Previous Year Question Papers

CLAT 2018

Postgraduate Courses

aglasem.com

CLAT 2018 - PG

1. Which of the following judgments was not over-ruled by the judgment in *K. S. Puttaswamy* v. *Union of India* (2017) 10 SCC 1

   A. *M. P. Sharma* v. *Satish Chandra* (1954) SCR 1077
   B. *Kharak Singh* v. *State of Uttar Pradesh* (1964) 1 SCR 332
   C. *ADM Jabalpur* v.*ShivakantShukla* (1976) 2 SCC 521
   D. *Govind* v. *State of M. P.* (1975) 2 SCC 148

2. Rights over resources within the territorial waters, continental shelf and exclusive economic zone, vest in the Union of India, under which provision of the Constitution of India?

   A. Article 297
   B. Article 51
   C. Article 253
   D. Article 260

3. Which of the following is not a special procedure or feature in respect of a Money Bill?

   A. It shall not be introduced in the Council of States.
   B. The House of the People may not accept any recommendations of the Council of States and shall return the Money Bill to the Council of States requesting that the Council of States reconsider its recommendations.
   C. A Bill only imposing pecuniary penalties shall not be deemed to be a Money Bill.
   D. The House of the People may not accept any recommendations of the Council of States and the Money Bill shall be deemed to have been passed by both Houses.

4. Which of the following shall not be eligible for further office under the Government of India or Government of any State?

   A. Speaker of the House of the People
   B. Comptroller and Auditor-General of India
   C. Attorney General for India
   D. Member of a Public Service Commission

5. Part IX of the Constitution of India providing for constitution of Panchayats was introduced to give effect to which provision of the Constitution?

   A. Article 40
   B. Article 21A

C. Article 23
D. Article 48

6. Which Constitution (Amendment) Act brought about modifications to Fundamental Rights, Directive Principles of State Policy as well as Fundamental Duties?

A. The Constitution (Eightieth Amendment) Act, 1999
B. The Constitution (Eighty-sixth Amendment) Act, 2002
C. The Constitution (One Hundredth Amendment) Act, 2015
D. The Constitution (Ninety-third Amendment) Act, 2005

7. On which of the following matter in List II to Seventh Schedule of the Constitution of India is the Legislative Assembly for the National Capital Territory of Delhi empowered to make laws?

A. Banking
B. Police
C. Rights in land
D. Officers and servants of the High Court

8. In which of the following judgments was it held that the jurisdiction conferred upon the High Courts under Article 226 and upon the Supreme Court under Article 32 of the Constitution is part of the inviolable basic structure of the Constitution of India?

A. *Common Cause* v. *Union of India* (1999) 6 SCC 667
B. *L. Chandra Kumar* v. *Union of India* (1997) 3 SCC 261
C. *In re Special Courts Bill* (1979) 1 SCC 380
D. *S. R. Bommai* v. *Union of India* (1994) 3 SCC 1

9. The National Judicial Appointments Commission Act, 2014 was declared as unconstitutional and void in:

A. *Youth Bar Association of India* v. *Union of India* (2016) 9 SCC 473
B. *Common Cause* v. *Union of India* (2015) 6 SCC 332
C. *Madras Bar Association* v. *Union of India*, AIR 2015 SC 1571
D. *Supreme Court Advocate-on-Record Association* v. *Union of India* (2016) 5 SCC 1

10. Which of the following is the correct position in law regarding administration of narco-analysis techniques, in the light of the judgment in *Selv*i v. *State of Karnataka* (2010) 7 SCC 263?
(i) Compulsory administration constitutes cruel, inhuman or degrading treatment in the context of Article 21.
(ii) Compulsory administration violates the right against self-incrimination under Article 20(3).

(iii) Compulsory administration may, however, be justifiable in compelling public interest in combatting terrorist activities.
(iv) Information subsequently discovered with the help of voluntarily administered narco-analysis results may be admitted in evidence.

Select the correct answer from the following:

A. (ii) and (iv) only
B. (i) and (ii) only
C. (i), (ii) and (iv) only
D. (iii) and (iv) only

11. The Constitution (One Hundred and First) Amendment Act, 2016 was required to be ratified by the Legislature of not less than one half of the State Legislatures because it sought to make changes in:
(i) Chapter I of Part XI of the Constitution dealing with legislative relations between the Union and the States.
(ii) Lists I and II of the Seventh Schedule to the Constitution.
(iii) the Sixth Schedule to the Constitution.
(iv) Part XIII of the Constitution dealing with trade, commerce and intercourse within India.

Select the correct answer from the following:

A. All the four reasons
B. It was not required to be ratified by the State Legislatures before being presented to the President for assent.
C. (ii) only
D. (i) and (ii) only

12. Omitted for Valuation

13. A majority of not less than two-third of the membership of the House concerned is not necessary for removal of which of the following authority?

A. A Judge of the High Court
B. The President of India
C. The Chief Election Commissioner
D. The Speaker of the House of the People

14. Which of the following Commission(s) has/have a constitutional status, as of April, 2017?
(i) National Commission for Scheduled Castes
(ii) National Commission for Backward Classes
(iii) National Commission for Scheduled Tribes

(iv) National Human Rights Commission

A. (i), (ii) and (iii) only
B. (i) and (iii) only
C. (i), (ii), (iii) and (iv)
D. (i) only

15. Which of the following reason(s) was/were considered necessary for the Constitution (Seventy-Seventh) Amendment Act, 1995 inserting Article 16(4A)?
    (i) Inadequacy of representation of the Scheduled Castes and the Scheduled Tribes in services in the States.
    (ii) Reservation in promotion was held constitutionally impermissible in *Indra Sawhney* v. *Union of India*, AIR 1993 SC 477.
    (iii) To prevent qualitative exclusion of the Scheduled Castes and the Scheduled Tribes in services in the States.
    (iv) To achieve inter-locking in horizontal and vertical reservation among the Scheduled Castes and the Scheduled Tribes in services in the States.

    Select the correct answer from the following:

    A. (i) only
    B. (i) and (ii) only
    C. (i), (ii) and (iv) only
    D. (i), (ii), (iii) and (iv)

16. Which of the following provision(s) applicable to the Supreme Court is/are also applicable to the High Courts?
    (i) Article 124(4).
    (ii) Article 124(5).
    (iii) Article 129
    (iv) Article 144

    Select the correct answer from the following:

    A. (i) and (ii) only
    B. (i), (ii) and (iv) only
    C. (iii) and (iv) only
    D. (iii) only

17. Which of the following statement(s) is/are correct, regarding the duties and rights of the Attorney-General for India in performance of his duties?
    (i) The Attorney-General for India shall give advice to the Government of India upon legal matters.
    (ii) The Attorney-General for India shall have a right to audience in all Courts in India.

(iii) The Attorney-General for India shall have the right to speak in the proceedings of either House.
(iv) The Attorney-General for India shall not be liable to any proceedings in any court in respect of anything said by him in Parliament or any committee thereof.

A. (i) and (ii) only
B. (i), (ii) and (iii) only
C. All of these statements are correct
D. (i) only

18. Which of the following Fundamental Rights is enforceable against private individuals?

(i) Article 17
(ii) Article 23
(iii) Article 24
(iv) Article 21

Choose the correct answer from the following:

A. Fundamental Rights are not enforceable against private individuals
B. All are enforceable against private individuals
C. (i), (ii) and (iii) only
D. (ii) and (iii) only

19. Which of the following procedure was adopted to give effect to the land boundary agreement between India and Bangladesh in 2015?
A. A law made by Parliament under Article 3 of the Constitution of India.
B. The Constitution (100th Amendment) Act.
C. The Constitution (98th Amendment) Act.
D. By an executive action.

20. Which of the following statements is incorrect in view of the judgment in *Pramati Educational and Cultural Trust* v. *Union of India* (2014) 8 SCC 1?

A. Article 15(5) does not violate the freedom of private unaided educational institutions under Article 19(1)(g) of the Constitution.
B. Articles 15(5) and 21A do not alter the basic structure of the Constitution and are constitutionally valid.
C. A law made under Article 15(5) of the Constitution shall not be open to challenge under Article 14, if it treats private aided and unaided educational institutions alike.
D. Article 15(5), insofar as it is applicable to minority educational institutions referred to in Article 30(1) of the Constitution, is ultra vires the Constitution.

21. From where did the Drafting Committee borrow the expression "except according to procedure established by law" for Article 21 of the Indian Constitution?

    A. Irish Constitution
    B. Swedish Constitution
    C. Australian Constitution
    D. **Japanese Constitution**

22. In which of the following decisions the Supreme Court framed guidelines for safeguarding the interest of the death row convicts?

    A. *Shatrughan Chauhan* v. *Union of India* (2014) 3 SCC 1
    B. *Epuru Sudhakar* v. *Govt. of A.P.* (2006) 8 SCC 161
    C. *People's Union for Civil Liberties* v. *State of Maharashtra* (2014) 10 SCC 635
    D. *Sunil Batra* v. *Delhi Administration* (1978) 4 SCC 494

23. Which of the following does not follow from the law declared in the *National Legal Services Authority* v. *Union of India* (2014) 5 SCC 438, in respect of rights of the members of the transgender community?

    A. Recognition to gender identity as male, female or as third gender.
    B. Steps to treat the third gender as a socially and economically backward class.
    C. Extending special provisions relating to certain classes as contained in Article 330 of the Constitution.
    D. Extending reservation in cases of admission in educational institutions and public appointments.

24. Which of the following were relevant considerations for prohibition on sale of liquor along national and state highways in *State of Tamil Nadu* v. *K. Balu* (2017) 2 SCC 281?
    (i) There is no fundamental right under Article 19(1)(g) to trade in liquor.
    (ii) Under Article 47, the State is under a duty to raise the level of nutrition, standard of living and improve public health.
    (iii) An exception to permit the sale of liquor along a stretch of the highway which passes through the limits of city is arbitrary and violative of Article 14.
    (iv) Right to life under Article 21 signifies a right to live with human dignity, free of noxious substances and intoxicants.

    Choose the correct answer from the following:

    A. All the four statements are correct
    B. (i) and (iii) only
    C. (i), (ii) and (iii) only
    D. (i), (ii) and (iv) only

25. Which of the following reasons led to the setting aside of the practice of 'talaq-e-biddat', triple talaq in *Shayara Bano* v. *Union of India* (2017) 9 SCC 1?

(i) Section 2 of the Muslim Personal Law (Shariat) Application Act, 1937 was a pre-constitutional legislation within the meaning of Article 13(1) and violative of Article 14 of the Constitution of India on the ground of arbitrariness.

(ii) Section 2 of the Muslim Personal Law (Shariat) Application Act, 1937 was a pre-constitutional legislation within the meaning of Article 13(1) and violative of Article 15 of the Constitution of India, being discriminatory.

(iii) Muslim Personal Law (Shariat) Application Act, 1937 is not a law regulating triple talaq but the practice of triple talaq was against the basic tenets of the Holy Quran and no practice against the tenets of Quran was permissible.

(iv) 'Talaq-e-biddat' is integral to the religious denomination but the Supreme Court may injunct this practice as a means for severing matrimonial relationship.

A. (i) and (ii) only
B. (i), (ii) and (iii) only
C. (i) and (iv) only
D. (i) and (iii) only

26. Which is the correct position in law on an Ordinance promulgated under Article 123 of the Constitution of India, following the judgment in *Krishna Kumar* v. *State of Bihar* (2017) 3 SCC 1?

(i) Power conferred upon the President under Article 123 is legislative in character and the satisfaction of the President is immune from judicial review.

(ii) An Ordinance promulgated under Article 123 must be laid before the Parliament, which is a mandatory constitutional obligation cast upon the government.

(iii) An Ordinance promulgated in exercise of powers under Article 213 cannot create enduring rights in favour of individuals

(iv) Re-promulgation of an Ordinance is a fraud on the Constitution.

Choose the correct answer from the following:

A. All the four statements are correct
B. (ii), (iii) and (iv) only
C. (ii) and (iv) only
D. (i) only

27. Article 29 of the Constitution protects the rights of:

A. Minorities based on religion or language
B. Citizens with distinct script or culture
C. Religious denominations

D. Socially and educationally backward class of citizens

28. In which case, the Supreme Court struck down that part of the Constitution (Forty-second Amendment) Act, 1976 by which Article 31C was amended?

A. *Kesavananda Bharti* v. *State of Kerala*, (1973) 4 SCC 225.
B. *L.C. Golak Nath* v. *State of Punjab*, AIR 1967 SC 1643.
C. *Minerva Mills Ltd*. v. *Union of India*, AIR 1980 SC 1789.
D. S.P. Sampath Kumar v. *Union of India*, 1987 SCR (3) 233.

29. In which among the following cases did the Supreme Court hold that the petitioners have no fundamental right within the meaning of Art 25 or 26 to perform 'Tandava dance' in public streets and public places.

A. *Commr. HRE* v. *Sri Lakshmindra Thirtha Swamiar of Sri Shirur Mutt*, AIR 1954 SC 282
B. *Tilkayat Shri Govindlalji Maharaj* v. *State of Rajasthan*, AIR 1963 SC 1638
C. *N. Adithayan* v. *Travancore Devasom Board*, (2002) 8 SCC 106
D. *Commr. of Police* v. *Acharya Jagadishwarananda Avadhuta,* (2004) 12 SCC 770

30. Omitted for Valuation

31. The idea of single citizenship in India was taken from the

A. British Constitution
B. US Constitution
C. Australian Constitution
D. Weimar Constitution

32. With which amendment was clause 4 to Article 13, Constitution of India, inserted?

A. The Constitution (Twenty-second Amendment) Act, 1969.
B. The Constitution (Twenty-third Amendment) Act, 1969.
C. **The Constitution (Twenty-fourth Amendment) Act, 1971.**
D. The Constitution (Twenty-fifth Amendment) Act, 1971.

33. Which Constitution Amendment Act brought into force the goods and services tax?

A. 98th
B. 99th
C. 100th
D. 101st

34. Which one of the following statements is not correct?

A. The Jammu and Kashmir Code of Criminal Procedure has no provision for transfer of a case from a Court in Jammu and Kashmir to any Court outside that State and, therefore, no criminal case can be transferred from the State of Jammu and Kashmir to any other Court outside that State.

B. Article 370 of the Constitution of India confers merely a "Temporary" status on the State of Jammu and Kashmir.

C. Article 371-D and Presidential Orders issued thereunder override any other provision of the Constitution of India.

D. The citizens of India have a fundamental right to reside and settle in any part of India except the State of Jammu and Kashmir.

35. Which of the following questions is not relevant in determining the existence of a constitutional convention?

A. What are precedents?

B. Did the actors in the precedent believe that they were bound by a rule?

C. Are they justified in terms of morality?

D. Is there any reason for the rule?

36. In which of the following cases, the Supreme Court issued detailed directions for the protection of Good Samaritans?

A. *Savelife Foundation* v. *Union of India*, AIR 2016 SC 1617.

B. *Sabu Mathew George* v. *Union of India* (2017) 2 SCC 514.

C. *Voluntary Health Association of Punjab* v. *Union of India*, AIR 2016 SC 5122.

D. *Devika Biswas* v. *Union of India*, AIR 2016 SC 4405.

37. In which of the following cases, the Supreme Court refused to give any relief to the petitioner(s) under Article 32?

A. *Swaraj Abhiyan* v. *Union of India*, AIR 2016 SC 2929.

B. *Bachpan Bachao Andolan* v. *Union of India*, 2016 (12) SCALE 751.

C. *Supreme Court Women Lawyers Association* v. *Union of India*, AIR 2016 SC 358.

D. *Suresh Chand Gautam* v. *State of Uttar Pradesh*, AIR 2016 SC 1321.

38. Right to life includes right to reputation was recognised in:

A. *Archbishop Raphael Cheenath S.V.D*. v. *State of Orissa*, AIR 2016 SC 3639

B. *Shyam Narayan Chouksey* v. *Union of India* (2017) 1 SCC 421

C. *Dr. Subramanian Swamy* v. *Union of India*, AIR 2016 SC 2728

D. *Karma Dorji* v. *Union of India*, AIR 2017 SC 113

39. Preventive Detention under article 22 of the Constitution can be enforced:

A. Only during the time of communal violence
B. Only when a proclamation of national emergency is made
C. Only when a proclamation of internal emergency is made
D. At any time during peace or war

40. Article 233A was introduced into the Constitution of India to validate the appointments of, and judgments, etc. delivered by certain District Judges. In which among the following cases were those appointments invalidated in a writ of *Quo-warranto*?

A. *Chandra Mohan* v. *State of U.P,* AIR 1966 SC 1987
B. *Chandramouleshwar Prasad* v. *Patna High Court*, AIR 1970 SC370
C. *G.D Karkare* v. *T.L Shevde,* AIR 1952 Nag 330
D. *Anand Bihari Mishra* v. *Ram Sahay,* AIR 1952 MB 31

41. Which one of the following statements is correct?

A. The Court has no jurisdiction to see whether the procedure established by law in Parliament is reasonable or not.
B. The procedure which is arbitrary or oppressive is not a valid procedure.
C. The requirement of compliance with the principles of natural justice is not implicit in Art. 21 of the Constitution.
D. The Doctrine of 'Due Process' is not implied in Art. 21.

42. In which case was it held that the authority which "embarks upon a post-decisional hearing will naturally proceed with a closed mind and there is hardly any chance of getting a proper consideration of the representation at such a post-decisional opportunity"?

A. *Maneka Gandhi* v. *Union of India* (1978) 1 SCC 248
B. *Liberty Oil Mills* v. *Union of India*, AIR 1984 SC 1271
C. *Charan Lal Sahu* v. *Union of India*, AIR 1990 SC 1480
D. *H.L. Trehan* v. *Union of India*, AIR 1989 SC 568

43. Which one of the following statements is incorrect?

A. Parliament has exclusive power to make laws with respect to goods and services tax where the supply of goods, or of services, or both takes place in the course of inter-State trade or commerce.
B. The tax collected by the Union under Clause (1) of Article 246A shall not be distributed between the Union and the States.
C. The Goods and Services Tax Council has power to establish a mechanism to adjudicate any dispute between the Government of India and one or more States.

D. Article 279-A is an entrenched provision under Article 368 of the Constitution of India.

44. In which of the following cases the reservation for Jats was struck down?

A. *Ram Singh* v. *Union of India*, 2015 (3) SCALE 570
B. *U.P. Power Corpn. Ltd*. v. *Rajesh Kumar*, AIR 2012 SC 2728
C. *Prem Kumar Singh* v. *State of U.P.*, 2011 (3) ALJ 343
D. *Dr. Gulshan Prakash* v. *State of Haryana* (2009) 14 SCALE 290

45. Is a writ petition for mandamus maintainable in any of the following cases?

A. Against a citizen for performance of his fundamental duties.
B. Against a private University established by an Act of State Legislature.
C. Against a private trust running coaching classes.
D. Against a lawyer restraining him from filing public interest litigations.

46. For prevention of corruption, provisions have been made under which of the legislations?
(i) The Prevention of Corruption Act, 1988
(ii) The Lokpal and Lokayuktas Act, 2013
(iii) The Central Vigilance Commission Act, 2003

Choose the correct answer from the following:

A. (i) only.
B. (i) and (iii) only.
C. (iii) only.
D. (i), (ii) and (iii).

47. The Supreme Court may review the award given by the Inter-State Water Dispute Tribunal by invoking
A. Article 142
B. Article 131
C. Article 262
D. Article 136

48. For approval or extension of emergency under Article 352 it is required that there should be

A. Resolution by both Houses of Parliament by a majority of total membership of that House and by a majority of not less than two-thirds of members present and voting.

B. Resolution by both Houses of Parliament by a simple majority of members present and voting.

C. Resolution by both Houses of Parliament by a majority of total membership of that House and by a majority of not less than two-thirds of members present and voting and ratification by not less than one-half of the States.

D. Resolution by both Houses of Parliament by a majority of total membership of that House and by a majority of not less than three-fourth of members present and voting.

49. Double Jeopardy means:

A. No person shall be prosecuted and compelled to be a witness in the same case simultaneously.

B. No person shall be sued for a civil wrong and prosecuted for an offence simultaneously.

C. No person shall be prosecuted for two offences simultaneously

D. No person shall be prosecuted and punished for the same offence more than once.

50. Omitted for Valuation

Juris Set 1 (Qs 51 – 100)

1. Eight Principles of Internal Morality of Law were propounded by

   A. Hart
   B. Hobbes
   C. Kelsen
   D. Lon L Fuller

2. Who stated: "The life of law has not been logic; it has been experience"

   A. Oliver Holmes
   B. Dworkin
   C. Hart
   D. Roscoe Pound

3. Roberto Mangabeira Unger was the main propounder of

   A. Feminist Theory
   B. Legal Textualism
   C. Legal Realism
   D. Critical Legal Studies

4. The Preamble to the UN Charter uses the expression

   A. We the People
   B. We the Nations
   C. We the Peoples
   D. We the Founding Nations

5. *Jus Cogens* means:

   A. **Peremptory norm of International Law**
   B. Judgments of the ICJ
   C. Just Resolution of Disputes
   D. Justice for all

6. The first Jurist to use the word Sociology was

   A. Austin
   B. Roscoe Pound
   C. Duguit
   D. Auguste Comte

7. The concept of Dialectical Materialism is a concept commonly associated with which of the following Schools of Thought?

A. Marxism
B. Liberal Theory
C. Post Modernism
D. Utilitarianism

8. Who authored, "The Indian School of Synthetic Jurisprudence: An Idea Relating to Its Purposes"?

A. Kautilya
B. Manu
C. M. J. Sethna
D. UpendraBaxi

9. *Bridges* v. *Hawkesworth* is a popular case on

A. Ownership
B. Possession
C. Transfer of ownership
D. Atonement

10. Hedonistic calculus as a measure of pain and pleasure was hypothesized by

A. Austin
B. Bentham
C. Salmond
D. Holland

11. Jurisprudence should be ideally divided into censorial and expository jurisprudence. This view was given by

A. Auguste Comte
B. Bentham
C. Emile Durkheim
D. Holland

12. Law is a combination of Primary and Secondary rules. This principle was propounded by

A. Kelsen
B. Ronald Dworkin
C. Hart
D. Fuller

13. As per the Anthropological approach towards the study of Jurisprudence, the Twelve Tables of Rome may be considered an example of
    A. Religious law
    B. Divine law
    C. **Published law**
    D. Personal command

14. Who made the statement, "Law is uncertain and certainty of law is a legal myth"?
    A. Fuller
    B. **Jerome Frank**
    C. *Llewellyn*
    D. Holmes

15. As per Kelsen, if a norm remains permanently inefficacious, then it is deprived of its validity. This is known as
    A. Nomodynamics
    B. Condition per quam
    C. Desuetudo
    D. Effective Repeal

16. The theory “justice as fairness” was propounded by
    A. Robert Nozick
    B. Ronald Dworkin
    C. F. Engels
    D. **John Rawls**

17. The term ‘transcendental idealism’ is applied to the epistemology of
    A. Hegel
    B. Stammler
    C. Immanuel Kant
    D. Karl Marx

18. The famous essay *Vom Bneruf* was written by Savigny as a reaction to
    A. Thibaut’s proposal for a Code on the lines of the Napoleonic Code
    B. The King’s proposal for introducing British common law in Germany
    C. The Parliament’s proposal to introduce Roman law in Germany

D. The revival of Justinian's Code

19. Who among the following is called as "Darwinian before Darwin", because of his contribution to apply the evolutionary principle to the development of the legal system?
    A. Gluckman
    B. Malinowski
    C. Savigny
    D. Puchta

20. In his endeavour to discover a pattern of legal development, Maine was led to distinguish between societies as
    A. Static and progressive societies
    B. Dependent and independent societies
    C. Subjective and objective societies
    D. Customary and statutory societies.

21. Pound's theory of Social Engineering mainly talks about
    A. General consciousness being the primary source of law
    B. Legislative power
    C. Balancing of competing interests in society
    D. Difference between law creation and law application

22. Which theory of punishment implies "An eye for an eye, a tooth for a tooth" approach?
    A. Expiatory
    B. Preventive
    C. Deterrent
    D. Retributive

23. As per the rule of English law, a custom to be recognized as law, must be proved to be in existence since times immemorial. However, for customs that are old and whose time of origin cannot be ascertained, which year has been fixed as the date before which it must have started?
    A. 1169 AD
    B. 1189 AD
    C. 1369 AD
    D. 1389 AD

24. Which of the following is an accessory right?
    A. Easementary rights
    B. Ownership rights
    C. Right to reputation

D. Right to personal security

25. Ownership of goodwill of a business is
    A. Corporeal ownership
    B. Incorporeal ownership
    C. Business ownership
    D. Beneficial ownership

26. The law applying to controversies involving non-citizens of Rome was known as
    A. Jus civilie
    B. Jus gentium
    C. Nicomachean ethics
    D. Corpus civilie

27. Which one of the following philosophers conceived justice as 'some sort of equality' and divided the concept of justice as 'corrective justice' and 'distributive justice'?
    A. Aristotle
    B. Rawls
    C. Robert Nozick
    D. Ronald Dworkin

28. "Sociology of law must begin with the ascertainment of the living law, the concrete which can be observed and not the abstract". Who said so?
    A. Duguit
    B. Ihering
    C. Ehrlich
    D. Durkheim

29. Who said that, "The law of nature or natural law is the general will of the people who come together to form an association called State"?
    A. Hobbes
    B. Locke
    C. Rousseau
    D. Kant

30. Which one of the following conceived 'integrative jurisprudence' as combined jurisprudence of positivist, naturalist and sociological descriptions and an understanding of the value components of legal ordering?
    A. Jerome Hall
    B. John Finnis
    C. Clarence Morris

D. Leon Duguit

31. *De Jure Belli ac Pacis* is the celebrated work of-

A. Hugo Grotius

B. Niccolo Machiavelli

C. Samuel Pufendorf

D. Jean Jacques Burlamaqui

32. Which one of the following drafted the hypothetical Case of the Speluncean Explorers?

A. Lon L Fuller

B. Rudolph Stammler

C. John Rawls

D. Clarence Morris

33. Which of the following is not absolute duty according to John Austin?

A. Duties towards lower animals

B. Duties towards community

C. self-regarding duties

D. Duties towards sovereign

34. Who said, "A precedent, therefore, is a judicial decision which contains in itself a principle. The underlying principle which thus forms its authoritative element is often termed the ratio decidendi."?

A. Salmond

B. Keeton

C. Rupert Cross

D. Osborn

35. Which of the following statements does not suit the Hohfeldian analysis of right?

A. Power in 'X' means presence of liability upon 'Y'

B. Immunity in 'X' means absence of liability in 'X'

C. Right in 'X' means presence of 'No-right' in 'Y'

D. Liberty in 'X' means absence of duty in 'X'

36. Which of the following is not a circumstance of strengthening the authority of a precedent?

A. Approval of the decision in later cases and by the profession at large

B. Closely divided opinion of the Court

C. Evidence in the report that the issue was fully argued by counsel and the Court took time to deliberate

D. The decision has stood the test of time

37. A rule which says, “the literal sense of words should be adhered to, unless this would lead to absurdity, in which case the literal meaning may be modified”, can be called
    A. Mischief rule
    B. Literal rule
    C. Golden rule
    D. Compromise approach

38. Who defined ownership as ‘a right – indefinite in point of user – unrestricted in point of disposition – and unlimited in point of duration’?
    A. Salmond
    B. Austin
    C. Marx
    D. Glaniville Williams

39. Which of the following is not correct in the context of valid usage?
    A. Usage must be so well established as notorious.
    B. In case of conflict between usage and law, law prevails.
    C. In case of conflict between express provision of a contract and usage, contract prevails.
    D. Usage shall be a reasonable one.

40. “A dictate of right reason, which points out that an act, according as it is or is not in conformity with rational nature, has in it a quality of moral baseness or moral necessity.” Who made this observation?
    A. Cicero
    B. Aristotle
    C. Plato
    D. Grotius

41. “Private property is robbery, and a state based on private property is a state of robbers who are fighting for a share of the spoils.” Who made this observation?
    A. Lenin
    B. Marx
    C. Renner
    D. Pashukanis

42. In response to a petition, the Supreme Court transferred a case on constitutionality of a Central Act to the High Court of Bombay. The Bombay High Court upheld it. In a

constitutional challenge of the same Act, pending before the High Court of Madras what the latter High Court cannot do with regard to Bombay High Court judgment is

A. Abstaining from applying it
B. Applying it
C. Overruling it
D. Distinguishing it

43. Which of the following characteristics of trust is considered as a problematic factor in a legal system?
A. Group property can be applied for the desired purpose.
B. Pooling up of economic power to neutralise competition.
C. Enables endowments and gifts by vesting rights in trustees.
D. Helps in settling family property in favour of the vulnerable.

44. Which of the following is a right in re aliena?
A. Literary copyright
B. Moveable property
C. Servitude
D. Land

45. Which of the following is not correct about the will theory of contract?
A. It believes in the dictum of status to contract.
B. It puts emphasis on expectations reasonably aroused by conduct rather than state of mind.
C. It relies on person's mind which can be proved only from his own evidence or by inferences from his conduct.
D. It leads to such a subjective view of mistake that the security of transactions is thereby imperilled.

46. "The suppression of vice is as much the law's business as the suppression of subversive activities." Who made this observation?
A. H L A Hart
B. J S Mill
C. Lord Devlin
D. James Stephens

47. Which of the following is not correct about the Critical Legal School?
A. It strongly believes in the inescapable power of the intellectual climate's search for value neutrality.

B. It shows the way in which the legal system works at many different levels to shape popular consciousness towards accepting the legitimacy of the status quo.
C. It rejects formalism.
D. Its central thrust of attack is on legal liberalism.

48. Which of the following propositions do not suit the approaches of American Realism?
A. It is a combination of the analytical positivist and sociological approaches.
B. It lays emphasis on empirical study of the behaviour of judges.
C. It distrusts the sufficiency of legal rules and concepts as descriptive of what Courts do.
D. It combines the 'is' and 'ought' aspects in the study of law and how it works.

49. Who stated that, "Law is the sum of the conditions of social life in the widest sense of the term, as secured by the power of the State through the means of external compulsion."
A. Roscoe Pound
B. Jeremy Bentham
C. Ehrlich
D. Ihering

50. Which of the following is not emphasised by Katherine Bartlette as a part of feminist legal research?
A. Asking the woman question
B. Consciousness –raising
C. Difference theory
D. Positionality

LLM General Set 1 Qs 101 – 150)

1. In which case was it observed that "The dividing line between an administrative power and a quasi-judicial power is quite thin and is being gradually obliterated"?

    A. *Maneka Gandhi* v. *Union of India* (1978) 1 SCC 248.
    B. *State of Orissa* v. *Dr. (Miss) Binapani Dei*, AIR 1967 SC 1269.
    C. ***A.K. Kraipak* v. *Union of India*, AIR 1970 SC 170.**
    D. *Swadeshi Cotton Mills* v. *Union of India*, AIR 1981 SC 818.

2. In which of the following cases did the Supreme Court hold that the Wednesbury rule was applicable in administrative actions?

    A. *Indian Railway Construction Co. Ltd*. v. *Ajay Kumar,* (2003) 4 SCC 579
    B. *Shrilekha Vidyarthi* v. *State of U.P*., AIR 1991 SC 537
    C. *State of Punjab* v. *V.K. Khanna*, AIR 2001 SC 343
    D. *A.N. Parasuraman* v. *State of Tamil Nadu*, AIR 1990 SC 40

3. Which one of the following statements with regard to the Lokpal and Lokayuktas Act, 2013 is not correct?

    A. It makes certain amendments to the Code of Criminal Procedure, 1973.
    B. It contains detailed provisions for the appointment of Lokayuktas in States.
    C. It confers supervisory jurisdiction on Delhi Special Police Establishment.
    D. It extends to the whole of India.

4. Which one of the following has powers similar to those of a Court having power to issue a writ of certiorari under the express statutory provisions?

    A. Administrative tribunals established under the Administrative Tribunals Act, 1985.
    B. Industrial Tribunals established under the Industrial Disputes Act, 1947.
    C. Income Tax Appellate Tribunal established under the Income Tax Act, 1961.
    D. State Consumer Disputes Redressal Commission established under the Consumer Protection Act, 1986.

5. Which one of the following statements with regard to a Commission of Inquiry is incorrect?

    A. A Commission of Inquiry can be headed only by a sitting or retired judge.
    B. A Commission of Inquiry cannot compel a person to disclose any secret process of manufacture of any goods unless the subject matter of inquiry relates to that process.
    C. The report of the Commission of Inquiry is not binding on the Government.
    D. The Central Government is not always restrained from appointing a Commission of Inquiry when on the same subject a Commission appointed by a State Government is already working.

6. Which one of the following statements with regard to the Right to Information Act, 2005 is not correct?

   A. No reasons are required to be given for seeking information.
   B. Private Universities are bound to give information.
   C. No fee is to be paid if information is supplied after five weeks from the date of application.
   D. Intelligence Bureau is not bound to give any information.

7. Which among the following was the first case before the Supreme Court of India where the constitutionality of death penalty was challenged?

   A. Rajendra Prasad v. State of U. P.
   B. **Jagmohan Singh v. State of U. P**.
   C. Bachan Singh v. State of Punjab
   D. Machhi Singh and Others v. State of Punjab

8. Which among the following is/are not true with respect to the decision of the *Supreme Court of India* in *Vellore Citizens Welfare Forum* v. *Union of India (*AIR 1996 SC 2715)?

   i. This was a PIL against the pollution caused by discharge of untreated effluent from tanneries and other industries.
   ii. The Court refused to recognise that a balance must be struck between the economy and the environment.
   iii. The Court accepted the traditional concept that development and ecology are opposed to each other.
   iv. The Court reviewed the development of the concept of sustainable development in the international sphere.
   v. The Supreme Court held that the precautionary principle and the polluter pays principle are part of International environmental law and not of municipal law.

   A. Only i, iii and v
   B. Only ii, iii and v
   C. Only iii, iv and v
   D. Only iv and v

9. Identify the correct statement with respect to the Law of Partnership?

   A. Though registration of the Partnership is not mandatory, the registration of the Partnership deed is essential.
   B. The Limited Liability Partnership is part of the Indian Partnership Act, 1932.
   C. The existence of a partnership can only be determined by the partnership deed.

D. Unless there is a contract to the contrary, death of a partner will automatically lead to the dissolution of the partnership.

10. In which among the following cases did the Supreme Court observe:

"We cannot allow our judicial thinking to be constricted by reference to the law as it prevails in England or for that matter, in any other foreign country. We no longer need the crutches of a foreign legal order."

A. *Sri Ram Food Fertilizers Case* (AIR 1987 SC 965)
B. ***M.C Mehta* v. *Union of India* (AIR 1987 SC 1086)**
C. *Union Carbide Corporation* v. *Union of India*(AIR 1990 SC 273)
D. *M.P. Electricity Board* v. *Shail Kumar* (AIR 2002 SC 551)

11. Which among the following authorities is vested with the power to investigate on matters of professional misconduct committed by a Chartered Accountant or a Chartered Accountant's Firm under Section 132 of the Companies Act, 2013?

A. National Advisory Committee on Accounting Standards
B. Institute of Chartered Accountants of India
C. The Serious Fraud Investigation Office
D. National Financial Reporting Authority

12. Which among the following is not true with respect to negotiable instruments?

A. There must be an unconditional order or promise for payment.
B. A cheque cannot be considered as a bill of exchange.
C. If the time of payment is linked to the death of a person, it is nevertheless a negotiable instrument.
D. It is freely transferable and delivery of the instrument is essential.

13. In which case did the Supreme Court place the *Bangalore Water Supply and Sewerage Board* v. *A. Rajappa* before the Chief Justice of India for reconsideration by a larger bench?

A. ***State of U.P* v. *Jai Bir Singh*, 2005 (5) SCC 1.**
B. *Coir Board* v. *Indira Devi,*[2000] 1 SCC 224.
C. *Aeltemesh Rein* v. *Union of India,* [1988] 4 SCC 54].

D. *A.K. Roy* v. *Union of India,* [1982] 1 SCC 271.

14. The legal phrase '*pari passu'* means.

A. On equal footing.

B. Like angels do.

C. Repay without delay.

D. Return promptly.

15. When a person dies intestate

A. He dies in his home in his estate.

B. He dies without leaving any property.

C. He dies without leaving a will.

D. He dies by committing suicide.

16. A foreigner can acquire Indian citizenship through

A. Registration.

B. **Naturalisation**.

C. Birth.

D. Descent.

17. Which of the following writs can be used against a person believed to be holding a public office, he is not entitled to hold?

A. Writ of mandamus.

B. Writ of certiorari.

C. Writ of prohibition.

D. Writ of quo warranto.

18. The principles of natural justice are applicable

A. only to judicial and quasi judicial proceedings and not to administrative proceedings.

B. **only to judicial, quasi judicial and administrative proceedings but not to the law making procedure.**
C. only to judicial proceedings.
D. to all judicial, quasi judicial, administrative and law making procedures.

19. What is the minimum number of judges required to constitute a Constitution Bench in the Supreme Court of India?

A. **Five**.
B. Three.
C. Seven.
D. Nine.

20. According to the Hindu Marriage Act, a marriage is

A. An agreement.
B. A contract.
C. **A sacrament.**
D. A pious obligation.

21. Which one of the legal propositions is correct?

A. It is necessary for a contract to be valid that the consideration should be adequate.
B. Inadequacy of consideration does not affect the validity of the agreement.
C. Inadequacy of consideration renders the contract void ab initio.
D. **An agreement made on account of natural love and affection, without consideration is void.**

22. A supplied to B, a minor, provisions such as wheat flour, rice and other food stuffs.

A. Since a minor's contract is void, A cannot recover the price of the provisions from B.
B. A can recover the price from B as there is an agreement between A and B.
C. A is not entitled to recover the money as he voluntarily supplied the provisions knowing that B was a minor.
D. Since the provisions supplied constituted necessaries, A can recover the money.

23. A, from Kerala, writes a letter to B who lives in Delhi requesting the supply of certain goods at a certain price. While accepting the offer by writing a letter on his printed letterhead B writes at the top of the letterhead, "Subject to the jurisdiction of Delhi Courts." Later a dispute arises and A files an action in Kerala.

    A. A cannot file legal proceedings in Kerala since B has clearly indicated that the jurisdiction is restricted to Delhi courts.
    B. The agreement is void as it tends to defeat the legal process.
    C. **Since B has written the words at the top of his letterhead, they do not become part of the contract and hence A is free to file the action in any court which has jurisdiction.**
    D. Since the letterhead is part of the agreement of acceptance, the agreement is enforceable.

24. A, a cultivator of green tea, agrees with B that he would not grow tea for a period of five years in consideration of which B agrees to pay him Rs. 25,000/-

    A. The agreement is valid.
    B. The agreement is valid as the consideration is adequate.
    C. The agreement is void as it is in restraint of trade.
    D. The agreement is voidable at the option of A.

25. A entrusted his car to B for plying it as a taxi. B employed C as a cleaner. B gave the taxi to C for taking a driving test and to obtain a driving licence. C while giving the driving test seriously injured D. D filed a case against A, the owner of the vehicle.

    A. A is not liable as he had neither permitted nor authorised C to drive the car.
    B. A is liable because B was acting as his agent in giving the vehicle to C for taking it for driving test.
    C. A is liable because the accident happened during the course of employment.
    D. A is liable because C was giving the driving test for the licence of A

26. A transport company issued a circular to all its drivers that they should not compete or obstruct other buses plying in the route. Driver A, in contravention of the express prohibition, obstructed another bus and while doing so met with an accident in which B was injured.

    A. The company is not liable as it had expressly prohibited the drivers from competing and obstructing other buses.
    B. The company is liable as the accident happened in the course of employment.

C. The company is not liable because the driver had disobeyed the company's instructions and thereby acted outside the course of employment.
D. The company is not liable because the driver had not acted for the benefit of the employer, the company.

27. A was riding his bicycle on a rainy day on a road which had no street lights. He came in contact with a live wire lying on the road which was inundated with water and got electrocuted. A's wife brought an action against the Electricity Board for negligence.

A. The Board is not liable as the accident happened because of the negligence of the cyclist.
B. The Board is not liable as the accident happened because of the negligence of a third party, as the Board argued that a third party tried to siphon off the electricity illegally, and negligently left the wire on the road.
C. The Board is not liable because of the rain and storm, and as such, it was an Act of God.
D. The Board is liable as supplying electricity is an inherently dangerous act, and as such, the Board is absolutely liable.

28. The Supreme Court in *Indian Medical Association* v. *V P Shanta*, (1995) 6 SCC 651, has held that:

A. a hospital rendering free service to some patients and paid services to others is not covered under the definition of service under the Consumer Protection Act, as gratuitous services is excluded from the definition of service under the Act.
B. a hospital which renders service to the patients is covered under the Consumer Protection Act whether they are rendering a contract of service or contract for service.
C. a hospital which is run by the government is not covered under the Consumer Protection Act and the patient who suffers due to the negligence of a doctor working in the hospital will have to file the case in a civil court under the law of tort.
D. **a hospital which renders free service to some patients and paid service to some others is covered under the definition of service, as the patients who receive free service are the beneficiaries of the service hired by the patients who pay for the service.**

29. Delegated Legislation is:

A. the law made by the Parliament or the State Legislature under delegated authority from the Constitution.

B. **the rule, regulations byelaws, etc., made by subordinate authorities under delegated authority from the Parliament or State Legislature.**

C. the Ordinance promulgated by the President or the Governor under delegated authority from the Constitution.

D. the law declared by the judiciary while deciding cases brought before it.

30. The doctrine of 'Acting under Dictation' is applied in the case of:

A. Abuse of discretion
B. Failure to exercise discretion
C. Unreasonable exercise of discretion
D. Arbitrary exercise of discretion

31. Judicial Review deals with:

A. the supervision and monitoring of the activities of the officials of various government departments.
B. the review by the judiciary of its own decisions.
C. the review by the judiciary of the administrative and legislative acts.
D. the review by the judiciary of the case laws with a view to apply in the case at hand.

Directions: The question below consists of two statements, one labelled as 'Assertion' (A) and another as 'Reason' (R). Examine these two statements carefully and select the answers to these items from the codes given below.

32. **Assertion (A):** It is the legal and constitutional duty of the State to provide legal aid to poor.

Reason (R): No one should be denied justice by reason of his poverty.

Codes:

A. Both A and R are individually true and R is the correct explanation of A.
B. Both A and R are individually true but R is not the correct explanation of A.
C. A is true but R is false.
D. A is false but R is true.

33. A, a singer, enters into a contract with B, the manager of a theatre, to sing at his theatre two nights every week during the following two months, and B agrees to pay Rupees 100/- for each night's performance. On the sixth night A wilfully absents herself from the theatre.

A. B is at liberty to put an end to the contract.

B. B has to give notice to end the contract.

C. B cannot breach the contract.

D. It is A's freedom to take leave, so B has to retain A

34. Under which provision of the Companies Act, 2013, will members be liable for a reduction of the statutory minimum number of members, in the Company?

A. Sec. 3A
B. Sec. 7
C. Sec. 3
D. Sec. 4

35. Mohit lends Rs. One Lakh to Som where Narain was the surety. The contract in this transaction provided that the liability of Narain is limited to Rs. 50,000/-. The contract is:

A. void

B. irregular

C. voidable

D. **valid**

36. The right of an accused to be defended by a legal practitioner of his/her choice commences when:

A. the charge sheet is issued

B. the accused pleads not guilty

C. the accused is remanded

D. **the accused is arrested**

37. The transfer of '*spes successionis*' under the Transfer of Property Act is

A. void ab initio

B. voidable

C. perfectly valid

D. valid only if approved by the court .

38. A mortgage by deposit of title deeds for which a loan of Rs 3 crores is raised

A. can be effected only with the help of a written deed

B. only with the help of a written and attested deed

C. can be effected only with the help of a written, attested and registered document.

D. can be effected without an attested or registered document.

39. The rule of *Daniels v Davison* (1809) 16 Ves 249, has been given a statutory shape in the Transfer of Property Act, 1882, under, which of the following titles?

A. Registration as constructive notice

B. Actual possession as constructive notice

C. Doctrine of *animo attestendi*

D. Doctrine of election

40. Under which of the following laws is the remedy of restitution of conjugal rights not available?

A. Hindu Marriage Act, 1955

B. Indian Christian Marriage Act, 1872

C. Parsi Marriage and Divorce Act, 1936

D. Special Marriage Act, 1954

41. H and W, both professing Muslim faith marry under the Special Marriage Act, 1954. In course of time they are blessed with two sons and two daughters. The eldest child, S1 was very successful and made a lot of money while the rest of the family members were in dire

financial circumstances. He maintained a separate habitation, refused to share his money and executed a Will of his total property in favour of a trust before his death at the age of 44 excluding completely his younger siblings and old parents. The Will would be

A. valid only to the extent of 1/3rd of his total property.

B. void as 2/3rd of his property must go by intestate succession.

C. **valid as he can make a Will of his total property.**

D. valid as he died a bachelor .

42. A 35 years old Hindu bachelor (single man) adopts a 14 years old girl under the Hindu Adoptions and Maintenance Act, 1956. Such adoption under the law is:

A. **valid**

B. void

C. voidable

D. irregular.

43. An "International Application" under the Patent Co-operation Treaty:

A. is examined by a patent examiner at a designated office.
B. is searched against by a single search conducted at a designated office.
C. results in a single patent covering all the States for which protection is sought.
D. is forwarded to the patent offices of all the States for which protection is sought for search and examination.

44. The first of the major laws for the protection of environment, to be promulgated in India was the:

A. **Water Act.**

B. Air Act.

C. Environmental Act.

D. Noise Pollution Rule.

45. What does the term ISSN displayed on Journals stand for?

A. International Sequence of Standard Numbers

B. International Standard Serial Number

C. Index of Standard Serial Numbers

D. Indexed Standard and Sequential Numbers

46. The fundamental principle of non-refoulement in International Law is applied in relation to:

A. Terrorists

B. Drug traffickers

C. Smugglers

D. **Refugees**

47. The last trial by jury held in a criminal case in India was that of

A. *Rustom* v. *State of Gujarat*

B. *Ascentia Dawes* v. *Crown*

C. *Lily* v. *State of Bombay*

D. ***K.M. Nanavati* v. *State of Maharashtra***

48. The Right to Education Act 2009 (RTE) provides for free and compulsory education to:

A All illiterate children of India

B All citizens of India

C Children aged between 6 and 14 years

D All children up to the age of 10 years

49. An International treaty becomes binding on India, when:

A The Prime minister of India signs the treaty

B The President of India signs the treaty

C The Parliament of India makes special legislation for accepting the treaty

D When the Indian delegation signs the treaty

50. The Supreme Court of India recognised 'transgenders' as 'third gender with all rights' in the case of:

A *Bar Council of India* v. *A.K. Balaji*, AIR 2018 SC 1382

B *National Legal Services Authority* v. *Union of India*, AIR 2014 SC 1863

C *Suresh Kumar Koushal* v. *NAZ Foundation*, AIR 2014 SC 563

D *State of Punjab* v. *Jagjit Singh*, AIR 2016 SC 5176