



Assam Judicial Service - Preliminary Exam Paper 2021

1. In which of the following cases did the Hon'ble Supreme Court of India ruled that the person belonging to the non-reserved class transplanted by adoption or marriage or conversion or any other voluntary act to a family belonging to the reserved class does not become eligible to the benefits of reservation either under Article 15 (4) or Article 16 (4) of the Constitution of India?
- (a) IndraSawhney vs. Union of India.
(b) KumariMadhuri Patel vs. Addl. Commisioner, Tribal Development.
(c) Valsamma Paul vs. Cochin University.
(d) M.D. Kasekar vs. VishwanathPanduBarde.
2. Match List I with List II and select the correct answer using the codes given in the lists below.
- List I:**
- A. Ex-post facto laws.
B. Colourable legislation.
C. Harmonious Construction.
D. Severability.
- List II:**
1. Indirect interference in the field of another legislation.
2. To maintain balance between provisions of law in case of conflict.
3. One cannot be punished for an act that was not declared as an offence at the time of doing the act.
4. Only such provisions of an Act are void which are inconsistent with the Fundamental Rights.
- Codes:
A B C D
(a) 4 1 2 3
(b) 3 2 1 4
(c) 4 2 1 3
(d) 3 1 2 4
3. The Apex Court has developed curative petition under:
- (a) Article 32 of the Constitution of India, 1950.
(b) Article 143 of the Constitution of India, 1950.
(c) Article 142 of the Constitution of India, 1950.
(d) Article 161 of the Constitution of India, 1950.
4. In a review petition under Article 137 of the Constitution of India, oral hearing in open Court-
- (a) Is mandatory in all cases.
(b) Is mandatory in all cases where the decision being reviewed imposed death penalty on the petitioner.
(c) Is done when both counsel prays for open hearing.
(d) Is mandatory in all cases where the decision being reviewed deals with a matter of public importance.
5. The 42nd Amendment to the Constitution of India has introduced an innovation in the Indian Constitution in the form of a new Article 323A which provides:
- (a) Parliament may establish tribunals for adjudication of disputes concerning recruitment and condition of service of civil servants.
(b) Supreme Court has no original jurisdiction involving head of the State.
(c) The State control over district courts is vested in the High Courts.
(d) It is the duty of the UPSC to conduct examinations for appointment to the services of the union.
6. Doctrine of Res-judicata as contained in Section 11 of CPC is based on the maxim:
- (a) Nemodebetbisvexari pro unaetademcausa.
(b) Interest republicaeutsit finis litium.
(c) Both (a) and (b).
(d) Either (a) or (b).
7. In case of withdrawal of suit by the plaintiff under Order XXIII Rule 1A of CPC-
- (a) Defendants cannot be transposed as plaintiffs.
(b) Defendants cannot be transposed as plaintiffs under all circumstances.
(c) Defendants cannot be transposed as plaintiffs if substantial question is to be decided against any of the other defendants.
(d) Either (a) or (b).
8. Right to appeal from every original decree has been provided under:
- (a) Section 94 of CPC.
(b) Section 95 of CPC.





- (c) Section 96 of CPC.
- (d) Section 100 of CPC.

9. Dasti summons for serving on the defendant(s) can be given to the plaintiff by virtue of:

- (a) Order V, Rule 9A of CPC.
- (b) Order V, Rule 9 of CPC.
- (c) Order V, Rule 7 of CPC.
- (d) Order V, Rule 6 of CPC.

10. An ex parte decree can be set aside:

- (a) Under Order IX, Rule 5 of CPC.
- (b) Under Order IX, Rule 10 of CPC.
- (c) Under Order IX, Rule 13 of CPC.
- (d) Under Order IX, Rule 11 of CPC.

11. When can a trial court release an accused on bail under Section 389 (3) of CrPc after conviction?

- (a) When accused is on bail and imprisonment is not exceeding 3 years.
- (b) When accused is on bail and imprisonment is not exceeding 5 years.
- (c) When accused is on bail and imprisonment is not exceeding 7 years.
- (d) When offence is exclusively bailable whether accused is on bail or not.

12. Provisions relating to health and safety of an arrested person have been provided under which of the following Sections of CrPC?

- (a) Section 50A.
- (b) Section 53A.
- (c) Section 55A.
- (d) Section 60A.

13. Anticipatory bail can be granted by the Sessions Court:

- (a) When the offence committed is bailable.
- (b) When the accused has committed a non-bailable offence and has been arrested.
- (c) When it is alleged that the accused has committed a non-bailable offence and is yet to be arrested.
- (d) When the First Information Report has not been registered.

14. The magistrate has convicted 'A' for the offence of having cheated a number of investors in the sum of Rs. 10 crores. The magistrate is of the opinion that the gravity of the offence warrants a sentence to undergo imprisonment in excess of 3

years to be imposed. The sentence in excess of 3 years can be imposed by:

- (a) The magistrate after putting the accused to notice.
- (b) The court of Sessions to whom the magistrate must refer the matter.
- (c) The court of ACMM/CMM to whom the matter is to be referred to.
- (d) The court of Sessions after notice to the accused.

15. Which Section of the POCSO Act, 2012 deals with punishment for storage of pornographic materials involving child?

- (a) Section 15.
- (b) Section 14.
- (c) Section 13.
- (d) Section 18.

16. The principle 'de minimis non curat lex' is contained in:

- (a) Section 92 of IPC.
- (b) Section 93 of IPC.
- (c) Section 94 of IPC.
- (d) Section 95 of IPC.

17. A, residing in Calcutta, is an agent for Z, residing at Delhi. There is an express or implied contract between A and Z, that all sums remitted by Z to A shall be invested by A, according to Z's direction. Z remits a lakh of Rupees to A, with direction to A to invest the same in company's paper. A in good faith, believing that it will be more for Z's advantage to hold shares in the Bank of Bengal, disobeys Z's direction and buys shares in the Bank of Bengal for Z instead of buying company's paper:

- (a) A has committed criminal breach of trust.
- (b) A has not committed criminal breach of trust.
- (c) A has committed cheating.
- (d) None of the above.

18. A person wilfully drives a motor car into the midst of a crowd and thereby causes death of some persons. He will be liable for the offence of?

- (a) Death by rash and negligent driving.
- (b) Culpable Homicide.
- (c) No offence.
- (d) None of the above.

19. Section 7 of the Indian Penal Code, 1860, which mandates that 'every expression, which is





explained in any part of the Penal Code, is used in every part of the Code in conformity with the explanation' is in accordance with the common law maxim:

- (a) Sequidebetpotentiajustitiam, non praecedere.
- (b) Vigilantibus non dormientibusjurasubveniunt.
- (c) Volenti non fit injuria.
- (d) Inclusiouniusestexclusioalterius.

20. 'Ut lite pendentenihilinnovetur' means:

- (a) Nothing new should be introduced into a new litigation.
- (b) It may become operative than null.
- (c) No one is the heir of a living person.
- (d) Fraud and deceit ought not benefit any person.

21. 'Doctrine of lost grant' was laid in:

- (a) Roopkumar vs. Mohan Thadani.
- (b) DDA vs. Skipper Construction.
- (c) JaganNath vs. JagdishRai.
- (d) Tulsi Ram vs. Mathura Sagar Pan TathaKrishi.

22. To sustain a transfer by the ostensible owner, the transferee?

- (a) Should ascertain the power of the transferor to transfer.
- (b) Should act in good faith.
- (c) Should incorporate conditions in the deed.
- (d) Should ascertain from the real owner.

23. Transfer of property by a minor, on attainment of his majority is:

- (a) Ratifiable.
- (b) Rescindable.
- (c) Voidable.
- (d) Void ab initio.

24. Extrinsic evidence to show the meaning or supply the defects in an instrument, is prohibited under Section 93 of the Evidence Act, in respect of :-

- (a) ambiguitas patens
- (b) ambiguitaslatens
- (c) both (a) and (b)
- (d) none of the above

25. Court question can be put by virtue of :-

- a) Section 164 of Evidence Act
- b) Section 165 of Evidence Act
- c) Section 166 of Evidence Act
- d) Section 167 of Evidence Act

26. In which of the following cases the Supreme Court of India said that 'it is not absolute rule of law

that dying-declaration must be corroborated by other evidence before it can be acted upon'?

- a) SharadBirdichandSarda vs. State of Maharashtra
- b) PakalaNarayana Swami vs. Emperor
- c) KaushalRao vs. State of Bombay
- d) HarjitKaur vs. State of Punjab

27. Given below are two statements labeled as Assertion (A) and Reason (R). In the context of the two statements, which of the following is correct?

Assertion (A) : Even for a child born immediately after marriage, presumption of legitimacy under Section 112 of the Indian Evidence Act would apply.

Reason (R) : The legislature which extended the period of operation of the presumption by 280 days after dissolution of marriage did not, choose to exclude any minimum initial period of matrimony for the application of the presumption.

- a) Both A and R are true and R is the correct explanation of A.
- b) Both A and R are true but R is not the correct explanation of A.
- c) A is true but R is false.
- d) A is false but R is true.

28. The period of limitation for specific performance of a contract is:

- a) One year.
- b) Two years.
- c) Three years.
- d) Five years.

29. The jurisdiction to grant exemption under Section 14 of Limitation Act, 1963, is given exclusively to :

- a) Civil Court.
- b) High Court.
- c) Supreme Court.
- d) None of above.

30. Which of the following Articles in the Schedule of Limitation Act, 1963, deals with the period of limitation for any suit for which no period of limitation is provided elsewhere in the schedule of Limitation Act?

- a) 113
- b) 114
- c) 115
- d) 116





31. 'Acquisition of res nullius' is :

- a) Original acquisition of ownership
- b) Derivative acquisition of ownership
- c) Mere custody of the thing
- d) Accessory acquisition of ownership

32. Match List I with List II and select the correct answer using the codes given below the lists. List I List II

- I. Privilege (A) Gives content to the claim of a person
- II. Duty (B) Freedom from claim of another
- III. Power (C) Have no correlative claim according to Austin
- IV. Absolute Duty (D) Ability of a person to change legal relations

CODES:

- (a) I-A, II-B, III-D, IV-C
- (b) I-B, II-A, III-D, IV-C
- (c) I-A, II- B, III-C, IV-D
- (d) I-B, II-A, III-C, IV-D

33. Savigny's 'volksgeist theory' reveals:

- (a) Decision of the Court
- (b) Juristic opinion
- (c) Spirit of the people
- (d) None of the above

34. The meaning of per incurium is as follows:

- (a) A decision which ignores a statute on the subject.
- (b) A decision which ignores the case law on the subject.
- (c) A decision which ignores the constitution on the subject.
- (d) All of the above.

35. Under the Arbitration and Conciliation Act, 1996, Court means in the case of arbitration other than the international commercial arbitration:

- (a) Principal Civil Court of original jurisdiction in a district.
- (b) High Court in exercise of its ordinary original civil jurisdiction.
- (c) Any Civil Court of a grade inferior to principal civil jurisdiction or a court of small causes.
- (d) Both (a) and (b) only.

36. The 'Principle of Co-operation' is laid down in which section of the Arbitration and Conciliation Act, 1996:

- (a) Section 71
- (b) Section 70
- (c) Section 69

(d) None of the above

37. The mandate of an arbitrator shall terminate if:

- (a) he becomes de jure or de facto unable to perform his functions or for other reasons fails to act without undue delay.
- (b) he withdraws from his office or the parties agree to the termination of his mandate.
- (c) both (a) and (b) are correct.
- (d) none of the above.

38. When the damages cannot be assessed, the party may be awarded by the Court:

- (a) Actual damages
- (b) Liquidated damages
- (c) Exemplary damages
- (d) Nominal damages

39. The well known case Bengal Coal Ltd. vs. HomeeWadia & Co. related to:

- (a) Consideration
- (b) Tender
- (c) Damages
- (d) Guarantee

40. Which of the following Sections of the Indian Contract Act, 1872 deal with 'Surety's right to benefit of creditor's securities'?

- (a) 138
- (b) 139
- (c) 140
- (d) 141

41. In case of a gratuitous bailment, the bailee is:

- (a) entitled to necessary expenses incurred by him for the purposes of bailment.
- (b) not entitled to any expenses.
- (c) entitled to necessary expenses and additional charges
- (d) either (b) or (c)

42. Ground for remedy of annulment of marriage is provided under section _____ of the Hindu Marriage Act.

- (a) Section 12
- (b) Section 11
- (c) Section 13
- (d) Section 18

43. Which of the following sections of the Hindu Succession Act, 1956, deals with computation of degrees?





- (a) Section 10
- (b) Section 11
- (c) Section 12
- (d) Section 13

44. Law of Zihar has been given Statutory recognition under:

- (a) Section 2 of Shariat Act, 1937
- (b) Section 3 of Shariat Act, 1937
- (c) Section 4 of Shariat Act, 1937
- (d) Section 5 of Shariat Act, 1937

45. A wife can seek divorce on the ground of husband suffering from venereal disease, as provided under:

- (a) Section 2(vi) of the Dissolution of Muslim Marriages Act, 1939
- (b) Section 2(iv) of the Dissolution of Muslim Marriages Act, 1939
- (c) Section 2(ii) of the Dissolution of Muslim Marriages Act, 1939
- (d) Section 2(v) of the Dissolution of Muslim Marriages Act, 1939

46. Mandatory injunction is defined in section _____ of the Specific Relief Act

- (a) Section 36
- (b) Section 37
- (c) Section 38
- (d) Section 39

47. Can a Civil Court entertain a suit for rectification of a trust deed?

- (a) Yes
- (b) No
- (c) Depends
- (d) None of the above

48. Nothing in the Specific Relief Act shall be deemed.....

- (a) To deprive any person of any right to relief, other than specific performance, which he may have under any contract.
- (b) To affect the operation of the Indian Registration Act, 1908 (16 of 1908), on documents.
- (c) Both (a) and (b)
- (d) None of the above.

49. Which of the following Sections of the Specific Relief Act mandates that liquidation of damages is not a bar of specific performance?

- (a) Section 23

- (b) Section 24
- (c) Section 25
- (d) Section 26

50. Which Section of the Motor Vehicles Act, 1988, deals with liability to pay Compensation on the principle of no fault liability?

- (a) Section 140
- (b) Section 141
- (c) Section 142
- (d) Section 143

51. Which of the following Section is added to MV Act, 1988, by the Motor Vehicles (Amendment) Act, 2015:

- (a) Section 2 A
- (b) Section 3 A
- (c) Section 10 A
- (d) Section 6 A

52. Which authority is empowered under the Motor Vehicles Act, 1988 to make scheme for payment of compensation?

- (a) State Government.
- (b) Central Government.
- (c) Motor Accident Claims Tribunal.
- (d) Transport Ministers of States.

53. Responsibility for payment of wages are covered under Section _____ of Payment of Wages Act?

- (a) 4
- (b) 3
- (c) 5
- (d) 13

54. Section _____ of the Maternity Benefit Act describes payment of maternity benefit in case of death of a woman :

- (a) 6
- (b) 9
- (c) 7
- (d) 3

55. Section 49 of the Factories Act, 1947 says about:

- (a) Welfare Officer
- (b) Canteen
- (c) Rest room
- (d) Creche

56. Instances of passive breach of trust excludes:

- a) Neglect to enforce a covenant.
- b) Neglect to ask for and obtain the title deeds relating to the settled property.





- c) Non-conversion of the trust estate directed to be converted.
- d) Buying of trust property by trustee on his own account.

57. Rights of beneficiaries are provided under Section:

- a) 51-65 of the Indian Trusts Act
- b) 53-67 of the Indian Trusts Act
- c) 55-69 of the Indian Trusts Act
- d) 57-71 of the Indian Trusts Act

58. Choose the correct answer :

I. A trustee may also be a beneficiary and can be the sole beneficiary.

II. A trustee may also be a beneficiary but cannot be the sole beneficiary.

III. A donor may also constitute himself a trustee and though remaining in possession, may transfer legal possession by declaring his possession as donee's.

IV. A donor may also constitute himself a trustee and though remaining in possession, cannot transfer legal possession by declaring his possession as donee's.

- a) (I), (III)
- b) (I), (IV)
- c) (II), (III)
- d) (II), (IV)

59. Doctrine of 'Relation Back' in the Registration Act is contained in :

- a) Section 42
- b) Section 47
- c) Section 48
- d) Section 50

60. The words 'purport or operate' in Section 17(1)(b) of the Registration Act, 1908, refers to :

- a) The ultimate consequences of the instrument.
- b) Immediate intention of the instrument.
- c) Collateral effects of the instrument.
- d) All of the above.

61. A registered document relating to a property takes precedence over the unregistered document relating to the same property under :

- a) Section 49 of the Registration Act.
- b) Section 50 of the Registration Act.
- c) Section 51 of the Registration Act.
- d) Section 52 of the Registration Act.

62. For pre-emption suits value of Court fees would be _____?

- a) Five times of the revenue so payable.
- b) Ten times of the revenue so payable.
- c) Both of the above.
- d) None of the above.

63. The Section _____ of Court Fees Act, 1870 deals with Court fees in suits to set aside an attachment.

- a) 7 (ix)
- b) 7 (viii)
- c) 7 (vii)
- d) None of these.

64. In criminal cases, no fees shall be charged for serving and executing processes on behalf of prosecution as provided in _____ ?

- a) Section 20B of the Court Fees Act, 1870.
- b) Section 20A of the Court Fees Act, 1870.
- c) Section 20 of the Court Fees Act, 1870.
- d) None of the above.

65. Under "The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013", the determination of social impact and public purposes regarding the livelihood of affected families, public and community properties, assets and infrastructure etc have been described under:

- a) Section 4
- b) Section 5
- c) Both (a) and (b)
- d) None of the above

66. Supreme Court in the case of J. Thansiyama vs. State, held that the Limitation Act is applicable to :

- a) Mizoram
- b) Jammu and Kashmir
- c) Nagaland
- d) None of the above

67. Which of the following means 'a fact to be proved'

- a) Quid Probandum
- b) Modus Probandi
- c) Both (a) and (b)
- d) None of the above.

68. The Transfer of Property Act, 1882 came into force on :

- a) 17.01.1882
- b) 17.02.1882





- c) 17.04.1882
- d) 01.07.1882

69. Arrange the following decisions of the Supreme Court on Fundamental Right relating to personal liberty in the correct chronological sequence :

- I. Maneka Gandhi vs. Union of India
- II. A.D.M. Jabalpur vs. Shiva Kant Shukla
- III. A.K. Gopalan vs. State of Madras

Select the correct answer using the codes given below :

- a) III, II, I
- b) II, I, III
- c) II, III, I
- d) I, II, III

70. The Criminal Law (Amendment) Act, 2013 came into force from :

- a) 03.02.2013.
- b) 02.03.2013.
- c) 23.02.2013.
- d) 23.04.2013.

71. Which of the following Judges was not a part of the Midnight Judgment in the YakubMenon Case?

- a) Dipak Mishra
- b) Amitava Roy
- c) Kurian Joseph
- d) P.C. Pant

72. Justice R.M. Lodha was the _____ Chief Justice of India.

- a) 41st
- b) 2nd
- c) 43rd
- d) 44th

73. Which of the following offenses introduced by the Criminal Law (Amendment) Act, 2013 is bailable?

- a) Section 166A of the IPC.
- b) Section 166B of the IPC.
- c) Section 354A of the IPC.
- d) All of the above.

74. A prosecution witness was examined by the prosecution and cross-examined by the accused. When the accused was called for adducing defence evidence, he filed an application under Section 233(3) of CrPC to examine the same witness as a defence witness. Decide :

- a) Petition may be allowed.

- b) Petition is liable to be dismissed.
- c) Depends.
- d) None of the above.

75. Consensus ad idem means :

- a) Consent of the parties obtained illegally.
- b) Parties identified the same thing in the same sense.
- c) Contract between the same parties.
- d) Contract without consent.

76. Select the most appropriate synonym of the given word :

- RAPT
- a) absorbed
 - b) upset
 - c) unhappy
 - d) troubled

Direction:

In the following questions, the sentence given with blank to be filled in with an appropriate word. Select the correct alternative out of the four and indicate it by selecting the appropriate option.

77. In the face of the _____ cross examination, the accused remained stoic :

- a) solid
- b) terrible
- c) tedious
- d) grueling

78. He had never been of a _____ constitution, and after a little more than a week's illness he died.

- a) superb
- b) energetic
- c) dynamic
- d) robust

79. Choose one of the following options that means the opposite of the given word : COPIOUS

- a) Reverse
- b) Scare
- c) Abundant
- d) Short

**80. Order the following sentences accordingly :
Rishikesh is a beautiful hill station located beside the Himalayas**

P: There are many ancient temples.





Q: in the North of India.

R: along the banks of the sacred river the Ganges.

S: that flows through the city.

Furthermore, the city is also known for many famous Yoga Ashrams.

- a) SRPQ
- b) QPRS
- c) PQSR
- d) RSPQ

81. The total number of districts in the State of Assam are:

- a) 25
- b) 26
- c) 27
- d) 33

82. Who is the first barrister of Assam?

- a) HoliramDeka
- b) PranabBorooah
- c) AnundaramBorooah
- d) Parul Das

83. What is the name of the new prosecutor elected to the International Criminal Court?

- a) Karim Khan
- b) Christine Legarde
- c) FatouBensouda
- d) Mario Draghi

84. Who was the first Chief Justice of Assam?

- a) Justice T.V. Thadani
- b) Justice Leonard Stone
- c) Justice R.F. Lodge
- d) Justice C.S. Row Nayudu

85. Where is the headquarters of the 'International Commission of Jurist' located?

- a) Paris
- b) Geneva
- c) Rome
- d) Nairobi

86. Which State government recently decided that no Gorkha citizen will be prosecuted under the Citizenship Amendment Act, 1955?

- a) Manipur
- b) Sikkim
- c) Assam
- d) Nagaland

87. The judges of the International Court of Justice are elected by the :

- a) Security Council
- b) General Assembly
- c) General Assembly upon the recommendation of the Security Council.
- d) General Assembly and the Security Council independently of one another.

88. Which pharma organization has partnered with Merck KGaA and IAVI for development of SARS-Cov-2 neutralizing monoclonal antibodies?

- a) Bharat Biotechnology
- b) Serum Institute
- c) Cipla
- d) Ranbaxy

89. Which institution is to provide USD 304 million loan to Assam to enhance Inter-State Power Transmission Project?

- a) ADB (Asian Development Bank)
- b) World Bank
- c) AIIB (India and the Asian Infrastructure Investment Bank)
- d) New Development Bank

90. Which State/UT's police department has launched an e-FIR initiative?

- a) West Bengal
- b) Madhya Pradesh
- c) Kerala
- d) Andhra Pradesh

