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# **JKPSC**

## **Previous Year Paper**

### **Prosecuting Officer**

### **2021 Paper-I**



**DO NOT OPEN THIS TEST BOOKLET UNTIL YOU ARE TOLD TO DO SO**

**007892**

**Booklet Serial No.**

**Test Booklet Series**

**TEST BOOKLET - 2021**

**Prosecuting Officer (Preliminary) Examination - 2021**

**Paper - I**

**(11)**

**D**

**Time Allowed: Two Hours**

**Maximum Marks: 200**

**INSTRUCTIONS**

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2. Please note that it is the candidate's responsibility to encode and fill in the Roll Number and Test Booklet Series Code A, B, C or D carefully and without any omission or discrepancy at the appropriate places in the OMR Answer Sheet/Response Sheet. Any omission/ discrepancy will render the Answer Sheet/Response Sheet liable for rejection.
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**Q.1)** Under which provision of the Code of Civil Procedure, 1908, Compensatory Costs in respect of false or vexatious claims or defences, have been prescribed?

- A) Section 33
- B) Section 33A
- C) Section 35
- D) Section 35 A

**Q.2)** Which of the following is a correct statement?

- i) An appeal from the original decree lies, from an original decree passed ex parte.
- ii) No appeal shall lie from a decree passed by the Court with the consent of the parties
- iii) No appeal shall lie in cases where the amount in the suit is less than one lakh rupees
- iv) New plea relating to question of fact can be allowed to be raised for the first time before the first appellate court

Choose the correct option.

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

**Q.3)** A judgement can be reviewed on the ground of

- A) Discovery of new & important evidence, not within the knowledge of the party concerned
- B) Mistake of error of fact or law on the face of the record
- C) Both (A) & (B)
- D) Neither (A) nor (B)

**Q.4) Which of the following actions can be taken by the Court of Execution under the CPC?**

- i) Order delivery of any property specifically decreed.
- ii) Order issuance of the precept
- iii) Order by attachment and sale or by the sale without attachment of any property
- iv) Order the appointment of a receiver

Choose the correct option.

|                  |                   |
|------------------|-------------------|
| A) i, ii and iv  | B) i, iii and iv  |
| C) i, ii and iii | D) ii, iii and iv |

**Q.5) What is the punishment prescribed for resistance to execution under Section 74 of the Code of Civil Procedure, 1908?**

- A) Minimum fifteen days in civil prison
- B) Maximum sixty days in civil prison
- C) Maximum ninety in civil prison
- D) Maximum thirty days in civil prison

**Q.6) Mark the correct statement?**

Right to appeal under the Code of Civil Procedure, 1908, is a,

- A) Natural right
- B) Statutory right
- C) All of the above
- D) None of the above

**Q.7) In which provision of the Code of Civil Procedure, 1908, the inherent powers of the Civil Court are provided for the ends of Justice or to prevent abuse of the process of the Court?**

- A) Section 153
- B) Section 152A
- C) Section 151
- D) Section 152

**Q.8) Which of the following statements are true regarding rights and liabilities of a lessor under the Transfer of Property Act, 1882?**

- A) The lessee is bound on the lessor's request to put him in possession of the property
- B) The lessor is bound to pay or tender, at the proper time and place, the premium or rent to the lessee or his agent in this behalf
- C) Lessee must not without permission erect on the property any permanent structure, except for agricultural purpose
- D) Lessee must not without permission erect on the property any temporary or permanent structure, except for agricultural purpose

**Q.9) Which of the following statements is true regarding sale as defined under the Transfer of Property Act, 1882?**

- A) Sale cannot be for intangible property
- B) Contract for sale of an immovable property does not create any interest in the property
- C) The full value of the property must be paid or payment of full value must be promised
- D) Registration of every transfer of every tangible immovable property is required

**Q.10) Which type of transfer does not covered by the "Transfer of Property Act"?**

- A) By will
- B) By Parties
- C) By operation of law
- D) None of above

**11(D)**

**(5)**

**[P.T.O.]**

**Q.11) A lease of an immovable property can be determined by-**

**Q.12) C and B are two brothers living as a joint family. They decided to have a partition. In the partition deed, the house with the well fell on C, and B was allowed to take water from the well out of brotherly love. The right to take water will be in the form of:**

- A) Easement
- B) Revocable licence
- C) Irrevocable licence
- D) Interest in the property

**Q.13) Match the following:**

|    |   |      |                    |
|----|---|------|--------------------|
| a) | Decree for the sale of Immovable Property | i)   | Immovable Property |
| b) | Saplings                                  | ii)  | Movable Property   |
| c) | Right to way                              | iii) | Immovable Property |
| d) | Turn of Worship                           | iv)  | Movable Property   |

|    | a   | b  | c   | d   |
|----|-----|----|-----|-----|
| A) | ii  | i  | iii | iv  |
| B) | i   | iv | ii  | iii |
| C) | iii | iv | i   | ii  |
| D) | iv  | ii | iii | i   |

**Q.14) In which type of mortgage is the property transferred Absolutely?**

- A) English Mortage
- B) Simple Mortage
- C) Usufructuary Mortage
- D) Anomalous Mortage

**Q.15)** The Transfer of Property Act, 1882, came into effect from

- A) 17th February, 1882
- B) 1st July, 1882
- C) 17th March, 1882
- D) 27th February 1882

**Q.16)** In case of prosecution under POCSO for an offence requiring a culpable mental state on the part of the accused, which one is correct.

- A) The Special Court shall presume the existence of such mental state
- B) The Special Court shall not presume culpable metal state, but such mental state is required to be proved
- C) Accused has a defence to prove absence of such mental state and the fact that accused has no such mental state can be established by a preponderance of probability
- D) Both (A) and (C) are correct

**Q.17)** Which one is true in case of an offence of 'sexual assault' under Section 7 of the Protection of Children from Sexual Offences Act, 2012?

- A) Penetration is must to constitute an offence of 'sexual assault'
- B) Penertration is not required to constitute an offence of 'sexual assault'
- C) Sexual intent is an irrelevant consideration for the offence of 'sexual assault'
- D) Only physical contact without any sexual intent is sufficient to constitute offence

**Q.18)** A Special Court may take cognizance of an offence under the Protection of Children from Sexual Offences Act, 2012

- A) When the accused is committed to it for trial
- B) Upon receiving of a complaint of facts which constitute offence
- C) Upon a police report of such facts
- D) Both (B) and (C) are correct

**Q.19)** Who is responsible for monitoring of implementation of the Protection of Children from Sexual Offences Act, 2012?

- A) The National Commission for Protection of Child Rights
- B) The State Commission for Protection of child Rights
- C) Both of the above
- D) None of the above

**Q.20)** Where an act or omission constitutes an offence under POCSO this Act as well as under Section 375, 376 or under 509 of the Indian Penal Code, the offender shall be liable to punishment

- A) Under the Provisions of Protection of children from Sexual offences Act, 2012 only
- B) Under the Provisions of Indian Penal Code, 1860 only
- C) Either under the provisions of Protection of Children from Sexual Offences Act, 2012 or under the provisions of Indian Penal Code, 1860 whichever provides punishment greater in degree
- D) Either under the provisions of Protection of Children from Sexual Offences Act, 2012 or under the provisions of Indian Penal Code, 1860 whichever provides punishment lesser in degree

**Q.21)** According to the Protection of Children from Sexual Offences Act, 2012, a case of child sexual abuse must be disposed of within a time period of

- A) One year from the date of taking cognizance of the offence
- B) Two years from the date of taking cognizance of the offence
- C) Three years from the date of taking cognizance of the offence
- D) Four years from the date of taking cognizance of the offence

**Q.22)** Which section of the Protection of Children from Sexual Offences Act, 2012 provides for preparation of guidelines for taking assistance of child psychology experts during the pre-trial and trial stage to assist the child?

- A) Section 21
- B) Section 32
- C) Section 39
- D) Section 45

**Q.23)** Protection of Children from Sexual Offences Act, 2012 defines 'Penetrative sexual assault'. It has been defined under Section \_\_\_\_\_.

- A) Section 2
- B) Section 3
- C) Section 4
- D) Section 5

**Q.24)** In one of the following judgements, the Apex court found that "Morality and law cannot but be equated with each other: what is legal is moral and as such morality cannot be differentiated from the law".

- A) V.V. Shivaprasad v. K. Venkateswaralu
- B) Bennett & Coleman Ltd. v. Union of India
- C) P.V. Narasimha Rao v. State
- D) Common Cause v. Union of India

**Q.25)** According to the Code of Criminal Procedure, 1973, a Court of Magistrate of Second Class may pass a sentence of imprisonment for a term not exceeding \_\_\_\_\_.

- A) One year
- B) Two years
- C) Three years
- D) Four years

**Q.26)** Under section 138 of the Indian Evidence Act, the sequence of examination of a witness is:

- i) Cross - examination by the adverse party
- ii) Re-examination of the witness by the party calling him after he has been cross - examined
- iii) Examination - in-chief by the party who called him.
- iv) If a new matter is introduced in re-examination, by permission of the Court, the adverse party can cross - examine upon that matter.

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

**Q.27)** In which of the following case, only a certified copy of the document is admissible?

- A) When the original is shown to be in possession of a person legally bound to produce it and when after notice such person does not produce it.
- B) When the original has been lost or destroyed and the party offering evidence cannot produce it in reasonable time
- C) When the original is a public document within the meaning of section 74
- D) When the original is of such a nature as not to be easily movable

**Q.28)** Which one is an example of secondary evidence?

- A) Counterparts of documents as against the parties who did not execute them.
- B) Counterparts of documents as against the parties executing it
- C) Each one, out of number of documents made by one uniform printing process, as against the contents of the rest
- D) Each one, out of number of documents made by one uniform lithography process as against the contents of the rest.

**Q.29)** A is found in possession of a stolen watch soon after the theft. Unless and until it is proved that a theft had taken place and A has committed the theft and so he is in possession of the stolen watch or after the theft, A has received the stolen watch knowing it to be stolen and unless he accounts for the possession of the stolen watch the court \_\_\_\_\_.

- A) Shall presume that A committed the theft.
- B) May presume that A committed the theft.
- C) Takes it as conclusive proof that A committed the theft
- D) Must presume that A committed theft

**Q.30)** Which of the statement/s is true as per Opinion Evidence under section 45 of the Indian Evidence Act?

- i) Under Section 45, the Courts form an opinion based on the opinions of experts.
- ii) The expert need to examine the deceased person and cannot base his/her opinion on the basis of information given to him regarding the symptoms.
- iii) The expert does not give an opinion on what he has tested or on what has been subjected to any process of scrutiny but presents the facts as such.
- iv) An expert is not a witness of fact, and his opinion evidence is a corroborative piece of evidence.

|                  |                   |
|------------------|-------------------|
| A) i, iii and iv | B) ii, iii and iv |
| C) ii and iii    | D) i and iv       |

**Q.31)** According to Section 6 of the Indian Evidence Act, 1872 'Relevant Facts' include facts.

- A) Which though not connected with facts in issue but occurred at the same time
- B) Which though not connected with facts in issue but occurred at the same place
- C) Which though not connected with facts in issue but occurred at the same place but at a different time
- D) Which are connected with facts in issue as to form part of the same transaction

**Q.32)** "Facts judicially noticeable need not be proved" has been provided under Section of the Indian Evidence Act, 1872

- A) Section 54
- B) Section 56
- C) Section 58
- D) Section 60

**Q.33)** Number of witnesses required to prove a particular fact according to Section 134 of the Indian Evidence Act, 1872 is

- A) No particular number is required
- B) At least Two
- C) Three
- D) Four

**Q.34)** Mark the incorrect statement. Section 4 of the Limitation Act 1963,

- A) Does not apply to an election petition
- B) Provides time to file an application on the day when the court reopens, in case where the limitation is over on the day of court's holiday
- C) Does not extend the period of limitation
- D) Is based on the maxim, Interest republicae ut sit finis lititum

**Q.35)** Which of the statements are correct in regard to the application of Section 3 of the Limitation Act?

- i) It is open for the defendant to give consent to a decree even in respect of the time-barred debt.
- ii) The willingness to pay time-barred instalment in previous suit does not operate as an estoppel.
- iii) Section 3 limits the time after which the suit or other proceedings would be barred.
- iv) It is the duty of the Court to dismiss the application made after the limitation period even if limitation is not taken as a defence.

Choose the correct option.

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

**Q.36)** The object of Limitation Act is based on which of the following principles?

- i) To prevent disturbance or deprivation of what may have been acquired by equity and justice by long enjoyment.
- ii) The right not exercised for a long time is non-existent.
- iii) Rule of vigilance is not the objective of this Statute.
- iv) All of the above.

Choose the correct option.

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

**Q.37)** Section 5 of the Limitation Act 1963, which provides extension of the prescribed period is not applicable on:

- A) Suits.
- B) Revisions
- C) Applications
- D) Appeals

**Q.38) Legal Disability** defined under Section 6 of the Limitation Act 1963, consists of the following:

- i) Minor
- ii) Insane
- iii) Insolvent
- iv) Idiot

Choose the correct option.

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

**Q.39) In how much time as per the Limitation Act 1963, one can file the leave to appear and defend in a suit under Order XXXVII (Summary Procedure) of Code of Civil Procedure, 1908?**

- A) Ten days
- B) Thirty days
- C) Sixty days
- D) Ninety days

**Q.40) Match the following in context of the UAPA.**

|  |                 |
|--|-----------------|
| a) Punishment for conspiring in terrorist activity | i. Section 18A  |
| b) Punishment for organising terrorist camps       | ii. Section 18  |
| c) Punishment for harbouring the terrorist         | iii. Section 19 |
| d) Punishment for holding proceeds of terrorism    | iv) Section 21  |

a    b    c    d

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

**Q.41)** Which of the following are correct statements regarding the Review Committee appointed under the Unlawful Activities (Prevention) Act, 1967?

- i) The Review Committee shall consist of two chairpersons.
- ii) The total number of members of the Review Committee must not cross fifteen.
- iii) The Chairperson of the Review Committee shall be a judge of the High Court.
- iv) The Chairpersons shall be appointed by the Chief Justice of India.

Choose the correct option.

- A) Only iii
- B) Only i and iii
- C) Only iii and iv
- D) All of the above

**Q.42)** Is it mandatory to issue written show cause notice before the forfeiture of proceeds of terrorism under the Unlawful Activities (Prevention) Act, 1967?

- A) Yes, it is mandatory to issue written show cause notice
- B) No, it is not mandatory at all
- C) Yes, but, even oral notice can be given
- D) Notice can be given after the attachment also

**Q.43)** Which of the following activities are termed as "unlawful activities" under the Unlawful Activities (Prevention) Act, 1967?

Any action taken by an individual or association, either by committing an act or by words, either spoken or written or by signs or by visible representation or otherwise.

- i) Which is intended or supports any claim, to bring about, on any ground whatsoever, the cession of a part of the territory of India or the secession of a part of the territory of India from the Union or which incites any individual or group of individuals to bring about such cession or secession.
- ii) Which disclaims, questions, disrupts or is intended to disrupt the sovereignty and territorial integrity of India.
- iii) Which causes or is intended to cause disaffection against the world.
- iv) Which causes or is intended to cause disaffection against India.

Choose the correct option.

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

**Q.44)** For how many days, the notification issued under Section 3 of the Unlawful Activities (Prevention) Act, 1967 shall remain in force?

- A) Three Years
- B) Five Years
- C) Seven Years
- D) Ten Years

**Q.45)** Reference to 'Proceeds of terrorism' under the Unlawful Activities (Prevention) Act, 1967, includes.

- A) Moveable property used by terrorists
- B) Cash used by the terrorists
- C) Any property intended to be used for terrorism
- D) Immovable property used for teh terrorist activity

**Q.46)** Which of the following includes, in relation to "manufacture" of narcotic drugs and psychotropic substances?

- i) All processes other than production by which such drugs or substances may be obtained
- ii) Refining of such drugs or substances
- iii) Cultivating any Coca Plant
- iv) Transformation of such drugs or substances

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

**Q.47)** Which of the following statement is correct?

'Opium' under the NDPS Act, 1985, means,

- i) The coagulated juice of opium poppy
- ii) The coagulated juice of Heroine
- iii) Any mixture, with or without any neutral material, of the coagualated juice of opium poppy.
- iv) But does not include any preparation containing not more than 0.2 per cent of morphine.

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

**Q.48)** Which of the following factors are taken into account for imposing higher than the minimum punishment prescribed under the NDPS Act, 1985?

- i) The threat of use of violence by the offender
- ii) The use of arms by the offender
- iii) The fact that the offender is involved in other illegal activities facilitated the commission of the offence
- iv) The fact that the minors are used for the commission of an offence

Which of the statements given above are correct?

|                     |                      |
|---------------------|----------------------|
| A) All of the above | B) None of the above |
| C) i, ii, and iii   | D) i, ii and iv      |
| E) ii, iii, and iv  |                      |

**Q.49)** Coca derivatives include which of the following?

|                      |                     |
|----------------------|---------------------|
| i) Hemp              | ii) Ecgonine        |
| iii) Heroin          | iv) Cocaine         |
| A) ii and iii only   | B) iii and iv only  |
| C) ii and iv only    | D) All of the above |
| E) None of the above |                     |

**Q.50)** The Government under Section 14 of the NDPS Act, 1985 allows the cultivation of the cannabis plant for which of the following purposes?

- i) Industrial purposes only of obtaining fibre or seed
- ii) Industrial purposes only for preparing flavouring agent
- iii) For Horticultural purposes
- iv) All the above

Which of the statements given above are correct?

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

**Q.51)** Medicinal Cannabis is also known as:

|           |          |
|-----------|----------|
| A) Charas | B) Ganja |
| C) Heroin | D) Hemp  |

**Q.52)** In which of the following cases, a public servant under the Prevention of Corruption Act, 1988, is said to have committed the offence of criminal misconduct?

- i) If he dishonestly or fraudulently misappropriates or converts for his own use any property entrusted to him as a public servant
- ii) If he dishonestly or fraudulently allows any other person to misappropriates or converts for his own use any property entrusted to him as a public servant
- iii) If he intentionally enriches himself illicitly during the period of his office
- iv) All of the above

Choose the correct option.

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

**Q.53)** Whether mere recovery of currency notes itself constitutes an offence under the Prevention of Corruption Act, 1988?

- A) Yes, because the mental element is not necessary under Prevention of Corruption Act, 1988.
- B) No, because the demand of illegal gratification is a *sine qua non* to constitute the offence under the Prevention of Corruption Act, 1988.
- C) Yes, because the onus is on the accused to rebut the fact that the currency notes found are not a bribe.
- D) Yes, because it is the accused who has to prove that the currency notes are not his notes.

**Q.54)** Who amongst the following is not a 'public servant' as per Section 2 (c) of the Prevention of corruption Act, 1988?

- A) A Panel Doctor under the ESI Scheme
- B) Any person in the service or pay of a local authority
- C) An Assistant Labour Commissioner and Conciliation Officer
- D) A teacher in the service of Government

**Q.55) Which of the following statements is correct?**

‘Undue advantage’ under Section 2(d) of the Prevention of Corruption Act, 1988, means,

- A) Any gratification whatever, including legal remuneration.
- B) Any gratification only
- C) Any gratification limited to pecuniary gratification only
- D) Any gratification whatever, other than legal remuneration

**Q.56) Which of the following is a correct statement in reference to a ‘Special Judge’ under the prevention of Corruption Act, 1988?**

- A) The Special Judge is not to be treated as a Magistrate within the meaning of Section 156(3) of the Criminal Procedure Code.
- B) The Special Judge is to be treated as a Magistrate within the meaning of Section 156(3) of the Criminal Procedure Code.
- C) The Special Judge is to be treated as a Sessions judge within the meaning of Section 156(3) of the Criminal Procedure Code
- D) The Special Judge is to be treated as Additional Sessions Judge within the meaning of Section 156(3) of the Criminal Procedure Code

**Q.57) Which of the following are the requirements of Section 7 of the Prevention of Corruption Act, 1988?**

- i) At the time of offence, the accused is expected to be a public servant.
- ii) The accused has accepted, obtained or agreed to attempt or attempted to obtain from some person a gratification
- iii) Such gratification was not illegal remuneration due to him
- iv) At the time of the offence, the accused was about to be a public servant.

Choose the correct option.

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

**Q.58)** Where in a contract formation, the communication of proposals, the acceptance of proposals, the revocation of proposals and acceptances, are expressed in electronic form or by means of an electronic records, such contract

- A) Shall be deemed to be unenforceable solely on the ground that such electronic form or means was used for that purpose
- B) Shall be deemed to be enforceable solely on the ground that such electronic form or means was used for that purpose
- C) Shall not be deemed to be unenforceable solely on the ground that such electronic form or means was used for that purpose
- D) Shall not be deemed to be enforceable solely on the gournd that such electronic form or means was used for that purpose.

**Q.59)** Any information of probative value that is either stored or transmitted in electronic form and includes computer evidence, digital audio, digital video, cell phones, digital fax machines is:

- A) Data
- B) Electronic form evidence
- C) Electronic record
- D) Digital Information

**Q.60)** In which case, the Supreme Court observed that Section 66-A affects the right of people to know, hence violates Article 19(1)(a) of the Constitution beyond the extent permissible under Article 19(2), and accordingly struck down in its entirety.

- A) Shreya Singhal V. Union of India, (2015) 5 SCC 1
- B) CIT v. Mastek Ltd., (2010) 13 SCC 58
- C) W.B. State Election Commission v. Communist Party of India (Marxist), (2018) 18 SCC 141
- D) Binoy Viswam v. Union of India, (2017) 7 SCC 59.

**Q.61)** A petitioner has become victim of a phishing attack and his entire saving bank balance has been debited fraudulently. Under which section of the Information Technology Act 2000 can he file the case?

- A) Sec 66 A
- B) Sec 66 B
- C) Sec 66 C
- D) Sec 66 D

**Q.62)** “A system of a secure key pair consisting of a private key for creating a digital signature and a public key to verify the digital signature” is known as.

- A) Encrypted system
- B) Decrypted system
- C) Protected system
- D) Asymmetric crypto system

**Q.63)** ‘An existing law is overshadowed by the fundamental rights and remains dormant, but it is not dead’.

*Above statement refers to which doctrine:*

- A) Doctrine of Severability
- B) Doctrine of Reading down
- C) Doctrine of Territorial Nexus
- D) Doctrine of Eclipse

**Q.64)** No compensation would be payable to the Public Servant of the service, which is terminated within the contractual period on the ground of misconduct. It will be payable only.

- A) If the post is abolished before the expiration of the contractual period.
- B) If the person is required to vacate his post before the expiry of the contractual period, for reasons *unconnected with misconduct*.
- C) Both (A) and (B)
- D) None of the above

**Q.65)** Which of the following is/are not a central feature of Article 343 of the Constitution of India?

- i) Hindi in Devanagari script shall be the national language of the Union.
- ii) The official language of the Union shall be Hindi in Devanagari script.
- iii) English language shall continue to be used for official purposes within states.
- iv) If two or more states agree, the Hindi language should be the official language of communication between the states.

*Select the correct answer using the codes given below:*

- A) i, iii, and iv
- B) ii and iv
- C) ii, iii and iv
- D) Only ii

**Q.66) Consider the following statement :**

- i) Each House of Parliament is sole judge of lawfulness of its own proceedings.
- ii) Internal proceedings of the Parliamentary are to be reviewed by the courts of law.
- iii) Courts in India shall not call the validity of any Parliamentary proceeding in question.
- iv) Each House of Parliament has to make rules for regulating its own procedure and conduct of business, which needs to be consistent with the courts' decisions.

*Which of the above statements is/are correct:*

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

**Q.67) The lists relating to legislative competence of Parliament and State Legislatures are provided in Second Schedule, which pertains to**

- A) Article 245
- B) Article 246
- C) Article 241
- D) Article 250

**Q.68) The President of India gives his resignation to**

- A) Chief Justice
- B) Parliament
- C) Vice President
- D) Prime Minister

**Q.69) Which one of the following is NOT one of the reasonable restriction covered and provided under Article 19 (2):**

- A) Security of state
- B) Law & Order
- C) Decency or Morality
- D) Defamation

**Q.70) "Article 14 strikes at arbitrariness in State action and ensures fairness and equality of treatment. The principle of reasonableness, which legally as well as philosophically, is an essential element of equality or non-arbitrariness pervades Article 14 like a brooding omnipresence.... "**

Above statement is from which case of:

- A) *Maneka Gandhi v. U.O.I.* AIR 1978 SC 597
- B) *E.P. Royyappa v. State of Tamil Nadu* AIR 1974 SC 555
- C) *Excel Wear v. U.O.I.* AIR 1979 SC 25
- D) *Golak Nath v. State of Punjab* AIR 1967 SC 1643

**Q.71)** According to the J & K Reorganization (Removal of Difficulties) Order, 2019, the judges of the High Court of Jammu and Kashmir shall continue holding office would be considered as deemed to have been appointed under which provision of the Indian Constitution:]

- A) Article 217
- B) Article 219
- C) Article 124
- D) Article 222

**Q.72)** The Legislative Assembly may make laws for any part of the Union Territory of Jammu and Kashmir related to the matters specified in the State List of the Constitution except on:

- A) "Police" and "Public Order"
- B) "Security" and "Public Order"
- C) "Police" and "Social order"
- D) "Law and Order" and "Security of State"

**Q.73)** The Central Government under the J&K reorganisation act will appoint Advisory Committees to deal with various purposes, which are:

- A) Distribution of assets and liabilities of corporations of the state of Jammu and Kashmir between the two Union Territories
- B) Issues related to the generation and supply of electricity and water
- C) Both of the above
- D) None of the above

**Q.74)** The new Consumer Protection Act, 2019 came into force in India on July 20th, 2019, replacing the previous enactment of 1986. The new Act overhauls the administration of settlement of consumer disputes in India, which has been contemplated to have an investigation wing known as:

- A) Central Consumer Protection Agency (CCPA)
- B) Central Consumer Protection Authority (CCPA)
- C) Central Consumer Protection Commission (CCPC)
- D) Central Consumer Protection Committee (CCPC)

**Q.75) The significant changes brought by the Insolvency and Bankruptcy Amendment Act, 2020 include the increase of the threshold amount under Section 4 to**

- A) Fifty Lakhs from One Lakh
- B) Five Crores from One Crore
- C) One Crore from One Lakh
- D) Five Crore from One Crore

**Q.76) Which of the following judgment shall always be remembered as one of the best judgments which heralded gender equality in defence services also which includes all the services - Army, Navy, and Air Force:**

- A) Union of India v. PK Chaudhary
- B) The Secretary, Ministry of Defence v. Babita Puniya & Ors.
- C) Union of India vs. Lt. Cdr. Annie Nagaraja
- D) Treasa Josfine v. State of Kerala

**Q.77) In which of the following case, the court has said that the right to freedom of speech and expression and the right to carry on trade and commerce include their exercise through the medium of the internet**

- A) Anuradha Bhasin v. Union of India
- B) Joseph Shine v. Union of India
- C) Mohan Singh v. the State of Punjab
- D) Bharwad Mepa Dana & Another v. State of Bombay

**Q.78) To whom a transgender person may make an application for issuing a certificate of identity as a transgender person, in such form and manner, and accompanied with such documents, as may be prescribed under the Transgender Persons (Protection of Rights) Act, 2019?**

- A) The District Judge
- B) The District Magistrate
- C) The Judicial Magistrate
- D) The Executive Magistrate

Q.79) First All - Women Full Bench of Madras High Court heard a

- A) Case related to the interpretation of Section 12 of the Maternity Benefit Act 1961
- B) Case is pertaining to the application of the ESI Act on aided and unaided educational institutions.
- C) Case related to commercial surrogacy
- D) Case related to women's right to enter into the Sacred Temple of Thyagaraja Chennai.

Q.80) 'A' was entering a house in the night, in which he was legally entitled to enter. 'Z' someone entering in the house. 'Z' in good faith, believing 'A' to be a house-breaker attacks 'A' and causes grievous injuries to him. 'A' exercising his right to self defence causes some grievous injuries to 'Z'. Which is the correct legal position in this regard?

- A) 'A' has no right of private defence
- B) 'A' has right of private defence
- C) 'Z' is guilty for attempt to cause grievous injuries
- D) 'Z' will get benefit of Section 76 IPC.

Q.81) 'A' makes a plan with 'B' for poisoning 'Z'. 'B' asks 'C' to procure the poison informing him that a third person will administer the poison. 'B' though discusses the plan with 'C' but does not mention the name of 'A'. 'C' procures the poison and delivers it to 'B' to be used for the same purpose as discussed. 'A' administers the poison and consequently 'Z' dies. Which one is the correct legal position?

- A) 'C' is not liable since he only procured the poison for 'B' and did not administer it to 'Z'.
- B) 'C' is liable since he has been engaged in the conspiracy in pursuance of which 'Z' has been murdered.
- C) For the offence of abetment by conspiracy, there should be a prior concert between the abettor and the person who commits the offence.
- D) None of the above

**Q.82) Which among the following is not correct preposition from the following:**

- A) Whoever commits rape on women under sixteen years of age shall be punished with rigorous imprisonment for a term which shall not be less than 20 years, but which may extend to imprisonment for life, which shall mean imprisonment for the remainder of that person's natural life, and with fine or with death.
- B) Whoever commits rape on women under twelve years of age shall be punished with rigorous imprisonment for a term which shall not be less than 20 years, but which may extend to imprisonment for life, which shall mean imprisonment for the remainder of that person's natural life, and with fine or with death.
- C) Whoever, commits rape on women under eighteen years of age shall be punished with rigorous imprisonment for a term which shall not be less than 20 years, but which may extent to imprisonment for life, which shall mean imprisonment for the remainder of that person's natural life, and with fine or with death.
- D) Whoever commits rape on women of any age shall be punished with rigorous imprisonment for a term which shall not be less than 20 years, but which may extend to imprisonment for life, which shall mean imprisonment for the remainder of that person's natural life, and with fine or with death.

**Q.83) Inducing a person with dishonest intention to part with property by putting him in fear of physical injury amounts to an offence of:**

- A) Criminal intimidation
- B) Extortion
- C) Criminal misappropriation
- D) Criminal breach of trust

**Q.84) Comments expressing disapprobation of the measures of the Government to obtain their alteration by lawful means, without exciting or attempting to excite hatred, contempt, or disaffection, do not constitute an offence of:**

- A) Attempt to murder
- B) Murder
- C) Sedition
- D) Conspiracy

**Q.85) Which one is not an element of sexual harassment?**

- A) Physical contact and advances involving unwelcome and explicit sexual overtures or a demand or request for sexual favours; or
- B) Making sexually coloured remarks, or forcibly showing pornography; or
- C) any other unwelcome physical, verbal or non-verbal conduct of sexual nature
- D) Personal interaction, despite a clear disinterest being displayed by the other person

**Q.86) Culpable homicide is murder**

- A) If the act by which the death is caused is done with the intention of causing serious bodily injury as is likely to cause death
- B) If the act by which the death is caused is done with the knowledge that he is likely by such act to cause death
- C) If the person committing the act knows that it is so imminently dangerous that it must, in all probability, cause death
- D) If the person committing the act knows that it is so imminently dangerous that it must, in all probability, cause death but has an excuse for incurring the risk of causing death

**Q.87) The test of locus poenitentiae is to be applied in the light of the particular facts of the case and not as a general rule, was held by the Supreme Court in the case of**

- A) State of Maharashtra v. Mohd. Yakub AIR 1980 SC 1111
- B) Abhyankar Mishra v. State of Bihar AIR 1961 SC 1698
- C) Malkiat Singh v. State of Punjab AIR 1970 SC 713
- D) None of the above

**Q.88)** 'A' Who is an officer of a Court of justice, receives an order from that Court to arrest 'Y'. 'A' after due enquiry, arrests 'Z' believing him to be 'Y'. According to which section, 'A' has committed no offence?

- A) Section 76 IPC
- B) Section 77 IPC
- C) Section 78 IPC
- D) Section 79 IPC

**Q.89)** Which statement is correct among the given statement below?

- A) In Conspiracy, there is no distinction between principal and accessory
- B) In Conspiracy, principal and accessory are distinct.
- C) There has to be a distinction between principal and accessory in all offences
- D) None of the above statements are correct.

**Q.90)** Section 154 of the Code of Criminal Procedure, 1973 provides for recording of information by police in cognizable cases. It is NOT necessary for any such information to be

- A) Reduced to writing
- B) Read over to the informant
- C) Signed by the person giving it
- D) A credible and reasonable information

**Q.91)** Under Sub-Section (2) of Section 321 of the Code of Criminal Procedure, 1973, a judge has a discretion to

- A) Defer the Cross-examination of any witness
- B) Recall any prosecution witness for further Cross-examination
- C) Both of the above
- D) None of the above

**Q.92)** The principle of Double Jeopardy is recognized under \_\_\_\_\_

- A) Section 299 of Code of Criminal Procedure, 1973
- B) Section 300 of Code of Criminal Procedure 1973
- C) Section 301 of Code of Criminal Procedure, 1973
- D) Section 302 of Code of Criminal Procedure, 1973

**Q.93)** Which of the following is not provided by the Code of Criminal Procedure, 1973?

- A) Appeal to Court of Sessions
- B) Appeal to High Court
- C) Appeal to Supreme Court
- D) Appeal to Special Courts

**Q.94)** Match the following

|      |                                       |    |             |
|------|---------------------------------------|----|-------------|
| i)   | Sessions judge's powers of revision   | a) | Section 395 |
| ii)  | High court's powers of revision       | b) | Section 407 |
| iii) | Reference to High Court               | c) | Section 401 |
| iv)  | Power of High Court to transfer cases | d) | Section 399 |

- A) (i) - a      (ii) - b,      (iii) - c,      (iv) - d
- B) (i) - d,      (ii) - c,      (iii) - b,      (iv) - a
- C) (i) - d,      (ii) - c,      (iii) - a,      (iv) - b
- D) (i) - b,      (ii) - a,      (iii) - c,      (iv) - d

**Q.95)** According to Section 180 of the Code of Criminal Procedure 1973, an offence may be tried only at the place

- A) Where the principal offence was committed
- B) Where the related act was performed
- C) Where either the related act was performed or where the principal offence was committed
- D) None of the above

**Q.96)** The investigating police officer in a case has the power to require the attendance of a person acquainted with the facts and circumstances of the case, under:

- A) Section 158 of Cr PC.
- B) Section 159 of Cr PC.
- C) Section 160 of Cr PC.
- D) Section 161 of Cr PC.

**Q.97)** Judgment of a Criminal Court under Code of Criminal Procedure, 1973 shall be written in \_\_\_\_\_

- A) The language of the parties
- B) The language of the Court
- C) English
- D) The language of the State

**Q.98)** Which Section of the Code of Criminal Procedure, 1973 makes an arrested person entitle to know the grounds of arrest

- A) Section 49
- B) Section 50
- C) Section 59
- D) Section 60

**Q.99) Match the following:**

|    |  |      |            |
|----|--|------|------------|
| a) | Stay of Suit                             | i)   | Section 25 |
| b) | Res judicata                             | ii)  | Section 14 |
| c) | Presumption as to Foreign Judgements     | iii) | Section 10 |
| d) | Power of Supreme Court to transfer suits | iv)  | Section 11 |

|    |     |     |     |    |
|----|-----|-----|-----|----|
|    | a   | b   | c   | d  |
| A) | iv  | iii | ii  | i  |
| B) | ii  | i   | iii | iv |
| C) | iii | iv  | ii  | i  |
| D) | iii | ii  | i   | iv |

**Q.100) Match the following:**

|    |   |      |              |
|----|---|------|--------------|
| a) | Daryao v. State of U.P AIR 1961 SC 1457   | i)   | Section 24   |
| b) | Samita Singh v. Kumar Sanjay, AIR 2002 SC 396   | ii)  | Res Judicata |
| c) | Y.Narasimha Rao And Ors v Y. Venkata Lakshmi and Anr v. State of U.P AIR 1961 SC 1457 | iii) | Section 13   |
| d) | Thungabhadra Industries Ltd. v. Government of AP AIR 1964                             | iv)  | Review       |

|    |     |     |     |    |
|----|-----|-----|-----|----|
|    | a   | b   | c   | d  |
| A) | iv  | iii | ii  | i  |
| B) | ii  | i   | iii | iv |
| C) | iii | iv  | ii  | i  |
| D) | iii | ii  | i   | iv |

**(30)**

**11(D)**