

QUESTION PAPER BOOKLET CODE : **A**

327

Question Paper Booklet No.

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Roll No. :

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Time Allowed : 3 hours

Maximum marks : 100

Total number of questions : 100

Total number of printed pages : 20

Instructions :

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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.
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4. This Question Paper Booklet contains 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.
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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.
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Space for Rough Work

PART – A

1. According to the Industrial Employment (Standing Orders) Act, 1946, the subsistence allowance payable to a workman for the first 90 days when he has been suspended pending enquiry against him is —
 - (A) 28% of wages
 - (B) 50% of wages
 - (C) 65% of wages
 - (D) 75% of wages.
2. Who is empowered to fix minimum rates of wages in the manner prescribed under the Minimum Wages Act, 1948 —
 - (A) Competent authority
 - (B) Appropriate authority
 - (C) Appropriate government
 - (D) All of the above.
3. The appropriate government is empowered under section 7 of the Equal Remuneration Act, 1976 to appoint the authorities for hearing and deciding the claims and complaints not below the rank of —
 - (A) Labour Commissioner
 - (B) Labour Officer
 - (C) Labour Inspector
 - (D) Assistant Labour Commissioner.
4. Under section 74 of the Employees' State Insurance Act, 1948, who is empowered to constitute an Employees' Insurance Court —
 - (A) Central government
 - (B) State government
 - (C) Appropriate government
 - (D) All of the above.
5. Under the Payment of Bonus Act, 1965, who shall be entitled for bonus to be paid by the employer in an accounting year :
 - (1) Every employee
 - (2) Every employee who has worked for not less than thirty working days in that year
 - (3) Even a suspended employee, whose suspension is ultimately set aside later on
 Which of the above is/are correct —
 - (A) Only (1)
 - (B) (1) and (2) only
 - (C) (2) and (3) only
 - (D) (1) and (3) only.
6. Under section 13 of the Payment of Gratuity Act, 1972, 'gratuity' is exempted from attachment in execution of any decree or order of any :
 - (1) Civil court
 - (2) Revenue court
 - (3) Criminal court
 Which of the above is incorrect —
 - (A) Only (1)
 - (B) Only (2)
 - (C) Only (3)
 - (D) None of the above.
7. The first aid facilities to be provided and maintained by the contractor at every place where contract labour is employed by him is made mandatory in the Contract Labour (Regulation and Abolition) Act, 1970 under —
 - (A) Section 19
 - (B) Section 18
 - (C) Section 17
 - (D) All of the above.

8. A general manager of Railway comes within the definition of 'managing agent' under section 2(1)(e) of the Employees' Compensation Act, 1923 and, therefore, he may be termed as an employer. This view has been expressed by the Allahabad High Court in —
- (A) Baij Nath Singh v. O.T. Railway
(B) Soleman Bibi v. East India Company
(C) India General Navigation and Railway Company Ltd. v. Their Workmen
(D) None of the above.
9. Under section 5(3) of the Maternity Benefit Act, 1961 the maximum period for which any woman employee shall be entitled to maternity benefit is —
- (A) Six weeks
(B) Eight weeks
(C) Twelve weeks
(D) Twenty four weeks.
10. Prohibition of employment of children under section 3 of the Child Labour (Prohibition and Regulation) Act, 1986 shall not be applicable to —
- (A) Any workshop wherein any process is carried on by the occupier with the aid of his family
(B) Any school established by or receiving assistance or recognition from government
(C) Both (A) and (B) above
(D) Neither (A) nor (B).
11. Following are said to be 'Certifying Officer' under section 2(c) of the Industrial Employment (Standing Orders) Act, 1946 :
- (1) Labour Inspector
(2) Labour Commissioner
(3) Regional Labour Commissioner
- Which of the above is/are correct —
- (A) Only (1) and (2)
(B) Only (2) and (3)
(C) Only (1) and (3)
(D) All of the above.
12. Under section 2(d) of the Factories Act, 1948, 'young person' means a person who —
- (A) Is either an adult or an adolescent
(B) Has completed his eighteen years of age
(C) Is either a child or an adolescent
(D) All of the above.
13. Under the Apprentices Act, 1961 an 'apprentice' is a person who is —
- (A) Learner and is undergoing apprenticeship training in pursuance of a contract of apprenticeship
(B) An employee
(C) Both (A) and (B) above
(D) Neither (A) nor (B).
14. The Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 does not apply in relation to vacancies in following employment :
- (1) In agriculture and horticulture in any establishment in private sector
(2) Where the period of employment is less than six months
(3) In domestic services

- Which of the above is/are correct —
- (A) Only (1) and (2)
 (B) Only (1) and (3)
 (C) Only (2) and (3)
 (D) All of the above.
15. The Supreme Court of India taking note of various previous judicial decisions and exhaustively considering the scope of 'industry', evolved a new concept of the term 'industry' in 1978 in the following case —
- (A) State of Bombay v. Bombay Hospital Mazdoor Sabha
 (B) Bangalore Water Supply and Sewerage Board v. A. Rajappa
 (C) D.N. Banerji v. P.R. Mukherji
 (D) University of Delhi v. Ram Nath.
16. Under the Trade Unions Act, 1926 a registered trade union shall be a body corporate by the name under which it is registered and it :
- (1) Shall have perpetual succession
 (2) Shall have a common seal with power to acquire and hold the property
 (3) Shall have power to contract.
- Which of the above is incorrect —
- (A) Only (1)
 (B) Only (2)
 (C) Only (3)
 (D) None of the above.
17. Under section 7B of the Industrial Disputes Act, 1947 one or more 'National Tribunals' may be constituted for adjudication of industrial disputes which are of such nature that industrial establishments situated in more than one states are likely to be interested in, or affected by, such disputes. National Tribunal may be constituted by —
- (A) Central Government
 (B) Affected parties
 (C) Appropriate government
 (D) All of the above.
18. According to the definition of 'factory' given in section 2(m) of the Factories Act, 1948, which of the following is not included in the term 'factory' —
- (A) Mines
 (B) Railway running sheds
 (C) Hotels, restaurants and eating places
 (D) All of the above.
19. Provision of penalty for employing any child or permitting any child to work in contravention of the provisions of section 3 of the Child Labour (Prohibition and Regulation) Act, 1986 is given in —
- (A) Section 13
 (B) Section 14
 (C) Section 15
 (D) Section 18.
20. In which of the following cases a Division Bench of the Supreme Court held that whether the strike is legal or illegal, the employees are not entitled for wages for the period of strike —
- (A) Management of Churakulam Tea Estate (P) Ltd. v. The workmen
 (B) Bank of India v. T.S. Kelawala
 (C) Crompton Greaves Ltd. v. Its Workmen
 (D) All of the above.

21. Under the Apprentices Act, 1961 every trade apprentice undergoing apprenticeship training shall have :

- (1) To attend practical and instructional classes regularly
- (2) To carry out all lawful orders of his employer and superiors in the establishment
- (3) To carry out his obligations under the contract of apprenticeship.

Which of the above is/are correct —

- (A) Only (1) and (2)
- (B) Only (2) and (3)
- (C) Only (1) and (3)
- (D) (1), (2) and (3).

22. According to section 2(g) of the Trade Unions Act, 1926, trade dispute means any dispute between :

- (1) Employer and workmen
- (2) Workmen and workmen
- (3) Employer and public servant

Which of the above is/are correct —

- (A) Only (1) and (2)
- (B) Only (2) and (3)
- (C) Only (1) and (3)
- (D) All of the above.

23. The word 'premises' under section 2(m) of the Factories Act, 1948 is a generic term meaning open land or land with buildings or buildings alone. The legislature had no intention to discriminate between workers engaged in manufacturing process in a building and those engaged in such a process on an open land. Thus, the salt works, in which the work done is of conversion of sea water into crystals of salt, come within the meaning of the word

'premises'. It was observed by the Supreme Court of India in the case of —

- (A) Ardeshir H. Bhiwaniwala v. State of Bombay
- (B) Bharati Udyog v. Regional Director E.S.I. Corporation
- (C) Both (A) and (B) above
- (D) Neither (A) nor (B).

24. Certified standing orders become part of the statutory and not contractual terms and conditions of service and are binding on both the employer and the employees. This view was expressed by the court in the matter of —

- (A) Mohan Raj v. Regional Provident Fund Commissioner
- (B) Bihar State Electricity Board v. Their Workmen
- (C) Derby Textiles Ltd. v. Karmchari and Shramik Union
- (D) All of the above.

25. As per section 5 of the Trade Unions Act, 1926, where a trade union has been in existence for more than one year before the making of an application for its registration, which of the following shall be delivered to the Registrar, together with the application —

- (A) A general statement of the assets and liabilities of the trade union
- (B) A general statement of the income and expenditure of the trade union
- (C) A general statement of the profit and loss of the trade union
- (D) A general statement of the balance sheet of the trade union.

26. One of the schemes of the Payment of Bonus Act, 1965 is to prescribe the maximum and minimum rates of bonus together with the scheme of 'set-off' and 'set-on'. It was set by Justice Shah of the Supreme Court in the matter of —
- (A) Mumbai Kamgar Sabha v. Abdulbhai Faizullabhai
 (B) Jalan Trading Co. (Pvt.) Ltd. v. Mill Mazdoor Sabha
 (C) Both (A) and (B) above
 (D) Neither (A) nor (B).
27. Factory is a premise where a manufacturing process is carried on. The process undertaken in zonal station, sub-stations and electricity generating stations, transforming and transmitting electricity generated at the power stations does not fall within the definition of manufacturing process as the workmen employed therein have no part in any manufacturing process. This view was expressed by the Supreme Court of India in —
- (A) U.P. Electricity Supply Co. v. The workmen of U.P. Electricity Supply Co.
 (B) Workmen of Delhi Electric Supply Undertaking v. Management of D.E.S.U.
 (C) Agra Electric Supply Co. Ltd., Agra v. Workmen of Agra Electricity Co. Ltd.
 (D) None of the above.
28. The legality of a strike is determined —
- (A) With reference to the legal provisions enumerated in the Industrial Disputes Act, 1947
 (B) With reference to the purpose for which the strike was declared
 (C) On the basis of its justification, *i.e.*, fairness and reasonableness of demands made by workmen declaring strike
 (D) None of the above.
29. According to the Payment of Bonus Act, 1965, 'bonus' should be paid to employees within —
- (A) One month from the close of the accounting year
 (B) Three months from the close of the accounting year
 (C) Eleven months from the close of the accounting year
 (D) Eight months from the close of the accounting year.
30. The provision relating to mode of registration of trade union is given in —
- (A) Section 3 of the Trade Unions Act, 1926
 (B) Section 4 of the Trade Unions Act, 1926
 (C) Section 6 of the Trade Unions Act, 1926
 (D) Section 7 of the Trade Unions Act, 1926.

31. Gratuity is payable to an employee engaged in factories, mines, oil fields, *etc.*, if he has rendered continuous service for not less than five years on his —
 (A) Superannuation
 (B) Retirement
 (C) Resignation
 (D) All of the above.
32. Every occupier of factory shall ensure, so far as is reasonably practicable, the health, safety and welfare of all workers while they are at work in the factory. In which of the following sections of the Factories Act, 1948 has it been provided —
 (A) Clause (1) of section 7A
 (B) Clause (a) of section 7B
 (C) Both (A) and (B) above
 (D) Neither (A) nor (B).
33. Section 3 of the Employees' Compensation Act, 1923 deals with employer's liability for compensation. But employer's liability to pay compensation is limited and it depends on certain conditions :
 (1) There must be a personal injury caused to an employee due to an accident
 (2) The accident must have arisen 'out of' and 'in the course of' employment
 (3) The injury which does not result in death of the employee or in his total or partial disablement for a period not exceeding three days.
 Which of the above is incorrect —
 (A) Only (1)
 (B) Only (2)
 (C) Only (3)
 (D) None of the above.
34. Which of the following is a 'Scheduled Act' as per First Schedule of the Labour Laws (Exemption from Furnishing Returns and Maintaining Registers by Certain Establishments) Act, 1988 —
 (A) The Trade Unions Act, 1926
 (B) The Payment of Bonus Act, 1965
 (C) The Minimum Wages Act, 1948
 (D) The Maternity Benefit Act, 1961.
35. The Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 provides for :
 (1) Compulsory notification of vacancies by the employers to employment exchanges
 (2) Submission of employment returns by the employers in prescribed manner to the employment exchanges
 (3) Recruitment of persons through the employment exchanges only to fill any vacancy
 Which of the above is/are correct —
 (A) Only (1) and (2)
 (B) Only (2) and (3)
 (C) Only (1) and (3)
 (D) All of the above.
36. Provision of penalty for permitting double employment of a child by parents or guardians has been stipulated in the Factories Act, 1948 under —
 (A) Section 93
 (B) Section 95
 (C) Section 96
 (D) Section 99.

37. According to the Industrial Disputes Act, 1947, no workman or employer or trade union shall commit any 'unfair labour practice'. Any person who commits any 'unfair labour practice' shall be punishable with imprisonment and fine as per provisions of —
- (A) Section 25T
(B) Section 25U
(C) Section 26(1)
(D) Section 26(2).
38. According to section 3 of the Apprentices Act, 1961, a person shall be qualified for being engaged as an apprentice to undergo apprenticeship training in any designated trade if such person :
- (1) Is not less than 18 years of age
(2) Satisfies prescribed standard or education
(3) Satisfies prescribed physical fitness
- Which of the above is/are correct —
- (A) Only (1) and (2)
(B) Only (2) and (3)
(C) Only (1) and (3)
(D) All of the above.
39. The Contract Labour (Regulation and Abolition) Act, 1970 applies to every establishment or contractor wherein 20 or more workmen are or were employed as contract labour on any day of the preceding —
- (A) Fifteen months
(B) Fourteen months
(C) Sixteen months
(D) Twelve months.
40. The benefits of 'labour audit' to the labour are —
- (A) It increases their social security
(B) It inculcates in workers a sense of belongingness towards their employer
(C) It secures timely payment of wages, bonus, overtime and compensation, etc., of workers
(D) All of the above.
41. Under section 69 of the Factories Act, 1948 before employing a young person in the factory, a certificate has to be obtained from certifying surgeon that such young person is fit for that work in the factory. Who can apply for obtaining such fitness certificate :
- (1) Young person himself
(2) His parent or guardian
(3) Manager of the factory
- Which of the above is incorrect —
- (A) Only (1)
(B) Only (2)
(C) Only (3)
(D) None of the above.
42. According to section 3(h) of the Maternity Benefit Act, 1961, 'maternity benefit' means the payment referred under —
- (A) Section 5(1)
(B) Section 5(2)
(C) Section 5(3)
(D) None of the above.

43. Who shall be the Chairman of Site Appraisal Committee constituted by the State Government under section 41A of the Factories Act, 1948 —
- Inspector General of Police
 - Principal Secretary of Environment
 - Chief Inspector of the State
 - None of the above.
44. The Child Labour (Prohibition and Regulation) Act, 1986 seeks to achieve which of the following objectives :
- To ban the employment of children below 14 years of age in factories, mines and hazardous employments
 - To regulate the conditions of work of children in employment where they are not prohibited from working
 - To obtain uniformity in the definition of 'child' in the related laws.
- Which of the above is/are correct —
- Only (1)
 - Only (2)
 - Only (3)
 - All of the above.
45. The provision that no adult worker shall be allowed to work in a factory for more than forty eight (48) hours in any week, is made under which of the following sections of the Factories Act, 1948 —
- Section 51
 - Section 51A
 - Section 52
 - None of the above.
46. 'Malis' looking after the garden attached to the bungalows provided by the employer to its officers and directors are workmen even though their work is not directly concerned with the main work or operation of the industry. This was held by the Supreme Court of India in the case of —
- Pipraich Sugar Mills Ltd. v. Pipraich Sugar Mills Mazdoor Union
 - J.K. Cotton Spinning and Weaving Mills Co. Ltd. v. L.A.T.
 - Both (A) and (B) above
 - Neither (A) nor (B).
47. The Employees' State Insurance Act, 1948 provides for certain benefits to the employees in case of :
- Sickness
 - Maternity
 - Employment injury
- Which of the above is/are correct —
- (1) and (3) only
 - (2) and (3) only
 - (1) only
 - (1), (2) and (3).
48. The provision imposing obligation on the employer for not reducing wages of any employee either directly or indirectly to whom the scheme or insurance scheme applies is given in the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 under —
- Section 10
 - Section 11
 - Section 12
 - Section 13.

49. The object of the Industrial Employment (Standing Orders) Act, 1946 is to have uniform standing orders in respect of matters enumerated in the schedule to the Act, applicable to all workers irrespective of their time of appointment. This has been observed by the Supreme Court of India in —
- (A) Raj Ratna Sethi v. Ashok Bhasin
 (B) Barauni Refinery Pragatisheel Parishad v. Indian Oil Corporation Ltd.
 (C) State of Uttar Pradesh v. Arun Kumar Singh
 (D) None of the above.
50. According to section 4 of the Minimum Wages Act, 1948, any minimum rate of wages fixed or revised may consist of the following :
- (1) Basic rate of wages with or without the cost of living allowance
 (2) Basic rate of wages and a special allowance
 (3) All inclusive rate allowing for the basic rate
 (4) Cost of living allowance.
- Select the correct answer from the options given below —
- (A) (1) only
 (B) (1) and (2) only
 (C) (1), (3) and (4) only
 (D) (1), (2), (3) and (4).
51. Under the Industrial Disputes Act, 1947 the factors which may constitute the ground for 'lay-off' is refusal or inability to give employment due to following reasons :
- (1) Shortage of coal, power, raw materials
 (2) Breakdown of machinery
 (3) Financial stringency.
- Which of the above is incorrect —
- (A) Only (1)
 (B) Only (2)
 (C) Only (3)
 (D) None of the above.
52. The Factories Act, 1948 is a social legislation and it provides for the health, safety, welfare and other aspects of the workers employed in the factories. This view has been expressed by the Rajasthan High Court in the case of —
- (A) Sajjan Singh v. State of Rajasthan
 (B) State of Rajasthan v. Union of India
 (C) Ravi Shankar Sharma v. State of Rajasthan
 (D) None of the above.
53. "The committee appointed under section 5 of the Minimum Wages Act, 1948 is only an advisory body and the government is, therefore, not bound to accept its recommendations." This view is taken by the Supreme Court of India in —
- (A) Edward Mills Co. v. State of Ajmer
 (B) Andhra Pradesh Hotels Association v. Government of Andhra Pradesh
 (C) Both (A) and (B) above
 (D) Neither (A) nor (B).

54. The Employees' State Insurance Corporation shall be a body corporate under section 3 of the Employees' State Insurance Act, 1948. The other main feature(s) of the Employees' State Insurance Corporation is/are —
- It shall have perpetual succession
 - It shall have an uncommon seal
 - It can sue but cannot be sued in its own name
 - All of the above.
55. Travelling to and from the place of employment *prima facie* does not fall within the meaning of 'in the course of employment'. But, there may be a reasonable extension in both the time and place and an employee may be regarded as 'in the course of his employment' even though he had not reached or had left his employer's premises. This may be called under the Employees' Compensation Act, 1923 as —
- Valid extension of employment as well as employer's premises
 - Reasonable extension of employment as well as employer's premises
 - Notional extension of employment as well as employer's premises
 - None of the above.
56. Under section 18 of the Minimum Wages Act, 1948 maintenance of registers and records by the employer is —
- Mandatory
 - Optional
 - Mandatory as well as optional as the circumstances require
 - None of the above.
57. According to section 19 of the Employees' Compensation Act, 1923, in default of an agreement between the parties to arrive at a conclusion in respect of any claim to compensation, the Commissioner has jurisdiction to decide :
- The question as to whether a person injured is an employee
 - The liability of any person to pay compensation along with amount and duration of compensation
 - The nature and extent of disablement
- Which of the above is incorrect —
- Only (1)
 - Only (2)
 - Only (3)
 - None of the above.
58. As per section 2(ib) of the Payment of Wages Act, 1936 'employer' includes —
- Wife of a deceased employer
 - Sons and daughters of a deceased employer
 - Legal representative of a deceased employer
 - Only (A) and (B) above.
59. Which of the following is covered by the 1st category of dependent under the Employees' State Insurance Act, 1948 —
- A widow
 - A legitimate as well as illegitimate son who has not attained the age of twenty five years
 - An unmarried legitimate as well as illegitimate or adopted daughter
 - None of the above.

60. The provisions of 'penalty' for contravening any of the provisions of the Payment of Bonus Act, 1965 or for not complying the directions given under this Act are given under —
- (A) Section 27
(B) Section 28
(C) Section 29
(D) Section 30.
61. The principal objects of the Industrial Disputes Act, 1947 as analysed by the Supreme Court of India in *Workmen of Dimakuchi Tea Estate v. Dimakuchi Tea Estate* are :
- (1) The promotion of measures for securing and preserving amity and good relations between the employer and workmen
(2) The prevention of illegal strikes and lock-outs
(3) The prevention of collective bargaining
- Which of the above is/are incorrect —
- (A) Only (1)
(B) Only (2)
(C) Only (3)
(D) Only (1) and (2).
62. 'Wages' under section 2(vi) of the Payment of Wages Act, 1936 does not include :
- (1) Any sum to which the person employed is entitled under any scheme framed under any law for the time being in force
- (2) Any contribution paid by the employer to any pension or provident fund and the interest which may have accrued thereon
(3) Any travelling allowance or the value of any travelling concession
(4) Any additional remuneration payable under the terms of employment whether called bonus or by any other name.
- Which of the above is/are correct —
- (A) (1) and (2) only
(B) (2) and (3) only
(C) (3) and (4) only
(D) All of the above.
63. 'Triple Test' and 'Dominant Nature Test' for determination of industry were propounded by the —
- (A) Government of India
(B) Parliament of India
(C) Supreme Court of India
(D) All of the above.
64. Which kind of and to what extent disablement would be considered if absolute deafness is caused to an employee due to an accident in the course of employment under the Employees' Compensation Act, 1923 —
- (A) Temporary total disablement with 90 per cent loss of earning capacity
(B) Permanent total disablement with 90 per cent loss of earning capacity
(C) Permanent total disablement with 100 per cent loss of earning capacity
(D) None of the above.

65. For an employee to be insured under the Employees' State Insurance Act, 1948, it is mandatory that :

- (1) He must be employed in a factory or establishment to which this Act applies
- (2) Contribution must be paid by him towards 'insurance fund' through the employer
- (3) Employer is not liable to pay any sum of amount in 'insurance fund'

Which of the above statement is incorrect —

- (A) Only (1)
- (B) Only (2)
- (C) Only (3)
- (D) None of the above.

66. Section 7 of the Child Labour (Prohibition and Regulation) Act, 1986 stipulates that :

- (1) No child shall be permitted to work between 7 p.m. and 8 a.m.
- (2) No child shall be permitted to work overtime
- (3) No child shall be required to work in any establishment on any day on which he has already been working in another establishment.

Which of the above is incorrect —

- (A) Only (1)
- (B) Only (2)
- (C) Only (3)
- (D) None of the above.

67. While making recruitment for the same work or work of a similar nature, no discrimination shall be made by the employer against women except where the

employment of women in such work is prohibited or restricted under any law for the time being in force. This has been provided under the Equal Remuneration Act, 1976 in —

- (A) Section 4
- (B) Section 5
- (C) Section 8
- (D) None of the above.

68. The order making a reference under section 10(1) of the Industrial Disputes Act, 1947 is —

- (A) An administrative act
- (B) A judicial act
- (C) A quasi-judicial act
- (D) All of the above.

69. An employee, under section 9 of the Payment of Bonus Act, 1965 shall be disqualified from receiving bonus if he is dismissed from service for —

- (A) Strike
- (B) Riotous or violent behaviour while on the premises of the establishment
- (C) Fast unto death in favour of his demand
- (D) All of the above.

70. In an appeal against the order of the certifying officer under section 6 of the Industrial Employment (Standing Orders) Act, 1946, the appellate authority can —

- (A) Set aside the orders of certifying officer
- (B) Remand the matter to the certifying officer for fresh consideration
- (C) Both (A) and (B) above
- (D) Neither (A) nor (B).

PART – B

71. "Equality is a dynamic concept with many aspects and dimensions. From a positive point of view, equality is antithesis to arbitrariness. In fact, equality and arbitrariness are sworn enemies." This was observed by the Supreme Court of India in —
- (A) E.P. Royyappa v. State of Tamil Nadu
 (B) Maneka Gandhi v. Union of India
 (C) R.D. Shetty v. International Airports Authority
 (D) Suneel Jaitley v. State of Haryana.
72. Anticipatory bail under section 438 of the Code of Criminal Procedure, 1973 may be granted by —
- (A) Chief Judicial Magistrate
 (B) Sessions Judge
 (C) High Court
 (D) Either Sessions Judge or High Court.
73. A contract may not be specifically enforced where :
- (1) Compensation in money for non-performance would not be an adequate relief
 (2) Contract runs into minute or numerous details
 (3) Contract depends upon personal qualification of the parties
 (4) The contract is determinable.
- Which of the above is/are correct —
- (A) (1) and (4)
 (B) (2) and (3)
 (C) (2), (3) and (4)
 (D) (1), (2), (3) and (4)
74. Statement under section 32(1) of the Indian Evidence Act, 1872 contemplates statements :
- (1) By a person as to the cause of his death
 (2) By a person as to any of the circumstance of the transaction which resulted in his death
 (3) By a person under expectation of death
 (4) By a person as to likelihood of his death.
- Which of the above is/are correct —
- (A) (1) only
 (B) (2) and (3)
 (C) (1) and (2)
 (D) (4) only.
75. Which of the following statements regarding computing period of limitation is not correct under the Limitation Act, 1963 —
- (A) For an appeal or an application for leave to appeal, the requisite time for obtaining a copy of decree to be appealed from, shall be excluded
 (B) Where leave to sue or appeal as pauper is prosecuted, the time taken in disposing off such leave shall be excluded, to sue or appeal as pauper
 (C) For an application to set aside an award, the time taken in obtaining the copy of award shall be excluded
 (D) For appeal, time taken by the court to prepare a decree before application for obtaining the copy of decree to be appealed, shall be excluded.

76. A temporary injunction is granted under —
- Section 37(1) of the Specific Relief Act, 1963
 - Order 39, Rule 1 and 2 of the Code of Civil Procedure, 1908
 - Section 38(1) of the Specific Relief Act, 1963
 - Section 39 of the Specific Relief Act, 1963.
77. The Central Information Commissioner shall be appointed by —
- The President of India on the recommendation of the Council of Ministers
 - The President of India on the recommendation of a Committee consisting of the Prime Minister, Leader of Opposition in Lok Sabha, and one Union Minister nominated by the Prime Minister
 - The Prime Minister on the recommendation of Union Home Minister, Union Law Minister and Leader of Opposition in Lok Shabha
 - The Chief Justice of India on the recommendation of four senior Judges of the Supreme Court.
78. The very object of the interpretation of a statute or a document is —
- To be able to change the meaning according to solution
 - To understand the statute according to one's own comprehension
 - To ascertain what is the intention expressed by the words used
 - To infer guess of what is written.
79. The State Information Commission shall consist of —
- One Chief Information Commissioner, one Additional Chief Information Commissioner and not more than eight Information Commissioners
 - One Chief Information Commissioner, one Deputy Chief Information Commissioner and not more than ten Information Commissioners
 - One Chief Information Commissioner and not more than ten Information Commissioners
 - One Chief Information Commissioner and not more than six Information Commissioners.
80. The term 'warrant case' as defined in section 2(x) of the Code of Criminal Procedure, 1973 means an offence punishable with —
- Death, imprisonment for life or imprisonment for a term exceeding seven years.
 - Death, imprisonment for life or imprisonment for a term not exceeding two years.
 - Death, imprisonment for life or imprisonment for a term exceeding two years.
 - Death, imprisonment for life or imprisonment for a term not exceeding three years.

81. Where there are general words followed by particular and specific words, the general words must be confined to things of the same kind as those specified, unless there is a clear manifestation of a contrary purpose or meaning. This is known as the Rule of —
- (A) *Noscitur a Sociis*
 (B) *Expressio Unis Est Exclusio Alterius*
 (C) *Ejusdem Generis*
 (D) *Ut Res Magis Valeat Quam Pareat.*
82. An appeal cannot lie from —
- (A) An original decree passed *ex-parte*
 (B) Decree passed by consent of parties
 (C) Decree passed by Small Cause Court in a suit valued not exceeding ₹10,000
 (D) Appellate decree passed *ex-parte*.
83. Read the following statements and choose the correct answer :
- (1) Article 245 of the Constitution of India provides for extent of laws made by the Parliament and Legislature of a State.
 (2) As per Article 245(2) of the Constitution of India, any law made by Parliament shall be deemed to be invalid on the ground that it would have extra-territorial operation.
- Which of the above is/are correct —
- (A) Both (1) and (2) are correct
 (B) (1) is incorrect and (2) is correct
 (C) (1) is correct (2) is incorrect
 (D) Both (1) and (2) are incorrect.
84. The proclamation of the President of India under Article 356 is valid for a period of six months from the date of proclamation. A fresh proclamation can be issued to extend the life of it for a further period of six months but in no case such proclamation can remain in force beyond a consecutive period of —
- (A) Six months
 (B) One year
 (C) Two years
 (D) Three years.
85. The rule is that where once time of limitation has begun to run, no subsequent disability can stop it. The exception is —
- (A) A person entitled to make an application for execution of a decree becomes insane.
 (B) A person entitled to institute a suit is confined to bed.
 (C) A person entitled to institute a suit dies and legal representative is minor.
 (D) A suit is to be filed to recover a debt and letter of administration to the estate of the creditor is granted to his debtor.
86. Read the following and select the correct answer :
- (1) Where the act agreed to be done is such that compensation in money for its non-performance would not afford adequate relief, specific performance of contract is enforceable
 (2) The breach of a contract to transfer immoveable property cannot be adequately relieved by compensation in money
- Select the correct answer from the options given below —
- (A) (1) is correct, (2) is incorrect.
 (B) (2) is correct, (1) is incorrect.
 (C) Both (1) and (2) are correct.
 (D) Neither (1) nor (2) is correct.

87. The term 'cognizable offence' means an offence for which —
- (A) The punishment prescribed is imprisonment for a term of one year
 - (B) The punishment prescribed is imprisonment for a term exceeding two years
 - (C) A police officer may arrest the accused without warrant
 - (D) A police officer may arrest an accused with the permission of the court.
88. The Constitution makers recognised the right of the State to deprive a person of his life or personal liberty in accordance with fair, just and reasonable procedure established by law. This proposition was reiterated by the Supreme Court of India in —
- (A) A.K. Gopalan v. State of Madras
 - (B) Maneka Gandhi v. Union of India
 - (C) Bachan Singh v. State of Punjab
 - (D) T.V. Vatheeswaran v. State of Tamil Nadu.
89. A resides at Simla, B at Calcutta and C at Delhi. A, B, and C are together at Banaras. B and C make a joint promissory note payable at demand and delivered it to A. A wants to file a suit against B and C to recover the money. A can file it in the court at —
- (A) Banaras
 - (B) Calcutta
 - (C) Delhi
 - (D) Either at (A), (B), or (C) above.
90. A writ of *quo warranto* can be issued by the High Court to question —
- (A) Why did a subordinate court not exercise its jurisdiction
 - (B) Why did a subordinate court exceed its jurisdiction
 - (C) The legality of an order of a public authority
 - (D) Under what authority a person holds a public office.
91. Right to receive information under the Right to Information Act, 2005 is derived from —
- (A) Article 20 of the Constitution of India
 - (B) Article 19(1)(a) of the Constitution of India
 - (C) Article 21 of the Constitution of India
 - (D) Article 7 of the Constitution of India.
92. The latin doctrine *Ut Res Magis Valeat Quam Pareat* means —
- (A) The words used in a statute have to be construed in their ordinary meaning
 - (B) To give a sensible or reasonable meaning to the words
 - (C) Statutes are to be construed according to their plain and grammatical meaning
 - (D) A statute must be read as a whole.
93. Article 131 of the Constitution of India deals with —
- (A) Appellate jurisdiction of the Supreme Court of India
 - (B) Special leave to appeal by the Supreme Court of India
 - (C) Original jurisdiction of the Supreme Court of India
 - (D) Advisory jurisdiction of the Supreme Court of India.

94. The expression 'former suit' in section 11 of the Code of Civil Procedure, 1908 denotes a suit —
- Which has been instituted prior to the suit in question
 - Which has been instituted and decided prior to the suit in question
 - Which has been decided prior to the suit in question, whether or not it was instituted prior thereto
 - Both (B) and (C) above.
95. The Indian Evidence Act, 1872, provides that when one fact is declared by this Act to be conclusive proof of another, the court shall —
- Allow evidence to be given for the purpose of disproving it
 - On proof of one fact, regard the other as proved
 - Not allow evidence to be given for the purpose of disproving it
 - Both (B) and (C) above.
96. Where an instrument does not reflect the real intention of the parties because of fraud or mutual mistake, the remedy available to parties is to —
- Rectify the instrument
 - Rescind the instrument
 - Cancel the instrument
 - Amend the instrument.
97. Explanations are inserted in the provisions with the object —
- To explain the meaning of a particular provision
 - To remove doubts which might creep up in the absence of the explanation
 - To expand the meaning of the provision to which it is added
 - To understand the true meaning of the provision.
- Which of the above is/are correct —
- (1), (2), (3) and (4)
 - (1), (2) and (4)
 - (1), (2) and (3)
 - (1) and (2).
98. A search warrant shall not be issued by a Magistrate where —
- The court believes that a person summoned to produce any document or thing will not produce
 - Such document or thing is not known to the court to be in the possession of any person
 - Such a document or thing is in the custody of the postal authority
 - Where a general search is necessary.
99. An Ordinance promulgated by the President of India or Governor of a State will automatically cease to have effect at the expiry of _____ if it is not laid before the Parliament or State Legislature when it reassembled.
- Two weeks
 - Four weeks
 - Eight weeks
 - Six weeks.
100. A person dispossessed from immovable property without due course of law can file a suit under section 6 of the Specific Relief Act, 1963 to recover the same on the basis of —
- Title by ownership
 - On possessory title
 - Previous possession
 - Not entitled to file suit.

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