

Test Booklet Code & Serial No.

प्रश्नपत्रिका कोड व क्रमांक

Paper-II

LAW

B

Signature and Name of Invigilator

1. (Signature)

(Name)

2. (Signature)

(Name)

Seat No.

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(In figures as in Admit Card)

Seat No.

(In words)

OMR Sheet No.

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(To be filled by the Candidate)

JAN - 60218

Time Allowed : 1¼ Hours]

[Maximum Marks : 100

Number of Pages in this Booklet : 16

Number of Questions in this Booklet : 50

Instructions for the Candidates

- Write your Seat No. and OMR Sheet No. in the space provided on the top of this page.
- This paper consists of **50** objective type questions. Each question will carry *two* marks. *All* questions of Paper-II will be compulsory, covering entire syllabus (including all electives, without options).
- At the commencement of examination, the question booklet will be given to the student. In the first 5 minutes, you are requested to open the booklet and compulsorily examine it as follows :
 - To have access to the Question Booklet, tear off the paper seal on the edge of this cover page. Do not accept a booklet without sticker-seal or open booklet.
 - Tally the number of pages and number of questions in the booklet with the information printed on the cover page. Faulty booklets due to missing pages/questions or questions repeated or not in serial order or any other discrepancy should not be accepted and correct booklet should be obtained from the invigilator within the period of 5 minutes. Afterwards, neither the Question Booklet will be replaced nor any extra time will be given. The same may please be noted.**
 - After this verification is over, the OMR Sheet Number should be entered on this Test Booklet.
- Each question has four alternative responses marked (A), (B), (C) and (D). You have to darken the circle as indicated below on the correct response against each item.
Example : where (C) is the correct response.

<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
A	B	C	D
- Your responses to the items are to be indicated in the **OMR Sheet given inside the Booklet only**. If you mark at any place other than in the circle in the OMR Sheet, it will not be evaluated.
- Read instructions given inside carefully.
- Rough Work is to be done at the end of this booklet.
- If you write your Name, Seat Number, Phone Number or put any mark on any part of the OMR Sheet, except for the space allotted for the relevant entries, which may disclose your identity, or use abusive language or employ any other unfair means, you will render yourself liable to disqualification.
- You have to return original OMR Sheet to the invigilator at the end of the examination compulsorily and must not carry it with you outside the Examination Hall. You are, however, allowed to carry the Test Booklet and duplicate copy of OMR Sheet on conclusion of examination.
- Use only Blue/Black Ball point pen.**
- Use of any calculator or log table, etc., is prohibited.**
- There is no negative marking for incorrect answers.**

विद्यार्थ्यांसाठी महत्वाच्या सूचना

- परिक्षार्थींनी आपला आसन क्रमांक या पृष्ठवरील वरच्या कोपऱ्यात लिहावा. तसेच आपणांस दिलेल्या उत्तरपत्रिकेचा क्रमांक त्याखाली लिहावा.
- सदर प्रश्नपत्रिकेत **50** बहुपर्यायी प्रश्न आहेत. प्रत्येक प्रश्नास **दोन** गुण आहेत. या प्रश्नपत्रिकेतील **सर्व** प्रश्न सोडविणे अनिवार्य आहे. सदरचे प्रश्न हे या विषयाच्या संपूर्ण अभ्यासक्रमावर आधारित आहेत.
- परीक्षा सुरु झाल्यावर विद्यार्थ्यांला प्रश्नपत्रिका दिली जाईल. सुरुवातीच्या 5 मिनीटांमध्ये आपण सदर प्रश्नपत्रिका उघडून खालील बाबी अवश्य तपासून पहाव्यात.
 - प्रश्नपत्रिका उघडण्यासाठी प्रश्नपत्रिकेवर लावलेले सील उघडावे. सील नसलेली किंवा सील उघडलेली प्रश्नपत्रिका स्विकारू नये.
 - पहिल्या पृष्ठावर नमूद केल्याप्रमाणे प्रश्नपत्रिकेची एकूण पृष्ठे तसेच प्रश्नपत्रिकेतील एकूण प्रश्नांची संख्या पडताळून पहावी. पृष्ठे कमी असलेली/कमी प्रश्न असलेली/प्रश्नांचा चुकीचा क्रम असलेली किंवा इतर त्रुटी असलेली सदोष प्रश्नपत्रिका सुरुवातीच्या 5 मिनिटातच पर्यवेक्षकाला परत देऊन दुसरी प्रश्नपत्रिका मागवून घ्यावी. त्यानंतर प्रश्नपत्रिका बदलून मिळणार नाही तसेच वेळी वाढवून मिळणार नाही याची कृपया विद्यार्थ्यांनी नोंद घ्यावी.
 - वरीलप्रमाणे सर्व पडताळून पहिल्यानंतरच प्रश्नपत्रिकेवर ओ.एम.आर. उत्तरपत्रिकेचा नंबर लिहावा.
- प्रत्येक प्रश्नासाठी (A), (B), (C) आणि (D) अशी चार विकल्प उत्तरे दिली आहेत. त्यातील योग्य उत्तराचा रकाना खाली दर्शविल्याप्रमाणे ठळकपणे काळ/निळ्या करावा.
उदा. : जर (C) हे योग्य उत्तर असेल तर.

<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
A	B	C	D
- या प्रश्नपत्रिकेतील प्रश्नांची उत्तरे **ओ.एम.आर. उत्तरपत्रिकेतच दर्शावावीत**. इतर ठिकाणी लिहीलेली उत्तरे तपासली जाणार नाहीत.
- आत दिलेल्या सूचना काळजीपूर्वक वाचाव्यात.
- प्रश्नपत्रिकेच्या शेवटी जोडलेल्या कोऱ्या पानावरच कच्चे काम करावे.
- जर आपण ओ.एम.आर. वर नमूद केलेल्या ठिकाणा व्यतिरिक्त इतर कोठेही नाव, आसन क्रमांक, फोन नंबर किंवा ओळख पटेल अशी कोणतीही खुण केलेली आढळून आल्यास अथवा असभ्य भाषेचा वापर किंवा इतर गैरमार्गाचा अवलंब केल्यास विद्यार्थ्यांला परीक्षेस अपात्र ठरविण्यात येईल.
- परीक्षा संपल्यानंतर विद्यार्थ्यांनी मूळ ओ.एम.आर. उत्तरपत्रिका पर्यवेक्षकांकडे परत करणे आवश्यक आहे. तथापी, प्रश्नपत्रिका व ओ.एम.आर. उत्तरपत्रिकेची द्वितीय प्रत आपल्याबरोबर नेण्यास विद्यार्थ्यांना परवानगी आहे.
- फक्त निळ्या किंवा काळ्या बॉल पेनचाच वापर करावा.**
- कॅलक्युलेटर किंवा लॉग टेबल वापरण्यास परवानगी नाही.**
- चुकीच्या उत्तरासाठी गुण कपात केली जाणार नाही.**

JAN - 60218/II—B

LAW
Paper II

Time Allowed : 75 Minutes]

[Maximum Marks : 100

Note : This paper contains **Fifty (50)** multiple choice questions, each question carrying **Two (2)** marks. Attempt *All* questions.

1. An unconsummated Muta marriage

would entitle the wife to :

(A) full dower

(B) no dower

(C) half dower

(D) one-fourth of dower

2. Divorce where a Muslim husband

dissolves the marriage by

pronouncing talaq three times, is

called

(A) Talaq-e-Ahsan

(B) Talaq-e-Hasan

(C) Talaq ul Biddat

(D) None of the above

3. The following law does *not* have

provisions for settlement of

property, joint or separate of the

spouses :

(A) Parsi Marriage and Divorce Act

(B) Special Marriage Act

(C) Hindu Marriage Act

(D) None of the above

4. A Parsi spouse can file a petition of

divorce in the following court :

(A) Parsi District Matrimonial

Court

(B) Civil Courts

(C) Before a Parsi Priest

(D) Court of Judicial Magistrate

First Class

5. Match List I with List II and select the *correct* answer from the codes given below it :

List I

(Sources of Hindu Laws)

- (a) Yajnavalkya Smriti
 (b) Viramitrodaya
 (c) Vivad Chintamani
 (d) Smriti Chandrika

List II

(Authors)

- (1) Vijnaneshwara
 (2) Vachaspati Misra
 (3) Mitra Misra
 (4) Deven Bhatta

Codes :

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

6. “A contract is a promise or a set of promises for the breach of which the law gives a remedy or the performance of which the law is somehow recognises as a duty.” This statement made in :

- (A) Halsbury’s Laws of England
 (B) American Restatement of the Law of Contracts
 (C) Chitty on contracts
 (D) Either (A) or (B) or (C)

7. Tender is :

- (A) a promise
 (B) an offer
 (C) a counteroffer
 (D) an invitation to offer

8. A contract entered with a conflict person is :

- (A) Valid
 (B) Voidable
 (C) Void
 (D) Void ab initio

9. The right of a party to the rescission of voidable contract is subject to the following limitation/s :

- (A) Affirmation and lapse of time
- (B) Injury to third parties
- (C) Ability to restore
- (D) All of the above

10. 'A', on board an English ship on the High Seas, causes B to enter, an agreement by an act amounting to criminal intimidation under IPC. Afterwards sues 'B' for breach of contract at Calcutta. The contract was under :

- (A) Coercion
- (B) Undue influence
- (C) Fraud
- (D) None of the above

11. Legal impossibility means :

- (A) Performance of a promise impossible by operation of law
- (B) An agreement to do an impossible act
- (C) Lex non cogit ad impossibilia
- (D) All of the above

12. Forfeiture of Earnest Money Deposit (EMD) relating to tenders under section 5 and 74 of Contract Act amounts to :

- (A) Penalty
- (B) Not penalty
- (C) Compensation for inconvenience
- (D) Compensation for dissatisfaction

13. The word "Tortum" in its etymological sense means :

- (A) to restore
- (B) to infringe
- (C) to twist
- (D) to punish

14. Match List I with List II and select the *correct* answer from the codes given below it :

List I

(Cases)

- (a) Ashby *Vs.* Whyte
- (b) Gloucester Grammar School case
- (c) Rylands *Vs.* Fletcher
- (d) Nicholas *Vs.* Marsland

List II

(Grounds)

- (1) Vij Major
- (2) Injuria sine damno
- (3) Damnum sine Injuria
- (4) Strict liability

Codes :

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

15. A master is liable for the criminal act of his servant provided it is done by the servant (Choose *correct* option) :

- (A) in the course of his employment
- (B) in the interest of his master
- (C) both (A) and (B)
- (D) Master can't be held liable for the criminal act of his servant

16. The servants of the Railway Company, after cutting hedges and grass negligently, left it near the railway line. It was a dry weather. Spark from the railway engine set fire to the heap of grass. Due to high wind the fire was carried to the plaintiff's cottage which was burnt. In the light of the above fact, which of the following statements is *correct* ?

- (A) The defendant company was liable for the negligence of their servants though they could not have foreseen the loss to the cottage of plaintiff
- (B) The defendant company was not liable for the negligence of their servants because they could not have foreseen the loss to the cottage of plaintiff
- (C) The plaintiff is not entitled for damages because defendant does not owe any duty against him
- (D) None of the above

17. In action for negligence the plaintiff has to prove that :
- (A) The defendant has a legal duty to take care
 - (B) The defendant has breached of the duty
 - (C) The damage to the plaintiff as a result of breach of duty
 - (D) All of the above
18. In a case, the plaintiff accompanied by a friend, went to a cafe for refreshment. They ordered two slices of ice cream and a bottle of ginger beer. This ginger beer was served in a stoppered bottle of dark. Opaque glass and had been manufactured by the defendant. While pouring the beer, the remains of a decomposed snail (which had apparently found its way into the bottle at the factory) floated out. As a result of the nauseating sight of the snail and the impurities of the ginger beer which the plaintiff had already consumed, she suffered from shock and severe gastro-enteritis.
- The above facts are similar with which of the following case ?
- (A) *Ryland Vs. Flecher* (1868) LR 3 HL 330
 - (B) *Donoghue Vs. Stevenson* [1932] AC 562
 - (C) *Hicks Vs. Faulkner*, [1848] 8 QBD 167
 - (D) *Quinn Vs. Leathem*, [1901] AC 495
19. The essential elements of a crime are :
- (A) motive, mens rea and actus rea
 - (B) mens rea and actus rea
 - (C) motive, intention and knowledge
 - (D) knowledge, intention and action
20. Motive under Section 81 of IPC should be :
- (A) Prevention of harm to person
 - (B) Prevention of harm to property
 - (C) Both (A) and (B)
 - (D) Either (A) or (B)
21. Right to Private defence of body and of property has been dealt with under :
- (A) Section 96 of IPC
 - (B) Section 97 of IPC
 - (C) Section 98 of IPC
 - (D) Section 99 of IPC

22. Read Assertion (A) and Reason (R).

With the help of codes given below, point out the *correct* explanation :

Assertion (A) : An assembly of five or more persons is designated an “unlawful assembly” if the common object of the persons composing that assembly is.

Reason (R) : To resist the execution of any law, or of any legal process, or

Codes :

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

23. ‘X’ and ‘Y’ agree to commit theft in ‘Z’s house, but no theft is actually committed. They are guilty of

- (A) No offence
- (B) Abatement by conspiracy
- (C) Criminal conspiracy
- (D) Abatement by instigation

24. The following offences are added by way of The Criminal Law (Amendment) Act, 2013 :

- (A) Assault or criminal force to woman with intent to outrage her modesty
- (B) Sexual harassment and punishment for sexual harassment
- (C) Assault or use of criminal force to woman with intent to disrobe
- (D) Both (B) and (C)

25. **Assertion (A)** : The coverage of the term 'Industry' provided under Section 2(j) of the Industrial Disputes Act, 1947 has been widened by the Supreme Court in its Constitution Bench decision in *Rajappa* to subsume a number of activities that qualify the 'triple test' laid down therein.
- Reason (R)** : The Parliament through the Industrial Disputes (Amendment) Act, 1982 has also approved the Supreme Court's move on this point and accordingly changed the law.
- (A) Both (A) and (R) are correct
(B) Both (A) and (R) are incorrect
(C) (A) is correct but (R) is incorrect
(D) (A) is incorrect but (R) is correct
26. Which of the following is related to 'Settlement' provided under Section 2(P) of the Industrial Disputes Act, 1947 ?
- (A) Strike
(B) Labour Court
(C) Arbitration
(D) Conciliation
27. Grounds for cancellation of registration of a trade union are provided under Section(s) of the Trade Unions Act, 1926.
- (A) 9
(B) 10
(C) 9A
(D) Both (A) and (C)
28. Immunities under Section 17 and 18 of the Trade Unions Act, 1926 shall be claimed by
- (A) Registered Unions only
(B) Recognised Unions only
(C) Most Representative Unions only
(D) Both (A) and (C)

29. In which of the following cases a two Judges Bench of the Supreme Court has observed that in order to enable the workmen to wages for the period of the strike, the strike should be legal as well as justified ?
- (A) L. Chandra Kumar *Vs.* Union of India
 - (B) Crompton Greaves Ltd. *Vs.* Workmen
 - (C) T.K. Rangarajan *Vs.* Government of Tamil Nadu and others
 - (D) Coir Board Ernakulam, Kerala *Vs.* Indira Devi P.S.
30. There can be lay off under the Industrial Disputes Act, 1947 for
- (A) Not less than one day
 - (B) More than one day
 - (C) Not less than a week
 - (D) Any period including less than a day
31. Which of the following are included in the Preamble of the Constitution ?
- (A) Justice, Liberty and Equity
 - (B) Justice, Liberty and Empowerment
 - (C) Justice, Liberty, Equality and Fraternity
 - (D) Justice, Liberty, Equality and Empowerment
32. To value and preserve the rich heritage of our composite culture is :
- (A) Directive Principle of State Policy
 - (B) Fundamental Duty
 - (C) Fundamental Right
 - (D) Constitutional Right

33. Read Assertion (A) and Reason (R) and with the help of codes given below, point out *correct* explanation :

Assertion (A) : According to Article 31-A of the Constitution, no law giving effect to the policy of the state towards securing all or any of the principle laid down in Part IV shall be deemed to be void on the ground that it is inconsistent with or takes away or abridges any of the rights conferred by Art. 14 or 19.

Reason (R) : Directive Principles are superior to Fundamental Rights.

Codes :

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

34. Match List I with List II and select the *correct* answer from the codes given below it :

List I

(Cases)

- (a) Mohd. Hanif Quareshi *Vs.* State of Bihar.
 (b) Maneka Gandhi *Vs.* Union of India
 (c) DAV College Jalandhar *Vs.* State of Punjab
 (d) Romesh Thappar *Vs.* State of Madras

List II

(Decision)

- (1) Freedom of Speech and Expression
 (2) Rights to the Minorities
 (3) Right to Travel Abroad
 (4) Right to carry on any occupation trade or business

Codes :

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

35. Which of the following statements is not *correct* in relation to Ministers and Council of Ministers ?

- (A) Ministers shall hold office during the pleasure of the Parliament
- (B) The Council of Ministers shall be collectively responsible to the House of People
- (C) Before the Minister enters upon his office, the President shall administer him the oaths of office
- (D) The salaries and allowances of Ministers shall be such as Parliament may by law determine

36. Which of the following writ is used for compelling a public authority to perform public duty ?

- (A) Habeas Corpus
- (B) Quo warranto
- (C) Mandamus
- (D) Certiorari

37. Which of the following is a mandatory requirement for issuing the proclamation of emergency by the President ?

- (A) Recommendation of the Prime Minister
- (B) Recommendation of Union Cabinet Communicated in oral or written form
- (C) Recommendation of Home Ministry communicated through the Prime Minister
- (D) Recommendation of Union Cabinet communicated in the written form

38. The author of 'The Concept of Law' :
- (A) Austin
 - (B) Hart
 - (C) Kelsen
 - (D) Pound
39. According to Prof. Finnis, basic goods are :
- (A) Objective values
 - (B) Seven
 - (C) Self-evident
 - (D) All of the above
40. According to Prof. Hart, laws are
- (A) Commands
 - (B) Rules
 - (C) Norms
 - (D) None of the above
41. Kant's says : 'Act in such a way that the maxim of your action could be made the maxim of a general action'.
- (A) Principle of solidarity
 - (B) Principle of social action
 - (C) Categorical imperative
 - (D) Principle of common good
42. In most of the Muslim countries, the theory is the basis of penal jurisprudence.
- (A) Deterrent
 - (B) Preventive
 - (C) Retributive
 - (D) Reformative
43. Will theory of rights was notably propagated by
- (A) Bentham
 - (B) Hart
 - (C) Jhering
 - (D) Raz

44. In which of the following cases, the ICJ stated :

“The party which relies on custom of this kind (Regional or local custom) must prove that this custom is established in such a manner that it has become binding on the other party This follows from Article 38 of the statute of the court, which refers to international custom as evidence of general practice accepted as laws.”

- (A) *Temple of Preah Vihear Case*, 1962
- (B) *Asylum Case*, 1950
- (C) *U.N. Administrative Tribunal Case*, 1954
- (D) *North Sea Continental Shelf Cases*, 1969

45. The customary international law is deemed automatically to be part of the common law. This principle is known as

- (A) Blackstonian doctrine
- (B) Calvo Clause
- (C) *Jus Cogens*
- (D) *Pacta sunt servanda*

46. According to which theory/doctrine, it is stated that act of recognition alone confers international personality on an entity purporting to be a state or clothes new government with an authority to enter into international relations ?

- (A) Declaratory theory
- (B) Constitutive theory
- (C) Estrada doctrine
- (D) Stimson doctrine

47. Which of the following is an *incorrect* match ?
- (A) Expulsion from membership of UN—Article 6
 - (B) Admission of new members in UN—Article 3
 - (C) Suspension from membership of UN—Article 5
 - (D) Self-defence—Article 51
48. Which of the following provisions of the UN Charter provides that the parties to any dispute shall seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangement, or other peaceful means of their own choice ?
- (A) Article 33(1)
 - (B) Article 2(4)
 - (C) Article 39
 - (D) Article 51
49. Which of the following statements is *correct* ?
- (A) Human Rights Council replaced UN Commission on Human Rights
 - (B) UN Commission on Human Rights was established by General Assembly
 - (C) Universal Declaration of Human Rights is enforceable as conventional law
 - (D) The economic, social and cultural rights are known as first generation human rights
50. The consensus of opinions among Muslim jurists on any particular rule is called
- (A) Qiyas
 - (B) Sharia
 - (C) Hadith
 - (D) Ijmaa

JAN - 60218/II—B

ROUGH WORK