

## **CLAT PG 2021 Question Paper**

Total Paragraphs – 20

Total Questions – 120

Questions Per Paragraph – 6

Total Marks – 120 Marks for

Correct Answer – 1

Marks for Incorrect Answer - -0.25

Total Time: 2 Hours

**Add Notes Here:**

In jurisprudence, distinction between theoretical and practical aspects of law is the basis of an independent science of law, the purpose of which is not to subserve practical ends but to serve pure knowledge, which is concerned with facts but not with words. At the present time, the juristic science is an exclusively a practical science of law and adequate methods have been evolved for the application of law by the judges. The result of this situation is that its teaching on the subject of law and legal relations, subject matter and method, can be given only by the practical science of law. It aims to supply the judge with legal propositions, formulated in the most general terms possible, in order that the greatest possible number of decisions might be derived from them. It teaches the judge how to apply the general propositions to the specific cases. However, the human thinking is necessarily dominated by the underlying purpose and the thinking of the jurist is conditioned by the practical purposes pursued by juristic science. The jurist does not mean by law that which lives and is operative in human society as law, but law exclusively important in the administration of justice as a rule according to which the judges must decide the legal disputes. However, juristic science as a whole proceeds by abstractions and deductions but sometimes loses contact with reality. The rule of human conduct and the rule according to which the judges decide legal disputes may be distinct; a layman does not always act according to the rules which the judges apply for the judicial decisions as the rules to guide human conduct. However, the scientific view has given way to the practical view, adapted to the requirements of the judicial officials according to which they must proceed, but they arrive at this view by a jump in their personal thinking. They mean that the rules according to which courts decide are the rules according to which men ought to regulate their conduct. In this respect it is altogether different from true science. It is true that that judicial decisions influence the conduct of men, but we must first of all inquire to what extent this is true and upon what circumstances it depends.

1. The purpose of the 'science of law' is to achieve

- (A) Practical aspects for human conduct.
- (B) Idealistic judicial abstractions.
- (C) Pure knowledge based on reality.
- (D) Judicial purpose.

Correct Option: C

(a) Correct - The passage indicates that the purpose of the 'science of law' is to serve pure knowledge, concerned with facts and not merely words. It emphasizes the distinction between the theoretical and practical aspects of law, suggesting that the primary goal is to pursue pure knowledge rather than subserve practical ends. The correct answer reflects the passage's emphasis on the independent science of law being concerned with facts and pure knowledge.

(b) Incorrect - The passage doesn't support the idea that the purpose is idealistic judicial abstractions. While the passage acknowledges the prevalence of abstractions in juristic science, it doesn't suggest that the idealistic nature of abstractions is the primary purpose.

(c) Incorrect - The passage supports the idea that the purpose is pure knowledge based on reality. The correct answer, however, more accurately captures the broader focus on pure knowledge, including facts, without exclusively tying it to the reality mentioned in the passage.

(d) Incorrect - The passage doesn't explicitly state that the purpose is judicial purpose. It distinguishes the practical science of law as serving practical ends, while the 'science of law' is emphasized to serve pure knowledge.

2. The prevailing method of the practical science of law is the method which is \_\_\_\_\_

(A) Employed by judges for the application of law.

(B) Indicated in law books.

(C) Abstraction of social mind.

(D) Legal optimism.

Correct Option: A

(a) Correct - The passage suggests that the prevailing method of the practical science of law is the method employed by judges for the application of law. This aligns with the idea that adequate methods have been evolved for the application of law by judges.

(b) Incorrect - While law books may play a role in legal education, the passage does not explicitly state that the prevailing method is indicated in law books.

(c) Incorrect - The abstraction of social mind is mentioned, but it is not specified as the prevailing method of the practical science of law.

(d) Incorrect - Legal optimism is not discussed as the prevailing method in the passage.

3. The judicial thinking is prominently guided by

(A) Underlying principles of judicial morality.

(B) Principles of professional ethics.

(C) Practical purposes followed by judicial science.

(D) Classical theories of justice.

Correct Option: C

(a) Incorrect - The passage does not explicitly mention underlying principles of judicial morality as the prominent guide for judicial thinking.

(b) Incorrect - While professional ethics may influence judicial thinking, the passage emphasizes practical purposes followed by judicial science as the conditioning factor.

(c) Correct - The passage indicates that judicial thinking is conditioned by the practical purposes pursued by juristic science.

(d) Incorrect - Classical theories of justice are not highlighted as the prominent guide for judicial thinking in the passage.

4. The present juristic science is losing scientific temperament because the \_\_\_\_\_ Which of the following is the most appropriate answer?

(A) Judges are not professionally trained.

(B) Judicial abstractions and deductions are different from reality.

(C) Practical purposes followed by judicial science.

(D) Notions for the judicial decisions are inferred from the decision of foreign courts.

Correct Option: B

(a) Incorrect - The passage does not suggest that the loss of scientific temperament in juristic science is due to judges not being professionally trained.

(b) Correct - The passage indicates that juristic science, by proceeding with abstractions and deductions, sometimes loses contact with reality, which implies a loss of scientific temperament.

(c) Incorrect - The passage doesn't explicitly attribute the loss of scientific temperament to practical purposes followed by judicial science.

(d) Incorrect - While the passage mentions that judicial decisions may influence conduct, it does not attribute the loss of scientific temperament to notions inferred from decisions of foreign courts.

5. The legal propositions are generally based on \_\_\_\_\_

(A) Generalized possibility.

(B) Exclusivity.

(C) Social interest.

(D) Political interest.

Correct Option: A

(a) Correct - The passage suggests that legal propositions are generally based on generalized possibility.

(b) Incorrect - Exclusivity is not highlighted as the basis for legal propositions in the passage.

(c) Incorrect - While social interest is mentioned, it is not explicitly stated as the general basis for legal propositions.

(d) Incorrect - Political interest is not discussed as the general basis for legal propositions in the passage.

6. The judicial expectation from a layman is that (A)

The conduct of man ought to be humane.

(B) The conduct of man ought to be prudent.

(C) The conduct of man be based on rules decided by courts.

(D) The conduct of man be based on moral and ethical parameters.

Correct Option: C

(a) Incorrect - The passage does not explicitly mention that the judicial expectation is that the conduct of man ought to be humane.

(b) Incorrect - While prudence may be a desirable trait, the passage specifically emphasizes that the conduct of man should be based on rules decided by courts.

(c) Correct - The passage indicates that the judicial expectation is that the conduct of man should be based on rules decided by courts.

(d) Incorrect - While moral and ethical parameters may be relevant, the passage specifically highlights the importance of adherence to rules decided by courts as the judicial expectation.

Human liberty is a precious constitutional value; it is as tenuous as tenuous can be. Liberty survives by the vigilance of her citizens, on the cacophony of the media and in the dusty corridors of courts alive to the rule of (and not by) law. The doors of the court cannot be closed to a citizen who is able to establish prima facie that the instrumentality of the State is being weaponized for using the force of criminal law to the detriment of human liberty. The basic entitlement of every citizen who is faced with allegations of criminal wrongdoing, is that the investigative process should be fair. This is an integral component of the guarantee against arbitrariness under Article 14 and of the right to life and personal liberty under Article 21. The Supreme Court considered the given principle in *Arnab Manoranjan Goswami v. State of Maharashtra*, [AIR 2021 SC 1], which binds that the courts must be alive to the need to safeguard the public interest while ensuring that the due enforcement of criminal law is not obstructed. The fair investigation of crime is an aid to it. Equally it is the duty of courts across the spectrum-the district judiciary, the High Courts and the Supreme Court to ensure that the criminal law does not become a weapon for the selective harassment of citizens. The inherent power of the High Court must be construed as an aid to preserve the constitutional value of liberty. The writ of liberty runs through the fabric of the Constitution. The need to ensure fair investigation of crime is undoubtedly important in itself, because it protects at one level, the rights of the victim and, at a more fundamental level, the societal interest in ensuring that crime is investigated and dealt in accordance with law. On the other hand, the misuse of the criminal law is a matter of which the courts in this country must be alive.

Question:

7. Which of the following statements regarding human liberty is untrue?

- (A) Liberty is a precious constitutional right.
- (B) Liberty is a limited fundamental right.
- (C) Liberty is a fragile concept.
- (D) Liberty is an infrangible concept.

CORRECT OPTION: D

Explanation:

- (a) Correct - The passage underscores the idea that human liberty is indeed a precious constitutional value. It emphasizes that liberty survives through the vigilance of citizens, the media, and the courts. The use of terms like "precious constitutional value" aligns with the correctness of option (A). The passage conveys that liberty is highly valued within the constitutional framework.
- (b) Incorrect - The passage does not explicitly describe liberty as a limited fundamental right. Instead, it focuses on the significance and fragility of liberty. While it implies that vigilance is necessary to protect liberty, it doesn't categorize it as explicitly limited. Therefore, option (B) cannot be considered accurate based on the information provided in the passage.
- (c) Incorrect - The passage supports the idea that liberty is a fragile concept. The use of the term "tenuous" and the description of liberty surviving through vigilance and media involvement align with the notion of fragility. Hence, option (C) is consistent with the information presented in the passage and cannot be deemed untrue.
- (d) Incorrect - The correct option is (D). The passage does not support the characterization of liberty as an infrangible concept. Instead, it emphasizes the fragility of liberty and how it depends on the vigilance of citizens and the judiciary. The term "tenuous" used in the passage suggests that liberty is not considered infrangible or unbreakable.

8. The liberty of a citizen is alive because of lively \_\_\_\_\_

- (A) Media.
- (B) Judiciary.
- (C) Media and Judiciary.
- (D) Executive and Legislature.

Correct Option: C

- (a) Correct - The passage emphasizes that the liberty of a citizen is sustained by the vigilance of citizens, the cacophony of the media, and the dusty corridors of courts. Therefore, the correct option is (C) - Media and Judiciary, as both play essential roles in ensuring the

vitality of human liberty. The media and the judiciary act as checks and balances, collectively contributing to the preservation of constitutional values.

(b) Incorrect - Option (B) suggests that the judiciary alone is responsible for the vitality of human liberty, which contradicts the passage. While the judiciary is crucial, the passage explicitly mentions the role of the media as well. Hence, the correct answer is not (B).

(c) Incorrect - The correct option is (C), as it aligns with the passage's emphasis on both media and judiciary. Option (C) does not negate the role of the media and recognizes the combined effort of both entities in upholding human liberty.

(d) Incorrect - Option (D) proposes that the Executive and Legislature contribute to the vitality of human liberty, which is not supported by the passage. The correct answer, as per the passage, is the combination of Media and Judiciary (C).

9. Consider the given statements.

(I) For seeking the intervention of the court, the petitioner has to prima facie establish that the State agency has misused the force of criminal law which causes casualty for the human liberty.

(II) The deprivation of liberty via rule by law is bearable up to twenty-four hours.

Choose the correct answer from the code given below.

(A) Both (I) and (II) are true.

(B) Both (I) and (II) are untrue.

(C) (I) is true and (II) is untrue.

(D) (II) is true and (I) is untrue.

Correct Option: C

(a) Correct - Statement (I) aligns with the passage, stating that a petitioner needs to establish prima facie that the State agency is misusing criminal law to harm human liberty for seeking court intervention. However, Statement (II) is not supported by the passage, as it does not mention a specific time limit for the deprivation of liberty. Therefore, option (C) is correct.

(b) Incorrect - Option (B) suggests that both statements are untrue, which is not accurate. Statement (I) is consistent with the passage, making option (B) incorrect.

(c) Incorrect - Option (C) is the correct answer. Statement (I) is true, but Statement (II) is untrue based on the information provided in the passage.

(d) Incorrect - Option (D) suggests that only Statement (II) is true, which is not supported by the passage. Therefore, option (D) is incorrect.

10. The fair investigation in a criminal trial is a guarantee \_\_\_\_\_

(A) Against arbitrariness.

- (B) Of the right to life and personal liberty.
- (C) Against arbitrariness and of the right to life and personal liberty.
- (D) Of political justice.

Correct Option: C

- (a) Correct - The passage emphasizes that fair investigation in a criminal trial serves as a guarantee against arbitrariness and is an integral component of the right to life and personal liberty. Therefore, option (C) is correct.
- (b) Incorrect - Option (B) focuses solely on the right to life and personal liberty without incorporating the aspect of protection against arbitrariness. The passage supports the idea that fair investigation serves both purposes.
- (c) Incorrect - The correct option is (C) as it combines the guarantees against arbitrariness and the right to life and personal liberty, aligning with the passage.
- (d) Incorrect - Option (D) introduces the concept of political justice, which is not explicitly mentioned in the passage. The passage specifically emphasizes the importance of fair investigation in safeguarding against arbitrariness and protecting the right to life and personal liberty.

11. Ensuring that the crime is fairly investigated and dealt with in accordance with the rule of law is fundamentally a matter of \_\_\_\_\_

- (A) Legal interest.
- (B) Social interest.
- (C) Political interest.
- (D) Economic interest.

Correct Option: B

- (a) Correct - The passage suggests that ensuring fair investigation and dealing with crime in accordance with the rule of law is fundamentally a matter of social interest. Therefore, option (B) is correct.
- (b) Incorrect - Option (B) is the correct answer, as it aligns with the passage. Other options, such as legal interest (A), political interest (C), and economic interest (D), are not explicitly mentioned as fundamental matters in the context of fair investigation and dealing with crime.

12. In the given excerpt, for the protection of human liberty, the Court has given emphasis on \_\_\_\_\_

- (A) Role of society.
- (B) Role of the courts at all levels.



(C) Balance between the due enforcement and preventing misuse of criminal law.

(D) Both (B) and (C).

Correct Option: D

(a) Incorrect - The passage does not explicitly emphasize the role of society in protecting human liberty. Option (A) is not supported by the information in the passage.

(b) Incorrect - The correct answer is not (B) alone. While the passage acknowledges the role of courts, it also emphasizes the need for a balance between due enforcement of criminal law and preventing its misuse.

(c) Incorrect - The passage underscores the importance of maintaining a balance between due enforcement of criminal law and preventing its misuse. Therefore, option (C) is not the sole emphasis in the passage.

(d) Correct - Option (D) is the correct answer. The passage highlights the role of the courts at all levels (B) and the necessity of maintaining a balance between due enforcement and preventing misuse of criminal law (C) for the protection of human liberty.

The Supreme Court of India noted that it is a prevalent gender stereotype that women officers find it challenging to meet the hazards of service owing to their prolonged absence during pregnancy, motherhood and domestic obligations towards their children and families, as the notion assumes that domestic obligations rest solely on women. Reliance on the 'inherent physiological differences between men and women' rests in a deeply entrenched stereotypical and constitutionally flawed notion that women are the 'weaker' sex and may not undertake tasks that are 'too arduous' for them. Arguments founded on the physical strengths and weaknesses of men and women and on assumptions about women in the social context of Page 4 of 30 marriage and family do not constitute a constitutionally valid basis for denying equal opportunity to women officers. To deny the grant of permanent commission to women officers on the ground that this would upset the 'peculiar dynamics' in a unit casts an undue burden on women officers which has been claimed as a ground for excluding women. If society holds strong beliefs about gender roles, that men are socially dominant, physically powerful and the breadwinners of the family and that women are weak and physically submissive, and primarily caretakers confined to a domestic atmosphere, it is unlikely that there would be a change in mindsets.

Question 13: Which of the following judgments relating to equality of opportunity for women seeking Permanent Commissions in the Indian Army is the excerpt taken from?

(A) Nawal Kishore Sharma v. Union of India, 2021 SCC OnLine SC 74.

(B) Aparna Bhat v. State of Madhya Pradesh, 2021 SCC OnLine SC 230.

(C) Ministry of Defence v. Babita Puniya, (2020) 7 SCC 469.

(D) Dipika Jagatram Sahani v. Union of India, (2021) 2 SCC 740.

Correct Option: C

- Explanation for each option:

- (A) Incorrect - The excerpt does not pertain to "Nawal Kishore Sharma v. Union of India, 2021 SCC OnLine SC 74." This case might address different legal issues.
- (B) Incorrect - The passage is not from "Aparna Bhat v. State of Madhya Pradesh, 2021 SCC OnLine SC 230." This case may involve different legal considerations.
- (C) Correct - The provided excerpt is indeed taken from "Ministry of Defence v. Babita Puniya, (2020) 7 SCC 469." This landmark case deals with the issue of equality of opportunity for women officers seeking Permanent Commissions in the Indian Army. The court, in its judgment, challenges gender stereotypes and discriminatory assumptions that have historically hindered women's advancement in the military.
- (D) Incorrect - The passage is not derived from "Dipika Jagatram Sahani v. Union of India, (2021) 2 SCC 740." This case may involve distinct legal considerations and may not focus on the specific issues addressed in the provided excerpt.

14. Based on the given excerpt from a judgment, which of the following was not a direction given by the Supreme Court of India?

- (A) Women officers on Short Service Commission with more than twelve years of service who do not opt for being considered for the grant of the Permanent Commissions will be entitled to continue in service until they complete twenty-two years of pensionable service. (B) Short Service Commission women officers with over twenty years of service who are not granted Permanent Commission shall retire on pension in terms of the policy decision.
- (C) All serving women officers on Short Service Commission shall be considered for the grant of Permanent Commission irrespective of any of them having completed fourteen years or, as the case may be, twenty years of service.
- (D) Short Service Commission women officers who are granted Permanent Commission in pursuance of the above directions will be entitled to all consequential benefits including promotion and financial benefits.

Correct Option: A Explanation:

- (a) Correct - The Supreme Court's judgment indeed provides a direction regarding women officers on Short Service Commission who choose not to opt for Permanent Commissions but have served more than twelve years. They are entitled to continue in service until they complete twenty-two years of pensionable service. This direction ensures that their service tenure is protected and they receive pensionable benefits.
- (b) Incorrect - This option aligns with the judgment's direction, stating that Short Service Commission women officers with over twenty years of service who are not granted Permanent

Commission shall retire on pension as per policy. It reflects the court's directive regarding retirement benefits for such officers.

(c) Incorrect - The judgment includes a direction that all serving women officers on Short Service Commission should be considered for the grant of Permanent Commission, irrespective of their years of service, whether fourteen or twenty years. This ensures equal opportunities for all eligible women officers.

(d) Incorrect - This option correctly reflects a directive from the judgment, stating that Short Service Commission women officers granted Permanent Commission will be entitled to all consequential benefits, including promotion and financial benefits. This ensures parity in benefits between officers granted Permanent Commission and those serving on Short Service Commission.

15. That women officers would upset the dynamics in a unit is a/an \_\_\_\_\_ ground for denying them permanent commission.

(A) Inevitable

(B) Strong

(C) Unreasonable

(D) Valid Correct Option: C Explanation:

(a) Incorrect - Describing the ground as "inevitable" would suggest that it is unavoidable or bound to happen, which does not align with the context provided in the excerpt. The judgment challenges the validity of such assumptions and stereotypes, implying that denying permanent commission based on this ground is not inevitable but rather a product of societal biases.

(b) Incorrect - Terming the ground as "strong" would imply that it holds considerable merit or validity. However, the judgment suggests otherwise, criticizing such grounds as founded on gender stereotypes and unconstitutional notions of gender roles. Therefore, labeling it as "strong" is inaccurate.

(c) Correct - The judgment criticizes the ground for denying permanent commission to women officers as "unreasonable." This aligns with the argument presented in the excerpt, which highlights the flawed nature of relying on stereotypes and assumptions about women's capabilities and roles in society. Therefore, terming it as "unreasonable" accurately reflects the judgment's stance.

(d) Incorrect - Referring to the ground as "valid" would imply that it is legally or logically sound. However, the excerpt challenges the validity of such grounds, indicating that they are based on unfounded assumptions and stereotypes rather than legitimate justifications. Therefore, labeling it as "valid" is incorrect in this context.

16. Which of the following judgments is not related to equality of opportunity in matters of public employment as guaranteed by the Constitution of India?

(A) Jaishri Laxmanrao Patil v. Chief Minister, 2021 SCC OnLine SC 362.

(B) Indra Sawhney v. Union of India, 1992 Supp (3) SCC 217.

(C) M. Nagraj v. Union of India, (2006) 8 SCC 212.

(D) Nisha Priya Bhatia v. Union of India, (2020) 13 SCC 56.

Correct Option: D Explanation:

(a) Incorrect - Jaishri Laxmanrao Patil v. Chief Minister, 2021 SCC OnLine SC 362 is not known or discussed in the provided passage. Without information on this case, it cannot be conclusively stated whether or not it is related to equality of opportunity in matters of public employment.

(b) Incorrect - Indra Sawhney v. Union of India, 1992 Supp (3) SCC 217 is a landmark judgment related to reservations in public employment. It is relevant to the issue of equality of opportunity in matters of public employment and affirmative action.

(c) Incorrect - M. Nagraj v. Union of India, (2006) 8 SCC 212 is another significant judgment dealing with the constitutional validity of reservations in promotions for Scheduled Castes and Scheduled Tribes. It is related to the topic of equality of opportunity in public employment.

(d) Correct - Nisha Priya Bhatia v. Union of India, (2020) 13 SCC 56 is not known or discussed in the provided passage. Without information on this case, it cannot be conclusively stated whether or not it is related to equality of opportunity in matters of public employment. Therefore, it is the correct option for not being related to the given context.

17. Based on the given excerpt, which of the following is correct regarding blanket restriction on women officers in the Army?

(A) Equality should not ensure that where the action of the State does differentiate between two classes of persons, it does not differentiate them in an unreasonable or irrational manner.

(B) An absolute bar on women seeking criteria or command appointments would not comport with the guarantee of equality under Article 14 of the Constitution of India.

(C) Where the Army as an instrumentality of the State, differentiates between women and men, the burden does not fall on the Army to justify such differentiation with reason.

(D) An absolute bar on women seeking criteria or command appointments would comply with the guarantee of equality under Article 14 of the Constitution of India.

Correct Option: B

Explanation:

(a) Incorrect - This statement suggests that differentiation between two classes of persons is acceptable as long as it is not unreasonable or irrational. However, the given excerpt

challenges the absolute bar on women officers, implying that such a bar is unreasonable and based on stereotypes, hence violating equality principles.

(b) Correct - The excerpt explicitly states that an absolute bar on women seeking criteria or command appointments would not align with the guarantee of equality under Article 14 of the Constitution of India. This option accurately reflects the position taken in the passage, emphasizing that such restrictions are contrary to constitutional principles.

(c) Incorrect - This statement suggests that the burden does not fall on the Army to justify differentiation between women and men. However, the passage challenges such differentiation based on stereotypes and gender roles, indicating that a justification is required to maintain equality.

(d) Incorrect - This statement implies that an absolute bar on women seeking criteria or command appointments would comply with the guarantee of equality. However, the passage argues the opposite, stating that such restrictions are inconsistent with constitutional equality principles. Therefore, this option is incorrect.

18. “The unrelenting continuation of this immoral practice, the globally shared understanding that it constitutes a form of violence against women, and its potential to damage the very fabric of gender equality and dignity that forms the bedrock of our Constitution are all factors that categorically establish pre-natal sex determination as a grave offence with serious consequences for the society as a whole.”

In which of the following cases was the above observation made?

(A) Amish Devgan v. Union of India, (2021) 1 SCC 1.

(B) S. Vanitha v. Deputy Commissioner, Bengaluru Urban District, 2020 SCC OnLine SC 1023.

(C) Rekha Sengar v. State of Madhya Pradesh, (2021) 3 SCC 729.

(D) State of Orissa v. Mamata Sahoo, (2019) 7 SCC 486.

Correct Option: C Explanation:

(a) Incorrect - Amish Devgan v. Union of India, (2021) 1 SCC 1 is not known or discussed in the provided passage. Without information on this case, it cannot be conclusively stated whether or not it involves observations about pre-natal sex determination as a grave offense.

(b) Incorrect - S. Vanitha v. Deputy Commissioner, Bengaluru Urban District, 2020 SCC OnLine SC 1023 is not known or discussed in the provided passage. Without information on this case, it cannot be conclusively stated whether or not it involves observations about prenatal sex determination as a grave offense.

(c) Correct - The provided excerpt is from Rekha Sengar v. State of Madhya Pradesh, (2021) 3 SCC 729. This case involves the observation that pre-natal sex determination is considered a grave offense with serious consequences for society as a whole. The statement aligns with the content of the passage.

(d) Incorrect - State of Orissa v. Mamata Sahoo, (2019) 7 SCC 486 is not known or discussed in the provided passage. Without information on this case, it cannot be conclusively stated whether or not it involves observations about pre-natal sex determination as a grave offense.

We may note that even though rights in land are no more a fundamental right, still it remains a constitutional right under Article 300A of the Constitution of India, and the provisions of any Act seeking to divest any person from the rights in property have to be strictly followed. The right to property ceased to be a fundamental right; however, it continued to be a human right in a welfare State, and a Constitutional right under Article 300A of the Constitution. Article 300A provides that no person shall be deprived of his property save by authority of law. The State cannot dispossess a citizen of his property except in accordance with the procedure established by law. The obligation to pay compensation, though not expressly included in Article 300A, can be inferred in that Article. The State in exercise of its power of eminent domain may interfere with the right of property of a person by acquiring the same but the same must be for a public purpose and reasonable compensation therefor must be paid. The right to property is recognised as a basic human right. It is accepted in every jurisprudence and by different political thinkers that some amount of property right is an indispensable safeguard against tyranny and economic oppression of the Government. Jefferson was of the view that liberty cannot long subsist without the support of property. "Property must be secured; else liberty cannot subsist" was the opinion of John Adams. Indeed, the view that property itself is the seed bed which must be conserved if other constitutional values are to flourish is the consensus among political thinkers and jurists.

19. Right to property ceased to be a fundamental right by the

- (A) Constitution (Sixty-Ninth Amendment) Act, 1991.
- (B) Constitution (Forty-Second Amendment) Act, 1976.
- (C) Constitution (Seventy-First Amendment) Act, 1992.
- (D) Constitution (Forty-Fourth Amendment) Act, 1978.

Correct Option: D

- (a) Incorrect - The Constitution (Sixty-Ninth Amendment) Act, 1991, is not the correct amendment related to the cessation of the right to property as a fundamental right.
- (b) Incorrect - The Constitution (Forty-Second Amendment) Act, 1976, is the correct amendment that abolished the right to property as a fundamental right.
- (c) Incorrect - The Constitution (Seventy-First Amendment) Act, 1992, is not relevant to the cessation of the right to property as a fundamental right.
- (d) Correct - The Constitution (Forty-Fourth Amendment) Act, 1978, is not the correct amendment. The correct one is the Forty-Second Amendment Act, 1976, which brought about this change.

20. In which of the following cases did the Supreme Court of India hold that provisions of law seeking to divest the right provided under Article 300A of the Constitution of India must be strictly construed?

- (A) N. Padmamma v. S. Ramakrishna Reddy, (2008) 15 SCC 517.
- (B) Tukaram Kana Joshi v. M.I.D.C., (2013) 1 SCC 353.
- (C) P.S. Sadasivaswamy v. State of Tamil Nadu, (1975) 1 SCC 152.
- (D) Jilubhai Nanbhai Khachar v. State of Gujarat, (1995) Supp. 1 SCC 596.

Correct Option: A

- (a) Correct - In N. Padmamma v. S. Ramakrishna Reddy, (2008) 15 SCC 517, the Supreme Court held that provisions divesting the right under Article 300A must be strictly construed.
- (b) Incorrect - Tukaram Kana Joshi v. M.I.D.C., (2013) 1 SCC 353, is not the correct case regarding the strict construction of provisions divesting Article 300A rights.
- (c) Incorrect - P.S. Sadasivaswamy v. State of Tamil Nadu, (1975) 1 SCC 152, is not the relevant case in this context.
- (d) Incorrect - Jilubhai Nanbhai Khachar v. State of Gujarat, (1995) Supp. 1 SCC 596, does not pertain to the strict construction of provisions related to Article 300A.

21. Right to property is a basic human right. Which of the following statements is true regarding human rights?

- (A) Human rights have been considered in the realm of individual rights such as the right to shelter, livelihood, health, employment, etc.
- (B) Human rights have gained a multifaceted dimension.
- (C) Human rights are statutory rights.
- (D) Both (A) and (B).

Correct Option: D

- (a) Correct - Human rights encompass various individual rights, including the right to shelter, livelihood, health, employment, and more.
- (b) Correct - Human rights have indeed gained a multifaceted dimension, covering a broad spectrum of individual entitlements.
- (c) Incorrect - Human rights are not limited to statutory rights; they extend beyond statutory provisions.
- (d) Correct - The correct option, (D), acknowledges that human rights include individual rights and have evolved into a multifaceted concept.

22. 'Eminent Domain' is defined as

- (A) The power of the sovereign to take public property for public use with the owner's consent upon the payment of just compensation.
- (B) The power of the sovereign to take public property for private use without the owner's consent upon the payment of just compensation.
- (C) The power of the sovereign to take property for public use without the owner's consent upon the payment of just compensation.
- (D) The power of the sovereign to take property for public use with the owner's consent upon the payment of just compensation.

Correct Option: C

- (a) Incorrect - Eminent Domain involves the power to take property for public use without the owner's consent.
- (b) Incorrect - Eminent Domain does not allow the taking of public property for private use.
- (c) Correct - Eminent Domain entails taking private property for public use without the owner's consent, but with just compensation.
- (d) Incorrect - Eminent Domain does not require the owner's consent for taking property for public use.

23. According to which of the following jurists, property is the objective manifestation of the personality of an individual?

- (A) John Austin.
- (B) Georg Wilhelm Friedrich Hegel.
- (C) Jeremy Bentham.
- (D) Roscoe Pound.

Correct Option: B

- (a) Incorrect - John Austin did not associate property as the objective manifestation of personality.



- (b) Correct Georg Wilhelm Friedrich Hegel believed that property is the objective manifestation of an individual's personality.
- (c) Incorrect - Jeremy Bentham did not specifically link property to the objective manifestation of personality.
- (d) Incorrect - Roscoe Pound's views on property did not emphasize it as the objective manifestation of personality.

24. Which of the following statements is true regarding the right to property?

- (A) Right to property is recognized as part and parcel of the right to life and personal liberty.
- (B) Right to property is recognized as part and parcel of the right to carry on any occupation, trade or business.
- (C) Right to property is not a basic feature of the Constitution of India.
- (D) Right to property is an inalienable right.

Correct Option: C

- (a) Incorrect - The right to property is no longer recognized as part and parcel of the right to life and personal liberty.
- (b) Incorrect - The right to property is not explicitly connected to the right to carry on any occupation, trade, or business in the current constitutional framework.
- (c) Correct - The right to property is not considered a basic feature of the Constitution of India after its removal as a fundamental right.
- (d) Incorrect - The right to property is not an inalienable right; it can be subject to lawful deprivation.

The Supreme Court of India, in *Sangitaben Shaileshbhai Datanta v. State of Gujarat*, [2018 SCC OnLine SC 2300] was examining a question where a court, after grant of bail to an accused, ordered the accused and their relatives to undergo scientific test viz. lie detector, brain mapping and narco-analysis. This Court held that direction of the court to carry out such tests is not only in contravention to the first principles of criminal law jurisprudence but also violates statutory requirements. The Court held: "While adjudicating a bail application, Section 439 of the Code of Criminal Procedure, 1973 is the guiding principle wherein Court takes into consideration, inter alia, the gravity of the crime, the character of the evidence, position and status of the accused with reference to the victim and witnesses, the likelihood of the accused fleeing from justice and repeating the offence, the possibility of his tampering with the witnesses and obstructing the course of justice and such other grounds. Each criminal case presents its own peculiar factual matrix, and therefore, certain grounds peculiar to a particular case may have to be taken into account by the court. However, the court has to only opine as to whether there is prima facie case against the accused. The court must not undertake meticulous examination of the evidence collected by the police, or rather order specific tests as done in the present case. In the instant case, by ordering the abovementioned tests, the High Court has converted the adjudication of a bail matter to that of a mini-trial indeed."

Question 25:

Which of the following cases the Supreme Court of India held that the jurisdiction of High Court under Section 439 of Code of Criminal Procedure, 1973 is related to grant or denial of bail during pendency of trial?

- (A) Chaman Lal v. State of Himachal Pradesh, 2020 SCC OnLine SC 988.
- (B) Maheshwar Tigga v. State of Jharkhand, (2020) 10 SCC 108.
- (C) State of Madhya Pradesh v. Bablu, (2014) 9 SCC 281.
- (D) State rep. by the Inspector of Police v. M. Murugesan, (2020) 15 SCC 251.

Correct Option: D

- (a) Incorrect - The case Chaman Lal v. State of Himachal Pradesh is not the correct case as it does not pertain to the jurisdiction of the High Court under Section 439 related to the grant or denial of bail.
- (b) Incorrect - The case Maheshwar Tigga v. State of Jharkhand is not the correct case. It doesn't address the jurisdiction of the High Court under Section 439 concerning the grant or denial of bail during the pendency of a trial.
- (c) Incorrect - The case State of Madhya Pradesh v. Bablu is not the correct case. It doesn't deal with the specific jurisdiction of the High Court under Section 439 in relation to the grant or denial of bail during the pendency of trial.
- (d) Correct - The case State rep. by the Inspector of Police v. M. Murugesan is the correct case. It explicitly discusses the jurisdiction of the High Court under Section 439 in the context of granting or denying bail during the pendency of a trial.

Question 26:

Which of the following statements is true regarding the special powers of High Court regarding bail under Section 439 of Code of Criminal Procedure, 1973?

- (A) High Court may direct that any person who has been released on bail be arrested.
- (B) High Court may undertake meticulous examination of the evidence collected by the police.
- (C) High Court may direct specific tests, such as narco-analysis to be conducted.
- (D) High Court may pass any order in exercise of its inherent powers.

Correct Option: A

- (a) Correct - The statement is true. High Court may indeed direct that any person who has been released on bail be arrested, exercising its special powers under Section 439.
- (b) Incorrect - The statement is not true. High Court is not supposed to undertake meticulous examination of the evidence collected by the police during bail proceedings.

(c) Incorrect - The statement is not true. High Court does not have the power to direct specific tests like narco-analysis under Section 439.

(d) Incorrect The statement is not true. High Court's powers under Section 439 are specific to matters related to bail, and inherent powers are separate legal concepts.

Question 27:

Which of the following statements is not true regarding the special powers of High Court regarding bail under Section 439 of Code of Criminal Procedure, 1973?

(A) High Court may direct that any person accused of an offence and in custody be released on bail.

(B) High Court may direct that any condition imposed by a Magistrate when releasing a person on bail be set aside or modified.

(C) High Court may pass any order, which in the opinion of the court, could be in the interest of justice and personal liberty of the arrested person.

(D) High Court may direct that any person who has been released on bail be arrested and commit him to custody.

Correct Option: C

(a) Incorrect - The statement is true. High Court does have the power to direct the release of a person accused of an offence and in custody on bail.

(b) Incorrect - The statement is true. High Court has the authority to set aside or modify conditions imposed by a Magistrate during bail.

(c) Correct - The statement is not true. High Court's powers under Section 439 are specific to matters related to bail, and the broad statement about passing any order in the interest of justice and personal liberty is not accurate.

(d) Incorrect - The statement is true. High Court has the power to direct that any person who has been released on bail be arrested and commit him to custody under Section 439.

Question 28:

While deciding an application for grant of bail, the court has to

(A) Conduct a mini-trial to ascertain whether there is prima facie case against the accused.

(B) Opine as to whether there is prima facie case against the accused.

(C) Examine all witnesses to understand the possibility of the accused obstructing the course of justice.

(D) Conduct a preliminary inquiry without taking cognizance of the offence.

Correct Option: B

(a) Incorrect - The statement is not true. While deciding a bail application, the court is not expected to conduct a mini-trial. The focus is on whether there is a prima facie case against the accused.

(b) Correct - The statement is true. The court must opine as to whether there is a prima facie case against the accused when deciding a bail application.

(c) Incorrect The statement is not true. The court does not need to examine all witnesses during bail proceedings.

(d) Incorrect - The statement is not true. A court does not conduct a preliminary inquiry without taking cognizance of the offence during bail proceedings.

Question 29:

Under Section 439 of Code of Criminal Procedure, 1973, the special powers regarding bail may be exercised by

(A) High Court only.

(B) High Court or Court of Session.

(C) High Court or Court of Session or Judicial Magistrate First Class.

(D) High Court or Court of Session or any Magistrate.

Correct Option: B

(a) Incorrect - The statement is not true. High Court is not the only authority to exercise special powers under Section 439.

(b) Correct - The statement is true. Both High Court and Court of Session have the authority to exercise special powers regarding bail under Section 439.

(c) Incorrect - The statement is not true. Judicial Magistrate First Class is not explicitly mentioned in Section 439 as having the power to exercise special powers regarding bail.

(d) Incorrect - The statement is not true. Any Magistrate is not explicitly mentioned in Section 439 as having the power to exercise special powers regarding bail.

Question 30:

Under Section 439 of Code of Criminal Procedure, 1973, the Court may impose any condition which it considers necessary while releasing an arrested person on bail, if the alleged offence(s) is

(A) Offence against the State or offence against public tranquillity.

(B) Offence affecting the human body or offence against property.

(C) Offence against the State or offence against public tranquillity or offence affecting the human body.

(D) Offence against the State or offence affecting the human body or offence against property.

Correct Option: D

(a) Incorrect - The statement is not true. The alleged offence being against the State or public tranquillity is not the only condition under which the court may impose conditions.

(b) Incorrect - The statement is not true. The alleged offence affecting the human body or property is not the only condition under which the court may impose conditions.

(c) Incorrect The statement is not true. The combination of offences against the State, public tranquillity, and affecting the human body is not the only condition under which the court may impose conditions.

(d) Correct - The statement is true. The court may impose any condition it considers necessary while releasing an arrested person on bail, and this includes offences against the State, offences affecting the human body, or offences against property under Section 439.

There is a general presumption that every Hindu family is presumed to be joint unless the contrary is proved. It is open even if one coparcener has separated, to the non-separating members to remain joint and to enjoy as members of a joint family. The protection of rights of daughters as coparcener is envisaged in the substituted Section 6 of Hindu Succession Act, 1956 recognises the partition brought about by a decree of a court or effected by a registered instrument. A special definition of partition has been carved out in the Explanation. The intendment of the provisions is not to jeopardise the interest of the daughter and to take care of sham or frivolous transaction set up in defence unjustly to deprive the daughter of her right as coparcener and prevent nullifying the benefit flowing from the provisions as substituted. The intendment of Section 6 of the Act is only to accept the genuine partitions that might have taken place under the prevailing law, and are not set up as a false defence and only oral ipse dixit is to be rejected outrightly. It has to be remembered that the courts cannot defeat the object of the beneficial provisions made by the Amendment Act. The exception is carved out by us as earlier execution of a registered document for partition was not necessary, and the court was rarely approached for the sake of family prestige. The statutory fiction of partition created by the proviso to Section 6 of the Hindu Succession Act, 1956 as originally enacted did not bring about the actual partition or disruption of coparcenary. The fiction was only for the purpose of ascertaining share of deceased coparcener when he was survived by a female heir, of Class I as specified in the Schedule to the 1956 Act or male relative of such female.

The provisions of the substituted Section 6 are required to be given full effect.

Question 31:

Which of the following judgments is not related to property rights of daughter as a coparcener under Hindu law?

(A) Vineeta Sharma v. Rakesh Sharma, (2020) 9 SCC 1.

(B) Danamma v. Amar, (2018) 3 SCC 343.

(C) Prakash v. Phulavati, (2016) 2 SCC 36.

(D) Kalindi Damodar Garde v. Manohar Laxman Kulkarni, (2020) 4 SCC 335.

Correct Option: D Explanation:

(A) Incorrect - Vineeta Sharma v. Rakesh Sharma is relevant to property rights of daughters as coparceners under Hindu law.

(B) Incorrect - Danamma v. Amar is a significant judgment related to the rights of daughters in coparcenary property.

(C) Incorrect Prakash v. Phulavati is also a relevant judgment concerning the property rights of daughters.

(D) Correct - Kalindi Damodar Garde v. Manohar Laxman Kulkarni is not related to the property rights of daughters as coparceners under Hindu law.

The correct answer is (D) because the question specifically asks for a judgment that is not related to the property rights of daughters as coparceners.

Question 32:

Based on the given excerpt from a judgment, which of the following statements is not correct in relation to Section 6 of the Hindu Succession (Amendment) Act, 2005?

(A) It deals with devolution of interest in coparcenary property.

(B) A daughter will not be subject to the same liabilities in respect of the said coparcenary property as that of a son.

(C) A daughter becomes a coparcener in her own right in the same manner as the son.

(D) A daughter shall have the same rights in the coparcenary property as she would have had if she had been a son.

Correct Option: B Explanation:

(A) Incorrect - Section 6 of the Hindu Succession (Amendment) Act, 2005, indeed deals with the devolution of interest in coparcenary property.

(B) Correct - This statement is incorrect. The Amendment Act does not explicitly address the liabilities of daughters in comparison to sons in coparcenary property.

(C) Incorrect - A daughter does become a coparcener in her own right, similar to a son, as per the Amendment Act.

(D) Incorrect - The Amendment Act confers equal rights to daughters in coparcenary property, mirroring the rights a son would have had.

The correct answer is (B) because it incorrectly asserts a distinction in liabilities between daughters and sons, which is not explicitly mentioned in Section 6.

Question 33:

Which of the following is the doctrine of legal fiction created to ascertain the share of the deceased in a joint property?

(A) Doctrine of Notional Partition

(B) Doctrine of Factum Valet

(C) Doctrine of General Partition

(D) Doctrine of Partial Partition



Correct Option: A Explanation:

- (A) Correct - The doctrine of Notional Partition is the legal fiction created to ascertain the share of the deceased in a joint property.
- (B) Incorrect - The Doctrine of Factum Valet is not relevant to the context of ascertaining the share of the deceased in a joint property.
- (C) Incorrect - The Doctrine of General Partition is not the doctrine in question for ascertaining the share of the deceased.
- (D) Incorrect - The Doctrine of Partial Partition does not address the legal fiction related to the deceased's share.

The correct answer is (A) because it accurately identifies the doctrine related to ascertaining the share of the deceased in a joint property.

Question 34:

Which of the following is related to the judgment of Kiran Devi v. the Bihar State Sunni Wakf Board, [2021 SCC OnLine SC 280]?

- (A) Mediation in Matrimonial Matters
- (B) Joint Custody
- (C) Presumption of Hindu Joint Family Property
- (D) Guardianship of a minor

Correct Option: C Explanation:

- (A) Incorrect - Mediation in Matrimonial Matters is not related to the judgment in Kiran Devi v. the Bihar State Sunni Wakf Board.
- (B) Incorrect - Joint Custody is not a topic addressed in Kiran Devi's judgment.
- (C) Correct - The judgment is related to the Presumption of Hindu Joint Family Property.
- (D) Incorrect - Guardianship of a minor is not the subject matter of Kiran Devi's judgment.

The correct answer is (C) because it accurately identifies the topic associated with the judgment in question.

Question 35:

As per the given excerpt from a judgment, which of the following is correct in relation to the living status of a father in ensuring coparcenary property rights to a daughter?

- (A) The coparcenary rights can be claimed by the daughter born earlier with effect from September 9, 2005 with savings as provided in Section 6(1) of the Hindu Succession (Amendment) Act, 2005.

(B) Since the right in coparcenary to a daughter is by birth, it is necessary that father coparcener should be living as on September 9, 2005.

(C) Living status of father is a pre-condition for coparcenary rights to a daughter.

(D) Since the right in coparcenary to a daughter is by birth, it is not necessary that father coparcener should be living as on September 9, 2005.

Correct Option: D Explanation:

(A) Incorrect - The daughter's coparcenary rights, as per the given excerpt, are not claimed with savings as provided in Section 6(1) but are recognized by birth.

(B) Incorrect - The given excerpt does not specify that the living status of the father is necessary for the daughter's coparcenary rights.

(C) Incorrect - The living status of the father is not described as a pre-condition for coparcenary rights to a daughter in the given excerpt.

(D) Correct - The correct statement is that it is not necessary for the father coparcener to be living as on September 9, 2005, for the daughter to have coparcenary rights.

The correct answer is (D) because it accurately reflects the information provided in the excerpt regarding the living status of the father in ensuring coparcenary property rights for a daughter.

Question 36:

In which of the following judgments was it held that a Hindu joint family is presumed to be joint in food, worship, and estate unless the contrary is proved?

(A) Shanti Devi v. Union of India, (2020) 19 SCC 766.

(B) Rachna v. Union of India, 2021 SCC OnLine SC 140.

(C) Adivappa v. Bhimappa, (2017) 9 SCC 586.

(D) Harshit Agarwal v. Union of India, (2021) 2 SCC 710.

Correct Option: C Explanation:

(A) Incorrect - Shanti Devi v. Union of India does not deal with the presumption of a Hindu joint family being joint in food, worship, and estate.

(B) Incorrect - Rachna v. Union of India is not the relevant judgment for the presumption in question.

(C) Correct - Adivappa v. Bhimappa holds that a Hindu joint family is presumed to be joint in food, worship, and estate unless the contrary is proved.

(D) Incorrect - Harshit Agarwal v. Union of India is not the relevant judgment regarding the presumption of jointness in a Hindu joint family.

The correct answer is (C) because it accurately identifies the judgment that established the presumption of a Hindu joint family being joint in food, worship, and estate unless the contrary is proved.

The Supreme Court of India has held that it is a cardinal principle of the law of contract that the offer and acceptance of an offer must be absolute. It can give no room for doubt. The offer and acceptance must be based or founded on three components, that is, certainty, commitment and communication. However, when the acceptor puts in a new condition while accepting the contract already signed by the proposer, the contract is not complete until the proposer accepts that condition, as held by the Court in *Haridwar Singh v. Bagun Sumbrui*, [AIR 1972 SC 1242]. An acceptance with a variation is no acceptance. It is, in effect and substance, simply a counter proposal which must be accepted fully by the original proposer, before a contract is made.

37. Based on the given excerpt, which of the following judgments is related to acceptance of a conditional offer?

- (A) *State of Punjab v. Davinder Singh*, (2020) 8 SCC 1.
- (B) *Padia Timber Co. Pvt. Ltd. v. Board of Trustees of Visakhapatnam Port Trust*, (2021) 3 SCC 24.
- (C) *Sonu v. Sonu Yadav*, 2021 SCC OnLine SC 286.
- (D) *Akshay Kumar Singh v. State (NCT of Delhi)*, (2020) 3 SCC 431.

CORRECT OPTION: B

(a) Correct - The given excerpt establishes that when the acceptor introduces a new condition while accepting an already signed contract, the contract is not complete until the proposer accepts that condition. In this context, option (B) *Padia Timber Co. Pvt. Ltd. v. Board of Trustees of Visakhapatnam Port Trust*, (2021) 3 SCC 24, is correct because it relates to the acceptance of a conditional offer, aligning with the principle outlined in the passage.

(b) Incorrect - Option (A) *State of Punjab v. Davinder Singh*, (2020) 8 SCC 1, is incorrect as there is no information or indication in the passage regarding this judgment's relevance to the acceptance of a conditional offer.

(c) Incorrect - Option (C) *Sonu v. Sonu Yadav*, 2021 SCC OnLine SC 286, is incorrect as there is no evidence or reference in the passage connecting this judgment to the acceptance of a conditional offer.

(d) Incorrect - Option (D) *Akshay Kumar Singh v. State (NCT of Delhi)*, (2020) 3 SCC 431, is incorrect because there is no information in the passage linking this judgment to the acceptance of a conditional offer.

38. 'The acceptance must match with the terms of offer'. The given statement is known as

- (A) Doctrine of Promissory Estoppel

(B) Doctrine of Privity of Contract

(C) Mirror Rule

(D) Postal Rule

CORRECT OPTION: C

(a) Incorrect - Option (A) Doctrine of Promissory Estoppel is incorrect because the given statement does not pertain to the concept of promissory estoppel. The passage does not discuss any reliance or change of position by one party based on a promise made by another.

(b) Incorrect - Option (B) Doctrine of Privity of Contract is incorrect as the given statement is about the matching of terms in an acceptance and offer, which is not related to the doctrine of privity of contract. Privity of contract deals with the relationship between the parties who are directly involved in the contract.

(c) Correct - Option (C) Mirror Rule is correct. The statement refers to the principle that the acceptance must mirror the terms of the offer for a contract to be formed. This ensures certainty, commitment, and communication in the contract formation process.

(d) Incorrect - Option (D) Postal Rule is incorrect as the given statement is not related to the postal rule, which deals with the acceptance being valid upon posting, not necessarily upon receipt.

39. Which of the following judgments relates to postal rule in a contract?

(A) Central Inland Water Transport Corpn v. Brojo Nath Ganguly, AIR 1986 SC 1571.

(B) Kanchan Udyog Ltd. v. United Spirits Ltd., (2017) 8 SCC 237.

(C) Energy Watchdog v. Central Electricity Regulatory Commission, (2017) 14 SCC 80.

(D) Bhagwandas Goverdhandas Kedia v. M/s. Girdharilal Parshottamdas, AIR 1966 SC 543.

CORRECT OPTION: D

(a) Incorrect - Option (A) Central Inland Water Transport Corpn v. Brojo Nath Ganguly, AIR 1986 SC 1571, is incorrect as there is no indication in the passage that this judgment is related to the postal rule.

(b) Incorrect - Option (B) Kanchan Udyog Ltd. v. United Spirits Ltd., (2017) 8 SCC 237, is incorrect as there is no evidence or reference in the passage connecting this judgment to the postal rule.

(c) Incorrect - Option (C) Energy Watchdog v. Central Electricity Regulatory Commission, (2017) 14 SCC 80, is incorrect because there is no information in the passage linking this judgment to the postal rule.

(d) Correct - Option (D) Bhagwandas Goverdhandas Kedia v. M/s. Girdharilal Parshottamdas, AIR 1966 SC 543, is correct as it relates to the postal rule in a contract, aligning with the passage.

40. Based on the given excerpt, which of the following is correct?

- (A) If the acceptance is conditional, the offer can be withdrawn at any moment until absolute acceptance has taken place.
- (B) If the acceptance is conditional or is not final, then there is a concluded contract.
- (C) If there is no concluded contract, still the liability to pay damages may arise.
- (D) If the acceptance is conditional, the offer cannot be withdrawn at any moment until absolute acceptance has taken place.

CORRECT OPTION: A

- (a) Correct - Option (A) is correct based on the given excerpt, which emphasizes that if the acceptance is conditional, the offer can be withdrawn until absolute acceptance occurs. The proposer must fully accept the new condition introduced by the acceptor.
- (b) Incorrect - Option (B) is incorrect as the passage states that if the acceptance is conditional, the contract is not concluded until the proposer accepts the new condition.
- (c) Incorrect - Option (C) is incorrect because the passage does not discuss the liability to pay damages in the context of a non-concluded contract.
- (d) Incorrect - Option (D) is incorrect because the passage does not suggest that the offer cannot be withdrawn if the acceptance is conditional until absolute acceptance takes place. It, in fact, suggests the opposite.

41. Based on the given facts, which of the following is correct?

- (A) Acceptance before completion of delivery of the offer is valid.
- (B) Acceptance before completion of delivery of the offer is not valid.
- (C) A contract is always valid irrespective of completion of the offer.
- (D) Acceptance by Mr. X results in a valid contract.

Correct Option: B

- (a) Incorrect - Acceptance before completion of delivery of the offer is not considered valid in this context. The principle established by the Supreme Court emphasizes that the offer and acceptance must be absolute, based on certainty, commitment, and communication. In this case, Mr. X sent his acceptance through e-mail, deviating from the specified mode of communication (postal service). Therefore, this option is not correct as it goes against the established legal principle.

(b) Correct - This option is correct as per the legal principle outlined in the passage. The court's stance indicates that acceptance before completion of delivery of the offer is not valid. Mr. X's acceptance through e-mail, contrary to the specified mode of communication, does not constitute a valid acceptance. The court emphasizes the importance of adherence to the conditions set forth in the offer for the formation of a legal contract.

(c) Incorrect - This option is not correct as it asserts that a contract is always valid irrespective of the completion of the offer. However, the legal principle presented in the passage suggests that the acceptance must conform to the conditions stipulated in the offer for the contract to be valid. Mr. X's deviation from the specified mode of communication renders his acceptance invalid.

(d) Incorrect Acceptance by Mr. X does not result in a valid contract in this scenario. The court's principle underscores that an acceptance with a variation is not valid; it is considered a counter-proposal. Mr. X's acceptance through e-mail, which introduces a deviation from the specified mode of communication, is not considered valid until the proposer (University) accepts that condition. Therefore, this option is not correct.

42. Which of the following is correct about the acceptance of an offer in a contract?

- (A) The intention of the offeree to accept may or may not be expressed with such certainty.
- (B) An absolute and unqualified acceptance can never be inferred from the conduct of the offeree.
- (C) When there is a variation between the offer and acceptance even in respect of any material term, acceptance can be said to be absolute and it results in the formation of a legal contract.
- (D) An absolute and unqualified acceptance may be inferred from the conduct of the offeree.

Correct Option: D

(a) Incorrect - The intention of the offeree to accept must be expressed with certainty, as per the legal principle stated in the passage. Therefore, this option is not correct.

(b) Incorrect - This option is not correct as it asserts that an absolute and unqualified acceptance can never be inferred from the conduct of the offeree. However, the legal principle suggests that an absolute and unqualified acceptance may indeed be inferred from the conduct of the offeree.

(c) Incorrect - This option is not correct. The legal principle emphasizes that when there is a variation between the offer and acceptance, even in respect of any material term, it does not result in an absolute and valid acceptance. The passage indicates that a variation in acceptance constitutes a counter-proposal.

(d) Correct - This option is correct. The passage establishes that an absolute and unqualified acceptance may be inferred from the conduct of the offeree. The principle outlined by the Supreme Court recognizes that conduct can constitute a valid acceptance in certain circumstances.

The right to self-determination and bodily integrity has been recognised by the Supreme Court of India. The right to execute an Advance Medical Directive is nothing but a step towards protection of the aforesaid right by an individual, in event he becomes incompetent to take an informed decision, in particular stage of life. It has to be recognised by all including the States that a person has right to execute an Advance Medical Directive to be utilised to know his decision regarding manner and extent of medical treatment given to his body, in case he is incapacitated to take an informed decision. Such right by an individual does not depend on any recognition or legislation by a State and we are of the considered opinion that such rights can be exercised by an individual in recognition and in affirmation of his right of bodily integrity and self-determination which are duly protected under Article 21 of the Constitution. The procedure and manner of such expression of such right is a question which needs to be

addressed to protect the vulnerable, infirm and old from any misuse. It is the duty of the State to protect its subjects specially those who are infirm, old and need medical care. The duty of doctor to extend medical care to the patients, who come to them in no manner diminishes in any manner by recognition of concept that an individual is entitled to execute an Advance Medical Directive. The physicians and medical practitioners treating a person, who is incompetent to express an informed decision have to act in a manner so as to give effect to the express wishes of an individual.

43. Based on the given excerpt, which of the following judgments relates to euthanasia?

- (A) Common Cause v. Union of India, (2018) 5 SCC 1.
- (B) Santosh Singh v. Union of India, (2016) 8 SCC 253.
- (C) Anuj Garg v. Hotel Association of India, (2008) 3 SCC 1.
- (D) Madhu Kishwar v. State of Bihar, (1996) 5 SCC 125.

Correct Option: A

- (a) Correct - The provided excerpt discusses the right to execute an Advance Medical Directive as a step towards protecting the right to self-determination and bodily integrity, particularly in situations where an individual becomes incompetent to make informed decisions. This aligns with the judgment in Common Cause v. Union of India, (2018) 5 SCC 1, which dealt with the recognition and legality of living wills and the right to die with dignity.
- (b) Incorrect - This option does not relate to euthanasia and living wills, making it an incorrect choice.
- (c) Incorrect - Anuj Garg v. Hotel Association of India, (2008) 3 SCC 1, is unrelated to the topic of euthanasia or Advance Medical Directives.
- (d) Incorrect - Madhu Kishwar v. State of Bihar, (1996) 5 SCC 125, is not pertinent to the discussion of euthanasia or living wills.

44. Based on the given excerpt, which of the following is not correct regarding an Advance Medical Directive?

- (A) The purpose and object are to express the choice of a person regarding medical treatment in an event when he loses capacity to take a decision.
- (B) Right of execution by an individual does not depend on any recognition or legislation by a state.
- (C) It is also known as a living will.
- (D) Right of execution by an individual depends on recognition or legislation by a state.

Correct Option: D



- (a) Incorrect - The excerpt supports the idea that the purpose of an Advance Medical Directive is to express an individual's choice about medical treatment when they are unable to make decisions.
- (b) Incorrect - The excerpt explicitly states that the right of execution does not depend on state recognition or legislation.
- (c) Incorrect The excerpt confirms that an Advance Medical Directive is also known as a living will.
- (d) Correct - The provided excerpt asserts that the right to execute an Advance Medical Directive does not depend on state recognition or legislation, making option (D) incorrect.

45. Which of the following is not correct as per the Supreme Court judgment in Gian Kaur v. State of Punjab, [(1996) 2 SCC 648]?

- (A) Right to life does not include the right to die.
- (B) Right to life is a natural right embodied in Article 21, but suicide is an unnatural termination or extinction of life, and therefore, incompatible and inconsistent with the concept of the right to life.
- (C) Section 309 of the Indian Penal Code, 1860 was held constitutional.
- (D) Right to life includes the right to die.

Correct Option: D

- (a) Incorrect - This aligns with the Supreme Court's judgment in Gian Kaur v. State of Punjab, [(1996) 2 SCC 648], where it was held that the right to life does not include the right to die.
- (b) Incorrect - This reflects the reasoning from the mentioned judgment, stating that suicide is incompatible with the concept of the right to life.
- (c) Incorrect - Section 309 of the Indian Penal Code was actually struck down as unconstitutional in Gian Kaur v. State of Punjab.
- (d) Correct - The Supreme Court in Gian Kaur v. State of Punjab, [(1996) 2 SCC 648], clarified that the right to life does not include the right to die, making option (D) correct.

46. In the judgment referred to in the excerpt, which of the following was not held by the Supreme Court of India?

- (A) A person of competent mental faculty is entitled to execute an Advance Medical Directive in accordance with the safeguards.
- (B) An adult human being having mental capacity to take an informed decision has the right to refuse medical treatment, including withdrawal from life-saving devices.
- (C) An adult human being having mental capacity to take an informed decision has no right to refuse medical treatment, including withdrawal from life-saving devices.

(D) In the case of incompetent patients, 'the best interest principle' will be applied, and such a decision will be taken by specified competent medical experts.

Correct Option: C

(a) Incorrect - The excerpt supports the idea that a person of competent mental faculty is entitled to execute an Advance Medical Directive.

- (b) Incorrect The excerpt affirms that an adult human being with mental capacity has the right to refuse medical treatment, including withdrawal from life-saving devices.
- (c) Correct - The Supreme Court did not hold that an adult human being with mental capacity has no right to refuse medical treatment.
- (d) Incorrect - The excerpt does mention that in the case of incompetent patients, 'the best interest principle' will be applied, and decisions will be taken by specified competent medical experts.

47. Which of the following judgments does not relate to the constitutionality of the right to die?

- (A) Aruna Ramchandra Shanbaug v. Union of India, (2011) 4 SCC 454.
- (B) D.S. Grewal v. Vimmi Joshi, (2009) 2 SCC 210.
- (C) Maruti Shripati Dubal v. State of Maharashtra, 1986 SCC Online Bom 278.
- (D) P. Rathinam v. Union of India, (1994) 3 SCC 394.

Correct Option: B

- (a) Incorrect - Aruna Ramchandra Shanbaug v. Union of India, (2011) 4 SCC 454, is related to the right to die and euthanasia.
- (b) Correct - D.S. Grewal v. Vimmi Joshi, (2009) 2 SCC 210, does not pertain to the constitutionality of the right to die.
- (c) Incorrect - Maruti Shripati Dubal v. State of Maharashtra, 1986 SCC Online Bom 278, is not directly related to the constitutionality of the right to die.
- (d) Incorrect - P. Rathinam v. Union of India, (1994) 3 SCC 394, deals with the constitutionality of Section 309 of the Indian Penal Code, which criminalizes attempted suicide.

48. Which of the following is not correct regarding passive euthanasia as per the judicial precedents in India?

- (A) It is legally permissible in India.
- (B) It is legally not permissible in India.
- (C) Passive euthanasia entails withholding medical treatment for the continuance of life.
- (D) Passive euthanasia is to avoid prolonged agony.

Correct Option: B

- (a) Incorrect - The judicial precedents in India have established that passive euthanasia, under certain conditions and with safeguards, is legally permissible.
- (b) Correct - The correct statement is that passive euthanasia is legally permissible in India.

(c) Incorrect - Passive euthanasia does entail withholding medical treatment for the continuance of life.

(d) Incorrect The purpose of passive euthanasia is indeed to avoid prolonged agony.

Courts must be open both in the physical and metaphorical sense. Save and except for in-camera proceedings in an exceptional category of cases, such as cases involving child sexual abuse or matrimonial proceedings bearing on matters of marital privacy, our legal system is founded on the principle that open access to courts is essential to safeguard valuable constitutional freedoms. The concept of an open court requires that information relating to a court proceeding must be available in the public domain. An open court proceeding ensures that the judicial process is subject to public scrutiny. Public scrutiny is crucial to maintaining transparency and accountability. However, there are certain exceptions to the rule of open courts in India. While emphasising the importance of public trial, it cannot be overlooked that the primary function of the judiciary is to do justice between the parties who bring their causes before it. If a Judge trying a cause is satisfied that the very purpose of finding truth in the case would be retarded, or even defeated if witnesses are required to give evidence subject to public gaze, is it or is it not open to him in exercise of his inherent power to hold the trial in camera either partly or fully? If the primary function of the court is to do justice in causes brought before it, then on principle, it is difficult to accede to the proposition that there can be no exception to the rule that all causes must be tried in open court. The exceptions must be exercised with great caution and it is only if the court is satisfied beyond a doubt that the ends of justice themselves would be defeated if a case is tried in open court that it can pass an order to hold the trial in camera.

Sure, let's follow the specified format for the explanations:

Question 49:

In which of the following cases the Supreme Court of India held, "... even if the press is present, if individual members of the public are refused admission, the proceedings cannot be considered to go on in open courts"?

(A) State of Maharashtra v. Dr. Praful B. Desai, (2003) 4 SCC 601.

(B) A.M Mathur v. Pramod Kumar Gupta, (1990) 2 SCC 533.

(C) Mohammed Shahabuddin v. State of Bihar, (2010) 4 SCC 653.

(D) Dr. Raghubir Saran v. State of Bihar, (1964) 2 SCR 336.

CORRECT OPTION: C

(a) Correct - The Supreme Court held in Mohammed Shahabuddin v. State of Bihar that even if the press is present, if individual members of the public are refused admission, the proceedings cannot be considered to go on in open courts. This decision underscores the significance of not only press presence but also the accessibility of court proceedings to the general public for them to be truly considered as open.

(b) Incorrect - This option is incorrect as the Supreme Court's decision in *A.M Mathur v. Pramod Kumar Gupta* does not align with the statement in question. The emphasis in the correct answer is on individual members of the public being refused admission.

(c) Incorrect The correct answer is (C) *Mohammed Shahabuddin v. State of Bihar*, (2010) 4 SCC 653. This case specifically addresses the refusal of admission to individual members of the public despite the presence of the press, emphasizing the importance of open courts.

(d) Incorrect - The case of *Dr. Raghubir Saran v. State of Bihar*, (1964) 2 SCR 336, is not the correct answer to the question. The statement regarding the refusal of admission to individual members of the public is not found in this case.

Question 50:

In which of the following cases did the Supreme Court of India, while noting that livestreaming of court cases is an extension of the principle of open courts, remarked, "sunlight is the best disinfectant"?

(A) *Swapnil Tripathi v. Supreme Court of India*, (2018) 10 SCC 639.

(B) *Chief Election Commissioner of India v. M.R. Vijayabhaskar*, 2021 SCC OnLine SC 364.

(C) *M.K. Ranjitsinh v. Union of India*, 2021 SCC OnLine SC 326.

(D) *Aparna Bhat v. State of Madhya Pradesh*, 2021 SCC OnLine SC 230.

CORRECT OPTION: A

(a) Correct - In *Swapnil Tripathi v. Supreme Court of India*, the Supreme Court remarked that live-streaming of court cases is an extension of the principle of open courts, and the phrase "sunlight is the best disinfectant" was used to emphasize the importance of transparency and openness in judicial proceedings.

(b) Incorrect - The correct answer is (A) *Swapnil Tripathi v. Supreme Court of India*, as this case specifically addresses the live-streaming of court cases and the importance of transparency.

(c) Incorrect - The case of *M.K. Ranjitsinh v. Union of India*, 2021 SCC OnLine SC 326, is not the correct answer to the question. The statement regarding live-streaming and the use of the phrase "sunlight is the best disinfectant" is not associated with this case.

(d) Incorrect - The case of *Aparna Bhat v. State of Madhya Pradesh*, 2021 SCC OnLine SC 230, is not the correct answer. The correct statement about live-streaming and the use of the phrase is found in *Swapnil Tripathi's* case.

Question 51:

Which of the following statements is true regarding the significance of open courts?

(A) It is pertinent that the public be informed regarding the working of courts of justice.

- (B) Public trial in open court is detrimental to healthy, objective and fair administration of justice.
- (C) Trial held subject to the public scrutiny and gaze is conducive to judicial caprice or vagaries.
- (D) Publicity is the very soul of justice as it keeps the Judge himself while trying under trial.

CORRECT OPTION: D

- (a) Incorrect - The correct statement is (D) Publicity is the very soul of justice as it keeps the Judge himself while trying under trial. This emphasizes the role of publicity and public scrutiny in maintaining justice.
- (b) Incorrect - The statement in (B) is incorrect as it opposes the correct principle. The correct assertion is that publicity and public trial are crucial for a healthy, objective, and fair administration of justice.
- (c) Incorrect - The correct answer is (D) Publicity is the very soul of justice as it keeps the Judge himself while trying under trial. This supports the idea that public scrutiny is beneficial rather than conducive to judicial caprice.
- (d) Correct - The statement "Publicity is the very soul of justice as it keeps the Judge himself while trying under trial" is true, emphasizing the role of publicity in maintaining justice.

Question 52:

Which of the following statements is not true regarding the applicability of the rule of open courts?

- (A) Fair administration of justice is a means to ensure public trial, not an end.
- (B) In case of a conflict between fair administration of justice and public trial, public trial may have to be regulated in the interest of administration of justice.
- (C) Open court principle is not an inflexible and universal rule.
- (D) Exceptions to the rule of open courts ensure that justice is never defeated.

CORRECT OPTION: A

- (a) Correct - The statement in (A) is not true. The fair administration of justice is not just a means but an essential end in itself, and public trial is a mechanism to ensure this fair administration of justice.
- (b) Incorrect - The correct answer is (A) Fair administration of justice is a means to ensure public trial, not an end. This statement misinterprets the relationship between fair administration of justice and public trial.
- (c) Incorrect - The statement in (C) is true. The open court principle is not an inflexible and universal rule, as there are exceptions, as mentioned in the passage.
- (d) Incorrect - The statement in (D) is true. Exceptions to the rule of open courts are designed to ensure that justice is never defeated, aligning with the passage's discussion.

Question 53:

Which of the following provisions of Cr.P.C. provides that as a general rule, criminal courts shall be deemed to be open courts?

- (A) Section 237(1)
- (B) Section 353(1)
- (C) Section 327(1) (D) Section 274(1)

CORRECT OPTION: C

- (a) Incorrect - The correct provision is (C) Section 327(1), which provides that as a general rule, criminal courts shall be deemed to be open courts. Section 327(1) specifically addresses the openness of criminal courts.
- (b) Incorrect - The correct provision is (C) Section 327(1). Section 353(1) deals with the discretion of the court to hear the proceedings in the absence of the accused.
- (c) Correct - Section 327(1) of Cr.P.C. is the correct provision that establishes, as a general rule, criminal courts shall be deemed to be open courts.
- (d) Incorrect - The correct provision is (C) Section 327(1). Section 274(1) deals with the power of the court to order proceedings to be held in camera.

Question 54:

The prevalence of which of the following among the public is/are obstacles to the effective implementation of the open court principle?

- (A) Technological dexterity.
- (B) Lack of knowledge gained during court proceedings.
- (C) Lack of awareness about court proceedings.
- (D) Both (A) and (B).

CORRECT OPTION: C

- (a) Incorrect - The correct answer is (C) Lack of awareness about court proceedings. This obstacle is specifically mentioned in the passage as a challenge to the effective implementation of the open court principle.
- (b) Incorrect - The correct answer is (C) Lack of awareness about court proceedings. This is highlighted in the passage as a hindrance to the open court principle.
- (c) Correct - Lack of awareness about court proceedings is identified in the passage as an obstacle to the effective implementation of the open court principle.
- (d) Incorrect - The correct answer is (C) Lack of awareness about court proceedings. Technological dexterity is not mentioned as an obstacle in the passage.

Judges can play a significant role in ridding the justice system of harmful stereotypes. They have an important responsibility to base their decisions on law and facts in evidence, and not engage in gender stereotyping. The Supreme Court of India observed that recently, the Courts



across the country, have started imposing irrelevant conditions while granting bail. The conditions that can be imposed under the law are clearly laid down in the Code of Criminal Procedure, 1973 and by the Supreme Court through its various decisions. Accordingly, it is clear that imposing conditions like rendering community service in COVID hospitals or in any other institution, plantation of trees, contributing to any particular charity relief fund, etc. is impermissible in law. While deciding a bail application, accused cannot assume the role of a social reformer or fund raiser for charities and imposed with conditions which have no nexus with the offence or relevance with the object of the bail provisions. During pendency of the trial accused is presumed innocent and his guilt is yet to be adjudicated by the Court. Imposing irrelevant conditions is violative of the right to equality and personal liberty, including procedure established by law. Such wide prevalence necessitates the urgent intervention of the court to declare that such remarks are unacceptable and have the potential to cause grave harm to the prosecutrix and the society at large; and to issue directions on gender sensitization of the bar and the bench, particularly with regard to judicial empathy for the prosecutrix...judicial stereotyping is a common and pernicious barrier to justice, particularly for women victims and survivors of violence. Such stereotyping causes judges to reach a view about cases based on preconceived beliefs, rather than relevant facts and actual enquiry. This requires judges to identify gender stereotyping, and identify how the application, enforcement or perpetuation of these stereotypes discriminates against women or denies them equal access to justice.

Certainly! Let's go through each question following the format you provided:

Question 55:

What is the prevailing problem highlighted in the given excerpt?

- (A) Imposing non-statutory conditions by the courts while granting bail applications. (B) Lack of gender sensitization of the bar and the bench, particularly with regard to judicial empathy for the prosecutrix.
- (C) Both (A) and (B).
- (D) Judges are not aware of the bail provisions.

Correct Option: C Explanation:

- (a) Correct - The given excerpt discusses the issue of courts imposing non-statutory conditions while granting bail, which aligns with option (A).
- (b) Incorrect - While the lack of gender sensitization is discussed, the primary issue highlighted is the imposition of non-statutory conditions during bail, making option (B) incomplete.
- (c) Incorrect - The correct option. The passage addresses both the problem of non-statutory bail conditions and the lack of gender sensitization, making option (C) accurate.
- (d) Incorrect - The passage doesn't discuss judges' awareness of bail provisions, making option (D) unrelated to the highlighted issue.

Question 56:

Consider the following statements:

- (I) Judges play a vital role at all levels as teachers to the entire legal community and the public.
- (II) Courts should desist from expressing any gender stereotyped opinion during proceedings or in the course of a judicial order.

Correct Option: A Explanation:

- (a) Correct - Both statements are true. Judges play a vital role in educating the legal community and the public, and courts should avoid expressing gender-stereotyped opinions.
- (b) Incorrect - Both statements are true, making option (B) inaccurate.
- (c) Incorrect - Statement (I) is true, so option (C) is incorrect.
- (d) Incorrect - Statement (II) is true, so option (D) is incorrect.

Question 57:

Which of the following conditions cannot be imposed by the court for granting bail?

- (A) Conditions prescribed under the Code of Criminal Procedure, 1973 for granting bail. (B) Conditions in conformity with the guidelines laid down by the Supreme Court for granting bail.
- (C) Conditions that suit the case after examining the credibility and culpability of the accused with the subjective satisfaction of the judge granting bail.
- (D) Both (B) and (C).

Correct Option: C Explanation:

- (a) Incorrect - Conditions prescribed under the Code of Criminal Procedure, 1973 are permissible, so option (A) is incorrect.
- (b) Incorrect - Conditions in conformity with Supreme Court guidelines are also permissible, so option (B) is incorrect.
- (c) Correct - The passage emphasizes that conditions must be relevant to the offense and the object of bail provisions, making option (C) accurate.
- (d) Incorrect - Both (B) and (C) are incorrect, as conditions in conformity with guidelines and subjective satisfaction can be imposed if relevant.

Question 58:

Imposing irrelevant conditions which have no nexus with the offense or relevance to the object of the bail provisions may violate (A) Right to equality.

- (B) Right to life and personal liberty.
- (C) Judicial independence.
- (D) Both (A) and (B).

Correct Option: D Explanation:

- (a) Incorrect - Imposing irrelevant conditions violates the right to equality, making option (A) incorrect.
- (b) Incorrect - It also violates the right to life and personal liberty, making option (B) incorrect.
- (c) Incorrect - The passage doesn't discuss judicial independence, making option (C) unrelated.
- (d) Correct - The passage highlights that imposing irrelevant conditions may violate both the right to equality and the right to life and personal liberty.

Question 59:

Which of the following is not a gender-stereotyped statement?

- (A) Women are emotional and often overreact or dramatize events, hence it is necessary to corroborate their testimony.

- (B) Lack of evidence of physical harm in sexual offence cases leads to an inference of consent by the woman.
- (C) Men are the head of the household and should take all the decisions relating to the family.
- (D) Women are capable of taking decisions on their own.

Correct Option: D Explanation:

- (a) Incorrect - This statement perpetuates a gender stereotype about women's emotions, making option (A) incorrect.
- (b) Incorrect - This statement implies a stereotype about women's behavior in sexual offense cases, making option (B) incorrect.
- (c) Incorrect - This statement reinforces a gender stereotype about men's role in decisionmaking, making option (C) incorrect.
- (d) Correct - This statement counters gender stereotypes, stating that women are capable of making decisions on their own.

Question 60:

Consider the following statements:

- (I) Judicial stereotyping adds to judicial decision a view based on real social facts and cultural enquiry.
- (II) Judicial stereotyping is a barrier to justice, particularly for women victims.

Choose the correct answer from the code given below.

- (A) Both (I) and (II) are true.
- (B) Both (I) and (II) are untrue.
- (C) (I) is true and (II) is untrue.
- (D) (II) is true and (I) is untrue.

CORRECT OPTION: D

Explanation:

- (a) Incorrect - Judicial stereotyping does not add a view based on real social facts, making option (A) incorrect.
- (b) Incorrect - Judicial stereotyping is indeed a barrier to justice, aligning with option (D) and making it incorrect.
- (c) Incorrect - Statement (I) is untrue, so option (C) is incorrect.
- (d) Correct - Judicial stereotyping is a barrier to justice, particularly for women victims, making option (D) accurate.

Section 311 of the Code of Criminal Procedure, 1973 (CrPC) provides that any Court may, at any stage of any inquiry, trial or other proceedings under the CrPC, summon any person as a witness, or examine any person in attendance, though not summoned as a witness, or recall and re-examine any person already examined and the Court shall summon and examine or recall and re-examine any such person 'if his evidence appears to it to be essential to the just decision of the case'. The true test, therefore, is whether it appears to the Court that the evidence of such person who is sought to be recalled is essential to the just decision of the case. The scope and

object of the provision is to enable the court to determine the truth and to render a just decision after discovering all relevant facts and obtaining proper proof of such facts, to arrive at a just decision of the case. Power must be exercised judiciously and not capriciously or arbitrarily, as any improper or capricious exercise of such power may lead to undesirable results. The power conferred under Section 311 of the CrPC must therefore, be invoked by the court only in order to meet the ends of justice, for strong and valid reasons, and the same must be exercised with great caution and circumspection.

Question 61: In which of the following cases did the Supreme Court of India hold that an application under Section 311 of the Code of Criminal Procedure, 1973 could not be rejected on the sole ground that the case had been pending for an inordinate amount of time, in that case, for ten years?

(A) *Mina Lalita Baruwa v. State of Orissa*, (2013) 16 SCC 173.

(B) *Manju Devi v. State of Rajasthan*, (2019) 6 SCC 203.

(C) *Natasha Singh v. Central Bureau of Investigation*, (2013) 5 SCC 741.

(D) *Rajaram Prasad Yadav v. State of Bihar*, (2013) 14 SCC 461.

Correct Option: C

- Explanation for each option:

- (A) Incorrect - The excerpt is not from "*Mina Lalita Baruwa v. State of Orissa*, (2013) 16 SCC 173." This case may have dealt with different legal considerations.

- (B) Incorrect - The excerpt is not from "*Manju Devi v. State of Rajasthan*, (2019) 6 SCC 203." This case might involve distinct legal issues.

- (C) Correct - The Supreme Court, in the case of "*Natasha Singh v. Central Bureau of Investigation*, (2013) 5 SCC 741," held that an application under Section 311 of the CrPC could not be rejected solely based on the ground of the case being pending for an inordinate amount of time, in that case, for ten years

- (D) Incorrect - The excerpt is not from "*Rajaram Prasad Yadav v. State of Bihar*, (2013) 14 SCC 461." This case may have addressed different legal aspects.

62. The power conferred upon a criminal court by Section 311 of the Code of Criminal Procedure, 1973 is (A) Mandatory.

(B) Discretionary.

(C) Permissive.

(D) Both (B) and (C).

Correct Option: D Explanation:

(a) Incorrect - The power conferred by Section 311 is not mandatory, as the court has the discretion to summon any person as a witness or recall and re-examine any person if their evidence appears essential to the just decision of the case. It is not an absolute obligation but rather a discretionary power.

(b) Correct - Section 311 grants discretionary power to the court, allowing it to summon or recall witnesses as it deems necessary for the just decision of the case. The court can exercise this power based on strong and valid reasons to meet the ends of justice.

(c) Incorrect - The term "permissive" does not accurately describe the nature of the power conferred by Section 311. While the court has the discretion to exercise this power, it is not merely a permissive provision but a discretionary one.

(d) Incorrect - While the power is discretionary, it is not both discretionary and permissive. The correct characterization is that it is discretionary, allowing the court flexibility in summoning or recalling witnesses for a just decision.

63. If it appears to the court that an application under Section 311 of the Code of Criminal Procedure, 1973 has been filed only to fill up a lacuna in the case of the prosecution or the defence, should the court allow such application?

(A) Yes

(B) No

(C) Depends on the evidence adduced in the case.

(D) Depends on the facts of the case.

Correct Option: B Explanation:

(a) Incorrect - The court is not obligated to allow an application under Section 311 merely to fill up a lacuna. The discretion to allow such an application depends on valid reasons and the ends of justice, not a blanket approval for lacuna filling.

(b) Correct - The court should not allow an application solely aimed at filling up a lacuna in the prosecution or defense's case. The power under Section 311 must be exercised judiciously, and allowing applications for this purpose may not serve the interests of justice.

(c) Incorrect - The decision to allow an application under Section 311 should not solely depend on the evidence adduced but rather on whether it is essential to the just decision of the case.

(d) Incorrect - Allowing an application should not depend solely on the facts of the case. It should be based on the essentiality of the evidence for a just decision.

64. In which of the following circumstances should an application under Section 311 of the Code of Criminal Procedure, 1973 be allowed by the court?

(A) When allowing the application enables the court to determine the truth and to render a just decision.

(B) When allowing the application causes serious prejudice to the defense of the accused.

(C) When allowing the application gives an unfair advantage to the opposite party.

(D) Both (A) and (B).

Correct Option: A Explanation:

(a) Correct - The court should allow an application under Section 311 when it enables the court to determine the truth and render a just decision. The primary purpose is to discover all relevant facts for a fair and just decision.

(b) Incorrect - Allowing the application should not cause serious prejudice to the defense of the accused. The court should balance the interests of justice without unfairly harming either party.

(c) Incorrect - Allowing the application should not give an unfair advantage to the opposite party. The focus is on achieving a just decision rather than favoring one party.

(d) Incorrect - While (A) is correct, (B) is not a valid reason for allowing the application. The court should exercise its discretion under Section 311 for the overall justice of the case.

65. Section 311 of the Code of Criminal Procedure, 1973 imposes a duty on the Court to

(A) Determine the truth after discovering all relevant facts and obtaining proper proof of such facts.

(B) Render a just decision after discovering all relevant facts and obtaining proper proof of such facts.

(C) Discover all relevant facts and obtain proper proof of such facts.

(D) Simultaneously determine the truth and render a just decision.

Correct Option: D Explanation:

(a) Incorrect - While determining the truth is one aspect, Section 311 does not impose a duty solely to determine the truth. The court's duty is broader, encompassing the obligation to arrive at a just decision.

- (b) Incorrect - The duty goes beyond rendering a just decision; it includes discovering all relevant facts and obtaining proper proof of such facts to support that decision.
- (c) Incorrect - The duty is not limited to discovering facts or obtaining proof alone; it is part of the broader responsibility to determine the truth and render a just decision.
- (d) Correct - Section 311 imposes a duty on the court to both determine the truth and render a just decision. It encompasses a comprehensive approach to ensure justice in criminal proceedings.

66. When a court summons any person as a witness upon allowing an application made by the accused under Section 311 of the Code of Criminal Procedure, 1973, which of the following statements is correct?

- (A) An opportunity of rebuttal must not be given to the prosecution.
- (B) An opportunity of rebuttal must be given to the prosecution.
- (C) There is no question of rebuttal as the witness has been summoned by the court.
- (D) Whether opportunity of rebuttal is given to the prosecution or not is a matter of discretion of the court. Correct Option: B Explanation:

- (a) Incorrect - An opportunity of rebuttal must be given to the prosecution when a witness is summoned upon the accused's application under Section 311. Denying this opportunity would not serve the interests of justice.
- (b) Correct - Providing an opportunity of rebuttal to the prosecution is essential in a fair legal process. The summoned witness's testimony may necessitate clarification or counter-evidence from the prosecution.
- (c) Incorrect - The mere summoning of a witness by the court does not eliminate the need for the prosecution to present its case or address the testimony presented.
- (d) Incorrect - It is not solely at the discretion of the court; a fair legal process requires that the prosecution be given an opportunity of rebuttal when a witness is summoned upon the accused's application under Section 311.

Torture is a form of crudity and a barbarity which appals modern civilisation. The right to freedom from torture is enshrined in number of human rights instruments which provide for protection of all individuals from being intentionally subjected to severe physical or psychological distress by, or with the approval or acquiescence of government agents acting for a specific purpose, such as to obtain information. The issues of fake encounters; illegal, unjustified and unwarranted arrests without any valid ground; eliciting confession from innocent persons for offences which they have never committed, by way of custodial violence; etc., have always been subject-matters of consideration by the Indian courts. Police atrocities in India had always been a subject-matter of controversy and debate. In view of the provisions of Article 21 of the Constitution of India, any form of torture or cruel, inhuman or degrading treatment is inhibited. Torture is not permissible whether it occurs during investigation,

interrogation or otherwise. The State must protect victims of torture and illtreatment. Therefore, the State must ensure prohibition of torture, cruel, inhuman and degrading treatment to any person, particularly at the hands of any State agency/police force. Tolerance of police atrocities amounts to acceptance of systematic subversion and erosion of the rule of law.

67. India has \_\_\_\_\_ the United Nations Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (1987).

- (A) Signed and ratified
- (B) Signed but not ratified
- (C) Not signed
- (D) Passed a resolution to ratify

CORRECT OPTION: B

Explanation:

(B) Signed but not ratified - This is the correct option. It means that India has signed the United Nations Convention Against Torture but has not yet completed the ratification process. Signing indicates the country's intention to comply with the treaty, but the formal ratification is required to legally bind the country to its provisions. The statement accurately reflects the status of India's engagement with the convention.

(A) Signed and ratified - This is incorrect because the passage does not state that India has completed the ratification process.

(C) Not signed - This is incorrect, as the passage mentions that India has signed the convention, though not ratified.

(D) Passed a resolution to ratify - This is incorrect as the passage does not mention the passage of any resolution for ratification.

68. Which of the following is the legislation proposed by the Law Commission of India through its Report No. 273 on 'Implementation of United Nations Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment through Legislation' in October 2017?

- (A) The Prevention of Torture Bill, 2017.
- (B) The Prohibition of Torture and other Cruel, Inhuman and Degrading Treatment or Punishment Bill, 2017.
- (C) The United Nations Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment (Implementation) Bill, 2017.
- (D) The Prohibition of Custodial Torture Bill, 2017.



CORRECT OPTION: A

Explanation:

(A) The Prevention of Torture Bill, 2017 - This is the correct option. The passage mentions the legislation proposed by the Law Commission of India, and the correct name of the proposed bill is "The Prevention of Torture Bill, 2017."

(B) The Prohibition of Torture and other Cruel, Inhuman and Degrading Treatment or Punishment Bill, 2017 - This is incorrect as the passage provides the specific name of the proposed bill.

(C) The United Nations Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment (Implementation) Bill, 2017 - This is incorrect as it does not match the name mentioned in the passage.

(D) The Prohibition of Custodial Torture Bill, 2017 - This is incorrect as it does not match the name mentioned in the passage.

69. Which of the following provisions of the Constitution of India provides for the protection of persons from torture, other cruel, inhuman, and degrading treatment?

(A) Article 20(3) and Article 21.

(B) Article 21 and Article 22(1).

(C) Article 21 and Article 22(2).

(D) Article 20(3), Article 21, Article 22(1), and Article 22(2).

CORRECT OPTION: D

Explanation:

(D) Article 20(3), Article 21, Article 22(1), and Article 22(2) - This is the correct option. The passage mentions that the protection of persons from torture and other cruel, inhuman, and degrading treatment is provided by multiple provisions of the Constitution of India, including Article 20(3), Article 21, Article 22(1), and Article 22(2).

(A) Article 20(3) and Article 21 - This is incorrect because it does not cover all the provisions mentioned in the passage.

(B) Article 21 and Article 22(1) - This is incorrect for the same reason as option (A).

(C) Article 21 and Article 22(2) - This is incorrect for the same reason as options (A) and (B).

70. In which of the following cases did the Supreme Court of India, while dealing with a case in which a successful scientist having national reputation had been taken into police custody without any justifying cause, reprimand the lackadaisical attitude of the police for the arrest which made the scientist suffer ignominy, and awarded compensation of Rs.50 lakhs "to compensate the suffering, anxiety and the treatment by which the quintessence of life and liberty under the Constitution withers away"?

- (A) Sheela Barse v. State of Maharashtra, (1983) 2 SCC 96.
- (B) State of Andhra Pradesh v. Challa Ramakrishna Reddy, (2000) 5 SCC 712.
- (C) S. Nambi Narayanan v. Siby Mathews, (2015) 14 SCC 664.
- (D) State of Andhra Pradesh v. N. Venugopal, AIR 1964 SC 33.

CORRECT OPTION: C

Explanation:

(C) S. Nambi Narayanan v. Siby Mathews, (2015) 14 SCC 664 - This is the correct option. The passage refers to a case involving a successful scientist, and the Supreme Court reprimanded the police for the unjustified arrest, awarding compensation of Rs.50 lakhs.

(A) Sheela Barse v. State of Maharashtra, (1983) 2 SCC 96 - This is incorrect as it does not match the details mentioned in the passage.

(B) State of Andhra Pradesh v. Challa Ramakrishna Reddy, (2000) 5 SCC 712 - This is incorrect as it does not match the details mentioned in the passage.

(D) State of Andhra Pradesh v. N. Venugopal, AIR 1964 SC 33 - This is incorrect as it does not match the details mentioned in the passage.

71. Which of the following statements is true regarding 'arrest' and 'custody'?

(A) In every custody, there is arrest but not vice versa, and both the words 'custody' and 'arrest' are not synonymous terms.

(B) In every custody, there is arrest but not vice versa, and both the words 'custody' and 'arrest' are interchangeable terms.

(C) In every arrest, there is custody but not vice versa, and both the words 'custody' and 'arrest' are not synonymous terms.

(D) In every arrest, there is custody but not vice versa, and both the words 'custody' and 'arrest' are interchangeable terms.

CORRECT OPTION: C

Explanation:

(C) In every arrest, there is custody but not vice versa, and both the words 'custody' and 'arrest' are not synonymous terms - This is the correct option. The passage discusses the distinction between 'arrest' and 'custody,' emphasizing that every arrest involves custody, but the terms are not synonymous.

(A) In every custody, there is arrest but not vice versa, and both the words 'custody' and 'arrest' are not synonymous terms - This is incorrect because the passage provides the opposite relationship.

(B) In every custody, there is arrest but not vice versa, and both the words 'custody' and 'arrest' are interchangeable terms - This is incorrect because the passage emphasizes that the terms are not interchangeable.

(D) In every arrest, there is custody but not vice versa, and both the words 'custody' and 'arrest' are interchangeable terms - This is incorrect for the same reason as option (B).

72. In which of the following cases did the Supreme Court of India, while dealing with the case of a social activist who agitated against the issue of exploitation of people belonging to poor and marginalized sections of the society and was falsely roped in criminal cases, arrested and physically assaulted in police custody, noted, "If the functionaries of the Government become law-breakers, it is bound to breed contempt for law and would encourage lawlessness, and every man would have the tendency to become law unto himself, thereby leading to anarchy"?

(A) Mehmood Nayar Azam v. State of Chhattisgarh, (2012) 8 SCC 1.

(B) Ramlila Maidan Incident, In re, 2012 (5) SCC 1.

(C) Anuradha Bhasin v. Union of India, (2020) 3 SCC 637.

(D) Nisha Priya Bhatia v. Union of India, (2020) 13 SCC 56.

CORRECT OPTION: A

Explanation:

(A) Mehmood Nayar Azam v. State of Chhattisgarh, (2012) 8 SCC 1 - This is the correct option. The passage mentions a case where a social activist, falsely implicated in criminal cases, was arrested and physically assaulted in police custody. The Supreme Court noted the serious consequences of government functionaries becoming law-breakers and warned against encouraging lawlessness and anarchy.

(B) Ramlila Maidan Incident, In re, 2012 (5) SCC 1 - This is incorrect as the details of the case do not match the scenario described in the passage.

(C) Anuradha Bhasin v. Union of India, (2020) 3 SCC 637 - This is incorrect as the details of the case do not match the scenario described in the passage.

(D) Nisha Priya Bhatia v. Union of India, (2020) 13 SCC 56 - This is incorrect as the details of the case do not match the scenario described in the passage.

Conceptually, extradition is a rather complex jurisprudential zone as it has encompassed within itself various trajectories of apparently conflicting ideas. Generally, a State's criminal jurisdiction extends over offences committed within its geographical boundaries but it is the common experience of all the countries that often a criminal committing an offence in one country flees to another country and thus seeks to avoid conviction and the consequential punishment. This poses a threat in all civilised countries to a fair adjudication of crime and sustaining the constitutional norms of rule of law. To remedy such anomalous and unjust

situation, extradition has been evolved by way of international treaty obligation which ensures a mode of formal surrender of an accused by one country to another based on reciprocal arrangements. In India, extradition has not been defined under the Extradition Act, 1962. However, extradition has been defined as: ‘... the surrender by one nation to another of an individual accused or convicted of an offence outside of its own territory, and within the territorial jurisdiction of the other, which, being competent to try and to punish him, demands the surrender.’ But extradition is different from deportation by which competent State authorities order a person to leave a country and prevent him from returning to the same territory. Extradition is also different from exclusion, by which an individual is prohibited from staying in one part of a sovereign State. Both deportation and exclusion basically are nonconsensual exercise whereas extradition is based on a consensual treaty obligation between the requesting State and the requested State.

73. What is the underlying basis for extradition?

- (A) It is in the interest of civilised communities that criminals should not go unpunished.
- (B) It is recognised as a part of the comity of nations that one State should ordinarily afford to another State assistance towards bringing offenders to justice.
- (C) It is unjust to surrender to a foreign country a person accused of having committed a crime there for trial in accordance with the system for the administration of justice prevailing in that country because that system is substantially different.
- (D) Both (A) and (B).

Correct Option: D

- (a) Correct - The passage highlights that extradition is a mechanism to prevent criminals from going unpunished and is recognized as part of the comity of nations. The joint consideration of these aspects forms the basis for extradition, making option (D) the correct choice.
- (b) Incorrect - This option correctly identifies one aspect but fails to encompass the full underlying basis, as stated in the passage. It is not solely about providing assistance but also about preventing criminals from escaping justice, as noted in option (A).
- (c) Incorrect - While this option addresses the concern about differences in justice systems, it does not capture the comprehensive basis for extradition mentioned in the passage, including the interest in preventing criminals from going unpunished.
- (d) Incorrect - This option is correct in acknowledging both aspects mentioned in the passage. However, it is incorrect as it combines (A) and (B) as individual options rather than selecting the joint option (D).

74. According to the provisions of the Extradition Act, 1962, where there is no extradition treaty made by India with a foreign State, which of the following is correct?

- (A) The Central Government may, by notified order, treat any Convention to which India and the foreign State are parties, as an extradition treaty made by India with that foreign State.

- (B) The Central Government may, by law, treat any Convention to which India is a party, as an extradition treaty made by India with that foreign State.
- (C) The Central Government may, by notified order, treat the pari materia provisions of the statutes of both States relating to extradition, as an extradition treaty made by India with that foreign State.
- (D) Extradition is not permissible.

Correct Option: A

- (a) Correct - The passage mentions that in the absence of an extradition treaty, the Central Government may treat any Convention to which India and the foreign State are parties as an extradition treaty. Option (A) accurately reflects this provision.
- (b) Incorrect - While the passage mentions treating a Convention as an extradition treaty, it does not state that it should be a Convention to which India is a party. Option (B) misinterprets this aspect.
- (c) Incorrect - This option incorrectly suggests treating the statutes of both States as an extradition treaty, which is not consistent with the passage's explanation.
- (d) Incorrect - The passage does not imply that extradition is impermissible without a treaty. Option (D) is not aligned with the information provided in the passage.

75. Because of the negative attitude of \_\_\_\_\_ on the subject of extradition, it is by and large dealt with by bilateral treaties. (A) Multilateral treaties

- (B) Customary international law
- (C) Jus cogens
- (D) General principles of international law

Correct Option: B

- (a) Incorrect - The passage does not mention a negative attitude of multilateral treaties. Instead, it states that extradition is largely dealt with by bilateral treaties. Option (A) does not align with the information provided.
- (b) Correct - The passage specifies that extradition is, by and large, dealt with by bilateral treaties due to the negative attitude of customary international law. Option (B) accurately reflects this information.
- (c) Incorrect - Jus cogens is not mentioned in the passage as having a negative attitude toward extradition. Option (C) does not align with the information provided.

(d) Incorrect - General principles of international law are not discussed in the passage as having a negative attitude toward extradition. Option (D) is not consistent with the information presented.

76. Which of the following rules is generally followed in extradition by the requested State vis-à-vis the nature of the criminal justice system in the requesting State?

(A) Rule of reciprocity

(B) Rule of non-inquiry

(C) Rule of specialty

(D) Rule of double criminality

Correct Option: B

(a) Incorrect - The passage does not emphasize the rule of reciprocity in the context of the nature of the criminal justice system in the requesting State. Option (A) is not aligned with the information provided.

(b) Correct - The passage mentions the rule of non-inquiry, indicating that the requested State does not inquire into the nature of the criminal justice system in the requesting State. Option (B) accurately reflects this information.

(c) Incorrect - The passage does discuss the rule of specialty but not in relation to the nature of the criminal justice system in the requesting State. Option (C) is not aligned with the information provided.

(d) Incorrect - The passage discusses the rule of double criminality but not in relation to the nature of the criminal justice system in the requesting State. Option (D) does not align with the information presented.

77. “Whether or not the fugitive who has been extradited would have a standing to complain of the judicial process in the requesting State after extradition has been done, independent of the position taken by the requested State, is a debatable issue.” The given statement relates to the debates in international law concerning \_\_\_\_\_

(A) The position of an individual as a subject of international law, and the obligation of States towards individuals.

(B) The position of State as a subject of international law, and the obligation of individuals in international law.

(C) The position of an individual as a subject of State, and the obligation of States in international law.

(D) The position of an individual as a subject of international law, and the obligation of individuals not in domestic law.

Correct Option: A

(a) Correct - The passage discusses the debatable issue of whether a fugitive extradited individual has standing to complain about the judicial process in the requesting State. Option (A) accurately reflects the topic discussed in the passage.

(b) Incorrect - The passage does not discuss the position of the State as a subject of international law or the obligation of individuals in international law. Option (B) is not aligned with the information provided.

(c) Incorrect - The passage does not discuss the position of an individual as a subject of the State or the obligation of States in international law. Option (C) does not align with the information presented.

(d) Incorrect - The passage does not discuss the obligation of individuals in domestic law. Option (D) is not aligned with the information provided.

78. According to the given passage, which of the following is not a similarity between 'deportation' and 'exclusion'?

(A) Both are non-consensual exercises and not consensual treaty obligations.

(B) Both relate to ordering a person to move outside a territory.

(C) Both are precursors to extradition.

(D) Both are acts of sovereign States.

Correct Option: C

(a) Incorrect - The passage does not explicitly state that deportation and exclusion are consensual treaty obligations. Option (A) is not aligned with the information provided.

(b) Incorrect - The passage mentions that both deportation and exclusion involve ordering a person to move outside a territory. Option (B) is not consistent with the information presented.

(c) Correct - The passage does not suggest that deportation and exclusion are precursors to extradition. Option (C) accurately reflects the lack of connection between deportation, exclusion, and extradition.

(d) Incorrect - The passage mentions that both deportation and exclusion are acts of sovereign States. Option (D) is not aligned with the information provided.

It is well settled that while taking a decision regarding custody or other issues pertaining to a child, welfare of the child is of paramount consideration, not rights of the parents under a statute for the time being in force. In *Rosy Jacob v. Jacob A. Chakramakkal*, [(1973) 1 SCC 840], the Court held that object and purpose of the Guardians and Wards Act 1890 is not merely physical custody of the minor but due protection of the rights of ward's health, maintenance and education. In considering the question of welfare of minor, due regard has to be given to the right of the father as natural guardian, but if the custody of the father cannot promote the welfare of the children, he may be refused such guardianship. The word "welfare" has to be construed literally and must be taken in its widest sense. The moral and ethical welfare of the child must

also weigh with the court as well as its physical well-being. Though the provisions of the special statutes which govern the rights of the parents or guardians may be taken into consideration, there is nothing which can stand in the way of the court exercising its parens Page 21 of 30 patriae jurisdiction arising in such cases. Every child has right to proper health and education and it is the primary duty of the parents to ensure that child gets proper education. The courts in exercise of parens patriae jurisdiction have to decide such delicate questions. It has to consider the welfare of the child as of paramount importance taking into consideration other aspects of the matter including the rights of parents also.

79. In which of the following judgments was the constitutionality of Section 6(a) of the Hindu Minority and Guardianship Act, 1956 challenged?

- (A) Lily Thomas v. Union of India, (2000) 6 SCC 224.
- (B) Narayan Ganesh Dastane v. Sucheta Narayan Dastane, 1975 SCR (3) 967.
- (C) Githa Hariharan v. Reserve Bank of India, (1999) 2 SCC 228.
- (D) Bipin Chander Jaisinghbhai Shah v. Prabhawati, 1956 SCR 838.

Correct Option: C

(a) Correct - The correct judgment where the constitutionality of Section 6(a) of the Hindu Minority and Guardianship Act, 1956 was challenged is Githa Hariharan v. Reserve Bank of India, (1999) 2 SCC 228. The passage does not provide details on this specific case, but the correct option aligns with the information provided.

(b) Incorrect - Lily Thomas v. Union of India, (2000) 6 SCC 224, does not relate to the constitutionality of Section 6(a) of the Hindu Minority and Guardianship Act, 1956. Therefore, this option is incorrect.

(c) Incorrect - This is the correct option. Githa Hariharan v. Reserve Bank of India, (1999) 2 SCC 228, is the judgment where the constitutionality of Section 6(a) was challenged. The explanation aligns with the passage information.

(d) Incorrect - Bipin Chander Jaisinghbhai Shah v. Prabhawati, 1956 SCR 838, is not the judgment related to the challenge of Section 6(a) of the Hindu Minority and Guardianship Act, 1956. This option is incorrect.

80. The natural guardian of a Hindu minor is

- (A) Neither father nor mother.
- (B) Both father and mother.
- (C) Mother
- (D) Father

Correct Option: D



- (a) Incorrect - The natural guardian of a Hindu minor is the father, as per Hindu law. This option, stating "Neither father nor mother," is incorrect.
- (b) Incorrect - Both father and mother are not considered natural guardians of a Hindu minor. The correct option is the father.
- (c) Incorrect - The mother, while important in the upbringing, is not the natural guardian of a Hindu minor under Hindu law. This option is incorrect.
- (d) Correct - The father is the natural guardian of a Hindu minor. This aligns with Hindu law, making this option correct.

81. Which of the following judgments does not relate to the welfare of the minor being of paramount consideration?

- (A) Mauami Moitra Ganguli v. Jayant Ganguli, (2008) 7 SCC 673.
- (B) Revanasiddappa v. Mallikarjun, (2011) 11 SCC 1.
- (C) Gaurav Nagpal v. Sumedha Nagpal, (2009) 1 SCC 42.
- (D) Jitender Arora v. Sukriti Arora, (2017) 3 SCC 726.

Correct Option: B

- (a) Incorrect - Mauami Moitra Ganguli v. Jayant Ganguli, (2008) 7 SCC 673, does relate to the welfare of the minor being of paramount consideration. This option is incorrect.
- (b) Correct - Revanasiddappa v. Mallikarjun, (2011) 11 SCC 1, does not relate to the welfare of the minor being of paramount consideration. This option is correct.
- (c) Incorrect - Gaurav Nagpal v. Sumedha Nagpal, (2009) 1 SCC 42, does relate to the welfare of the minor being of paramount consideration. This option is incorrect.
- (d) Incorrect - Jitender Arora v. Sukriti Arora, (2017) 3 SCC 726, does relate to the welfare of the minor being of paramount consideration. This option is incorrect.

82. The natural guardian of an adopted child as per Hindu law is

- (A) Adoptive father.
- (B) Adoptive mother.
- (C) Adoptive father and adoptive mother.
- (D) Neither adoptive father nor adoptive mother.

Correct Option: A

- (a) Correct - The natural guardian of an adopted child as per Hindu law is the adoptive father. This option is correct.

- (b) Incorrect - Adoptive mother is not considered the natural guardian of an adopted child under Hindu law. This option is incorrect.
- (c) Incorrect - While both adoptive parents have responsibilities, the natural guardian is specifically the adoptive father. This option is incorrect.
- (d) Incorrect - Both adoptive parents have roles, but the adoptive father is the natural guardian. This option is incorrect.

83. Which of the following is not correct regarding the *parens patriae* jurisdiction?

- (A) It is to secure the welfare of the minor.
- (B) Welfare of the minor is of paramount consideration.
- (C) It is not to secure the welfare of the minor.
- (D) The court is called upon in *parens patriae* to decide the best interest of the child.

Correct Option: C

- (a) Incorrect - *Parens patriae* jurisdiction is indeed to secure the welfare of the minor. This option is incorrect.
- (b) Incorrect - Welfare of the minor being of paramount consideration is a correct statement regarding *parens patriae* jurisdiction. This option is incorrect.
- (c) Correct - *Parens patriae* jurisdiction is established to secure the welfare of the minor. This option is correct.
- (d) Incorrect - The court, in *parens patriae*, is called upon to decide the best interest of the child. This option is incorrect.

84. Which of the following judgments relates to the concept of shared parenting?

- (A) *Yashita Sahu v. State of Rajasthan*, (2020) 3 SCC 67.
- (B) *Anurag Mittal v. Shaily Mishra Mittal*, (2018) 9 SCC 691.
- (C) *Amardeep Singh v. Harveen Kaur*, 2017 (8) SCC 746.
- (D) *Babu Ram v. Santokh Singh*, (2019) 14 SCC 162.

Correct Option: A

- (a) Correct - *Yashita Sahu v. State of Rajasthan*, (2020) 3 SCC 67, relates to the concept of shared parenting. This option is correct.
- (b) Incorrect - *Anurag Mittal v. Shaily Mishra Mittal*, (2018) 9 SCC 691, does not relate to the concept of shared parenting. This option is incorrect.
- (c) Incorrect - *Amardeep Singh v. Harveen Kaur*, 2017 (8) SCC 746, does not relate to the concept of shared parenting. This option is incorrect.

(d) Incorrect - Babu Ram v. Santokh Singh, (2019) 14 SCC 162, does not relate to the concept of shared parenting. This option is incorrect.

85. As per the provision of Section 211(3) of the Companies Act, 2013, Director of Serious Fraud Investigation Office shall be an officer not below the rank of a Joint Secretary to the Government of India having knowledge and experience in dealing with matters relating to corporate affairs. The nature of the provision is

(A) Mandatory

(B) Purely directory

(C) Elective (D) Non-binding

Correct Option: A

(a) Correct - The court's interpretation indicates that Section 211(3) is mandatory. The provision explicitly states the qualifications and rank required for the Director of Serious Fraud Investigation Office (SFIO). The appointment of an officer not below the rank of a Joint Secretary is a mandatory requirement for the effective functioning of SFIO, ensuring that the appointed individual possesses the necessary knowledge and experience in dealing with corporate affairs.

(b) Incorrect - Describing Section 211(3) as purely directory would be inaccurate. The provision uses clear and specific language, indicating a mandatory requirement for the rank and qualifications of the Director of SFIO. Failure to comply with these requirements may undermine the effectiveness of SFIO.

(c) Incorrect - Labeling Section 211(3) as elective would be inappropriate. The provision sets out specific criteria for the appointment of the Director, leaving no room for discretion or choice. The language used in the provision suggests a mandatory nature rather than an elective one.

(d) Incorrect - Referring to Section 211(3) as non-binding would be misleading. The provision establishes a binding requirement for the appointment of the Director of SFIO, outlining specific qualifications and rank. Describing it as non-binding could undermine the significance of these requirements.

86. Which principle of interpretation has been adopted by the court for the interpretation of Section 212(3) of the Companies Act, 2013?

(A) Literal

(B) Liberal

(C) Strict

(D) Both (A) and (C).

Correct Option: B

(a) Incorrect - Describing the court's interpretation as literal would be inaccurate. The court considers the context and purpose of Section 212(3) rather than relying solely on the literal language. The interpretation recognizes the broader objectives of the legislation.

(b) Correct - The court adopts a liberal interpretation of Section 212(3). It views the stipulation regarding the submission of the report 'within such period as may be specified in the order' as not mandatory but purely directory. This interpretation allows for flexibility in completing investigations without rigidly adhering to the specified time, considering the practical challenges that may arise.

(c) Incorrect - Referring to the court's interpretation as strict would be misleading. The court takes a more flexible and lenient approach by considering the provision as directory rather than strictly mandatory.

(d) Incorrect - Mentioning both (A) and (C) is inaccurate as the court does not adopt a strict interpretation (Option C) but rather a liberal one (Option B).

87. The court has considered that the investigation beyond the time prescribed in the order of investigation shall be

(A) Void

(B) Valid

(C) Irregular (D) Unconstitutional

Correct Option: B

(a) Incorrect - Describing the investigation beyond the specified time as void would be inaccurate. The court, as per the given excerpt, suggests that exceeding the time limit does not render the investigation void. It recognizes the need for flexibility and practical considerations in completing investigations.

(b) Correct - The court views the investigation beyond the specified time as valid. The interpretation indicates that while there is a stipulated time, exceeding it does not make the subsequent proceedings or investigations unlawful. The court takes a practical approach, understanding that strict adherence to the time limit may not always be feasible.

(c) Incorrect - Terming the investigation as irregular would not align with the court's perspective. The court, in the given excerpt, does not characterize investigations beyond the specified time as irregular but rather considers them valid.

(d) Incorrect - Labeling the investigation as unconstitutional would be an incorrect characterization. The court does not suggest any violation of constitutional principles due to investigations extending beyond the specified time. It views such extensions as valid and necessary in certain circumstances.

88. As per the given excerpt, a strict interpretation of expression 'within such period as may be specified in the order' will

(A) Attain the intention of the legislation.

- (B) Defeat the intention of the legislation.
- (C) Not prejudice the functions of the Serious Fraud Investigation Office.
- (D) Both (A) and (C).

Correct Option: B

- (a) Incorrect - A strict interpretation would not attain the intention of the legislation, as suggested by the court in the given excerpt. The court takes a liberal stance, considering the provision as directory rather than mandatory, to avoid adverse consequences and uphold the legislation's purpose.
- (b) Correct - The court, as per the given excerpt, suggests that a strict interpretation of the specified time limit would defeat the intention of the legislation. It acknowledges the practical challenges and complexities involved in investigations and allows for flexibility in completing them.
- (c) Incorrect - A strict interpretation may prejudice the functions of the Serious Fraud Investigation Office (SFIO), as it could lead to unwarranted restrictions on the time available for conducting thorough investigations. The court's liberal interpretation seeks to prevent such prejudice.
- (d) Incorrect - Mentioning both (A) and (C) is inaccurate, as a strict interpretation (Option A) does not align with the court's perspective. The court's interpretation is liberal, not strict.

89. Considering the expression of Section 212(6) of the Companies Act, 2013, an offence under Section 447 of the Companies Act, 2013 shall be

- (A) Cognizable
- (B) Non-cognizable
- (C) Non-bailable
- (D) Both (A) and (C).

Correct Option: D

- (a) Incorrect - Describing the offence as cognizable alone would be inaccurate. The court, as per the given excerpt, indicates that an offence under Section 447 of the Companies Act, 2013, is both cognizable and non-bailable.
- (b) Incorrect - Referring to the offence as non-cognizable alone would be inaccurate. The court's interpretation suggests that the offence under Section 447 is cognizable.
- (c) Incorrect - Labeling the offence as non-bailable alone would be inaccurate. The court, according to the given excerpt, specifies that the offence is both cognizable and non-bailable.

(d) Correct - The court's interpretation indicates that an offence under Section 447 is both cognizable and non-bailable. This aligns with the dual nature of the offence as per Section 212(6) of the Companies Act, 2013.

90. The expression 'officers and employees' under Section 212(5) of the Companies Act, 2013 denotes

- (A) Existing employees of the company.
- (B) Person who has been in employment of the company.
- (C) Persons who are or who have been in employment of the company.
- (D) Only directors of the company.

Correct Option: C

(a) Incorrect - Describing the expression as denoting existing employees alone would be too restrictive. The court's interpretation, according to the given excerpt, suggests a broader category.

(b) Incorrect - Referring to the expression as denoting a person who has been in employment alone would be restrictive. The court's interpretation considers both current and former employees.

(c) Correct - The court's interpretation, as per the given excerpt, indicates that the expression 'officers and employees' encompasses persons who are or who have been in employment of the company. This encompasses both current and former employees.

(d) Incorrect - Limiting the expression to only directors of the company would be overly narrow. The court's interpretation, as per the given excerpt, includes a broader category of officers and employees.

91. Which of the following is not correct in relation to a Public Interest Litigation?

(A) It contemplates legal proceedings for vindication or enforcement of fundamental rights of a group of persons or community which are not able to enforce their fundamental rights on account of their incapacity, poverty or ignorance of law.

(B) A person invoking the jurisdiction of the Supreme Court under Article 32 must approach the court for the vindication of the fundamental rights of affected persons.

(C) Recourse to a proceeding under Article 32 may or may not be taken by a genuinely interested person in protection of society on behalf of community.

(D) Personal interest, grudge or enmity cannot be enforced through the process of the court, preventing speedy remedy to the other genuine petitioners from the court.

CORRECT OPTION: C

(a) Correct - The principle underlying public interest litigation (PIL) emphasizes that it should be initiated by a person or body with a genuine interest in protecting society or a

community. The correct option, (C), aligns with this principle, stating that recourse to a proceeding under Article 32 may or may not be taken by a genuinely interested person in protection of society on behalf of the community. This reinforces the notion that PIL should have a real and genuine public interest, not merely serving personal causes or grudges.

(b) Incorrect - This option correctly reflects the requirement that a person invoking the jurisdiction of the Supreme Court under Article 32 must approach the court for the vindication of the fundamental rights of affected persons. It is a valid aspect of PIL.

(c) Incorrect - The correct option is (C), as it aligns with the principle of genuine interest in protection of society. This is not contradictory, but in line with the spirit of PIL.

(d) Incorrect - This option correctly emphasizes that personal interest, grudge, or enmity cannot be enforced through the court. However, the correct answer is (C) because it reflects the aspect related to a genuinely interested person in protection of society.

92. In which of the following judgments, the public trust doctrine was discussed by the Supreme Court of India?

(A) Charu Khurana v. Union of India, (2015) 1 SCC 192.

(B) Vishaka v. State of Rajasthan, (1997) 6 SCC 241.

(C) Ashok Kumar Pandey v. State of West Bengal, (2004) 3 SCC 349.

(D) M.C. Mehta v. Union of India, (1997) 1 SCC 388.

CORRECT OPTION: D

(a) Incorrect - This case, Charu Khurana v. Union of India, is not the one where the public trust doctrine was discussed. The correct judgment is M.C. Mehta v. Union of India.

(b) Incorrect - The correct judgment where the public trust doctrine was discussed is M.C. Mehta v. Union of India, not Vishaka v. State of Rajasthan.

(c) Incorrect - The correct judgment discussing the public trust doctrine is M.C. Mehta v. Union of India, not Ashok Kumar Pandey v. State of West Bengal.

(d) Correct - The public trust doctrine was indeed discussed in M.C. Mehta v. Union of India, making option (D) the correct choice.

93. Which of the following issues of public interest is raised in Dipika Jagatram Sahani v. Union of India, [(2021) 2 SCC 740]?

(A) Challenge to election symbol of a political party.

(B) Reopening and providing services of Anganwadi Centres in India.

(C) Working conditions of children in factories.

(D) Pollution caused by industries.

CORRECT OPTION: B

- (a) Incorrect - The correct issue raised in *Dipika Jagatram Sahani v. Union of India* is the reopening and providing services of Anganwadi Centres in India, not a challenge to the election symbol of a political party.
- (b) Correct - The correct option reflects the actual issue raised in the mentioned case. It involves the reopening and providing services of Anganwadi Centres in India, which aligns with the concept of public interest litigation.
- (c) Incorrect - The correct issue in *Dipika Jagatram Sahani v. Union of India* is related to Anganwadi Centres, not the working conditions of children in factories.
- (d) Incorrect - The correct issue raised in the case is about Anganwadi Centres, not pollution caused by industries.

94. Which of the following is not correct regarding the locus standi in a Public Interest Litigation?

- (A) Only an affected and vulnerable person can approach the court for remedy.
- (B) The principle of dominus litus does not apply to a public interest litigation.
- (C) The public interest litigation is strictly not adversarial since the emphasis is on public good.
- (D) A public interest litigation can be filed by any member of the society for larger public interest.

CORRECT OPTION: A

- (a) Correct - This option is not correct in relation to the locus standi in a Public Interest Litigation. The principle underlying PIL allows not only affected and vulnerable persons but also any member of society with a genuine interest to approach the court for larger public interest.
- (b) Incorrect - The correct option is (A), as the principle of dominus litus applies to public interest litigation, and it is incorrect to say it does not.
- (c) Incorrect - The correct option is (A). Public interest litigation can be adversarial, and the emphasis is indeed on public good, but option (C) incorrectly suggests that it is strictly not adversarial.
- (d) Incorrect - The correct option is (A), as it incorrectly states that only an affected and vulnerable person can approach the court. In reality, any member of society can file a PIL for larger public interest.

95. "If a citizen is no more than a wayfarer or officious intervener without any interest or concern beyond what belongs to any one of the 660 million people of this country, the door of the court will not be ajar for him. But, if he belongs to an organisation which has special interest in the subject-matter, if he has some concern deeper than that of a busybody, he cannot be told off at the gates, although whether the issue raised by him is justiciable may still remain to be



considered.” In context of this statement, which of the following judgments stated this regarding the rights of workers in India?

- (A) Malik Brothers v. Narendra Dadhich, (1999) 6 SCC 552.
- (B) Rural Litigation and Entitlement Kendra v. State of Uttar Pradesh, 1989 Supp (1) SCC 504.
- (C) Fertilizer Corpn. Kamgar Union v. Union of India, (1981) 1 SCC 568.
- (D) Sheela Barse v. Union of India, (1988) 4 SCC 226.

CORRECT OPTION: C

- (a) Incorrect - The correct judgment that discusses the rights of workers in India, as stated in the passage, is Fertilizer Corpn. Kamgar Union v. Union of India, not Malik Brothers v. Narendra Dadhich.
- (b) Incorrect - The correct judgment related to the rights of workers, as mentioned in the passage, is Fertilizer Corpn. Kamgar Union v. Union of India, not Rural Litigation and Entitlement Kendra.
- (c) Correct - The passage refers to a judgment discussing the rights of workers in India, and the correct option is Fertilizer Corpn. Kamgar Union v. Union of India.
- (d) Incorrect - The correct judgment that addresses the rights of workers in the passage is Fertilizer Corpn. Kamgar Union v. Union of India, not Sheela Barse v. Union of India.

96. Which of the following public interest litigations is related to proper maintenance of cultural heritage of India as also the ecology in the surrounding areas of Taj Mahal?

- (A) M.C. Mehta v. Union of India, (1999) 6 SCC 237.
- (B) M.C. Mehta v. Union of India, (2008) 1 SCC 407.
- (C) M.C. Mehta v. Union of India, (1991) 2 SCC 137.
- (D) M.C. Mehta v. Union of India, (2016) 4 SCC 269.

CORRECT OPTION: B

- (a) Incorrect - The correct public interest litigation related to the proper maintenance of the cultural heritage of India and ecology around the Taj Mahal is M.C. Mehta v. Union of India, (2008) 1 SCC 407, not M.C. Mehta v. Union of India, (1999) 6 SCC 237.
- (b) Correct - The option (B) correctly identifies the public interest litigation related to the proper maintenance of cultural heritage and ecology around the Taj Mahal as M.C. Mehta v. Union of India, (2008) 1 SCC 407.
- (c) Incorrect - The correct public interest litigation regarding the Taj Mahal is M.C. Mehta v. Union of India, (2008) 1 SCC 407, not M.C. Mehta v. Union of India, (1991) 2 SCC 137.

(d) Incorrect - The correct public interest litigation related to the Taj Mahal is M.C. Mehta v. Union of India, (2008) 1 SCC 407, not M.C. Mehta v. Union of India, (2016) 4 SCC 269.

The Supreme Court has observed that in international human rights law, equality is founded upon two complementary principles: non-discrimination and reasonable differentiation. The principle of non-discrimination seeks to ensure that all persons can equally enjoy and exercise all their rights and freedoms. Discrimination occurs due to arbitrary denial of opportunities for equal participation. Equality not only implies preventing discrimination (example, the protection of individuals against unfavourable treatment by introducing antidiscrimination laws), but goes beyond in remedying discrimination against groups suffering systematic discrimination in society. In concrete terms, it means embracing the notion of positive rights, affirmative action and reasonable accommodation. The move from the patronising and paternalistic approach to persons with disabilities represented by the medical model to viewing them as members of the community with equal rights has also been reflected in the evolution of international standards relating specifically to disabilities, as well as in moves to place the rights of persons with disabilities within the category of universal human rights. Disabled people no longer see their physical or mental limitations as a source of shame or as something to overcome in order to inspire others. What non-disabled people do not understand is that people with disabilities also have some rights, hopes and aspirations as everyone else. They do not want to depend on others. For this they want the proper environment to grow. It is the thinking of Disability Rights Movement, USA that it is not so much the disabled individual who needs to change, but the society.

97. A 'person with disability' as per the Rights of Persons with Disabilities Act, 2016 means

(A) A person with long term physical, intellectual or sensory impairment which, in interaction with barriers, hinders his full and effective participation in society equally with others.

(B) A person with long term physical, mental, or sensory impairment which, in interaction with barriers, hinders his full and effective participation in society equally with others.

(C) A person with long term mental, intellectual or sensory impairment which, in interaction with barriers, hinders his full and effective participation in society equally with others.

(D) A person with long term physical, mental, intellectual or sensory impairment which, in interaction with barriers, hinders his full and effective participation in society equally with others.

CORRECT OPTION: D

Explanation:

(A) Incorrect - This option is not in accordance with the definition provided by the Rights of Persons with Disabilities Act, 2016. It omits the mention of mental impairment, which is an essential component of the definition. The Act recognizes disabilities arising from physical, mental, intellectual, or sensory impairments.

(B) Incorrect - Similar to option (A), this option fails to include mental impairment in the definition. The correct definition, as per the Act, encompasses individuals with physical, mental, intellectual, or sensory impairments.

(C) Incorrect - This option also falls short as it excludes physical impairment from the definition. The Act explicitly covers individuals with long-term impairments in physical, mental, intellectual, or sensory functions.

(D) Correct - The Rights of Persons with Disabilities Act, 2016 defines a 'person with disability' as one having long-term physical, mental, intellectual, or sensory impairment, which, when interacting with barriers, hinders their full and effective participation in society equally with others.

98. Which of the following judgments held that heart ailment is not a disability covered under the ambit of Rights of Persons with Disabilities Act, 2016?

(A) *Shanti Devi v. Union of India*, (2020) 19 SCC 766.

(B) *Rachna v. Union of India*, 2021 SCC OnLine SC 140.

(C) *Nawal Kishore Sharma v. Union of India*, 2021 SCC OnLine SC 74.

(D) *Harshit Agarwal v. Union of India*, (2021) 2 SCC 710.

Correct Option: C

(a) Correct - The judgment in *Nawal Kishore Sharma v. Union of India*, 2021 SCC OnLine SC 74, held that heart ailment is not considered a disability under the Rights of Persons with Disabilities Act, 2016. The court's decision aligns with the interpretation of the Act and sets a precedent for future cases involving similar issues. Therefore, option (C) is correct.

(b) Incorrect - *Shanti Devi v. Union of India*, (2020) 19 SCC 766, is not the correct judgment in this context. The principle of heart ailment not being considered a disability was established in a different case. Option (A) is incorrect.

(c) Incorrect - The correct judgment, as stated above, is *Nawal Kishore Sharma v. Union of India*, 2021 SCC OnLine SC 74. Option (C) is the correct choice.

(d) Incorrect - *Harshit Agarwal v. Union of India*, (2021) 2 SCC 710, does not pertain to the issue of whether heart ailment is considered a disability under the Rights of Persons with Disabilities Act, 2016. Option (D) is incorrect.

99. Based on the given excerpt, which of the following judgments deals with the rights of disabled persons?

- (A) Jeeja Ghosh v. Union of India, (2016) 7 SCC 761.
- (B) Bharatha Matha v. R. Vijaya Renganathan, (2010) 11 SCC 483.
- (C) Seema v. Ashwani Kumar, (2006) 2 SCC 578.
- (D) Vidyadhari v. Sukharana Bai, (2008) 2 SCC 238.

Correct Option: A

- (a) Correct - The judgment in Jeeja Ghosh v. Union of India, (2016) 7 SCC 761, is relevant to the rights of disabled persons as it deals with issues related to disabilities and the protection of their rights. The court's decision in this case reflects the evolving understanding of disability rights. Therefore, option (A) is correct.
- (b) Incorrect - Bharatha Matha v. R. Vijaya Renganathan, (2010) 11 SCC 483, does not specifically address the rights of disabled persons. Option (B) is incorrect.
- (c) Incorrect - Seema v. Ashwani Kumar, (2006) 2 SCC 578, does not pertain to the rights of disabled persons as discussed in the given excerpt. Option (C) is incorrect.
- (d) Incorrect - Vidyadhari v. Sukharana Bai, (2008) 2 SCC 238, is not relevant to the rights of disabled persons. Option (D) is incorrect.

100. Which of the following is not correct as per the Supreme Court judgment in Vikash Kumar v. Union Public Service Commission, [2020 SCC OnLine SC 1119]?

- (A) In India, as reflected by the policy disconnect in this case, there is often a lack of involvement of the disabled in such decision making processes, leading to their voice not being heard and their grievances remaining unaddressed.
- (B) Consultation with persons with disabilities and their involvement in decision making about matters affecting their lives is necessary to bring about any meaningful change in the realization of their rights.
- (C) Broader directions were provided to the Ministry of Social Justice and Empowerment of the Union Government to ensure the framing of proper guidelines which would regulate and facilitate the grant of a facility of a scribe to persons with disability.
- (D) Persons with disability are required to bear the costs of the accommodation.

Correct Option: D

- (a) Incorrect - The statement regarding the lack of involvement of disabled individuals in decision-making processes is consistent with the Supreme Court judgment in Vikash Kumar v. Union Public Service Commission, [2020 SCC OnLine SC 1119]. Option (A) is incorrect.
- (b) Incorrect - The need for consultation with persons with disabilities for meaningful change is supported by the judgment. Option (B) is incorrect.

(c) Incorrect - The direction to the Ministry of Social Justice and Empowerment regarding guidelines for facilitating a scribe for persons with disabilities is consistent with the judgment. Option (C) is incorrect.

(d) Correct - The Supreme Court judgment does not support the idea that persons with disabilities are required to bear the costs of accommodation. Option (D) is correct.

101. Which of the following issues was raised in *Union of India v. M. Selvakumar*, [(2017) 3 SCC 504]?

(A) Special reservation in favour of persons suffering from heart ailments.

(B) Special reservation in favour of physically handicapped persons.

(C) Special reservation in favour of mentally challenged persons.

(D) Special reservation in favour of physically handicapped and mentally challenged persons.

Correct Option: B

(a) Incorrect - *Union of India v. M. Selvakumar*, [(2017) 3 SCC 504], did not deal with the special reservation in favor of persons suffering from heart ailments. Option (A) is incorrect.

(b) Correct - The issue of special reservation in favor of physically handicapped persons was raised in the mentioned case. Option (B) is correct.

(c) Incorrect - The case did not specifically address special reservation for mentally challenged persons. Option (C) is incorrect.

(d) Incorrect - The case did not involve the issue of special reservation for both physically handicapped and mentally challenged persons. Option (D) is incorrect.

102. A 'person with benchmark disability' as per the Rights of Persons with Disabilities Act, 2016 means a person with not less than \_\_\_\_\_ per cent of a specified disability where specified disability has not been defined in measurable terms and includes a person with disability where specified disability has been defined in measurable terms, as certified by the certifying authority.

(A) Ten

(B) Twenty

(C) Thirty

(D) Forty

CORRECT OPTION: D

Explanation:

(A) Incorrect - The term 'person with benchmark disability' is defined as having not less than forty per cent of a specified disability under the Rights of Persons with Disabilities Act, 2016. Option (A) with ten per cent is incorrect as it does not meet the threshold specified by the Act.

(B) Incorrect - Similar to option (A), option (B) with twenty per cent is below the required threshold of forty per cent as per the Act.

(C) Incorrect - Option (C) with thirty per cent is also insufficient as per the definition in the Rights of Persons with Disabilities Act, 2016.

(D) Correct - The correct definition, as per the Act, is that a 'person with benchmark disability' has not less than forty per cent of a specified disability, whether measurable or not, as certified by the certifying authority.

There is a difference between grant of bail under Section 439 of the Code of Criminal Procedure in case of pre-trial arrest and suspension of sentence under Section 389 of the Code of Criminal Procedure and grant of bail, post-conviction. In the earlier case, there may be presumption of innocence, which is a fundamental postulate of criminal jurisprudence, and the courts may be liberal, depending on the facts and circumstances of the case, on the principle that bail is the rule and jail is an exception, as held by the Court in *Dataram Singh v. State of UP*, [(2018) 3 SCC 22]. However, in case of post-conviction bail, by suspension of operation of the sentence, there is a finding of guilt and the question of presumption of innocence does not arise. Nor is the principle of bail being the rule and jail an exception attracted, once there is conviction upon trial. Rather, the court considering an application for suspension of sentence and grant of bail, is to consider the prima facie merits of the appeal, coupled with other factors. There should be strong compelling reasons for grant of bail, notwithstanding an order of conviction, by suspension of sentence, and this strong and compelling reason must be recorded in the order granting bail, as mandated in Section 389(1) of the Code of Criminal Procedure

103. Which court is competent to grant bail under Section 439 of the Code of Criminal Procedure?

(A) Court of Magistrate.

(B) Court of Sessions.

(C) High Court.

(D) Both (B) and (C).

Correct Option: D

(a) Correct - Section 439 of the Code of Criminal Procedure grants the power to grant bail to both the Court of Sessions and the High Court. Therefore, option (D) is correct as it includes both the Court of Sessions and the High Court, making it the competent authority to grant bail.

(b) Incorrect - This option is incorrect because the power to grant bail is not exclusive to the Court of Magistrate. Section 439 extends the authority to the Court of Sessions and the High Court as well.

(c) Incorrect - This option is incorrect because the power to grant bail is not exclusive to the High Court. The Court of Sessions also possesses this authority under Section 439.

(d) Incorrect - This option is incorrect because it omits the Court of Sessions. Both the Court of Sessions and the High Court can grant bail under Section 439.

104. Who can file an application for cancellation of bail?

(A) Public Prosecutor.

(B) Complainant.

(C) Both (A) and (B).

(D) None of these.

Correct Option: C

(a) Incorrect - This option is incorrect as only the Public Prosecutor or the complainant can file an application for the cancellation of bail, not just the Public Prosecutor alone.

(b) Incorrect - This option is incorrect as only the Public Prosecutor or the complainant can file an application for the cancellation of bail, not just the complainant alone.

(c) Correct - Section 439(2) of the Code of Criminal Procedure allows both the Public Prosecutor and the complainant to file an application for the cancellation of bail.

(d) Incorrect - This option is incorrect as the correct answer is (C) – both the Public Prosecutor and the complainant can file an application for the cancellation of bail.

105. In which court can an application for bail be filed?

(A) In the appellate court if the accused is convicted and he prefers appeal against conviction.

(B) Revisional court when the accused has filed a revision petition.

(C) Court of Sessions.

(D) All of these.

Correct Option: D

(a) Incorrect - This option is incorrect because an application for bail can be filed in the appellate court, not specifically the appellate court when the accused is convicted.

(b) Incorrect - This option is incorrect because an application for bail can be filed in the revisional court, not specifically the revisional court when the accused has filed a revision petition.

(c) Incorrect - This option is incorrect because an application for bail can be filed in the Court of Sessions, but it's not limited to the Court of Sessions.

(d) Correct - An application for bail can be filed in the appellate court if the accused is convicted and prefers an appeal against conviction, in the revisional court when the accused has filed a revision petition, and in the Court of Sessions. Therefore, option (D) is correct.

106. Expression 'any person accused of an offence and in custody' used in Section 439 of the Code of Criminal Procedure means

(A) A person who has been arrested and remanded to police custody.

(B) A person who has been arrested and remanded to judicial custody.

(C) A person who is accused of bailable offence and surrenders before the Sessions court for the purposes of bail.

(D) All of these.

Correct Option: D

(a) Incorrect - This option is incorrect because the expression includes not only a person remanded to police custody but also those remanded to judicial custody.

(b) Incorrect - This option is incorrect for the same reason as option (A). The expression includes both police and judicial custody.

(c) Incorrect - This option is incorrect because the expression is not limited to those accused of bailable offences surrendering before the Sessions court. It encompasses a broader category.

(d) Correct - The expression 'any person accused of an offence and in custody' includes all scenarios mentioned in options (A), (B), and (C). Therefore, option (D) is correct.

107. Condition embodied in Section 439(1A) regarding the presence of the informant at the time of hearing of bail application in certain sexual offences was inserted by

(A) Criminal Law (Amendment) Act, 2018.

(B) Criminal Law (Amendment) Act, 2013.

(C) Code of Criminal Procedure (Amendment) Act, 2008.

(D) Criminal Law (Amendment) Act, 2005.

Correct Option: A

(a) Correct - Criminal Law (Amendment) Act, 2018: Section 439(1A) of the Code of Criminal Procedure, which requires the informant's presence at bail hearings for certain sexual offences, was introduced by the Criminal Law (Amendment) Act, 2018. This amendment aims to enhance transparency and give victims a voice in the judicial process, reflecting a significant step towards strengthening legal protections for victims of sexual crimes. Thus, option (A) correctly identifies the legislative action responsible for this important provision.



(b) Incorrect - Criminal Law (Amendment) Act, 2013: Although the 2013 amendment made significant changes to address sexual offences, including stricter penalties and expanded definitions, it did not introduce Section 439(1A). The 2013 act focused on substantive law reforms in the wake of public demand for justice for sexual assault victims, but the specific procedural requirement for the informant's presence in bail hearings came with the 2018 amendment. Therefore, this option incorrectly attributes the provision to the 2013 amendment.

(c) Incorrect - Code of Criminal Procedure (Amendment) Act, 2008: The 2008 amendment to the CrPC brought various procedural changes but did not include the requirement for the informant's presence at certain bail hearings. This amendment aimed at improving the criminal justice process but did not specifically address the involvement of victims or informants in bail hearings for sexual offences. The introduction of Section 439(1A) was specifically achieved through the 2018 amendment, making this option incorrect.

(d) Incorrect - Criminal Law (Amendment) Act, 2005: The 2005 amendment focused on enhancing legal provisions related to offences against women and improving procedural efficiency. However, it did not enact the provision requiring the informant's presence during bail hearings for certain sexual offences. This measure was introduced much later, with the 2018 amendment, which directly aimed at incorporating victims' perspectives in the judicial handling of sexual offences. Hence, linking Section 439(1A) to the 2005 amendment is incorrect, as it was not responsible for this procedural innovation.

108. Which of the following is correct regarding bail under Section 439?

- (A) Court is mandatorily required to give notice to the informant within 15 days of the receipt of the application in certain sexual offences mentioned in Section 439.
- (B) Court is required to give notice to the Public Prosecutor within 15 days of the receipt of the application in certain sexual offences mentioned in Section 439.
- (C) Court is not required to give any notice to the Public Prosecutor before granting bail in the case of offences punishable with imprisonment for life.
- (D) Sessions Court has no power to cancel the bail.

Correct Option: B

- (a) Incorrect - This option is incorrect because the court is not mandatorily required to give notice to the informant within 15 days. The requirement is for notice to the Public Prosecutor.
- (b) Correct - Section 439(1A) mandates that the court shall give notice to the Public Prosecutor within 15 days of the receipt of the application for bail in certain sexual offences.

(c) Incorrect - This option is incorrect because the court is required to give notice to the Public Prosecutor, as mentioned in option (B), and this requirement is not limited to offences punishable with imprisonment for life.

(d) Incorrect - This option is incorrect because the Sessions Court does have the power to cancel bail.

It is a cardinal principle of the law of contract that acceptance of an offer must be absolute and it can give no room for doubt. The offer and acceptance must be founded on three components, viz., 'certainty', 'commitment' and 'communication'. However, when the acceptor puts any new condition while accepting the proposal already signed by the proposer, the contract is not complete until the proposer accepts that condition, as held by the Court in *Haridwar Singh v. Bagun Sumbrui*, [(1973) 3 SCC 889]. An acceptance with a variation is no acceptance. It is, in effect and substance, simply a counter-proposal which must be accepted fully by the original proposer, before a contract is made

109. In case a contract is entered into through instantaneous modes of communication, which of the following is correct?

(A) Section 4 of the Indian Contract Act, 1872 is not applicable *stricto sensu*.

(B) Section 4 of the Indian Contract Act, 1872 is applicable to acceptance communicated by instantaneous modes of communication.

(C) Information Technology Act, 2000 provides rules regarding the time when offer and acceptance are complete.

(D) Information Technology Act, 2000 expressly provides for instantaneous mode of communication for contract.

Correct Option: B

(a) Correct - Section 4 of the Indian Contract Act, 1872 is indeed applicable to acceptance communicated by instantaneous modes of communication. This means that the principles of certainty, commitment, and communication still apply even in contracts formed through instant communication methods. The Information Technology Act, 2000, may provide additional rules, but it does not negate the applicability of Section 4 of the Indian Contract Act.

(b) Incorrect - This option contradicts the correct answer. Section 4 of the Indian Contract Act, 1872 is applicable to acceptance communicated through instantaneous modes of communication, ensuring that the fundamental principles of offer and acceptance remain intact.

(c) Incorrect - While the Information Technology Act, 2000 may provide rules for electronic contracts, it does not render Section 4 of the Indian Contract Act, 1872 inapplicable. The correct answer acknowledges the relevance of both Acts.

(d) Incorrect - The Information Technology Act, 2000 may address electronic communication, but the correct answer specifies that Section 4 of the Indian Contract Act, 1872 is applicable, emphasizing the continuity of established contract law principles.

110. Goods displayed in a shopping mall with price mentioned against each of them is an example of \_\_\_\_\_ (A) An offer.

(B) Counter offer.

(C) Invitation to offer.

(D) Acceptance in advance.

Correct Option: C

(a) Incorrect - Contrary to this option, displaying goods in a shopping mall with price tags is generally considered an invitation to offer rather than a direct offer. The act of displaying goods is an invitation for customers to make an offer to purchase.

(b) Incorrect - This option is incorrect because the displayed goods with price tags represent an invitation to offer, not a counter offer. The actual offer comes from the customer when they express an intention to buy.

(c) Correct - Goods displayed in a shopping mall with prices are typically considered an invitation to offer. The customer, by selecting and presenting the items for purchase, makes the offer. The seller then has the option to accept or reject the customer's offer.

(d) Incorrect - Describing it as "acceptance in advance" is inaccurate. The display of goods with prices is an invitation to customers to make an offer, not an automatic acceptance.

111. Which of the following statements regarding Section 2(j) of the Indian Contract Act, 1872 is not true?

(A) It deals with the void contract due to ceasing of enforceability by law.

(B) It deals with the contract which is not void from its inception but later it becomes void.

(C) It deals with the agreement which is void from its inception.

(D) It deals with the contract which becomes void from the time of its ceasing of enforceability by law.

Correct Option: C

(a) Incorrect - This option correctly describes Section 2(j) of the Indian Contract Act, 1872. It deals with contracts that become void due to the ceasing of enforceability by law.

(b) Incorrect - This option is accurate. Section 2(j) does indeed cover contracts that are not void from their inception but later become void due to various reasons, such as a change in legal provisions.

(c) Correct - This is the correct option as Section 2(j) deals with void agreements from their inception, not those that become void later. It addresses agreements that are void ab initio.

(d) Incorrect - This option is incorrect. Section 2(j) deals with contracts becoming void, not from the time of ceasing of enforceability by law, but rather due to specific reasons mentioned in the section.

112. What is the effect of counter offer?

(A) Counter offer leads to rejection of the original offer.

(B) Counter offer creates a binding contract on the basis of the terms specified in the counter offer.

(C) Counter offer creates a legal binding obligation on the basis of the terms of the original offer.

(D) Counter offer shall be binding on the original proposer in the same way as it is made by him only.

Correct Option: A

(a) Correct - This option accurately describes the effect of a counter offer. It leads to the rejection of the original offer, as making a counter offer implies the introduction of new terms or conditions.

(b) Incorrect - Contrary to this option, a counter offer does not create a binding contract based on the terms specified in the counter offer. Instead, it initiates a new negotiation process.

(c) Incorrect - This option is incorrect. A counter offer does not create a legal binding obligation based on the terms of the original offer. It introduces new terms that must be accepted for a contract to be formed.

(d) Incorrect - This option is inaccurate. A counter offer is not automatically binding on the original proposer; rather, it requires acceptance by the original proposer for a contract to be established.

113. In order to constitute a valid acceptance of an offer, it must be

(A) Unqualified

(B) Conditional

(C) Absolute

(D) Both (A) and (C).

Correct Option: D

(a) Incorrect - This option is incorrect. An acceptance does not necessarily have to be unqualified; it can be qualified or conditional based on the terms agreed upon by both parties.

(b) Incorrect - Contrary to this option, an acceptance can be conditional, provided that the conditions are clearly communicated and agreed upon by both parties.

(c) Incorrect - This option is inaccurate. While an acceptance must be absolute, it can also be conditional, as long as the conditions are explicitly stated and accepted by both parties.

(d) Correct - This is the correct option. For a valid acceptance, it must be unqualified (free from conditions) and absolute, meeting the requirements for a legally binding contract.

114. To be a legally valid contract, there must be

(A) Offer and acceptance, lawful consideration, intention to create legal relations, competent parties.

(B) Offer and acceptance, competent parties, lawful consideration, free consent, intention to create legal relations.

(C) Offer and acceptance, lawful object, lawful consideration, free consent.

(D) Offer and acceptance, lawful consideration, lawful object, free consent, competent parties, intention to create legal relations.

Correct Option: D

(a) Incorrect - This option is incomplete and does not encompass all the necessary elements for a legally valid contract. It omits the requirement of a lawful object.

(b) Incorrect - While this option includes several essential elements, it lacks the requirement of a lawful object, making it incomplete.

(c) Incorrect - This option is also incomplete, as it does not include the element of competent parties, which is crucial for a legally valid contract.

(d) Correct - This is the correct option. It includes all the essential elements for a legally valid contract, covering offer and acceptance, lawful consideration, lawful object, free consent, competent parties, and intention to create legal relations.

Humans as well as the wildlife are completely dependent upon environment for their survival. Humans are completely dependent on the environment. Like humans, the wildlife is also dependent on the environment for its survival and also gets affected by the environment. The relationship between humans and animals can be understood by the food-chain and food-web. The wildlife is affected by several reasons such as population, deforestation, urbanisation, high number of industries, chemical effluents, unplanned land-use policies, and reckless use of natural resources, etc. The Directive Principles of State Policy provide that protection and improvement of environment, safeguarding forest and wildlife have been duly enjoined upon the Government. Those principles have found statutory expression in various enactments i.e., the Wildlife (Protection) Act, 1972 and the Environment Protection Act, 1986 etc. which have been enforced by the court in various decisions. The inaction of the State to constitutional and statutory duties cannot be permitted. The Court has to issue appropriate directions to fulfil the mandate. Article 51-A of the Constitution of India provides fundamental duty to protect and preserve environment, wildlife, etc.

115. Which of the following provisions enjoins duty on the State to preserve and protect the environment?

- (A) Article 47
- (B) Article 48A
- (C) Article 17
- (D) Both (A) and (B).

Correct Option: B

(a) Correct - Article 48A of the Constitution of India specifically enjoins upon the State the duty to protect and improve the environment, safeguarding forests and wildlife. This provision reflects the commitment to environmental preservation and sets out a constitutional directive for the government to fulfill this duty.

(b) Incorrect - Article 47 primarily relates to the duty of the State to raise the level of nutrition and the standard of living and improve public health. It does not specifically address the duty to preserve and protect the environment.

(c) Incorrect - Article 17 deals with the abolition of untouchability and is unrelated to the preservation of the environment.

(d) Incorrect - While Article 47 and Article 48A both address aspects of public welfare, the specific duty related to the preservation and protection of the environment is covered by Article 48A. Therefore, only option (B) is correct.

116. Under which of the following enactments Noise Pollution (Regulation and Control) Rules have been enacted?

- (A) Air (Prevention and Control of Pollution) Act, 1981.
- (B) Environment Protection Act, 1986.
- (C) Both (A) and (B).
- (D) None of these.

Correct Option: C

(a) Incorrect - The Air (Prevention and Control of Pollution) Act, 1981 primarily deals with air pollution and does not specifically address noise pollution. Therefore, it is not the enactment under which Noise Pollution (Regulation and Control) Rules have been enacted.

(b) Incorrect - The Environment Protection Act, 1986 provides a broad framework for environmental protection but may not cover specific rules for noise pollution. It empowers the central government to frame rules, but noise pollution regulations have a more specific legislative basis.

(c) Correct - The Noise Pollution (Regulation and Control) Rules have been enacted under both the Air (Prevention and Control of Pollution) Act, 1981, and the Environment Protection Act, 1986. This option accurately reflects the legislative basis for the regulation of noise pollution.

(d) Incorrect - This option is not correct as the correct answer is (C).

117. Which of the following enlists processes generating hazardous wastes?

(A) Construction and Demolition Waste Management Rules, 2016.

(B) Batteries (Management and Handling) Rules, 2001.

(C) Hazardous Wastes (Management and Transboundary Movement) Rules, 2016.

(D) All of these.

Correct Option: C

(a) Incorrect - The Construction and Demolition Waste Management Rules, 2016 primarily deal with the management of construction and demolition waste, which may not necessarily generate hazardous wastes. Therefore, it does not specifically address processes generating hazardous wastes.

(b) Incorrect - The Batteries (Management and Handling) Rules, 2001 focus on the management and handling of batteries and related materials but do not cover all processes generating hazardous wastes. While batteries can be hazardous if not managed properly, they are just one source among many.

(c) Correct - The Hazardous Wastes (Management and Transboundary Movement) Rules, 2016 specifically address processes that generate hazardous wastes and provide regulations for their management and movement. This option accurately reflects the focus on hazardous waste generation.

(d) Incorrect - While options (a) and (b) may address specific types of waste, only option (c) explicitly mentions processes generating hazardous wastes and provides a comprehensive framework for their management. Therefore, the correct answer is (C).

118. The concept of 'Extended Producer Responsibility' embodied in Environment Protection Act, 1986 is based on which of the following doctrines?

(A) Polluter Pays Principle

(B) Doctrine of Absolute Liability

(C) Doctrine of Vicarious Liability

(D) None of these

Correct Option: A

- (a) Correct - The concept of Extended Producer Responsibility (EPR) is indeed based on the Polluter Pays Principle, which holds that those who produce pollution should bear the costs of managing and mitigating it. EPR shifts the responsibility for managing products and their waste to the producers, encouraging them to minimize environmental impacts.
- (b) Incorrect - The Doctrine of Absolute Liability holds that an entity engaged in inherently dangerous activities is liable for any harm caused regardless of fault. While related to environmental protection, it does not directly underpin the concept of Extended Producer Responsibility.
- (c) Incorrect - The Doctrine of Vicarious Liability holds one party liable for the actions of another. It is a legal principle applied in certain contexts, but it is not the basis for Extended Producer Responsibility.
- (d) Incorrect - The correct answer is not (D). The concept of Extended Producer Responsibility is indeed based on the Polluter Pays Principle, as explained in option (a).

119. When the Environment (Protection) Act, 1986 came into force?

- (A) 1st October 1986
- (B) 19th October 1986
- (C) 17th November 1986
- (D) 19th November 1986

Correct Option: D

- (a) Incorrect - The Environment (Protection) Act, 1986 did not come into force on 1st October 1986.
- (b) Incorrect - The Environment (Protection) Act, 1986 did not come into force on 19th October 1986.
- (c) Incorrect - The Environment (Protection) Act, 1986 did not come into force on 17th November 1986.
- (d) Correct - The Environment (Protection) Act, 1986 came into force on 19th November 1986. This option accurately reflects the date of enactment.

120. Which of the following Constitution Amendment Act inserted Article 48A in the Constitution of India?

- (A) Constitution (Forty Fourth Amendment) Act, 1978.
- (B) Constitution (Fortieth Amendment) Act, 1976.
- (C) Constitution (Forty Second Amendment) Act, 1976.
- (D) Constitution (Forty Sixth Amendment) Act, 1982.



Correct Option: C

- (a) Incorrect - The Constitution (Forty Fourth Amendment) Act, 1978 did not insert Article 48A into the Constitution of India.
- (b) Incorrect - The Constitution (Fortieth Amendment) Act, 1976 did not insert Article 48A into the Constitution of India.
- (c) Correct - The Constitution (Forty Second Amendment) Act, 1976 inserted Article 48A into the Constitution of India. This option accurately identifies the correct amendment.
- (d) Incorrect - The Constitution (Forty Sixth Amendment) Act, 1982 did not insert Article 48A into the Constitution of India.