

### Question 1

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

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

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

#### Explanation:

- Section 78 IPC: an act done in pursuance of a judgment or order of a Court, while that judgment/order is in force, is **not an offence**, even if the Court had no jurisdiction, **provided** the person acting believes in good faith that the Court had such jurisdiction.
- The bailiff is just executing the court's order and, if he acts in good faith, he is protected from criminal liability.
- Civil consequences (like compensation) are a different matter; Section 78 deals only with criminal liability.

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### Question 2

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

- (A) Seven days
- (B) Ten days

- (C) Fourteen days
- (D) Twenty-one days

**Answer: (C) Fourteen days.**

**Explanation:**

- BNS retains the same limits as old IPC Section 73 on solitary confinement.
  - Maximum solitary confinement:
    - Not more than **3 months in total**, and
    - Not more than **14 days at a time**, and
    - Not more than **7 days in a month** in certain cases.
  - The question is specifically about “at a time” → **14 days** is the cap.
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### Question 3

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

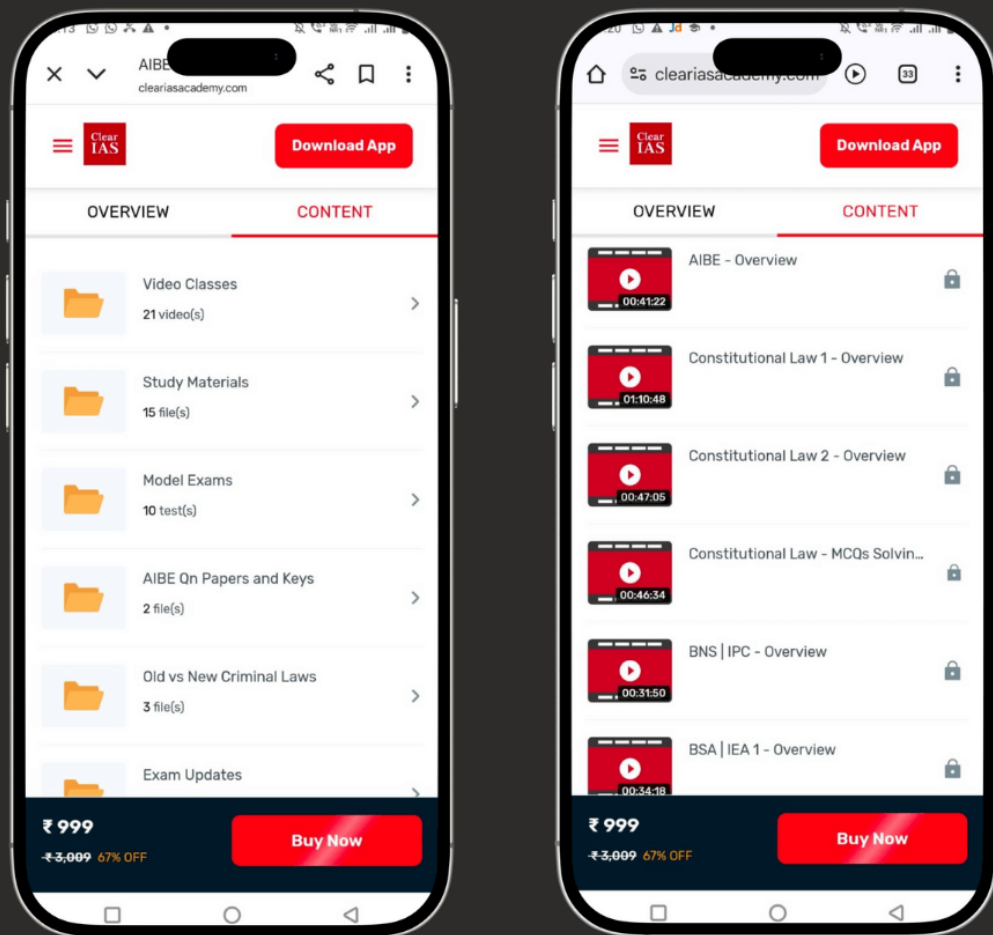
- (A) ₹25,000
- (B) ₹50,000
- (C) ₹1,00,000
- (D) ₹75,000

**Answer: (B) ₹50,000.**

**Explanation:**

- Section 140 of the Motor Vehicles Act, 1988 (no-fault liability):
  - Death → **₹50,000**
  - Permanent disablement → **₹25,000**
- This is payable without proving fault or negligence of the driver/owner.

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#### Question 4 – Assertion–Reason

**Assertion (A):** An employee can be deemed to be in continuous service for one year only if he has worked for **365 days** in the preceding twelve months **without any interruption**.

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

Options:

- (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

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

**Explanation:**

- “Continuous service” under Section 2A of the Payment of Gratuity Act **does NOT require actual work on every single day**.
- It **includes** interruptions such as sickness, accident, leave, lay-off, strike, lock-out, or cessation of work not due to employee's fault.
- So:
  - Assertion is **wrong** (too rigid).
  - Reason correctly states the law → **true**.

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#### Question 5

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

**Statement 1:** Under the Indian Penal Code, if a person harbours an offender who has escaped custody for an offence punishable with imprisonment up to 3 years, he shall be punished with imprisonment up to 7 years.

**Statement 2:** The law provides an exception for harbouring or concealing by the husband or wife of the offender.

Options:

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

**Answer: (C) Only Statement 2 is true.**

**Explanation:**

- **Statement 1:** Wrong. Under Section 216 IPC (harbouring offender who has escaped custody), the punishment depends on the gravity of the main offence; a blanket “up to 7 years” for an offence punishable only up to 3 years is incorrect.
- **Statement 2:** Correct. IPC expressly **exempts husband or wife of the offender** from liability for harbouring in such provisions (e.g., Sections 212 & 216).

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### Question 6

**If a person attempts an offence punishable with a maximum of 10 years' imprisonment, what is the maximum term of imprisonment that can be imposed for the attempt under Section 62 of the Bharatiya Nyaya Sanhita, 2023 (where there is no specific punishment for attempt)?**

- (A) Five years
- (B) Seven years

- (C) Ten years
- (D) Three years

**Answer: (A) Five years.**

**Explanation:**

- Section 62 BNS (like Section 511 IPC) says: for attempt to commit an offence punishable with imprisonment for life or any other imprisonment, punishment for attempt may extend to **one-half of the longest term** provided for that offence, where no specific punishment for attempt is given.
- Longest term for the main offence = **10 years** → half of that = **5 years**.

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### Question 7

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

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

**Answer: (A) Section 27.**

**Explanation:**

- Section 27 CrPC: deals with **jurisdiction in the case of juveniles** – offences *not* punishable with death or life imprisonment may be tried by the Court of a Chief Judicial Magistrate or any Court empowered, and by the Juvenile Justice system as applicable.
- Other options:

- S.125 – maintenance
- S.302 – power of Public Prosecutor to conduct prosecution
- S.482 – inherent powers of High Court.
- So the correct procedural hook for a 14-year-old is **Section 27**.

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### Question 8

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

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

**Answer: (B) 30 days.**

### Explanation:

- BNSS Section 290(1): an accused may file an application for plea bargaining **within 30 days from the date of framing of charge**.
- This is a new express outer limit that did **not** exist in the old CrPC plea-bargaining scheme.

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### Question 9

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

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

**Answer: (B) Two months.**

**Explanation:**

- Section 8 of the BNS deals with fines and imprisonment in default.
- For default in payment of fine (or community service), the scheme is:
  - Fine **not exceeding ₹5,000** → imprisonment **not exceeding 2 months**
  - Fine **not exceeding ₹10,000** → imprisonment **not exceeding 4 months**
  - In any other case → imprisonment **not exceeding 1 year**
- Here fine = ₹4,000 → falls in “**not exceeding ₹5,000**” slab → **max 2 months**.

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### Question 10

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

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

**Answer: (C) 7 years.**

**Explanation:**



- Section 18(7) BNSS: a person is eligible to be appointed as Public Prosecutor or Additional Public Prosecutor **only if** he has been in practice as an advocate for **not less than seven years**.
- (Note: A “Special Public Prosecutor” needs 10 years’ practice – but that is a different role.)

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## Question 11

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

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

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

### Explanation

- Section 11 of the Indian Evidence Act deals with “*When facts not otherwise relevant become relevant.*” It says that facts not otherwise relevant become relevant if:
  1. **They are inconsistent with any fact in issue or relevant fact;** or
  2. By themselves or along with other facts, they make the existence/non-existence of any fact in issue or relevant fact highly probable or improbable.
- So a fact which seems irrelevant at first can become very important if it **contradicts** a fact in issue (for example, an alibi).

**Why the other options are wrong**

- (A) Proof of guilt directly is not the test in Section 11; it talks about **inconsistency or probability**, not direct proof.
  - (B) Dying declarations are covered by a separate provision (Section 32(1)), not Section 11.
  - (D) Admissions in writing are dealt with in the chapter on **Admissions**; they are relevant under those sections even without Section 11.
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## Question 12

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

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

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

## Explanation

- Section 33 allows evidence given by a witness in a previous judicial proceeding to be used in a later proceeding **only if certain conditions are met**:
  - the witness is dead, cannot be found, incapable of giving evidence, kept out of the way, or cannot be brought without unreasonable delay/expense;
  - **the proceeding was between the same parties or their representatives in interest;**
  - the adverse party had the right and opportunity to cross-examine;
  - the questions in issue were substantially the same.

### Why the other options are wrong

- (A) Presence of a jury is irrelevant; many Indian trials have no jury.
- (C) Publication in a Gazette has nothing to do with Section 33.
- (D) Corroboration may be good practice, but it is **not a statutory condition** for Section 33.

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### Question 13

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

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

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

### Explanation

- Section 74 of the Indian Evidence Act defines **public documents**. They include:
  - documents forming the acts or records of the acts
    - of the sovereign authority;
    - of official bodies and tribunals;
    - of public officers, **legislative, judicial and executive**; and
  - public records kept of private documents.
- Therefore **judicial and executive acts of public officers** are classic examples of public documents.

### Why the other options are wrong

- (A) Draft agreements between individuals – purely private documents.
- (B) Personal diaries of government officials – personal, not official acts/records.
- (C) Internal notes of a private company – private documents of a private body.

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### Question 14

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

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

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

### Explanation

- Section 8 of the Bharatiya Sakshya Adhiniyam, 2023 (equivalent to Section 10 IEA) says: where there is **reasonable ground to believe that two or more persons have conspired**, anything said, done or written by any one of them in reference to their common intention is a relevant fact against all.
- So **the foundational requirement** is the existence of reasonable ground to believe a conspiracy.

### Why the other options are wrong

- (A) Acts/words **after** the conspiracy is over are not covered.
- (B) The acts/statements must relate to the **common design**, not unrelated personal benefits.

- (D) You don't need proof that each conspirator **personally** committed the act; conspiracy itself is enough once reasonable ground is shown.

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### Question 15

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

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

**Correct answer: (C) 6 months**

### Explanation

- Section 30 CrPC provides that when a Magistrate awards imprisonment **in default of payment of fine**, the term in default:
  - shall not exceed the powers of the Magistrate under Section 29; and
  - where imprisonment is also part of the substantive sentence, it **shall not exceed one-fourth of the term of imprisonment which the Magistrate is competent to inflict as punishment** (and in practice is often applied with reference to the term actually awarded).
- Here, the substantive imprisonment is **2 years** → one-fourth of 2 years = **6 months**, so the maximum default sentence is 6 months.

### Why the other options are wrong

- (A) 1 year = half of the substantive sentence, which breaches the one-fourth limit.

- (B) 2 years would double-punish; default imprisonment can't exceed the substantive sentence.
- (D) 3 months is possible in a given case, but the question asks for **maximum** permissible imprisonment.

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### Question 16

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

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

**Correct answer: (D) Article 45**

### Explanation

- The **86th Constitutional Amendment Act, 2002** inserted Article 21-A (right to free and compulsory education for 6–14 years) and **substituted Article 45** to say:  
*"The State shall endeavour to provide early childhood care and education for all children until they complete the age of six years."*

### Why the other options are wrong

- (A) Article 39 – various principles on adequate livelihood, health and development of children, but not specifically amended for ECCE by the 86th Amendment.
- (B) Article 41 – right to work, education and public assistance in certain cases.
- (C) Article 47 – duty of the State to raise the level of nutrition and standard of living and improve public health.

### Question 17

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

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

**Correct answer: (B) The Appellate Court hearing the appeal**

### Explanation

- Under **Order XLI Rule 5 CPC**, when an appeal is filed and stay of execution is sought, the **Appellate Court** may order stay of execution and can also **direct the Court which passed the decree to take security** for the due performance of such decree or order as may ultimately be binding.

### Why the other options are wrong

- (A) Writ jurisdiction is different; this specific power flows from CPC as **appellate** power, not writ power.
- (C) District Registrar deals with property registration, not execution of decrees.
- (D) Police authorities execute orders but do not direct courts to take security.

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### Question 18

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

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

**Correct answer: (A) Three Judges of the High Court**

**Explanation**

- Section 123(2)(a) CPC states that the **Rule Committee** shall consist of, inter alia, **three Judges of the High Court** at the usual place of sitting of that High Court.
- These three Judges form the judicial component of the Committee.

**Why the other options are wrong**

- (B), (C), (D) mention a different number of Judges and therefore do not match the statutory composition prescribed by Section 123.

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**Question 19**

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

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

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

**Explanation**



- Section 63 of the Copyright Act, 1957 provides that any person who knowingly infringes or abets infringement shall be punishable with:
  - **imprisonment which shall not be less than six months but may extend to three years**, and
  - **fine which shall not be less than fifty thousand rupees but may extend to two lakh rupees**, subject to a proviso allowing lesser sentence for adequate and special reasons.
- So, the ordinary maximum is correctly captured in option (A).

### Why the other options are wrong

- (B), (C), (D) state different terms and fine limits that do not match the figures in Section 63.

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### Question 20

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

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

**Correct answer: (B) Article 29(1)**

### Explanation

- Article 29(1) states:  
*"Any section of the citizens residing in the territory of India or any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same."*
- This directly protects the right of a linguistic community to **conserve its language, script and culture**.

### Why the other options are wrong

- (A) Article 28(1) – relates to religious instruction in educational institutions.
  - (C) Article 30(2) – prohibits discrimination in granting aid to educational institutions on the ground that they are minority institutions; it is about **administration of institutions**, not directly conservation of script/language.
  - (D) Article 32 – right to constitutional remedies; it is about enforcement of fundamental rights, not specifically about conserving language or script.
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### Question 21

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

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

**Correct answer: (C) Three months**

### Explanation:

- Section 58(1)(a) CPC says that where the decree is for payment of a sum of money **exceeding ₹5,000**, the term of detention **shall not exceed three months**.
- So for any decree amount above ₹5,000, the maximum civil prison detention is **3 months**.

### Why the others are wrong:

- (A) **Six weeks** – this is the cap under **Section 58(1)(b)** for decrees **exceeding ₹2,000 but not exceeding ₹5,000**, not for decrees exceeding ₹5,000.
- (B) **Two months** – no such limit appears in Section 58 CPC.
- (D) **Six months** – CPC does not allow detention up to 6 months under Section 58; 3 months is the maximum in money decrees covered there.

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### Question 22

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

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

**Correct answer: (B) Decree for ₹3,500, detention up to six weeks**

#### Explanation:

- Section 58(1)(b) CPC provides that where the decree is for payment of a sum of money **exceeding ₹2,000 but not exceeding ₹5,000**, the term of detention shall not exceed **six weeks**.
- ₹3,500 lies squarely between ₹2,000 and ₹5,000, and the proposed detention period of six weeks matches the statute.

#### Why the others are wrong:

- (A) ₹1,800 – amount is **not exceeding ₹2,000**, so Section 58(1)(b) does not apply; plus three months is not the correct cap for this slab.
- (C) ₹6,200 – amount **exceeds ₹5,000**, so falls under Section 58(1)(a), where the maximum is three months, not six months.

- (D) ₹10,000 – again **exceeds ₹5,000** and max is three months, not one year.

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### Question 23

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

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

**Correct answer: (A) Thirty days**

#### Explanation:

- **Order VIII Rule 1 CPC** provides that the defendant shall, within **thirty days** from the date of service of summons, present a written statement of his defence. The court *may* extend this up to 90 days (and in practice up to 120 days after the 2002 amendment in commercial matters), but the **basic statutory period** is 30 days.
- The question asks “within how many days... must he submit” – AIBE’s expected answer is the **standard period in the rule: 30 days**.

#### Why the others are wrong:

- (B) **15 days** – no such default time limit in Order VIII Rule 1.
- (C) **60 days** and (D) **90 days** – these are possible extended periods at the court’s discretion, not the default mandatory period.

### Question 24

**24. How long does the registered address furnished under Section 14A(1) of the Code of Civil Procedure, 1908, remain valid if not changed?**  
(This is really Order VI Rule 14A CPC – AIBE has loosely called it “Section 14A(1)”.)

- (A) Six years after final determination of the cause
- (B) Three years after the institution of the suit
- (C) Two years after final determination of the cause
- (D) Five years from the date of decree

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

**Explanation:**

- **Order VI Rule 14A(3) CPC** states that the address for service furnished under sub-rule (1) “shall... hold good as the registered address of the party **for a period of two years after the final determination of the cause or matter.**”
- So the correct validity period is **two years after final determination.**

**Why the others are wrong:**

- (A) **Six years** – this reflects some local/state amendments, but is **not the general central CPC rule** that the question is testing.
- (B) **Three years after institution** – not what the rule says; the reference point is “**final determination**”, not institution.
- (D) **Five years from decree** – again no such period in the main provision.

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### Question 25

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

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

**Correct answer: (D) The tribunal terminates the proceedings**

**Explanation:**

- **Section 25(a) of the Arbitration and Conciliation Act, 1996** says that if the claimant fails to communicate his statement of claim in accordance with Section 23(1) **without showing sufficient cause**, “the arbitral tribunal **shall terminate the proceedings.**”
- So the consequence is **termination of the arbitral proceedings**, not just an adverse inference.

**Why the others are wrong:**

- (A) **Adjourns indefinitely** – statute uses mandatory language “shall terminate”, not adjourn.
- (B) **Penalty but continues** – no such penalty mechanism is prescribed here.
- (C) **Assumes claim is admitted** – the opposite; the tribunal doesn’t treat the claim as admitted; it **ends** the case.

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## Question 26

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

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

**Correct answer: (D) Three months**

**Explanation:**

- Under **Section 14 of the Special Marriage Act, 1954**, if the record of a case has been transmitted to the Central Government under Section 10, and the Central Government has given its decision, **the marriage must be solemnized within three months from the date of that decision**, otherwise a fresh notice is required.
- Therefore, the correct time limit is **three months**.

**Why the others are wrong:**

- (A) **One month**, (B) **Two months**, (C) **Six months** – all inconsistent with the explicit **three-month limit** in the Act.

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### Question 27

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

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

**Correct answer: (B) One year**

**Explanation:**

- **Section 31(1) of the Protection of Women from Domestic Violence Act, 2005** provides that breach of a protection order or interim protection order “shall be punishable with imprisonment of either description for a term which may extend to **one year**, or with fine which may extend to twenty thousand rupees, or with both.”
- Hence, the **maximum** term of imprisonment is **one year**.

**Why the others are wrong:**

- (A) **Six months** – lower than the statutory maximum; not what is “prescribed as the upper limit”.
- (C) **Two years**, (D) **Three years** – these exceed the maximum term specified in Section 31(1).

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**Question 28**

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

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

**Correct answer: (B) Article 32**

**Explanation:**

- **Article 32 of the Constitution of India** gives the right to move the Supreme Court directly for enforcement of fundamental rights, through writ petitions. PILs in the Supreme Court are generally entertained under **Article 32**.



- Article 32 is famously called the “heart and soul” of the Constitution (Dr. B.R. Ambedkar).

### Why the others are wrong:

- (A) **Article 21** – fundamental right to life and personal liberty; basis for many PILs, but **jurisdictional hook** for filing in SC is Article 32, not 21 itself.
- (C) **Article 226** – governs writ jurisdiction of **High Courts**, not the Supreme Court.
- (D) **Article 14** – equality before law; again a substantive right, not the procedural provision for filing PILs in SC.

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### Question 29

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

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

**Correct answer: (C) Not less than 15 days**

### Explanation:

- **Section 9(1) of the Land Acquisition Act, 1894** provides that the Collector shall require all persons interested in the land to appear before him at a specified time, which “**shall not be earlier than fifteen days after the publication of the notice.**”
- So the **minimum** gap is **15 days**.

**Why the others are wrong:**

- (A) **7 days** – too short; contrary to the statutory minimum of 15 days.
  - (B) **60 days** and (D) **30 days** – these are longer periods, but the question is about **minimum** time mandated by law.
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**Question 30**

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

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

**Correct answer: (C) Section 133 of the Code of Criminal Procedure, 1973**

**Explanation:**

- **Section 133 CrPC** empowers an Executive Magistrate to make a conditional order for removal of **public nuisance** on receiving a police report or “other information” and taking evidence. It is commonly used as a route for **public-interest type complaints before a Magistrate** (e.g., against dangerous structures, pollution, obstruction of public ways, etc.).
- In many explanations of PIL in India, one route mentioned is filing a petition under **Section 133 CrPC** in the Magistrate’s court regarding public nuisances.

**Why the others are wrong:**

- (A) **Section 302 IPC** – defines and punishes **murder**; nothing to do with public interest actions by citizens.

- (B) **Section 144 CrPC** – allows a Magistrate to pass prohibitory orders in urgent cases of nuisance or apprehended danger, usually on administrative/ executive initiative, not a “public case” instituted by a citizen in the sense of PIL.
- (D) **Section 482 CrPC** – inherent powers of the **High Court** to prevent abuse of process and secure ends of justice; has no connection with filing a public case in the Magistrate’s court.

---

### Question 31

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

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

**Correct answer: (A) ₹1,20,000**

#### **Explanation:**

Section 44AA(2)(i) provides that every person carrying on business or profession (other than specified professions in s.44AA(1)) must maintain books if **income from business/profession exceeds ₹1,20,000** or total sales/turnover/gross receipts exceed ₹10,00,000 in any of the three preceding previous years.

- (B) ₹50,000 – no such threshold in the section.
- (C) ₹5,00,000 / (D) ₹10,00,000 – figures used for turnover/receipts slabs in some contexts, but **not** the income limit stated in s.44AA(2)(i) for “income from business or profession”.

### Question 32

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

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

**Correct answer: (B) When secrecy direction is imposed under Section 35**

**Explanation:**

Normally, patent applications are published after the prescribed period (18 months) under Section 11A. However, **Section 35** empowers the Central Government/Controller to issue **secrecy directions** where the invention is relevant for defence etc. In such cases, **publication is prohibited while the secrecy direction remains in force.**

- (A) Early examination affects **speed of examination**, not publication prohibition.
- (C) Grant of patent doesn't prevent earlier publication; usually publication happens **before** grant.
- (D) Extension requests relate to deadlines, not an embargo on publication.

---

### Question 33

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

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

In the context of the Code of Criminal Procedure, 1973, which one is correct?

- (A) Both (A) and (R) are true, and (R) is the correct explanation of (A)
- (B) Both (A) and (R) are true, but (R) is not the correct explanation of (A)
- (C) (A) is true, but (R) is false
- (D) (A) is false, but (R) is true

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

**Explanation:**

- Section 96(1) CrPC: a person having any interest in a newspaper/book declared forfeited under s.95 may apply to the High Court **within two months from the date of publication of the declaration in the Official Gazette** → **Assertion is true.**
- Section 96(2): where the High Court has **three or more Judges**, the application is heard by a **Special Bench of three Judges**; where the High Court has **less than three Judges**, the Bench consists of **all the Judges**. So it is **not** “always exactly three” regardless of strength → **Reason is false.**

---

### Question 34

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

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

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

Which is correct?

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

**Correct answer: (D) Both the Statements are true**

**Explanation:**

The BSA 2023 substantially follows Section 21 of the old Evidence Act:

- General rule: admissions are **relevant and may be proved against the maker, but not in his favour** (except in specific cases) → **Statement 1 reflects this rule.**
- Exception: an admission **may be proved by or on behalf of the maker** when it consists of a statement of the existence of any **state of mind or body**, made at or about the time when such condition existed and accompanied by conduct making its falsehood improbable.

**So both statements correctly summarise the rule and its exception.**

---

### Question 35

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

- (A) House Rent Allowance granted by private companies
- (B) Entertainment Allowance granted to government employees

- (C) Transport Allowance provided to all salaried persons  
(D) Leave Travel Allowance given for domestic travel

**Correct answer: (B) Entertainment Allowance granted to government employees**

**Explanation:**

Section 16(ii) allows a **specific deduction for “entertainment allowance”** received by an assessee **who is a government employee** (under the old regime). The deduction is restricted to the lowest of ₹5,000, 20% of basic salary, or the actual entertainment allowance received.

- HRA, transport allowance and LTA are dealt with under **other provisions** or exemptions, but **not** as the s.16(ii) deduction.
- For non-government employees, no deduction for entertainment allowance is allowed.

---

**Question 36**

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

- **Statement 1:** Under the Negotiable Instruments Act, 1881, a negotiable instrument made, drawn, accepted, or transferred without consideration creates no obligation of payment between the parties to the transaction.
- **Statement 2:** According to the same Act, if the consideration for which a negotiable instrument was issued fails in part, the holder in immediate relation is entitled to recover only the proportionate amount corresponding to the consideration actually received.

Which is correct?

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

- (C) Only Statement 2 is true  
(D) Both the Statements are true

**Correct answer: (D) Both the Statements are true**

**Explanation:**

- **Section 43 NI Act:** a negotiable instrument made, drawn, accepted, indorsed, or transferred **without consideration or for a consideration which fails** creates **no obligation of payment between the parties to the transaction** → **Statement 1 is true.**
- **Section 44 NI Act:** where the consideration consisted of money and was originally absent in part or has subsequently failed in part, the holder standing in **immediate relation** to the signer is entitled only to a **proportionately reduced amount** → **Statement 2 is also true.**

So **both statements correctly summarise Sections 43 and 44.**

---

### Question 37

**Statement:**

Under the Environment (Protection) Act, 1986, when an offence is committed by a company, every person who was directly in charge of and responsible to the company at the time of the offence, as well as the company itself, is deemed guilty. However, a person may escape liability if he proves that the offence was committed without his knowledge or that he exercised due diligence to prevent it.

**Conclusions:**

- I. A company as well as its responsible officers may be held liable for environmental offences under the Act.  
II. An officer of a company can never escape liability once the company is found guilty of an offence.



Which is correct?

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

**Correct answer: (A) Only Conclusion I follows**

**Explanation:**

- Section 16 of the Environment (Protection) Act, 1986, clearly states that where an offence is committed by a company, **both** the company and every person in charge and responsible to the company are deemed guilty → supports **Conclusion I**.
- The same provision has a **proviso**: such person is **not liable** if he proves lack of knowledge or that he exercised all due diligence. Thus, it is **wrong** to say he can “never escape liability” → **Conclusion II is false**.

---

### Question 38

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

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

**Correct answer: (C) 30%**

**Explanation:**

Section 24(a) provides a flat **standard deduction of 30% of the “annual**

**value"** (net of municipal taxes) for income from house property (other than self-occupied where annual value is taken as nil).

- 20%, 40% or 50% are not prescribed rates under s.24(a).

---

### Question 39

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

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

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

#### **Explanation:**

Section 23(1) of the Land Acquisition Act, 1894, lists matters to be considered in determining compensation, including "the damage (if any) **bona fide resulting from the diminution of the profits** of the land between the time of the publication of the declaration and the time of the Collector's taking possession."

- Falling market prices, cancelled tenant agreements, or loss of employment elsewhere are not **direct, statutorily recognised heads** here; the Act specifically contemplates **diminution of profits of the land** due to the acquisition process.

### Question 40

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

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

**Correct answer: (D) ₹3,000**

#### **Explanation:**

Section 35A CPC (compensatory costs for false or vexatious claims/defences) states that such compensatory costs shall **not exceed ₹3,000** or the Court's pecuniary jurisdiction limit, whichever is less, in ordinary cases (subject to state amendments).

- ₹2,000 and ₹5,000 are older/other figures not in the central text; ₹10,000 is far beyond the central statutory cap for ordinary cases.
- 

### Question 41

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

- (A) When the acceptor prepares the letter of acceptance
- (B) When it is dispatched beyond the control of the acceptor.

- (C) When it is delivered to the office of the proposer party  
(D) When the proposer acknowledges receipt in his records

**Correct option: (B)**

**Explanation:**

- Section 4 of the Indian Contract Act states that **as against the proposer**, communication of acceptance is complete *“when it is put in a course of transmission to him, so as to be out of the power of the acceptor.”*
- This is the famous **postal rule** – once the acceptance is posted / dispatched and is beyond the control of the acceptor, the proposer becomes bound.
- Delivery to the proposer (or his office) is relevant for completion of communication **against the acceptor**, not against the proposer.
- Mere preparation of the letter or later acknowledgement in records is not required by the Act.

---

### Question 42

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

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

**Correct option: (B)**

## Explanation:

- Section 106, Transfer of Property Act, 1882, provides that in the absence of a contract or local law to the contrary:
  - Leases for agricultural or manufacturing purposes → **year-to-year**, terminable by **six months' notice**;
  - Leases for **any other purpose** → **month-to-month**, terminable by **15 days' notice**, expiring with the end of a month of tenancy.
- Here, the lease is for **retail business** (neither agriculture nor manufacturing). So it is a month-to-month tenancy requiring **15 days' notice**.

---

## Question 43

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

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

**Correct option: (C)**

## Explanation:

- Section 143 of the Negotiable Instruments Act, 1881 (cheque dishonour cases) allows summary trial and provides that **in case of conviction in a summary trial, the Magistrate may impose a sentence of imprisonment for a term not exceeding one year and with fine**.
- Hence the maximum imprisonment in a **summary** trial under this section is **one year**, not two or three years.

### Question 44

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

#### Statement:

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

#### Conclusions:

- I. If a company fails to furnish the DIN, it can be penalised.
- II. Every officer of the company in default is also liable for penalties.

Which one of the following is correct?

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

**Correct option: (C)**

#### Explanation:

- Section 157(2) read with the general penalty provisions of the Companies Act, 2013 makes **the company liable** for penalty when it defaults in furnishing DIN details.
- Under the Act, “**officer in default**” is also typically made liable along with the company, and the specific section on failure to furnish DINs penalises both.
- Therefore **both** conclusions correctly flow from the statement.

### Question 45

45. Read the following Statements related to the Information Technology Act, 2000 and choose the correct option.

Statement 1: Under the Information Technology Act, 2000, a Digital Signature Certificate may be suspended by the Certifying Authority on the request of the subscriber, an authorized representative, or if it is considered necessary in the public interest.

Statement 2: Under the same Act, a Digital Signature Certificate can remain suspended indefinitely without providing the subscriber an opportunity of being heard.

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

**Correct option: (B)**

**Explanation:**

- Section 37 of the IT Act, 2000 deals with **suspension of Digital Signature Certificates**. It permits suspension:
  - on request of the subscriber / authorised person, or
  - if necessary in the **public interest**.  
→ So **Statement 1 is correct**.
- The proviso to Section 37 states that **no certificate shall be suspended for more than the prescribed period or revoked without giving the subscriber a reasonable opportunity of being heard**.  
→ Suspension **cannot be indefinite and must follow principles of natural justice**. Hence **Statement 2 is false**.

### Question 46

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

**Statement:**

According to the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986, the appropriate Government credits ₹15,000 to the Child and Adolescent Labour Rehabilitation Fund for each child or adolescent for whom the fine amount from the employer has been deposited. The amount in the Fund is deposited or invested in banks, and the interest accrued is also payable to the child or adolescent.

**Conclusions:**

- I. The child or adolescent is entitled not only to the credited amount but also to the interest accrued on it.
- II. The Government is not required to deposit any money other than what is collected as fines from the employer.

Which one of the following is correct?

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

**Correct option: (A)**

**Explanation:**

- From the Statement itself (and the Rules framed under the Act), it is clear that **the amount credited plus the interest are payable to the child/adolescent**. So Conclusion I follows.



- In fact, the Government is required to **credit ₹15,000 per child in addition to the fine realised from the employer**, so it *does* contribute its own amount. Thus, the statement that it need not deposit any money other than fines is **incorrect**.
- Therefore **only Conclusion I** follows.

---

### Question 47

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

Assertion (A): The Bharatiya Nyaya Sanhita, 2023, prescribes the death penalty for certain forms of gang rape.

Reason (R): The purpose of this provision is to make all sexual offences non-bailable.

Which one of the following is correct?

- (A) Both (A) and (R) are true, and (R) is the correct explanation of (A)
- (B) Both (A) and (R) are true, but (R) is not the correct explanation of (A)
- (C) (A) is true, but (R) is false
- (D) (A) is false, but (R) is true

**Correct option: (C)**

**Explanation:**

- Under the Bharatiya Nyaya Sanhita, capital punishment is prescribed for certain aggravated sexual offences, including **gang rape of a child under 18 years** (among other extreme rape situations).  
→ Thus **Assertion (A) is true**.
- However, the **purpose** of these provisions is to provide stringent punishment and deterrence for the most heinous sexual offences,

especially against children and in cases causing death or vegetative state. They **do not make all sexual offences non-bailable**, nor is that their declared purpose.

→ **Reason (R) is false.**

---

### Question 48

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

Assertion (A): Under the Bharatiya Nagarik Suraksha Sanhita, 2023, if the proclaimed person appears within the time specified in the proclamation, the Court shall release the attached property.

Reason (R): The attachment of property under the Bharatiya Nagarik Suraksha Sanhita, 2023 is intended to compel the appearance of the proclaimed person before the Court, not to permanently deprive him of his property.

Which one of the following is correct?

- (A) Both (A) and (R) are true, and (R) is the correct explanation of (A)
- (B) Both (A) and (R) are true, but (R) is not the correct explanation of (A)
- (C) (A) is true, but (R) is false
- (D) (A) is false, but (R) is true

**Correct option: (A)**

**Explanation:**

- Section 88(1) of the BNSS, 2023 provides that **if the proclaimed person appears within the time specified in the proclamation, the Court shall make an order releasing the property from attachment.**  
→ Assertion (A) is true.

- Commentary on the BNSS and the corresponding provisions shows that **proclamation and attachment are coercive measures to secure the accused's appearance**; only when he persistently absconds can the property ultimately vest in the State.  
→ This explains *why* the property is released on timely appearance. So **Reason (R) is also true and correctly explains (A)**.
- 

### Question 49

**49.** Read the given Statements and choose the correct option.

A dispute arises between two companies regarding the enforcement of their arbitration clause. Examine the following statements:

Statement 1: An arbitration agreement must be in writing, and it can be contained in a contract, an exchange of letters, texts, telegrams, or electronic communications.

Statement 2: An arbitration agreement may be implied solely from the conduct of the parties, without any written record.

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

**Correct option: (A)**

**Explanation:**

- Section 7 of the Arbitration and Conciliation Act, 1996 states:
  - An **arbitration agreement shall be in writing**.
  - It is in writing if it is contained in: a document signed by the parties, or an **exchange of letters, telex, telegrams or other**

**telecommunication including electronic means**, or an exchange of pleadings where its existence is alleged by one party and not denied by the other.

→ Thus **Statement 1 is correct**.

- The Act **does not recognise a purely oral or implied-by-conduct arbitration agreement** without any written record. Intention must be evidenced in a written form as defined in Section 7.  
→ So **Statement 2 is incorrect**.

---

### Question 50

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

**Statement:**

According to the Advocates Act, 1961, when the term of a State Bar Council expires without an election, the Bar Council of India shall constitute a Special Committee consisting of the ex officio member of the State Bar Council as Chairman and two nominated members. The Special Committee has the power to discharge all functions of the State Bar Council until the new Council is constituted, and elections must be held within six months unless the period is extended by the Bar Council of India.

**Conclusions:**

- I. The Special Committee is empowered to handle pending disciplinary matters of the State Bar Council.
- II. The Bar Council of India may extend the six-month period for holding elections to the State Bar Council, for recorded reasons.

Which one of the following is correct?

- (A) Only Conclusion I follows
- (B) Only Conclusion II follows

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

**Correct option: (C)**

**Explanation:**

- Section 8A(2)(c), Advocates Act, 1961, expressly states that **all proceedings pending before the State Bar Council in respect of any disciplinary matter or otherwise shall stand transferred to the Special Committee.**  
→ Therefore, the Special Committee can handle pending disciplinary matters → **Conclusion I follows.**
  - Section 8A(3) requires the Special Committee to hold elections within six months, but authorises the **Bar Council of India to extend this period for reasons to be recorded in writing.**  
→ Hence **Conclusion II also follows.**
- 

## Question 51

**Q.51.**

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

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

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

Options:

- (A) Both Statements 1 and 2 are false

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

**Answer: (D) Both the Statements are true**

**Explanation:**

- Under **Section 24(a)** of the Income-tax Act, a **standard deduction of 30%** of the Net Annual Value is allowed from income under the head "*Income from House Property*".
- Under **Section 24(b)**, for a **self-occupied residential house** acquired/constructed with borrowed capital, the **maximum deduction for interest on borrowed capital is ₹2,00,000**, subject to conditions regarding date of borrowing and completion of construction. For let-out property the limit doesn't apply, but the statement as framed reflects the usual rule tested in exams, so both statements are treated as correct.

---

## Question 52

**Q.52.**

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

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

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

Options:

- (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.

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

**Explanation:**

- After the **2005 amendment to Section 6 of the Hindu Succession Act**, the daughter of a coparcener in a Mitakshara joint family becomes a **coparcener by birth**, with the **same rights and liabilities** in coparcenary property as a son.
- The Reason correctly states the content of Section 6 and explains *why* she is treated “just like a son”, so (R) is a proper explanation of (A).

---

### Question 53

**Q.53.**

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

(A) It becomes a valid acceptance, and the new term is incorporated as a mere suggestion.

(B) It operates as a valid acceptance if the new term is not a material alteration.

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

(D) It suspends the original proposal until the new term is accepted or rejected by the proposer.

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

**Explanation:**

- **Section 7** of the Indian Contract Act requires that acceptance be **absolute and unqualified**.
- If the offeree adds or varies terms, this is not acceptance but a **counter-offer**, which **terminates the original offer** (classic *Hyde v. Wrench* principle adopted in India).
- Therefore the correct legal effect is that it becomes a **counter-proposal**.

---

### Question 54

**Q.54.**

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

- (A) A promise by 'A' to pay 'B' ₹5,000 for a service 'B' voluntarily rendered to 'A' last month.
- (B) A written and registered promise by a husband, out of natural love and affection, to transfer a property to his wife.
- (C) A promise to subscribe ₹1 lakh to a public charitable fund.
- (D) A promise made by a minor upon attaining majority to pay a debt incurred during his minority.

**Answer: (A) A promise by 'A' to pay 'B' ₹5,000 for a service 'B' voluntarily rendered to 'A' last month**

### Explanation:

- **Section 25** of the Contract Act lists exceptions where an agreement “without consideration” is still valid. One such exception is a **promise to compensate a person who has already voluntarily done something for the promisor** (Section 25(2)); the classic illustration is exactly like option (A).



- Option (B) is also an exception under Section 25(1) (natural love and affection, written and registered, between near relations) and would be valid in law. However, the question stresses “**lack of fresh consideration**” and the closest statutory illustration using this phrase is compensation for **past voluntary services**, which matches option (A).
- Option (C) is generally not enforceable unless liability has been incurred on the faith of the promise.
- Option (D) is void: a minor’s agreement is void and a later promise has no consideration to support it.

---

### Question 55

**Q.55.**

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

- (A) Ultra vires
- (B) Excessive delegation
- (C) Conditional legislation
- (D) Separation of powers

**Answer: (B) Excessive delegation**

**Explanation:**

- Courts have held that while **delegated legislation** is permissible, the legislature **cannot delegate essential legislative functions or confer uncanalised, uncontrolled power** on the executive; if it does, the delegation is struck down as “**excessive delegation.**”

- “Ultra vires” is the broader principle that delegated legislation must not go beyond the parent Act; “excessive delegation” is specifically about *too much* power being delegated.

---

## Question 56

### Q.56.

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

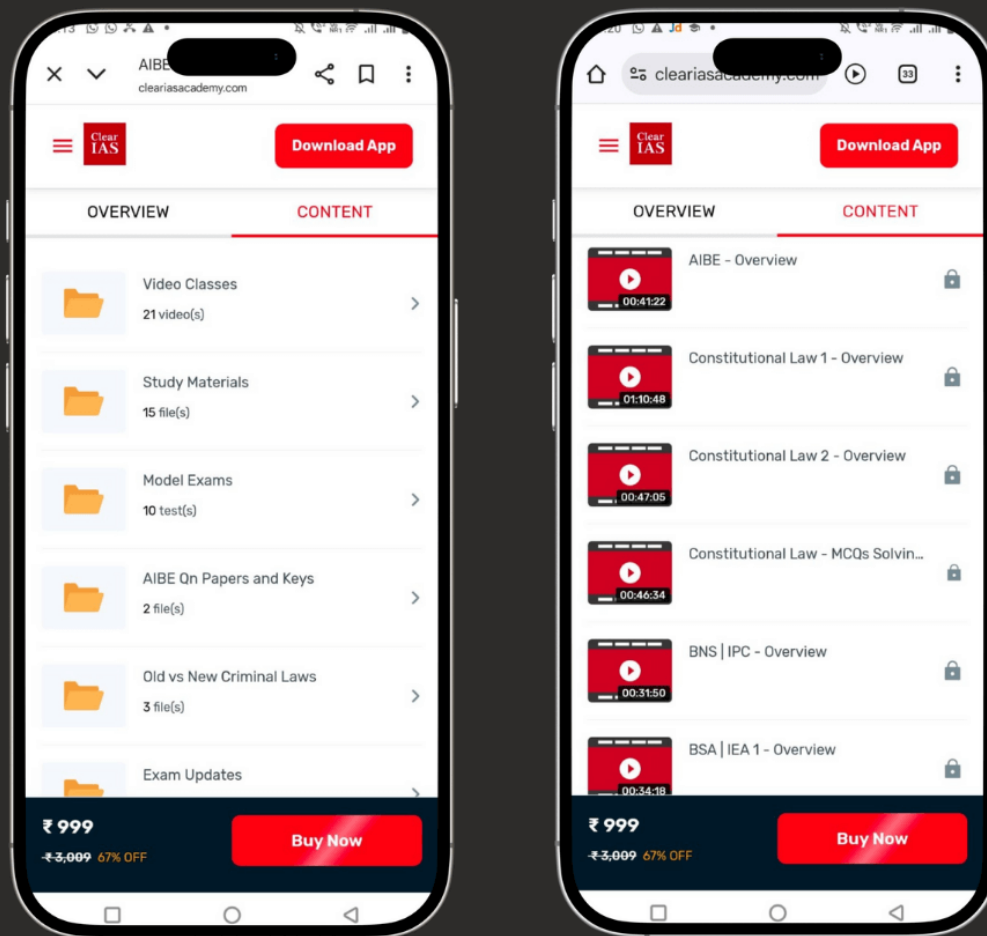
- (A) The petition was filed more than six months after the discovery of the fraud.
- (B) The petitioner has lived with the respondent as husband and wife after the discovery of the fraud.
- (C) The fraud relates to the social status of the respondent’s family.
- (D) The parties have not attempted reconciliation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

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

### Explanation:

- Under **Section 12(1)(c) proviso** of the Hindu Marriage Act, a marriage voidable for consent obtained by fraud **cannot be annulled if the petitioner, after discovery of the fraud, has with full consent lived with the other party as husband or wife.**
- There is a **one-year** time limit from discovery of fraud, not six months, so option (A) is incorrect.
- The other options are not statutory bars under Section 12.

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### Question 57

**Q.57.**

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

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

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

**Explanation:**

- **Section 21** of the Arbitration and Conciliation Act, 1996 clearly states that, unless otherwise agreed, **arbitral proceedings commence on the date on which a request for that dispute to be referred to arbitration is received by the respondent.**
- Appointment of arbitrator or tribunal's first notice are later steps.

---

### Question 58

**Q.58.**

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

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

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

**Explanation:**

- In **Subhash Kumar v. State of Bihar**, the Supreme Court held that the **right to life under Article 21 includes the right to enjoy pollution-free water and air**, and public interest litigation could be maintained to prevent environmental degradation.
- Nilabati Behera deals with compensation for custodial death; Sheela Barse relates to under-trial prisoners and children; Olga Tellis deals with the right to livelihood of pavement dwellers.

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**Question 59**

**Q.59.**

*Which Public Interest Litigation case resulted in the Supreme Court of India laying down the principle of "Absolute Liability"?*

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

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

**Explanation:**

- In the **Oleum Gas Leak case** (M.C. Mehta v. Union of India, 1987), the Supreme Court evolved the doctrine of "**absolute liability**" for enterprises engaged in hazardous or inherently dangerous activities, stricter than the traditional rule in *Rylands v. Fletcher*.
- The other M.C. Mehta cases relate to Ganga pollution, environmental damage by hotels/industries, etc., but the *absolute liability* principle is specifically from the **1987 Oleum Gas Leak** decision.

### Question 60

#### Q.60.

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

- (A) Sahni Silk Mills (P) Ltd. v. Employees' State Insurance Corporation, (1994) 5 SCC 346  
(B) In Re: Delhi Laws Act, AIR 1951 SC 332  
(C) J. Mohapatra & Co. v. State of Orissa, (1984) 4 SCC 103  
(D) Union of India v. G. Ganayutham, (1997) 7 SCC 463

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

#### Explanation:

- In **J. Mohapatra & Co. v. State of Orissa**, while discussing bias and composition of the Textbook Selection Committee, the Supreme Court explained that the rule “**nemo judex in causa sua**” (**no one should be a judge in his own cause**) is **subject to the doctrine of necessity**—in exceptional cases, a person who would otherwise be disqualified for bias may still have to decide to avoid a failure of justice.
- The other cases are important for administrative law and natural justice but do not contain this specific formulation.

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### Question 61

**As per Section 11 of the Code of Civil Procedure, 1908, for *res judicata* to be applicable on a subsequent suit, the former suit –**

- I. has been finally decided.  
II. can only be instituted prior to the subsequent suit.

III. relates to the same matter directly and substantially in issue in the subsequent suit.

IV. is between the same parties, or between parties under whom they or any of them claim.

*Select the correct answer:*

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

**Correct answer: (C) I, III and IV**

**Explanation:**

Section 11 CPC requires that:

- the **former suit must have been heard and finally decided** → Statement I is correct.
- the matter in the subsequent suit must be **directly and substantially in issue** in the former suit → Statement III is correct.
- the former suit must be **between the same parties or their privies** → Statement IV is correct.

Explanation 1 to Section 11 says that “former suit” means a suit **decided prior to** the one in question **whether or not it was instituted earlier**, so Statement II (“can only be instituted prior to the subsequent suit”) is **incorrect**.

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### Question 62

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

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

*Select the correct answer:*

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

**Correct answer: (C) I, III and IV**

**Explanation:**

The **proviso to Section 51 CPC** lays down conditions for arrest and detention in execution of a money decree. It allows detention if:

- the judgment-debtor is likely to abscond or leave the jurisdiction to obstruct/delay execution → I correct;
- he has, **after** institution of the suit, dishonestly transferred or concealed property → II is wrong because it says “before the institution of the suit”;
- the decree is for a sum which he was bound in a **fiduciary capacity** to account for → III correct;
- he has or has had since the decree means to pay a substantial part and refuses/neglects to pay → IV correct.

So only I, III and IV are right.



### Question 63

**As per the Code of Civil Procedure, 1908, a decree *ex parte* can be set aside against a defendant –**

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

*Select the correct answer:*

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

**Correct answer: (A) I and II**

**Explanation:**

Order 9 Rule 13 CPC says an ex-parte decree may be set aside if:

- summons was not duly served, **or**
- the defendant was prevented by “sufficient cause” from appearing when the suit was called for hearing.

An **irregularity in service** is not enough if the defendant actually had notice and time – so III is incorrect (this is clarified in the Explanation to O.9 r.13). Further, the decree is set aside **after notice to the opposite party**; it cannot be done behind their back → IV is incorrect.

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### Question 64

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

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

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

**Explanation:**

Section 23(2) of the Bharatiya Sakshya Adhiniyam, 2023 provides that **no confession made while in police custody shall be proved against a person unless it is made in the immediate presence of a Magistrate.**

There is no requirement that it be in writing, supported by two witnesses, or recorded after filing of charge-sheet.

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### Question 65

**Which Section of the Bharatiya Sakshya Adhiniyam, 2023 pertains to opinions of experts?**

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

**Correct answer: (B) Section 39**

**Explanation:**

Chapter on “Opinions of third persons when relevant” in BSA states in **Section 39 – “Opinions of experts”**. It corresponds to Section 45 of the old Indian Evidence Act.

### Question 66

Which of the following statements is *incorrect* as per the Bharatiya Sakshya Adhiniyam, 2023?

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

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

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

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

**Correct answer: (B)**

#### **Explanation:**

These are classic illustrations to the provisions excluding or allowing **oral evidence to vary written contracts**.

- In (A), oral evidence to show **no payment** for another, separate verbal contract is admissible – it does not contradict the written terms.
- In (C), fraud or misrepresentation inducing a contract can always be proved by oral evidence; the section expressly saves this.

- In (D), when the written document is **silent** as to time of payment, a separate oral agreement about credit terms that is **not inconsistent** with the writing may be proved.

But in (B), where A agrees **absolutely** in writing to pay on 1 March, an oral agreement postponing payment to 31 March **directly contradicts** the written term and is, therefore, **not provable**. Under the Act such an oral agreement cannot be proved, so statement (B) is the **incorrect** one.

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### Question 67

**As per the Hindu Marriage Act, 1955, two persons are said to be within the “degrees of prohibited relationship” if –**

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

*Select the correct answer:*

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

**Correct answer: (D) I, II, III and IV**

### **Explanation:**

Section 3(g) HMA defines “degrees of prohibited relationship.” It says two persons are within such degrees if:

1. **One is a lineal ascendant of the other** → I matches.
2. **One was the wife or husband of a lineal ascendant or descendant of the other** → II matches.
3. **One was the wife of the brother or of the father's or mother's brother or of the grandfather's or grandmother's brother of the other** → III matches.
4. **They are brother and sister, uncle and niece, aunt and nephew, or children of brother and sister or of two brothers or of two sisters** → IV matches.

Explanation to Section 3(g) also extends this to relationships by half/uterine blood, illegitimacy and adoption, which is why those additions in I and II are also correct.

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### Question 68

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

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

**Correct answer: (C) Article 51A(g)**

### Explanation:

- **Article 51A(g)** (Fundamental Duties) states that it shall be the duty of every citizen "to protect and improve the natural environment including forests, lakes, rivers and wildlife, and to have compassion for living creatures."
- Article 48A is a **Directive Principle** (duty of the State), not a fundamental duty.

- Article 39A relates to **equal justice and free legal aid**.
- Article 51A(h) is about developing **scientific temper, humanism and spirit of inquiry**.

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### Question 69

**The grounds for decree for dissolution of marriage under Section 2 of the Dissolution of Muslim Marriages Act, 1939 are that the –**

- I. whereabouts of the husband have not been known for a period of two years.
- II. husband has been sentenced to imprisonment for a period of five years.
- III. husband has failed to perform, without reasonable cause, his marital obligations for a period of two years.
- IV. husband has neglected or has failed to provide for maintenance of his wife for a period of one year.

*Select the correct answer:*

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

**Correct answer: (D) None of these**

### Explanation:

Section 2 of the Dissolution of Muslim Marriages Act, 1939 gives several grounds, but with **different time-periods**:

- Husband's whereabouts **not known for four years** (not two).
- Neglect/failure to maintain wife for **two years** (not one).
- Husband sentenced to imprisonment for **seven years or more** (not five).
- Failure to perform marital obligations **for three years** (not two).

So each of the statements I–IV mis-states the statutory period; hence **none** is correct.

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### Question 70

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

- I. telecom service providers.
- II. search engines.
- III. cyber cafes.
- IV. online-auction sites.

*Select the correct answer:*

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

**Correct answer: (D) I, II, III and IV**

#### **Explanation:**

Section 2(1)(w) IT Act defines “intermediary” and specifically states that it **includes:**

- telecom service providers,
- network and internet service providers,
- web-hosting service providers,
- **search engines,**
- online payment sites,
- **online-auction sites,**
- online marketplaces, and

- **cyber cafes.**

So all four given categories are intermediaries → option (D).

---

### Question 71

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

- (A) Refusing to refer parties to arbitration under Section 8
- (B) Refusing to appoint arbitrator under Section 11
- (C) Refusing to grant any measure under Section 9
- (D) Refusing to grant an interim measure under Section 17

**Correct answer: (B) Refusing to appoint arbitrator under Section 11**

#### **Explanation:**

Section 37(1) & (2) specify an **exhaustive** list of appealable orders:

- Refusing to refer parties to arbitration under **Section 8**
- Granting or refusing interim measures under **Section 9**
- Setting aside or refusing to set aside an award under **Section 34**
- Accepting a plea under **Section 16(2)/(3)**
- Granting or refusing interim measures under **Section 17**

Orders under **Section 11 (appointment of arbitrator)** are *not* in this list; hence they are not appealable under Section 37. So (B) is the only non-appealable order.

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### Question 72



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

- (A) Not exceeding thirteen but not less than nine members
- (B) Not exceeding eleven but not less than seven members
- (C) Not exceeding nine but not less than five members
- (D) Not exceeding seven but not less than three members

**Correct answer: (C) Not exceeding nine but not less than five members**

**Explanation:**

Section 9A(2) of the Advocates Act provides that a legal aid committee of a Bar Council shall consist of “**not more than nine and not less than five members**”. That exactly matches option (C).

---

### Question 73

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

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

**Correct answer: (B) Section 36**

**Explanation:**

- **Section 35** – Punishment of advocates for misconduct (disciplinary powers of *State Bar Councils*).
- **Section 36** – *Disciplinary powers of the Bar Council of India* (BCI can withdraw and dispose of proceedings itself).
- **Section 37** – Appeal to the Bar Council of India.

- **Section 38** – Appeal to the Supreme Court.

Hence the correct section asked in the question is Section 36 → option (B).

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### Question 74

**Match List I (General Defences in Tort) with List II (Leading Cases):**

**List I – Defences**

- i. Act of God
- ii. Consent (*volenti non fit injuria*)
- iii. Statutory Authority
- iv. Necessity

**List II – Cases**

- 1. *Vaughan v. Taff Vale Rail Co.* (1860) 5 H & N 679
- 2. *Kirk v. Gregory* (1876) 1 Ex. D. 55
- 3. *Nichols v. Marsland* (1876) 2 Ex. D. 1
- 4. *Hall v. Brooklands Auto Racing Club* (1933) 1 KB 205

Codes:

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

**Correct answer: (C) i-3, ii-4, iii-1, iv-2**

**Explanation (linking each defence to the classic case):**

- **Act of God** → *Nichols v Marsland* (3): Torrential rain broke artificial lakes; liability was avoided as an “Act of God”.

- **Consent** → *Hall v Brooklands Auto Racing Club (4)*: Spectator injured at a motor race – by voluntarily watching, he accepted the risk.
- **Statutory Authority** → *Vaughan v Taff Vale (1)*: Railway sparks caused damage; the railway successfully relied on statutory authority.
- **Necessity** → *Kirk v Gregory (2)*: Jewellery moved for safety; interference justified by necessity.

So the correct matching pattern is given in (C).

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### Question 75

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

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

**Correct answer: (C) A Chairperson and such other members as may be prescribed**

#### **Explanation:**

Section 3(2) of the Consumer Protection Act, 2019 says that the Central Consumer Protection Council shall consist of:

- the **Minister in charge of Consumer Affairs** as **Chairperson**, and
- **“such number of other official or non-official members as may be prescribed.”**

Thus option (C) correctly reflects the statutory language.

### Question 76

**In which of the following cases did the Supreme Court of India hold that the Preamble is *not* part of the Constitution?**

- (A) *In re: The Kerala Education Bill, 1957*, AIR 1958 SC 956
- (B) *Kesavananda Bharati v. State of Kerala*, AIR 1973 SC 1461
- (C) *In re: The Berubari Union and Exchange of Enclaves*, AIR 1960 SC 845
- (D) *Minerva Mills Ltd. v. Union of India*, AIR 1980 SC 1789

**Correct answer: (C) *In re: Berubari Union***

#### **Explanation:**

In the **Berubari Union Reference (1960)**, the Supreme Court opined that the **Preamble is not a part of the Constitution** and therefore cannot be used as a source of substantive powers.

Later, in **Kesavananda Bharati (1973)**, the Court clarified that the Preamble **is part of the Constitution** and can be used to understand its basic structure. *Minerva Mills* reaffirmed this. So only in Berubari was the view taken that the Preamble is not part of the Constitution.

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### Question 77

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

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

**Correct answer: (C) Article 253**

**Explanation:**

- **Article 253** expressly empowers Parliament to make any law for the whole or any part of India for implementing **treaties, international agreements or conventions**, or decisions made at international conferences.
- Article 249 – power of Parliament to legislate in State List in national interest.
- Article 251 – deals with inconsistency between Union and State laws.
- Article 255 – technical provision about validity of Acts despite certain procedural recommendations not being made.

Hence option (C) is correct.

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**Question 78**

**In which of the following judgment(s) was the issue of 'right to privacy' dealt with by the Supreme Court of India?**

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

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

**Correct answer: (D) I, II, III and IV**

**Explanation:**

All four cases **deal with the issue of privacy**, though they reach different conclusions:

- **M.P. Sharma (1954)**: Considered whether search and seizure violated a fundamental right to privacy; held that the Constitution did **not** recognise such a right.
- **Kharak Singh (1963)**: Challenged police surveillance; again said right to privacy is not a guaranteed fundamental right, though it discussed the concept.
- **PUCL v. Union of India (1997)**: Telephone-tapping case; recognised privacy of communications and put safeguards under Article 21.
- **Justice K.S. Puttaswamy (2017)**: Nine-judge bench; unequivocally declared **right to privacy as a fundamental right** under Article 21 and overruled the contrary views in *M.P. Sharma* and *Kharak Singh*.

Since the issue of privacy was considered in all four, option (D) is correct.

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### Question 79

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

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

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

**Explanation:**

In **Re: Berubari Union (1960)** the Supreme Court held that:

- Cession of Indian territory to a foreign State **cannot** be done merely by executive action or ordinary law under Article 3.
- It **requires a constitutional amendment under Article 368**, followed by appropriate implementation.

In practice, this means **Parliament must first enact a law (constitutional amendment / enabling legislation)** and only then can the **executive** carry out the actual transfer. Hence, the correct sequence is **legislative action first, then executive action** → option (D).

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## Question 80

**The President has referred a question to the Supreme Court, and the Supreme Court, as per Article 143 of the Constitution of India, has advised the President accordingly. Can the advice given by the Supreme Court be considered as 'judicial precedent'?**

- (A) No, because it is not treated as a judgment but only as advisory opinion
- (B) No, because it is not pronounced in open court
- (C) Yes, because it is considered as a judgment under Article 141
- (D) Yes, because it is pronounced in open court

**Correct answer: (A) No, because it is not treated as a judgment but only as advisory opinion**

### Explanation:

- Under **Article 143**, the Supreme Court gives an **advisory opinion** to the President.
- Such opinions are **not binding** on the President or on other authorities and are generally **not treated as "law declared" under Article 141**, though they have high persuasive value.

Therefore, they are **not strict judicial precedents**, and option (A) best reflects the constitutional position.

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### Question 81

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

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

**Correct answer: (C) Inherent power**

#### **Explanation:**

High Courts are **courts of record** under Article 215 and possess **inherent powers** to protect the administration of justice and ensure a fair trial (including postponement or restraint orders on publication to prevent prejudice). This is not an issuance of a specific writ like mandamus/prohibition, nor a “residuary power” (that term is used for Parliament’s legislative power under Article 248).

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### Question 82

**Q.82.** The Supreme Court of India has declared that the “Right to Information” is a fundamental right of every citizen. Which provision is the *source* of this fundamental right?



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

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

**Explanation:**

The Court has repeatedly held that the **right to information flows from the freedom of speech and expression** under **Article 19(1)(a)**—because you can meaningfully express yourself only if you have access to information. The RTI Act, 2005 is only a *statutory mechanism* to give effect to this constitutional right, not its source.

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**Question 83**

**Q.83.** Which Schedule of the Constitution of India deals with the subject-matter of “**Validation of certain Acts & Regulations**”?

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

**Correct answer: (A) Schedule IX**

**Explanation:**

**Ninth Schedule** was inserted by the First Amendment to protect specified **Acts and Regulations** from being challenged on the ground of violation of fundamental rights—i.e., “validation” of certain land-reform and similar laws.

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### Question 84

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

- I. The Article is silent about the *locus standi* as to who may approach the Supreme Court.
- II. The Article is silent about the opposite party against whom relief under Article 32 may be granted.
- III. The Article creates room for even a sixth type of writ within its scope.

Select the correct answer:

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

**Correct answer: (D) All Statements are true**

**Explanation:**

- Article 32(1) simply says that the **right to move the Supreme Court by “appropriate proceedings”** shall be guaranteed – it does not limit who can file; hence it is **silent on locus standi** → I is true (this openness enabled PIL).
- Article 32 does not expressly specify against whom relief can be sought; that is worked out via Article 12 (“State”) and judicial interpretation → II is true.
- Article 32(2) empowers the Court to issue “directions or orders or writs, **including**” habeas corpus, mandamus, prohibition, quo warranto and certiorari. The word “**including**” makes the list non-exhaustive, allowing new writ-like remedies (continuing mandamus, guidelines, etc.) → III is true.

**So all three statements are correct, hence option (D).**

### Question 85

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

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

**Correct answer: (D)**

#### **Explanation:**

- Articles 129 & 215 make **Supreme Court and High Courts courts of record** with power to punish for contempt of themselves.
- For **contempt of subordinate courts**, Section 10 of the Contempt of Courts Act, 1971 gives power to the **High Court** to punish.
- So, if a person commits contempt of a subordinate court, **the concerned High Court can take up the matter.**

Other options:

- (A) & (B) are wrong – subordinate courts aren't helpless; they move the High Court, and High Court can act.
- (C) Wrong – subordinate courts don't have full contempt jurisdiction like courts of record (except some limited in-court powers).

### Question 86

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

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

**Correct answer: (C)**

**Explanation:**

- The case arose out of the **BMW hit-and-run trial** where senior counsel R.K. Anand was caught in a TV sting trying to “fix” the star witness **(Sunil Kulkarni)**.
- The Supreme Court upheld the Delhi High Court’s finding of **criminal contempt / professional misconduct for attempting to influence a witness and interfere with the criminal trial**.
- So the essence is **tampering with a witness**, not abuse in court or pamphlets.

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### Question 87

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

**List I**

- i. Legitimacy of children of void and voidable marriages
- ii. Punishment of bigamy
- iii. Judicial separation
- iv. Voidable marriages

## List II

1. Section 10, The Hindu Marriage Act, 1955
2. Section 12, The Hindu Marriage Act, 1955
3. Section 17, The Hindu Marriage Act, 1955
4. Section 16, The Hindu Marriage Act, 1955

Codes:

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

**Correct answer: (C)**

**Explanation (sections):**

- **Section 16** – *Legitimacy of children of void and voidable marriages* → i → 4
- **Section 17** – *Punishment of bigamy* (attracts IPC 494/495) → ii → 3
- **Section 10** – *Judicial separation* → iii → 1
- **Section 12** – *Voidable marriages* → iv → 2

So mapping = **i-4; ii-3; iii-1; iv-2** → **option (C)**.

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## Question 88

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

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

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

**Explanation:**

Under Sections 146–147 of the Contract Act, co-sureties are, in the absence of a contract to the contrary, **liable to contribute equally** to the debt. If the debtor leaves any part unpaid and one surety pays more than his share, he can recover contribution from the others. Therefore the unpaid portion is effectively shared among the co-sureties.

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**Question 89**

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

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

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

**Explanation:**

Section 8 of the Specific Relief Act allows the court to order specific delivery of movable property held by a person **who is not the owner**, where he holds it as **agent or trustee of the person entitled to possession**, or in a few other specified situations. Among the options, only (A) matches this statutory ground.

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**Question 90**

**Q.90.**

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

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

Which one is correct?

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

**Answer: (D) Both the Statements are true**

**Explanation:**

- The Act permits setting up of a **Joint Administrative Tribunal** for two or more States, with the **same jurisdiction and powers** as separate State tribunals for those States.
- Section 17 of the Act gives Tribunals the **same power as a High Court in contempt matters**, and for that purpose references to “High Court” in the Contempt of Courts Act are to be read as including the Tribunal. So both statements are correct.

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## Question 91

**Q.91.**

**Assertion (A):** A Money Bill can be introduced only in the House of the People (Lok Sabha) and not in the Council of States (Rajya Sabha).

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

In the context of Article 109 of the Constitution, which is correct?

- (A) Both (A) and (R) are true, and (R) is the correct explanation of (A)
- (B) Both (A) and (R) are true, but (R) is not the correct explanation of (A)
- (C) (A) is true, but (R) is false
- (D) (A) is false, but (R) is true

**Answer: (B) Both (A) and (R) are true, but (R) is not the correct explanation of (A)**

**Explanation:**

- Article 109/110 provide that a **Money Bill shall be introduced only in Lok Sabha** → Assertion is true.
- Rajya Sabha can **only make recommendations within 14 days**; whether Lok Sabha accepts them or not, the Bill is deemed passed → Reason is also true.
- However, the limited recommending power of Rajya Sabha does not logically “explain” why introduction is restricted to Lok Sabha; it is just another feature of the special procedure. Hence (R) is true but **not the correct explanation** of (A).

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## Question 92

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



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

**Answer: (B) ₹50,000**

**Explanation:**

Section 10A(2) of the Companies Act, 2013 provides that if the required declaration for commencement of business is not filed, **the company is liable to a penalty of ₹50,000**, and every officer in default to an additional per-day penalty (up to a cap). For the company itself, the amount is ₹50,000.

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**Question 93**

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

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

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

**Explanation:**

Section 72 IPC says that when it is doubtful which of several offences has been committed and the accused is convicted of one of them, **the punishment shall not exceed the lowest of the punishments provided for any of such offences**. So the law chooses the **least severe** punishment.

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### Question 94

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

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

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

#### Explanation:

Section 13 provides that an adolescent must get **one whole day holiday each week**, that day must be shown in a notice, and **the day so fixed shall not be altered more often than once in three months**. X changed it after only two months, making the change **invalid**.

### Question 95

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

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

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

**Explanation:**

The definition of “consumer” excludes a person who obtains goods **for resale or for any commercial purpose**. Personal or domestic use (A, B) still makes one a consumer; using goods bought by a relative (D) is also covered. Thus (C) alone falls outside the definition.

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**Question 96**

**Q.96.**

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

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

Which is correct?

- (A) Both (A) and (R) are true, and (R) is the correct explanation of (A)
- (B) Both (A) and (R) are true, but (R) is not the correct explanation of (A)
- (C) (A) is true, but (R) is false
- (D) (A) is false, but (R) is true

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

**Explanation:**

- Article 72 does give the President power to grant pardons etc. in cases involving **Court-martial** or **death sentences** (and also offences relating to the Union's executive power). So (A) is substantially correct.
- Article 72 does **not "override" or nullify** the Governor's similar powers under Article 161. Both sets of powers coexist and are exercisable in their respective fields. Hence (R) is false.

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### Question 97

Q.97.

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

**Conclusions:**

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

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

Which one is correct?

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

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

**Explanation:**

Section 18 of the Act allows very wide protection orders, covering **physical**,

**verbal, emotional, economic abuse and dealing with assets/stridhan**, and allows the Magistrate to **prohibit various acts** of the respondent to protect the woman and her dependents. Both conclusions are clear inferences from the statement.

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### Question 98

**Q.98.** According to the Motor Vehicles Act, 1988, which factor determines the jurisdiction of the licensing authority when applying for a driving licence?

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

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

#### **Explanation:**

Under Section 9 of the Motor Vehicles Act, the application for a driving licence is made to the licensing authority having jurisdiction over the area **where the applicant ordinarily resides or carries on business**. None of the other factors are relevant.

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### Question 99

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

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

**Answer: (B) Twenty years of imprisonment**

**Explanation:**

Section 57 IPC states that **for the purpose of calculating fractions of terms of punishment**, a sentence of imprisonment for life shall be reckoned as **equivalent to imprisonment for 20 years**. It does not mean life sentence is only 20 years; it is only for fractional calculations.

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**Question 100**

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

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

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

**Explanation:**

Section 4 of the Payment of Gratuity Act provides that an employee becomes eligible for gratuity after **five years of continuous service**, **but** the condition of five years **is not necessary** where the termination of employment is due to **death or disablement** of the employee. In such cases gratuity becomes payable even if the five-year period is not completed.

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