

## **ILI LLM-2012**

1. Inflation will never be brought under control which prices continue to

- (a) Ascend
- (b) Soar
- (c) Fly
- (d) Mount

2. There are \_\_\_\_\_ people in the conference room

- (a) Many
- (b) Much
- (c) Most
- (d) Such

3. He had \_\_\_\_\_ time to practice before the examination

- (a) Least
- (b) Less
- (c) Few
- (d) Small

4. The bathroom is \_\_\_\_\_ the first floor

- (a) On
- (b) In
- (c) At
- (d) Top of

5. Parliamentary democracy demands discipline and \_\_\_\_\_ to rules

- (a) Liability
- (b) Subjection
- (c) Adherence
- (d) Obligation

6. you are so \_\_\_\_\_ I am sure you can win the wrestling match

- (a) stronger
- (b) weak
- (c) strong
- (d) strongest

Find out error in the following sentences

7. when you watch a movie, it is important to pay attention

- (a) watch a movie
- (b) it is
- (c) to pay
- (d) no error

8. he do not care about me anymore

- (a) do not
- (b) care
- (c) about
- (d) no error

9. the cricket match between India and Australia at Eden Gardens, however, continued despite the bad weather

- (a) between
- (b) however
- (c) despite
- (d) no error

**Give the Synonyms of the following**

**10. Respite**

- (a) Interval
- (b) Break
- (c) Reprieve
- (d) All of them

**11. Sheepish**

- (a) Ashamed
- (b) Sleepy
- (c) Bold
- (d) Sheep

**12. Blemish**

- (a) Beauty
- (b) Decoration
- (c) Defect
- (d) Blow

**13. Sputter**

- (a) Spot
- (b) Happy
- (c) Stable
- (d) Stumble

**14. Compendium**

- (a) Document
- (b) Abridgement
- (c) Manuscript
- (d) Article

**Give the antonyms of the following**

**15. Rudimentary**

- (a) Advanced
- (b) Under developed
- (c) Simple
- (d) Basic

**16. Tangle**

- (a) Knot
- (b) Twist
- (c) Maze
- (d) Order

**17. Betrayal**

- (a) Loyalty
- (b) Deception

- (c) Unfaithful
- (d) Trickery
- 18. **Amiable**
  - (a) Friendly
  - (b) Hostile
  - (c) Affable
  - (d) Cordial
- 19. **Overweight**
  - (a) Less weight
  - (b) Fewer weight
  - (c) Feather weight
  - (d) Underweight
- 20. **Name the Italian tourist who was released by the Maoists in Orissa on 12 April 2012?**
  - (a) Bosusco Paolo
  - (b) Joel Melchiori
  - (c) Giacomo Sanfelice
  - (d) Gigio Santiago
- 21. **Which one among the following won seven French open tennis Titles**
  - (a) Djokovic
  - (b) Rafael Nadal
  - (c) Bjorn Borg
  - (d) Roger Federer
- 22. **From this year onwards January 25<sup>th</sup> will be celebrated as**
  - (a) Mother's day
  - (b) Father's day
  - (c) National voters day
  - (d) National literacy day
- 23. **Which one among the following is one of the founder of face book**
  - (a) Donald Trump
  - (b) Warren Buffet
  - (c) Bill gates
  - (d) Mark Zuckerberg
- 24. **Who is the first speaker of Lok Sabha**
  - (a) Mavlancar
  - (b) Rajendra Prasad
  - (c) M.A. Ayyangar
  - (d) N. Sanjeev Reddy
- 25. **When India constitution as adopted by constituent assembly?**
  - (a) 26<sup>th</sup> January 1950
  - (b) 26<sup>th</sup> November 1949
  - (c) 25<sup>th</sup> January 1950
  - (d) 26<sup>th</sup> December 1949
- 26. **Who is the Union Minister for information and Broadcasting?**
  - (a) Kamal Nath

- (b) Ambica Jain
  - (c) Ajit Singh
  - (d) Ambika Soni
27. Dreams from my father is the autobiography of
- (a) Mahatma Gandhi
  - (b) Mother Teresa
  - (c) Barack Obama
  - (d) Sonia Gandhi
28. The word 'racket' is associated with
- (a) Cricket
  - (b) Foot ball
  - (c) Golf
  - (d) Tennis
29. What is GPRS stands for
- (a) General progressive radio system
  - (b) General packet radio service
  - (c) General parallel radio service
  - (d) Ground precise recognition service
30. What is the name of world's only supersonic cruise missile successfully test-fired by India
- (a) Shiva
  - (b) Brahmos
  - (c) Tomahawk
  - (d) Agni
31. When offer is accepted with a condition it is
- (a) Acceptance
  - (b) Conditional acceptance
  - (c) Counter offer
  - (d) Non acceptance
32. An agreement in restraint of trade is
- (a) Void
  - (b) Voidable
  - (c) Illegal
  - (d) Invalid
33. A contract entered due to a threat to commit suicide amounts to
- (a) Coercion
  - (b) Undue influence
  - (c) Offence
  - (d) Fraud
34. An agent who undertakes the responsibility of performance of a contract is known
- (a) Broker
  - (b) Auctioneer
  - (c) Performance agent
  - (d) Del Credere agent

35. A contract by which one party promised to save the other from losses caused by him or by his conduct is called
- (a) Guarantee
  - (b) Insurance
  - (c) Quasi contract
  - (d) Indemnity
36. Relation between finder of goods and the owner of goods is
- (a) Indemnity
  - (b) Bailment
  - (c) Pledge
  - (d) Agency
37. An agreement in restraint of marriage is
- (a) Void
  - (b) Voidable
  - (c) Illegal
  - (d) Valid
38. Which one of the following is not goods under sale of goods act
- (a) Shares
  - (b) Currency
  - (c) Grass
  - (d) Growing crops
39. Right to stoppage in transit can exercise only when buyer become
- (a) Insane
  - (b) Disabled
  - (c) Dead
  - (d) Insolvent
40. If a minor partner after attaining majority, determined not to continue as a partner in a firm within how many months he has to give public notice to that affect
- (a) Six
  - (b) Five
  - (c) One
  - (d) Two
41. Which article imposes an obligation on the state under directive principles of state policy to protect and to improve the natural environment
- (a) Article 14
  - (b) Article 51A (g)
  - (c) Article 32
  - (d) Article 48A
42. An amendment to the constitution can be challenged on the ground that it
- (a) Violates constitution
  - (b) Violates fundamental rights
  - (c) Destroys basic structure of the constitution
  - (d) Destroys federal structure of the constitution
43. According to new concept of equality

- (a) law cannot discriminate
  - (b) law must apply equal to all
  - (c) law cannot be arbitrary
  - (d) law cannot classify
44. who among the following would preside over a joint sitting of the parliament
- (a) chairman of Rajya Sabha
  - (b) President of India
  - (c) Speaker of Lok Sabha
  - (d) Prime Minister
45. Which one among the following cases deals with appointment of judges of Supreme Court
- (a) In re Berubari
  - (b) In re Special Court Bill
  - (c) In re Presidential Reference
  - (d) In re Kesava Madhava Menon
46. Rajya Sabha can keep a money bill for a period of maximum
- (a) Six month
  - (b) 14 days
  - (c) 30 days
  - (d) 15 days
47. which one among the following is not a ground to restrict freedom of speech
- (a) public order
  - (b) law and order
  - (c) morality and decency
  - (d) friendly relation with foreign country
48. which among the following court's decisions, no special leave to appeal to supreme court be granted
- (a) tribunals
  - (b) court for armed forces
  - (c) consumer forum
  - (d) water tribunal
49. which one among the following of the writs would be issued to release a person from an illegal detention
- (a) Certiorari
  - (b) Prohibition
  - (c) Mandamus
  - (d) Habeas corpus
50. Who referred Article 32 as a heart and soul of the constitution of India?
- (a) Dr. Rajendra prasad
  - (b) Jawaharlal Nehru
  - (c) Vallabhai Patel
  - (d) Dr. Ambedkar
51. Causing fraud is called as tort of
- (a) Deceit
  - (b) Passing off

- (c) Conversion
  - (d) Negligence
52. The person who, for his own purpose, brings on his land and collects and keeps there anything likely to do mischief if it escapes, must keep it in at his peril.' Identify the rule
- (a) Scieneter rule
  - (b) Champerty
  - (c) Occupiers liability
  - (d) Strict liability
53. Commission of an unlawful act is called as
- (a) Misfeasance
  - (b) Malfeasance
  - (c) Nonfeasance
  - (d) Fault
54. Absolute liability is laid down in
- (a) Rylands v. Fletcher
  - (b) M.C. Mehta v. Union of India
  - (c) Miller v. Hancock
  - (d) Kasturi Lal v. State of UP
55. 'A person cannot complain of harm which he has exposed himself, with knowledge and free will' refers to
- (a) Volenti non fit injuria
  - (b) Act of god
  - (c) Inevitable accident
  - (d) Extur pi causa non oritur actio
56. Master is not vicariously liable for the tort of his
- (a) Servant
  - (b) Agent
  - (c) Independent contractor
  - (d) employee
57. Damages awarded not to compensate the plaintiff but to punish the defendant, is called
- (a) Extraordinary damages
  - (b) Contemptuous damages
  - (c) Liquidated damages
  - (d) Exemplary damages
58. Removing a tyre from the care without the consent of the owner amounts of tort of
- (a) Trespassing of property
  - (b) Conversion
  - (c) Passing off
  - (d) Trespassing of goods
59. Throwing fifth into the neighbour's compound amount to tort of
- (a) Negligence
  - (b) Public nuisance
  - (c) Private nuisance
  - (d) Composite negligence

60. Which one of the following test laid down by privy council in a popularly known wagon mound case
- (a) Test of remoteness
  - (b) Test of foreseeability
  - (c) Test of directness
  - (d) Test of proximate cause
61. Central government under environment protection act, 1986 may delegate its powers to state government except
- (a) Ruling making power under the act
  - (b) Power to constitute authority under the act
  - (c) Rule making power as well as power to constitute authority under the act
  - (d) Power to issue directions
62. Which provision of the constitution is not related to environment
- (a) Article 51 A(g)
  - (b) Article 50
  - (c) Article 21
  - (d) Article 48A
63. national green tribunal act is passed in the year
- (a) 2008
  - (b) 2009
  - (c) 2010
  - (d) 2011
64. EIA means
- (a) Environmental impact agency
  - (b) Environmental impact audit
  - (c) Environment impact assurance
  - (d) Environmental impact assessment
65. Which of the following judgment is popularly known as sludge/bichhari's case?
- (a) Indian council of environ legal action v. union of India
  - (b) Rural litigation of entitlement Kendra v. state of UP
  - (c) M.C. Mehta v. Union of India
  - (d) Vellore welfare citizens forum v. Union of India
66. Coastal Regulation zone as per 1991 notification is
- (a) Upto 500 metres from HTL
  - (b) Upto 600 metres LTL
  - (c) Upto 500 metres from HTL and the land between LTL and HTL
  - (d) Upto 500 metres from LTL
67. Penalty for contravention of provisions of forest conservation act, 1980 is
- (a) Imprisonment which may extend to 15 days
  - (b) imprisonment which may extend to 6 months
  - (c) Imprisonment which may extend to 2 years
  - (d) imprisonment which may extend to 5 years
68. The chairperson of national board for wild life is
- (a) President of India
  - (b) prime minister of India
  - (c) Minister for environment and forest central ministry
  - (d) chief wild life warden
69. Ambient air quality standard in respect of noise in residential area during night time is

- (a) 40 decibels (b) 50 decibels (c) 55 decibels (d) 45 decibels
70. Which principle of Rio conference deals with 'precautionary principle'?
- (a) Principle 13 (b) principle 14 (c) principle 15 (d) principle 16
71. Indian penal code originally consisted of
- (a) 512 sections (b) 511 sections (c) 411 sections (d) 513 sections
72. Who is the chairman of the committee on reforms on criminal justice system
- (a) Rangarajan (b) V.R. Krishna Iyer (c) V.S. Malimath (d) Ramaswamy
73. Which section of the Indian Penal Code confers extra territorial operation
- (a) Sec. 10 & 11 (b) sec 14 (c) sec 11 (d) sec 3 & 4
74. Whoever does anything with the intention of causing wrongful gain to one person or wrongful loss to another person, is said to do that thing
- (a) Fraudulently (b) Voluntarily (c) Dishonestly (d) Intentionally
75. A person causes one thing to resemble another thing to practice deception is said to commit
- (a) Deception (b) fraud (c) counterfeit (d) tampering
76. Sec. 34 of the Indian Penal Code deals with
- (a) Common intention (b) common object (c) common knowledge (d) criminal intention
77. The act becomes criminal when the actor does it with a guilty mind' refers to
- (a) Actus reus (b) ab initio (c) mens rea (d) doli incapax
78. Which theory advocates the principle of 'an eye for an eye'?
- (a) Deterrent (b) preventive (c) Reformatory (d) retributive
79. In which one of the following offences death penalty is not prescribed as a punishment
- (a) Waging war against the government of India (b) murder (c) kidnapping for ransom (d) decoity
80. Nothing is an offence which is done by a child under \_\_\_\_\_ years of age
- (a) 7 (b) 6 (c) 11 (d) 12
81. Which theory propounds 'the source of a law is the will of the sovereign'
- (a) Positivism (b) natural law (c) historical (d) Marxist
82. Grundnorm is associated with
- (a) Austin (b) Bentham (c) keelson (d) spencer
83. The study of law as it actually operates and function' belongs to
- (a) Critical legal study (b) realist school (c) sociological school (d) natural law school
84. Observations made by a judge in a case which included in the body of the court's judgment but not form a necessary part of the decision is known as
- (a) Ration decidendi (b) precedent (c) obiter dicta (d) stare decisis
85. The rule that 'when the true intention of the legislature cannot be determined by the language of the statute, the court may consider the circumstances under which the bill was introduced and it finally became law' is known as
- (a) Ejusdem generis rule (b) Mischief rule (c) Logical interpretation rule (d) Expansive interpretation rule
86. Volksgeist is associated with
- (a) Edmund Burke (b) Hugo Grotius (c) Henry Maine (d) savigny
87. Which one among the following is not a essential attributes of law according to Austin
- (a) Command (b) morality (c) sanction (d) sovereign
88. Philosophy of law was written by

- (a) Kant (b) Blackstone (c) Salmond (d) Austin
89. Right to property in India is a  
(a) Fundamental right (b) constitutional right (c) legal right (d) statutory right
90. Which one among the following is not a right in encumbrances  
(a) Lease (b) security (c) servitude (d) commercial goodwill
91. United nations Head quarters is situated at  
(a) The Hauge (b) New York (c) Brussels (d) Prague
92. Jus cogens means  
(a) The body of peremptory norms of international law (b) sources of international law (c) pacta sunt servanda (d) general principles of law
93. Vienna convention on the law of treaties, concluded in the year  
(a) 1961 (b) 1964 (c) 1969 (d) 1982
94. The first case decided by ICJ is  
(a) Asylum case (b) Corfu Channel case (c) Nottebohm's case (d) Nicaragua case
95. UN general assembly meets in regular session  
(a) Once a year (b) twice a year (c) quarterly (d) half yearly
96. UNESCO means  
(a) United nations economic scientific and cultural organisation (b) united nations educational scientific and cultural organisation (c) united nations educational social and cultural organisation (d) united nations educational scientific and cooperative organisation
97. A recognition which is irrevocable is  
(a) Permanane recognition (b) absolute recognition (c) De jure recognition (d) Express recognition
98. One of the legitimate grounds for intervention is  
(a) Self defence (b) punitive intervention (c) economic sanctions (d) external intervention
99. A state which is completely under the sovereignty of another state is  
(a) Federal state (b) vassal state (c) Protectorate (d) neutralised state
100. The doctrine of 'pacta sunt servanda' is propounded by  
(a) Grotius (b) Brunus (c) Anzilotti (d) Suarez

#### Part iv

101. Which one among the following is an offer?  
(a) Arrow advertises in a news paper 'special sale 50% off on garments, offer valid till 26<sup>th</sup> August' (b) A book displayed in a book exhibition and a Sticker was pated on it which says 'book for sale ₹ 100 only (c) menu care in a restaurant (d) None of the above
102. A found B's bag in a railway station. B announced a reward of ₹ 1000 in a news paper. A found the address of B in the bag and handed over the bag to B. A had no knowledge of reward.  
(a) A is entitled to the reward (b) B is liable to give the reward as he made the offer (c) B is not liable as A did not ask (d) A is not entitled to the reward as offer is not communicated to him
103. A,B,C stands as sureties to D for ₹ 60000 D failed to pay the amount to E the creditor. Which one of the following statements is true?  
(a) E can claim only 20,000 from each of the sureties

- (b) E cannot claim 60, 000 from A (c) C is liable only for 20, 000 (d) E can claim 60, 000 from any one of the surety
104. A promised to give ₹ 10, 000 if B marries C. which one of the following is correct  
 (a) This agreement is void as it amounts restraint of marriage (b) this agreement is void as it amounts to opposing public policy (c) this agreement is valid (d) both (a) and (b)
105. SBI advertised in times of India newspaper to sell several golden ornaments in public auction. On the day of auction, SBI cancelled the auction without giving any reasons.  
 (a) SBI is not liable as there is no promise (b) SBI is liable for breach of promise (c) SBI is liable for only who come to the auction (d) both (b) and (c)
106. An agreement between employer and the employees due to threat to strike for increase of salary is  
 (a) a valid agreement as strike is legitimate right of workers (b) a valid agreement as strike is not prohibited by Indian Penal Code (c) voidable agreement as it is coercion (d) void agreement as strike is illegal
107. A and B married and after two years of the marriage B is missing. A after waiting for 4 years for the return of B, married C  
 (a) A is guilty of Bigamy as he has to wait for 7 years (b) A is guilty of bigamy as he has wait to for 5 years (c) A is not guilty as he has to wait only 2 years (d) A is not guilty as he has to wait for 3 years
108. A promised to get a government job to B for which B agreed to pay ₹ 200000 B pays ₹ 100000 as an advance. A failed to get the job to B.  
 (a) A is liable to return the money (b) A is neither required to return the money nor B can file a case against A (c) B can file a case to recover the money (d) A is liable for breach of contract
109. Andhra Pradesh Government made a rule reserving 33% seats for females in all educational institutions  
 (a) Rule is valid under art. 15(3) (b) rule is unconstitutional as violation of art. 14 (c) rule is unconstitutional as violates right to education for boys (d) rule is unconstitutional as discrimination on the basis of sex
110. A without any excuse fires a loaded gun into a crowd which resulted in death of a person  
 (a) A is not liable for murder (b) A is not liable as there is no intention to kill the person (c) A is guilty of murder even though he has premeditated design to kill (d) A would have been liable if he has premeditated design to kill
111. A's book was banned by union of India  
 (a) A has to establish that his freedom of speech is restricted (b) restriction imposed by union of India must be reasonable (c) the burden to prove that restriction is reasonable on union of India (d) all above
112. A suffered dermatitis as a result of wearing a woollen garment which is manufactured by B. it was found that the presence of excess sulphites in the woollen garment caused dermatitis to A  
 (a) B is not liable as he did not sold it (b) B is not liable as principle of buyer beware applies (c) B is liable as the defect is latent (d) A cannot claim any compensation
113. A finds a diamond ring on the road. He took the ring and keeps it in his pocket

- (a) A is under quasi-contractual liability to find the owner and deliver the ring to him (b) A is not liability to find the owner and deliver the ring to him (c) A can sell the ring and spend the money (d) A is liable for theft
- 114. A asked B to supply 10 liters of apple juice packed in 20 bottles of half liter. B supplied 10 liters of apple juice in 10 bottles of one liter.**  
 (a) A can refuse the delivery as it is a breach of condition (b) A cannot refuse as quantity is same (c) B is not liable as there is no breach of contract (d) B is not liable as description does not include packing
- 115. A going on a journey, entrust his golden ring to B to keep it till A returns from the journey. B sold the golden ring to a goldsmith**  
 (a) B is liable for theft as he sold without consent (b) B is not liable (c) B is liable for criminal breach of trust (d) B is not liable as A himself given the ring
- 116. A child of 8 years age was prosecuted murder**  
 (a) child is not liable for any crime (b) child is not liable only on proof that the requisite degree of maturity not attained (c) child do not get any immunity (d) child not liable as this age is considered doli incapax in law
- 117. A sold a TV to B on credit wherein B agreed to pay monthly instalments. B failed to pay two monts instalment. Mean while B gave the TV to A for repair.**  
 (a) A can retain the TV till B pays the two instalments (b) A can retain the TV till B pays entire amount (c) A cannot retain the TV as it is only a bailment (d) A cannot retain the TV as he is not the owner
- 118. A, threatens to publish defamatory material concerning B unless B gives him money. B under the fear of losing his reputation gave money to A.**  
 (a) A is liable only to return the money (b) B cannot recover the money (c) A committed extortion and liable under Indian Penal Code (d) B can file a case against A for defamation
- 119. A is a member of Lok Sabha. He was disqualified by the speaker on ground of defection**  
 (a) A can appeal to high our (b) a can appeal to president (c) A can appeal to election commission (d) A cannot appeal as speaker's decision is final
- 120. A, B, C and D with weapons stopped a car on highway and forcibly took all the money carried by the passengers by putting them on fear of death**  
 (a) all are liable for Dacoity (b) All are liable for robbery (c) all are liable for theft (d) all are liable for extortion
- 121. A was a member of Lok Sabha. He was disqualified by the speaker for defetion.**  
 (a) he can be appointed as minister by the ruling party (b) he can be appointed as minister but must be re-elected to Lok Sabha within 6 months (c) he cannot be appointed until he re-elects (d) he is completely debarred from become minister
- 122. A is an eye witness of B's murder. A told his close friend C about it.**  
 (a) C can give evidence in the court (b) C's evidence would not be admissible as he is not a direct witness (c) C's evidence would be admissible only if C roves that A informed him (d) Both (a) and (c)
- 123. A is a wife of B, had adulterous relation with one C**  
 (a) C would liable for adultery (b) A wold liable for adultery as an abettor (c) A cannot be prosecuted for adultery as an abettor (d) Both (a) and (c)

124. In a parliament democracy president is bound by the advice given by council of ministers.  
When president can take a decision without aid and the advice of council of ministers  
(a) Declaration of emergency (b) granting pardon (c) declaration of war (d) sending a bill for reconsideration
125. A and B conspired together to kill C. both knew that every day C will go for a morning walk in a particular park. They decided to kill him in the park. They purchased a gun and while going to park to kill C, police stopped the vehicle for routine check-up and arrested A and B for conspiracy to kill C.  
(a) both are liable for criminal conspiracy (b) both are not liable as they have committed (c) police cannot arrest as A and B did not commit any offence (d) both (b) and (c)
126. President of India granted pardon to A, who was convicted for death sentence.  
(a) president's decision cannot be challenged in any court (b) president's decision can be challenged in any court (c) president's decision cannot be challenged as it is final (d) president's decision can be challenged in supreme court
127. A purchased a ticket to watch car race. Two cars in the race colluded and crashed to the barricade of the stadium and as a result A got injured  
(a) organizers of the race is liable (b) A cannot claim any compensation on ground of volenti non fit injuria (c) Volenti non fit injuria does not apply in this case (d) organizers are liable as they are negligent
128. A under the influence of passion excited by a provocation given by Z intentionally kills Z's child  
(a) A is guilty of murder (b) A is not guilty of murder (c) A is guilty of culpable homicide (d) Z is guilty of provocation
129. A tiger was kept inside iron bars in the zoo. There was a railing before the iron bars. A child aged 4 years crossed the railing and put his right hand into the iron bars. Tiger suddenly grabbed the child's hand and crushed it.  
(a) Zoo authorities liable for not taking proper precautions (b) zoo authorities not liable as railing is sufficient precaution (c) zoo authorities not liable as child is guilty of trespassing (d) both (b) and (c)
130. A and B are joint owners of a Car. A took the car for a trip without the knowledge of B and sells the car. B appropriates the whole proceeds of sale to his own use.  
(a) B is liable for dishonest misappropriation of property (b) B is liable for theft (c) B is liable to return the money (d) both (b) and (c)

### part III

1. explain Austin's theory of law. Do you thing Austin's concept of sovereign without which, law cannot be obligatory and binding is analogous to kelson's grundnorm?

OR

Though, custom occupies an important source of law, its importance as a source of law continuously diminish as the legal system grows. Explain

2. Public interest litigation is not adversary litigation but it is a challenge and an opportunity to the government and its officers to make basic rights meaningful to the vulnerable sections of the community? Explain

**OR**

**The constitution of India confers very vast powers on the president. However, these powers have to be read and interpreted in the light of the parliamentary form of the government which is adopted by the constitution of India' Explain**

**3. Explain the liability in a criminal act done by several persons in furtherance of the common intention off all**

**OR**

**Critically evaluate various changes brought by several amendments relating to rape.**

**4. though an agreement with a minor is void, all agreements with minor is not void comment.**

**OR**

**Explain various implied conditions and warranties under sale of goods act.**

**5. Discuss the role of judiciary in protection of forest cover in India**

**Or**

**Briefly discuss the international regime on environmental protection**

## ANSWERS

## INDIAN LAW INSTITUTE ALL INDIA COMMON ADMISSION TEST-2012

## PART I, PART II &amp; PART III

1. (a)	2. (a)	3. (b)	4. (a)	5. (c)	6. (c)
7. (d)	8. (a)	9. (d)	10. (c)	11. (a)	12. (c)
13. (d)	14. (a)	15. (a)	16. (c)	17. (a)	18. (b)
19. (d)	20. (a)	21. (b)	22. (c)	23. (d)	24. (a)
25. (b)	26. (d)	27. (c)	28. (d)	29. (b)	30. (b)
31. (c)	32. (a)	33. (a)	34. (a)	35. (d)	36. (b)
37. (a)	38. (b)	39. (b)	40. (a)	41. (d)	42. (c)
43. (c)	44. (c)	45. (c)	46. (b)	47. (b)	48. (b)
49. (d)	50. (d)	51. (a)	52. (d)	53. (b)	54. (b)
55. (a)	56. (c)	57. (d)	58. (b)	59. (c)	60. (b)
61. (b)	62. (b)	63. (c)	64. (d)	65. (a)	66. (c)
67. (a)	68. (b)	69. (d)	70. (c)	71. (b)	72. (c)
73. (d)	74. (c)	75. (c)	76. (a)	77. (c)	78. (d)
79. (d)	80. (a)	81. (a)	82. (c)	83. (*)	84. (c)
85. (a)	86. (d)	87. (b)	88. (a)	89. (c)	90. (d)
91. (b)	92. (a)	93. (c)	94. (b)	95. (a)	96. (b)
97. (c)	98. (a)	99. (c)	100. (c)	101. (d)	102. (d)
103. (d)	104. (c)	105. (a)	106. (b)	107. (a)	108. (c)
109. (a)	110. (c)	111. (b)	112. (c)	113. (a)	114. (a)
115. (c)	116. (b)	117. (a)	118. (c)	119. (d)	120. (b)
121. (b)	122. (d)	123. (d)	124. (d)	125. (a)	126. (d)
127. (b)	128. (a)	129. (a)	130. (a)		

(\*) For answer refer standard text book.

## PART IV (Subjective Answers)

## Ans. 1. Austin's Theory of Law

The matter of jurisprudence in positive law: law, simply and strictly so called or law set by political superiors to political inferiors. Austin was an army man and so emphasised on command of law. Sovereign has power to make Law and it is binding on public at large. Grundnorm is a basic valid law and effective, accepted by all the community. No, it is not analogous to Kelson's groundnorm.

Or

Custom is the oldest and most original source of International law customary rule of international law are the rules, which have been developed. In a long process of historical development. Custom and usage have the force of law. Usage is an international habit, which has yet not received the force of law.

Ans. 2. PIL is not adversary litigation, it is inquisitorial litigation. PIL can be taken by the court merely on report of Newspapers and electronic media, etc. The inquiry by any agency like Centre for Public Interest Litigation in any matter related to public at large. The matter which affects the public at large by way of infringing fundamental rights.

Or

The President of India is the Head of the State and Union Executive. Article 74 of the Constitution of India provides that there shall be a Council of Ministers with Prime Minister as its Head to advise the President of India.

- The President of India shall exercise of his functions in accordance with such advices.
- The President of India can return the things for reconsideration by council of Ministers, but, President shall act in accordance with the advice tendered after such reconsideration.

- Apart from these the President can exercise the power to have pocket veto on certain matters. (Power over a bill by taking no action versus affirmatively vetoing it)

**Ans. 3.** Section 34 of the IPC, 1860 reads as Acts done by several persons in furtherance of common intention.  
When a criminal act is done by several person in furtherance of the common intention of all, each of such persons is liable for that act in the same manner as it were done by him alone.

It involves vicarious liability and so all persons who are involved in the act in different capacities liable under Section 34.

Or

Section 375 of the IPC, 1860 provides the definition of rape. Section 375 has been substantially amended by the Criminal Law (Amendment) Act, 1983. Criminal Law (Amendment) Act, 2013 provides the broader concept and included some offences in the category of rape. The consensual sex age is lowered to 16 from 18 after the Amendment of 2013. Sections 375 and 376 of IPC, and relevant sections of Evidence Act, 1872 are amended. Mathura's case and case of Nirbhaya prompted the legislature and executive to amend the law by way of Act or Ordinance.

**Ans. 4.** A minor's agreement being void, ordinarily it should be wholly devoid of all effects (except where the contract is for the benefit of minor). As there is no contract, all the effects of a minor's agreement must be worked out independently of any contract. In **Moharibibi v. Dharmodas Ghose**, the Privy Council held that an agreement by him (minor) was absolutely void as against him, thus the mortgagee could not recover the mortgage money nor could he have the minor's property sold under his mortgage. A minor is allowed to enforce a contract, which is of some benefit to him under which he is required to bear no obligation.

Or

Implied conditions and warranties under Sale of Goods Act

- Section 12 of the Sale of Goods Act, 1930 provides that a stipulation of in a contract of sale with reference to goods which are the subject thereof may be a condition or a warranty.
- Section 13 reads as when condition to be treated as warranty. Any condition or warranty fulfilment of which is excused by law by reason of impossibility or otherwise.

**Ans. 5. Protection of Forest Cover in India**

- Forest (Conservation) Act, 1980 was passed by Parliament of India to protect forest.
- Courts or Tribunals time to time in the cases direct the authorities to protect the forest.
- Courts (High Courts and SC) which deciding the Public Interest Litigation direct or order the things to be done immediately. Apply principle like preservation principle, polluters pays principle, sustainable development etc.
- Tribunal like National Green Tribunal is doing a tremendous work for the protection of forests.

Or

International Regime on Environmental Protection

- Stockholm Conference
- Rio Conference
- Kyoto Protocol
- Agenda 21
- U.N. Conference on World Environment
- Brundatland Conference, etc.