

C 2787

(Pages : 12)

Name.....

Reg. No.....

U.G./P.G. ENTRANCE EXAMINATION, APRIL 2021

LL.M.

Time : Two Hours

Maximum : 100 Marks

Part I

PART A (OBJECTIVE TYPE QUESTIONS)

Answer all questions.

Each question carries 1 mark.

Choose the One Word Substitution :

1. I speak English but he _____.
(A) Doesn't speaks. (B) Doesn't speak.
(C) Speaks. (D) Don't speak.
2. The superlative form of far is _____.
(A) Farthest. (B) Farther.
(C) More far. (D) Most far.
3. QPO, NML, KJI, _____, EDC.
(A) HGF. (B) CAB.
(C) JKM. (D) GHD.
4. PASTORAL : RURAL :
(A) Metropolitan : urban. (B) Sleepy : nocturnal.
(C) Harvest : autumn. (D) Agrarian : benevolent.
5. Which word does NOT belong with the others ?
(A) Index. (B) Glossary.
(C) Chapter. (D) Book.

Turn over

6. Posthumous Award occurs when an award is given to someone, after their death. Choose one / more situation (s) below as the best example of Posthumous Award :
- (A) Late yesteryear actress Sridevi was awarded with a Lifetime Achievement Award after she passed away in Filmfare 2019.
 - (B) Chitra never thought she'd live to receive a third booker prize for her novel.
 - (C) Emanuel has been honored with a prestigious literary award for his writing career and his daughter accepted the award on behalf of her deceased father.
 - (D) Meenal's publisher cancelled her book contract after she failed to deliver the manuscript on time.
7. According to new terminology, 'Aries' means 'air', 'Taurus' means 'light', 'Libra' means 'water' and 'Scorpio' means 'earth'. What would an organism breathe in ?
- (A) Aries.
 - (B) Taurus.
 - (C) Libra.
 - (D) Scorpio.
 - (E) None of these.
8. A and B are brothers. C and D are sisters. A's son is D's brother. How is B related to C. ?
- (A) Father.
 - (B) Brother.
 - (C) Uncle.
 - (D) Grandfather.
9. Tort is the species of _____.
- (A) Criminal Wrong.
 - (B) Breach of Contract.
 - (C) Civil Wrong.
 - (D) Moral Wrong.
10. Right to Education is a Fundamental Right under which of the following Article :
- (A) Article 14.
 - (B) Article 19.
 - (C) Article 21.
 - (D) Article 21 A.
11. The Child Marriage Restraint Act, 2006 is applicable to :
- (A) Only Hindus.
 - (B) All Indians except Muslims as the minimum of marriage among Muslim girls is puberty (beginning of menstruation) in Muslim personal law.
 - (C) All irrespective of religion.
 - (D) All except Muslim, Christians and Jews.

Prohibition of Child Marriage Act, 2006 being a "Special Act" and being a subsequent legislation, to this extent and in case there is any conflict, will over-ride the provisions of Muslim Personal Law, Hindu Marriage Act or for that matter any personal law. Religion of the contracting party does not matter.

12. Within the jurisdiction of which High Court does Lakshadweep fall ?
- (A) Bombay High Court. (B) Kerala High Court.
(C) Madras High Court. (D) Delhi High Court.
13. Bank nationalization case relates to the nationalization :
- (A) Some banks by the Government of India after economic liberalisation in 1991.
(B) Some banks under a law during the Prime Ministership of Mrs. Indira Gandhi.
(C) All the private Indian Banks during the Prime Ministership of Narasimha Rao.
(D) All the private Indian Banks during the Prime Ministership of Mrs. Indira Gandhi.
14. What can be the maximum number of members of the Lok Sabha ?
- (A) 545. (B) 550.
(C) 552. (D) 560.
15. The power of Judicial Review in the Indian Constitution is based on which principle ?
- (A) Rule of law. (B) Due process of law.
(C) Precedents and conventions. (D) None of the above.

(15 × 1 = 15 marks)

PART B (ESSAY)

*Answer any one question.
The question carries 10 marks.*

Write Essay on :

1. Child Rights during pandemic.
2. Legal aid for social transformation.

(1 × 10 = 10 marks)

Turn over

Part II**PART A (OBJECTIVE TYPE QUESTIONS)**

Answer all questions.

Each question carries 1 mark.

1. The State shall endeavour to secure for the citizens a Uniform Civil Code throughout the territory of India as per :
 - (A) Article 40.
 - (B) Article 43.
 - (C) Article 44.
 - (D) Article 48.
2. Article 16(4A) which gives power to the State to make laws regarding reservation in favour of Scheduled Castes and Scheduled Tribes was added by the :
 - (A) 75th Amendment to the Constitution of India.
 - (B) 76th Amendment to the Constitution of India.
 - (C) 77th Amendment to the Constitution of India.
 - (D) 78th Amendment to the Constitution of India.
3. The protection and improvement of environment including forests and wild life of the country is :
 - (A) Directive Principle of State Policy.
 - (B) Fundamental National Policy.
 - (C) Fundamental Duty of a Citizen.
 - (D) Both Directive Principles of State Policy and Fundamental Duty of a Citizen.
4. The President's rule under Article 356 of the Constitution of India remains valid in the State for maximum period of :
 - (A) One month.
 - (B) Three months.
 - (C) Six months.
 - (D) One year.
5. Social, economic and political Justice is :
 - (A) An idea enshrined in the Preamble to the Constitution of India.
 - (B) Guaranteed by Fundamental Rights in the Constitution of India.
 - (C) A Directive Principle of State Policy taken into consideration while making enactments.
 - (D) Guaranteed to the people by the writs issued by the High Courts and Supreme Court.

6. Article 51A of the Constitution of India provides for the Fundamental Duties of :
- (A) Citizens of India.
 - (B) Public Servants.
 - (C) All those who run public and private sectors.
 - (D) Prime Minister and his Council of Ministers.
7. The appropriate writ issued by Supreme Court to quash the appointment of a person to a public office is :
- (A) Certiorari.
 - (B) Mandamus.
 - (C) Prohibition.
 - (D) Quo-Warranto.
8. The Constitution of India embodies the parliamentary form of government because :
- (A) The Council of Ministers is collectively responsible to the Lok Sabha.
 - (B) The Council of Ministers is responsible to Lok Sabha and Rajya Sabha.
 - (C) The President, the head of the executive, is answerable to Parliament.
 - (D) The Prime Minister, the Head of the Cabinet, is accountable to Parliament.
9. The word 'Secular' was added in the Preamble to the Constitution of India by :
- (A) First Amendment Act.
 - (B) Seventh Amendment Act.
 - (C) Forty-Second Amendment Act.
 - (D) Forty-Fourth Amendment Act.
10. Parliament has power to legislate with respect to a matter in the State List, provided it is in the :
- (A) Public interest.
 - (B) National interest.
 - (C) Both (A) and (B) above.
 - (D) None of the above.
11. The Universal Declaration of Human Rights was adopted on :
- (A) December 1, 1948.
 - (B) December 10, 1948.
 - (C) December 11, 1948.
 - (D) December 31, 1948.
12. Who was the founder of the International Committee of the Red Cross ?
- (A) Henry Dunant.
 - (B) F. Lieber.
 - (C) Rousseau.
 - (D) None of the above.

13. The Chief Election Commissioner can be removed from his office under Article :
- (A) 125. (B) 352.
(C) 226. (D) 324.
14. 'Right to life' under Article 21 of the Constitution does not include 'right to die'. This observation was made by the Supreme Court in :
- (A) P. Rathinam V. Union of India.
(B) Gian Kaur V. State of Punjab.
(C) Both (A) and (B) above.
(D) None of the above.
15. Article 15(1) prohibits discrimination against any citizen on the grounds of :
- (A) Religion, race and caste only.
(B) Religion, caste and sex only.
(C) Religion, caste, sex and place of birth only.
(D) Religion, race, caste, sex, place of birth or any of them.
16. Unliquidated damages mean :
- (A) Damage to something solid.
(B) Damage caused by a firm which has gone in liquidation.
(C) Damage to a firm in the hands of receivers.
(D) Damage to be assessed by a court as these are not pre-determined.
17. B owned and managed a company supplying electricity to the nearby locality. On a particular windy and stormy day, one of the wires snapped and was hanging down. A, a cyclist who was driving in the night, saw the wire from a distance. There was a nearby street tight with low visibility. He came in contact with the wire and was electrocuted immediately. His heirs sued B on ground of strict liability :
- (A) A is liable because it is A's fault to come out on a rainy day.
(B) B is not liable because it is A's negligence which caused the injury.
(C) A is liable because supplying electricity is inherently dangerous and A should have been careful.
(D) A is not liable because it was an accident and he had no intention to cause harm.

18. Ramesh asks his servant to sell his cycle to him at a price less than that of market price. This contract can be avoided by the servant on the ground of :
- (A) Fraud. (B) Mistake.
(C) Undue influence. (D) Coercion.
19. Which of the following is an example of trespass ?
- (A) Rahim walks in front of Raj's house, staying on the sidewalk.
(B) Asha hunts on Ram's land without Ram's permission. While there, Asha shoots one of Ram's cows, mistaking the cow for a deer.
(C) Josh borrows Luke's car after Josh asks Luke to run to the store to pick up some milk.
(D) Lisa walks into Heather's house, who has invited her over for lunch.
20. Why is a reasonable person test used to determine breach of duty in a negligence case ?
- (A) Because negligence involves being reasonable.
(B) Because a breach of duty occurs when a person does not exercise the degree of care that a reasonable person would in the same situation.
(C) Because only reasonable persons are involved in breaches of duty.
(D) Because each tort case is quite similar.
21. Infancy' as an exception has been provided under :
- (A) Section 80. (B) Section 81.
(C) Section 82. (D) Section 84.
22. A hangman who hangs the prisoners pursuant to the order of the court is exempt from criminal liability by virtue of :
- (A) section 77 of IPC. (B) section 78 of IPC.
(C) section 79 of IPC. (D) section 76 of IPC.
23. Insanity as a defence means that a person at the time of doing an act, by reason of unsoundness of mind is incapable of knowing :
- (A) The nature of the act.
(B) That what he is doing is wrong.
(C) That what he is doing is contrary to law.
(D) Either (A) or (B) or (C).

24. A is beating Z and Y jumps into stop the beating. In the process A intentionally strikes Y. As per Section 71 of IPC which of the following should be the punishment ?
- (A) A is liable to one punishment for voluntarily causing hurt to Z and to another for the blow given to Y.
 - (B) A is liable to one punishment for voluntarily causing hurt only to Z.
 - (C) A is liable to one punishment for voluntarily causing hurt only to Y.
 - (D) None of them.
25. Language to be used in the Supreme Court and in the High Courts and for Acts, Bills etc. in the Legislature shall be :
- (A) Hindi.
 - (B) English.
 - (C) Hindi or English.
 - (D) None of the above.
26. The concept of judicial review was borrowed from the Constitution of :
- (A) Britain.
 - (B) France.
 - (C) USA.
 - (D) None of the above.
27. In which of the following cases did the Supreme Court overrule the judgment of Delhi High Court and declared that Section 377 of IPC is not unconstitutional ?
- (A) NAZ Foundation V. Government of NCT of Delhi.
 - (B) Suresh Kumar Kaushal and another V. NAZ Foundation's and others.
 - (C) NAZ Foundation V. Union of India.
 - (D) Naz Foundation V. Ram Lal and others.
28. A contract by which, one party promises to save the other from loss caused to him by the conduct of the promisor himself, or by the conduct of any other person, is called :
- (A) Contract of Guarantee.
 - (B) Contract of Indemnity.
 - (C) Contract of Bailment.
 - (D) Contract of Pledge.
29. In case of non-fulfilment of the contractual obligations, only the parties to the contract can sue each other. This statement may be called as :
- (A) Privity of Consideration.
 - (B) Privity of Contract.
 - (C) Both (A) and (B).
 - (D) None of the above.

30. A threw a light squib into a crowd, it fell upon X. "X", in order to prevent injury to himself, threw it further. It fell upon "Y" and "Y" in turn, did the same thing and it then fell on "B", as a result of which, B lost one of his eyes. Who would be liable for B :
- (A) A. (B) X.
(C) Y. (D) Himself.
31. Charan threatens to publish a defamatory libel concerning Meenakshi, a politician unless Meenakshi, gives him money. He thus induces Meenakshi, to give him money. Here Charan has committed the offense of _____.
- (A) Defamation. (B) Mischief.
(C) Criminal intimidation. (D) Extortion.
32. Which one of the following element is not necessary for a contract ?
- (A) Competent parties. (B) Reasonable terms and conditions.
(C) Free consent. (D) Lawful consideration.
33. Which one of the following is known as Consumer disputes redressal agency ?
- (A) District forum. (B) State commission.
(C) National commission. (D) All the above.
34. A, a tradesman, leaves goods at B's house by mistake. B treats the goods as his own :
- (A) He is not bound to pay A for them.
(B) He is bound to pay partially A for them.
(C) He is bound to pay A for them.
(D) None of these.
35. A fraudulently inform B that A's estate is free from encumbrance. B thereupon buys the estate. The estate is subject to a mortgage.
- (A) B may avoid the contract.
(B) B may insist on its being carried out, and the mortgage debt redeemed.
(C) Either (A) or (B).
(D) None of these.

36. A supplies the wife and children of B, a lunatic, with necessaries suitable to their condition in life :
- (A) A is entitled to be reimbursed from B's property.
 - (B) A is not entitled to be reimbursed from B's property.
 - (C) A is entitled to be given a share in B's property.
 - (D) None of these.
37. A contracts to pay B a sum of money when B marries C. C dies without being married to :
- (A) The contract still can be forced.
 - (B) The contract becomes void.
 - (C) Either (A) or (B).
 - (D) None of these.
38. A delivers a rough diamond to B, a jeweller, to be cut and polished, which is accordingly done :
- (A) B is not entitled to retain the stone till he is paid for the services he has rendered.
 - (B) B is entitled to retain the stone till he is not paid for the services he has rendered.
 - (C) B is entitled to retain the stone till he is paid for the services he has rendered.
 - (D) None of these.
39. A lends a horse, which he knows to be vicious, to B. He does not disclose the fact that the horse is vicious. The horse runs away. B is thrown and injured :
- (A) A is not responsible to B for damage sustained.
 - (B) A is partly responsible to B for damage sustained.
 - (C) A is responsible to B for damage sustained.
 - (D) None of these.
40. According to which rule of interpretation meaning of word should be known from its Accompany ignore associating words ?
- (A) Mischief rule.
 - (B) Golden rule.
 - (C) Noscitur a sociis.
 - (D) Primary rule.

41. In what circumstances is the Rule of ejusdem generic is applicable ?
- (A) Specific word follow general words.
 - (B) General word follows specific words.
 - (C) Either (A) or (B).
 - (D) Both (A) and (B).
42. When statute do not profess to make any alteration in the existing law, but merely declare Or explain what it is, then such law is known as :
- (A) Codifying statute.
 - (B) Remedial statute.
 - (C) Declaratory statute.
 - (D) Consolidating statute.
43. Heydon's case deals with _____?
- (A) Mischief rule.
 - (B) Rule of reasonable construction.
 - (C) Noscitur a sociis.
 - (D) Golden rule.
44. What is the doctrine of stare decisis ?
- (A) The doctrine of Parliamentary sovereignty.
 - (B) The doctrine of royal pardon.
 - (C) The doctrine of statutory interpretation.
 - (D) The doctrine of precedent.
45. What is meant by statutory interpretation ?
- (A) The interpretation of a statute by Parliament.
 - (B) The interpretation of a statute by the House of Commons.
 - (C) The interpretation of a statute by the courts.
 - (D) The interpretation of a statute by the House of Lords.
46. Which of the following statements is a definition of the phase 'ratio decidendi' ?
- (A) The verdict.
 - (B) The material facts.
 - (C) A hypothetical situation.
 - (D) The legal reason for reaching a decision.

47. The Union List consists of :
- (A) 97 subjects. (B) 61 subjects.
(C) 47 subjects. (D) 73 subjects.
48. The statutes dealing with tax are termed as _____.
- (A) Civil statues. (B) Penal statute.
(C) Fiscal statutes. (D) Personal statutes.
49. The doctrine of colorable legislation refers to the :
- (A) Question of competency of the legislature.
(B) Question of fact.
(C) Question of jurisdiction.
(D) Nature of legislation.
50. The idea of 'concurrent list' in the Indian constitution is taken from the Constitution of _____ ?
- (A) Ireland. (B) Canada.
(C) Australia. (D) Japan.

(50 × 1 = 50 marks)

PART B (SHORT NOTES)

Answer any three questions.

1. Explain the concept of 'strict liability' with the help of the celebrated case of Rylands v. Fletcher.
2. Briefly explain intoxication as a general defence under the Indian Penal Code.
3. How do you conceptualize burden of proof as provided in the Indian Evidence Act ?
4. Explain the meaning of 'res judicata' under Civil Procedure Code.

(3 × 5 = 15 marks)

PART C

Answer any one question.

1. Examine how gender justice is envisaged in Articles 14 and 15 of the Constitution of India. Illustrate with one case law.
2. Examine cruelty as provided under Section 498-A, IPC. Does it include mental cruelty ?

(1 × 10 = 10 marks)