



High Court of SIKKIM

000127

WRITTEN EXAMINATION (PAPER – II) FOR RECRUITMENT TO THE POST OF
CIVIL JUDGE-CUM-JUDICIAL MAGISTRATE (GRADE-III) IN THE SIKKIM JUDICIAL
SERVICE, 2014

Paper – II : Substantive Law – Hindu Law, Indian Contract Act, Sale of Goods Act,
Partnership Act, Specific Relief Act, General Clauses Act, Transfer of Property Act,
Indian Penal Code and Constitutional Law of India.

Time: 3:00 hours (2:30 p.m. to 5:30 p.m.)

Total Marks : 200

Instructions

1. Answer all questions
2. All questions carry equal marks
3. Only one answer is to be given for each question
4. If more than one answer is marked, it would be treated as wrong answer.
5. Please fill your Roll Number carefully & correctly and question booklet number on the Answer Sheets for multiple choice questions.
6. Each question has four optional responses marked serially as a,b,c,d. You have to tick only for indicating the correct answer on the answer sheet using BLACK/ BLUE Ball Pen only.
7. Answer sheet is to be given back.
8. No candidate shall be allowed to enter the examination hall beyond 30 minutes from the time of commencement of the examination. Any candidate joining the examination hall late will not be allowed any extra time.
9. No candidate shall be allowed to leave the examination hall before expiry of one hour of commencement of the examination.
10. No overwriting, if more than one tick mark is found of the question, no marks will be given for that question.
11. No candidate is permitted to Carry with him/her any mobile phone, any electronic equipment, any book, slip or writing as a mean of communication in the examination and violation of these instructions will entail the cancellation of examination.

1. In the smritis the spinda relationship extends, in the line of ascent to
 - (a) Three degree through the mother & five degrees through the father
 - (b) Five degrees through the mother and seven degrees through the father
 - (c) Four degrees through the mother and six degrees through the father
 - (d) Two degrees through the mother and four degrees through the father

2. Which of the following Hindu marriages are valid
 - (a) A man marrying his deceased wife's sister
 - (b) A man marrying his divorced wife's sister
 - (c) A man marrying his deceased wife's sister's daughter
 - (d) All the above

3. A marriage, solemnized between any two Hindus, one of whom is not having the mental capacity to marry, shall be
 - (a) Void
 - (b) Voidable
 - (c) Invalid
 - (d) Either (a) or (b) or (c)

4. Registration of Hindu Marriage under section 8 of Hindu Marriage Act is
 - (a) Compulsory
 - (b) Optional
 - (c) May be made compulsory by the state Government
 - (d) Both (b) & (C) are corrected

5. Punishment prescribed under section 18 of Hindu marriage Act, 1955 for child marriage is
 - (a) Imprisonment only
 - (b) Fine only
 - (c) Imprisonment or fine or both
 - (d) Imprisonment and fine both

6. Remedy of restitution of conjugal rights is available
 - (a) Wife
 - (b) Husband
 - (c) Wife and husband both
 - (d) Only husband & not wife

7. Which of the following cases relate to mental cruelty and decided by the supreme Court
 - (a) Sayal V. Sarla
 - (b) Dastane V. Dastane
 - (c) Rita Nijhawan V. Bal Kishan Nijhawan
 - (d) Roop Lal v. Kartaro

8. Before filing a petition for divorce by mutual consent, the parties must be living separately for a period of
 - (a) Six month or more
 - (b) One year or more
 - (c) Eighteen month or more
 - (d) Two years or more

9. Adoption can be made by a major Hindu male of sound mind if he is a
 - (a) Bachelor
 - (b) Widower or divorcee
 - (c) Married person
 - (d) Above All

10. In giving a child in adoption by the father, the requirement of the consent of the mother, can be dispensed with if
 - (a) The mother has finally & completely renounced the world
 - (b) The mother has ceased to be a Hindu
 - (c) The mother has been declared to be of unsound mind by the court of competent jurisdiction
 - (d) Above All

11. The Hindu Succession Act as amended in September 2005 empowered the daughter of a coparcener, rights in coparcenary property like son under ----- of the Act
 - (a) Section 6
 - (b) Section 7
 - (c) Section 12
 - (d) Section 12

12. Cruelty as a ground for divorce has been provided under
 - (a) Section 13 (1) (i) of 1955 Act
 - (b) Section 13 (1) (ia) of 1955 Act
 - (c) Section 13 (1) (ib) of 1955 Act
 - (d) Section 13 (1) (ii) of 1955 Act

13. Section 29 of Hindu Marriage Act, 1955
 - (a) Saves a custom which recognized divorce
 - (b) Over-rides the custom which recognized divorce
 - (c) Saves and over-rides both, the custom which recognized divorce depending on the fact & circumstances of the case
 - (d) Gives discretion to the court to recognize or not to recognize any such custom.

14. A married Hindu Female/ Woman
 - (a) Can adopt with the implied consent of her husband
 - (b) Can adopt without the consent of her husband
 - (c) Can adopt with the prior permission of the court
 - (d) Neither (a) nor (b) nor (c)

15. Conditions for a Hindu Marriage have been prescribed under
 - (a) Section 4 of Hindu Marriage Act
 - (b) Section 5 of Hindu Marriage Act
 - (c) Section 6 of Hindu Marriage Act
 - (d) Section 7 of Hindu Marriage Act

16. Bigamy under the Hindu Marriage Act includes
 - (a) Polygamy
 - (b) Polyandry
 - (c) Both polygamy and polyandry
 - (d) Only (a) & not (b).

17. Under section 13 of Hindu Marriage Act, 1955 the number of grounds which are exclusively available to the wife, is
- (a) Two
 - (b) Three
 - (c) Four
 - (d) Five
18. Bars to the relief in matrimonial proceedings, as provided under section 23 of Hindu Marriage Act, 1955 include
- (a) Connivance
 - (b) Condonation
 - (c) Collusion
 - (d) All the above
19. Under section 6 of the Hindu Minority & Guardianship Act, 1956 the natural guardian of a minor child is
- (a) Mother
 - (b) Father
 - (c) Both mother and father
 - (d) Either mother or father
20. General rule of succession to a female Hindu, under section 15 (1) of Hindu succession Act, 1956 is
- (a) Heirs in the earlier entry excludes heirs in the latter entries
 - (b) Heirs in all the entries take simultaneously
 - (c) Heirs in all the entries take one share to be divided among the heirs in that entry per-capita
 - (d) Heirs at the earlier position in one entry exclude the heir in the latter position in the same entry.
21. The propositions are
- (i) A wife can adopt to her husband
 - (ii) A mother can adopt to her husband
 - (iii) A sister can adopt to her brother
- Which of the following combination is correct in respect of the said proposition
- (a) I is true and II & III are false
 - (b) I & II are true and III is false
 - (c) I & III are true and II is false
 - (d) I, II and III are true
22. Which of the following is not an ancestral property
- (a) Property inherited from paternal grand father
 - (b) Property inherited from paternal great –grand-father
 - (c) Property inherited from maternal grand-father
 - (d) All the above
23. Revocation of offer by letter or telegram can be complete
- (a) When it is dispatched
 - (b) When it is received by the offeree
 - (c) When it reaches the offeree
 - (d) Both (a) and (b)

24. An agreement not to pursue any legal remedy to enforce the rights under section 28 is
- (a) Valid
 - (b) Voidable
 - (c) Void
 - (d) Unenforceable
25. A contingent contract based on the specified uncertain event happening within a fixed time under section 35.
- (a) Remains valid even if the event does not happen within that fixed time
 - (b) Becomes void at the expiration of the time fixed
 - (c) Becomes void if the happening of that event becomes impossible before the expiry of time fixed
 - (d) Both (b) or (C)
26. Frustration of contract implies
- (a) Commercial hardship
 - (b) Physical impossibility due to disappearance of the subject matter of the contract or the object has failed to materialize
 - (c) Both (a) & (B)
 - (d) Neither (a) nor (b) nor (C)
27. A wagering contract is void under
- (a) Section 28
 - (b) Section 29
 - (c) Section 30
 - (d) Section 31
28. The surety stand discharged
- (a) By revocation
 - (b) By death
 - (c) By variance in term of the contract without his consent
 - (d) In (a), (b) & (C) above
29. Bailee is bound to take care of goods
- (a) As an expert
 - (b) As a lay man
 - (c) As a man of ordinary prudence
 - (d) Both (b) & (c)
30. Goods may be pledged
- (a) By the owner of goods
 - (b) By the servant in the absence of owner
 - (c) By the person who is left with the goods for some special purpose
 - (d) All the above
31. The principle of agency of necessity is
- (a) Unknown to the law of agency
 - (b) Applicable in normal situations
 - (c) Applicable in emergent situations where communication with the principal is possible
 - (d) Applicable in emergent situation where the communication with the principal is not possible

32. Right of lien, of an agent
(a) Is extinguished by his parting with the possession of the goods
(b) Is extinguished by destruction of goods accidentally
(c) Both (a) & (b) are correct
(d) Neither (a) nor (b) is correct
33. An agreement to remain unmarried is
(a) Valid
(b) Voidable
(c) Void
(d) Unenforceable
34. A promisor can perform
(a) The promise himself
(b) The promise through his representative competent to perform
(c) The promise through his representative irrespective of the competency of that representative
(d) Both (a) & (b).
35. Under the Indian Contract Act
(a) A stranger to the contract can sue
(b) A stranger to the contract cannot sue
(c) A stranger but beneficiary under the contract can sue
(d) None of the above
36. Goods displayed in a shop with a price tag is
(a) Offer
(b) Invitation to offer
(c) Counter offer
(d) None of the above
37. What is correct of a standard form contract
(a) It is a valid contract
(b) One party has not choice but to accept & sign the contract
(c) Both (a) & (b)
(d) The consent is not a free consent
38. In case of breach of contract, compensation can be claimed under section 73
(a) For the proximate and natural consequences of breach
(b) For remote consequence of the breach
(c) For indirect consequences of the breach
(d) All the above.
39. Section 74 applies
(a) Where the actual damage or loss has been proved to be caused by breach
(b) Where the actual damage or loss has not been proved to be caused by the breach
(c) In both (a) & (b)
(d) Neither (a) nor (b) nor (c)

40. In a contract of Guarantee
- (a) There are two parties and one contract
 - (b) There are two parties and two contracts
 - (c) There are three parties & three contracts
 - (d) There are three parties & one contract
41. Bank Guarantee is independent contract between
- (a) Creditor and debtor
 - (b) Bank and beneficiary
 - (c) Buyer and seller
 - (d) None of the above
42. The documents of title to goods In the sale of goods Act, 1930 have been described under
- (a) Section 2 (3)
 - (b) Section 2 (4)
 - (c) Section 2 (1)
 - (d) Section (2)
43. Price under section 2 (10) of the sale of Goods Act, 1930 means
- (a) The money consideration
 - (b) The consideration given in the form of goods
 - (c) Partly money consideration and partly consideration in goods
 - (d) Either (a) or (b) or (C)
44. The rule of "caveat emptor" as enunciated in section 16 of the sale of Goods Act, 1930 means that
- (a) The buyer must take a chance
 - (b) The buyer must take care
 - (c) The seller must take care
 - (d) Both (a) and (b)
45. The transit of Goods under section 51 of the sale of Goods Act, 1930 comes to an end on
- (a) The delivery of goods to the carrier for transmission to the buyer
 - (b) The arrival of goods at the appointed destination
 - (c) The buyer taking delivery of the goods from the carrier
 - (d) Neither (a) nor (b) nor (c)
46. What is a 'reasonable time', by virtue of section 63 of the sale of Goods Act, 1930, is a
- (a) Question of law
 - (b) Question of fact
 - (c) Mixed question of law and fact
 - (d) Either (a) or (C)
47. Under section 5 of the sale of Goods Act, 1930, a contract of sale of goods can be
- (a) In writing
 - (b) By words of mouth
 - (c) Partly in writing and partly by words of mouth
 - (d) All Above

48. The sale of Goods Act 1930 came into force on
(a) 1st April 1930
(b) 1st July 1930
(c) 1st December 1930
(d) 31st January 1931
49. Under section 11 of the Sale of Goods Act, 1930 which of the following is an essence of the Contract
(a) Time of payment
(b) Time of delivery
(c) Both (a) and (b)
(d) Neither (a) nor (b)
50. The right of stoppage in transit is available to the unpaid seller in cases of
(a) Carriage by land
(b) Carriage by sea
(c) Carriage by air
(d) All the above
51. Section 61 of the sale of Goods Act, 1930, provides damages for
(a) Award of interest to the buyer
(b) Award of interest to the seller
(c) Non-award of interest to the buyer or the seller
(d) Award of interest to the seller or the buyer
52. Transfer of actionable claim is governed by
(a) The Transfer of Property Act, 1882
(b) The sale of Goods Act, 1930
(c) The Indian Contract Act, 1872
(d) All the above
53. Quasi-contracts of sale have been dealt with under
(a) The sale of Goods Act, 1930
(b) The English sale of Goods Act, 1893
(c) Both (a) and (b)
(d) Neither (a) nor (b)
54. The Breach of warranty gives a right to claim
(a) Damages but not to a right to reject the goods and treat the contract as repudiated
(b) Right to reject the goods only
(c) Right to treat the to contract repudiated
(d) New goods
55. Section 23 of the sale of Goods Act, 1930 applies to
(a) Ascertained goods
(b) Specific goods
(c) Unascertained goods
(d) All the above

56. Unpaid Seller of goods has been defined under
(a) Section 45 of the sale of Goods Act, 1930
(b) Section 44 of the sale of Goods Act, 1930
(c) Section 47 of the sale of Goods Act, 1930
(d) Section 46 of the sale of Goods Act, 1930
57. A partnership firm is
(a) A distinct legal entity from its partners
(b) Not a distinct legal entity from its partners
(c) A juristic person
(d) Either (a) or (C)
58. Section 13 of the Indian Partnership Act, 1932 is
(a) A mixed statement of rights and duties of the partners
(b) A mixed statement of duties and liabilities of the partners
(c) A mixed statement of rights and liabilities of the partners
(d) A mixed statement of rights, duties and liabilities of the partners.
59. A contract between the partners
(a) Can provide for introduction of a new partner without the consent of all the existing partners
(b) Can provide for introduction of a new partner by nomination by one or any of the partners
(c) Can provides either (a) or (b) or both
(d) Can neither provide for (a) nor for (b)
60. Dissolution of a firm has been defined under
(a) Section 39 of the Act
(b) Section 38 of the Act
(c) Section 41 of the Act
(d) Section 40 of the Act
61. Section 12 (C) of the Indian Partnership Act provides for a
(a) Rule of majority
(b) Rule of unanimity
(c) Both (a) and (b)
(d) Only (a) and not (b)
62. An unauthorized compromise or relinquishment of any claim by a partner can be questioned by
(a) The other partner(s)
(b) A third party
(c) Both (a) and (b)
(d) Either (a) or (b)
63. Acknowledgement of a liability of the firm by a partner amounts to
(a) Compromising a claim
(b) Relinquishment of a claim
(c) Admission of liability in a suit or proceedings against the firm
(d) Neither (a) nor (b) nor (C)

64. Rights of transferee of a partner's interest have been dealt with under
(a) Section 30 of the Act
(b) Section 31 of the Act
(c) Section 28 of the Act
(d) Section 29 of the Act
65. A partnership for which no period or duration is fixed, under the Indian Partnership Act, 1932 is known as
(a) General partnership
(b) Partnership at will
(c) Particular partnership
(d) Co-ownership
66. The right to indemnity is lost on
(a) The dissolution of the partnership
(b) The death of the partner
(c) The retirement of the partner
(d) All above
67. The effect of the doctrine of holding out is that
(a) The persons may be partners towards the world without being partners between themselves
(b) The persons may be partners towards the world on being partners between themselves
(c) The persons may be partners towards the world without having done anything
(d) Both (a) and (b).
68. Expulsion of partner has been provided under
(a) Section 33 of the Act
(b) Section 32 of the Act
(c) Section 35 of the Act
(d) Section 34 of the Act
69. The type of dissolution provided under section 43 of the Indian Partnership Act, 1932 is
(a) Dissolution by court
(b) Dissolution by notice
(c) Dissolution by agreement
(d) Dissolution by insolvency
70. The term 'notice' under section 24 of the Indian Partnership Act 1932 has a reference to
(a) Actual notice
(b) Constructive notice
(c) Deemed notice
(d) All the above
71. The liability of a minor admitted to the benefits of the partnership, for the acts of the firm, is
(a) Personal
(b) His share in the firm
(c) Personal and his share in the firm
(d) His share in the firm only and not personal .

72. A suit for recovery of possession of an immovable property under section 6 of specific Relief Act can be filed against
- (a) A private individual only
 - (b) A government
 - (c) Both a private individual and a government
 - (d) Neither (a) nor (b)
73. A Claim for damages in suits for injunction can be laid
- (a) Under section 38
 - (b) Under section 39
 - (c) Under section 40
 - (d) Under section 37
74. Jurisdiction of the Court to enforce specific performance of a contract is
- (a) Absolute
 - (b) Discretionary
 - (c) General & not exceptional
 - (d) Extensive
75. A suit under section 6 can be brought by
- (a) Trespasser
 - (b) Tenant holding over
 - (c) Servant
 - (d) Manager
76. Perpetual injunction under section 38 can be granted
- (a) When there exists no standard for ascertaining the actual damages caused
 - (b) When compensation would not afford adequate relief
 - (c) When the defendant is a trustee of the property for the plaintiff
 - (d) All the above
77. Section 10 of the Specific relief Act, 1963 applies to
- (a) Promises which are not completed contracts
 - (b) Completed contracts which are valid in law and capable of enforcement
 - (c) Inchoate agreements
 - (d) All the above
78. Obligation under specific Relief Act
- (a) Is a right in rem
 - (b) Is a right in personam
 - (c) Both (a) & (b)
 - (d) None of the above
79. Mistake contemplated under section 26 when can be Rectified
- (a) Mutual mistake
 - (b) When through fraud
 - (c) Does not express their real intention
 - (d) All the above
80. Cancellation under section 31 can be claimed
- (a) By party to the instrument
 - (b) By any person against whom the instrument is void or voidable
 - (c) In respect of any instrument not necessarily a contract
 - (d) All the above

81. Under section 12 (2) of the Specific Relief Act, 1963 part performance of a contract can be enforced by
- (a) The promisor
 - (b) The promise
 - (c) Either the promisor or the promise
 - (d) Only promisor and not the promise
82. Injunction cannot be granted
- (a) In contract which can be specifically enforced
 - (b) In contract which can not be specifically enforce
 - (c) Irrespective of whether the contract is specifically enforceable or not
 - (d) None of the above
83. An injunction granted during the pendency of a suit under section 37 of the specific Relief Act, 1963 is known as a
- (a) Perpetual injunction
 - (b) Mandatory injunction
 - (c) Temporary injunction
 - (d) Either (a) or (C)
84. Specific performance of a contract can be granted in respect of
- (a) Immovable property
 - (b) Chattols
 - (c) Immovable property as well as chattels
 - (d) None of the above
85. Damages in suits for injunctions can not be granted
- (a) If the plaintiff has not claimed damages
 - (b) If the suit of the plaintiff is dismissed
 - (c) Both (a) & (b)
 - (d) Neither (a) nor (b)
86. A Mandatory injunction in its nature is
- (a) Restitutory
 - (b) Prohibitory
 - (c) Both restitutory and prohibitory
 - (d) Only (a) and not (b)
87. The General Clauses Act, was enacted in the year
- (a) 1888
 - (b) 1897
 - (c) 1899
 - (d) 1987
88. Which section of General Clauses Act lays down that a offender shall not be punished twice if the offence is constituted under two enactments
- (a) Section 25
 - (b) Section 26
 - (c) Section 27
 - (d) Section 28

89. The transfer of property Act, 1882, came into effect from
- (a) 17th February, 1882
 - (b) 27th February, 1882
 - (c) 17th March 1882
 - (d) 1st July 1882
90. The term "Transfer" Under the transfer of Property Act, 1882, refers to
- (a) Partly or whole transfer
 - (b) Absolute or conditional transfer
 - (c) Contingent transfer
 - (d) Both (a) and (b) are correct
91. Within the meaning of section 40 of the Transfer of Property Act, 1882, the purchaser at a court sale:
- (a) Is not a transferee by operation of law
 - (b) Is a transferee by operation of law
 - (c) Is a transferee by operation of law and is not a transferee within the meaning of section 40
 - (d) None of the above
92. The provision of improvements made by bona fide holders under defective titles is dealt in:
- (a) Section 50 of the Transfer of Property Act, 1882
 - (b) Section 51 of the Transfer of Property Act, 1882
 - (c) Section 53 of the Transfer of Property Act, 1882
 - (d) None of the above.
93. The provision of fraudulent transfer is dealt in :
- (a) Section 49 of the Transfer of Property Act, 1882
 - (b) Section 50 of the Transfer of Property Act, 1882
 - (c) Section 51 of the Transfer of Property Act, 1882
 - (d) Section 53 of the Transfer of Property Act, 1882
94. Section 53 of the Transfer of Property Act, 1882, does not affect to :
- (a) Movable property
 - (b) Immovable property
 - (c) Both (a) and (b)
 - (d) None of above
95. If the mortgagor has not insured against fire, the mortgagee is authorized to insure and to add the premium to the mortgaged debt. This is the provision under :
- (a) Section 73 of the Transfer of Property Act, 1882
 - (b) Section 72 of the Transfer of Property Act, 1882
 - (c) Section 71 of the Transfer of Property Act, 1882
 - (d) Section 70 of the Transfer of Property Act, 1882
96. Under the transfer of property Act, 1882, the term "attested" means
- (a) Attested by two or more witnesses
 - (b) Attested by one witness only
 - (c) Attested by two witnesses only
 - (d) No condition prevails

97. Chapter II of the Transfer of property Act Shall not be deemed to effect any rule of
- (a) Mohammadan law
 - (b) Christian law
 - (c) Parsi Law
 - (d) None of the above
98. The part performance in the transfer of Property is provided in :
- (a) Section 53A of the Transfer of Property
 - (b) Section 53 of the Indian Partnership Act, 1930
 - (c) Section 53 of the Indian Registration Act, 1908
 - (d) Section 53 of the Specific Relief Act, 1908
99. Under the transfer of property Act, 1882 the condition restraining alienation is provided in
- (a) Section 10
 - (b) Section 9
 - (c) Section 8
 - (d) Section 7
100. Under the provisions of the Transfer of property Act, 1882 an unborn person acquires vested interest on transfer upon his birth, although
- (a) He may not be entitled to the enjoyment immediately on his birth
 - (b) He is entitled after 7 days his birth
 - (c) No such provisions is made
 - (d) None of the above
101. The rule of election under the Transfer of Property Act, 1882 as applied to will is enacted in sections 180 and 192 of the
- (a) Indian succession Act, 1925
 - (b) Indian Registration Act, 1908
 - (c) Sale of Goods Act, 1930
 - (d) General Clauses Act, 1897
102. A lessee is not entitled to the right of marshalling under the section
- (a) 55 of the Transfer of Property Act, 1882
 - (b) 56 of the Transfer of property Act, 1882
 - (c) 57 of the Transfer of property Act, 1882
 - (d) None of the above
103. The Amendment of the Transfer of property Act, 1882 in the year 2002 amended
- (a) Section 100
 - (b) Section 106
 - (c) Section 108
 - (d) Section 110
104. An accused in police custody, informs to the Station House Officer that the key by which he opened the safe and committed theft is kept by him in the patio of his house.
To what extent this information can be proved?
- (a) For committing an offence of theft
 - (b) For opening lock of safe
 - (c) For committing theft by opening safe and destroying evidence
 - (d) For keeping the key in patio of house

105. In Indian penal Code the Pronoun "he" and its derivatives are used for –
- Male
 - Female
 - Any person whether male or female
 - Such words are not used in the Code
106. A hotel situated at the bank of a water reservoir, despite objection, discharge its polluted water in the reservoir, causing fouls to reservoir water. For which offence under Indian Penal Code the Manager of the Hotel can be charged?
- Section 277
 - Section 276
 - Section 278
 - Section 282
107. A police officer detains a person in the lock-up despite production of a bail order from the Court. The police officer is guilty of –
- Abduction
 - Wrongful confinement
 - Wrongful restrain
 - Kidnapping
108. A person held guilty for commission of an offence described under section 326-A of the Indian Penal Code, is liable to be punished with imprisonment which shall not be less than ten years, but which may extend to imprisonment for life with fine, required to be paid to the victim. Such fine shall be –
- Not less than Rs. 1,00,000/-
 - Not more than Rs, 5,00,000/-
 - Just and reasonable to meet the medical expenses of the treatment of victim
 - Determined by the Court but in no case shall be less than Rs. 5,00,000/-
109. A police officer has received a sum of Rs. 5,000/- against fine from the person violating traffic rules. Instead of depositing the fine money with state Treasury, he utilized the same for his personal use. What offence under Indian Penal Code, the police officer has committed?
- Criminal breach of trust
 - Mischief
 - Cheating the Government
 - None of the above
110. The term "Unlawful assembly" Means-
- An Assembly of five or more persons
 - An Assembly of five or more persons armed with lethal weapons
 - An assembly of five or more persons with a common object of doing a crime
 - An Assembly of minimum two persons having common intention to commit a crime.
111. Fraudulently, has been defined as doing anything with intent to defraud
- Section 23
 - Section 25
 - Section 24
 - Section 26

112. Section 34 of IPC
- (a) Creates a substantive offence
 - (b) Is a rule of evidence
 - (c) Both (a) and (b)
 - (d) Neither (a) nor (b)
113. Under Section 498-A of IPC Cruelty includes
- (a) Harassment of the woman
 - (b) Physical cruelty only
 - (c) Mental cruelty only
 - (d) Cruelty by wife
114. The motive under section 81 of IPC should be
- (a) Prevention of harm to person
 - (b) Prevention of harm of property
 - (c) Both (a) and (b)
 - (d) Either (a) or (b)
115. Infancy' as an exception has been provided
- (a) Section 80
 - (b) Section 81
 - (c) Section 82
 - (d) Section 84
116. The defence of 'consent' applies to
- (a) Private wrongs
 - (b) Public wrongs
 - (c) Both (a) & (b)
 - (d) Neither (a) nor (b)
117. The right to private defence is
- (a) Unrestricted
 - (b) Subject to restriction contained in section 99 of IPC
 - (c) Subject to restrictions contained in Chapter IV of IPC
 - (d) Subject to restrictions contained in any other provision of IPC
118. In cases of kidnapping & abduction the right of private defence extends voluntarily causing
- (a) Any harm other than death
 - (b) Any harm other than death & grievous hurt
 - (c) Any harm including death
 - (d) Both (a) & (B)
119. For abetment
- (a) It is necessary that the act abetted should be committed successfully
 - (b) It is necessary that the act abetted should be committed through unsuccessfully
 - (c) It is not necessary that the act abetted should be committed
 - (d) Both (a) & (b)

120. Conspiracy to wage war against Government of India has been dealt with under
- (a) Section 120 of IPC
 - (b) Section 120A of IPC
 - (c) Section 120 B of IPC
 - (d) Section 121A of IPC
121. Rioting means use of force or violence by an unlawful assembly or by a member thereof, in prosecution of the common object of such assembly, as per
- (a) Section 144 of IPC
 - (b) Section 145 of IPC
 - (c) Section 146 of IPC
 - (d) Section 148 of IPC
122. For application of section 149 of IPC
- (a) A person should be a member of the unlawful assembly and should actively participate in the commission of offence
 - (b) A person should be a member of unlawful assembly but need not necessarily participate himself in the commission of the offence
 - (c) Need not be a member of unlawful assembly but must share a common intention to commit the offence
 - (d) Need not be a member of unlawful assembly but must participate in the commission of offence.
123. 10 persons were charged for offence under section 302/149 IPC, out of which six persons were acquitted the remaining four
- (a) Cannot be convicted for offence under section 302/149 of IPC
 - (b) Cannot be convicted for offence under section 302 of IPC
 - (c) Cannot be convicted for offence under section 149 of IPC
 - (d) All the above
124. Culpable homicide has been defined
- (a) Under section 299 of IPC
 - (b) Under section 300 of IPC
 - (c) Under section 302 of IPC
 - (d) Under section 304 of IPC
125. Grave & Sudden provocation is
- (a) Question of fact
 - (b) Question of law
 - (c) Mixed question of fact & law
 - (d) A presumption under the law
126. Culpable homicide is causing death
- (a) With the intention of causing death
 - (b) With the intention of causing such bodily injury as is likely to cause death
 - (c) With the knowledge that by such act death is likely to be caused
 - (d) All the above.
127. Grievous hurt has been defined under
- (a) Section 320 of IPC
 - (b) Section 321 of IPC
 - (c) Section 322 of IPC
 - (d) Section 325 of IPC

128. Assault or criminal force used in attempting to commit theft of property is punishable
- (a) Under section 378 of IPC
 - (b) Under section 379 of IPC
 - (c) Under section 509 of IPC
 - (d) Under section 356 of IPC
129. Kidnapping from lawful guardianship under section 361 of IPC can be
- (a) Of a person under sixteen years of age if male
 - (b) Of a person under eighteen year of age if female
 - (c) Of a person of unsound mind
 - (d) All the above
130. Dishonest misappropriation of property has been defined.
- (a) Under section 403 of IPC
 - (b) Under section 405 of IPC
 - (c) Under section 406 of IPC
 - (d) Under section 415 of IPC
131. Criminal breach of trust has been defined under
- (a) Section 403 of IPC
 - (b) Section 405 of IPC
 - (c) Section 406 of IPC
 - (d) Section 415 of IPC
132. The expression harm is used in section 81 of the Indian penal Code in the sense of
- (a) Hurt
 - (b) Injury or damage
 - (c) Physical injury
 - (d) Moral wrong or evil
133. Punishment for offence of committing forgery is provided in
- (a) Section 463 IPC
 - (b) Section 464 IPC
 - (c) Section 465 IPC
 - (d) Section 466 IPC
134. The difference between section 34 and section 149 of Indian penal code is
- (a) That whereas in section 34 there must at least be five persons, section 149 requires only two persons
 - (b) That section 149 is only a rule of evidence whereas section 34 creates a specific offence and provides for its punishment
 - (c) That section 34 requires active participation in action whereas section 149 requires mere passive membership of the unlawful assembly.
 - (d) That section 34 need not be joined with the principle offence whereas section 149 must be combined with the principle offence.
135. If the appellants are liable to be convicted only for their individual acts then
- (a) Section 34 IPC can be invoked
 - (b) Section 34 IPC cannot be invoked
 - (c) Section 149 IPC can be invoked
 - (d) Section 149 IPC can not be invoked

136. The doctrine "volenti non fit injuria" is contained in
(a) Section 87 of IPC
(b) Section 88 of IPC
(c) Section 89 of IPC
(d) all the above
137. Right of private defence is not available
(a) To the aggressor
(b) To the person who is attacked
(c) To the aggressor against an act done in private defence by the person attacked
(d) Both (a) & (c)
138. For conspiracy, the minimum number of persons required is
(a) One
(b) Five
(c) Two
(d) No minimum requirement
139. The word "wrong" in a defence of insanity refers to
(a) A legal wrong
(b) A civil wrong
(c) A moral wrong
(d) Moral as well as legal wrong
140. When in the committing to theft, hurt or wrongful restraint is caused to the person, the offence is
(a) Extortion
(b) Robbery
(c) Dacoity
(d) Theft only
141. Lunacy is a good defence
(a) If the act was committed during the period when the person was sound mind
(b) If the act was committed during the period when the person was of unsound mind
(c) Irrespective of the lucid or non-lucid intervals of the concerned person
(d) None of the above
142. The Information Technology (Amendment) Act, 2008 (10 of 2009) with effect from 27 October 2009 which amended the Indian Penal Code in section 464, substituted "Electronic Signature" for
(a) Digital Signature
(b) Documentary Evidence
(c) Digital Certificate
(d) Electronically certified signature
143. Removal of ornaments from the body of one after causing his death is
(a) Robbery
(b) Theft
(c) Cheating
(d) An offence under section 404

144. The limit of solitary confinement is dealt with in
(a) Section 74 of IPC
(b) Section 75 of IPC
(c) Section 73 of IPC
(d) Section 7 of IPC
145. 'X' puts jewels into a box belong to 'y' with the intention that they may be found in that box, and that this circumstance may cause Y to be convicted of theft. X has
(a) Charged Y for misappropriation of property
(b) Fabricated false evidence
(c) Prosecuted Y on the charge of theft
(d) None of the above
146. For an unlawful assembly under section 141 of IPC, the minimum number of persons required is
(a) Five
(b) Seven
(c) Ten
(d) Twenty
147. Causing of the death of child in the mother's womb is not homicide as provided under
(a) Explanation I to Section 299
(b) Explanation II to Section 299
(c) Explanation III to Section 299
(d) Explanation V to Section 300
148. The word takes in section 361 in IPC signifies
(a) Taking by force
(b) Taking by fraud
(c) Physical taking
(d) All the above
149. Use of violence by a member of assembly consisting of 12 persons, in furtherance of their common object will constitute
(a) Affray
(b) Assault
(c) Rioting
(d) Unlawful assembly
150. Dacoity is committed
(a) When two or more persons commit or attempt to commit robbery
(b) When five or more persons conjointly commit or attempt to commit robbery
(c) When robbery is committed with fire-arms or lethal weapons
(d) Which seven or more persons are engaged in extortion with arms
151. For an affray under section 159 of IPC the minimum number of person required is
(a) Five
(b) Two
(c) Four
(d) Seven

152. The words "socialist" and 'Secular' were inserted in the preamble by
- 15th Amendment of the Constitution
 - 39th Amendment of the Constitution
 - 42nd Amendment of the Constitution
 - 44th Amendment of the Constitution
153. In which of the following cases did the Supreme Court hold that an amendment of the Constitution under Article 368 was law within the meaning of Article 13
- Golaknath V. State of Punjab
 - Sajjan Singh V. State of Rajasthan
 - Shankari Prasad V. Union of India
 - Keshvanadna Bharti V. State of Kerala
154. In Keshvananda Bharti V. State of Kerala it was held that
- Under the amended Article 368, all provisions of the constitution including those enshrined fundamental rights could be amended
 - Fundamental rights cannot be amended
 - Fundamental Rights have the primacy and supremacy than any of the provisions of the Constitution
 - None of the above.
155. Besides the right to equality of opportunity in general terms, Article 16 (2) prohibits discrimination against a citizen on the following grounds except.
- Religion
 - Caste
 - Sex
 - Education
156. To practice any profession or to carry on any occupation, trade or business under Article 19 (1) (g), dealing in intoxicants is
- A trade and legal
 - A trade but not legal
 - Not a trade and illegal
 - A trade as status varies according to the state.
157. The fundamental rights to life emanates from
- Article 21 and includes rights to die
 - Article 19 and does not include right to die
 - Article 19 and 20 and does not include rights to die
 - Article 21 and does not include right to die.
158. The doctrine of double jeopardy in Article 20 (2) means
- No one can be tried and punished more than once for the same offence
 - One can be tried several times for the same offence
 - Punishment once awarded cannot be enhanced in appeal or revision
 - One can be tried more than once but punished only once.
159. Article 25 guarantees to all persons equally
- Freedom of conscience and the right to freely profess, practice and propagate religion
 - Freedom of conscience and the right to freely profess
 - Freedom to profess, practice and propagate their religion
 - Freedom of religion

160. Article 29 guarantees the right to preserve one's own culture, language, script and right to admission to State maintained or State aided educational institutions is guaranteed to
- Every citizen
 - Every person residing in India
 - All individuals, citizens and non-citizens
 - All sections of citizens residing in India, in regard to former right and to every citizen of India whether or not residing in India, in regard to latter.
161. Petitions to the Supreme Court under Article 32 are subject to the rule of Res judicata except
- Quo warranto
 - Habeas Corpus
 - Certiorari
 - Prohibition
162. Which among the following is not a fundamental Right :
- Right to strike
 - Right against exploitation
 - Right to equality
 - Right to freedom of religion
163. In which of the following cases did the Supreme Court of India hold that there was no reason to compel non smokers to be helpless victims of air pollution ?
- State of U. P. Vs. K. U. Ansari
 - Murli S. Deora Vs. Union of India
 - State of Punjab Vs. Raghubir chand Sharma
 - C. P. Anand Vs. Union of India
164. The president can be removed by the way of impeachment which can be made only
- By the Supreme Court
 - By the Rajya Sabha
 - By the member of Lok Sabha and Rajya Sabha
 - Cannot be impeached
165. The president of India is
- Commander-in-chief of Defence Forces
 - Supreme Commander of Armed Forces
 - Head of the Government
 - Supreme Commander of Defence Forces of the Union and Executive Head of the Union
166. On the proclamation of emergency under Article 352 (1), the fundamental right guaranteed in the Article 19 becomes automatically suspended by virtue of Article 358. Additionally the president may by order under Article 359 (1) suspend.
- All or any of the fundamental Rights
 - The enforcement of all or any of the fundamental rights as specified in the order
 - The enforcement of all or any of fundamental rights as specified (except Articles 20 and 21)
 - The enforcement of all or any of fundamental rights specified in his order except Article 21.

- 167. To Proclamation issued under Article 356, empowers the President
 - (a) To assume himself all or any of the functions of the Government of the state and all or any of powers vested in or exercisable by the Governor of the state or any body or authority of the state
 - (b) To declare that powers of the legislature of the state shall be exercisable by or under the authority of parliament
 - (c) Both (a) and (b) above
 - (d) None of the above

- 168. The central Government can assign any function of the states
 - (a) On the directive of the President
 - (b) On the recommendation of parliament
 - (c) At any time it wished to do so
 - (d) With the consent of the state Government

- 169. Under the federal system
 - (a) All powers are concentrated with the units of federation which pass on some powers of common interest to the Federal Government
 - (b) All powers are concentrated in the Federal Government
 - (c) Powers are divided between the Central and provincial Governments
 - (d) Powers are bifurcated between the Centre and units on the basis of periodic referendum.

- 170. The Constitution ensures
 - (a) An absolute federation
 - (b) A union
 - (c) Unitary form of government
 - (d) Quasi- federal government

- 171. The Indian parliament has the power to
 - (a) Form a new state by separation of territory from any state or by uniting two or more states
 - (b) Increase or diminish the area of any state
 - (c) Alter the boundaries of any state
 - (d) All of the above

- 172. Under the doctrine of immunity of instrumentality
 - (a) Union and states cannot tax each other's properties
 - (b) Union cannot levy taxes on the states
 - (c) Union cannot levy custom duty on the state
 - (d) None of the above

- 173. Union parliament has the power to legislate on the subjects of all three lists in respect of
 - (a) Scheduled areas
 - (b) Hill areas
 - (c) Backward areas
 - (d) Union Territories

174. A member of the state public service commission can be removed on the grounds of misbehaviour only after the enquiry has been held by
- (a) Joint parliamentary committee
 - (b) Supreme Court of India
 - (c) High Court of the concerned State
 - (d) Committee Constituted by the Governor of the state
175. Who nominates the Chairman of Public Accounts Committee of Indian Parliament
- (a) Prime Minister
 - (b) President
 - (c) Speaker of Lok Sabha
 - (d) Chairman of Rajya Sabha
176. Which of the following committees of parliament is concerned with the regularity and economy of expenditure of the Government
- (a) Public Accounts Committee
 - (b) Estimates Committee
 - (c) Committee on public undertaking
 - (d) All of the above
177. Panchayats were given constitutional status by
- (a) 72nd amendment
 - (b) 73rd Amendment
 - (c) 74th Amendment
 - (d) None of the above.
178. The concept of Directive Principle of State Policy is borrowed from
- (a) Germany
 - (b) France
 - (c) Ireland
 - (d) USA
179. Freedom under Article 19 are
- (a) Sacrosanct and inalienable
 - (b) Absolute without any restriction
 - (c) Subject to reasonable restriction
 - (d) Both (a) & (c)
180. Right to work in India is
- (a) Fundamental right
 - (b) Directive principle
 - (c) Is not a fundamental right but it can be claimed after employment
 - (d) Constitutional duty
181. Which one of the following is not a Fundamental Right
- (a) Right of property
 - (b) Right to assemble peacefully
 - (c) Right to move freely throughout the country
 - (d) Right to constitutional Remedies

182. Fundamental duties under Article 51A is confined to
- (a) Prime Minister and his Council of Ministers
 - (b) Public servants
 - (c) All those who run public sector enterprise
 - (d) Citizens of India
183. The power of dissolve the Lok Sabha is vested with
- (a) President of India on the advise of Prime Minister
 - (b) Speaker of the Lok Sabha
 - (c) Council of Ministers
 - (d) Lt. Governors of the Union territories
184. The Constitutional authority vested with the power of declaring castes or tribes as scheduled castes or scheduled Tribes is the
- (a) Parliament
 - (b) Home Minister
 - (c) President of India
 - (d) Chairman of SC/ST Commission.
185. The powers of the President are
- (a) Beyond the Constitution
 - (b) In accordance with the constitution
 - (c) In accordance with the Parliament only
 - (d) Supra- constitutional
186. Members of Lok Sabha are elected by the way of
- (a) People's representation
 - (b) By the state legislature
 - (c) Nominations
 - (d) By electoral colleges
187. Money Bills can be
- (a) Invalid by Rajya Sabha
 - (b) Invalid by both the Houses
 - (c) Rajya Sabha can reject the money bills
 - (d) None of the above
188. Prorogation of the House means
- (a) A house has been brought in session
 - (b) The session of the house has been terminated
 - (c) The house itself stands terminated
 - (d) None of the above
189. The 42nd Amendment raised the term of Lok Sabha to
- (a) Five years
 - (b) Seven years
 - (c) Six Years
 - (d) Nine years

190. The minimum age to become member in the council of states is :
- (a) 25
 - (b) 30
 - (c) 35
 - (d) None of the above
191. Every judge of the Supreme Court including the Chief justice, unless resigned or removed earlier holds office till he attains the age of
- (a) 62 years
 - (b) 68 years
 - (c) 65 years
 - (d) 70 years
192. Planning commission is
- (a) Political body
 - (b) Statutory body
 - (c) Non-political body
 - (d) Quasi-political body
193. The minimum number of judges to sit on the constitution bench or on bench which gives its advisory opinion on the reference by the President must be
- (a) One half of the total strength of the supreme court
 - (b) Five
 - (c) Three
 - (d) One third of the total strength of the court
194. The salaries of the Judges of the Supreme Court of India
- (a) Can never be reduced under any circumstances
 - (b) Can be reduced during their term of office
 - (c) Cannot be reduced during the term of their office except during a financial emergency
 - (d) Are fixed by President of India
195. A person shall not be qualified for appointment as a judge of High Court unless, he is citizen of India and
- (a) Has held a judicial office in the territory of India for at least 10 years
 - (b) Has been an advocate of High Court for 10 years
 - (c) Has been distinguished jurist
 - (d) Has either held a judicial office for 10 years or has been an advocate of a High court for 10 years.
196. The Article of the Constitution which automatically becomes suspended on proclamation of emergency is
- (a) Article 14
 - (b) Article 19
 - (c) Article 21
 - (d) Article 32

197. Article 356 (4) a proclamation of emergency in the state ceases to operate automatically after
- (a) 1 months
 - (b) 3 months
 - (c) 6 months
 - (d) 6 months from the proclamation
198. The members of the state public service Commission hold office till they attain the age of
- (a) 65
 - (b) 62
 - (c) 58
 - (d) 60
199. The Chief Election Commissioner is
- (a) Elected by Parliament
 - (b) Appointed by Home Minister
 - (c) Appointed by Prime Minister
 - (d) Appointed by the President
200. Panchayats were given constitutional status
- (a) 72nd Amendment
 - (b) 73rd Amendment
 - (c) 74th Amendment
 - (d) None of the above

