

**LAW****CODE :- 11**

Time Allowed: Two Hours

Marks: 100

Name: _____

Roll No. _____

*Read instructions given below before opening this booklet:***DO NOT OPEN THIS BOOKLET UNTIL YOU ARE TOLD TO DO SO**

1. Use only **BLUE Ball Point Pen**.
2. In case of any defect - Misprint, Missing Question/s Get the booklet changed. No complaint shall be entertained after the examination.
3. Before you mark the answer, read the instruction on the OMR Sheet (Answer Sheet) also before attempting the questions and fill the particulars in the ANSWER SHEET carefully and correctly.
4. There are FOUR options to each question. Darken only one to which you think is the right answer. There will be no Negative Marking.
5. Answer Sheets will be collected after the completion of examination and no candidate shall be allowed to leave the examination hall earlier.
6. The candidates are to ensure that the Answer Sheet is handed over to the room invigilator only.
7. Rough work, if any, can be done on space provided at the end of the Question Booklet itself. No extra sheet will be provided in any circumstances.
8. Write the BOOKLET SERIES in the space provided in the answer sheet, by darkening the corresponding circles.
9. Regarding incorrect questions or answers etc. Candidates kindly see NOTE at the last page of the Booklet.

1. Some shared morality is essential to the existence of any society, is said by-
 (A) Benthem (B) Fuller (C) Hart (D) Austin
2. Salmond regards legal status of animals as-
 (A) Mere subject of rights and duties.
 (B) Mere object of rights and duties.
 (C) Both subject and object of rights and duties.
 (D) Neither subject nor object of rights and duties.
3. Will theory of right has been opposed by-
 (A) Duguit (B) Austin (C) Salmond (D) Holland
4. Duguit theory of social solidarity' was inspired by-
 (A) August comte (B) Durkheim
 (C) Ihering (D) Ehrlich
5. Positivism, according to Hart, includes-
 (A) Laws are commands
 (B) Analysis of legal concepts is worth pursuing;
 (C) Law as it is has to be kept separate from the law that ought to be;
 (D) All of the above
6. Benthem advocated for-
 (A) Natural law principles; (B) Codification of laws;
 (C) Judge- made laws; (D) Realistic approach to law
7. According to Kelsen, 'Grundnorm' in a system-
 (A) Need not be same in every system;
 (B) 'Grundnorm' of some kind will always be there;
 (C) There can be more than one 'Grundnorm'
 (D) All of the above
8. Statutes are not law but only sources of law, said by-
 (A) Frank (B) Llewellyn (C) Gray (D) Salmond
9. Which of the following is a legal person-
 (A) Guru Granth Sahib (B) Quran
 (C) Bible (D) All of the above
10. "Institutions of private law and their social Functions" is written by-
 (A) M.R Cohen (B) JWC Turner (C) K Renner (D) K Marx
11. Theory of "Justice as Fairness" is Propounded by-
 (A) John Rawls (B) R. Dworkin (C) R. Nozick (D) L. Fuller
12. Who held that possession consists of two ingredients-
 (A) Savigny (B) Salmond (C) Holmes (D) Benthem
13. Which of the given here jural opposites are correct-
 1. Liberty and Disability 2. Immunity and Duty 3. Power and Liability-
 (A) 1 Only (B) 2 Only (C) 3 Only (D) None

14. 'Status to Contract' theory is associated with-
 (A) Montesquieu (B) Henry Maine (C) Savigny (D) G.Hugo
15. According to Austin 'Law of God' is-
 (A) Law improperly so-called; (B) Law by analogy;
 (C) Law by metaphor; (D) Law properly so-called;
16. Real and Personal rights are also called-
 (A) Proprietary and personal (B) Positive and negative
 (C) In rem and in personam (D) In propria and in re-aliena.
17. In which Supreme Court said Preamble is not part of the constitution-
 (A) Re Berubari Union (1960) (B) Kesavananda Bharati (1973);
 (C) Excel Wear (1978) (D) D.S. Nakara (1983)
18. Preamble to Constitution of India indicates-
 (A) Nature of Indian polity (B) Liberties of citizens;
 (C) Source of the Constitution (D) All of the above.
19. Form of Government under the constitution is-
 (A) Presidential as in USA (B) Parliamentary as in U.K.
 (C) Both (A) and (B) (D) neither (A) nor (B)
20. Power of 'Judicial Review' under the Constitutions is-
 (A) Not Constitutional (B) Not basic feature
 (C) Part of the basic Structure (D) Ordinary power
21. New States can be he formed under the Constitution-
 (A) Only by amendment Act of the constitution;
 (B) By Law made by Parliament;
 (C) By Ordinance of the president;
 (D) By Presidential Order;
22. 'State' under Article 12 does not include-
 (A) Union government (B) State government
 (C) State Bank of India (D) BCCI
23. Freedom of speech under Article 19 (1) (a) is subject to-
 (A) Public order (B) Security of State
 (C) Morality (D) All of the above
24. Freedom of Religion under Article 25 is-
 (A) Subject to other fundamental rights;
 (B) Not Subject to other fundamental rights;
 (C) Absolute
 (D) None of the above.
25. Power of President to grant pardon u/a 72 is exercised-
 (A) By the president in his sole discretion;
 (B) On the advice of the council of Ministers;
 (C) On the advice of the Supreme Court
 (D) On the advice of Attorney-General of India

26. Presidents resignation is addressed to-
- (A) Vice-President (B) Chief Justice of India
(C) Speaker of Lok Sabha (D) Prime Minister
27. The Judge of the Supreme Court is appointed by-
- (A) The collegium (B) President
(C) Council of Minister (D) Chief Justice of India
28. Original Jurisdiction u/a 131 is exercised by the Supreme Court when the dispute is between-
- (A) Two or more States
(B) Government of India V. one or more States
(C) Government of India and One or more Sates V. other Sate
(D) All of the above.
29. Union of India vs H.S. Dillon (1971) is a leading case on-
- (A) Legislative Powers of the Union;
(B) Legislative Powers of the States;
(C) Residuary Powers of the Union;
(D) None of the above
30. Power of Parliament to implement any International treaty etc. is Conferred by Article-
- (A) 249 (B) 252 (C) 253 (D) 254
31. A member of a State Public Service Commission can be removed u/a 317-
- (A) By the Governor on the report of Supreme Court;
(B) By the President on the report of Supreme Court;
(C) By Parliament
(D) By Supreme Court
32. Prime Minister is appointed by-
- (A) Lok Sabha (B) Lok Sabha and Rajya Sabha
(C) President (D) Supreme Court
33. 'Proclamation of Emergency' u/a 366(18) means-
- (A) Proclamation u/a 352 only (B) Proclamation u/a 356 only
(C) Proclamation u/a 360 only (D) All of the above
34. In which of the following case Amendment Act of the Constitutions held invalid on the ground of non-ratification by the States u/a 368-
- (A) Golaknath (1967) (B) Kesavananda Bharati (1973)
(C) Indira Nehru Gandhi (1975) (D) Kihoto Hollohan (1992)
35. *Actus non facit reum nisi mens rea* includes-
- (A) Guilty mind (B) Wrongful act
(C) Both (A) and (B) (D) neither (A) nor (B)
36. The essence of liability under sec. 34 IPC is-
- (A) Existence of common intention only;
(B) Element of Participation in action only;
(C) Both (A) and (B)
(D) None of the above

37. Section 76 of IPC excuses a person from an offence-
 (A) Mistakes of facts only (B) Mistakes of law only
 (C) Both (A) and (B) (D) neither (A) nor (B)
38. Act of a person of unsound mind is not an offence u/s. 84 of IPC when unsoundness of mind was-
 (A) At the time of trial (B) At the time of doing the act
 (C) At any time (D) All of the above
39. The maxim, '*de minimis non curat lex*' is the basis of section 95 of IPC which makes-
 (A) A slight harm actionable (B) a slight harm non-actionable
 (C) All harms actionable (D) none of the above
40. Abetment is constituted by-
 (A) Instigation (B) Conspiracy
 (C) Aiding (D) any one of the above
41. Offence of abetment is a substantive offence, a person who has been convicted of an offence as principal-
 (A) Cannot also be punished for abetting it;
 (B) Can also be punished as abettor;
 (C) Depends on the condition
 (D) None of the above
42. Sedition u/s 124A of IPC includes-
 (A) Disloyalty and ill feelings of enmity;
 (B) Disapproval of Government policies;
 (C) Disapproval of Administrative measures;
 (D) All of the above
43. Common object under section 149 IPC is-
 (A) A distinct offence (B) Declaratory only;
 (C) A rule of evidence only (D) none of the above
44. When Committing theft, hurt or wrongful restraint is caused to the victim, the offence is-
 (A) Robbery (B) Extortion (C) Theft (D) Dacoity
45. In case of dishonest misappropriation, the initial possession of the property is-
 (A) Dishonest (B) Fraudulent (C) Innocent (D) Both (A) and (B)
46. Dishonest intention must precede the act of taking in-
 (A) Criminal misappropriation (B) Criminal breach of trust
 (C) Theft (D) All of the above
47. Every murder is culpable homicide but not vice versa – The Statement is-
 (A) True (B) False (C) depends on the facts; (D) depends upon degree of probability
48. Right of Private defense is not available-
 (A) Against an insane
 (B) Against a child
 (C) When there is time to recourse to public authorities;
 (D) All of the above

49. Z under the influence of madness attempt to kill A, which of the following is correct-
 (A) Z is guilty of attempt to murder, but A has a right of private defense;
 (B) Z is guilty of no offence, but A has the right of private defense;
 (C) Z is guilty of no offence, but has no right of private defense;
 (D) None of the above
50. Among the following whose definition of International law is considered most appropriate-
 (A) Oppenheim (B) Starke (C) Fenwick (D) Austin
51. Who said International law is the vanishing point of jurisprudence-
 (A) Hall (B) Austin (C) Holland (D) Kelsen;
52. Who says that no specific theory is capable of explaining the true basis of International law-
 (A) Starke (B) Brierly (C) Bynber-Shoeh (D) Grotius
53. Which Source is not mentioned in Article 38 of the statute of ICJ -
 (A) General Principals of law recognized by civilized nations;
 (B) Decisions or determinations of organs of international institutions;
 (C) International customs and conventions;
 (D) Decisions of Judicial or Arbitral Tribunals and Juristic works
54. Who said 'Article 38 of ICJ Statute did not establish a rigid hierarchy of sources-
 (A) M.O. Hudson (B) J. Castaneda (C) Jessup (D) Leo Gross
55. Who said granting of recognition to a new state is not a constitutive but a Declaratory, act-
 (A) Oppenheim (B) Anzilloti (C) Brierly (D) Holland
56. De facto recognition is –
 (A) Permanent and cannot be withdrawn;
 (B) Provisional and can be withdrawn;
 (C) NO recognition at all
 (D) None of the above
57. For implementation of ICJ decisions; the parties may seek recourse to-
 (A) Security Council (B) General Assembly;
 (C) ICJ itself (D) Secretary-General
58. Charter of U.N allows the use of force by a member state against another state-
 (A) To protect its own nationals
 (B) To protect its own nationals and property
 (C) When there is a treaty violation
 (D) In self –defense
59. In maintaining International peace and security, the Security Council has-
 (A) Exclusive authority (B) Primary authority
 (C) Both (A) and (B) (D) Collective authority

60. Charter of U.N can be amended by-
- (A) two-third of the members of General Assembly
 - (B) two-third members including all permanent members of Security Council after recommendation by a 2/3 vote of a Conference convened for the purpose
 - (C) two-third of the members of the Security Council including five permanent members.
 - (D) Simple majority in Security Council
61. A decision of the ICJ has binding effect on-
- (A) Parties only to the dispute
 - (B) All the nations
 - (C) National Courts
 - (D) Interveners who were not original parties
62. A judge of ICJ can be removed by the
- (A) Security Council
 - (B) General Assembly on the recommendation of Security Council
 - (C) Unanimous opinion of other judges of ICJ
 - (D) Unanimous decision of the General Assembly
63. Decision in *Ashby vs White* furthers the theory of
- (A) Salmond
 - (B) Winfield
 - (C) Both (A) and (B)
 - (D) neither (A) nor (B)
64. *Ubi fur ibi remedium* means-
- (A) Where there is remedy there is right;
 - (B) There is no remedy without a wrong;
 - (C) There is no wrong without a remedy;
 - (D) There is no right without a remedy;
65. Tort is a Violation of-
- (A) A right in personam
 - (B) A right in rem
 - (C) Both (A) and (B)
 - (D) neither (A) nor (B)
66. "Tort is a civil wrong for which remedy is common law action for unliquidated damages and which is not exclusively breach of contract or breach of trust or other merely equitable obligation"- definition by-
- (A) Salmond
 - (B) Winfield
 - (C) Pollock
 - (D) Clerk and Lind sell;
67. Scope of '*Volenti non fit injuria*' as a defense-
- (A) Has been restricted in rescue cases;
 - (B) Has been restricted by unfair Contract Terms Act 1977 in England
 - (C) Cannot be restricted except in cases of consent
 - (D) Both (A) and (B)
68. The maxim '*res ipsa loquitur*' is a-
- (A) Rule of Evidence
 - (B) Rule of Negligence
 - (C) Rule of vicarious Liability
 - (D) Both (A) and (B)
69. The rule of strict liability
- (A) Is without any defense
 - (B) Has Contributory negligence as a defense
 - (C) Has *vis major* as a defense
 - (D) Both (A) and (C)

70. The maxim '*qui facit per alium facit per se*' means-
- (A) He who does an act through another is deemed in law to do it himself;
 - (B) He who does an act through another is not deemed in law to do it himself;
 - (C) Vicarious Liability
 - (D) Both (A) and (B)
71. When innuendo is proved-
- (A) Words not defamatory in ordinary sense may become defamatory;
 - (B) Words are defamatory in ordinary sense may become non-defamatory;
 - (C) Words not defamatory in ordinary sense shall remain non-defamatory;
 - (D) Words are defamatory in ordinary sense shall remain defamatory;
72. Malicious Prosecution consists in-
- (A) Instituting unsuccessful civil proceedings maliciously;
 - (B) Instituting unsuccessful criminal proceedings maliciously and without reasonable and probable cause;
 - (C) Both (A) and (B)
 - (D) Neither (A) nor (B)
73. Proceedings in Parliament are-
- (A) Absolute privileges;
 - (B) Qualified Privileges;
 - (C) Both (A) and (B)
 - (D) neither (A) nor (B)
74. Doctrine of apportionment of damages in contributory negligence is-
- (A) Applicable in India
 - (B) Applicable in England
 - (C) Applicable in India and in England
 - (D) None of the above
75. Conspiracy is-
- (A) A Crime only;
 - (B) A tort only;
 - (C) Both Crime and Tort
 - (D) Neither Crime nor Tort
76. In which of the following cases, it amounts to Nuisance-
- (A) Planting of Trees on another's land
 - (B) Branches of Trees project on neighbors land
 - (C) Construction of pond on another's land
 - (D) All of the above
77. Joint tort-feasors-
- (A) Are jointly and severally liable
 - (B) May be sued jointly
 - (C) May be sued severally
 - (D) All of the above
78. The Communication of an offer in complete u/s.4 of Indian Contract Act-
- (A) When it comes to the knowledge of person to whom it is made;
 - (B) When act is done according to the offer without knowledge of the offer;
 - (C) When letter of proposal is put in course of communication;
 - (D) All of the above
79. Which of the following is true for valid acceptance-?
- (A) Acceptance must be communicated to offeror himself;
 - (B) It must be communicated by acceptor himself;
 - (C) Both (A) and (B)
 - (D) None of the above;

80. Void agreement means-
 (A) It is illegal in nature
 (B) It is not enforceable by law;
 (C) It violates legal procedure;
 (D) it is against public policy.
81. Which of the following is Correct in India?
 (A) Past consideration is no consideration;
 (B) Consideration can be past, present or future;
 (C) Consideration has to be present;
 (D) Consideration may present or future;
82. If the letter of acceptance sent by post is lost in transit;
 (A) It is a concluded contract
 (B) It is not a concluded contract as acceptance has not come to the knowledge of the offeror;
 (C) It is not a concluded contract as acceptance has not been communicated to the offeror;
 (D) (B) and (C) are Correct.
83. An agreement in restraint of trade is valid u/s.27 of the contract Act if it is for-
 (A) Sale of Goodwill
 (B) Mutual adjustment;
 (C) Business Contingency
 (D) All of the above
84. An agreement shall be void if there is-
 (A) Mistake of fact by one party only;
 (B) Mistake of fact by both the parties;
 (C) Both (A) and (B)
 (D) None of the above
85. A Standard form Contract-
 (A) Is a valid contract
 (B) One party has no choice but to accept and sign it;
 (C) Both (A) and (B)
 (D) Consent in it is not free;
86. Consideration must move-
 (A) From the promise only
 (B) From any other person;
 (C) Either (A) or (B)
 (D) None of the above
87. 'Restitution stops where repayment begins; the principle is applicable against-
 (A) Minor only
 (B) person of unsound mind;
 (C) An alien enemy
 (D) All of the above
88. If A agrees to sell to B, all the grain in my granary at Shivangar; agreement is-
 (A) Void for uncertainty
 (B) valid as no uncertainty there
 (C) Unenforceable;
 (D) voidable;
89. Frustration of contract implies-
 (A) Commercial hardship
 (B) Physical impossibility for disappearance of subject-matter or object has failed
 (C) Both (A) and (B)
 (D) None of the above
90. A party to a contract can be discharged, if it has become-
 (A) Expensive
 (B) Onerous;
 (C) Commercially inviable
 (D) Impossible

91. Obligations under quasi- contract are based on the-
 (A) Principle of equity, trusts and relief;
 (B) Principle of natural justice and equity;
 (C) Principle of just and reasonable solution;
 (D) None of the above
92. Hadley V. Baxendale is a leading case on-
 (A) Anticipatory breach
 (C) Remoteness of damages
 (B) breach of implied terms;
 (D) All of the above
93. Indian Evidence Act applies to proceedings-
 (A) Before Tribunals;
 (C) Before judicial proceedings in courts
 (B) Before arbitrator;
 (D) All of the above
94. Under Evidence Act fact means-
 (A) Factum *probandum*
 (C) Both (A) and (B)
 (B) Factum *Probans*;
 (D) neither (A) nor (B)
95. Relevancy is a question of-
 (A) Law and can be raised at any time
 (B) Law but must be raised at first opportunity
 (C) Law which can be waived
 (D) Both (B) and (C)
96. Admissions –
 (A) Are Conclusive proof of the matter admitted
 (B) Are not conclusive proof of the matter admitted but operate as estoppels
 (C) Are conclusive proof of the matter and also operates as estoppels
 (D) Both (A) and (C)
97. A persons whose statement is admitted u/s32 of the Act-
 (A) Must be competent to testify
 (B) Need not be competent to testify
 (C) May or may not be competent to testify
 (D) None of the above
98. In criminal trials, onus is on the accused to prove that his case falls in-
 (A) Any of the general exceptions
 (B) Any of the special exceptions
 (C) Any of the proviso to any provision
 (D) All of the above
99. Estoppels are binding-
 (A) Upon litigating parties
 (C) Upon strangers to the lis
 (B) upon privies of parties
 (D) Both (A) and (B) only
- 100 Testimony of a child witness-
 (A) Can be rejected outright;
 (B) Must be accepted;
 (C) Not to be rejected outright but to be scrutinized with great care;
 (D) None of the above