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Booklet Serial No. 002573

Test Booklet Series

TEST BOOKLET - 2022
Prosecuting Officer (Preliminary) Examination - 2022
Paper - I
(11-I)

A

Time Allowed: Two Hours

Maximum Marks: 200

INSTRUCTIONS

1. IMMEDIATELY AFTER THE COMMENCEMENT OF THE EXAMINATION, YOU SHOULD CHECK THAT THIS TEST BOOKLET **DOES NOT** HAVE ANY UNPRINTED OR TORN OR MISSING PAGES OR ITEMS, ETC. IF SO, GET IT REPLACED BY A COMPLETE TEST BOOKLET.
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 /Response Sheet. Any omission/discrepancy will render the Response Sheet liable for rejection.
3. You have to enter your Roll Number on the Test Booklet in the Box provided alongside. **DO NOT** write *anything else* on the Test Booklet.
4. This Test booklet contains 100 items (questions). Each item comprises of four responses (answers). You will select the response which you want to mark on the Answer Sheet/Response Sheet. In case you feel that there is more than one correct response, mark the response which you consider the best. In any case, choose **ONLY ONE** response for each item.
5. You have to mark all your responses **ONLY** on the separate Answer /Response Sheet provided. See *directions in the Response Sheet*.
6. **All** items carry equal marks.
7. Before you proceed to mark in the Answer /Response Sheet, the response to various items in the Test Booklet, you have to fill in some particulars in the Answer /Response Sheet as per instructions sent to you with your Admission Certificate.
8. After you have completed filling in all your responses on the Response Sheet and the examination has concluded, you should hand over to the Invigilator **only the Answer /Response Sheet**. You are permitted to take away with you the Test Booklet and **Candidate's Copy of the Response Sheet**.
9. Sheets for rough work are appended in the Test Booklet at the end.
10. While writing Centre, Subject and Roll No. on the top of the Answer Sheet/Response Sheet in appropriate boxes use "**ONLY BALL POINT PEN**".
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THERE WILL BE PENALTY FOR WRONG ANSWERS MARKED BY THE CANDIDATE IN THE WRITTEN TEST (OBJECTIVE TYPE QUESTIONS PAPERS).
 - (i) There are four alternatives for the answer to every question. For each question for which a wrong answer has been given by the candidate, (0.25) of the marks assigned to that question will be deducted as penalty.
 - (ii) If a candidate gives more than one answer, it will be treated as a wrong answer even if one of the given answers happens to be correct and there will be same penalty as above for that question.
 - (iii) If a question is left blank, i.e., no answer is given by the candidate, there will be no penalty for that question.

SEAL

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(PO-11-I) (A)/2022

[P.T.O.]

1. Which of the following statements are correct in the context of death penalty:
- a) The constitutionality of the death penalty was challenged for the first time in *Jagmohan Singh vs State of Uttar Pradesh*, (1973) 1 SCC 20
 - b) The constitutionality of the death penalty was referred to a constitution bench in *Bachan Singh v State of Punjab* (1982) 3 SCC 24
 - c) Justice P.N. Bhagwati declared death penalty as unconstitutional in Bachan Singh's case.
 - d) The rarest of rare doctrine was elucidated in *Bachan Singh v. State of Punjab*; the requirement of balance sheet of aggravating and mitigating circumstances was explained in *Machhi Singh and Ors. v. State of Punjab*; the crime and criminal test was adverted to in *Santosh Kumar Satishbhushan Bariyar v. State of Maharashtra*.
- A) Only a & b are correct
B) Only b & d are correct
C) a, b, c, & d are correct
D) a, b, c, & d are incorrect

2. Consider the following statements in the context of the right to self-defence under IPC:
- a) Right of private defence commences as soon as reasonable apprehension arises and is coterminous with duration of such apprehension
 - b) A mere reasonable apprehension is not enough to put the right of self-defence into operation
 - c) A person under assault cannot be expected to modulate his defence with arithmetical exactitude
 - d) In private defence, the force used by accused ought not to be wholly disproportionate for protection of the person.
- Choose the correct option:
- A) All statements are correct
B) All statements are incorrect
C) Only a, b, c are correct
D) Only a, c, d are correct

3. Consider the following statements in the context of criminal conspiracy under IPC:
- a) Conviction of a single person for the offence of criminal conspiracy is bad in law
 - b) The law on conspiracy has been described as the least systematic and the most irrational branch of English penal law
 - c) Section 120A and 120B of IPC have brought the law of conspiracy in India in line with the English law
 - d) Offence of criminal conspiracy is an exception to the general law that regards that intent alone does not constitute crime
- A) All the above statements are incorrect
B) All the above statements are correct
C) Only a, b, c are correct
D) Only b, c, d are correct

4. Match the title of the Law Commission Report to the year of its publication:

- | | |
|---------------------------------------------------------------|-----------|
| a. Offences against the National Security | i. 2009 |
| b. Mode of Execution of Death Sentence and Incidental Matters | ii. 1966 |
| c. Hate Speech | iii. 1971 |
| d. Capital Punishment | iv. 2017 |
| e. Section 498 A, IPC | v. 2003 |

- A) a.-i b.-iii c.-ii d.-v e.-iv
B) a.-iii b.-v c.-iv d.-ii e.-i
C) a.-v b.-iii c.-i d.-ii e.-iv
D) a.-ii b.-v c.-iv d.-iii e.-i

5. Which of the following is true:

1. There is a distinction between “taking” and allowing a minor to accompany a person.
 2. The two expressions “taking” and “allowing” are not synonymous.
 3. The two can be regarded as not meaning the same thing for the purposes of Section 361 of the Indian Penal Code.
 4. The two can be regarded as the same thing for the purpose of Section 362 of I Indian Penal Code.
- A) 1 and 2
B) 1 and 3
C) 1, 2 and 3
D) 1, 2, 3 and 4

6. *Caput lupinum* : means

- A) A dangerous criminal as declared by the authority who can be killed without the penalty
B) A non-dangerous criminal who can be killed without authority
C) A dangerous criminal who can be killed only with penalty
D) A dangerous criminal who can be killed only outside the jurisdiction

7. Observing that death sentences are most often imposed by the trial courts in a retributive sense, the Supreme Court has issued a set of practical guidelines to ensure that the mitigating circumstances of the accused are properly considered at the trial stage itself in
- A) Manoj and Others versus State of Madhya Pradesh (2022)
 - B) Naresh v State of UP (2022)
 - C) Mukesh Kumar v. State NCT Delhi (2019)
 - D) Ram Singh v. State NCT Delhi
8. In an interim order, the Court urged the Centre and the State governments to refrain from registering any FIRs under the said provision Section 124 A of Indian Penal Code while it was under re-consideration.
- A) S.G VOMBATKERE v UNION OF INDIA
 - B) EDITORS GUILD OF INDIA AND ANR. vs UNION OF INDIA AND ORS| 2022 (SC)
 - C) Only A
 - D) Both A and B
9. "This court has time and again deprecated the use of two finger test in cases alleging rape and sexual assault. The so called test has no scientific basis. It instead re-victimises and re-traumatises women. The two finger test must not be conducted The test is based on an incorrect assumption that a sexually active woman cannot be raped. Nothing can be further from the truth", the bench observed while pronouncing the judgment in
- A) State of Jharkhand v Shailendra Kumar Rai @ Pandav Rai |
 - B) State of Jharkhand v. Tuka Ram
 - C) State of UP v. Ambrish
 - D) M.P. v. Kranti Singh
10. Marrying another woman by the husband during existence of his first marriage is something which is most likely to cause trauma and grave injury to the mental health of the first wife, unless it has been done with the consent of the first wife.
- Mark the correct option
- A) Cruelty under Section 498A of IPC
 - B) Consent of wife not required
 - C) Held in Atul S/o Raju Dongre and Ors. v. State of Maharashtra and Anr.
 - D) A and C

11. The NDPS Act, 1985 does not expressly use the names of following international conventions/treaties/protocol:
- The Single Convention, 1961
 - The protocol of Single Convention, 1961
 - The Convention of Psychotropic Substances of 1971
 - Hague Opium Convention, 1912
12. In the context of CrPC and the NDPS Act, 1985:
- If there is inconsistency between the NDPS Act and Cr.P.C., the provisions of CrPC will to prevail
 - If there is inconsistency between the NDPS Act and Cr.P.C., the provisions of NDPS Act will prevail
 - Both laws are independent and there is no conflict
 - It is at the discretion of the Court
13. Which among the following is the correct statement about *Mukesh Singh v. State of NCT (Delhi)* [(2020) 10 SCC 120]--
- It overruled *Mohanlal v. State of Punjab* [(2018) 17 SCC 627].
 - Informant and the investigation officer cannot be the same person
 - It is a three-judge bench judgement.
 - Informant and the investigation officer can be the same person
- Only 1
 - 2 and 3
 - 1 and 4
 - 1, 2, 3
14. Which among the following is not correctly matched as per NDPS Act--
- | | |
|--------------------------------------------------------------|-------------------|
| A) Opium derivative, opium, manufactured drug | Definition clause |
| B) "Cannabis (hemp)" means | Charas and Ganja |
| C) NDPS Consultative Committee | Section 7 |
| D) Power of State Government of permit, control and regulate | Section 10 |
15. Read the two statements and answer from the options-
- Statement - I**
Section 32A was incorporated through amendment in the NDPS Act. This provision bars the executive (appropriate government) to use their discretionary power of remission under CrPC 1973.
- Statement - II**
Retrospective application of section 32A cannot be given as it will violate article 20(3) of the constitution of India.
- Statement I is correct but statement II is not correct.
 - Statement II is correct but statement I is not correct.
 - Both statements I and II are correct.
 - Both statements I and II are incorrect.

16. The issue of false information or malicious information or vexatious proceeding under NDPS Act

- A) Cannot be punished under NDPS Act but under IPC
- B) Can be punished under NDPS Act
- C) Can only be addressed under departmental proceedings
- D) Cannot be punished because of saving clause

17. Whether a private person can also file a complaint under the Prevention of Corruption Act, 1988. Which among the following provide correct reasoning-

1. Prevention of Corruption Act 1988 being a penal legislation, only the State can file a complaint.
2. There is no eligibility condition prescribed under the Prevention of Corruption Act, 1988 for a complainant
3. *Locus standi* of the complainant is a concept unknown to the criminal jurisprudence unless the statute provides otherwise
4. The Prevention of Corruption Act 1988 prescribes that a private complaint can be filed.

Codes:

- A) 1, 2 and 3
- B) 1 and 2
- C) 2 and 3
- D) 4

18. Read following passage and give correct answer from the option-

An FIR was registered in 2005 by CBI in respect of disproportionate assets of "V", an officer of Indian Revenue Service (IRS). The CBI sought sanction for prosecution under PC Act 1988. The Finance Minister sought the advice of the Central Vigilance Commission (CVC) which recommended that the sanction be granted. The Finance Minister was of the opinion "that the sanction should be accorded only if the CBI provides sufficient evidence. The Minister returned back the file again for fresh opinion of the CVC. But the CVC reiterated the same opinion of grant of sanction. The Finance Minister thereafter referred the matter to the Department of Personnel and Training (DOPT) for its opinion. The DOPT also suggested that the sanction should be accorded. Meanwhile the Finance Minister changed. The new minister grants sanction. The sanction order was challenged by the accused.

Choose the correct option -

There are different opinions of various authorities on sanction.

- A) This is a case of benefit of doubt and accused shall win
- B) This is not a case of benefit of doubt and the accused shall stand trial.
- C) The Minister was bound by the opinion CVC and DoPT.
- D) Once the file was returned, this amounted to decline of sanction.

19. P1, a public servant demands from V1, Rs 50,000/ as bribe for granting a gun license. V1 complains to the anti corruption bureau [ACB]. ACB makes all arrangements to trap P1 and catches P1 red handed taking a bribe amount of Rs 50,000/ from V1. At the time of trial V1 refused to support the prosecution and was declared hostile. There is no other witness to support the demand of bribe though there are witnesses to support the acceptance of the bribe amount. Which among the following is/are correct-

1. The proof of demand is not essential
2. The proof of demand is essential
3. The demand can be proved only by direct evidence and not by circumstantial evidence
4. The demand can be proved by circumstantial evidences even if there is no direct evidence

Which among the above options are correct position of law--

- A) 1 only
- B) 2 only
- C) 2 and 3
- D) 2 and 4

20. Article 355 of the Constitution imposes a duty on the union to protect the States against:

- I) War
- II) External Aggression
- III) Internal Disturbance
- IV) Armed Rebellion

Choose the correct answer:

- A) II, III, IV
- B) III, IV
- C) I, II, IV
- D) II, III

21. Under Article 299 of Indian Constitution, a contract made with the Government must be:

- I) Executed by the person authorized by the President or Governor
- II) Executed by such person on behalf of President or Governor
- III) Expressed to be made by President or Governor

Choose the correct answer:

- A) I only
- B) II and III
- C) I and III
- D) I, II and III

22. In which of the following landmark judgement it was held by the Supreme Court that "Free under Article 301 of Indian Constitution does not mean free from taxation. Only such taxes as are discriminatory in nature are prohibited by Article 304 (a). It follows that levy of a non- discriminatory tax would not constitute an infraction of Article 301"
- A) Atiabari Tea Co. Ltd. v. State of Assam s. (AIR 1961 SC 232)
 - B) Automobile Transport (Rajasthan) Ltd. v. State of Rajasthan (AIR 1962 SC 1406)
 - C) Jindal Stainless Ltd. (2) and Anr. v. State of Haryana and Ors., (2006) 7 SCC 241
 - D) Jindal Stainless Ltd. & Anr v . State of Haryana &Ors (2017) 12 SCC 1
23. 10% reservation for Economically Weaker Sections (EWS) in education and public employment has been introduced by which of the following Constitutional Amendment:
- A) The Constitution (One Hundred and Second Amendment) Act, 2018
 - B) The Constitution (One Hundred and Third Amendment) Act, 2019
 - C) The Constitution (One Hundred and Fifth Amendment) Act, 2021
 - D) The Constitution (One Hundred and Fourth Amendment) Act, 2019
24. With regards to Public Prosecutor, which of the following is incorrect?
- I Only Central Government shall, after consultation with the High Court, appoint a Public Prosecutor
 - II The Sessions Judge shall, in consultation with the District Magistrate prepare a panel of names persons, who are, fit to be appointed as Public Prosecutors or Additional Public Prosecutors for the district.
- A) Only I
 - B) Only II
 - C) Both I and II are incorrect
 - D) None of the above are incorrect
25. An Assistant Sessions Judge is authorised in law to pass which of the following-
- A) Any sentence authorised by law except a sentence of death or of imprisonment for life
 - B) Any sentence authorised by law except a sentence of death or of imprisonment for life, or imprisonment for a term exceeding ten years
 - C) Any sentence authorised by law except imprisonment for a term exceeding twelve years
 - D) None of the above

26. Which of the following persons may be charged and tried together under Section 223 CrPC
- I. Persons accused of different offences committed in the course of the different transaction
 - II. Persons accused of the same offence committed in the course of the same transaction
 - III. Persons accused of more than one offence of the same kind, within the meaning of section 219 committed by them jointly within the period of twenty four months
 - IV. Persons accused of an offence and persons accused of abetment of, or attempt to commit, such offence
- Choose the correct answer:
- | | |
|---------------|--------------|
| A) I and IV | B) II and IV |
| C) III and IV | D) I and II |
27. A Person once convicted or acquitted not to be tried for same offence. Observe the statements below-
- I. A person acquitted or convicted of any offence may be afterwards tried, for any distinct offence but only with the consent of the Central Government
 - II. A person convicted of any offence constituted by any act causing consequences which, together with such act, constituted a different offence from that of which he was convicted, may be afterwards tried for such last mentioned offence, if the consequences had not happened, but were known to the Court to have happened, at the time when he was convicted.
- Choose the incorrect statement.
- | | |
|------------------|---------------------|
| A) Only I | B) Only II |
| C) Both I and II | D) Neither I nor II |
28. When the Court of Session passes a sentence of death-
- A) The proceedings may be submitted to the High Court, and the sentence may not be executed unless it is confirmed by the High Court.
 - B) The Court passing the sentence shall commit the convicted person to jail custody under a warrant
 - C) Both A and B are correct
 - D) None of the above
29. Under Section 437 CrPC, Bail may be granted in non-bailable offence (even) if-
- A) The accused had been previously convicted of an offence punishable with imprisonment for seven years and the accused is 17 years of age
 - B) The accused person may be required for being identified by witnesses during investigation after providing and undertaking to comply with such directions given by the Court
 - C) Without giving and opportunity of hearing to the Public Prosecutor
 - D) None of the above

30. Proposition under evidence act are

- I. Statement is genus, admission is species and confession is sub species
- II. Statement and admission are species and confession is sub species
- III. Statement and admission are genus and confession is species

In the context which of the following is correct

- A) I is correct, II and III are incorrect
- B) II and III are correct, I is incorrect
- C) I and III are correct
- D) I and II are correct 155

31. Which statement is correct as per provision under section 133 read with section 114 illustration (b) of Evidence Act

- A) An accomplice shall be a competent witness against an accused person
- B) Conviction is not illegal merely because it proceeds upon the uncorroborated testimony of an accomplice
- C) An accomplice is unworthy of credit, unless he is corroborated in material particular
- D) All are correct.

32. Under section 145 of Evidence Act cross examination as to previous statement in writing is permitted

- A) Without proving the same and without showing the same to the witness
- B) Without proving the same but only after showing the same to the witness
- C) After proving the same may be before showing the same to the witness
- D) After proving the same and showing the same to the witness.

33. The police arrested B in village and left him in the custody of certain villagers and went to finalise report. The accused confessed his guilt to those villagers during that period. The confession by B is

- A) Not admissible as it is extra-judicial in nature
- B) Admissible even though it is extra-judicial in nature because it was made to the villagers who were deputed by the police officer
- C) Not admissible as it was made while in custody of the police officer
- D) Admissible because at the time of making the confession B was not under the custody of the police officer

34. Which statement is not correct regarding communication made to the spouse during marriage
- A) Communication remains privileged communication even after the dissolution of marriage by divorce
 - B) Communication does not remain privileged after the dissolution of marriage by divorce
 - C) Communication is not privileged in proceedings in which one married person is prosecuted for any crime committed against the other
 - D) None of the above
35. The question is, whether a given letter is in the handwriting of A, a merchant in London. B is a merchant in Calcutta, who has written letters addressed to A and received letters purporting to be written by him. C, is B's clerk whose duty to was to examine and file B's correspondence. D is B's broker, to whom B habitually submitted the letters purporting to be written by A for the purpose of advising with him thereon.
- A) Opinion of B is relevant
 - B) Opinion of C is relevant
 - C) Opinion of D is relevant
 - D) Opinion of B, C and D are relevant
36. In which of the following cases will the evidence not be regarded as hearsay?
- A) A news item which showed that the deceased was being mistreated in her in-laws home
 - B) Evidence of identification of a suspect by a witness who was not present at the crime scene
 - C) The testimony of the witness in the murder case, who heard many villagers claiming that the accused has committed murder
 - D) The testimony of persons who saw the pitiable condition of a young woman in her in-laws home where she met her death.
37. A intentionally and falsely leads B to believe that certain land belongs to A, and thereby induces B to buy and pay for it. The land afterwards becomes the property of A, and A seeks to set aside the sale on the ground that, at the time of the sale, he had no title. As per section 115, Indian Evidence Act:
- A) A must be allowed to prove his want of title
 - B) A may be allowed to prove his want of title
 - C) A must not be allowed to prove his want of title
 - D) None of the above

38. A is accused of a crime committed by him at Calcutta. He produces a letter written by himself and dated at Lahore on that day, and bearing the Lahore post-mark of that day. As per section 21, Indian Evidence Act, which of the following is admissible?

- A) The statement in the date of the letter is admissible, because, if A were dead, it would be admissible under Section 11(2)
- B) The statement in the date of the letter is admissible, because, if A were dead, it would be admissible under Section 92 (2)
- C) The statement in the date of the letter is admissible, because, if A were dead, it would be admissible under Section 32 (2)
- D) The statement in the date of the letter is admissible, because, if A were dead, it would be admissible under Section 74 (2)

39. Which of the following is correct answer

- a) Statements made by persons to whom a party to the suit has expressly referred for information in reference to a matter in dispute are admissions.
- b) An admission is a statement, [oral or documentary or contained in electronic form], which suggests any inference as to any fact in issue or relevant fact, and which is made by any of the persons, and under the circumstances, hereinafter mentioned.
- c) In civil cases no admission is relevant, if it is made either upon an express condition that evidence of it is not to be given, or under circumstances from which the Court can infer that the parties agreed together that evidence of it should not be given.

Choose the correct answer

- A) a and b
- B) a only
- C) a, b and c
- D) b and c

40. Which of the following statement (s) is/are correct relating to the following assertion? "On 02-09-2022, the Central Government has notified Motor Vehicles Non Transport vehicles Visiting India Rules, 2022."

- i. The Rule provides for a non-transport vehicle registered in India.
- ii. The Rules prohibit Motor vehicles registered in any country other than India to transport local passengers and goods within the territory of India.
- iii. As per the Rules the documents must be carried in the vehicle during the duration of stay in India, includes insurance policy and registration certificate only.
- iv. If the documents are in a language other than English, then, an authorised English translation, duly authenticated by the issuing authority, shall be carried along with the original documents.

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

41. Declaration of property transfer as null and void under Maintenance and Welfare of Parents and Senior Citizens Act 2007 can be obtained if
- a) The transfer document should have been executed after the coming into force of the Act
 - b) The transfer document should have been executed either before or after the coming into force of the Act
 - c) The document should create an obligation on the transferee to maintain the transferor
 - d) Whether the document created or did not create an obligation on the transferee to maintain the transferor

Identify the two statements that are NOT correct

- A) a and b
- B) b and c
- C) a and c
- D) b and d

42. "It isn't the purpose of grace marks to allow reserved category candidate to switch over to general category" held in-

- A) Union of India V. Mukesh Kumar Meena 2022 SC
- B) Neil Aurelio Nunes (OBC Reservation) V. Union of India 2022 SC
- C) Satish Mahadeo Kale V. State of Maharashtra 2022 SC
- D) State of Himachal Pradesh V. Raj Kumar 2022 SC

43. **Statement 1:** Under the Criminal Procedure (Identification) Act, 2022, any person arrested for an offence committed under any law for the time being in force may not be obliged to allow taking of his biological samples.

Statement 2: Any person arrested for an offence committed against a woman or a child for any offence punishable with imprisonment for a period not less than seven years must be obliged to allow taking of his biological samples.

Options:

- A) Both the statements are incorrect
- B) Statement 1 is incorrect and statement 2 is correct.
- C) Statement 1 is correct and statement 2 is the correct reasoning for statement 2.
- D) Both the statements are correct. Statement 2 is an exception to Statement 1.

44. Consider the following pairs,

Particulars	Provision
i) First Schedule	Section 79 of J & K Reorganisation Act, 2019
ii) Second Schedule	Section 81 of J & K Reorganisation Act, 2019
iii) Third Schedule	Section 75 of J & K Reorganisation Act, 2019
iv) Fourth Schedule	Section 65 of J & K Reorganisation Act, 2019

Which of the above pairs are correctly matched?

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

45. The intending couple under the Surrogacy (Regulation) Act 2021 is eligible to have a child through surrogacy, if

- a) The intending couple has a medical indication necessitating gestational surrogacy:
- b) The intending couple are married or in live-in-relationship
- c) The intending couple are between the age of 23 to 50 years in case of female and between 26 to 55 years in case of male
- d) The intending couple have not had any surviving child biologically or through adoption or through surrogacy earlier who is not physically and mentally challenged

Pick the correct combination.

- A) a, b and c
- B) a, c and d
- C) b, c and d
- D) a, b, c and d

46. Consider the following statements with respect to the Limitation Act, 1963: -

- i) A 'tort' is always a civil wrong.
- ii) A "promissory note" includes an instrument payable at sight.
- iii) A "trustee" includes a *benamidar*.
- iv) A "bond" is not an instrument.

Which of the above statements are correct?

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

47. Subject to the provisions of the Limitation Act, 1963, every suit instituted after the prescribed period shall be _____
- Dismissed, only if limitation has been set up as a defence.
 - Dismissed, although limitation has not been set up as a defence.
 - Admitted, subject to payment of the prescribed court fee.
 - Admitted, subject to service of prior notice to the defendant.
48. Consider the following statements with respect to the Limitation Act, 1963: -
Any claim by way of a set off shall,
- Be treated as a separate suit.
 - Not be treated as a separate suit.
 - Be deemed to have been instituted on the same date as the suit in which the set off is pleaded.
 - Be deemed to have been instituted as a suit on the date when the set off is pleaded for the first time.
- Which of the above statements are correct?
- iii and iv only
 - ii and iii only
 - i and iii only
 - ii and iv only
49. Consider the following statements with respect to the Limitation Act, 1963: -
For a written and signed acknowledgment of liability to result in a fresh period of limitation,
- It must not omit to specify the exact nature of the right.
 - It must not aver that the time for enjoyment of the right has not yet come.
 - It may be accompanied by a claim of set-off.
 - It may be addressed to a person other than a person entitled to the right.
- Which of the above statements are correct?
- iii and iv only
 - ii and iii only
 - i and ii only
 - i and iv only
50. Where after the institution of a suit, a new defendant is added without reason of devolution of any interest to him during the pendency of a suit, the suit shall, as regards him _____.
- Be deemed to have been instituted on the day he first appears in person or through agent to defend himself.
 - Be deemed to have been instituted when the suit was originally filed.
 - Be deemed to have been instituted when he was so made a party.
 - Be deemed to have been instituted on the day when notice of the suit is received by him.

51. Consider the following statements with respect to the Limitation Act, 1963:-

For obtaining acquisition of an easement by prescription: -

- i) In case of access to light for any building it must have been peaceably enjoyed therewith as an easement, and as of right, without interruption for a specified number of years.
- ii) In case of any way, it has been peaceably and openly enjoyed by any person claiming title thereto as an easement and as of right without interruption for a specified number of years.
- iii) In case of access to light for any building, it must have been enjoyed therewith whether intermittently or not for a specified number of years.
- iv) In case of any way, it has been claimed by any person for a specified number of years.

Which of the above statements are correct?

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

52. In computing the period of limitation for a suit for possession by a purchaser at a sale in execution of a decree, _____

- A) The time during which a proceeding to set aside the sale has been prosecuted shall not be excluded.
- B) The time during which a proceeding to set aside the sale has been prosecuted shall be excluded.
- C) The time taken for payment of the sale price shall be excluded.
- D) In case of an auction sale, the time for completion of formalities associated with the auction shall not be excluded.

53. Consider the following pairs,

Description of Suit	Limitation Period
i) By a landlord to recover possession from a tenant.	Twelve years
ii) To recover movable property deposited or pawned from a depositary or pawnee.	Three years
iii) By a mortgagee, for foreclosure	Thirty years
iv) By a mortgagee, for possession of immovable property mortgaged.	Twelve years

Which of the above pairs are correctly matched?

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

54. Consider the following pairs,

Description of Suit	Limitation Period
i) For arrears of rent.	Three years
ii) From a decree or order of any High Court to the same Court.	Thirty days
iii) To establish a periodically recurring right.	Five years
iv) For leave to appear and defend a suit under Summary procedure.	Ten days

Which of the above pairs are correctly matched?

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

55. Consider the following pairs,

Particulars	Provisions
i) Punishment for identity theft	Section 66C
ii) Punishment for violation of privacy	Section 66E
iii) Punishment for publishing obscene material in electronic form	Section 67
iv) Punishment for cyber terrorism	Section 66G

Which of the above pairs are correctly matched?

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

56. Consider the following statements in the context of the Information Technology Act, 2000: -

For the purposes of discharging its functions the Appellate Tribunal has the following powers:

- i) Summoning and enforcing the attendance of any person.
- ii) Examining a summoned person on oath.
- iii) Reviewing its decisions
- iv) Receiving evidence on affidavits

Which of the above statements are correct?

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

57. Consider the following statements in the context of the Information Technology Act, 2000: -

In relation to appeal to Appellate Tribunal,

- i) No appeal lies from an order made by an adjudicating officer with the consent of the parties.
- ii) There is no time limit fixed for final disposal of the appeal.
- iii) Any person aggrieved by a non-consensual order made by an adjudicating officer may prefer an appeal.
- iv) Appeal shall be filed within a period of forty-five days of receipt of the impugned order.

Which of the above statements are correct?

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

58. The Information Technology Act, 2000 is intended to _____.

- A) Trap cyber terrorists.
- B) Prevent cyber-crime
- C) Provide legal recognition for transactions carried out by means of electronic data interchange and other means of electronic communication.
- D) Provide the State with the means to track cyber activity of all persons accessing internet from India.

59. The Information Technology Act, 2000, envisages that the private key and the public key are _____.

- A) Kept confidential by the subscriber
- B) Only used for authentication of governmental communications
- C) Unique to the subscriber and constitute a functioning key pair
- D) Commercially transferable by the subscriber at all times

60. Under the Information Technology Act, 2000, an electronic record shall be deemed to be a secure electronic record from a specific point of time to the time of verification, if _____.

- A) Any security procedure has been applied to the electronic record at that specific point of time.
- B) No physical access to the electronic record is granted to anyone.
- C) No internet access is permitted to the electronic record.
- D) It is sealed and kept under lock and key

61. An appeal may be filed from the order of the Appellate Tribunal to the High Court _____.

- A) Only on a question of law arising out of such order.
- B) Only if the case involves a substantial question of law of general importance.
- C) Only on a question of fact arising out of such order
- D) On any question of fact or law arising out of such order

62. Under Section 3, Explanation II to the Transfer of Property Act, 1882, a person acquiring any immovable property shall be deemed to have _____.
- Notice of possession of any person on the property.
 - Notice of the title, if any, of any person who is for the time being in actual possession thereof.
 - Notice of any claim of person having adverse possession thereof.
 - Notice of all easement claims on the property.
63. Consider the following examples in relation to what **CANNOT** be transferred under the transfer of Property Act, 1882: -
- The chance of a relation obtaining a legacy on the death of a kinsman
 - A mere right to sue
 - The chance of an heir-apparent succeeding to an estate
 - An easement along with its dominant heritage
- Which of the above example(s) is/are correct?
- | | |
|------------------------|-----------------------|
| A) i, iii and iv only | B) i, ii and iii only |
| C) ii, iii and iv only | D) i, ii and iv only |
64. Consider the following examples in relation to what **CANNOT** be transferred under the Transfer of Property Act, 1882: -
- Stipend allowed to civil pensioner of the government
 - Political pensions
 - Stipend allowed to naval pensioner of the government
 - Stipend allowed to military pensioner of the government
- Which of the above example(s) is/are correct?
- | | |
|------------------------|-----------------------|
| A) i, ii, iii and iv | B) i, iii and iv only |
| C) ii, iii and iv only | D) i, ii and iii only |
65. Consider the following statements in relation to persons who are competent to transfer property under the Transfer of Property Act, 1882: -
- Person must be competent to contract
 - Person must be entitled to transferable property
 - Person must be authorised to dispose of transferable property if property is not his own
 - Person must be an Indian citizen
- Which of the above statements are correct?
- i, ii, iii and iv
 - i, iii and iv only
 - ii, iii and iv only
 - i, ii and iii only

66. Where on a transfer of property, an interest therein is created absolutely in favour of any person, but the terms of the transfer direct that such interest shall be applied or enjoyed by him in a particular manner, _____.
- A) He shall be entitled to pay a mutually agreed consideration on to remove the restriction.
 - B) He shall be bound to enjoy the interest only in such particular manner.
 - C) He shall be entitled to receive and dispose of such interest as if there were no such direction.
 - D) Such transfer of property is void ab initio.
67. The right of a transferor to enforce a direction which limits the enjoyment of the property transferred absolutely to the transferee, to a particular manner only for the purpose of securing the beneficial enjoyment of another piece of property, is provided for under _____.
- A) Section 9, The Transfer of Property Act, 1882
 - B) Section 11, The Transfer of Property Act, 1882
 - C) Section 17, The Transfer of Property Act, 1882
 - D) Section 69A, The Transfer of Property Act, 1882
68. If an interest vests in a transferee, it is _____.
- A) Divested on his death after he obtains possession
 - B) Defeated by the death of the transferee before he obtains possession
 - C) Not defeated by the death of the transferee before he obtains possession
 - D) Transferable only after he obtains possession
69. Consider the following statements in the context of the Transfer of Property Act, 1882:-
In every transfer of immoveable property made with intent to delay the creditors of the transferor,
- i) The rights of a transferee in good faith and for consideration shall not be impaired.
 - ii) The transfer shall be voidable at the option of any creditor so delayed.
 - iii) The creditor so delayed can take possession of the property.
 - iv) The creditor so delayed can bring the property to sale without intervention of the court.
- Which of the above statements are correct?
- A) i and iv only
 - B) ii and iii only
 - C) ii and iv only
 - D) i and ii only

70. Consider the following statements in the context of the Transfer of Property Act, 1882:-
In the case of tangible immovable property where there is a transfer of ownership in exchange for a price paid,

- i) If the value of the property is one thousand rupees or less, the transfer may be made without a registered instrument.
- ii) If the value of the property is one hundred rupees or more, the transfer can be made only by a registered instrument.
- iii) If the value of the property is less than one hundred rupees, the transfer may be made either by a registered instrument or by delivery of the property.
- iv) Irrespective of the value of the property, the transfer may be made without a registered instrument.

Which of the above statements are correct?

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

71. Consider the following statements in the context of the rights of a mortgagee in possession under the Transfer of Property Act, 1882: -

A mortgagee may spend such money as is necessary.

- i) For supporting the mortgagor's title to the property.
- ii) For the preservation of the mortgaged property from forfeiture.
- iii) For the preservation of the mortgaged property from destruction.
- iv) For the preservation of the mortgaged property from sale.

Which of the above statements are correct?

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

72. Match the following propositions in Part-A with relevant Order mentioned in Part-B

PART - A

- 1. Attendance of witnesses confined or detained in prisons
- 2. Suits concerning family matters
- 3. Death, Marriage and Insolvency of Parties
- 4. Commissions

PART - B

- a. Order XXXII - A
- b. Order XXVI
- c. Order XVI - A
- d. Order XXII

Options:

- 1 2 3 4
- A) c a d b
- B) d a b c
- C) c a b d
- D) b c d a

73. In the following question there are two statements. In the context of the Code of Civil Procedure, which of the following option is correct.

Statement - 1: A suit in which the principal question relates to religion or caste, it is not a suit of civil nature.

Statement - 2: A suit to establish one's right to an office in a temple, and to honors and privileges attached to the said office will lie in a civil court.

- A) Both A and R are true
- B) Both A and R are not true
- C) A is true but R is false
- D) A is false but R is true

74. In the light of the two statements given below in the context of Order 21 of the Code of Civil Procedure, identify the correct option.

Statement - 1: An order or direction given, by the court which passed the decree to a court which would be competent to execute the decree, to attach any property belonging to the judgement debtor is called Garnishee order

Statement - 2: Precept is not an order transferring a decree for execution.

- A) Both statements are wrong
- B) Both statements are correct
- C) Statement 1 is wrong and statement 2 is correct
- D) Statement 1 is correct and statement 2 is wrong

75. Match the following *latin* maxim with the equivalent English version

PART - A

- 1. *Actio personalis moritur cum persona*
- 2. *Examination de bene esse*
- 3. *Actus curiae neminem gravabit*
- 4. *Ex debito justitiae*

PART - B

- a. Recognition of a debt that the justice delivery system owes to a litigant to correct an error in a judicial dispensation
- b. An act of court shall prejudice no man
- c. Examination of a witness before hearing
- d. A personal action dies with the person

Options:

- | | | | | |
|----|---|---|---|---|
| | 1 | 2 | 3 | 4 |
| A) | c | a | d | b |
| B) | d | a | b | c |
| C) | c | a | b | d |
| D) | d | c | b | a |

76. Match the following statements in Part - A with the case given in Part - B

PART - A

PART - B

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|
| 1. The words " <i>court may proceed ex parte</i> " is an enabling provision and not a direction to <i>proceed ex parte</i> | a. Anil Rai v. State of Bihar (Crl. App No. 389 of 1998) |
| 2. There are five principles which can be described as " <i>Panch sadachar</i> " of our courts exercising equity jurisdiction in appointing receiver | b. <i>Daryao and Others v. State of UP and Others</i> (1961 AIR 1457). |
| 3. The case where the court highlighted concern over delayed pronouncement of judgment after arguments were over. | c. <i>Sangram Singh v. Election Tribunal Kotah</i> (AIR 1955 SC 425) |
| 4. If a petition filed under Art.226 is dismissed on merits, filing a petition under Art.32 for the same relief on same grounds is barred by <i>Resjudicata</i> | d. <i>Krishnaswamy Chetty v. Than gavelu Chetty</i> (AIR 1955 Mad 430) |

Options:

- | | | | | |
|----|---|---|---|---|
| | 1 | 2 | 3 | 4 |
| A) | c | d | b | a |
| B) | d | a | b | c |
| C) | c | d | a | b |
| D) | b | c | d | a |

77. In the following question there are two statements labelled as Assertion (A) and Reason (R). In the context of the two statements, which of the following option is correct.

Assertion (A): Temporary Injunction may be issued only against a party and not against a stranger.

Reason (R): Temporary Injunction acts in personam and not in rem

- A) Both A and R are correct. R is not a correct reason for A
- B) A is correct and R is wrong
- C) Both A and R are correct. R is correct reason for A
- D) A is not correct R is correct

78. Match the following Table

PART - A

1. Period of the effect of attachment in pursuance of the Precept under S.46 of CPC
2. No suit shall be instituted against government
3. A decree against the government can be put into execution, if it remains unsatisfied for a period of
4. If no time is prescribed, the period within which the amendment is to be carried out

PART - B

- a. Three months from the date of decree
- b. 14 days
- c. Not more than two months
- d. Until the expiration of two months from the date of notice.

Options:

- | | | | | |
|----|---|---|---|---|
| | 1 | 2 | 3 | 4 |
| A) | c | a | d | b |
| B) | d | a | b | c |
| C) | c | a | b | d |
| D) | c | d | a | b |

79. Consider the following statements and identify the INCORRECT statements

1. Leave of the court is mandatory for the next friend to enter into any compromise on behalf of the minor.
2. A woman can be arrested in execution of money decree between sunrise and sunset.
3. If the defendant is absent from his residence, the summons can be served on any adult family member in the house, whether male or female.
4. Central government can exempt agricultural produce from liability to attachment or sale in execution of a decree

Options:

- | | |
|------------|------------|
| A) 1 and 3 | B) 2 and 3 |
| C) 2 and 4 | D) 3 and 4 |

80. In the following question there are two statements labelled as Assertion (A) and Reason (R). In the context of the two statements, which of the following option is correct.

Assertion (A): Consent of the parties cannot confer nor take away the jurisdiction of a court.

Reasoning (R): Parties can agree to confine the jurisdiction to a particular court when two or more courts have jurisdiction.

- A) Both A and R are true. R is an exception to A
- B) A is wrong and R is correct
- C) Both A and R are wrong
- D) A is correct and R is wrong

81. In the following question there are two statements labelled as Assertion (A) and Reason (R). In the context of the two statements, which of the following option is correct.
 Assertion: The plea of *Resjudicata* may be waived by the party to the suit
 Reason: The plea of *Resjudicata* does not affect the jurisdiction of the court.
- Both A and R are correct. R is not an explanation to A
 - Both A and R are true. R is an explanation to A
 - A is wrong and R is correct
 - A is correct and R is wrong
82. Which of the following statements is not true regarding the time line for recording of evidence of child and disposal of the case under the POCSO Act 2012
- The evidence of the child shall be recorded within a period of thirty days of the Special Court taking cognizance of the offence
 - The Special Court shall complete the trial within a period of one year from the date of taking cognizance of the offence.
 - Both (A) and (B) are correct
 - Neither (A) or (B) are correct
83. Consider the following statements regarding the procedure and powers of Special Court under the POCSO Act, 2012
- A Special Court may take cognizance of any offence, without the accused being committed to it for trial, upon receiving a complaint of facts which constitute such offence.
 - The Special Court must, in addition to the punishment, direct payment of such compensation as may be prescribed to the child for any physical or mental trauma caused to him or for immediate rehabilitation of such child.
- Which of the above statements is/are correct ?
- 1 only
 - 2 only
 - Both 1 and 2
 - Neither 1 nor 2
84. Consider the following statements regarding the recording of statement of a child by Magistrate under the POCSO Act, 2012.
- Provisions contained in the first proviso to sub-section (1) of section 164 of the Code of Criminal Procedure, 1973 (2 of 1974) shall, so far it permits the presence of the advocate of the accused shall apply in this case.
 - If the statement of the child is being recorded under section 164 of the Code of Criminal Procedure, 1973 (2 of 1974), the Magistrate recording such statement shall record the statement as spoken by the child
- Which of the above statements is/are incorrect ?
- 1 only
 - 2 only
 - Both 1 and 2
 - Neither 1 nor 2

85. Which of the following statements is true regarding the designation of Special Courts?

- A) For the purposes of providing a speedy trial, the State Government shall in consultation with a judge of the High Court, by notification in the Official Gazette, designate for each district, a Court of Session to be a Special Court to try the offences under the Act
- B) While trying an offence under this Act, a Special Court shall also try an offence with which the accused may, under the Code of Criminal Procedure, 1973 (2 of 1974) be charged at the same trial.
- C) Both (A) and (B) are correct
- D) Neither (A) or (B) are correct

86. Consider the following statements with respect to the designation of Special Courts for a trial of offences under the POCSO Act, 2012

1. The District Magistrate by notification designates a Court of Session to be a Special Court to try the offences under the POCSO Act.
2. There shall be a Special Court for every two districts to try the offences under the POCSO Act.
3. The Special Court also has jurisdiction outside the ambit of the POCSO Act, 2012.

Which of the above statements is correct?

- A) 1 and 2 only
- B) 2 and 3 only
- C) 3 only
- D) 1,2 and 3

87. Under POCSO Act, 2012, there are some provisions which are opposite to Section 102 of Indian Evidence Act, 1872. Whether the statement is True or False.

- a) Statement is True
- b) Statement is False
- c) Depends of facts of case
- d) Depends on discretion of court

Choose the appropriate option

- A) Option a
- B) Option b
- C) Option c only
- D) Both option c and d

88. Consider the following statements with respect to the **New obligations under the POCSO Rules**

1. Any institution housing children, or coming in regular contact with them, is required to conduct a periodic police verification and background check of every employee who might interact with a child.
2. Regular training to sensitise the employees of the institution housing the children on child safety and protection.
3. Adolescent girl need not require permission of her legal guardians under Section 3(4) of the MTP Act for terminating her pregnancy arising out of consensual sexual intercourse.
4. Adoption of a child protection policy based on the principle of zero tolerance to violence against children.

Which of the above statements is/are correct?

- A) 1, 2 and 3 only
- B) 2, 3 and 4 only
- C) 1, 2 and 4 only
- D) 1, 2, 3 and 4

89. Read assertion (A) and Reason (R) and answer using the codes given below

Assertion A - An individual can be declared as terrorist by the central government under section 35.

Reason R - Such person can be punished for imprisonment upto 5 years

- A) (A) and (R) are correct and (R) is the correct reason for (A)
- B) (A) is correct but (R) is incorrect.
- C) (A) is incorrect but (R) is correct.
- D) Both (A) and (R) are incorrect.

90. Read assertion (A) and Reason (R) and answer using the codes given below

Assertion - A

Section 43E of UAPA 1967 states that, "in a prosecution for an offence under section 15, if it is proved that the arms or explosives or any other substances specified in the said section were recovered from the possession of the accused and there is reason to believe that such arms or explosives or other substances of a similar nature were used in the commission of such offence, the Court shall presume, unless the contrary is shown, that the accused has committed such offence." Here the prosecution is required to establish that the possession was conscious.

Reason - R

The constitution bench in the case of *Sanjay Dutta v. CBI*, (1995 CriLJ 477) held that "The meaning of the first ingredient of 'possession' of any such arms etc. is not disputed. Even though the word 'possession' is not preceded by any adjective like 'knowingly', yet it is common ground that in the context the word 'possession' must mean possession with the requisite mental element, that is, conscious possession and not mere custody without the awareness of the nature of such possession."

Codes:

- A) (A) and (R) are correct and (R) is the correct reason for (A)
- B) (A) is correct but (R) is incorrect.
- C) (A) is incorrect but (R) is correct.
- D) Both (A) and (R) are incorrect.

96. What is the number of seats kept vacant in the Legislative Assembly of the Union Territory of Jammu and Kashmir?
- A) 24
 - B) 15
 - C) 36
 - D) 21
97. In the year 2019, the total population for the purpose of computing proportionate representation for Scheduled Castes and Tribes in the Legislative Assembly of the Union Territory of Jammu and Kashmir is construed with reference to the _____.
- A) Population of J & K in 1947
 - B) 1951 census
 - C) 1961 census
 - D) 2011 census
98. What is the number of women who may be nominated to the Legislative Assembly of the Union Territory of Jammu and Kashmir?
- A) 2
 - B) 5
 - C) 7
 - D) 9
99. The quorum to constitute a meeting of the Legislative Assembly shall be the greater of _____.
- A) Ten members or one-tenth of the total number of members of the Legislative Assembly
 - B) Fifteen members or one-fourth of the total number of members of the Legislative Assembly
 - C) Twenty members or one-tenth of the total number of members of the Legislative Assembly
 - D) Twenty members or one-eighth of the total number of members of the Legislative Assembly
100. Consider the following statements:
- i) The J & K Reorganisation Act, 2019 trifurcated the erstwhile State of Jammu and Kashmir.
 - ii) The J & K Reorganisation Act, 2019 bifurcated the erstwhile State of Jammu and Kashmir.
 - iii) Rajouri District is part of the Jammu Parliamentary Constituency.
 - iv) Doda District is part of the Jammu Parliamentary Constituency.
- Which of the following options are correct?
- A) i and iv only
 - B) ii and iii only
 - C) ii and iv only
 - D) i and iii only

ROUGH WORK

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