

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

Test Booklet Series

T. B. C. : JSP – 2019

A

TEST BOOKLET

O. J. S. PRELIMINARY

Sl. No.

2537

Time Allowed : 1½ Hours

Maximum Marks : 100

: INSTRUCTIONS TO CANDIDATES :

1. IMMEDIATELY AFTER COMMENCEMENT OF THE EXAMINATION, YOU SHOULD CHECK THAT THIS TEST BOOKLET **DOES NOT** HAVE ANY UNPRINTED OR TORN OR MISSING PAGES OR ITEMS ETC. IF SO, GET IT REPLACED BY A COMPLETE TEST BOOKLET OF SAME SERIES ISSUED TO YOU.
2. ENCODE CLEARLY THE TEST BOOKLET SERIES **A, B, C OR D**, AS THE CASE MAY BE, IN THE APPROPRIATE PLACE IN THE ANSWER SHEET USING BALL POINT PEN (BLUE OR BLACK).
3. You have to enter your **Roll No.** on the Test Booklet in the Box provided alongside. **DO NOT** write *anything else* on the Test Booklet.
4. **YOU ARE REQUIRED TO FILL UP & DARKEN ROLL NO., TEST BOOKLET / QUESTION BOOKLET SERIES IN THE ANSWER SHEET AS WELL AS FILL UP TEST BOOKLET / QUESTION BOOKLET SERIES AND SERIAL NO. AND ANSWER SHEET SERIAL NO. IN THE ATTENDANCE SHEET CAREFULLY. WRONGLY FILLED UP ANSWER SHEETS ARE LIABLE FOR REJECTION AT THE RISK OF THE CANDIDATE.**
5. This Test Booklet contains **100** items (questions). Each item (question) comprises four responses (answers). You have to select the correct response (answer) which you want to mark (darken) on the Answer Sheet. In case, you feel that there is more than one correct response (answer), you should mark (darken) the response (answer) which you consider the best. In any case, choose **ONLY ONE** response (answer) for each item (question).
6. You have to mark (darken) all your responses (answers) **ONLY** on the **separate Answer Sheet** provided by using **BALL POINT PEN (BLUE OR BLACK)**. See instructions in the Answer Sheet.
7. All items (questions) carry equal marks. All items (questions) are compulsory. Your total marks will depend only on the number of correct responses (answers) marked by you in the Answer Sheet. There will be negative markings for wrong answers. **25 (Twenty Five) percent of marks allotted to a particular question will be deducted as negative marking for every wrong answer.**
8. Before you proceed to mark (darken) in the Answer Sheet the responses (answers) to various items (questions) in the Test Booklet, you have to fill in some particulars in the Answer Sheet as per the instructions sent to you with your **Admission Certificate**.
9. After you have completed filling in all your responses (answers) on the Answer Sheet and after conclusion of the examination, you should hand over to the Invigilator the *Answer Sheet* issued to you. You are allowed to take with you the candidate's copy / second page of the Answer Sheet along with the **Test Booklet**, after completion of the examination, for your reference.
10. Sheets for rough work are appended in the Test Booklet at the end.

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SEAL

1. Who among the following was the Special Public Prosecutor in the Disproportionate Assets Case in which Tamil Nadu Chief Minister Jayalalithaa was convicted for four years ?
 - (A) Anand Grover
 - (B) Bhavani Singh
 - (C) Siddarth Luthra
 - (D) None of them
2. Government of India Act, 1935 was a lengthy document consists of 321 Sections and 10 Schedules. The statement is :
 - (A) True
 - (B) False
 - (C) Partly correct
 - (D) None of these
3. How many times has the Preamble to the Constitution of India amended ?
 - (A) Once
 - (B) Twice
 - (C) Thrice
 - (D) None
4. The First Session of the Constituent Assembly was held at :
 - (A) Delhi
 - (B) Bombay
 - (C) Calcutta
 - (D) None of these
5. Which of the following Articles of the Constitution of India guarantees freedom to marriage religious affairs ?
 - (A) Article 25
 - (B) Article 26
 - (C) Article 27
 - (D) Article 28
6. Which one of the following Articles about Fundamental Rights is directly related to the exploitation of Children ?
 - (A) Article 18
 - (B) Article 19
 - (C) Article 22
 - (D) Article 24
7. Which of the following Articles was/were amended to rectify the effect of Golaknath's judgement ?
 - (A) Article 13
 - (B) Article 368
 - (C) Article 31
 - (D) Both (A) and (B)

8. How many items are there in the Ninth Schedule when it was introduced ?
- (A) 8
(B) 9
(C) 10
(D) 12
9. Which of the following cases upheld the right against solitary confinement ?
- (A) Sunil Batra Case
(B) Ramesh Thapar Case
(C) Prem Shanker Shukla Case
(D) None of these
10. Is Judicial Review a part of basic structure of Indian Constitution ?
- (A) Yes
(B) No
(C) Depends
(D) None of these
11. "Decree" has been defined in Section _____ of the Code of Civil Procedure.
- (A) Section 1(1)
(B) Section 1(2)
(C) Section 2(1)
(D) Section 2(2)
12. In the case of inconsistency between Sections and the Rules _____ shall prevail.
- (A) Sections
(B) Rules
(C) Orders
(D) None of these
13. The body of the Code of Civil Procedure containing Sections can be amended by :
- (A) The Supreme Court
(B) The High Courts
(C) The Parliament
(D) None of these
14. Civil Proceedings instituted by Presentation of Plaint is called _____.
- (A) Suit
(B) Caveat
(C) Application
(D) None of these
15. Can a Civil Court pass more than one orders in suit ?
- (A) Yes
(B) No
(C) Never
(D) None of these

16. The first uniform Code of Civil Procedure was enacted in the year :
- (A) 1908
 - (B) 1859
 - (C) 1882
 - (D) 1872
17. The substantive part of the Code of Civil Procedure is contained in :
- (A) Sections
 - (B) Rules
 - (C) Orders
 - (D) None of these
18. Is it necessary to state the amount of costs incurred in the suit ?
- (A) Yes
 - (B) No
 - (C) Depends
 - (D) None of these
19. Can the Court issue commissions for examination of a person in prison ?
- (A) Yes
 - (B) No
 - (C) Never
 - (D) Depends
20. Is it necessary for the Court to pronounce the judgement in all issues ?
- (A) Yes
 - (B) No
 - (C) Never
 - (D) None of these
21. Section 2(g) of the Code of Criminal Procedure 1973 defines :
- (A) Enquiry
 - (B) Inquiry
 - (C) Investigation
 - (D) None of these
22. In a Warrant case instituted on police report, the trial begins when the :
- (A) Accused appears
 - (B) Charge is framed
 - (C) Witnesses are examined
 - (D) None of these
23. An illegality in the investigation :
- (A) Vitiates the trial
 - (B) Does not vitiate the trial in any case
 - (C) Does not vitiate the trial unless miscarriage of justice has been caused
 - (D) None of these

24. Identification of arrested persons can be ordered by the Court on the request of the :
- Complainant
 - Arrested person or his nominee
 - Officer-in-charge of a Police Station
 - None of them
25. Every Summons shall be served by :
- Public Servant
 - Police Officer
 - Officer of the Court
 - Any one of them
26. A warrant may be directed to any person for the arrest of :
- Any escaped convict
 - A proclaimed offender
 - Any person who is accused of a non-bailable offence and is evading arrest
 - All of them
27. Can the evidence of witnesses be taken on oath by the Magistrate conducting an enquiry ?
- Yes
 - No
 - Depends
 - None of these
28. Any Court may alter or add to any charge at any time before the :
- Evidence is closed
 - Evidence is started
 - Judgement is pronounced
 - None of these
29. What is the maximum sentence of imprisonment which can be imposed for an offence tried as Summary Trial ?
- Six months
 - One year
 - Two years
 - Three months
30. Can a witness refuse to sign the deposition if it is not read over to him ?
- Yes
 - No
 - Depends
 - None of these

31. Which of the following types of evidence means "testimony" ?
- (A) Direct Evidence
 - (B) Circumstantial Evidence
 - (C) Both (A) and (B)
 - (D) None of these
32. Who drafted the Indian Evidence Act, 1872 ?
- (A) Lord Denning
 - (B) A.V. Dicey
 - (C) Lord Macaulay
 - (D) J. F. Stephen
33. The Indian Evidence Act, 1872 does not mention :
- (A) Relevancy of Evidence
 - (B) Admissible Evidence
 - (C) Weight of Evidence
 - (D) All of these
34. The word 'relevant' is derived from the Latin term "relevare" which means :
- (A) Important
 - (B) Legally pertinent
 - (C) Significant
 - (D) None of these
35. Which of the following is not a Public document ?
- (A) Order of a competent authority fixing price of commodities
 - (B) An order issuing a search warrant
 - (C) A crop cutting report by a Collector
 - (D) Plaint on written statement in a suit
36. Relevancy is a _____.
- (A) Question of fact
 - (B) Question of law
 - (C) Mixed question of fact and law
 - (D) None of these
37. Res gestae is an exception to the _____.
- (A) Relevancy Rule
 - (B) Hearsay Rule
 - (C) Circumstantial Evidence
 - (D) None of these
38. Proof of a fact depends upon :
- (A) Accuracy of Statements
 - (B) Probability of it having existed
 - (C) Both (A) and (B)
 - (D) None of these

39. When one is unable to decide how the fact stands precisely, it can be termed as :
- (A) Proved
(B) Disproved
(C) Not proved
(D) None of these
40. The maxim falsus in UNO, falsus in Omnibus is _____.
- (A) A sound rule of law
(B) A sound rule of evidence
(C) Both (A) and (B)
(D) None of these
41. The principle of criminal liability "Actus non facit reum nisi means sit-rea" is of origin of :
- (A) India
(B) Mohammedan Criminal law
(C) Common law
(D) None of these
42. Which of the following is not a sine qua non for making a person criminally liable ?
- (A) Mens rea
(B) Actus-rea
(C) Motive
(D) All of these
43. Which of the following is an inchoate offence ?
- (A) Attempt
(B) Abetment
(C) Criminal conspiracy
(D) All of these
44. Which of the following Sections of the Indian Penal Code is added by the Information Technology Act, 2000 ?
- (A) Section 28A
(B) Section 29A
(C) Section 27A
(D) Section 30A
45. Loss by unlawful means of property to which the person losing it is legally entitled :
- (A) Dishonest loss
(B) Wrongful loss
(C) Unlawful loss
(D) None of these

46. The word "electronic record" shall have the same meaning assigned to them is in the :
- (A) General Clauses Act
 (B) Information Technology Act
 (C) Right to Information Act
 (D) Indian Evidence Act
47. No Court shall take cognizance of the offence punishable under Sec. 153A, except with the previous sanction of the :
- (A) Central Government
 (B) State Government
 (C) Either (A) or (B)
 (D) District Magistrate
48. In a prosecution of an offence of criminal conspiracy the onus of proof is on :
- (A) Prosecution
 (B) Accused
 (C) Depends
 (D) None of these
49. Which of the following is not a punishment provided under Indian Penal Code ?
- (A) Forfeiture of property
 (B) Imprisonment with hard labour
 (C) Transportation for life
 (D) Death
50. Which of the following theory recognizes the principles of "eye for eye" and "tooth for tooth" ?
- (A) Deterrent theory
 (B) Retribution theory
 (C) Reformatory theory
 (D) None of these
51. Which of the following Sections of the Limitation Act, 1963 gives an inclusive definition of "easement" ?
- (A) 2(c)
 (B) 2(f)
 (C) 2(g)
 (D) 2(h)
52. Which of the following Sections of Limitation Act, 1963 defines "Period of Limitation" ?
- (A) 2(i)
 (B) 2(f)
 (C) 2(k)
 (D) 2(c)

53. Expiry of period of limitation :
- (A) Extinguishes the debt
 - (B) Renders the debts unenforceable
 - (C) Extinguishes the debt and renders it unenforceable
 - (D) None of these
54. As defined in Section 2(i) of the Limitation Act, 1963, 'suit' includes :
- (A) An appeal
 - (B) Application
 - (C) Both (A) and (B)
 - (D) Neither (A) nor (B)
55. An order made on an application ; filed beyond the period of limitation is :
- (A) Illegal
 - (B) Without jurisdiction
 - (C) Irregular
 - (D) None of these
56. In a suit for recovery of possession of a house from a deemed trustee of waqf property :
- (A) No limitation applies
 - (B) Limitation is applicable
 - (C) Depends
 - (D) None of these
57. Limitation runs from the :
- (A) Date the plaint is returned
 - (B) Date of order by which plaint is directed to be returned
 - (C) Depends
 - (D) None of these
58. Which of the following Sections of the Limitation Act, 1963 deals with acquisition of easement by prescription ?
- (A) 25
 - (B) 26
 - (C) 27
 - (D) 28
59. The period of limitation for a suit for an account and a share of the profits of dissolved partnership is :
- (A) One year
 - (B) Two years
 - (C) Three years
 - (D) Five years

60. The period of Limitation for the suits relating to decrees and instruments is :
- (A) One year
 - (B) Two years
 - (C) Three years
 - (D) Five years
61. Inter Vivos means and includes :
- (A) Only living persons
 - (B) Living as well as dead persons
 - (C) Living as well as juristic persons
 - (D) None of these
62. As per Section 13 of the Transfer of Property Act, 1882 a transfer of property is valid in the case of an unborn person if the interest therein is created for :
- (A) Enjoyment
 - (B) Possession
 - (C) The benefit
 - (D) All of these
63. "Subrogation" is a Roman word, which means :
- (A) Surrender
 - (B) Exhaustion
 - (C) Substitution
 - (D) Alteration
64. Contribution to Mortgage debt in the Transfer of Property Act, 1882 comes under :
- (A) Section 82
 - (B) Section 83
 - (C) Section 82A
 - (D) None of these
65. The definition of actionable claims was substituted by the amendment in which year ?
- (A) 2002
 - (B) 1929
 - (C) 1900
 - (D) None of these
66. To make the assignment of actionable claims perfect notice to the debtor is :
- (A) Necessary by the transferor
 - (B) Necessary by the transferee
 - (C) Necessary by both the parties
 - (D) Not necessary

67. Right derived to a mortgagee to obtain a decree for foreclosure in the event when the mortgage money :
- (A) Is outstanding
 - (B) Is defaulted
 - (C) Becomes payable
 - (D) Becomes due
68. Pendency of suit for the purpose of Section 52 commences from the date on which :
- (A) Complaint presented
 - (B) Summons issued
 - (C) Suit admitted
 - (D) None of these
69. Doctrine of Holding out is related to :
- (A) Transfer by an ostensible owner
 - (B) Election
 - (C) Feeding the grant by Estoppels
 - (D) None of these
70. Doctrine of Election is explained in the Transfer of Property Act, 1882 in :
- (A) Section 35
 - (B) Section 36
 - (C) Section 34
 - (D) None of these
71. The Indian Contract Act, 1872 is not exhaustive. The statement is :
- (A) True
 - (B) False
 - (C) Partly correct
 - (D) None of these
72. The popular case Askari Mirza vs Jaikishori relates to :
- (A) Fraud
 - (B) Undue Influence
 - (C) Coercion
 - (D) Mistake
73. Which of the following right(s) is / are not available to the agent ?
- (A) Right to sell
 - (B) Right to compensation
 - (C) Right to retain
 - (D) All of these
74. A guarantee obtained by means of keeping silence as to material circumstances is :
- (A) Valid
 - (B) Void
 - (C) Invalid
 - (D) Voidable

75. Which one is not a remedy for breach of contract ?
- (A) Damages
(B) Injunction
(C) Fine
(D) Specific performance
76. Quasi-contracts are dealt with in :
- (A) Section 62
(B) Section 63-68
(C) Section 68-72
(D) Section 72-75
77. Promissory estoppel is sometimes spoken of as a substitute for :
- (A) Novation
(B) Quasi-contract
(C) Consideration
(D) Coercion
78. The leading case *Balfour vs Balfour* relates to :
- (A) Capacity of parties
(B) Acceptance of offer
(C) Communication
(D) Intention to contract
79. An agency is terminated :
- (A) By the principal revoking the authority
(B) By the agent renouncing the business of agency
(C) By either the principal or agent dying or becoming of unsound mind
(D) All of these
80. Which of the following Sections of Indian Contract Act, 1872 deals with bailee's particular lien ?
- (A) 167
(B) 168
(C) 169
(D) 170
81. Which of the following Sections of the Hindu Succession Act, 1956, deals with the properties to which the Act is not applicable ?
- (A) Section 5
(B) Section 6
(C) Section 7
(D) Section 8

82. Legacy means :
- (A) A gift of property by way of will
 - (B) A gift of property by way of gift deed
 - (C) A gift of movable property
 - (D) A gift of immovable property
83. By the Amendment Act of 2005, Section 6 of the Hindu Succession Act was :
- (A) Amended
 - (B) Substituted
 - (C) Repealed
 - (D) None of these
84. In order to attract Section 14 of the Hindu Succession Act, 1956, the possession of property may be :
- (A) Actual Possession
 - (B) Symbolic Possession
 - (C) Constructive Possession
 - (D) Any of these
85. According to Section 10 of the Hindu Succession Act, 1956, the intestate's widow shall take _____ share.
- (A) 1
 - (B) 2
 - (C) 3
 - (D) 4
86. Coparcenary is a narrower body, then joint family. The statement is :
- (A) True
 - (B) False
 - (C) Partly correct
 - (D) None of these
87. General rules of Succession in the case Succession of Female Hindus are dealt with under _____.
- (A) Section 16
 - (B) Section 20
 - (C) Section 21
 - (D) Section 15
88. "Life estate granted to a Hindu Woman by a will also becomes her absolute estate." The statement is :
- (A) True
 - (B) False
 - (C) Partly correct
 - (D) None of these

89. When two persons are related by blood or adoption, wholly through males, it is called _____.
- (A) Cognate
(B) Agnate
(C) Both (A) and (B)
(D) Coparcener
90. The property mentioned in Section 14 of Hindu Succession Act, 1956, does not include the Stridhana property. The statement is :
- (A) True
(B) False
(C) Partly correct
(D) None of these
91. Specific Relief is a form of judicial redress. This statement is :
- (A) True
(B) False
(C) Partly correct
(D) None of these
92. The remedy of a person unsuccessful in a suit under Section 6 of the Specific Relief Act, 1963 is to file _____.
- (A) Appeal
(B) Revision
(C) Review
(D) A regular suit establishing his title to the suit property
93. Section 36 of the Specific Relief Act, 1963 classifies injunction into _____ categories.
- (A) Two
(B) Three
(C) Four
(D) Five
94. Which of the following Sections of the Specific Relief Act, 1963 deals with the effect of declaration ?
- (A) Section 36
(B) Section 37
(C) Section 38
(D) Section 35
95. Which of the following is termed as the Converse of Specific Performance ?
- (A) Rectification
(B) Rescission
(C) Both (A) and (B)
(D) None of these

96. Can the Court award compensation in a case where Specific Performance is impossible ?
- (A) Yes
(B) No
(C) Depends
(D) None of these
97. Which of the following Sections of the Specific Relief Act, 1963 deals with the power of the Court to award compensation ?
- (A) Section 19
(B) Section 20
(C) Section 21
(D) Section 22
98. The Specific Relief Act, 1963 grants _____.
- (A) Specific Relief only
(B) Preventive Reliefs
(C) Both (A) and (B)
(D) None of these
99. Which of the following remedies is provided by the Specific Relief Act, 1963 regarding contracts ?
- (A) Damages
(B) Specific Performance
(C) Both (A) and (B)
(D) None of these
100. The Specific Relief Act was a result of the _____.
- (A) 10th Law Commission
(B) 11th Law Commission
(C) 9th Law Commission
(D) 8th Law Commission



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