

Previous Year Question Papers

CLAT 2014

Postgraduate Courses

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SEALQuestion Booklet No. : **800417**Question Booklet Series : **A**

Common Law Admission Test (CLAT) - 2014

POST - GRADUATE COURSES

Time : 03:00 to 05:00 p.m. (02 Hours)]**[Maximum Marks : 150**

Number of pages in this Booklet including blank page for rough work: 12 (Part-A) + 16 (Part-B) = 28

Number of Questions in this Booklet: 50 (Part-A) + 4 (Part-B) = 54

To be filled-in by the Candidate:Candidate's Name:
(As per admit card)

Roll Number: Bar Code Number:

Candidate's Signature:

Invigilator's Name: Invigilator's Signature:

INSTRUCTIONS FOR THE CANDIDATES

1. **All questions are compulsory**
2. The Question Booklets will be distributed 10 minutes before the commencement of the test.
3. After commencement of the test, during the first five minutes, the candidate is required to open the Question Booklet and is required to examine it for defects, if any, as stated below:
 - (a) To have access inside the Question Booklet, tear off the paper-seal on the edge of this cover page. Do not accept a Booklet if it is opened or without sticker-seal.
 - (b) Tally the number of pages and number of questions in the Question Booklet with the information printed on the cover page.
 - (c) **Faulty Booklets with missing pages/questions, misprint, fudging of print or duplication of pages or any other discrepancy should immediately be brought to the notice of the invigilator(s) and replaced by the same series correct Question Booklet within first five minutes of the commencement of the test. Afterwards, the Question Booklet will not be replaced.**
 - (d) **No second Question Booklet or OMR Answer Sheet shall be provided except in a situation mentioned under instruction 3 (c).**
 - (e) Only after the verification of Question Booklet, enter your Roll Number, Question Booklet Number and Question Booklet Series in the space provided on OMR Answer Sheet with **Black Ball Point Pen** and shade the relevant circles with **Black Ball Point Pen** only. **Use of any other colour ink or pencil is prohibited.**
4. The Question Booklet comprises *two* parts, i.e. **Part - A** and **Part - B**.
 - (a) **Part - A** contains 50 objective type multiple-choice questions carrying one mark each. Each question has four choices of answers. **Select the most appropriate answer and shade the corresponding circle fully in the OMR Answer Sheet with Black Ball Point Pen only.** If more than one circle is shaded or any other method is used to tick the answer, then the answer to that question will be treated as incorrect. **There is negative marking for wrong answers to the objective type multiple choice questions wherein 0.25 mark shall be deducted for each of the wrong answers.**

*[Contd. in last page..***SEAL****SEAL**

Part-A

This part contains **fifty (50)** multiple choice objective type questions of **one (01)** mark each.

- 1) Which one of the following sections of the Indian Penal Code defines the term 'Judge'?
(A) Section 17 (B) Section 18
(C) Section 19 (D) Section 20
- 2) The principle of proximity of crime under criminal law is immaterial, while deciding the liability for the offence of:
(A) Robbery and dacoity (B) Kidnapping and abduction
(C) Abetment and conspiracy (D) Culpable homicide and murder
- 3) Section 149 of the Indian Penal Code applies the principle of:
(A) Strict liability (B) Tortious liability
(C) Absolute liability (D) Vicarious liability
- 4) Which one of the following is the first exception to section 300 of the Indian Penal Code?
(A) Sudden Fight
(B) Grave and Sudden Provocation
(C) Exceeding the right to private defence
(D) Act of public servant
- 5) 'B', a self-styled expert in family planning, gave 'C' some medicinal drug. After the consumption of that drug the child in the womb of 'C' died in the womb. 'B' has committed the offence of:
(A) Murder
(B) Culpable homicide not amounting to murder
(C) Miscarriage
(D) None of the above
- 6) Which one of the following is associated with settlement under the Industrial Disputes Act, 1947?
(A) Lock-out (B) Strike
(C) Conciliation (D) Retrenchment
- 7) Publication of every award of a Labour Court shall be made within a period of:
(A) 25 days (B) 30 days (C) 35 days (D) 45 days

- 8) Minimum number of members required for the registration of a trade union is:
(A) Ten or more (B) Seven or more
(C) Six or more (D) Five or more
- 9) In respect of any act done in contemplation or furtherance of a trade dispute, a member of a registered trade union has immunity from:
(A) Civil proceedings (B) Criminal trespass
(C) Willful misconduct (D) None of the above
- 10) Under the Factories Act, 1948 adolescent is a person who has completed the age of:
(A) Fifteen years but below eighteen years
(B) Fourteen years but below eighteen years
(C) Thirteen years but below sixteen years
(D) Twelve years but below eighteen years
- 11) Under the Indian Evidence Act, 1872 types of evidence cannot be:
(A) Primary and secondary (B) Oral and documentary
(C) Real and hearsay (D) Procedural and substantive
- 12) Assertion (A): If the court is satisfied that the dying declaration is true and voluntary then it can base the conviction on it without corroboration.
Reason (R): Where dying declaration is suspicious, it should not be acted upon without corroborative evidence.
(A) Both A and R are true but R is not the correct explanation of A
(B) Both A and R are true and R is the correct explanation of A
(C) A is false but R is true
(D) A is true but R is false
- 13) The principle of *res judicata* is NOT applicable to the writ of:
(A) *Habeas Corpus* (B) *Mandamus*
(C) *Certiorari* (D) *Quo-warranto*
- 14) Which one of the following is NOT a suit relating to immovable property?
(A) Suit for partition of immovable property
(B) Suit for redemption of mortgaged property
(C) Suit for rent in respect of immovable property
(D) Suit for recovery of immovable property

- 15) Which one of the following does not signify the term 'natural justice'?
- (A) Universal Justice (B) Fundamental Justice
(C) Fair play in action (D) Corrective Justice
- 16) 'Estrada doctrine' is connected with:
- (A) State Responsibility (B) Recognition of State
(C) Collective Security (D) State Territory
- 17) Which one of the following is NOT a UN specialised agency?
- (A) International Labour Organization (B) International Monetary Fund
(C) World Trade Organization (D) World Tourism Organization
- 18) Under the UN Charter the inherent right of individual or collective self defence for a member State is available in:
- (A) Article 42 (B) Article 2(4) (C) Article 51 (D) Article 41
- 19) The term 'International Law' first appeared in the work of:
- (A) Jeremy Bentham (B) Hugo Grotious
(C) Christian Thomasius (D) Samuel von Pufendorf
- 20) Which one of the following is NOT a part of the International Bill of Rights?
- (A) Universal Declaration of Human Rights, 1948
(B) International Covenant on Economic, Social and Cultural Rights, 1966
(C) International Covenant on Civil and Political Rights, 1966
(D) Convention for the Protection of Human Rights and Fundamental Freedoms, 1950
- 21) Under Sunni Law, marriage with a woman undergoing *Iddat* is:
- (A) Valid (B) Regular (C) Irregular (D) Void
- 22) Under which one of the following grounds wife alone can sue for divorce under the Hindu Marriage Act, 1955?
- (A) Adultery (B) Cruelty
(C) Incurable Leprosy (D) Bestiality
- 23) In which one of the following cases, the Supreme Court ruled that marriages of all Indian citizens should be made compulsorily registrable in their respective States where the marriage is solemnized?
- (A) *Nirmal Bose v Mamta Gulati* (B) *Birendra v Kamla*
(C) *Naveen Kohli v Neelu Kohli* (D) *Seema v Ashwani Kumar*

- 24) Under the Hindu Adoptions and Maintenance Act, 1956 which one of the following persons shall NOT be capable of being taken in adoption:
- (A) Illegitimate child (B) Adopted child
(C) Orphan (D) Abandoned child
- 25) A valid form of marriage under Muslim Law is referred to as:
- (A) *Sahih* (B) *Batil* (C) *Fasid* (D) *Kabin Namah*
- 26) Which of the following statements is CORRECT with regard to electronic contracts (i.e. where in a contract formation, the communication of proposals, the acceptance of proposals, the revocation of proposals and acceptances, as the case may be, are expressed in electronic form or by means of an electronic record)?
- (A) Such contracts are void
(B) Such contracts are voidable
(C) Such contracts are unenforceable
(D) Such contracts shall not be deemed to be unenforceable solely on the ground that such electronic form or means was used for that purpose.
- 27) Where two or more civil courts have, under the Code of Civil Procedure, jurisdiction to try a suit, an agreement between the parties that the dispute between them shall be tried in one of such courts is:
- (A) Valid (B) Void
(C) Voidable (D) Unenforceable
- 28) Damages for the breach of contract can be claimed for:
- (i) The losses which are fairly and reasonably considered to have arisen naturally from the breach itself.
(ii) Such losses as may be reasonably supposed to have been in the contemplation of both parties at the time the contract was made.
(iii) All the losses which are consequent result of the breach, whether proximate or remote.
- Choose the correct combination from the following:
- (A) Only (i) is correct
(B) (i) and (ii) are correct
(C) (ii) and (iii) are correct
(D) (i), (ii) and (iii) are correct

- 29) Which of the following options is CORRECT about an 'agency'?
- (A) No consideration is necessary to create an agency
 - (B) Any person, whether or not competent to contract, may employ an agent
 - (C) As between the principal and third persons, only a competent person can become an agent
 - (D) An agent can never lawfully employ another to perform acts which he has expressly or impliedly undertaken to perform personally
- 30) *RD Saxena v Balram Prasad Sharma* (AIR 2000 SC 3049) is a leading case related to:
- (A) Contract of guarantee
 - (B) Contract of partnership
 - (C) Conditions and warranties under a sale of goods
 - (D) An advocate's right of lien, under section 171 of the Indian Contract Act, for his fees on the litigation papers entrusted to him by his client.
- 31) Which one of the following defences is not available in Law of Tort?
- (A) *Volenti non-fit injuria*
 - (B) Act of God
 - (C) Contributory negligence
 - (D) Inevitable accident
- 32) Which of the following statements is INCORRECT?
- (A) Liability in tort arises from breach of duty primarily fixed by law
 - (B) The duty, breach of which results in tortious liability, is towards the public generally
 - (C) The duty, breach of which results in liability in tort, is towards some persons in particular
 - (D) The breach of duty, which results in liability in tort, is redressible by an action for unliquidated damages
- 33) In the backdrop of the Oleum Gas leak case, the statute that was enacted by Parliament of India was:
- (A) The Environment Protection Act, 1986
 - (B) The National Environmental Tribunal Act, 1995
 - (C) The Public Liability Insurance Act, 1991
 - (D) The Air (Prevention and Control of Pollution) Act, 1981

34) The rule of 'absolute liability' admits the defence of:

- (A) Act of third party
- (B) Act of God
- (C) Necessity
- (D) None of the above

35) Match List I with List II and select the correct answer using the codes given below the lists:

	List I		List II
(a)	<i>Ubi jus ibi remedium</i>	(1)	The thing speaks for itself
(b)	<i>Volenti non fit iniuria</i>	(2)	So use your own property as not to injure another's property
(c)	<i>Res ipsa loquitur</i>	(3)	Where there is a right, there is a remedy
(d)	<i>Sic uteretur ut alienum non laedas</i>	(4)	One who knowingly and voluntarily consents to and takes on a risk

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

36) The Transfer of Property Act, 1882 deals with the transfer of:

- (A) Immovable property only
- (B) Both movable and immovable properties
- (C) Movable property only
- (D) Intangible property only

37) Attestation, under the Transfer of Property Act, requires the signature of at least:

- | | |
|---------------------|--------------------|
| (A) One witness | (B) Two witnesses |
| (C) Three witnesses | (D) Four witnesses |

38) Marshalling of securities is provided in:

- (A) Section 78 of the Transfer of Property Act
- (B) Section 79 of the Transfer of Property Act
- (C) Section 80 of the Transfer of Property Act
- (D) Section 81 of the Transfer of Property Act

- 39) A lease of immovable property from year to year, or for any term exceeding one year or reserving a yearly rent, can be made _____.
- (A) By oral agreement
 - (B) Only by a registered instrument
 - (C) Either by a registered instrument or by oral agreement accompanied by delivery of possession
 - (D) By oral agreement accompanied by delivery of possession.
- 40) A _____ is the transfer of an interest in specific immovable property for the purpose of securing the payment of money advanced or to be advanced by way of loan, an existing or future debt, or the performance of an engagement which may give rise to a pecuniary liability.
- (A) Lease
 - (B) Pledge
 - (C) Mortgage
 - (D) Guarantee
- 41) The Companies Act 2013 has:
- (A) 470 Sections, 29 Chapters, and 7 Schedules
 - (B) 570 Sections, 39 Chapters, and 7 Schedules
 - (C) 470 Sections, 29 Chapters, and 12 Schedules
 - (D) 658 Sections, 29 Chapters, and 7 Schedules
- 42) Which of the following is/are a new concept(s) introduced by the Companies Act, 2013 through statutory provisions?
- (A) Class action suits
 - (B) One-person company
 - (C) Corporate social responsibility
 - (D) All the above

- 43) Which of the following statements is CORRECT about corporate social responsibility under the Companies Act, 2013?
- (A) Every company having net worth of rupees one hundred crore or more, or turnover of rupees five hundred crore or more or a net profit of rupees fifty lakh or more during any financial year shall constitute a Corporate Social Responsibility Committee
 - (B) Every company having net worth of rupees five hundred crore or more, or turnover of rupees one thousand crore or more or a net profit of rupees five crore or more during any financial year shall constitute a Corporate Social Responsibility Committee
 - (C) Every company having net worth of rupees one thousand crore or more, or turnover of rupees ten thousand crore or more or a net profit of rupees five crore or more during any financial year shall constitute a Corporate Social Responsibility Committee
 - (D) Every company notwithstanding net worth, or turnover, or net profit shall constitute a Corporate Social Responsibility Committee
- 44) Under section 15 of the Code of Civil Procedure, 1908, every suit shall be instituted in:
- (A) The Court of the lowest grade competent to try it
 - (B) The Court of the highest grade competent to try it
 - (C) District Court
 - (D) All the above
- 45) Under section 6 of the Specific Relief Act, 1963, no suit for the recovery of immovable property shall be brought:
- (A) Against the government
 - (B) Against a public company
 - (C) Against a private company
 - (D) All the above
- 46) As a general rule, no suit to enforce a right arising from a contract or conferred by the Indian Partnership Act, 1932 shall be instituted in any Court by or on behalf of any person(s) suing as a partner in a firm against the firm or any person alleged to be or have been a partner in the firm unless:
- (A) The firm is registered in the Register of Firms
 - (B) The firm is registered and the person suing is or has been shown in the Register of Firms as a partner in the firm
 - (C) The person suing is or has been shown in the Register of Firms as a partner in the firm
 - (D) None of the above

- 47) Which of the following is NOT 'goods' for the purposes of the Sale of Goods Act, 1930?
- (A) Actionable claims
 - (B) Copyright
 - (C) Fixed deposit receipts
 - (D) Computer software
- 48) Service rendered to a patient by a medical practitioner (except where the medical practitioner renders service free of charge to every patient or under a contract of personal service), by way of consultation, diagnosis and treatment, both medicinal and surgical, would fall within the ambit of 'service' as defined in section 2(1) (o) of the Consumer Protection Act, 1986.
- (A) The given statement is correct only in respect of government medical practitioner
 - (B) The given statement is incorrect
 - (C) The given statement is correct
 - (D) There is no legal clarity on the given situation
- 49) Under which of the following conditions, an arbitral award could be set aside under section 34 of the Arbitration and Conciliation Act, 1996?
- (A) The party making the application furnishes proof that the arbitration agreement is not valid under the law to which the parties have subjected it
 - (B) The Court finds that the subject-matter of the dispute is not capable of settlement by arbitration under the law for the time being in force
 - (C) The Court finds that the arbitral award is in conflict with the public policy of India
 - (D) All the above
- 50) With a view to provide for prevention and control of water pollution and the maintaining or restoring of wholesomeness of water, Parliament of India enacted the Water (Prevention and Control of Pollution) Act, 1974:
- (A) On the request from Indian States
 - (B) Of its own
 - (C) On the direction of the United Nations
 - (D) On the direction of the Supreme Court of India

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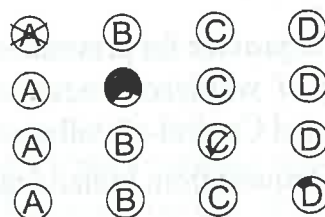
Question Booklet Series : SET - A

- (b) **Part-B** contains four long essay type descriptive questions of 25 marks each. The answers to these questions are to be written with **Black Ball Point Pen** only within the space provided in the Booklet. No extra sheet or blank paper shall be provided to any candidate for writing the long essay type descriptive answers.
5. Specific instructions are given at the beginning of each question or a set of questions. Read them carefully before answering.
 6. Possession of any kind of electronic gadget inside the examination hall is strictly prohibited. Possession and/or use of any such gadget shall disqualify the candidate from appearing in the test.
 7. In case of any malpractice or attempt to resort to any malpractice, which includes talking to neighbours, copying or using unfair means etc., the Invigilator/Centre Superintendent shall seize the material, if any, and expel the candidate from the examination hall.
 8. There is blank page at the end of Question Booklet (**Part - B**) wherein the rough work is to be done.
 9. Any tampering with the "Candidate Sticker" or "Barcode Sticker" by the candidate shall result in cancellation of the candidature.
 10. The first bell will ring 10 minutes before the commencement of the test. As soon as the first bell rings the invigilator(s) will distribute the Question Booklet to the candidates. The second bell will ring at 3:00 p.m. which indicates the commencement of the test. The third bell will ring at 4:00 pm. to indicate the completion of one hour of test. The fourth bell will be rung 10 minutes before the completion of the test. The fifth and final long bell will ring at 5:00 p.m. to indicate the completion of the test.
 11. **No candidate shall be permitted to leave the Examination Hall before 5:00 pm.**
 12. **The candidates are required to return the Question Booklet and OMR Answer Sheet to the Invigilator(s) compulsorily before leaving the Examination Hall at the end of the Test.**
 13. Acceptable Correct Method of shading the relevant circles with **Black Ball Point Pen** is shown as under :

Acceptable Correct Method



Incorrect Method



Centre Superintendent's Signature:

Centre Seal

Note: In case this Booklet is found in custody of anyone except authorised officials of CLAT-2014, please inform immediately at clat2014@gnlu.ac.in

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Common Law Admission Test (CLAT) - 2014

POST-GRADUATE COURSES (Part-B)

Candidate's Name : _____

Roll No. : _____

Question Booklet No. : _____

Candidate's Sign. : _____

Invigilator's Sign. : _____

Barcode Sticker Here Only

Candidate Sticker Here Only

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FOR OFFICE USE ONLY (For Evaluation of Part-B)

Question No.	Marks Secured
1	
2	
3	
4	
Total (Out of 100)	

Name and Signature of the Evaluator(s):

Instruction: This part contains four (04) long essay type descriptive questions of twenty five (25) marks each, which must be answered with **Black Ball Point Pen** only within the designated space provided therefor. No extra sheet shall be provided to any candidate for writing the answers to these questions.

(P.T.O.)

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- This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page or a sheet of stationery. There is no handwriting or other markings on the page.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page or a sheet of stationery. There is no handwriting or other markings on the page.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears slightly aged or off-white. There is no handwriting or other markings on the page.

- 2) Elucidating the evolution of the concept of 'judicial review', discuss whether this feature has elevated the Indian Constitution and made it a sublime constitution. Explicate with the help of relevant case laws.

Lined writing area with 20 horizontal lines.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears slightly aged or off-white. There is no handwriting or other markings on the page.

Lined area for writing or drawing, consisting of 20 horizontal lines.

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3) How is a right different from a duty? Explain the various kinds of legal rights.

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This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be from a notebook or a standard ruled sheet of paper. There is no handwriting or other markings on the page.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears slightly aged or off-white. There is no handwriting or other markings on the page.

- 4) 'Ownership is a bundle of rights'. Elucidate the concept of ownership. How is it different from the concept of possession?
