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KPSC Legal Asst.

Previous Year Paper

19 Jan, 2024



012/2024

Maximum : 100 marks

Time : 1 hour and 30 minutes

1. Which of the following statements reflect most accurately what an 'obiter dictum' is?
 - (A) The final judgement in a case
 - (B) The statement of a dissenting judge
 - (C) A passing comment on a related legal issue
 - (D) The main reasoning through which the judge reached their decision

2. Which among the following schools of jurisprudence is related to the idea that law is a product of societal needs and demands?
 - (A) Utilitarianism
 - (B) Feminist Jurisprudence
 - (C) Positivism
 - (D) Legal realism

3. The 'Golden Rule' of Statutory interpretation allows the courts to :
 - (A) Give effect to the literal meaning of the statute
 - (B) Modify the plain meaning of statutory words in order to prevent absurd results
 - (C) Choose the most just interpretation
 - (D) Ignore Legislative intent

4. If a court is bound by the 'doctrine of stare decisis', the court is most likely to :
 - (A) Be allowed to disregard precedents to reach a just and fair outcome
 - (B) Be bound to follow its own previous decisions
 - (C) Be encouraged to overturn its previous judgments if it deems it to be outdated
 - (D) Be allowed to prioritise international legislation over domestic law

5. Which among the following legal systems relies on the principle of precedents and the decisions of higher courts?

<ol style="list-style-type: none">(A) Customary Law(C) Statutory Law	<ol style="list-style-type: none">(B) International Law(D) Common Law
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6. Which among the following statements accurately describes legal rights and legal duties?

- (A) Legal duties always exist without corresponding legal rights
- (B) Legal rights always exist without corresponding legal duties
- (C) Legal rights and duties are interdependent
- (D) Only legal rights are imposed by law

7. What among the following does 'ownership of property' most accurately represent?

- (A) Temporary control of the property
- (B) Use of property without possession
- (C) Possession without use of property
- (D) Use and possession of property

8. The use of a non-obstante clause in any statute signifies :

- (A) A presumption of constitutionality
- (B) An explicit override of conflicting provisions in other laws
- (C) The delegation of legislative authority to the executive branch
- (D) A limitation on the scope of judicial review

9. When statutes are said to be in 'pari materia', the court may interpret them?

- (A) Harmoniously and together
- (B) Based on legislative intent alone
- (C) Independently and in isolation
- (D) Strictly and literally

10. When interpreting penal statutes, the 'ejusdem generis' is relevant for

- (A) Expanding the scope of penalties
- (B) Ignoring the legislative intent
- (C) Removing ambiguities in statutory language
- (D) Narrowing the meaning of general words

11. The right to privacy recognised in the Indian constitution comes under which of the following fundamental rights?

- (A) Right against exploitation
- (B) Right to life and personal liberties
- (C) Right to equality
- (D) Right to freedom of religion, faith and worship

12. Which among the following options is not part of the Directive Principles of State Policy (DPSP)?

- (A) Promotion of scientific temper, humanity and the spirit of inquiry and reform
- (B) Promotion of international peace and security
- (C) Equal pay for equal work
- (D) Right to work, education and public assistance in cases of unemployment, old age, sickness and disablement

13. The concept of judicial review in India allows for the judiciary to :

- (A) Introduce judicial legislation
- (B) To override judicial decisions
- (C) To pronounce upon the constitutionality of the legislative and executive acts
- (D) Amend the constitution

14. In the famous Navtej Singh Johar v. Union of India case, the Supreme Court, in its judgement :

- (A) Allowed for same-sex marriage
- (B) Declared the offence of adultery as unconstitutional
- (C) Criminalised marital rape
- (D) Decriminalised consensual homosexual sex

15. As per the RTI Act 2005, how is disclosing information related to third parties' dealt with :

- (A) It allows for public authorities to disclose information without considering third-party interests
- (B) It requires public authorities to seek the consent of third parties before disclosing information in most cases
- (C) It prevents public authorities from disclosing any information related to third parties
- (D) It exempts all third-party information from the RTI Act

16. Which of the following statements accurately describes the jurisdiction of Lokpal and Lokayukta in India?

- (A) Lokpal has jurisdiction over the central government, while Lokayukta has jurisdiction over state governments
- (B) Lokayukta has jurisdiction over the central government, while Lokpal has jurisdiction over state governments
- (C) Both Lokpal and Lokayukta have jurisdictions over the central government
- (D) Both Lokpal and Lokayukta have jurisdiction over state governments

17. The Administrative Tribunals Act, 1985, primarily deals with the adjudication of disputes and complaints related to the service matters of :

- (A) Private sector employees
- (B) Government employees
- (C) Members of the judiciary
- (D) Members of the legislature

18. What is the primary objective of the Kerala State Right to Service Act, 2012?

- (A) To restrict access to government services
- (B) To increase bureaucracy in service delivery
- (C) To expedite the delivery of services to citizens
- (D) To increase access to government services

19. In what way does Public Interest Litigation (PIL) contribute towards judicial activism?

- (A) By advocating for judicial restraint
- (B) By encouraging proactive judicial involvement in public matters
- (C) By restricting the powers of the judiciary
- (D) By limiting the scope of legal interventions

20. What differentiates promissory estoppel from traditional contract law?

- (A) Promissory estoppel requires a formal written contract
- (B) Promissory estoppel is limited to specific industries
- (C) Promissory estoppel is applicable only in criminal cases
- (D) Promissory estoppel does not require consideration

21. A, an officer of a court of Justice, being ordered by that court to arrest Y, after due enquiry, believing Z to be Y arrests Z. What offence A has committed?

(A) Wrongful restraint
(B) Wrongful confinement
(C) A has committed no offence
(D) Cheating

22. A, a jailor, has the charge of Z, a prisoner. A, intending to cause Z's death illegally omits to supply Z with food. In consequence of that, Z is much reduced in strength. But the starvation is not sufficient to cause his death. A was dismissed from his office and B succeeds him. B without collusion or cooperation with A, illegally omits to supply Z with food, knowing that he is likely thereby to cause Z's death. Z dies of hunger. What is the liability of A and B?

(A) Both A and B are guilty of murder
(B) A is guilty of attempt to murder and B is guilty of murder
(C) A is guilty of murder and B is guilty of attempt to murder
(D) Both A and B are guilty of attempt to murder

23. 'A' instigates 'B' to murder 'C'. 'B' refuses to do so. Whether 'A' is guilty of any offence?

(A) No. A has not committed any offence
(B) Yes. A is guilty of conspiracy with B to commit murder
(C) Yes. A is guilty of abetting B to commit murder
(D) None of the above

24. What is the minimum number of persons required to constitute the offence of Rioting?

(A) Two (B) Any Number of persons
(C) Four (D) Five

25. 'A' puts jewels into a box belonging to 'Z' with the intention that they may be found in that box and that this circumstance may cause 'Z' to be convicted for theft. Which offence 'A' has committed?

(A) Fabricating False Evidence (B) Giving False Evidence
(C) Forgery (D) Robbery

26. A knows that Z is behind a bush. But B does not know it. A, intending to cause or knowing it to be likely to cause Z's death, induces B to fire at the bush. B fires and kills Z. What offence A and B have committed?

(A) A has committed culpable homicide and B may be guilty of no offence
(B) Both A and B has committed culpable homicide
(C) Both A and B has committed murder
(D) None of the above

27. Offence for which police officer has no authority to arrest a person without warrant is called :

(A) Cognizable Offence (B) Non Cognizable Offence
(C) Compoundable offence (D) Non Bailable offence

28. Which of the following courts can impose death sentence?

(A) Chief judicial Magistrate Court
(B) Assistant sessions Court
(C) First Class Judicial Magistrate Court
(D) Sessions Court

29. Which of the following agreements is nullity from its inception?

(A) Valid Agreement (B) Void Agreement
(C) Voidable Agreement (D) None of the above

30. A supplies B, a lunatic, with necessaries suitable to his conditions of life. Whether A can claim reimbursement from B's property?

(i) No. Agreement with lunatic is void
(ii) No. Agreement with lunatic is voidable and hence can be enforced only at the option of B
(iii) Yes, Since A has supplied necessaries

(A) Only (i) is correct
(B) Both (i) and (ii) are correct
(C) Only (ii) is correct
(D) Only (iii) is correct

36. Which of the following circumstances in which a private person may arrest any person?

- (A) When a bailable and cognizable offence is committed in his presence
- (B) When a bailable and non cognizable offence is committed in his presence
- (C) When a non bailable and non cognizable offence is committed in his presence
- (D) When a non bailable and cognizable offence is committed in his presence

37. A rescues B, a person in lawful custody and in doing so causes grievous hurt to C, a constable in whose custody B was. He was charged under Sections 225 and 333 of the Indian Penal Code. Whether he may be tried at one trial for every such offence?

- (A) No. For every distinct offence of which any person is accused, there shall be a separate charge, and every such charge shall be tried separately.
- (B) Yes. Three offences of the same kind may be charged with and tried at one trial
- (C) Yes. As these offences are connected together to form the part of same transaction
- (D) None of the above

38. X has a jewellery Box with him and he wants to return it to the real owner. Both A and B claims. What is the course of action available to X?

- (A) X can file an interpleader suit
- (B) X can file a caveat application
- (C) X can file an execution petition
- (D) X can file an application for restoration of suit

39. Which of the following is not a remedy available under Specific Relief Act, 1963?

- (A) Recovery of possession of property
- (B) Enforcement of a penal provision
- (C) Injunction
- (D) Specific performance of contract

40. Which of the following provisions of the Code of Civil Procedure in relation to which “Doctrine of sufficient Cause” under the Limitation Act 1963 is not applicable?

- (A) Order XXI of the Code of Civil Procedure
- (B) Order XX of the Code of Civil Procedure
- (C) Order XIX of the Code of Civil Procedure
- (D) Order X of the Code of Civil Procedure

41. The determination of a lease can be done by :

- (A) Where the interest of the lessor in the property terminates on the happening of any event and that event happened
- (B) The interests of the lessee and the lessor in the whole of the property become vested at the same time in one person in the same right
- (C) Only (A)
- (D) Both (A) and (B)

42. Consider the following statements regarding doctrine of election :

- (i) When a person chooses to dissent from the transfer, he shall relinquish the benefit so transferred to him and such benefit shall revert to the transferor
- (ii) If within three years, the owner or his representatives fail to express their dissent or reject the benefits conferred upon them, then such transfer is deemed to be confirmed in favor of the transfer
- (iii) In all cases where the transfer is for consideration, it shall be the duty of the transferor or his representatives to compensate the disappointed transferee
- (iv) If the owner fails elect after two years, then the transferor may require him to make such election

- (A) All statements are true
- (B) All statements are False
- (C) (i) and (iii) are true
- (D) (i), (iii) and (iv) are true

43. A gift is in the form of a single transfer to the donee of several things. One of which is, and the others are not burdened by an obligation. The donee can take nothing by the gift unless he :

- (A) Accepts it fully
- (B) Accepts substantially
- (C) Accepts it partly
- (D) None of the above

44. To get the benefit of the section 43 of the Transfer of Property Act, 1882 the following conditions are necessary :

- (i) Contract of transfer was made by a person who was competent to contract
- (ii) Contract is subsisting at the time when a Claim for recovery of the property is made

- (A) Both (i) and (ii) are essential
- (B) Only (i) is essential
- (C) Only (ii) is essential
- (D) None of the above

45. All the following statements are false regarding suit for redemption of mortgage property except :

(A) The suit can be filed only by the mortgagor
(B) The mortgage of the interest sought to be redeemed can file the suit
(C) Any creditor of the mortgagor can file the suit
(D) Any surety of the payment of mortgage debt can file the suit

46. Under Indian Evidence Act, a person is presumed dead, if he is not traceable for _____ years.

(A) Six years (B) Seven years
(C) Eight years (D) Ten years

47. All the following statements are true regarding competency of witness before Court of Law except :

(A) In criminal proceedings against any person, the husband or wife of such person, respectively, shall be a competent witness
(B) A witness who is unable to speak may give his evidence by writing or by signs and such writing and the signs made in open Court shall be considered as oral evidence
(C) A lunatic is not competent to testify before a Court of Law
(D) No Judge or Magistrate shall be compelled to answer any questions as to his own conduct in Court as such Judge or Magistrate except on a special order of a superior court

48. A is accused of a crime. The facts that, after the commission of the alleged crime, he absconded is relevant under _____ of Indian Evidence Act 1872.

(A) Section 7 (B) Section 9
(C) Section 8 (D) Section 31

49. Consider the following statements regarding relevancy of evidence given by a witness in a judicial proceeding in a subsequent judicial proceeding :

- (i) The evidence is relevant only when the witness is dead
- (ii) The evidence is relevant only when the presence of the witness cannot be obtained without an amount of delay or expense which, under the circumstances of the case, the Court considers unreasonable
- (iii) The proceeding was between the same parties or their representatives in interest
- (iv) It is essential that the adverse party in the first proceeding had the right and opportunity to cross-examine

(A) All statements are true	(B) All statements are false
(C) Only (i) and (ii) are true	(D) Only (iii) and (iv) are true

50. The question before a Court of law is whether A was poisoned by a certain poison. The fact that certain persons, who were poisoned by that poison, exhibited certain symptoms which experts have affirmed to be the symptoms of that poison, is :

(A) Irrelevant	(B) Relevant
(C) Partially relevant	(D) Partially irrelevant

51. Which provision of POSH Act, 2013 mandates that the employer shall include in its report the number of cases filed and their disposal under the Act in the annual report of his organisation or where no such report is required to be prepared, intimate such number of cases, if any, to the District Officer?

(A) Section 22	(B) Section 20
(C) Section 27	(D) Section 26

52. Unfair labour practices are those practices mentioned under _____ of the Industrial Disputes Act, 1947.

(A) First Schedule	(B) Fifth Schedule
(C) Third Schedule	(D) Seventh Schedule

53. An award including an arbitration award shall become enforceable on the expiry of _____ from the date of its publication under section 17 of the Industrial Disputes Act, 1947.

(A) Fifteen days	(B) Forty-five days
(C) Thirty days	(D) Sixty days

54. Consider the following statements regarding right to compensation for workmen who are laid off :

- (i) A workman is entitled to compensation only if has completed not less than one year of continuous service under the employer
- (ii) The compensation shall be equal to fifty per cent of the total of the basic wages and dearness allowance that would have been payable to him had he not been so laid-off
- (iii) A workman is entitled to compensation only if has completed not less than six months of continuous service under the employer
- (iv) The compensation shall be equal to thirty per cent. of the total of the basic wages and dearness allowance that would have been payable to him had he not been so laid-off

(A) Only (i) is correct	(B) Both (i) and (ii) are correct
(C) Only (iii) is correct	(D) Both (iii) and (iv) are correct

55. A person can be qualified to be appointed as the presiding officer of a Labour Court, if he has been a presiding officer of a Labour Court constituted under any provincial or State Act for a period not less than _____ years.

(A) Three years	(B) Two years
(C) Seven years	(D) Five years

56. Under Air Act, 1981, which among the following entity is empowered to declare air pollution control areas :

(A) Ministry of Industries	(B) CPCB
(C) State Government	(D) ICMR

57. The curing, preparation or preservation or mounting of trophies under Wild Life Protection Act 1972 is known as :

(A) Hunting	(B) Taxidermy
(C) Embalmment	(D) Captivation

58. Consider the following statements regarding National Green Tribunal :

- (i) The NGT has original jurisdiction on all matters under Indian Forest Act 1927
- (ii) The Chairperson of NGT is shall be a retired judge of Supreme Court of India
- (iii) The NGT has original Jurisdiction on matters under Wild Life Protection Act, 1972
- (iv) There shall be minimum ten and maximum 20 judicial members in NGT

(A) All statements are correct	(B) Only (i) and (iii) are correct
(C) Only (ii) and (iv) are correct	(D) All statements are wrong

59. The National Biodiversity Authority is empowered to determine the benefit sharing in which following manner?

(A) Grant of joint ownership of intellectual property rights to the National Biodiversity Authority or where benefit claimers are identified, to such benefit claimers
(B) Setting up of venture capital fund for aiding the cause of benefit claimers
(C) Only (A)
(D) Both (A) and (B)

60. Under the Noise Pollution (Regulation and Control) Rules, 2000, an area comprising not less than 100 meters around hospitals, educational institutions and courts may be declared as :

(A) Silent Zone (B) Residential Zone
(C) Strategic Zone (D) Special Zone

61. In the following ADR techniques, which one is a binding process :

(A) Negotiation (B) Mediation
(C) Conciliation (D) Arbitration

62. Which of the following statements, is/are correct regarding Lok Adalat in India?

(i) Lok Adalats have been given statutory status under the Legal Services Authorities Act, 1987
(ii) If the parties are not satisfied with the award of the Lok Adalat, there is a provision for an appeal against such an award
(iii) Mobile Lok Adalats are also organized in various parts of the country.

Select the correct answer using the code given below :

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

63. Who shall review the pendency of cases of Juvenile justice board, on quarterly basis?

(A) Chief Judicial Magistrate
(B) High Level Committee consisting the Executive Chairperson of the State Legal Services Authority
(C) District Magistrate
(D) Chairperson of Human Rights Commission

64. According to the Dowry Prohibition Act, 1961, what is the punishment for demanding dowry :

- (A) Upto imprisonment for 3 months and fine upto rupees 5000
- (B) Upto imprisonment for 6 months and fine upto rupees 10000
- (C) Upto imprisonment for 1 year and fine upto rupees 5000
- (D) Upto imprisonment for 2 years and fine upto rupees 10000

65. Any Order made by the Competent Court under the Protection of Women from Domestic Violence Act, 2005 is enforceable :

- (A) Only in the District where the order is issued
- (B) Only in the State where the order is issued
- (C) Throughout India
- (D) Throughout India except the State of Jammu and Kashmir

66. Which statement is correct according to the Constitutive Theory of Recognition of State?

- (A) Recognition is determinative of statehood
- (B) Recognition requires constitutional approval by third nations
- (C) Recognition requires that the Constitution of the recognized State includes sufficient human rights guarantees
- (D) Countries wishing to be recognized must possess a valid Constitution

67. X, a national of Great Britain, commits bigamy in Great Britain, and flies away to Saudi Arabia. Britain requests Saudi Arabia to extradite X :

- (A) X cannot be extradited by Saudi Arabia to Great Britain, as bigamy is not an offence in Saudi Arabia
- (B) Saudi Arabia should extradite X to Great Britain, being bigamy is a punishable offence in Great Britain
- (C) Great Britain can sue Saudi Arabia in International Court of Justice for extraditing A
- (D) None of the above

68. The principle of ex-aqua-et-bono is incorporated under Article :

- (A) 38(1) of the Statute of International court of Justice
- (B) 38(1)(a) of the Statute of International Court of Justice
- (C) 38(1)(c) of the Statute of International Court of Justice
- (D) 38(2) of the Statute of International Court of Justice

69. The Universal Declaration of Human Rights (UDHR) is :

- (A) A multilateral treaty
- (B) A UN General Assembly resolution
- (C) A UN Security Council resolution
- (D) A declaration adopted by several States at an International Conference

70. What is the full form of UNHCR?

- (A) United Nations High level Committee for Refugees
- (B) United Nations Health Committee for Refugees
- (C) United Nations High Commissioner for Refugees
- (D) None of the above

71. Identify the type of sentence :

We must breathe, or we cannot live.

- (A) simple
- (B) complex
- (C) compound
- (D) complex compound

72. The committee _____ added a suggestion.

- (A) are
- (B) have
- (C) has
- (D) will

73. The hikers embarked _____ their journey early in the morning.

- (A) in
- (B) on
- (C) by
- (D) from

74. I _____ known her for a long time.

- (A) know
- (B) knew
- (C) were known
- (D) have known

75. He spilled _____ milk all over.

- (A) a
- (B) an
- (C) the
- (D) none

76. Add a question tag :

I am right; _____.

(A) am I?	(B) amn't I?
(C) isn't I?	(D) aren't I?

77. Fill in the blanks with the Correct adverb :

He tied the knot _____.

(A) narrowly	(B) neatly
(C) absently	(D) noisily

78. Fill in with the correct tense form :

I would have attended the seminar if I _____ you.

(A) was	(B) am
(C) would	(D) were

79. Apply a modal auxiliary that suggests politeness :

_____ you pass me the salt?

(A) will	(B) would
(C) might	(D) could

80. Change to indirect speech :

He said, "Sit down, boy"

(A) He said sit down to the boy
(B) He asked the boy to sit down
(C) He said boy to sit down
(D) He ordered the boy to sit down

81. Use the correct collective noun A _____ of geese drifted into the courtyard.

(A) gaggle	(B) school
(C) herd	(D) batch

82. Choose the proper meaning of the phrasal verb italicized :

The servant *threw the gauntlet* at his silent master.

- (A) abused and insulted
- (B) issued a challenge
- (C) behaved as an important person
- (D) put conditions

83. Pick out that part of the sentence with error :

Their distress had no affect on him as he was determined to enjoy his pleasures.

(A) their distress	(B) had no affect on him
(C) as he was determined	(D) to enjoy his pleasures

84. Pick out the correct sentence :

- (A) Now-a-days the blogging is a very profitable passion
- (B) Now-a-days blogging is very profitable passion
- (C) Now-a-days the blogging is very profitable passion
- (D) Now-a-days blogging is a very profitable passion

85. _____ is a synonym of *garrulous*.

(A) timid	(B) affluent
(C) stylish	(D) talkative

86. Choose the antonym of *Corpulent*.

(A) clumsy	(B) uncouth
(C) slim	(D) belligerent

87. Choose the word that suggests 'one who remains absent from duty without permission' :

(A) itinerant	(B) termagant
(C) truant	(D) insolvent

88. Substitute the italicized phrase with a proper foreign expression. The parliament was adjourned *for an indefinite period* :

(A) sine die	(B) ex gratia
(C) quid pro quo	(D) obiter dictum

89. Give a one word for 'a place for housing aeroplanes'.

(A) airport	(B) arsenal
(C) hutch	(D) hangar

90. Use a correct idiom :

When we needed help, our closed relative disappointed us by proving to be a _____.

(A) broken reed	(B) bee in the hat
(C) blue stocking	(D) brown study

91. The following table shows some personalities and their views related with the Revolt of 1857. Which of the following is correctly matched?

Personality	View point
I Thomas Metcalf	1. Rural revolt elitist in character
II Eric Stokes	2. The first war of Indian Independence
III R C Majumdar	3. More than sepoy mutiny, less than national revolt
IV V D Savarker	4. Neither the first nor national or a war of independence

(A) I – 3, II – 4, III – 2, IV – 1
(B) I – 4, II – 3, III – 1, IV – 2
(C) I – 3, II – 1, III – 4, IV – 2
(D) I – 2, II – 3, III – 4, IV – 1

92. Which of the following statement is / are wrong in relation to Ayyankali?

- (i) In 1915 Ayyankali chaired a meeting where several pulaya women threw away their Kallumala and irumpuvala
- (ii) Ayyankali distributed among the lower-caste women nose studs and asked them to wear it and led Mukkutti agitation
- (iii) In admiration of Aiyya Swamy, Ayyankali had established a Brahma Nishta Matam at Venganur
- (iv) Ayyankali became a member of the Sree Mulam Praja Sabha of Thiruvitamkur from 1914 onwards

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

SPACE FOR ROUGH WORK



SPACE FOR ROUGH WORK



PROVISIONAL ANSWER KEY

Question Code: 012/2024

Medium of Question- English

Name of Post:Legal Assistant
Department : Kerala Water Authority
Cat. Number: 056/2023

Date of Test : 19.01.2024			
QUESTION BOOKLET ALPHACODE A			
Q No.	Q. No.	Q. No.	Q. No.
1	C	51	A
2	D	52	B
3	B	53	C
4	B	54	B
5	D	55	D
6	C	56	C
7	D	57	B
8	B	58	C
9	A	59	D
10	D	60	A
11	B	61	D
12	A	62	C
13	C	63	A
14	D	64	D
15	B	65	C
16	A	66	A
17	B	67	A
18	C	68	D
19	B	69	B
20	D	70	C
21	C	71	C
22	B	72	C
23	C	73	B
24	D	74	D
25	A	75	C
26	A	76	D
27	B	77	B
28	D	78	D
29	B	79	D
30	D	80	C
31	A	81	A
32	C	82	B
33	B	83	B
34	D	84	D
35	C	85	D
36	D	86	C
37	C	87	C
38	A	88	A
39	B	89	D
40	A	90	A
41	D	91	C
42	C	92	C
43	A	93	B
44	A	94	A
45	D	95	B
46	B	96	C
47	C	97	B
48	C	98	C
49	D	99	B
50	B	100	C