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Booklet Serial No.

Test Booklet Series

001289

**TEST BOOKLET
J&K CIVIL SERVICE (JUDICIAL)
PRELIMINARY EXAMINATION - 2018
PAPER-I
Code No. 91**

A

Time Allowed: Two Hours.

Maximum Marks: 225

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.
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5. You have to mark all your responses **ONLY** on the separate Answer Sheet/Response Sheet provided. See directions in the Answer Sheet/Response Sheet.
6. All items carry equal marks.
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Test Code No. 91 Paper-I

(1 - A)

SEAL

1. Who was the Chairman of the First Law Commission appointed under the Charter Act of 1833?
 - (A) Sir James Stephen
 - (B) Lord Thomas Babington Macaulay
 - (C) J.M. Macleod
 - (D) Sir John Romilly
2. Which Governor General of India introduced the East India Company policy named 'Doctrine of lapse'?
 - (A) Lord Wellesley
 - (B) Warren Hastings
 - (C) Lord Canning
 - (D) Lord Dalhousie
3. Under which one of the following land revenue system, the British Government collected taxes directly from the farmers?
 - (A) Zamindari
 - (B) Mahalwari
 - (C) Ryotwari
 - (D) None of these
4. 'Father of Indian Renaissance' is related to :
 - (A) Ishwar Chandra Vidyasagar
 - (B) B.C. Chattopadhyay
 - (C) Raja Ram Mohan Roy
 - (D) Bal Gangadhar Tilak
5. Which Asian Mountain is also known as the 'Savage Mountain' due to the extreme difficulty of ascent?
 - (A) Kanchenjunga
 - (B) K2
 - (C) Lhotse
 - (D) Himalya
6. Arrange the following in chronological order
 - (1) Dandi March
 - (2) Kargil war
 - (3) Mutiny against British Rule
 - (4) Shimla Agreement
 - (A) 3, 1, 4, 2 (B) 1, 2, 3, 4
 - (C) 3, 2, 4, 1 (D) 4, 2, 3, 1
7. As per the succession of Presidents of India, which order among the following is correct?
 - (1) Giani Zail Singh
 - (2) Rajendra Prasad
 - (3) V.V. Giri
 - (4) Zakir Hussain
 - (A) 2, 4, 3, 1 (B) 1, 2, 3, 4
 - (C) 4, 3, 2, 1 (D) 3, 2, 1, 4
8. In 1964, which portfolio was given to Indira Gandhi in the Government of Lal Bahadur Shastri, after the demise of her father Jawahar Lal Nehru?
 - (A) Defence
 - (B) Home
 - (C) Information and Broadcasting
 - (D) Social Welfare
9. Arrange the following in chronological order as per their tenure of Prime Ministership of India:
 - (1) Charan Singh
 - (2) Dr. Manmohan Singh
 - (3) Indira Gandhi
 - (4) Morarji Desai
 - (A) 3, 4, 1, 2 (B) 1, 2, 3, 4
 - (C) 2, 1, 3, 4 (D) 3, 1, 2, 4
10. Which famous world leader was accused at the Rivonia Trial?
 - (A) Martin Luther King
 - (B) Subhash Chandra Bose
 - (C) Nelson Mandela
 - (D) Kamal Attaturk

11. Which is the largest internal organ in the human body?
 (A) Liver
 (B) Heart
 (C) Lung
 (D) Kidney
12. Which film was selected for the National Award for best feature film for the year 2017?
 (A) Village Rockstars
 (B) Mom
 (C) Dhappa
 (D) Baahubali: The Conclusion
13. Which famous philosopher was also the tutor of Alexander the Great?
 (A) Aristotle
 (B) Socrates
 (C) Rousseau
 (D) Bentham
14. In which present day country was the battle of Waterloo fought?
 (A) France
 (B) Italy
 (C) Belgium
 (D) Norway
15. 'Kissan Ghat' in Delhi is the memorial ground of which famous Indian leader?
 (A) Indira Gandhi
 (B) Charan Singh
 (C) Rajiv Gandhi
 (D) Jagjivan Ram
16. As per the succession of Chief Justice of India, which order among the following is correct?
 (1) Justice Dipak Misra
 (2) Justice Dr. A.S. Anand
 (3) Justice T.S. Thakur
 (4) Justice V.N. Khare
 (A) 2, 4, 3, 1 (B) 1, 2, 3, 4
 (C) 3, 4, 1, 2 (D) 2, 1, 3, 4
17. In which city can you find the mausoleum of Arjumand Bano Begum?
 (A) Delhi
 (B) Agra
 (C) Aurangabad
 (D) Hyderabad
18. The first month of Saka Calender is :
 (A) Falgun
 (B) Chaitra
 (C) Vaisakh
 (D) Magh
19. The longest river in peninsular Indian is :
 (A) Narmada
 (B) Godavari
 (C) Mahanadi
 (D) Cauvery
20. Who amongst the following won the Nobel Prize at least twice:
 (A) Winston Churchill
 (B) Madame Curie
 (C) Octavio Paz
 (D) George Choupak
21. Where is Jeddah situated?
 (A) Saudi Arabia
 (B) Afghanistan
 (C) Turkey
 (D) Iraq
22. Who appoints the Attorney General of India?
 (A) The president
 (B) Prime Minister
 (C) Chief Justice of India
 (D) Law minister

23. Who gave dissenting judgment in the recently decided case (judgment in September, 2018) on 'Aadhaar' by the Supreme Court of India
 (A) Chief Justice Dipak Misra
 (B) Justice D.Y. Chandrachud
 (C) Justice A.K. Sikri
 (D) Justice A.M. Khanwilkar
24. In which recent case the Supreme Court has held 'Adultery' not an offence:
 (A) Joseph Shine vs Union of India
 (B) Yusuf Abdul Aziz vs State of Bombay
 (C) W.Kalyani vs State
 (D) Sowmithri Vishnu vs Union of India
25. After which one of the following Supreme Court judgments was the special provision for socially and educationally backward classes introduced by an amendment to the Constitution?
 (A) Balaji vs State of Mysore
 (B) State of Madras vs Champakam Doirajan
 (C) Devdasan vs UOI
 (D) Periakaruppan vs State of Tamil Nadu
26. Untouchability is abolished and its practice is punishable according to which provision of the constitution of India?
 (A) Art. 15
 (B) Art. 16
 (C) Art. 17
 (D) Art. 15(4)
27. Match the following
 (a) Right to go abroad (1) Bhim Singh's case
 (b) Prisoner's right (2) Maneka Gandhi's case
 (c) Death penalty (3) Bacchan Singh's case
 (d) Government's liability (4) Sunil Batra's case
Codes:
 (A) a-2, b-4, c-1, d-3
 (B) a-4, b-2, c-3, d-1
 (C) a-2, b-4, c-3, d-1
 (D) a-4, b-2, c-1, d-3
28. Which of the following writs can be issued only against the judicial or quasi-judicial authorities?
 (A) Mandamus
 (B) Habeas Corpus
 (C) Certiorari
 (D) Quo Warranto
29. Which one of the following statement(s) is not correct
 (A) Right to equality includes the principles of natural justice
 (B) Right to personal liberty includes right to livelihood
 (C) Protection available to accused persons includes protection against ex-post facto laws in civil matters
 (D) Protection against arrest and detention includes right to consult and to be defended by lawyer of one's choice
30. Who appoints the Governor of Jammu and Kashmir?
 (A) Chief Minister of the State
 (B) Prime Minister
 (C) Legislative Assembly of the State
 (D) President of India
31. Arrange the judgments of the Supreme Court on Fundamental Right relating to personal liberty in correct chronological order
 1. Maneka Gandhi vs Union of India
 2. A.D.M. Jabalpur vs Shiv Kant Shukla
 3. A.K. Gopalan vs State of Madras
 (A) 3, 2, 1
 (B) 2, 1, 3
 (C) 2, 3, 1
 (D) 1, 2, 3

32. Retirement age of the Chief Justice of India is
- 62 years
 - 65 years
 - 68 years
 - No age limit
33. A, who is a permanent resident of the State of J & K, commits a murder outside the State. Which one of the following legal positions as to his criminal liability is correct?
- A can be tried and convicted only in the State where he committed the offence as per its criminal law
 - A can be tried and convicted of murder in any place in the State of J&K in which he is found, under the Ranbir Penal Code
 - A can be tried anywhere in India except in J&K but as per the provisions of the Ranbir Penal Code
 - All the above
34. Which one of the following statements is correct?
- Writ of Habeas Corpus is available against private individuals as well
 - Writ of Quo Warranto is available against subordinate courts only
 - Writ of Certiorari is available against autonomous bodies only
 - Writ of Prohibition is available against public servants only
35. **Assertion (A):** An accused person cannot be compelled to give his thumb impression
Reason (R): An accused person cannot be compelled to be witness against himself
- Both (A) and (R) are correct and (R) is the correct explanation of (A)
 - Both (A) and (R) are false
 - (A) is true but (R) is false
 - (A) is false but (R) is true
36. Which among the following is not a Fundamental Right?
- Right to strike
 - Right against exploitation
 - Right to equality
 - Right to freedom of religion
37. Match (**Judicial principles**) with (**decisions**) and select the correct answer using the codes given below:
- List - I**
- Freedom of press
 - Minority rights
 - Just, fair and reasonable
 - Special courts
- List - II**
- Kedarnath Bajoria vs State of W.B.
 - Bennet Coleman vs UOI
 - Ajit Basha vs UOI
 - Maneka Gandhi vs UOI
- Codes:**
- a-1 b-3 c-4 d-2
 - a-2 b-4 c-3 d-1
 - a-1 b-4 c-3 d-2
 - a-2 b-3 c-4 d-1
38. The word '**Practice**' mentioned in Art. 25 of the constitution of India does not include:
- Propagation
 - Religious worship
 - Rituals
 - Observations
39. Which of the following statement(s) relating to the Indian constitution is/are not true?
- Art. 20 is directly applicable to the civil and criminal process
 - Art. 20 (1) is concerned with the substantive law of criminal liability and penalty only
 - Art. 20 (2) and 20 (3) are mainly concerned with the stage of procedure
 - Art. 20 (3) gives protection against 'testimonial compulsion'.

40. 'Equality of opportunity in matters of public employment' is mentioned in which of the following Articles of the constitution of India?
- (A) Art. 14
(B) Art. 15
(C) Art. 16
(D) None of the above
41. Directive Principles of State Policy are:
- (A) not part of the Constitution of India
(B) policy declaration made by Jawahar Lal Nehru
(C) policy principles enunciated by Planning Commission
(D) a part of the Constitution of India
42. The fundamental duties provided in the Constitution of India are
- (1) To value and preserve rich heritage of our composite culture
(2) To safeguard private property
(3) To develop scientific temper, humanism and spirit of enquiry
(4) To respect the Indian flag
- Identify the order in which they appear under Article 51-A
- (A) 4, 2, 1 and 3
(B) 4, 1, 2 and 3
(C) 4, 1, 3 and 2
(D) 4, 3, 2 and 1
43. Which one of the following punishments cannot be awarded to an offender under the provisions of the Ranbir Penal Code?
- (A) Death
(B) Externment from J&K
(C) Forfeiture of Property
(D) Imprisonment for life
44. Match List-I with List-II and select the correct answer using the codes given below the lists:
- List - I**
- (a) The Constituion (Eightieth Amendment) Act, 2000
(b) The Constitution (Eighty-first Amendment) Act, 2000
(c) The Constitution (Eighty - second Amendment) Act, 2000
(d) The Constitution (Eighty - third Amendment) Act, 2000
- List - II**
- (1) Art. 243 M
(2) Art. 335
(3) Art. 16
(4) Art. 270
- Codes:**
- (A) a-4 b-2 c-3 d-1
(B) a-1 b-3 c-2 d-4
(C) a-1 b-2 c-3 d-4
(D) a-4 b-3 c-2 d-1
45. If the sentence of life imprisonment is passed under the Ranbir Penal Code, the government may commute the punishment for imprisonment for a term not exceeding
- (A) 10 years
(B) 14 years
(C) 20 years
(D) 24 years
46. The President of India has power to declare emergency under Art. 352 on which of the following grounds :
- (1) War
(2) External aggression
(3) Internal disturbance
(4) Armed Rebellion
- Codes:**
- (A) 1, 2 and 3
(B) 1, 2 and 4
(C) 1, 3 and 4
(D) 2, 3 and 4

47. If President wants to tender his resignation before expiry of his normal term he has to address the same to
- Chief Justice of India
 - Parliament
 - Prime Minister
 - Vice President
48. Right of Private defence even to the extent of causing death of assailant cannot be claimed if
- his assault may reasonably cause apprehension of death of the victim
 - his assault is with the intension causing Rape
 - his assault is with the intention of causing insult to women
 - his assault is with the intention of gratifying unnatural lust
49. The Supreme Commander of Armed Forces is
- President of India
 - Prime Minister
 - Council of Ministers
 - Chief of Army Staff
50. When was the Constitution of Jammu and Kashmir adopted
- 15th August, 1947
 - 26th January, 1950
 - 17th November, 1956
 - 26th January, 1958
51. Which part of the Constitution of Jammu and Kashmir deals with the subject of 'Permanent Residents'?
- Part II
 - Part III
 - Part V
 - Part VI
52. Which of the following statements is correct in relation to the provisions regarding 'Directive Principles of State Policy'
- Shall be enforceable by the Supreme Court of India only
 - Shall be enforceable by the High Court only
 - Shall be enforceable by any court
 - Shall not be enforceable by any court
53. Who has got the authority to appoint the Governor under section 27 of the Constitution of Jammu & Kashmir?
- President of India
 - Prime Minister of India
 - Speaker of the Lok Sabha
 - Chief Justice of India
54. Which of the following statement is correct: Under the constitution of Jammu & Kashmir, the Ministers and the Deputy Ministers hold office-
- During the pleasure of Governor
 - During the pleasure of the Speaker of legislative assembly
 - During the pleasure of President of India
 - During the pleasure of Prime Minister
55. Advocate General for the State is appointed by -
- The Governor
 - The President
 - The Chief Justice of the State
 - The Chief Justice of India
56. The State Legislature consist of -
- The Governor, Legislative Assembly and Legislative Council
 - Legislative Assembly and Legislative Council
 - Only Legislative Assembly
 - None of the above

57. Whoever knowingly aids or assists any State Prisoner in escaping from lawful custody, or harbours or conceals any such prisoner who has escaped from lawful custody shall be punished with
- Imprisonment for life
 - Imprisonment for a term which may extend to ten years
 - Either (A) or (B) above
 - Death
58. The examination of a witness by the Adverse Party shall be called his:
- Examination - in - Chief
 - Cross Examination
 - Re - Examination
 - None of these
59. The law of evidence consists of :
- Ordinary rules of reasoning
 - Legal rules of evidence
 - Rules of logic
 - All the above
60. '*Self-regarding*' statements :
- Can be self serving statements
 - Can be self harming statements
 - Can be self serving or self harming
 - None of the above
61. Law of Evidence is :
- lex tallienis
 - lex fori
 - lex loci solutionis
 - lex situs
62. Law of Evidence is :
- A substantive law
 - An adjective law
 - Both (A) and (B)
 - Neither (A) nor (B)
63. Facts can be:
- Physical facts
 - Psychological facts
 - Both (A) and (B)
 - Neither (A) nor (B)
64. Evidence under the Evidence Act means and includes :
- Ocular evidence
 - Documentary evidence
 - Both (A) and (B)
 - Ocular evidence based on documents only
65. Under section 8 of the Evidence Act, 1977
- 'Motive' is relevant
 - Preparation is relevant
 - Conduct is relevant
 - All the above
66. Alibi is governed by which section of the Evidence Act, 1977
- Section 6
 - Section 8
 - Section 12
 - Section 11
67. Mode of proof of a custom is contained in which section of the J & K Evidence Act:
- Section 32 (4)
 - Section 32 (7)
 - Section 48
 - All the above
68. Admissions :
- Must be examined as a whole and not in parts
 - Can be examined in parts
 - Can be examined as a whole or in parts
 - Both (B) and (C) are correct

69. Under section 27 of the J & K Evidence Act, 'Discovery of fact' includes:
- The object found
 - The place from where it is produced
 - Both (A) and (B)
 - Neither (A) nor (B)
70. Opinions of experts are relevant under which section of the Evidence Act:
- Section 45
 - Section 46
 - Section 47
 - Section 48
71. Section 79 of Evidence Act contains:
- An irrefutable presumption of law
 - A rebuttable presumption of law
 - A presumption of fact
 - No presumption either of fact or law
72. The '*doctrine of estoppel*' is a:
- Substantive law
 - Rule of equity
 - Rule of evidence
 - Law of pleadings
73. Consider the following statement(s):
- Every Civil Servant of the State is a Public Servant under Section 21 of the Ranbir Penal Code
 - Only such Civil Servants who draw pay more than Rs.30,000 p.m is a Public Servant
 - Civil Servants who are declared as such by the Government are considered as Public Servants
 - Only Gazetted Civil Servant are Public Servants under section 21 of the Ranbir Penal Code.
- Which of the above statements is correct:
- Only 1
 - 2 and 3
 - 3 and 4
 - 4 and 2
74. Punishment for rioting under section 147 of the Ranbir Penal Code is :
- Two years
 - Three years
 - Ten years
 - Life imprisonment
75. The newly inserted section 326-A by Jammu and Kashmir criminal laws (Amendment) Act, 2013 in the Ranbir penal code, Samvat 1989 creates the following new offence
- Voluntarily causing grievous hurt by use of acid
 - Dowry death
 - Voluntarily throwing or attempting to throw acid
 - Sexual Harassment of women
76. Which section of the Ranbir Penal Code deals with '*word, gesture or act intended to insult the modesty of a woman*'?
- Section 400
 - Section 432
 - Section 509
 - Section 511
77. Where a woman is raped by one or more persons acting in furtherance of a common intention, each of those persons shall be punished with rigorous imprisonment for a term
- Which shall not be less than twenty five years, but which may extend to life
 - Which shall not be less than twenty years, but which may extend to life
 - Which shall not be less than ten years, but which may extend to life
 - Which shall not be less than twenty five years, but which may extend to the remainder of that person's natural life and with fine

78. Which section of the Ranbir Penal Code provides punishment for dishonestly receiving stolen property?
- (A) Section 315
(B) Section 374
(C) Section 406
(D) Section 411
79. Which of the below statements is correct :
- (A) Whoever, being under sentence of imprisonment for life, commits murder, shall be punished with death.
(B) Whoever, being under sentence of imprisonment for life, commits murder, shall be punished with imprisonment for life
(C) Whoever, being under sentence of imprisonment for life, commits murder, shall be punished with imprisonment for ten years.
(D) None of the above
80. Which of the below statements is correct:
- (A) If any person commits suicide, whoever abets the commission of such suicide, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.
(B) If any person commits suicide, whoever abets the commission of such suicide, shall be punished with imprisonment of either description for a term which may extend to ten years only.
(C) If any person commits suicide, whoever abets the commission of such suicide, shall be punished with death.
(D) If any person commits suicide, whoever abets the commission of such suicide, shall be punished with imprisonment of either description for a term which may extend imprisonment for life, and shall also be liable to fine.
81. Which section of the Limitation Act deals with exclusion of time in legal proceedings :
- (A) Section 5
(B) Section 12
(C) Section 14
(D) Section 21
82. Limitation for any suit by or on behalf of the state is :
- (A) 12 Years
(B) 22 Years
(C) 30 Years
(D) 60 Years
83. Limitation for a suit for which no period of limitation is provided in the Limitation Act, is:
- (A) 2 Years
(B) 5 Years
(C) 6 Years
(D) 12 Years
84. Which section of the Limitation Act contains provisions regarding extension of period of limitation in certain cases?
- (A) Section 2
(B) Section 5
(C) Section 10
(D) Section 14
85. **Which of the following statements is correct?**
Under section 5 of the Limitation Act, the fact that the applicant was misled by any order in ascertaining or computing period of limitation-
- (A) May be sufficient cause within the meaning of the section
(B) Is not a sufficient cause within the meaning of the section
(C) Is no cause at all
(D) None of the above

86. Which section of the Limitation contains provisions regarding effect of death before right to sue accrues?
 (A) Section 12
 (B) Section 17
 (C) Section 19
 (D) Section 29
87. The provisions of section 195 of Cr. PC require-
 (A) A complaint in writing
 (B) An oral complaint
 (C) Either (A) or (B)
 (D) Neither (A) nor (B)
88. In which of the following cases the Supreme Court held that FIR was not substantive evidence and could only be used to corroborate its maker?
 (A) Union of India v.A.Kumar AIR 2010 SC 2735
 (B) C.Magesh v.State of Karnatak AIR 2010 SC 2768
 (C) Anil Kumar v.B.S. Neelakanta AIR 2010 SC 2715
 (D) Vijeta Gazra v. State AIR 2010 SC 2712
89. Provisions for maintenance to wife and child are contained under which section of the Code of Criminal Procedure:
 (A) Section 470
 (B) Section 471
 (C) Section 469
 (D) Section 488
90. Taking cognizance under the Code of Criminal Procedure is -
 (A) A judicial function
 (B) An administrative function
 (C) A supervisory function
 (D) Both (A) and (B)
91. After completion of investigation, the police is to submit a final report to the Magistrate. The Magistrate -
 (A) Is bound by the conclusions drawn by the police and accept the same if the police recommended that there is no sufficient ground for proceeding further.
 (B) Is not bound by the conclusions drawn by the police and may order further investigation
 (C) May issue a process against the accused person(s)
 (D) Both (B) and (C)
92. Statements of witness recorded under section 164.Cr. PC are -
 (A) Substantive evidence
 (B) Corroborative evidence
 (C) Both sustentative and corroborative evidence
 (D) Neither sustentative nor corroborative evidence
93. Complaint as provided under section 2 (d) of the Cr. PC -
 (A) Can be to a police officer
 (B) Can be to a Magistrate
 (C) Both (A) and (B)
 (D) Must necessarily to be a Magistrate only
94. In a cognizable case under RPC, the police has the -
 (A) Authority to arrest a person without warrant
 (B) Authority to investigate the offence without permission of the Magistrate
 (C) Both (A) and (B)
 (D) None of the above

95. Section 91 of Cr. PC does not apply to -
- (A) The complainant
 - (B) The accused
 - (C) The witness
 - (D) A person who is neither a complainant nor an accused nor a witness
96. Search warrant in respect of a place -
- (A) Includes search of a person present in or about that place
 - (B) Does not include search of a person in or about that place
 - (C) Includes search of a person in or about that place only if such person is suspected of concealing about his person any article for which search is being made
 - (D) None of the above
97. Delay in dispatching the FIR to the Magistrate under section 157 Cr. PC.
- (A) Shall always throw out the prosecution case in its entirety.
 - (B) Shall never be a circumstance providing a legitimate basis for suspecting the FIR
 - (C) May or may not be a circumstance providing a legitimate basis for suspecting the FIR depending on the facts and circumstances brought on record.
 - (D) Either (B) or (C)
98. If a person whose statement is recorded by the police during investigation is called as a defence witness, his previous statements before the police -
- (A) Can be used for corroborating him
 - (B) Can be used for contradicting him
 - (C) Cannot be used for any purpose
 - (D) Both (A) and (B)
99. At the time of taking cognizance the magistrate is to see -
- (A) Whether there are sufficient grounds on record to proceed against the accused person.
 - (B) Whether there is a prima facie case against the accused person to frame the charge
 - (C) Sift and appreciate the evidence with reference to the material and come to the conclusion whether prima facie case is made out against the accused.
 - (D) (A), (B) and (C) above
100. In which of the following cases the prosecution witness was prosecuted for perjury?
- (A) Jessica Lal Case (2007)
 - (B) Nitish Katara Case (2007)
 - (C) Priyadarshni Matto Case (2006)
 - (D) Nirbhaya Case (2016)