Assam Judicial Service - Preliminary Exam Paper 2015

1. **Which of the following lawyers was famous for his annual budget speeches ?**
(a) Ram Jethmalani
(b) Soli Sorabji
(c) Nani Palkivala
(d) None of the above

2. **Which of the following is considered as bulwark of personal freedom**
(a) Mandamus
(b) Habeas Corpus
(c) Certiorari
(d) Quo Warranto

3. **TRIPS, forming part of the World Trade Organization is intended**
(a) to provide for stronger patent protection
(b) to promote transnational corporate interest
(c) to harmonize IPR regime internationally
(d) to replace World Intellectual Property Organization

4. **Article 20(3) of the Constitution of India guarantees the right against self incrimination' to**
(a) A witness
(b) An accused
(c) Any person
(d) None of the above

5. **In which of the following cases, the Supreme Court held that compulsory death sentence for murder committed by a life convict undergoing imprisonment for life (S.303 IPC) violate Article 21 ?**
(a) Machi Singh Vs. State of Punjab
(b) Mithu Vs. State of Punjab
(c) Inderjeet Vs. State of UP
(d) None of the above

6. **The scientist responsible for developing atomic energy in India**
(a) C.V. Raman
(b) H.). Bhava
(c) H.K. Sethna
(d) Vikram Surabhai

7. **In which of the following cases the Supreme Court held that a major girl is free to marry anyone she likes or live with anyone she likes. There is no bar to an inter-caste marriage under the Hindu Marriage Act or any other law?**
(a) Priya Patel Vs. State
(b) Lata Singh Vs. State of UP
(c) Rameshwari Devi Vs. State of Bihar
(d) None of the above

8. **Plea bargaining was introduced in India in**
(a) 2005
(b) 2006
(c) 2007
(d) 2008

9. **When a person accused of murder is arrested during investigation, in which of the following Courts, he has to be produced**
(a) Sessions Court
(b) Magistrate Court
(c) High Court
(d) District Magistrate

10. **If a witness makes a statement in the court, knowing it to be false, he commits the offence of**
(a) Forgery
(b) Sedition
(c) Perjury
(d) None of the above

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11. The first Woman Chief Justice of High Court in India
(a) Leila Mukherji
(b) Leila Seth
(C) Fatima Bibi
(d) Ruma Pal

12. The right of a party to initiate an action and be heard before a Court of law is called?
(a) Right to rem
(b) Right in personam
(c) Fundamental right
(d) Locus standi

13. The Supreme Court held that evidence can be recorded by video-conferencing in the case of
(a) State of Maharashtra Vs. Prafull B. Desai
(b) Paramjit Kaur Vs. State of Punjab
(c) Pappu Yadav Vs. State of Bihar
(d) Bachan Singh Vs. State of Punjab

14. According to Indian Penal Code, nothing is an offence which is done by a child below the age of ..... years
(a) 8
(6) 10
(c) 7
(d)

15. The starting point of an agreement is
(a) Offer
(b) Invitation to offer
(c) Advertisement
(d) Acceptance

16. The temporary release of a prisoner is called
(a) Parole
(b) Amnesty
(c) Discharge
(d) Pardon

17. Which of the following case is known as Fundamental Right Case ?
(a) ADM Jabalpur Case
(b) Keshavananda Bharti Case
(c) Golaknath Case
(d) Maneka Gandhi Case

18. X, A client says to Y, a lawyer "I have committed murder of Z and, I wish you to defend me". Is the lawyer protected from disclosing this to police?
(a) Yes
(b) No
(c) Depends
(d) None of the above

19. Every suit shall be instituted ?
(a) In the Supreme Court
(b) In any court in the locality
(c) In the court of the lower grade competent to try it
(d) In the District Court

20. What was the code name given to the US mission which killed Osama Bin Laden?
(a) Guantanamo
(b) Geronimo
(c) Tora bora
(d) None of the above

21. Who was the Chairman of the Committee for Implementing Legal Aid Schemes (CILAS)?
(a) V.R. Krishna Iyer
(b) P.N. Bhagavati
(c) H.R. Khanna
(d) V. Khalid

22. Inflation is calculated by Government of India on the basis of –
(a) Consumer price index

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(b) Cost of living index
(c) Wholesale price index
(d) Retail price index

23. An account in which trading of shares is done in their electronic form is known as - (a) Demat Account
(b) NRI Account
(C) NRIO Account
(d) Current Account

24. The Malimath Committee Report deals with - ?
(a) Reform of Criminal Justice Administration
(b) Reform of Stock Markets
(c) Reviews of laws relating to divorce
(d) None of the above

25. "An eye for an eye and a tooth for a tooth" relates to ..... Theory
(a) Reformative
(b) Deterrent
(c) Retributive
(d) Preventive

26. A master is liable for the wrongs committed by his servants. It is called?
(a) Joint liability
(b) Vicarious liability
(c) Concurrent liability
(d) Civil liability

27. Muslim marriage is a
(a) Sacrament
(b) Civil Contract
(c) Divine Commandment
(d) None

28. In law of Torts, always unliquidated damages are awarded. The meaning of unliquidated is ?
(a) Not ascertainable
(b) Approximately arrived at
(c) Penal and exemplary
(d) (a) & (b)

29. A party who suffers loss as a result of breach of contract can, in the usual course, claim
(a) Ordinary damages
(b) Exemplary damages
(c) Special damages
(d) Penal damages

30. An agreement to share the benefits of public office is
(a) Valid
(b) Voidable
(c) void
(d) None of the above

31. The Right to Property ceased to be Fundamental Right from
(a) 1975
(b) 1976
(c) 1978
(d) 1979

32. The provision of anticipatory bail was introduced for the first time in the
(a) Code of Criminal Procedure in 1973
(b) Code of Criminal Procedure in 1898
(c) Code of Criminal Procedure in 2005
(d) None of the above

33. Sarda Act was enacted to prevent which of the following ?
(a) Bigamy
(b) Sati
(c) Dowry
(d) Child Marriage

34. Central Vigilance Commission was constituted in pursuance of the directions of the Supreme Court in
(a) Prakash Singh Case
(b) Vineet Narain Case
(c) D.K. Basu Case

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(d) None of the above

35. Unlawfully detaining or threatening to detain any property to the prejudice of any person making him to enter into an agreement amounts to
(a) Mistake
(b) Coercion
(c) Undue influence
(d) Misappropriation

36. The famous Commission which went into Centre-State relations in India is
(a) Sarkaria Commission
(b) Sri Krishna Commission
(c) Jain Commission
(d) Thakkar-Natrajan Commission

37. Crime is a
(a) Private Wrong
(b) Public Wrong
(c) Civil Wrong
(d) None of the above

38. A, a Surgeon, in good faith communicates to a patient his opinion that he cannot survive. The patient dies of shock.
(a) A commits murder
(b) A commits no offence
(c) A commits abetment of murder
(d) A commits offence of shock

39. ..... is a general pardon
(a) Remission
(b) Reprieve
(c) Amnesty
(d) Suspension

40. Joint heirs to a property are called
(a) Joint Owners
(b) Coparceners
(c) Co-Owners
(d) Co-holders

41. Which of the following laws defines rights, duties and liabilities, the ascertainment of which is the purpose of every Judicial proceeding?
(a) Procedural law
(b) Substantive law
(c) Adjective law
(d) None of the above

42. According to Bentham, which of the following are the eyes and ears of justice ?
(a) Judges
(b) Prosecutors
(c) Witnesses
(d) None of the above

43. India's first court-annexed mediation centre, was established in
(a) Delhi
(b) Tamil Nadu
(c) Kerala
(d) Karnataka

44. 'My own Boswell is the autobiography of (a) Justice Subba Rao
(b) Justice Hidayatullah
(c) Justice Vivian Bose
(d) Justice H.R. Khanna

45. Withdrawing medical treatment with the deliberate intention of causing the patient's death is called
(a) Legal Euthanasia
(b) Medical Euthanasia
(c) Passive Euthanasia
(d) None of the above

46. "Patience and gravity of hearing is an essential part of justice; and an over speaking judge is no well-

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tuned cymbal". The above words are attributed to
(a) Francis Bacon
(b) Lord Denning
(c) Lord Atkin
(d) None of the above

47. Who among the following is the author of the book 'Judges?
(a) David Pannick
(b) John Grisham
(c) Lord Atkin
(d) None of the above

48. India inherited the adversarial system from
(a) UK
(b) USA
(c) Portuguese
(d) None of the above

49. There is no provision in the Code of Criminal Procedure, 1973, which expressly imposes a duty on the court to search for truth. The Statement is
(a) True
(b) False
(c) Partly correct
(d) None of the above

50. Which of the following is intended to be a safeguard against frivolous prosecutions against Public servants?
(a) Discharge
(b) Sanction
(c) Acquittal
(d) None of the above

51. Which of the following Cases was the first case where the strict adherence to the rules of Locus standi is diluted ?
(a) Ratlam Municipality Case
(b) Sunil Batra Case
(c) Sarala Mudgal Case
(d) None of the above

52. The Five year LL.B Course was introduced in the year
(a) 1980
(b) 1982
(c) 1985
(d) 1986

53. In which of the following Countries, the Supreme Court Judges are appointed for life tenure, terminating upon death, resignation, or conviction?
(a) Canada (b) Australia
(c) USA
(d) Germany

54. 'An advocate can stand as a surety for his client The Statement is
(a) True
(b) False
(c) Partly correct
(d) None of the above

55. "YathoDharmasthatho Jaya" is the motto of
(a) CBI
(b) Supreme Court of India
(c) Delhi Police
(d)None of the above

56. Which of the following is the landmark case which laid down various basic principles relating to judicial review of administrative or statutory directions?
(a) Taylor Vs. Taylor
(b) Bhaskerwillie Case
(c) Wednesbury Case
(d) None of the above

57. Which of the following criminologist is known as the father of 'Polygraph test?

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(a) Kenny
(b) Glanville Williams
(c) Lombroso
(d) None of the above

58. Who among the following was the first chairman of Bar Council of India?
(a) Nani Palkhivala
(b) M.C. Setalwad
(c) Shanthi Bhushan
(d) None of the above

59. Registering, trafficking in, or using a domain name with bad faith with intent to profit from the goodwill of a trademark belonging to someone else, is called
(a) Brand jacking
(b) Cyber squatting
(c) Domain hacking
(d) None of the above

60. Where is the headquarters of Intellectual Property Appellate Board located ?
(a) Delhi
(b) Chennai
(c) Mumbai
(d) None of the above

61. Which of the following is not included within the meaning of intellectual property?
(a) Patents
(b) Copyrights
(c) Trade mark
(d) Property of an intellectual

62. Central Vigilance Commissioner or Vigilance Commissioners can be removed from the office only after an enquiry conducted by
(a) President
(b) Prime Minister
(c) Supreme Court of India
(d) None of the above

63. The manager of wakf is known as -
(a) Sajjadanashin
(b) Khadim
(c) Mutawalli
(d) Mujawar

64. Who among the following can take a plea of ignorance of Indian Law?
(a) Indian citizens
(b) Foreigners
(c) Indian citizens abroad
(d) None of the above

65. The primary source of Muslim law is
(a) Quran
(b) Hadees
(c) Ijma
(d) Khiyas

Directions (Q. No. 66 to 70): Read the following passage carefully and answer the questions given below it.

Radically changing monsoon patterns, reduction in the winter rice harvest and a quantum increase in respiratory diseases-all part of the environmental doomsday scenario which is reportedly playing out in South Asia. According to a United Nations environment Programme report, a deadly three-km deep blanket of pollution comprising a fearsome cocktail of ash, acids, aerosols and other particles has enveloped this region. For India, already struggling to cope with a drought, the implications of this are devastating and further crop failure will amount to a life and death question for many Indians. The increase in premature deaths will have adverse

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social and economic consequences and a rise in morbidities will place an unbearable burden on our crumbling health system. And there is no one to blame but ourselves. Both official and corporate India has always been allergic to any mention of clean technology. Most mechanical two wheelers roll off the assembly line without proper pollution control system. Little effort is made for R & D on simple technologies, which could make a vital difference to people's lives and environment.

However, while there is no denying that South Asia must clean up its acts, sceptics might question the timing of the haze report. The Kyoto meet on climate change is just two weeks away and the stage is set for the usual battle between the developing world and the West, particularly the U.S. president Mr. Bush has adamantly refused to sign any protocol, which would mean a change in American consumption level. U.N. environment report will likely find a place in the U.S. arsenal as it plants an accusing finger towards countries like India and China. Yet the U.S. can hardly deny its own dubious role in the matter of erasing trading quotas. Richer countries can simply buy up excess credits from poorer countries and continue to pollute. Rather than try to get the better of the developing countries, who undoubtedly have taken up environmental shortcuts in their bid to catch up with the West, the U.S. should take a look at the environmental profligacy which is going on within. From opening up virgin territories for oil exploration to relaxing the standard for drinking water, Mr. Bush's policies are not exactly beneficial, not even to America's interests. We realize that we are all in these together and that pollution anywhere should be a global concern otherwise there will only be more tunnels at the end of the tunnel,

66 Both official and corporate India is allergic to:
(a) failure of monsoon
(b) poverty and inequality
(c) slowdown in industrial production
(d) mention of clean technology

67. Which, according to the passage, is a life and death question to many Indians?
(a) increase in respiratory diseases
(b) Use of clean technology
(c) Thick blanket of pollution over the region
(d) Failure in crops

68. If the rate of premature deaths increases it will :
(a) exert added burden on our crumbling economy
(b) have adverse social and economic consequences
(c) make positive effect on our efforts to control population
(d) have less job aspirants in the society

69. Choose the word which is similar in meaning to the word 'profligacy' as used in the passage.
(a) wastefulness
(b) conservation
(c) upliftment
(d) criticality

70. According to the passage, India cannot tolerate any further :

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(a) crop failure
(b) deterioration of health care system
(c) increase in respiratory diseases
(d) proliferation of nuclear devices

71. What should come in place of the question mark (?) in the following number series?
30 46 78 126 190 270 ?
(a) 356
(b) 366
(c) 382
(d) 398

72. A sum of Rs. 2900 amounts to Rs. 3422 in 3 years at simple interest. If the interest rate were increased by 3% what would it amount to in the same period?
(a) Rs. 4465
(b) Rs. 3683
(c) Rs.3596
(d) Cannot be determined

Direction (Q. No. 73 & 74): Study the following information to answer the given questions.

A, B, C, D, E and F are seated in a circle facing the centre. A and C are seated adjacent to each other and E and B are also seated adjacent to each other, B is to the immediate left of F. There are two persons between D and E. A is not seated adjacent to E.

73. How many persons are seated between F and E if we go anti-clockwise from F to E?
(a) 1
(b) 2
(c) 3
(d) Cannot be determined

74. Who is to the immediate left of E?
(a) C
(b) B
(C) F
(d) Cannot be determined

75. In a certain code COUNTERS is written as OVPDRQDS. How is CLEARING written in that code ?
(a) BFMDQHMF
(b) BFMDHQJS
(c) ZDKBQHMF
(d) None of these

76. Which of the following is not an "overriding objective of the more informal rules of tribunal procedure ?
(a) Ensuring that the parties are on an equal footing
(b) Ensuring that complex legal issues are subordinated to the need for accessible dispute resolution
(c) Ensuring the case is dealt with expeditiously and fairly
(d) Saving expense

77. Prior intimation to the appropriate Government to lay off, retrench or close down an establishment is required under the Industrial Disputes Act, 1947 where there are workers.
(a) 100
(b) 1000
(c) 50
(d) 500

78. The scheme of the Limitation Act is to govern proceeding before_
(a) Court
b) Court and bodies other than courts
(c) Quasi-judicial tribunal and executive authority
(d) all of these

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79. "Tort" is defined in the Limitation Act, 1963 under section :
(a) 2(k)
(b) 2(1)
(c) 2(m)
(d) 2(n)

80. "The parties shall be treated with equality and each party shall be given a full opportunity to present his case" is provided under which of the following sections of the Arbitration and Conciliation Act, 1996?
(a) Section 17
(b) Section 18
(c) Section 19
(d) Section 20

81. "The arbitral tribunal shall not be bound by the Code of Civil Procedure, 1908 or the Indian Evidence Act, 1872". The statement is :
(a) True
(b) False
(c) partly true
(d) None of these

82. The special provision as to payment of compensation on structured formula basis under section 163-A of the Motor Vehicles Act, 1988 has been inserted in the year
(a) 1994
(b) 1995
(c) 1996
(d) 1997

83. No suit under Section 6 of the Specific Relief Act, 1963 shall be brought after the expiry of ___ from the date of dispossession.
(a) two months
(b) four months
(c) six months
(d) one year

84. Under the Land Acquisition Act, 1894 "Land" includes
(a) Benefits to arise out of land and things attached to the earth
(b) Things permanently fastened to anything attached to the earth
(c) Benefits to arise out of land and things permanently fastened to anything attached to the earth
(d) all of these

85. The section 32A of the Registration Act, 1908, which relates to compulsory affixing of passport size photograph and finger prints of the person presenting the document for registration, has been inserted in the year?
(a) 2000
(b) 2001
(C) 2002
(d) 2003

86. The provision for refund of court fee where the Court refers the parties to the suit to any one of the mode of settlement of dispute referred to in section 89 of the Code of Civil Procedure, 1908 has been made under section of the Court-fees Act, 1870.
(a) 15
(b) 16
(c) 17
(d) 18

87. The doctrine of 'transferred malice' is embodied in which of the following sections of Indian Penal Code, 1860 ?
(a) 31
(b) 35
(c) 299
(d) 301

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88. The provisions of the Indian Trusts Act, 1882 do not apply to:
(a) public trusts
(b) religious trusts
(c) charitable trusts
(d) All of the above

89. A is in a house which is on fire, with Z, a child. People below hold out a blanket. A drops the child from the house-top, knowing it to be likely that the fall may kill the child, but not intending to kill the child, and intending, in good faith, the child's benefit. The child is killed by the fall. A has committed ?
(a) Murder
(b) Culpable homicide not amounting to murder
(c) Death by negligence
(d) No offence

90. "A, accused of murder, alleges that, by reason of unsoundness of mind, he did not know the nature of the act. The burden of proof is on A." This illustration is given under section of the Indian Evidence Act, 1872.
(a) 104
(b) 105
(c) 106
(d) 107

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91. তলৰ বানানবোৰৰ মাজত শুদ্ধ বানানটো হৈছে ঃ
(a) শীৰশ্ছেদ (b) শিৰশ্ছেদ
(c) শীড়শ্ছেদ (d) শিৰচ্ছেদ

92. অসমীয়া বৰ্ণমালা/ভাষাত স্বৰবৰ্ণৰ সংখ্যা -
(a) ১১টা (b) ১০টা
(c) ১২টা (d) ১৩টা

93. 'হেমকোষ' অভিধানখনৰ প্ৰনেতা কোন?
(a) হেমচন্দ্ৰ গোস্বামী (b) হেমচন্দ্ৰ বৰুৱা
(c) হেম বৰুৱা (d) হোমেন বৰগোহাঞি

94. উচ্চতম ন্যায়ালয়ৰ প্ৰথমজন অসমীয়া বিচাৰপতি হৈছে ঃ
(a) পাৰ্বতী কুমাৰ গোস্বামী (b) পাৰ্বতী প্ৰসাদ বৰুৱা
(c) সুধাংশু কুমাৰ দাস (d) খগেন্দ্ৰ নাথ শইকীয়া

95. অসমৰ ৰাজ্যিক জলজ পশু হিচাপে চিহ্নিত কৰা হৈছে ঃ
(a) শিহুক (b) ঘৰিয়ালক
(c) নেউলক (d) কাছুক

96. চীনা পৰিব্ৰাজক হিউ-এন-ছাংৰ আগমনৰ সময়ত অসমক কি নামেৰে জনা গৈছিল?
(a) প্ৰাগজ্যোতিষপুৰ (b) কামৰূপ
(c) অসম (d) অ - সম

97. শংকৰদেব আৰু মাধৱদেৱৰ তিৰোভাৱ স্থান হৈছে -
(a) মধুপুৰ সত্ৰ (b) আউনীআটি সত্ৰ
(c) গড়মূৰ সত্ৰ (d) দক্ষিণপাট সত্ৰ

98. মাটি কালিৰ ফালৰ পৰা অসমৰ বৃহৎ জিলাখন -
(a) শোনিতপুৰ জিলা (b) নগাঁও জিলা
(c) ডিমা হাছাও জিলা (d) কাৰ্বি আংলং জিলা

99. 'গুণমালা' পুথিখন কোনে ৰচনা কৰিছিল ?
(a) শংকৰদেৱ (b) মাধৱদেব
(c) হৰিদেৱ (d) ওপৰৰ এজনো নহয়।

100. ড. ভবেন্দ্ৰনাথ শইকীয়াৰ আত্মজীৱনীখনৰ নাম -
(a) মই এটি যাযাবৰ (b) আধালিখা দস্তাবেজ
(c) জীৱন বৃত্ত (d) জীৱনৰ দীঘ আৰু বানি।

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