
 - b) All social development of the young people will be stunted in the future.
 - c) Essential human interaction may not be viable as people will be more concerned about their individual safety.
 - d) Feeling disconnected from others may have a devastating impact on health and prove fatal.
8. Which one of the following statements most accurately expresses the main point of the passage ?
 - a) While social distancing norms were essential for containing the spread of the pandemic, they have had a damaging impact on the social interaction of people, especially the youth.
 - b) Social distancing norms imposed during the pandemic were followed more rigorously than before and therefore the emotional health of all the people has been affected.
 - c) Young people can make meaningful physical interaction possible despite the curbs imposed by social distancing.
 - d) It is better to allow human beings to mingle with each other for the betterment of their mental health rather than keeping them apart for the sake of their physical health.

II. Directions (Q. 9 – Q. 15) : Each question has a word followed by four choices. Select the word which is most similar in meaning to the given word.

9. Palliative
 - a) Restive
 - b) Festive
 - c) Curative
 - d) Furtive
10. Agog
 - a) Eager
 - b) Festive
 - c) Dreamy
 - d) Amiable
11. Gullible
 - a) Inclement
 - b) Trustful
 - c) Distracted
 - d) Conceited
12. Inure
 - a) Implore
 - b) Accustom
 - c) Enthral
 - d) Loathe



13. Percipient
a) Pragmatic b) Attentive c) Parsimonious d) Assiduous
14. Unanimous
a) Long discussion b) Joint venture c) Firm belief d) In agreement
15. Fatigue
a) Tiredness b) Unconcerned c) Careless d) Stubborn

III. Directions (Q. 16 – Q. 22) : Each question has a word followed by four choices. Select the suitable antonym.

16. Cogitate
a) Fail to grow b) Fail to think
c) Continue to perform d) Continue to complain
17. Reverent
a) Impolite b) Imbecile c) Confounded d) Unforgiving
18. Punctilious
a) Easygoing b) Vindictive c) Callous d) Inquisitive
19. Insouciant
a) Anxious b) Beleaguered c) Manipulative d) Vivacious
20. Ossify
a) Durable b) Flexible c) Dainty d) Resilient
21. Judicious
a) Imprudent b) Impudent c) Insolent d) Insolvent
22. Deride
a) Beautify b) Inspire c) Cleanse d) Command

IV. Directions (Q. 23 – Q. 29) : Choose the best word to fill in the blanks.

23. "Not to worry - our key witness has an _____ memory", the lawyer said.
a) Ginormous b) Infallible c) Dynamic d) Malleable
24. The actor's Oscar acceptance speech came off as 45 seconds of unabashed _____.
a) Rodomontade b) Harangue c) Sermon d) Exhortation
25. During lunch breaks, Sharad's co-workers invariably would listen to him _____ over him having left his village.
a) Dote b) Revel c) Lambast d) Repine
26. The Army along with the _____ factory has developed an indigenous system for lifting the 105 mm Light Field Gun (LFG) and hopes to bag a bulk production order.
a) Ordinance b) Ordnance c) Oriental d) Occidental
27. To prevent poisoning accidents among children, parents _____ medications in a locked cabinet.
a) Apprehend b) Wean c) Sequester d) Disengage
28. A _____ displays academic learning and is excessively concerned with minor details and rules.
a) Scholar b) Pedanti c) Lecturer d) Doctor
29. People who are _____ about their jobs will not take their work seriously.
a) Complacent b) Regular c) Keen d) Ambitious



30. The instructors at the camp were well-equipped to handle first time trekkers who could go green around the gills.
a) Become over excited
b) Get lost in the woods
c) Quit because of fear
d) Look sick

31. Harry Kumar was named the best new director of 2010 but his career was a flash in the pan.
a) Ridden with scandals
b) Sabotaged by rivals
c) Failed after a promising start
d) Strongly criticised

32. After the heart attack, Suresh's decision to go cold turkey with smoking backfired.
a) Refusal to buy
b) Stop abruptly
c) Withdraw quietly
d) Forfeit amicably

33. Without doubt, it is the leadership whom we naturally call on the carpet first for anything untowards that happens.
a) Criticise
b) Interrogate
c) Honour
d) Deliberate

34. The Municipal Council wants residents to pony up for overstaying their lease period.
a) To pay one's debt
b) To make alternate arrangement
c) To vacate quickly
d) To transfer property

35. Asking your grandmother to sell her ancestral home is like beating a dead horse.
a) Being extremely cruel
b) Cheating someone
c) Acting selfishly
d) Reviving a hopeless issue

36. The new marketing campaign is not a patch on our classic old ads.
a) Irreplaceable
b) Comparable to
c) Greatly inferior to
d) Contradictory to

37.
 - a) Under no circumstances should one go swimming in the rivers during monsoons.
 - b) Under no circumstances one should not go swimming in rivers during monsoons.
 - c) Under no circumstances one should be swimming in the rivers during monsoons.
 - d) Under no circumstances should go swimming in rivers during the monsoons.
38.
 - a) Though many people do not consider it harmful, texting while driving is the most common cause of accidents.
 - b) Many people do not consider it harmful as texting while driving is commonly the cause of most accidents.
 - c) Although many people do not consider it harmful, texting while driving is the most common cause of accidents.
 - d) Although many people do not consider it harmful, texting while driving is cause for common accidents.
39.
 - a) It's turning out to be the hottest season I've ever experienced.
 - b) Its turning out to be the hottest season I have experienced.
 - c) It's turning out to be hottest season I will have ever experienced.
 - d) It's turning out to be the hottest season I'll ever experienced.
40.
 - a) Beautiful or healthy indoor plants were the perfect way to fill your home with life and colour.
 - b) Beautiful and healthy indoor plants are a perfect way which fill your home with life and colour.
 - c) Beautiful, healthy indoor plants are the perfect way to fill your home with life and colour.
 - d) Beautiful, healthy indoor plants are perfect ways to fill your home with life and colour.



41. a) The healthy diet did not mean depriving oneself of the foods you love.
b) A healthy diet does not mean depriving oneself the foods you love.
c) Healthy diet does not mean depriving of oneself the foods one loves.
d) A healthy diet does not mean depriving oneself of the foods one loves.
42. a) Often people do not make a will because they are confused by the lengthy legal jargon.
b) People do not often make a will because they become confused by the lengthy legal jargon.
c) Often people did not make the will because they will be confused by lengthy legal jargon.
d) People do not make a will often because they are confused by a lengthy legal jargon.
43. a) Connection with potential love interest online can be exciting but it can also come with potential risks.
b) Connecting with potential love interests online can be exciting but it can also come with potential risks.
c) Connecting with potential love interests online must be exciting but it also can come with potential risks.
d) In connection with potential love interest online is exciting but also it has come with potential risks.

VII. Directions (Q. 44 – Q. 50) : Choose the option which best expresses the meaning of the foreign expression given below.

44. *Ad infinitum*
a) Multiple benefits
b) Definite conclusion
c) Tried several times
d) Without end
45. *Ipso facto*
a) By the very fact b) This very year c) Invalid fact d) Logical conclusion
46. *Sine die*
a) Death before signing the will
b) No fixed date to resume
c) Incorrect argument
d) Social position
47. *Status quo*
a) Position in society
b) Uncertain future
c) Maintain present state
d) Excellent condition
48. *Carte Blanche*
a) Full discretionary powers
b) No legal authority
c) Blank cheque
d) Beyond control
49. *Ex gratia*
a) Compensation for work
b) Salary before quitting
c) Payment as a favour
d) Timely remuneration
50. *Amicus Curiae*
a) Cross questioning
b) Beyond all proportion
c) Appointment for hearing
d) Friend of the court

**PART II – LEGAL REASONING**

Direction : Certain legal principles and specific factual situations are provided in each of the following questions. Apply the principles to the given facts and select the most appropriate answer.

51. **LEGAL PRINCIPLE :** A statement is defamatory in nature if it is injurious to a person's reputation and if the statement has been published.

FACTUAL SITUATION : Aneesh had been dating a girl named Amita for three weeks. But he had introduced himself to her as Amay Thakur (who is one of Amita's friends) and he continued to be Amay for the rest of their relationship. But ultimately the relationship ended badly and Amita being upset and angry at Aneesh started a website named 'Amay-thakur-is-a-jerk.com'. She created this website so as to warn other girls about Amay Thakur. The real Amay Thakur files a suit for defamation. Decide.

DECISION :

- a) Amita shall be held liable for defamation as she published a statement which was injurious to Amay's reputation.
- b) Aneesh shall be held liable as he had led Amita into thinking that he was Amay Thakur and moreover, it was his fault in the first place that made Amita create this website.
- c) Amita cannot be held liable as she had actually been referring to Aneesh and not the real Amay Thakur.
- d) Amita cannot be held liable as her act was done in good faith as she intended to warn other girls.

52. **LEGAL PRINCIPLE :** Whoever dishonestly misappropriates or converts to his own use any moveable property is guilty of criminal misappropriation of property.

FACTUAL SITUATION : X finds a government note belonging to Y, bearing a blank endorsement. X knowing that the note belongs to Y, pledges it with a banker as a security for loan, intending to restore it to Y at a future time. Has X committed criminal misappropriation ?

DECISION :

- a) Yes, since he deprived Y from using his property and used it for his own use.
- b) No, since he intended to return the property to Y in the future.
- c) No, it is theft and not criminal misappropriation.
- d) Yes, since he deprived Y from using his property.



53. LEGAL PRINCIPLE : A master shall be liable for the acts of his servants done in the course of employment.

FACTUAL SITUATION : PAL, a public sector undertaking, is operating a number of bus services for its employees in Pune. These buses are quite distinct in their appearance and carry the board 'for PAL employees only'. M, a villager from neighboring state, was waiting for a regular bus in one of the bus stops in Pune. A bus belonging to PAL happened to stop nearby and number of people got into the bus. M, without realizing that it was PAL bus, got into the bus and soon thereafter, the bus met with an accident due to driver's negligence. M, along with several others, was injured in the accident. M seeks to file a suit against PAL claiming damages.

DECISION :

- a) M will succeed, because he got into the bus without realizing that it was PAL bus.
- b) M will not succeed, because it was for him to find out whether it was a public transport.
- c) M will succeed, because the driver was anyhow duty-bound to drive carefully.
- d) PAL is not liable as the bus met with an accident due to driver's negligence.

54. LEGAL PRINCIPLE :

1. Offer is a proposal made by one person to another to do an act or abstain from doing it. The person who makes the offer is known as the promisor or offeror and the person to whom an offer is made is known as the promisee or the offeree.
2. A contract comes into being by the acceptance of an offer. When the person to whom the offer is made signifies his consent thereto, the proposal is said to be accepted and the parties are at consensus ad idem regarding the terms of the agreement.

FACTUAL SITUATION : In Dec. 2019, a convicted murderer who was sentenced to death escaped from the custody of Mukesh, a prison official. Mukesh later offered a reward of INR 50,000 to anyone who captured the fugitive and returned him to the authorities. In Jan. 2020, without knowledge or notice of the reward, Rohan captured the fugitive and took him to Mukesh's jail house. Mukesh refused Rohan's demands for the reward money. Rohan filed a case against Mukesh to recover the reward. Mukesh alleges that there is no contract between Mukesh and Rohan.

- a) A mere offer or promise to pay did not give rise to a contract. Rather, the assent or meeting of two minds gave rise to a contract, and therefore it was not complete until the offer was accepted. Having notice or knowledge of the existence of the reward when he captured the fugitive is essential to his right to recover the reward offered by Mukesh.
- b) The act of capturing the fugitive was acceptance of the offer of reward through conduct and so a valid contract is entered upon.
- c) There was an offer by Mukesh and acceptance by Rohan and it is immaterial whether Rohan had notice or knowledge of the existence of the reward when he captured the fugitive.
- d) Such an offer, like the reward here, could be accepted by anyone who performs the service called for, when the acceptor knows that it has been made and acts in performance of it.



55. LEGAL PRINCIPLE : When one person signifies to another his willingness to do or abstain from doing anything, with a view to obtaining the assent of that person to such an act or abstinence, he is said to have made a proposal.

FACTUAL SITUATION : Mohan sends a telegram to Sohan, writing: "*Will you sell me your Rolls Royce car ? Telegram the lowest cash price.*" Sohan also replied by telegram: "*Lowest price for car Rs. 20 lakh.*" Mohan immediately sent his consent through telegram stating: "*I agree to buy the car for Rs. 20 lakh asked by you.*" Sohan refused to sell the car.

DECISION :

- a) He cannot refuse to sell the car because the contract has already been made.
- b) He can refuse to sell the car because it was only invitation to offer and not the real offer.
- c) It was not a valid offer because willingness to enter into a contract was absent.
- d) It was not a valid contract as offer and acceptance is conveyed through telegram.

56. LEGAL PRINCIPLE : A person is said to be of sound mind for the purpose of making a contract if, at the time when he makes it, he is capable of understanding it and of forming a rational judgement as to its effect upon his interests.

FACTUAL SITUATION : Mr. Xiu who is actually of sound state of mind, but occasionally of unsound state of mind, enters into a contract with Mr. Yan when he was of unsound state of mind. Mr. Yan having come to know about this fact afterwards wants to file a suit against Mr. Xiu.

DECISION :

- a) Mr. Xiu cannot enter into contract because he is of unsound state of mind when he entered into contract.
- b) Mr. Xiu can enter into contract but the burden is on the other party to prove that he was of unsound state of mind at the time of contract.
- c) Mr. Xiu can enter into contract but the burden is on Mr. Xiu to prove that he was of sound state of mind at the time of contract.
- d) Contract with a person of unsound mind is void.



57. **LEGAL PRINCIPLE :** Ignorance of fact is excused but ignorance of law is not an excuse to criminal liability.

FACTUAL SITUATION : Abhay was a passenger from Frankfurt to Jakarta on a Lufthansa plane. When the plane landed at the Mumbai Airport on 24 November 2021 it was found on searching that Abhay carried 34 kg of gold bars on his person and that he had not declared it in the 'Manifest of Transit'. On 22 November 2021, the Government of India had issued a notification modifying its earlier exemption, making it mandatory that gold must be declared in the "Manifest" of the aircraft.

DECISION :

- a) Abhay cannot be prosecuted because he had actually no knowledge about the new notification issued two days ago.
 - b) Abhay cannot be prosecuted because of ignorance of fact is excusable.
 - c) Abhay can be prosecuted because ignorance of law is not excusable.
 - d) Abhay's ability would depend on the discretion of the court.
58. **LEGAL PRINCIPLE :** Any direct physical interference with goods in somebody's possession without lawful justification is called trespass of goods.

FACTUAL SITUATION : Z purchased a car from a person who had no title to it and sent it to garage for repair. X believing wrongly that the car was his, removed it from the garage. Has he committed any offence ?

DECISION :

- a) X cannot be held responsible for trespass of goods as he was under a wrong belief.
- b) X can be held responsible for trespass of goods.
- c) Z has no right over the car as he purchased it from a person who had not title over it.
- d) None of the above



59. **LEGAL PRINCIPLE :** No confession made to a Police Officer, shall be proved as against a person accused of any offence.

FACTUAL SITUATION : Thanu was accused of having murdered Vinu over a property dispute. After arrest, Thanu made a confession to the Inspector that she had in fact murdered Vinu. The confessional statement of Thanu was written on a paper and Thanu signed the same. The police carried on further investigation but were not able to find any other evidence to produce before the court. Can the confessional statement signed by Thanu be proved in court ?

- a) No, such a confessional statement cannot be proved since the confession was made to a Police Officer.
- b) Yes, such a confessional statement can be proved since it is not an oral confession. It has been duly signed by Thanu and hence there is no doubt that she made the confession herself.
- c) Yes, since there is no other evidence, it is necessary to rely on this statement or else a serious offender will escape the clutches of criminal law.
- d) Both b) and c)

60. **LEGAL PRINCIPLE :** Whoever dishonestly takes away any property from the possession of another, with an intention of such taking away, without his permission is liable for theft.

FACTUAL SITUATION : Raja, a famous gangster, moves into an apartment in Kankurgachi, Calcutta. There, he discovers that the previous owner of the apartment had left behind a pair of beautiful ivory handled combs. Mesmerized by their beauty and confused as to whom he should be returning them to, he decides to retain them and starts using them. The previous owner of the combs gets to know this and registers an FIR for theft against Raja. Is Raja liable ?

DECISION :

- a) Raja is liable for theft as he failed to return the property even when he knew it was someone else's property.
- b) Raja is not liable as he has not taken it away from anyone else's possession and there was no dishonest intention.
- c) Raja is liable as you don't expect anything better from a gangster.
- d) Raja is not liable as he was confused as to whom he should be returning the property to.



61. **LEGAL PRINCIPLE :** The state shall make special laws for the upliftment of citizens of the country, and these laws can be made for the benefit of any specific caste, class or sex of people living in the society.

FACTUAL SITUATION : The state of Hindu Pradesh comes out with a law, which provided for reservation to Muslims in all government and government aided institutions. This law is challenged in the High Court of Hindu Pradesh, as being arbitrary and contrary to the established laws. Can the challenge be successful ?

DECISION :

- a) Yes, since people from other religions would also start making such demands, which would jeopardize the unity and integrity of the country.
- b) No, since the state has the right to make special laws for the upliftment of the citizens of the country.
- c) Yes, since the state has not been mandated to make reservation, based on a person's religion.
- d) No, since the Government cannot neglect the minorities.

62. **LEGAL PRINCIPLE :** The master/principal is liable for all acts done by his duly appointed servant/agent for all acts done by him lawfully in the course of his employment.

FACTUAL SITUATION : A, B, C and D carried on a business in partnership. While making a deal with another company, B bribed the clerk there. Is the partnership firm vicariously liable ?

DECISION :

- a) No, as bribing is not in course of employment of the partners.
- b) Yes, as partners are agents of the firm.
- c) Yes, as B can be said to have implied authority for the same.
- d) No, as this act was not authorised by the others.

63. **LEGAL PRINCIPLE:** A contract which is impossible to perform becomes void.

FACTUAL SITUATION : Surender agreed to deliver specific quality of rice to Sonakshi identified by both of them. Before delivery, the rice was burnt by short circuit. Is Surender discharged from the performance of the contract ?

DECISION :

- a) Surender is discharged from performance as the subject matter of the contract is destroyed.
- b) Surender is discharged from performance as the subject matter had been specifically identified.
- c) Surender is not discharged from performance as he can procure rice from other sources.
- d) None of the above



64. LEGAL PRINCIPLE : Whoever stores a substance which could cause damage on escape shall be absolutely liable (i.e. liable even when he has exercised necessary care) for any damage caused by the escape of the substance.

FACTUAL SITUATION : Union Carbide India Limited (UCIL) manufactured methyl isocyanate, an extremely toxic gas. Due to a storm, the gas that was being stored in sealed containers got released. Before much could happen, the local municipal authorities managed to contain the disaster. The authorities filed a suit against UCIL for the costs that were incurred in decontamination. However, later it was realized that the clean-up by the authorities could have been done without spending as much resources and the damage was not that significant. UCIL argued that it would pay only part of the amount demanded by the authorities, which could have dealt with the contamination.

DECISION :

- a) UCIL is liable only to the extent of contamination caused. It does not need to pay the authorities the entire amount demanded by them.
- b) The authorities are entitled to the whole sum, as UCIL shall be held liable for all the repercussions of their act even if they had exercised due care.
- c) UCIL can plead that the escape of the gas had been caused by a storm and not due to its own negligence. It was an inevitable accident.
- d) The municipal authorities should have analyzed the damage first before jumping into action. It was due to their own negligence because of which they had to shell out more than required.

65. LEGAL PRINCIPLE : Nobody shall unlawfully interfere with a person's use or enjoyment of land, or some right over, or in connection with it. The use or employment, envisaged herein, should be normal and reasonable taking into account surrounding situation.

FACTUAL SITUATION : Jogi and Prakash were neighbors in a residential locality. Prakash started a typing class in a part of his house and his typing sound disturbed Jogi who could not put up with any kind of continuous noise. He files a suit against Prakash.

DECISION :

- a) Prakash is liable, because he should not have started typing class in his house.
- b) Prakash is liable, because as a neighbor, he should have realized Jogi's delicate nature.
- c) Prakash is not liable, because typing sound did not disturb anyone else other than Jogi.
- d) None of the above



66. LEGAL PRINCIPLE :

1. Whoever causes death by doing an act with the intention of causing death or with the intention of causing such bodily injury as is likely to cause death or with the knowledge that he is likely by such act to cause death commits the offence of culpable homicide.
2. Mens rea and actus reus must concur to the result in a crime which is punishable by the law.

FACTUAL SITUATION : A and B went for shooting. A knew Z to be behind a bush. B does not know it. A induces B to fire at the bush. B fires and kills Z. Has an offence been committed ?

DECISION :

- a) A had mens rea but not actus reus. B had actus reus but no mens rea. No one is guilty.
- b) A induced B to fire at the bush with the knowledge that Z is there. A is guilty of culpable homicide but B is not guilty of any offence.
- c) Both A and B are guilty.
- d) None of the above

67. LEGAL PRINCIPLE :

1. The crime of kidnapping involves taking someone away from the custody of their lawful guardian.
2. The crime of abduction involves inducing or forcing somebody to go away from some place against their will.

FACTUAL SITUATION : A steals B's slave. Is it a crime ?

Type of crime :

- I. Kidnapping
- II. Abduction
- III. Neither

Reason :

- A. Slavery is illegal.
- B. A has taken him away from B's lawful custody.
- C. A has forced somebody to go with him against his will.

DECISION :

- a) I(B)
- b) II(C)
- c) III(A)
- d) I(A)



68. **LEGAL PRINCIPLE :** Whoever delivers to another person as genuine any counterfeit currency which he knows to be counterfeit, but which that other person is not aware of at the time when he received it, is guilty of counterfeiting currency.

FACTUAL SITUATION : While returning home one day, Roshni realizes that the local shopkeeper has given her a fake note of Rs. 1,000. Disappointed, she goes to the same shop and buys cosmetics worth Rs. 600. She then passes the same fake note to the shopkeeper. The shopkeeper while inspecting the note finds out that it is fake. Is Roshni guilty ?

DECISION :

- a) No, as she was merely attempting to return the note to the same shopkeeper who gave her the note.
- b) No, she is not guilty of any offence as neither did she manufacture the note nor did she circulate it with a view to deceive the public.
- c) Yes, as she attempted to pass on a note which she knew was counterfeit.
- d) No, the shopkeeper is guilty as he was the one who circulated the counterfeit note to Roshni.

69. **LEGAL PRINCIPLE :**

- 1. To constitute a punishable criminal offence, guilty intention must accompany an illegal act.
- 2. Criminal mischief means causing damage to public property intentionally or with the knowledge that harm may occur.

FACTUAL SITUATION : Neel being a Shahrukh Khan fan went to the premier of the movie, Happy New Year. As usual, he carried his pen-knife, a gift from his dead mother. At the security check, impatient of waiting in the queue, Neel slunk past the guards and the metal detector when no one was watching. Later, he was apprehended in the hall and charged for mischief and possession of a weapon when it was expressly forbidden.

DECISION :

- a) Neel is not criminally liable since he had no intention to commit mischief.
- b) Liable for possession of the weapon since it was expressly forbidden and mere possession was enough; although he might not be liable for mischief as he did not do anything.
- c) Neel is not liable since the pen knife had an emotional value and rather the guards should be punished for the security breach.
- d) Liable for both possession of the weapon and criminal mischief since he slunk past the guards which shows his intention to commit the crime.



70. **LEGAL PRINCIPLE :** Only Parliament or State Legislatures have the authority to enact laws on their own. No law made by the State can take away a person's fundamental right.

FACTUAL SITUATION : Parliament enacted a law, which according to a group of lawyers is violating the fundamental rights of traders. A group of lawyers files a writ petition challenging the Constitutional validity of the statute seeking relief to quash the statute and further direct Parliament to enact a new law.

DECISION :

- a) The court can quash the existing law if it violates fundamental rights but cannot direct Parliament to make a new law.
- b) The court can quash existing law if it violates fundamental rights and can direct Parliament to make a new law.
- c) No writ would lie against Parliament, as the court has no authority to direct Parliament to enact or re-enact a law.
- d) The court cannot quash the law as reasonable restrictions can be put on the fundamental rights.

71. **LEGAL PRINCIPLE :** Necessity knows no law, and any person facing danger may do all that is necessary to avert the same till he can make recourse to public authorities.

FACTUAL SITUATION : Akshay, a law abiding citizen decided to remove the weed of corruption from Indian society. One day, confronted with a bribing official, Akshay decided to teach him a lesson and punched him on his face.

DECISION :

- a) Akshay can plead defense of necessity as bribing is a crime.
- b) Akshay cannot plead defense of necessity as there was no necessity to act in the manner he acted.
- c) Akshay can plead defense of necessity as aware and vigilant citizenry forms the basis of a good democracy.
- d) Akshay can plead defense of necessity as there was no time to take recourse to public authorities.



72. LEGAL PRINCIPLE :

1. Preparation to commit an offence is not an offence.
2. After one has finished preparation to commit an offence, any act done towards committing the offence with the intention to commit it, is an attempt to commit the offence which is by itself an offence.

FACTUAL SITUATION : A wanted to kill B and had therefore gone to the market to buy explosives to plant in his house. After A has planted the bomb, he felt guilty and he went back to remove the bomb but while he was doing so, B saw him and called the police. Can A be held liable ?

DECISION :

- a) Yes, because he has done something more than mere preparation.
- b) No, because B did not die.
- c) Yes, because there existed a mala fide intention.
- d) No, because he had removed before anything could happen.

73. LEGAL PRINCIPLE : A reasonable classification having nexus with the object sought to be achieved is not violative of Article 14 or Article 16 of the Constitution of India.

FACTUAL SITUATION : 'X' is a male teacher in a women's college, who applied for the post of Principal of that college. His candidature was rejected on the basis of the Government policy of appointing only women as Principal of a women's college. 'X' challenges the policy on the ground of discrimination. Whether the challenge is sustainable ?

DECISION :

- a) Yes, because rejection of X's candidature amounts to sexual discrimination and deprivation of opportunity.
- b) No, the rejection does not amount to the discrimination since it is a reasonable classification permissible under the Constitution.
- c) No, because the policy of appointment of only lady Principal in a women's college is a reasonable classification having a nexus with the object sought to be achieved.
- d) Yes, because the policy is violative of the guarantee of equality before law under Article 14 of the Constitution.



74. **LEGAL PRINCIPLE :** Any institution or body can be a 'State' if it is created under the Constitution or a statute; or if it is substantially financed by the Government; or the Government holds its share capital.

FACTUAL SITUATION : K approached the High Court by filing a writ petition against the Board for Control of Cricket in India (BCCI). The argument advanced was BCCI is a 'State' within the meaning of Article 12 of the Constitution of India. The question is whether the argument is acceptable ?

DECISION :

- a) Yes, because the Board has monopoly on cricket in India.
- b) No, because the monopoly on cricket is neither State conferred nor State protected.
- c) No, because the control of BCCI, if any, is only regulatory.
- d) No, because neither the Board is created under a statute nor any part of share capital of the Board is held by the government and no financial assistance is given by the government to the Board.

75. **LEGAL PRINCIPLE :** A suit shall be instituted in the court within whose jurisdiction the cause of action arises; or the defendant actually and voluntarily resides or carries on business, or personally works for gain.

FACTUAL SITUATION : 'Y' carries on business in Mumbai. 'Z' carries on business in Delhi. 'Z' buys goods of 'Y' in Mumbai through his agent and request 'Y' to deliver them at Delhi. Accordingly, 'Y' delivered the goods at Delhi. But he did not get the price of the goods delivered in Delhi. Therefore, he intends to move the Civil Court for recovery of amount of 'Z'. Which court may 'Y' approach ?

DECISION :

- a) 'Y' may institute the suit either at Delhi where 'Z' carries on business or at Mumbai where the cause of action arose.
- b) 'Y' may institute the suit at Delhi where 'Z' carries on business.
- c) 'Y' may institute the suit simultaneously at Delhi where 'Z' carries on business and at Mumbai where the cause of action arose.
- d) 'Y' may institute the suit at Mumbai where the cause of action arose.



76. LEGAL PRINCIPLE : The acceptance of an offer will be valid only if it is made in the way it was expected to be made.

FACTUAL SITUATION : There was a telephonic discussion between 'J' and 'K' for negotiating the sale of the shop of former to the latter. Upon reaching an agreement as to the price of the shop of 'J' at Rs. 20 lakh, 'J' told 'K' to send a letter to him within two weeks confirming that she wishes to buy the shop for price finalized. Two days thereafter, 'K' gave her acceptance to 'J' over telephone but sent the letter of confirmation after lapse of one month. Is 'J' bound by acceptance of 'K' ?

DECISION :

- a) Yes, because the acceptance was conveyed within two weeks over telephone and it was followed by a letter of acceptance as stipulated.
- b) No, because although the acceptance over telephone was conveyed in time but not in the mode specified and the letter of acceptance was also not sent within two weeks.
- c) No, because sale of immovable property cannot be finalized online; neither any acceptance can be given over phone. Hence, the entire negotiation is invalid.
- d) Yes, because no law can compel the purchaser to give his acceptance through the mode prescribed by the vendor.

77. LEGAL PRINCIPLE : A power conferred by a statute cannot be withdrawn by a subordinate legislation.

FACTUAL SITUATION : The Cinematograph Act conferred powers upon the District Magistrate (DM) to grant license subject to the control of the government. The government framed Rules under the said Act. The effect of these Rules was that the licensing power stood transferred to the Government itself and the District Magistrate was rendered powerless. Whether such Rules are valid ?

DECISION :

- a) The licensing power was granted by the Cinematograph Act. Any withdrawal of transfer thereof was possible only through an Amending Act and not by any Rules made under the Parent Act.
- b) Although the legislature has conferred power upon the DM to grant license but the government being the implementing agency might find it unfeasible. Therefore, the government rightly withdrew it from the DM.
- c) The Rules are valid since these are framed under the Parent Act in order to better implement it.
- d) The Rules are valid since the DM under the Parent Act was not independent but subject to the control of Government.



78. **LEGAL PRINCIPLE :** Clause (1) of Article 15 of the Constitution of India prohibits the State from discriminating between citizens on the ground only of religion, race, caste, sex, place of birth or any of them.

FACTUAL SITUATION : The admission Rules of an Engineering College located in XYZ State of India provided that no capitation fee shall be charged from the residents of the XYZ state but non-residents shall be required to pay capitation fee. Whether the Rules are violative of Article 15 (1) of the Constitution ?

DECISION :

- a) Yes, because the Article 15 (1) prohibits discrimination between citizens on the ground only of religion, race, caste, sex, place of birth or any of them.
- b) Yes, because the Article 15 (1) prohibits discrimination on the basis of place of birth which impliedly includes place of residence.
- c) Yes, because Article 15 (1) prohibits discrimination between citizens on the ground only of religion, race, caste, sex, place of birth and the provision suffers from *causus omissus* and “place of residence” is inadvertently omitted.
- d) No, because Article 15 (1) does not prohibit discrimination based on the place of residence.

79. **LEGAL PRINCIPLE :** In the employer – employee relationship, the employer is held liable for all the wrongs committed by his employees in the course of employment.

FACTUAL SITUATION : David was employed as a Driver in ABC & Co over the past 15 years and has been appreciated by the General Manager for his hard work and sincerity. He has been rewarded by the company for his accident free record. David's younger brother wanted to join the same company as a driver. He obtained a Learner's Licence, joined a Driving School and was learning driving during the last three months. He was on the verge of completion of the training and wanted to have more practice before the driving test. He requested his brother David for using the Company's car for two days. David allowed him to use the office car for the practice. While he was practising driving, a truck came from the wrong side, hit the company's car driven by David's brother, which in turn hit a pedestrian and injured him. The pedestrian sues the company for damages.

DECISION :

- a) The Company is not liable as it was driven by his David's brother.
- b) The Company is liable as David allowed his brother to drive the car.
- c) David's brother is personally liable.
- d) The Company can shift the responsibility on to the truck driver.



80. **LEGAL PRINCIPLE :** No person shall be deprived of his life or personal liberty except according to procedure established by law and Civil Courts have coercive powers to compel attendance of witness only within its local territory.

FACTUAL SITUATION : Puchu, a resident of Faridabad was summoned by the Delhi High Court as a witness in a civil case regarding wrongful possession of immovable property filed by Amu against Kichu. He refused to appear before the court due to his office job. He was prosecuted by the court. Is he liable ?

DECISION :

- a) He is not liable because he is not the resident of Delhi.
- b) He is not liable because he has fundamental right under Article 21 of personal liberty.
- c) He is liable because he is called as a witness in a civil trial and it is a procedure established by law.
- d) He is not liable because he has no interest in the suit property.

81. **LEGAL PRINCIPLE :** Article 19 (1) (g) of the Constitution of India guarantees to all citizens the right to practice any profession, or to carry on any trade, occupation and business but Article 19 (6) empowers the State to impose reasonable restrictions on this right in the interest of public.

FACTUAL SITUATION: Having experienced acute shortage of labor for agricultural purpose due to engagement of agricultural laborer in manufacture of Bidis, the State Government enacted a law to prohibit such engagement of agricultural labor in the manufacture of Bidis. Whether the law violates the constitutional Provisions ?

DECISION :

- a) No, because the law is a reasonable restriction in the interest of public. If laborers would not be available for agricultural purposes there can be shortage of food grains and wastage of crops.
- b) No, because Bidis are harmful for health of people so any law preventing people from engaging in manufacture of Bidis is in the interest of public.
- c) Yes, because the law imposes an unreasonable restriction as it indirectly makes the two sectors (manufacture of Bidis and agriculture) alternative options for the laborers where as some people would like to work in both of these.
- d) Yes, because the objects ought to be achieved by this law is to keep sufficient labor supply for agricultural purpose, which could have been easily achieved by restraining the employment of agricultural labor in Bidi manufacturing during the agricultural season only. Absolute restriction amounts to withdrawal of the right. Hence, the law is unconstitutional.



82. LEGAL PRINCIPLE : When a person unlawfully intervenes in the chattel of another person by which the latter is deprived of its use, the former commits the tort of conversion. And nobody shall enrich himself at other's cost.

FACTUAL SITUATION : X, a patient suffering from fibroids in her uterus approached KLM Medical Institute. X was suggested to undergo surgery to remove the fibroids from her uterus. The operation was successfully performed and X was discharged after few days. One of the researchers of the KLM Institute discovered some rare and unique cells in the fibroids of X and using these cells, the laboratory of KLM developed some life-saving drugs and earned twenty crore rupees from a leading international pharma company. When X came to know about it she claimed five crore from the Institute.

DECISION :

- a) KLM institute need not share its income with X because X was far from being deprived of the use of her fibroids and was actually benefitted by its removal.
- b) KLM institute need not share its income with X because the medical institute instead of destroying the waste fibroids of X conducted research on its own and invented new life-saving drugs.
- c) KLM institute must share its income with X because KLM could not have achieved its success without the fibroids of X.
- d) KLM institute must share its income with X on moral grounds.

83. LEGAL PRINCIPLE : A judgment which binds only the parties to a suit in which the judgment was passed is called judgment *in personam*; whereas a judgment which binds all people irrespective of whether they were party to suit or not is known as judgment *in rem*.

FACTUAL SITUATION : Comment on the correctness of this statement: "Judgment of a competent court determining contractual obligations of the parties to a contract is an example of judgment *in personam*; but a judgment of a competent court declaring a party to be insolvent is an example of judgment *in rem*."

DECISION :

- a) The statement is incorrect because a judgment relating to contract is a judgment *in rem* as it binds both the parties to the suit as well as the strangers. But a judgment relating to insolvency applies only to the person who has been adjudged to be an insolvent; hence it is a judgment *in personam*.
- b) The Statement is wrong as both the judgments are judgments *in rem* as both bind not only the parties to the suit but also others.
- c) The Statement is wrong as both the judgments are judgments *in personam* as both the judgments bind not only the parties to the suit but not the others.
- d) The statement is correct.



84. LEGAL PRINCIPLE : According to Article 20 (1) of the Constitution, no person shall be convicted of any offence except for violation of the law in force at the time of the commission of the act charged as an offence, nor be subjected to a penalty greater than that which might have been inflicted under the law in force at the time of the commission of the offence.

FACTUAL SITUATION : 'P' was charged with an offence punishable with imprisonment for a term of one year. The Magistrate convicted him and awarded him a punishment of one year imprisonment. While 'P' was undergoing the sentence, the law under which 'P' was convicted came to be amended and the punishment for the offence of which 'P' was convicted was reduced to six months. The defense filed an application to the Magistrate for review of sentence and to commute it to six months. Can the application be allowed ?

DECISION :

- a) No, because penal laws only have prospective application.
- b) No, because a penal statute cannot be given retrospective effect.
- c) No, since at the time of coming into force of the amended law, 'P' was already suffering the sentence and had not completed the full term. Hence, his case should not be dealt under the new law.
- d) Yes, because retrospective application of criminal law if it is beneficial to the accused is not against Article 20 (1) of the Constitution.

85. LEGAL PRINCIPLE: The acceptance must be absolute and unqualified, leaving no ground for doubt or uncertainty. If the acceptance is conditional, no valid contract is formed, and the offer can be withdrawn at any moment till the absolute acceptance has taken place within reasonable time of such offer.

FACTUAL SITUATION : Delhi Government conducted an auction for the sale of license of wine shop. X offered the highest bid which was provisionally accepted "...subject to the confirmation of Chief Commissioner who may reject any bid without assigning any reasons." Since X failed to deposit the required amount, Chief Commissioner rejected the bid. The government held X liable for the difference between the bid offered by him and the highest bid accepted in re-auction, and commenced proceedings for the recovery of the sum. It was contended on behalf of the government of Delhi that X was under a legal obligation to pay the difference as it was due to his default that a resale of the excise shop was ordered and hence X was liable for the deficiency in price and all expenses of such resale which was caused by his default.

Decide, giving reason, whether X is liable to make payment to the Delhi Government.

- a) No, X is not liable to make payment as the shop was sold to the highest bidder.
- b) X is liable to pay because the Government of Delhi has to conduct re-auction and also suffered loss in the sale of the shop.
- c) X is liable because his bid was accepted but he failed to deposit the required amount on time.
- d) No, contract for sale was not complete till the bid was confirmed by the Chief Commissioner and till such confirmation: the bidder was entitled to withdraw the bid.



86. LEGAL PRINCIPLE : Employers/Principles are vicariously liable, under the *respondent superior* doctrine, for negligent acts or omissions by their employees/agents in the course of employment/agency. A servant/agent may be defined as any person employed by another to do work for him on the terms that he, the servant/agent, is to be subject to the control and directions of his employer/principle in respect of the manner in which his work is to be done.

FACTUAL SITUATION : A motor car was owned by and registered and insured in the name of A (wife) but was regarded by her and her husband (B) as "our car." B used it to go to work, and A for shopping at the weekends. B told A that if ever he was drunk and unfit to drive through, he would get a sober friend to drive him or else telephone her to come and fetch him. On the day in question the husband telephoned the wife after work and told her that he was going out with friends. He visited a number of public houses and had drinks. At some stage, he realized that he was unable to drive safely and asked a friend, C, to drive. C drove them to other public houses. After the last had been visited C offered the three friends (X, Y and Z) a lift and they got in, together with B who was in a soporific condition. C then proceeded, at his own suggestion, to drive in a direction away from the B's home to have a meal, On the way, due to C's negligent driving, an accident occurred in which both B and C were killed and the other friends got injured. X, Y and Z brought an action against the wife both in her personal capacity and as administratrix of the husband's estate. Decide whether A is liable.

DECISION :

- a) Yes, she was vicariously liable for the negligent driving of C as the principle of vicarious liability was to put responsibility on to the person, namely, in the case of a motor car, the owner, who ought in justice to bear it, and that in the case of a "family car" the owner was responsible for the use of it by the other spouse.
- b) No, C had not been the wife's agent in driving the husband about as he had been doing at the time of the accident. To fix vicarious liability on the owner of a motor car in a case such as the present, it must be shown that the driver was using it for the owner's purposes under delegation of a task or duty.
- c) No, because this is a case of *volenti non fit injuria* as X, Y and Z voluntarily took the lift knowing that C was also drunk.
- d) No, because C was not employed by A to drive her husband back to the home on the day of accident.



87. LEGAL PRINCIPLE :

1. Battery is the intentional causation of harmful or offensive contact with another's person without that person's consent.
2. When lawfully exercising power of arrest or some other statutory power a police officer had greater rights than an ordinary citizen to restrain another.

FACTUAL SITUATION : Two police officers on duty in a police car observed two women in the street who appeared to be soliciting for the purpose of prostitution. One of the women was known to the police as a prostitute but the other, X, was not a known prostitute. When the police officers requested X to get into the car for questioning she refused to do so and instead walked away from the car. One of the officers, a policewoman, got out of the car and followed X in order to question her regarding her identity and conduct and to caution her, if she was suspected of being a prostitute, in accordance with the approved police procedure for administering cautions for suspicious behavior before charging a woman with being a prostitute. X refused to speak to the policewoman and walked away, whereupon the policewoman took hold of X's arm to detain her. X then swore at the policewoman and scratched the officer's arm with her fingernails. X was convicted of assaulting a police officer in the execution of her duty. She appealed against the conviction, contending that when the assault occurred the officer was not exercising her power of arrest and was acting beyond the scope of her duty in detaining X by taking hold of her arm. The police contended that the officer was acting in the execution of her duty when the assault occurred because the officer had good cause to detain X for the purpose of questioning her to see whether a caution for suspicious behavior should be administered. Decide whether the police officer is liable for battery.

DECISION :

- a) X is liable for trespass on the person of a police officer while performing her official duty.
- b) The policewoman had not been exercising her power of arrest when she detained X, and since in taking hold of the appellant's arm to detain her the policewoman's conduct went beyond acceptable lawful physical contact between two citizens, hence the officer's act constituted a battery on X and that she had not been acting in the execution of her duty when the assault occurred.
- c) The fact that the reason the police officer detained X was to caution her regarding her suspicious behaviour render the officer's conduct lawful if in detaining her she used a degree of physical contact that went beyond lawful physical contact as between two ordinary citizens.
- d) The police officer was on duty and performing her duty in the regular course of the work so is not liable for battery.



88. LEGAL PRINCIPLE :

1. A careless person becomes liable for his negligence when he owed a duty of care to others.
2. *Volenti non fit injuria* is defence to negligence.

FACTUAL SITUATION :

K was a friend of L and was teaching her to drive. Prior to such an arrangement K had sought assurances from L that appropriate insurance had been purchased in the event of accident. On the third day, L was executing a simple manoeuvre at slow speed when she panicked which resulted in the car crashing into a lamp-post injuring K. L was subsequently convicted of driving without due care and attention. L denied liability to pay compensation to K on the ground of *volenti non fit injuria* and also that she was just learning to drive and was not in complete control of the vehicle. Decide.

DECISION :

- a) L is liable as the defence of *volenti non fit injuria* was not applicable. Secondly, that the duty of care owed by a learner driver to the public (including passengers) was to be measured against the same standard that would be applied to any other driver.
- b) L is not liable as K voluntarily accompanied her.
- c) L is not liable as she is just learning to drive and duty of care rests upon the instructor.
- d) L is not liable as a learner driver does not owe a duty of care towards public in general and towards the passenger in specific.

89. LEGAL PRINCIPLE : Article 19(1) (d) of the Constitution of India guarantees to all citizens the right to move freely throughout the territory of India. But at the same time, Article 19(5) empowers the State to impose reasonable restrictions on the freedom of movement on the ground of interest of general public.

FACTUAL SITUATION : Wearing of helmet is made compulsory for all two-wheeler riders by a law enacted by the State. The constitutionality of the law is questioned before the High Court on the ground that it violates Article 19(1)(d) of the petitioner. Will the petitioner succeed ?

DECISION :

- a) Yes, because the restriction is not reasonable and no interest of general public is protected by this law.
- b) No, because the restriction is reasonable as it intends to protect interest of general public by preventing loss of lives of citizen of India.
- c) Yes, because freedom of movement is a fundamental right of every citizen of India and the State cannot take it away by way of legislation but has to amend the Constitution to take away the fundamental rights.
- d) No, because the freedom of movement will not be violated by the impugned legislation.



90. LEGAL PRINCIPLE : Whoever gives a gratification to any person with the object of inducing him or any other person to exercise any electoral right or of rewarding any person for having exercised any such right commits the offence of bribery.

FACTUAL SITUATION : Mr. Verma, a candidate for elections, decided to visit rural households as part of an election campaign. He visited a household where an elderly man Madhava required an immediate but extremely expensive life-saving medical procedure. Mr. Verma gave money to the family of Madhava for the operation. While leaving, he drew the family's attention towards his party's symbol in light of the upcoming elections. Has Mr. Verma committed the offence of bribery?

- a) Yes, he has committed the offence of bribery
- b) No, he has not committed the offence of bribery. His intentions were noble
- c) No, as doing public good outweighs criminal intentions
- d) None of the above

91. LEGAL PRINCIPLE :

- 1. Negligence is the absence of care on the part of one party which results in some damage to the other Party.
- 2. Generally, a person is under no duty to control another to prevent his doing damage to a third Party.
- 3. The foreseeability test basically asks whether the person causing the injury should have reasonably foreseen the general consequences that would result because of his or her conduct.
- 4. Statutory authority implies that an act is done by a person to fulfil his duty imposed by the State. Statutory authority is a valid defense under the law of torts.

FACTUAL SITUATION : Ten borstal trainees were working on an island in a harbor in the custody and under the control of three officers. During the night, seven of them escaped. It was claimed that at the time of the escape the officers had retired to bed. The seven got on board a yacht, moored off the island and set it in motion. They collided with another yacht, the property of X and damaged it. X sued the Home Office for the damage. Decide whether on the facts pleaded in the statement of claim the Home Office, its servants or agents owed any duty of care to X capable of giving rise to a liability in damages with respect to the detention of persons undergoing sentences of borstal training or with respect to the manner in which such persons were treated, employed, disciplined, controlled or supervised whilst undergoing such sentences.

DECISION :

- a) The Home Office is not liable as they are performing statutory duty and has immunity from liability in negligence.
- b) The trainees are liable and not the Home Officers as the injury to X's property could not be reasonably foreseen by the officers.
- c) The fact that the immediate damage to the property of X was caused by the acts of third persons, the trainees, prevent the existence of a duty on the part of the officers towards X.
- d) The taking by the trainees of the nearby yacht and the causing of damage to the other yacht which belonged to X ought to have been foreseen by the borstal officers as likely to occur if they failed to exercise proper control or supervision; in the particular circumstances, the officers prima facie owed a duty of care to X.



92. LEGAL PRINCIPLE :

1. A person is liable for his negligence when he owed a duty of care to others and commits a breach of that duty causing injury thereby.
2. *Volenti non fit injuria* is defence to negligence.

FACTUAL SITUATION : Anil and his wife, Reena, were in a shop as customers. A skylight in the roof of the shop was broken, owing to the negligence of the contractors engaged in repairing the roof, and a portion of the glass fell and struck Anil causing him a severe shock. Reena, who was standing close to him, was not touched by the falling glass, but, reasonably believing her husband to be in danger, she instinctively clutched his arm, and tried to pull him from the spot. In doing this, she strained her leg in such a way as to bring about a recurrence of thrombosis. Anil and Reena claiming compensation for their injuries which were caused due to the negligence of the shop owners. The shop owners are denying liability on the grounds of *volenti non fit injuria*. The defence of *volenti non fit injuria*

- a) is available in respect of husband
- b) is available in respect of wife
- c) is available in respect of both husband and wife
- d) is not available in respect of both husband and wife

93. LEGAL PRINCIPLE :

1. An assault is an act which intentionally causes another person to apprehend the infliction of immediate, unlawful force on a person.
2. A battery consists of an intentional application of force to another person without any lawful justification.

FACTUAL SITUATION : Jagan was in his car when he was approached by a police officer who told him to move the vehicle. Jagan did so, reversed his car and rolled it on to the foot of the police officer. The officer forcefully told him to move the car off his foot at the police officer. The officer forcefully told him to move his vehicle and turned the engine off. Jagan was convicted for assaulting a police officer in the execution of duty. Is he liable for battery or assault ?

- a) He is not liable because there cannot be an assault in omitting to act and that driving on to the officer's foot was accidental, meaning that he was lacking mens rea when the act causing damage had occurred.
- b) He is not liable because the act neither amounts to an attempt nor a threat to commit a battery that amounts to an actionable tort of assault.
- c) Jagan's crime was not the refusal to move the car but that of having driven on the foot of the officer and decided not to cease the act, he has established a continual act of battery.
- d) He is neither liable for assault nor battery as he accidentally drove his car on the police officer's foot.



94. LEGAL PRINCIPLE :

1. Vicarious liability is when employers are held liable for the torts of their employees that are committed during the course of employment.
2. A servant is a person subject to the command of his master as to the manner in which he shall do his work. The question of whether a person is an employee depends upon the degree of control which the 'employer' exercises over the worker.

FACTUAL SITUATION: Raja is a travel agent and possessed certain houses, which had an internal communication throughout, and which were used for the purpose of his business. Ramesh looked after the houses, and lived in them for this purpose, but he was also a clerk in Raja's pay at a set annual salary. He lived in the houses with his wife, a child, and a servant. The case concerned the payment of the inhabited house duty. There was a statutory exemption for premises which were occupied by a "servant" or person occupying the premises "for protection thereof". Raja was claiming the exemption from the liability by claiming that Ramesh was the servant. Decide whether Ramesh was a servant or an independent contractor ?

- a) Ramesh is not a servant as the premises was held purely for trade purposes, and as Ramesh's position was simply that of a caretaker.
- b) Ramesh earned a salary per annum in his separate role as a clerk and merely enjoyed residence of the building with his family members. Thus, is an employee of the building owner for tax purposes.
- c) Ramesh is a servant as servant is a person subject to the command of his master as to the manner in which he shall do his work.
- d) Ramesh is a servant as Raja can control his work of caretaker of the building as well as his job of clerk.

**95. LEGAL PRINCIPLE :**

1. Negligence is a legal wrong that is suffered by someone at the hands of another who has a duty to take care but fails to take proper care to avoid what a reasonable person would regard as a foreseeable risk.
2. The test of liability requires that the harm must be a reasonably foreseeable result of the defendant's conduct, a relationship of proximity must exist and it must be fair, just and reasonable to impose liability.
3. The claimant must prove that harm would not have occurred, 'but for' the negligence of the defendant.
4. Duty of care is a legal obligation which is imposed on an individual requiring adherence to a standard of reasonable care while performing any acts that could foreseeably harm others.
5. Conversations between a doctor and patient are generally confidential but there are few exceptions.

FACTUAL SITUATION : KLM, a firm that manufactures electrical equipments, was the target of a takeover by ABS Industries. KLM was not doing well. In March 2019, KLM had issued a profit warning, which had halved its share price. In May 2019, KLM's directors made a preliminary announcement in its annual profits for the year up to March. This confirmed that the position was bad. The share price fell again. At this point, ABS had begun buying up shares in large numbers. In June 2019, the annual accounts, which were done with the help of the accountant Dinesh, were issued to the shareholders, which now included ABS. ABS reached a shareholding of 29.9% of the company, at which point it made a general offer for the remaining shares, as the City Code's rules on takeovers required. But once it had control, ABS found that KLM's accounts were in an even worse state than had been revealed by the directors or the auditors. It sued Dinesh for negligence in preparing the accounts and sought to recover its losses. This was the difference in value between the company as it had and what it would have had if the accounts had been accurate. Which of the following answers is incorrect ?

- a) No duty of care had arisen in relation to existing or potential shareholders. The only duty of care the auditor's owed was to the governance of the firm.
- b) Dinesh is not liable as it is a case of pure economic loss in the absence of contractual agreements between parties.
- c) There are circumstances where an auditor will owe a duty of care in respect of reports produced. These are conditional that at the time the report is prepared it is known by the auditors that the results are for a specific class and for a specific purpose.
- d) An ability to foresee indirect or economic loss to another person as the result of a defendant's conduct automatically impose on the defendant a duty to take care to avoid that loss.



96. LEGAL PRINCIPLE : Generally, the owner of the property has a duty to maintain his property so as to make it reasonably safe for use. However, the occupier also owes a duty to take such care as is reasonable to see that the visitor is reasonably safe in using the premises for the purposes for which he is invited or permitted by the occupier to be therein.

FACTUAL SITUATION : Sheila is a painter. She went to her friend Ruchi's house for meeting her. Sheila requested to use the bathroom and injured her right hand on a broken water faucet handle. Sheila filed a personal injury action for hand injuries suffered alleging that Ruchi failed to warn her that her bathroom fixtures were cracked and dangerous. Ruchi says she had complained to the landlord about the broken handle so the landlord is liable. Decide whether the Sheila's injury the proximate cause of Ruchi's negligence ?

- a) A licensee or social guest was obliged to take the premises as he or she found them, and the possessor of the premises owed a duty only to refrain from wanton or wilful injury.
- b) The landlord is liable as Ruchi had complained to the landlord about the broken handle and it is the duty of the landlord to get the repair work done.
- c) Ruchi is not liable as the use of toilet is not the purpose for which Sheila was invited or permitted by the occupier to be therein.
- d) Ruchi owes a duty to warn of a dangerous condition so the guest can take special precautions, like the host would, when they come in contact with it.

97. LEGAL PRINCIPLE :

1. A deceit occurs when a misrepresentation is made with the express intention of defrauding a party, subsequently causing loss to that party.
2. "Misrepresentation" means and includes— the positive assertion, in a manner not warranted by the information of the person making it, of that which is not true, though he believes it to be true; any breach of duty which, without an intent to deceive, gains an advantage of the person committing it, or any one claiming under him, by misleading another to his prejudice, or to the prejudice of any one claiming under him; causing, however innocently, a party to an agreement, to make a mistake as to the substance of the thing which is the subject of the agreement.

FACTUAL SITUATION : XY Company in its prospectus stated that the company was permitted to make engines that were powered by electricity, rather than by fuel. In reality, the company did not possess such a right as this had to be approved by the Government Board. Gaining the approval for such a claim from the Board was considered a formality in such circumstances and the claim was put forward in the prospectus with this information in mind. However, the claim of the company for this right was later refused by the Board. The individuals who had purchased a stake in the business, upon reliance on the statement, brought a claim for deceit against the defendant's business. Decide.

- a) The company is liable for false representation as their claims were eventually turned out to be false.
- b) The company is liable as their false statements have resulted in causing loss to the shareholders.
- c) The company is not liable as the statement in its prospectus was simply incorrect and not fraudulent.
- d) The shareholders should have collected as much information regarding the company as possible before purchasing a stake in it.



98. LEGAL PRINCIPLE :

1. Private nuisance is a continuous, unlawful and indirect interference with the use or enjoyment of land, or of some right over or in connection with it.
2. Generally, nuisances cannot be justified on the ground of necessity, pecuniary interest, convenience, or economic advantage to a defendant.
3. A person is liable if he can reasonably foresee that his acts would be likely to injure his neighbor.
4. In cases of nuisance, the court may grant an injunction restricting the nuisance from occurring in the future when the loss could not adequately compensated.

FACTUAL SITUATION : Tina purchased a house in an estate which was adjacent to a functioning, in use, cricket field. The members of Super Eleven Cricket Club used to play Cricket in that field for over 70 years. After Tina moved into the property, cricket balls began to fly over the field's protective barrier and into the Tina's property. Tina complained, which caused Super Eleven Cricket Club to erect a chain link fence. This improved matters as less balls were now flying onto the Tina's property but it did not fully solve the issue as some still got through. The club offered Tina to pay for any damage done or injuries received as a result of the balls landing onto her land, including fixing any broken windows and similar. Tina, however, refused all of the club's offers and filed a case against the members of the Club alleging nuisance and negligence and requested court to grant an injunction to prevent the club from playing cricket on their ground. Tina argued that even though the club offered to make good any damage and that there had been no injuries, she was not able to use her garden when matches were being played for fear of being struck by a cricket ball. Decide.

- a) The members of Club are not liable as Tina was aware about the activities of the Cricket Club and had willingly purchased the property.
- b) The members of the Club are liable for nuisance and court should pass an order of compensation as the injury is small and could be compensated in terms of money. Also, public interest considerations outweighed the private rights of the plaintiff and therefore a remedy of damages was sufficient in the circumstances.
- c) The members of the Club are liable for nuisance and court should pass an order of injunction. The plaintiff's right to enjoyment of her property outweighs the right of the members of the Club to play cricket.
- d) The Club is not liable as they have already taken sufficient measures to mitigate the effects of their act and are ready and willing to do so in future too.



99. LEGAL PRINCIPLE :

1. According to rule of strict liability, any person who for his own purposes brings on his lands and collects and keeps there anything likely to do mischief if it escapes, must keep it in at his peril, and, if he does not do so, is prima facie answerable for all the damage, irrespective of fault, which is the natural consequence of its escape in respect of the non-natural use of land.
2. A person is liable if he can reasonably foresee that his acts would be likely to injure his neighbor.

FACTUAL SITUATION : PN was the owner of a gas pipe which passed under the surface of an old railway between Ramnagar and Kotpur. XY was the local council which was responsible for a water pipe which supplied water to a block of flats in the nearby Shining Apartment Complex. A leak developed which was undetected for some time. The water collected at an embankment which housed PN's high pressure gas main. The water caused the embankment to collapse and left the gas main exposed and unsupported. This was a serious and immediate risk and PN took action to avoid the potential danger. They then sought to recover the cost of the remedial works. PN argued that the XY Council was liable for negligence under strict liability.

- a) The Council is liable under strict liability rule as the damage is not remote as it was possible for the Council to reasonably foresee a leakage which would eventually lead to collapse of the gas main.
- b) The escape of water as a result of leak is sufficient to make the Council liable.
- c) The Council is not liable as PN should have been careful in detecting the leak earlier. They cannot shift the blame on the Council.
- d) The Council is not liable under rule of strict liability for the damage as the Council's use was neither a non-natural nor dangerous use of the land.

100. LEGAL PRINCIPLE : In relation to the law of contracts, in instances where both parties to an agreement are under a mistake about a matter of fact essential to the agreement, the agreement is void.

FACTUAL SITUATION : Lakshman agrees to sell to Manu a consignment of herbal products which was supposed to be on a ship on its way from Madagascar to Mumbai. However, two days before the agreement was reached, the ship carrying the products met with an accident and all the goods were lost. Lakshman's agent had informed Lakshman about this on the day the accident happened. Is the agreement void because of a mistake as to a matter of fact ?

- a) Yes, since both parties committed a mistake by entering into the contract
- b) No, since Lakshman had dishonest intentions
- c) No, since Lakshman was aware that the goods were lost
- d) None of the above

**SECTION – B**

Answer **any two** of the following questions.

(25 Marks × 2 = 50 Marks)

1. Critically analyse the constitutional validity of Section 124A of the Indian Penal Code, in the light of judicial decisions.
2. Public policy is often considered to be one of the most contentious grounds for setting aside or refusal to enforce an arbitral award. Critically analyse this statement clearly outlining approaches adopted by the Indian judiciary in its utilisation.
3. Is right to privacy a fundamental right in India ? Should it be a fundamental right in India ? Discuss in the light of judicial decisions.
4. Critically analyse the concept of 'defamation' in the digital context. What are the defences available to a defendant in a civil suit for defamation ?
5. Explain and critically examine the desirability of the TRIPS waiver proposal initiated by India and South Africa before the World Trade Organisation.
6. Explain the eminent domain doctrine under Constitutional law. Discuss the limitations of the doctrine with the help of judicial decisions.
7. Discuss the principles governing the working of the United Nations. Discuss the potential reforms in the working of the United Nations in the light of recent international conflicts.
8. Critically examine the working of access and benefit sharing related provisions in the Biodiversity Conservation Act, 2002.
9. Is 'consideration' an essential element of a contract ? Should consideration be monetary in character ? Discuss in the light of judicial decisions.
10. Though mediation is considered to be a very effective method of alternate dispute resolution, attempts to secure statutory recognition of its processes and outcomes have not yielded satisfactory result. Would you agree with this assertion ? Respond in light of the Mediation Bill 2021 clearly articulating the concerns that arise with utilisation of mediation as a method of ADR and the proposed statutory solutions.



ALL INDIA LAW ENTRANCE TEST-2022

LL.M. ADMISSION TEST-2022

MASTER ANSWER KEY

Q.No.	Ans.	Q.No.	Ans.	Q.No.	Ans.	Q.No.	Ans.
1	D	26	B	51	A	76	B
2	A	27	C	52	A	77	A
3	B	28	B	53	C	78	D
4	B	29	A	54	A	79	B
5	A	30	D	55	B	80	A
6	C	31	C	56	C	81	D
7	D	32	B	57	C	82	B
8	A	33	A	58	B	83	D
9	C	34	A	59	A	84	D
10	A	35	D	60	B	85	D
11	B	36	C	61	C	86	B
12	B	37	A	62	A	87	B
13	B	38	C	63	B	88	A
14	D	39	A	64	B	89	B
15	A	40	C	65	D	90	B
16	B	41	D	66	B	91	D
17	A	42	A	67	C	92	D
18	A	43	B	68	C	93	C
19	A	44	D	69	B	94	C
20	B	45	A	70	A	95	D
21	A	46	B	71	B	96	D
22	B	47	C	72	A	97	C
23	B	48	C	73	C	98	B
24	A	49	C	74	D	99	D
25	D	50	D	75	A	100	C



LL.M. ADMISSION TEST – 2023

Question Booklet Sl. No.

Date of Exam. :	Center's Name : _____
Duration : 90 Minutes	Roll No. : _____
Max. Marks : 150	OMR Sheet No. : _____

INSTRUCTIONS TO CANDIDATES

1. No clarification on the Question Paper can be sought. Answer the questions as they are.

2. There are two (2) Sections (A and B) in the Question Paper. Section A has two Parts with a total 75 marks.

Part – I : English language has 25 questions of 1 mark each for Total of 25 marks.

Part – II : Legal Reasoning has 25 questions of 2 marks each for Total of 50 marks.

Section – B Will be evaluated only for those candidates who have secured atleast 50% marks in each of the Part (Part – I and Part – II) of **Section – A**.

Section – B Will have Ten questions from different aspects of Law. The candidates will have to answer any two (2) questions for total of 75 marks.

Total marks are 150.

3. Candidates have to indicate the most appropriate answer by darkening one of the four responses provided, with only **BLACK/BLUE BALL POINT PEN** in the OMR Response Sheet.

Example : For the question, "Where is the Taj Mahal located ?"

a) Kolkata b) Agra c) Bhopal d) Delhi

Right Method

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

Wrong Methods

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

4. There will be Negative Marking for Multiple Choice Questions (MCQ). For every wrong answer 0.25 marks will be deducted.

5. Answering the question by any method other than the method mentioned above shall be considered wrong answer.

6. More than one response to a question shall be counted as *wrong answer*.

7. The candidate shall not write anything on the OMR Response Sheet and Answer Booklet other than the details required and in the spaces provided for.

8. After the examination is over, the candidate can carry the Question Booklet along with candidate's copy of the OMR Response Sheet. Candidate will hand over the original OMR Response Sheet and Answer Booklet to the Invigilator.

9. The use of any unfair means by any candidate will result in the cancellation of his/her candidature.

10. Impersonation is an offence and the candidate, apart from disqualification, may have to face criminal prosecution.

11. Electronic gadgets like mobile phones, digital watch, pagers and calculators etc. are strictly not permitted inside the Test Centre/Hall.

12. The candidates shall not leave the hall before the end of the Test.



LLM

DO NOT WRITE HERE

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**SECTION – A : PART I – ENGLISH**

Direction (Q. No. 1 – 7) : Each set of questions in this section are based on the passage. The questions are to be answered on the basis of what is stated or implied in the passage. Choose the most appropriate response that accurately and completely answer the question.

Within the turbulent past few years, the idea that a person can be “cancelled” — in other words, culturally blocked from having a prominent public platform or career — has become a polarizing topic of debate. The rise of “cancel culture” and the idea of cancelling someone coincides with a familiar pattern: A celebrity or other public figure does or says something offensive; a public backlash, often fuelled by politically progressive social media, ensues. Then come the calls to cancel the person — that is, to effectively end their career or revoke their cultural cachet, whether through boycotts of their work or disciplinary action from an employer.

To many people, this process of publicly calling for accountability, and boycotting if nothing else seems to work, has become an important tool of social justice — a way of combating, through collective action, some of the huge power imbalances that often exist between public figures with far-reaching platforms and audiences, and the people and communities their words and actions may harm.

But conservative politicians and pundits have increasingly embraced the argument that cancel culture, rather than being a way of speaking truth to power, has spun out of control and become a senseless form of social media mob rule. At the 2020 Republican National Convention, for example, numerous speakers, including President Trump, addressed cancel culture directly, and one delegate resolution even explicitly targeted the phenomenon, describing it as having “grown into erasing of history, encouraging lawlessness, muting citizens, and violating free exchange of ideas, thoughts, and speech.”

Actually, ending someone’s career through the power of public backlash is difficult. Few entertainers or other public figures have truly been cancelled — that is, while they may have faced considerable negative criticism and calls to be held accountable for their statements and actions, very few of them have truly experienced career-ending repercussions.



Harry Potter author, J.K. Rowling, for example, has faced intense criticism from her own fans since she began to voice transphobic beliefs, making her one of the most prominently “cancelled” individuals at the centre of the cancel culture debate. But following Rowling’s publication, in June 2020, of a transphobic manifesto, sales of the author’s books actually increased tremendously in her home country of Great Britain.

1. According to the author, the idea that a person can be “cancelled” is of significance because
 - a) times have been unsettling in the recent past.
 - b) traditionally, only events were called off.
 - c) it was a thrilling prospect to tell a person they are unimportant.
 - d) public platforms were used only for debates.
2. The impact of the “cancel culture” has led to groups of people
 - a) To be segregated completely by opposite opinions.
 - b) To have a condemnatory attitude towards all celebrities.
 - c) To propagate their ulterior political agenda.
 - d) To acquire the right to negate all disciplinary action.
3. “Cancel culture” appears to be empowering for the marginalised as it offers
 - a) a platform to take down rigid caste structures.
 - b) the opportunity to present themselves as accountable to their communities.
 - c) a mechanism to challenge the existing power structures.
 - d) the chance to protect their people from harm caused by power imbalances.
4. Orthodox leaders view “cancel culture” unfavourably
 - a) because it questions their authority
 - b) as it cannot be maintained as per their convenience
 - c) since it has spiralled beyond their power to restrain it
 - d) due to their own victimisation
5. **Assertion I** : Cancel culture can certainly bring a sudden halt to a person’s career.
Reason II : Social media wields unbridled power in controlling the political ambition of the leaders.
 - a) I is true but II is false.
 - b) Both I and II are true and II is the correct explanation of I.
 - c) I is false but II is true.
 - d) Both I and II are false.



6. The phrase “mob rule” implies
- a) corrective action
 - b) anarchy
 - c) collective measures
 - d) absolute governance
7. Which one of the following statements most appropriately expresses the main point of the passage?
- a) While the “cancel culture” is a potent tool to vilify hurtful actions or words, it essentially does not have damaging repercussions that are enduring.
 - b) “Cancel culture” is essential for questioning the status quo as the minorities do not have any other agency as far-reaching as the one offered by the internet.
 - c) All celebrities can profit tremendously by the negative publicity they receive from the “cancel culture”.
 - d) “Cancel culture” has tremendous potential to highlight all social injustices in the society and is a powerful tool to silence offensive people and their hurtful words.

Direction (Q. No. 8 – 13) : Each question has a word followed by four choices. Select the suitable antonym.

8. Gregariousness
- a) illogical
 - b) unintelligible
 - c) undeliverable
 - d) unsociable
9. Exacerbate
- a) inculcate
 - b) appease
 - c) appropriate
 - d) alienate
10. Ectomorphic
- a) obese
 - b) obsolete
 - c) obscure
 - d) obdurate
11. Acrimonious
- a) astute
 - b) admirable
 - c) amiable
 - d) aghast
12. Debauched
- a) honourable
 - b) patriotic
 - c) zealous
 - d) placid
13. Approbation
- a) demystification
 - b) dissolution
 - c) disposition
 - d) denunciation

Direction (Q. No. 14 – 20) : Choose the most appropriate word to fill in the blanks.

14. Marginalized communities that were traditionally _____ to the edges have found a voice on the internet.
- a) secluded
 - b) snapped
 - c) shrivelled
 - d) shunted



15. Less talked about is the way fame can make virtually all aspects of your life faintly _____.
- a) subcutaneous b) ludicrous c) sonorous d) preposterous
16. Being _____ to his father's ways, Dinesh had no difficulty in ignoring his jibes.
- a) accustomed b) attentive c) critical d) defiant
17. The Chairperson's vision tended always towards the inclusive and _____, an outlook that they credited to their upbringing.
- a) apocalyptic b) mellifluous c) equitable d) whimsical
18. Two days ago Charan Singh's horse had been the favourite, but it was _____ beaten.
- a) gloriously b) falsely c) ignominiously d) unanimously
19. The _____ prose of scientific journals does not lure the common reader.
- a) sequestered b) sesquipedalian c) sequential d) subaltern
20. And to cap it all, there's a _____ on board, and most of us suspect the newly recruited intern!
- a) supervisor b) saboteur c) benefactor d) amateur

Direction (Q. No. 21 – 25) : Choose the option which most appropriately expresses the meaning of the idiom/phrases underlined in the given sentences.

21. The Boss tends to exaggerate so we take what he says with a pinch of salt.
- a) agree enthusiastically b) ignore completely
c) partly believe d) disagree bluntly
22. You have just avoided relegation by the skin of your teeth.
- a) expertly b) convincingly c) just barely d) surprisingly
23. I am just biding my time, planning and looking for a property that's perfect for my family.
- a) procrastinating b) waiting for opportune moment
c) depending on fate d) going beyond one's timeline
24. The team's business went belly-up during the long recession.
- a) sudden escalation b) decline gradually
c) remain stagnant d) become bankrupt
25. We are unsure of what the Management's reaction will be, so we'll just have to play by the ear.
- a) improvise b) insinuate c) incarcerate d) inhibit

**PART II – LEGAL REASONING**

- I. **Direction (Q. No. 26 – 30) :** Each set of questions in this section are based on the passage. The questions are to be answered on the basis of what is stated or implied in the passage. Choose the most appropriate response that accurately and completely answer the question.

The General Agreement on Trade in Services (the “GATS”), negotiated and concluded as a result of the Uruguay Round of multilateral trade negotiations, when it came into effect in 1995 was the first multilateral agreement covering this important and growing area of trade in services. Article I: 2 of the GATS defines the concept of “trade in services” as “the supply of a service” within one of four defined “modes of supply”: (a) from the territory of one Member into the territory of any other Member (Mode 1-Cross-border Supply); (b) in the territory of one Member to the service consumer of any other Member (Mode 2-Consumption Abroad); (c) by a service supplier of one Member, through commercial presence in the territory of any other Member (Mode 3-Commercial Presence); (d) by a service supplier of one Member, through presence of natural persons of a Member in the territory of any other Member (Mode 4-Movement of Natural Persons).

26. Identify which of the following is not an example of Cross-border Supply (Mode 1)
- a) Banking services by a branch office of a Japanese bank operating within the territory of the United States.
 - b) An enterprise in one Member providing transportation services for waste material from one country being transported into another country for disposal.
 - c) Transfer of funds from a bank in one country to a financial institution or a customer in another country.
 - d) A Brazilian law firm prepares a legal opinion for a Mexican client and sends it from its office in Sao Paulo to its client in Mexico via e-mail.
27. Identify which of the following is/are examples of Consumption Abroad (Mode 2)
- a) An Indian citizen travelling from Delhi to New York in order to receive medical treatment.
 - b) A group of students from Delhi visiting Maldives for spending their vacation.
 - c) An American student is enrolled in courses at the London School of Economics in London, England.
 - d) All the above.
28. Identify the example for supply of services under Commercial Presence (Mode 3)
- a) A Mexican engineer travels to Sydney to provide on-site services at a newly inaugurated food processing plant.
 - b) A French architect prepares plans and drawings in Paris, saves her work on a computer diskette and sends it by courier to her client in Stockholm, Sweden.
 - c) Legal services provided by lawyers in an office in Hong Kong of a law firm based in Singapore.
 - d) A Dutch citizen living and working in Amsterdam visits her favourite hairdresser in Paris, France.



29. Identify which of the following is not an example of Movement of Natural Persons (Mode 4)
- a) A doctor from India travels to Canada to perform surgery on a patient.
 - b) An Indian student enrolling for higher studies at the University of Oxford.
 - c) An architect from India constructing a prestigious building in Dubai.
 - d) A law professor from India visits the Harvard Law School for delivering a lecture.
30. Identify the correct statement:
- a) Cross-border supply is similar to trade in goods.
 - b) Mode 2 concerns services, which have a connection to the international migration of consumers.
 - c) The third and the fourth modes concern transactions in services, which take place in the consequence of the international migration of the service suppliers.
 - d) All the above.

II. Direction (Q. No. 31 – 35) : Each set of questions in this section are based on the passage. The questions are to be answered on the basis of what is stated or implied in the passage. Choose the most appropriate response that accurately and completely answer the question.

A contract of guarantee is a contract to perform the promise, of discharge the liability, of a third person in case of his default. Anything done, or any promise made, for the benefit of the principal debtor may be a sufficient consideration to the surety for giving the guarantee. In every contract of guarantee there is an implied promise by the principal debtor to indemnify the surety, and the surety is entitled to recover from the principal debtor whatever sum he has rightfully paid under the guarantee, but no sums, which he has paid wrongfully. Any guarantee, which has been obtained by means of misrepresentation made by the creditor, or with his knowledge and assent, concerning a material part of the transaction, is invalid. Any guarantee, which the creditor has obtained by means of keeping silence as to material circumstance, is also invalid.

31. Jack agreed to deliver goods on credit to Jill upon the promise of Jim to pay the price of goods. Jim gave a promise to guarantee the payment in consideration of Jack's promise to deliver the goods. Later on Jill was unable to make the payment to Jack. Jim requested Jack to forbear to sue Jill for a Year and promised that Jim will pay for the debt of Jill. Jack accepted the request of Jim. Identify the wrong statement:
- a) Jack's promise to deliver the goods is a sufficient consideration for Jim's promise to guarantee the payment.
 - b) Jack's acceptance to forbear to sue Jill for a year is a sufficient consideration to Jim's promise.
 - c) Jim paying for Jill in the absence of any promise or acceptance by Jack is valid.
 - d) None of the above.



32. Jill is indebted to Jack and Jim is the surety for the debt. Jack demanded the debt from Jim and he refused to pay the same. On Jim's refusal Jack sued him. Jim had reasonable grounds to defend the suit but was compelled to pay the amount of the debts with costs. Identify the right option for Jim.
- a) Jim can recover from Jill the principal debts as well as costs
 - b) Jim can recover from Jill only the principal debt
 - c) Jim cannot recover from Jill
 - d) Jim can recover the costs but not the principal debts
33. Jack lends Jill a sum of money, and Jim, at the request of Jill accepts a bill of exchange drawn by Jill upon Jim to secure the amount. Jack, the holder of the bill, demands payment of it from Jim and on Jim's refusal to pay, sues him upon the bill. Jim not having reasonable grounds for so doing, defends the suit, and has to pay the amount of the bill and costs. Identify the right option for Jim.
- a) Jim can recover from Jill the amount of the bill as well as costs
 - b) Jim can recover from Jill only the amount of the bill
 - c) Jim cannot recover from Jill
 - d) Jim can recover the costs but not the amount of the bill
34. Jim guarantees to Jack, to the extent of Rs. 5000, payment for goods to be supplied by Jack to Jill. Jack supplies to Jill goods less than Rs. 5000, but obtains from Jim payment of the sum of Rs. 5000 in respect of the goods supplied. Identify the correct statement:
- a) Jim can recover from Jill Rs. 5000/-
 - b) Jim cannot recover anything from Jill
 - c) Jim cannot recover from Jill more than the price of the goods actually supplied
 - d) Jim can recover from Jill only after the completion of supply of goods worth Rs. 5000/-
35. Jill owes money to Jack and Jim stood as surety for Jill. Jack's claim became time barred against Jill but because of some payment by Jim it was in time against Jim. In a suit filed by Jack against Jim, Jim compromises by paying a lesser sum. Identify the correct statement:
- a) Jim can claim the full amount from Jill
 - b) Jim can claim only the actual amount paid by him from Jill
 - c) Jim cannot claim any amount from Jill
 - d) Jim can claim the costs but not the amount paid in settlement



The term mergers and acquisitions (M&A) refers to the consolidation of companies or their major business assets through financial transactions between companies. A company may purchase and absorb another company outright, merge with it to create a new company, acquire some or all of its major assets, make a tender offer for its stock, or stage a hostile takeover. Mergers can be structured in a number of different ways, based on the relationship between the two companies involved in the deal. For instance conglomerate mergers involve firms of unrelated business activities. Congeneric merger involve two businesses that serve the same consumer base in different ways. Horizontal merger is a business consolidation that occurs between firms who operate in the same space, often as competitors offering the same good or service. A market extension merger takes place between two companies that deal in the same products but in separate markets. A product extension merger takes place between two business organizations that deal in products that are related to each other and operate in the same market. A vertical merger occurs when two or more firms, operating at different levels within an industry's supply chain, merge operations.

36. A leading manufacturer of athletic shoes, merges with a soft drink firm is an example of
 - a) Horizontal Merger
 - b) Vertical Merger
 - c) Conglomerate Merger
 - d) Congeneric Merger
37. An automobile company joining with a parts supplier would be an example of
 - a) Horizontal Merger
 - b) Vertical Merger
 - c) Market Extension Merger
 - d) Product Extension Merger
38. A merger between Coca-Cola and the Pepsi beverage division is
 - a) Horizontal Merger
 - b) Vertical Merger
 - c) Market Extension Merger
 - d) Product Extension Merger
39. The acquisition of a company in the manufacturing of product designs meant for handsets that are equipped with the Global System for Mobile Communications technology by another company in the manufacturing Bluetooth personal area network hardware systems and chips is
 - a) Market Extension Merger
 - b) Product Extension Merger
 - c) Horizontal Merger
 - d) Vertical Merger
40. An ice-cream manufacturer buying a wafer manufacturer is
 - a) Conglomerate Merger
 - b) Congeneric Merger
 - c) Market Extension Merger
 - d) Horizontal Merger



- IV. Direction (Q. No. 41 – 45) : Each set of questions in this section are based on the passage. The questions are to be answered on the basis of what is stated or implied in the passage. Choose the most appropriate response that accurately and completely answer the question.

Along with the evolution of the family unit, society has willingly accepted the premise that parents have absolute power over their un-emancipated children. In ancient times, parental authority was unconditional and parents were granted the power of life and death over their minor children. As late as the eighteenth century, Americans recognized a parent's right to unquestioned authority and by the late nineteenth century, the American courts developed the doctrine of parent-child tort immunity. The doctrine was designed to exempt parents from personal liability for tortious acts they committed against their minor child. A parent is immune from a tort suit brought by his child if the suit is for negligence and the minor child is not self-supporting. Also it is to be noted that parents are not immune from suits for intentional torts.

41. **Scenario A:** Son a 12 year old sues his father for the burn which happened while the father was negligently pouring hot liquid in the kitchen

Scenario B: Son a 10 year old sues his father for battery, an intentional tort as the father knocked son's baseball cap off his head because the son was struck out in the last inning of a Little League game.

Which of the following is the correct observation ?

- a) In both the scenario A and B the father is immune
 - b) In both the scenario A and B the father is not immune
 - c) In scenario A, the father is immune and in scenario B, the father is not immune
 - d) In scenario A, the father is not immune and in scenario B, the father is immune
42. **Scenario A :** Daughter a 24 year old, who lives at home sues her father for assault, an intentional tort as the father brandishing a tennis racket at her after she lost the game in a local tennis tournament.

Scenario B : Son a 24 year old, who is married and a businessman, sues his father for negligently burning him in the kitchen.

Which of the following is the correct observation ?

- a) In both the scenario A and B the father is immune
- b) In both the scenario A and B the father is not immune
- c) In scenario A, the father is immune and in scenario B, the father is not immune
- d) In scenario A, the father is not immune and in scenario B, the father is immune



43. **Scenario A:** Son a 19 year old, who is a high school student and lives at home sues his father for negligence as the father had negligently driven his car into him while he was riding his bicycle.

Scenario B: Daughter a 19 year old, who is an unmarried, self supporting part time college student living at home sues her father for negligence as he had ridden his bicycle into her while she was gardening.

Which of the following is the correct observation ?

- a) In both the scenario A and B the father is immune
 - b) In both the scenario A and B the father is not immune
 - c) In scenario A, the father is immune and in scenario B, the father is not immune
 - d) In scenario A, the father is not immune and in scenario B, the father is immune
44. **Scenario A :** Daughter a 20 year old, who is married and lives in another city sues her father for negligence for stumbling against her and pushing her against the hot pottery she had just removed from her kiln.

Scenario B : A minor daughter, who was married but separated from her husband and had returned to her mother's home, sues her mother's estate for wrongful confinement to an insane asylum.

Which of the following is the correct observation ?

- a) In both the scenario A and B there is parental immunity
 - b) In both the scenario A and B there is no parental immunity
 - c) In scenario A, there is parental immunity and in scenario B, there is no parental immunity
 - d) In scenario A, there is no parental immunity and in scenario B, there is parental immunity
45. For granting parental immunity for a tort which of the following factor/s is/are relevant ?
- a) Age of the child
 - b) Nature of tort
 - c) Parental dependency of the child
 - d) All the above



- V. Direction (Q. No. 46 – 50) : Each set of questions in this section are based on the passage. The questions are to be answered on the basis of what is stated or implied in the passage. Choose the most appropriate response that accurately and completely answer the question.

The literal meaning of the term immovable is incapable of being moved, motionless, steadfast, or firmly fixed. s.3 of the Transfer of Property Act, 1882, makes it clear that immovable property does not include standing timber, growing crops or grass. s. 3 (26) of the General Clauses Act, 1897 explains that immovable property shall include land, benefits to arise out of land, and things attached to the earth, as permanently fastened to anything attached to the earth. Under s. 2(6) of the Registration Act, 1908, Immovable property includes land, buildings, hereditary allowances, right to ways, lights, ferries, fisheries or any other benefit to arise out of land, and things attached to the earth, or permanently fastened to anything which is attached to the earth, but not standing timber, growing crops, or grass. Standing timber must be a timber tree that is in a state fit for construction or building purposes or ready to be used as timber, and further, a tree that is meant to be converted into timber so shortly that it can already be looked upon as timber for all practical purposes even though it is still rooted in earth. In order to be regarded as movable property, it is intended to be cut reasonably early. The expression 'things attached to earth' has again been explained in s.3 of the Transfer of Property Act, 1882 as things which are rooted in earth, such as trees and shrubs, things that are embedded in earth such as walls and buildings and things that are permanently attached to what is embedded in the earth for the permanent beneficial enjoyment of to which it is attached.

46. Identify the incorrect statement:
- a) An agreement to sell standing and fallen mango trees on the estate is an agreement to sell immovable property.
 - b) A mortgage with the possession of a fruit-bearing tree with the intention that the mortgage is to enjoy the fruit of the tree would be a mortgage of movable property.
 - c) A right created in favour of a party to cut the trees for four years is a right in immovable property.
 - d) Grant of right to enter the estate and cut only timber trees that are in various stages of growth is a right in immovable property.



47. Which of the following is a right in movable property ?
- a) Right to enter the estate and cut only standing timber for a period of 6 months
 - b) Right to enter the estate and cut trees that are used for building purposes, which are earmarked after ascertaining the required growth silviculturally and to be cut within a short period of time
 - c) Both a) and b)
 - d) None
48. Which of the following is a right in immovable property ?
- a) Right to collect charge from the stall holders on a vacant piece of land used for holding a fair during festive season.
 - b) Right to take out by digging manure and rubbish accumulated in specific trenches and drains and carry away the same.
 - c) Right to enter the lake and catch fish for a period of five years.
 - d) All the above.
49. Identify the correct statement/s:
- a) Right to enter the estate and cut standing timber for a period of twenty years is a right in movable property.
 - b) Right to enter the estate and cut only timber trees, which are fully grown mature trees for a period of twenty years, is a right in movable property.
 - c) Right to enter the estate and cut all kinds of plants and trees above the height of 10 feet for a period of five years is right in immovable property.
 - d) Both a) and b)
50. Which of the following can be categorized as immovable property?
- a) Fans permanently attached to the wall/ceilings of room for the better enjoyment of the room
 - b) Pulley attached to the well for the enjoyment of the well
 - c) Both a) and b)
 - d) None

**SECTION – B**

Answer any two of the following questions.

1. What is EWS Quota? Critically analyze the validity of the Constitution (One Hundred and Third Amendment) Act, which provides 10% reservation for the Economically Weaker Sections among forward castes in government jobs and colleges across India in the light of recent jurisprudence.
2. What is Online Dispute Resolution (ODR)? Discuss the preparedness of the Government in incorporating ODR, the legislative position *vis-a-vis* ODR, acceptance of ODR by the judiciary and the innovations in the private sector in India.
3. What is Climate Finance? Discuss the financial mechanism to provide financial resources to developing country Parties of UNFCCC.
4. Critically examine the legal regime in India to bring about a gender-neutral work environment.
5. Critically examine the role of the Right of Children to Free and Compulsory Education Act, 2009 in ensuring Children's right to education in India.
6. What is Uniform Civil Code ? Critically examine the pros and cons of Uniform Civil Code.
7. What is Corporate Social Responsibility ? Discuss why social responsibility matters to businesses.
8. Discuss the provisions dealing with interim relief under the Arbitration and Conciliation Act of India in comparison and contradiction with the UNCITRAL Model Law. What is the relationship between arbitral interim relief and interim orders by courts ?
9. Who is a witness ? Discuss the law relating to witness protection in India.
10. Discuss the legislative and judicial developments promoting ADR in India.



SPACE FOR ROUGH WORK

ALL INDIA LAW ENTRANCE TEST-2023

LL.M. ADMISSION TEST-2023

PROVISIONAL MASTER ANSWER KEY

Q.No.	Ans.	Q.No.	Ans.
1	B	26	A
2	A	27	D
3	C	28	C
4	C	29	B
5	D	30	D
6	B	31	C
7	A	32	A
8	D	33	B
9	B	34	C
10	A	35	B
11	C	36	C
12	A	37	B
13	D	38	A
14	D	39	B
15	B	40	B
16	A	41	C
17	C	42	B
18	C	43	C
19	B	44	D
20	B	45	D
21	C	46	B
22	C	47	C
23	B	48	D
24	D	49	C
25	A	50	C



LL.M. ADMISSION TEST – 2024

Question Booklet Sl. No.

Date of Exam :

Duration : 120 Minutes

Max. Marks : 100

Center's Name : _____

Roll No. : _____

OMR Sheet No. : _____

INSTRUCTIONS TO CANDIDATES

1. No clarification on the Question Paper can be sought. Answer the questions as they are.
2. There will be **100 Multiple Choice Questions (MCQs)** of one mark each to be answered in the OMR Response Sheet only. Total marks are 100. **Answer ALL the Questions.**
3. **There will be Negative Marking for Multiple Choice Questions (MCQs). For every wrong answer 0.25 marks will be deducted.**
4. Candidates have to indicate the most appropriate answer by darkening one of the four responses provided, with **only BLACK/BLUE BALL POINT PEN** in the OMR Response Sheet.

Example : For the question, "Where is the Taj Mahal located ?"

- a) Kolkata b) Agra c) Bhopal d) Delhi

Right Method

(a) (●) (c) (d)

Wrong Methods

(a) (X) (c) (d) (a) (b) (c) (d) (a) (●) (c) (d)

5. Answering the question by any method other than the method mentioned above shall be considered wrong answer.
6. More than one response to a question shall be counted as wrong answer.
7. The candidate shall not write anything on the OMR Response Sheet other than the details required and, in the spaces, provided for.
8. After the examination is over, the candidate can carry the Question Booklet along with candidate's copy of the OMR Response Sheet. Candidate will hand over the original OMR Response Sheet to the invigilator.
9. The use of any unfair means by any candidate will result in the cancellation of his/her candidature.
10. **Impersonation is an offence and the candidate, apart from disqualification, may have to face criminal prosecution.**
11. **Electronic gadgets like mobile phones, digital watch, pagers and calculators etc. are strictly not permitted inside the Test Centre/Hall.**
12. **The candidates shall not leave the hall before the end of the Test.**



LLM

DO NOT WRITE HERE

M



1. The concept of parliamentary form of Government in the Constitution of India is derived from the Constitution of which country?
 - a) United Kingdom
 - b) France
 - c) Germany
 - d) Canada
2. Match the following:

i. Copyright Act	A. 10 years
ii. Patent Act	B. Indefinite terms
iii. Trademark Act	C. 20 years
iv. Geographical Indication Act	D. Life of Author+60 years term

 - a) i-A,ii-B,iii-C,iv-D
 - b) i-D,ii-C,iii-B,iv-A
 - c) i-D,ii-B,iii-C,iv-A
 - d) i-D,ii-B,iii-A,iv-C
3. Laxmikant Pandey v. Union of India (AIR 1984 SC) lays down the rule regarding:
 - a) Inter-country adoption
 - b) Inter-religion adoption
 - c) Inter-caste marriage
 - d) Right to maintenance
4. In case of suicide by a married woman, the court under section 113-A of the Indian Evidence Act 1872, may presume that suicide had been abetted by her husband, if
 - I. Suicide was committed by the wife within a period of seven years from the date of her marriage.
 - II. The wife was subjected to cruelty.
 - III. The wife was illiterate and from a poor family.
 - IV. The wife was deserted by the husband.Select the correct option:
 - a) I, II, III
 - b) I, III, IV
 - c) II, IV
 - d) I, II
5. Which Schedule of the Constitution of India deals with allocation of seats in the Council of States?
 - a) First
 - b) Second
 - c) Third
 - d) Fourth
6. A party cannot avail the benefit of Doctrine of Fairness to alter the terms of contract because it is presumed that if a commercial contract is taking place under a statute:
 - a) Parties have an equal bargaining power
 - b) Parties voluntarily agreed to the terms
 - c) Parties take absolute liability to fulfil the contract
 - d) All of the above



- | |
|---|
| Establishment X has 17 female employees since the last two years as contract labours for making papers. |
| Establishment Y has 21 female employees since the last two years as contract labours for making papers. |
| Establishment Z hires 21 female employees as contract labours for 59 days in the preceding year for destroying papers after Exams in NLUs. |
| Contractor A hires 21 female employees as contract labours for a seasonal work of preparing a sweet dish called <i>Ghevar</i> on occasion of Raksha Bandhan in the month of August. |

a) X, Y
b) Only Y
c) X, Y, Z
d) All of the above

- M



13. Pick the correct statement:
- The object of Law is the creation and protection of legal rights
 - Law is defined by Holland as the “capacity residing in one person, of controlling with the assent and assistance of the State, the actions of others”
 - Prof. Goodhart had observed that “the moral basis of contract is that the promisor has by his promise created a reasonable expectation that it will be kept”
 - All of the above are correct
14. “The statement in order to constitute a ‘confession’ under the Indian Evidence Act 1872, must either admit in terms the offence or at any rate substantially all the facts which constitute the offence.” The above view was expressed by the Privy Council in which case?
- Q.E. v. Abdullah
 - H.H.B. Gill v. King Emperor
 - Pakla Narayan Swamy v. Emperor
 - John Makin v. Attorney General
15. The Supreme Court of India in which case dealt with the validity of the entry tax?
- M. C. Mehta v. Union of India AIR 1987 SC 1087
 - Kesavananda Bharti v. State of Kerala (1973) 4 SCC 225
 - Vishaka v. State of Rajasthan (1997) 6 SCC 241
 - Jindal Stainless Ltd. & Anr v. State of Haryana & Ors. (2017) 12 SCC 1
16. Find the odd one out:
- | | |
|-------------------|----------------------|
| a) Fiction Theory | b) Bracket Theory |
| c) Will Theory | d) Concession Theory |
17. Which Article of the Constitution of India deals with the validity of pre-Constitution laws?
- | | |
|---------------|---------------|
| a) Article 2 | b) Article 9 |
| c) Article 11 | d) Article 13 |
18. Match List I with List II and select the correct option-
- | List I | List II |
|--------------------|-------------------------------|
| A. Section 146 IPC | 1. Fabricating False Evidence |
| B. Section 340 IPC | 2. Extortion |
| C. Section 192 IPC | 3. Rioting |
| D. Section 383 IPC | 4. Wrongful confinement |
- Select the correct option :
- | | |
|-----------------------|-----------------------|
| a) A-1, B-4, C-3, D-2 | b) A-3, B-4, C-1, D-2 |
| c) A-3, B-2, C-1, D-4 | d) A-2, B-4, C-3, D-1 |



19. Whose permission is required for an Indian citizen to accept any title from any foreign State?
- This is barred under the Constitution of India
 - The Prime Minister of India
 - The President of India
 - No permission is required
20. Any person arrested and detained in custody has to be produced before the nearest Magistrate within?
- Twenty-four hours of such arrest excluding the time necessary for the journey from the place of arrest to the court of the Magistrate.
 - Twenty-four hours of such arrest including the time necessary for the journey from the place of arrest to the court of the Magistrate.
 - Twelve hours of such arrest excluding the time necessary for the journey from the place of arrest to the court of the Magistrate.
 - Twelve hours of such arrest including the time necessary for the journey from the place of arrest to the court of the Magistrate.
21. Match the following:
- | Type of IPR | Protects the intellectual property |
|----------------------------------|---|
| i. Copyright Act | A. Of a seller selling geographical uniqueness of a product |
| ii. Patents Act | B. Created by a business' brand identity in the marketplace |
| iii. Trademarks Act | C. Created by inventors |
| iv. Geographical Indications Act | D. Created by artists |
| a) i-A,ii-B,iii-C,iv-D | b) i-D,ii-C,iii-B,iv-A |
| c) i-D,ii-B,iii-C,iv-A | d) i-D,ii-B,iii-A,iv-C |
22. Under the provision of Hindu Succession Act, 1956, any property inherited by a female Hindu from her father or mother shall devolve, in absence of any son or daughter of the deceased (including the children of any pre-deceased son or daughter):
- Upon the heirs referred to in Section 15(1) of the Act
 - Upon the heirs of deceased female's father
 - Upon the heirs of deceased female's husband
 - None of the above



23. An arbitral award may not be set aside by the Court for being in conflict with the public policy of India if:
- a) the making of the award was induced or affected by fraud or corruption
 - b) the award is in contravention with the fundamental policy of Indian law
 - c) the award is in conflict with the most basic notions of morality and justice
 - d) the award is found to be illegal on review on the merits of the dispute
24. If a witness who is unable to speak, gives his evidence in writing in the open court, evidence so given shall be deemed to be:
- a) Documentary evidence
 - b) Primary evidence
 - c) Oral evidence
 - d) Secondary evidence
25. Following applies to voidable contracts:
- a) Consensus and evidence of intention to contract are present and the consent obtained is a real or genuine consent
 - b) Consensus and evidence of intention to contract are present but the consent obtained is not a real or genuine consent
 - c) None of the parties to the contract can exercise his option to elect to be bound by the contract or to disown or repudiate it
 - d) None of the above
26. The most important feature of Kelsen's pure theory is Grundnorm, which is presumed to be valid and has to be followed. Which will be considered as the Grundnorm from the following:
- I. Constitution ought to be followed
 - II. Penal laws ought to be followed
 - III. Murder/thief ought to be punished
- Select the correct option:
- a) Statement I.
 - b) Statement II.
 - c) Statement III.
 - d) None of the above.
27. Which of the following is a Directive Principle under the Constitution of India?
- a) Protection of interests of minorities.
 - b) Provision for just and humane conditions of work and maternity relief.
 - c) Both a) and b).
 - d) None of the above.
28. What should be the composition of the Internal Committee as per POSH Act 2013?
- a) 3 members including one chairperson, two members amongst employees
 - b) 3 members including one chairperson, one member amongst employees and one external member
 - c) 4 members including one chairperson, two members amongst employees and one external member
 - d) 5 members including one chairperson, two members amongst employees and two external members



29. Consider the following statements about the President of India?
- I. The President shall not hold any other office of profit.
 - II. Any citizen can be appointed as the President of India if he has completed the age of thirty years.
 - III. In case of impeachment of the President of India on the ground of violation of the Constitution of India, the charge shall be preferred by either House of the Parliament.
- Select the correct option:
- a) All the above are correct.
 - b) Only I is correct.
 - c) I and II are correct.
 - d) I and III are correct.
30. Who determines the salaries of Chairman and Deputy Chairman of the Council of States?
- a) The Parliament of India
 - b) The President of India
 - c) The Prime Minister of India
 - d) None of the above
31. Rule of fair trial to marriage is mentioned under:
- a) Section 13(B) of Hindu Marriage Act, 1955
 - b) Section 13(1A) of Hindu Marriage Act, 1955
 - c) Section 14 of Hindu Marriage Act, 1955
 - d) Section 15 of Hindu Marriage Act, 1955
32. Which provision provides that “in determining whether a group of persons is or is not a firm, or whether a person is or is not a partner in a firm, regard shall be had to the real relation between the parties, as shown by all relevant facts taken together”?
- a) Section 6, The Partnership Act, 1932
 - b) Section 6, The Limited Liability Partnership Act, 2008
 - c) Section 2, The Partnership Act, 1932
 - d) Section 2, The Companies Act, 2013
33. The following individuals cannot be appointed as arbitrators unless the parties, after a dispute has arisen between them, mutually agree by an express agreement in writing to select them as arbitrators:
- a) The proposed arbitrator holds a position in an arbitration institution with appointing authority over the dispute
 - b) The nephew of the proposed arbitrator has a significant financial interest in the outcome of the dispute
 - c) The proposed arbitrator is a lawyer in the same law firm which is representing one of the parties
 - d) The proposed arbitrator and one of the counsels were classmates



34. Dowry Prohibition law will be considered as law by:
- I. Positive school of law as it is passed by the Parliament of India.
 - II. Sociological school of law as it represents the social fact of dowry being prohibited in India.
 - III. Historical school of law as it developed from the consciousness of law which realised demanding dowry as wrong.
- Select the correct option:
- a) Only I
 - b) Both I and II
 - c) All of the above
 - d) None of the above
35. The Supreme Court of India enjoys original jurisdiction on which of the following issues?
- a) Issues between the Government of India and one or more States.
 - b) The Supreme Court enjoys only appellate jurisdiction.
 - c) Issues between two or more States.
 - d) Both a) and c).
36. In which case, it was held that 'identification parades' do not contravene Article 20(3) of the Constitution of India, which requires that no accused shall be compelled to be witness against himself?
- a) Chandmal v. State of Rajasthan (1976)
 - b) Peare Lal v. The State (1961)
 - c) Bhatia International v. Bulk Trading (2002)
 - d) Ram Avtar v. State (Delhi Administration) (1985)
37. Part V of the Constitution of India also deals with which of the following ?
- a) Appointment of District Judges.
 - b) Special provisions with respect to NCT of Delhi.
 - c) National Judicial Appointments Commission.
 - d) Separation of judiciary from executive.
38. Power to give a divorce can be delegated by a Muslim husband to:
- a) wife
 - b) A third person
 - c) either the wife or a third person
 - d) Power to divorce cannot be delegated
39. Pardon may be tendered to an accomplice under Section 306 of the Code of Criminal Procedure 1973 when:
- a) He is not in a position to stand trial due to infirm health
 - b) When he is declared insolvent
 - c) He undertakes to make full and true disclosure of the facts relating to the offence
 - d) None of the above



40. Following is true about any hire-purchase agreement:
- a) it is a bailment whereunder the bailee may buy the goods
 - b) it is open to the hirer to determine the agreement at any time
 - c) the hirer has the power to return the goods
 - d) all of the above
41. Who is competent under the Constitution of India to declare National Emergency?
- a) The Prime Minister in consultation with the Council of Ministers.
 - b) The Prime Minister.
 - c) The President of India.
 - d) The President of India in consultation with the Vice- President of India.
42. What do you understand by the term 'Mini Constitution'?
- a) Part III of the Constitution of India.
 - b) 42nd Amendment to the Constitution of India.
 - c) The schedules of the Constitution of India are collectively so called.
 - d) The Preamble to the Constitution of India.
43. *Olga Tellis & Ors. v. Bombay Municipal Corporation & Ors.* (1985) 3 SCC 545 is a leading case on which issue?
- a) rights of slum dwellers
 - b) rights of employees of a factory
 - c) rights of pregnant women at workplace
 - d) rights of residents of an urban city
44. Under Section 2(vii) of the Dissolution of Muslim Marriage Act 1939, a Muslim wife shall be entitled to obtain a decree for dissolution of her marriage :
- a) When she has been given in marriage by her father or other guardian before she attained the age of 15 years and repudiated the marriage before attaining the age of 18 years, provided that the marriage has not been consummated
 - b) When she has been given in marriage by her father or other guardian after she attained the age of 15 years and repudiated the marriage before attaining the age of 18 years
 - c) When she has been given in marriage by her father or other guardian before she attained the age of 18 years and repudiated the marriage immediately after attaining the age of 18 years
 - d) None of the above



45. Consider the following principles:

Principle I : Copyright provides exclusive rights to the owner or creator of a literary work.

Principle II : The copyright of a work created within the scope of employment by an employee is given to the employer.

Principle III : The Copyright Act, 1957 states in its provisions that fair dealing with a literary, dramatic, musical, or artistic work that is not a computer programme is not an infringement of copyright.

Fact : P created a cartoon when she was hired by S for her magazine. X used that cartoon without prior permission of S in her class slides to simplify a topic in class. Decide.

Select the correct option:

- a) S can claim compensation for the infringement of copyright.
 - b) S cannot claim any compensation because the usage of her work by X for teaching amounts to fair dealing, and therefore, not an infringement of her copyright.
 - c) P can claim the compensation because she was the creator of the work.
 - d) S was not the creator of work, therefore, there was no infringement.
46. The Constitution of India provides special provisions for which of the following States?
- a) Delhi, Punjab and Nagaland.
 - b) Delhi, Nagaland and Sikkim.
 - c) Madhya Pradesh, Nagaland and Sikkim.
 - d) Madhya Pradesh, Punjab and Assam.
47. Which of the following assertion is incorrect?
- a) in fast-track arbitration under the Arbitration and Conciliation Act, 1996 an oral hearing may be held only if all the parties make a request or if the arbitral tribunal considers it necessary to have an oral hearing for clarifying certain issues
 - b) an arbitral award shall be made in writing and shall be signed by members of the arbitral tribunal
 - c) seat of arbitration and venue of the arbitration are one and the same concept
 - d) a judicial authority shall not refer an action to arbitration if it finds that prima facie no valid arbitration agreement exists



48. A valid purpose of a Wakf is:
- Religious or charitable
 - Payment of money to poor
 - Burning of lamps in a mosque
 - All of the above

49. Match List I with List II:

List I

- Examination of witness by police
- Examination of person accused of rape by medical practitioner
- Medical examination of the victim of rape
- Examination of complainant

List II

- Section 53A
- Section 161
- Section 200
- Section 164A

Select the correct option:

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

50. The Supreme Court of India recently asked whether it should reconsider its 45 years landmark decision on the definition of 'industry' in which the triple test was laid down. Which case is being referred here for reconsideration?
- DN Banerjee v. PR Mukherjee.
 - The Bangalore Water Supply and Sewerage Board v. A. Rajappa and Others.
 - University of Delhi v. Ramnath.
 - State of Bombay v. Hospital Mazdoor Sabha.
51. Compulsory education to all children of the age of six to eighteen years falls under which category?
- Fundamental Rights.
 - Directive Principles of State Policy.
 - It is not stipulated in the Constitution of India.
 - Customary rights.



52. Following statements are correct about the Sale of Goods Act, 1930:
- a) The Act refers to two types of contractual promises i.e, conditions and warranties
 - b) The principle of caveat emptor applies
 - c) Property does not pass until seller does the thing which he was bound to do and the buyer has its notice
 - d) All of the above are correct
53. Evolution and development of natural law theory may be studied under the following heads:
- a) Ancient Period, Medieval Period
 - b) Period of Renaissance, Modern Period
 - c) Under both a) and b)
 - d) None of the above
54. Which schedule of the Constitution of India contains special administration and control provisions for Scheduled Areas and Scheduled Tribes?
- a) Third Schedule
 - b) Eighth Schedule
 - c) Fifth Schedule
 - d) Seventh Schedule
55. Write the correct sequence as enshrined in the Preamble to the Constitution of India.
- a) Justice, Liberty, Equality, Fraternity
 - b) Justice, Equality, Liberty, Fraternity
 - c) Justice, Fraternity, Liberty, Equality
 - d) Justice, Liberty, Fraternity, Equality
56. Which Schedule of the Constitution determines the disqualification of a person from being a Member of either House of the Parliament of India?
- a) 9th
 - b) 10th
 - c) 11th
 - d) 12th
57. Which of the following are exceptions to the principles of natural justice?
- a) statutory exclusion
 - b) confidentiality
 - c) both a) and b)
 - d) none of the above





64. Consider the following international instruments and arrange them in chronological order:
- I. Convention Relating to the Status of Refugees
 - II. ILO Convention No. 97 (Migration for Employment Convention (Revised))
 - III. International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
 - IV. Declaration on the Human Rights of Individuals who are not nationals of the country in which they live
- Select the correct option:
- a) I, III, II, IV
 - b) II, I, IV, III
 - c) I, IV, II, III
 - d) II, IV, I, III
65. Which of the following is not applicable to a registered trade union?
- I. The Societies Registration Act, 1860 (21 of 1860)
 - II. The Co-operative Societies Act, 1912 (2 of 1912)
 - III. The Companies Act, 1956
- Select the correct option:
- a) Only I is applicable
 - b) Only II is applicable
 - c) Only III is applicable
 - d) None of the legislations are applicable
66. The writ of Mandamus can be issued against which of the following?
- a) Any Company which has a statutory or public duty to perform.
 - b) The President of India.
 - c) Legislature to enact a particular law.
 - d) Any private individual.
67. Pick the correct statement about oppression and mismanagement:
- a) Individual interest may be sacrificed to the economic exigencies of the enterprise and judgment of the directors must prevail.
 - b) No more damage should come to the minority shareholders or individual shareholder than is absolutely necessary for protecting the benefit to the company.
 - c) *Sidebottom v. Kershaw, Lease & Co* is the leading case on this issue.
 - d) All of above are correct.



68. What is not an essential ingredient of 'Gift' as defined under the Transfer of Property Act, 1882?
- consideration
 - free will
 - acceptance by the donee
 - property should be in existence
69. What is the duration of a lease for an immovable property for agricultural purpose in the absence of any contract or local law?
- the lease shall be deemed to be a lease from year to year, terminable on the part of the lessor by six months' notice.
 - the lease shall be deemed to be a lease from year to year, terminable on the part of the lessee by six months' notice.
 - the lease shall be deemed to be a lease from year to year, terminable on the part of either the lessor or the lessee by three months' notice.
 - the lease shall be deemed to be a lease from year to year, terminable on the part of either the lessor or the lessee by six months' notice.
70. Match the following:
- | | |
|--|------------------------------------|
| A. Sexual intercourse by husband with minor wife | I. State of Punjab v. Gurmit Singh |
| B. In-camera trial of rape case | II. Vishakha v. State of Rajasthan |
| C. Sexual harassment of women at workplace | III. Sakshi v. UOI |
| D. In-camera trial of a case under sections 354 and 377, IPC | IV. Independent thought v. UOI |

Select the correct option:

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

71. Which of the following is true about passing off with respect to trademark?
- The passing off is providing protection to registered goods and services.
 - The passing off is providing protection to unregistered goods and services.
 - In passing off, it is not essential for the plaintiff to establish that the disputed mark has a distinctive identity for the user of the plaintiff's goods or services.

Select the correct option:

- | | |
|-------------------|----------------------|
| a) Only I | b) Only II |
| c) Both I and III | d) None of the above |



- 17-



77. 'Attested' as interpreted under the Transfer of Property Act, 1882 implies:
- a) attested by at least one witness
 - b) attested by at least two witnesses
 - c) attested by two or more witnesses
 - d) the Transfer of Property Act, 1882 does not specify the number of witnesses
78. General Practice which is a constituent element of Customary International Law refers to:
- I. Practice of States
 - II. Conduct of NGOs
 - III. Conduct of Private Individuals
 - IV. Practice of International Organisations
- Select the correct option:
- a) I, II and IV
 - b) Only I
 - c) I and IV
 - d) I, III and IV
79. Company N slightly altered an already existing medicine 'M' and wants to get it patented. Decide:
- a) The patent cannot be granted as slight alteration would not amount to novelty.
 - b) The patent can be granted as it includes novelty because of slight alteration.
 - c) The patent cannot be granted as this will also amount to evergreening of patents.
 - d) Both a) and c).
80. Pick the correct statement:
- a) According to Dr. Allen, custom as a legal and social phenomenon grows up partly by forces inherent in society, forces of purity of reason and necessity and partly of suggestions and imitation.
 - b) Professor Holland says that custom is a generally observed course of conduct.
 - c) Professor Keeton defines custom as those rules of human action, established by usage and regarded as legally binding by those to whom the rules are applicable.
 - d) All of the above are correct.



81. Following is not correct about the Board of Directors:
- a) Only individuals can be appointed as directors.
 - b) Requirement of one-woman director in listed cos & a director who has stayed in India for not less than 182 days in the previous calendar year.
 - c) Public co- should have minimum 5 directors and Private co- should have minimum 2 directors.
 - d) None of the above are correct.
82. The Occupational Safety, Health and Working Conditions Code, 2020 has subsumed how many major labour laws into one Code?
- a) 10
 - b) 11
 - c) 12
 - d) 13
83. According to the which theory, new states are established by the will and consent of already existing states?
- a) Declaratory
 - b) Monist
 - c) Constitutive
 - d) None of the above
84. A judgement:
- a) should not contain the name of the victim in case of sexual offences
 - b) includes an order of discharge
 - c) must be written in the English language
 - d) in case of acquittal need not direct the accused to be set free
85. A prosecutes B for adultery with C, A's wife. B denies that C is A's wife, but the Court convicts B for adultery. Afterwards, C is prosecuted for bigamy in marrying B during A's lifetime. C says that she never was A's wife. The judgement against B is
- a) Relevant as against C
 - b) Irrelevant as against C
 - c) Relevant and admissible against C
 - d) None of the above
86. Which of the following statement is incorrect regarding the precautionary principle in international environmental law?
- a) When an activity, product or technology may cause harm to the environment precautionary measures should be taken to prevent or mitigate potential damage
 - b) Lack of scientific certainty is no reason to postpone action
 - c) Occurrence of serious and irreversible harm to the environment is a mandatory condition for the operation of this principle
 - d) The principle is applied by States according to their capabilities



87. Gaurav, an accused, wants to submit carbon copy of the suicide note as secondary evidence. The original is with the opposite party and he has failed to produce the same in the court. The suicide was not within the knowledge of the accused prior to the receipt of the carbon copy. Which of the following will hold true for the case?

- a) The evidence can be admitted as it satisfies the requirements of both Section 64 and 65 of the Indian Evidence Act, 1872
- b) The evidence cannot be admitted due to applicability of Section 30 of the Indian Evidence Act, 1872
- c) The evidence cannot be admitted as it fails to satisfy the requirement of Section 64 of the Indian Evidence Act, 1872
- d) The evidence cannot be admitted as it fails to satisfy the requirement of Section 65 of the Indian Evidence Act, 1872

88. **Assertion (A):** Article 19 of the Vienna Convention on the Law of Treaties (1969) provides that the States have the right to make reservation circumscribed by three exceptions.

Reason (R): The making of reservations is incident upon the sovereignty and equality of states.

Select the correct option:

- a) Both (A) and (R) are true and (R) is the correct explanation of (A)
- b) Both (A) and (R) are true but (R) is not a correct explanation of (A)
- c) (A) is true but (R) is false
- d) (A) is false but (R) is true

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

List I

- (i) Tukaram v. State of Maharashtra
- (ii) State of Tamil Nadu v. Nalini
- (iii) Varendra Kumar Ghosh v. Emperor
- (iv) State of Maharashtra v. Sukh Deo Singh

List II

- 1. General A.S. Vaidya Case
- 2. Mathura Rape Case
- 3. Post-Master Murder Case
- 4. Rajeev Gandhi Murder Case

Select the correct combination:

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



90. "In my respectful view, what appears to be missing in this analysis by the Court is what specific obligations arise during stage two of this process. In attempt to fill this lacuna, the present opinion will offer suggestions as to appropriate minimum standards that should be fulfilled by any nation State conducting an EIA. In this regard, the Convention on Environmental Impact Assessment in a Transboundary Context ("Espoo Convention") drafted by the United Nations Economic Commission for Europe ("UNECE") provides, in my view, an exemplary standard for the process to be followed when conducting an EIA." The above statement highlighting the Espoo Convention as an "exemplary standard" for conducting Environmental Impact Assessment was made in the:
- a) Separate Opinion by Judge Donoghue in *Certain Activities Carried Out by Nicaragua in the Border Area* (Costa Rica v. Nicaragua)
 - b) Separate Opinion by Judge Cançado Trindade in *Certain Activities Carried Out by Nicaragua in the Border Area* (Costa Rica v. Nicaragua)
 - c) Separate Opinion by Judge Bhandari in *Certain Activities Carried Out by Nicaragua in the Border Area* (Costa Rica v. Nicaragua)
 - d) Separate Opinion by Judge Koroma in *Gabčíkovo-Nagymaros Project* (Hungary v. Slovakia)
91. Following principles are considered as settled while interpreting taxation statutes:
- a) In interpreting a taxation statute, equitable considerations are entirely out of place. Taxation statutes cannot be interpreted on any presumption or assumption.
 - b) Before taxing any person, it must be shown that he falls within the ambit of the charging section by clear words used in the section and the golden rule of interpretation applies.
 - c) If the words are ambiguous and open to two interpretations, the benefit of interpretation is to be given to the State.
 - d) Both a) and b).
92. Following is not included within the ambit of 'consumer rights':
- a) the right to be protected against the marketing of goods, products or services which are hazardous to life and property
 - b) no right to be informed about the quality, quantity, potency, purity, standard and price of goods, products or services so as to protect the consumer against unfair trade practices
 - c) the right to be assured, wherever possible, access to a variety of goods, products or services at competitive prices
 - d) the right to consumer awareness



93. **Assertion (A):** An accomplice shall be a competent witness against an accused person.
Reason (R): An accomplice is unworthy of credit, unless he is corroborated in material particulars.
Select the correct option:
a) Both (A) and (R) are true, and (R) is the correct explanation of (A).
b) Both (A) and (R) are true, but (R) is not the correct explanation of (A).
c) (A) is true, but (R) is false.
d) (A) is false, but (R) is true.
94. *Nemo judex in causa sua* implies which of the following?
a) No one can be a judge in his own case.
b) The act of Court shall not prejudice anyone.
c) Burden of proof lies on the plaintiff.
d) A delegate cannot further delegate.
95. In which of the following cases did the Supreme Court of India identify both Precautionary and Polluter Pays principles as essential features of sustainable development?
a) Indian Council for Enviro-legal Action & Ors. v. Union of India & Ors. (1996)
b) Vellore Citizen's Welfare Forum v. Union of India (1996)
c) M.C. Mehta v. Kamal Nath & Ors. (1997)
d) Narmada Bachao Andolan v. Union of India & Ors. (2000)
96. Consider the following principles:
Principle A: International humanitarian law aims to protect the civilian population and civilian objects, and establishes the distinction between combatants and non-combatants. States must never make civilians the object of attack and must consequently never use weapons that are incapable of distinguishing between civilian and military targets.
Principle B: International humanitarian law prohibits causing of unnecessary suffering to combatants; it is accordingly prohibited to use weapons causing them such harm or uselessly aggravating their suffering. Therefore, states do not have unlimited freedom of choice of means in the weapons they use.
Select the correct option:
a) Both Principles A and B are correct
b) Only Principle A is correct
c) Only Principle B is correct
d) Both Principle A and Principle B are incorrect



97. Following matters or disputes can be referred to mediation under the Mediation Act 2023 :
- a) Disputes relating to investment matters
 - b) Disputes relating to claims against minors
 - c) Subject matter over which the Tribunal constituted under the National Green Tribunal Act, 2010 has jurisdiction
 - d) Suits for declaration having effect of right *in rem*
98. Following is not correct about the 'same word same meaning' rule:
- a) When the Legislature uses the same word in different parts of the same section or statute, there is a presumption that the word is used in the same sense throughout.
 - b) The presumption noted in a) is a weak presumption and is readily displaced by the context.
 - c) When the same word is used at different places in the same clause of the same section, it bears the same meaning at each place having regard to the context of its use.
 - d) None of the above.
99. "Article 36, paragraph 1 (b), of the Vienna Convention provides that if a national of the sending State is arrested or detained, and "if he so requests", the competent authorities of the receiving State must, "without delay", inform the consular post of the sending State." [*Jadhav Case* (India v. Pakistan)]. In the context of this case, the International Court of Justice understood the expression 'without delay' as:
- a) Immediately upon arrest
 - b) To be determined on the basis of individual's circumstances
 - c) Before interrogation
 - d) None of the above
100. Following is true about further issue of share capital:
- a) Rights shares should be issued to existing equity shareholders of the company, as nearly as circumstances admit, in proportion to the paid-up share capital on those shares
 - b) Should be issued to employees under a scheme of employees' stock option, if the company passes ordinary resolution in this behalf
 - c) To no other person even if authorized by special resolution of the company
 - d) All of the above



LLM

SPACE FOR ROUGH WORK

ALL INDIA LAW ENTRANCE TEST-2024

LL.M. ADMISSION TEST-2024 FINAL MASTER ANSWER KEY

Q.No.	Ans.	Q.No.	Ans.	Q.No.	Ans.	Q.No.	Ans.	Q.No.	Ans.
1	A	21	B	41	C	61	C	81	C
2	B	22	B	42	B	62	B	82	D
3	A	23	D	43	A	63	A	83	C
4	D	24	C	44	A	64	B	84	A
5	D	25	B	45	B	65	D	85	B
6	D	26	A	46	B	66	A	86	C
7	A	27	B	47	C	67	D	87	A
8	B	28	C	48	A	68	A	88	A
9	B	29	D	49	B	69	D	89	A
10	B	30	A	50	B	70	D	90	C
11	B	31	C	51	C	71	B	91	D
12	B	32	A	52	D	72	B	92	B
13	D	33	C	53	C	73	B	93	A
14	C	34	A	54	C	74	A	94	A
15	D	35	D	55	A	75	B	95	B
16	C	36	B	56	B	76	D	96	A
17	D	37	C	57	C	77	B/C	97	A
18	B	38	C	58	C	78	C	98	C
19	A	39	C	59	D	79	D	99	B
20	A	40	D	60	B	80	D	100	A



LL.M. ADMISSION TEST – 2025

Question Booklet Sl. No.

Date of Exam :

Center's Name : _____

Duration : 120 Minutes

Roll No. : _____

Max. Marks : 100

OMR Sheet No. : _____

INSTRUCTIONS TO CANDIDATES

1. No clarification on the Question Paper can be sought. Answer the questions as they are.
2. There will be **100 Multiple Choice Questions (MCQs)** of one mark each to be answered in the OMR Response Sheet only. Total marks are 100. **Answer ALL the Questions.**
3. **There will be Negative Marking for Multiple Choice Questions (MCQs). For every wrong answer 0.25 marks will be deducted.**
4. Candidates have to indicate the most appropriate answer by darkening one of the four responses provided, with **only BLACK/BLUE BALL POINT PEN** in the OMR Response Sheet.

Example : For the question, "Where is the Taj Mahal located ?"

a) Kolkata

b) Agra

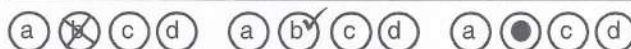
c) Bhopal

d) Delhi

Right Method



Wrong Methods



5. Answering the question by any method other than the method mentioned above shall be considered wrong answer.
6. More than one response to a question shall be counted as wrong answer.
7. The candidate shall not write anything on the OMR Response Sheet other than the details required and, in the spaces, provided for.
8. After the examination is over, the candidate can carry the Question Booklet along with candidate's copy of the OMR Response Sheet. Candidate will hand over the original OMR Response Sheet to the invigilator.
9. The use of any unfair means by any candidate will result in the cancellation of his/her candidature.
10. **Impersonation is an offence and the candidate, apart from disqualification, may have to face criminal prosecution.**
11. **Electronic gadgets like mobile phones, digital watch, pagers and calculators etc. are strictly not permitted inside the Test Centre/Hall.**
12. **The candidates shall not leave the hall before the end of the Test.**

DO NOT OPEN TILL 2 P.M.



LLM

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1. 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 OCED and non-OECD states
 - d) prohibition of activities that threaten biological diversity by regulating the transportation of invasive species
2. "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* AIR 2008 SC 663
 - b) *SR Bommai v. Union of India* AIR 1994 SC 1918
 - c) *DC Wadhwa v. State of Bihar* AIR 1987 SC 579
 - d) *E. P. Royappa v. State of Tamil Nadu* AIR 1974 SC 555
3. Which of the following jurists gave the Bad Man theory?
 - a) HLA Hart
 - b) Spencer
 - c) Justice OW Holmes
 - d) Austin
4. 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
5. 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
6. 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
7. 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



8. 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 INSC 920
 - b) *Joseph Shine v. Union of India* AIR 2018 SC 4898
 - c) *Naz Foundation v. Govt. of NCT of Delhi* 2010 CRI. L. J. 94, 2009
 - d) *Navtej Singh Johar v. Union of India* AIR 2018 SC 4321
9. 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
10. 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
11. 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
12. 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



13. Match the following

I. Uti possidetis	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
II. Pacta sunt servanda	2. two or more states equally exercise sovereignty with respect to a territory and its inhabitants
III. Condominium	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
IV. Rebus sic stantibus	4. proposition that treaties are binding upon the parties to them and must be performed in good faith

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

14. 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.

15. 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



16. 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
17. 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
18. _____ 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
19. 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
20. 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 TRAI 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)
21. 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
22. 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.



23. 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
24. 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
25. Match the following

I. Arbitration of excepted matters	1. <i>A. Ayyasamy v. A. Paramasivam</i> , (2016) 10 SCC 386
II. Conditional Arbitration Clauses	2. <i>In re - Interplay between Arb Agreements and Stamp Act 2023</i> INSC 1066
III. Separability of Arbitration Agreement - Kompetenz Kompetenz	3. <i>Vulcan Insurance Co Ltd v. Maharaj Singh and Anr</i> (1976) 1 SCC 943
IV. Arbitrability of fraud	4. <i>Mitra Guha Builders (India) Co v. ONGC</i> (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
26. 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 member of the company, and on its registration, shall be entered as 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
27. Which Section of BNS 2023, provides Solitary Confinement as a punishment?
- a) Section 10 b) Section 11
c) Section 22 d) Section 14



28. 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* AIR 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
29. For an agreement without consideration to be valid under S. 25(3) of the Indian Contract Act, 1872 it is necessary that
- a) agreement in question 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
30. Arrest by police without a warrant is covered under which Section of BNSS, 2023?
- a) Section 35 b) Section 36 c) Section 37 d) Section 34
31. 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 50% cap on reservations and is therefore invalid.
 - d) ruled that only socially and educationally backward classes are eligible for reservation, excluding EWS.
32. 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* AIRonline 2020 SC 54
 - d) *State of U.P. v. M/s Lalta Prasad Vaish and Sons.* 2024 INSC 813 (Oct. 2024)



33. 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.*
34. 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.
35. 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
36. 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 contributions 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



37. 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.
38. 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
39. 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
40. 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
41. 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



42. 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
43. 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)
44. 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.
45. 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
46. 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.



47. In relation to the Hindu Marriage Act, 1955 match the following and identify 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)
48. 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
49. 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 III
c) Public order, morality and decency
d) Public order, security of the state and decency
50. 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
51. 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* AIR 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* AIR 1951 SC 458



52. 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.
53. 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
54. 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
55. 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*
56. 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)



57. 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
58. '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
59. 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
60. 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
61. 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
62. 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*
63. *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



64. The Comptroller and Auditor-General of India may be removed:
- at the Pleasure of the President
 - by the Parliament in the same manner and on the like grounds as that of a Supreme Court Judge as per Article 148
 - 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
 - by the Parliament in the same manner and on the like grounds as that of a High Court Judge as per Article 148
65. Inference about the existence of the contract can be made from the letters, emails, and other correspondence between the parties. Pick the correct options:
- 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
 - 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
 - Both a) and b)
 - None of the above
66. As per to the Hindu Marriage Act, 1955, *sapinda relationship* with reference to any person extends as far as:
- the third generation(inclusive) in the line of ascent through the mother, and the fifth (inclusive) in the line of ascent through the father.
 - the fifth generation(inclusive) in the line of ascent through the mother and father, both.
 - the third generation(inclusive) in the line of ascent through the father, and the fifth (inclusive) in the line of ascent through the mother.
 - the fifth generation(inclusive) in the line of ascent through the mother, and the seventh (inclusive) in the line of ascent through the father.
67. 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
- an individual who is a national of, or habitually resident in, any country other than India
 - a body corporate which is incorporated in any country other than India
 - an association or a body of individuals whose central management and control is exercised in any country other than India
 - 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



68. The expression 'law' under Article 13(3)(a) of the Constitution of India does include which of the following ?
- Only ordinances, bye-law, rule, regulation
 - Ordinance, custom or usage, constitutional amendments, etc.
 - Only ordinance, regulation, notification
 - Only ordinance, order, bye-law
69. Which of the following statements is correct, as per Section 44 of BSA, 2023?
- The question is, 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.
 - The question is, 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.
 - The question is, whether A and B were married. The fact that they were usually received and treated by their friends as husband and wife, is irrelevant.
 - The question is, 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.
70. 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?
- E.V.Chinnaiah v. State of Andhra Pradesh* (2004)
 - State of Punjab v. Davinder Singh* (2024)
 - The State of Bihar v. Gaurav Kumar* (2024)
 - Janhit Abhiyan v. Union of India* (2019)
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-I, B-II, C-III, D-IV
 - A-II, B-III, C-IV, D-I
 - A-IV, B-II, C-III, D-I
 - A-IV, B-I, C-II, D-III
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?
- The Parliament of India
 - The President in consultation with the Chief Justice of India
 - The Supreme Court Collegium
 - The National Judicial Appointment Commission



73. 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

74. 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. <i>Research Foundation for Science Technology and Natural Resource Policy v. Union of India</i> (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. <i>Orissa Mining Corpn Ltd v. Ministry of Environment and Forests</i> (2013) 6 SCC 476
III. Precautionary principle and polluter pays principle are part of law of the land	3. <i>Subhash Kumar v. State of Bihar</i> 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. <i>Vellore Citizen Welfare Forum v. Union of India</i> (1996) 5 SCC 647

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-3, IV-4
 - d) I-3, II-4, III-2, IV-1
75. An order for the maintenance of wives, children and parents is provided under which Section of BNSS, 2023?
- a) Section 143 b) Section 144 c) Section 125 d) Section 127
76. 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?
- a) *Minerva Mills v. Union of India* (1980)
 - b) *DC Wadhwa v. State of Bihar* (1986)
 - c) *Rameshwar Prasad v. Union of India* (2006)
 - d) *Kunhayammed & Ors v. State of Kerala* (2000)



77. 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
78. 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
79. 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*
80. 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
81. 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



82. 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

83. 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 the modesty of a woman	(2) Section 79
(C) Stalking	(3) Section 75
(D) Sexual Harassment	(4) Section 78

Select the correct options:

- 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
84. At the heart of Paris Agreement climate change regime is Intended National Determined Contributions (INDC). Which of the following best describes an INDC?
- 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
85. 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 |
- 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



86. 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.
87. 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
88. 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
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



90. 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.

91. Match the following

- | | |
|---|---------------------------------------|
| 1. The Code on Wages | A. Employees Compensation Act |
| 2. Industrial Relations Code | B. The Equal Remuneration Act |
| 3. The Code on Social Security | C. The Trade Unions Act |
| 4. Code on Occupational Safety
Health and Working Conditions | D. The Contract Labour Regulation Act |

Select the correct option:

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

92. Match the following

School of Jurisprudence

- 1. Natural Law
- 2. Analytical
- 3. Realism

- 4. Philosophical

Select the correct option:

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

Description

- A. Rules Based on reason
- B. Principles enforced by courts
- C. Immutable and eternal rules based on moral/divine law
- D. Law as it is

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



93. Which of the following statement 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
94. 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
95. 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
96. What does the principle of non-regression mean in International environmental law?
- a) measures of environmental protection already achieved should not be reversed or diminished
 - 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



97. Which of the following statement 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
98. "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.
99. 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.
100. 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

APPENDIX - B**ALL INDIA LAW ENTRANCE TEST-2025****LL.M. ADMISSION TEST-2025****MODERATED MASTER ANSWER KEY**

Q.No.	Ans.	Q.No.	Ans.	Q.No.	Ans.	Q.No.	Ans.	Q.No.	Ans.
1	C	21	A	41	A	61	C	81	B
2	A	22	D	42	C	62	B	82	D
3	C	23	B	43	D	63	D	83	C
4	D	24	C	44	B	64	B	84	C
5	C	25	B	45	C	65	C	85	A
6	B	26	D	46	C	66	A	86	C
7	C	27	B	47	C	67	A	87	A
8	A	28	A	48	D	68	#	88	C
9	D	29	D	49	B	69	D	89	A
10	B	30	A	50	A	70	B	90	C
11	C	31	A	51	B	71	D	91	B
12	B	32	A	52	D	72	A	92	C
13	D	33	C	53	C	73	C	93	B
14	C	34	C	54	B	74	B	94	A
15	B	35	C	55	A	75	B	95	C
16	A	36	A	56	A	76	B	96	A
17	B	37	D	57	C	77	D	97	C
18	A	38	A	58	B	78	A	98	D
19	A	39	D	59	A	79	B	99	B
20	A	40	#	60	B	80	D	100	D

Master question no. 40 and 68 has been dropped. One Mark for each dropped question will be given to all the candidates.