

Assistant Public Prosecutor in CBI, 2023

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

T.B.C. : CLAS-A-WLA

Test Booklet Series

Serial No.

1015737

TEST BOOKLET

LAW



Time Allowed : Two Hours

Maximum Marks : 300

INSTRUCTIONS

1. IMMEDIATELY AFTER THE 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.
 2. Please note that it is the candidate's responsibility to encode and fill in the Roll Number and Test Booklet Series A, B, C or D carefully and without any omission or discrepancy at the appropriate places in the OMR Answer Sheet. Any omission/discrepancy will render the Answer Sheet liable for rejection.
 3. You have to enter your Roll Number on the Test Booklet in the Box provided alongside. *DO NOT* write *anything else* on the Test Booklet.
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4. This Test Booklet contains **120** items (questions). Each item comprises four responses (answers). You will select the response which you want to mark on the Answer Sheet. In case you feel that there is more than one correct response, mark the response which you consider the best. In any case, choose *ONLY ONE* response for each item.
 5. You have to mark your responses *ONLY* on the separate Answer Sheet provided. See directions in the Answer Sheet.
 6. *All* items carry equal marks.
 7. Before you proceed to mark in the Answer Sheet the response to various items in the Test Booklet, you have to fill in some particulars in the Answer Sheet as per instructions sent to you with your Admission Certificate.
 8. After you have completed filling in all your responses on the Answer Sheet and the examination has concluded, you should hand over to the Invigilator *only the Answer Sheet*. You are permitted to take away with you the Test Booklet.
 9. Sheets for rough work are appended in the Test Booklet at the end.
 10. **Penalty for wrong answers :**
THERE WILL BE PENALTY FOR WRONG ANSWERS MARKED BY A CANDIDATE.
 - (i) There are four alternatives for the answer to every question. For each question for which a wrong answer has been given by the candidate, **one-third** of the marks assigned to that question will be deducted as penalty.
 - (ii) If a candidate gives more than one answer, it will be treated as a **wrong answer** even if one of the given answers happens to be correct and there will be same penalty as above to that question.
 - (iii) If a question is left blank, i.e., no answer is given by the candidate, there will be **no penalty** for that question.

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1. Which one among the following provisions of the Constitution of India requires a guardian to provide opportunities for education to his ward between the age of six years and fourteen years?

(a) Article 21A
(b) Article 15(6)
(c) Article 24
(d) Article 51A

2. Consider the following statements :

1. People of India have liberty of faith and worship.
2. Morality cannot override the freedom of faith and worship.

Which of the statements given above is/are correct?

(a) 1 only
(b) 2 only
(c) Both 1 and 2
(d) Neither 1 nor 2

3. Consider the following statements with regard to the Fundamental Right to Freedom of Religion :

1. No religious instruction shall be provided in any educational institution wholly maintained out of State funds.
2. Religious instructions may be provided in an educational institution established by any trust which requires that religious instructions shall be imparted in that institution even though that institution is administered by the State.

3. No teacher or student attending any educational institution recognized by the State shall be compelled to attend any religious worship that may be conducted.

Which of the statements given above is/are correct?

(a) 1 and 2 only
(b) 2 only
(c) 1, 2 and 3
(d) 1 and 3 only

4. Consider the following statements :

1. Only questions of law can be the subject matter of litigation before the Supreme Court under Article 131 of the Constitution of India.
2. Any question involving the legal right of a State against the Government of India can be decided only by the Supreme Court.

Which of the statements given above is/are correct?

(a) 1 only
(b) 2 only
(c) Both 1 and 2
(d) Neither 1 nor 2

5. Which of the following statements is/are correct?

1. The quorum to constitute a meeting of the House of the People is one-tenth of the total membership of the House.
2. If at any time during a meeting of the House of the People there is no quorum, the Speaker has no option but to suspend the meeting.
3. The Chairman of the Council of States has only a casting vote in case of equality of votes.

Select the correct answer using the code given below.

- (a) 1 only
- (b) 1 and 3
- (c) 2 and 3
- (d) 3 only

6. Which of the following statements relating to various provisions of the Constitution of India is/are correct?

1. The members of the Committee of Parliament on Official Language are elected by the members of the House of the People and the Council of States in accordance with the system of proportional representation by means of single transferable vote.

2. The Chairman and members of the Official Languages Commission are appointed by the President of India.

3. The representatives of every State in the Council of States are elected by the elected members of the Legislative Assembly of the State in accordance with the system of proportional representation by means of single transferable vote.

Select the correct answer using the code given below.

- (a) 1 only
- (b) 1 and 2 only
- (c) 2 and 3 only
- (d) 1, 2 and 3

7. Under the Constitution of India, for the Union Territory of Puducherry, the Parliament may by law create which of the following?

1. An elected or partly elected and partly nominated body to function as a Legislature
2. A Council of Ministers

Select the correct answer using the code given below.

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

8. Which of the following is/are **not** considered to be an amendment/ amendments of the Constitution of India?

1. Law made by the Parliament by exercising powers under Articles 2 and 3
2. Law made by the Parliament with regard to Union Territory referred to in Article 239A

Select the correct answer using the code given below.

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

9. Consider the following statements in respect of proceedings in the Parliament :

1. The validity of any proceedings in the Parliament can be called in question on the ground of irregularity of procedure.
2. An officer of the Parliament having the power to maintain order in the Parliament shall be subject to the jurisdiction of the Supreme Court in respect of the exercise of power for that purpose.

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

10. Consider the following statements :

1. The total number of Ministers in a State cannot exceed fifteen percent of the total number of members of the Legislative Assembly of the State concerned and there cannot be less than twelve Ministers in any State.
2. The Ministers in every State hold office during the pleasure of the Governor.
3. No person below the age of twenty-one years can be appointed as a Minister.

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 1 and 2 only
- (c) 3 only
- (d) 1, 2 and 3

11. Which one of the following statements is **not** correct?

- (a) A member of a State Public Service Commission holds office up to 62 years of age.
- (b) Any member of a Public Service Commission can be removed from office on the ground of misbehaviour in the prescribed manner.
- (c) In the absence of the Chairman of the Union Public Service Commission, the seniormost member of the Commission performs the duties of the Chairman.
- (d) The Chairman of the Union Public Service Commission is not eligible for any appointment with any government.

12. In which of the following States, it is mandatory to appoint a Minister in charge of tribal welfare with additional charge of the welfare of the Scheduled Castes and Scheduled Tribes?

- (a) Chhattisgarh, Himachal Pradesh and Madhya Pradesh
- (b) Chhattisgarh, Jharkhand, Tripura and Madhya Pradesh
- (c) Assam, Chhattisgarh, Odisha and Madhya Pradesh
- (d) Chhattisgarh, Jharkhand, Madhya Pradesh and Odisha

13. There is **no** express provision for tribunals under which one of the following provisions of the Constitution of India?

- (a) Article 323B
- (b) Article 371D
- (c) Article 217
- (d) Article 227

14. Under the Indian Penal Code, 1860, who among the following is **not** considered a 'public servant'?

- (a) A member of a Panchayat assisting a public servant
- (b) An arbitrator
- (c) Every person paid commission for the performance of any public duty by the government
- (d) An employee of a government company

15. Consider the following statements :

1. The words 'government company' have been used but not defined under the Indian Penal Code, 1860.
2. The words 'movable property' have been used but not defined under the Indian Penal Code, 1860.
3. The words 'electronic record' have been used as well as defined under the Indian Penal Code, 1860.

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 1 and 2
- (c) 2 and 3
- (d) 3 only

16. How many kinds of punishments have been provided under the Indian Penal Code, 1860?

- (a) Two
- (b) Three
- (c) Four
- (d) Five

17. Which of the following causes of death of a person does/do **not** amount to an offence?

1. An act causing death of a person by an intoxicated person
2. An act causing death of a person by someone who caused death unintentionally and did the act with the consent of the person whose death was caused
3. An act done in good faith for the benefit of the person whose death was caused unintentionally without his consent as he was not in a position to give his consent

Select the correct answer using the code given below.

- (a) 1
- (b) 2 only
- (c) 2 and 3
- (d) 3 only

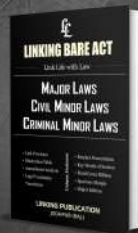


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7. Constitution of India
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Major Laws
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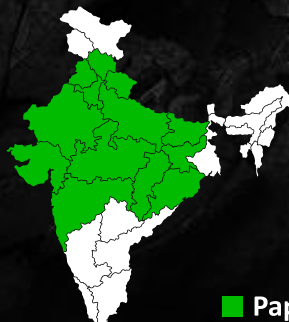


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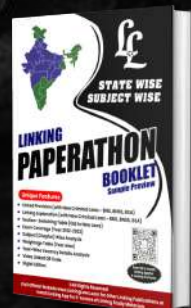
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UNIQUE FEATURES

1. State Wise PYQ Coverage
2. Subject wise Division
3. Subject Weightage Analysis
4. Cut-Off (Result) Analysis
5. Linked Provision & Explanation
6. Video Linked QR Code
7. Sections Switching Table



Paperathon
Covered States



18. Under which one of the following situations, a person can be punished with imprisonment extending up to five years?

- (a) Makes any imputation during the performance of a religious ceremony that any class of persons on account of their religion cannot bear true faith and allegiance to the Constitution of India
- (b) Propagates during a Panchayat meeting that persons belonging to a particular caste be denied of their rights as citizens of India
- (c) Makes an appeal during an election campaign concerning the obligation of any class of persons belonging to a particular region to cause feelings of enmity between such class of persons and other persons
- (d) Makes any imputation during a community meeting that any class of persons on account of their religion will not uphold the sovereignty and integrity of India

19. Selling, distributing or circulating in any manner any obscene book, paper, pamphlet is an offence punishable with imprisonment **except** in which of the following cases?

- 1. Any representation engraved in any ancient monument whether or not covered under Act No. 24 of 1958
- 2. Any obscene book, pamphlet, paper kept bona fide for religious purposes

Select the correct answer using the code given below.

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

20. Consider the following statements with regard to causing grievous hurt by the use of acid :

- 1. Voluntarily causing partial deformity even of a reversible nature may be punishable with a sentence of imprisonment for life.
- 2. The offender in a case of grievous hurt caused by acid may be imposed fine which has to be just and reasonable to meet the medical expenses of treatment of the victim.

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

21. A man who monitors the use of the internet, email or any other form of electronic communication by a woman

1. commits the offence of stalking under the Indian Penal Code, 1860
2. does not commit the offence of stalking under the Indian Penal Code, 1860 if it proves in the court that his conduct was reasonable and justified under the circumstances
3. does not commit the offence of stalking under the Indian Penal Code, 1860 as he claims that he pursued the conduct for detecting a crime

Select the correct answer using the code given below.

- (a) 1 only
- (b) 1, 2 and 3
- (c) 1 and 2 only
- (d) 2 and 3 only

22. In which one of the following kinds of offences, the punishment is different?

- (a) House-trespass in order to commit an offence punishable with imprisonment for life
- (b) House-trespass in order to commit an offence punishable with death
- (c) Grievous hurt caused whilst committing lurking house-trespass
- (d) Lurking house-trespass by night

23. Consider the following statements :

1. A person who obtains custody of a boy aged seventeen years for the purposes of using him for begging is punishable for the offence of kidnapping under Section 363A of the Indian Penal Code, 1860 as the boy was minor.
2. A person who obtains custody of a girl aged seventeen years for the purposes of using her for begging is punishable for the offence of kidnapping under Section 363A of the Indian Penal Code, 1860 as she was minor.

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

24. Under the Indian Evidence Act, 1872, which of the following is/are 'document(s)'?

1. A caricature
2. An inscription on a metal plate
3. A plan

Select the correct answer using the code given below.

- (a) 1 only
- (b) 2 only
- (c) 1 and 3 only
- (d) 1, 2 and 3

25. Do the facts not otherwise relevant become relevant in any of the following cases under the Indian Evidence Act, 1872?

1. They become relevant if they are inconsistent with any fact in issue.
2. They do not become relevant if by themselves they make the existence of any fact in issue highly improbable.

Select the correct statement(s) using the code given below.

- (a) 1 only
(b) 2 only
(c) Both 1 and 2
(d) Neither 1 nor 2

26. Which of the following does/do **not** amount to admission under the Indian Evidence Act, 1872?

1. Statement made by an agent to any party to the proceeding if the court regards him as expressly or impliedly authorized to make the same
2. Statement made by a party to the suit suing in a representative capacity
3. Statement made by a person from whom parties to the suit have derived their interest in the subject matter of the suit

Select the correct answer using the code given below.

- (a) 1 only
(b) 2 and 3 only
(c) 1 and 3 only
(d) 1, 2 and 3

27. Consider the following legal propositions under the Indian Evidence Act, 1872 :

1. Confession by an accused while in police custody cannot be proved against him in any case.
2. Confession otherwise relevant becomes irrelevant because of promise of secrecy.
3. Confession otherwise relevant does not become irrelevant in consequence of a deception practised on the accused person for the purpose of obtaining it.

Which of the above is/are correct?

- (a) 1
(b) 2 only
(c) 3 only
(d) 2 and 3

28. Consider the following statements as to relevancy under the Indian Evidence Act, 1872 :

1. A previous conviction is not relevant as evidence of bad character.
2. In a criminal proceeding involving the issue of bad character of the accused, the fact that the accused has a bad character is irrelevant.

Which of the statements given above is/are correct?

- (a) 1 only
(b) 2 only
(c) Both 1 and 2
(d) Neither 1 nor 2

29. Which one among the following statements with regard to the Indian Evidence Act, 1872 is correct?

- (a) Whenever the opinion of any living person is relevant, the grounds on which such opinion is based are not relevant.
- (b) In criminal cases, the fact that the accused is of a good character is irrelevant.
- (c) In civil cases, the fact that the character of any person is such as to affect the amount of damage which he ought to receive is relevant.
- (d) In civil cases, the fact that the character of any person concerned is such as to render probable any conduct imputed to him is relevant.

30. Under the Indian Evidence Act, 1872, the presumption of the court in any proceedings involving secure electronic signature that the secure electronic signature is affixed by subscriber with the intention of signing or approving the electronic record is

- 1. rebuttable
- 2. irrebuttable

Which of the above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

31. Which of the following statements is/are correct if a married woman has committed suicide within seven years of her marriage?

- 1. The husband and/or his relatives would be liable as abettor(s).
- 2. The court may presume, in the light of all the other circumstances of the case, that the suicide had been abetted by the husband and his relatives.
- 3. The question of presumption in the above case would arise only if it is shown that the husband and/or his relatives had subjected the woman to cruelty.

Select the correct answer using the code given below.

- (a) 1 only
- (b) 1 and 2 only
- (c) 2 and 3 only
- (d) 1, 2 and 3

32. Which of the following is **not** a duty of an agent to the principal under the Indian Contract Act, 1872?

- (a) To conduct business with skill and diligence
- (b) To communicate with principal in case of difficulty
- (c) To be indemnified against consequences of lawful acts
- (d) To render accounts to the principal on demand

33. X lends her new car to G for his own driving. G allows his friend F to drive the car. F, on instructions of G, drives with caution and care, but still the car gets slightly scratched while driving through the market. Is G liable to compensate X under the Indian Contract Act, 1872?

- (a) Yes, because it is G's duty to take care of the goods bailed
- (b) Yes, because the use of goods bailed must be authorized
- (c) No, because G had taken due care
- (d) No, because there was no express mention about compensation in the contract

34. Where a pawnor makes default in payment of debt, what is/are the option(s) available to the pawnee?

- 1. Bring a suit against the pawnor
- 2. Retain the goods pledged as a collateral security
- 3. Sell the goods pledged

Select the correct answer using the code given below.

- (a) 1 and 2 only
- (b) 2 only
- (c) 1 only
- (d) 1, 2 and 3

35. X guarantees to S the payment of a bill of exchange by T, the acceptor. The bill is dishonoured by T. The liability for payment of X under the Indian Contract Act, 1872

- (a) is limited to the principal amount of the bill since the interest is to be paid by the principal debtor as this is not a case of continuing guarantee
- (b) is limited to the interests payable only as the principal amount of the bill since the surety can be discharged by variance in terms of the contract
- (c) extends to the amount of the bill since it is implied that the principal amount is guaranteed
- (d) extends to the interest and charges since the surety's liability is coextensive with that of the principal debtor

36. J contracts with K to deliver 250 kg of rice before the end of year 2022. J delivered 130 kg till 31st December, 2022 and none after that. K retains the delivered rice. For the 130 kg of rice, K is required to pay to J although the entire quantity was not delivered. This principle under the Indian Contract Act, 1872 is referred as

- (a) doctrine of restitution
- (b) *quid pro quo*
- (c) doctrine of frustration
- (d) doctrine of express and implied contracts

37. *D*, a singer, contracts to sing in *L*'s theatre for two nights every week for two months. On the sixth night, *D* wilfully absents herself after which *L* rescinds the contract. In this respect, which of the following statements is/are correct?

1. *L* must pay *D* for the five nights that she performed.
2. *L* can claim compensation for damage due to non-fulfilment of contract.
3. *L* cannot claim compensation since he himself rescinded the contract.

Select the correct answer using the code given below.

- (a) 1 only
- (b) 1 and 3
- (c) 1 and 2
- (d) 2 only

38. The promisee in a contract of indemnity is entitled to recover

1. all damages which he may be compelled to pay in a suit to which the promise of indemnity applies
2. all costs which he may be compelled to pay in a suit in bringing or defending it if the promisor authorized him to do so
3. all sums which he may have paid under terms of any compromise of any suit if he was authorized to do so

Select the correct answer using the code given below.

- (a) 1 and 2 only
- (b) 3 only
- (c) 1 and 3 only
- (d) 1, 2 and 3

39. *T* sells, by auction to *E*, old coins, which he knows to be fake. This contract is

- (a) void
- (b) voidable
- (c) valid
- (d) agreement against public policy

40. Which one among the following is **not** a mode of revocation of a proposal made by *G* to *Y*?

- (a) By death of *G*, only if the fact of his death comes to the knowledge of *Y* before acceptance
- (b) By failure of *Y* to fulfil a condition precedent to acceptance
- (c) By lapse of time prescribed in the proposal
- (d) By insanity of *G* whether or not the fact comes to the knowledge of *Y* before acceptance

41. When one person signifies to another her willingness to do or to abstain from doing anything, with the view to obtain the assent of that other to such act or abstinence, this is

- (a) proposal
- (b) promise
- (c) reciprocal promise
- (d) consideration for promise

42. Which of the following statements in respect of a 'holder in due course (HIDC)' under the Negotiable Instruments Act, 1881 is/are **not** correct?

- 1. HIDC is a person who becomes the possessor of a negotiable instrument for consideration.
- 2. HIDC is the bearer, payee or indorsee of an instrument payable to order, after the amount mentioned in it became payable.
- 3. HIDC is a person who obtained the instrument without having sufficient cause to believe that any defect exists in the title of the person from whom he derived his title.

Select the correct answer using the code given below.

- (a) 1 and 2
- (b) 2 and 3
- (c) 2 only
- (d) 3 only

43. Which one of the following judgments relates to dishonour of cheque due to 'stop payment' order given to the bank by the drawer of cheque under the Negotiable Instruments Act, 1881?

- (a) *MMTC Ltd. v. MEDCHL Chemicals & Pharma (P) Ltd.* (2002) 1 SCC 234
- (b) *G. J. Raja v. Tejraj Surana*, AIR 2019 SC 3817
- (c) *Surinder Singh Deswal v. Virender Gandhi* (2020) 2 SCC 514
- (d) *Laxmi Dyechem v. State of Gujarat* (2012) 13 SCC 375

44. In order to reduce delay in legal proceedings pertaining to dishonour of cheques, the Negotiable Instruments Act, 1881 was amended in 2018. Which of the following provisions was/were introduced with the said amendment?

1. The power of the court to direct interim compensation
2. The power of the appellate court to order payment pending appeal against conviction
3. The power of the court to try cases summarily

Select the correct answer using the code given below.

- (a) 2 and 3
- (b) 3 only
- (c) 2 only
- (d) 1 and 2

45. Which one of the following statements is **not** correct in respect of material alteration of a negotiable instrument?

- (a) Any material alteration renders the same voidable as against anyone who is a party thereto at the time of making such alteration.
- (b) A material alteration made in order to carry out the common intention of the original parties can be said to be valid.

(c) An alteration made by an indorsee discharges his indorser from all liabilities to him in respect of the consideration thereof.

(d) An alteration made by the holder, by crossing it generally, is not considered to be a material alteration.

46. *M* owned a land jointly with her minor son *S*. *M* sold the property to *B*. *S*, on attaining majority, claimed the contract to be void. After the suit was decreed in favour of *S*, *S* dies. *M* as class I heir of *S* inherits the property. *B* now claims the property from *M* as the sole owner. *B*'s claim is

(a) valid, as per Section 43 of the Transfer of Property Act, 1882

(b) valid, as after the death of *S*, *M* becomes the sole owner

(c) not valid, since the court had decreed the suit of *S*

(d) not valid, as *B* did not acquire the property under fraudulent or erroneous belief

47. X transfers property to A, a minor, and his intended wife successively for their lives, and, after the death of the survivor, for the second son of the intended marriage for life, and after his death, for the youngest child of A. This transfer is

- (a) valid, as A is living when the transfer is made
- (b) valid, as the Transfer of Property Act, 1882 (TPA) permits transfer for benefit of unborn person
- (c) not valid, since the rights of the second son do not extend to X's remaining interest in the property under the TPA
- (d) not valid, since the TPA expressly provides for transfer between living persons

48. X, a mortgagor, transfers his field absolutely to Y, the mortgagee, subject to the condition that Y will retransfer it to X upon payment of mortgage money. This form of mortgage is

- (a) usufructuary mortgage
- (b) English mortgage
- (c) mortgage by conditional sale
- (d) mortgage by deposit of title deeds

49. Z creates a life interest in respect of all his properties in favour of S and provides for absolute transfer of the same to S's first unborn child U, who is to get the property on attaining majority. U dies at the age of 10 years. The property after U's death

- (a) reverts back to Z or his legal heirs
- (b) belongs to the legal heirs of U
- (c) can be claimed by S, or his legal heirs
- (d) belongs to Z as the transfer is void *ab initio*

50. G transfers his property to T for life and then to the unborn children of T with the condition that any female child born is to get only a life interest. Under the Transfer of Property Act, 1882 (TPA), the said transfer is

- (a) void, since it is hit by the rule against perpetuity
- (b) valid, since transfer to class of heirs is permissible under the TPA
- (c) void, since life interest in respect of unborn class of persons is not permitted under the TPA
- (d) valid in respect of the interest of the son(s), but fails in respect of the interest of the daughter(s)

51. *F* institutes a suit before the civil court on 1.1.2023 challenging the title of his brother *E* in a property. On 31.1.2023, *E* sells the property to a friend *Z*. The matter was then transferred on 1.4.2023 to a different court for want of jurisdiction. The said sale of the property is

- (a) valid, since the suit instituted was not before a proper court
- (b) valid, since the Transfer of Property Act, 1882 does not prohibit such transfers expressly
- (c) void, since the matter was pending before the court when the sale was made
- (d) void, since the transfer was not made on good faith

52. Which one of the following documents needs to be compulsorily registered under Section 3 of the Registration Act, 1908?

- (a) Instrument other than will which purports to create, declare or extinguish any right, title or interest to or in immovable property
- (b) Lease of immovable property not exceeding one year
- (c) Document containing contract to transfer for consideration any immovable property as part performance under Section 53A of the Transfer of Property Act, 1882
- (d) Will

53. The registering officer under the Registration Act, 1908 may not refuse to register the document which

- (a) is in a language that he does not understand and which is not commonly used in the district
- (b) displays interlineation, blank, erasure or alteration
- (c) being a sale deed relates to immovable property if it does not contain a description of such property sufficient to identify the same
- (d) the Registrar, at his discretion, thinks that such document cannot be registered

54. Who among the following persons is **not** authorized to present documents for registration under Section 32 of the Registration Act, 1908?

- (a) Representative or assign of a person executing or claiming under the same
- (b) A person authorized by power-of-attorney executed before or authenticated by a Notary Public if the principal at the time resides in India
- (c) A person authorized by power-of-attorney executed before or authenticated before or authenticated by the Registrar within whose district the principal resides
- (d) Agent of the concerned person



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55. The court has power to order separate trials in which of the following cases?

1. When the joinder of the plaintiffs might be embarrassing
2. When the joinder of the defendants might delay the trial
3. When the joinder of the plaintiffs/defendants might embarrass or delay the trial

Select the correct answer using the code given below.

- (a) 1 only
- (b) 2 only
- (c) 1 and 3 only
- (d) 1, 2 and 3

56. Which one of the following is a correct match under the Code of Civil Procedure, 1908?

- (a) Recognized agents : Order IV and pleadings
- (b) Issue and service : Order V of summons
- (c) Plaintiff : Order VI
- (d) Set-off and counter-claim : Order VII

57. In which one of the following cases, a suit **cannot** be dismissed?

- (a) Where on the day fixed for the defendant to appear in court it is found that the defendant could not be served with summons on account of failure of the plaintiff to pay the prescribed court-fee for service

(b) Where the defendant appears in court on the day fixed for the defendant to appear in court without being served with summons

(c) Where neither party appears when the suit is called for hearing

(d) Where the plaintiff fails to apply within seven days for the issue of fresh summons after the summons already issued were returned unserved

58. Under the Code of Civil Procedure, 1908, where the defendant appears but not the plaintiff when the suit is called for hearing, what action/course of action may follow?

1. The suit may be dismissed.
2. The court may pass a decree based on the admission of the claim by the defendant.
3. The plaintiff cannot file a fresh suit in respect of the same cause of action.

Select the correct answer using the code given below.

- (a) 1 only
- (b) 2 only
- (c) 2 and 3 only
- (d) 1, 2 and 3

59. Which one of the following statements with regard to return of a plaint under the Code of Civil Procedure, 1908 is **not** correct?

- (a) Only at the initial stage of the suit, a plaint can be returned to be presented to the court in which the suit should have been instituted.
- (b) An appellate court has power to set aside a decree passed in a suit and return the plaint to the court in which the suit should have been instituted.
- (c) While returning a plaint, the judge must endorse thereon the date of its presentation and return, the name of the party presenting it and brief statement of reasons for returning the plaint.
- (d) The court returning the plaint on the ground of lack of jurisdiction has power to fix a date for the appearance of the parties in the court to which the plaint is proposed to be transferred.

60. Consider the following statements with regard to the Banking Regulation Act, 1949 :

- 1. The Central Government has power to suspend the operation of any of the provisions of the Act for a total period not exceeding one year.
- 2. The power to suspend the operation of the provisions of the Act can be exercised by the Governor of the Reserve Bank of India in certain cases for certain period.
- 3. An order of suspension of the provisions of the Act by the Central Government cannot be for more than sixty days.

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) 2 and 3 only
- (d) 1, 2 and 3

61. The term 'substantial interest' for the purposes of the Banking Regulation Act, 1949 may be in relation to

1. a company
2. a firm

Which of the above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

62. The provisions of the Banking Regulation Act, 1949 with respect to speedy disposal of winding-up proceedings have overriding effect over the provisions of which of the following Acts if they are inconsistent with the aforesaid provisions?

1. The Companies Act, 1956 (now 2013)
2. The Code of Civil Procedure, 1908
3. The Code of Criminal Procedure, 1973

Select the correct answer using the code given below.

- (a) 1 only
- (b) 2 only
- (c) 2 and 3 only
- (d) 1, 2 and 3

63. Which among the following has exclusive jurisdiction to entertain and decide any claim made by or against a banking company which is being wound up?

- (a) The Reserve Bank of India
- (b) The High Court
- (c) The National Company Law Tribunal
- (d) The National Company Law Appellate Tribunal

64. Consider the following legal propositions with respect to the Limitation Act, 1963 :

1. Every suit not instituted within the prescribed period of limitation shall be dismissed subject to Sections 4 to 24 of the Limitation Act, 1963 even if the plea of bar of limitation has not been raised.
2. Where once time has begun to run, no subsequent disability to institute a suit stops it.

Which of the above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

65. Consider the following statements :

1. The Code of Criminal Procedure, 1973 is not an exhaustive code containing the entire law pertaining to investigation and trial of all offences.
2. The words and expressions used but not defined in the Code of Criminal Procedure, 1973 have to be read in the light of the words and expressions given in the Indian Penal Code, 1860.

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

66. With regard to the powers of Magistrates to pass sentences, which one of the following statements is **not** correct?

- (a) The Court of Chief Judicial Magistrate cannot pass a sentence of imprisonment exceeding ten years.
- (b) The Court of Magistrate of First Class cannot pass a sentence of imprisonment exceeding three years.
- (c) The Court of Magistrate of Second Class cannot pass a sentence of imprisonment exceeding one year.
- (d) The Court of Chief Metropolitan Magistrate cannot pass a sentence of imprisonment exceeding seven years.

67. Every High Court has inherent power to

1. make such orders as might be necessary to give effect to any order under the Code of Criminal Procedure, 1973
2. secure the ends of justice
3. prevent abuse of the process of any court

Select the correct answer using the code given below.

- (a) 1 only
- (b) 1 and 2 only
- (c) 3 only
- (d) 1, 2 and 3

68. Which of the following statements with regard to trials under the Code of Criminal Procedure, 1973 is/are correct?

1. For up to three offences of the same kind, the accused may be tried at one trial.
2. The three offences for which the accused may be tried at one trial must have been committed within a span of six months.
3. The three offences may be in respect of different persons but punishable with the same amount of punishment under the same Section of the Indian Penal Code, 1860.

Select the correct answer using the code given below.

- (a) 1 only
- (b) 2 only
- (c) 2 and 3
- (d) 1 and 3

69. In any inquiry or trial under the Code of Criminal Procedure, 1973, a previous conviction or acquittal may be proved by which of the following?

1. By an extract certified under the hand of the officer having the custody of the records of the court in which such conviction or acquittal was held, to be a copy of the sentence or order
2. In case of conviction, by a certificate signed by the officer in charge of the jail in which the punishment was undergone or by production of the warrant of commitment under which the punishment was suffered

Select the correct answer using the code given below.

(a) 1 only

(b) 2 only

(c) Both 1 and 2

(d) Neither 1 nor 2

70. Which of the following statements is/are correct?

1. A person tried by a court of competent jurisdiction for an offence shall not be liable to be tried again for the same offence irrespective of his conviction or acquittal.
2. A person tried by a court of competent jurisdiction for an offence shall not be liable to be tried again on the same facts for any other offence for which a different charge from the one made against him might have been made under Section 221(1) of the Code of Criminal Procedure, 1973 (CrPC) or for which he might have been convicted under Section 221(2), the CrPC.
3. The State Government may give consent for subsequent trial of any person for any distinct offence for which separate charge might have been made against him at the former trial under Section 220(1), the CrPC.

Select the correct answer using the code given below.

(a) 1 and 2 only

(b) 2 only

(c) 1, 2 and 3

(d) 1 and 3 only

71. B, a public servant, is charged with an offence of receiving 'undue advantage' [Section 7, the Prevention of Corruption (PC) Act, 1988], making false documents [Section 464, the Indian Penal Code, 1860 (IPC)] and giving false evidence [Section 191, the IPC]. The sanctioning authority refused previous sanction for prosecution under Section 19 of the PC Act. The proceedings in a criminal court

- (a) can continue in respect of all the charges since the other offences do not require a previous sanction
- (b) cannot continue since Section 197, the Code of Criminal Procedure, 1973 (CrPC) states that no court can take cognizance of an act done by a public servant in discharge of his official duty
- (c) can continue but only in respect of the offences under the IPC
- (d) cannot continue although Section 197, the CrPC and Section 19, the PC Act are the same

72. In *Securities and Exchange Board of India v. Abhijit Rajan* (Civil Appeal No. 563 of 2020), the Supreme Court laid down which test(s) for determining whether an act of insider trading was committed or not?

- 1. There was an attempt to take advantage of the information available
- 2. There was an attempt to or encash benefit from the information he is in possession

3. The fact that he was in possession of unpublished price-sensitive information and he traded them

Select the correct answer using the code given below.

- (a) 1 only
- (b) 3 only
- (c) 2 and 3
- (d) 1 and 2

73. In which one among the following cases, the Supreme Court held that cumulative shareholding of the acquirer along with the shareholdings of persons acting in concert will have to be considered to determine whether the threshold limit prescribed under the SEBI (Substantial Acquisition of Shares and Takeovers) Regulations, 1997 has been breached?

- (a) *SEBI v. Sunil Krishna Khaitan and Others*, the Supreme Court judgment dated July 11, 2022
- (b) *MBL & Co. Ltd. v. SEBI*, the Supreme Court judgment dated May 26, 2022
- (c) *PTC India Financial Services Ltd. v. Venkateswarlu Kari*, the Supreme Court judgment dated May 12, 2022
- (d) *Balram Garg v. SEBI*, the Supreme Court judgment dated April 19, 2022

74. The Securities and Exchange Board of India (SEBI), in June 2023, has amended which one of the following Regulations in continuation of mandating the Business Responsibility and Sustainability Reporting in India?

- (a) The SEBI (Issue of Capital and Disclosure Requirements) Regulations, 2018
- (b) The SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2015
- (c) The SEBI (Issue and Listing of Non-Convertible Securities) Regulations, 2021
- (d) The SEBI (Alternative Investment Funds) Regulations, 2012

75. Which of the following entities is/are mandated to redress investor's grievances failing which it would be liable to penalty prescribed under Section 15C of the Securities and Exchange Board of India (SEBI) Act, 1992?

- 1. Any listed company
- 2. Intermediaries
- 3. Depositories

Select the correct answer using the code given below.

- (a) 1 and 2 only
- (b) 1, 2 and 3
- (c) 2 only
- (d) 1 and 3 only

76. Which one of the following is **not** considered to be a default of stock-brokers under Section 15F of the Securities and Exchange Board of India (SEBI) Act, 1992?

- (a) Failure to issue contract notes as specified by the stock exchange of which the broker is a member
- (b) Failure to deliver any security in the manner and within the specified period as provided in the Regulations
- (c) Failure to comply with the investment adviser's roles as prescribed by the Regulations
- (d) Charges brokerage in excess of the amount specified in the Regulations

77. An Asset Reconstruction Company is registered under which one of the following Acts?

- (a) The Companies Act, 2013
- (b) The Banking Regulation Act, 1949
- (c) The Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002
- (d) The Reserve Bank of India Act, 1934

78. A mortgagor's right of redemption under the Transfer of Property Act, 1882 cannot be clogged and in order to sell the mortgaged property, court's intervention and appointment of receiver by the court are mandatory. This statement is

- (a) correct, irrespective of the kind of mortgage that the parties have executed
- (b) correct, but has created an exception for enforcement of security interest under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest (SARFAESI) Act, 2002
- (c) not correct, since there are different kinds of mortgages that have evolved
- (d) not correct, since the application against measures to recover secured debts under the SARFAESI Act, 2002 has to be presented before the court

79. The Central Register is kept under Section 22 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest (SARFAESI) Act, 2002 and is **not** maintained for entering into transactions relating to

- (a) enforcement of security interest
- (b) securitization of financial assets
- (c) reconstruction of financial assets
- (d) creation of security interest

80. Which one of the following is **not** a function of an Asset Reconstruction Company under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest (SARFAESI) Act, 2002?

- (a) Act as an agent for any bank for recovering their dues
- (b) Act as a receiver if appointed by any court or tribunal
- (c) Act as a manager of secured assets, the possession of which has been taken over by the secured creditor
- (d) Act as a manager even though such acting may give rise to pecuniary liabilities

81. The Supreme Court, in *Phoenix ARC Private Ltd. v. Vishwa Bharati Vidya Mandir* (Civil Appeal Nos. 257-259 of 2022), has held that a writ petition is not maintainable against an Asset Reconstruction Company (ARC) under which of the following grounds?

1. An ARC cannot be said to perform public functions.
2. The act of lending money by the bank/ARC is done during the course of a commercial transaction under a contract.
3. If the borrower is aggrieved by an action of the bank/ARC, he must avail the remedies under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

Select the correct answer using the code given below.

- (a) 1 only
- (b) 3 only
- (c) 2 and 3 only
- (d) 1, 2 and 3

82. A borrower's right preserved in an auction sale held under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest (SARFAESI) Act, 2002 is preserved till

- (a) the completion of sale and delivery of possession of the secured asset
- (b) the date of publication of notice for public auction

(c) the transfer of secured asset in favour of the auction purchaser by registration of sale certificate

(d) the date of auction sale of the secured asset

83. The Central Government has power to issue directions to any authority for the exercise of powers and performance of the functions under the Prevention of Money Laundering Act, 2002 having regard to

1. territorial area
2. persons and cases
3. any other criteria specified by it

Which of the above criteria is/are **not** to be considered?

- (a) 1 only
- (b) 2 only
- (c) 1 and 3 only
- (d) 1, 2 and 3

84. Does the Prevention of Money Laundering Act, 2002 prescribe the following punishments for the offence of money laundering?

1. A person found guilty of the offence of money laundering is punishable with a minimum of three years' rigorous imprisonment.
2. Where the proceeds of the crime involved in money laundering relate to murder covered under Section 302 of the Indian Penal Code, 1860, the punishment may extend to seven years of imprisonment.

Select the correct answer using the code given below.

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

85. Where any property or record is found in the possession of any person in the course of a search under the Prevention of Money Laundering Act, 2002, which of the following presumptions can be made?

1. The record or property belongs to such person.
2. The contents of such record are true.
3. The signature and every other part of the record purporting to be in the handwriting of any particular person are in that person's handwriting.

Select the correct answer using the code given below.

- (a) 1 only
- (b) 1 and 2 only
- (c) 2 and 3 only
- (d) 1, 2 and 3

86. The offences covered under which of the following Acts may be investigated under the National Investigation Agency Act, 2008?

1. The Atomic Energy Act, 1962
2. The Anti-Hijacking Act, 1982
3. The Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Act, 2005

Select the correct answer using the code given below.

- (a) 1 and 2 only
- (b) 3 only
- (c) 1 and 3 only
- (d) 1, 2 and 3

87. Which of the following statements with regard to the National Investigation Agency Act, 2008 is/are correct?

1. The Central Government can act *suo motu* by referring a case to the National Investigation Agency for investigation.
2. The Central Government is not bound to refer a case for investigation on the request of a State Government.

Select the correct answer using the code given below.

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

88. Consider the following statements with regard to the National Investigation Agency Act, 2008 :

1. The National Investigation Agency while investigating a case cannot transfer that case to the State Government.
2. While investigating any scheduled offence, the National Investigation Agency has power to investigate any other offence also allegedly committed by the accused which is connected with the scheduled offence.

3. While investigating any scheduled offence, the National Investigation Agency has no power to investigate any other offence also allegedly committed by the accused which is connected with the scheduled offence.

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) 1 and 3
- (d) 1 and 2

89. Which one of the following statements with regard to the National Investigation Agency Act, 2008 is **not** correct?

- (a) Any question relating to the jurisdiction of the Special Court has to be decided by the High Court.
- (b) The Special Court is presided over by a judge appointed by the Central Government on the recommendation of the Chief Justice of the High Court.
- (c) Only a Sessions or Additional Sessions Judge is qualified to be appointed as a judge of the Special Court.
- (d) The scheduled offences can be tried only by the Special Court.

90. Which one among the following pairs of Provisions and Sections of the National Investigation Agency Act, 2008 is correctly matched?

- (a) Protection of Witnesses : Section 17
- (b) Sanction for Prosecution : Section 20
- (c) Public Prosecutors : Section 21
- (d) Procedure and Powers of Special Courts : Section 22

91. Which one of the following statements regarding the partners under the Limited Liability Partnership (LLP) Act, 2008 is correct?

- (a) Partners act as mutual agents.
- (b) Partners act as agents of the limited liability partnership.
- (c) Only 'designated partners' act as agents of other partners and the limited liability partnership.
- (d) The relation of agency does not exist in limited liability partnership.

92. A person **cannot** become a partner in a limited liability partnership through which of the following modes?

- (a) By subscribing his name to the incorporation document
- (b) In accordance to the limited liability partnership agreement
- (c) By holding out
- (d) By enlisting his name with the Registrar for the said purpose

93. Which of the following statements in respect of liability in a Limited Liability Partnership (LLP) and its partners is/are correct?

1. The LLP is liable if the partner of an LLP is liable to any person as a result of any wrongful act or omission on his part in the course of the business of the LLP or with its authority.
2. An obligation of the LLP whether arising in contract or otherwise, shall be solely the obligation of the LLP.
3. A partner can be made liable to an unlimited extent in case any partner has acted with the intent to defraud the creditors.

Select the correct answer using the code given below.

- (a) 1 only
- (b) 2 and 3 only
- (c) 1, 2 and 3
- (d) 3 only

94. A compromise or arrangement in respect of a Limited Liability Partnership (LLP) can be proposed between an LLP and its

1. creditors
2. partners
3. suppliers

Select the correct answer using the code given below.

- (a) 1 and 2 only
- (b) 3 only
- (c) 1, 2 and 3
- (d) 2 only

95. 'Nidhi' has also been referred under the Companies Act, 2013 as

- (a) Beneficial Society
- (b) Mutual Fund Society
- (c) Mutual Benefit Society
- (d) Specific Benefit Society

96. Consider the following statements in respect of powers of the National Company Law Tribunal under the Companies Act, 2013 to enforce compromise or arrangement :

1. It can supervise the implementation of the compromise or arrangement.
2. It may give directions regarding modifications in the compromise or arrangement.
3. It may order winding-up of the company.

Which of the statements given above is/are correct?

- (a) 1 and 2 only
- (b) 1 and 3 only
- (c) 2 only
- (d) 1, 2 and 3

97. Which one among the following statements is **not** correct?

Under the Companies Act, 2013, a foreign company having a place of business in India shall issue, circulate or distribute any prospectus offering for subscription in securities in India only after the said prospectus

- (a) is dated, signed and contains particulars with respect to the instrument constituting the constitution of the company
- (b) is certified by the chairperson and two other directors of the company and has been approved by the resolution of the managing body and delivered for registration to the Registrar
- (c) includes the date on which, and the country in which, the company would be or was incorporated
- (d) includes a statement of an expert and such expert has given a written or oral consent to the issue of the prospectus

98. Under the Companies Act, 2013, shares issued by a company at a discount shall be void unless such shares are

- 1. sweat equity shares of a class of shares already issued
- 2. issued to its creditors when its debt is converted into shares in pursuance of any statutory resolution plan
- 3. issued in pursuance of debt restructuring scheme in accordance with guidelines, directions or regulations specified by the Reserve Bank of India

Select the correct answer using the code given below.

- (a) 1, 2 and 3
- (b) 1 and 2 only
- (c) 2 and 3 only
- (d) 3 only

99. Which one among the following is **not** a valid form of share capital under the Companies Act, 2013?

- (a) Equity share capital with voting rights
- (b) Preference share capital with differential rights as to voting
- (c) Equity share capital with differential rights as to dividend
- (d) Preference share capital

100. Which one of the following statements is **not** correct in respect of issue of shares on private placement basis?

- (a) A private placement shall be made only to select group of persons identified by the Board of Directors (Board) as 'identified persons'.
- (b) Every identified person willing to subscribe to private placement shall apply with subscription money.
- (c) The Board may decide to issue private placement by releasing public advertisements or utilizing the media to inform the public at large.
- (d) The company making the offer shall allot its securities within sixty days from the date of receipt of application money.

101. The minimum number of shareholders required to apply to the National Company Law Tribunal for prevention of oppression or mismanagement under Section 241 of the Companies Act, 2013 is

1. in a company having share capital, not less than one hundred members or 1/10th of the total number of members, whichever is less
2. in a company not having share capital, not less than 1/5th of the total number of its members
3. in a company that is listed with a recognized stock exchange, not less than 1/3rd of the total number of its members

Select the correct answer using the code given below.

- (a) 1 and 2 only
- (b) 1 only
- (c) 1, 2 and 3
- (d) 2 and 3 only

102. The constitutional validity of Section 327(7) of the Companies Act, 2013 vis-à-vis Section 53 of the Insolvency and Bankruptcy Code, 2016 was upheld by the Supreme Court in which one of the following cases?

- (a) *Moser Baer Karamchari Union v. Union of India*, the Supreme Court judgment dated May 2, 2023
- (b) *Sanjay Kumar Agarwal v. State Tax Officer*, the Supreme Court judgment dated October 31, 2023
- (c) *Vishal Chelani v. Debashis Nanda*, the Supreme Court judgment dated October 6, 2023
- (d) *Eva Agro Feeds Pvt. Ltd. v. Punjab National Bank*, the Supreme Court judgment dated September 6, 2023

103. A Corporate Insolvency Resolution Process (CIRP) **cannot** be initiated by which one among the following under the Insolvency and Bankruptcy Code, 2016?

- (a) Financial creditor
- (b) Operational creditor
- (c) A person who has supervision over financial affairs of corporate debtor
- (d) Corporate debtor in respect of whom liquidation order has been made

104. Which of the following is/are correct regarding 'operational debt' under the Insolvency and Bankruptcy Code, 2016?

1. A claim in respect of the provision of goods and services including employment
2. Debt in respect of dues payable to Central or State Government or any local authority
3. Money borrowed against the payment of interest

Select the correct answer using the code given below.

- (a) 1 only
- (b) 1 and 2 only
- (c) 1, 2 and 3
- (d) 2 and 3 only

105. Consider the following statements in respect of Committee of Creditors (CoC) under Section 21 of the Insolvency and Bankruptcy Code, 2016 :

1. The CoC shall comprise of all the financial creditors.
2. The CoC shall comprise of all the operational creditors.

3. Where the financial debt is represented by a guardian, such person shall act in the CoC as authorized representative on behalf of such financial creditors.

Which of the above statements is/are correct?

- (a) 1 only
- (b) 1 and 3 only
- (c) 2 and 3 only
- (d) 1, 2 and 3

106. With the declaration of a moratorium under Section 14 of the Insolvency and Bankruptcy Code, 2016, which one of the following **cannot** be prohibited?

- (a) Transferring or disposing of any of its assets or beneficial interest therein by the corporate debtor
- (b) Execution of any judgment, decree or order against the corporate debtor
- (c) Supply of essential goods or services to the corporate debtor
- (d) Recovery of any property by an owner where the said property is in possession of the corporate debtor

107. Which of the following statements is/are correct in respect of appointment of Interim Resolution Professional (IRP) under Section 16 of the Insolvency and Bankruptcy Code, 2016?

1. Where the application of a Corporate Insolvency Resolution Process (CIRP) is made by a financial creditor, the Resolution Professional (RP) proposed in the application shall be appointed as the IRP.
2. Where the application of CIRP is made by a corporate debtor in respect of whom liquidation order has been made, the IRP is to be appointed by the Insolvency and Bankruptcy Board of India on application of the corporate debtor.

Select the correct answer using the code given below.

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

108. The Resolution Professional is required under Section 29 of the Insolvency and Bankruptcy Code, 2016 to make relevant information available to the resolution applicant even if the applicant does not furnish which one of the following undertakings?

- (a) To comply with the provisions relating to confidentiality and insider trading
- (b) To protect the intellectual property of the corporate debtor

(c) Not to share information related to disputes of the corporate debtor with third parties

(d) To share the financial position of the corporate debtor with other parties

109. For an offence under Section 7 of the Prevention of Corruption Act, 1988, which of the following statements is/are correct?

1. In the absence of the complainant, it is permissible to draw an inferential deduction of culpability/guilt of a public servant based on other evidence adduced by the prosecution.
2. On proof that a public servant has attempted to obtain any undue advantage, there is nothing in Section 20 of the Act that could raise a presumption that illegal gratification was for a motive or reward.
3. The conduct of a public servant can be proved by circumstantial evidence in the absence of direct, oral and documentary evidence.

Select the correct answer using the code given below.

- (a) 2 and 3
- (b) 2 only
- (c) 1 only
- (d) 1 and 3

110. Which of the following in relation to a person, charged with an offence punishable under the Prevention of Corruption Act, 1988, to be a competent witness is/are correct?

1. Shall not be called as a witness except at his own request
2. Shall not be asked under any circumstance to show that he has committed any offence other than the one with which he is charged
3. May be asked about his bad character if he has given evidence against any other person charged with the same offence

Select the correct answer using the code given below.

- (a) 1 and 3
- (b) 1 only
- (c) 3 only
- (d) 1 and 2

111. A Special Judge appointed under Section 3 of the Prevention of Corruption (PC) Act, 1988 can try which of the following offences?

1. Any offence punishable under the PC Act, 1988
2. An attempt to commit an offence punishable under the PC Act, 1988
3. An abetment to commit an offence punishable under the PC Act, 1988

Select the correct answer using the code given below.

- (a) 1 and 2 only
- (b) 2 and 3 only
- (c) 1, 2 and 3
- (d) 1 only

112. Section 6A of the Delhi Special Police Establishment Act, 1946 was held to be unconstitutional by the Supreme Court in which one of the following cases?

- (a) *Ritu Chhabaria v. Union of India* [Writ Petition (Criminal) No. 60 of 2023]
- (b) *Central Bureau of Investigation v. R. R. Kishore* [CRL Appeal No. 2763 of 2023]
- (c) *Soundarajan v. State Rep. by the Inspector of Police Vigilance Anti-corruption Dindigul* [Criminal Appeal No. 1592 of 2022]
- (d) *Common Cause (A Regd. Society) v. Union of India* [Writ Petition (Civil) No. 683 of 2014]

113. The Central Government is to appoint officers for the post of Superintendent of Police and above except Director under the Delhi Special Police Establishment (DSPE) Act, 1946 on the recommendation of a committee. Who among the following is **not** included in the committee?

- (a) The Vigilance Commissioner
- (b) The Secretary to the Government of India in charge of the Department of Personnel
- (c) The Secretary to the Government of India in charge of the Ministry of Home
- (d) The Chief Justice of India

114. Where any law provides that information shall be in writing, such requirement shall be deemed to have been satisfied if such information is

1. rendered or made available in any electronic form
2. accessible so as to be usable for a subsequent reference

Select the correct answer using the code given below.

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

115. Which one of the following statements is **not** correct with regard to the powers of the Controller of Certifying Authorities (Controller) under the Information Technology Act, 2000?

- (a) The Controller has power to suspend a licence issued to a person to issue Electronic Signature Certificate.
- (b) The Controller has power to suspend a licence for a week issued to a person to issue Electronic Signature Certificate without any notice to the licensee.
- (c) The suspension of a licence issued to a person to issue Electronic Signature Certificate by the Controller for a period of one month without any notice to the licensee is permissible.

- (d) The revocation of a licence issued to a person to issue Electronic Signature Certificate by the Controller is permissible if an opportunity of hearing has been provided to the licensee to show cause against the proposed revocation.

116. Consider the following statements with regard to the Information Technology Act, 2000 :

1. A company cannot apply for grant of a licence to issue Digital Signature Certificate.
2. Every application for renewal of a licence granted for issue of Digital Signature Certificate must be made at least one month before the expiry of the period of validity of the licence.

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

117. Appeals against the orders of the Controller of Certifying Authorities under the Information Technology Act, 2000 would lie before which of the following?

- (a) The National Company Law Tribunal
- (b) The National Company Law Appellate Tribunal
- (c) The Telecom Disputes Settlement and Appellate Tribunal
- (d) The High Court

118. The constitutional validity of the Central Vigilance Commission (Amendment) Act, 2021 and the Delhi Special Police Establishment (Amendment) Act, 2021 was decided in which one among the following cases?

- (a) *Dr. Jaya Thakur v. Union of India*, the Supreme Court judgment dated July 11, 2023
- (b) *Vijay Rajmohan v. State Represented by the Inspector of Police, CBI, ACB, Chennai, Tamil Nadu*, the Supreme Court judgment dated October 11, 2022
- (c) *Jagtar Singh v. The State of Punjab*, the Supreme Court judgment dated March 23, 2023
- (d) *Neeraj Dutta v. State (Govt. of NCT of Delhi)*, the Supreme Court judgment dated March 17, 2023

119. Which of the following is **not** a function of the Central Vigilance Commission (CVC) under Section 8 of the CVC Act, 2003?

- (a) Give directions excluding the directions to dispose any case in a particular manner to the Delhi Special Police Establishment (DSPE) for the purpose of discharging the responsibility under the DSPE Act, 1946
- (b) Tender advice to the State Government on such matters as may be referred to it by that government

(c) Exercise superintendence over the vigilance administration of various Ministries of the Central Government

(d) Inquire or investigate into any complaint against an official belonging to any government company controlled by the Central Government

120. The Appointing Authority (AA) of the Department of Personnel and Training, while granting sanction for prosecuting a public servant X under Section 19 of the Prevention of Corruption (PC) Act, 1988 consulted the Central Vigilance Commission (CVC). X challenged the validity of the sanction on the ground that the AA acted as per dictation of the CVC. The said order is

- (a) valid, because there is no evidence that the CVC acted *mala fide*
- (b) not valid, since the power to sanction prosecution of a public officer is vested in the AA under the PC Act, 1988
- (c) valid, because the CVC is empowered to review the progress of applications pending for sanction of prosecution
- (d) not valid, because the CVC has no power to advise on such matters

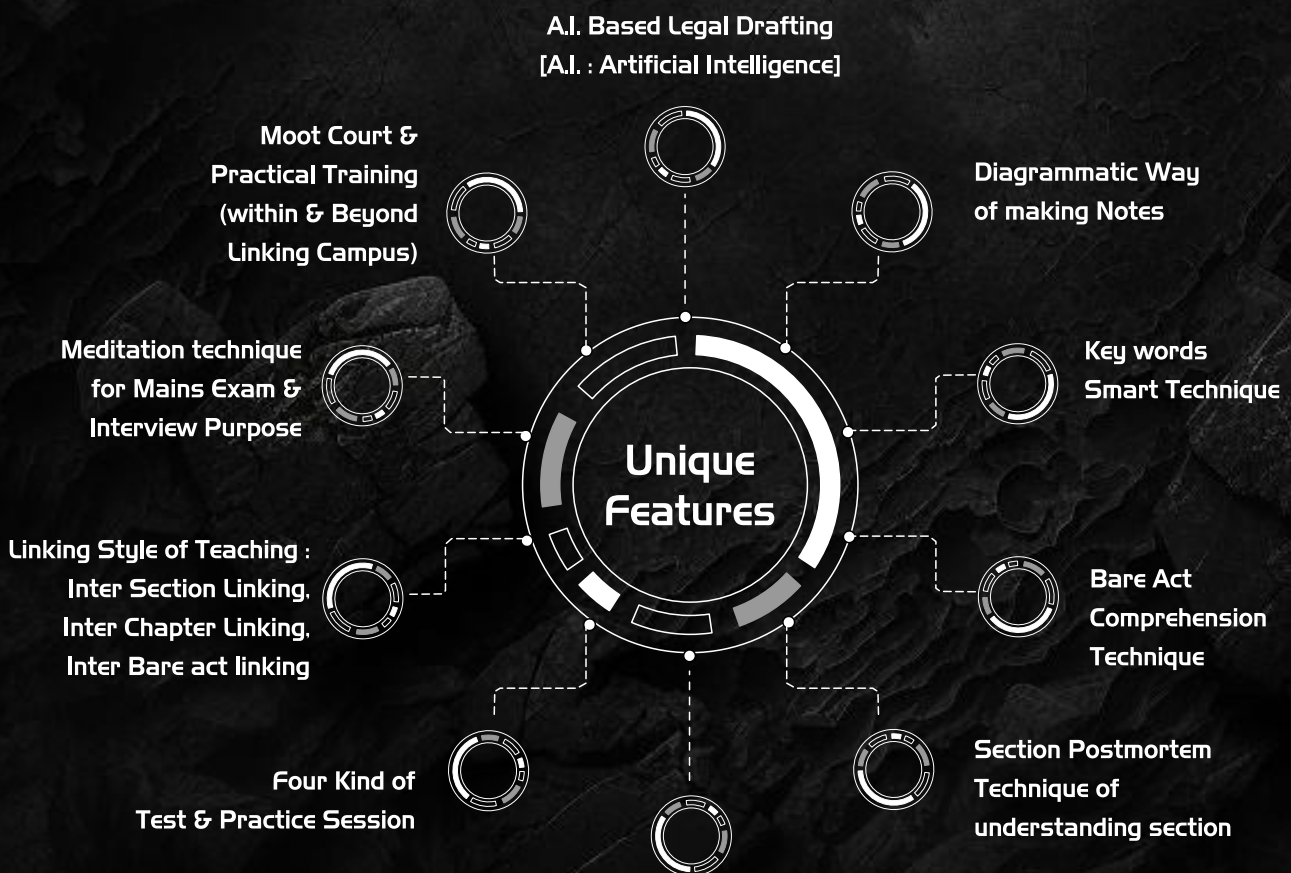


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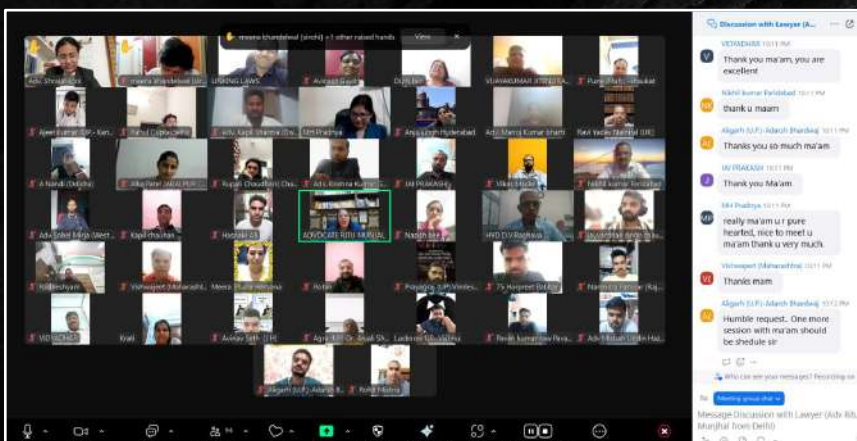
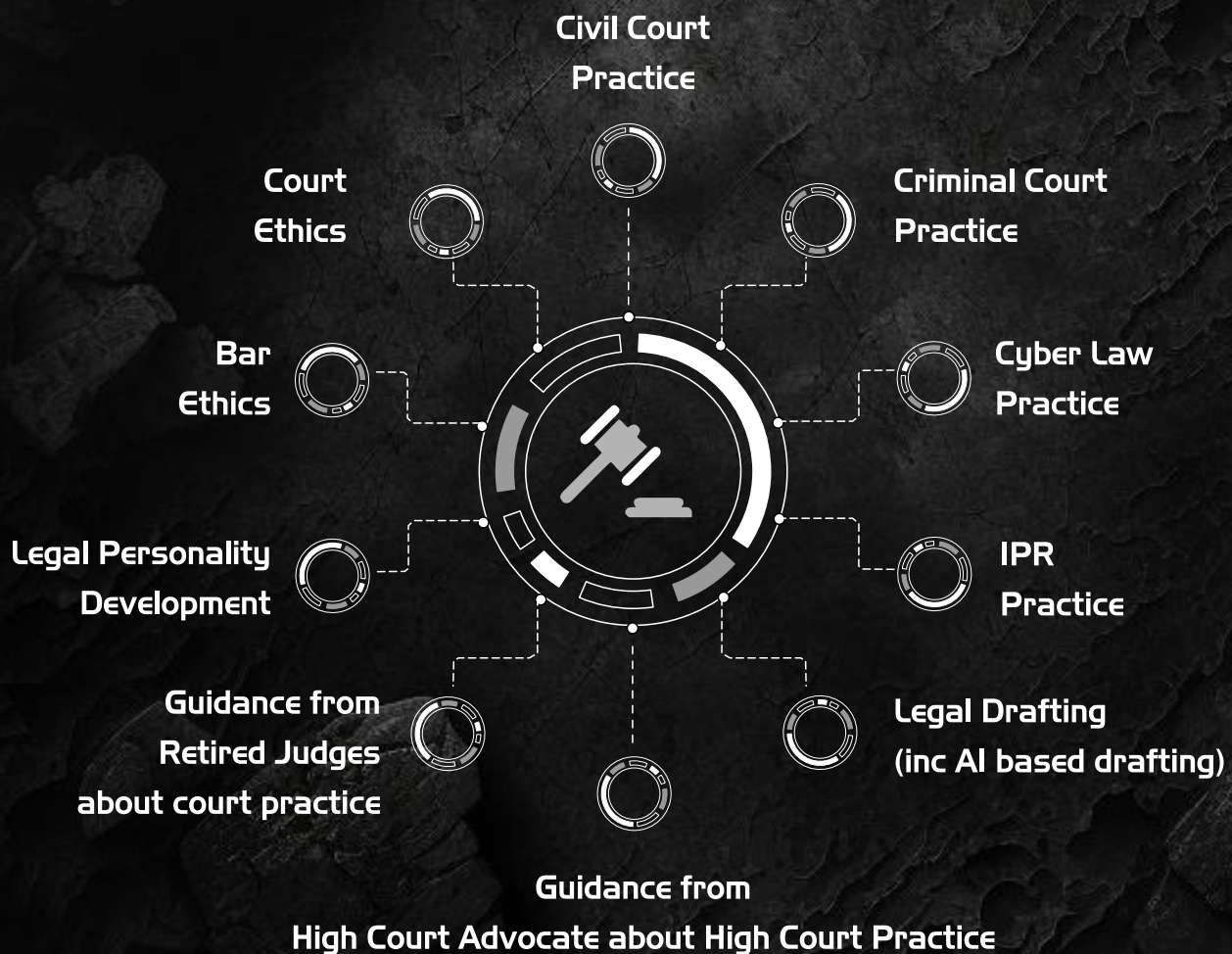


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