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UPSC

Previous Year Paper
Assistant Public
Prosecutor in CBI
25 Nov, 2017



RT held on 25.11.2017 (Forenoon)
Subject - LAW

1.

Original jurisdiction of the Supreme Court, to the exclusion of any other Court, does NOT include any dispute:

- (a) between Government of India and one or more States.
- (b) between Government of India and any State or States on the one hand and one or more other States on the other.
- (c) in relation to election of President of India.
- (d) between Government of India and civil servants as to constitutional validity of service rule.

2.

In which one of the following cases, the Supreme Court upheld the Constitutional validity of National Awards like Bharat Ratna holding that these awards do not amount to 'titles' within the meaning of Article 18 of the Constitution of India?

- (a) Balaji Raghavan v. Union of India
- (b) Mohini Jain v. State of Karnataka
- (c) D K Basu v. State of West Bengal
- (d) J P Unni Krishnan v. State of Andhra Pradesh

3.

Which of the following Fundamental Rights can NOT be suspended when a Proclamation of Emergency is in operation?

- (a) Article 19 and Article 21
- (b) Article 32 and Article 226
- (c) Article 20 and Article 21
- (d) Article 19 and Article 20

4.

In which one of the following cases, the Supreme Court, while recognizing the Muslim Women's right to maintenance for the first time, observed, "A uniform civil code will help the cause of national integration by removing disparate loyalties to laws which have conflicting ideologies"?

- (a) Shamim Ara v. State of Uttar Pradesh
- (b) Danial Latifi v. Union of India
- (c) Mohd. Ahmed Khan v. Shah Bano Begum
- (d) K Zunaideen v. Ameena Begum

5.

Doctrine of Eclipse, pertaining to Fundamental Rights, has originated from which one of the following Articles of the Constitution of India?

- (a) Article 32
- (b) Article 21
- (c) Article 19
- (d) Article 13

6.

The power of the Supreme Court of India to punish for contempt of itself is traceable to which one of the following Articles of the Constitution of India?

- (a) Article 215
- (b) Article 128
- (c) Article 129
- (d) Article 131

7.

Which one of the following is a Directive Principle of State Policy under the Constitution of India?

- (a) To safeguard public property and to abjure violence
- (b) Equal Justice and free legal aid
- (c) To value and preserve the rich heritage of India's composite culture
- (d) To provide free and compulsory education to all children of the age of six to fourteen years

8.

Which constitutional amendment is relevant to the goods and services tax?

- (a) Constitution (99th Amendment) Act
- (b) Constitution (100th Amendment) Act
- (c) Constitution (101st Amendment) Act
- (d) Constitution (102nd Amendment) Act

9.

Which one of the following statements is NOT correct?

- (a) The State of Andhra Pradesh enjoys special status under the Constitution of India in matters relating to education and therefore its power to prescribe residential requirement for candidates appearing in super specialty examination is constitutionally valid
- (b) The Supreme Court of India has no power to transfer a case pending in a Court within the State of Jammu and Kashmir to any Court outside that State
- (c) The Parliament cannot empower any Court in the State of Jammu and Kashmir to exercise the powers exercisable by the Supreme Court to enforce the fundamental rights by issuing writ, orders or directions
- (d) The provisions of article 371D of the Constitution of India have overriding effect over any other provision of the Constitution

10.

Which one of the following pairs is correctly matched?

- | | |
|---|------------------------------|
| (a) Goods and Services Tax Council | Article 279A |
| (b) Taxes on sale of petroleum crude | List I of Seventh Schedule |
| (c) Duties of excise on petroleum crude produced in India | List II of Seventh Schedule |
| (d) Duties of excise on tobacco produced in India | List III of Seventh Schedule |

11.

Article 246A of the Constitution of India:

1. contains a *non-obstante* clause thereby overrides Article 254.
2. confers exclusive power on the Parliament with respect to taxes on goods and services in the course of inter-state trade and commerce.
3. the legislature of a State has been given power to make laws for taxes on all goods and services.

Select the correct answer using the code given below:

- (a) 1 only
- (b) 1 and 2 only
- (c) 1, 2 and 3
- (d) 2 and 3 only

12.

The Doctrine of Double Jeopardy is enshrined under which one of the following Articles of the Constitution of India?

- (a) Article 21
- (b) Article 20(2)
- (c) Article 20(1)
- (d) Article 22(1)

13.

In which one of the following cases the Supreme Court of India held that the Right to Privacy is a part of Right to Life under Article 21 of the Constitution of India?

- (a) K S Puttaswamy case
- (b) M P Sharma case
- (c) Binoy Viswam case
- (d) Karak Singh case

14.

For making reservation in promotion in public employment under Article 16 of the Constitution of India, which of the following are the essential requirements?

1. Backwardness
2. Inadequate representation
3. Maintenance of efficiency in service

Select the correct answer using the code given below:

- (a) 1 only
- (b) 1 and 2 only
- (c) 2 and 3 only
- (d) 1, 2 and 3

15.

In which one of the following matters the Supreme Court CANNOT issue directions to the Governments?

- (a) For protecting children from drug abuse
- (b) For collecting necessary quantifiable data of SC/ST candidates in civil services for giving them reservations in promotions
- (c) For protecting good samaritans who wish to help victims of road accidents
- (d) For banning sale of liquor on national and state highways

16.

A joint session of Parliament is NOT envisaged in which one of the following situations?

- (a) If a Bill has been totally rejected by one of the Houses of Parliament
- (b) When a bill passed by Lok Sabha is partly modified by Rajya Sabha with regard to imposition of a tax
- (c) When the Houses have disagreed as to the amendments to be made in the Bill
- (d) When a Bill seeking to create a new State has been passed by one House and the same is not passed by the other House

17.

Which one of the following statements is correct regarding the validity of any law relating to delimitation of Constituencies made under Article 327 of the Constitution of India?

- (a) Can be challenged and tested only before the Supreme Court of India
- (b) Can be tested before the Supreme Court of India or before the concerned High Court
- (c) Can be challenged before the Law Commission of India
- (d) Cannot be called in question before any Court of Law

18.

The decision in *Kihoto Hollohan v. Zachillhu* is an example of the application of the doctrine of:

- (a) Eclipse
- (b) Pith and Substance
- (c) Colorable Legislation
- (d) Severability

19.

In which one of the following cases, the Supreme Court of India articulated 'the Right to Speedy Trial'?

- (a) Vineet Narain v. Union of India
- (b) Hussainara Khatoon v. Home Secretary, State of Bihar
- (c) D K Basu v. State of West Bengal
- (d) Prem Shankar Shukla v. Delhi Administration

20.

Which one of the following statements is NOT correct?

- (a) The goods and services tax in respect of inter-state trade is levied by the Government of India
- (b) The goods and services tax in respect of inter-state trade is collected by the Government of India
- (c) The goods and services tax in respect of inter-state trade is divided between the Government of India and State Government
- (d) The goods and services tax in respect of inter-state trade forms part of the Consolidated Fund of India

21.

Which one of the following Articles of the Constitution of India ensures the continuance of Pre-Constitutional Laws?

- (a) Article 13 (1)
- (b) Article 13 (2)
- (c) Article 372
- (d) Article 373

22.

In which one of the following cases did the Supreme Court of India refuse to exercise its power to issue directions to do complete justice in a case pending before it?

- (a) Swaraj Abhiyan case regarding tackling draught in the country
- (b) Laxmi case regarding compensation to victims of acid attack
- (c) Nidhi Kaim (VYAPAM) case regarding students admitted illegally to medical courses
- (d) Common Cause case regarding Government advertisements

23.

Which one of the following actions of the State is NOT permitted under Article 15 of the Constitution of India prohibiting discrimination?

- (a) Making any special provision for differently abled children
- (b) Making any special provision for admission of socially and educationally backward classes
- (c) Making any special provision for admission of socially and educationally backward classes and SCs and STs to minority educational institutions
- (d) Making any special provision for admission of socially and educationally backward classes and SCs and STs to private educational institutions whether aided or unaided by the State, other than minority institutions

24.

Which one of the following rights is NOT guaranteed in Article 22(1) and (2) of the Constitution of India?

- (a) The right to be informed of ground of arrest
- (b) The right to consult and to be represented by a lawyer of his own choice
- (c) The right to be produced before a Magistrate within 24 hours
- (d) The right of an arrested person under preventive detention legislation

25.

Which one of the following is NOT a privilege under Article 105?

- (a) Freedom from arrest on a criminal charge
- (b) Right to exclude strangers from its proceedings
- (c) Right to regulate internal proceedings
- (d) Right to punish for contempt

26.

Which one of the following chapters of the Code of Criminal Procedure, 1973, does NOT apply to the socio-economic offences or offences committed against a woman or a child below the age of 14 years?

- (a) Chapter XXI-A
- (b) Chapter XXXI-A
- (c) Chapter XIX-A
- (d) Chapter XXIX-A

27.

Which one of the following Sections of the Code of Criminal Procedure, 1973, is analogous to the Writ of Habeas Corpus?

- (a) Section 97
- (b) Section 96
- (c) Section 99
- (d) Section 100

28.

Which one of the following propositions of law is correct as per the law laid down in Lalita Kumari v. Government of UP and Others case (2014) 2 SCC 1?

- (a) Police has discretion to register FIR
- (b) Police can hold a preliminary enquiry before registering FIR
- (c) It is mandatory for the police to register FIR unless the case falls in the exceptions
- (d) It is absolutely mandatory for the police to register FIR without exception

29.

Which one of the following statements is NOT correct?

- (a) Every State shall be a sessions division or shall consist of sessions divisions; and every sessions division shall, for the purpose of the Code of Criminal Procedure, 1973, be a district or consist of districts
- (b) The State Government may, after consultation with the High Court, alter the limits or the number of such divisions and districts
- (c) The State Government may, after the consultation with the High Court, divide any district into sub-divisions and may alter the limits or the number of such sub-divisions
- (d) The sessions divisions, districts and sub-divisions existing in a State at the commencement of the Code of Criminal Procedure, 1973, shall not be deemed to have been formed under Section 7 of the Code

30.

Under Section 95 of the Code of Criminal Procedure, 1973, certain publications can be forfeited and search warrant can be issued for the same. In this context, which of the following is / are the correct legal proposition?

- 1. A news paper cannot be forfeited and search warrant cannot be issued for the same as it would be violative of the fundamental right of speech and expression
- 2. A book can be forfeited and search warrant can be issued for the same
- 3. A document can be forfeited and search warrant can be issued for the same

Select the correct answer using the code given below:

- (a) 1 only
- (b) 2 only
- (c) 2 and 3 only
- (d) 1, 2 and 3

31.

The Chief Judicial Magistrate is empowered to pass which one of the following sentences?

- (a) Sentence of imprisonment not exceeding seven years
- (b) Sentence for life imprisonment
- (c) Death sentence
- (d) Sentence of imprisonment exceeding seven years

32.

Warrant-case does NOT mean a case relating to an offence punishable with:

- (a) imprisonment for a term exceeding ten years.
- (b) imprisonment for life.
- (c) death.
- (d) imprisonment for two years.

33.

When alteration of charges is permissible as per the Code of Criminal Procedure, 1973?

- (a) After the judgment is pronounced
- (b) Before the judgment is pronounced
- (c) After filing of appeal
- (d) Before the filling of appeal

34.

A report made by a police officer in a case which discloses, after investigation, the commission of a non-cognizable offence, shall be deemed to be a:

- (a) police report.
- (b) complaint.
- (c) final report.
- (d) charge sheet.

35.

Who among the following is authorized to issue a warrant to search for a document, parcel or other thing in the custody of the postal or telegraph authority?

- 1. Chief Judicial Magistrate
- 2. Executive Magistrate
- 3. Judicial Magistrate
- 4. District Magistrate

Select the correct answer using the code given below:

- (a) 1 only
- (b) 2 and 3
- (c) 3 and 4
- (d) 1 and 4

36.

For which one of the following offences, Section 357C of the Code of Criminal Procedure, 1973 does NOT ensure the medical treatment, free of cost, to the victims?

- (a) Offences under Section 326A of the Indian Penal Code, 1860
- (b) Offences under Section 354A of the Indian Penal Code, 1860
- (c) Offences under Section 376A of the Indian Penal Code, 1860
- (d) Offences under Section 376E of the Indian Penal Code, 1860

37.

In which one of the following offences, cognizance shall be taken by the Court only by a complaint made by some persons aggrieved by the offence?

- (a) Rape
- (b) Theft
- (c) Criminal breach of trust
- (d) Offences relating to marriage

38.

When the property seized by a police officer is NOT produced before the Court during the inquiry or trial, the property for disposal shall be governed by which one of the following Sections of the Code of Criminal Procedure, 1973?

- (a) Section 454
- (b) Section 455
- (c) Section 457
- (d) Section 458

39.

What is the period of limitation prescribed under the Code of Criminal Procedure, 1973 for filing a suit by an aggrieved person to establish his right or claim in respect of property in dispute in case his claim is disallowed by the Court which ordered for the attachment of the property?

- (a) Three months
- (b) Six months
- (c) One year
- (d) Three years

40.

Who among the following is competent to set aside a declaration of forfeiture of certain publications under Section 95 of the Code of Criminal Procedure, 1973?

- (a) Magistrate issuing the search warrant
- (b) Chief Judicial Magistrate or Chief Metropolitan Magistrate
- (c) Court of Sessions
- (d) High Court

41.

When any person has reason to believe that he may be arrested on any accusation of having committed a non-bailable offence, he may apply to the High Court or the Court of Session for a direction under Section 438 of the Code of Criminal Procedure, 1973 that in the event of such arrest he may be released on bail. The Court may, on such application, issue direction:

- (a) not to arrest until further order.
- (b) to release the person without taking him in custody.
- (c) in the event of such arrest he may be released on bail.
- (d) in the event of such arrest he may be released on bail after three days.

42.

Which one of the following offences is a cognizable offence?

- (a) Wantonly giving provocation with intent to cause riot, if rioting be committed
- (b) Owner or occupier of land not giving information of riot
- (c) Person for whose benefit a riot takes place not using all lawful means to prevent it
- (d) Agent of owner for whose benefit a riot is committed not using all lawful means to prevent it

43.

Which one of the following offences is cognizable and non-bailable under the Indian Penal Code, 1860 / the Code of Criminal Procedure, 1973?

- (a) Violation of condition of remission of punishment
- (b) Printing of a proceeding without prior permission of Court
- (c) Personation of a juror or assessor
- (d) Disclosure of identity of a victim of rape

44.

What is the punishment for a second or subsequent conviction in 'Voyeurism'?

- (a) Shall not be less than one year but may extend to three years of imprisonment and fine
- (b) Shall not be less than three years but may extend to seven years of imprisonment and fine
- (c) Shall not be less than five years but may extend to ten years of imprisonment and fine
- (d) Shall not be less than seven years but may extend to ten years of imprisonment and fine

45.

In which one of the following cases the right of private defence does NOT extend to causing of death of the aggressor?

- (a) In an assault with intention of kidnapping
- (b) In an assault with intention of abduction
- (c) In an assault with intention of outraging the modesty of a woman
- (d) In an assault with intention of gratifying unnatural lust

46.

Against whom among the following, the offence of abduction is committed?

- (a) Woman
- (b) Child below the age of 18 years
- (c) Child below the age of 12 years
- (d) Any person

47.

Which one of the following is the punishment for 'repeat offenders' of rape?

- (a) Imprisonment for a period not less than 10 years but up to imprisonment for life
- (b) Imprisonment for a period not less than 20 years but up to imprisonment for life
- (c) Imprisonment for life or death
- (d) Imprisonment for life which shall mean imprisonment for the remainder of that person's natural life or with death

48.

'Z' was in possession of certain ornaments and money at the time of her death. 'A', her servant, intentionally converts them for his own use, before it has been in the possession of person legally entitled for the same. 'A' has committed which one of the following offences under the Indian Penal Code, 1860?

- (a) Theft under Section 379
- (b) Theft under Section 382
- (c) Dishonest misappropriation of property under Section 403
- (d) Dishonest misappropriation of property under Section 404

49.

The Criminal Law (Amendment) Act, 2013 contains certain provisions relating to offences against women as recommended by:

- (a) Srikrishna Committee.
- (b) Verma Committee.
- (c) Sarkaria Commission.
- (d) Malimath Committee.

50.

Justice Melville J's decision in *R v. Govinda* (BLR 1876) is a leading authority on law relating to:

- (a) objective liability for murder.
- (b) murder under grave and sudden provocation.
- (c) murder in the course of sudden fight.
- (d) distinction between culpable homicide and murder.

51.

In which one of the following cases, Justice Vivian Bose laid down the law relating to murder under Clause Thirdly of Section 300 of Indian Penal Code, 1860?

- (a) Rajwant Singh v. State of Kerala
- (b) Anda v. State of Rajasthan
- (c) Virsa Singh v. State of Punjab
- (d) State v. Punnayya

52.

Which one of the following Sections of the Indian Penal Code, 1860, does NOT attract punishment to a Public Servant who failed to record any information given to him under Sub Section (1) of Section 154 of the Code of Criminal Procedure, 1973?

- (a) Section 326 A
- (b) Section 376 A
- (c) Section 363
- (d) Section 509

53.

Printing or publishing of the name or any matter which may make known the identity of the victim of offences under section 376, 376 A, 376 B, 376 C, 376 D or Section 376 E of the Indian Penal Code, 1860, is NOT permissible if the:

- (a) investigation officer by order in writing permits to do so.
- (b) victim has given authorization in writing.
- (c) next kin of the minor victim has given authorization in writing.
- (d) authorization is given by the next kin to his close friend in writing.

54.

In which one of the following cases, did the Supreme Court give guidelines for the Constitution of Family Welfare Committee by the District Legal Service Authority to look into the complaints filed under Section 498A of IPC?

- (a) *Rajesh Sharma and Others v. State of Uttar Pradesh and Another*
- (b) *Preeti Gupta and Another v. State of Jharkhand*
- (c) *Armesh Kumar v. State of Bihar and Another*
- (d) *K Srinivas Rao v. D A Deepa*

55.

Which one of the following statements for the offence of criminal conspiracy is NOT correct?

- (a) Two or more persons agreed to do an illegal act
- (b) Meeting of minds is an essential ingredient
- (c) The act intended necessarily should take place
- (d) It is immaterial whether the illegal act is the ultimate object of such agreement or is merely incidental to that object

56.

Which one of the following kinds of hurts is NOT designated as "Grievous"?

- (a) Emasculation
- (b) The sufferer is unable to follow his ordinary pursuit for a period of two weeks
- (c) Permanent disfiguration of the head or face
- (d) Fracture of a bone

57.

Which one of the following is NOT an exception for the offence of Defamation?

- (a) To express in good faith any opinion whatever respecting the conduct of a Public Servant in the discharge of his Public duty
- (b) To express in good faith any opinion whatever respecting the conduct of any person touching any personal question and respecting his character so far as his character appears in that conduct and no further
- (c) To express in good faith any opinion respecting the merits of any performance which its author has submitted to the judgment of the Public
- (d) To publish substantially true report of the proceedings of a Court of Justice or of the result of any such proceedings

58.

'X' finds a valuable ring on the roadside. He sells it immediately without attempting to discover the owner. Which one of the following offences 'X' is guilty of?

- (a) Criminal breach of trust
- (b) Cheating
- (c) Dishonest misappropriation of property
- (d) Theft

59.

Which one among the following is a necessary ingredient to initiate prosecution against the husband for the death of a married woman under Section 304B of the Indian Penal Code, 1860?

- (a) Death caused within seven years of her marriage
- (b) Death caused within two years of Judicial Separation
- (c) Death caused within one year of an order of Restitution of Conjugal Rights by a Court of competent jurisdiction
- (d) Death caused within three years of her marriage

60.

In which one of the following cases, did the Supreme Court strike down Section 303 of the Indian Penal Code, 1860, as unconstitutional?

- (a) *Bachan Singh v. State of Punjab*
- (b) *Machhi Singh v. State of Punjab*
- (c) *Mithu v. State of Punjab*
- (d) *Dhananjoy Chatterjee v. State of West Bengal*

61.

Which one of the following statements does NOT attract the general exceptions mentioned in Chapter IV of the Indian Penal Code, 1860?

- (a) Order issued by a Judge for the execution of a sentence of death
- (b) Act of a child below the age of 7 years
- (c) Voluntary intoxication
- (d) Act of a person of unsound mind

62.

Under which one of the following Sections of the Indian Penal Code, 1860, it is an offence to voluntarily omit to supply the needs and wants of a helpless person for whom the person is bound by a lawful contract?

- (a) Section 296
- (b) Section 468
- (c) Section 491
- (d) Section 508

63.

Plea of *Alibi*: Rule of Evidence is recognized in which one of the following sections of the Indian Evidence Act, 1872?

- (a) Section 9
- (a) Section 10
- (b) Section 11
- (c) Section 12

64.

Which one of the following declaration is NOT correct with respect to the rule of *res-gestae*?

- (a) Must relate to the act which is in issue or relevant
- (b) Must relate to and explain the accompanying facts
- (c) Must be independent facts previous or subsequent not relating to the transaction
- (d) Must be substantially contemporaneous with the facts

65.

The 'best evidence rule' excludes secondary evidence of documents if:

- (a) originals are available.
- (b) originals are not available.
- (c) circumstantial evidence exists.
- (d) oral evidence is given in the case.

66.

'Fact in issue' is defined under the Indian Evidence Act, 1872 that includes 'any fact from which, either by itself or in connection with other facts, the existence, non existence, nature, or extent of any right, liability or disability, asserted or denied in any suit or proceeding, necessarily follows'. In a case where 'A' is accused of murder, which one of the following fact is NOT a fact in issue?

- (a) That 'A' caused the murder
- (b) That 'A' intentionally caused the murder
- (c) That 'A' was too poor
- (d) That 'A' was incapable of knowing the nature of his act due to unsoundness of mind

67.

Dying declaration under Section 32 of the Indian Evidence Act, 1872, is an exception to the rule of:

- (a) Direct evidence
- (b) Hearsay
- (c) Admissions
- (d) Estoppel

68.

Under the provisions of the Indian Evidence Act, 1872, 'shall presume' means:

- (a) presumption of law as well as irrebuttable presumption.
- (b) presumption of law as well as rebuttable presumption.
- (c) presumption of fact as well as irrebuttable presumption.
- (d) presumption of fact as well as rebuttable presumption.

69.

Which one of the following is a presumption under Section 112 of the Indian Evidence Act, 1872?

- (a) Abetment of suicide by a married woman
- (b) Legitimacy of a child
- (c) Dowry death
- (d) Absence of consent in certain prosecution for rape

70.

Which one of the following statements with regard to dying declaration is NOT correct?

- (a) A dying declaration can be the sole basis of conviction if it inspires the full confidence of the Court
- (b) Where the Court is satisfied that the declaration is true and voluntary, it can base its conviction without any further corroboration
- (c) A dying declaration given to a close relative shall be the sole evidence for conviction of the accused
- (d) Where dying declaration is suspicious, it should not be acted upon without corroborative evidence

71.

Section 113 B of the Indian Evidence Act, 1872, deals with:

- (a) conclusive proof of legitimacy of birth of a child.
- (b) presumption as to abetment of suicide by a married woman.
- (c) presumption as to dowry death.
- (d) Presumption as to certified copies of foreign judicial records.

72.

Which one of the following statements about Test Identification Parade (TIP) is NOT correct?

- (a) TIP is a piece of substantive evidence
- (b) TIP can be used by the Court for the purpose of corroboration
- (c) TIP can be held only when the accused are not previously known to the witness
- (d) TIP should be conducted immediately after the arrest of the accused

73.

Which one of the following is NOT secondary evidence?

- (a) Copy made from original by mechanical process
- (b) Certified copy of a public document
- (c) Oral account of the contents of a document given by a person who has himself seen it
- (d) A copy transcribed from a copy but not compared with the original

74.

Section 27 of the Indian Evidence Act, 1872, permits the use of discovery evidence, which lays down strictly as to how much of the information contained in the statement of the accused is made admissible. Which one of the following information is relevant under this Section?

- (a) That relates to only the place of occurrence
- (b) That relates to nature of the object
- (c) That relates to the past user of the object
- (d) Information given by the accused, as relates distinctly to the fact thereby discovered

75.

A confession is admissible if it is made by the accused to:

- (a) any metropolitan magistrate or a judicial magistrate while he is in the custody of a police officer.
- (b) his friend while he is in the custody of a police officer.
- (c) a doctor while he is in the custody of a police officer.
- (d) a financial adviser under the inducement for the good to his property.

76.

A witness, who is unable to speak, may give his evidence in any other manner in which he can make it intelligible, as by writing or by signs, but such writing must be written and the signs made in Open Court. Evidence so given shall be deemed to be:

- (a) documentary evidence.
- (b) hearsay evidence.
- (c) oral evidence.
- (d) real evidence.

77.

Which one of the following is NOT included in the functions and powers of the Central Vigilance Commission?

- (a) Exercise superintendence over the functioning of the Delhi Special Police Establishment relating to investigation of corruption cases
- (b) Inquire or investigate offences on a reference by the Central Government under the Prevention of Corruption Act committed by a public servant being an employee of the Central Government or a corporation, company or society controlled by the Central Government
- (c) Inquire into any complaint against any officer of the Central Government
- (d) Exercise superintendence over the vigilance administration of the various Ministries of the Central Government or a corporation, company or society controlled by the Central Government

78.

Who among the following is NOT a part of the Committee which recommends the name for the appointment of Central Vigilance Commissioner?

- (a) Prime Minister
- (b) Chief Justice of India or a Judge of the Supreme Court nominated by him
- (c) Union Minister for Home Affairs
- (d) The leader of the opposition in the House of the People

79.

The Central Vigilance Commissioner may be removed from his office only if he:

1. engages in any paid employment outside the duties of his office.
2. becomes interested in any contract made on behalf of Government of India and any inquiry has found him guilty by the Supreme Court.
3. has been convicted of an offence involving moral turpitude.

Select the correct answer using the code given below:

- (a) 1 only
- (b) 1 and 2 only
- (c) 2 and 3 only
- (d) 1, 2 and 3

80.

Which one of the following statements is correct about Central Vigilance Commissioner?

- (a) He is a public servant within the meaning of section 21 of IPC
- (b) He is a judge within the meaning of section 19 of IPC
- (c) He is a court of justice within the meaning of section 20 of IPC
- (d) He is appointed by the President on the recommendations of a committee consisting of Prime Minister, Minister of Law and Justice and the Leader of Opposition in the House of People.

81.

Which of the following statements about the proceedings of the Central Vigilance Commission is / are correct?

1. All proceedings shall be conducted at its Headquarters
2. No proceedings shall be invalid merely by reason of vacancy in the Commission
3. No proceedings shall be invalid merely by reason of defect in the appointment of Central Vigilance Commissioner

Select the correct answer using the code given below:

- (a) 2 and 3 only
- (b) 2 only
- (c) 1, 2 and 3
- (d) 3 only

82.

The Central Vigilance Commission was established based on the recommendation made by:

- (a) Rajamannar Commission.
- (b) Sarkaria Commission.
- (c) Venkatachaliah Commission.
- (d) Santhanam Committee.

83.

Who among the following can be appointed as the Central Vigilance Commissioner and the Vigilance Commissioners?

1. Who have been or are in an All-India Service
2. Who have been or are in a civil post under the Union having knowledge and experience of at least ten years
3. Who have been or are in any civil service of the Union having knowledge and experience in the matters relating to vigilance, policy making and administration including police administration

Select the correct answer using the code given below:

- (a) 1 and 2
- (b) 3 only
- (c) 1 and 3
- (d) 2 and 3

84.

Proceedings before the Central Vigilance Commission under Central Vigilance Commission Act, 2003 shall be deemed to be:

- (a) Administrative.
- (b) Judicial.
- (c) Quasi Judicial.
- (d) Executive.

85.

What is the term of office for the Central Vigilance Commissioner?

- (a) 4 Years or 65 years of age, whichever is earlier
- (b) 3 Years or 62 years of age, whichever is earlier
- (c) 5 Years or 65 years of age, whichever is earlier
- (d) 4 Years or 62 years of age, whichever is earlier

86.

Which one of the following statements is NOT correct?

- (a) Central Vigilance Commission is empowered to review the progress of applications pending with the competent authorities for sanction of prosecution under the Prevention of Corruption Act, 1988
- (b) Central Vigilance Commission has all powers of a civil court while conducting an inquiry referred to in clause (c) and (d) of sub-section 1 of Section 8
- (c) Central Vigilance Commission exercises superintendence over the functioning of the Delhi Special Police Establishment in all cases of investigation of offences under the Prevention of Corruption Act, 1988
- (d) All appointment in Central Vigilance Commission can be made by the Parliament

87.

Under the Information Technology Act, 2000, what is the punishment prescribed on first conviction for publishing or transmitting of material depicting children in sexually explicit act, etc., in electronic form?

- (a) Imprisonment of either description for a term which may extend to five years and with fine which may extend to Rs.10 lakh
- (b) Imprisonment of either description for a term which may extend to seven years and with fine which may extend to Rs.10 lakh
- (c) Imprisonment of either description for a term which may extend to three years and with fine which may extend to Rs.10 lakh
- (d) Imprisonment of either description for a term which may extend to three years and with fine which may extend to Rs.5 lakh

88.

Which one of the following statements with regard to superintendence of Delhi Special Police Establishment is correct?

- (a) The superintendence of the Delhi Special Police Establishment vests in the Central Vigilance Commission
- (b) The superintendence of the Delhi Special Police Establishment vests in the Central Government
- (c) The powers of the Central Vigilance Commission over Delhi Special Police Establishment extends only to investigation of offences committed under the Prevention of Corruption Act, 1988
- (d) The superintendence of the Delhi Special Police Establishment vests in the Director, Central Bureau of Investigation

89.

The power of Central Bureau of Investigation to investigate cases is derived from:

- (a) Central Vigilance Commission Act, 2003.
- (b) Delhi Special Police Establishment Act, 1946.
- (c) Prevention of Corruption Act, 1988.
- (d) Code of Criminal Procedure, 1973.

90.

The Delhi Special Police Establishment Act, 1946, extends to the territory of:

- (a) Delhi Metropolitan area.
- (b) National Capital Region, Delhi.
- (c) whole of India.
- (d) whole of India, except the State of Jammu and Kashmir.

91.

Which of the following powers can be exercised by the Central Government under the provisions of the Delhi Special Police Establishment Act, 1946 for the investigation of any offences specified in a notification issued under Section 3?

- 1. Appoint Director of the Central Bureau of Investigation on the recommendation of a committee specified under the Act
- 2. Extend the powers of Delhi Special Police Establishment to railways
- 3. Extend the powers of Delhi Special Police Establishment to any State

Select the correct answer using the code given below:

- (a) 1 only
- (b) 2 only
- (c) 1 and 3 only
- (d) 1, 2 and 3

92.

The Delhi Special Police Establishment Act, 1946:

- (a) contains the offences to be investigated under the Act.
- (b) empowers the Central Government to specify offences which can be investigated by the Delhi Special Police Establishment.
- (c) empowers the Central Government to include or exclude any of the offences in the list of offences included under the Act.
- (d) contains classes of offences to be investigated under the Act.

93.

The words and expressions used under the Delhi Special Police Establishment Act, 1946 but NOT defined therein have the meaning assigned under the:

- 1. Constitution of India if defined therein.
- 2. Central Vigilance Commission Act, 2003 if defined therein.
- 3. Prevention of Corruption Act, 1988 if defined therein.

Select the correct answer using the code given below:

- (a) 1 only
- (b) 2 only
- (c) 1 and 3 only
- (d) 1, 2 and 3

94.

A Director appointed under the Delhi Special Police Establishment Act, 1946, shall NOT be transferred except with the previous consent of:

- (a) Chief Justice of India.
- (b) Committee under Section 4A (1) of the Act.
- (c) Cabinet Committee on Security.
- (d) Chief Vigilance Commissioner.

95.

The term 'Central Bureau of Investigation' came into existence through a Home Ministry resolution in the year:

- (a) 1960
- (b) 1961
- (c) 1962
- (d) 1963

96.

The Delhi Special Police Establishment Act, 1946 provides for:

- 1. the investigation of specified offences in all Union Territories.
- 2. constitution of a special police force.
- 3. extension of powers and jurisdiction of special police force to offences committed in a cantonment area located within a state.

Select the correct answer using the code given below:

- (a) 1 only
- (b) 1 and 2 only
- (c) 2 and 3 only
- (d) 1, 2 and 3

97.

Under the provisions of the Information Technology Act, 2000, which of the following statements about Cyber Terrorism are correct?

- 1. It is an independent offence
- 2. It was incorporated by the Information Technology (Amendment) Act, 2008
- 3. The seriousness of cyber terrorism as offence is reflected in the fact that it does not need *mens rea* as element of crime
- 4. It is defined under Section 66F of the Act

Select the correct answer using the code given below:

- (a) 1, 2, 3 and 4
- (b) 1, 2 and 3 only
- (c) 1, 2 and 4 only
- (d) 3 and 4 only

98.

Which one of the following Sections of the Information Technology Act, 2000, provides for Audit of documents etc. maintained in electronic form?

- (a) Section 6A
- (b) Section 7A
- (c) Section 8
- (d) Section 10

99.

Under the provisions of the Information Technology Act, 2000, who among the following has power to suspend or revoke digital signature certificate?

- (a) Adjudicating officer appointed under Section 46(1) of the Act
- (b) Certifying Authority which has issued a digital signature certificate
- (c) Subscriber listed in the digital signature certificate
- (d) Controller of certifying authorities

100.

Under the provision of the Information Technology Act, 2000, an application for renewal of a license shall be made in such form, accompanied by such fee, not exceeding five thousand rupees, as may be prescribed by the Central Government and shall be made not less than in how many days before the date of expiry of the period of validity of the license?

- (a) Forty five days
- (b) Thirty days
- (c) Ninety days
- (d) Sixty days

101.

Which one of the following is the punishment for cyber terrorism under the Information Technology Act, 2000?

- (a) 5 years rigorous imprisonment
- (b) Imprisonment for life
- (c) 7 years rigorous imprisonment
- (d) 10 years rigorous imprisonment

102.

Which of the following Sections of the Information Technology Act, 2000, was / were dealt with in the Shreya Singhal v. Union of India case?

- (a) Section 66A, Section 69A and Section 79
- (b) Section 66A only
- (c) Section 69A only
- (d) Section 69A and Section 79 only

103.

The Supreme Court of India has struck down Section 66A of the Information Technology Act, 2000, for violation of which one of the following Articles of the Constitution of India?

- (a) Article 19(1)(a)
- (b) Article 20
- (c) Article 21
- (d) Article 14

104.

Which one of the following Sections of the Information Technology Act, 2000, deals with punishment for tampering with computer source documents?

- (a) Section 64
- (b) Section 65
- (c) Section 66
- (d) Section 67

105.

Under the provisions of the Information Technology Act, 2000 the responsibility of intermediary regarding objectionable content being used to commit the unlawful act extends to:

1. immediately take down the content as soon as intermediaries receive information.
2. taking it down after receiving Court order asking intermediary to expeditiously remove or disable access to certain material.
3. taking it down after receiving Government order asking intermediary to expeditiously remove or disable access to certain material.

Which of the statements given above is / are correct?

- (a) 1
- (b) 2 only
- (c) 3 only
- (d) 2 and 3

106.

If any person contravenes rules or regulations made under the provisions of the Information Technology Act, 2000, and for the contravention of which no penalty has been separately provided under the Act, he is liable to pay compensation up to:

- (a) Rs. 25,000
- (b) Rs. 50,000
- (c) Rs. 1,00,000
- (d) Rs. 2,00,000

107.

Which of the following statements is / are correct?

1. Appeals under Section 57 of the Information Technology Act, 2000, can be filed only before the Appellate Tribunal
2. Appeals under Section 57 of the Information Technology Act, 2000, can be filed only before the Cyber Appellate Tribunal
3. The appeal under the Information Technology Act, 2000, can be filed before the Telecom Disputes Settlement and Appellate Tribunal established under the Telecom Regulatory Authority of India Act, 1997

Select the correct answer using the code given below:

- (a) 1 only
- (b) 1 and 2 only
- (c) 3 only
- (d) 1, 2 and 3

108.

'Subscriber', according to Section 2(ZG) of the Information Technology Act, 2000, means a person:

- (a) who helps in the issue of Electronic Signature Certificate.
- (b) who sends, generates any Electronic Signature Certificate.
- (c) who issues the Electronic Signature Certificate.
- (d) in whose name the Electronic Signature Certificate is issued.

109.

According to Section 25 of the Information Technology Act, 2000, the 'Controller' may revoke the license regarding issue of electronic signature certificate issued under Section 21 of the Act:

- (a) without making an inquiry and without giving a reasonable opportunity of showing cause against the proposed revocation.
- (b) by making an inquiry and without giving a reasonable opportunity of showing cause against the proposed revocation.
- (c) by making an inquiry and by giving a reasonable opportunity of showing cause against the proposed revocation.
- (d) without making an inquiry but by giving a reasonable opportunity of showing cause against the proposed revocation.

110.

Which one of the following offences is considered as cognizable under the provisions of the Information Technology Act, 2000?

- (a) The offences punishable with imprisonment of two years and above
- (b) The offences punishable with imprisonment of three years and above
- (c) The offences punishable with imprisonment of four years and above
- (d) The offences punishable with imprisonment of five years and above

111.

Under the Prevention of Corruption Act, 1988, an appeal against the order of the Special Judge would lie before:

- (a) District Session Court.
- (b) High Court.
- (c) Supreme Court.
- (d) District Court.

112.

A person shall NOT be qualified for appointment as a special judge under the Prevention of Corruption Act, 1988, unless he is or has been:

1. a Session Judge under the Code of Criminal Procedure, 1973.
2. an Additional Session Judge under the Code of Criminal Procedure, 1973.
3. a Chief Judicial Magistrate under the Code of Criminal Procedure, 1973.
4. an Assistant Sessions Judge under the Code of Criminal Procedure, 1973.

Select the correct answer using the code given below:

- (a) 1 and 3 only
- (b) 2 and 4 only
- (c) 1, 2 and 4
- (d) 1, 2 and 3

113.

Under the Prevention of Corruption Act, 1988, if a person NOT expecting to be in office obtains a gratification by deceiving others into a belief that he is about to be in office and that he will then serve them, he be guilty of:

- (a) cheating.
- (b) corruption.
- (c) breach of trust.
- (d) impersonation.

114.

Any person charged with an offence punishable under the Prevention of Corruption Act, 1988, shall be competent witness for the defence, under Section 21 of the Act, but he shall:

- (a) not be called as a witness except at his own request.
- (b) be called whenever court desires.
- (c) be called on the request of the Government.
- (d) be called without his own request.

115.

The punishment for abetting a public servant for taking gratifications is punishable with punishment of imprisonment for a period of:

- (a) not less than three years and which may extend to seven years and also with fine.
- (b) a minimum period of two years and may extend to seven years with punishment.
- (c) not less than seven years with fine.
- (d) up to seven years with or without fine.

116.

The offences punishable under the Prevention of Corruption Act, 1988, shall be tried only by:

- (a) Session Court.
- (b) Special Judge.
- (c) High Court.
- (d) Session Court as well as Special Judge.

117.

Under Section 7 of the Prevention of Corruption Act, 1988, the word 'Gratification' is:

1. restricted to pecuniary gratification.
2. restricted to gratification estimable in money.
3. not restricted to pecuniary gratification or to gratification estimable in money.
4. restricted to gratification computable in money.

Select the correct answer using the code given below:

- (a) 1 and 3 only
- (b) 2 and 4
- (c) 3 only
- (d) 1 and 4

118.

Investigation of an offence under Section 13(1) (e) of the Prevention of Corruption Act, 1988, CANNOT be made without the order of such police officer who is not below the rank of:

- (a) Deputy Superintendent of Police.
- (b) Inspector.
- (c) Superintendent of Police.
- (d) Deputy Inspector General of Police.

119.

Are the Members of Parliament public servants under the Prevention of Corruption Act, 1988?

1. No, they are not public servants. Section 2(c) of the Act did not include them within the definition of public servant
2. No, they are not public servants. They are elected by the people
3. No, they are not public servants. They control public servants
4. They are public servant as they perform public duty

Select the correct answer using the code given below:

- (a) 1, 2 and 3
- (b) 2 and 4
- (c) 1, 3 and 4
- (d) 4 only

120.

According to the provisions of the Prevention of Corruption Act, 1988, if any public servant commits criminal misconduct, then he / she will be liable to be punished with such term which shall NOT be less than:

- (a) 6 months but may extend to 5 years and fine.
- (b) 4 years but may extend to 10 years and fine.
- (c) 3 years but may extend to 7 years and fine.
- (d) 5 years but may extend to 14 years and fine.



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