

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 : 24

Instructions :

1. Candidates should use blue/black ballpoint pen ONLY to fill-in all the required information in OMR Answer Sheet and this Question Paper Booklet.
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PART – A

1. Consider the following statements under the Factories Act, 1948 :
- An electronic data processing unit installed in a premises can be construed to make it a 'factory' even if no manufacturing process is being carried on in such premises
 - A company engaged in construction of railway line is a 'factory'
 - For computing the number of workers for the purpose of 'factory', all workers in different groups and relays in a day shall be taken into account
 - Hotels, eating places or restaurants are covered under the definition of 'factory'.
- Select the false statements from the options given below —
- (i) and (ii)
 - (ii) and (iii)
 - (iii) and (iv)
 - (iv) and (i).
2. Which one of the following will not be included in the list of legislations that may be brought under the ambit of labour audit —
- Payment of Wages Act, 1936
 - Payment of Bonus Act, 1965
 - Industrial Disputes Act, 1947
 - Apprentices Act, 1961.
3. The Employees' State Insurance Act, 1948 —
- Was enacted for the benefit of the employers
 - Has been amended by the Employees' State Insurance (Amendment) Act, 2010 for enhancing the social security coverage and better services to the beneficiaries
 - Applies to all factories including seasonal factories
 - Has been extended by many State Governments to shops and hotels employing 10 or more persons.
4. Which one of the following was not laid down as objective of the Industrial Disputes Act, 1947 in the case of Workmen of Dimakuchi Tea Estate v. Dimakuchi Tea Estate —
- Promotion of measures for securing health and social security of the workers
 - Prevention of illegal strikes and lock-outs
 - Promotion of collective bargaining
 - Investigation and settlement of disputes of industrial nature arising between the employers and employees.
5. Section 4 of the Maternity Benefit Act, 1961 provides that no employer shall knowingly employ a woman in any establishment for a period of _____ immediately following the day of her delivery, miscarriage or medical termination of pregnancy.
- Six weeks
 - Nine weeks
 - Three months
 - Six months.

6. Which one of the following injuries does not come under the definition of the term 'personal injury' according to the Employees' Compensation Act, 1923 —
- Nervous shock
 - Mental strain
 - Loss of money
 - Break-down.
7. Excluding provisions of section 22 of the Payment of Bonus Act, 1965, the bonus should be paid within a period of eight months. But on sufficient reasons the period may be extended. However, the total period so extended should not exceed —
- One year
 - Two years
 - Three years
 - Five years.
8. Which one of the following statements is false under the Minimum Wages Act, 1948 —
- The Act provides for fixation and revision of minimum wages of workers engaged in factories and establishments
 - Under this Act, both Central Government as well as State Governments are responsible in respect of scheduled employments within their jurisdictions
 - There is large scale variation of minimum wages, both within the country and internationally, owing to different factors
 - In case of any scheduled employment carried on by or under the authority of the Central Government or Railways administration, the Central Government is the appropriate government.
9. Under section 2 of the Apprentices Act, 1961, the term 'apprentice' means —
- A person who is a diploma holder and eligible for apprenticeship
 - A person who is an engineering graduate and eligible for apprenticeship
 - A person who is undergoing apprenticeship training in pursuance of a contract of apprenticeship
 - A person who is given training to learn the manufacturing process in the factory.
10. Consider the following statements under the Trade Unions Act, 1926 :
- Trade union is a mandatory organisation of workers pertaining to a particular trade, industry or company
 - Trade union is an unsuitable organisation for balancing and improving the relations between the employer and the employees
 - Every registered trade union is a body corporate by the name under which it is registered
 - Every registered trade union shall have perpetual succession and common seal.
- Select the false statements from the options given below —
- (i) and (ii)
 - (ii) and (iii)
 - (iii) and (iv)
 - (iv) and (i).

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11. Part-A of the Schedule to the Child Labour (Prohibition and Regulation) Act, 1986 does not include —
- (A) Handloom and powerloom industry
 - (B) Plastic units and fiberglass workshops
 - (C) Soldering processes in electronic industries
 - (D) Transport of passengers, goods or mails by Railways.
12. Gratuity payable under the Payment of Gratuity Act, 1972 is exempted from attachment in execution of any decree or order of —
- (A) Civil court
 - (B) Revenue court
 - (C) Criminal court
 - (D) All of the above.
13. The Industrial Disputes Act, 1947 is the legislation for —
- (A) Inquiry into the disputes between the workmen and outside persons
 - (B) Settlement of disagreements between the workers employed in the industries
 - (C) Investigation and settlement of all industrial disputes
 - (D) Adjudication of disputes of all civil and criminal nature related with workers employed in the industries.
14. Consider the following statements under the Minimum Wages Act, 1948 :
- (i) Payment for overtime work can be claimed only by the employees who are getting minimum rate of wages under the Act
 - (ii) Payment for overtime work cannot be claimed by the employees who are getting better wages
 - (iii) An employee shall receive wages for full normal working day even if his failure to work is caused by his unwillingness to work
 - (iv) The provisions of section 20(1) are applicable if there exists a dispute between the employer and the employee.
- Select the false statements from the options given below —
- (A) (i) and (ii)
 - (B) (ii) and (iii)
 - (C) (iii) and (iv)
 - (D) (iv) and (i).
15. Consider the following statements under the Payment of Wages Act, 1936 :
- (i) 'Employed person' does not include the legal representative of a deceased employed person
 - (ii) 'Industrial or other establishment' does not include tramway service or motor transport service engaged in carrying passengers or goods
 - (iii) 'Wages' does not include any bonus which does not form part of the remuneration payable under the terms of employment
 - (iv) 'Employer' includes the legal representative of a deceased employer.
- Select the false statements from the options given below —
- (A) (i) and (ii)
 - (B) (ii) and (iii)
 - (C) (iii) and (iv)
 - (D) (iv) and (i).

16. As per section 2(d) of the Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959, 'employment exchange' means any office or place established and maintained by the government for the collection and furnishing of information either by keeping of registers or otherwise in respect of —
- Persons who seek to engage employees
 - Persons who seek employment
 - Vacancies to which persons seeking employment may be appointed
 - All of the above.
17. Which of the following are objects of the Industrial Employment (Standing Orders) Act, 1946 :
- To enforce uniformity in the conditions of service under different employers in different industrial establishments
 - The employer, once having made the conditions of employment known to his employed workmen, cannot change them to their detriment
 - With the express or written conditions of employment, it is open for the prospective worker to accept them and join the industrial establishment
 - For maintaining industrial peace and continued productivity, significance of the written express conditions of employment cannot be minimised.
- Select the correct answer from the options given below —
- (i) and (ii)
 - (ii) and (iii)
 - (iii) and (iv)
 - All of the above.
18. To give effect to the provisions of the Constitution of India, the Parliament enacted the Equal Remuneration Act, 1976 based upon —
- Directive Principles of State Policy
 - Fundamental rights
 - Fundamental duties
 - Preamble.
19. Under section 46 of the Employees' State Insurance Act, 1948, the insured persons and their dependents are entitled to the following benefits at prescribed rate —
- Periodical payments to an insured woman in case of confinement or miscarriage or sickness arising out of pregnancy or confinement
 - Perpetual periodical payments to dependents of the insured person
 - Payment of funeral expenses on the death of insured person
 - Both (A) and (C) above.
20. As per the provisions of the Industrial Disputes Act, 1947, which one of the following is not a valid reason for an employer declaring lay-off —
- Shortage of coal, power and raw material
 - Accumulation of stocks
 - Break-down of machinery
 - Financial stringency.

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21. The Maternity Benefit Act, 1961 —

- (A) Regulates the employment of workers in factories, mines and other establishments
- (B) Is applicable to women employees and makes provisions to safeguard the interest of pregnant women workers
- (C) Is a welfare legislation and hence discloses the objectives of Directive Principles of State Policy enshrined in the Constitution
- (D) Both (B) and (C) above.

22. Consider the following statements under the Contract Labour (Regulation and Abolition) Act, 1970 :

- (i) Under section 11 of the Act, gazetted officers to be licensing officers are appointed by the Central Government
- (ii) The licence issued to a contractor is transferable
- (iii) A licence issued to a contractor may be revoked if it is found that it was obtained by misrepresentation or suppression of any material fact
- (iv) The aggrieved person may, within 30 days from the date on which the order is communicated to him, prefer an appeal to an Appellate Officer.

Select the correct statements from the options given below —

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

23. Consider the following statements under the Employees' Compensation Act, 1923 :

- (i) In case of temporary partial disablement, the employee's earning capacity in relation to other employment is not affected
- (ii) In case of permanent partial disablement, the disablement results in reduction in earning capacity in all employments
- (iii) 'Total disablement' incapacitates an employee for all work which he was capable of performing at the time of accident resulting in such disablement
- (iv) Loss of physical capacity is co-extensive with loss of earning capacity but loss of earning is not so co-extensive with loss of physical capacity.

Select the correct statements from the options given below —

- (A) (i), (ii) and (iii)
- (B) (ii), (iii) and (iv)
- (C) (iv), (i) and (ii)
- (D) All of the above.

24. Which one of the following statements is false relating to the Employees' Insurance Court under section 74 of the Employees' State Insurance Act, 1948 —

- (A) The Employees' Insurance Court is constituted by the State Government
- (B) The Court consists of such number of Judges as the Central Government gives directions to the State Government

- (C) A person who is or has been a Judicial Officer or a legal practitioner of 5 years standing is qualified to be a Judge of the Employees' Insurance Court
- (D) No Civil Court has power to decide the matters falling within the jurisdiction of the Employees' Insurance Court.
25. A strike or lock-out may not be illegal under the provisions of the Industrial Disputes Act, 1947 if —
- (A) It is declared in contravention of section 22 of the Act
- (B) It is declared in consequence of an illegal strike
- (C) It is continued in contravention of an order made under section 10(3) of the Act
- (D) It is commenced or declared in contravention of section 23 of the Act.
26. Which of the following statement(s) is/are false as per the Child Labour (Prohibition and Regulation) Act, 1986 —
- (A) As per Article 24 of the Constitution of India, a child below the age of 14 years may be employed in any factory, mine or any hazardous employment
- (B) Child labour is a concrete manifestation of violations of a range of rights of children and hence, is not recognised as a serious social problem in India
- (C) Under Article 21A of the Constitution of India, the State has been entrusted with the task of providing free and compulsory education to all the children in the age group of 6-14 years
- (D) Both (A) and (B) above.
27. Very small establishment as defined under section 2(f) 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 are not more than —
- (A) 8 Persons
- (B) 9 Persons
- (C) 10 Persons
- (D) 20 Persons.
28. As per section 1(3) of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952, the provisions of this Act are applicable to —
- (A) Establishments registered under the Co-operative Societies Act, 1912
- (B) Establishments registered under any law for the time being in force in any State relating to co-operative societies, employing less than 50 persons and working without the aid of power
- (C) Every establishment which is a factory engaged in any industry specified in Schedule-I and employing 20 or more persons.
- (D) Establishments set-up under any Central, Provincial or State Act and whose employees are entitled to the benefits of contributory provident fund or old age pension.

29. Section 96 of the Factories Act, 1948 provides that the wrongful disclosure of results of analysis done under section 91 of this Act shall be punishable with —
- Imprisonment which may extend upto 6 months
 - Imprisonment which may extend upto 6 months or fine upto ₹10,000 or both
 - Imprisonment which may extend upto 3 months or fine upto ₹10,000 or both
 - Imprisonment which may extend upto 3 months or fine upto ₹5,000 or both.
30. The Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 applies in relation to vacancies in any employment —
- In the public sector
 - Connected with the staff of Parliament
 - Proposed to be filled through promotion
 - To do unskilled office work.
31. Which one of the following statements is false under the Payment of Gratuity Act, 1972 —
- Application of this Act to an employed person depends on two factors. Firstly, he should be employed in an establishment to which the Act applies and; secondly, he should be an employee as defined in the Act
 - This Act applies to every shop or establishment in which twenty or more persons are employed
 - Every employee is eligible for gratuity irrespective of his wage level
 - 'Employee' includes teachers in educational institutions.
32. Under the Trade Unions Act, 1926, a certificate of registration may be withdrawn or cancelled by the Registrar —
- On application of the trade union
 - If the Registrar is satisfied that the certificate has been obtained by fraud
 - If the Registrar is satisfied that the trade union is continuing with requisite number of members
 - Both (A) and (B) above.
33. Section 3(3) of the Minimum Wages Act, 1948 provides that different minimum rates of wages may not be fixed for —
- Different scheduled employments
 - Same class of work in the same scheduled employments
 - Adults, adolescents, children and apprentices
 - Different localities.
34. Which one of the following statements is false under the Payment of Bonus Act, 1965 —
- The date of commencement of accounting year, once declared by the employer, can be changed by him with previous permission of the prescribed authority in writing
 - 'Award' means a judgment of the court in relation to rights and obligations of the employee or employer under the provisions of the Act
 - 'Corporation' means any body corporate established by or under any Central, Provincial or State Act but does not include a company or a cooperative society
 - All of the above.

35. Which one of the following is not included as an essential element in the definition of 'factory' under the Factories Act, 1948 —
- Premises
 - Ten or more workers on any day of the last 12 months where manufacturing process is being carried on with the aid of power
 - Manufacturing process which is being carried on in the premises
 - 'Mine' subject to the operation of the Mines Act, 1952.
36. The definition of 'industry' given in the Industrial Disputes Act, 1947 indicates that —
- There should exist a dispute or difference
 - The dispute or difference should be between employer and employee or workmen and workmen or employer and workmen
 - The dispute or difference should be connected with the employment or non-employment or terms of employment or the conditions of labour of any person
 - None of the above.
37. Consider the following statements regarding Employees' Deposit-Linked Insurance Scheme under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 :
- The Employees' Deposit-Linked Insurance Scheme, 1976 is applicable to all factories/establishments
 - The employees are not required to contribute to the insurance fund
 - The nomination made by a member under the employees' provident fund scheme is treated as nomination under this scheme
 - No factory or establishment can be granted exemption from this scheme.
- Select the correct statements from the options given below —
- (i) and (ii)
 - (ii) and (iii)
 - (iii) and (iv)
 - (iv) and (i).
38. Which one of the following statements is true under the Payment of Gratuity Act, 1972 —
- Where an establishment has branches in more than one State, the appropriate government in such a case is the Central Government
 - Where a factory belongs to or is under the control of the Central Government, the appropriate government in such a case is the State Government within whose territorial limits the factory is situated
 - A service is deemed to be continuous, in case of legal termination of service and subsequent re-employment
 - The number of days on which an employee has actually worked under an employer shall not include the days in case of a female on maternity leave.

39. Which one of the following statements is true under the Minimum Wages Act, 1948 —
- Under section 7, it is necessary that the Advisory Board must consist of representatives of any particular industry
 - Under section 9, 'independent person' means a person who is considered to be independent by the appropriate government
 - The Central Advisory Board consists of persons to be nominated by the Central Government and the State Governments
 - The Central Advisory Board is appointed for the purpose of advising the Central Government and the State Governments.
40. Which one of the following statements is true in relation to 'family' under the Employees' State Insurance Act, 1948 —
- An unmarried daughter who is wholly dependent on the earnings of the insured person is deemed to be in family up to the age of twenty one years
 - A child who is infirm by reason of any physical or mental abnormality and wholly dependent on the earnings of the insured person, is deemed to be in family up to the age of eighteen years
 - Dependent parents whose income from all sources does not exceed such income as may be prescribed by the Central Government are deemed to be in family
 - All of the above.
41. Under the Employees' Compensation Act, 1923 the 'theory of notional extension of employment' in case of personal injury to the employee means that —
- The personal injury must be caused by an accident
 - The injury must be caused in the course of employment
 - There must be nexus between the time and place of the accident and the employment
 - The employer shall not be liable if the employee at the time of accident was under the influence of drink or drugs.
42. Which one of the following statements is false under the Factories Act, 1948 —
- If a worker does not avail any earned leave entitled to him during the calendar year, it can be carried forward to the next calendar year
 - Any unpaid wages due to the workers can be recovered as delayed wages under the provisions of the Employees' Compensation Act, 1923
 - Where an adult worker has been allowed leave for not less than 4 days, wages due for the leave period should be paid in advance
 - 'Standard family' means a family consisting of a worker, his/her spouse and two children below the age of 14 years.

43. The definition of 'retrenchment' under the Industrial Disputes Act, 1947 includes —
- (A) Retirement of the workman on reaching the age of superannuation if the contract of employment contains a stipulation in this behalf
 - (B) Termination of service of the workman as a result of non-renewal of the contract of employment
 - (C) Termination of service of workman on the ground of continued ill-health
 - (D) None of the above.
44. Under the Maternity Benefit Act, 1961, every woman delivered of a child who returns to duty after such delivery shall be allowed —
- (A) Interval for rest as available to other workers
 - (B) Two breaks of prescribed duration for nursing the child
 - (C) In addition to interval for rest, two breaks of prescribed duration for nursing the child
 - (D) To take rest as and when she desires for nursing the child.
45. The Contract Labour (Regulation and Abolition) Act, 1970 deals with cognizance of offence under —
- (A) Section 26
 - (B) Section 27
 - (C) Section 28
 - (D) Section 29.
46. The Employees' State Insurance Act, 1948 lays down certain provisions to administer the affairs and general superintendence and control of the Employees' State Insurance Corporation through an executive body known as the —
- (A) Standing committee
 - (B) Medical benefit council
 - (C) Both standing committee and medical benefit council
 - (D) None of the above.
47. Under the Child Labour (Prohibition and Regulation) Act, 1986, which of the following statement is correct —
- (A) 'Child' means a person who has completed his fourteenth year of age
 - (B) 'Day' means a period of twenty four hours beginning at midnight
 - (C) 'Establishment' does not include a place of public amusement or entertainment
 - (D) 'Workshop' means any premises wherein any manufacturing process is carried on.
48. According to section 2(9) of the Employees' State Insurance Act, 1948, 'employee' means any person employed for wages in connection with the work of a factory or establishment and —
- (A) Who is employed by or through an immediate employer under the supervision of the principal employer
 - (B) Whose services are temporarily lent or let on hire to the principal employer
 - (C) Any person so employed whose wages exceed such wages as may be prescribed by the Central Government
 - (D) Both (A) and (B) above.

49. Which one of the following is not an essential ingredient for the definition of 'worker' under section 2(l) of the Factories Act, 1948 —
- (A) There should be an 'employed person'
 (B) Employment must be direct
 (C) Employment should be in any manufacturing process
 (D) Employment may be for remuneration or not.
50. Which one of the following statements is true under the Contract Labour (Regulation and Abolition) Act, 1970 —
- (A) The Act applies to every establishment in which forty or more workmen are employed or were employed on any day of the preceding twelve months as contract labour
 (B) The Act does not apply to establishments in which work only of an intermittent or casual nature is performed
 (C) The court shall decide as to whether work performed in an establishment is of an intermittent or casual nature
 (D) A workman cannot be deemed to be employed as contract labour without the knowledge of the principal employer.
51. Which of the following will not be treated as 'excluded employee' under the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 —
- (A) An employee being member of the fund has withdrawn full amount of his accumulation in the fund
 (B) An employee, being a member, whose pay exceeds fifteen thousand rupees per month
 (C) An apprentice
 (D) An employee working in factory and drawing pay not exceeding rupees fifteen thousand per month.
52. As per section 11 of the Maternity Benefit Act, 1961, every woman delivered of a child who returns to duty after such delivery, shall be allowed in the course of her daily work, breaks of the prescribed duration for nursing the child until the child attains the age of —
- (A) Nine months
 (B) Six months
 (C) Twelve months
 (D) Fifteen months.
53. As per section 2(i) of the Minimum Wages Act, 1948, which one of the following is not included in the definition of an 'employee' —
- (A) A person employed for hire or reward to do any work, skilled or unskilled
 (B) An outworker to whom any articles or materials are given out by another person for cleaning and washing purposes
 (C) An employee declared to be an employee by the appropriate government
 (D) Any member of armed forces of the Union.

54. Section 15 of the Payment of Wages Act, 1936 deals with claims arising out of deductions from wages or delay in payments, *etc.* The application of such claim —

- (A) Must be submitted by the aggrieved employee only
- (B) Cannot be presented by any official of the registered trade union
- (C) Shall be presented within three months from the date on which the deduction from the wages was made or from the date on which the payment of the wages was due to be made
- (D) May be admitted by the authority after the prescribed period of limitation on being satisfied by the sufficient cause.

55. Under the Industrial Employment (Standing Orders) Act, 1946 the Appellate Authority has no power to set aside the order of Certifying Officer. This was held in the case of —

- (A) Khadi Gram Udyog Sangh *v.* Jit Ram
- (B) Barauni Refinery Pragati Sheel Parishad *v.* Indian Oil Corporation Ltd.
- (C) Derby Textiles Ltd. *v.* Karamchari and Shramik Union
- (D) Indian Iron and Steel Co. Ltd. *v.* Ninth Industrial Tribunal.

56. Consider the following statements under the Factories Act, 1948 :

- (i) Only a member of the Board of directors of a company can be occupier of the factory of the company
- (ii) The ultimate control of factory owned by a company vests in the Board of directors

- (iii) The ultimate control of factory owned by a company which vests in the Board of directors can be vested in anyone else
- (iv) Company owning factory can nominate its employee as occupier of its factory.

Select the false statements from the options given below —

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

57. Consider the following statements under the Payment of Bonus Act, 1965 :

- (i) An employer is entitled to deduct *Puja* bonus or any customary bonus paid to the employee, from the amount of bonus payable to him in respect of that accounting year
- (ii) Where an employer has paid a part of the bonus payable to an employee before the date on which such bonus becomes payable, then the employer shall be entitled to deduct the amount of bonus so paid from the amount of bonus in respect of that accounting year
- (iii) Where an employee is found guilty of misconduct causing financial loss to the employer, deduction of such amount out of bonus payable is lawful.

Select the correct statements from the options given below —

- (A) (i) and (ii)
- (B) (ii) and (iii)
- (C) (iii) and (i)
- (D) All of the above.

58. Consider the following statements relating to 'strike' under the Industrial Disputes Act, 1947 :
- Strike cannot take place only when there is cessation of work or refusal to work by the workmen acting in combination or in a concerted manner
 - Time factor or duration of the strike is a material factor
 - The purpose behind the cessation of work is not relevant in determining whether there is a strike or not
 - It is enough if the cessation of work is in defiance of the employer's authority.
- Select the correct statements from the options given below —
- (i) and (ii)
 - (ii) and (iii)
 - (iii) and (iv)
 - (iv) and (i).
59. The Employees' Provident Funds and Miscellaneous Provisions Act, 1952 —
- Is enacted by the Parliament of India and is an important economic legislation
 - Provides for the establishment of Deposit Linked Insurance Fund and Employees' Insurance Court
 - Aims at providing social security and timely monetary assistance to industrial employees and their families when they are in distress
 - Is administered by the State Governments through the Employees' Provident Fund Organisation.
60. Under section 19 of the Employees' Compensation Act, 1923, the Commissioner is empowered and has jurisdiction over the following matters —
- Liability of any person to pay compensation
 - Whether a person injured is or is not an employee and the nature and extent of disablement
 - The amount or duration of compensation
 - All of the above.
61. Which one of the following cases is not related to 'employment injury' under the Employees' State Insurance Act, 1948 —
- Regional Director, E.S.I. Corpn. v. L. Ranga Rao
 - E.S.I. Corpn., Indore v. Babulal
 - Shyam Devi v. E.S.I.C.
 - Royal Talkies, Hyderabad v. E.S.I.C.
62. Consider the following statements under the Minimum Wages Act, 1948 :
- In relation to any scheduled employment, the State Government is deemed to be the appropriate government
 - A person who engages workers through another person, like a contractor, is not deemed to be an employer
 - 'Wages' does not include the value of any house accommodation but includes house rent allowance
 - 'Scheduled employment' means an employment specified in the schedule under the Act.

Select the false statements from the options given below —

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

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

- (i) Any seven or more members of a trade union may apply for registration of the trade union
- (ii) No trade union of workmen can be registered unless at least ten percent or one hundred of the workmen, whichever is less, engaged or employed in the industry with which it is connected are the members of such trade union, on the date of making application for registration
- (iii) A certificate of registration of trade union is not a conclusive evidence that the trade union is duly registered under the Act
- (iv) A registered trade union has no power to acquire and hold movable and immovable properties.

Select the false statements from the options given below —

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

64. In the case of Workmen of Delhi Electric Supply Undertaking v. Management of D.E.S.U. (1973), the Supreme Court held that —

- (A) The process undertaken in transforming and transmitting electricity generated at the power station falls within the definition of manufacturing process
- (B) The process undertaken in transforming and transmitting electricity generated at the power station does not fall within the definition of manufacturing process
- (C) Employment is a contract of service between the employer and employee whereunder the employee agrees to serve the employer subject to his control and supervision
- (D) Employment is a contract of service between the employer and employee whereunder the employer agrees to serve the employee subject to his control and supervision.

65. Consider the following statements under the Labour Laws (Simplification of Procedure for Furnishing Returns and Maintaining Registers by certain Establishments) Act, 1988 :

- (i) 'Employer' means the person who employs the workmen and includes the person designated as manager
- (ii) 'Small establishment' means an establishment in which not less than forty and not more than 100 persons are employed
- (iii) 'Very small establishment' means an establishment in which not more than nine persons are employed

- (iv) 'Establishment' includes an industrial or other establishment as defined in section 2 of the Payment of Wages Act, 1936.
- Select the false statements from the options given below —
- (A) (i) and (ii)
 (B) (ii) and (iii)
 (C) (iii) and (iv)
 (D) (iv) and (i).
- 66.** Under section 15(2) of the Payment of Wages Act, 1936 where contrary to the provisions of this Act any deduction has been made from wages of an employed person or any payment of wages has been delayed, an application may be made by _____ to the authority to hear claims.
- (A) Employed person himself
 (B) Any legal practitioner authorised in writing to act on his behalf
 (C) Any official of a registered trade union authorised in writing to act on his behalf
 (D) All of the above.
- 67.** Under the provisions of the Payment of Bonus Act, 1965, an employee shall be disqualified from receiving bonus, if he is dismissed from service for —
- (A) Fraud
 (B) Riotous or violent behaviour while on the premises of the establishment
 (C) Theft, misappropriation or sabotage of any property of the establishment
 (D) All of the above.
- 68.** The constitutional validity of section 3 of the Minimum Wages Act, 1948 was challenged in the case of —
- (A) Unichoyi v. State of Kerala
 (B) Nathu Ram Shukla v. State of Madhya Pradesh
 (C) Bijoy Cotton Mills v. State of Ajmer
 (D) Basti Ram v. State of Andhra Pradesh.
- 69.** Consider the following statements under the Apprentices Act, 1961 :
- (i) A minor cannot be engaged as an apprentice
 (ii) The employer cannot engage apprentices from other States
 (iii) The State Government has power to prescribe the number of apprentices to be engaged by the employer
 (iv) To make suitable arrangements for imparting a course of practical training to the apprentice is a moral duty of the employer.
- Select the correct statements from the options given below —
- (A) (i) and (ii)
 (B) (ii) and (iii)
 (C) (iii) and (iv)
 (D) None of the above.
- 70.** The Factories Act, 1948 —
- (A) Extends to the whole of India including the State of Jammu and Kashmir
 (B) Extends to the whole of India excluding the State of Jammu and Kashmir
 (C) Has absolute application to factories belonging to the Central Government only
 (D) Has absolute application to factories belonging to the State Governments only.

PART – B

71. The Constitution of India envisages —
 (A) Single polity but dual citizenship
 (B) Dual polity but single citizenship
 (C) Dual polity and dual citizenship
 (D) Single polity and single citizenship.
72. Which one of the following is not a correct statement as regards salient features of the Right to Information Act, 2005 —
 (A) The Act extends to the whole of India except Jammu and Kashmir
 (B) Its commencement day is 180 days from its enactment
 (C) It applies to the public authorities
 (D) All citizens shall have the right to information subject to the provisions of the Act.
73. Consider the following statements regarding FIR and power of investigation under the Code of Criminal Procedure, 1973 :
 (i) The basic rule is that FIR is lodged with the officer incharge of the police station within whose local jurisdiction the offence has been committed
 (ii) If the police officer refuses to record the information of offence, the aggrieved person may send it in writing to the superintendent of police concerned
 (iii) In cognizable offences, the police has no power of investigation without the order of the Magistrate
 (iv) The police officer has power to investigate in matters related to non-cognizable offences without the order of the Magistrate.
- Select the correct statements from the options given below —
 (A) (i) and (ii)
 (B) (ii) and (iii)
 (C) (iii) and (iv)
 (D) (iv) and (i).
74. As per section 115 of the Code of Civil Procedure, 1908, the High Court is empowered to call for the record of any case which has been decided by subordinate court in which no appeal lies thereto, wherein —
 (A) The subordinate court has exercised a jurisdiction not vested in it by law
 (B) The subordinate court has failed to exercise a jurisdiction so vested
 (C) The subordinate court has acted in exercise of its jurisdiction illegally or with material irregularity
 (D) All of the above.
75. Consider the following statements regarding the writ of *Habeas Corpus* under the Constitution of India :
 (i) It is a remedy available to every person who is confined without legal justification
 (ii) The power to issue this writ is available only to the Supreme Court
 (iii) The writ cannot be issued against a private person
 (iv) The words *Habeas Corpus* literally mean 'to have the body'.
- Select the false statements from the options given below —
 (A) (i) and (ii)
 (B) (ii) and (iii)
 (C) (iii) and (iv)
 (D) (iv) and (i).

76. Section 14 of the Limitation Act, 1963 provides for exclusion of time *bona fide* taken in a court without jurisdiction. For the relief under the said section consider the following conditions :

- (i) Plaintiff or applicant was prosecuting another civil proceedings against the defendant with due diligence
- (ii) Previous suit or application was not related to the same matter in issue
- (iii) Plaintiff or applicant was not prosecuting in good faith in that court
- (iv) Court was unable to entertain a suit or application on account of defect of jurisdiction.

Select the conditions which are not applicable from the options given below —

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

77. Consider the following statements under the Code of Criminal Procedure, 1973 :

- (i) A summon shall be served by a police officer or by an officer of the court or other public servant
- (ii) A summon is issued either for appearance or for producing a document or thing which may be issued to an accused person or witness
- (iii) A warrant of arrest must bear the name and designation of the person who is to execute it
- (iv) If any person against whom a warrant of arrest has been issued has absconded, the court may publish a proclamation requiring him to appear.

Select the false statements from the options given below —

- (A) (i), (ii) and (iii)
- (B) (ii), (iii) and (iv)
- (C) (iv), (i) and (ii)
- (D) None of the above.

78. The primary rule of interpretation is 'literal construction' according to which —

- (A) 'Acts' are not to be regarded as including anything which is not within their letter as well as spirit
- (B) If the particular words exhaust the whole genus, then the general words are construed as embracing a larger genus
- (C) The words, phrases and sentences of a statute are ordinarily to be understood in their natural, ordinary or popular and grammatical meanings unless such a construction leads to an absurdity
- (D) None of the above.

79. Under the Code of Civil Procedure, 1908, the court may grant temporary injunction where it is proved by affidavit or otherwise that —

- (A) Any property in dispute in a suit is in danger of being wasted, damaged or alienated by any party to the suit
- (B) Defendant threatens or intends to remove or dispose of his property with a view to defrauding his creditors
- (C) Defendant threatens to dispossess the plaintiff or otherwise cause injury to the plaintiff in relation to any property in dispute in the suit
- (D) All of the above.

80. The Specific Relief Act, 1963 —

- (A) Does not consolidate the whole law on the subject
- (B) Purports to lay down the law relating to specific reliefs in all its ramifications
- (C) Is not an Act to define and amend the law relating to specific relief
- (D) Both (A) and (B) above.

81. Regarding the reference to the statement of objects and reasons of a Bill of statute, it is a settled law that it can legitimately be referred to for a correct appreciation of :

- (i) What was the law before the disputed Act was passed
- (ii) What was the mischief or defect for which the law had not provided
- (iii) What remedy the legislature has intended
- (iv) The reasons for the statute.

Select the correct objects from the options given below —

- (A) (i), (ii) and (iii)
- (B) (ii), (iii) and (iv)
- (C) (iii), (iv) and (i)
- (D) All of the above.

82. Consider the following statements under the Code of Civil Procedure, 1908 :

- (i) 'Admission' means that one party accepts the case of the other party in whole or in part to be true
- (ii) Issue arises when a material proposition of fact or law is affirmed by one party and denied by the other

- (iii) Issues cannot be framed on the basis of documents produced by the parties
- (iv) The plaintiff has no right to begin unless the defendant admits the fact alleged by the plaintiff.

Select the false statements from the options given below —

- (A) (i) and (ii)
- (B) (ii) and (iii)
- (C) (iii) and (iv)
- (D) All of the above.

83. An employer is liable for the acts of independent contractors —

- (A) If the employer authorises independent contractor to commit a tort or illegal act
- (B) In torts of strict liability
- (C) For negligence of independent contractor
- (D) All of the above.

84. Which one of the following is not a 'sufficient cause' under section 5 of the Limitation Act, 1963 —

- (A) Time taken for obtaining certified copies of the decree of the judgment necessary to accompany the appeal or application
- (B) Ailment of a friend during which period the applicant or appellant was looking after him
- (C) Imprisonment of the party or serious illness of the party
- (D) *Bona fide* wrong advice given by the advocate.

85. The freedom of trade, commerce and intercourse provided by the Constitution of India is not of absolute nature. There are some restrictions. In this regard, which of the following statement(s) is/are correct —
- (A) Parliament has power to impose restrictions in the public interest
- (B) The State Legislature cannot impose restrictions on the freedom of trade, commerce and intercourse
- (C) The laws which create State monopoly in any trade, *etc.* are saved from the attack under Article 301
- (D) Both (A) and (C) above.
86. Which one of the following is not a secondary evidence under section 63 of the Indian Evidence Act, 1872 —
- (A) Certified copies of primary evidence (document)
- (B) A document executed in several parts
- (C) Counter parts of documents as against the parties who did not execute them
- (D) Oral account of the contents of a document given by some person who has himself seen it.
87. As per section 2(10) of the Code of Civil Procedure, 1908, a 'judgment debtor' is —
- (A) Any person against whom a decree has been passed
- (B) Any person against whom an order capable of execution has been made
- (C) Any person against whom a decree has been passed or an order capable of execution has been made
- (D) A legal representative of a deceased judgment debtor.
88. Which one of the following is not a fundamental right under the Constitution of India —
- (A) Right to assemble peacefully
- (B) Right to constitutional remedies
- (C) Right to property
- (D) Right to move freely throughout the country.
89. An *ex-parte* decree is passed against a defendant. Under the Code of Civil Procedure, 1908, such defendant may —
- (A) File an appeal against the *ex-parte* decree
- (B) Submit a petition in the Supreme Court for writ
- (C) File an application for review of the judgment
- (D) Both (A) and (C) above.
90. Under section 10 of the Specific Relief Act, 1963, to succeed in a suit for specific performance, the plaintiff has to prove —
- (A) That a valid agreement of sale was entered into by the defendant in his favour
- (B) That the defendant committed breach of the contract
- (C) That he was always ready and willing to perform his part of obligation in terms of the contract
- (D) All of the above.

91. Under the Constitution of India, the legislative powers of Parliament normally extend to all matters enlisted in the Union List and the Concurrent List. But under Article 249, Parliament has power to make laws in respect of any subject enumerated in the State List. In light of the above, consider the following statements :
- Parliament can make such law only when the State legislatures authorise Parliament to do so
 - Council of States has declared by resolution that it is necessary or expedient in national interest
 - Such resolution by Council of States must be supported by two-thirds of its members present and voting
 - Such law made by Parliament remains in force for a period not exceeding six months.
- Select the correct statements from the options given below —
- (i) and (ii)
 - (ii) and (iii)
 - (iii) and (iv)
 - None of the above.
92. Which one of the following is not an essential element of a 'decree' under section 2 of the Code of Civil Procedure, 1908 —
- The statement given by the Judge on the grounds of decree
 - Formal expression of adjudication
 - Conclusive determination of the rights of parties
 - Determination with regard to or any of the matters in controversy in the suit.
93. Under section 2(d) of the Code of Criminal Procedure, 1973, a complaint —
- Must be in writing
 - Must be made to the Chief Judicial Magistrate
 - Must indicate that some known or unknown person has committed an offence
 - May be sent to the police officer having power of investigation.
94. An anticipatory bail is granted by High Court or a Court of Sessions to a person —
- Who apprehends arrest for having committed a bailable offence but has not yet been arrested
 - Who apprehends arrest for having committed a non-bailable offence but has not yet been arrested
 - Who apprehends arrest for having committed both bailable and non-bailable offences but has not yet been arrested
 - All of the above.
95. Article 20(3) of the Constitution of India lays down that "no person accused of an offence shall be compelled to be a witness against himself". A person is entitled to this protection when —
- He is accused of an offence
 - There is a compulsion to be a witness
 - Such compulsion should result in his giving evidence against himself
 - All of the above.

96. Consider the following statements relating to ordinance making powers of the President under Article 123 of the Constitution of India :
- Ordinance making power of the President is basically his legislative power
 - The ambit of ordinance making power of the President is co-extensive with the legislative powers of Parliament
 - An ordinance promulgated by the President may have retrospective operation
 - The ordinance making power is available to the President only when both the Houses of Parliament have been prorogued or otherwise not in session.
- Select the correct statements from the options given below —
- (i) and (ii)
 - (ii) and (iii)
 - (iii) and (iv)
 - All of the above.
97. Under section 468 of the Code of Criminal Procedure, 1973, the period of limitation for an offence punishable with imprisonment for a term not exceeding one year is —
- Six months
 - One year
 - Two years
 - Three years.
98. As per the Constitution of India, which one of the following statements is correct —
- Fundamental duties are not enforceable by courts
 - Fundamental duties are enforceable by courts
 - Right to property is enforceable as fundamental right
 - None of the above.
99. Article 14 of the Constitution of India states that "the State shall not deny to any person, equality before the law or the equal protection of the laws within the territory of India". Based on the above, select the correct statement from the options given below —
- This right is available to all citizens of India
 - The expression 'equality before law' has been borrowed from English common law and does not mean absolute equality
 - In *Chiranjit Lal Chowdhury v. Union of India*, the Supreme Court held that a corporation is a juristic person and not entitled to the benefit of this Article
 - Article 14 does not permit classification, however, class legislation is permitted.
100. Right to impart and receive information under the Right to Information Act, 2005 is a species of —
- The right of freedom of speech and expression
 - Article 21 relating to protection of life and personal liberty
 - Article 38 relating to securing a social order for the promotion of welfare of the people
 - Article 39A relating to equal justice and free legal aid.

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Space for Rough Work