

Code No.

J – 2284

**Entrance Examination for Admission to the P.G. Courses in the Teaching
Departments, 2020**

CSS

LAW

General Instructions

1. The Question Paper is having two Parts — Part 'A' Objective type (60%) & Part 'B' Descriptive type (40%).
2. Objective type questions which carry 1 mark each are to be (✓) 'tick marked' in the response sheets against the appropriate answers provided.
3. 8 questions are to be answered out of 12 questions carrying 5 marks each in Part 'B'.
4. **Negative marking** : 0.25 marks will be deducted for each wrong answer in Part 'A'.

Time : 2 Hours

Max. Marks : 100

To be filled in by the Candidate

Register Number	in Figures								
	in words								

PART – A
(Objective Type)

Choose appropriate answer from the options in the questions. **One mark each.**

(60 × 1 = 60 marks)

1. Which provision of the Indian Constitution empowers the Parliament to legislate with respect to a matter in the State list in the National Interest.

a) Article 254	b) Article 250
c) Article 249	d) Article 248

DO NOT WRITE HERE

-
2. The One Hundred and First Constitutional Amendment inserted which of the following matters into the Constitution
- a) National Judicial Appointments Commission
 - b) Cooperative Societies
 - c) Addition of Languages
 - d) Goods and Services Tax

3. Which one is correctly matched :

List I	List II
(i) Definition Clause of the Constitution	(A) Article 315
(ii) Governors of the state	(B) Article 76
(iii) Public service commission	(C) Article 366
(iv) Attorney general of India	(D) Article 153

Codes :

- (i) (ii) (iii) (iv)
- a) (C) (D) (A) (B)
- b) (C) (B) (D) (A)
- c) (A) (D) (C) (B)
- d) (B) (A) (D) (C)

4. In which of the following cases Passive Euthanasia is recognized in India?

- a) Naz Foundation v Govt. of NCT of Delhi
- b) Common cause A regd. Society v Union of India
- c) K S Puttuswamy and another v Union of India and others
- d) Arjun Gopal v Union of India

5. A curative petition can be entertained by the Supreme Court on which of the following grounds

- (i) If the order is vitiated by non-observance of the principles of Natural Justice
 - (ii) On account of abuse of the process of Court
 - (iii) Re appreciation of Evidence
 - (iv) Error apparent on the face of record
- a) (i) and (ii)
 - b) (i) only
 - c) (ii) and (iv)
 - d) (iii) only

6. Which of the following provisions of the Constitution empowers the Supreme Court to grant Special Leave to Appeal
- a) Article 134
 - b) Article 143
 - c) Article 136
 - d) Article 163
7. Which is a reasonable restriction available against the exercise of Fundamental right to freedom of movement?
- a) Protection of the interests of general public or any Scheduled Tribe
 - b) Public Order
 - c) Defamation
 - d) Incitement to an offence
8. Article 300 A is associated with which of the following doctrines
- a) Pith and Substance
 - b) Colourable Legislation
 - c) Polluter Pays Principle
 - d) Eminent Domain
9. Which Schedule of the Constitution deals with Languages
- a) Schedule IX
 - b) Schedule IV
 - c) Schedule VIII
 - d) Schedule VI
10. Which of the following features of Indian Constitution has taken from German Reiche?
- a) Fundamental Rights
 - b) Directive Principles of State Policy
 - c) Suspension of Fundamental Rights during Emergency
 - d) Parliamentary Form of Government

11. When an instrument of a legislative nature is made by an authority in exercise of the power delegated or conferred by the legislature, it is called
- a) Administrative direction
 - b) Sub delegation
 - c) Delegated Legislation
 - d) Administrative Instruction
12. Which of the following is not a part of the Principles of Natural Justice?
- a) Legitimate expectation
 - b) Right to Notice
 - c) Rule against bias
 - d) Reasoned decision
13. Which statement is/are false with respect to a Statutory Corporation?
- (i) It has a separate legal entity and can sue and be sued in its corporate name
 - (ii) It is a "State" within the meaning of Article 12 of the Constitution
 - (iii) It enjoy all the privileges of the Government to withhold documents
- a) (i) and (ii) only
 - b) (ii) only
 - c) (ii) and (iii) only
 - d) (iii) only
14. Which statement is not connected to Dicey's Rule of Law?
- a) Subordinate Legislation
 - b) Law is supreme and no one is above the Law
 - c) Equality before law
 - d) Absence of arbitrary power is an essence of rule of law
15. Which of the following doctrine is relating to judicial control of delegated legislation?
- a) Doctrine of proportionality
 - b) Doctrine of ultra vires
 - c) Doctrine of colourable legislation
 - d) Doctrine of promissory estoppel
16. Which one is not an instance of abuse of discretion?
- a) Malafides
 - b) Irrelevant Consideration
 - c) Legitimate expectation
 - d) Unreasonableness

17. Conseil d'Etat is relating to
- a) Droit Administratif
 - b) Supreme Court of Italy
 - c) Ombudsman
 - d) German Legislative body
18. Ridge V Baldwin is a case connected with
- a) Right to information
 - b) Judicial accountability
 - c) Natural justice and procedural fairness
 - d) Abuse of discretion
19. Writ of Mandamus is issued to
- a) An inferior court or Tribunal
 - b) A person or a public authority including the Govt.
 - c) An inferior Court or body exercising quasi judicial functions
 - d) An inferior Court or public Authority
20. L. Chandra Kumar v Union of India is a case relating to
- a) Administrative discretion
 - b) Wednesbury Principles
 - c) Administrative Tribunals
 - d) Lokpal
21. Who is not an exponent of Analytical School of jurisprudence?
- a) Bentham
 - b) Grotius
 - c) Austin
 - d) HLA Hart
22. Which one is the famous work of Montesquieu?
- a) Spirit of Law
 - b) Theory of Justice
 - c) Law and Morals
 - d) Law of War and Peace
23. "The methods by which any progressive society can develop its laws are legal fiction, equity and legislation" – This idea is a part of
- a) Historical School
 - b) Analytical School
 - c) Sociological School
 - d) Philosophical School

24. "Constructive skepticism" is exclusively an idea of
- a) Sociological School
 - b) Historical School
 - c) Analytical School
 - d) American Realism
25. Which of the following is not a theory relating to origin of State?
- a) Force theory
 - b) Divine theory
 - c) Social Contract theory
 - d) Analytical theory
26. Which of the following is not a source of law?
- a) Customs
 - b) Judicial Decisions
 - c) Morality
 - d) Equity
27. "Legal rights and duties are determined by the scheme of principle that provides the best justification of certain political practices of a community; a scheme identifiable through an interpretation of the practices that is sensitive both to the practice and to the values or principles that the practices serve" – This statement connected to
- a) Natural Law theory
 - b) Legal Realism
 - c) Imperative theory of Law
 - d) None of the above
28. Meaning of *stare decisis* is
- a) Something said by the judge by the way
 - b) Reason for the decision
 - c) Decided through lack of care
 - d) Let the decision stand in its rightful place
29. Which of the following is not a requisite of local custom
- a) Continuity
 - b) Immemorial antiquity
 - c) Consistency
 - d) Unreasonableness

30. Which one is correctly matched?

List I	List II
(i) Proprietary Right	(A) Right available against a particular person
(ii) Right in personam	(B) Right which correspond to a negative duty
(iii) Right in re aliena	(C) Economic right
(iv) Negative right	(D) Right over the property of someone else

Codes :

- (i) (ii) (iii) (iv)
a) (C) (D) (A) (B)
b) (C) (A) (D) (B)
c) (A) (D) (B) (C)
d) (B) (C) (A) (D)

31. Joint Authorship is a term relating to which Intellectual Property Right

- a) Patent
b) Copy right
c) Trade mark
d) None of these

32. Who is not a performer as per Copy rights Act?

- a) Actor
b) Photographer
c) Snake Charmer
d) Acrobat

33. How long a trademark is valid in India?

- a) 60 Years
b) 30 Years
c) 10 Years
d) 20 Years

34. Who is the first owner of a copy right when the author is employed by the newspaper under a contract of service?

- a) Composer
b) Proprietor
c) Author himself
d) Editor

35. Which statement is false with respect to a trademark?

- a) Mark capable of being represented graphically
- b) Capable of distinguishing the goods or services of one person from those of others
- c) May be in printed form
- d) May be in visual or olfactory signs

36. Which one is correctly matched?

List I		List II
(i) Geographical indication	(A)	Inventions
(ii) Trade Mark	(B)	Symbol or word
(iii) Copy right	(C)	Name or signs on the product corresponds to a location
(iv) Patent	(D)	Bundle of rights

Codes :

- | | | | | |
|----|-----|------|-------|------|
| | (i) | (ii) | (iii) | (iv) |
| a) | (A) | (B) | (C) | (D) |
| b) | (C) | (B) | (D) | (A) |
| c) | (C) | (A) | (B) | (D) |
| d) | (C) | (D) | (A) | (B) |

37. What is the term of protection available for patents as per TRIPS agreement?

- | | |
|-------------|-------------|
| a) 20 years | b) 40 years |
| c) 10 years | d) 30 years |

38. Which of the following is not an Intellectual property law?

- | | |
|--------------------------|-------------------------|
| a) Copy rights Act, 1957 | b) Trademarks Act, 1999 |
| c) IT Act, 2000 | d) Designs Act, 2000 |

39. The rights of patentee are
- a) To Sell
 - b) To Assign
 - c) To Lease
 - d) None of the above
40. Berne Convention of 1886 was mainly aimed to protect
- a) Literary and artistic work
 - b) Industrial designs
 - c) Patents
 - d) Geographical indications
41. Privity of contract means
- a) Meeting of minds
 - b) Out of a naked fact no cause of action arises
 - c) Stranger to contract cannot sue
 - d) Consideration need not be adequate
42. Which one is not void as per Sec. 25 of Indian Contract Act
- a) A minor's contract
 - b) Written agreement to pay a time affection debt
 - c) Agreement based on love and affection between friends
 - d) Contingent contracts
43. Which of the following statements is true?
- a) Contract vitiated by undue influence is void
 - b) Agreement in restraint of trade is voidable
 - c) Agreement opposed to public policy is voidable
 - d) A minor's contract is void *ab initio*
44. Doctrine of fundamental breach is relating to
- a) Wagering contract
 - b) Standard form contract
 - c) Frustration
 - d) Unjust enrichment

45. Which one is not an instance of quasi contract?
- a) Necessaries supplied to an incapable person
 - b) Obligation of finder of lost goods
 - c) Money paid and received by mistake
 - d) Wagering contracts
46. "Protection and improvement of Environment and safeguarding of forest and wildlife" — This provision has been added by which Constitutional Amendment?
- a) 44th Amendment
 - b) 24th Amendment
 - c) 42nd Amendment
 - d) 86th Amendment
47. In which of the following cases there is a conflict between 2 fundamental rights – Right to health and right to religion.
- a) Rural Litigation Entitlement Kendra v State of UP
 - b) Church of God (Full Gospel) v KKR Majestic Colony Welfare Association
 - c) M C Mehta v Union of India
 - d) Indian Council for Enviro Legal Action v Union of India
48. Gloucester Grammar School Case is an instance of the application of which of the following doctrine
- a) Damnum sine injuria
 - b) Injuria sine damnum
 - c) Strict Liability
 - d) Absolute Liability
49. Which one is a defence available against a tortious act
- a) Infancy
 - b) Judicial acts
 - c) Trifles
 - d) Volenti non fit injuria
50. Which is an essential thing for applying strict liability principle
- a) Dangerous thing
 - b) Non natural use of land
 - c) False statement
 - d) Both (a) and (b)

51. Who has been acclaimed as the father of the Law of Nations?
 a) Richard Zouche
 b) Hugo Grotius
 c) Samuel Pufendorf
 d) Spinoza
52. Tobar doctrine is associated with
 a) Non recognition of State
 b) Nationality
 c) Belligerency
 d) Insurgency
53. Which one is not a mode of losing nationality according to Oppenheim?
 a) Release
 b) Deprivation
 c) Renunciation
 d) Integration
54. Which one is correctly matched?

List I

List II

- | | |
|-------------------------|--|
| (i) Helsinki Rules | (A) Intervention |
| (ii) Truman Declaration | (B) Continental Shelf |
| (iii) Monsoe Doctrine | (C) Use of Water of International Rivers |
| (iv) Savarkar's Case | (D) Extradition |

Codes

- | | | | | |
|----|-----|------|-------|------|
| | (i) | (ii) | (iii) | (iv) |
| a) | (D) | (A) | (B) | (C) |
| b) | (C) | (B) | (A) | (D) |
| c) | (B) | (C) | (D) | (A) |
| c) | (A) | (B) | (C) | (D) |

55. *Pactasuntservandais* associated with
- a) Treaties
 - b) Nationality
 - c) Extradition
 - d) Wars
56. Pigeon hole theory is relating to
- a) Tort of defamation
 - b) Salmond's definition of law of torts
 - c) Volenti non fit injuria
 - d) Winfield's definition of law of torts
57. A, having pawned his watch to Z, and then takes out of Z's possession without his consent, and not having paid what he borrowed on the watch. What offence he has committed?
- a) Criminal misappropriation
 - b) Criminal breach of trust
 - c) Extortion
 - d) Theft
58. A, an editor threatens B, a politician to publish a defamatory statement unless B gives A money. Which offence A has committed.
- a) Theft
 - b) Defamation
 - c) Criminal Misappropriation
 - d) Extortion
59. M'cnaughten's Case is connected with
- a) Infancy
 - b) Necessity
 - c) Insanity
 - d) Accident
60. The Term public servants is defined under which provision of IPC?
- a) Sec. 21
 - b) Sec. 33
 - c) Sec. 107
 - d) Sec. 4

ANSWER SHEET — PART — A

1	A	B	C	D	E
2	A	B	C	D	E
3	A	B	C	D	E
4	A	B	C	D	E
5	A	B	C	D	E
6	A	B	C	D	E
7	A	B	C	D	E
8	A	B	C	D	E
9	A	B	C	D	E
10	A	B	C	D	E
11	A	B	C	D	E
12	A	B	C	D	E
13	A	B	C	D	E
14	A	B	C	D	E
15	A	B	C	D	E
16	A	B	C	D	E
17	A	B	C	D	E
18	A	B	C	D	E
19	A	B	C	D	E
20	A	B	C	D	E

21	A	B	C	D	E
22	A	B	C	D	E
23	A	B	C	D	E
24	A	B	C	D	E
25	A	B	C	D	E
26	A	B	C	D	E
27	A	B	C	D	E
28	A	B	C	D	E
29	A	B	C	D	E
30	A	B	C	D	E
31	A	B	C	D	E
32	A	B	C	D	E
33	A	B	C	D	E
34	A	B	C	D	E
35	A	B	C	D	E
36	A	B	C	D	E
37	A	B	C	D	E
38	A	B	C	D	E
39	A	B	C	D	E
40	A	B	C	D	E

41	A	B	C	D	E
42	A	B	C	D	E
43	A	B	C	D	E
44	A	B	C	D	E
45	A	B	C	D	E
46	A	B	C	D	E
47	A	B	C	D	E
48	A	B	C	D	E
49	A	B	C	D	E
50	A	B	C	D	E
51	A	B	C	D	E
52	A	B	C	D	E
53	A	B	C	D	E
54	A	B	C	D	E
55	A	B	C	D	E
56	A	B	C	D	E
57	A	B	C	D	E
58	A	B	C	D	E
59	A	B	C	D	E
60	A	B	C	D	E

LAW

PART – B (Descriptive Type)

Answer **any eight** questions.

(8 × 5 = 40 Marks)

1. Explain the Test of reasonable classification under Article 14 of the Constitution with the help of decided cases.
2. Discuss the judicial attitude towards right to privacy under the Indian Constitution.
3. Explain the various Constitutional safeguards which are available for accused person.
4. Elaborate the relationship between Fundamental rights and Directive Principles of State Policy in the light of decided cases.
5. Trace the concept and evolution of the Principles of Natural Justice in India.
6. Write a note on the various theories of sovereignty.
7. Explain the significance of Kelsen's Pure theory of Law.
8. What is ratio decidendi and how does it differ from obiter dicta.
9. Discuss the term "assignment of copyright". What are the different modes of assignment of copy right?
10. Explain the features and functions of Trademark.
11. What do you mean by undue influence in Law of contract? How this affect the validity of a contract?
12. Explain the capacity of parties to a contract with reference to Indian Contract Act.

