

OCET 2011

Sr. No. :

Question Booklet Series : A

Important : Please consult your Admit Card / Roll No. Slip before filling your Roll Number on the Test Booklet and Answer Sheet.

Roll No.

In Figures

In Words

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O.M.R. Answer Sheet Serial No.

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Signature of the Candidate : _____

Subject : LL. M. (Master of Laws)

Time : 90 minutes

Number of Questions : 75

Maximum Marks : 75

DO NOT OPEN THE SEAL ON THE BOOKLET UNTIL ASKED TO DO SO

INSTRUCTIONS

1. Write your Roll No. on the Question Booklet and also on the OMR Answer Sheet in the space provided and nowhere else.
2. Enter the Subject and Series Code of Question Booklet on the OMR Answer Sheet. Darken the corresponding bubbles with **Black Ball Point / Black Gel pen.**
3. Do not make any identification mark on the Answer Sheet or Question Booklet.
4. To open the Question Booklet remove the paper seal (s) gently when asked to do so.
5. Please check that this Question Booklet contains **75** questions. In case of any discrepancy, inform the Assistant Superintendent within 10 minutes of the start of test.
6. Each question has four alternative answers (A, B, C, D) of which only one is correct. For each question, darken only one bubble (A or B or C or D), whichever you think is the correct answer, on the Answer Sheet with **Black Ball Point / Black Gel pen.**
7. If you do not want to answer a question, leave all the bubbles corresponding to that question blank in the Answer Sheet. No marks will be deducted in such cases.
8. Darken the bubbles in the OMR Answer Sheet according to the Serial No. of the questions given in the Question Booklet.
9. Negative marking will be adopted for evaluation i.e., 1/4th of the marks of the question will be deducted for each wrong answer. A wrong answer means incorrect answer or wrong filling of bubble.
10. For calculations, use of simple log tables is permitted. Borrowing of log tables and any other material is not allowed.
11. For rough work only the sheets marked "Rough Work" at the end of the Question Booklet be used.
12. The Answer Sheet is designed for **computer evaluation**. Therefore, if you do not follow the instructions given on the Answer Sheet, it may make evaluation by the computer difficult. **Any resultant loss to the candidate on the above account, i.e., not following the instructions completely, shall be of the candidate only.**
13. After the test, hand over the Question Booklet and the Answer Sheet to the Assistant Superintendent on duty.
14. In no case the Answer Sheet, the Question Booklet, or its part or any material copied/ noted from this Booklet is to be taken out of the examination hall. Any candidate found doing so would be expelled from the examination.
15. A candidate who creates disturbance of any kind or changes his/her seat or is found in possession of any paper possibly of any assistance or found giving or receiving assistance or found using any other unfair means during the examination will be expelled from the examination by the Centre Superintendent / Observer whose decision shall be final.
16. **Telecommunication equipment such as pager, cellular phone, wireless, scanner, etc., is not permitted inside the examination hall. Use of calculators is not allowed.**

1. **In which year the First Constitutional amendment was made ?**
(A) 1950 (B) 1951
(C) 1952 (D) 1956
2. **The Word Secularism was added to the Preamble by which amendment ?**
(A) 40th constitutional Amendment (B) 42nd constitutional Amendment
(C) 44th constitutional Amendment (D) 39th constitutional Amendment
3. **Which of the following Articles of the Constitution define 'State' ?**
(A) Article 11 (B) Article 12
(C) Article 13 (D) Article 10
4. **Which Articles of the Constitution defines citizenship ?**
(A) Article 5 (B) Article 6
(C) Article 7 (D) Article 8
5. **Which of the following Articles of the Constitution abolish untouchability ?**
(A) Article 17 (B) Article 18
(C) Article 19 (D) Article 20
6. **Right to education is included in which Article ?**
(A) Article 20 (B) Article 21
(C) Article 22 A (D) Article 22
7. **The Advocate General for the State shall hold office during the pleasure of :**
(A) Governor (B) Chief Minister
(C) Chief Minister and Cabinet Ministers (D) Chief Justice of High Court
8. **Fundamental duties are included in which Article of the Constitution ?**
(A) Article 51 (B) Article 51 A
(C) Article 50 (D) Article 52
9. **In the Preamble, Equality of Status and Opportunity refers to :**
(A) Public services and public matters only
(B) Social and political and economic affairs only
(C) Social and economic affairs
(D) Both (A) and (B)
10. **Who was the chairman of Constituent Assembly ?**
(A) Jawahar Lal Nehru (B) Jai Prakash Narayan
(C) C. Raj Gopalachari (D) Dr. Rajendra Prasad

- 11. The Concept of Directive Principles of State policy was borrowed from the Constitution of :**
- (A) Ireland (B) USA
(C) Russia (D) Canada
- 12. The power of judicial review in India is enjoyed by :**
- (A) The Supreme Court and the High Court (B) By Supreme Court alone
(C) By parliament (D) By president
- 13. A law made by parliament having extra-territorial operation shall be :**
- (A) invalid (B) valid
(C) *ultra vires* (D) unconstitutional
- 14. The doctrine of prospective-overruling was evolved in :**
- (A) Golak Nath v. State of Punjab (B) Sajjan Singh v. State of Rajasthan
(C) Kesavananda Bharti v. State of Kerala (D) Shankari Prasad v. UOI
- 15. The Doctrine of self-incrimination is included in which Article ?**
- (A) Article 20 (B) Article 21
(C) Article 22 (D) Article 21A
- 16. Which of the following is not a specific ground for putting restrictions on freedom of religion ?**
- (A) Public order (B) Morality
(C) Social Justice (D) Health
- 17. Fundamental Duties were inserted in the Constitution by :**
- (A) 42nd Amendment (B) 44th Amendment
(C) 39th Amendment (D) 38th Amendment
- 18. The ex-officio Chairman of the Council of States is :**
- (A) the President (B) the speaker of Lok Sabha
(C) the Vice-President (D) none of the above
- 19. The President appoints :**
- (A) Advocate General (B) Solicitor General
(C) Council of Ministers (D) Comptroller and Auditor General
- 20. Executive power of the Union is vested in :**
- (A) Union Cabinet (B) President of India
(C) Prime Minister (D) Council of Ministers

- 21. Right to Education Act 2009 provides for free and compulsory education to :**
- (A) all illiterate children (B) all illiterate children as well as adults
(C) all children up to the age of 10 (D) children aged between 6 and 14
- 22. Intensity of the quake that hit Japan recently was :**
- (A) 7.5 (B) 8.2
(C) 8.9 (D) 9.2
- 23. Shunglu Committee was set up by the Centre to probe :**
- (A) CWG scam 2010 (B) telecom scam
(C) 2G Spectrum allotment (D) real estate scam
- 24. The overall sex ratio as per census 2011 is :**
- (A) 933 (B) 940
(C) 927 (D) 936
- 25. PAC stands for :**
- (A) Public Action Committee (B) Parliament Action Committee
(C) Public Accounts Committee (D) Primary Accounts Committee
- 26. Davis cup is associated with which game ?**
- (A) Lawn tennis (B) Basket ball
(C) Foot Ball (D) Cricket
- 27. The period of first five year plan was :**
- (A) 1951-56 (B) 1950-55
(C) 1947-52 (D) 1948-53
- 28. SIM stands for :**
- (A) subscribers identification module (B) subscriber identity module
(C) subscriber information module (D) subscribers identification mark
- 29. The minister who was recently arrested for 2G spectrum scam is ?**
- (A) A. Raja (B) Kanimozhi
(C) Suresh Kalmadi (D) Sharad Powar
- 30. In terms of geographical area, total territory of India is _____ in the world.**
- (A) 7th (B) 6th
(C) 5th (D) 8th
- 31. Property insurance is a contract of :**
- (A) indemnity (B) Contingent contract
(C) wagering agreement (D) Guarantee

- 32. Where an act is ultra vires of the Company, it is ?**
- (A) void and can not be ratified by the shareholders
 (B) voidable and can be ratified by the majority of shareholders
 (C) company can ratify it by altering the articles
 (D) can be validated by the consent of all the shareholders
- 33. If a company carries on business for more than _____ months after the number of its members has been reduced to below seven/two (public/private company), every member who knows this fact is severally liable.**
- (A) three months (B) six months
 (C) two months (D) one year
- 34. Which of the following is an exception to the rule of privity of contract ?**
- (A) fiduciary relation (B) trust
 (C) husband and wife (D) employer employee
- 35. A tender published in a news paper is an example of :**
- (A) a specific offer (B) a general offer
 (C) an invitation to offer (D) a promise to act only
- 36. Muta marriage is prevalent among :**
- (A) Sunnis (B) Ithana asharis
 (C) Hanafi (D) Zahdis
- 37. Restitution of conjugal rights as a remedy is available to :**
- (A) wife only (B) husband only
 (C) available to both husband and wife (D) to wife only but available to husband conditionally
- 38. A Hindu widow of 55 years adopts a girl of 16 years. The adoption is :**
- (A) valid as per Hindu law
 (B) invalid as per Hindu law
 (C) valid only if she has no daughter or grand daughter
 (D) a widow can not adopt
- 39. Among the Hanafis, the mother is entitled to the custody of her daughter till the age of :**
- (A) 2 years only (B) seven years
 (C) puberty (D) till marriage
- 40. Which of the following fault grounds of divorce is not available to the husband ?**
- (A) adultery (B) desertion
 (C) cruelty (D) insanity

41. Which of the following cases laid down the rule of strict liability ?

- (A) Rylands V Fletcher (B) M. C Mehta v UOI
(C) Gloucester Grammar School case (D) SBI v Shyama Devi

42. Which of the following is an exception to the rule of strict liability ?

- (A) rescue cases (B) mistake of fact
(C) negligence (D) common employment

43. State communications in a case of defamation amounts to :

- (A) a limited privilege (B) an absolute privilege
(C) a qualified privilege (D) it depends upon the facts

44. Tort as a branch of law developed out of :

- (A) laws passed by the legislature (B) judicial decisions
(C) customs (D) justice and equity

45. Law of tort is based on the principle of :

- (A) ubi jus ibi remedium (B) ibi remedium ubi jus
(C) volenti non fit injuria (D) res ipsa loquitur

46. Which of the following jurists hold the view that custom is not a good source of law ?

- (A) Austin (B) Savigny
(C) Puchta (D) Hugo

47. "The System of Modern Law" is written by :

- (A) Roscoe Pound (B) Ihering
(C) Salmond (D) Savigny

48. Which of the following jurists belongs to Sociological school ?

- (A) Salmond (B) Hugo
(C) Duguit (D) Puchta

49. Which jurist supported the fiction theory regarding corporate personality ?

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

50. The jural opposite of duty is :

- (A) liberty (B) no right
(C) liability (D) disability

51. Who called Public International Law as 'positive morality' ?

- (A) Salmond (B) Austin
(C) Starke (D) Hugo

- 52. The judges of the International Court of Justice are elected by :**
- (A) the Security Council
 (B) the General assembly
 (C) the Security Council & General assembly separately
 (D) the nations having veto power
- 53. Who defined Human rights as “a capacity residing in one man of controlling with the assent and assistance of the State, the actions of others” ?**
- (A) Hugo (B) Burke
 (C) Holland (D) Ehlich
- 54. Which of the following sources of law is regarded as contrary to positivism ?**
- (A) precedent (B) custom
 (C) convention (D) positive morality
- 55. The word international law was used for the first time by the eminent jurist :**
- (A) Austin (B) Bentham
 (C) Rosco Pound (D) Salmond
- 56. Which of the following sections of IPC is an exception to mens rea ?**
- (A) 124-A (B) 234
 (C) 364 (D) 118
- 57. Generally preparation to commit a crime is not punishable. Which of the following section of the IPC is an exception ?**
- (A) 399 (B) 354
 (C) 321 (D) 411
- 58. Right of private defence of property under section 103 extends to causing death, if the offence is :**
- (A) Robbery (B) false imprisonment
 (C) breach of trust (D) theft
- 59. The essential constituent of joint liability is :**
- (A) participation (B) common intention
 (C) actus reus (D) intention as well as participation
- 60. Which of the following is the essential ingredient of criminal conspiracy ?**
- (A) preparation (B) intention
 (C) agreement (D) meeting
- 61. Which of the following does not fall in the category of workman ?**
- (A) dismissed employee (B) employee of a prison
 (C) a retrenched employee (D) apprentice

- 62. Lay off is :**
- (A) suspension of work by the employees
 - (B) coercive suspension of work by the employer
 - (C) suspension of work by the employer due to shortage of raw material etc
 - (D) all of the above
- 63. The government may direct the industrial establishment to form a 'Works Committee', if there is minimum of _____ workmen employed on any day in the preceding 12 months.**
- (A) 100
 - (B) 50
 - (C) 200
 - (D) 20
- 64. Which section of the Industrial Disputes Act empowers the appropriate Govt to refer a dispute to a Labour Court ?**
- (A) 9
 - (B) 10
 - (C) 11
 - (D) 12
- 65. Section 7 A of the Industrial Disputes Act refers to :**
- (A) Board of Conciliation
 - (B) Retrenchment
 - (C) Industrial tribunals
 - (D) Courts of Inquiry
- 66. For a valid gift under section 122 of the Transfer of Property Act :**
- (A) there must be transfer of ownership
 - (B) the donor must be competent person
 - (C) the transferee or some person on his behalf must accept the gift
 - (D) all of the above
- 67. A contract entered in to without free consent is :**
- (A) void
 - (B) voidable
 - (C) valid
 - (D) illegal
- 68. An agreement to perform an impossible thing is :**
- (A) valid
 - (B) void
 - (C) voidable
 - (D) illegal
- 69. The minimum number of directors of a public company is :**
- (A) two
 - (B) three
 - (C) four
 - (D) five
- 70. The first meeting of the shareholders after the incorporation of the company is called :**
- (A) General meeting
 - (B) Statutory meeting
 - (C) Mandatory meeting
 - (D) Shareholders meeting

71. A lease of immovable property is a transfer of a right to enjoy such property made for a certain time, express or implied or in perpetuity in consideration of a price paid or promise or of money a share of a crops, service or any other thing of value to be rendered periodically or on specified occasions to the transferee by the transferor who accepts the transfer on such terms :

- (A) true
- (B) partly true
- (C) false
- (D) none of the above

72. Right of redemption may be exercised by :

- (A) by depositing the whole mortgage money due as provided under section 83 of Transfer of Property Act
- (B) by payment of the amount of debt either to the mortgagagee or his agent
- (C) either (A) or (B)
- (D) by making the payment in cash

73. For application of the Doctrine of Past performance laid down in section 53 A of the transfer of Property Act :

- (A) the transferee must be ready and willing to discharge his part of obligation under the contract
- (B) the contract must be in writing and signed by the transferor
- (C) the contract must be for consideration
- (D) all of the above

74. Transfer of Property Act, 1882 governs the transfer *inter vivos* :

- (A) true
- (B) partly true
- (C) false
- (D) none of the above

75. When transfer is made to an unborn person, according to section 13 of the Transfer of Property Act, he should be given ?

- (A) absolute interest
- (B) life interest
- (C) limited interest
- (D) either (A) or (B)

ROUGH WORK

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