



**LL.B. Question Bank**  
**Semester – I / Semester – V**  
**Prefatory Information**

**Please do not print unless necessary. If necessary, print on both sides of the paper.**

**Study all topics in the syllabus.**

**The question bank is to facilitate your learning**

**Errors if any are regretted, please go by right answers.**

**If repetition, please ignore**

**All the Best!**

**LABOUR LAWS (MCQ)**

1. Which one of the following is NOT machinery for settlement of Industrial Disputes under the Industrial Disputes Act, 1947?
  - a. Conciliation Officer
  - b. Board of Conciliation
  - c. Collective Bargaining
  - d. Labour Court
  
2. If there is wilful removal or disregard by the workman of any safety guard or other device which he knew to have been provided for the purpose of securing safety of workman
  - a. Employer is liable to pay compensation
  - b. Employer is not liable to pay compensation
  - c. Appropriate government is liable to pay compensation
  - d. The Trade Union is liable to pay compensation
  
3. 'First come last go and last come first go' is the principle of
  - a. Lay-off
  - b. Closure
  - c. Retrenchment
  - d. Dismissal
  
3. If employees' weapon is strike, then what is employers' weapon

- a. Lock-out
- b. Retrenchment
- c. Go- slow
- d. Pen Down

4. What's a collective bargaining agreement?

- a. A collective bargaining agreement is a written legal contract between an employee and his relative
- b. A collective bargaining agreement is a written legal contract between an employer and a union representing the employees
- c. A collective bargaining agreement is a written legal contract between an employer and the neighbour
- d. A collective bargaining agreement is a written legal contract between an employer's relative and the society at a large.

5. Lay -off means

- a. Dismissing a workman
- b. Praising a workman
- c. Retirement of a workman
- d. Inability of the workman to provide work to workman

6. Closure means

- a. Permanent closing down of the place of employment
- b. Temporary closing down of the place of employment
- c. Stoppage of the supply of raw materials
- d. Stoppage of the supply of power

7. In which case the Supreme Court laid down the Triple Test

- a. Board of Studies vs. Arun lal
- b. Bangalore Water Supply vs. A. Rajappa
- c. Lalit Hari vs. Vishnu Hari
- d. Baroda Municipality vs. Farhad Shah

8. An individual dispute becomes an industrial dispute when it is supported by

- a. The appreciable number of workmen
- b. A few number of workmen
- c. The number of the workman who are poor
- d. The number of the workman who are sick

9. What is the function of the Work Committee under the Industrial Disputes Act, 1947?

- a. To instigate dispute in the industry
- b. To Lay off employees
- c. To close the undertaking
- d. To promote measures for maintaining harmonious relations in the work place

10. Which of the following activity relates to Unfair Practice on the part of the employee?

- a. Causing damage to the property in the place of employment
- b. Absent for sickness
- c. Being Poor
- d. Retiring at the superannuation age

11. Which Act requires employers in industrial establishments to define the conditions of employment?

- a. The Factories Act, 1948
- b. The Industrial Disputes Act, 1947
- c. The Industrial Employment (standing orders) Act, 1946
- d. The Trade Union Act, 1926

12. The minimum rate of subsistence allowance in case of suspension pending enquiry has been given under which of the following Act?

- a. Industrial Disputes Act, 1947
- b. Trade Unions Act, 1926
- c. Industrial Employment (Standing Orders) Act, 1946
- d. Factories Act, 1948

13. Under the Employees' Compensation Act, employer shall not be liable to pay compensation in respect of any injury which does not result in the total or partial disablement of the workman for a period exceeding ----- days;

- a. 7
- b. 3
- c. 5
- d. 2

15. A person is qualified to be chosen as a member of the executive or any other office bearer of the registered trade union if he attained the age of

- a. Fifteen years
- b. Eighteen years
- c. Twenty-one years
- d. Twenty-five years

16. Under which of the following legislation there is a provision called 'protected workmen'?

- a. Trade Unions Act, 1926
- b. Industrial Employment (Standing Orders) Act, 1946
- c. Factories Act, 1948
- d. Industrial Disputes Act, 1947

17. Which of the following dispute can be referred to the National Tribunal by the Central Government under the Industrial Disputes Act, 1947

- a. Disputes which involves any question of national importance
- b. Disputes which involves any question of domestic violence
- c. Disputes which involves any question of legality of marriage
- d. Disputes which involves any question relating to adoption

18. The following person is qualified for appointment as the Presiding Officer of a Labour Court under the Industrial Disputes Act, 1947

- a. A lawyer
- b. A student studying LL.B.
- c. The Chief Justice of India
- d. He is or has been a Judge of a High Court

19. In which language is the text of the standing orders posted on the notice board under the Industrial Employment (Standing Orders) Act, 1946

- a. English or that is understood by majority of the workmen
- b. Only Foreign language
- c. Any language in which the employer communicates
- d. Any language which is not known in the local area.

20. What is the object of the Industrial Disputes Act, 1947

- a. Payment of bonus to the employees
- b. Industrial Peace and Economic Justice
- c. Maternity Benefit
- d. Payment of minimum wages to the employees

21. What can be the objective of a strike

- a. Defence of family members interest
- b. Defence of employer's family members interest
- c. Defence of mutual interest of the employees
- d. Defence of the employer's mental wellness

22. Which kind of disability is recognised under the Employees' Compensation Act 1923?

- a. Partial Disablement
- b. Mindfulness
- c. Insomnia
- d. Being sentimental

23. In Employees' Compensation Act an employee is entitled to get compensation for

- a. Appraisal in job
- b. Injury
- c. Termination.
- d. Retrenchment

24. For the purpose of claiming compensation under the Employees Compensation Act, personal injury means

- a. Physical or mental injury.
- b. Injury to the surrounding of the workplace
- c. Injury to the workplace's property
- d. Injury to the neighbour

25. Which of the following is the power of the Courts of Inquiry under the Industrial Disputes Act, 1947 in settlement of the industrial dispute

- a. Power to enter premises occupied by any establishment to which the dispute relates to
- b. Power to instigate for strike
- c. Power to ask for travelling allowance
- d. Power to instigate for lockout
26. The industrial peace is secured through voluntary \_\_\_\_\_ and compulsory \_\_\_\_\_
- a. Compromise and Arbitration
- b. Adjudication and Arbitration
- c. Work Committee and Industrial Tribunal
- d. Negotiation and Adjudication
27. Power has been given to \_\_\_\_\_ to require Works Committee to be constituted in every industrial establishment employing 100 workmen or more under the Industrial Disputes Act
- a. Appropriate Government
- b. Labour Court
- c. High Court
- d. Board of Conciliation
28. \_\_\_\_\_ means an interim or a final determination of any industrial dispute or of any question relating thereto by any labour Court under the Industrial Disputes Act
- a. Banking Company
- b. Closure
- c. Award
- d. Conciliation Proceeding
29. How many members does a conciliation board under the Industrial Disputes Act consist of as per the appropriate government?
- a. Chairman and 2 or 4 other members
- b. Chairman and 1 more member
- c. Chairman and 5 or 6 other members
- d. Chairman and 10 other members
30. A person shall not be appointed as the presiding officer of a labour Court under the Industrial Disputes Act unless he has been the presiding officer under any provincial or state act for not less than ----- years.
- a. 2
- b. 10
- c. 5
- d. 15
31. How many persons should be there in a national tribunal under the Industrial Disputes Act which is to be appointed by the central government?
- a. 1
- b. 2
- c. 3
- d. 4

32. Where do the labour court, tribunal and national tribunals under the Industrial Disputes Act, submit their awards of the dispute?

- a. Appropriate government
- b. Panchayat
- c. Municipality
- d. Income tax Tribunal

33. What is the time period in which all the awards of the arbitration under the Industrial Disputes Act, are to be published from the date of its receipt by the appropriate government?

- a. 30 days
- b. 15 days
- c. 7 days
- d. 8 days

34. No workmen under the Industrial Disputes Act, shall go on a strike in breach of contract and no employer of any such workmen shall declare a lock - out during:

- a. The pendency of conciliation proceedings before a board and 7 days after the conclusion of such proceedings
- b. The pendency of conciliation proceedings before a board and 5 days after the conclusion of such proceedings
- c. The pendency of conciliation proceedings before a board and 27 days after the conclusion of such proceedings
- d. The pendency of conciliation proceedings before a board and 17 days after the conclusion of such proceedings

35. Under the Industrial Disputes Act, no person employed in a public utility service shall go on strike in breach of contract within \_\_\_\_ of giving such a notice.

- a. 14 days
- b. 6 weeks
- c. 7 days
- d. 17 days

36. How many days of service will be termed as continuous service when working in a mine industry under the Industrial Disputes Act,

- a. 190 days
- b. 240 days
- c. 365 days
- d. 180 days

37. Under the Industrial Disputes Act, a workman who is employed in an industrial establishment in the place of another workman whose name is borne on the muster rolls of the establishment is \_\_\_\_

- a. Class I workmen
- b. Permanent workmen
- c. Badli workmen
- d. Office bearer

38. Under the Industrial Disputes Act how many days of notice period is mandatory for a workman who has been in continuous service for more than a year while retrenchment?

- a. 1 month
- b. 2 months
- c. 15 days
- d. 45 days

39. Under the Industrial Employment (Standing Orders) Act, 1946 in case of a dispute regarding the suspense allowances, to whom does the employer, or the workman refer?

- a. Friend or Relative
- b. Green Tribunal
- c. Family Court
- d. Labour Court

40. Which of these is an unfair labour practice on part of the workmen under the Industrial Disputes Act?

- a. To recruit workman during a strike which is not illegal
- b. To discharge or dismiss workmen
- c. Indulging in coercive activities against certification of a bargaining representative
- d. Not to indulge in acts of force or violence

41. Under Employees Compensation Act, 1923, which of the following are considered as dependent of deceased workman for the purpose of paying compensation?

- a. A minor brother or an unmarried sister or a widowed sister
- b. Neighbour
- c. Colleagues
- d. Employer

42. Under the Employees' Compensation Act, any workman who is injured can file suit for compensation and had to establish \_\_\_\_\_.

- a. That this injury was the result of an accident with his employment.
- b. The injury has no connection with the employment
- c. The injury has not taken place in the course of the employment
- d. The injury has not arisen out of the employment.

43. Under the Employees' Compensation Act, any workman who is injured can file suit for compensation and had to establish \_\_\_\_\_.

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- d. The injury has not arisen out of the employment.

44. In case of an injury caused by an accident, a workman can do the following

- a. He can claim compensation under Employees' Compensation Act
- b. He goes to his native place
- c. He feels bad
- d. He shouts at everyone

45. Which of the following is not a characteristic of trade union?
- Voluntary association
  - Common goals
  - Intermediary
  - Individual actions
46. Who can be the presiding Officer of a National Tribunal under the Industrial Disputes Act?
- Who is or has been a judge of a High Court
  - Who has a good personality
  - Who speaks English very well
  - Who is a good human being
47. Which is the machinery for settlement of Industrial Disputes?
- Industrial Tribunal.
  - Income Tax Tribunal
  - Green Tribunal
  - Family Court
48. What is the time frame in which the employer shall submit 5 copies of the draft standing orders proposed by him for adoption in his industrial establishment?
- 1 month from the date on which Standing Orders Act becomes applicable
  - 12 months from the date on which Standing Orders Act becomes applicable
  - 18 months from the date on which Standing Orders Act becomes applicable
  - 6 months from the date on which Standing Orders Act becomes applicable
49. As per sub - section 3 of section 5 the standing orders shall come into operation on the expiry of \_\_\_\_\_ days from the date on which authenticated copies are sent.
- 30 days
  - 7 days
  - 15 days
  - 5 days
50. How many copies have to be submitted to the certifying officer while making any modifications in the standing orders?
- 10
  - 4
  - 5
  - 2
51. Under the Industrial Employment (Standing Orders) Act, 1946 what is the amount of fine paid by the employer wherein he fails to submit the draft standing orders as per section 3?
- 5,000 Rupees
  - 200 Rupees
  - 1,000 Rupees
  - 10,000 Rupees
52. As per section 13, if the employer continues with the offences of non - submission of the draft model standing orders, he pays a fine of \_\_\_\_\_ Rupees per day.



- a. 5,000 Rupees daily
  - b. 200 Rupees every day after the first day during which the offence continues
  - c. 5000 Rupees per month
  - d. 100 Rupees
53. Which amongst the following is the matter to be provided in the standing orders?
- a. Attendance and late coming
  - b. To have friendly attitude
  - c. To be a good human being
  - d. To be in a polite nature
54. The minimum rate of subsistence allowance in case of suspension pending enquiry has been given under which of the following legislations?
- a. Industrial Disputes Act
  - b. Trade Union Act
  - c. Industrial Employment (Standing Orders) Act
  - d. Collective Bargaining
55. Which of the following statements is NOT true regarding Industrial Employment (Standing Orders) Act, 1946
- a. Within 6 months from the date of application of the Act, the employer shall submit to the Certifying Officer 5 copies of the draft standing orders.
  - b. There is a schedule which sets out the matters to be incorporated in the standing orders.
  - c. There is no provision to refer the draft standing orders to the Unions/Workmen by the Certifying Officer.
  - d. Certifying Officers and appellate authorities shall have powers of Civil Courts.
56. Draft standing orders are to be submitted within.....
- a. Two years from the date on which the Act is applicable in five copies.
  - b. One year from the date on which the Act is applicable in five copies
  - c. Six months from the date on which the Act is applicable in five copies
  - d. Seven months from the date on which the act is applicable in ten copies
57. Which legislation requires employers in industrial establishments to define the conditions of employment?
- a. The Factories Act, 1948
  - b. The Industrial Disputes Act, 1947
  - c. The Industrial Employment (standing orders) Act, 1946
  - d. The Trade Union Act, 1926
58. The Industrial Employment (standing orders) Act, 1946 applies to every establishment employing
- a. No limit
  - b. 2000 workmen
  - c. 150 workmen on any day preceding 12 months
  - d. 100 workmen on any day preceding 12 months and the government can order by application to establishments employing less than 100.

59. The provision relating to suspension of the Workman has been made under which of the following legislations?

- a. Payment of Bonus Act
- b. Trade Union Act
- c. Industrial Employment (Standing Orders) Act
- d. The Fatal Accidents Act

60. The copies of the certified standing orders authenticated in the prescribed manner may be sent to ----- by the Certifying officer within 7 days.

- a. The employer or the trade union or other prescribed representatives of the workmen
- b. Judiciary
- c. Local Authority
- d. Police Station

61. The appeal on the certified standing orders may be preferred within ----- days before the appellate authority

- a. 60 days
- b. 30 days
- c. 15 days
- d. 90 days

62. Standing orders shall, unless an appeal is preferred under Sec. 6, come into operation on the expiry of ----- days from the date on which authenticated copies are sent under sub-section (3) of Sec. 5.

- a. 60 days
- b. 90 days
- c. 30 days
- d. 15 days

63. A copy of all standing orders as finally certified under this Act shall be filed by the Certifying Officer in a register in the prescribed form maintained for the purpose, and the Certifying Officer shall furnish a copy thereof to any person applying:

- a. Payment made in kind
- b. On payment of as to the discretion of the employer
- c. On free of cost
- d. On payment of the prescribed fee

64. Standing orders finally certified under this Act shall not be liable to modification, except on agreement between the employer and the workmen until the expiry of ----- months from the date on which the standing orders or the last modifications thereof came into operation.

- a. 6 months
- b. 3 months
- c. 12 months
- d. 9 months

65. If any workman is suspended by the employer, the employer shall pay to such workman subsistence allowance at the rate of ----- percent of the wages which the

workman was entitled to immediately preceding the date of such suspension, for the first ninety days of suspension

- a. 75%
- b. 50%
- c. 60%
- d. 70%

66. The objections of the workmen in relation to the draft standing orders must be submitted to the Certifying Officer within ----- days from the receipt of draft standing order from the Certifying Officer.

- a. 12 days
- b. 30 days
- c. 9 days
- d. 15 days

67. Which of the following power is enjoyed by the Certifying Officer under the Industrial Employment (Standing Orders) Act

- a. Power of a Civil Court
- b. Power of an Employer
- c. Power of an Employee
- d. Power of a member of Trade Union

68. How many members' consent is required to change the name of the registered trade union?

- a. 1/4th of the total members
- b. 3/4th of the total members
- c. Half of the total members
- d. 2/3rd of the total members

69. What are the essentials of a Strike

- a. Cessation of work or refusal to do work in an industry by the workmen acting in a body or combination.
- b. Retrenchment of the employees
- c. Laying off the employees
- d. Appointment of the employees

70. On what grounds can a union refuse to admit a person or expel a member of the Trade Union?

- a. Because of goodwill
- b. Because of misconduct
- c. Because of the humours nature
- d. Because of polite nature

71. What are the essentials of Lay -off

- a. Change of place of work
- b. Change in the facilities of the workman
- c. The failure, refusal or inability of an employer to give the employment on account of shortage of coal
- d. Not to allow to form Trade Union

72. What are the essentials of a Lock-out
- Temporary closing of a place of employment by the employer or refusal by an employer to continue to employ any number of persons employed by him
  - To Continue to appoint employees
  - To undertake the well-being work of the place of business
  - To undertake the social activity of the undertaking
73. What is the meaning of Lock out?
- Appointing new employees
  - Reappointing employees
  - Closing of a place of Employment or the suspension of work or the refusal by employer to continue to employ any number of persons employed by him.
  - Laying off employees
74. What is the object of Collective Bargaining
- The object of collective bargaining is to arrive at an agreement between the management and the employees determining mutually beneficial terms and conditions of employment
  - Ignore the Management
  - Ignore the Employers
  - Ignore the Judiciary
75. What is the meaning of Award in the Industrial Disputes Act?
- Means an interim or a final determination of any industrial dispute or of any question relating thereto by any Labour Court, Industrial Tribunal or National Industrial Tribunal and includes an arbitration award made under section 10A
  - Order of the Employer
  - Decision of the Employee
  - Decision of the Trade Union
76. The need for the recognition of the Trade Unions under the MRTU and PULP Act is
- To protect interests of the politicians against disregard of human elements in industries.
  - To regulate the relationship of workers and their organization by regulating the balance of power.
  - Not to provide any strength to the employees
  - Not to provide any security to workers against the occupational hazards.
77. What is the objective of MRTU and PULP Act
- Recognition of the Trade Unions
  - Resolve dispute relating to matrimonial issues
  - Resolve dispute relating to personal issues of the employer
  - Resolve dispute relating to purchasing power of the undertaking
78. Who can constitute the Industrial Court under the MRTU and PULP Act ?
- The State Government

- b. The Local Authority
- c. The High Court
- d. The Local people

79. The Industrial Court under the MRTU and PULP Act shall consist of

- a. Not less than three members, one of whom shall be the President
- b. Not less than Five members, one of whom shall be the President
- c. Not less than Seven members, one of whom shall be the President
- d. Not less than Two members, one of whom shall be the President

80. What is the duty of the Industrial Court under the MRTU and PULP

- a. To decide an application for the maternity benefit of the employee
- b. To decide an application for the health benefit of the employee
- c. To decide an application by a union for grant of recognition to it
- d. To decide an application for the monetary benefit of the employee

81. What is the duty of the Investigating Officer under the MRTU and PULP

It shall be the duty of an Investigating Officer to assist the Industrial Court in matters of verification of membership of unions, and assist the Industrial and Labour Courts for investigating into complaints relating to unfair labour practices.

It shall be the duty of an Investigating Officer to assist the Income Tax Tribunal

It shall be the duty of an Investigating Officer to assist the Family Court

It shall be the duty of an Investigating Officer to assist the Green Bench

82. On what grounds the Industrial Court can cancel the recognition of the Trade Union under the MRTU and PULP

- a. The union is very famous
- b. The members have good behaviour
- c. The Members are polite in nature
- d. That it was recognised under mistake, misrepresentation or fraud

83. The MRTU and PULP also deals with

- a. Illegal Strike and Lockout
- b. Health benefits of the employees
- c. Monetary benefits of the employees
- d. Mental benefits of the employees

84. What is the penalty if anyone refuses entry to an Investigating Officer to any place which he is entitled to enter under the MRTU and PULP Act

- a. Shall, on conviction, be punished with fine which may extend to Two hundred rupees
- b. Shall, on conviction, be punished with fine which may extend to One hundred rupees
- c. Shall, on conviction, be punished with fine which may extend to Five hundred rupees
- d. Shall, on conviction, be punished with fine which may extend to Three hundred rupees

85. Investigating Officers, a member of the Industrial or Labour Court and a member of the staff of any such Court shall be deemed to be ----- within the meaning of section 21 of the Indian Penal code

- a. Public Servant
- b. Employers
- c. Employee
- d. Workman

86. Which of the following is Unfair Labour Practices on the part of Trade Unions

- a. To advise or actively support or instigate any strike deemed to be legal
- b. To advise or actively support or instigate any social work
- c. To advise or actively support or instigate any strike deemed to be illegal
- d. To advise or actively support or instigate any scientific work

87. Which of the following is one of the method of collective bargaining

- a. Negotiation
- b. Force or Coercion
- c. Undue-influence
- d. Misrepresentation

88. What is Industrial Dispute?

- a. Difference between workmen and employers or between workmen and workmen, which is connected with employment or non-employment or the terms of employment or with the conditions of labour.
- b. Healthy relationship between the employer and workman
- c. Dispute or difference between workmen's wife and employer's wife
- d. Difference between workmen and employer's neighbour.

89. What is the objective of the Employees' Compensation Act

- a. To provide house facility to the employees
- b. To provide car facility to the employees
- c. To provide loan facility to the employees
- d. To provide for the payment of compensation by employers to their employees for injury caused to them by accident while in employment.

90. What is meant by Standing Order

- a. Rules of conduct for workmen employed in industrial establishments.
- b. Rules of conduct for workmen in their house
- c. Rules of conduct for workmen in their neighbourhood
- d. Rules of conduct for workmen with their relatives

91. Which of the following legislation mentions about occupational diseases

- a. Employees' Compensation Act
- b. Minimum Wages Act
- c. Trade Union Act
- d. Equal Remuneration Act

92. What is meant by the expression 'Accident Arising out of Employment'?
- Refers to the personal relation between the employer and the relative of the employer
  - Refers to the personal relation between the employer and the employee
  - Refers to the link between the cause of the accident and the relative of the employer
  - Refers to the link between the cause of the accident and the employment.
93. Who has the right to certify the standing orders?
- Certifying officer
  - Judge of a High Court
  - Judge of a Supreme Court
  - Police officer
94. What is the date of operation of standing orders?
- Unless an appeal is preferred it will come into operation on the expiry of Forty days from the date on which authenticated copies thereof are sent
  - Unless an appeal is preferred it will come into operation on the expiry of thirty days from the date on which authenticated copies thereof are sent
  - Unless an appeal is preferred it will come into operation on the expiry of twenty days from the date on which authenticated copies thereof are sent
  - Unless an appeal is preferred it will come into operation on the expiry of Sixty days from the date on which authenticated copies thereof are sent
95. Which of the following allowances are covered under the definition of Wages in the Employees 'Compensation Act
- Dearness Allowances
  - Travelling Allowances
  - Dependent's Claim
  - Marriage expenses of a family member
96. What are the different forms of Strike
- Retirement
  - Leaving the job
  - Pen down
  - Appraisal in the job
97. Which of the following circumstance requires notice of change under the Industrial Disputes Act
- Introduction of new rules of discipline, or alteration of existing rules, except in so far as they are provided in standing orders.
  - Introduction of new rules to be applicable at the employee's home
  - Regarding the change of the Political party in the State
  - Regarding the change of the judges of the High Court
98. What is the punishment for any person who fails to comply with any order of the Court Industrial Courts under the MRTU and PULP Act

- a. On conviction, be punished with imprisonment which may extend to three months or with fine which may extend to five thousand rupees.
  - b. On conviction, be punished with imprisonment which may extend to thirty months or with fine which may extend to five thousand rupees.
  - c. On conviction, be punished with imprisonment which may extend to twenty months or with fine which may extend to five thousand rupees.
  - d. On conviction, be punished with imprisonment which may extend to One month or with fine which may extend to five thousand rupees.
99. What is the difference between strike and Lockout
- a. Strike is initiated by State Govt. whereas lockout is initiated by the Central Govt.
  - b. Strike is initiated by Central Govt. whereas lockout is initiated by the State Govt.
  - c. Strike is initiated by Local Govt. whereas lockout is initiated by the Judiciary
  - d. Strikes are initiated by the employees and is when the workers cease work during an industrial dispute whereas Lockouts are initiated by the employer and is a denial of employment during an industrial dispute.
100. What is the function of the Conciliation Officer under the Industrial Disputes Act
- a. The conciliation officer shall, for the purpose of bringing about a settlement of the dispute, without delay, investigate the dispute and all matters affecting the merits and the right settlement thereof and may do all such things as he thinks fit for the purpose of inducing the parties to come to a fair and amicable settlement of the dispute.
  - b. No duty of conciliation
  - c. To initiate strike and Lockout
  - d. To initiate an industrial dispute

### **Labour Law Subjective Questions (DTQ)**

Q 1 Explain the objects, reasons, and features of The Employees Compensation Act, 1923

Q 2 Explain industrial dispute under The Industrial Disputes Act 1947.

Q 3 A Bank gave a contract to construct building. A particular worker on the site got injured. Whether the bank is liable to pay compensation give reason.

Q.4. Workman under Workman's Compensation Act, 1923.

Q.5. Lay off Compensation under the Industrial Disputes Act, 1947.

Q.6. Model Standing Order under the I.E. (SO) Act, 1946.

Q.7. Permanent Disability under the Workmen's Compensation Act.

Q.8. Employee was pursuing his fellow employee to join an unrecognized trade union. When employer learnt it, he transferred him under management policy.

- a. Is it anyway unfair labour practice under MRTU Act?
- b. What action employee can take under MRTU Act?



Q.9. An employer makes an application for amendments to model standing orders to the certifying officer. The certifying officer after hearing the employer and workman passes an order. The employer is not satisfied with the order of the certifying officer.

- a. What is the remedy available to the employer?
- b. Within how many days the remedy should be availed by the employer?

Q 10. Explain the concept of “arising out of and in the course of employment” under the The Employees Compensation Act, 1923.

Q11. Define Industry under the I.D. Act 1947. How the apex court has widened the definition of the term industry

Q12 Discuss the powers and functions of commissioner under the The Employees Compensation Act, 1923.

Q.13. Grounds for cancellation of recognition of Trade Union.

Q.14. Lock out under the Industrial Disputes Act.

Q.15. Labour Court under the Industrial Disputes Act.

Q.16. Give three examples of Illegal strikes under the MRTU and PULP Act.

Q.17. Layoff under the Industrial Dispute Act 1947.

Q. 18. What are the rights of unrecognized Union under the MRTU and PULP Act.

Q .19. Explain the procedure of holding Domestic inquiry under Industrial Employment Standing Orders Act 1946.

Q.20. Explain unfair Labour practice on the part of trade union under MRTU&PULP Act

Q. 21. Theory of Notional Extension.

Q. 22. Obligations of the recognized union.

Q.23. Dependents under Workmen’s Compensation Act .

Q. 24. Appropriate Government under I.D. Act, 1947.

Q. 25. Investigating Officer under the MRTU & PULP Act.

Q. 26. Explain the various authorities for redressing the dispute under the I.D. Act 1947

Q. 27. What is a recognized union and what are the legal requirements that a union must fulfill for seeking recognition?

Q. 28. “Draft Standing Order” under the Industrial Employment Standing Order Act, 1946.

Q. 29. What do you mean by Retrenchment under the I.D. Act,1947.

Q. 30Mention any three rights of the recognized union?

Q.31What are the advantages and disadvantages of Collective Bargaining?

Q.32 Discuss the provisions for re- recognition of a trade union.

Q 33 What is subsistence allowance under Industrial Employment Standing Orders Act, 1946.

Q 34 What is the object of the Industrial Employment Standing Orders Act, 1946.

Q 35 Explain protected workman, employer under I.D Act 1947

Q 36 Distinguish between lay off and retrenchment

Q.37. Discuss any three powers of Certifying Officer under Industrial Employment Standing Orders Act, 1946.

Q. 38 Discuss any three duties of the Works Committee under the Industrial Disputes Act, 1947.

Q.39 Write any two objective of the Industrial Disputes Act 1947.

Q. 40 Discuss three unfair labour practices on the Part of the employees under the M.R.T.U. & PULP Act.

Q.41 Write the provisions for appeal under the Industrial Employment (Standing Orders) Act, 1946?

Q. 42 What is Public Utility Service. Explain with a Case Law.

Q. 43. Industrial Tribunal under the Industrial Disputes Act, 1947.

Q. 44 Investigating officer under the Industrial Disputes Act, 1947.

Q. 45 Contracting out under Workmen's Compensation Act, 1923.

Q.46. What is an award and settlement?

Q. 47 Two Points of difference between strike and lock out

Q48 What is continuous service as per I.D Act 1947

Q 49 State in brief the procedure for filing complaint relating to unfair labour practice under MRTU&PULP Act

Q 50 Give two kinds of misconduct on the part of the workman under Industrial Employment Standing Orders Act 1946.

Q51 What is an occupational disease under the Employee's Compensation Act, 1923

Q 52 An Engine driver died while on duty due to a massive heart attack. It was found that he was suffering from heart problems give reasons whether the employer is liable to compensation

Q53. State the various authorities under the MRTU&PULP Act.

Q54. Explain the procedure with respect to notice of change by the employer under the I.D Act, 1947.

Q55 Explain the procedure for obtaining leave under the Industrial Employment Standing Orders Act 1946.

Q 56 What is collective bargaining and its importance in modern times

Q57. When does a strike become illegal under the I.D Act, 1947?

Q58. Explain the procedure for certification of draft standing orders under Industrial Employment Standing Orders Act 1946.

Q59. When is the employer not liable to pay compensation to the employee under The Employees Compensation Act, 1923

Q60. Explain permanent total disablement as per The Employees Compensation Act, 1923

### **Contract- I DESCRIPTIVE QUESTIONS (DTQ)**

Q 1 What is a Contract? Mention any three essential elements a valid contract? / करार म्हणजे काय? वैध कराराच्या कोणत्याही तीन आवश्यक घटकांचा उल्लेख करा?

Q 2 Define Proposal. Mention any three essentials of a valid Proposal. / प्रस्ताव परिभाषित करा. वैध प्रस्तावाच्या कोणत्याही तीन आवश्यक गोष्टींचा उल्लेख करा.

Q 3 Define Acceptance. Mention any three essentials of a valid Acceptance. / स्वीकृती परिभाषित करा. वैध स्वीकृतीच्या कोणत्याही तीन आवश्यक गोष्टींचा उल्लेख करा.

Q 4 Mention any three types of Offers. / कोणत्याही तीन प्रकारच्या ऑफरचा उल्लेख करा.

Q 5 Mention any three circumstances under which an Offer gets revoked. / ज्यामध्ये ऑफर रद्द केली जाते अशा कोणत्याही तीन परिस्थितींचा उल्लेख करा.

Q 6 Explain the case of Lalman Shukla V/s Gauri Dutt / लालमन शुक्ला विरुद्ध गौरी दत्त प्रकरण स्पष्ट करा

Q 7 Distinguish between Void Agreement and Voidable Contract / निरर्थक करार आणि रद्द करण्यायोग्य करार यातील फरक स्पष्ट करा

Q 8 What is an Invitation to an Offer? Mention two examples of Invitation to Offer. / ऑफरसाठी आमंत्रण म्हणजे काय? ऑफरसाठी आमंत्रणाची दोन उदाहरणे सांगा.

Q 9 Mention any three Exceptions to the general rule No Consideration No Contract. / नो कॉन्सिडरेशन नो कॉन्ट्रॅक्ट या सामान्य नियमातील कोणत्याही तीन अपवादांचा उल्लेख करा.

Q 10 What is Doctrine of Privity of Contract? Mention any one exception to it. / कराराच्या गोपनीयतेचा सिद्धांत काय आहे? त्यातला कोणताही एक अपवाद नमूद करा.

Q 11 Who is Competent to Contract? What is the consequence of a Minor's Agreement? / करार करण्यास सक्षम कोण आहे? अल्पवयीन कराराचा परिणाम काय आहे?

Q 12 Who is a Person of Unsound Mind? When can such a person enter into a valid contract? / अस्वस्थ मनाची व्यक्ती कोण आहे? अशी व्यक्ती वैध करार कधी करू शकते?

Q 13 Distinguish between Coercion and Undue Influence. / जबरदस्ती आणि अनुचित प्रभाव यातील फरक ओळखा.

Q 14 Distinguish between Misrepresentation and Fraud. / चुकीचे सादरीकरण आणि फसवणूक यातील फरक ओळखा.

Q 15 Mention any three agreements which are against Public Policy. / सार्वजनिक धोरणाच्या विरोधात असलेल्या कोणत्याही तीन करारांचा उल्लेख करा.

Q 16 What is Bilateral Mistake of Fact? What are its consequences? Write one suitable example on Bilateral Mistake of Fact. / वस्तुस्थितीची द्विपक्षीय चूक काय आहे? त्याचे परिणाम काय आहेत? द्विपक्षीय चुकीच्या वस्तुस्थितीवर एक योग्य उदाहरण लिहा.

Q 17 What is Mistake of Law? What are its consequences? Write one suitable example on Mistake of Law. / कायद्याची चूक काय आहे? त्याचे परिणाम काय आहेत? कायद्याच्या चुकीवर एक योग्य उदाहरण लिहा.

Q 18 Define Wagering Agreement. Is a Wagering Agreement Valid or Void , Justify? / वेजरिंग करार परिभाषित करा. एक जुगार करार वैध आहे की शून्य, न्याय्य आहे?

Q 19 What is an Uncertain Contract? Is such a contract Valid or Void, justify? Also, write one example of Uncertain Contract. / अनिश्चित करार म्हणजे काय? असा करार वैध आहे की निरर्थक, न्याय्य आहे? तसेच, अनिश्चित कराराचे एक उदाहरण लिहा.

Q 20 Distinguish between Wagering Agreement and Contingent Contract. / वेजरिंग करार आणि आकस्मिक करारामध्ये फरक करा.

Q 21 Who can perform the Contract? / करार कोण पूर्ण करू शकतो?

Q 22 At what time and place the contract must be performed? / करार कोणत्या वेळी आणि ठिकाणी केला पाहिजे?

Q 23 Mention three circumstances under which a Contract Need not be Performed? / तीन परिस्थितींचा उल्लेख करा ज्यात करार पूर्ण करणे आवश्यक नाही?

Q 24 Mohan ordered a suit for his wedding and informed the seller Sohan that he wants delivery of suit on 20 th August, 2021. However, Sohan failed to deliver the suit on 20 th August. What are the rights of Mohan? / मोहनने त्याच्या लग्नासाठी सूट मागवला आणि विक्रेत्या सोहनला कळवले की त्याला 20 ऑगस्ट 2021 रोजी सूटची डिलिव्हरी हवी आहे. तथापि, सोहन 20 ऑगस्ट रोजी सूट देण्यात अयशस्वी ठरला. मोहनचे अधिकार काय आहेत?

Q 25 What is Breach of Contract? Mention any two types of Damages available for the same./ कराराचा भंग म्हणजे काय? त्यासाठी उपलब्ध असलेल्या कोणत्याही दोन प्रकारच्या नुकसानीचा उल्लेख करा.

Q 26 What is Quantum Meriut?/ क्वांटम मेरियट म्हणजे काय?

Q 27 What are the Remedies available to the aggrieved party for the Breach of Contract? / कराराच्या उल्लंघनासाठी पीडित पक्षाकडे कोणते उपाय उपलब्ध आहेत?

Q 28 Distinguish between Liquidated Damages and Unliquidated Damages./ लिक्विडेटेड डॅमेजेस आणि अनलिक्विडेटेड डॅमेजमध्ये फरक करा.

Q 29 How a Contract gets Discharged?/ करार कसा सोडला जातो?

Q 30 Distinguish between Void Agreement and Illegal Agreement. / शून्य करार आणि बेकायदेशीर करार यांच्यातील फरक करा.

Q 31 What is a Quasi Contract? Mention any two Quasi Contracts. / अर्ध करार म्हणजे काय? कोणत्याही दोन अर्ध करारांचा उल्लेख करा.

Q 32 All Contracts are Agreements but All Agreements are not Contracts, explain./ सर्व करार हे अॅग्रीमेंट आहेत परंतु सर्व अॅग्रीमेंट हे करार नाहीत, स्पष्ट करा.

Q 33 Can a Minor act as an Agent? Can he become a Partner of a Partnership Firm? / एक अल्पवयीन एजंट म्हणून काम करू शकतो? तो भागीदारी फर्मचा भागीदार होऊ शकतो का?

Q 34 Mention any three situations under which a Contract becomes a Voidable Contract./  
कोणत्याही तीन परिस्थितींचा उल्लेख करा ज्या अंतर्गत करार रद्द करण्यायोग्य करार बनतो.

Q 35 X, a minor was studying in XI in a college. On 1st July, 2021 he took a loan of Rs. 1,00,000 from B for payment of his college fees and to purchase books and agreed to repay by 31st December 2021. X possesses assets worth Rs. 9 lakhs. On due date, X fails to pay back the loan to B. B now wants to recover the loan from X's assets. Decide whether B would succeed? / x हा अल्पवयीन मुलगा एका महाविद्यालयात अकरावीत शिकत होता. 1 जुलै 2021 रोजी त्यांनी रु. १,00,000 B कडून त्याच्या कॉलेजची फी भरण्यासाठी आणि पुस्तके खरेदी करण्यासाठी लोन म्हणून घेतले आणि 31 डिसेंबर 2021 पर्यंत परतफेड करण्याचे मान्य केले. X कडे रु. ची 9 लाख ची मालमत्ता आहे. देय तारखेला X , B ला कर्जाची परतफेड करू शकत नाही. B ला आता X च्या मालमत्तेतून कर्ज वसूल करायचे आहे. B यशस्वी होईल की नाही हे ठरवा?

Q 36 Sohan started "self-service" system in his shop. Smt. Rakesh entered the shop, took a basket and after taking articles of her choice into the basket reached the cashier for payments. The cashier refuses to accept the price. Can Sohan be compelled to sell the said articles to Smt. Rakesh? / सोहनने त्याच्या दुकानात "सेल्फ सर्व्हिस" प्रणाली सुरू केली. श्रीमती. राकेशने दुकानात प्रवेश केला, एक टोपली घेतली आणि तिच्या आवडीचे सामान टोपलीत घेऊन पेमेंटसाठी कॅशियरकडे पोहोचला. रोखपाल किंमत स्वीकारण्यास नकार देतो. सोहनला हे लेख श्रीमती राकेश ला विकण्यास भाग पाडले जाऊ शकते का?

Q 37 Amar entered into a contract with Akbar to sell him 1,000 water bottles @ Rs. 5 per water bottle, to be delivered at a specified time. Thereafter, Amar contracts with Raju for the purchase of 1,000 water bottles @ Rs. 4.50 per water bottle, and at the same time told Raju that he did so for the purpose of performing his contract entered into with Akbar. Raju failed to perform his contract and market price of each water bottle on that day was Rs. 5.50 per water bottle. Consequently, Amar could not purchase any water bottle and Akbar rescinded (cancelled) the contract. Calculate the amount of damages which Amar can claim from Raju? What would be your answer if Amar had not informed about his contract with Akbar? / अमरने अकबरला 1,000 पाण्याच्या बाटल्या विकण्याचा करार केला. 5 प्रति पाण्याची बाटली, एका विनिर्दिष्ट वेळेवर वितरीत केली जाईल. त्यानंतर अमरने 1,000 पाण्याच्या बाटल्यांच्या खरेदीसाठी राजूशी करार केला. 4.50 प्रति पाण्याची बाटली, आणि

त्याच वेळी राजूला सांगितले की त्याने अकबराशी केलेला करार पूर्ण करण्याच्या उद्देशाने असे केले. राजू आपला करार पूर्ण करू शकला नाही आणि त्या दिवशी प्रत्येक पाण्याच्या बाटलीची बाजारभाव रु. 5.50 प्रति पाण्याची बाटली. परिणामी, अमरला कोणतीही पाण्याची बाटली खरेदी करता आली नाही आणि अकबरने करार रद्द केला (रद्द केला). अमर राजूकडून किती नुकसानभरपाईचा दावा करू शकतो याची गणना करा? अमरने अकबराशी केलेल्या कराराची माहिती दिली नसती तर तुमचे उत्तर काय असते?

Q 38 Mere silence does not amount to fraud – Discuss / नुसते मौन म्हणजे फसवणूक होत नाही यावर चर्चा करा

Q 39 Sonu induced Monu to buy his motorcycle saying that it was in a very good condition. After taking the motorcycle, Sonu complained that there were many defects in the motorcycle. Monu proposed to get it repaired and promised to pay 40% of the cost of repairs. After few days, the motorcycle did not work at all. Now Sonu wants to rescind (cancel) the contract. Decide whether Sonu can rescind the contract? / सोनूने मोनूला त्याची मोटरसायकल चांगली स्थितीत असल्याचे सांगून खरेदी करण्यास प्रवृत्त केले. मोटरसायकल घेतल्यानंतर सोनूने मोटरसायकलमध्ये अनेक दोष असल्याची तक्रार केली. मोनूने ती दुरुस्त करून घेण्याचा प्रस्ताव दिला आणि दुरुस्तीच्या खर्चाच्या 40% देण्याचे आश्वासन दिले. काही दिवसांनी मोटरसायकल चालली नाही. आता सोनूला करार रद्द (रद्द) करायचा आहे. सोनू करार रद्द करू शकतो का ते ठरवा?

Q 40 What is Appropriation of Payments? / देयकांचा विनियोग म्हणजे काय?

Q 41 What is the Liability of the Joint Promisors? / संयुक्त प्रॉमिसर्सचे दायित्व काय आहे?

Q 42 A coolie in uniform picks up the luggage of R to be carried out of the railway station without being asked by R and R allows him to do so. Examine whether the coolie is entitled to receive money from R under the Indian Contract Act, 1872? / गणवेशातील एक कुली R ने न विचारता रेल्वे स्थानकाबाहेर नेण्यासाठी R चे सामान उचलतो आणि R त्याला तसे करण्यास परवानगी देतो. भारतीय संपर्क कायदा, 1872 अंतर्गत कुलीला आर कडून पैसे मिळण्याचा अधिकार आहे का ते तपासा?

Q 43 X agreed to become an assistant for 5 years to 'Y' who was a doctor practicing at Ludhiana. It was also agreed that during the term of agreement X will not practice on his own account in Ludhiana. At the end of one year, X left the assistantship of 'Y' and began to practice on his own account. Referring to the provisions of the Indian Contract Act, 1872, decide whether X could be restrained from doing so? / x ने लुधियाना येथे प्रॅक्टिस करणाऱ्या डॉक्टर असलेल्या 'y' ला ५ वर्षांसाठी सहाय्यक होण्यास सहमती दिली. कराराच्या कालावधीत X लुधियानामधील स्वतःच्या खात्यावर सराव करणार नाही यावरही सहमती झाली. एका वर्षाच्या अखेरीस, X ने 'Y' चे सहाय्यकपद सोडले आणि स्वतःच्या खात्यावर सराव करू लागला. भारतीय करार कायदा, 1872 च्या तरतुदींचा संदर्भ देऊन, X ला असे करण्यापासून रोखता येईल का हे ठरवा?

Q 44 Y holds agricultural land in Gujarat on a lease granted by X, the owner. The land revenue payable by X to the Government being in arrear, his land is advertised for sale by the Government. Under the Revenue law, the consequence of such sale will be termination of Y's lease. Y, in order to prevent the sale and the consequent termination of his own lease, pays the Government, the sum due from X. Referring to the provisions of the Indian Contract Act, 1872 decide whether X is liable to make good to Y, the amount so paid? / Y कडे गुजरातमध्ये X, मालकाने दिलेल्या भाडेपट्टीवर शेतजमीन आहे. X द्वारे सरकारला देय असलेला जमीन महसूल थकबाकीदार असल्याने, त्याची जमीन सरकारने विक्रीसाठी जाहिरात केली आहे. महसूल कायद्यानुसार, अशा विक्रीचा परिणाम Y ची लीज संपुष्टात येईल. Y, विक्री रोखण्यासाठी आणि त्याचा स्वतःचा भाडेपट्टा संपुष्टात येण्यापासून रोखण्यासाठी, X ची देय रक्कम सरकारला देते. भारतीय करार कायदा, 1872 च्या तरतुदींचा संदर्भ घेऊन X Y ला चांगले करण्यासाठी जबाबदार आहे की नाही हे ठरवते, इतकी रक्कम दिली?

Q 45 Discuss the case of Harvey V/s Facey / हार्वे विरुद्ध फेसीच्या प्रकरणाची चर्चा करा

Q 46 Discuss the case of Mohori Bibee V/s Dharmodas Ghose./ मोहोरी बिबी विरुद्ध धर्मोदास घोष यांच्या प्रकरणाची चर्चा करा.

Q 47 A, an Indian, contracts to marry B. A is already married - a fact of which B was unaware. A break his promise in course of time. Thereupon B brings a suit against A for a



breach of contract. A pleads that his promise is impossible of being performed as the law of the country does not permit polygamy. Can A get away with plea?/ A, एक भारतीय, B शी लग्न करण्याचा करार करतो. A आधीच विवाहित आहे - a - ज्याची B ला माहिती नव्हती. कालांतराने त्याचे वचन मोडणे. त्यानंतर B कराराचा भंग केल्याबद्दल A विरुद्ध खटला आणतो. देशाचा कायदा बहुपत्नीत्वाला परवानगी देत नसल्याने त्याचे वचन पूर्ण करणे अशक्य आहे, अशी विनंती ए. ए याचिकेतून सुटू शकते का?

Q 48 Distinguish between recovery of Possession u/s 5 and recovery of Possession u/s 6 of the Specific Relief Act, 1963./ 5 अन्वये ताब्याची पुनर्प्राप्ती आणि विशिष्ट मदत कायदा, 1963 अन्वये 6 अंतर्गत ताब्याची पुनर्प्राप्ती यातील फरक करा.

Q 49 A appoints B as trustee of his property with specific direction to give the property on lease for five years. B enters into a contract with C to lease out this property to him for ten years. Is this contract specifically enforceable?/ A B ला त्याच्या मालमत्तेचे विश्वस्त म्हणून पाच वर्षासाठी मालमत्ता भाडेतत्त्वावर देण्याच्या विशिष्ट निर्देशासह नियुक्त करते. ही मालमत्ता त्याला दहा वर्षासाठी भाड्याने देण्यासाठी B C सोबत करार करतो. हा करार विशेषतः लागू करण्यायोग्य आहे का?

Q 50 "As a general rule the court will not direct the specific performance of a part of a contract". Comment. Is there any exception to this rule? / "सामान्य नियम म्हणून न्यायालय कराराच्या एका भागाच्या विशिष्ट कामगिरीचे निर्देश करणार नाही". टिप्पणी. या नियमाला काही अपवाद आहे का?

Q 51 A contracted to sell 50 acres of land to B. Later on, it turns out that A is the owner of 49 acres of land and the remaining one acre belongs to C who refuses to sell. The one acre of land was not necessary for the use or enjoyment of the 49 acres. Can a specific performance of contract be granted? / A 50 एकर जमीन B ला विकण्याचा करार केला आहे. नंतर असे दिसून आले की A हा 49 एकर जमिनीचा मालक आहे आणि उर्वरित एक एकर C च्या मालकीचा आहे जो विकण्यास नकार देतो. 49 एकर जमीन वापरण्यासाठी किंवा उपभोगण्यासाठी एक एकर जमीन आवश्यक नव्हती. कराराची विशिष्ट कामगिरी मंजूर केली जाऊ शकते का?

Q 52 What do you understand by the doctrine of "feeding the grant by estoppel"? /

"एस्टॉपेलद्वारे अनुदान देणे" या सिद्धांताद्वारे तुम्हाला काय समजते?

Q 53 Specify the circumstances under which specific performance of a contract cannot be enforced./ कोणत्या परिस्थितीत कराराच्या विशिष्ट कार्यप्रदर्शनाची अंमलबजावणी केली जाऊ शकत नाही ते निर्दिष्ट करा.

Q 54 What do you understand by cancellation of instrument? / इन्स्ट्रुमेंट रद्द करून तुम्हाला काय समजते?

Q 55 Explain what is Declaratory Decree? / घोषणात्मक डिक्री म्हणजे काय ते स्पष्ट करा?

Q 56 Explain what is Injunction? / इंजक्शन म्हणजे काय ते स्पष्ट करा?

Q 57 Distinguish between Mandatory Injunction and Prohibitory Injunction/ अनिवार्य आदेश आणि प्रतिबंधात्मक आदेश यांच्यात फरक करा

Q 58 Explain "Rescission of Contract"? / "करार रद्द करणे" स्पष्ट करा?

Q 59 Explain "Rectification of a Contract"? / "कराराचे सुधारणे" स्पष्ट करा?

Q 60 Atul contracted in sell 50 acres of land to Babu. Later on, it turns out that Atul is the owner of 29 acres of land and the remaining 21 acre belongs to Chahal who refuses to sell. Can Atul file a suit for specific performance of contract? Can Babu file a suit for specific performance of contract? / अतुलने ५० एकर जमीन बाबूला विकण्याचा करार केला. नंतर असे दिसून आले की अतुल २९ एकर जमिनीचा मालक आहे आणि उर्वरित २१ एकर चहलच्या मालकीची आहे जो विकण्यास नकार देतो. अतुल कराराच्या विशिष्ट कामगिरीसाठी खटला दाखल करू शकतो का? बाबू कराराच्या विशिष्ट कामगिरीसाठी खटला दाखल करू शकतो का?

Q 61 Anil appoints Suresh as trustee of his property with specific direction to give the property on lease for five years. Suresh enters into a contract with Mahesh to lease out this property to him for ten years. Is this contract specifically enforceable? / अनिल सुरेशला त्याच्या मालमत्तेचा विश्वस्त म्हणून नियुक्त करतो आणि मालमत्ता पाच वर्षांसाठी भाडेतत्वावर देण्याच्या विशिष्ट निर्देशासह. सुरेशने महेशसोबत ही मालमत्ता दहा वर्षांसाठी भाडेतत्वावर देण्याचा करार केला. हा करार विशेषतः लागू करण्यायोग्य आहे का?

Q 62 Mention any three Contracts which cannot be specifically enforced? / कोणत्याही तीन करारांचा उल्लेख करा ज्यांची विशेषतः अंमलबजावणी केली जाऊ शकत नाही?

Q 63 Explain the case of Lumley V/s Wagner/ लुम्ले विरुद्ध वॅगनरचे प्रकरण स्पष्ट करा

Q 64 Mention three circumstances in which the Court shall refuse to grant Injunction. / तीन परिस्थितींचा उल्लेख करा ज्यामध्ये न्यायालय आदेश देण्यास नकार देईल.

Q 65 When suit u/s 6 cannot be filed by the Aggrieved Party? / कलम ६ अन्वये पीडित पक्षाकडून खटला केव्हा दाखल केला जाऊ शकत नाही?

Q 66 What is the time limit of filing suit u/s 5 as well as u/s 6 of the Specific Relief Act, 1963. / स्पेसिफिक रिलीफ ॲक्ट, 1963 च्या कलम 5 तसेच 6 अंतर्गत खटला दाखल करण्याची कालमर्यादा काय आहे.

### **Tort Law and Consumer Protection 9MCQ)**

1. Who is the opposite party under CPA?
  - A. {c}The person against whom the consumer complaint is filed
  - B. The consumer
  - C. The legal representative of the consumer
  - D. Complainant
2. When can the forum direct issuance of corrective advertisement?
  - a. To improve literacy
  - b. In case of deficiency
  - c. {c}In case of misleading advertisement
  - d. All of the above
3. Complainant means
  - a. State government
  - b. Voluntary consumer association
  - c. Legal heir of consumer
  - d. {c}All of the above
4. Who of the following is not a consumer?
  - A pays premium and takes a fire insurance policy
  - B pays court fees and institutes legal proceedings
  - C buys 2000 quintals of rice for export
  - D undergoes minor surgery at a hospital for Rs. 83,000/
  - a. A and B
  - b. {c}B and C
  - c. C and D
  - d. Only C
5. Which of the following is BSR?
  - a. Lok adalat called by MTNL

- b. Customer care cell of Banu Biscuits Pvt Ltd  
 c. Customer relations officer of a Bank  
 d. {c}All of the above
6. What can be the subject matter of a consumer complaint?  
 a. Defect in goods  
 b. Deficiency in service  
 c. Excess charges collected  
 d. {c}All of the above
7. What is not a public utility service?  
 a. Railway  
 b. LPG  
 c. Telephone  
 d. {c}Service of vehicles
8. Dr Karuna Patil is qualified in homeopathy and is practicing for the past 8 years. She is prescribing allopathic medicines as her patients are poor and allopathic medicines are less expensive and easily available. One such patient of 43 years who reported to her for fever and was under her care and treatment for 15 days passed away. Which correctly identifies the legal implication?  
 A. Dr Karuna has discharged her fundamental duty of serving poor  
 B. Dr Karuna has exercised her freedom of profession guaranteed under the Constitution  
 C. {c}Dr Karuna has been negligent per se  
 D. Dr Karuna cannot practise homeopathy
9. The latest CPA came into force in  
 a. 1986  
 b. 2022  
 c. 2021  
 d. {c}2019
10. False or misleading advertisement is a punishable offence with a penalty of-----  
 a. Rs 2 lakhs fine  
 b. {c}Upto 2 yrs imprisonment and fine which may extend to Rs 10 lakhs  
 c. Minimum 3 yrs imprisonment  
 d. Rs 10 lakhs as fine

11) Within what time a consumer complaint is to be filed?

ग्राहक तक्रार दाखल करण्याची कालावधी पारित करा?

- a) Within 3 years from the date of cause of action  
 कार्यवाहीचे कारण पासून ३ वर्षांच्या आत

- b) (C) Within 1 years from the date of cause of action  
कार्यवाहीचेकारणपासून१वर्षाच्याआत
- c) Within 6 months from the date of cause of action  
कार्यवाहीचेकारणपासून६महिण्याचाआत
- d) Within 2 years from the date of cause of action  
कार्यवाहीचेकारणपासून२वर्षाच्याआत

12) Who of the following is not consumer? ग्राहककोणनाही?

- a. Who take paid service पैसेदेऊनसेवाघेणारा
- b. Who promise to pay for service पैसेदेण्याचेवचनदेणारा
- c. Who made part payment ज्यानेआंशिकपैसेदिलेअसेल
- d. {C} who take free service ज्यानेमोफतसेवाघेतलीअसेल

13) Which of the following codified law is not concern with law of torts?  
खालीलपैकीकोणताकायदाहाअपकृत्याविषयककायद्याशीसंबंधितनाही?

- a) Consumer Protection Act ग्राहकसंरक्षणकायदा
- b) Motor Vehicle Act मोटरवाहनकायदा
- c) Workman Compensation Act कामगारनुकसानभरपाईकायदा
- d) {c} Indian Penal Code भारतीयदंडसंहिता

14. 1. Consumer rights are defined in Consumer Protection Act, 1986  
2. Consumer rights are not defined  
3. Consumer rights are defined in Consumer Protection Act, 2019  
4. Consumer rights are defined in the Constitution of India

Which is the correct answer?

- a. 2 is right and 4 is wrong
- b. {c} 1 and 3 are right and 2 and 4 are wrong
- c. 4 is right and 1,2,3 are wrong
- d. 1 and 4 are right and 2 and 3 are wrong

15. e-commerce means

- a. sale of electronic goods
- b. commerce in computer and its products
- c. online purchasing
- d. buying and selling in malls

16. A product liability action can be brought against

- a. product manufacturer
- b. product service provider
- c. product seller
- d. a or b or c as the case may be

17. What is the punishment for manufacturing spurious goods if the act causes death of a consumer?

- a. maximum 7 yrs imprisonment and fine
- b. minimum 7yrs or upto life imprisonment and minimum fine of Rs 10 lakhs
- c. life imprisonment and fine upto rupees 5 lakhs
- d. death sentence or life imprisonment and fine of rupees 10 lakhs

18. The mediator has to prepare the settlement report and forward it to which of the following authorities?

- a. District Collector
- b. Central Consumer Protection Authority
- c. High Court
- d. {c}The concerned consumer commission

19. Remedies that the consumer commissions can provide to a complainant can be found in which of the following provisions of the recent CPA?

- a. S. 14
- b. {c}S. 39
- c. S. 56
- d. S. 101

20. In respect of Mediation of consumer disputes which of the following is correct?

- a. not part of CPA, 2019
- b. was a part of 1986 Act
- d. parties to a consumer dispute will have compulsory settlement through mediation
- c. {c}consumer commissions can direct the dispute for mediation if parties consent

21. In which of the following judgements the SC clarified the applicability of 1986 and 2019 Consumer Protection Act?

- a. {c}Neena Aneja v Jai Prakash associates Ltd
- b. Horlicks Ltd v Zydus WellnessProductsLtd
- c. Pepsi Co v Hindustan Coca Cola
- d. None of the above

22. In an action for the tort of negligence, what is not required to be proved by the plaintiff is that

- a. there is damage
- b. duty-situation arises
- c. {c}breach of duty owed to some one
- d. breach of duty owed to the plaintiff

23. What is meant by 'actionable per se'?

- a. Actionable only in the civil courts

- b. A tort of strict liability
- c. {c}Actionable without proof of damage
- d. Actionable at the instance of the injured party only

24. . An act of negligence involves-

- a. {c}Recklessness
- b. act of god
- c. Assault
- d. accord

25. The new consumer Protection Act received the assent of the President on-

- a. 9<sup>th</sup> July 2019
- b. {c}9<sup>th</sup> August 2019
- c. 9<sup>th</sup> September 2019
- d. 9<sup>th</sup> October 2019

26. 'Goods' under Consumer Protection Act, 2019 means-

- a. Movable property not including food
- b. {c}Movable property of every kind including food
- c. Immovable property only
- d. Movable and immovable property

27 The Central Council is appointed by-

- a. {c}Central Government
- b. State Government
- c. Consumer Redressal Agencies
- d. Supreme Court

28. Jurisdiction of State Commission is-

- a. Upto rupees one crore
- b. {c}Above 50 lakhs and below two crores
- c. Upto rupees ten crores
- d. unlimited

29. Who is not a consumer?

- a. One who buys the goods for consideration
- b. One who uses the goods
- c. {c}One who buys the goods for commercial purpose
- d. One who buys the services for consideration

30. What does CDRC stand for?

- a. {c}Consumer Dispute Redressal Commission
- b. Child Development and Rehabilitation Centre
- c. Community Dispute Resolution Centre
- d. Citizens' Disaster Response Centre

31. Compounding of offence under CPA and receiving settlement amount will amount to

- a. conviction
- b. discharge
- c. {c}acquittal
- d. b and c

32. In Donoghue v Stevenson what was the wrong?

- a. Negligence
- b. Malicious Prosecution
- c. food poisoning
- d. false imprisonment

33. Contributory negligence may lead to\_\_\_\_\_

- a. dismissal of the suit
- b. proportionate reduction of compensation payable
- c. {c}a or b
- d. neither a nor b

34. Negligence consists of which of the following?

- a. existence of a duty of care
- b. breach of such duty
- c. consequential damage
- d. {c}all of the above

35.The rule in Rylands v Fletcher is also known as\_\_\_\_\_

- a. {c} Strict liability rule
- b. Absolute liability rule
- c. No fault liability rule
- d. Partial liability rule

36. Nichols v Marsland identified a \_\_\_\_\_in respect of the rule in Rylands v Fletcher

- a. {c}defence
- b. remedy



c. application

d. all of the above

37. S C applied which of the following in case of collapse of a clock tower in Delhi – Delhi Municipal Corporation v Subhagwanti

a. {c}maxims Res ipsa loquitor

b. Res sic stantibus

c. Volenti non fit injuria

d. Res judicata pro veritate assipitur

38. Leading case on 'Damnum Sine Injuria' is- 'डॅम्नमसाइनइंजुरिया'  
वरीलआघाडीचेप्रकरण-

a. Chesmore v. Richard चेसमोरवि. रिचर्ड

b. {c} Mogul steamship Co. v. McGregor Gow & Co. मोगलस्टीमशिपकंपनीवि.  
मॅकग्रेगरगाऊआणिकंपनी

c. Both a and b अआणिबदोन्ही

d. Stanley v. powel स्टॅन्लेविरुद्धपॉवेल

39. Legal meaning of the word 'Battery' is- 'बॅटरी' याशब्दाचाकायदेशीरअर्थ  
\_\_\_\_\_आहे.

a. Cells as used in torch, tape recorder etc. टॉर्च,  
टेपरेकॉर्डरइत्यादीम्हणूनवापरल्याजाणार्यासेल

b. Battering a person to death एखाद्याव्यक्तीलामारहाणकरणे

c. {c}Actual or intended striking of another person  
दुसऱ्याव्यक्तीचीवास्तविककिंवाहेतूदर्शविणे

d. Assault resulting in, at least 6 months hospitalisation प्राणघातकहल्ला,  
कमीतकमी 6 महिनेरुग्णालयातदाखल

40. 'Negligence is culpable carelessness'. This view point was expressed by-  
'निष्काळजीपणाम्हणजेनिर्लज्जपणा'. \_\_\_\_\_ नीहादृष्टिकोनव्यक्तकेला.

- a. Pollock पोलॉक
- b. Halsbury हॅल्सबरी
- c. {c}Salmond साल्मंड
- d. Winfield विनफिल्ड

41. 'Spurious Goods' means such goods which- 'स्पूरियसगुड्स'  
म्हणजेअसामालजे-

- a. {a} Are falsely claimed to be genuine असत्यअसल्याचाखोटादावाकेलाजातो
- b. Are fake in nature निसर्गातबनावटआहेत
- c. Belong to someone else दुसऱ्याचेआहे
- d. Are dangerous to public health सार्वजनिकआरोग्यासाठीधोकादायकआहेत

42. Maxim 'Injuria Sine Damnum' means- मॅक्सिम 'इंजुरियासाइनडॅमनम'  
म्हणजे-

- a. {c} Violation of a legal right without any damage  
कोणतेहीनुकसाननकरताकायदेशीरअधिकाराचेउल्लंघनकरणे
- b. Violation of a legal right with damage हानीसहकायदेशीरअधिकाराचेउल्लंघन
- c. Damage without violation of legal right  
कायदेशीरअधिकाराचेउल्लंघनकेल्याशिवायनुकसान
- d. No damage and no violation of legal right  
नुकसानकिंवाकायदेशीरअधिकाराचेउल्लंघनकरूनका

43. If a person willfully and without any lawful justification uses the goods of another person in such a way that the person who is actually entitled to use and possession of it is deprived of it, he is said to commit

\_\_\_\_\_ .जरएखादीव्यक्तीजाणूनबुजूनआणिकोणत्याहीकायदेशीरऔचित्या  
शिवायदुसऱ्याव्यक्तीचीवस्तूअशाप्रकारेवापरतअसेलकीतीवापरण्याचाआणिताब्यातघे  
ण्याचावास्तविकअधिकारअसलेलीव्यक्तीत्यापासूनवंचितराहिलीअसेल, तरत्याला  
\_\_\_\_\_ करणेम्हटलेजाते.

- a. Stealing चोरीकरणे

b. {c}Conversion रूपांतरण

c. Trespass अतिक्रमण

d. Detinue डिटिन्यू

44. "No man can have any right to represent his goods as the goods of somebody else." A person committing such an act is said to commit-  
"कोणत्याहीमाणसालात्याच्यामालाचेइतरकोणाच्यातरीमालाचेप्रतिनिधित्वकरण्याचाअधिकारअसूशकतनाही." असेकृत्यकरणाऱ्याव्यक्तीलाअसेम्हटलेजाते-

a. Deceit कपट

b. {c}Passing off पासिंगऑफ

c. Felony गुन्हा

d. Misrepresentation चुकीचेसादरीकरण

45. According to Blackstone, \_\_\_\_\_ is something that causes hurt, inconvenience or damage. ब्लॅकस्टोनच्यामते, \_\_\_\_\_  
हीअशीगोष्टआहेज्यामुळेदुखापत, गैरसोयकिंवाअनुकूलनहोते.

a. Trespass अतिक्रमण

b. {c}Nuisance उपद्रव

c. Negligence निष्काळजीपणा

d. Deceit कपट

46. An unlawful interference with a person's use or enjoyment of land or some right over or in connection with it is known as-  
एखाद्याव्यक्तीच्याजमिनीच्यावापरातकिंवाउपभोगातकिंवात्याच्यावरकिंवात्याच्यासंबंधातबेकायदेशीरहस्तक्षेप \_\_\_\_\_-म्हणूनओळखलेजाते-

a. Trespass अतिक्रमण

b. {c}Private Nuisance खाजगीउपद्रव

c. Conversion रूपांतरण

d. Trespass to land जमिनीवरअतिक्रमण

47. An injunction in which a defendant is supposed to repair consequences of any wrongful act he has committed is called as-

प्रतिवादीनेकेलेल्याकोणत्याहीचुकीच्याकृत्याचेपरिणामदुरुस्तकरणेअपेक्षितअसलेल्या आदेशाला \_\_\_\_\_ म्हणतात-

- a. Mandatory injunction अनिवार्यमनाई
- b. {c} Mandatory restorative injunction अनिवार्यपुनर्संचयितआदेश
- c. Mandatory enforcing injunction आदेशाचीअनिवार्यअंमलबजावणीकरणे
- d. Restorative injunction पुनर्संचयितआदेश

48) Explain the principle applied in the Wagon Mound case 2. वेगामौन्ड 2

खटल्यात कोणता सिद्धांतलागूकेलेलाहोता.

- a. The test of foreseeability of damage  
अगोदरनुकसानीचीअगोदरसंभावनेच्यासिद्धांत
- b. The doctrine of Res ipsa loquitur रेसईप्सलोकिटोरचासिद्धांत
- c. Substantial damages भरीवनुकशान
- d. Test of non foreseeability of damages नुकसानीच्यागैरसंभाव्यतेचेसिद्धांत

49) Scinter rule means what?.सायन्टिरुलम्हणजेकाय?

- a. Volenti non fit injuria वोलेन्टीनॉनफिटइन्जुरीया
- b. {C} Dangerous propensity of animal प्राण्यांचेधोखादयकप्रभाव
- c. Absolute malice पूर्णद्वेष
- d. Absolute liability पूर्णजबाबदारी

50) Explain the expression “Innuendo”. इनुईन्डोहिसंज्ञास्पष्टकरा.

- a. Publication in news paper वर्तमानपत्रकातप्रकाशन
- b. Oral defamation मौखिकमानहानी
- c. {C} Hidden meaning लपलेलाअर्थ
- d. Defamation of female स्त्रीचीमानहानी

51) When does the principle of “Contributory negligence” is applicable?

हानिकारकनिष्काळजीपणाचातत्वकधीलागूहोते?

- a. {C} Where the one party has duty to take care and other was negligent  
जेव्हाएकापक्षाचाकाळजीघेण्याचेकर्तव्यआहेआणिदुसरापक्षनिष्काळजीपणानेवागतो
- b. When only one party has duty to take care  
जेव्हाफक्तएकापक्षाचाकाळजीघेण्याचेकर्तव्यआहे
- c. Where both the parties are  
negligent जेव्हादोन्ही पक्षनिष्काळजीपणानेवागतात
- d. Third party did not took care तिसरीव्यक्तीदुर्लक्षपणानेवागते

52) Choose from the option given below Rylands Vs. Fletcher is an appropriate case of ----- रयलंड्सविरुद्धफ्लॅटचरहाखालीलपैकी -----

सिद्धांतवरआधारितआहे

- a. {C} Rule of strict liability सक्तीचीजबाबदारीचाकायदा
- b. Rule of malicious prosecution दुर्भावनायुक्तखटल्याच्यानियम
- c. Damnum sine injuria दामनामसिनेइन्जुरीया
- d. Act of god देवाचीकरणी

53) Explain the maxim “ Qui Facit per alium Facit Per Se”.

कवीफॅसितपरएलियमफॅसितपरसेहासिद्धांतस्पष्टकरा

- a. He who do not work जोकामकरतनाही
- b. He who in fact works जेप्रत्यक्षपणेकामकरते
- c. {C} He who works through other works for himself  
जोस्वतःचाकामइतरांपासीकरूनघेतोतोस्वतःकामकरतोअसेसमजलेजाते
- d. He who works for other works for himself  
जोस्वतःइतरसाठीकामकरतोतोस्वतःसाठीकामकरतो

54) Prescription, Distress, Distress damage feasant, are examples of which remedies?रुढीनेमिळालेल्याअधिकार, त्रास,

त्रासचीनुकसानभरपाईहेकोणत्याउपायाचीउदाहरणेआहे?

- a. Judicial Remedies न्यायीकउपाय
- b. {C} Extra Judicial Remedies अन्यायिकउपाय
- c. Both Judicial and Extra Judicial न्यायीकउपायआणिअन्यायिकउपायदोन्ही
- d. Neither Judicial nor Extra Judicial remedies  
न्यायीकउपायकिंवा अन्यायिकउपायदोन्हीनाही

55) What is trespass?अतिक्रमणम्हणजेकाय ?

- a. Lawful entry कायदेशीरप्रवेश
- b. Unlawful entry बेकायदेशीरप्रवेश

- c. Lawful entry later on abused due to nonfeasance कायदेशीरप्रवेश गैरवर्तनमूळेबेकायदेशीरठरतो
- d. Unlawful entry later on abused due to nonfeasance बेकायदेशीरप्रवेशगैरवर्तनमूळेबेकायदेशीरठरतो

56) What is false imprisonment? गैरकायदेशीरकारावासम्हणजेकाय?

- a. Person was wrongfully imprisoned व्यक्तीलाचुकीच्यापद्धतीनेतुरंगातटाकलेगेले
- b. False charges of imprisonment कारावासाचीखोटेआरोप
- c. {C} Person's liberty to move in all direction is restricted व्यक्तीच्यासर्वदिशेतजायचास्वातंत्र्यातप्रतिबंध
- d. Person's liberty to move in any one direction is restricted व्यक्तीच्याकोणतीपणएक दिशेतजायचास्वातंत्र्यातप्रतिबंध

57) Guille v Swan is related to which principle?

गुलीविरुद्धस्वानहेकोणत्यासिद्धांतवरआधारितआहे?

- a. Trespass-ab-initio सुरवातीपासूनअतिक्रमण
- b. Nuisance उपद्रव
- c. {C} Trespass अतिक्रमण
- d. Act of god दैवीकृत्य

58) What was the cause of action in the Six carpenters case?

- a. Nonfeasance कायद्याअनुसारकर्तव्यनाहीकरणे
- b. {C} Misfeasance अधिकाराचादूरपयोगकरणे
- c. Malfeasance विश्वासभंगकरणे
- d. None of above वरीलपैकीएकपणनाही

59) False defamatory statement in some permanent form means-----

कायमस्वरूपाचेखोटेबदनामीकारकसंवादम्हणजे-----

- a. Slander मौखिक बदनामी
- b. {C} Libel लेखीबदनामी
- c. Libel and slander bothलेखीआणिमौखिक बदनामीदोन्ही
- d. Neither libel nor slander लेखीकिंवा मौखिक बदनामीदोन्हीनाही

60) Define "Res Ipsa Loquitur" "रेसइप्सयालोकिटोर" म्हणजेकाय

- a. Things do not speak परिस्थितीस्वतःबोलतनाही
- b. {C} Things speaks for itself परिस्थितीस्वतःपरिस्थितीबद्दलबोलते

- c. Verbal defamation मौखिकबदनामी
- d. respondent 's liability प्रतिवादीचीजबाबदारी

61) Which defence is applicable in Dann v

Hamilton? दॅनविरुद्धहॅमिल्टनकोइमध्यकोणतेबचावलागूहोतो?

- a. Act of god दैवी कृत्य
- b. Self defence स्वसंरक्षण
- c. {C} Volenti non fit injuria वोलेन्टीनॉनफिटइजुरिया
- d. Judicial act कायदकीयकार्यवाही

62) Which principle is underlying in Kasturi Lal v State of U.P.?

कस्तुरीलाल विरुद्धउ.प. राज्यसरकारमध्ये कोणत्यासिद्धांतलागूकेलेला होतं?

- a. Judicial acts कायदकीयकार्यवाही
- b. {C} Sovereign functions सार्वभौमकार्य
- c. Malicious prosecution दुर्भावनायुक्तखटला
- d. Volenti non fit injuria वोलेन्टीनॉनफिटइजुरिया

63) What is Battery? प्रहारम्हणजेकाय?

- a. Unlawful laying of hand बेकायदेशीरव्यक्तीच्याशरीरासहातघालणे
- b. Slightest touch to the body of person व्यक्तीच्याशरीरासस्पर्शकरणे
- c. {C} Actual touch with anger व्यक्तीच्याशरीरासरागेतस्पर्शकरणे
- d. Causing injury to fighting limb of a person  
व्यक्तीच्यालढाऊअवयवांनादुखापतहोणे

64) X played a practical joke. Due to which plaintiff suffered with mental shock. X was held liable. This was decided in which of the following cases?

खालीलपैकीकोणत्याकेसमध्येमानसिकधक्कायाअपकृत्याविषयीचर्चाकरण्यातआलीआहे?

- a) Guille Vs. Swan गुईल्लेविरुद्धस्वान
- b) {C} Wilkinson Vs. Downston विल्किन्सनविरुद्धडॉनस्टन
- c) Ashby Vs. White आशबेविरुद्धव्हाईट
- d) Cashmore Vs. Richardson चशमोरविरुद्धरिचर्डसन

65) What judgement was passed in the Six Carpenters case?, सहासुतारहयाकेसमध्येकायनिकालदेण्यातआला.

- a) A perfect case of trespass  
सहासुतारांच्याप्रवेशासअतिक्रमणमानण्यातआले.
- b) {C} Not a perfect case of trespass ab initio  
सहासुतारांच्याप्रवेशासअतिक्रमण  
मानण्यातआलेनाही

- c) A perfect case of trespass-ab-initio  
सहासुतारांच्याप्रवेशासप्रथमपासूनचेअतिक्रमणमानण्यातआले.
- d) Not a perfect case of trespass  
सहासुतारांच्याप्रवेशासअतिक्रमणमानण्यातआलेनाही

66) Name a defence available if A, a surgeon who undertakes a difficult operation? शल्य-चिकित्सक 'अ'

यानेअंगिकारलेलीगंभीरशस्त्रक्रियेसाठीखालीलपैकीकोणताबचावउपलब्धआहे?

- a) Act of state राज्याचेकृत्य
- b) Quasi judicial authority अर्ध-न्यायिककृत्य
- c) Judicial authority न्यायिककृत्य
- d) {C} Volenti non fit injuria व्हॉलेंटीनॉनफिटइन्जुरीया

67) Which principle was involved in a case of Rex V/S.Newport?  
रेक्सविरुद्धन्यूपोर्टयाकेसमध्येखालीलपैकीकोणतेतत्त्वसमाविष्टहोते?

- a) False imprisonment चुकीचीकैद
- b) Remoteness of damages दुरान्वयानेनुकसानभरपाई
- c) Nervous shock मानसिकधक्का
- d) {C} Parental and quasi parental authority  
पालकआणिसदृश्यपालकयांचाअधिकार

68) Identify the correct combination from the following.  
खालीलपैकीयोग्यपर्यायनिवडा.

- {C} a) Dann Vs. Hamilton (i) drunken driver case डानविरुद्धहॅमिल्टन :  
ड्रंकनड्राइवरकेस
- b) Burnard Vs. Huggies (ii) foreign tort बर्नार्डविरुद्धहग्गीस:  
विदेशीअपकृत्य
- c) Rex Vs.Newport (iii) volenti non fit injuria  
रेक्सविरुद्धन्यूपोर्ट:व्हॉलेंटीनॉनफिटइन्जुरीया
- d) Cassidy Vs. daily mirror (iv) chapel bell caseकॅसिडीविरुद्धडेलीमिरर:  
चॅपेलबेलकेस



69) Where can the principle of “Innuendo” be used? वक्रोक्तीकुठेवापरलेजाते?

- a) {C} In defamation cases बदनामीच्याकेसमध्ये
- b) In false imprisonment गैरतुरुंगवासाच्याकेसमध्ये
- c) In accident cases अपघाताच्याकेसमध्ये
- d) In mental shock cases मानसिकधक्क्याच्याकेसमध्ये

70) Identify the extra judicial remedies from the following.

खालीलपैकीअतिरिक्तन्यायालयीनउपायकायआहे?

- a. {C} Remove nuisance उपद्रवनाहीसाकरणे
- b. Passing injunction orders मनाईहुकूमपारितकरणे
- c. Order to pay compensation नुकसानभरपाईचाआदेशदेणे
- d. Send in prison कारावासकरणे

71) When the suit for malicious prosecution be made?

द्वेषपूर्णखटलाकधीदाखलकरतायेतो?

- a. {c} After acquittal from criminal case फौजदारीखटल्यातूननिर्दोषमुक्तताझाल्यानंतर
- b. After acquittal from criminal case on lack of evidence फौजदारीखटल्यातूनपुराव्याअभावीदोषमुक्तझाल्यानंतर
- c. After discharged from civil proceeding दिवाणीदाव्यातूनमुक्तझाल्यानंतर
- d. After granted bail जमीनप्राप्तझाल्यानंतर

72) Which of the following case is related to negligence?

खालीलपैकीकोणतीकेसहिनिष्काळजीपणाशीसंबंधितआहे?

- a) {C} Chasmore Vs. Richards चॅसमोरविरुद्धरिचर्ड्स
- b) Hall Vs. Brookland auto racing club हॉलविरुद्धब्रूकलँडऑटोरेसिंगक्लब
- c) Tinsley Vs. Dudley टिन्सलेविरुद्धडुडलय
- d) Byrne Vs. Boadle बायर्नविरुद्धबॉडले

73) What is meant by Respondent superior? रिस्पॉन्डीयटसुपेरीअरम्हणजेकाय?

- a. Only Respondent is liable फक्तप्रतिवादीजवाबदारआहे
- b. {C} Master is liable for the wrongful act of servant नौकराचाचुकीच्याकृत्यासाठीमालकजवाबदारआहे
- c. Master is not liable for the act of servant नौकराचाचुकीच्याकृत्यासाठीमालकजवाबदारनाही
- d. Master is supreme than servant मालकहानेहमीचनौकरापेक्षाउच्चअसतो

74) Vidyawati vs State of Rajasthan case related to which liability?

विद्यावतीविरुद्धराजस्थानराज्यहिकेसकशासंबंधीआहे?

- a. {C} Vicarious liability इतरांच्याचुकीच्याअपकृत्याविषयकजबाबदारी
- b. Defamation बदनामी
- c. Trespass अतिक्रमण
- d. Consumer Law ग्राहककायदा

75) Detaining a cattle till damages caused by cattle is paid off is known as what? -गुरांमुळेहोणारेनुकसानभरूनयेईपर्यंतगुरांनाताब्यातठेवणेकायम्हणतात?

- a) Damage feasant डेमेजफिसंट
- b) Distress feasant डिस्ट्रेसफिसंट
- c) Distress damage डिस्ट्रेसडेमेज
- d) Distress damage feasant डिस्ट्रेसडेमेजफिसंट

76) What is Vis Major? वीसमेजरम्हणजेकाय

- a) Carelessness निष्काळजीपणा
- b) Act of God दैवीकृत्य
- c) Trespass अतिक्रमण
- d) Act under the control of human being मानवद्वारेनियंत्रितकृत्य

77) In accord and satisfaction 'satisfaction' indicates

\_\_\_\_\_ 'एकमतानेआणिसमाधानातएकमत' \_\_\_\_\_ दर्शवते

- a) Agreement करार
- b) Consideration प्रतिफल
- c) Operation कार्य
- d) Execution अंमलबजावणी

78) Wrongfully detaining a person in custody means what?

व्यक्तीलाचुकीच्यापद्धतीनेताब्यातघेणेम्हणजेकाय?

- a) Conversion रूपांतरण
- b) False imprisonment खोटातुरुंगवास
- c) Trespass अतिक्रमण
- d) Malicious prosecution दुर्भावनापूर्णखटलाचालवणे

79) Trespass on land means what? जमिनीवरअतिक्रमणम्हणजेकाय?

- a) Wrong entry चुकीचीप्रवेश
- b) Justified entry न्याय्यप्रवेश
- c) Permissible entry परवानगीयोग्यप्रवेश

d) Warrantable entry चेतावणीदेऊनकेलेलाप्रवेश

80) Which one of the following is not the mode of discharge of tort? खालीलपैकीकोणताअपकृत्याचंडिस्चार्जकरण्याचीपद्धतनाही?

a) Death of either party कोणत्याहीपक्षाचामृत्यू

b) Waiver सोडूनदेणे

c) Release मुक्तहोणे

d) {C} Ratification मान्यता

81) Brown v Candell is a case which involved, ब्राउनविकॅडेलहेप्रकरणमध्येकोणतासिद्धांतलागूकेलाआहे?

a) Volenti non fit injuria व्हॉलेंटीनॉनफिटइन्जुरीया

b) Mistake of law कायद्याचीचूक

c) Mistake of fact वस्तुस्थितीचीचूक

d) Parental and quasi parental authority पालकआणिसदृश्यपालकयांचाअधिकार

82) Maim means what? मैम म्हणजे काय?

a) Touch to the body of person व्यक्तीच्याशरीरालास्पर्शकरणे

b) Injury to the fighting limb of person व्यक्तीच्यालढाईच्याअंगालादुखापतकरणे

c) Injury दुखापत

d) Imprisonment तुरुंगवास

83) In boxing competition Mr. A injured his ribs, this is a case of what? बॉक्सिंगस्पर्धेतमिस्टरए.च्याबरगड्यालादुखापतझाली, हेकायप्रकरणआहे?

a) {C} Mayhem प्राणघातकहल्ला

b) Assault हल्ला

c) Battery प्रहार

d) Non of above वरीलपैकीकाहीनाही

85) Which of the following is an example of trespass? खालीलपैकीकोणतेअतिक्रमणाचेउदाहरणआहे?

a) Entry of postmen पोस्टमनचाप्रवेश

b) Entry of stranger without permission परवानगीशिवायअनोळखीव्यक्तीचाप्रवेश

c) Entry of guest पाहुण्यांचाप्रवेश

d) Entry of police पोलिसांचाप्रवेश

86) The maxim, "Ubi Jus Ibi Remedium", implies "Ubi Jus Ibi Remedium" याम्चा अर्थ काय आहे

- a) That there is no wrong without remedy उपायाशिवाय कोणतीही चूक नाही
- b) That there is no remedy without a wrong चुकीशिवाय उपाय नाही
- c) That remedies are available only in a court of law उपाय फक्त कायद्याच्या न्यायालयात उपलब्ध आहेत
- d) Whenever there are rights there are remedies जेव्हा जेव्हा अधिकार असतात तेव्हा उपाय असतात

87) Rex Vs. Newport is a case which involved, रेक्स वि. न्यूपोर्ट हे प्रकरण, ज्यात .....तत्त्व गुंतलेले आहे,

- a) False imprisonment खोटी तुरुंगवास
- b) Mistake of law कायद्याची चूक
- c) Mistake of fact वस्तुस्थितीची चूक
- d) Parental and quasi parental authority पालक आणि अर्ध पालक अधिकार

88) The Wagon Mound case 2 applied--वॅगन माऊंड केस 2 .....तत्त्व गुंतलेले आहे,

- a) The test of foreseeability of damage नुकसानीच्या पूर्वाभासाची चाचणी
- b) The doctrine of Res ipsa loquitur, Res ipsa loquitur ची शिकवण
- c) Substantial damages भरीव नुकसान
- d) Test of non-foreseeability of damages नुकसानीच्या अपूर्वतेची चाचणी

89) X, has a right of way from B's land. X is enjoying this right for more than 23 years, this known as what?, B च्या जमिनीतून मार्ग काढण्याचा अधिकार आहे. X हा अधिकार 23 वर्षांहून अधिक काळ उपभोगत आहे, याला काय म्हणतात?

- a) Tort of trespass अतिक्रमण
- b) Tort of nuisance उपद्रव
- c) Prescription प्रिस्क्रिप्शन
- d) Tort of negligence निष्काळजीपणा

90) If X commits trespass on Y's land what remedy can be granted? ने Y च्या जमिनीवर अतिक्रमण केले तर त्यावर कोणता उपाय दिला जाऊ शकतो

- a) Damages नुकसान
- b) Injunction आदेश
- c) Both damages and injunctions दोन्ही नुकसान आणि आदेश
- d) Neither damages nor injunctions ना नुकसान ना आदेश

91) Chasemore Vs. Richards, is a leading case of

- a) Rival school
- b) Voter was not allowed to vote

- c) A banker did not honour a cheque  
d) {c} Where percolating water was drawn off by powerful mill

92. When the statement of the person can be held defamatory?

व्यक्तीचेविधानकधीमानहानीकारकठरवतायेईल?

a. {c} If it lowering the dignity of the person in the estimation of the community.

जरतेसमाजाच्यादृष्टीतव्यक्तीचीप्रतिष्ठाकमीकरतअसेल.

b. If it causing pecuniary loss त्यामुळेआर्थिकनुकसानहोतअसल्यास

c. When it is offensive to a reasonable person. जेव्हातेसर्वसामान्यव्यक्तीसाठीआक्षेपार्हअसते.

d. Expose another person to physical harm जरतेदुसऱ्याव्यक्तीलाशारीरिकहानीपोहोचवतअसेल

93. What kind of wrong defamation is? बदनामीहेकोणत्याप्रकारचेकृत्यआहे?

a. Civil wrong दिवाणीगैरकृत्य

b. Criminal wrong फौजदारीगैरकृत्य c.

{c} both Civil and Criminal wrong दिवाणीगैरकृत्यआणिफौजदारीगैरकृत्य

d. Moral wrong नैतिकगैरकृत्य

3. State the essentials of defamation? बदनामीचेआवश्यकलक्षणेसांगा ?

- a) {C} Statement must be false भाष्यखोटेहोणे  
b) Statement must be written संवादलिखितहोणे  
c) With lawful justification कायदेशीरकारणासहितहोणे  
d) Addressed to defendant प्रतिवादीलासंबोधने

94. Defamatory statement in some verbal form means-----

मौखिकस्वरूपाचेबदनामीकारकसंवादम्हणजे-----

- a. {C} Slander मौखिक बदनामी  
b. Libel लेखीबदनामी  
c. Libel and slander bothलेखीआणिमौखिकबदनामीदोन्ही  
d. Neither libel nor slander लेखीकिंवा मौखिक बदनामीदोन्हीनाही

95. Truth is a valid defence for what of the following? सत्यहेखालीलपैकीकशासाठीवैधसंरक्षणआहे?

- a. {c} defamation बदनामी  
b. Trespass अतिक्रमण  
c. Malicious prosecution दुर्भावनापूर्णखटला  
d. Negligence निष्काळजीपणा

96. What is required to take defence off of volenti non fit injuria?

वालिटीननंफिटइंजुरियाचाबचावघेण्यासाठीखालीलपैकीकायआवश्यकआहे?

- a. free consent मुक्तसहमती  
b. knowledge of consequences परिणामाचीमाहिती

c. consent to risk धोक्याससहमती

d. {c} all of the above वरीलसर्व

97. Judgment of the court is one of the modes of \_\_\_\_\_ torts. न्यायालयाचा निर्णय हा अपकृत्या----- संबंधी आहे.

a. Justice system न्यायिक व्यवस्था

b. {c} discharge मुक्त होणे

c. Justification न्यायिक कारण

d. Defence बचाव

98. Where is innuendo applicable? इन्युइंडो कुठे लागू होतो?

a. Negligence निष्काळजी

b. Trespass अतिक्रमण

c. {c} Defamation बदनामी

d. Nuisance उपद्रव

99. Gloucester Grammar School case is relating to which of the following? ग्लुक्स्टर ग्रामर शाळेची केस खालीलपैकी कशाशी संबंधित आहे.

a. {c} Damnum sine Injuria डॅमनम साईन इन्ज्युरिया

b. Injuria sine damnum इन्ज्युरिया साईन डॅमनम

c. Caveat emptor कॅविएट एम्पटर

d. Respondeat superior रेस्पॉन्डीयट सुपेरियर

100. No remedy can be claimed in cases where \_\_\_\_\_ involved. ज्या ठिकाणी ----- चा समावेश असतो तिथे न्यायिक उपाययोजनेचा उपयोग करता येत नाही.

a. {c} Damnum sine Injuria डॅमनम साईन इन्ज्युरिया

b. Injuria sine damnum इन्ज्युरिया साईन डॅमनम

c. Trespass ab-initio | ट्रेसपास एब इनिशियो

d. Damage distress feasant डॅमेज डिस्ट्रेस फिसंट

101. Absolute privilege is a good defence for which of the following? विशेषधिकार हा खालीलपैकी कशाशी संबंधित बचाव आहे?

a. {c} Defamation बदनामी

b. Malicious prosecution द्বেषपूर्ण खटला

c. Negligence निष्काळजी

d. Contributory negligence कॉन्ट्रीब्युटरी निग्लीजन्स

102. What is accord and satisfaction? तडजोडआणिसमाधानकायआहे?

a. {c} Way of discharge of torts

b. Remedy

c. Court proceeding

d. Arbitration

103. There was a car racing going on and the plaintiff was a spectator of that race going on the track belonging to defendant. Two of the cars collided leading to one being skidded towards the spectators as a result of which the plaintiff was injured. Which defence can be available here? वादीएकदर्शकम्हणूनकारचीशर्यतबघण्यासाठीगेलाहोताशर्यतचालूअसतानादोनकारएकमेकाला आदळल्याआणित्यामुळेएकसरकतजाऊनत्याकारनेवादिसजखमीकेले. वादीसजखमीकेले.

यामध्येकोणत्यातत्वाचासमावेशहोतो?

- a. {c} Volenti non fit injuria व्हॉलेंटीननफिटइन्जुरीया
- b. Respondeat superior रेस्पॉन्डीएटसुपेरीअर
- c. Mistake of facts मिस्टेकऑफफॅक्ट
- d. Inevitable accident टाळतानयेणारअपघात

104. A rider aged 18 years encouraged his 16 year old friend for driving fast under drunken state. The vehicle met an accident and they both got injured. Their suit for compensation was rejected by the court. Identify the reason.

एकाअठरावर्षाच्यामुलानेत्याचासोळावर्षवयअसलेल्यामित्रासकारचालवण्यासाठीप्रवृत्तकेलेजेव्हाकीते दोघेहीदारूपिलेलेहोते.त्यांच्याकारचाअपघातझालाआणिदोघेहीजखमीझाले. नुकसानभरपाईचात्यांचादावान्यायालायनेफेटाळला. तुम्हीत्याचेकारणओळखा.

- a. {c} Plaintiff themselves were wrongdoer वादीहेस्वतःदोषीआहेत
- b. Both plaintiff and defendants was wrongdoer वादीआणिप्रतिवादीदोघेहीदोषीआहे
- c. Volenti non fit injuria व्हॉलेंटीननफिटइन्जुरीया
- d. Statutory authority कायदेशीरअधिकार

105. When the defence of act of god cannot be taken? दैवीकृत्यहाबचावकधीघेतायेतनाही?

- a. When human contribution involved in loss. जेव्हामानवाचानुकसानीमध्येकाहीहीसहभागनसतो
- b. When natural calamity is not the only reason for loss जेव्हानैसर्गिकसंकटहेचफक्तनुकसानीचेकारणनसते
- c. When loss could have been avoided जेव्हानुकसानटाळतायेऊशकते
- d. {c} All of the above वरीलसर्व

106. The defendant had fixed spring guns around his garden by putting notice and thus the plaintiff, being while entering suffered injuries and brought action. Whether any defence is available to the defendant? प्रतिवादीनेत्याच्याबगीच्यामध्येकुठलीहीसूचनादेऊनस्प्रिंगगणलावलेहोते.

वादीनेबागेतप्रवेशकेलाअसताइजाझालीवादीनेप्रतिवादीविरुद्धदावादाखलकेला.

प्रतिवादीयाकोणत्याप्रकारचाबचावयामध्येघेतायेईल?

- a. {c} Private defence स्व-संरक्षण
- b. Protection of property संपत्तीचेसंरक्षण
- c. No defence is available बचावउपलब्धनाही
- d. Volenti non fit injuria व्हॉलेंटीननफिटइन्जुरीया

107. In what circumstances the entry into another's land without permission is not held as trespass?

कोणत्यापरिस्थितीमध्ये इतरांच्या जागेवर विना परवानगी प्रवेश केला असता अतिक्रमण होत नाही?

- a. {c} Rescue operation रेस्क्यू ऑपरेशन
- b. Delivery of articles सामान देण्यासाठी
- c. To take back own goods lies on another's land इतरांच्या अंगणात पडलेले स्वतःचे सामान घेण्यासाठी
- d. None of the above वरीलपैकी एकही नाही

108. What is *Actio personalis moritur cum persona*. ऍक्टिव पेर्सोनालीस मॉरीटूर कम पेर्सोना म्हणजे काय?

- a. {c} Personal rights of action die with person. व्यक्तीचे खाजगी अधिकार त्याच्या मृत्युसोबत संपतात
- b. Personal rights of action not die with person. व्यक्तीचे खाजगी अधिकार त्याच्या मृत्युसोबत नाही संपत.
- c. Person enjoy his rights even after his death व्यक्ती त्याचे अधिकार मृत्यूनंतरही वापरतो
- d. Dead man will die with him मृत व्यक्तीची इच्छा त्याच्या सोबतच मरते

109. What is the waiver? वेवर म्हणजे काय?

- a. {c} Giving up the rights अधिकार सोडणे
- b. Claiming the rights अधिकाराची मागणी करणे
- c. Managing compensation भरपाईची व्यवस्था करणे
- d. Negotiation in compensation भरपाई संबंधीत डजोड करणे

110. What is the release? 'रिलीज' म्हणजे काय?

- a. {c} Mode of discharge अपकृत्यातून मुक्त होण्याचा मार्ग
- b. Publication प्रसिद्धी
- c. Defence in defamation बदनामी विषयीचा बचाव
- d. Defence in tort अपकृत्या संबंधीचा बचाव

111. The word tort has been derived from the latin word - टॉर्ट हा शब्द कोणत्या लॅटिन शब्दापासून निर्माण झाला आहे.?

Tortum टॉर्टम

Tortus टॉर्टस



Torts छळ

Delict डेलिक्ट

112. The maxim “De minimis non-curat means-

मॅक्सिम “डेमिनिमिसनॉन-क्युरेटम्हणजे-

{c} Slight harm थोडेसेनुकसान

No justice for incorrect petition अयोग्ययाचिकेसाठीन्यायनाही

Exhibition of disrespect अनादरप्रदर्शन

Annoyance त्रासदेणे

113. Wrongs are divisible into two sorts or species , ' private wrongs and public wrongs.' The above distinction was made by-

चुकीचे दोन प्रकारात किंवा प्रजातींमध्ये विभाजन केले जाऊ शकते,

‘खाजगी चुका आणि सार्वजनिक चुका’. उपरोक्त भेद कोणी सांगितले.

{c} Blackstone ब्लॅकस्टोन

Bentham बेन्थम

Salmond साल्मंड

Pollock पोलॉक

114. There are various wrongs which find their place both under criminal law and law of torts

असे अनेक चुका आहेत ज्यांची गणना फौजदारी कायदा आणि नागरी चुका कायद्यांतर्गत केले जाते.

Assault defamation negligence and conspiracy प्राणघातक हल्ला बदनामी,

निष्काळजीपणा आणि कट-कारस्थान

Assault defamation and negligence प्राणघातक हल्ला, बदनामी आणि निष्काळजीपणा

Assault defamation negligence conspiracy and nuisance प्राणघातक हल्ला,

बदनामी, निष्काळजीपणा कट-कारस्थान करणे आणि उपद्रव

{c} Defamation conspiracy and negligence बदनामी, षडयंत्र आणि निष्काळजीपणा

115. In the law of tort the remedies

available are-

अत्याचाराच्या कायद्यात उपलब्ध असलेले उपाय:

{c} Judicial and extrajudicial न्यायालयीन आणि न्यायाबाह्य

Executive and nonjudicial कार्यकारी आणि गैर-न्यायिक

Executive and judicial कार्यकारी आणि न्यायालयीन

Judicial non-judicial and extrajudicial न्यायालयीन गैर-न्यायिक आणि न्यायाबाह्य

116. Which of the following is not a valid defence in tort?

पुढील पैकी कोणते टॉर्ट मध्ये वैध संरक्षण नाही?

{c} Scienti non-fit injuria सायन्टीनॉन-फिटइनज्युरीया

Volenti non-fit injuria व्होलेन्टीनॉनफिटइनज्युरीया

Vi's- major व्हिलमेजर

Consent संमती

117. The main supporter of the theory, that “it is a law of tort “ and “not law of torts” is -

“हा अत्याचाराचा नियम आहे” आणि “बंदीचा कायदा नाही”

या सिद्धांतांचे मुख्य समर्थक कोणी केले.

{c} Winfield विनफिल्ड

Salmond साल्मंड

Fleming फ्लेमिंग

Heuston हेस्टन

118. Which one of the following is not an exception to the rule of “voluntary non-fit injuria” ?

“हॉलेन्टीनॉन-फिटइनज्युरीया” या नियमांना खालील पैकी कोणता अपवाद नाही?

{c} Injury is caused while play fighting with naked swords at a religious function एखाद्या धार्मिक कार्यक्रमात नग्न तलवारी सोबत लढताना दुखापत होणे.

A surgeon amputates a limb of patient to save his life.

एक शल्यचिकीत्सक शस्त्रक्रिया करून रुग्णांचे प्राण वाचवण्यासाठी एका अवयवाचे काही भाग काढून टाकतो.

Injury is caused to a player in a football match

दुखापत एखाद्या फुटबॉल सामन्यात खेळाडूला होते.

Injury is caused while doing lawful acts under a contract

कराराखाली कायदेशीर कृत्य करताना दुखापत होते.

119. The general remedy in law of tort is-

अत्याचाराच्या कायद्यातील सामान्य उपाय म्हणजे-

{c} Action for unliquidated damages अयोग्य नुकसान भरपाईची कारवाई

Action for damages हानीसाठी कारवाई

Action for injunction मनाईसाठीकारवाई

Specific restitution of property मालमत्तेचेविशिष्टपुनर्वसन

120. One of the following is a good defence for the tort of private nuisance?

.खाजगीउपद्रव्यांचाछळकरण्यासाठीखालीलपैकीएकचांगलाबचावआहे?

{c} The activity is continuing for the past 20 years मागील 20

वर्षांपासूनहाउपक्रमसुरूआहे

Plaintiff has come to the place of nuisance फिर्यादीउपद्रवाच्याठिकाणीहजरआहे.

Reasonable care was taken to prevent nuisance

त्रासदेणेटाळण्यासाठीवाजवीकाळजीघेतलीआहे.

The activity is for the public benefit हाउपक्रमलोकांच्याहितासाठीआहे.

121. The act of unlawfully entering into another's property constitutes. दुसऱ्याच्या मालमत्तेत बेकायदेशीरपणे प्रवेश करण्याची कृती तयार होते

a. Trespass अतिक्रमण

b. Restraint संयम

c. Appropriation विनियोग

d. Encroachment बेकायदा प्रवेश करणे

122. Which of the following is an example of trespass? खालीलपैकी कोणते अतिक्रमणाचे उदाहरण आहे?

a) Jeevan walks in front of Raj's house, staying on the sidewalk. जीवन फुटपाथवर राहून राजच्या घरासमोरून चालतो.

b) Hari hunts on Ram's land without Ram's permission. While there, joy shoots one of Ram's cows, mistaking the cow for a deer. Ram sells his cows to make a living. हरी रामाच्या परवानगीशिवाय रामाच्या भूमीवर शिकार करतो. तेथे असताना, आनंदाने गायीला हरण समजून रामाच्या गायींपैकी एकाला गोळी मारली. उदरनिर्वाहासाठी राम आपल्या गायी विकतो.

c) Sarita borrows Luke's car after Josh asks Luke to run to the store to pick up some milk. जोशने ल्यूकला दूध घेण्यासाठी दुकानात धावायला सांगितल्यानंतर सरिता ल्यूकची कार उधार घेते.

d)Radha walks into Mohan's house, who has invited her over for lunch. राधा मोहनच्या घरी जाते, ज्याने तिला जेवणासाठी बोलावले होते.

123. The law of torts provides following remedies against trespass टोर्ट्सचा कायदा घुसखोरीविरुद्ध खालील उपाय प्रदान करतो

- a. Re-entry and action for ejectment री-एंट्री आणि बाहेर काढण्यासाठी कृती
- b. Action for mesne profits मेस्ने नफ्यासाठी कृती
- c. Distress damage feasant नुकसानकारक वस्तूची अटकवणी
- d. All the above वरील सर्व

124. Trespass on land means \_\_\_\_\_ entry upon the land of another जमिनीवरील अतिक्रमण म्हणजे दुसऱ्याच्या जमिनीवर \_\_\_\_\_ प्रवेश

- a) Wrongful चुकीचे
- b) Justified न्याय्य
- c) Permissible परवानगी आहे
- d) Warrantable वॉरंटेबल

125. Which of the following scenarios is not a trespass to land. खालीलपैकी कोणती परिस्थिती जमिनीवर अतिक्रमण करणारी नाही.

- a) Throwing ball into your neighbour's garden. तुमच्या शेजाऱ्याच्या बागेत चेंडू टाकणे.
- b) Walking across your neighbour's garden without permission तुमच्या शेजाऱ्याच्या बागेत परवानगीशिवाय फिरणे
- c) Cutting the branches of your neighbour's tree which are entering your house and putting them over the fence into their garden. तुमच्या शेजाऱ्याच्या झाडाच्या फांद्या तोडणे आणि कुंपणावर त्यांच्या बागेत टाकणे.

d)Allowing an apple tree to grow over your neighbour's fence into their garden तुमच्या शेजाऱ्याच्या कुंपणावर त्यांच्या बागेत सफरचंदाचे झाड वाढू देणे

126. Who is responsible for the act of tort against movable property. जंगम मालमत्तेवर अत्याचार करण्याच्या कृतीसाठी कोण जबाबदार आहे.

- a) any person does any act like trespass to goods कोणतीही व्यक्ती वस्तूंच्या अतिक्रमणसारखे कोणतेही कृत्य करते

b) conversion or try to convert the possession of the movable property of another person without his consent दुसऱ्या व्यक्तीच्या संमतीशिवाय त्याच्या जंगम

मालमत्तेचे रूपांतर किंवा त्याच्या ताब्यात बदलण्याचा प्रयत्न करणे

c) wrongfully tries to disturb the possession of the movable property of another person without his consent चुकीच्या पद्धतीने दुसऱ्या व्यक्तीच्या जंगम मालमत्तेचा ताबा

त्याच्या संमतीशिवाय त्रास देण्याचा प्रयत्न करतो

d) all of the above

127. tort against property includes: मालमत्तेवरील अत्याचारांमध्ये हे समाविष्ट आहे:

a) tort against immovable property स्थावर मालमत्तेवर अत्याचार

b) tort against movable property जंगम मालमत्तेवर अत्याचार

c) both a and b a आणि b दोन्ही

d) only a, not b फक्त a, b नाही

128. Trespass to land is also an offense under which section of IPC?

जमिनीवर अतिक्रमण करणे हा देखील IPC च्या कोणत्या कलमाखाली गुन्हा आहे?

a. Section 440 कलम 440

b. Section 441 कलम 441

c. Section 442 कलम 442

d. Section 443 कलम 443

129. Trespass to property may be Committed मालमत्तेवर अतिक्रमण केले जाऊ शकते

a. By entering the land of the plaintiff. फिर्यादीच्या जमिनीत प्रवेश करून.

b. If a person remains there. एखादी व्यक्ती तिथे राहिली तर.

c. By doing an act affecting the sole possession of the plaintiff in each case without justification. औचित्य न देता प्रत्येक प्रकरणात फिर्यादीच्या एकमेव ताब्यावर परिणाम करणारी कृती करून.

d. All of the above वरील सर्व

130. Trespass is an unwarrantable entry upon the land of another or any direct or immediate act interference with the possession of land defined by whom? ही

दुसऱ्याच्या जमिनीवर अवाजवी प्रवेश आहे किंवा कोणाद्वारे परिभाषित केलेल्या जमिनीच्या ताब्यामध्ये कोणताही थेट किंवा तात्काळ हस्तक्षेप आहे?

- a) Winfield विनफिल्ड
- b) Salmond सालमंड
- c) Ratanlal रतनलाल
- d) Street स्ट्रीट

131 "Negligence is culpable carelessness". This viewpoint was expressed by whom among the following?/ निष्काळजीपणा निष्काळजीपणा करण्यास सक्षम आहे हा view बिंदू एक्सप्रेससीड होता बाय तो खालीलपैकी?

- a) Austin/ ऑस्टिन
- b) Pollock/ पोलॉक
- c) Halsbury/ हॅल्सबर्ग
- d) Salmond/ सॅल्मन

132 Which one of the following statement is correct regarding negligence?// Q2. निष्काळजीपणाबाबत खालीलपैकी कोणते विधान बरोबर आहे?

- a) Negligence has been considered as an independent tort/

(a) निष्काळजीपणा हा एक स्वतंत्र अत्याचार मानला गेला आहे

b) Negligence has two meanings in the law of torts/ निष्काळजीपणाचे दोन अर्थ torts च्या कायद्यात आहेत.

c) Negligence means a conduct which creates a risk of causing damage, rather than a state of mind/ निष्काळजीपणा म्हणजे अशी वर्तणूक जी एखाद्या स्थितीऐवजी नुकसान होण्याचा धोका निर्माण करते मन.

d) All of the above/ वरील सर्व

133. If A gives a lift in his car to B up to a certain place and on the way due to negligence of A an accident is caused.

Which of the following statement is correct?/Q.3 जर A ने त्याच्या गाडीत B ला ठराविक ठिकाणी लिफ्ट दिली आणि वाटेत A च्या निष्काळजीपणामुळे अपघात झाला. खालीलपैकी कोणते विधान बरोबर आहे???

- a. A has no responsibility towards B/ A ची B साठी कोणतीही जबाबदारी नाही.

b. A has no legal duty to take care of B/ A ला B ची काळजी घेण्याचे कोणतेही कायदेशीर कर्तव्य नाही

c. A has a legal duty to take care of B and is liable for compensation/ A ला B ची काळजी घेणे कायदेशीर कर्तव्य आहे आणि तो नुकसानभरपाईसाठी जबाबदार आहे

d. All of the above/ वरील सर्व

134 X wanted to purchase Y's car and was driving it to test it with Y seated by his side. Because of X's negligence an accident happened in which the plaintiff, Z, was injured. 'Z' sued 'Y' for damages the most appropriate

Decision from the following will be...../X ला Y ची कार विकत घ्यायची होती आणि Y त्याच्या बाजूला बसून त्याची चाचणी घेण्यासाठी ती चालवत होता. X च्या निष्काळजीपणामुळे एक अपघात झाला ज्यात फिर्यादी, Z, जखमी झाला. 'Z' ने 'Y' वर खटला भरला सर्वात योग्य नुकसान ..खालीलपैकी निर्णय होईल....

a. Y is not liable as X was driving the car for his own purpose//Y जबाबदार नाही कारण X स्वतःच्या उद्देशाने कार चालवत होता

b. Y is not liable as X was not the servant of Y./ Y जबाबदार नाही कारण X हा Y चा सेवक नव्हता

c. Y is liable because he had not abandoned his right and duty to control the way in which the car was driven./ Y जबाबदार आहे कारण त्याने ज्या मार्गावर नियंत्रण ठेवण्याचा त्याचा अधिकार आणि कर्तव्य सोडले नाही गाडी चालवली होती.

d. Y is liable because X was driving the car for Y's purpose/) Y जबाबदार आहे कारण X कार Y च्या उद्देशाने चालवत होता

135 What are the essentials of the tort of negligence?/ प्र.५. निष्काळजीपणाच्या अत्यावश्यक गोष्टी काय आहेत?

a) Duty, Breach of duty and Damage/ कर्तव्य, कर्तव्याचे उल्लंघन आणि नुकसान

b) care taken by an intelligent and prudent man/ हुशार आणि विवेकी माणसाने घेतलेली काळजी

c) Skill and care of a professional person/ व्यावसायिक व्यक्तीचे कौशल्य आणि काळजी

d) foresight of a prudent man/ विवेकी माणसाची दूरदृष्टी

Q.136 Who defined "Nuisance is the wrong done to a man by unlawfully disturbing him in the enjoyment of his property or in some cases in the exercise of a common right"? प्र. 6. "उपद्रव म्हणजे एखाद्या माणसाला बेकायदेशीरपणे त्रास देऊन केलेली चूक अशी व्याख्या कोणी केली आहे त्याच्या मालमत्तेचा उपभोग घेणे किंवा काही प्रकरणांमध्ये सामान्य अधिकार वापरणे?

a) Winfield/ विनफिल्ड

b) Salmond/ सालमंड

c) Pollock/ पोलॉक

d) Austin/ ऑस्टिन

Q.137 Which one of the following amounts to Nuisance??? प्र.७. खालीलपैकी कोणत्या प्रमाणात उपद्रव होतो??

a) Every unreasonable interference is nuisance/प्रत्येक अवास्तव हस्तक्षेप हा उपद्रव आहे

b) Every reasonable interference is nuisance/प्रत्येक वाजवी हस्तक्षेप उपद्रव आहे

c) Every interference is nuisance/ प्रत्येक हस्तक्षेप उपद्रव आहे

d) None of the above/ वरीलपैकी काहीही नाही

Q.138 What are the essential ingredients of the tort of Nuisance??? प्र.८. टोर्ट ऑफ उपद्रवातील आवश्यक घटक कोणते आहेत???

a) Unreasonable interference/ अवास्तव हस्तक्षेप

b) interference is with use or enjoyment of land/ जमिनीचा वापर किंवा उपभोग यात हस्तक्षेप होतो.

c) Damage/नुकसान

d) All of the above/ वरील सर्व

Q.139 If some noise which do not disturb or annoy an ordinary person but disturbs only the plaintiff in his work or sleep due to his over sensitiveness, which type of nuisance is this??? प्रश्न 9. जर काही आवाज जे एखाद्या सामान्य



व्यक्तीला त्रास देत नाहीत किंवा त्रास देत नाहीत परंतु केवळ वादीला त्याच्या कामात किंवा त्याच्या अतिसंवेदनशीलतेमुळे झोपेत अडथळा आणत असतील तर हा कोणत्या प्रकारचा उपद्रव आहे???

- a) Public nuisance/ सार्वजनिक उपद्रव
- b) Private nuisance/ खाजगी उपद्रव
- c) No nuisance at all/कोणताही उपद्रव नाही
- d) None of the above/ वरीलपैकी काहीही नाही

Q.140 Public Nuisance is an offence punishable under\_\_\_\_\_.10  
सार्वजनिक उपद्रव हा शिक्षेस पात्र गुन्हा आहे\_\_\_\_\_.

- a) Civil laws/नागरी कायदे
- b) Criminal laws/ फौजदारी कायदे
- c) None of the above/ वरीलपैकी काहीही नाही
- d) Both a and b/ वरील दोन्ही a & b

### DTQs on Consumer Protection

1. What are the rights of consumers?/ ग्राहकांचे हक्क काय आहेत?
2. Explain the three-tier consumer dispute redressal mechanism./ तीन-स्तरीय ग्राहक विवाद निवारण यंत्रणा स्पष्ट करा
3. Discuss the powers and functions of the Central Consumer Protection Authority./ केंद्रीय ग्राहक संरक्षण प्राधिकरणाचे अधिकार आणि कार्ये यांची चर्चा करा.
4. What is product and what is product liability? / उत्पादन म्हणजे काय आणि उत्पादन दायित्व काय आहे?
5. What is mediation and how is mediation employed by the CPA? / मध्यस्थी म्हणजे काय आणि ग्राहक संरक्षण कायद्याद्वारे मध्यस्थी कशी अंमलात आणली जाते?
6. What are the remedies available in case of consumer disputes?/ ग्राहकांच्या विवादांच्या बाबतीत कोणते उपाय उपलब्ध आहेत?

7. Who is a consumer and who is not?/ ग्राहक कोण आहे आणि कोण नाही?
8. What is service? Are public utility services within the scope of CPA? / सेवा म्हणजे काय? ग्राहक संरक्षण कायद्याच्या कक्षेत सार्वजनिक उपयोगिता सेवा आहे का?
9. Explain unfair trade practices./ अनुचित व्यापार पद्धती स्पष्ट करा
10. What is deficiency in service? What are the remedies appointed under CPA? / सेवेत कमतरता काय आहे? ग्राहक संरक्षण कायद्यांतर्गत नियुक्त केलेले उपाय काय आहेत
11. Write a note on the consumer protection councils./ ग्राहक संरक्षण परिषदांवर टीप लिहा.
12. Discuss the exceptions recognized in a product liability action./ उत्पादन दायित्व कृतीमध्ये ओळखल्या गेलेल्या अपवादांची चर्चा करा.
13. Write a note on ecommerce. / ई-कॉमर्सवर टीप लिहा
14. How does CPA protect against misleading advertisement?/ ग्राहक संरक्षण कायदा दिशाभूल करणाऱ्या जाहिरातीपासून संरक्षण कसे करतो?
15. What can be the subject matter of a consumer complaint?/ ग्राहकांच्या तक्रारीचा विषय काय असू शकतो?
16. What is an unfair contract? / अयोग्य करार काय आहे?
17. What are the objects of CPA?/ ग्राहक संरक्षण कायद्याचे मुळ मुद्दे काय आहेत?
18. What is endorsement? When can someone be liable for endorsement? समर्थन म्हणजे काय? कोणीतरी समर्थनासाठी कधी जबाबदार असू शकते?
19. What is settlement through mediation? / मध्यस्थीद्वारे तोडगा म्हणजे काय
20. State the composition and jurisdiction of District Commission./ जिल्हा आयोगाची रचना आणि कार्यक्षेत्र सांगा
21. What is BSR? How is it advantageous? / बी.एस. आर. म्हणजे काय? ते कसे फायदेशीर आहे?

### **Torts (DTQ)**

22. What does accord and satisfaction means / सामंजस्य आणि समाधान म्हणजे काय?

23. what does “Actio Personalis Mortuae cum persona” means / ‘ऐक्शीओ परसोनलीस मॉरीटर कम परसोना’ म्हणजे काय?
- 24, define malicious prosecution / गैरकायदेशीर कारावास म्हणजे काय?
25. what is conversion by destruction / नामशेषाने परिवर्तन म्हणजे काय?
26. write note on Donoghue Vs Stevenson / टिपा लिहा डोनग विरुद्ध स्टिव्हन्सन.
27. Define What is Tort? / टॉर्ट म्हणजे काय ते परिभाषित करा ?
28. Explain the terms Malfeasance and Misfeasance along with a Case Law. / खटल्याच्या कायद्यासह गैरप्रकार आणि गैरप्रकार या संज्ञा स्पष्ट करा.
29. Write Short note on Six Carpenters case. / सहा सुतार प्रकरणावर (सीक्स कारपेंटर केस) नोंद लिहा.
30. What is Battery? / बॅटरी म्हणजे काय ?
31. What are Nominal Damages? / नाममात्र नुकसान भरपाई काय आहेत ?
32. Write short note on Vis Major./ वीस मेजर वर छोटी टीप लिहा.
33. Write Short Note on Innuendo. / इन्वेन्डो वर टीप लिहा.
34. Write Short note on Liability by Rectification. / रेक्टिफिकेशन द्वारे दायित्वावर टीप लिहा.
35. Explain the concept of Strict Liability with landmark Judgement./ लँडमार्क जजमेंटसह कठोर दायित्व संकल्पना स्पष्ट करा.
36. Explain Discharge of Torts./ टॉर्ट्स डिस्चार्ज स्पष्ट करा.
37. Explain Damnum Sine Injuria with case laws./ केस कायद्यांसह डॅमनम साइन इंजुरिया समजावून सांगा.
38. Explain Injuria Sine Damnum with Case Laws./ केस कायद्यासह इंजुरिया साइन डॅमनम समजावून सांगा.
39. Explain Difference Between Injuria Sine Damnum And Damnum Sine Injuria./ इंजुरिया साइन डॅमनम आणि डॅमनम साइन इंजुरिया मधील फरक स्पष्ट करा.

40. Explain What is defamation. What are the two types of Defamation./ बदनामी म्हणजे काय ते स्पष्ट करा. बदनामीचे दोन प्रकार कोणते आहेत.
41. Explain What is Contributory Negligence, Give one Case Law./ योगदानात्मक निष्काळजीपणा काय आहे ते स्पष्ट करा, एक केस कायदा द्या.
42. What are the different kinds of Damages Awarded under Law of Torts? / टॉर्ट्स कायद्यांतर्गत विविध प्रकारचे नुकसान कोणते आहे ?
43. What are Extra Judicial Remedies? / अतिरिक्त न्यायिक उपाय काय आहेत ?
44. What is Assault under Law of Torts? Write Essential ingredients. / टॉर्ट्स कायद्यानुसार प्राणघातक हल्ला म्हणजे काय ? आवश्यक साहित्य लिहा.
45. Explain 'Volenti Non Fit Injuria'. / 'व्होलेंटी नॉन-फिट इंजुरिया' समजावून सांगा.
46. Explain Private Nuisance with Case Law./ केस कायद्यासह खाजगी उपद्रव स्पष्ट करा.
47. Explain Public Nuisance With Case Laws./ केस कायद्यांसह सार्वजनिक उपद्रव स्पष्ट करा.
48. What is the Difference between Private Nuisance and Public Nuisance./ खाजगी उपद्रव आणि सार्वजनिक उपद्रव यांच्यात काय फरक आहे.
49. Write Short note on Res Ipsa Loquitur./ रेस इप्सा लोक्वितूर वर टीप लिहा.
50. What are the General Defences Available in action of Torts?/ टॉर्ट्सच्या कृतीमध्ये सामान्य संरक्षण काय उपलब्ध आहेत ?
51. Explain Rationale of Strict liability with reference to Ryland v Fletcher./ रायलंड विरुद्ध फ्लेचेर च्या संदर्भात कठोर दायित्वाचे तर्क स्पष्ट करा.
52. Explain defences available for Tort of defamation./ बदनामी विरुद्ध उपलब्ध संरक्षण स्पष्ट करा.
53. Explain Defences Available For Tort of Nuisance./ उपद्रव विरुद्ध उपलब्ध संरक्षण स्पष्ट करा.
54. Explain Concept of Malice./ द्वेषाची संकल्पना स्पष्ट करा.

55. Explain Concept of Trespass ab Initio. Cite one case law./ ट्रेसपास अब इनिशिओ ची संकल्पना स्पष्ट संबंधित कायदा प्रकरणासोबत स्पष्ट करा.
56. Explain Distress Damage Feasant./ डिस्ट्रेस डॅमेज फीडेंट समजावून सांगा.
57. Explain Concept of Trespass along with Essential Ingredients./ अत्यावश्यक घटकांसह ट्रेसपासची संकल्पना स्पष्ट करा.
58. Write Short note On False Imprisonment. / खोट्या तुरुंगवासावर छोटी टीप लिहा.
59. Explain Concept of Vicarious Liability in light of Master Servant Relationship. / मालक सेवक रिलेशनशिपच्या संबंधित विकॅरिओस दायित्वाची संकल्पना स्पष्ट करा.
60. State the Requisites of valid Defamation. / वैध मानहानीच्या आवश्यक गोष्टी सांगा.
61. Explain Theory of Remoteness of Damages. /( नुकसान दूरस्थता )रिमोटनेस ऑफ डॅमेजेसचा सिद्धांत स्पष्ट करा.
62. What is Meant by Waiver? Explain with example. / वेवर म्हणजे काय? उदाहरणासह स्पष्ट करा.
63. What is meant by 'Mandatory' and 'Prohibitory injunction'? / 'अनिवार्य' आणि 'निषेधात्मक आदेश' म्हणजे काय?
64. Explain 'Qui Facit per alium facit per se'. / 'क्वी फॅसित पर एलियम फॅसित पर से' स्पष्ट करा.
65. Discuss in detail essential elements of Torts. / टॉर्ट्सच्या आवश्यक घटकांची तपशीलवार चर्चा करा.
66. Explain Right to Private Defence under Law of Torts. / टॉर्ट्सच्या कायद्यानुसार खाजगी संरक्षणाचा अधिकार स्पष्ट करा.
67. Differentiate Law of Torts from Law of Contract and Crime. / करार आणि गुन्ह्याचा कायदा आणि टॉर्ट्सचा कायदा वे यातील फरक सांगा.
68. Write Short Note on Gloucester Grammar School Case. / ग्लॉसेस्टर ग्रामर स्कूल प्रकरणावर टीप लिहा.

69. Explain Defence of Act of God and Inevitable Accident, What is the difference between them ? / देवाची करणी (एक्ट ऑफ गॉड) आणि अपरिहार्य अपघाताचे संरक्षण स्पष्ट करा, त्यांच्यात काय फरक आहे?

70. Explain Concept of Mayhem along with case laws. / केस कायद्यांसह गोंधळ संकल्पना स्पष्ट करा

71. Explain Rationale laid Down in Ashby v. White. / अशबी विरुद्ध व्हाईट प्रकरण स्पष्ट करा.

### Legal Language Semester I LLB 2022 (MCQ)

1. The Term in Re Means
  - a) **In matter of**
  - b) A person who dies without making will
  - c) By the fact itself
  - d) With the Powers
2. An individual who is under arrest must do all but one of the following
  - a) Give a name and address
  - b) Have fingerprints and photograph taken
  - c) **Make a statement**
  - d) Go with police
3. A bail application or hearing must be made available within
  - a) 48 hrs.
  - b) **24 hrs. from arrest**
  - c) 7 days of arrest
  - d) 72 hrs. of arrest
4. I.L.R. stands for
  - a) **Indian Law Reports**
  - b) Indian Law Report
  - c) Indian Law Record
  - d) Indian Law Result
5. L. J.R. stands for
  - a) **London Queen Reporter**
  - b) London Queen Reports
  - c) London Queen Review
  - d) London Queen Revision
6. M.L.R. stands for
  - a) **Modern Law Review**
  - b) Modern Law Reports
  - c) Modern Law Result
  - d) Modern legal Review
7. L.Q.R. stands for
  - a) **London Queen Reporter**
  - b) London Queen Review
  - c) London Queen Revision

d) London Queen Reports

8. J.B.C.I.

- a) **Journal of Bar council of India.**
- b) Jury of Bar Council of India.
- c) Jury of Bar Commission of India
- d) Jury of Bench council of India.

9. Vishaka & Ors. V/s State of Rajasthan was headed by how many judges

- a) **3 Judges**
- b) 2 Judges
- c) 5 Judges
- d) 1 Judge

10. Which articles under the Indian Constitution were sought to redress under Vishaka V/s State of Rajasthan

- a) **Articles 14, 15, 21.**
- b) Articles 16,14,21
- c) Articles 21,14,15(4)
- d) Article 21

11. D.K. Basu V/s State of West Bengal deals with

- a) **Death in Custodial Lockup.**
- b) Sexual Harassment at workplace
- c) Minors contract is void ab initio
- d) Environmental Protection

12. Which advocate was appointed by the court as Amicus Curaie to Assist in the Case of D.K Basu

- a) **Dr. A.M. Singhvi**
- b) Shri Ashok Kumar Joshi.
- c) M.C. Mehta v/s U.O.I
- d) Kapil Sibal

13. How many guidelines were laid down in D.K. BASU CASE

- a) 12
- b) 15
- c) 17
- d) **11**

14. The Manager will give you Tickets (change into passive voice by choosing the option)

- a) **The Tickets will be given to you by the Manager.**
- b) The Tickets were given by the Manager.
- c) The Tickets had been given by the Manager.
- d) The Manager had given Tickets.

15. The Dog Chased the Cat. (change into passive voice by choosing the option)

- a) **The Cat was chased by the Dog.**
- b) The cat was being chased by the Dog.
- c) The cat had been chased by the Dog.
- d) The cat has been chased by the Dog.

16. Richard Lost the Money. (change into passive voice by choosing the option)

- a) **The Money was lost by Richard.**
- b) The Money had been lost by Richard.
- c) The Money was being lost by Richard.
- d) The Money is Gone.

17. Everyone admires the Professor. (change into passive voice by choosing the option)

- a) **The Professor is admired by everyone**
- b) The Professor was admired by everyone
- c) The Professor is admiring
- d) The Professor was been Admired

18. The Magistrate will punish the Guilty. (change into passive voice by choosing the option)

- a) **The Guilty will be Punished by the Magistrate**
- b) The Guilty was been punished by the Magistrate
- c) The Guilty is Punished
- d) Punishment is given by the Magistrate to the Guilty.

19. In Jure Non Remota Causa Sed Proxima Spectatur means

- a) In law not the remote but the proximate cause is looked at.
- b) In law the proximate cause is taken into consideration.
- c) In law the Proximate cause is never taken into consideration.
- d) **In law the Proximate cause is relevant in cases relating to negligence.**

20. M. C. Mehta & another V/s Union of India AIR 1986, 2 SCC 176 is for the

- a) Tax problem
- b) **Environment pollution**
- c) Women problem
- d) Labour problem

Answers marked in bold is the Answer Key.

**21 Requisites of a complaint are:**

- a. An oral or a written allegation
- b. It must be made with the object that he should take action
- c. It must be made to the magistrate
- d. Only a. And b.

**22. What is the full form of ILR**

- a. Indian Law Reporter
- b. Indian Legal Report
- c. International Law Reader
- d. Indian Legal Review

**23. Criminal law journal is a \_\_\_\_\_ publication.**

- a. Weekly
- b. Monthly
- c. Quarterly
- d. Yearly

**24. I always love my country (Change into a negative sentence)**

- A. I never hate my country
- B. I have my country



- C. I can hate my country
- D. I always hate my country

**25. When the master is held liable for the wrongful of his servant, the liability is called**

- (a) Strict liability
- (b) Vicarious liability
- (c) Tortious liability
- (d) Absolute liability

**26. Bailable offences are relatively minor in nature, whereas, non bailable offences are more serious in nature.**

- A. True
- B. False
- C. Might be
- D. Never

**27. Which one of the following is not an example of vicarious liability?**

- (A) Liability of the principal for the tort of his agent.
- (B) Liability of partners for each others' tort.
- (C) Liability of the master for the tort of his servant.
- (D) Liability of the parents for the tort of the children

**28. They made him, the King (Change the voice)**

- A. He was made the king by them
- B. He was the king
- C. He was made the
- D. He was the king

**29. Mala fide means:**

- A. In good faith
- B. In bad faith
- C. In utmost good faith
- D. Man of Faith

**30. A legal proceeding between two or more parties in connection with a civil dispute is called**

- A. Suit
- B. Complaint
- C. FIR
- D. Case

**31. Act of God' is known by the name:**

- a. Vis major
- b. Damnum fatale
- c. Vis major or Damnum fatale
- d. Damnum sine injuria .

**32. The maxim ex turpi causa non oritur action implies & means**

- a. from an immoral cause also action arises
- b. from an immoral cause no action arises
- c. morality and immorality is of no significance in an action for tort
- d. both (a) & (c).

**33. In which landmark judgment did the Supreme Court of India lay down guidelines against sexual harassment of women at workplace?**

- a. Nilabati Behera vs. State of Orissa

- b. Vishakha vs. State of Rajasthan
- c. Maneka Gandhi vs. Union of India
- d. Hussainara Khatoon vs. State of Bihar

**34. Which of the following are courts having jurisdiction to try criminal cases?**

- a. Small Causes Court
- b. City Civil Court
- c. Metropolitan Magistrate Court
- d. Consumer Court

**35. A defendant's written defence or pleading is called a:**

- a. Plaint
- b. Affidavit
- c. Written statement
- d. Complaint

**36. Actio personalis moritur cum persona means:**

- A. A personal right of action dies with the person
- B. Personal Care of citizens.
- C. An action directed toward a Criminal for reformation.
- D. An action is not given to him who is not injured

**37. \_\_\_\_\_ is the extent of the authority of a Court to administer justice.**

- A. Jurisdiction
- B. Boundaries
- C. Limitation
- D. Complaint

**38. Shivaji vs. Union of India AIR 2007 S.C. 1465 Identify the publication:**

- a. Supreme Court Reporter
- b. All India Reports
- c. Allahabad Income Tax Review
- d. All India Reporter

**39. A decree passed in the absence of the defendant.**

- A. An ex parte decree
- B. Order
- C. Judgment
- D. bail

**40. Rex Non Potest Peccare means:**

- a. Where there is a right there is a remedy
- b. The king can do no wrong
- c. No man ought to be charged with the same offense
- d. People cannot protest before the king

**Options in Red colour are correct options**

1. An injunction which is granted at any stage of a suit is called:

- a. Permanent injunction
- b. Temporary injunction

- c. Stay of suit
- d. Stay order

2. To defer the hearing of a case to another date in court:

- a. Order of the court
- b. According to valuation
- c. Adjournment
- d. Decree

3. Reconsideration of the matter before the court by the same judge who had earlier decided it is called:

- a. Review
- b. Reference
- c. Appeal
- d. Revision

4. The term enactment means...

- a. By virtue of office
- b. Act of parliament
- c. A liability of property
- d. An interest in land

5. The landmark decision regarding custodial violence or death in lock-ups

- a. Ashby vs. White
- b. D. K. Basu vs. State of west Bengal
- c. Vishakha vs. State of Rajasthan
- d. Mazetti vs. Williams

6. Damage suffered by consent is not a cause of action refers to the maximum.

- a. Injuria sine damnum
- b. Ubi jus ibi remedium
- c. Actus reus
- d. Volenti non fit injuria.

7. A bail application or hearing must be made available within.

- a. 48 hours

- b. 7 days of arrest
  - c. 24 hours from arrest
  - d. 72 hours of arrest
8. Lawyers Collective is edited by
- a. Ms. Indira Jaising
  - b. Manupatra
  - c. Mr. Tipugade
  - d. Mr. V. R. Manohar
9. They said that he was innocent. (Change the voice)
- a. He was said to be innocent
  - b. He was innocent said by them
  - c. He was proved innocent
  - d. It was said that he was innocent
10. Very few countries are as rich as America. (Change the degree)
- a. Very few countries are rich than America
  - b. Very few countries are so rich as America
  - c. Very few countries are better than America
  - d. America is richer than other countries
11. A writ which is issued by a superior court, directing inferior court not to exercise jurisdiction which is not legally vested in it.
- a. Certiorari
  - b. Prohibition
  - c. Mandamus
  - d. Quo warranto
12. Written statement signed by and affirmed by a person on oath is called...
- a. Adjournment
  - b. Verification
  - c. Affidavit
  - d. Suit
13. The right of a person not to be defamed or assaulted which is available against the whole world.
- a. Right in rem
  - b. Right in personam
  - c. Right in re propria
  - d. Right in re aliena

14. A wrong which is authoritatively determined to be wrong by a rule of law.

- a. Natural wrong
- b. Moral wrong
- c. Legal wrong
- d. Criminal wrong

15. .... is defined as a society of men established for the maintenance of peace and justice within a determined territory.

- a. Nation
- b. Corporation
- c. State
- d. Organisation

16. It is a writ available to a prisoner in cases of a deprivation of personal liberty and wrongful detention.

- a. Habeas corpus
- b. Quo-warranto
- c. Prohibition
- d. Certiorari

17. Buyer must take care when buying specific things is the general principle of English law related to maxim of...

- a. Caveat emptor
- b. Nemo dat quod non habet
- c. Vis major
- d. Audi alterem partem

18. According to principle of vicarious liability a master is liable for the wrongful acts of his servants, is fixed by the maxim of...

- a. Caveat emptor
- b. Respondeat superior
- c. Rex non protest peccare
- d. Audi alterem partem

19. S.C.C. (Cri) is a abbreviation for-

- a. Supreme court cases
- b. Supreme court journal
- c. Supreme court cases (criminal)
- d. Supreme court criminal rulings

20. The name by which the Act may be called is...

- a. Long title

- b. Short title
- c. Official citation
- d. Long title

**Answer key**

- 1-b
- 2-c
- 3- a
- 4-b
- 5-b
- 6-d
- 7-c
- 8-a
- 9-a
- 10-d
- 11-b
- 12-c
- 13-a
- 14-c
- 15-c
- 16-a
- 17-a
- 18-b
- 19-c
- 20-b

**TRANSLATE THE FOLLOWING:**

- 1) *audi alteram partem*
  - a) One for another
  - b) Thing speaks for itself
  - c) Hear the other side
  - d) Party must appear in person
- 2) *caveat emptor*
  - a) Let purchaser beware
  - b) Let seller beware
  - c) Let emperor be careful

- d) Be careful of the emperor
- 3) ***respondeat superior***
- a) Hear the respondent
  - b) Respondent is superior
  - c) Let the principal be held responsible
  - d) Law is superior
- 4) ***res ipsa loquitur***
- a) Act of god
  - b) King can do no wrong
  - c) Respondent is superior
  - d) Thing speaks for itself
- 5) ***volenti non fit injuria***
- a) Help the injured voluntarily
  - b) Damage suffered by consent is not a cause of action
  - c) The law does not consider voluntary admissions as fit
  - d) That which was originally void does not by lapse of time become valid.
- 6) ***ubi jus ibi remedium***
- a) Justice is the best remedy
  - b) Remedy does not result in remedy
  - c) Where there is a right there is a remedy
  - d) Remedy results in justice
- 7) **The king can do no wrong**
- a) Rex non potest peccare
  - b) *Res ipsa loquitur*
  - c) *Lux na peccare*
  - d) *Respondeat superior*
- 8) **Ignorance of law is not an excuse**
- a) *ignorantia facti excusat*
  - b) *ignorantia juris non excusat*
  - c) *ignoranti excusamoi*
  - d) *lexis ignoranis*
- 9) ***actio personalis moritur cum persona***
- a) Action of person results in death
  - b) Personal right of action dies with the person
  - c) Action of law is faster for some persons
  - d) None of the above
- 10) ***nemo debet esse judex in propria sua causa***

- a) No man can be a judge in his own cause
- b) No judge can deal with property cases without cause
- c) Judgement must be passed in debt case regarding property
- d) None of the above

**EXPAND THE FOLLOWING:**

**11) SCR**

- a) Supreme Court Record
- b) Supreme Court Reporter
- c) Social Cases Reporter
- d) None of the above

**12) MLJ**

- a) Maharashtra Law Journal
- b) Mysore Law Journal
- c) Madras Law Journal
- d) None of the above

**13) AIR**

- a) All India Reporter
- b) All India Recorder
- c) About India Reporter
- d) None of the above

**14) ITR**

- a) Income Tax Records
- b) Information Technology Reporter
- c) Income Tax Reporter
- d) None of the above

**15) DMC**

- a) Driving and Maintenance Cases
- b) Divorce and Maintenance Cases
- c) Death and Matrimony Cases
- d) None of the above

**READ THE PASSAGE AND ANSWER THE QUESTIONS BELOW:**

The past month has witnessed several protests across the nation against the central government's controversial Citizenship Amendment Act. While the protests are a positive sign — indicative of the nation's united resistance against any attempt which threatens to



destroy our secular fabric — the response of the government to quell the protests in any manner whatsoever is deeply worrisome. We have witnessed police brutality against students, labelling of protesters/dissenters as ‘anti-nationals’ and excessive surveillance over areas of protest.

In what appears to be another attempt towards creating an ‘Orwellian State’, the police forces have started using drones to monitor the areas of protest, with the Uttar Pradesh Police going a step further by conducting an aerial survey of houses in several areas of protest in the state. The UP Police’s justification for the survey is that drones help them ‘track and record’ movements of alleged ‘anti-social’ elements, and capture images of houses where bricks and stones are kept on the terraces.

The government can only monitor individuals against whom reasonable grounds of suspicion exist, that is, people with criminal antecedents. Therefore, the State’s monitoring of individuals whom they suspect to be an anti-social elements sans evidence of their past criminal records is a blatant disregard of the law. Sadly, the government is monitoring the movements of protesters who have committed no crime but have only exercised their fundamental right to free speech.

If the last month is any indication, there are chances that footage from the drones may be misused to harass and deter protesters from expressing their dissent. As per law, the liberty of an individual can never be taken away; it can only be reasonably restricted. However, it seems of late that there have been no restrictions but rather the snatching away of fundamental rights.

**16) The phrase "quell the protests in any manner whatsoever" used in the above passage indicates that the government is**

- (a) using legal measures to quell protests
- (b) using illegal measures to quell protests
- (c) using legal but morally wrong measures to quell protests
- (d) None of the above

**17) Assuming that surveillance of public places is legal, the above passage suggests that-**

- (a) terrace of a house is a public place
- (b) terrace of a house is not a public place

(c) terrace of a house is a public place as it is freely visible from above

(d) None of the above

18) The above passage relates to-

(a) right to privacy

(b) right to free speech

(c) Both (a) and (b)

(d) None of the above

**READ THE PASSAGE AND ANSWER THE QUESTIONS BELOW:**

Khunti's sedition cases go back to 2017, and the start of the "Pathalgadi movement". Adivasis who were faced with corporate takeover of their land resorted to an innovative form of protest: they began to carve provisions of the Indian Constitution's Fifth Schedule — that guarantees tribal autonomy — upon stone slabs placed upon the boundaries of the village. The first information reports (FIRs) that follow allege that the police were attacked with "sticks and traditional weapons" (an allegation that the Adivasis dispute); but additionally, the FIRs also state that the leaders of the movement have been "misleading the innocent people in the name of scheduled areas", and "erecting stone slabs presenting wrong interpretation of the Constitution". As a result of these FIRs, individuals spent many months in jail.

The ongoing events in Khunti reveal multiple fault lines in the legal system, and multiple faults in those who implement it. A century-and-a-half after it was first enacted into the Indian Penal Code by the colonial government, the vague, ambiguous, and unclear wording of the sedition provision continues to make it ripe for abuse. Sedition is defined as "disaffection" against the government, or bringing it into "hatred or contempt".

It should be immediately obvious that the scope of these words is boundless, and boundlessly manipulable. However, when the sedition law was challenged in 1962, the Supreme Court of India chose to uphold it, while claiming to "narrow it down". The court noted that only acts that had a "tendency" to cause public disorder would fall within the scope of the section.

As the years since that judgment have shown, however, this dictum had no impact whatsoever on the abuse of the sedition law. To start with "tendency to cause public disorder" was almost as vague as the text or the original section. Second, as long as the section

continued to exist in the form that it did, the police could, and did continue to invoke it to stifle protest and dissent; and trial courts could and did continue to refuse bail to jailed people. The failure, thus, extended to every wing of the state: to Parliament, for allowing the provision to remain on the statute books, to the Supreme Court for not striking it down when it had the chance, to State governments and State police, that have found in it a ready tool of oppression, and to lower courts, that enable prolonged incarceration of people under the section.

It hardly needs to be said that “encounters” — and “fake encounters” — take place because there do not exist adequate structures of accountability. Without those structures, the police effectively operate in a zone of impunity. In 2009, the then High Court of Andhra Pradesh passed a landmark judgment, in which it attempted to create a regime of accountability. Central to this regime was the requirement that encounter deaths would be investigated as if they were murder cases. An FIR would have to be registered against the police officers responsible for the encounter, and to the extent that they invoked self-defence they would have to prove it.

The High Court’s judgment, however, was stayed by the Supreme Court, which then passed a series of vague and unclear guidelines a few years later, on the same subject. Even this regime, however, was given a go-by in the recent Telangana encounter case, where, acting on a public interest litigation, the Supreme Court stayed all pending proceedings (including before the Telangana High Court, which was following the guidelines), and handed over the investigation to a “committee”, with a six-month reporting period, to boot.

The Jharkhand and Chhattisgarh incidents show that the rule of law and the Constitution continue to fail those who need it the most, and in the places where it is needed the most. And the root cause of this failure is the active complicity of the very actors who we most expect to maintain the rule of law: clearly, abusive laws are enacted by Parliament, upheld by courts, misused by the police, and sanctioned (again) by courts.

**19) In the above passage, the author has discussed issue of-**

- (a) sedition
- (b) fake encounter
- (c) both (a) and (b)
- (d) terrorism

20) According to the author, the fact that FIRs lodged by police against tribal people recorded "attacking with sticks and traditional weapons" indicates-

- (a) misreporting of incidents by police
- (b) underreporting of incidents by police
- (c) truthful reporting of incidents by police
- (d) None of the above

21) The author holds the following responsible for misuse of Indian laws-

- (a) legislature
- (b) executive
- (c) judiciary
- (d) All of the above

**ANSWER THE FOLLOWING:**

22) India Quarterly (IQ) is the flagship publication of

- a) Indian Legal Association
- b) Indian Council of World Affairs (ICWA)
- c) Bar Association of India
- d) None of the above

23) The Bar Council of India publishes a journal called

- a) Indian Law Review
- b) Journal of India
- c) Indian Bar Review
- d) None of the above

24) The Law Quarterly Review's founding editor was

- a) Frederick Pollock
- b) Francis Baker
- c) Sadhanand Shetty
- d) None of the above

25) The subject area covered by One India One People magazine is/are

- a) Law & Judiciary
- b) Police Reforms
- c) Consumer Rights
- d) All the above

26) In the citation 1997 AIR SCW 04 what does "4" stand for?

- a) Volume Number

- b) Page Number  
c) Journal Number  
d) None of the above
- 27) In the case title "*Vishaka & Ors. V/s. State of Rajasthan & Ors*" what does "State of Rajasthan" stand for?  
a) Petitioner  
b) Respondent  
c) Defendant  
d) Place of action
- 28) What is the abbreviation for All England Law Reports?  
a) AELR  
b) ALR  
c) AEL Reports  
d) All ER
- 29) What does the word amicus curia mean?  
a) Friendship is important  
b) American Courts are superior  
c) Friend of the Court  
d) Courts must solve matters amicably
- 30) What is meant by ratio decidendi?  
a) Friend of the court  
b) Property divided by ratio  
c) Rationale of the court  
d) Judges expression
- 31) The statement "Be it enacted by Parliament in the forty fifth year of the Republic of India as follows" in an Act is the  
a) Long title  
b) Enacting Formula  
c) Short title  
d) Preamble
- 32) The Gazette of India is  
a) Public Document  
b) Private document  
c) Personal Document  
d) None of the above
- 33) An affidavit is a  
a) Acclaimed statement

- b) Sworn Statement  
c) Original Statement  
d) Affinity Statement
- 34) Fill in the blanks: Bail is \_\_\_\_\_ while Jail is \_\_\_\_\_  
a) Rule; Exception  
b) Exception; Rule  
c) Right; Wrong  
d) Law; Remedy
- 35) Plaint is defined in \_\_\_\_\_ of CPC  
a) Order 5  
b) Order 6  
c) Order 7  
d) Order 8
- 36) \_\_\_\_\_ is a legal order whereby a person is either restrained from doing an act, or ordered to perform an act.  
a) Certiorari  
b) Writ  
c) Injunction  
d) Obiter Dictum
- 37) Which of the following is a type of jurisdiction?  
a) Pecuniary  
b) Territorial  
c) Subject matter  
d) All the above
- 38) \_\_\_\_\_ refers to a set of facts or allegations that make up the grounds for filing a lawsuit.  
a) Jurisdiction  
b) Cause of Action  
c) Issue  
d) None of the above
- 39) Which of the following are the requisites of a valid custom?  
a) Uncertainty  
b) Lack of Clarity  
c) Immoral  
d) None of the above
- 40) Arbitration in India is governed by  
a) Arbitration and Conciliation Act, 1996

- b) Arbitration Act, 2019
- c) Arbitration, Conciliation and Mediation Act, 2012
- d) Arbitration and Conciliation Act, 1922

**DO AS DIRECTED**

**Identify the sentence type:**

- 41) I ate a piece of chocolate cake.
- a) Active voice
  - b) Passive voice
  - c) Neither
  - d) Both
- 42) A book was read to the students by the librarian.
- a) Active voice
  - b) Passive voice
  - c) Neither
  - d) Both
- 43) She was not ready to meet him
- a) Assertive sentence
  - b) Negative Sentence
  - c) Exclamatory sentence
  - d) Interrogatory sentence
- 44) Dead men tell no tales
- a) Simple sentence
  - b) Compound Sentence
  - c) Complex sentence
  - d) Exclamatory sentence
- 45) The report that he has failed has surprised us all.
- a) Simple sentence
  - b) Compound Sentence
  - c) Complex sentence
  - d) Interrogatory sentence
- 46) Sita is not more beautiful than some other girls in the class
- a) Positive sentence
  - b) Comparative sentence
  - c) Superlative sentence
  - d) None of the above

**Fill in the blanks:**

- 47) She told me \_\_\_\_\_ she \_\_\_\_\_ her parents at the weekend
- a) That; has visited
  - b) That; had visited
  - c) Saying; will be visiting
  - d) None of the above
- 48) He said \_\_\_\_\_ he would have visited the hospital, if he \_\_\_\_\_ I was sick.
- a) Me; knew
  - b) Her that; will know
  - c) That; had known that
  - d) None of the above
- 49) She \_\_\_\_\_ where I was going
- a) Said me
  - b) Asked me
  - c) Said
  - d) None of the above
- 50) What a beautiful scenery ( )
- a) ?
  - b) !
  - c) “ “
  - d) ,
- 

**Legal Language**

**DESCRIPTIVE**

1. Explain the State.
2. What is the use of power of attorney?
3. Explain the maxim *Res Ipsa Loquitor*.
4. Explain any two kinds of persons.
5. What the meaning of custom?
6. Write about the SCC.
7. Explain the procedure of searching the case laws.
8. Write any five guidelines issued in D K Basu case.
9. Write a short essay on 'Importance of legal education'.
10. Write about any three parts of the statute.
11. Write guidelines issued in M C Mehta case.
12. Write guidelines issued in Vishakha case.
13. Explain the maxim *De Minimis Non Curat Lex*
14. Explain the maxim *Salus populi est suprema lex*
15. Explain the maxim *Rex non protest peccare*
16. Explain the maxim *Nemo debet bis vexari pro una et eadem causa*



17. Explain the maxim *Ignorantia facit doth excusat, Ignorance juris non-excusat*
18. Explain the maxim *Audi alteram partem*
19. Explain the maxim *Actus non facit reum nisi mens sit rea*
20. What is law report?
21. What is the importance of law report?
22. How to search the case law?
23. Explain any three parts of the statutes?
24. Write about the One India One People.
25. Write about the Lawyers Collective.
26. Write a short essay on 'Road Safety rules and awareness'
27. What is the difference between the short title and long title?
28. Explain the maxim *Nemo Est hareres viventis*
29. Explain the following citation  
Ajay Hasia vs. Khalid Mujib, AIR 1981 SC 487

### **THE MATERNITY BENEFIT ACT, 1961** (Act No.53 of 1961)

[12<sup>th</sup> December 1961]

An Act to regulate the employment of women in certain establishment for certain periods before and after child-birth and to provide for maternity benefit and certain other benefits.

BE it enacted by Parliament in the Twelfth Year of the Republic of India as follows:

#### **1. Short title, extent and Commencement**

1. This Act may be called the Maternity Benefit Act, 1961.
2. It extends to the whole of India.
3. It shall come into force on such date as may be notified in this behalf in the Official Gazette.

Identify the following.

- a. Marginal notes
- b. Enacting formula

### **31.THE MEDICAL TERMINATION OF PREGNANCY ACT, 1971** (Act No.34 of 1971)

[10<sup>th</sup> August 1971]

An Act to provide for the termination of certain pregnancies by registered medical practitioners and for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Twenty-Second Year of Republic of India as follows:

#### **1. Short title, extent and Commencement**

1. This Act may be called the Medical Termination of Pregnancy Act, 1971.
2. It extends to the whole of India except the State of Jammu and Kashmir.
3. It shall come into force on such date as the Central Government may, by notification in *official Gazette*.

Identify the following

- a. Official citation
- b. Sections

1.

### **THE PROTECTION OF HUMAN RIGHTS ACT, 1993** (Act No.10 of 1994)

[8<sup>th</sup> January 1994]

An Act to provide for the Constitution of a National Human Rights Commission, State Human Rights Commission in States and Human Rights Courts for better protection of human rights and for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows;

1. **Short title, extent and Commencement**

1. This Act may be called the Protection of Human Rights Act, 1993.
2. It extends to the whole of India.
3. It shall be deemed to have come into force on the 28<sup>th</sup> day of September 1993.

Identify the following

- a. Extent
- b. Commencement

33. Explain the maxims of natural justice
34. Examine the maxim that says king can do no wrong
35. Explain the maxim that protects against bias.
35. Explain the maxim which begins Injura non remota causa
37. Which is the maxim which rules that people cannot be liable for act of god? Explain
38. Explain res ipsa loquitor
39. Why law recognises every man's house as his castle?
40. What indicate intention? Explain the maxim with exceptions
41. Can a new law be retrospective? Which maxim explains this?
42. Explain Noscitur asocis
43. Which maxim is on vicarious liability? Explain
44. Explain the consequence of death of a person on his right to initiate legal action.
45. Explain the important maxim on transfer of right/property
46. Explain the maxim on protection of those who are vigilant.
48. What are wrongs?
49. What is a stay order? Explain with example
50. What is an injunction? What are its kinds?
51. Distinguish between discharge and acquittal
52. Write about 2 cases where amicus curie were appointed.
53. What is cause of action? Give example
54. What is arbitration? How is it important?
55. What do you understand by gazette?
56. What is jurisdiction? What are its kinds?
57. What is "Current Indian Statutes"?

58. Who are legal heirs?
59. What is judgment?
60. What is conviction?
61. Explain international Law.
62. Explain appeal, review and revision.
63. What are issues? How are they different from facts?
64. What do you understand by bail?
65. What is the rule in “Leges Posterior es prioress Contrarias Abrogant”?
66. Who files a suit? Explain

**COMPREHENSION ( each has 3 marks )**

**67. Read the following passage and answer the questions that follow –**

All of us complain at one time or another. But there are some people who complain regardless. Complaining is a way of life with them; they cannot stop cribbing, they keep on complaining! The traffic is too bad; the telephone lines are congested; the weather is too hot or cold; people are rude or indifferent; servants are lazy and inefficient; the subordinates are insubordinate! Those who complain constantly do not wish to take responsibility for themselves and their actions. Ask them why their goals are not accomplished, and they will come up with excuses. When we complain and criticize constantly, we are inviting negativity into our lives.

- a) When do all complain?
- b) What answer do those who complain give if asked why their goals are not accomplished?

**68. Read the following passage and answer the questions that follow –**

The basic function of Parliament is to make laws. All legislative proposals have to be brought in the form of Bills before Parliament. A Bill is a statute in draft and cannot become law unless it has received the approval of both the Houses of Parliament and the assent of the President of India.

The process of law making begins with the introduction of a Bill in either House of Parliament. A Bill can be introduced either by a Minister or a member other than a Minister. In the former case, it is called a Government Bill and in the latter case, it is known as a Private Member's Bill.

A Bill undergoes three readings in each House, i.e., the Lok Sabha and the Rajya Sabha, before it is submitted to the President for assent.

- a. Give the passage a suitable title
- b. What is Government Bill?

**Source:** PASSAGE OF LEGISLATIVE PROPOSALS IN PARLIAMENT -  
<http://164.100.47.194/Loksabha/Legislation/Legislation.aspx>

**69. Read the following passage and answer the questions that follow –**

It is difficult to compare countries because various factors such as size, culture, history, geography, natural endowments, geopolitics and internal polity come into play. There are

some goals which can be achieved by smaller countries; but sometimes smaller countries find it difficult to embark upon certain big technological plans even if they have the funds, because the size of the domestic market is too small. If we consider the bigger countries, the closest comparison to India is China, though there are many crucial differences.

The Chinese vision is to prepare the country for entry into the ranks of mid-level developed nations by the middle of the twenty-first century. Acceleration of the nation's economic growth and social development by relying on advances in science and technology is pivotal in this.

- a. Why comparison between two countries becomes difficult?
- b. What is the goal of China to be accomplished by the middle of 21st century?

This paragraph is taken from:

[https://www.smartkeeda.com/Law\\_Exams/English\\_including\\_comprehension/CLAT\\_English\\_Quiz/newest/all/passage/CLAT\\_English\\_Quiz\\_20/](https://www.smartkeeda.com/Law_Exams/English_including_comprehension/CLAT_English_Quiz/newest/all/passage/CLAT_English_Quiz_20/)

**70. Read the following passage and answer the questions that follow –**

In many countries the legal systems are very complex. This is because they have been developed over very long times. Every time that a new case is decided it can have an effect on future cases. This means that the people who work in legal situations have to be clever. They have to know and understand all the rules and precedents. A precedent is when a previous decision will have an effect on future cases as it was related to an important point.

There are many people who work with the law, such as solicitors or judges.

A solicitor is a lawyer who spends most of their time advising their clients and preparing legal documents, such as wills or contracts for buying and selling houses. They need to be very careful and make sure that all the details are correct; otherwise their clients might lose a lot of money.

A barrister is a type of lawyer who works in court rooms. They will either work for the prosecution or defense sides.

Then there are judges and magistrates. A magistrate will hear trials about less serious crimes, while a judge's will be about more serious crimes. These are the people who have to decide what punishment will be given to someone who is guilty. The punishments could range from a small fine up to a long prison sentence, and even a death sentence in some countries. The trial happens in the judge's courtroom, so the judge is responsible for making sure the trial is run fairly and follows the law.

If a lawyer believes that a trial was not fair or there was a mistake in the law, they can ask for a new trial that will generally be heard by an appeal court where an appeal judge will be in charge. Often appeal judges will be the most experienced judges in a country, so they know a lot about the law and how to apply it.

- a. What is this passage talking about?
- b. What is the importance of precedent?

This passage is taken from:

<https://www.excellentesl4u.com/esl-legal-reading.html>

**71. Read the following passage and answer the questions that follow –**

As a society consists of all kinds of people, there is always a chance of one group of people to be in the position of authority and dominance due to certain factors like money, power, and status to rule over the other groups who are relatively weak. This scenario is nothing new for every society once in a while have experienced such a setup. Not only this but society is subjected to several other issues as well. Some of

the notable being poverty, drug abuse, corruption, prostitution, rape, lynching, child marriage, acid attacks, child labour, discrimination in the form of caste, race, colour, gender etc. Law acts as a driving wheel for society to eliminate all forms of hurdles by bringing legislation and statutes that will help make a difference in the present and the future society. Law plays an indispensable role in bringing in a social change. A lawless society is absent of harmony and peace between the people and the society.

- a. What role does law play in society?
- b. What does this passage convey to you?

Extract taken from <https://blog.iplayers.in/can-law-used-instrument-creating-social-change/>

## 72. Read the following passage and answer the questions that follow –

**Sustainable development** is an organizing principle for meeting human development goals while also sustaining the ability of natural systems to provide the natural resources and ecosystem services on which the economy and society depend. The desired result is a state of society where living conditions and resources are used to continue to meet human needs without undermining the integrity and stability of the natural system. Sustainable development can be defined as development that meets the needs of the present generation without compromising the ability of future generations to meet their own needs. While the modern concept of sustainable development is derived mostly from the 1987 Brundtland Report, it is also rooted in earlier ideas about sustainable forest management and 20th-century environmental concerns. As the concept of sustainable development developed, it has shifted its focus more towards the economic development, social development and environmental protection for future generations.

- a. Define Sustainable development.
- b. What change has been seen after development of concept of Sustainable Development?

Source: [https://en.wikipedia.org/wiki/Sustainable\\_development#cite\\_note-2](https://en.wikipedia.org/wiki/Sustainable_development#cite_note-2)

## 73. Read the following passage and answer the questions that follow –

“I see you have brought the entire library with you, Mr. Advocate”, remarked the Judge noticing the excess of books and manuals. “Indeed I have, My Lord”, said the lawyer, “I have brought all these books to teach you a little about the law.”

Arguments are the fuel that drives the legal profession. It would be appropriate to say that a healthy argument is an art which is practiced on a daily basis in all courtrooms across the country. Yes, advocacy is perhaps the only profession where you can reply in the above manner to your superior, and still get to keep your job. From the rush of the heated arguments one after another, to taking subtle digs at each other, lawyers are a breed that continuously feed on an intoxicating and almost addictive urge to outsmart each other. The sense of power that comes with the black robe and the stiff collar band, is known only to the ones who wear it.

- a. What is the essence of profession of advocacy, mentioned in this article?
- b. Which art is practiced on daily basis in courtrooms?

*Article by Sarang Khanna, Content Marketing Executive at iPleaders.*

Source <https://blog.iplayers.in/a-day-in-the-life-of-a-lawyer/>