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September 2019

UGC-NET (Law)

PAPER-II

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UGC NET September 2019
PAPER II – Law

No. of Questions- 100

Maximum Marks – 200

1. The Maxim 'Damnum Sine injuria' means:

- a. Infringement of Legal right with damage or loss
- b. Damage or loss without infringement of legal right
- c. Where there is a right, there is a remedy
- d. Infringement of an absolute right without damage or loss.

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

Assertion(A): Subject to rules of Jus cogens local customary law can supplement or derogate from general custom.

Reasons(R): International law does not recognise the concept of local custom.

In the light of the above two statements choose the correct option:

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

3. A malignant act likely to spread infection or disease dangerous to life and making atmosphere noxious to health are punishable offences for environment protection. But the punishment are meagre to meet objectives. Under which of the following law such meagre punishment is given:

- a. Environment Protection Act, 1986
- b. Indian Penal Code
- c. The Air (Prevention and Control of Pollution) Act, 1981
- d. The Water (Prevention and Control of Pollution) Act, 1974.

4. Mention the following decisions in a chronological order on Extradition:

- (a) Mubarak Ali Ahmed v. State of Bombay
- (b) Hans Muller of Nuremberg v. Suptt. Presidency Jail Calcutta and Others
- (c) Ram Babu Saxena v. State
- (d) State of Madras v. C.G. Menon

Choose the correct option:

- a. (d), (c), (a), (b)
- b. (c), (d), (b), (a)
- c. (b), (a), (d), (c)
- d. (d), (c), (b), (a).

5. Arrange the provisions of Trade Marks Act, 1999 in chronological order (section wise):

- (a) classification of goods and services
- (b) regulation in case of honest concurrent use etc.
- (c) limitation as to colour
- (d) absolute grounds for refusal of registration

Choose the correct option:

- a. (a), (b), (c), (d)
- b. (a), (c), (d), (b)
- c. (a), (d), (c), (b)
- d. (b), (c), (d), (a).

6. Which sections of Hindu Marriage Act 1955 deal with matrimonial remedy of divorce?

- (a) Section 13
- (b) Section 13 (1-A)
- (c) Section 17
- (d) Section 13-B

Choose the correct option:

- a. (a), (c) and (d) only
- b. (b), (c) and (d) only
- c. (a), (b) and (d) only
- d. (a), (b) and (c) only.

7. A valid contract can be entered into between parties under Indian Contract Act. Which of the following gives legal recognition to such contract?

- (a) Section 10-A of Information Technology Act
- (b) Section 65-B of Indian Evidence Act
- (c) Section 1(4) of Information Technology Act
- (d) Section 63 of Indian Evidence Act

Choose the correct option:

- a. (a) and (d)
- b. (a) and (b)
- c. (a) and (c)
- d. (c) and (d).

8. 'The International Court of Justice' is indeed a sine qua non for the establishment of Rule of Law in Inter state relations" is said by:

- a. Judge Shigeru Oda
- b. Judge Nagendra Singh
- c. Justice Dalveer Bhandari
- d. Justice R.S. Pathak.

9. Which of the following Section of the Patent Act, 1970 provides for the subject matters that are not invention under the Act?

- a. Section 7
- b. Section 3
- c. Section 10
- d. Section 11.

10. Which of the following is not a valid defence in tort?

- a. Private Defence
- b. Volenti non fit injuria
- c. Vis major
- d. Ex dolo malo non Oritur actio.

11. Which of the following statements are correct as per Article 111 of agreements establishing WTO? The main functions of the WTO are:

- (a) To administer and promote agreements on individual and multinational agreements

- (b) To administer the rules and procedures governing the settlement of disputes
- (c) To administer the Trade Policy Review Mechanism (TPRM)
- (d) To Coordinate IMF, TBRD and World Bank on regional economic policies

Choose the correct option:

- a. (a) and (b)
- b. (a) and (c)
- c. (b) and (c)
- d. (c) and (d).

12. Match List I and List II

List I (Section of Hindu Marriage Act 1955)

- (a) Section 5(i)
- (b) Section 7
- (c) Section 8
- (d) Section 5

List II (Provision)

- (i) Ceremonies of Hindu Marriage
- (ii) Marriageable age
- (iii) Monogamy
- (iv) Registration of Marriage

Choose the correct option from those given below:

- a. (a)-(iv), (b)-(iii), (c)-(ii), (d)-(i)
- b. (a)-(iii), (b)-(i), (c)-(iv), (d)-(ii)
- c. (a)-(i), (b)-(iv), (c)-(iii), (d)-(ii)
- d. (a)-(i), (b)-(iv), (c)-(ii), (d)-(iii).

13. Which of the following could be considered to be advantages of Legislation over Precedent?

- (a) Abrogative capability
- (b) Fore knowledge
- (c) Prospective application
- (d) Systematic arrangement

Choose the correction option:

- a. (a), (b), (d) only
- b. (a), (b), (c) only
- c. (a), (b), (c) and (d)
- d. (a) and (c) only.

14. Constitution of India requires the State to adopt the Protectionist Policy and Improvement Policy. Which one of the following Article declares the above?

- a. Article 51 A(g)
- b. Article 38
- c. Article 48 A
- d. Article 37.

15. Match the following cases decided by the Supreme court with the subject given therein:

List I

- (a) Hussainara Khatun v. State of Bihar
- (b) Murli S. Deora v. Union of India
- (c) Lakshmi Kant Pandey v. Union of India
- (d) Sunil Batra v. Delhi Administration

List II

- (i) Ban on smoking in public places
- (ii) Protection against inhuman treatment in jail
- (iii) Speedy Trial
- (iv) Child welfare

Choose the correct option from those given below:

- a. (a)-(i), (b)-(ii), (c)-(iii), (d)-(iv)
- b. (a)-(i), (b)-(iii), (c)-(iv), (d)-(ii)
- c. (a)-(iii), (b)-(i), (c)-(iv), (d)-(ii)
- d. (a)-(ii), (b)-(iv), (c)-(iii), (d)-(i).

16. The provisions of the Constitution are not mathematical formulas having their essence in their form; they are organic living institutions transplanted from English soil. Their significance is vital not formal; it is to be gathered not simply by taking

the words and a dictionary, but by considering their origin and the line of their growth. The above observation is made by:

- a. Schwartz
- b. Holmes, C.J.
- c. A. de Smith
- d. Lord Russell.

17. The Supreme Court or the High Court in exercise of the power of Judicial Review can declare a law passed by the Parliament or State Legislature as invalid on the grounds that:

- (a) It is not within the competence of the Legislature which passed the law
- (b) It is in contravention of the fundamental rights stipulated in Part III of the Constitution or any other provision of the constitution
- (c) The Legislature did not apply its mind or it was prompted by some improper motive or it was arbitrary or unreasonable

Choose the correct option:

- a. (a) and (c) only
- b. (a) and (b) only
- c. (b) and (c) only
- d. all (a), (b) and (c).

18. Which of the following is the composition of the International Bill of Human Rights?

- (a) Universal Declaration of Human Rights
- (b) International Covenant of Civil and Political Rights
- (c) The International Covenant of Economic, Social and Cultural Rights
- (d) The Optional Protocol to the International Covenant on Civil and Political Rights

Choose the most appropriate option:

- a. (a), (b) and (c)
- b. (a) and (c)
- c. (a), (b), (c) and (d)
- d. (a) and (d).

19. Mention the following cases in a chronological order on Election Commission:

- (a) Kuldeep Nayar v. Union of India

- (b) T.N Seshan v. Union of India
- (c) People's union for Civil Liberties v. Union of India
- (d) S.S. Dhanoa v. Union of India

Choose the correct option:

- a. (b), (c), (d), (a)
- b. (c), (d), (b), (a)
- c. (a), (d), (b), (c)
- d. (d), (b), (a), (c).

20. Which of the following factors are responsible for judicial activism in India?

- (a) Denial of court access to the poor, downtrodden and underprivileged sections of the society who do not have sufficient means to approach the court
- (b) Maladministration, misuse of public and rampant corruption
- (c) Increasing social problems as environmental pollution, child labour, smoking in public places, pitiable conditions of prisoners and exploitation of women etc.
- (d) Gross violation of Human Rights

Choose the correct option:

- a. only (a), (b) and (c)
- b. only (b), (c) and (d)
- c. only (a), (c) and (d)
- d. all (a), (b), (c) and (d).

21. Which of the following statement/statements are correct?

- (a) Convention of Nationality was adopted in 1928
- (b) Convention of Nationality of married women was adopted in 1957
- (c) Convention on the Reduction of statelessness was adopted in 1961
- (d) Convention on the Nationality of newborn child was adopted in 1938

Select the correct answer using the code given below:

- a. (a) and (b)
- b. (b) and (c)
- c. (a) and (c)
- d. (b) and (d).

22. Match the theories of Jurisprudence with the Jurists associated with it.

List I

- (a) Spirit of people
- (b) Social Solidarity
- (c) Dictates of Reasoning
- (d) Social Control

List II

- (i) Savigny
- (ii) Duguit
- (iii) Thomas Aquinas
- (iv) Ihering

Choose the correct option:

- a. (a)-(i), (b)-(ii), (c)-(iii), (d)-(iv)
- b. (a)-(i), (b)-(ii), (c)-(iv), (d)-(iii)
- c. (a)-(iv), (b)-(iii), (c)-(ii), (d)-(i)
- d. (a)-(ii), (b)-(iv), (c)-(i), (d)-(iii).

23. Which one of the following Jurists asserts that 'Law and morality are complementary and supplementary to each other'?

- a. John Austin
- b. Hans Kelsen
- c. L.A Hart
- d. Devlin.

24. Right to Education Act seeks to provide free and compulsory education to all children between 6 and 14 years. But a modification in Child labour Act formalises employment of children between 0 and 14 years in the family enterprises. Therefore which of the following ILO Conventions is violated?

- (a) Convention 138
- (b) Convention 182
- (c) Convention 126
- (d) Convention 141

Choose the correct option:

- a. (a) and (b)

- b. (c) and (d)
- c. (a) and (d)
- d. (b) and (c).

25. To constitute the offence of kidnapping from lawful guardianship under Section 361 of Indian Penal Code the age of the minor should be:

- (a) Under eighteen years if male
- (b) Under sixteen years if male
- (c) Under eighteen years if female
- (d) Under sixteen years if female

Choose the correct option:

- a. (a) and (b)
- b. (a) and (c)
- c. (b) and (c)
- d. (a) and (d).

26. According to Article 233 of the Constitution of India. appointment of a District Judge shall be made by:

- a. Collegium of the State High Court concerned
- b. The Governor of the State concerned in consultation with the Chief Justice of India
- c. The Governor of the State in Consultation with the High Court exercising Jurisdiction in relation to such State
- d. The President in consultation with the Chief Justice of the High Court exercising Jurisdiction in relation to the State concerned.

27. Frustration of contract implies:

- a. Legal impediment to materialize the contract
- b. Commercial hardship
- c. Financial constraint to materialise the contract
- d. Physical impossibility due to disappearance of the subject matter of contract or object has failed to materialise.

28. The Law of nations is that collection of usages which civilized states have agreed to observe in their dealings with one another. This definition of International law is given by Lord Coleridge in:

- a. Queen v. Keyh

- b. West Rand Central Gold Mining Ltd Co. v. King
- c. S. Lotus Case
- d. M. Luther Co. v. Sugar and Co.

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

Assertion(A): Special provisions in Insurance law are required as to compensation in case of hit and run motor accidents

Reasons(R): Section 161 of the Motor Vehicles Act, 1988, makes special provisions for payment of compensation in respect of the death of, or grievous hurt to, persons resulting from hit and run motor accidents.

In the light of the above two statements choose the correct option:

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

30. Which of the following statements are correct?

- (a) Article 353 of Constitution of India deals with effect of Proclamation of Emergency
- (b) Article 354 of Constitution of India deals with income generating power of the Governor during Emergency
- (c) Article 355 of the Constitution of India deals with duty of Union to protect states against External aggression and armed rebellion
- (d) Article 356 of the Constitution of India deals with imposition of Emergency during Local disturbance by militant or terrorists

Choose the correct option:

- a. (a) and (b)
- b. (a) and (c)
- c. (b) and (c)
- d. (c) and (d).

31. Which one of the following is not a 'Primary Source' of Muslim Law?

- a. Qiyas
- b. Quran
- c. Takhleed
- d. Sunnat.

32. Following are good defences to an action in tort:

- (a) Act of God
- (b) volenti non fit injuria
- (c) private defence
- (d) trustee of son tort

Choose the correct option:

- a. (a), (b) and (d) only
- b. (b), (c) and (d) only
- c. (d), (a) and (c) only
- d. (a), (b) and (c) only.

33. Consider the following statements and point out which statements are related to Positivism?

- (a) Laws are command
- (b) Analysis of legal concept is distinct from Sociological and Historical analysis
- (c) Decisions can be deduced logically with recourse to morality
- (d) The 'Law as it is' has to be kept separate from 'Law ought to be'

Choose the correct option:

- a. (a), (b) and (c) only
- b. (a), (b) and (d) only
- c. (b), (c) and (d) only
- d. (a) and (d) only.

34. Which of the following statement/statements are true?

- a. In Nicaragua v. U.S.A; the World Court by majority has taken the view that the sources of International Law are hierarchical
- b. In Nicaragua v. U.S.A; the World Court has taken unanimously the view that the sources of International Law are not hierarchical
- c. In Nicaragua v. U.S.A; the World Court by majority has taken the view that the sources of International Law are not hierarchical but are necessarily complementary and interrelated
- d. In Nicaragua v. U.S.A; the World Court has taken unanimously the view that the sources of International Law are not hierarchical but are necessarily complementary and interrelated.

35. Preamble of the National Green Tribunal Act 2010 (NGT Act) does not mention about:

- a. Johannesburg Conference
- b. Rio Conference
- c. Article 21 of the Constitution of India
- d. The Stockholm Conference.

36. In the British Constitution there is no such thing as the absolute separation of Legislative – Executive and Judicial powers. In practice it is inevitable that they overlap. In the Constitution of France and U.S.A., attempts to keep the organs of the government rigidly apart have been made but have proved unsuccessful. This position of doctrine of separation of powers has been summed-up by:

- a. Ullman
- b. K.T. Shah
- c. Wade and Phillips
- d. Donoughmore Committee.

37. To constitute the offence of Affray under Section 159 of the Indian Penal code there must be:

- (a) Only one person
- (b) Two or more persons
- (c) Fighting in Public place to disturb public peace
- (d) Fighting in private place

Choose the correct option:

- a. (a) and (c)
- b. (b) and (c)
- c. (b) and (d)
- d. (a) and (d).

38. Who among the following said that there is in essence, no difference between the legal personality of a company and that of an individual?

- a. Maitland
- b. Dicey
- c. Gierke
- d. Kelsen.

39. Which of the following statements are correct?

- (a) Chapter VI of the UN Charter deals with the pacific settlement of disputes.
- (b) The purpose of United Nation Organisation is World Peace.
- (c) The Security Council comprises of 14 members.
- (d) The non permanent member are elected by the General Assembly for a period of three years.

Choose the correct option:

- a. (a) and (b)
- b. (a) and (c)
- c. (b) and (c)
- d. (b) and (d).

40. Under the Companies Act 2013, which of the following company is required to constitute a Corporate Social Responsibility Committee?

- (a) company having networth of Rs. 500 crore or more.
- (b) company having turnover of Rs. 1,000 crore or more.
- (c) company having net profit of 5 crore or more.
- (d) company having net profit of 2 crore or more during any financial year.

Choose the most appropriate option:

- a. (a), (b), (c), and (d)
- b. (a) and (d)
- c. (a), (b) and (c)
- d. (a), (c) and (d).

41. Various legislations relating to Human Rights in India are given below. Arrange them in chronological order since 1955.

- a. Bonded Labour system (Abolition) Act, Protection of Civil Right Act, Immoral Trafficking (Prevention) Act, Child Labour (Prohibition and Regulation) Act
- b. Protection of Civil Rights Act, Immoral Trafficking (Prevention) Act, Bonded Labour System (Abolition) Act, Child Labour (Prohibition and Regulation Act)
- c. Child labour (Prohibition and Regulation) Act, Bonded Labour system (Abolition) Act, Protection of Civil Rights Act, Immoral Trafficking (Prevention) Act
- d. Bonded Labour System (Abolition) Act, Immoral Trafficking (Prevention) Act, Protection of Civil Right Act, Child Labour Prohibition and Regulation) Act.

42. Choose the correct section of the Competition Act, 2002 Which provides that 'No enterprise shall abuse its dominant position:

- a. Section 4
- b. Section 9
- c. Section 8
- d. Section 6.

43. The word 'Tort' has been derived from the Latin Word:

- a. Tortus
- b. Tortum
- c. Torrent
- d. Torture.

44. In which of the following cases it was held that "there is no distinction between defacto and de jure recognition for the purpose of giving effect to the international acts of the recognised authority"?

- a. Luther v. Sagar
- b. S. v. Pink
- c. Russian Socialist Federated Soviet Public v. Cirbaria
- d. Guarantee Trust Co. of New York v. U.S.

45. Human dignity is the Quintessence of Human Rights. This has been stated by:

- a. Justice V.R. Krishna Iyer
- b. Justice JS Verma
- c. Justice Kuldeep Singh
- d. Justice Ranganath Mishra.

46. The expression "Minority" is a relative term and is referred to, to represent the linguistic or religious sections or groups forming less than of the total population of the State. This was stated by the Supreme Court in which of the following case?

- a. T. M.A Pai Foundation v. State of Karnataka
- b. A. Inamdar v. State of Maharashtra
- c. Islamic Academy of Education v. State of Karnataka
- d. Usha Mehta v. State of Maharashtra.

47. Match the following:

List I

- (a) Exemplary damages

- (b) Evaluation of cleanliness of various fuels
- (c) Public Trust Doctrine
- (d) Right of each generation to benefit from the past generation and to preserve such heritage for future

List II

- (i) MC Mehta v. Kamalnath
- (ii) Sterlite Industries
- (iii) Intergenerational equity
- (iv) Bhurelal Committee

Choose correct option from those given below:

- a. (a)-(i), (b)-(ii), (c)-(iii), (d)-(iv)
- b. (a)-(ii), (b)-(iv), (c)-(i), (d)-(iii)
- c. (a)-(iv), (b)-(ii), (c)-(i), (d)-(iii)
- d. (a)-(iv), (b)-(iii), (c)-(i), (d)-(ii).

48. Professor Dicey gave following three meanings of Rule of law:

- (a) Absence of Arbitrary power or supremacy of the law
- (b) Equality before law
- (c) The constitution is the result of the ordinary law of land

Out of the above aspects which of the following apply to Indian system?

- a. (a) and (b) only
- b. (b) and (c) only
- c. (a) and (c) only
- d. All (a), (b), and (c).

49. Read the following statement in the light of Hindu Adoption and Maintenance Act 1956:

- (a) Section 7 deals with capacity of a male Hindu to take in adoption
- (b) Section 13 deals with valid adoption not to be cancelled
- (c) Section 12 deals with effect of adoption
- (d) Section 15 deals with right of adoptive parents to dispose off their properties

Choose the correct option:

- a. (a) and (c)
- b. (b) and (d)
- c. (b) and (c)
- d. (a) and (d).

50. Match the following provisions with the Section under Consumer Protection Act 1986.

List I (Provision)

- (a) Jurisdiction of the District forum
- (b) Composition of State Commission
- (c) Composition of National Commission
- (d) Circuit benches of State Commission

List II (Section)

- (i) Section 17 B
- (ii) Section 20
- (iii) Section 16
- (iv) Section 11

Choose the correct option from those given below:

- a. (a)-(ii), (b)-(iv), (c)-(iii), (d)-(i)
- b. (a)-(i), (b)-(ii), (c)-(iii), (d)-(iv)
- c. (a)-(iii), (b)-(ii), (c)-(i), (d)-(iv)
- d. (a)-(iv), (b)-(iii), (c)-(ii), (d)-(i)..

51. Under Muslim Law, marriage with a woman, whose husband is alive, is:

- a. Valid
- b. Sahih
- c. Void
- d. Irregular.

52. Given below are two statements – One is labelled as Assertion(A) and the other is labelled as Reason(R).

Assertion(A): Every Hindu is bound to maintain his or her legitimate or illegitimate minor Hindu children.

Reasons(R): Under section 20(2) of the Hindu Adoptions and Maintenance Act, 1956 a legitimate or illegitimate minor child may claim maintenance from his or her father or mother.

In the light of the above two statements choose the correct option:

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

53. In which of the following cases our Supreme Court held that so far as the guarantee of equal protection in Article 14 is concerned, any State action, Executive, Legislative or Judicial, which contravenes Article 14 is void?

- a. Amir Abbas v. State of M.P.
- b. Naresh Mirajkar v. State of Bihar
- c. Budhan v. State of Bihar
- d. Himmatlal v. State of M.P.

54. In which of the following cases, the Supreme Court of India has specifically said that 'federal structure' is the basic feature of the Constitution?

- a. AK Gopalan v. State of Madras
- b. R. Bommai v. Union of India
- c. Govind v. State of Madhya Pradesh
- d. Maneka Gandhi v. Union of India.

55. Arrange the following enactments in chronological order enacted to provide social justice:

- (a) Equal Remuneration Act
- (b) Immoral Traffic (Prevention) Act
- (c) Medical Termination of Pregnancy Act
- (d) Maternity Benefit Act

Choose the correct option:

- a. (a), (b), (c), (d)
- b. (b), (c), (a), (d)
- c. (b), (d), (c), (a)
- d. (d), (c), (b), (a).

56. 'A' in India, instigates 'B' a foreigner in Goa, to commit a murder in Goa. 'A' is guilty of:

- a. Culpable homicide not amounting to murder
- b. Committing the offence of murder
- c. Criminal conspiracy
- d. Abetting the murder.

57. Salmond enumerates five characteristics of legal rights. Four such characteristics are:

- (a) Subject of right
- (b) Object of right
- (c) Content of right
- (d) Title of right

The fifth characteristic is:

- a. Property in respect of which right is claimed
- b. Act or omission required by the right
- c. The legal reason for the existence of the right
- d. The subject of the corresponding duty.

58. Match the following sections of Indian Penal Code with provision given there under.

List I (Section)

- (a) Section 80
- (b) Section 82
- (c) Section 83
- (d) Section 79

List II (Provision)

- (i) Act done by person justified or by mistake of fact believing himself justified by law
- (ii) Act of a child above seven and under twelve of immature understanding
- (iii) Act of child under seven years of age
- (iv) Accident in doing a lawful act

Choose the correct option from those given below:

- a. (a)-(iv), (b)-(ii), (c)-(iii), (d)-(i)
- b. (a)-(ii), (b)-(iv), (c)-(i), (d)-(iii)
- c. (a)-(iv), (b)-(iii), (c)-(ii), (d)-(i)
- d. (a)-(iii), (b)-(iv), (c)-(ii), (d)-(i).

59. Which of the following statements is NOT correct in regard to distinction between Civil and Criminal liability?

- a. Civil liability arises when a wrong is against a private individual but Criminal liability arises in case of offence which is a wrong against the society
- b. Civil liability entails punishment whereas criminal liability results into damages
- c. The procedure for determining Civil and Criminal liability is different
- d. In Civil liability, it is the act and not the intention which is taken into consideration whereas in case of Criminal liability, mens rea is the determining factor.

60. Given below are two statements – one is labelled as Assertion(A) and other is labelled as Reason(R).

Assertion(A): Whoever attempts to commit robbery shall be punished with rigorous imprisonment for a term which may extend to seven years and shall also be liable for fine.

Reasons(R): Section 393 for Indian Penal Code provides for rigorous imprisonment which may extends to seven years and fine for the offence of attempt to commit robbery.

In the light of the above two statements choose the correct option:

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

61. Arrange the provisions of Hindu Succession Act 1956 in chronological order (Section wise).

- (a) Presumption in case of simultaneous death
- (b) Failure of heirs
- (c) Act not to apply to certain properties
- (d) Full blood preferred to half blood

Choose the correct option:

- a. (a), (b), (c), (d)
- b. (d), (c), (b), (a)
- c. (c), (d), (a), (b)
- d. (d), (a), (c), (b).

62. Which of the following provision was inserted by Act 22 of 2018 in Indian Penal Code?

- a. Punishment for causing death or resulting persistent vegetative state of victim
- b. Punishment for rape on women under Twelve Years of age
- c. Sexual intercourse by husband upon his wife during separation
- d. Sexual intercourse by a person in authority.

63. Legal sovereignty in India resides in the Constitution itself and not in 'We the People of India'. This idea was expressed in which one of the following cases by the Supreme Court of India?

- a. Keshavananda Bharti v. State of Kerala
- b. Golaknath v. State of Punjab
- c. State of West Bengal v. Union of India
- d. Sajjan Singh v. State of Rajasthan.

64. Section 49 of the Information Technology Act deals with the provision relating to:

- a. Establishment of Cyber Appellate Tribunal
- b. Qualification for appointment as Chairperson and member of Cyber Appellate Tribunal
- c. Composition of Cyber Appellate Tribunal
- d. Distribution of business among benches.

65. Arrange the following judgments on Torts in Chronological order:

- (a) Ashby v. White
- (b) M.C. Mehta v. Union of India
- (c) Ryland v. Fletcher
- (d) Donoghue v. Stevenson

Choose the correct option:

- a. (b), (d), (c), (a)
- b. (a), (c), (d), (b)
- c. (a), (c), (b), (d)

d. (d), (b), (a), (c).

66. The Supreme Court in regard to Section 34 of Indian Penal Code observed that the existence of a common intention among the participants in a crime is the essential element for application of this section. It is not necessary that the act of the several persons charged with commission of an offence jointly must be the same or identically similar. In which of the following case the above observation was made by the Supreme Court?

- a. Ashok Kumar v. State of Punjab
- b. Shankar Narayan Bhadolkar v. State of Maharashtra
- c. Gurbachan Singh v. State of Punjab
- d. C. Bahri v. State of Bihar.

67. Article 371-F, special provisions with respect to the state of Sikkim was inserted by:

- a. The Constitution (Thirty Second Amendment) Act
- b. The Constitution (Thirty Third Amendment) Act
- c. The Constitution (Thirty Fifth Amendment) Act
- d. The Constitution (Thirty Sixth Amendment) Act.

68. Match List I with List II.

List I

- (a) United States of America v. Italy
- (b) El Salvador v. Honduras
- (c) Spain v. Canada
- (d) Yugoslavia v. U.S.

List II

- (i) Legality of use of force
- (ii) Case concerning Elettronica Sicula S.pA (ELSI)
- (iii) Land, Island and maritime dispute case
- (iv) Fisheries Jurisdiction

Choose the correct option given below:

- a. (a)-(ii), (b)-(iii), (c)-(iv), (d)-(i)
- b. (a)-(iii), (b)-(i), (c)-(iv), (d)-(ii)
- c. (a)-(ii), (b)-(iv), (c)-(i), (d)-(iii)

d. (a)-(iv), (b)-(iii), (c)-(ii), (d)-(i).

69. Which of the following statements are correct?

(a) The Supreme Court of India has Original Jurisdiction in any dispute between the Government of India and one or more States

(b) The Supreme Court of India has Original Jurisdiction in any dispute between Government of India and any State or States on one side and one or more States on other side

(c) The Supreme Court of India has Original Jurisdiction in any dispute between Government of India and any individual on one side and State one or more on the other side

(d) The Supreme Court of India has Original Jurisdiction in any dispute in India

Choose the correct option:

a. (a) and (b)

b. (b) and (c)

c. (a) and (c)

d. (a) and (d).

70. The provision under Copyright Act is given as under:

(a) Section 52 B deals with provision relating to accounts and audit

(b) Section 53 A deals with resale share rights in original copies

(c) Section 52 deals with importation of infringing copies

(d) Section 53 deals with certain acts not to be infringement of copyright

Choose the correct option:

a. (a) and (c)

b. (b) and (d)

c. (a) and (d)

d. (a) and (b).

71. To constitute the offence of theft under Indian Penal code, there must be:

(a) taking away of the movable property

(b) without the consent of the person

(c) taking away of the immovable property

(d) with the consent of person

Choose the correct option:

- a. (b) and (c)
- b. (a) and (b)
- c. (a) and (d)
- d. (b) and (d).

72. The essential characteristics of Federation in USA are:

- (a) Supremacy of the Constitution
- (b) Distribution of powers amongst the various organs of the federation and of regional units of the federation by the provision of constitution
- (c) Judicial review or enforcement of that supreme constitution as law
- (d) The Rule of Law

Choose the correct option:

- a. Only (a), (b) and (c)
- b. Only (a), (b) and (d)
- c. Only (b), (c) and (d)
- d. All (a), (b), (c) and (d).

73. Match the following sections of the Copyright Act 1957 with provisions given there under:

List I (Section)

- (a) Section 2(O)
- (b) Section 38
- (c) Section 37
- (d) Section 2(XX)

List II (Provision)

- (i) Performer Right
- (ii) Meaning of Literary work
- (iii) Meaning of sound recording
- (iv) Broadcast reproduction right

Choose the correct option from those given below:

- a. (a)-(ii), (b)-(i), (c)-(iv), (d)-(iii)

- b. (a)-(iv), (b)-(ii), (c)-(iii), (d)-(i)
- c. (a)-(ii), (b)-(iii), (c)-(i), (d)-(iv)
- d. (a)-(i), (b)-(iv), (c)-(iii), (d)-(ii).

74. Which of the following is not correct under Muslim Law?

- a. In a gift Transaction delivery of possess is necessary, in a Will it is not required
- b. Doctrine of Mushaa is also applicable in case of disposition by Will
- c. Right of Donor to a gift is unrestricted but right of making a bequest is limited in two ways
- d. After completion, a gift cannot be revoked unless by a formal decree of a court, a will may be revoked at any time after making of it.

75. The concept of Universalism is based on:

- (a) Natural Theory
- (b) Theory of Rationalism
- (c) Theory of Positivism
- (d) Theory of Cultural Relativism

Choose the most appropriate option:

- a. (a) and (b)
- b. (a), (b) and (c)
- c. (a), (b), (c) and (d)
- d. (c) and (d).

76. Which one of the following cannot be treated as delivery under the Sale of Goods Act, 1930?

- a. Doing anything which has the effect of putting goods in possession of legal representatives of seller
- b. Doing anything which has the effect of parting goods in possession of any person authorised by the buyer
- c. Doing anything which has the effect of putting goods in possession of the buyer
- d. Doing anything which the parties agree to be treated as delivery.

77. Section 3(1) of the Trade Marks Act, 1999 deals with the provision relating to:

- a. Refusal of registration
- b. Application for registration
- c. Appointment of Registrar of Trade Marks
- d. Correction and amendment in the application.

78. Match the following:

List I

- (a) Fisher v. Bell
- (b) Harvey v. Facey
- (c) Mohori Bibi v. Dharmodas Ghosh
- (d) Dunlop Tyre v. Selfridge & Co.

List II

- (i) Privity of contract
- (ii) Minor contract is void
- (iii) Invitation to treat
- (iv) Quotation of prices

Choose the correct option from those given below:

- a. (a)-(iii), (b)-(iv), (c)-(ii), (d)-(i)
- b. (a)-(i), (b)-(ii), (c)-(iii), (d)-(iv)
- c. (a)-(iv), (b)-(ii), (c)-(i), (d)-(iii)
- d. (a)-(i), (b)-(iii), (c)-(iv), (d)-(ii).

79. Given below are two statements. One is labelled as Assertion(A) and the other is labelled as Reason(R).

Assertion(A): The liability of the surety is co-executive and it can not go beyond the terms of guarantee

Reasons(R): The rights and liabilities of a surety and borrower are different and distinct and everything depends upon its terms of guarantee

In the light of the above two statements choose the correct option:

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

80. Which of the following is not correct under Section 8 of Hindu Succession Act 1956? The property of a Hindu male dying intestate shall devolve:

- a. Firstly upon class I heirs of the deceased
- b. Secondly upon class II heirs of the deceased

- c. Thirdly upon Agnates of all deceased
- d. Fourthly upon the government.

81. Match List I with List II

List I

- (a) Art 153
- (b) Art 154
- (c) Art 155
- (d) Art 156

List II

- (i) Appointment of Governor
- (ii) Governor of States
- (iii) Term of office of Governor
- (iv) Executive power of state

Choose the correct option given below:

- a. (a)-(ii), (b)-(i), (c)-(iv), (d)-(iii)
- b. (a)-(ii), (b)-(iv), (c)-(i), (d)-(iii)
- c. (a)-(iii), (b)-(iv), (c)-(i), (d)-(ii)
- d. (a)-(iv), (b)-(iii), (c)-(ii), (d)-(i).

82. Section 9 of the Geographical Indication of Goods (Registration and Protection) Act 1999 provides for:

- a. Prohibition of Registration of Certain geographical indications
- b. Registration of Homonymous geographical indications
- c. Geographical Indication Registry and Office thereof
- d. Register of Geographical Indications.

83. Choose the correct option year-wise.

Some of the notification under Environment Protection Act 1986 is listed below:

- a. Coastal Regulation Zone, Environmental Auditing, Environmental Impact Assessment, Dumping and Disposal of Fly Ash
- b. Dumping and Disposal of Fly Ash, Coastal Regulation Zone, Environmental Auditing, Environmental Impact Assessment

- c. Coastal Regulation Zone, Dumping and Disposal of Fly Ash, Environmental Auditing, Environmental Impact Assessment
- d. Environmental Impact Assessment, Coastal Regulation Zone, Environmental Auditing, Dumping and Disposal of Fly Ash.

84. 'Whoever by words, either spoken or written, or by signs, or by visible representation, or otherwise, brings or attempts to bring in hatred or contempt or excites or attempts to excite disaffection towards, the government established by law in India; amounts to the offence of:

- a. Defamation
- b. Sedition
- c. Criminal Conspiracy
- d. Assault.

85. Which one of the following is not within the scope of Implied Authority of a partner?

- a. The act done for carrying on the business of the kind carried on by the firm
- b. The act should be done in the usual way of business of the firm
- c. The act of acquiring immovable property on behalf of the firm
- d. The act must be done in the firm name or in any other manner expressing or implying an intention to bind the firm.

86. Which of the following is/are true about Bill of Exchange?

- (a) A Bill of Exchange, requires in its inception two parties
- (b) A Bill of Exchange or draft is a written order by the drawer or drawee to pay money to the payee
- (c) Bill of Exchange are primarily used in the International trade and are written orders by one person to his Bank to pay the bearer a specific sum on a specific date
- (d) Definition of Bill of Exchange is mentioned in the section 6 of the Negotiable Instrument Act

Choose the most appropriate option:

- a. (a) and (d)
- b. (a), (b) and (d)
- c. (b) and (c)
- d. (c) and (d).

87. Arrange the following judgments of the Supreme Court on the issue of constitutionality of death penalty in chronological order:

- (a) Rajendra Prasad v. State of UP
- (b) Machhi Singh v. State of Rajasthan
- (c) Jagmohan Singh v. State of UP
- (d) Bachan Singh v. State of Punjab

Choose the correct option:

- a. (a), (b), (c), (d)
- b. (c), (b), (a), (d)
- c. (d), (c), (b), (a)
- d. (c), (a), (d), (b).

88. Ownership can be:

- (a) Legal and vested ownership
- (b) Legal and equitable ownership
- (c) Absolute and limited ownership
- (d) Trust and beneficial ownership

Choose the correct option:

- a. (a), (b), (c), and (d) all
- b. (b), (c) and (d) only
- c. (a), (b) and (c) only
- d. (a), (c) and (d) only.

89. Starting from the earliest, arrange the following countries in chronological order where the Office of Ombudsman was created:

- (a) Sweden
- (b) United Kingdom
- (c) New Zealand
- (d) Finland

Choose the correct option:

- a. (a), (b), (c), (d)
- b. (a), (d), (c), (b)
- c. (a), (c), (b), (d)
- d. (a), (b), (d), (c).

90. In which of the following situations, the Quasi Contract Doctrine is not applied?

- a. In disputes regarding payment for goods delivered or services rendered with a formal contract
- b. Where no contract but fictional agreement arise
- c. Where there is an unjust enrichment without a formal contract
- d. Where there is a liability to pay gratuitous act.

91. Comprehension (Q.N.: 91 – 95)

The Preamble of the Constitution is an integral part of the Constitution. Democratic form of government, federal structure, unity and integrity of the nation, secularism, socialism, social justice and judicial review are basic features of the Constitution. The Union of India shall protect the State Government and as corollary under Article 356 it is enjoined that the government of every state should be carried on in accordance with the provisions of the constitution. On receipt of a report from the Governor or otherwise the President (Council of Ministers) on being satisfied that a situation has arisen in which the Government of a State cannot be carried on in accordance with the provisions of the Constitution is empowered to issue Proclamation under Article 356 (1) and impose president's rule in the state in a manner laid down in sub-clause (a) to (c) of Article 356 (1) of the constitution.

The exercise of the power under Article 356 is an extraordinary one and needs to be used sparingly when the situation contemplated by Article 356 warrants to maintain democratic form of government and to prevent paralysing of the political process. Single or individual act or acts of violation of the constitution for good, bad or in different administration does not necessarily constitute failure of constitutional machinery or characterises that a situation has arisen in which the Government of the State cannot be carried on in accordance with the provisions of the constitution. The exercise of power under Article 356 should under no circumstances be for a political gain to the party in power in the Union government. It should be used sparingly and with circumspection that the government of the State functions with responsibility in accordance with the provisions of the constitution.

Rule of law has been chosen as an instrument of social adjustment and resolution of conflicting social problems to integrate diverse sections of the society professing multi religious faiths, creed, caste or region fostering among them fraternity, transcending social, religious, linguistic or regional barriers. Citizen is either by birth or by domicile and not as a member of religion, caste, sect, region or language Secularism has both positive and negative constants.

Which one of the following provisions of the Constitution imposes an obligation on the Union to ensure that the Government of the State is carried on in accordance with the provisions of the constitution?

- a. Article 352
- b. Article 355

- c. Article 356
- d. Article 360.

92. In which of the following cases, the Supreme Court held that the Preamble is the part of the Constitution:

- a. Buckingham and Carnatic Co. Ltd v. Venkaiah
- b. Keshavanand Bharti Case
- c. Golaknath v. State of Punjab
- d. In re Berubari case.

93. On which grounds of the following a restriction can be imposed on freedom of religion under Article 25(1) of the Constitution?

- a. Public order, decency and morality
- b. In the interest of general public
- c. Public order, morality and health
- d. In the interest of general public.

94. 'Rule of law' has been recognized by the Constitution of India under:

- a. Article 14
- b. Article 19
- c. Article 21
- d. Article 22.

95. Article 356(I)(b) provides that:

- a. Any proclamation under Article 356 (1) may be revoked by a subsequent proclamation
- b. Every proclamation under Article 356 (1) shall be laid before each House of Parliament
- c. A Proclamation under Article 356 (I) shall cease to operate on the expiration of six months from the date of issue of proclamation
- d. The President may by proclamation under-Article 356 (1) declare that the powers of the legislature of the state shall be exercisable by or under the authority of Parliament.

96. Comprehension (Q.N.: 96 – 100)

Broadly speaking, legal theory involves a study of the characteristic features essential to law and common to legal systems and analysis of the basic elements of law which made it law and distinguish it from other forms of rules and standards, from systems which cannot be described as legal systems and from other social phenomena. In fact,

it is not possible to reach our dogmatic answer to the question what is law or provide exclusive answers to many questions which are asked about its essential nature.

The nature of legal theory lies in a study of the right which other theories may shed on distinctive attributes of law by an examination of the relative merits and demerits of the principal expositions of the subject. In the same strain legal theory is linked at one end with philosophy and at the other end, with political theory.

Sometimes, the starting point is philosophy and political ideology plays a secondary part sometimes the theory of knowledge and political ideology are welded into one coherent system, of course, it is true that some legal philosophies have been philosophers first and foremost and juristic because they felt the need to express their political thought in legal form In short, before the nineteenth-century legal theory was essentially a by-product of philosophy, religion, ethics or politics.

The new era of legal philosophy arises mainly from the confrontation of professional lawyers in his legal work, with problems of social justice. The modern jurists legal theory, no less than scholastic philosopher is based on ultimate beliefs whose inspiration comes from outside the law itself.

In the right of above, answer the following: As the science of law or philosophy of law emerged, which of the following approach came into existence?

- a. Analytical positivist approach
- b. Socio-legal approach
- c. Historical approach
- d. Realist approach.

97. Law must remain free from social sciences, metaphysical, ethical and moral elements. This was propounded by:

- a. Austin
- b. Pound
- c. Kelsen
- d. Salmond.

98. Who defined jurisprudence as a formal science of positive law?

- a. Austin
- b. L.A Hart
- c. Salmond
- d. Holland.

99. Law is always in a state of continual change. This is the basic tenet of:

- a. Realist jurisprudence
- b. Sociological jurisprudence
- c. Philosophical jurisprudence
- d. Analytical jurisprudence.

100. Who, among the following jurists, says “legal theory is linked at one end with philosophy and, at other end, with political theory”?

- a. John D. Finch
- b. Friedmann
- c. Wayne Morrison
- d. Jeremy Bentham.

ANSWER KEY

1. b	16. b	31. c	46. a	61. c	76. a	91. b
2. c	17. b	32. d	47. b	62. b	77. c	92. d
3. b	18. c	33. b	48. a	63. a	78. a	93. c
4. b	19. d	34. c	49. a	64. c	79. a	94. a
5. c	20. d	35. a	50. d	65. b	80. d	95. d
6. c	21. b	36. d	51. c	66. a	81. b	96. b
7. b	22. a	37. b	52. c	67. d	82. a	97. c
8. b	23. c	38. d	53. c	68. a	83. a	98. c
9. b	24. a	39. a	54. b	69. a	84. b	99. a
10. d	25. c	40. c	55. c	70. d	85. c	100. b
11. c	26. c	41. b	56. d	71. b	86. c	
12. b	27. d	42. a	57. d	72. a	87. d	

13. c	28. a	43. b	58.c	73. a	88. b	
14. c	29. b	44. a	59. b	74. b	89. b	
15. c	30. b	45. b	60. a	75. b	90. d	

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