

327

QUESTION PAPER BOOKLET CODE :

A

Question Paper Booklet No.

Roll No. :

--	--	--	--	--	--

Time allowed : 3 hours

Maximum marks : 100

Total number of questions : 100

Total number of printed pages : 24

Instructions :

1. Candidates should use blue/black ball point pen ONLY to fill-in all the required information in OMR Answer Sheet and this Question Paper Booklet.
2. OMR Answer Sheet cannot be taken out from the Examination Hall by the examinees and the same is required to be properly handed over to the Invigilator/Supervisory staff on duty and acknowledgement be obtained for doing so on the Admit Card before leaving the Examination Hall.
3. Candidates are required to correctly fill-in the Question Paper Booklet Code and the Question Paper Booklet No. (as mentioned on the top of this booklet) in the OMR Answer Sheet, as the same will be taken as final for result computation. Institute shall not undertake any responsibility for making correction(s) at later stage.
4. This Question Paper Booklet contain 100 questions. All questions are compulsory and carry ONE mark each. There will be negative marking for wrong answers in the ratio of 1 : 4, i.e., deduction of 1 mark for every four wrong answers.
5. Seal of this Question Paper Booklet MUST NOT be opened before the specified time of examination.
6. Immediately on opening of Question Paper Booklet, candidates should ensure that it contains 100 questions in total and none of its page is missing/misprinted. In case of any discrepancy, the booklet shall be replaced at once.
7. Each question is followed by four alternative answers marked as A, B, C and D. For answering the questions including those requiring filling-in the blank spaces, candidates shall choose one most appropriate answer to each question and mark the same in the OMR Answer Sheet by darkening the appropriate circle only in the manner as prescribed in the OMR Answer Sheet.
8. Darkening of more than one circle corresponding to any question or overwriting/cutting any answer(s) shall be taken as wrong answer for computation of result. Ticking/marking/writing of answer(s) in the Question Paper Booklet shall not be considered in any circumstance for award of marks. The Institute shall neither entertain any claim nor be liable to respond to any of the query in the aforesaid matter.
9. Rough work, if any, should be done only one the space provided in this Question Paper Booklet.
10. The Copyright of this Question Paper Booklet and Multiple Choice Questions (MCQs) contained therein solely vests with the Institute.

.....
(SIGNATURE OF CANDIDATE)

2/2017//LGL

ANSWERS MARKED IN THE OMR ANSWER SHEET SHALL ONLY BE EXAMINED**P.T.O.****A**

PART – A

1. Which one of the following has been covered under the definition of employee by the Payment of Gratuity (Amendment) Act, 2009, retrospectively with effect from 3rd April, 1997 ?
 - (A) Employees engaged in mines
 - (B) Teachers in educational institutions
 - (C) Employees engaged in ports
 - (D) Employees engaged in factories
2. Which one of the following emoluments is included in the definition of 'wages' under the Payment of Gratuity Act, 1972 ?
 - (A) Dearness Allowance
 - (B) Overtime Wages
 - (C) House Rent Allowance
 - (D) Bonus paid in cash
3. In case of dispute relating to admissibility of claim of gratuity under Payment of Gratuity Act, 1972 the employer shall issue a notice specifying reasons that why the claim for gratuity is not considered admissible to the :
 - (A) Applicant employee
 - (B) Nominee of the employee
 - (C) Legal heir of the employee
 - (D) All of the above
4. Which one of the following statements is *true* under the Payment of Gratuity Act, 1972 ?
 - (A) Where the services of an employee has been terminated for riotous and disorderly conduct owing to wilful omission or negligence, the gratuity will not be forfeited
 - (B) The important functionaries in the operation of the Payment of gratuity are the Controlling Authority and Appellate Authority
 - (C) In case of the death of the employee the gratuity will not be paid to his nominee
 - (D) The provisions of the Gratuity Act, 1972 shall extend to the whole of India except the State of Jammu and Kashmir

5. Which one of the following statements is false under the Payment of Gratuity Act, 1972 ?
- (A) The minimum number of employees required in an establishment for it to come under the purview of the Payment of Gratuity Act is 10
 - (B) When the large establishments have branches in more than one state in such case the Appropriate Government is the Central Government
 - (C) 'Retirement' means termination of the services of an employee otherwise than on superannuation
 - (D) In case of the payment of gratuity the completion of continuous service of five years is necessary where the termination of the employment of any employee is due to death or disablement
6. In an injury the workman, who was a carpenter, had amputated his left arm from elbow. It was held by the Supreme Court in *Pratap Narain Singh Deo Vs. Srinivas Sabata* that the carpenter cannot carry his work with one hand, it is a
- (A) total disablement
 - (B) partial permanent disablement
 - (C) temporary partial disablement
 - (D) partial disablement
7. Who of the following will not be treated as an employee under section 2(dd) of the Employees Compensation Act, 1923 ?
- (A) A railway servant not permanently employed in any sub-divisional office of a railway
 - (B) A captain or other member of the crew of an aircraft
 - (C) A person recruited for work abroad by a company
 - (D) A person working in the capacity of a member of the Armed Forces of the Union
8. As per section 23 of the Employees Compensation Act, 1923, the Commissioner shall have the powers of Civil Court under the Code of Civil Procedure, 1908 :
- (A) Taking evidence on oath
 - (B) Enforcing the attendance of witnesses
 - (C) Compelling the production of documents
 - (D) All of the above

9. Which one of the following will be included in the definition of 'wages' as given in section 2(1) of the Employees Compensation Act, 1923 ?
- (A) Travelling allowance
 - (B) Bonus
 - (C) Contribution paid by the employer towards provident fund
 - (D) Contribution paid by the employer towards pension fund.
10. As per section 18A no prosecution shall be instituted except by or with the previous sanction of the Commissioner and no court shall take cognisance of any offence under this section unless complaint is made of the date on which the alleged commission of offence comes to the knowledge of commission.
- (A) Within 1 month
 - (B) Within 3 months
 - (C) Within 6 months
 - (D) Within 12 months
11. Section 25A of the Employees Compensation Act, 1923 provides for the time limit for disposal of cases relating to compensation. Accordingly, the commissioner shall dispose of the matter relating to compensation within a period of from the date of reference and intimate the decision in respect thereof within the said period to the employee.
- (A) Within three months
 - (B) Within six months
 - (C) Within twelve months
 - (D) Within fifteen months
12. Which one of the following statements is false under the Employees Compensation Act, 1923 ?
- (A) This Act does not define the word 'disablement'
 - (B) To make the employer liable under this Act, it is necessary that the injury is caused by an accident which must be raised out of and in the course of business
 - (C) The employer shall not be liable of the injury caused to an employee does not result in disablement for a period exceeding three days
 - (D) The Civil Court shall have the jurisdiction to settle, decide or deal with any question which is by or under this Act required to be settled, decided or dealt with by a Commissioner or to enforce any liability incurred under the Employees Compensation Act, 1923

13. As per section 2(c) of the Factories Act, 1948 'child' means a person who has not completed his :
- (A) 14 years of age
 - (B) 15 years of age
 - (C) 16 years of age
 - (D) 18 years of age
14. Section 2(cb) of the Factories Act, 1948 defines the term 'Hazardous Process' as specified in First Schedule of the Act. This definition also provides that the State Government by notification in the Official Gazette may amend the First Schedule by way of :
- (A) Addition of any industry specified in the First Schedule
 - (B) Omission of any industry specified in the First Schedule
 - (C) Variation of any industry specified in the First Schedule
 - (D) Addition, omission and variation of any industry specified in the First Schedule
15. Under section 82 of the Factories Act, 1948 any unpaid wages due to the workers can be recovered as delayed wages under the provisions of the :
- (A) Minimum Wages Act, 1948
 - (B) Payment of Wages Act, 1936
 - (C) Industrial Disputes Act, 1947
 - (D) None of the above
16. The State Governments carryout the administration of the Factories Act, 1948 through :
- (A) Certifying surgeons
 - (B) Inspecting staff
 - (C) Safety officers
 - (D) All of the above
17. Consider the following statements under the provisions of Factories Act, 1948 :
- (i) As per section 9 an Inspector can enter any place which is used or which he has reasons to believe, is used as a factory.
 - (ii) Section 49 imposes statutory obligation upon the occupier of the factory to appoint Welfare Officer wherein 100 or more workers are ordinarily employed.
 - (iii) The minimum number of workers, required in a factory for the mandatory appointment of a Safety Officer should be more than 1000.
 - (iv) If any worker does not avail any earned leave entitled to him during the calender year, it can be carried forward to the next calender year subject to the maximum of 30 days for a child worker and 40 days for an adult worker.
- Select the *correct* answer from the options given below :
- (A) (i) and (ii)
 - (B) (i) and (iv)
 - (C) (ii) and (iv)
 - (D) (i) and (iii)

18. Section 97 of the Factories Act, 1948 lays down that if any worker employed in the factory contravenes the provisions of this Act or any rules or orders made thereunder imposing any duty or liability on workers, he shall be punishable with fine which may extend to Rs.

- (A) Rs. 500
- (B) Rs. 1,000
- (C) Rs. 5,000
- (D) Rs. 7,500

19. In case of employment of young persons under section 69 of the Factories Act, 1948 any fee payable for Certificate of Fitness shall be paid by

- (A) the person himself
- (B) the person's parents or guardian
- (C) the occupier of the factory
- (D) the trade union

20. Under the Factories Act, 1948 which one of the following part of the judgements was given by the Supreme Court in the case of Kanpur Suraksha Karmchari Union Vs. Union of India :

- (A) Every factory should have sufficient number of spittoons situated at convenient places.
- (B) Employees working in canteens in industrial establishment run by Managing Committee are not employees of the Managing Committee, but are employees of occupier.
- (C) In every factory wherein more than 30 workers are ordinarily employed, the facility of suitable room or rooms should be provided and maintained for the use of children under the age of six years of such women.
- (D) The first-aid facilities should be provided in the factories and they should be properly maintained and readily accessible during all working hours.

21. If a Question arises whether work performed in an establishment, under Contract Labour (Regulation and Abolition) Act, 1970, is of intermittent or casual nature, it will be decided by :
- (A) Appropriate Government
 - (B) Principal Employer
 - (C) Trade Union
 - (D) Contractor
22. The license issued to the contractor by the Licensing Officer under section 13 of the Contract Labour (Regulation and Abolition) Act, 1970, is valid for under the Central Rules.
- (A) One month
 - (B) Three months
 - (C) Six months
 - (D) Twelve months
23. Consider the following statements relating to liability of the principal employer as stated under section 20 of the Contract Labour (Regulation and Abolition) Act, 1970 :
- (i) If the prescribed amenities are not provided by the contractor within the prescribed time, then such amenities shall be provided by the principal employer.
 - (ii) If the prescribed amenities are not provided by the contractor than principal employer is not bound to provide such facilities.
 - (iii) If principal employer has provided the amenities it may be recovered from the contractor by deduction from any amount payable to the contractor under the contract.
 - (iv) If principal employer has provided the amenities it may be recovered as a debt payable by the contractor.
- Select the *correct* statements from the options given below :
- (A) (i), (ii) and (iii)
 - (B) (i), (iii) and (iv)
 - (C) (i), (ii) and (iv)
 - (D) (ii), (iii) and (iv)

24. In case of the revocation of registration of establishment under Contract Labour (Regulation and Abolition) Act, 1970 the Registering Officer shall require the approval of :
- Central Government
 - State Government
 - Appropriate Government
 - Labour Commissioner
25. Consider the following statements under the Maternity Benefit Act, 1961 :
- The object of this legislation correspond with the provisions contained in Article 39(e) and (f) of the Constitution of India.
 - Every employer shall prepare and maintain such register, records and muster-rolls in prescribed manner under the Act.
 - Section 5 of this Act is not related to the right of payment of the maternity benefit.
 - Employer shall not knowingly employ a woman in any establishment during the six weeks immediately following the day of her delivery, miscarriage or medical termination of pregnancy.
- Select the *correct* answer from the options given below :
- (i) and (iii)
 - (ii) and (iii)
 - (iii) and (iv)
 - (i) and (ii)
26. Which one of the following statements is incorrect as per the provisions of the Child Labour (Prohibition and Regulation) Act, 1986 ?
- The objectives of the Act are in consonance with the provisions of Article 24 and 39 of the Constitution of India
 - The Act extends to whole of India
 - Child Labour is the violation of the right of children as given under the Constitution of India
 - The Act prohibits the engagement of children below the age of fourteen years in factories and regulate their conditions of work in certain other employment
27. Section 7 of the Child Labour (Prohibition and Regulation) Act, 1986 provides that :
- No child shall be permitted or required to work between 7 p.m. and 8 a.m.
 - No child shall be required or permitted to work overtime
 - No child shall be required or permitted to work, in any establishment on any day on which he has already been working in another establishment
 - All of the above

28. Section 8 of the Child Labour (Prohibition and Regulation) Act, 1986 provides that every child employed in an establishment is entitled a holiday of one whole day in each week which will be specified in a notice permanently exhibited in a conspicuous place in the establishment. Such specified day shall not be altered by the occupier more than once in
- (A) One month
(B) Two months
(C) Three months
(D) Six months
29. Where any workmen is suspended by the employer pending investigation or inquiry into complaints or charges or misconduct against him, the employer shall pay to such a workman the subsistence allowance for the first 90 days :
- (A) 25% of the wages
(B) 50% of the wages
(C) 75% of the wages
(D) No wages to be paid
30. Any employer or workman can challenge an order given by the Certifying Officer and may file an appeal before the appellate authority :
- (A) Within 10 days from the date on which copies are sent to the employer and worker's representatives
(B) Within 15 days from the date on which copies are sent to the employer and worker's representatives
(C) Within 20 days from the date on which copies are sent to the employer and worker's representatives
(D) Within 30 days from the date on which copies are sent to the employer and worker's representatives
31. Which one of the following is a workman under Industrial Disputes Act, 1947 ?
- (A) A temple priest
(B) A medical representative
(C) A salesman who performs clerical work
(D) A Jailor of a prison

32. Out of the following which is not an industrial dispute under Industrial Disputes Act, 1947 :
- (A) Employer and Employer
 - (B) Employer and Workmen
 - (C) Workmen and Workmen
 - (D) Employer and Appropriate Government
33. Out of the following who is not a workman under the provisions of Industrial Disputes Act, 1947 :
- (A) Unskilled worker
 - (B) Skilled worker
 - (C) Cleaner in Air Force
 - (D) Supervisor
34. Which one of the following does not amount to strike but it is a serious case of misconduct under Industrial Disputes Act, 1947 ?
- (A) Stay-in
 - (B) Tool-down
 - (C) Pen-down
 - (D) Go-slow
35. Which of the following is not a designated authority for investigation and settlement of industrial disputes ?
- (A) Works Committee
 - (B) Dispute Tribunal
 - (C) Conciliation Officer
 - (D) Labour Court
36. Any workman who commences, continues or otherwise acts in furtherance of a strike which is illegal under Industrial Disputes Act, 1947 shall be punishable with imprisonment for a term which may extend to, or with fine which may extend to or with both.
- (A) one month; fifty rupees
 - (B) one month; one hundred rupees
 - (C) three months; two hundred rupees
 - (D) three months; three hundred rupees
37. Workers are entitled of wages for strike period only when :
- (A) The strike is legal and justified
 - (B) The strike is legal and unjustified
 - (C) The strike is justified or unjustified
 - (D) The strike is unjustified
38. As per section 30-A of the Industrial Disputes Act, 1947 any employer who closes down any undertaking without complying with the provisions of section 25-FFA shall be punishable with imprisonment for a term which may extend to or with fine which may extend to rupees or with both.
- (A) six months; five hundred
 - (B) six months; one thousand
 - (C) six months; five thousand
 - (D) six months; ten thousand

39. Under Section 2(g) of the Trade Union Act, 1926 a 'Trade Dispute' means any dispute between :

- (A) Employer and Workmen
- (B) Workmen and Workmen
- (C) Employers and Employers
- (D) All of the above

40. Consider the following statements under the Trade Unions Act, 1926 :

- (i) The Certificate of Registration issued by the Registrar to a trade union shall be conclusive evidence.
- (ii) Every registered trade union shall not be a body corporate.
- (iii) Every registered trade union shall have perpetual succession and a common seal.
- (iv) Every registered trade union can not sue but may be sued.

Select the *false* statement from the options given below :

- (A) (i) and (ii)
- (B) (ii) and (iii)
- (C) (ii) and (iv)
- (D) (i) and (iv)

41. To register a Trade Union, section 4 of the Trade Union Act, 1926 requires that the application for the registration of the Trade Union should be made by any :

- (A) Five or more members of a Trade Union
- (B) Seven or more members of a Trade Union
- (C) Eleven or more members of a Trade Union
- (D) Fifteen or more members of a Trade Union

42. Apprentice, as defined under section 2(aa) of the Apprentices Act, 1961 means :

- (A) A person who is undergoing the training of male nurse
- (B) A person who is learning the technical work under an expert technician
- (C) A person who is undergoing apprenticeship training in pursuance of a contract of apprenticeship
- (D) A person who is doing articleship/ working with a firm of company secretary

43. Which one of the following statements is incorrect under the Apprentices Act, 1961 ?
- (A) An apprentice to undergo apprenticeship training in a designated trade should enter into a contract of apprenticeship with the employer
 - (B) The apprenticeship training shall be deemed to have commenced on the date on which the contract of apprenticeship has been made
 - (C) The terms and conditions involved in the contract of apprenticeship should not be inconsistent with the provisions of this Act
 - (D) An Apprenticeship Adviser shall register the contract of apprenticeship within sixty days from the date of its receipt
44. Every apprentice undergoing apprenticeship training in a designated trade in an establishment under Apprentices Act, 1961 shall be :
- (A) a part time worker
 - (B) a full time worker
 - (C) a permanent worker
 - (D) a trainee
45. No apprentice shall be required to allow to work overtime except with the approval of the who shall not grant such approval unless he is satisfied that such overtime is in the interest of the training of the apprentice or in the public interest.
- (A) Employer
 - (B) Apprenticeship Adviser
 - (C) Supervisor of the Trade
 - (D) Manager
46. Small establishment as defined under section 2(e) of the Labour Laws (Simplification of Procedure for Furnishing Returns and Maintaining Registers by Certain Establishments) Act, 1988, means an establishment in which number of persons employed or were employed on any day of the preceding twelve months is :
- (A) Not less than eight and not more than twenty persons
 - (B) Not less than nine and not more than twenty persons
 - (C) Not less than ten and not more than forty persons
 - (D) Not less than twenty and not more than fifty persons

47. Which one of the following acts have been specified in First Schedule under section 2(d) of the Labour Laws (Simplification of Procedure for Furnishing Returns and Maintaining Registers by Certain Establishments) Act, 1988 ?
- (A) Payment of Wages Act, 1936
- (B) Factories Act, 1948
- (C) Payment of Bonus Act, 1965
- (D) All of the above
48. The Employees Provident Funds and Miscellaneous Provisions Act, 1952, a social welfare legislation for employees working in factories and other establishments, provides for the institution of :
- (A) Provident Fund and Pension Fund
- (B) Pension Fund and Deposit Linked Insurance Fund
- (C) Provident Fund and Deposit Linked Insurance Fund
- (D) Provident Fund, Pension Fund and Deposit Linked Insurance Fund
49. The contribution which shall be paid by the employer to the Employees Provident Fund under Employees Provident Funds and Miscellaneous Provisions Act, 1952 shall be :
- (A) 8% of the basic wages
- (B) 10% of the basic wages
- (C) 12% of the basic wages
- (D) 13% of the basic wages
50. The authorised officer under Employees Provident Funds and Miscellaneous Provisions Act, 1952 shall issue a certificate for recovery of amount due from the employer to the Recovery Officer. For effecting recovery, the Recovery Officer has got the powers :
- (A) To attach the property of the employer
- (B) To sell the property of the employer
- (C) Employer may be called for arrest and detention
- (D) All of the above

51. Section 17 of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 authorises the Appropriate Government to grant exemption to certain establishments or persons from the operation of all or any of the provisions of the scheme, such exemption may be granted :
- (A) By notification in the Official Gazette
 - (B) By the appropriate authority
 - (C) By employer of the establishment
 - (D) By notification in the Official Gazette subject to such conditions as may be specified therein
52. Which one of the following is the *correct* answer regarding the schemes signifying the social security benefits on workers and their dependants under the Employees Provident Funds and Miscellaneous Provisions Act, 1952 ?
- (A) The Employees Provident Fund Scheme, 1952
 - (B) The Employees Pension Scheme, 1995
 - (C) The Employees Deposit-Linked Insurance Scheme, 1976
 - (D) All of the above
53. Which one of the following will not be included in the definition of "employee" under Employees Provident Funds and Miscellaneous Provisions Act, 1952 ?
- (A) a part time employee
 - (B) a night watchman
 - (C) working partners drawing salaries or other allowances
 - (D) a sweeper working twice or thrice in a week
54. Which of the following is the *correct* answer regarding inclusion of an employee for the entitlement of bonus under the Payment of Bonus Act, 1965 ?
- (A) Any employee in any industry employed to do any unskilled work
 - (B) Any part time permanent employee working on fixed hours
 - (C) Any employee other than an apprentice
 - (D) All of the above
55. As per section 11 of the Maternity Benefit Act, 1961 every woman delivered a child who returns to duty after such delivery shall, in addition to the interval for rest allowed to her, be allowed in the course of her delivery work two breaks of the prescribed duration for nursing the child until the child attains the age of :
- (A) 6 months
 - (B) 9 months
 - (C) 12 months
 - (D) 15 months

56. 'Establishment in Public Sector' under Payment of Bonus Act, 1965 means and includes a corporation in which not less than forty percent of its capital is held by :
- (A) The Government
 - (B) The Reserve Bank of India
 - (C) A corporation owned by the Government or the Reserve Bank of India
 - (D) All of the above
57. In which of the following cases the Supreme Court held that an employee suspended but subsequently reinstated with full back wages cannot be treated to be ineligible for bonus for the period of suspension under section 8 of the Payment of Bonus Act, 1965 ?
- (A) Project Manager Ahmedabad Project O.N.G.C. *Vs.* Sham Kumar Sahegal
 - (B) Pandian Roadways Corporation Ltd. *Vs.* Presiding Officer, Principal Labour Court
 - (C) State *Vs.* Sardar Singh Majithia
 - (D) H.P. State Electricity Board *Vs.* Ranjeet Singh
58. If any person contravenes any of the provisions of Payment of Bonus Act, 1965 or any rule made thereunder, he shall be punishable with imprisonment for a term which may extend to or with fine which may extend to or with both.
- (A) One month; 500 rupees
 - (B) Two months; 500 rupees
 - (C) Six months; 1,000 rupees
 - (D) Nine months; 1,000 rupees
59. Which one of the following statements is *not* correct as regards to the benefits of Labour audit ?
- (A) Compulsory Labour Audit will not ensure compliance of past defaults
 - (B) Labour Audit increases the social security to the Labour
 - (C) It will secure timely payment of wages to the Labour
 - (D) Timely payment of entitlements will reduce absenteeism in the organisation

60. Which one of the following is the *correct* part of the Constitution upon which the provisions of Equal Remuneration Act, 1976 are based ?
- (A) Fundamental Rights
(B) Directive Principles of State Policy
(C) Preamble
(D) Fundamental Duties
61. Which one of the following will not be included in the definition of "Appropriate Government" under Minimum Wages Act, 1948 ?
- (A) The Central Government
(B) The Municipal Administration
(C) The Railway Administration
(D) The State Government
62. Which one of the following will be included in the term 'wages' as defined under section 2(h) of the Minimum Wages Act, 1948 ?
- (A) House rent allowance
(B) Contribution by the employer to any pension fund
(C) Travelling allowance
(D) Gratuity payable on discharge
63. Where any employee is engaged in work on piece work for which minimum time rate and not a minimum piece rate has been fixed, wages shall be paid in terms of section 17 of the Minimum Wages Act, 1948 at :
- (A) Minimum time rate
(B) Guaranteed time rate
(C) Minimum piece rate
(D) Overtime rate
64. Which one of the following statements is *incorrect* as regards to Minimum Wages Act, 1948 ?
- (A) This Act extends to whole of India except the State of Jammu and Kashmir
(B) As per section 11 of the Act minimum wages shall be paid in cash
(C) In fixing minimum rates of wages in respect of any scheduled employment, the Appropriate Government can follow either of Committee Method or Notification Method
(D) Under section 12, payment of wages less than the minimum rates of wages notified by the Appropriate Government is an offence

65. As per section 2(11) industrial or other establishment means any :
- (A) Inland vessel mechanically propelled
 - (B) Plantation
 - (C) Oilfield
 - (D) All of the above
66. As per section 4 of the Payment of Wages Act, 1936 every person responsible for the payment of wages shall fix wage-periods in respect of which such wages shall be payable. No wage period shall exceed :
- (A) 21 days
 - (B) 1 month
 - (C) 2 months
 - (D) 3 months
67. Under section 25 of the Employees State Insurance Act, 1948 Employees State Insurance Corporation is empowered to appoint authorities well equipped with powers and functions. Which of the following are such authorities ?
- (A) Regional Boards
 - (B) Local Committees
 - (C) Regional and Local Medical Benefit Councils
 - (D) All of the above
68. Which one of the following is the false, statement under the provisions of Employees State Insurance Act, 1948 ?
- (A) Under section 46 of the Employees State Insurance Act, 1948, the insured person and their dependants are entitled to medical treatment
 - (B) No Civil Court has power to decide the matter falling within the purview of Employees Insurance Court
 - (C) An insured person is entitled to receive all the benefits for the same period at a time
 - (D) This Act ensures and protect the interest of workers in contingencies such as sickness, maternity, temporary or permanent physical disablement etc.
69. If the allocable surplus exceeds the amount of minimum bonus payable to the employees, the employer shall, in lieu of such minimum bonus, be bound to pay to every employee subject to a maximum of of such salary or wage.
- (A) 15%
 - (B) 20%
 - (C) 25%
 - (D) 30%
70. Which one of the following is *not* included in the definition of "Industrial Establishment" under Industrial Employment (Standing Order) Act, 1946 ?
- (A) An industrial establishment defined by section 2(11) of the Payment of Wages Act, 1936 or
 - (B) A factory as defined by section 2(m) of the Factories Act, 1948 or
 - (C) An institution established as statutory body under an Act of Parliament
 - (D) A railway as defined by section 2(4) of the Indian Railways Act, 1890

PART – B

71. By which Amendment the words “Secular and Socialist” were included in the preamble of the Constitution of India ?
- (A) 1st Amendment
(B) 6th Amendment
(C) 42nd Amendment
(D) 44th Amendment
72. Which of the following Articles of the Constitution of India prohibits to make criminal law having its retrospective effect ?
- (A) Article 20(1)
(B) Article 20(2)
(C) Article 21(1)
(D) Article 22
73. While interpreting the phrase “equality before law” contained in Art. 14 of the Constitution of India, the Supreme Court constantly maintained that equality means :
- (A) Absolute equality among human beings
(B) Equal treatment to all persons
(C) Equality of status in the preamble of the constitution
(D) Among equals, the law should be equal and should be equally administered
74. Which of the following statements is *not correct* ?
- (A) There shall be a Council of Ministers headed by the Prime Minister to aid and advise the President who shall act in accordance with such advice
(B) The President may require the Council of Ministers to reconsider such advice
(C) The President need not act in accordance with the advice tendered after such reconsideration
(D) The President shall act in accordance with the advice tendered after such reconsideration
75. Which of the following may be included in the term subordinate legislation ?
- (A) Executive Legislation
(B) Judicial Legislation
(C) Autonomous Legislation
(D) All of the above
76. Which one of the following rights recently has been included and declared as Fundamental Right under the Constitution of India by the Supreme Court ?
- (A) Right to equality
(B) Right against exploitation
(C) Right of privacy
(D) Right to constitutional remedies

77. Which one of the following is *not* included in the definition of 'Judgement Debtor' under section 2(10) of the Civil Procedure Code, 1908 ?

- (A) Any person against whom a decree has been passed
- (B) Any person against whom an order capable of execution has been passed
- (C) Any person against whom decree or order capable of execution has been passed
- (D) Any legal representative of a deceased judgement debtor

78. Original and Appellate jurisdiction under the provisions of the Civil Procedure Code, 1908 have been provided to :

- (A) Supreme Court
- (B) High Courts
- (C) District Courts
- (D) All of the above

79. In the case of it was held by the Supreme Court that the principle of 'Res Judicata' applies where an issue which has been raised in a subsequent suit was directly or substantially in issue in a former suit between the same parties and was heard and decided finally. Findings incidentally recorded do not operate as res judicata :

- (A) Gouri Naidu Vs. Thandrothu Bodemma
- (B) Madhvi Amma Bhawani Amma Vs. Kurjikutty P.M. Pillai
- (C) Mysore State E. Board Vs. Bangalore W.C. and S. Mills
- (D) Lonakutty Vs. Thomman

80. Which of the following is the *correct* answer as regards to the essentials of a decree passed under Civil Procedure Code, 1908 ?

- (A) There must be a formal expression of adjudication
- (B) There must be a conclusive determination of the right of parties
- (C) The adjudication should have been given in the suit
- (D) All of the above

81. Which one of the following remedies is not available to a defendant if an ex-parte decree is passed against him ? Such defendant may :
- File an appeal against ex-parte decree
 - File a suit for non-service of summons
 - Apply for setting aside the ex-parte decree
 - File an application for review of judgement
82. The main essentials of the suit under Code of Civil Procedure, 1908 are :
- The opposing parties and cause of action
 - The subject matter of the suit
 - The relief claimed
 - All of the above
83. In case of suits by or against minor under Code of Civil Procedure, 1908, a person can act as a next friend if he is :
- Major
 - Of sound mind
 - Not having any interest adverse to that of a minor residing in India
 - Fulfilling all the above requirements
84. Under section 59 of Criminal Procedure Code, 1973 a person arrested by a police officer shall be discharged :
- On his own hand
 - On bail
 - Under the special order of the Magistrate
 - On the basis of all or any one of them
85. As per section 43 of the Criminal Procedure Code, 1973 a private person may arrest or cause to be arrested by person who in his presence commits :
- a non-bailable offence
 - a cognizable offence
 - a proclaimed offender
 - All of the above
86. Consider the following statements :
- Mens rea is not an essential ingredient in :
- Cases not criminal in any real sense but which in the public interest are prohibited under a penalty.
 - Public nuisance.
 - Cases criminal in form but which are really a summary mode of enforcing a civil right.
 - Cases relating to statutory offence unless the statute expressly or by necessary implication excludes mens rea.
- Which of the statements given above are correct out of the following ?
- (i), (ii) and (iii)
 - (i), (ii) and (iv)
 - (ii), (iii) and (iv)
 - (i), (iii) and (iv)

87. Under which section of Criminal Procedure Code, 1973, a Magistrate can order to arrest a person ?
- (A) Section 38
(B) Section 40
(C) Section 41
(D) Section 44
88. For a suit to recover compensation for libel under clause 75 of Part VII — Suits relating to Tort — of the Schedule to the Limitation Act, 1963 the period of limitation is :
- (A) Three months
(B) Six months
(C) One year
(D) Three years
89. Which one of the following statements is *not* correct as regards to oral evidence ?
- (A) It must be direct in all cases
(B) All facts except the contents of documents may be proved by oral evidence
(C) The contents of documents must be stated orally
(D) Oral evidence must be direct as well as it should be related to facts
90. Facts forming part of the same transaction are known as :
- (A) Plea of Alibi
(B) Res Gestae
(C) Dying declaration
(D) Admission
91. Which of the following may be taken into account as internal aids to interpretation while interpreting a statute ?
- (A) Preamble
(B) Title
(C) Marginal notes
(D) All of the above
92. In which of the following cases the Supreme Court pointed out that the preamble may be legitimately consulted in case of any ambiguity arises in the construction of an Act and it may be useful to fix the meaning of the words used so as to keep the effect of the statute within its real scope ?
- (A) Kamalpura Kochunni *Vs.* State of Madras
(B) Powell *Vs.* Kempton Park Race Course Co.
(C) Burrakur Coal Co. *Vs.* Union of India
(D) Bishanbar Singh *Vs.* State of Orissa

93. Maxim "Damnum Sine injuria" means :
- (A) Damage without infringement of legal right
 - (B) Damage with infringement of legal right
 - (C) Infringement of legal right without damage
 - (D) Infringement of legal right with damage
94. In case of malicious prosecution, the plaintiff may claim damages for :
- (A) Injury caused to his reputation
 - (B) Injury caused to his person
 - (C) Injury caused to his property
 - (D) All of the above
95. A suit for recovery of possession under section 6 of Specific Relief Act, 1963 cannot be filed against :
- (A) Private Individual
 - (B) Company
 - (C) Government
 - (D) Firm
96. Which of the following sections deal with the recovery of possession of movable property ?
- (A) Sections 1 and 2
 - (B) Sections 3 and 4
 - (C) Sections 7 and 8
 - (D) Sections 9 and 10
97. Under section 10 of the Specific Relief Act, 1963 the specific performance of the contract cannot be granted :
- (A) If there is no concluded contract
 - (B) If there is concluded contract
 - (C) If the compensation in money is not an adequate relief
 - (D) If there exist no standard for ascertaining the actual damages
98. Which of the following is the preventive relief under the provisions of Specific Relief Act, 1963 ?
- (A) Injunctions
 - (B) Rescission of contracts
 - (C) Specific performance of contracts
 - (D) Declaratory decrees
99. Where the information requested concerning the life or liberty of a person, the same shall be provided within :
- (A) 48 hours
 - (B) 72 hours
 - (C) Three days
 - (D) Seven days
100. Public authority means and includes any authority or body or institution of self-government established or constituted :
- (A) By or under the Constitution
 - (B) By any other law made by Parliament or state legislature
 - (C) By notification issued or order made by the appropriate Government
 - (D) All of the above

327

: 24 :

Space for Rough Work