



JAMMU AND KASHMIR PUBLIC SERVICE COMMISSION

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Subject: J&K Civil Service (Judicial) Preliminary Examination 2023 - Provisional Answer Key(s).

Notification No. PSC/Exam/S/2023/59

Dated: 08.10.2023

In pursuance of Rule 10(c) of the Jammu & Kashmir Public Service Commission (Conduct of Examination) Rules, 2022, as amended upto date, the Provisional Answer Keys of Paper-I & Paper-II of **Question Booklet (Series A)** pertaining to the Written Examination (Preliminary) for the post of **Civil Judge (Junior Division) in Subordinate Judiciary, 2023** held on **08.10.2023** in two sessions is hereby notified for seeking the objections from candidates.

Provisional Answer Key (Paper-I)

Test Booklet Question No. (Series A)	
Q1	D
Q2	A
Q3	C
Q4	B
Q5	D
Q6	C
Q7	A
Q8	C
Q9	B
Q10	C
Q11	A
Q12	D
Q13	B
Q14	B
Q15	A
Q16	B
Q17	A
Q18	B
Q19	A
Q20	D
Q21	C
Q22	C
Q23	D
Q24	C
Q25	D

Test Booklet Question No. (Series A)	
Q26	B
Q27	D
Q28	C
Q29	B
Q30	A
Q31	A
Q32	D
Q33	C
Q34	D
Q35	A
Q36	B
Q37	B
Q38	A
Q39	C
Q40	D
Q41	D
Q42	C
Q43	A
Q44	D
Q45	D
Q46	D
Q47	B
Q48	A
Q49	B
Q50	B

Test Booklet Question No. (Series A)	
Q51	C
Q52	D
Q53	D
Q54	C
Q55	B
Q56	B
Q57	D
Q58	C
Q59	D
Q60	A
Q61	C
Q62	B
Q63	A
Q64	C
Q65	A
Q66	C
Q67	B
Q68	A
Q69	B
Q70	B
Q71	A
Q72	C
Q73	D
Q74	A
Q75	C

Test Booklet Question No. (Series A)	
Q76	D
Q77	D
Q78	C
Q79	C
Q80	B
Q81	B
Q82	D
Q83	C
Q84	C

Test Booklet Question No. (Series A)	
Q85	A
Q86	D
Q87	B
Q88	D
Q89	C
Q90	D
Q91	C
Q92	B
Q93	A

Test Booklet Question No. (Series A)	
Q94	B
Q95	D
Q96	B
Q97	A
Q98	B
Q99	C
Q100	C

Provisional Answer Key (Paper-II)

Test Booklet Question No. (Series A)	
Q1	B
Q2	A
Q3	C
Q4	D
Q5	B
Q6	B
Q7	B
Q8	B
Q9	C
Q10	D
Q11	A
Q12	B
Q13	C
Q14	D
Q15	B
Q16	B
Q17	A
Q18	B
Q19	B
Q20	A
Q21	B
Q22	D
Q23	A
Q24	C
Q25	D
Q26	B
Q27	C
Q28	D
Q29	D

Test Booklet Question No. (Series A)	
Q30	B
Q31	C
Q32	B
Q33	C
Q34	D
Q35	A
Q36	C
Q37	B
Q38	C
Q39	B
Q40	D
Q41	B
Q42	C
Q43	A
Q44	C
Q45	D
Q46	A
Q47	A
Q48	C
Q49	D
Q50	D
Q51	C
Q52	D
Q53	A
Q54	A
Q55	B
Q56	A
Q57	C
Q58	C

Test Booklet Question No. (Series A)	
Q59	D
Q60	C
Q61	D
Q62	A
Q63	C
Q64	D
Q65	D
Q66	B
Q67	D
Q68	B
Q69	B
Q70	C
Q71	B
Q72	C
Q73	A
Q74	B
Q75	D
Q76	C
Q77	C
Q78	D
Q79	C
Q80	C
Q81	C
Q82	B
Q83	C
Q84	D
Q85	D
Q86	C
Q87	A

Test Booklet Question No. (Series A)	
Q88	A
Q89	B
Q90	C
Q91	C
Q92	D

Test Booklet Question No. (Series A)	
Q93	C
Q94	C
Q95	D
Q96	C
Q97	B

Test Booklet Question No. (Series A)	
Q98	A
Q99	B
Q100	A

The candidates are advised to refer to **Question Booklet (Series A)** to match the corresponding question(s) in their respective Question Booklet Series and if any candidate feels that the key to any of the question(s) is/are wrong, he/she may represent on prescribed format/proforma annexed as **Annexure-A** along with the documentary proof/evidence (**hard copies only**) and fee of Rs.500/- per question in the form of Demand Draft drawn in favour of **COE** (refundable in case of genuine/correct representation) to the Controller of Examinations, Jammu & Kashmir Public Service Commission, from Monday i.e. 09.10.2023 to 11.10.2023. **The candidates are further advised to clearly mention the question(s) objected to with reference to its serial number as it appears in the Series A of the provisional answer key(s).**

The Commission shall not entertain any such representation(s) after the expiry of the stipulated period i.e. after 11.10.2023 (Wednesday), 05.00 pm.

The provisional key is also available on the website of the Commission <http://www.jkpsc.nic.in>.

08.10.2023
(G.L Sharma), JKAS
Additional Secretary
J&K Public Service Commission

No. PSC/Ex-Secy/2023/57

Dated: 08.10.2023

Copy to the: -

1. Director, Information and Public Relation, J&K for publication of the notice in all leading newspapers published from Jammu/Srinagar.
2. P.S. to Hon'ble Chairman, J&K Public Service Commission for information of the Hon'ble Chairman.
3. P.S. to Hon'ble Member, Shri _____ for information of the Hon'ble Member.
4. P. A. to Secretary, J&K Public Service Commission for information of the Secretary.
5. P.A. to Controller of Examinations, J&K Public Service Commission for information of the COE.
6. Main file/Stock file/Notice Board.

Annexure-A

Representation regarding objection(s) to any Question/Answer pertaining to the Written Examination (Preliminary) for the post of Civil Judge (Junior Division) in Subordinate Judiciary, 2023 held on 08.10.2023

(NOTE: USE SEPARATE FORMS FOR SEPARATE QUESTIONS)

Paper: _____

Name of the Applicant : _____

Roll No. : _____

Correspondence Address : _____

Contact/Mobile No. : _____

Date of Application: _____ **.10.2023**

Demand Draft No. date : _____

Candidates Account No.(16 digit) & IFSC Code : _____

Question No. in Series A	Details of the Objection	Resource Material (copy to be enclosed)	Details of the Website (if any)
<u>Correct Answer/Option as per candidate :</u>			



Signature of the Candidate

Note : Application for each question/answer shall be made on separate page in the given format, otherwise the first question entered in the format shall only be considered.

DO NOT OPEN THIS TEST BOOKLET UNTIL YOU ARE TOLD TO DO SO

Booklet Serial No.

Test Booklet Series

121557

TEST BOOKLET
J&K CIVIL SERVICE (JUDICIAL)
PRELIMINARY EXAMINATION - 2023
PAPER - I
(91)

A

Time Allowed: Two Hours

Maximum Marks: 225

INSTRUCTIONS

1. IMMEDIATELY AFTER THE COMMENCEMENT OF THE EXAMINATION, YOU SHOULD CHECK THAT THIS TEST BOOKLET **DOES NOT** HAVE ANY UNPRINTED OR TORN OR MISSING PAGES OR ITEMS, ETC. IF SO, GET IT REPLACED BY A COMPLETE TEST BOOKLET.
2. Please note that it is the candidate's responsibility to encode and fill in the Roll Number and Test Booklet Series Code A, B, C or D carefully and without any omission or discrepancy at the appropriate places in the OMR Answer /Response Sheet. Any omission/discrepancy will render the Response Sheet liable for rejection.
3. You have to enter your Roll Number on the Test Booklet in the Box provided alongside.
DO NOT write *anything else* on the Test Booklet.
4. This Test booklet contains 100 items (questions). Each item comprises of four responses (answers). You will select the response which you want to mark on the Answer Sheet/Response Sheet. In case you feel that there is more than one correct response, mark the response which you consider the best. In any case, choose **ONLY ONE** response for each item.
5. You have to mark all your responses **ONLY** on the separate Answer /Response Sheet provided. *See directions in the Response Sheet.*
6. *All items carry equal marks.*
7. Before you proceed to mark in the Answer /Response Sheet, the response to various items in the Test Booklet, you have to fill in some particulars in the Answer /Response Sheet as per instructions sent to you with your Admission Certificate.
8. After you have completed filling in all your responses on the Response Sheet and the examination has concluded, you should hand over to the Invigilator **only the Answer /Response Sheet**. You are permitted to take away with you the Test Booklet and **Candidate's Copy of the Response Sheet**.
9. Sheets for rough work are appended in the Test Booklet at the end.
10. While writing Centre, Subject and Roll No. on the top of the Answer Sheet/Response Sheet in appropriate boxes use "**ONLY BALL POINT PEN**".

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1. Which among the following is not an invited international organisation for the 18th G20 Summit?
A) IMF
B) African Union
C) OECD
D) Central European Initiative
2. Who is the head of the high-level committee formed by the Centre on 'One nation, one election'?
A) Ram Nath Kovind
B) Justice D.Y. Chandrachud
C) Jagdeep Dhankar
D) Kiren Rijiju
3. Under Strategic Clean Energy Partnership, which country has launched the Renewable Energy Technology Action Platform in collaboration with India?
A) Ukraine
B) Russia
C) USA
D) Australia
4. Which among the following states launched the "Gruha Lakshmi" financial aid scheme for women?
A) Punjab
B) Karnataka
C) Kerala
D) Rajasthan
5. Which among the following political parties is not a recognised national party?
A) Aam Aadmi Party
B) Bahujan Samaj Party
C) Bharatiya Janta Party
D) All India Trinamool Congress
6. From where was Chandrayan 3 launched?
A) Space Applications Centre
B) ISRO Propulsion Complex
C) Satish Dhawan Space Centre
D) Master Control Facility
7. The Nobel Peace Prize 2022 was awarded to Ales Bialiatski for-
A) outstanding effort to promote democracy and human rights in Belarus.
B) non-violent struggle in Myanmar
C) work towards a just and peaceful solution to the conflict in East Timor
D) initiative to resolve border conflict with Eritrea.
8. Miyawaki as a technique to build urban forest finds its roots in
A) Indonesia
B) China
C) Japan
D) Vietnam
9. Panna Tiger Reserve is located in which state?
A) Maharashtra
B) Madhya Pradesh
C) Andhra Pradesh
D) Rajasthan

10. In which year was the first general elections held in post Independent India?
A) 1947–1948
B) 1949–1950
C) 1951–1952
D) 1955–56
11. “The Starry Night” is a famous oil canvas painting by which artist?
A) Vincent van Gogh
B) Leonardo da Vinci
C) Filippo Brunelleschi
D) Michelangelo
12. Who among the following has been appointed as the first woman Chairperson of the Railway Board?
A) RoshniNadar Malhotra
B) Leena Nair
C) Mallika Srinivasan
D) Jaya Varma Sinha
13. Where was World Badminton Championships 2023 held?
A) Munich
B) Copenhagen
C) Madrid
D) Oslo
14. Which among the following ministries conferred the 9th Community Radio Awards in 2023?
A) Ministry of Electronics and Information Technology
B) Ministry of Information and Broadcasting
C) Ministry of External Affairs
D) Ministry of Education
15. Which organisation released the India Climate Energy Dashboard?
A) NITI Aayog
B) The World Meteorological Organisation
C) The Intergovernmental Panel on Climate Change
D) The Energy and Resource Institute (TERI)
16. Who presides over the joint session of the Indian Parliament?
A) President of India
B) The Speaker of the Lok Sabha
C) The leader of the Opposition
D) The Chief Justice of India
17. Which among the following is not a Fundamental Right in the Indian Constitution?
A) Right to suicide
B) Freedom to manage religious affairs
C) Right to education
D) Protection of life and personal liberty
18. Which among the following languages is not in the 8th Schedule in the Indian Constitution?
A) Dogri
B) Maghi
C) Maithili
D) Sindhi

26. 'A' finds a cheque payable to bearer. He can form no conjecture as to the person who has lost the cheque. However, the name of the person who has drawn the cheque, appears. 'A' knows that this person can direct him to the person in whose favour the cheque was drawn. 'A' does not make any attempt to discover the owner, instead he uses it for his own purpose. What offence, if any, has been committed by 'A'?
- A) Theft
 - B) Criminal Misappropriation
 - C) Criminal Breach of Trust
 - D) No offence

27. Match the options in Part-I with the relevant provisions that define them, as given under Part-II:

Part-I	Part-II
a. Good faith	i) Section 26
b. Injury	ii) Section 43
c. Reason to believe	iii) Section 52
d. Legally bound to do	iv) Section 44

Choose the correct option:

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

28. Which of the following statement(s) is/are correct with regards to 'punishments' under the provisions of the Indian Penal Code?

- I. The provisions related to punishments are given under Chapter III of the Code.
- II. In every case in which sentence of death shall have been passed, the appropriate Government may, with the consent of the offender, commute the punishment for any other punishment provided by this Code.
- III. In every case in which sentence of imprisonment for life shall have been passed, the appropriate Government may, without the consent of the offender, commute the punishment for imprisonment of either description for a term not exceeding fourteen years.
- IV. In calculating fractions of terms of punishment, imprisonment for life shall be reckoned as equivalent to imprisonment for fourteen years.

Choose the correct option.

- A) Only I and IV are correct
- B) Only II and III are correct
- C) Only I and III are correct
- D) I, II, III and IV are correct

29. Consider the following statements and choose the correct option given below.
- I. Chapter IX of the Indian Penal Code relates to 'Offences Affecting the Public Health, Safety, Convenience, Decency and Morals'.
 - II. Sections 161-165A of the Code were repealed by the Prevention of Corruption Act 1988 (49 of 1988), s. 31.
 - III. 'A', being an officer directed by law to take property in execution, in order to satisfy a decree pronounced in 'Z's favour by a Court of Justice, knowingly disobeys that direction of law, with the knowledge that he is likely thereby to cause injury to 'Z'. 'A' has committed the offence defined under section 166A of the Code titled 'Public Servant disobeying direction under law'.

Options:

- A) Only I and II are correct
 - B) Only II is correct
 - C) Only II and III are correct
 - D) I, II and III are correct
30. Which of the following statements is **INCORRECT**?
- A) The term 'abettor' is defined under Section 107 of the Indian Penal Code, 1860.
 - B) 'A' instigates 'B' to give false evidence. If 'B' does not give false evidence, 'A' has still committed the abetment of offence under the Code.
 - C) 'A' instigates 'B' to burn 'Z's house; 'B' sets fire to the house and at the same time commits theft of property there. A, though guilty of abetting the burning of the house, is not guilty of abetting the theft.
 - D) An act or offence is said to be committed in consequence of abetment, when it is committed in consequence of the instigation, or in pursuance of the conspiracy, or with the aid which constitutes the abetment.
31. Which of the following statement(s) is/are correct with regards to 'grievous hurt' under the provisions of the Indian Penal Code?
- I. Any hurt which endangers life or which causes the sufferer to be during the space of twelve days in severe bodily pain, or unable to follow his ordinary pursuits, is one of the forms of grievous hurt under the Code.
 - II. Voluntarily causing grievous hurt to extort confession, or to compel restoration of property is an offence under the Code.
 - III. Whoever causes grievous hurt to any person by doing any act so rashly or negligently as to endanger human life, or the personal safety of others, shall be punished with imprisonment of either description for a term which may extend to four years, or with fine which may extend to two thousand rupees, or with both.
 - IV. Causing grievous hurt whilst committing lurking house-trespass or house-breaking is a punishable offence under section 463 of the Code.

Choose the correct option:

- A) Only II is correct
- B) Only II and III are correct
- C) Only I, II and IV are correct
- D) I, II, III and IV are correct

32. Consider the following statements and choose the correct given below.

- I. Section 510 of the Indian Penal Code, 1860, defines the offence of 'Misconduct in public by a drunken person' punishable with simple imprisonment for a term which may extend to twenty-four hours, or with fine which may extend to ten rupees, or with both.
- II. 'A' threatens 'Z' that, unless 'Z' performs a certain act, 'A' will kill one of 'A's own children, under such circumstances that the killing would be believed to render Z an object of Divine displeasure. 'A', by doing so has committed an offence under the Code.
- III. Criminal intimidation by an anonymous communication is a punishable offence under the Code.

Options:

- A) Only II and III are correct
- B) Only I and II are correct
- C) Only II and III are correct
- D) I, II and III are correct

33. Which of the following pair is/are correctly matched?

- i) *DeoNarain v. State of U.P.* : Dowry death
- ii) *State of Maharashtra v. M.H. George* : *Mensreain* statutory offences
- iii) *GopalVinayakGodse v. State of Maharashtra* : Joint Liability
- iv) *State of Tamil Nadu v. Nalini* : Criminal conspiracy

Options:

- A) i, ii, iii, iv
- B) Only ii, iii, iv
- C) Only ii, iv
- D) Only i, ii

34. In which of the following landmark judgments, has the Supreme Court made this important observation, "Adultery undoubtedly is a moral wrong *qua* the spouse and the family. But there is no sufficient element of wrongfulness to society in general, in order to bring it within the ambit of criminal law"?

- A) *Lily Thomas v. Union of India* (2000) 6 SCC 224
- B) *Sarla Mudgal v. Union of India* (1995) 3 SCC 635
- C) *Sarepalli Sreenivas v. State of A.P.* (2022) 6 SCC 116
- D) *Joseph Shine v. Union of India* (2019) 3 SCC 39

35. Which of the following options correctly states the duration of imprisonment which the Court directs an offender to undergo in case of non-payment of fine in offences punishable with imprisonment as well as fine?

- A) one-fourth of the term of imprisonment which is the maximum fixed for the offence
- B) one-half of the term of imprisonment which is the maximum fixed for the offence
- C) one-third of the term of imprisonment which is the maximum fixed for the offence
- D) equal to the term of imprisonment which is the maximum fixed for the offence

36. Which of the following is an **invalid** consent as per section 90 of the Indian Penal Code, 1860?
- A) Consent of child – unless the contrary appears from the context, if the consent is given by a person who is under seven years of age
 - B) Consent of child – unless the contrary appears from the context, if the consent is given by a person who is under twelve years of age
 - C) Consent of child – unless the contrary appears from the context, if the consent is given by a person who is under sixteen years of age
 - D) Consent of child – unless the contrary appears from the context, if the consent is given by a person who is under eighteen years of age

37. Which of the following statement(s) is/are **INCORRECT** with regards to ‘general exceptions’ under the Indian Penal Code?

- I. Sections 76 and 79 of the Code refer to mistake of fact as a general exception.
- II. Nothing is an offence which is done by a child above seven years of age and under ten, who has not attained sufficient maturity of understanding to judge of the nature and consequences of his conduct on that occasion.
- III. A person who, of his own accord, or by reason of a threat of being beaten, joins a gang of dacoits, knowing their character, is entitled to the benefit of exception under section 94 of the Code.
- IV. ‘Z’ under the influence of madness, attempts to kill ‘A’; ‘Z’ is guilty of no offence. But ‘A’ has the same right of private defence which he would have if ‘Z’ were sane.

Choose the correct option:

- A) Only II is incorrect
 - B) Only II and III are incorrect
 - C) Only II, III and IV are incorrect
 - D) I, II, III and IV are incorrect
38. “A bare perusal of the relevant legal provisions, show that consent of the minor is immaterial for purposes of Section 361 IPC. Indeed, as borne out through various other provisions in IPC and other laws like the Contract Act, 1872, minors are deemed incapable of giving lawful consent. Section 361 IPC, particularly, goes beyond this simple presumption. It bestows the ability to make crucial decisions regarding a minor’s physical safety upon his/her guardians. Therefore, a minor girl’s infatuation with her alleged kidnapper cannot by itself be allowed as a defence, for the same would amount to surreptitiously undermining the protective essence of the offence of kidnapping.” In which of the following cases has the Supreme Court of India made this important observation?
- A) *Anversinh v. State of Gujarat* (2021) 3 SCC 12
 - B) *LaxmibaiChandaragi B v. State of Karnataka* (2021) 3 SCC 360
 - C) *ShivajiChintappaPatil v. State of Maharashtra* (2021) 5 SCC 626
 - D) *Shaik Ahmed v. State of Telangana*(2021) 9 SCC 59

39. Which of the following statement(s) is/are correct with regards to 'false evidence', as per the provisions of the Indian Penal Code?

- I. A false statement as to the belief of the person attesting is within the meaning of section 191, and a person may be guilty of giving false evidence by stating that he believes a thing which he does not believe, as well as by stating that he knows a thing which he does not know.
- II. 'A' puts jewels into a box belonging to 'Z', with the intention that they may be found in that box, and that this circumstance may cause 'Z' to be convicted of theft. 'A' has fabricated false evidence according to section 192.
- III. 'A' gives false evidence before a Court of Justice, intending thereby to cause 'Z' to be convicted of a dacoity. The punishment of dacoity is imprisonment for life, or rigorous imprisonment for a term which may extend to ten years, with or without fine. 'A', in such situation is liable to one-half of the punishment for the offence of dacoity.
- IV. Threatening any person to give false evidence is a punishable offence under section 195A of the Code.

Choose the correct option:

- A) Only I and II are correct
- B) Only II, III and IV are correct
- C) Only I, II and IV are correct
- D) I, II, III and IV are correct

40. Which of the following statement(s) is/are correct?

- I. Privy Council in the decision of *Barendra Kumar Ghosh v. The King-Emperor*, made a distinction between common intention and same intention.
- II. Punishment for Rioting is provided under section 146 of the Indian Penal Code, 1860.
- III. Negligent act likely to spread infection of disease dangerous to life is a punishable offence under the Indian Penal Code, 1860, under section 268.
- IV. Adulteration of drugs is an offence described under Chapter XIV of the Indian Penal Code, 1860.

Choose the correct option:

- A) I and IV are correct
- B) II and III are correct
- C) Only I is correct
- D) Only IV is correct

41. Which of the following statement(s) is/are correct with regards to 'attempt', as per the provisions of the Indian Penal Code?

- I. Attempt to commit robbery is punishable under section 393 with rigorous imprisonment for a term which may extend to seven years and fine.
- II. Attempt to commit theft is punishable under the same provision which punishes the completed offence of theft.
- III. For the purpose of section 326B, punishing 'voluntarily throwing or attempting to throw acid', permanent or partial damage or deformity is required to be irreversible.
- IV. Attempt to wage war against the Government of India is punishable under section 121 with death or imprisonment for life, and fine.

Choose the correct option:

- A) I, II, III and IV are correct
- B) Only I, III and IV are correct
- C) Only I, II and IV are correct
- D) Only I and IV are correct

42. What is the punishment provided under section 354D of the Indian Penal Code, 1860, for the offence of 'stalking'?
- maximum one year imprisonment and fine on first conviction; maximum two years imprisonment and fine on second or subsequent conviction.
 - maximum two years imprisonment and fine on first conviction; maximum four years imprisonment and fine on second or subsequent conviction.
 - maximum three years imprisonment and fine on first conviction; maximum five years imprisonment and fine on second or subsequent conviction.
 - maximum one year imprisonment and fine on first conviction; maximum three years imprisonment and fine on second or subsequent conviction.
43. Which of the following statements is **NOT** correct with regards to 'offence related to trespass', under the provisions of the Indian Penal Code?
- A person is said to commit "house-breaking" who commits house-trespass if he effects his entrance into the house or any part of it in any of the five ways stated under section 445 of the Code.
 - Whoever commits house-trespass having taken precautions to conceal such house-trespass from some person who has a right to exclude or eject the trespasser from the building, tent or vessel which is the subject of the trespass, is said to have committed the offence of lurking house-trespass.
 - Mere introduction of any part of the criminal trespasser's body is sufficient to constitute house-trespass.
 - 'A' enters the house of 'Z' through the door, having lifted a latch by putting a wire through a hole in the door. 'A' has committed the offence of house-breaking.
44. Which of the following statements is correct with regard to 'offences against property', under the provisions of the Indian Penal Code?
- 'A' is a warehouse-keeper. 'Z' going on a journey, entrusts his furniture to 'A', under a contract that it shall be returned on payment of a stipulated sum for warehouse room. 'A' dishonestly sells the goods. 'A' has committed theft of property.
 - Whoever commits criminal breach of trust shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.
 - 'A', being executor to the will of a deceased person, dishonestly disobeys the law which directs him to divide the effects according to the will, and appropriates them to his own use. 'A' has committed criminal misappropriation.
 - A dishonest concealment of facts is a deception within the meaning of section 415 of the Code.
45. Which of the following judgments does **NOT** relate to dowry death under section 304-B of the Indian Penal Code, 1860?
- Shanti v. State of Haryana* (1991) 1 SCC 371
 - Satbir Singh v. State of Haryana* (2021) 6 SCC 1
 - State of M.P. v. Jogendra* (2022) 5 SCC 401
 - State of U.P. v. Ram Swarup* (1974) 4 SCC 764

46. Which of the following statement(s) is/are correct with regards to the Union Council of Ministers, as per the Constitution of India?

- I. Before a Minister enters upon his/her office, the President shall administer to him/her, the oaths of office and of secrecy according to the forms set out for this purpose in the Third Schedule of the Constitution.
- II. The President of India shall, in the exercise of his functions, act in accordance with the advice tendered by the Council of Ministers with the Prime Minister at the head.
- III. The total number of Ministers in the Council of Ministers, including the Prime Minister, shall not exceed thirty per cent of the total number of members of the Council of States.
- IV. The Ministers shall hold office during the pleasure of the President.

Choose the correct option:

- A) Only II, III and IV are correct
- B) Only II and IV are correct
- C) I, II, III and IV are correct
- D) Only I, II and IV are correct

47. Which of the following statement(s) is/are correct with regards to qualifications for membership of Parliament, as per the Constitution of India?

- I. The candidate must be a citizen of India, by birth.
- II. In the case of a seat in the Council of States, the candidate should be not less than thirty-five years of age and, in the case of a seat in the House of the People, not less than twenty-five years of age.
- III. The candidate must possess such other qualifications as may be prescribed in that behalf by or under any law made by Parliament.
- IV. The candidate must make and subscribe before some person authorized in that behalf by the Election Commission, an oath or affirmation according to the form set out for this purpose in the Third Schedule of the Constitution of India.

Choose the correct option:

- A) Only I, III and IV are correct
- B) Only III and IV are correct
- C) I, II, III and IV are correct
- D) Only II, III and IV are correct

48. Which of the following statement(s) is/are correct with regards to the procedure for impeachment of the President of India?

- I. When a President is to be impeached for violation of the Constitution, the charge must be preferred by either the *Lok Sabha* or the *Rajya Sabha*.
- II. For any charge to be so preferred, the proposal to prefer such charge should be contained in a resolution which has been moved after at least fourteen days' notice in writing, and such notice must be signed by at least one-fourth of the total number of members of the House of Parliament which has given their intention to move such a resolution.
- III. When a charge has been so preferred by either the *Lok Sabha* or the *Rajya Sabha*, the same House which has preferred the charge, shall investigate the charge, or cause the charge to be investigated, and the President shall have the right to appear and to be represented at such investigation.

Choose the correct option:

- A) Only I and II are correct
- B) I, II and III are correct
- C) Only II and III are correct
- D) Only I is correct

49. Which of the following statement(s) is/are correct with regards to the situation where under a Proclamation of emergency issued under clause (1) of article 356 of the Constitution of India, it has been declared that the powers of the Legislature of the State shall be exercisable by or under the authority of Parliament?

- I. The President shall be competent to authorize when the House of the People is not in session, expenditure from the Consolidated Fund of the State pending the sanction of such expenditure by both Houses of Parliament.
- II. Parliament shall be competent to confer upon the President, the power of the Legislature of the State to make laws, and to authorize the President to delegate, subject to such conditions as (s)he may think fit to impose, the power so conferred to any other authority to be specified by him/her in that behalf.
- III. Parliament, or the President or such other authority in whom Parliament has vested the power to make laws, to make laws conferring powers and imposing duties, or authorizing the conferring of powers and the imposition of duties, upon the Union or officers and authorities thereof.

Choose the correct option:

- A) Only I and II are correct
- B) I, II and III are correct
- C) Only I and III are correct
- D) Only II and III are correct

50. Which of the following statement(s) is/are correct with regards to the conditions of office of the President of India, as per the Constitution of India?

- I. The President shall not hold any other office of profit.
- II. The President shall be entitled without payment of rent to the use of his/her official residences, and shall also be entitled to such emoluments, allowances and privileges as may be determined by Parliament by law and, until provision in that behalf is so made, such emoluments, allowances and privileges as are specified in the Third Schedule of the Constitution of India.
- III. The emoluments and allowances of the President shall not be diminished during his/her term of office.
- IV. The President shall not be a member of either House of Parliament or of a House of the Legislature of any State, and if a member of either House of Parliament or of a House of the Legislature of any State be elected President, (s)he shall be deemed to have vacated his/her seat in that House on the date on which (s)he enters upon his/her office as President.

Choose the correct option:

- A) I, II, III and IV are correct
- B) Only I, III and IV are correct
- C) Only I and IV are correct
- D) Only I, II and III are correct

51. Which of the following statement(s) is/are correct with regards to the formation of new States and alteration of areas, boundaries or names of existing States in India?
- I. Parliament may by law, alter the boundaries of any State of India.
 - II. Parliament may diminish the area of any State.
 - III. Parliament may by law, alter the name of any State.
 - IV. Parliament is bound by the advice of the State Legislature of the concerned State in case the area, boundary or name of the State is being altered.

Choose the correct option:

- | | |
|-----------------------------------|-----------------------------------|
| A) Only I and III are correct | B) I, II, III and IV are correct |
| C) Only I, II and III are correct | D) Only I, III and IV are correct |

52. Which of the following statement(s) is/are correct with regards to the composition of the Council of States (*Rajya Sabha*) as per the Constitution of India?

- I. The *Rajya Sabha* shall consist of not more than two hundred and thirty-eight representatives of the States and Union Territories.
- II. The Union Territories do not send any representatives to the *Rajya Sabha*.
- III. The allocation of seats in the *Rajya Sabha* which are to be filled by representatives of each of the States shall be in accordance with the provisions contained in the Fourth Schedule of the Constitution.
- IV. The representatives of each State in the *Rajya Sabha* shall be elected by the elected members of the Legislative Assembly of the State in accordance with the system of proportional representation by means of the single transferable vote.

Choose the correct option:

- | | |
|----------------------------------|------------------------------------|
| A) I, II, III and IV are correct | B) Only II, III and IV are correct |
| C) Only II and III are correct | D) Only I, III and IV are correct |

53. Match the options in Part-I with the relevant caselaw given under Part-II:

- | Part-I | Part-II |
|--|--|
| a. Waiver of fundamental rights | i) <i>Bhikaji Narain Dhakras v. State of M.P.</i> , AIR 1955 SC 781 |
| b. Doctrine of Severability | ii) <i>State of W. B. v. Anwar Ali Sarkar</i> , AIR 1952 SC 75 |
| c. Doctrine of Eclipse | iii) <i>State of Bombay v. F.N. Balsara</i> , AIR 1951 SC 318 |
| d. Doctrine of Reasonable Classification | iv) <i>Bhikaji Narain Dhakras v. State of M.P.</i> , AIR 1955 SC 781 |

Choose the correct option:

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

54. Which provision(s) of the Constitution of India are dealt with, in the case of *State of Gujarat v. Mirzapur Moti Kureshi Kassab Jamat*, (2005) 8 SCC 534?

- i. Article 19(6)
- ii. Article 39A
- iii. Article 48
- iv. Article 47

Choose the correct option:

- A) Only i, ii and iv
- B) i, ii, iii and iv
- C) Only i, iii and iv
- D) Only i and iii

55. In which of the following cases has the Supreme Court of India laid down that "... The parliamentary power of legislation to acquire property is, subject to the express provisions of the Constitution, unrestricted. To imply limitations on that power on the assumption of that degree of political sovereignty which makes the States coordinate with and independent of the Union, is to envisage a Constitutional scheme which does not exist in law or in practice."?

- A) *State of Haryana v. State of Punjab*, 2002 (2) SCC 507
- B) *State of West Bengal v. Union of India*, AIR 1963 SC 1241
- C) *Rai Sahib Ram Jawaya Kapur v. State of Punjab*, AIR 1955 SC 549
- D) *Kesavananda Bharati v. State of Kerala*, 1973 (4) SCC 225

56. Match the options in Part-I with the relevant caselaw given under Part-II:

Part-I

Part-II

- | | |
|--|--|
| a. Doctrine of Harmonious Construction | i) <i>Union of India v. H. S. Dhillon</i> , (1971) 2 SCC 779 |
| b. Doctrine of Pith and Substance | ii) <i>State of Rajasthan v. G. Chawla</i> , AIR 1959 SC 544 |
| c. Doctrine of Repugnancy | iii) <i>Zaverbhai v. State of Bombay</i> , AIR 1954 SC 752 |
| d. Residuary power of legislation | iv) <i>Gujarat University v. Krishna Ranganath Mudholkar</i> , AIR 1963 SC 703 |

Choose the correct option:

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

57. Which of the following statement(s) is/are correct with regards to dismissal, removal, or reduction in rank of persons employed in civil capacities under the Union or a State, as per the provisions of the Constitution of India?

- I. A person who is a member of a civil service of the Union or an all-India service or a civil service of a State or holds a civil post under the Union or a State cannot be dismissed or removed by an authority who is subordinate to that by which (s)he was appointed.
- II. No such person shall be dismissed or removed or reduced in rank except after an inquiry in which he has been informed of the charges against him/her, and given a reasonable opportunity of being heard in respect of those charges.
- III. Where it is proposed after such inquiry, to impose upon him/her any such penalty, such penalty may be imposed based on the evidence which has been adduced during such inquiry, and it shall be necessary to give such person opportunity of making representation on the penalty which is proposed to be imposed upon him/her.
- IV. Such an inquiry can be dispensed with in case the President or the Governor, as the case may be, is satisfied that in the interest of the security of the State, it is not expedient to conduct such an inquiry.

Choose the correct option:

- A) Only I, II and III are correct
 - B) I, II, III and IV are correct
 - C) Only I and II are correct
 - D) Only I, II and IV are correct
58. Which of the following **DOES NOT** form a part of the duties of the Prime Minister as regards the furnishing of information to the President under the provisions of Article 78 of the Constitution of India?
- A) The Prime Minister must communicate to the President all decisions of the Council of Ministers relating to the administration of the affairs of the Union.
 - B) The Prime Minister is required to furnish such information relating to the administration of the affairs of the Union and proposals for legislation as the President may call for.
 - C) The Prime Minister is required to brief the President regularly in the event of a Proclamation of Emergency imposed under Article 352 of the Constitution.
 - D) If the President so requires, the Prime Minister must submit for the consideration of the Council of Ministers, any matter on which a decision has been taken by any individual Minister, but such matter has not been considered by the entire Council of Ministers.

59. Which of the following types of expenditure is **NOT** expenditure charged on the Consolidated Fund of each State?
- A) Salaries and allowances of the Speaker and Deputy Speaker of the Legislative Assembly and, in the case of a State having a Legislative Council, also of the Chairman and Deputy Chairman of the Legislative Council.
 - B) Any sums which may be required to satisfy any judgment, decree or award of any court or arbitral tribunal.
 - C) Debt charges for which the State is liable including interest, sinking fund charges and redemption charges, and other expenditure relating to the raising of loans and the service and redemption of debt.
 - D) Any money which has been spent by the State on any service during the given financial year, in excess of the amount which has been granted for that service and for that financial year, as per the Annual Financial Statement.
60. Which of the following statements is **NOT** correct with regards to provisions as to introduction and passing of Bills in Parliament, as per the Constitution of India?
- A) A Bill pending in Parliament shall lapse by reason of the prorogation of the Houses.
 - B) A Bill which is pending in the Council of States, and which has not been passed by the House of the People, shall not lapse upon dissolution of the House of the People.
 - C) A Bill which is pending in the House of the People, or which having been passed by the House of the People, and is pending in the Council of States, shall, subject to the provisions of article 108, lapse upon dissolution of the House of the People.
 - D) A joint sitting of both Houses of Parliament can be called when both the Houses of Parliament have finally disagreed as to the amendments to be made in the Bill.
61. Which recent judgment of the Supreme Court of India pertains to the issue of alleged sexual harassment of a district judge by a sitting Judge of the High Court?
- A) *All India Judges Association v. Union of India*, (2022) 4 SCC 274
 - B) *High Court of Delhi v. Devina Sharma*, (2022) 4 SCC 643
 - C) *X v. High Court of M.P.*, 2022 SCC OnLine SC 171
 - D) *PattaliMakkalKatchi v. A. Mayilerumperumal*, 2022 SCC OnLine SC 386
62. Which landmark judgment of the Supreme Court of India deals with the issue of constitutionality and validity of vaccine mandates issued by the Central and State Governments as a precondition for availing benefits or services provided by the State or its agencies?
- A) *National Legal Services Authority v. Union of India*, (2014) 5 SCC 438
 - B) *Jacob Puliyeel v. Union of India*, (2022) SCC OnLine SC 533
 - C) *Pt. ParmanandKatara v. Union of India*, AIR 1989 SC 2039
 - D) *ArunaRamachandraShanbaug v. Union of India*, (2011) 4 SCC 454

63. Wrongful imprisonment deprives the prisoner of his Fundamental Rights under Article 19(1) (d) read with Article 21 of the Constitution of India. Which landmark judgment of the Supreme Court of India deals with the aspect of awarding of exemplary compensation for wrongful and illegal imprisonment beyond the period of sentence?
- A) *Bhola Kumhar v. State of Chhattisgarh*, 2022 SCC OnLine SC 837
B) *Satender Kumar Antil v. CBI*, (2022) 10 SCC 51
C) *Sanjay Chandra v. CBI*, (2012) 1 SCC 40
D) *Gurbaksh Singh Sibbia v. State of Punjab*, (1980) 2 SCC 565
64. Which of the following statement(s) is/are correct with regards to the power of Parliament to legislate with respect to matters in the State List in the national interest, as per the Constitution of India?
- I. If the Council of States has declared by resolution supported by at least two-thirds of the members present and voting that it is necessary or expedient in the national interest that Parliament should make laws with respect to goods and services tax, provided under article 246A of the Constitution, it shall be lawful for Parliament to make laws for the whole or any part of the territory of India with respect to that matter while such resolution remains in force.
- II. A law made by Parliament which Parliament would not have been competent to make, but for the passing of a resolution as mentioned above have been competent to make, shall, to the extent of the incompetency, cease to have effect upon the expiration of a period of one year after the resolution has ceased to be in force, except as respects things done or omitted to be done before the expiration of the said period.
- III. If the Council of States has declared by resolution supported by at least two-thirds of the members present and voting that it is necessary or expedient in the national interest that Parliament should make laws with respect to any matter enumerated in the State List specified in the resolution, it shall be lawful for Parliament to make laws for the whole or any part of the territory of India with respect to that matter while such resolution remains in force.
- IV. A resolution mentioned in I and III above, shall remain in force for a maximum period of one year, and if and so often as a resolution approving the continuance in force of any such resolution is passed in the manner provided hereinabove, such resolution shall continue in force for a further period of one year from the date on which it would otherwise have ceased to be in force.

Choose the correct option:

- A) I, II, III and IV are correct
B) Only I and III are correct
C) Only I, III and IV are correct
D) Only I, II and III are correct

65. Which of the following statement(s) is/are correct with regards to the Attorney-General for India as per the Constitution of India?

- I. The Attorney-General shall hold office during the pleasure of the President, and shall receive such remuneration as the President may determine.
- II. In the performance of his duties, the Attorney-General shall have right of audience in all courts and tribunals in the territory of India.
- III. The Attorney-General shall be a person who is qualified to be a Judge of any High Court in the country.
- IV. It shall be the duty of the Attorney-General to give advice to the Government of India upon such legal matters, and to perform such other duties of a legal character, as may from time to time be referred or assigned to him by the President.

Choose the correct option:

- A) Only I, II and IV are correct B) Only II and IV are correct
C) Only II, III and IV are correct D) I, II, III and IV are correct

66. Which of the following statements is **INCORRECT** in relation to section 30 of the Indian Evidence Act, 1872?

- A) Confession of the maker is not to be treated as evidence within the meaning of section 3 of the Evidence Act against the non-maker co-accused.
- B) Section 30 applies to confessions, and not to statements which do not admit the guilt of the confessing party.
- C) Confession of the maker can be made the sole basis for conviction of the co-accused.
- D) Section 30 provides that such a confession may be taken into consideration even against the co-accused who is being tried along with the maker of the confession.

67. Which of the following statement(s) is/are correct with regard to 'presumptions' under the provisions of the Indian Evidence Act?

- I. The Court may presume that if a man refuses to answer a question which he is not compelled to answer by law, the answer, if given, would be unfavourable to him.
- II. The Court shall presume that when a document creating an obligation is in the hands of the obligor, the obligation has been discharged.
- III. The Court may presume that every electronic record purporting to be an agreement containing the electronic signature of the parties was so concluded by affixing the electronic signature of the parties.
- IV. The Court may presume that evidence which could be and is not produced would, if produced, be unfavourable to the person who with holds it.

Choose the correct option:

- A) Only I and II are correct. B) Only I and IV are correct.
C) Only II and III are correct. D) I, II, III and IV are correct.

68. Which of the following statement(s) is/are correct in relation to 'dying declaration' under the provisions of the Indian Evidence Act?

- I. Dying declaration is a relevant fact under section 32(1) of the Indian Evidence Act, 1872.
- II. It can never be made sole basis for conviction.
- III. A statement in order to be considered a dying declaration should only relate to the cause of death and nothing else.
- IV. Such statements are relevant under Indian Law only when the person who made them was at the time when they were made, under expectation of death.

Choose the correct option:

- A) Only I is correct.
- B) Only I and II are correct.
- C) Only I and IV are correct.
- D) I, II, III and IV are correct.

69. Which of the following statement(s) is/are incorrect with regards to the 'doctrine of estoppel', as per the provisions of the Indian Evidence Act?

- I. Where one person makes a misrepresentation to the other about a fact he would not be shut out by the rule of estoppel, if that other person knew the true state of facts and must consequently not have been misled by the misrepresentation.
- II. Where one person makes a misrepresentation to the other about a fact he would be shut out by the rule of estoppel, irrespective of whether the other person to whom the fact was misrepresented knew the true state of facts or not.
- III. 'A' intentionally and falsely leads 'B' to believe that certain land belongs to 'A', and thereby induces 'B' to buy and pay for it. The land afterwards becomes the property of 'A', and 'A' seeks to set aside the sale on the ground that, at the time of the sale, he had no title. He must not be allowed to prove his want of title.
- IV. If a bailee delivers the goods bailed to a person other than the bailor, he may prove that such person had a right to them as against the bailor.

Choose the correct option:

- A) Only I is incorrect.
- B) Only II is incorrect.
- C) Only II and IV are incorrect.
- D) I, II, III and IV are incorrect.

70. Which of the following statement(s) is/are correct with regards to the 'facts of which the court must take judicial notice' as per the provisions of the Indian Evidence Act?

- I. No fact of which the Court will take judicial notice need be proved.
- II. The Court shall take judicial notice of the existence, title and national flag of every State or Sovereign recognised by the Government of India.
- III. On all matters of public history, literature, science or art, the Court may resort for its aid to appropriate books or documents of reference.
- IV. If the Court is called upon by any person to take judicial notice of any fact, it is bound to take notice of such a fact.

Choose the correct option:

- A) Only I and II are correct.
- B) Only I, II and III are correct.
- C) Only II and III are correct.
- D) I, II, III and IV are correct.

71. Which of the following statement(s) is/are correct with regards to 'presumptions' under the provisions of the Indian Evidence Act, 1872?

- I. Presumptions of Fact are always permissive, rebuttable and do not constitute a branch of jurisprudence.
- II. Presumptions of Law are always obligatory, may be rebuttable or irrebuttable, and constitute a branch of jurisprudence.
- III. The instances of rebuttable presumptions can be found under sections 41, 112 and 113 of the Evidence Act.
- IV. The instances of irrebuttable presumptions of law can be found under sections 89 and 105 of the Evidence Act.

Choose the correct option:

- A) Only I and II are correct.
- B) Only I, II and III are correct.
- C) Only I, III and IV are correct.
- D) I, II, III and IV are correct.

72. Which of the following statement(s) is/are correct with regards to 'witnesses' under the provisions of the Indian Evidence Act?

- I. Sections 45-51 lay down the exceptions to the rule that if a witness is allowed to state his opinion, it would amount to delegation of judicial function.
- II. Sole test for checking competency of a child witness is his intellectual capacity to answer questions with rationality.
- III. If the witness is unable to communicate verbally, the Court shall take the assistance of an interpreter or a special educator in recording the statement, and such statement shall be video graphed.
- IV. The term 'hostile witness' is defined under the section 154 of the Indian Evidence Act.

Choose the correct option:

- A) Only I and IV are correct
- B) Only II and III are correct
- C) Only I, II and III are correct
- D) I, II, III and IV are correct

73. Which of the following statement(s) is/are correct with regards to 'statements by persons who cannot be called as witnesses' under the provisions of the Indian Evidence Act?
- I. The question is, whether rent was paid to 'A' for certain land. A letter from 'A's deceased agent to 'A', saying that he had received the rent on 'A's account and held it at 'A's orders is a relevant fact.
 - II. The question is, whether a given road is a public way. A statement by 'A', a deceased headman of the village, that the road was public, is a relevant fact.
 - III. 'A' sues 'B' for Rs. 1,000, and shows entries in his account books showing 'B' to be indebted to him to this amount. The entries are not relevant to prove the debt.

Choose the correct option:

- A) I, II and III are correct
 - B) Only I is correct
 - C) Only II and III are correct
 - D) Only I and II are correct
74. The opinion on relationship mentioned under section 50 of the Indian Evidence Act, is not sufficient to prove a marriage in prosecution under which of the following provisions of the Indian Penal Code, 1860?
- A) Sections 494, 495, 497, 498
 - B) Sections 494, 495, 497, 498A
 - C) Sections 493, 494, 497, 498
 - D) Sections 493, 494, 497, 498A
75. Which of the following statement(s) is/are incorrect in relation to 'refusal of a party to produce a document after notice', under the provisions of the Indian Evidence Act?
- I. Such party cannot afterwards use the document as evidence without the consent of the other party or the order of the Court.
 - II. Such party can afterwards use the document as evidence with the order of the court only, and the consent of the other party is immaterial.
 - III. Such party cannot afterwards use the document as evidence at all, either with the consent of the other party or the order of the Court.

Choose the correct option:

- A) Only I is incorrect
- B) Only III is incorrect
- C) Only II and III are incorrect
- D) I, II and III are incorrect

76. Which of the following statement(s) is/are correct with regard to applicability of section 27 of the Indian Evidence Act?

- I. The information must be such as has caused discovery of the fact.
- II. Section 27 is a proviso to section 26 of the Indian Evidence Act and makes admissible so much of the statement of the accused which leads to the discovery of a fact deposed to by him and connected with the offence.
- III. The information must relate distinctly to the fact discovered.
- IV. It is must that such information is given by the accused while in custody of a police-officer.

Choose the correct option:

- A) Only I and II are correct B) Only I, II and IV are correct
C) Only II, III and IV are correct D) I, II, III and IV are correct

77. Which of the following statement(s) is/are correct with regard to 'direct oral evidence' under the provisions of the Indian Evidence Act?

- I. If it refers to a fact which could be seen, it must be the evidence of a witness who says he saw it.
- II. If it refers to an opinion or to the grounds on which that opinion is held, it must be the evidence of the person who holds that opinion on those grounds.
- III. If oral evidence refers to the existence or condition of any material thing other than a document, the Court may, if it thinks fit, require the production of such material thing for its inspection.
- IV. If it refers to a fact which could be perceived by any other sense or in any other manner, it must be the evidence of a witness who says he perceived it by that sense or in that manner.

Choose the correct option:

- A) Only I and II are correct B) Only II and III are correct
C) Only III and IV are correct D) I, II, III and IV are correct

78. Consider the following statements and choose from the correct option given below.

- I. Facts not otherwise relevant are relevant if they are consistent with any fact in issue or relevant fact.
- II. Facts not otherwise relevant are relevant if they are inconsistent with any fact in issue or relevant fact.
- III. Facts not otherwise relevant are relevant if they make the existence or non-existence of any fact-in-issue or relevant fact highly probable or improbable.

Choose the correct option:

- A) Only I is correct B) Only I and III are correct
C) Only II and III are correct D) I, II and III are correct

79. Which of the following statement(s) is/are correct with regard to 'privileged communications' under the provisions of the Indian Evidence Act?

- I. No person who is or has been married, shall be permitted to disclose any communication made to him during marriage by any person to whom he is or has been married.
- II. No person who is or has been married, shall be compelled to disclose any communication made to him during marriage by any person to whom he is or has been married, unless the person who made it, or his representative in interest, consents, except in suits between married persons, or proceedings in which one married person is prosecuted for any crime committed against the other.
- III. No public officer shall be compelled to disclose communications made to him in official confidence, when he considers that the public interests would suffer by the disclosure.

Choose the correct option:

- A) Only I is correct
- B) Only I and III are correct
- C) Only III is correct
- D) I, II and III are correct

80. Which of the following statement(s) is/are incorrect with regards to 'relevancy of facts' under the provisions of the Indian Evidence Act?

- I. Motive, preparation and previous or subsequent conduct of the accused, are relevant facts.
- II. Confession given under threat or coercion is a relevant fact.
- III. Things said or done by conspirator in reference to common design are relevant facts.
- IV. Facts necessary to explain or introduce relevant facts are not considered to be relevant facts.

Choose the correct option:

- A) Only I, II and III are correct
- B) Only I and III are correct
- C) Only II and III are correct
- D) I, II, III and IV are correct

81. Mark the incorrect statement:

- A) In civil cases, character evidence is inadmissible except in so far as such character appears from facts otherwise relevant.
- B) In criminal cases, the fact that the person accused is of good character is irrelevant.
- C) A previously conviction is relevant as evidence of bad character in criminal cases.
- D) In criminal proceedings, evidence of bad character is admissible when evidence of good character has been given.

82. A borrows Rs. 20,00,000 from B for five years at the rate of 7% per annum and executes a promissory note regarding the same. The promissory note is proved in the court. A wants to lead evidence of oral agreement for adding to the terms of the promissory note. Which of the following is the incorrect proviso for the exclusion of oral agreement :

- A) Separate oral agreement on which Promissory note is silent
- B) Separate oral agreement constituting a condition precedent
- C) Any usage or custom usually annexed to the promissory note of that description
- D) Oral agreement to waive the interest amount

83. Which of the following statement(s) is/are correct with regards to 'sentences which Magistrates are competent to pass', as per the provisions of the Code of Criminal Procedure?

- I. The Court of a Magistrate of the first class may pass a sentence of imprisonment for a term not exceeding three years, or of fine not exceeding ten thousand rupees, or of both.
- II. The Court of a Chief Metropolitan Magistrate shall have the powers of the Court of a Chief Judicial Magistrate and that of a Metropolitan Magistrate, the powers of the Court of a Magistrate of the first class.
- III. The Court of a Chief Judicial Magistrate may pass any sentence authorized by law, except a sentence of imprisonment for a term exceeding ten years.
- IV. The Court of Magistrate of the second class may pass a sentence of imprisonment for a term not exceeding one year, or of fine not exceeding five thousand rupees, or of both.

Choose the correct option:

- | | |
|----------------------------------|------------------------------------|
| A) I, II, III and IV are correct | B) Only II is correct |
| C) Only I, II and IV are correct | D) Only II, III and IV are correct |

84. Which of the following statement(s) is/are correct with regards to 'contents of charge', as per the provisions of the Code of Criminal Procedure?

- I. If the law which creates the offence gives it any specific name, the offence may be described in the charge by that name only.
- II. The charge shall be written in the language of the Court.
- III. The fact that the charge is made is equivalent to a statement that every legal condition required by law to constitute the offence charged was fulfilled in the particular case.
- IV. The law and section of the law against which the offence is said to have been committed shall be mentioned in the charge.

Choose the correct option:

- | | |
|----------------------------------|------------------------------------|
| A) Only I and II are correct | B) Only I, II and III are correct |
| C) I, II, III and IV are correct | D) Only II, III and IV are correct |

85. Which of the following statement(s) is/are correct with regards to 'arrest made by a private person', as per the provisions of the Code of Criminal Procedure?

- I. Any private person may arrest any person, who in his/her presence, commits a non-bailable and cognizable offence.
- II. Any private person may arrest or cause to be arrested, any proclaimed offender.
- III. The arrested person shall, without unnecessary delay, be made over to a police officer, or, in the absence of a police officer, be taken in custody to the nearest police station.
- IV. In all cases where the arrest has been made by a private person, as soon as the arrested person is handed over to a police officer, such officer shall re-arrest him/her.

Choose the correct option:

- | | |
|-----------------------------------|-----------------------------------|
| A) Only I, II and III are correct | B) Only I and III are correct |
| C) I, II, III and IV are correct | D) Only I, III and IV are correct |

86. In which of the following situation(s), can a 'summary trial' NOT be conducted as per the provisions of the Code of Criminal Procedure?

- I. Offence of assisting in the concealment or disposal of stolen property, under section 414 of the Indian Penal Code (45 of 1860), where the value of such property is one thousand rupees.
- II. Offence of theft, under section 379, section 380 or section 381 of the Indian Penal Code (45 of 1860), where the value of the property stolen exceeds five thousand rupees.
- III. Any offence constituted by an act in respect of which a complaint may be made under section 20 of the Cattle-trespass Act, 1871 (1 of 1871).
- IV. Offences which are not punishable with death, imprisonment for life or imprisonment for a period exceeding five years.

Choose the correct option:

- A) Summary trial can be conducted in respect of only I above.
- B) Summary trial can be conducted in respect of I, II, III and IV above.
- C) Summary trial can be conducted in respect of I, III and IV above.
- D) Summary trial can be conducted in respect of only I and III above.

87. Which of the following statement(s) is/are correct with regards to 'the power to release persons imprisoned for failing to give security', as per the provisions of the Code of Criminal Procedure?

- I. Any condition which has been imposed shall continue to be operative when the period for which such person was ordered to give security, has expired.
- II. The State Government may prescribe the conditions upon which a conditional discharge may be made.
- III. The High Court or Court of Session may at any time, for sufficient reasons to be recorded in writing, cancel any bond for keeping the peace or for good behaviour executed under Chapter VIII of the Code of Criminal Procedure.
- IV. Any surety for the peaceable conduct or good behaviour of another person ordered to execute a bond under Chapter VIII of the Code of Criminal Procedure, may at any time apply to the Court making such order to cancel the bond.

Choose the correct option:

- A) Only I, III and IV are correct
- B) Only II, III and IV are correct
- C) Only II and IV are correct
- D) I, II, III and IV are correct

88. Which of the following statement(s) is/are correct with regards to 'trial for more than one offence', as per the provisions of the Code of Criminal Procedure?

- I. If the acts alleged constitute an offence which falls within two or more separate definitions of any law in force for the time being by which offences are defined or punished, the person accused of them may be charged with, and tried at one trial for, each such offence.
- II. If several acts, of which one or more than one would by itself or themselves constitute an offence, constitute when combined a different offence, the person accused of them may be charged with, and tried at one trial for the offence constituted by such acts when combined, and for any offence constituted by any one, or more, of such acts.
- III. If the acts alleged constitute an offence which falls within two or more separate definitions of any law in force for the time being by which offences are defined or punished, the person accused of them may be charged with, and tried for each such offence, but the trial in each case, shall take place separately.
- IV. If, in one series of acts so connected together as to form the same transaction, more offences than one are committed by the same person, (s)he may be charged with, and tried at one trial for, every such offence.

Choose the correct option:

- A) Only I and II are correct
- B) I, II, III and IV are correct
- C) Only II and IV are correct
- D) Only I, II and IV are correct

89. Section 110 of the Code of Criminal Procedure grants to Executive Magistrates, the power to require any person to execute a bond, with sureties, for his/her good behaviour for such period, not exceeding three years, as the Magistrate thinks fit. In which of the following situations can such power **NOT** be invoked, as per the provisions of the Code of Criminal Procedure?

- A) When a person in the local jurisdiction of the Executive Magistrate, habitually commits, or attempts to commit, or abets the commission of any offence under the Essential Commodities Act, 1955.
- B) When a person in the local jurisdiction of the Executive Magistrate, habitually protects or harbours thieves, or aids in the concealment or disposal of stolen property.
- C) When a person in the local jurisdiction of the Executive Magistrate, habitually commits, or attempts to commit, or abets the commission of any offence under the Trade Marks Act, 1999.
- D) When a person in the local jurisdiction of the Executive Magistrate, habitually commits, or attempts to commit, or abets the commission of, offences, involving a breach of the peace.

90. Which of the following statement(s) is/are correct with regards to 'the powers of a police officer to investigate a cognizable case', as per the provisions of the Code of Criminal Procedure?

- I. Any officer in charge of a police station may, without the order of a Magistrate, investigate any cognizable case which a Court having jurisdiction over the local area within the limits of such station would have power to inquire into or try under the provisions of Chapter XIII of the Code of Criminal Procedure.
- II. No proceeding of a police officer in any such case shall at any stage be called in question on the ground that the case was one which such officer was not empowered to investigate, under Section 156 of the Code of Criminal Procedure.
- III. Any Magistrate empowered under Section 190 of the Code of Criminal Procedure, may order an investigation as above-mentioned.
- IV. No police officer shall investigate a cognizable case without the order of a Magistrate having power to try such case or commit the case for trial.

Choose the correct option:

- A) Only II, III and IV are correct
- B) Only II and III are correct
- C) I, II, III and IV are correct
- D) Only I, II and III are correct

91. The Hon'ble Apex Court in one of its recent judgments, made an observation pertaining to section 41A of the Code of Criminal Procedure, 1973, that the introduction of the relevant provision was meant for application only to minor offences under the Indian Penal Code, 1860, and not to certain types of offences, such as economic offences. Therefore, any arrest made under the Prevention of Money Laundering Act, 2002, does not attract section 41A of the Code of Criminal Procedure, 1973. In which of the following judgments was this observation made?

- A) *V. SenthilBalaji v. The State Represented by Deputy Director and Ors.*, 2023 SCC OnLine SC 934
- B) *State v. Maridoss*, 2023 SCC OnLine SC 47
- C) *RanaAyyubv. Directorate of Enforcement*, 2023 SCC OnLine SC 109
- D) *GunaMahtov. State of Jharkhand*, 2023 SCC OnLine SC 285

92. In which of the following recent judgments, did the Supreme Court of India direct the Parliament to consider introducing a separate enactment in the nature of "Bail Act" in order to streamline the grant of bails for various categories of offences in one consolidated singular piece of enactment?

- A) *Bhola Kumhar v. State of Chhattisgarh*, 2022 SCC OnLine SC 837
- B) *Satender Kumar Antil v. CBI* (2022) 10 SCC 51
- C) *Jacob Puliyelv. Union of India*, 2022 SCC OnLine SC 533
- D) *Ravi Sharma v. State (NCT) of Delhi* (2022) 8 SCC 536

93. The Supreme Court in one of the landmark judgments observed that consent of the family or the community or the clan was not necessary once two adult individuals agreed to enter into a wedlock and that their consent had to be piously given primacy. The Court in that case had directed the police authorities to counsel the investigating officers, devise training programmes to educate investigating officers and to lay down guidelines on how to deal with such socially sensitive cases. In which of the following cases were the aforementioned observations made?

- A) *RekhaSengar v. State of M.P.* (2021) 3 SCC 729
- B) *SorathiaBindi v. State of Gujarat* (2021) 7 SCC 817
- C) *Dilip Singh v. State of M.P.* (2021) 2 SCC 779
- D) *LaxmibaiChandaragi B. v. State of Karnataka* (2021) 3 SCC 360

94. Which of the following is **NOT** listed under section 211 of the Code of Criminal Procedure, 1973, as a requirement for the contents of a charge?

- A) If the law which creates the offence gives it any specific name, the offence may be described in the charge by that name only.
- B) The charge shall state the detailed facts satisfying that every legal condition required by law to constitute the offence charged was fulfilled in the particular case.
- C) The law and section of the law against which the offence is said to have been committed shall be mentioned in the charge.
- D) The charge shall be written in the language of the Court.

95. In which of the following cases did the Supreme Court observe that, "If the accused are already shown to the witnesses in the Police Station, then the sanctity of TIP before the court is doubtful"?

- A) *Kamal v. State (NCT) of Delhi* (2023) SCC OnLine SC 933
- B) *A. Sreenivasa Reddy v. Rakesh Sharma and Another* (2023) SCC OnLine SC 952
- C) *Sanjay Dubey v. State of M.P. and Another* (2023) SCC OnLine SC 610
- D) *Mohd Naushad v. State (Govt. of NCT of Delhi)* (2023) SCC OnLine SC 784

96. Which one of the following combinations is **INCORRECT** as per the Code of Criminal Procedure, 1973?

- A) Section 199 – Prosecution for Defamation
- B) Section 210 – Issue of Process
- C) Section 260 – Power to try summarily
- D) Section 321 – Withdrawal from prosecution

97. The Supreme Court of India in a recent judgment made an observation in relation to quashing of First Information Report (FIR). It was highlighted that when it comes to quashing of the FIR, criminal antecedents of the accused cannot be the sole consideration to decline the petition. In which of the following judgments were the aforementioned observations made?

- A) *Mahmood Ali and Others v. State of U.P. and Others* (2023) SCC OnLine SC 950
- B) *SebilElanjimpally v. State of Odisha* (2023) SCC OnLine SC 677
- C) *Mohammad Wajid v. State of U.P.* (2023) SCC OnLine SC 951
- D) *Sanjay Dubey v. State of M.P. and Another* (2023) SCC OnLine SC 610

98. Match the options in Part-I with the relevant provisions given under Part-II:

Part-I	Part-II
a. Police Diary	i. Section 280
b. Remarks respecting demeanour of witness	ii. Section 172
c. Victim Compensation Scheme	iii. Section 330
d. Release of person of unsound mind pending investigation or trial	iv. Section 357A

Choose the correct option:

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

99. If any Court has reason to believe that any person against whom a warrant has been issued by it, has absconded or is concealing himself so that such warrant cannot be executed, such Court may publish a written proclamation requiring him to appear at a specified time at a specified place. What is the minimum time period from the date of publication of such proclamation?

- A) Fifteen
- B) Thirty
- C) Sixty
- D) Ninety

100. In which of the following recent judgments, has the Supreme Court warned against imposing onerous conditions for anticipatory bail, and stressed upon the need to strike a balance between personal liberty and the right to fair investigation?

- A) *Santosh alias Bhure v. State (G.N.C.T.) of Delhi* (2023) SCC OnLine SC 538
- B) *Govt. of NCT of Delhi v. Ravinder Kumar Jain and Others* (2023) SCC OnLine SC 654
- C) *Rohit Bishnoi v. State of Rajasthan and Another* (2023) SCC OnLine SC 870
- D) *Ramesh Kumar v. State of NCT of Delhi* (2023) SCC OnLine SC 766

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Number 1

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1. As per the Jammu & Kashmir Civil Service Regulations, which of the following statement(s) is/are correct with regard to 'temporary posts'?

- I. Whenever a temporary post is created which may have to be filled up by a person who is already a Government servant, its pay, should be fixed by the Government with due regard to the character and responsibility of the work to be performed.
- II. For isolated cadre posts, it may occasionally be desirable to fix consolidated rates of pay.
- III. Whenever a temporary post is created which may have to be filled up by a person who is already a Government servant, its pay, should be fixed by the Government with due regard to the existing pay of Government servants of a status sufficient to warrant their selection for the post.
- IV. Temporary posts cannot include posts which are created to perform the ordinary work for which permanent posts already exist in the given cadre.

Choose the correct option:

- A) Only I is correct
- B) Only I, II and III are correct
- C) I, II, III and IV are correct
- D) Only I, III and IV are correct

2. Does an officer on long leave, have a claim to 'substantive promotion' under the Jammu & Kashmir Civil Service Regulations?

- A) No
- B) Yes
- C) Only if (s)he was entitled to short leave
- D) Only if his/her immediate junior has already received the promotion

3. 'Local allowance' is payable to Government servants on account of reasons like remoteness of the place of posting, severe inclement weather conditions, its remaining cut off from the rest of the State for a period of time, its expensiveness, and inadequacy of medical, educational, residential, and other basic amenities of life. Under the Jammu & Kashmir Civil Service Regulations, what are the conditions which must be observed while regulating this allowance?

- I. The allowance shall be admissible to local and non-local employees alike.
- II. This allowance shall be admissible to part-time Government servants.
- III. The allowance shall be admissible to Government servants whether permanent, quasi-permanent or temporary.

Choose the correct option:

- A) I, II and III are correct
- B) Only I is correct
- C) Only I and III are correct
- D) Only I and II are correct

4. Which of the following provisions of the Jammu & Kashmir Civil Service Regulations deals with the Determination of Date of Birth in reference to Government servants?
- A) Article 11-A
 - B) Article 13-AB
 - C) Article 31-AA
 - D) Article 35-AA

5. Which of the following statement(s) is/are correct with regard to 'Privilege leave' admissible to Government servants under the Jammu & Kashmir Civil Service Regulations?

- I. Employees in the Electric Department who have retained their work charge pay on coming to regular establishment may be allowed 'privilege leave' as a special case, provided the Government does not incur any extra cost during such leave.
- II. The benefit of 'privilege leave' can be allowed to employees who are engaged on work-charged establishment.
- III. Permanent employees of the Food Supplies Department shall not be allowed 'privilege leave' like permanent employees of other permanent departments of the Government.
- IV. In the case of regular temporary establishment paid from contingencies or engaged on daily or monthly wages system, 'privilege leave' may be granted only when no extra charge is imposed on the State.

Choose the correct option:

- A) Only I, II and III are correct
- B) Only I, II and IV are correct
- C) I, II, III and IV are correct
- D) Only II is correct

6. Which of the following statement(s) is/are correct with respect to the procedure for grant of leave under the Jammu & Kashmir Civil Service Regulations?

- I. When a Gazetted Officer applies for leave, (s)he should quote the relevant Article or Section of these Regulations, under which (s)he considers himself/herself entitled to leave.
- II. A Gazetted Government servant can discontinue his/her subscription to the General Provident Fund during his/her leave period, while (s)he is on leave.
- III. In case of non-gazetted officers, the Service Book should be carefully examined and the rules referred to, before the application is sanctioned.
- IV. A Gazetted Government servant can discontinue his/her subscription to the General Provident Fund during his/her leave period, but if (s)he wishes to do so, (s)he must make the application to discontinue such subscription before (s)he proceeds on leave.

Choose the correct option:

- A) Only I and III are correct
- B) I, III and IV are correct
- C) I, II and III are correct
- D) Only I and IV are correct

7. Shanti Devi is employed as an Accounts Assistant with the Horticulture department of the Government of Jammu & Kashmir. Unfortunately, she has suffered a miscarriage. She has applied for eight weeks of maternity leave, and her leave application is supported by a certificate from an authorized medical attendant. Can such leave be granted to her under the Jammu & Kashmir Civil Service Regulations?

- A) Yes
- B) Leave cannot be granted because the period for which she has applied for maternity leave, exceeds the maximum period for which maternity leave can be granted in cases of miscarriage.
- C) Leave cannot be granted because there is no provision for grant of maternity leave in cases of miscarriage.
- D) Insufficient information has been given in order to answer the question

8. In order to provide an incentive to promote small family norms, Government employees who undergo sterilization operation may be granted one special increment in the form of personal pay not to be absorbed in future increase in pay, either in the same post or upon promotion to a higher post. Which of the following statement(s) represent conditions which are necessary to be satisfied in order for the concerned Government employee to benefit from such special increment?

- I. The benefit of the special increment would not be allowed in cases where the employee is held up at the Efficiency Bar stage of his/her time scale.
- II. Such benefit shall be available only to those employees who have two or three living children at the time of undergoing the sterilization operation.
- III. In the case of a male employee, he should not be over the age of 50 years, and his wife should be between 20 to 45 years of age, at the time of undergoing the operation.
- IV. In the case of a female employee, she should not be above the age of 45 years, and her husband should not be over 50 years of age, at the time of undergoing the operation.

Choose the correct option:

- A) I, II and III are necessary conditions
- B) II, III and IV are necessary conditions
- C) I, III and IV are necessary conditions
- D) Only III and IV are necessary conditions

9. Which of the following is/are correct with regard to deputation of Government servants to non-Government organizations, including corporations, companies, autonomous bodies, etc within or outside the State or to Central Government or any other State Government, under the Jammu & Kashmir Civil Service Regulations?

- I. An employee appointed on deputation may elect to draw either the pay in the scale of pay of deputation position or the Basic Pay and pay scale of the parent cadre plus Personal Pay, if any.
- II. All deputation cases involving deputation of Government servants shall be decided by the concerned Administrative Department on standard terms and conditions.
- III. The period of deputation in any case shall not exceed three years.
- IV. The period of deputation may be extended beyond a period of three years, upon the request of the borrowing agency for a maximum period of one year at a time, subject to a maximum period of five years.

Choose the correct option:

- A) Only II is correct
- B) Only I and II are correct
- C) Only I, II and III are correct
- D) I, II, III and IV are correct

10. Which of the following statements is **INCORRECT** with regard to 'privilege leave' as understood under the Jammu & Kashmir Civil Service Regulations?

- A) The privilege leave due to an officer is the privilege leave, which (s)he has earned since the last interruption of duty, less the period during which (s)he has been absent on privilege leave.
- B) Privilege leave is earned by uninterrupted duty.
- C) The amount of privilege leave admissible at one time is limited to a period of four calendar months.
- D) Service qualifying for privilege leave begins immediately after the officer is first appointed to Government service, *i.e.*, even before (s)he takes over charge of the office to which (s)he has been appointed.

11. Satnam Singh is a Government servant who is disabled by an injury which was caused in consequence of the due performance of his official position. To which of the following types of leave would he be entitled to, under the provisions of the Jammu & Kashmir Civil Service Regulations?

- A) Special disability leave
- B) Disability leave
- C) Medical leave
- D) Privilege leave

12. Under what circumstances, can 'maternity leave' be combined with vacation or holidays under the provisions of the Jammu & Kashmir Civil Service Regulations?

- A) Under all circumstances.
- B) If circumstances make such a course, absolutely unavoidable.
- C) Only when the employee has exhausted the privilege leave available to her.
- D) Only when the employee is posted at a station, where no member of her immediate family is available to take care of her/her child.

13. Article 163 of the Jammu & Kashmir Civil Service Regulations deals with the subject of 'extraordinary leave without allowances'. Which of the following statement(s) is/are correct with regard to these allowances?

- I. It may be granted in case of necessity when no other type of leave is by rule admissible.
- II. The wives of Defence services personnel who are serving in Civil Services in temporary capacity, can be allowed such leave of up to six months at a time during the period that their husbands remain posted to family stations other than the one where their wives may be serving.
- III. Time spent on 'extraordinary leave without allowances' does not count as service for the purpose of any other type of leave.
- IV. The Education Department is authorized to grant leave without allowances beyond three months, but not exceeding a total period of two years, in favour of in-service officiating/temporary B.Sc. Demonstrators for the period that they undergo the M.Sc. Course.

Choose the correct option:

- A) Only I and III are correct
- B) Only I, III and IV are correct
- C) I, II, III and IV are correct
- D) Only I, II and III are correct

14. Which of the following statement(s) is/are correct with regard to the necessity of obtaining permission for receiving awards by a Government servant, as per the relevant provisions of the Jammu & Kashmir Civil Service Regulations?

- I. All Government servants are eligible without special permission, to receive the premium awarded for any essay or plan in public competition.
- II. All Government servants are eligible without special permission, to receive any reward offered for the arrest of a criminal or for information or special services in connection with the administration of justice.
- III. All Government servants are eligible to receive the premium awarded for any essay or plan in public competition, provided the Head of the concerned Office/Department certifies in writing that the participation of the concerned Government servant in the said competition can be carried out without detriment to his/her official duties.
- IV. All Government servants may receive a fee from a private person or private body, or a public body whose funds are not administered by the Government for work done for it, provided (s)he has undertaken the work with the written permission of the Head of the concerned Office/Department.

Choose the correct option:

- A) Only I is correct
- B) I, II, III and IV are correct
- C) Only II, III and IV are correct
- D) Only I, II and IV are correct

15. In case there is sufficient space available in the strong rooms of a treasury which is situated within the local limits of the District, which of the following officers is/are competent to grant permission for the purpose of keeping in such treasuries for safe custody, cash chests and valuables belonging to local bodies?

- A) Treasury Officers in the case of Saddar Treasuries located at Jammu and Srinagar, and the concerned Sub Divisional Magistrates, in the case of treasuries which are located at District, Tehsil and Niabat headquarters.
- B) Treasury Officers in the case of Saddar Treasuries located at Jammu and Srinagar, and the concerned Deputy Commissioners, in the case of treasuries which are located at District, Tehsil and Niabat headquarters.
- C) Treasury Officers in the case of Saddar Treasuries located at Jammu and Srinagar, and any officer above the rank of Accounts Assistant, in the case of treasuries which are located at District, Tehsil and Niabat headquarters.
- D) Treasury Officers in the case of Saddar Treasuries located at Jammu and Srinagar, and the concerned District Treasury Officers, in the case of treasuries which are located at District, Tehsil and Niabat headquarters.

16. As per the provisions of the Jammu & Kashmir Financial Code, how frequently should the concerned Treasury Officer examine the condition of boxes of jewellery, bullion and other valuables which are lodged in the treasury for safe custody, and record the result of such examination in the register of boxes kept at the treasury?

- A) Once a year
- B) Once a month
- C) Once in six months
- D) Once in three months

17. As per the Jammu & Kashmir Financial Code, what is the maximum amount for which the Excise & Taxation Commissioner, Jammu & Kashmir, can grant rewards to any Government servant of the Excise Department or any other Government servant or person who may be instrumental in the detection or punishment of an offence against the Excise Act *Samvat* 1958?

- A) 50% of the sale proceeds of attached or confiscated property, can be given as reward.
- B) In cases where a fine has been imposed, out of the total amount of fine imposed, a maximum of 60%, after deducting from the total amount realized, all excise duties and charges due from the offender, can be given as reward.
- C) In cases where no fine has been imposed, such amount not exceeding Rs. 5000 in each case, as the summoning officer may think fit, can be given as reward.
- D) In cases where the offence has been detected as a result of information given by any person who is not a member of the Excise & Taxation department, such person can receive a maximum of 40% of the reward, and the rest must be distributed amongst the officers of the Excise & Taxation department who cooperated in the detection or punishment of the offence.

18. Which of the following statement(s) is/are correct with regard to the Rules regarding purchase and issue of liveries to various classes of Government servants, as per the provisions of the Jammu & Kashmir Financial Code?

- I. Uniforms of officers and subordinates of Fire Service Department shall be prepared by them departmentally.
- II. Liveries to orderlies working in the High Court will be got prepared by the High Court according to the pattern approved by the High Court within its budget grants.
- III. Liveries meant for process servers working in the Subordinate Courts (Judicial Department) shall be prepared according to the pattern approved by the Hon'ble Chief Justice, within the budget grant.
- IV. Only drivers attached to Ministers, Deputy Ministers, Speaker & Deputy Speaker of the Legislative Assembly, and Chairman & Deputy Chairman of the Legislative Council shall be entitled to liveries, and drivers and cleaners of the State Garages shall not be entitled to liveries.

Choose the correct option:

- A) Only II and IV are correct
- B) Only I, II and III are correct
- C) Only II, III and IV are correct
- D) I, II, III and IV are correct

19. According to the provisions of the Jammu & Kashmir Financial Code, certain types of records, should, on no account, be destroyed. Which of the following statement(s) is/are correct?

- I. Records connected with expenditure on projects, schemes, or works which have not yet been completed, even though such projects are beyond the period of limitation, cannot be destroyed.
- II. Record connected with claims to service and personal matters affecting persons in service, cannot be destroyed.
- III. Records connected with expenditure which is within the period of limitation fixed by law, cannot be destroyed.
- IV. Records connected with expenditure on large projects, schemes or works which involve a cost of rupees 100 crores or more, even though such projects may already have been completed, and are beyond the period of limitation, cannot be destroyed.

Choose the correct option:

- A) I, II, III and IV are correct
- B) Only I, II and III are correct
- C) Only I and II are correct
- D) Only I, III and IV are correct

20. Which of the following statement(s) is/are correct with regard to the use of Government vehicles (both cars and jeeps) as per the provisions of the Jammu & Kashmir Financial Code?

- I. All Government vehicles, including those belonging to the Departments of Geology & Mining, Jal Shakti, Irrigation & Flood Control, Food, Civil Supplies & Consumer Affairs, and other Departments, shall bear a specific colouring.
- II. The Head of the State Garages Department has the responsibility to see whether, in regard to a particular conveyance, it is worthwhile to replace part(s) or to repair major damages, or in the alternative, to condemn the vehicles.
- III. The requisition for allotment of a Government vehicle on temporary basis, e.g. for receiving State Guests, V.I.Ps etc., or for duty in connection with conferences, seminars etc., or for other temporary duties of a public nature, or for allotment on permanent basis, shall be forwarded by the concerned Head of the Department or by the Secretary to Government, to the Secretary to Government Transport Department (Garages).
- IV. Vehicles which have been specifically equipped/modified in order to serve a particular purpose, such as a publicity jeep of the Weights & Measures Department or an audio-visual van, shall continue to remain in the common pool with the State Garages Department at Srinagar and Jammu, and the Transport Department (Garages) shall be responsible for their registration, upkeep, maintenance and pay of establishment etc. out of its own budgeted grants.

Choose the correct option:

- A) Only I, II and III are correct
- B) Only II and III are correct
- C) Only II, III and IV are correct
- D) I, II, III and IV are correct

21. As per the provisions of the Jammu & Kashmir Financial Code, for which of the following Government vehicles, will the State Garages Department have the responsibility for registration, upkeep, maintenance and pay of establishment, out of its own budgeted grants?
- A) Vehicles which have been given by the Government of India in accordance with various Central Schemes which are to be operated by the State Government, such as malaria eradication, administration of B.C.G vaccine, extension van of T.T. College, etc.
 - B) Government vehicles allotted to Secretaries to Government
 - C) Government vehicle allotted to Resident Commissioner, Jammu & Kashmir, New Delhi
 - D) Government vehicles belonging to the Geology & Mining Department
22. As per the provisions of the Jammu & Kashmir Financial Code, in which of the following cases, are judges of the criminal courts **NOT** allowed to grant to the witnesses and complainants, expenses, *i.e.*, subsistence and travelling allowances?
- A) Non-bailable cases in which the presiding judge finds that the complaint has been lodged solely in the interest of justice.
 - B) Bailable cases in which a Magistrate of the First Class, or a Sessions Judge upon the recommendation of a Subordinate Magistrate, declares that the grant of expense(s) is in the interest of administration of justice.
 - C) All bailable and non-bailable cases filed, with the approval of judges of the High Court or the Sessions Judges.
 - D) Excepting special cases in which a Sessions Judge may allow any other rate, which in no case should exceed Rupees 1000 a day, subsistence allowance may be paid to the witnesses at such rates ranging from Rupees 100 to Rupees 500 as the presiding officer of the court may, with due regard to the status of the witness, determine in his/her discretion.
23. According to the provisions of the Jammu & Kashmir Financial Code, a minimum life is prescribed for various stock articles. As per the Code, no article of stock shall be condemned before the minimum life prescribed, unless on actual inspection, it is certified to be actually unserviceable. In the case of articles like steel trunks, benches, buckets, stools and almirahs, what is the minimum life that has been prescribed?
- A) Ten years
 - B) Fifteen years
 - C) Fifteen years and eight months
 - D) No minimum life has been fixed

24. Which of the following statement(s) is/are true with regard to cheques which are tendered in payments of Government dues, and are accepted and honoured on presentation?

- I. Payment shall be deemed to have been made on the date on which the cheque was handed over to a Government Officer authorized to receive money on behalf of the Government.
- II. If the cheque is sent by post in pursuance of an instruction to make payment by post, payment shall be deemed to have been made on the date on which the cover containing the cheque, was put into the post.
- III. Where a cheque is marked as not payable before a certain date, the payment shall not be deemed to have been made until the date written on the face of such a cheque.
- IV. Where a cheque is marked as not payable before a certain date, the payment shall not be deemed to have been made until the date on which such payment becomes due.

Choose the correct option:

- A) Only I and II are correct
- B) Only I, II and III are correct
- C) Only I, II and IV are correct
- D) I, II, III and IV are correct

25. Which of the following statement(s) is/are correct with regard to the authority of the Resident Commissioner, Government of Jammu & Kashmir (stationed at New Delhi) to sanction advance T.A. of Officers subordinate to him/her?

- I. A proper programme of the journey shall be drawn up and approved by the Competent Authority.
- II. The amount of advance T.A. shall be calculated on the basis of the programme, and at rates admissible under the Rules, to the concerned Government servants.
- III. The total distance to be covered by the journey, whether by air or by road, or partly by air and party by road, should not exceed 644 kilometers on both sides.
- IV. The distance to be covered by the journey, whether by air or by road, or partly by air and party by road, exceeds 322 kilometers on one side of the concerned Government servant's Headquarters or from the place where the journey is to start.

Choose the correct option:

- A) Only I, II and III are correct
- B) Only I and II are correct
- C) I, II, III and IV are correct
- D) Only I, II and IV are correct

26. Which of the following statements is **NOT** correct with regard to 'general principles and restrictions relating to expenditure' as per the provisions of the Jammu & Kashmir Financial Code?
- Every Government servant who incurs or sanctions expenditure from the revenues of the State should be guided by high standards of financial propriety.
 - A Government servant who is not ordinarily in-charge of a cash book, cannot, under any circumstances, receive money on behalf of the Government.
 - Every Government servant is expected to exercise the same vigilance in respect of expenditure incurred from public money as a person of ordinary prudence would exercise in respect of expenditure of his/her own money.
 - The expenditure incurred should not be *prima facie* more than what the occasion demands.
27. Which of the following statement(s) is/are correct with regard to the 'Annual Financial Statement' or 'Budget' as defined under the Jammu & Kashmir Financial Code?
- This document is a statement of the actual annual revenue and expenditure of the State, as prepared by the Finance department.
 - This document is a statement of the estimated annual revenue and expenditure of the State, as prepared by the Finance department.
 - The form of the Budget is laid down by the Finance department, and no alteration of arrangement or classification can be made without the approval of that department.
 - There is a clear demarcation between votable and charged expenditure in the Budget.
- Choose the correct option:
- Only I and III are correct
 - I, III and IV are correct
 - II, III and IV are correct
 - Only I and IV are correct
28. Which of the following statement(s) is/are correct with regard to 'Form of Bill and Vouchers' as per the provisions of the Jammu & Kashmir Financial Code?
- Vouchers cannot be prepared and signed in ball pen.
 - Vouchers must be ink-signed in order to be valid.
 - Vouchers should, as far as possible, be in printed forms in English or Urdu languages.
 - When the use of a voucher in any language other than English or Urdu is unavoidable, a brief abstract should be endorsed in either English or Urdu, under the signature of the preferring officer, stating the amount, name of payee and nature of payment.
- Choose the correct option:
- I, II and IV are correct
 - I, III and IV are correct
 - Only II and IV are correct
 - Only III and IV are correct

29. Which of the following course of action is **NOT** a correct course of action which can be adopted by a Magistrate when the accused is brought before him/her, as per the Rules and Orders for the guidance of Courts subordinate to the High Court of Judicature (Criminal)?

- A) If (s)he has jurisdiction to try the case or commit it for trial, (s)he can proceed at once to try the accused himself/herself or hold an inquiry with a view to committing the accused person for trial.
- B) If (s)he has jurisdiction to try the case or commit it for trial, (s)he can remand the accused to police or Magisterial custody, as (s)he may think fit, for a period not exceeding 15 days.
- C) If (s)he has no jurisdiction to try the accused or commit him/her for trial, (s)he may, if (s)he thinks there is no ground for further detention, at once send the accused to a Magistrate having jurisdiction in the matter, with a view to ensuring the trial or discharge of the accused person.
- D) If (s)he has jurisdiction to try the case or commit it for trial, he cannot discharge the accused person at once, only on the ground that there is no cause shown for his/her further detention.

30. Which of the following statement(s) is/are correct with regard to the hearing of appeals under the Rules and Orders for the guidance of Courts subordinate to the High Court of Judicature (Criminal)?

- I. It is not possible for a District Magistrate to get a real acquaintance with the work of the subordinate Magistrates unless he hears appeals arising from their orders.
- II. Apart from conducting periodical inspection of courts in his/her district, the District Magistrate, even in those districts where another officer has been invested with appellate powers, must arrange to hear sufficient appeals to keep himself/herself fully acquainted with the quality of the work of all courts in the district in question.
- III. It is impossible for a District Magistrate to exercise the necessary control over the subordinate courts in his/her district, unless by the occasional hearing of important cases, (s)he maintains a certain amount of technical acquaintance with the difficulties of courts which is necessary in order to exercise a degree of satisfactory control over the functioning of the subordinate courts.
- IV. The High Court attaches a considerable degree of importance to the District Magistrate taking a proper share in the actual Magisterial work of his/her district by way of trying original cases.

Choose the correct option:

- A) Only I, II, III are correct
- B) I, II, III and IV are correct
- C) Only I and III are correct
- D) Only I, III and IV are correct

31. Which of the following statement(s) is/are correct with regard to the principles which have to be observed while granting remand, as per the Rules and Orders for the guidance of Courts subordinate to the High Court of Judicature (Criminal)?

- I. In all ordinary cases in which time is required by the police to complete the enquiry, the accused person should be detained in Magisterial custody.
- II. Whenever possible, where the object of the remand is merely the verification of the statement made by the prisoner, (s)he should be remanded to Magisterial custody.
- III. Whenever an accused person is remanded to police custody, the period of the remand should be as short as possible.
- IV. Under no circumstances should an accused person be remanded to police custody, unless it is made clear that his/her presence is actually needed in order to serve some important and specific purpose connected with the completion of the enquiry which is in process.

Choose the correct option:

- | | |
|----------------------------------|-----------------------------------|
| A) Only I and III are correct | B) Only I and II are correct |
| C) I, II, III and IV are correct | D) Only I, II and III are correct |

32. As per the Rules and Orders for the guidance of Courts subordinate to the High Court of Judicature (Criminal), all *challans* which are filed by the police, and all complaints which have been filed, are required to be put up, before Magistrates having territorial jurisdiction and otherwise competent to entertain the case. In the absence of such Magistrates, before which authority are such *challans* and complaints required to be put up?

- | | |
|-------------------------|------------------------------|
| A) Illaqa Magistrate | B) District Magistrate |
| C) Executive Magistrate | D) Sub Divisional Magistrate |

33. Which of the following statement(s) is/are correct with regard to 'remand of an accused person' as per the Rules and Orders for the guidance of Courts subordinate to the High Court of Judicature (Criminal)?

- I. Any person accused or suspected of a crime when arrested by the Police shall be brought before a Magistrate as soon after twenty-four hours of his/her arrest, as is possible.
- II. Such a person when brought before the Magistrate, should be remanded to the judicial lock-up, unless the Magistrate otherwise directs.
- III. Non-completion of police investigation is, in itself, a sufficient cause for granting remand of the accused person to the police.
- IV. If the police make a request to the Magistrate to hand over to them, the custody of the accused person, the concerned Magistrate shall, before according to their request, thoroughly satisfy himself/herself, that there are good and sufficient reasons for the request being granted.

Choose the correct option:

- | | |
|----------------------------------|-----------------------------------|
| A) I, II, III and IV are correct | B) Only I and IV are correct |
| C) Only I, II and IV are correct | D) Only I, II and III are correct |

34. Which of the following is **NOT** one of the powers available to Magistrates of the second class, as per the Rules and Orders for the guidance of Courts subordinate to the High Court of Judicature (Criminal)?
- A) To make orders under section 144 of the Code of Criminal Procedure, with regard to nuisances.
 - B) To hold inquests under section 174 of the Code of Criminal Procedure.
 - C) To take cognizance of offences under section 190 of the Code of Criminal Procedure.
 - D) To make orders as to local nuisances, under section 133 of the Code of Criminal Procedure.

35. Which of the following statement(s) is/are correct with regard to 'Appeals from orders of Munsiffs and Subordinate Judges', as per the Rules and Orders for the guidance of Courts subordinate to the High Court (Civil)?

- I. An appeal from a decree or order of a Munsiff or a Subordinate Judge lies to the District Judge where the value of the original suit concerned does not exceed a sum of Rupees 2,500.
- II. An appeal from a decree or order of a Munsiff or a Subordinate Judge lies to the High Court where the original suit concerned is of a value exceeding Rupees 2,500, or directly involves some claim to, or question respecting, property of like value.
- III. When a Subordinate Judge has been invested with appellate powers under section 34 of the Civil Court Act, all appeals from decrees or orders passed in an original suit by any Munsiff, which such Subordinate Judge has been empowered to hear, shall be preferred to such Subordinate Judge.

Choose the correct option:

- A) I, II and III are correct
- B) Only I and II are correct
- C) Only I and III are correct
- D) Only I is correct

36. Which of the following statement(s) is/are correct with regard to the language in which a judgment is written, as per Rules and Orders for the guidance of Courts subordinate to the High Court (Civil)?

- I. The judgment must always be written in the English language.
- II. Whenever the judgment is written in the English language, it must always be translated into Urdu.
- III. When such translation is not made by the presiding officer, (s)he should always satisfy himself/herself that it is correct.

Choose the correct option:

- A) Only I is correct
- B) Only II is correct
- C) Only II and III are correct
- D) I, II and III are correct

37. Which of the following statement(s) is/are correct with regard to 'loss of public money' as per the Rules and Orders for the guidance of Courts subordinate to the High Court (Civil)?

- I. Whenever any loss of public money is discovered, such fact must be immediately reported to the High Court.
- II. Whenever a defalcation in the accounts of any ministerial officer of the courts is brought to light or any loss of public money is discovered, such fact is required to be reported to the High Court in a forth with manner, and a proper inquiry must be instituted in this matter.
- III. After a thorough investigation has been conducted in the matter, a further and complete report should be submitted to the High Court, stating the nature and extent of the loss, showing the errors or neglect of rules by which such loss was rendered possible.
- IV. Such report must should also contain suggestions for improvement, so as to make such loss impossible in future.

Choose the correct option:

- A) Only I, II and III are correct
- B) I, II, III and IV are correct
- C) Only II and III are correct
- D) Only II, III and IV are correct

38. Which of the following statement(s) is/are correct with respect to the role of District Judges as per the Rules and Orders for the guidance of Courts subordinate to the High Court (Civil)?

- I. District Judges are required to see that all subordinate courts in their jurisdiction follow the prescribed procedure in their proceedings, and are not left without guidance in matters in which they may be found to be at fault or to be in want of proper instruction.
- II. Whenever any District Judge proposes to issue any circular/order to judicial officers subordinate to himself/herself on any judicial matter, excluding mere office routine orders on question like distribution of work, (s)he shall be required to send an advance copy of the proposed circular/order to the High Court, not less than four weeks before the date of issue such circular/order.
- III. District Judges must exercise proper supervision over inexperienced officers and officers in training, and their work should be watched with kind interest, guidance being afforded them on all proper occasions.
- IV. Whenever there is any incident of loss of public money, it is required to be promptly reported. Reports from Muffassils are required to be submitted by the subordinate Judge or Munsiffs (as the case may be), through the District and Sessions Judge, and by the latter, in regard to the courts at the headquarters, directly to the Accountant General, who shall forward them for the information of Government, through the High Court.

Choose the correct option:

- A) Only I, II and III are correct
- B) I, II, III and IV are correct
- C) Only I, III and IV are correct
- D) Only I and IV are correct

39. Which of the following statements is **INCORRECT** with regard to 'attachment of immovable property' under the Rules and Orders for the guidance of Courts subordinate to the High Court (Civil)?
- The mode of attaching immovable property shall be by issuing a prohibitory order to the judgment debtor, and through him to the public generally.
 - When the property in question is land which is paying revenue to the State, four copies of the prohibitory order are required to be prepared.
 - When the property in question is other immovable property (which is not paying revenue to the State), only two copies of the prohibitory order are required to be prepared.
 - The details given in the schedule annexed to the order should be identical with those given in the schedule of property given in the warrant.
40. Which of the following details are **NOT** required to be mentioned as part of the 'Memorandum of Appeal', as per the Rules and Orders for the guidance of Courts subordinate to the High Court (Civil)?
- Name and address of each person who is proposed to be made a respondent, in the matter at hand.
 - The court in which, and the name of the officer by whom, the decree or order objected to, was made.
 - The value of the appeal.
 - The name of the lawyers engaged by the parties, if any.
41. Which of the following statement(s) is/are correct with regard to the 'despatch of subjects sent for analysis by the Medical Officer', as per the Rules and Orders for the guidance of Courts subordinate to the High Court of Judicature (Criminal)?
- The officials of the postal department must be informed about the contents of the package.
 - The number of the letter advising the despatch of the article should be entered on the out side of the box containing the substance which is to be analyzed, above the sender's name.
 - If the substance which is to be analyzed is liable to decompose, it should be properly immersed in methylated spirits of wine, which should be used in the proportion of one-third of the bulk of the material.
 - The substance to be analyzed must be packed in a glass bottle/jar, which, in turn, should be placed in a strong wooden or tin box. This box should be large enough to allow a layer of raw cotton, at least three-fourths of an inch thick, to be placed between the bottle/jar containing the substance to be analyzed, and the box.
- Choose the correct option:
- I, II, III and IV are correct
 - Only II, III and IV are correct
 - Only III and IV are correct
 - Only I, III and IV are correct

42. Which of the following statements is correct regarding section 85 of the Indian Registration Act, 1908?
- A) It deals with documents executed by several persons at different times.
 - B) It deals with documents of which registration is optional.
 - C) It deals with destruction of unclaimed documents.
 - D) It deals with documents executed out of India.
43. Section 23 of the Registration Act, 1908 provides that a document other than a will shall not be accepted for registration unless presented for that purpose to the proper officer within:
- A) Four months from the date of its execution
 - B) Six months from the date of its execution
 - C) Two months from the date of its execution
 - D) One months from the date of its execution
44. Which of the following section of the Registration Act, 1908 provides that if any document duly presented for registration be in a language which the registering officer does not understand, and which is not commonly used in the district,(s)he shall refuse to register the documents, unless it be accompanied by a true translation into a language commonly used in the district and also by a true copy?
- A) Section 21
 - B) Section 15
 - C) Section 19
 - D) Section 10
45. Which of the following statements is correct with regard to section 42 of the Registration Act,1908?
- A) It provides for registration of wills and authorities to adopt.
 - B) It provides for procedure on deposit of wills.
 - C) It provides for proceedings on death of depositor.
 - D) It provides for deposit of wills.
46. What is the duration mentioned under the Registration Act, 1908, exceeding which, documents (other than wills) remaining unclaimed in any registration office, may be destroyed?
- A) Two years
 - B) Four years
 - C) One year
 - D) Three years

47. Under the provisions of the Jammu and Kashmir (Residential and Commercial Tenancy) Act, 2012 the tenant may approach the landlord for renewal or extension of the tenancy:
- Not less than two months prior to the end of tenancy period
 - Not less than one month prior to the end of tenancy period
 - Not less than four months prior to the end of tenancy period
 - Not less than six months prior to the end of tenancy period
48. In case of existing tenancies under the Jammu and Kashmir (Residential and Commercial Tenancy) Act, 2012, in the event of death of the tenant, the right of tenancy shall devolve to his successors in which of the following order?
- Spouse and children
 - Spouse, children, and parents
 - Spouse, children, parents, and daughter-in-law being the widow of predeceased son
 - Spouse and parents
49. Which of the following provisions of the Jammu and Kashmir (Residential and Commercial Tenancy) Act, 2012 provides that if the landlord does not accept rent or other charges or refuses to give receipt, the tenant shall send rent and other charges to the landlord by postal order, or account payee cheque, or any other manner as prescribed?
- Section 13(2)
 - Section 14(3)
 - Section 15(1)
 - Section 14(1)
50. Match the following, keeping in mind, the provisions of the Jammu and Kashmir (Residential and Commercial Tenancy) Act, 2012:
- | | |
|----------------|---|
| a. Chapter III | i. Rent |
| b. Chapter V | ii. Rights and Responsibilities of Landlords and Tenants |
| c. Chapter IV | iii. Powers and Procedure of Rent Controllers and Appellate Rent Tribunal |
| d. Chapter VI | iv. Termination of Tenancy by the Landlord or Tenant |

Choose the correct option:

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

51. Which of the following provisions of the Jammu and Kashmir (Residential and Commercial Tenancy) Act, 2012 provides that 'fixed period tenancy' is terminated at the end of the fixed period, and no notice is required to be served to the tenant to vacate the rental unit?
- A) Section 21(2)
 - B) Section 21 (3)
 - C) Section 21(4)
 - D) Section 21 (5)
52. Which of the following provisions of the Jammu and Kashmir (Residential and Commercial Tenancy) Act, 2012 provides that the Act shall not apply to any rental unit owned by the Central or State Government or local authority or a Government undertaking or a statutory body wholly owned and controlled by the Government or Cantonment Board?
- A) Section 6
 - B) Section 9
 - C) Section 2
 - D) Section 3
53. As per the provisions of the Jammu and Kashmir (Residential and Commercial Tenancy) Act, 2012, in case of existing tenancies, in the event of death of the tenant, the right of tenancy shall devolve to his successors provided:
- A) That the successor has ordinarily been living in the premises with the deceased tenant as a member of family up to his death.
 - B) That the successor was not economically dependent on the deceased tenant.
 - C) That the successor or his spouse or dependent children own a residential unit in the same urban area.
 - D) That the successor or his spouse or dependent children occupy a residential unit in the same urban area.
54. As per the provisions of the Jammu and Kashmir (Residential and Commercial Tenancy) Act, 2012, how much compensation is the landlord entitled to in case of non-vacancy, *i.e.*, in case of use and occupation of a rental unit by a tenant who does not vacate the unit after his tenancy has been terminated by order, notice or agreement?
- A) Double the monthly rent
 - B) Equal to the monthly rent
 - C) Half of the monthly rent
 - D) Triple the monthly rent

55. Which of the following statements is **INCORRECT** with regard to apportionment of benefit of obligation on severance, under the provisions of the Transfer of Property Act, 1882?
- A) It does not apply to leases for agricultural purposes, unless and until the State Government by notification in the Official Gazette, so directs.
 - B) It is applicable in the case of leases for agricultural purposes.
 - C) If the duty cannot be severed, or if the severance would substantially increase the burden of the obligation, the duty shall be performed for the benefit of such one of the several owners as they shall jointly designate for that purpose.
 - D) No person upon whom the burden of the obligation lies, shall be answerable for failure to discharge it in manner provided by section 37 of the Act, unless and until (s)he has had reasonable notice of the severance.
56. Which of the following provisions of the Transfer of Property Act, 1882 provides for the condition restraining alienation of property?
- A) Section 10
 - B) Section 9
 - C) Section 8
 - D) Section 7
57. Which of the following provisions of the Transfer of Property Act, 1882, deals with the rule against perpetuity?
- A) Section 16
 - B) Section 15
 - C) Section 14
 - D) Section 17
58. 'A' transfers property to 'B' for life and after his death to 'C' and 'D', equally to be divided between them or to the survivor of them. 'C' dies during the life of 'B'. 'D' survives 'B'. As per the provisions of the Transfer of Property Act, 1882, upon whom will the property devolve after the death of B in the given situation?
- A) It shall pass to 'C'.
 - B) It shall pass to the person who is specifically named in transfer, i.e., C and D.
 - C) It shall pass to 'D'.
 - D) It will not pass to any person.

59. What is the duration of the lease of immovable property for agriculture or manufacturing purposes in the absence of any contract or local law or usage to the contrary under the Transfer of Property Act, 1882?
- A) Month to month
 - B) Bimonthly
 - C) Biannual
 - D) Year to year
60. 'A' gives Rupees one lakh to 'B', reserving to himself, with 'B's' assent, the right to take back at pleasure Rupees 10,000 out of the lakh. What would be the validity of such a gift under the provisions of the Transfer of the Property Act, 1882?
- A) The gift would be wholly void.
 - B) The gift would be valid.
 - C) The gift holds good as to Rupees 90,000, but is void as to the remaining amount of Rupees 10,000.
 - D) The gift is onerous.
61. Which of the following is covered under the doctrine of 'part performance' under the Transfer of Property Act, 1882?
- A) Oral contracts
 - B) Both Movable and Immovable property
 - C) Movable property
 - D) Immovable property
62. 'A' transfers a farm to 'B', on a condition that, if 'B' shall not go to England within three years after the date of the transfer, his interest in the farm shall cease. 'B' does not go to England within the term prescribed. According to the provisions of the Transfer of Property Act, 1882, what will happen to 'B's' interest in the farm, in this situation?
- A) It will cease.
 - B) It will continue.
 - C) It can be revived after three years if both the parties agree to.
 - D) It remains contingent on the happening or non-happening of the event.

63. What is the default interest payable under sections 63 and 63 A of the Transfer of Property Act, 1882?
- A) 7% per annum
 - B) 8% per annum
 - C) 9% per annum
 - D) 10% per annum

64. Which of the following statement(s) is/are correct with regard to the various types of mortgages, as per the provisions of the Transfer of Property Act, 1882?

- I. In a Simple Mortgage, without delivering possession of the mortgaged property, the mortgagor binds himself/herself personally to pay the mortgage-money, and agrees, expressly or impliedly, that, in the event of him/her failing to pay according to the contract, the mortgagee shall have a right to cause the mortgaged property to be sold and the proceeds of sale to be applied, so far as may be necessary, in payment of the mortgage-money.
- II. In an Anomalous Mortgage, the mortgagor binds himself/herself to re-pay the mortgage-money on a certain date, and transfers the mortgaged property absolutely to the mortgagee, but subject to a proviso that (s)he will re-transfer it to the mortgagor upon payment of the mortgage-money as agreed.
- III. In an Usufructuary Mortgage, the mortgagor delivers possession, or expressly or by implication binds himself/herself to deliver possession of the mortgaged property to the mortgagee, and authorizes him/her to retain such possession until payment of the mortgage-money, and to receive the rents and profits accruing from the property, or any part of such rents and profits and to appropriate the same in lieu of interest, or in payment of the mortgage-money, or partly in lieu of interest or partly in payment of the mortgage-money.
- IV. In an English Mortgage, the mortgagor does not bind himself/herself to re-pay the mortgage-money on a certain date, but agrees to transfer the mortgaged property absolutely to the mortgagee, subject to a proviso that (s)he shall re-transfer it to the mortgagor upon payment of the mortgage-money as has been agreed between the parties.

Choose the correct option:

- A) Only I, II and III are correct
- B) Only I, III and IV are correct
- C) I, II, III and IV are correct
- D) Only I and III are correct

65. In the context of relevant provisions of the Transfer of Property Act, 1882, which of the following statement(s) is/are correct?

- I. The term 'attached to the earth' means rooted in the earth, as in the case of trees and shrubs.
- II. The term 'immovable property' includes standing timber, growing crops, or grass.
- III. The term 'attached to the earth' means attached to what is so imbedded for the permanent beneficial enjoyment of that to which it is attached.
- IV. A person is said to have notice of a fact when (s)he actually knows that fact, or when, but for wilful abstention from an enquiry or search which (s)he ought to have made, or gross negligence, (s)he would have known it.

Choose the correct option:

- A) Only I and II are correct
- B) I, II, III and IV are correct
- C) Only III and IV are correct
- D) Only I, III and IV are correct

66. Which of the following statements is **INCORRECT** as per the provisions of the Transfer of Property Act, 1882?

- A) Any creditor of the mortgagor who has in a suit for the administration of his/her estate obtained a decree for sale of the mortgaged property may redeem, or institute a suit for redemption of, the mortgaged property.
- B) A lease of immovable property does not determine by implied surrender.
- C) Any person (other than the mortgagee of the interest sought to be redeemed) who has any interest in, or charge upon, the property mortgaged or in or upon the right to redeem the same, may redeem, or institute a suit for redemption of, the mortgaged property.
- D) Any surety for the payment of the mortgage-debt or any part thereof, may redeem, or institute a suit for redemption of, the mortgaged property.

67. Which of the following statement(s) is/are correct with regard to 'implied contracts by the mortgagor of property', under section 65 of the Transfer of Property Act, 1882?

- I. In the absence of a contract to the contrary, the mortgagor shall be deemed to contract with the mortgagee that the mortgagor shall defend, or, if the mortgagee is in possession of the mortgaged property, will enable him/her to defend, the mortgagor's title there to.
- II. In the absence of a contract to the contrary, the mortgagor shall be deemed to contract with the mortgagee that the mortgagor will, so long as the mortgagee is not in possession of the mortgaged property, pay all public charges accruing due in respect of the property.
- III. In the absence of a contract to the contrary, the mortgagor shall be deemed to contract with the mortgagee, where the mortgage is a second or subsequent incumbrance on the property, that the mortgagee will pay the interest from time to time accruing due on each prior incumbrance as and when it becomes due, and will at the proper time, discharge the principal money due on such prior incumbrance.
- IV. In the absence of a contract to the contrary, the mortgagor shall be deemed to contract with the mortgagee, where the mortgaged property is a lease, that the rent payable under the lease, the conditions contained therein, and the contracts binding upon the lessee, have been paid, performed, and observed down to the commencement of the mortgage.

Choose the correct option:

- A) I, II, III and IV are correct
- B) Only I and IV are correct
- C) Only I, III and IV are correct
- D) Only I, II and IV are correct

68. Which of the following statement(s) is/are correct with regard to 'sale of immovable property', as per the provisions of the Transfer of Property Act, 1882?
- I. Delivery of tangible immovable property takes place when the seller places the buyer, or such person as (s)he directs, in possession of the property.
 - II. In the case of a tangible immovable property of a value of less than one hundred rupees, sale or transfer can be made by delivery of the property.
 - III. In the case of a tangible immovable property of the value of five hundred rupees, sale or transfer can be made without a registered instrument.
 - IV. A contract for the sale of immovable property is a contract that a sale of such property shall take place on terms settled between the parties, and does not, by itself, create any interest in or charge on such property.
- Choose the correct option:
- | | |
|----------------------------------|-----------------------------------|
| A) Only I and IV are correct | B) Only I, II and IV are correct |
| C) I, II, III and IV are correct | D) Only I, III and IV are correct |
69. Which of the following statement(s) is/are correct with regard to 'improvements made by *bona fide* holders under defective titles', as per the provisions of the Transfer of Property Act, 1882?
- I. When the transferee of immovable property makes any improvement on the property, believing in good faith that (s)he is absolutely entitled thereto, and (s)he is subsequently evicted therefrom by any person having a better title, such transferee has a right to require the person causing the eviction either to have the value of the improvement estimated and paid or secured to him/her, or to sell interest in the property to the transferee at the then market value thereof, irrespective of the value of such improvement(s).
 - II. When, under the circumstances aforesaid, the transferee has planted or sown on the property, crops which are growing when (s)he is evicted therefrom, (s)he shall be entitled to such crops and to free ingress and egress to gather and carry them.
 - III. The amount which is to be paid or secured in respect of such improvement(s) shall be the estimated value thereof at the time of the eviction.
- Choose the correct option:
- | | |
|------------------------------|-------------------------------|
| A) Only I is correct | B) I, II and III are correct |
| C) Only I and II are correct | D) Only I and III are correct |
70. Which of the following statements is **INCORRECT** with respect to the kind of property that can be transferred under the Transfer of Property Act, 1882?
- A) An interest in property restricted in its enjoyment to the owner personally, cannot be transferred by him/her.
 - B) An easement cannot be transferred apart from the dominant heritage.
 - C) A mere right of re-entry for breach of a condition subsequent, can be transferred to any person, including a person other than the owner of the property affected thereby.
 - D) A right to future maintenance, in whatsoever manner arising, secured, or determined, cannot be transferred.

71. Which of the following statement(s) is/are correct with regard to the right of the mortgagee to sue for the mortgage-money, as per the provisions of the Transfer of Property Act, 1882?

- I. The mortgagee has a right to sue for the mortgage-money where the mortgagee is entitled to possession of the mortgaged property, and the mortgagor fails to deliver the same to him/her.
- II. The mortgagee has a right to sue for the mortgage-money where the mortgagee is deprived of the whole or part of his/her security by or in consequence of the wrongful act or default of the mortgagor.
- III. The mortgagee has a right to sue for the mortgage-money where the mortgagor binds himself/herself to repay the same.
- IV. The mortgagee has a right to sue for the mortgage-money where the mortgagor is entitled to possession of the mortgaged property, and the mortgagee fails to deliver the same to him/her.

Choose the correct option:

- A) Only I and III are correct
- B) Only I, II and III are correct
- C) I, II, III and IV are correct
- D) Only II and III are correct

72. Which of the following statement(s) is/are correct with regard to 'rights of mortgagee in possession', as per the provisions of the Transfer of Property Act, 1882?

- I. A mortgagee may spend such money as is necessary for supporting the mortgagor's title to the property.
- II. A mortgagee may spend such money as is necessary when the mortgaged property is a renewable lease-hold, for the renewal of the lease.
- III. A mortgagee may spend such money as is necessary to preserve the mortgaged property from destruction, forfeiture, or sale.
- IV. A mortgagee may spend such money as is necessary for making his own title thereto good against the mortgagor.

Choose the correct option:

- A) Only I and III are correct
- B) Only I, III and IV are correct
- C) I, II, III and IV are correct
- D) Only I, II and IV are correct

73. Which of the following statement(s) is/are correct with regard to appointment of receiver, as per the provisions of the Transfer of Property Act, 1882?

- I. Any person who has been named in the mortgage-deed, and is willing and able to act as receiver, may be appointed by the mortgagee.
- II. A receiver may, at any time, be removed by writing signed by or on behalf of the mortgagee and the mortgagor, or by the Court upon application made by either party, and on due cause shown.
- III. If no person has been so named, or if all persons named are unable or unwilling to act, or are dead, the mortgagee may appoint any person to whose appointment the mortgagor agrees.
- IV. Failing such agreement (as mentioned in III above), the mortgagor shall be entitled to apply to the Court for the appointment of a receiver, and any person appointed by the Court shall be deemed to have been duly appointed by the mortgagee.

Choose the correct option:

- A) Only I, II and III are correct
- B) I, II, III and IV are correct
- C) Only I and II are correct
- D) Only I, III and IV are correct

74. Which of the following statement(s) is/are correct with regard to production of document on which plaintiff sues or relies, as per the provisions of the Code of Civil Procedure, 1908?

- I. A document which ought to be produced in Court by the plaintiff when the plaint is presented, or to be entered in the list to be added or annexed to the plaint but is not produced or entered accordingly, shall not, without the leave of the Court, be received in evidence on his/her behalf at the hearing of the suit.
- II. Where a plaintiff sues upon a document or relies upon document in his/her possession or power in support of his/her claim, (s)he shall enter such documents in a list, and shall produce it in Court when the plaint is presented by him/her and shall, at the same time deliver the document and a copy thereof, to be filed with the plaint.
- III. The provisions of Order VII Rule 14 shall apply to all documents which have been produced for the cross-examination of the plaintiff's witnesses, or handed over to a witness merely to refresh his/her memory.
- IV. Where any such document is not in the possession or power of the plaintiff, (s)he shall, wherever possible, state in whose possession or power it is.

Choose the correct option:

- A) I, II, III and IV are correct
- B) Only I, II and IV are correct
- C) Only I and II are correct
- D) Only I, III and IV are correct

75. Which of the following statements is **INCORRECT** with regard to release of the judgment-debtor on grounds of serious illness, as per the provisions of the Code of Civil Procedure, 1908?

- A) At any time after a warrant for the arrest of a judgment-debtor has been issued, the Court may cancel it on the ground of his serious illness.
- B) Where a judgment-debtor has been arrested, the Court may release him/her if, in its opinion, (s)he is not in a fit state of health to be detained in a civil prison.
- C) The State Government may release him/her if (s)he is suffering from any infectious or contagious disease.
- D) A judgment-debtor released under this section cannot be re-arrested.

76. Which of the following statement(s) is/are correct with regard to 'Discovery and Inspection', as per the provisions of the Code of Civil Procedure, 1908?

- I. Where any party to a suit is a corporation or a body of persons, whether incorporated or not, empowered by law to sue or be sued, whether in its own name or in the name of any officer or other person, any opposite party may apply for an order allowing him/her to deliver interrogatories to any member or officer of such corporation or body, and an order may be made accordingly.
- II. In adjusting the costs of the suit, inquiry shall at the instance of any party be made into the propriety of exhibiting such interrogatories, and if it is the opinion of the taxing officer or of the Court, either with or without an application for inquiry, that such interrogatories have been exhibited unreasonably, vexatiously, or at improper length, the cost occasioned by the interrogatories and the answers thereto, shall be paid in any event by the party in fault.
- III. Interrogatories shall be answered by affidavit to be filed within fifteen days or within such other time as the Court may allow.
- IV. Any interrogatories may be set aside on the ground that they have been exhibited unreasonably or vexatiously, or struck out on the ground that they are prolix, oppressive, unnecessary, or scandalous.

Choose the correct option:

- A) Only I, III and IV are correct
- B) I, II, III and IV are correct
- C) Only I, II and IV are correct
- D) Only II and IV are correct

77. Which of the following statement(s) is/are correct with regard to procedure when only the plaintiff appears before the Court, as per the provisions of the Code of Civil Procedure, 1908?

- I. If it is proved that the summons was duly served, the Court may make an order that the suit shall be heard *ex parte*.
- II. Where it is owing to the plaintiff's default that the summons was not duly served or was not served in sufficient time, the Court may order the plaintiff to pay the costs occasioned by the postponement.
- III. If it is not proved that the summons was duly served, the Court shall direct a second summons to be issued and served upon the defendant.
- IV. If it is proved that the summons was served upon the defendant, but not in sufficient time to enable him/her to appear and answer on the day fixed in the summons, the Court shall postpone the hearing of the suit to a future day to be fixed by the Court, and shall direct notice of such day to be given to the defendant.

Choose the correct option:

- A) I, II, III and IV are correct
- B) Only III and IV are correct
- C) Only I, III and IV are correct
- D) Only II, III and IV are correct

78. Which of the following statement(s) is/are correct with regard to property liable to attachment and sale in execution of decree, as per the provisions of the Code of Civil Procedure, 1908?

- I. Lands, houses, and other buildings belonging to the judgment-debtor, are liable to attachment and sale in execution of a decree.
- II. All moneys payable under a policy of insurance on the life of the judgment-debtor, are liable to attachment and sale in execution of a decree.
- III. Government securities, bonds or other securities for money belonging to the judgment-debtor, are liable to attachment and sale in execution of a decree.
- IV. Necessary wearing-apparel, cooking vessels, beds and bedding of the judgment-debtor, his wife and children, and such personal ornaments as, in accordance with religious usage, cannot be parted with by any woman, are not liable to attachment and sale in execution of a decree.

Choose the correct option:

- A) Only I and IV are correct
- B) Only I, II and IV are correct
- C) I, II, III and IV are correct
- D) Only I, III and IV are correct

79. Which of the following statement(s) is/are correct with regard to 'denial', as per the provisions of the Code of Civil Procedure, 1908?

- I. If it is alleged that the defendant has received a certain sum of money, it shall be sufficient for him/her to deny that (s)he received that particular amount, which is in question.
- II. Where the defendant has not filed a pleading, it shall be lawful for the court to pronounce judgment based on the facts contained in the plaint, except as against a person under a disability, but the Court may, in its discretion, require any such fact to be proved.
- III. Every allegation of fact in the plaint, if not denied specifically or by necessary implication, or stated to be not admitted in the pleading of the defendant, shall be taken to be admitted, except as against a person under a disability.
- IV. Whenever a judgment is pronounced under Order VIII Rule 5, a decree shall be drawn up in accordance with such judgment, and such decree shall bear the date on which the judgment was pronounced.

Choose the correct option:

- A) I, II, III and IV are correct
- B) Only II and IV are correct
- C) Only II, III and IV are correct
- D) Only I, II and III are correct

80. Which of the following statement(s) is/are correct with regard to transfer of decree, as per the provisions of the Code of Civil Procedure, 1908?

- I. The Court which passed a decree may, on the application of the decree-holder, send it for execution to another Court of competent jurisdiction if the person against whom the decree is passed, actually and voluntarily resides, or carries on business, or personally works for gain, within the local limits of the jurisdiction of such other Court.
- II. The Court which passed a decree cannot of its own motion, send it for execution to another Court of competent jurisdiction.
- III. The Court which passed a decree may, on the application of the decree-holder, send it for execution to another Court of competent jurisdiction if such person has not got property within the local limits of the jurisdiction of the Court which passed the decree sufficient to satisfy such decree, and has property within the local limits of the jurisdiction of such other Court.
- IV. The Court which passed a decree may, on the application of the decree-holder, send it for execution to another Court of competent jurisdiction if the decree directs the sale or delivery of immovable property situate outside the local limits of the jurisdiction of the Court which passed it.

Choose the correct option:

- A) I, II, III and IV are correct
 - B) Only I and III correct
 - C) Only I, III and IV correct
 - D) Only I, II and IV correct
81. In which of the following situations is a foreign judgment conclusive as to any matter directly adjudicated upon between the same parties or between parties under whom they or any of them claim litigating under the same title, as per the provisions of the Code of Civil Procedure, 1908?
- A) Where the proceedings in which the judgment was obtained are opposed to natural justice.
 - B) Where it appears on the face of the proceedings to be founded on an incorrect view of international law or a refusal to recognize the law of India in cases in which such law is applicable.
 - C) Where it has been pronounced by a Court of competent jurisdiction.
 - D) Where it sustains a claim founded on a breach of any law in force in India.

82. Which of the following statement(s) is/are correct with regard to seizure of property in a dwelling house, as per the provisions of the Code of Civil Procedure, 1908?

- I. No person executing any process under this Code directing or authorizing seizure of movable property shall enter any dwelling-house after sunset and before sunrise.
- II. No outer door of a dwelling-house shall be broken open unless such dwelling-house is in the occupancy of the judgment-debtor and (s)he refuses or in any way prevents access thereto.
- III. When the person executing any such process (as mentioned in II above), has duly gained access to any dwelling-house, (s)he can not break open the door of any room in which (s)he has reason to believe any such property to be kept.
- IV. Where a room in a dwelling-house is in the actual occupancy of a woman who, according to the customs of the country, does not appear in public, the person executing the process shall give notice to such woman that she is at liberty to withdraw; and, after allowing reasonable time for her to withdraw and giving her reasonable facility for withdrawing, (s)he may enter such room for the purpose of seizing the property, using at the same time every precaution, consistent with these provisions, to prevent its clandestine removal.

Choose the correct option:

- | | |
|------------------------------|----------------------------------|
| A) Only I and IV are correct | B) Only I, II and IV are correct |
| C) Only I and II are correct | D) I, II, III and IV are correct |

83. Which landmark case decided by the Supreme Court of India deals with the aspect of whether civil courts have jurisdiction over tax refund cases?

- A) *Y. Narasimha Rao & Ors v. Y. Venkata Lakshmi & Anr*, (1991) 3 SCC 451.
- B) *State of U.P. v. Nawab Hussain*, AIR 1977 SC 1680
- C) *Dhulabhai & Ors. v. The State of Madhya Pradesh & Anr.*, 1968 SCR (3) 662.
- D) *Maneka Sanjay Gandhi & Anr. v. Rani Jethmalani*, AIR 1979 SC 468.

84. Which of the following statement(s) is/are correct with regard to powers of the Court to enforce execution, as per the provisions of the Code of Civil Procedure, 1908?

- I. Upon application by the decree-holder, the Court may order execution of the decree by appointing a receiver.
- II. Upon application by the decree-holder, the Court may order execution of the decree by delivery of any property specifically decreed.
- III. Upon application by the decree-holder, the Court may order execution of the decree by attachment and sale or by the sale without attachment of any property.
- IV. Upon application by the decree-holder, the Court may order execution of the decree by arrest and detention in prison for such period not exceeding the period specified in section 58, where arrest and detention is permissible under that section.

Choose the correct option:

- | | |
|-----------------------------------|------------------------------------|
| A) Only I and III are correct | B) Only II, III and IV are correct |
| C) Only I, II and III are correct | D) I, II, III and IV are correct |

85. Which of the following statement(s) is/are correct with regard to situations where interest is sought in the suit, as per the provisions of the Code of Civil Procedure, 1908?

- I. The date to which interest is calculated, is required to be mentioned in the pleadings.
- II. Pleadings may state either the daily or monthly rate at which interest accrues after the date.
- III. Pleadings shall be required to state the total amount of interest claimed to the date calculation.
- IV. Pleadings shall state the monthly rate at which interest is charged.

Choose the correct option:

- A) Only I and II are correct
- B) I, II, III and IV are correct
- C) Only I, II and III are correct
- D) Only I and III are correct

86. Which of the following statement(s) is/are correct with regard to 'suit in the name of wrong plaintiff', as per the provisions of the Code of Civil Procedure, 1908?

- I. Where a suit has been instituted in the name of the wrong person as plaintiff, or where it is doubtful whether the suit has been instituted in the name of the right plaintiff, the Court may at any stage of the suit, if satisfied that the suit has been instituted through a *bona fide* mistake, and that it is necessary for the determination of the real matter in dispute so to do, order any other person to be substituted or added as plaintiff upon such terms as the Court thinks just.
- II. Any person can be added as a plaintiff suing without a next friend or as the next friend of a plaintiff, who is under any disability, even without his/her consent.
- III. The Court may at any stage of the proceedings, either upon or without the application of either party, and on such terms as may appear to the Court to be just, order that the name of any party improperly joined, whether as plaintiff or defendant, be struck out, and that the name of any person who ought to have been joined, whether as plaintiff or defendant, or whose presence before the Court may be necessary in order to enable the Court effectually and completely to adjudicate upon and settle all the questions involved in the suit, be added.

Choose the correct option:

- A) I, II and III are correct
- B) Only I and II are correct
- C) Only I and III are correct
- D) Only I is correct

87. Which of the following statement(s) is/are correct with regard to appearance of parties and consequence of non-appearance, as per the provisions of the Code of Civil Procedure, 1908?

- I. Where there are more plaintiffs than one, and one or more of them appear, and the others do not appear, the Court shall, at the instance of the plaintiff or plaintiffs appearing, permit the suit to proceed in the same way as if all the plaintiffs had appeared.
- II. No decree shall be set aside on any such application mentioned in Order IX Rule 13, unless notice thereof has been served on the opposite party.
- III. Where there are more defendants than one, and one or more of them appear, and the others do not appear, the suit shall proceed, and the Court shall, at the time of pronouncing judgment, make such order as it thinks fit with respect to the defendants who do not appear.
- IV. Where a plaintiff or defendant, who has been ordered to appear in person, does not appear in person, or show sufficient cause to the satisfaction of the court for failing so to appear, (s)he shall be subject to all provisions of the foregoing rules applicable to plaintiffs and defendants, respectively who do not appear.

Choose the correct option:

- | | |
|------------------------------------|-----------------------------------|
| A) Only II, III and IV are correct | B) I, II, III and IV are correct |
| C) Only III and IV are correct | D) Only I, III and IV are correct |

88. Which of the following statement(s) is/are correct with regard to suits against foreign Rulers, Ambassadors and Envoys, as per the provisions of the Code of Civil Procedure, 1908?

- I. No foreign State may be sued in any Court otherwise competent to try the suit except with the consent of the Central Government certified in writing by a Secretary to that Government.
- II. Any member of the staff of the foreign State or the staff or retinue of the Ruler, Ambassador or Envoy of a foreign State or of the High Commissioner of a Commonwealth country, as the Central Government may, by general or special order, specify in this behalf, cannot be arrested under this Code.
- III. Such consent (as mentioned in I above), may be given with respect to a specified suit or to several specified suits or with respect to all suits of any specified class or classes.
- IV. Such consent (as mentioned in I above), may specify, in the case of any suit or class of suits, the Court in which the foreign State may be sued, but it shall only be given when it appears to the Central Government that the foreign State has not expressly or impliedly waived the privilege accorded to it, under the provisions of section 86 of this Code.

Choose the correct option:

- | | |
|-----------------------------------|-------------------------------|
| A) Only I, II and III are correct | B) Only I and III are correct |
| C) I, II, III and IV are correct | D) Only I and II are correct |

89. Which recent judgment of the Supreme Court of India pertains to the issue of whether there is an embargo on publishing the counterclaim after filing the written declaration under the provisions of Order VIII Rule 6A of the Code of Civil Procedure, 1908?

- A) *Shivaji Balaram Haibatti v. Sri Avinash Maruthi Pawar*, AIR 2017 SC 5494.
- B) *Ashok Kumar Kalra v. Wing Cdr. Surendra Agnihotri & Ors.*, (2020) 2 SCC 394.
- C) *Ranvir Dewan v. Rashmi Khanna*, AIR 2018 SC 62.
- D) *Samar Kumar Roy (D) through L.R. (Mother) v. Jharna Bera*, AIR 2018 SC 334.

90. Which recent judgment of the Supreme Court of India laid down directions for speedy enforcement proceedings, considering the difficulties involved in an enforcement proceeding?

- A) *Manish Kumar v. Union of India*, 2021 SCC OnLine SC 30.
- B) *Yashwant Sinha & Ors. v. Central Bureau of Investigation & Ors.*, AIR 2019 SC 1802.
- C) *Rahul S. Shah v. Jinendra Kumar Gandhi & Ors.*(2021) 6 SCC 418.
- D) *Pankajbhai Rameshbhai Zalavadia v. Jethabhai Kalabhai Zalavadiya*, AIR 2018 SC 490.

91. Which of the following statement(s) is/are correct with regard to an application for summary judgment, as per the provisions of the Code of Civil Procedure, 1908?

- I. The application must precisely disclose all material facts and identify the point of law, if any.
- II. If the applicant seeks to rely upon any documentary evidence, (s)he must include such documentary evidence in his/her application, and also identify the relevant content of such documentary evidence upon which (s)he relies.
- III. Where a hearing for summary judgment is fixed, the respondent must be given at least thirty days' notice of the date fixed for the hearing.
- IV. The application is not required to state the reason why there are no real prospects of succeeding on the claim or defending the claim, as the case may be.

Choose the correct option:

- A) Only I is correct
- B) Only I and II are correct
- C) Only I, II and III are correct
- D) I, II, III and IV are correct

92. Which of the following statement(s) is/are correct with regard to Second Appeal, as per the provisions of the Code of Civil Procedure, 1908?

- I. An appeal shall lie to the High Court from every decree passed in appeal by any Court subordinate to the High Court, if the High Court is satisfied that the case involves a substantial question of law.
- II. In an appeal under section 100 of this Code, the memorandum of appeal shall precisely state the substantial question of law involved in the appeal.
- III. An appeal cannot lie from an appellate decree which was passed *ex parte*.
- IV. Where the High Court is satisfied that a substantial question of law is involved in any case, it shall formulate that question.

Choose the correct option:

- A) Only I, III and IV are correct
- B) I, II, III and IV are correct
- C) Only I, II and III are correct
- D) Only I, II and IV are correct

93. In which of the following situations is it possible for one person to sue or defend on behalf of all in same interest, as per the provisions of the Code of Civil Procedure, 1908?

- I. For the purpose of determining whether the persons who sue or are sued, or defend, have the same interest in one suit, it is necessary to establish that such persons have the same cause of action as the persons on whose behalf, or for whose benefit, they sue or are sued, or defend the suit, as the case may be.
- II. Where there are numerous persons having the same interest in one suit, one or more of such persons may, with the permission of the Court, sue or be sued, or may defend such suit, on behalf of, or for the benefit of, all persons so interested.
- III. A decree passed in a suit under Order I Rule 8 shall be binding on all persons on whose behalf, or for whose benefit, the suit is instituted, or defended, as the case may be.
- IV. Where there are numerous persons having the same interest in one suit, the Court cannot direct that one or more of such persons shall defend such suit, on behalf of, or for the benefit of, all persons so interested.

Choose the correct option:

- A) I, II, III and IV are correct
- B) Only I, II and III are correct
- C) Only II and III are correct
- D) Only II is correct

94. 'A' alleging that he is the adopted son of 'X', sues 'B' to recover certain property granted to him by 'X', under a deed and forming part of 'X's estate. The Court finds that 'A' is not the adopted son of 'X', but he is entitled to the property under the deed and a decree is passed for 'A'. The finding that 'A' is not the adopted son of 'X' :
- Will not operate as *res judicata* in a subsequent suit between A and B in which the question of adoption is in issue.
 - The question as to whether 'A' is the adopted son of 'X', will have to be decided by a Court of competent jurisdiction.
 - Will operate as *res judicata* in a subsequent suit between A and B.
 - Depends on the discretion of the Court.
95. Which of the following sections of the Code of Civil Procedure, 1908, deals with the power of the Court to make up for the deficiency of court fees?
- Section 146
 - Section 147
 - Section 148
 - Section 149
96. Which of the following statement(s) is/are correct with regard to 'counter-claim', as per the provisions of the Code of Civil Procedure, 1908?
- Counter-claim by defendant shall have the same effect as a cross-suit to enable the Court to pronounce a final judgment in the same suit, both on the original claim and on the counter-claim.
 - Counter-claim by defendant shall be treated as a plaint and governed by the rules applicable to plaints.
 - If in any case in which the defendant sets up a counter-claim, the suit of the plaintiff is stayed, discontinued, or dismissed, the counter-claim cannot be proceeded with.
 - Counter-claim of defendant shall not exceed the pecuniary limits of the jurisdiction of the court.
- Choose the correct option:
- Only II and IV are correct
 - Only I, III and IV are correct
 - Only I, II and IV are correct
 - I, II, III and IV are correct
97. Which of the following statements is correct in the context of summary procedure for civil suits, as per the provisions of the Code of Civil Procedure, 1908?
- It may be applied *suo motu* by any civil court in its discretion in the interest of expeditious adjudication.
 - It may be invoked for the recovery of a liquidated demand in money payable by the defendant arising out of a written contract.
 - It requires the defendant to seek the leave of the Court to defend which is required to be granted unconditionally.
 - It may be invoked for the recovery of an unliquidated demand in money payable by the defendant arising out of a written contract.

98. Match Column I with Column II, as per the provisions of the Code of Civil Procedure, 1908:

Column - I

- A) Notice to Garnishee
- B) Suits relating to mortgage of immoveable property
- C) Suits by or against minor
- D) Commissions to make local investigation.

Column - II

- i. Order XXVI
- ii. Order XXXII
- iii. Order XXXIV
- iv. Order XXI

Choose the correct option:

a b c d

- A) iv iii ii i
- B) iii ii i iv
- C) i ii iii iv
- D) ii iii iv i

99. Which of the following statements is correct with regard to 'precepts', under the provisions of the Code of Civil Procedure, 1908?

- A) Precept is issued by the Court which passed the decree, upon the application of the decree-holder, to the other competent court to stay the execution of the decree.
- B) Precept is issued by the Court which passed the decree, upon the application of the decree-holder, to the other competent court to execute such decree.
- C) Precept is issued by the Court which passed the decree, upon the application of the judgement debtor, to the other competent court.
- D) The Court to which a precept is sent may proceed to attach the property in the manner prescribed in regard to the attachment of property in execution of a decree, and such attachment under a precept may continue for more than two months.

100. As per the provisions of the Code of Civil Procedure, 1908, which one of the following can be filed only in the High Court?

- A) Revision and Reference
- B) Review and Second Appeal
- C) Reference and Review
- D) Revision and First Appeal

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