

INDIAN LAW INSTITUTE

(Deemed University)



Master of Laws (LL.M.)
COMMON ADMISSION TEST - 2021

on
Saturday, the 18th September, 2021
Time: 02.30 p.m. to 05.00 p.m.

Use only Black Ball
Pen for OMR Sheet

Roll No.	2	8	8	0
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OMR Sheet No.	2	8	8	0
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READ THE INSTRUCTIONS CAREFULLY

General:

(Total Marks : 180; Time : 2.30 hrs)

1. This sealed booklet is your Question Paper. Do not break the seal until you are instructed to do so.
2. Please mention your Roll Number and Optical Mark Recognition (OMR) Sheet Number on the Question Booklet above. Also mention your Question Booklet Serial Number on the OMR Sheet. **THIS IS MANDATORY.**
3. Use the OMR Sheet provided separately for answering the objective type multiple choice questions and answer booklet for subjective type questions.
4. After breaking the seal of the booklet, verify that the booklet contains **24** no. of pages and 140 questions in Part - I & Part - II and 4 nos. of questions in Part - III, and are legible. In case of any discrepancy, inform the invigilator immediately.
5. Do not tamper with or mutilate the OMR Sheet. You may take the question paper and carbon copy of the OMR sheet with you after completion of the examination.

Note:

I. Objective Type Multiple Choice Questions (Part - I & Part - II) (40 + 100 = 140 Marks)

Part I carries 40 questions and Part II carries 100 questions.

- a) There will be four possible answers to each question and there is only one most appropriate answer. Candidates are required to **indicate one (01) most appropriate choice** to each question by filling the circle (o) **with black ball pen.**
- b) Each appropriate response will get a score of 1 (one) mark and each inappropriate response will get a score of (-) ¼ (minus one fourth). No mark will be awarded for not attempting a question. More than one response will be considered inappropriate response and marked accordingly (in minus).

II. Subjective Questions (Part - III) (4 x 10 = 40 Marks)

There will be four questions and each question shall carry 10 marks. Subjective Type Questions to be answered in not more than 150 words each. Do not write answers on first two pages of the answer booklet. Answer shall be written on both sides of the paper on rest of the sheets

DO NOT BREAK THE SEAL WITHOUT BEING INSTRUCTED TO DO SO BY THE INVIGILATOR

PART I

Choose an option which is nearest in meaning to word in capitals given in questions 1-5

Q1. CASK

- ☒ (a) a wooden container
- (b) a chain
- (c) a chair
- (d) an Almirah

Q2. KIOSK

- (a) a wooden chest
- (b) a poet
- (c) a small shop
- (d) chaos

Q3. URN

- (a) earn
- (b) a vase
- (c) a flower
- (d) dead body

Q4. YOGHURT

- (a) cheese
- (b) butter
- (c) a yogic exercise
- ☒ (d) a food produced by bacterial fermentation of milk

Q5. NADIR

- (a) worst moment of a situation
- (b) empire
- (c) enemy
- (d) an animal

Choose an option which is nearest opposite to the word in capitals given in questions 6-10

Q6. AMATEUR

- ☒ (a) mature
- (b) adult
- (c) professional
- (d) sensitive

Q7. ATTIC

- (a) modest
- ☒ (b) ancient

- (c) modern
- (d) cellar

~~8. DIVORCED~~

- ~~(a)~~ married
- (b) virgin
- (c) unmarried
- (d) single

~~9. PRINCIPLED~~

- (a) amoral
- (b) immoral
- (c) characterless
- (d) useless

~~10. NAIVE~~

- (a) inexperienced
- (b) brave
- (c) intelligent
- (d) courteous

Fill in appropriate prepositions in the blank in the sentence out of the given options in questions 11-15

~~11. They were sitting ----the tree.~~

- (a) by
- (b) at
- (c) of
- (d) to

~~12. The bird sat ----the tree~~

- (a) over
- ~~(b)~~ upon
- (c) at
- (d) atop

~~13. The noise came ----the house~~

- (a) from into
- ~~(b)~~ from within
- (c) from
- (d) from in

~~14. Who is ---- the phone?~~

- (a) in

- (b) on
- (c) upon
- (d) over

15. He does one job ----the day and another at night

- (a) of
- (b) within
- (c) in
- (d) during

Choose an option which is nearest equivalent in meaning to the given word/phrase in questions 16-20

16. A final shot given to kill a wounded person

- (a) culpable homicide
- (b) coup d' etat
- (c) coup de grace
- (d) coup d' mercy

17. Abstention by the government from interfering in the working of the free market

- (a) non-interference
- (b) laissez faire
- (c) social freedom
- (d) democracy

18. Careful about small amounts of money but not about large amounts

- (a) foolhardy
- (b) miser
- (c) spendthrift
- (d) penny wise pound foolish

19. Agreeing with someone

- (a) see eye to eye
- (b) conversation
- (c) contract
- (d) mutual acceptance

20. Stop working on something

- (a) lazy
- (b) work shirker
- (c) call it a day
- (d) disinterested

21. Which of the following International Organizations was awarded the Nobel Peace Prize for the year 2020?
- (a) World Health Organization
 - (b) Food and Agriculture Organization
 - (c) United Nations World Food Programme
 - (d) United Nations Standing Committee on Nutrition
22. Which one of the following cities was included in the world heritage cities list of UNESCO in December, 2020?
- (a) Jaisalmer
 - (b) Bodh Gaya
 - (c) Gwalior
 - (d) Jodhpur
23. Which State has recently decided to provide food kits to the transgender persons of the State?
- (a) Karnataka
 - (b) Madhya Pradesh
 - (c) Uttar Pradesh
 - (d) Kerala
24. Which of the following days is celebrated as the International Day of Happiness?
- (a) 20th February
 - (b) 25th March
 - (c) 20th March
 - (d) 21st April
25. What was the birth place of Jesus Christ?
- (a) Bethlehem
 - (b) Jerusalem
 - (c) Nazareth
 - (d) Galilee
26. Who among the following has been conferred with the Gandhi Peace Prize for the year 2020?
- (a) Yoshihide Suga
 - (b) Sheikh Mujibur Rahman
 - (c) Jacinda Arden
 - (d) Matamela Cyril Ramaphosa
27. Who was the father of Bhishma Pitamah according to epic Mahabharat?
- (a) Pandu
 - (b) Shantanu
 - (c) Vichitraveerya
 - (d) Babruvahana
28. Who is the author of Bangla novel 'Anand Math'?

- (a) Sharat Chandra
- (b) Bankim Chandra Chattopadhyay
- (c) Bimal Roy
- (d) Bimal Mitra

29. Who among the following was the first woman musician to receive the Bharat Ratna Award?

- (a) M.S. Subhulakshmi
- (b) Sonal Mansingh
- (c) Rukmini Devi Arundale
- (d) Lakshmi Shankar

30. Which of the following mountains is not situated in Indian territory controlled by India?

- (a) Neelgiri ✓
- (b) Vindhyaachal
- (c) Aravali ✓
- (d) Hindu Kush

31. In which country was the Lambda coronavirus strain discovered?

- (a) Argentina
- (b) China
- (c) Peru
- (d) Germany

32. The capital of country Georgia

- (a) Dushanbe
- (b) Tbilisi
- (c) Ashgabat
- (d) Ankara

33. Who has been awarded the 2021 Nuremberg International Human Rights Award?

- (a) Sayragul Sauytbay
- (b) Sonny Okosun
- (c) Hollman Moriss
- (d) Caesar

34. Which is the highest mountain peak in Pakistan?

- (a) Nanga Parbat
- (b) Tirich Mir
- (c) K2
- (d) Koyo Zom

35. Which railway station in India is located at the highest altitude

- (a) Ghum
- (b) Simla

- (c) Udakmandlam
- (d) Kalka

36. Which is the first country to reach the orbit of Mars in first attempt?

- (a) USSR
- (b) USA
- (c) China
- (d) India

37. Who among the following persons of Indian origin won Nobel Prize in economics?

- (a) Hargovind Khorana
- (b) Subrahmanian Chandrasekhar
- (c) Abhijit Banerjee
- (d) Venki Ramakrishnan

38. Meghnad Saha was

- (a) an astrophysicist
- (b) a poet
- (c) a social worker
- (d) a civil servant

39. What is primary source from which Viscose Staple Fibre is produced?

- (a) Cotton
- (b) petro-chemicals
- (c) silk
- (d) wood-pulp

40. Which country has the largest railway network in Asia?

- (a) Malaysia
- (b) Thailand
- (c) China
- (d) India

PART II

41. Sovereign is a determinate human superior whom the bulk of the society yields habitual obedience' is a definition of sovereign given by-

- (a) Hart
- (b) Bentham
- (c) Hume
- (d) Austin

42. Ronald Dworkin is associated with which of the following-

- (a) law as extra-vision of lawyers
- (b) interpretative jurisprudence
- (c) law as a command
- (d) inner morality

43. Who opined that custom is a better source of law than legislation?

- (a) Savigny
- (b) Duncan Kennedy
- (c) Salmond
- (d) Maine

44. What is the jural correlative of 'power' according to Hohfeld?

- (a) duty
- (b) disability
- (c) liability
- (d) no-right

P - L
I X
R No R.

45. 'Property' means

- (a) legal relation between a thing and a person
- (b) a thing
- (c) goods or immovable things
- (d) any right

46. Who made distinction between 'static' and 'progressive' societies?

- (a) Savigny
- (b) Maine
- (c) Pushta
- (d) Pufendorf

47. Who is the author of the famous book 'Laws Empire'?

- (a) Julius Stone
- (b) Karl Renner
- (c) Ronald Dworkin
- (d) Karl Llewellyn

48. With whom will you associate the doctrine of 'Utility'?
- (a) Tony Honore
 - (b) David Hume
 - (c) John Salmond
 - (d) Jeremy Bentham
49. Which of the following is not true about grund norm according to Kelsen? Grund norm
- (a) is a pre-supposition
 - (b) is neither legal nor illegal
 - (c) must be provided in the constitution
 - (d) must be efficacious
50. Who said that welfare is a right of every citizen in a polity?
- (a) Hart
 - (b) Rawls
 - (c) Nozick
 - (d) Fuller
51. What does 'lex loci' mean?
- (a) natural law
 - (b) law of the country
 - (c) international law
 - (d) customary law
52. What does 'rule nisi' mean?
- (a) a rule providing that an appeal can be filed
 - (b) a rule providing for closure of the case
 - (c) an order upon condition that is to become absolute unless a cause is shown to the contrary
 - (d) an order rejecting the contention of the applicant
53. In A.D.M. Jabalpur v. Shivkant Shukla (Habeas Corpus case), (1976) 2 SCC 521, who observed that right 'no one can be deprived of life and liberty without procedure established by law' also exists independent of Article 21 of the Constitution?
- (a) A.N.Ray, C.J.
 - (b) M.H.Beg, J.
 - (c) P.N.Bhagwati, J.
 - (d) H.R.Khanna, J.
54. There are two conflicting precedents of the Supreme Court of India. Bench X decided by 5 in favour 4 against; and Bench Y decided 7 in favour and 0 against. Which precedent should be followed by lower courts?
- (a) Bench Y
 - (b) Bench X
 - (c) should not follow any
 - (d) both should be followed

55. What is obiter dicta?

- (a) oral observations of the judges
- (b) observation of the court not necessary to decide the issues before the court
- (c) observation of the court necessary to decide the issues before the court
- (d) arguments of the parties to the case

56. Under which provision of the Constitution of India the Supreme Court can pass any decree or order to do complete justice *in a mater pending before it*?

- (a) There is no such provision
- (b) yes under Article 141
- (c) yes under Article 142
- (d) yes under Article 136

57. Which of the following was not in the preamble of the Constitution when it came into force in 1950?

- (a) secular •
- (b) sovereign
- (c) democratic
- (d) republic

58. Under which provision of the Indian Constitution religious qualifications for incumbent to an office in connection with the affairs of a religious or denominational institution has been prescribed?

- (a) Article 16 •
- (b) Article 19
- (c) Article 25 •
- (d) Article 27 •

59. In Which case it was observed by a superior Court that in cases related to personal laws Fundamental Rights are not applicable?

- (a) Syedna Tahir Saifuddin v. State of Bombay, AIR 1962 SC 853
- (b) State of Bombay v. Narasu Appa Mali, AIR 1952 Bom 84 •
- (c) Commr. HRE v. Swamiar, AIR 1954 SC 282
- (d) Ratilal Gandhi v. State of Bombay, AIR 1954 SC 388

60. Which Article of the Constitution provides that 'ownership and control of material resources of the community are so distributed as best to subserve the common good'?

- (a) Article 39(a)
- (b) Article 40
- (c) Article 39(b)
- (d) Article 41

61. Rev. Stainslaus v. State of M.P., 1977 SCR (2) 611, establishes that

- (a) Article 25 of the Constitution does not guarantee right to convert others to one's own religion
- (b) right to propagate includes right to proselytize
- (c) no one has a right to spread tenets of his religion
- (d) One must seek the permission of state before professing one's religion

62. In Shayara Bano v. Union of India, writ petition (c) no. 118/2016, two judges of the Supreme Court decided that talaq-i-biddat is constitutionally valid because this talaq is practiced by Hanafi Sunnis for more than one thousand years. Who these two judges were-

- (a) S. Abdul Nazeer, J. and Kurian Joseph, J.
- (b) J.S. Khehar, C.J. and S. Abdul Nazeer, J.
- (c) J.S. Khehar, C.J. and Rohinton Nariman, J. ✓
- (d) Rohinton Nariman, J and U.U. Lalit, J. ✗

63. In which case, India it was established that right to life includes right to fair competition in a free market

- (a) Punjab Traders v. State of Punjab, (1991) 1 SCC 86
- (b) State of Rajasthan v. Musammat Vidyawati, AIR 1962 SC 933
- (c) Reliance Energy Ltd. v. Maharashtra State Road Transport Corporation, Appeal (c) no. no.526/2007
- (d) State of Bihar v. Bihar Chamber of Commerce, AIR 1996 SCC 136

64. Which of the following is not a Fundamental duty under the Indian Constitution?

- (a) to abide by the Constitution
- (b) to protect the sovereignty
- (c) to propagate religious values
- (d) to protect natural environment ✓

65. Which one of the following languages is not included in the eighth Schedule of the Indian Constitution?

- (a) Bodo ✓
- (b) Konkani
- (c) Maithili ✓
- (d) Awadhi

66. What does privity of contract mean?

- (a) a common law doctrine that may invalidate an unfair contract
- (b) a contract may confer rights or impose obligations upon any person who is not a party to the contract
- (c) a contract cannot confer rights or impose obligations upon any person who is not a party to the contract
- (d) a doctrine which does not allow operation of unlawful agreements

67. What is a standard form contract? It is a contract

- (a) the terms and conditions of which are fair to both the parties

- (b) between two parties where terms of the contract are set by one party and the other has no ability to negotiate
- (c) the terms and conditions of which are set by some one other than the parties to contract
- (d) which is a contract made by the government

68. Which of the following is not true about a valid contract?

- (a) must be entered into with the free consent of the parties to the contract ✓
- (b) the object of the contract must be lawful ✓
- (c) must have adequate consideration ✓
- (d) parties to the contract must be competent to enter into contract ✓

69. what is the ratio established in Lalman Shukla v. Gauri Dutt, (1913) 11 All. L. J. 489?

- (a) a minor's agreement is a void agreement
- (b) a person who is ignorant of the offer can accept it if he complies with the conditions of the offer.
- (c) the consideration of the contract must not be illusory
- (d) a person who is ignorant of the offer cannot accept it even if he complies with the conditions of offer

70. X wrote to Y indicating his willingness to sell 800 tons of iron at 700 rupees per ton. On the same day, Y writes to X offering to buy his 800 tons of iron at 700 rupees per ton. The two letters crossed each other in post. Will the cross offers amount to a valid contract since both the parties has intended the same thing? Decide in accordance with the law laid down in Tinn v. Hoffmann, (1873) 29 L.T. 271

- (a) It is a contract as each of the cross offers can be treated as acceptance by the other party
- (b) It is not a contract as neither of the cross offers can be treated as acceptance by the other party
- (c) At the option of either of the parties the cross offers can be treated as contract
- (d) the transaction can be treated as a contract only with the permission of the court

71. In U.P. Rajkiya Nirman Nigam Ltd. v. Indure (P) Ltd, AIR 1996 SC 1373, there was an offer in the form of a tender by A to B. B accepted the offer but with certain alteration in terms. For a long time, A did not give any response to B's counter offer. Does A's silence amount to acceptance of the counter offer? What was the decision in this case?

- (a) when B accepted A's offer with material changes, A's long silence will not amount to acceptance
- (b) when B accepted A's offer with material changes, A's long silence will amount to acceptance
- (c) Both the parties should have referred the matter to arbitration
- (d) it may be treated acceptance or refusal at the discretion of the court

72. An agreement without consideration is valid only if it is made out of natural love and affection between parties standing in near relation to each other and is expressed in writing and registered under the law for the time being in force for registration of documents. Which one of the following is not such relationship?

- (a) husband and wife living at different places because of requirement of their service
- (b) father and son
- (c) two close friends who treat each other as brothers
- (d) brother and sister

73. A person is competent to contract if certain conditions are fulfilled. Which of the following conditions is not one of them? He must-

- (a) have attained the age of majority
- (b) be a person of sound mind
- (c) not be disqualified from contracting by any other law to which he is subject
- (d) be a citizen of India

74. A executed the sale deed of land in favour of B, when A was suffering from alcoholic psychosis and valuable land was sold for a paltry sum. Can the sale deed be set aside by a court of law? Decide according to law laid down in Chacko v. Mahadevan, AIR 2007 SC 2967. The sale deed-

- (a) cannot be set aside as A, at the time of making the deed, was a person of sound mind
- (b) will be set aside because A, at the time of executing the deed, was suffering from alcoholic psychosis and consequently sold the property for a paltry sum
- (c) is a valid contract
- (d) will be valid or invalid at the discretion of the court

75. What does the maxim "res ipsa loquitur" mean?

- (a) local law should be applied
- (b) suit is barred
- (c) things speak for themselves
- (d) award exemplary damages

76. "Ad idem" means

- (a) if two parties to a contract understand the terms and condition in the same manner there is meeting of mind
- (b) If parties to a contract are confused about the terms and conditions of the contract there is ad idem
- (c) when there are cross offers there is ad idem
- (d) it means there is conflict as to subject matter of the contract

77. A promises to secure a government employment for B for a consideration of Rs. 10000/- Discuss the reasons for the validity or invalidity of the contract. The contract is-

- (a) valid as A is demanding money for his labour
- (b) invalid because its object is unlawful
- (c) invalid because its consideration is unlawful
- (d) valid

78. A supplies B, a lunatic, with the necessities of life. A claims he should be compensated out of the property of B. Will he succeed, if so on what grounds?

- (a) no, A cannot be compensated

- (b) no, as the act of A was gratuitous
- (c) no, because there is no contract between A and B
- (d) A will be reimbursed as relation between A and B is similar to that created by a contract

79. Section 377 of the Indian Penal Code punishes homosexuality because it was considered to be offence against the order of nature. The section has partly been declared unconstitutional in *Navtej Singh Johar v. Union of India*, (2018) 10 SCC 1. What aspects of this section has been decriminalised?

- (a) all offences against the order of nature including sexual intercourse with animals
- (b) homosexuality between males and between females
- (c) homosexuality between consenting adults
- (d) all the offences under this section except sexual intercourse with animals

80. Section 497 of the Indian Penal Code punishes sexual intercourse with a married woman without the consent of her husband. In which case the section has been declared unconstitutional by the Supreme Court?

- (a) *Joseph Shine v. Union of India*, (2018) SCC on line SC 1676
- (b) *Naz Foundation v. Govt. of NCT Delhi*, 160 Delhi Law Times 277
- (c) *Suresh Kumar Kaushal v. Union of India* (2014) 1 SCC 1
- (d) *Dr. Noor Jahan Safia Niaz v. State of Maharashtra*, PIL no 106/2014

81. The provisions of the Indian Penal Code do not apply to -

- (a) any person in any place in India
- (b) any citizen of India in any place without and beyond India
- (c) any person on any ship or aircraft registered in India wherever it may be
- (d) any non-citizen who lived in India for a long time, in any place within and beyond India

82. A German citizen was on his flight from Zurich to Manila on a Swiss aircraft and did not come out of the aircraft when it arrived at Mumbai while on transit. He did not file declaration under the Foreign Exchange Regulation Act 1947, regarding the gold which he was carrying on his person. Can he be tried in India for the offence for non-declaration of gold?

- (a) No, as the offence was not committed under German law
- (b) yes, as the offence was committed in India
- (c) No, as the act was committed in an aircraft registered in Switzerland
- (d) no as no offence was committed

83. A and Z agree to fence each other for amusement. The agreement implies the consent of each to suffer any harm which in the course of such fencing may be caused without foul play. A, while playing fairly, hurts Z. What offence, if any, has A committed? A is

- (a) guilty of causing grievous hurt to Z
- (b) guilty of causing hurt to Z
- (c) guilty of negligently causing hurt to Z
- (d) not guilty of any offence

84. A, under the influence of madness, attempts to kill Z, but Z in defending himself from A's attempt to kill him, inflicts grievous injury to A. What offence, if any, has been committed by A and Z?
- (a) A is not guilty but Z is guilty of causing grievous hurt
 - (b) A and Z both are not guilty of any offence
 - (c) A and Z both are guilty of causing grievous hurt
 - (d) A is guilty of attempt to commit murder and Z of causing grievous hurt.
85. A, by putting Z in fear of grievous hurt, dishonestly induces Z to sign on a blank paper and deliver it to A. Z signs and delivers the paper to A. The paper so delivered may be converted into a valuable security. What offence, if any, has been committed by A?
- (a) no offence has been committed as the signed paper has not yet been converted into valuable security
 - (b) criminal breach of trust
 - (c) dishonest misappropriation of property
 - (d) extortion
86. Which of the following is not a necessary ingredient of 'dowry death'?
- (a) death of a married woman within seven years of marriage
 - (b) death must be caused otherwise than under normal circumstances
 - (c) soon before her death she was subjected to cruelty or harassment by her husband or any of his relatives in connection with any demand of dowry
 - (d) it must be proved that the husband or the said relative who has done such cruelty or harassment has intentionally caused her death
87. A, walking on a road, finds a hundred rupee note. He does not know to whom the note belongs. He picks it up and pockets it. What offence, if any, has been committed by A?
- (a) no offence
 - (b) dishonest misappropriation of property
 - (c) cheating
 - (d) criminal breach of trust
88. what is the meaning of strict criminal liability?
- (a) criminal liability of a non-citizen
 - (b) severe punishment for a crime
 - (c) criminal liability without actus reus
 - (d) criminal liability without mens rea
89. 'Nulum crimen nulla poena sine lege' means
- (a) there is no crime when there is no law punishing the same
 - (b) every crime has a punishment
 - (c) every crime is anti-social
 - (d) every criminal fears punishment

90. Z attempts to horsewhip A without intending to inflict grievous hurt to A. A draws out a pistol but Z persists in assault. A believing in good faith that he can by no other means prevent himself from being horsewhipped, shoots Z dead. What offence, if any, has been committed by A?

- (a) no offence as he has a right to self defense
- (b) he is guilty of committing murder
- (c) he is guilty of committing culpable homicide not amounting to murder
- (d) he is guilty of causing death by negligence

91. 'Ubi jus ibi remedium' means

- (a) for every wrong law provides a remedy
- (b) law does not provide remedy for every wrong
- (c) wrongful acts are prohibited by law
- (d) remedy for wrongs is at the discretion of law maker

92. What does 'innuendo' mean?

- (a) an insulting remark
- (b) a wrong statement
- (c) something not explicitly stated but has secondary defamatory meaning
- (d) an innocent harmless remark

93. 'An act which creates in the mind of a person reasonable apprehension of physical threat/harm accompanied by a capacity to carry out such threat', is called in law of tort-

- (a) battery
- (b) assault
- (c) libel
- (d) civil wrong

94. Dogs of P and D were fighting; D was beating them with a view to separating them, while P was looking on. D retreated backward from before the dogs, striking them as he retreated; and as he approached P with his back towards him, in raising his stick over his shoulders in order to strike the dogs, he accidentally hits P, inflicting a severe injury in his eye. Is D liable to P to pay damages? Decide according to the law laid down in Brown v. Kendell, (1850) 6 Cussing 292.

- (a) yes, as D was negligent
- (b) no, as it was an inevitable accident
- (c) both are liable as it is a case of contributory negligence; both were negligent in handling their dogs
- (d) D is not liable as P should have avoided contact with the stick

95. What are the exceptions available to the defendant to defend allegation of 'absolute liability', as developed by the Supreme Court of India?

- (a) all the exceptions which are admissible in case of strict liability
- (b) only inevitable accident
- (c) only sabotage
- (d) no exceptions

96. On what legal basis the Government was held liable in *Peninsular and Oriental Steam Navigation Company v. Secretary of State for India*, 1861 Bom HCR App A-1 (3), for the acts of its servants?
- (a) the Government not liable as it is sovereign
 - (b) the Government liable as it was not performing sovereign function at the relevant time
 - (c) the Government is always responsible for acts of its servants
 - (d) the Government is never responsible for acts of its servants
97. The *Wagon Mound* case is an example of
- (a) The test of reasonable foresight
 - (b) The test of directness
 - (c) Nuisance
 - (d) Negligence
98. Which of the following is not an exception to the operation of the concept 'strict civil liability'?
- (a) force majeure
 - (b) common benefit of both the plaintiff and the defendant
 - (c) plaintiff's own default
 - (d) defendant's own default
99. In which of the following cases the 'neighbour's rule' was propounded by Lord Atkin?
- (a) *Saville v. Roberts*, 11d Raym 374
 - (b) *Ryland v. Fletcher*, 1868LR 3 (HL) 330
 - (c) *Ryan v. Youngs* (1938) 1 All ER 522
 - (d) *Donoghue v. Stevenson*, 1932 AC562
100. Which of the following are the essentials of nuisance?
- (a) Unreasonable interference
 - (b) Interference with the use of land
 - (c) Damage to lane
 - (d) All the above
101. Against which of the following communications a suit for defamation can be brought on grounds of not being privileged? A communication in-
- (a) the proceedings of a court of law
 - (b) a religious gathering
 - (c) a state legislative council
 - (d) Parliament
102. In *Soni Hospital v. Arun Balakrishnan Aiyer*, AIR 2011 Mad 208, the patient (plaintiff) suffered agony as during his operation an abdominal pad was left inside the body of the patient which was removed during another operation by another doctor and the recovered pad had label of the defendant hospital. What was the decision of the court and on what ground?
- (a) the defendant was not found liable as the defendant's involvement could not be proved
 - (b) damages were awarded to the plaintiff as the defendant was found negligent on the basis of *res ipsa loquitur*

- (c) no liability on grounds of remoteness of damages
- (d) the defendant was liable on grounds of contributory negligence

103. Which of the following is not necessary under the tort of defamation?

- ~~(a)~~ The statement is defamatory
- ~~(b)~~ There is intention to refer the statement to the plaintiff
- (c) The right-thinking members of the society infer that the statement refers to the plaintiff
- (d) The statement is made known to other members of the family

104. Who said that international law and municipal law are concomitant aspect of one legal system and spring from a single basic norm?

- (a) Austin
- (b) Triepel
- (c) Kelsen
- (d) Anzilotti

105. What was the main theme of Helsinki Declaration of August 1, 1975

- (a) participating states pledged inter alia to fulfil in good faith their obligations under international law
- (b) to establish International Court of Justice
- (c) to redefine territorial waters
- (d) to redefine certain principles of humanitarian law

106. Which of the following is not a source of International law?

- ~~(a)~~ International customs
- (b) judicial pronouncements of International forums
- ~~(c)~~ International treaties
- ~~(d)~~ treaties between two states of a federal polity

107. What does 'lex lata lex ferenda' mean?

- (a) law as passed by the legislature and international law
- (b) law as it exist and the law as it should be
- (c) customary law and the law of the state
- (d) the law of federation and the law of the region

108. 'Pacta sunt servanda' is one of the oldest principles of International law. What does it mean?

- (a) International treaties may be repudiated
- ~~(b)~~ agreements between states are not binding
- (c) Agreements between the States must be kept
- ~~(d)~~ servant should be obedient

109. Who was the President of International Military Tribunal at Nuremberg?

- (a) Lord Justice Geoffrey Lawrence of Great Britain
- (b) Francis Biddle of U.S.
- (c) Henri Donnedieu of France

(d) Major General I.T.Nikitchenko of Soviet Union

110. 'Opinio juris' (the full form of which is opinion juris sive necessitates), is generally accepted as a condition precedent for existence of a binding custom. What does 'opinio juris' mean?

- (a) an opinion of a municipal court
- (b) an opinion of law or necessity
- (c) opinion of an expert of law
- (d) opinion of a judge

111. Which of the following has not been provided by Article 22 of the Vienna convention of diplomatic relations?

- (a) the premises of the mission shall be inviolable
- (b) the premises of the mission and its property shall be immune from search, requisition or attachment
- (c) the receiving state may not protect the premises in special circumstances
- (d) the receiving state shall take all appropriate steps to protect the premises of the mission against any intrusion or damage

112. Which of the following is not true about International Court of Justice?

- (a) the court consists of 15 judges
- (b) the judges are elected
- (c) the judges are elected regardless of their nationality
- (d) there cannot be more than two judges from a state

113. Which of the following is not a condition to describe a hors de combat?

- (a) he is under the power of an adverse party
- (b) he clearly expresses an intention to surrender, or
- (c) he has been rendered unconscious or is incapacitated and therefore incapable of defending himself
- (d) but he attempts to escape

114. Indian Council for Enviro-Legal Action v. Union of India, (2011) 8 SCC 161, is a case on-

- (a) motor vehicular pollution
- (b) pollution of environment by unauthorized chemical plants
- (c) stone queries
- (d) unauthorized deforestation

115. Which one of the following statements is incorrect?

- (a) The Montreal Protocol is related to Hazardous waste.
- (b) The Precautionary Principle and Polluter Pays Principle are essential features of the principles of sustainable development.
- (c) The Stockholm Conference of 1972 has been described as the Magna Carta of our environment.
- (d) No State has a right to use or permit the use of its territory so as to cause injury by fumes in the territory of another.

116. The Earth Summit held at Rio-de-Janeiro (Brazil) was on:

- (a) The Control of Transboundary Movements of Hazardous Waste
- (b) The United Nations Conference on Environment and Development
- (c) The United Nations Conference on the Human Environment
- (d) None of the above

117. What does 'no-harming rule' of environment in International customary law mean?

- (a) Every state is duty-bound to prevent, reduce and control the risk of environment to other states
- (b) Every state may protect its environment even if it causes harm to the environment of another state
- (c) Every state is under a duty to preserve its own environment
- (d) survival of the fittest in international relations

118. In which of the following cases the Supreme Court of India gave an exhaustive definition of sustainable development?

- (a) M.C. Mehta v. Union of India, (oleum gas leak), AIR 1987 SC 965
- (b) Municipal Corporation Ratlam v. Vardi Chand, AIR 1980 SC 1622
- (c) Vellore Citizens' Welfare Forum v. Union of India, AIR 1969 SC 42
- (d) Tarun Bharat Sangh v. Union of India, 1993 (2) SCALE 441

119. 'To have compassion for living creatures', under the Indian Constitution is a-

- (a) constitutional right
- (b) directive principle of state policy
- (c) fundamental right
- (d) fundamental duty

120. The Headquarter of United Nations Environment Programme is at

- (a) New York
- (b) Nairobi
- (c) Geneva
- (d) London

121. What is the meaning of 'future goods' under the Sale of Goods Act

- (a) goods to be produced, manufactured or acquired by the seller before the making of the contract of sale
- (b) goods to be produced, manufactured or acquired by the seller after the making of the contract of sale
- (c) goods which are likely to be produced, manufactured or acquired by the seller after the making of the contract of sale
- (d) goods may be produced, manufactured or acquired by the seller after the making of the contract of sale

122. 'A bill of lading' is

- (a) a receipt for goods shipped on board of a ship, signed by the person who contracts to carry them or his agent and incorporates the terms on which the goods were delivered to and received by the ship
- (b) a receipt for goods shipped on board of a railway train, signed by the person who contracts to carry them or his agent and incorporates the terms on which the goods were delivered to and received by the railway train
- (c) a receipt for goods shipped on board of an airplane, signed by the person who contracts to carry them or his agent and incorporates the terms on which the goods were delivered to and received by the airplane
- (d) a receipt for goods shipped on board of a ship, signed by the person who contracts to carry them or his agent but does not incorporate the terms on which the goods were delivered to and received by the ship

123. When the property in goods is transferred from the seller to the buyer the transaction is called

- (a) memorandum of understanding
- (b) agreement to sell
- (c) sale
- (d) decision to sell

124. Which of the following is correct in accordance with the provisions of the Sale of Goods Act?

- (a) a condition is a stipulation collateral to the main purpose of the contract
- (b) a warranty is stipulation essential to the main purpose of the contract
- (c) a condition is a stipulation essentially collateral to the main purpose of the contract
- (d) a condition is a stipulation essential to the main purpose of the contract

125. B, a business person in England orders 100 bales of cotton from A, who is in Mumbai and sends his ship to Mumbai for transporting cotton. A loads the cotton on board the ship. Does loading cotton on the board of the ship amount to delivery to B?

- (a) No, only when the ship reaches England
- (b) yes it is delivery to B
- (c) no only when the cotton is received by B
- (d) It will be delivery only when ship leaves the Mumbai port

126. Which of the following is not goods under the provisions of the Sale of Goods Act?

- (a) an actionable claim
- (b) growing crops
- (c) shares of a company
- (d) grass

127. Which of the following is not a characteristic of partnership?

- (a) an agreement among all the persons (partners)
- (b) the agreement must be to share the profits of a business
- (c) the business must be carried by all or any one acting for all
- (d) alternatively the business must be carried on by one on his own behalf with the consent of all

128. Which of the following is not a general duty of a partner?

- (a) to act to the greatest advantage of his own self
- (b) to be just and faithful to each other
- (c) to render true account of the firm to any partner
- (d) to render full information of all things affecting the firm to any partner

129. Can a partnership agreement provide that a partner shall not carry on any business other than that of the firm while he is a partner?

- (a) no, such agreement is void in view of section 27 of the Indian Contract Act, which provides that every agreement by which anyone is restrained from exercising any lawful profession, trade, or business of any kind is to that extent is void
- (b) notwithstanding anything contained in section 27 of the Indian Contract Act, such agreement is valid
- (c) It is at the discretion of a court that such agreement may be enforced
- (d) such agreement may be enforced

130. Which of the following is implied authority of a partner in a firm?

- (a) enter into a partnership on behalf of the firm
- (b) admit liability in a suit on behalf of the firm
- (c) receives a sum of money on behalf of the firm
- (d) opens a banking account on behalf of the firm in his own name

131. In which of the following cases a firm cannot be dissolved by a court

- (a) the business of the firm cannot be carried on except at a loss ✓
- (b) if a partner issues receipt on behalf of the firm on receipt of money due to the firm
- (c) that a partner, in a firm, has become person of unsound mind
- (d) that a partner in a firm has become permanently incapable of performing his duties as a partner

132. Which of the following business entity is based on status?

- (a) a joint stock company
- (b) a partnership firm
- (c) a Hindu undivided family carrying on business
- (d) a statutory corporation

133. What does a 'promissory note' mean under the Limitation Act?

- (a) any instrument whereby the maker engages absolutely to pay an unspecified sum of money to another at a time therein limited or on demand or at sight
- (b) any instrument whereby the maker engages absolutely to pay a specified sum of money to another at any time on demand
- (c) any instrument whereby the maker engages at his will to pay a specified sum of money to another at a time therein limited or on demand or at sight
- (d) any instrument whereby the maker engages absolutely to pay a specified sum of money to another at a time therein limited or on demand or at sight

134. In computing the period of limitation for a suit or an appeal where an application to sue or appeal as a pauper has been made and rejected what period if any shall be excluded for computing the period for payment of court fee
- (a) no period shall be excluded
 - (b) the time during which the applicant has been prosecuting in good faith his application for such leave
 - (c) the time during which the applicant has been prosecuting his application for such leave
 - (d) the time, not more than six months during which the applicant has been prosecuting in good faith his application for such leave
135. What is the period of limitation for money payable for money lent and when the period of limitation begins to run?
- (a) three years; when the debtor is asked to pay for the first time by the debtor
 - (b) two years; when the loan is made
 - (c) three years; when the loan is made
 - (d) two years; when the debtor is required to pay
136. What is the period of limitation for a mortgagor to redeem or recover possession of immovable property mortgaged and when does such period of limitation begin to run?
- (a) thirty years; when the right to recover or redeem the possession accrues
 - (b) thirty years; when mortgagor first becomes aware of the right to recover or redeem the possession
 - (c) sixty years; when the right to recover or redeem the possession accrues
 - (d) twenty years; when the right to recover or redeem the possession accrues
137. Which of the following contracts can be specifically enforced?
- ☒ (a) a contract which is so dependent on personal qualification of parties that the court cannot enforce specific performance of its material terms
 - ☒ (b) a contract the performance of which does not involve the performance of a continuous duty which the court can supervise
 - ☒ (c) a contract which is in its nature determinable
 - ☒ (d) where a party to a contract has obtained substituted performance in accordance with the provisions of section 20 of the Specific Performance Act
138. In which of the following an injunction can be granted?
- ☒ (a) to restrain any person from prosecuting a judicial proceeding pending at the institution of the suit in which the injunction is sought, if such restraint is necessary to prevent a multiplicity of proceedings;
 - ☒ (b) to restrain any person from applying to a legislative body
 - ☒ (c) to prevent a continuing breach in which the plaintiff has acquiesced
 - ☒ (d) to restrain any person from instituting or prosecuting any proceeding in a criminal matter

139. What does 'obligation' mean according to Specific Relief Act?

- ~~(a)~~ includes every duty enforceable by Specific Relief Act
(b) includes every duty enforceable by law
~~(c)~~ every duty enforceable by law and customs
~~(d)~~ every duty

140. The year of enactment of the Specific Relief Act (which is in force now) is-

- (a) 1863
(b) 1890
(c) 1963
(d) 1818

PART III

- 1. Discuss the essentials of a fair criminal trials in context of victim's rights.
- 2. Do you agree that International law is a vanishing point of jurisprudence? Give reasons for your agreement or disagreement.
- 3. Critically discuss the contribution of critical legal studies to jurisprudence.
- 4. Critically analyse the law relating to sedition in India.

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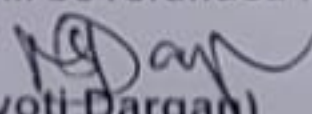
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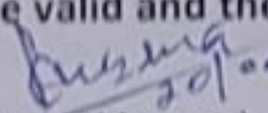
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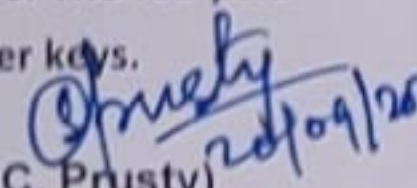
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2	C	32	B	62	B	92	C	122	A
3	B	33	A	63	C	93	B	123	C
4	D	34	C	64	C	94	B	124	D
5	A	35	A	65	D	95	D	125	B
6	C	36	D	66	C	96	B	126	A
7	D	37	C	67	B	97	A	127	D
8	A	38	A	68	C	98	D	128	A
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15	D	45	A	75	C	105	A	135	C
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17	B	47	C	77	B	107	B	137	B
18	D	48	D	78	D	108	C	138	A
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20	C	50	B	80	A	110	B	140	C
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26	B	56	C	86	D	116	B		
27	B	57	A	87	A	117	A		
28	B	58	A	88	D	118	C		
29	A	59	B	89	A	119	D		
30	D	60	C	90	C	120	B		

In case of any challenge regarding the questions /answer keys, the candidate may email at response2021@illi.ac.in or fax at 011-23782140 alongwith the online payment receipt of Rs. 500/- per question (A/c No.02070100257036, UCO Bank, Supreme Court Compound, New Delhi, IFSC Code - UCBA0000207). The candidates must send the copy of the receipt or mention transaction number alongwith their Name & Roll Number and send the email latest by 22.09.2021(Wednesday) by 4.00 p.m. The challenges will not be accepted for review by the Committee without requisite fee as above. The fee paid will be refunded if the challenge is found to be valid and there is a change in the above answer keys.

Note:


(Jyoti Dargan)
Assistant Controller of
Examinations


(Dr. A.K. Verma)
Deputy Registrar


(S.C. Prusty)
Registrar