

# COMMON LAW ADMISSION TEST (LL.M.)-2017

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**CHANAKYA LAW UNIVERSITY, PATNA**  
(Accredited with 'A' Grade by NAAC)

## CONSTITUTIONAL LAW

1. If any question arises whether a Bill is a Money Bill or not, the decision given by the ..... shall be final:
  - (a) Finance Minister
  - (b) Speaker of the Lok Sabha
  - (c) Vice-President
  - (d) Prime Minister
2. Part IX-B of the Constitution of India dealing with the 'Co-operative Societies' was inserted by:
  - (a) The Constitution (Ninety Fifth Amendment) Act, 2009
  - (b) The Constitution (Ninety Eighth Amendment) Act, 2012
  - (c) The Constitution (Ninety Third Amendment) Act, 2005
  - (d) The Constitution (Ninety Seventh Amendment) Act, 2011
3. Article 280 of the Constitution of India deals with:
  - (a) Finance Commission
  - (b) Election Commission of India
  - (c) Union Public Service Commission
  - (d) Comptroller and Auditor-General
4. Which provision of the Constitution of India deals with the representation of the Anglo-Indian Community in the House of the People?
  - (a) Article 331
  - (b) Article 332
  - (c) Article 333
  - (d) Article 330
5. In *State of Maharashtra v. Dr. Praful B. Desai*, 2003 SC the Supreme Court of India held:
  - (a) Right to speedy trial is part and parcel of Right to life under Article 21 of the Constitution
  - (b) It is obligatory on the employer to compute the family pension and offer the same to the widow even without making a claim on her part
- (c) Where lawyers boycott or are on strike it is the duty of the court to carry on with court proceedings
- (d) Recording of evidence through Video-conferencing so long the accused and/or his pleader are present while recording is as per "procedure established by law" and hence valid.
6. In which of the following judgment, the scope of the writ of Habeas Corpus was widened?
  - (a) D.K. Basu v. State of West Bengal, (1998 SC)
  - (b) Sheela Barse v. Union of India, (1983 SC)
  - (c) Sunil Batra v. Delhi Administration, (1978 SC)
  - (d) M.C. Mehta v. Union of India, (1987 SC)
7. Which provision of the Constitution of India provides for joint sitting of both Houses of Parliament in certain cases?
  - (a) Article 107
  - (b) Article 110
  - (c) Article 109
  - (d) Article 108
8. How many maximum members can represent the Union Territories in the Lok Sabha?
  - (a) 135
  - (b) 230
  - (c) 325
  - (d) 420
9. Supreme Court of India issued directions to the Central Government to conclude the national survey on drug abuse within a period of six months and a national plan for curbing increase of use and abuse of substance in children within four months in:
  - (a) Bandhua Mukti Morcha v. Union of India, (1984 SC)
  - (b) M.C. Mehta v. Union of India, (2017 SC)
  - (c) Bachpan Bachao Andolan v. Union of India, (2017 SC)
  - (d) Sheela Barse v. Union of India, (1987 SC)



10. How many judges constituted the Bench in the case of *Supreme Court Advocates on record Assn. v. Union of India*, (2016) 5 SCC 1 in which the Constitution (Ninety Ninth Amendment) Act, 2014, was declared unconstitutional?
- (a) Seven (b) Five  
(c) Nine (d) Three
11. The case of *Markandey Katju v. Lok Sabha*, (2017) 2 SCC 384 is related to:
- (a) Freedom of Speech and Parliamentary privileges  
(b) Functioning of Lok Sabha  
(c) Power of the Parliament to make law  
(d) Election of Speaker of Lok Sabha
12. Which of the following writ means 'what is your authority'?
- (a) Prohibition  
(b) *Mandamus*  
(c) *Quo Warranto*  
(d) *Habeas Corpus*
13. Which article of the Constitution of India provides that 'the State shall endeavour to secure for the citizens a uniform civil code throughout the territory of India'?
- (a) Article 43 (b) Article 44  
(c) Article 42 (d) Article 41
14. What is the outer limit of representatives of the States and of the UTs in the Council of States?
- (a) Not more than 228  
(b) Not more than 250  
(c) Not more than 245  
(d) Not more than 238
15. According to the existing provision, the reservation of seats for the Scheduled Castes and Scheduled Tribes in the House of the People and in the Legislative Assemblies of the States shall cease after ..... year from the commencement of the Constitution of India.
- (a) Ninety (b) Seventy  
(c) Hundred (d) Eighty
16. Protection from double jeopardy means:
- (a) No person shall be prosecuted and punished for the same offence more than once  
(b) No person shall be prosecuted or punished for different offence again  
(c) No person shall be prosecuted for the same offence more than once  
(d) No person shall be punished for the same offence more than once
17. In which case 'Secularism' was recognized as basic feature of the Constitution of India?
- (a) *Selvi v. State of Karnataka*, (2010 SC)  
(b) *M. Nagraj v. Union of India*, (2006 SC)  
(c) *S.R. Bommai v. Union of India*, (1994 SC)  
(d) *L. Chandra Kumar v. Union of India*, (1997 SC)
18. Which provision of the Constitution of India provides freedom as to payment of taxes for promotion of any particular religion?
- (a) Article 26 (b) Article 27  
(c) Article 28 (d) Article 29
19. In which of the following decision the Supreme Court of India heard the matter at midnight?
- (a) *Ramprakash v. State of U.P.*  
(b) *Jagdish Bhullar v. State of Punjab*  
(c) *State of Maharashtra v. Anwar Ali*  
(d) *Yaqub Abdul Razak Memon v. State of Maharashtra*
20. The judges of the Supreme Court of India can be removed from office in accordance with:
- (a) Article 217 (b) Article 125  
(c) Article 124 (d) Article 123
21. While imposing compulsory service for public purposes, the State shall not make any discrimination on grounds only of:
- (a) religion, race, caste, sex  
(b) religion, race, caste place of birth or any of them  
(c) religion, race, caste or class or any of them  
(d) religion, race, caste or any of them
22. Article 19(1)(c) of the Constitution of India guarantees freedom:
- (a) to form trade unions  
(b) to form associations or unions  
(c) to form associations  
(d) to form associations or unions, cooperative societies
23. Under which article the President can promulgate ordinance during the recess of Parliament?
- (a) Article 121 (b) Article 122  
(c) Article 124 (d) Article 123
24. Under which article of the Constitution of India Citizenship by Domicile can be determined?
- (a) Article 11  
(b) Article 10  
(c) Article 9  
(d) Article 5



25. For a person to be eligible for election as President of India, one of the qualifications required is that he is qualified for election as a member of:
- (a) the Legislature of the State
  - (b) the Parliament
  - (c) the House of People
  - (d) the Council of State
26. Which article of the Constitution of India gives power to the President to consult the Supreme Court?
- (a) Article 141
  - (b) Article 145
  - (c) Article 143
  - (d) Article 147
27. Who has the power to prorogue the either House of the State Legislature?
- (a) Governor
  - (b) Speaker of the Legislative Assembly
  - (c) Chief Minister
  - (d) President
28. The Vice-President may be removed from his office by a resolution of:
- (a) both the Houses of Parliament and agreed to by the majority of State Legislatures
  - (b) Council of States
  - (c) Council of States and agreed to by the House of People
  - (d) House of People
29. Part XIII of the Indian Constitution dealing with trade commerce and intercourse appears to draw inspiration from:
- (a) Australian Constitution
  - (b) Constitution of Ireland
  - (c) UK Constitution
  - (d) US Constitution
30. Under which provision of the Constitution of India, it is the fundamental duty of every citizen of India to 'strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavour and achievement'?
- (a) Article 51A(c)
  - (b) Article 51A(f)
  - (c) Article 51A(j)
  - (d) Article 51A(d)
31. Which provisions were struck down in the case of *Supreme Court Advocates-on-Record Association v. Union of India*, (2016) 5 SCC 1?
- (a) Article 124, 124A to C, 217, 213 (as amended/inserted)
  - (b) Article 124, 124A to C (as amended/inserted)
  - (c) Articles 124, 124A to C, 217, 218, 217, 222, 224, 224A, 231 (as amended/inserted)
  - (d) Articles 124, 124A to C, 217, 222, 224, 224A, 231 (as amended/inserted)
32. The House of Parliament may declare the seat of a member of either House of Parliament as vacant if he/she remains absent without permission of the House from all meetings for a period of:
- (a) 80 days
  - (b) 50 days
  - (c) 60 days
  - (d) 100 days
33. In which case, directions for improvement of conditions of inmates of Homes for mentally ill persons under the Persons with Disabilities Act, 1955, as well as psychiatric hospitals and nursing homes under Mental Health Act, 1987, were issued by the Supreme Court of India?
- (a) *Sheela Barse v. Union of India*, 1987 SC
  - (b) *Reena Banerjee v. Govt. (NCT of Delhi)*, 2017 SC
  - (c) *Neeraja Chaudhari v. State*, 2017 SC
  - (d) *PUDR v. Union of India*, 1982 SC
34. In which part of the Constitution of India, the provision for Public Service Commissions is contained?
- (a) Part XII
  - (b) Part XIII
  - (c) Part XI
  - (d) Part XIV
35. Article 22(4) to (7) of the Constitution of India were amended by:
- (a) The Constitution (Forty Fourth Amendment) Act, 1978
  - (b) The Constitution (Fifty Second Amendment) Act, 1985
  - (c) The Constitution (Forty Second Amendment) Act, 1976
  - (d) The Constitution (Fiftieth Amendment) Act, 1984
36. The appointment of Comptroller and Auditor-General of India under Article 148 is made by the:
- (a) Chief Justice of India
  - (b) Prime Minister of India
  - (c) President of India
  - (d) Finance Minister of India
37. National Commission for Scheduled Tribes can be created under which provision of the Constitution of India?
- (a) Article 338
  - (b) Article 338B
  - (c) Article 338A
  - (d) Article 337



38. What is the effect of prorogation of the Houses on the Bill pending in Parliament?
- It does not lapse
  - Prime Minister to decide whether the Bill lapses or not
  - The Bill lapses
  - Speaker to decide whether the Bill lapses or not
39. Under which provision of the Constitution of India, the Parliament may by law empower any other Court to exercise within the local limits of its jurisdiction all or any of the powers exercisable by the Supreme Court under Article 32(2) of the Constitution?
- Article 32(4)
  - Article 226
  - Article 32(2)
  - Article 32(3)
40. By which amendment, the word 'oriya' was replaced by 'odia' in the Eighth Schedule?
- The Constitution (Ninety Third Amendment) Act, 2005
  - The Constitution (Ninety Eighth Amendment) Act, 2012
  - The Constitution (Ninety Sixth Amendment) Act, 2011
  - The Constitution (Ninety Seventh Amendment) Act, 2011
41. The official language used in the Supreme Court of India shall be:
- Both English and Hindi
  - Hindi
  - Any local language
  - English
42. Under which article of the Constitution of India, there is a duty of the Chief Minister to furnish such information in relation to the administration of the affairs of the State and proposals for legislation as the Governor may call for?
- 168
  - 166
  - 167
  - 169
43. In which case, the Supreme Court of India held that there is no jurisdiction for permitting only Brahmins to carry out the necessary rites and rituals as priests?
- Aruna Roy v. Union of India, (2002 SC)
  - Ismail Faruqui v. Union of India (1994 SC)
  - Bhuri Nath v. State of J&K, (1997 SC)
  - N. Adithayan v. Travancore Devaswom Board, (2002 SC)
44. A person can become a Minister without being a member of either House of Parliament for a period of:
- one year consecutively
  - nine consecutive months
  - three consecutive months
  - six consecutive months
45. Under the Constitution of India freedom of conscience and the right freely to profess, practice and propagate religion is subject to:
- public order and health
  - public order, morality and to the other provisions of Part III
  - public order and morality
  - public order, morality and health and to the other provisions of Part III
46. In which of the following articles of the Constitution of India the 'Doctrine of Pleasure' is provided?
- Article 309
  - Article 312
  - Article 310
  - Article 311
47. Under which of the following articles of the Constitution of India, the Tribunals other than Administrative Tribunals can be created by the appropriate Legislature?
- Article 323
  - Article 324
  - Article 323A
  - Article 323B
48. Right to enforce which articles of the Constitution of India cannot be suspended during the emergency?
- Article 19 and 20
  - Article 20 and 21
  - Article 14, 19 and 21
  - Article 21 and 22
49. Which one of the following is not a ground mentioned in Article 19(2) of the Constitution of India on the basis of which reasonable restrictions on the freedom of speech and expression can be imposed?
- friendly relation with foreign states
  - incitement to an offence
  - public interest
  - the security of the State
50. In which case the Supreme Court of India held that all prostitutes and sex workers also have a right to live with human dignity under Article 21
- Gian Kaur v. State of Punjab, (1996 SC)
  - Budhdev Karmaskar v. State of W.B., (2011 SC)
  - Sabia Khan v. State of UP, (2010 SC)
  - Lata Singh v. State of UP, (2006 SC)



## JURISPRUDENCE

1. Two main theories of legal right are:
  - (a) the Will Theory and the Interest Theory
  - (b) the Will Theory and the Concession Theory
  - (c) the Will Theory and the Realist Theory
  - (d) the Interest Theory and the Symbolist Theory
2. 'Who wrote the book 'Elementiae Philosophical':
  - (a) Austin
  - (b) Hobbes
  - (c) Savigny
  - (d) Maine
3. Who wrote the book 'Das Rheet des Besitzes'?
  - (a) Puchta
  - (b) Maine
  - (c) Hegel
  - (d) Savigny
4. According to whom, possession is protected because every act of violence is unlawful:
  - (a) Rousseau
  - (b) Holland
  - (c) Kelsen
  - (d) Savigny
5. Who defined law as 'the form of the guarantee of the conditions of life of society assured by State's power of constraint'?
  - (a) Ihering
  - (b) Ehrlich
  - (c) Pound
  - (d) Duguit
6. Who described ownership as 'a right— indefinite in point of user—unrestricted in point of disposition—and unlimited in point of duration—over a determinate thing'?
  - (a) Renner
  - (b) Austin
  - (c) Ihering
  - (d) Salmond
7. Rights which came into being after the violation of a right are:
  - (a) no rights
  - (b) sanctioning rights
  - (c) duties
  - (d) primary rights
8. Who said that 'the essence of legal right seems to me to be not legally guaranteed power by itself, nor legally protected interest by itself, but the legally guaranteed power to realize an interest'?
  - (a) Allen
  - (b) Salmond
  - (c) Hegel
  - (d) Paton
9. Who said that protection to possession stands on the same grounds as protection against injuria?
  - (a) Duguit
  - (b) Holland
  - (c) Windscheid
  - (d) Austin
10. In precedents, rules and principles are laid down by:
  - (a) predictive method
  - (b) constructive method
  - (c) inductive method
  - (d) deductive method
11. Who wrote the book 'De la Republique'?
  - (a) Machiavelli
  - (b) Bentham
  - (c) Bodin
  - (d) Hobbes
12. Which school of thought opined that customs originate from common consciousness of the people?
  - (a) Sociological school
  - (b) Natural Law school
  - (c) Historical school
  - (d) Analytical school
13. Pound defines law as:
  - (a) a social institution to satisfy social wants
  - (b) a positive morality
  - (c) the de psychologized command
  - (d) a social fact
14. Who said that Law is 'the highest reason implanted in nature'?
  - (a) Hart
  - (b) Cicero
  - (c) Salmond
  - (d) Maitland
15. Who defined ownership as 'a plenary control over an object'?
  - (a) Holland
  - (b) Ihering
  - (c) Salmond
  - (d) Savigny
16. Who defined law as 'a rule laid down for the guidance of an intelligent being by an intelligent being having power over him'?
  - (a) Kelsen
  - (b) Austin
  - (c) Salmond
  - (d) Jerome Frank
17. Who divided jurisprudence into 'general' and 'particular' jurisprudence?
  - (a) Puchta
  - (b) Holland
  - (c) Austin
  - (d) Locke
18. According to Hohfeld, the Corrective of Power is:
  - (a) Liability
  - (b) Disability
  - (c) Immunity
  - (d) No right
19. Hugo stated that:
  - (a) law is the command of the sovereign
  - (b) the essence of law is its acceptance, regulations and observance by the people
  - (c) laws are the creation of climate, local situations, accident or imposture
  - (d) law is not universal in nature



20. Who explained customs as 'one of the main triangles of the laws of England'?
- (a) Coke (b) Salmond  
(c) Dicey (d) Blackstone
21. Who is the founder of the Analytical School?
- (a) Bentham (b) Austin  
(c) Allen (d) Salmond
22. Who supported the absolute power of the sovereign on utilitarian grounds?
- (a) Bentham (b) Austin  
(c) Dicey (d) Hobbes
23. Who wrote the essay 'Vom Beruf in 1814'?
- (a) Thibaut (b) Savigny  
(c) Hegel (d) Puchta
24. An essay entitled 'On the Vocation of our Age for Legislation and Jurisprudence' was written with which, in the words of Ihering, a new jurisprudence was born. Who was the author of this essay?
- (a) Salmond (b) Fuller  
(c) Savigny (d) Puchta
25. Who is the exponent of 'Volksgeist' theory?
- (a) Savigny  
(b) Thibaut  
(c) Holmes  
(d) Roscoe Pound
26. Which theory of personality laid down that only human beings have personality; Juristic persons are no persons at all?
- (a) Realist theory  
(b) Fiction theory  
(c) Concession theory  
(d) Purpose theory
27. Duguit propounded the concept of:
- (a) Volkgeist  
(b) Social engineering  
(c) Utilitarianism  
(d) Social solidarity
28. According to whom, 'state is community of persons permanently occupying a definite territory, legally independent of external control and possessing an organized government which creates and administers law over all persons and groups within its jurisdiction. Abstractly considered, the state is juristic entity or person, concretely considered, it is the community, the territory which it occupies and the governmental organization through which it wills & acts'?
- (a) Gettell (b) Holland  
(c) Salmond (d) Austin
29. 'It is difficult to see what the pure theory of law can contribute to a system which it assumes to be law, but which is derived from a basic norm which it cannot find'. This was commented on Kelson's theory of Grund norm by:
- (a) Hart (b) Austin  
(c) Friedman (d) Stone
30. Who said that 'the law is not to be deduced from the rule but the rule from the law'?
- (a) Bentham (b) Austin  
(c) Paulus (d) Hobbes
31. Who classified sources of law into binding and persuasive sources?
- (a) Allen (b) Salmond  
(c) Keeton (d) Duguit
32. Who classified sources of law into formal and material sources?
- (a) Austin (b) Keeton  
(c) Allen (d) Salmond
33. Who defined jurisprudence as 'the scientific synthesis of the essential principles of law'?
- (a) Allen (b) Salmond  
(c) Austin (d) Bentham
34. 'Self-interest causes a conflict between individual will and general will'. Who expressed this opinion?
- (a) Austin (b) Puchta  
(c) Savigny (d) Maine
35. Who said that 'international law is not law but it is only a positive morality'?
- (a) Aristotle (b) Kant  
(c) Salmond (d) Austin
36. Who said that there can be no concept of sovereignty as distinct and separate from and above the law?
- (a) Kelsen (b) Dicey  
(c) Hart (d) Bodin
37. Who said that State is the result of a natural instinct in man?
- (a) Kant (b) Grotius  
(c) Aristotle (d) Hobbes
38. 'Factum valet' means an act:
- (a) Which is a contravention of precedents  
(b) Which is a contravention of some moral injunction, if accomplished in fact, should be considered valid  
(c) An act done in contravention of Law  
(d) Which is in contravention of some legal injunction, if accomplished in fact, should be considered valid



39. Who said that custom is *per se* law?  
 (a) Puchta (b) Savigny  
 (c) Coke (d) Hart
40. Who said that in possession there is manifestation of individual will?  
 (a) Hegel (b) Savigny  
 (c) Rousseau (d) Kant
41. 'A percent or rule of action imposed upon men by some authority which enforces obedience in it' is"  
 (a) imperative law  
 (b) natural law  
 (c) physical law  
 (d) conventional law
42. Who said that State is absolute and is an end in itself?  
 (a) Austin (b) Hobbes  
 (c) Machiavelli (d) Bodin
43. Who stated 'law grows with a nation, increases with it and dies at its dissolution and is a characteristic of it'?  
 (a) Maine (b) Gray  
 (c) Holmes (d) Savigny
44. Who stated that 'no one has any other right than always to do his duty'?  
 (a) Duguit (b) Austin  
 (c) Salmond (d) Holland
45. Who wrote the book 'Law of the Constitution'?  
 (a) Dicey (b) Salmond  
 (c) Maitland (d) Gray
46. 'Ratio legis' means:  
 (a) operation of the statute  
 (b) the true intention of the statute  
 (c) applicability of the statute  
 (d) passing observation of the statute
47. Who defined State as 'an association of human beings generally occupying a territory for the attainment of internal order and external security'?  
 (a) Rousseau (b) Holland  
 (c) Salmond (d) Gettell
48. Who gave sociological approach to sovereignty?  
 (a) Bodin (b) Jethro Brown  
 (c) Holland (d) Austin
49. Law is defined as 'the standard of what is just and unjust' by:  
 (a) Ulpian  
 (b) Justian's Digest  
 (c) Salmond  
 (d) Cicero

50. What is the Jural opposite of Immunity?  
 (a) Privilege (b) No right  
 (c) Liability (d) Disability

### OTHER SUBJECTS SUCH AS CONTRACT, TORTS, CRIMINAL LAW, INTERNATIONAL LAW, IPR

1. A is accused of cheating B at a given time and place. The charge:  
 (a) must not set out the manner in which A cheated B.  
 (b) must set out the manner in which A cheated B.  
 (c) no charge is required to be framed in this case  
 (d) may or may not set out the manner in which A cheated B
2. The statement that a lady has given birth to a child. It is a:  
 (a) defamatory statement  
 (b) defamatory statement if the lady is unmarried  
 (c) not a defamatory statement  
 (d) dependent on the intention of the maker of the statement
3. Which of the following case led to the enactment of "The Compensatory Afforestation Fund Act, 2016"?  
 (a) M.C. Mehta v. Union of India, (2016)  
 (b) Centre for Environment Law, World Wide Fund India v. Union of India, (2013)  
 (c) T.N. Godavarman Thirumulpad v. Union of India, (2002)  
 (d) Centre for Public Interest Litigation v. Union of India, (2012)
4. In 1980, the Central Government appointed a Committee to Review Environmental Legislation and recommend measures for ensuring environmental protection. The name of the Committee was:  
 (a) Khanna Committee  
 (b) Tiwari Committee  
 (c) Kamal Nath Committee  
 (d) M.C. Mehta Committee
5. Under the Paris Agreement, 2015, the contributions that each individual country should make in order to achieve the worldwide goals are determined by all countries individually and called as:  
 (a) Nationally determined contributions  
 (b) Climate Fund  
 (c) Voluntary determined contribution  
 (d) Environmental Fund



6. A, B and C jointly promise to pay D 3,000 rupees. D may compel:
  - (a) either A or B or C to pay him 3,000 rupees.
  - (b) either A or B to pay him 3,000 rupees
  - (c) either B or C to pay him 3,000 rupees
  - (d) all to pay him 3,000 rupees simultaneously
7. When did India enact Indian Maritime Zone Act?
  - (a) 1976
  - (b) 1994
  - (c) 1982
  - (d) 1979
8. Under which provision of Indian Penal Code the 'Dowry death' is defined?
  - (a) Section 304
  - (b) Section 304B
  - (c) Section 305
  - (d) Section 304A
9. The 2030 Agenda for Sustainable Development is based on ..... Sustainable Development Goals:
  - (a) 15
  - (b) 17
  - (c) 18
  - (d) 5
10. The first case decided by the European Court of Human Rights was:
  - (a) Lawless v. Ireland
  - (b) Ireland v. United Kingdom
  - (c) Brogan v. United Kingdom
  - (d) Lengens v. Austria
11. In which year U.N. Commission on Human Rights, which has been replaced by Human Rights Council, was established?
  - (a) 1945
  - (b) 2006
  - (c) 1946
  - (d) 2005
12. In which case Section 309 of Indian Penal Code was declared constitutional?
  - (a) Gian Kaur v. State of Punjab
  - (b) Bachan Singh v. Union of India
  - (c) Ansari v. Union of India
  - (d) P. Rathinam v. Union of India
13. A finds B's purse and gives it to him. B promises to give A Rs. 50.
  - (a) This is a valid contract
  - (b) This is void contract
  - (c) This is no contract at all
  - (d) This is a voidable contract
14. The case of Bangalore Medical Trust v. B.S. Muddapa, 1991 SC related to:
  - (a) Medical negligence in the hospital
  - (b) Reservation of seats in medical colleges
  - (c) Throwing the hospital waste into the river
  - (d) Converting a public park into a nursing home
15. 'Pigeon-hole theory' of tort was given by:
  - (a) Salmond
  - (b) Pullock
  - (c) Winfield
  - (d) Anson
16. Under section 125 Cr.P.C., the Magistrate of the first class may, in certain circumstances, order for maintenance of wives, children and parents, monthly allowance at such monthly rates:
  - (a) not exceeding five hundred rupees in the whole
  - (b) not exceeding two thousand five hundred rupees in the whole
  - (c) as such Magistrate thinks fit
  - (d) not exceeding fifteen hundred rupees in the whole
17. A causes Z to go within a walled space and locks Z in. A has committed the offence of:
  - (a) Force
  - (b) Wrongful restraint
  - (c) Criminal force
  - (d) Wrongful confinement
18. Fraud was defined in a well-known English case:
  - (a) Turner v. Green
  - (b) Wath v. O'Flanagan
  - (c) Ashby v. White
  - (d) Derry v. Peek
19. Which one of the following is not a principal Organ of UNO?
  - (a) Trusteeship Council
  - (b) International Court of Justice
  - (c) Economic and Social Council
  - (d) International Criminal Court
20. A directs B, his solicitor, to sell his estate by auction, and to employ an auctioneer for the purpose. B names C, an auctioneer, to conduct the sale.
  - (a) C is not a sub-agent, but is A's agent for the conduct of the sale
  - (b) C is neither agent nor sub-agent of A
  - (c) C is only a sub-agent of A
  - (d) It is the options of A to treat C either agent or sub-agent
21. Criminal Law (Amendment) Act, 2013 is based on:
  - (a) Shah Committee Report
  - (b) Verma Committee Report
  - (c) Malimath Committee Report
  - (d) Mehta Committee Report



22. The defendant Board had the statutory power to repair sea walls but was under no duty to do so. A high tide broke the sea wall and flooded the plaintiff's land. The Board sent an inexperienced man with poor equipment and the repair work took almost six months to complete. It was proved that with reasonable skill it could have been completed in about two weeks. The defendant is:
- (a) Liable in negligence as they should have sent an experienced man with proper equipment to do the work.
  - (b) Not liable in negligence as they have done whatever they could have done under the circumstances.
  - (c) Liable in negligence as they had a legal duty to take care towards the plaintiff and committed its breach.
  - (d) Not liable in negligence as they owed no legal duty to take care towards the plaintiff.
23. The Montreal Protocol, 1987 (Ozone Treaty) came into force with effect from:
- (a) January, 1988
  - (b) January, 1989
  - (c) January, 2001
  - (d) January, 1987
24. The maxim *de minimus non curat lex* means:
- (a) Law would not take action on small and trifling matter
  - (b) Law ignores action done by persons of unsound mind
  - (c) Law ignores actions done by minor
  - (d) Law does not ignore any act done by anyone
25. When the defendant by his act creates an apprehension in the mind of the plaintiff that he is going to commit battery against the plaintiff:
- (a) the wrong of assault is completed
  - (b) no wrong is committed
  - (c) the wrong of assault is not completed
  - (d) the wrong of assault may be completed
26. The concept of absolute liability was developed by the Supreme Court of India in *M.C. Mehta v. Union of India*, the judgment of which was delivered by:
- (a) Justice Chandrachud
  - (b) Justice Krishna Iyer
  - (c) Justice Kuldeep Singh
  - (d) Justice Bhagwati
27. A, a man enfeebled by disease or age, is induced by B's influence over him as his medical attendant, to agree to pay B an unreasonable sum for his professional services, B employs:
- (a) misrepresentation
  - (b) undue influence
  - (c) coercion
  - (d) fraud
28. In which case, the Supreme Court of India issued guidelines for preventing custodial violence?
- (a) *Parmanand Katra v. Union of India*, (1989 SC)
  - (b) *Maneka Gandhi v. Union of India*, (1978 SC)
  - (c) *PUCL v. Union of India*, (1997 SC)
  - (d) *D.K. Basu v. State of West Bengal*, (1997 SC)
29. What is the status of 'juristic opinion' as a source of law?
- (a) Subsidiary source
  - (b) Not a source at all
  - (c) Primary source
  - (d) Primary or secondary in view of circumstances of each case
30. A agrees with B to discover treasure by magic. The agreement is:
- (a) valid
  - (b) voidable
  - (c) void
  - (d) both void and voidable
31. The authorities must 'anticipate, prevent and attack the causes of environment degradation'. The above statement is a part of:
- (a) Inter-generation equality of Sustainable Development
  - (b) Obligation to assist and cooperate
  - (c) The Precautionary Principle of Sustainable Development
  - (d) Polluter Pays Principle of Sustainable Development
32. A, by instigation, voluntarily causes B, a person under 18 years of age to commit suicide. A has committed:
- (a) abetment of murder
  - (b) murder
  - (c) no offence
  - (d) culpable homicide not amounting to murder



33. The New Chapter VI-A, which deals with various aspects of forfeiting of property derived from illegal hunting and trade, was added in the Wild Life (Protection) Act, 1972, in the year:  
 (a) 2002 (b) 2016  
 (c) 2000 (d) 2006
34. The term tort has been derived from the Latin term 'tortum', which means:  
 (a) wrong (b) damages  
 (c) to twist (d) civil wrong
35. Which article of the Constitution puts a Fundamental Duty on the citizens to protect and improve national environment?  
 (a) Article 51A(g)  
 (b) Article 21  
 (c) Article 48A  
 (d) Article 51A(e)
36. The UN Economic and Social Council consists of:  
 (a) 34 member States  
 (b) 60 member States  
 (c) 54 member States  
 (d) 44 member States
37. An agreement not enforceable by law is:  
 (a) valid  
 (b) void  
 (c) voidable  
 (d) a contract
38. Which Section of Cr.P.C. gives power to the appropriate Government to commute Sentence?  
 (a) Section 431  
 (b) Section 431A  
 (c) Section 433  
 (d) Section 433A
39. Right to marry is recognized under which provision of Universal Declaration of Human Rights?  
 (a) Article 18 (b) Article 16  
 (c) Article 17 (d) Article 15
40. Who among the following Jurists has been called as father of Modern Law of Nation by Oppenheim?  
 (a) Kelson (b) Starke  
 (c) Grotius (d) Fenwick
41. The case of Donoghue v. Stevenson was decided by the:  
 (a) House of Lords  
 (b) Australian Supreme Court  
 (c) European Court of Human Rights  
 (d) US Supreme Court
42. Agreement in restraint of marriage is:  
 (a) voidable  
 (b) wagering contract  
 (c) void  
 (d) valid
43. Punishment for kidnapping as provided under Indian Penal Code is:  
 (a) Imprisonment for life  
 (b) Imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine  
 (c) Imprisonment of either description for a term which may extend to three years, and shall also be liable to fine  
 (d) Imprisonment of either description for a term which may extend to five years, and shall also be liable to fine
44. Ashby v. White is a leading decision explaining the maxim of:  
 (a) Neither *Injuria sine damno* nor *Damum sine injuria*  
 (b) *Injuria sine damno* as well as *Damnum sine injuria*  
 (c) *Damnum sine injuria*  
 (d) *Injuria sine damno*
45. For the application of the defence of *volenti non fit injuria* it is sufficient if:  
 (a) the plaintiff knew that the risk is there and he knowing the same, agreed to suffer the harm  
 (b) the plaintiff agreed to suffer the harm  
 (c) the plaintiff either know that the risk is there or he agreed to suffer the harm voluntarily  
 (d) the plaintiff knew that the risk is there
46. A and B jointly owe 100 rupees to C, A alone pays the amount to C, and B not knowing the fact, pays 100 rupees over again to C.  
 (a) C is not bound to repay the amount to A or B.  
 (b) C is bound to repay the amount to B:  
 (c) C is bound to repay the amount to both A and B  
 (d) C is bound to repay the amount to A
47. Who said that 'Acceptance is to offer what a lighted match is to gun powder. Both do something which cannot be undone'?  
 (a) Anson  
 (b) Justice Atkin  
 (c) Mulla  
 (d) Avtar Singh



48. Which Section of Cr.P.C. provides that 'Any person accused of an offence before a Criminal Court, or against whom proceedings are instituted under this Code, may as of right be defended by a pleader of his choice'?
- (a) Section 302      (b) Section 301  
(c) Section 305      (d) Section 303
49. Which of the following defences are available to an action for defamation?
- (a) Justification or truth, fair comments as well as privilege, which may be either absolute or qualified
- (b) Fair comments  
(c) Jurisdiction or truth  
(d) Privilege, which may be either absolute or qualified
50. The threat of suicide amounts to:
- (a) coercion  
(b) undue influence  
(c) misrepresentation  
(d) fraud



**ANSWERS\*****COMMON LAW ADMISSION TEST (LL.M.) 2017****CONSTITUTIONAL LAW**

- |         |         |         |         |         |         |
|---------|---------|---------|---------|---------|---------|
| 1. (b)  | 2. (d)  | 3. (a)  | 4. (a)  | 5. (d)  | 6. (c)  |
| 7. (d)  | 8. (d)  | 9. (c)  | 10. (b) | 11. (a) | 12. (c) |
| 13. (b) | 14. (d) | 15. (b) | 16. (a) | 17. (c) | 18. (b) |
| 19. (d) | 20. (c) | 21. (c) | 22. (d) | 23. (d) | 24. (d) |
| 25. (c) | 26. (c) | 27. (a) | 28. (c) | 29. (a) | 30. (c) |
| 31. (c) | 32. (c) | 33. (b) | 34. (d) | 35. (a) | 36. (c) |
| 37. (c) | 38. (a) | 39. (d) | 40. (c) | 41. (d) | 42. (c) |
| 43. (d) | 44. (d) | 45. (d) | 46. (c) | 47. (d) | 48. (b) |
| 49. (c) | 50. (b) |         |         |         |         |

**JURISPRUDENCE**

- |         |         |         |         |         |         |
|---------|---------|---------|---------|---------|---------|
| 1. (a)  | 2. (b)  | 3. (d)  | 4. (d)  | 5. (a)  | 6. (b)  |
| 7. (b)  | 8. (a)  | 9. (c)  | 10. (c) | 11. (c) | 12. (c) |
| 13. (a) | 14. (b) | 15. (a) | 16. (b) | 17. (c) | 18. (a) |
| 19. (b) | 20. (a) | 21. (b) | 22. (a) | 23. (b) | 24. (c) |
| 25. (a) | 26. (d) | 27. (d) | 28. (a) | 29. (d) | 30. (c) |
| 31. (c) | 32. (d) | 33. (a) | 34. (b) | 35. (d) | 36. (a) |
| 37. (c) | 38. (b) | 39. (b) | 40. (a) | 41. (a) | 42. (c) |
| 43. (d) | 44. (a) | 45. (a) | 46. (b) | 47. (b) | 48. (b) |
| 49. (b) | 50. (c) |         |         |         |         |

**OTHER SUBJECTS**

- |         |         |         |         |         |         |
|---------|---------|---------|---------|---------|---------|
| 1. (b)  | 2. (b)  | 3. (c)  | 4. (b)  | 5. (a)  | 6. (a)  |
| 7. (a)  | 8. (b)  | 9. (b)  | 10. (a) | 11. (c) | 12. (a) |
| 13. (a) | 14. (d) | 15. (a) | 16. (c) | 17. (d) | 18. (d) |
| 19. (d) | 20. (a) | 21. (b) | 22. (d) | 23. (b) | 24. (a) |
| 25. (a) | 26. (d) | 27. (b) | 28. (d) | 29. (a) | 30. (c) |
| 31. (c) | 32. (a) | 33. (a) | 34. (c) | 35. (a) | 36. (c) |
| 37. (b) | 38. (c) | 39. (b) | 40. (c) | 41. (a) | 42. (c) |
| 43. (b) | 44. (d) | 45. (a) | 46. (b) | 47. (a) | 48. (d) |
| 49. (a) | 50. (a) |         |         |         |         |