



CHANAKYA NATIONAL LAW UNIVERSITY, PATNA

LL.M. ENTRANCE EXAMINATION – MAY 2023

Booklet Series: _____

Booklet No.: _____

Date of Entrance Examination : 21st May 2023
Duration for Multiple-Choice Questions : 90 Minutes
Commencement of Multiple-Choice Questions : 10:00 AM
Duration for Subjective Questions : 60 Minutes
Commencement of Subjective Questions : 11:30 AM

Roll No.: _____ (Roll No. in Words) _____

Name of Candidate: _____

Signature of Candidate

Signature of Invigilator

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Total Marks Obtained: _____/100 (in words) _____

Signature of Examiner: _____

Instructions to the Examinee

- 1. Possession of handwritten/ printed material/ electronic gadgets in any form is strictly prohibited for the examinee.**
- 2. The examinee shall not be permitted to answer the natural call during the examination.**
- 3. The examinee shall not submit the answer sheet before the completion of the examination.**
- 4. Verbal/ Non-verbal communication between examinees is strictly prohibited in the examination hall and any such activity shall amount to Unfair Means.**
- 5. The Admit Card duly signed by the invigilator should be retained and produced by the candidate at the time of counselling.**
- 6. This Answer Booklet shall be submitted to the invigilator at 12:30 PM.**

Controller of the Examinations

Instruction: Write the option from (a), (b), (c), or (d) whichever is the most appropriate correct in the Answer Column under each question with blue or black pen.

1. Imagine a sports team sets up a company to sell its own range of clothes. What type of intellectual property can the team use to show that the clothes are made by them?

- (a) Trademark
- (b) Copyright
- (c) Patents
- (d) Geographical Indications

Answer:

2. The Supreme Court determined whether a religious practice falls within Article 25 using the:

- (a) Essential Religious Practice Test
- (b) Sincerity of Belief Test
- (c) Proportionality Test
- (d) Constitutional Morality Test

Answer:

3. The High-Level Committee reviewing the CSR framework in 2018 recommended that:

- (a) a national CSR data portal be set up to monitor the progress of implementation of CSR policies by companies
- (b) spending of CSR funds on Covid-19 related activities be considered as an eligible CSR activity
- (c) CSR implementing agencies should mandatorily register with the central government
- (d) companies should balance CSR spending between local areas and the less developed regions of the country

Answer:

4. Which of the following criteria should a company satisfy during the immediately preceding financial year to qualify for CSR under the Companies Act, 2013?

- (a) Net profit of ₹ 5 crores or more

- (b) Net profit of ₹ 1,000 crores or more
- (c) Turnover of ₹ 5,000 crores or more
- (d) Net worth of ₹ 5,000 crores or more

Answer:

5. The Concurrent List was described as a 'Twilight Zone', as it were for both the Union and the States are competent to legislate in this field without coming in to conflict" is stated by

- (a) Basu, D.D.
- (b) Dicey, A.V.
- (c) Pyle, M.V.
- (d) Ambedkar, B.

Answer:

6. Article IX of the Convention provides that disputes between Contracting Parties relating to the interpretation, application or fulfilment of the Convention, shall be submitted to the International Court of Justice (the "ICJ") at the request of:

- (a) The United Nations High Commissioner for Refugees
- (b) Any State not party to the dispute
- (c) The Secretary-General of the United Nations
- (d) Any of the parties to the dispute

Answer:

7. Doctrine of unjust enrichment implies:

- (a) Obtaining benefit from another (which is not a gift) without legal justification
- (b) Restoration of the benefit obtained without legal justification
- (c) Neither (a) nor (b)
- (d) Both (a) and (b)

Answer:

8. When was the first United Nations Water Conference held?

- (a) 1975
- (b) 1976
- (c) 1977
- (d) 1978

Answer:

9. In *Gurmeet Singh v. State of Punjab*, 2021 SCC Online SC 403, a three-judge bench of the Supreme Court of India issued guidelines for trial in dowry death cases. The bench comprised of:

- (a) N.V. Ramana, Uday Umesh Lalit and A.m. Khanwilkar, JJ.
- (b) N.V. Ramana, Sanjay Kishan Kaul and Surya Kant, JJ.
- (c) N.V. Ramana, Surya Kant and Aniruddha Bose, JJ.
- (d) N.V. Ramana, L. Nageswara Rao and Hemant Gupta, JJ.

Answer:

10. CSR policy is based on which of the following principles?

- (a) Trusteeship and giving back to society
- (b) Utmost good faith
- (c) Leveraging India's managerial, technological and innovative skills
- (d) Promoting greater protection for the environment

Answer:

11. A, a ship-owner, contracts with b to convey him from Calcutta to Sydney in A's ship, sailing on the first of January, and B pays to A, by way deposit, one-half of his passage money. The ship does not sail on the first of January and B, after being, in consequence, detained in Calcutta for some time, and thereby put to some expense, proceeds to Sydney in another vessel, and, in

consequence, arriving too late in Sydney, loses a sum of money.

- (a) A is liable to repay to B his deposit, with interest and the expense to which he is put by his detention in Calcutta, and the excess, if any, of the passage-money paid for the second ship over that agreed upon the first
- (b) A is liable to repay to B his deposit, with interest and the expense to which he is put by his detention in Calcutta, and the excess, if any, of the sum of money which B lost by arriving in Sydney too late
- (c) A is liable to repay to B his deposit, with interest and the excess, if any, of the passage-money paid for the second ship over that agreed upon the first, but not the sum of money which B lost by arriving in Sydney too late
- (d) None of these

Answer:

12. Which of the following is true?

- (a) Individual is not a subject of international law
- (b) General Assembly resolutions are binding
- (c) General principles of law are also sources of international law
- (d) Decisions of the International Court of Justice have precedential value.

Answer:

13. Vis major stands as an exception to _____.

- (a) The rule of strict liability
- (b) The rule of absolute liability
- (c) Res ipsa loquitur
- (d) None of the above

Answer:

14. What is the meaning of the expression 'felonious tort'?

- (a) A tort which is actionable before civil courts only
- (b) A tort which is actionable before the criminal court only
- (c) A tort which is not at all actionable
- (d) A wrong which is both a crime as well as a tort.

Answer:

15. Which of the following general exceptions in the Indian Penal Code, 1860 relates to the maxim 'furiosi nulla voluntas est'?

- (a) Mistake of fact
- (b) Act of child above seven and under twelve years of age
- (c) Unsoundness of mind
- (d) Private defence

Answer:

16. Which section of The Environment (Protection) Act, 1986 deals with the Persons handling hazardous substances to comply with procedural safeguards?

- (a) Section 12 of The Environment (Protection) Act, 1986
- (b) Section 9 of The Environment (Protection) Act, 1986
- (c) Section 14 of The Environment (Protection) Act, 1986
- (d) Section 20 of The Environment (Protection) Act, 1986

Answer:

17. When did The Indian Forest Act, 1927, come into force?

- (a) 21 November 1927
- (b) 01 March 1928
- (c) 01 May 1927
- (d) 01 April 1928

Answer:

Answer the following questions from the below passage given-

In Pidilite Industries Limited v. Riya Chemy 1-IA (L) 15502 of 2021 in Comm. IP. Su. 147 of 2022, the Plaintiff is a world-renowned company, carrying on business in the field of sealants and adhesives, construction and paint chemicals, art materials, industrial adhesives, industrial and textile resins and organic pigments and preparations since at least 1969. The mark M-SEAL was conceived and adopted by the Plaintiff's predecessors in title... in or about the year 1968, and has been continuously, extensively and in an uninterrupted manner used since then. The said mark and the artistic representation thereof have been acquired by the Plaintiff pursuant to agreement dated 27 March 2000, together with the goodwill thereof and the Plaintiff is the registered proprietor of the mark M-SEAL and/or marks consisting of M-SEAL as one of its leading, essential and distinctive features. Plaintiff's earliest trade mark registration bearing no. 282168 [is] in respect of the mark M-SEAL, dated 16th August 1972, claiming use from 1st December 1968. The registrations are valid and subsisting and the entries appearing on the register of trade marks including the dates of use thus constitute prima facie evidence of such facts.

It is stated that the Plaintiff's M-SEAL registration bearing No. [...] contains a disclaimer with regard to the word PHATAPHAT, however the mark as a whole is registered and to that extent all features taken as a whole stand protected by the registration. Further, it is stated that registration bearing no. [...] contains a disclaimer with regard to the word SEAL and the registrations bearing nos. [...] have a condition imposed on it viz "Registration of this trade mark shall give no right to the exclusive use of all other descriptive matters

appearing on the label". However, the Plaintiff states that these conditions do not limit the rights of the Plaintiff including for reasons set out hereinafter and in any event the rest of the M-SEAL registrations have no conditions/limitations. The unique and distinctive artistic representation of M-SEAL i.e., (including in particular the unique line below the mark which is an extension from the first letter of the mark) as well as the M-SEAL Labels are original artistic works in respect of which copyrights subsist and such copyrights are owned by the Plaintiff. The Plaintiff states that in or about December 2020, the Plaintiff was shocked and surprised to come across sealant products of the Defendant being sold under the mark R-SEAL, which mark is deceptively similar to the Plaintiff's registered trade mark M-SEAL... The said product of the Defendant is identical to the M-SEAL product of the Plaintiff and the Defendant's product also bears an impugned packaging/ labels/ trade dress which is a reproduction of and/or in appearance, almost identical or deceptively similar to the M-SEAL products of the Plaintiff, and the M-SEAL Labels... The impugned products of the Defendant also bear the impugned identification mark JHAT-PAT that is deceptively similar to the Plaintiff's identification mark PHATAPHAT. In comparing rival marks/ labels to consider whether they are similar, the Supreme Court in Cadilla Healthcare Limited v. Cadilla Pharmaceuticals Limited, 2001 (2) PTC 541 SC10 lays down that attention and stress is to be given to the common features in the two rather than on differences in essential features.

18. The main complaint against the Defendant in the case excerpted above is that their mark is "_____" to the Plaintiff's registered trademarks.

- (a) reasonably close in expression
- (b) same as

- (c) different from
- (d) deceptively similar

Answer:

19. In order to prove infringement of copyright here, the Defendant's work:

- (a) should be the exact reproduction of the Plaintiff's work/label
- (b) looks similar to or like a copy or is reproduction of substantial part of the Plaintiff's work
- (c) bears no resemblance to the Plaintiff's work/label
- (d) should be created only by the Defendant or its authorised agents.

Answer:

20. Which one of the following is not part of the Plaintiff's claim for infringement in this case?

- (a) trademark
- (b) tagline
- (c) patent
- (d) trade dress

Answer:

21. What is the test of prior use of trademark?

- (a) open, continuous, extensive, uninterrupted use and promotion for a long time
- (b) owner waives rights over trademark and permits subsequent use of the mark
- (c) reasonable parody, comment of a registered trademark
- (d) use of trademark in good faith mainly for a descriptive purpose

Answer:

22. As per the objective test of offer

- (a) Once the parties have by all outward appearances agreed in the same terms on the same subject-matter, then neither can, generally, rely on

some unexpressed qualification or reservation to show that he has not in fact agreed to the terms to which he had appeared to agree

- (b) Once the parties have mentally decided to agree in the same terms on the same subject-matter, then neither can generally rely on any unexpressed reservation to show that she had not in fact agreed on the same terms in the same sense.
- (c) Once the parties have been forced to agree, then notwithstanding the fact that outwardly they may not have appeared to agree, they can in fact be bound by the terms and subject-matter of the agreement
- (d) None of the above

Answer:

23. The house of lords ruling in Boulton v. Stone 1951 is known for

- (a) Liability of experts
- (b) Liability for dangerous instrumentality
- (c) Remoteness of consequences
- (d) Punishment for the wrongdoer

Answer:

24. For a loan, when there is stringency in money, a banker asks for an unusually high rate of interest, 'A' accepts the loan these terms. This is

- (a) A valid transaction in the ordinary course of business
- (b) A transaction vitiated by coercion
- (c) A transaction vitiated by undue influence
- (d) A transaction vitiated by fraud

Answer:

25. Who holds the view that the only right which any man can possess is the right always to do his duty?

- (a) Digot
- (b) Austin
- (c) Bentham
- (d) Blackstone

Answer:

26. As per the last shot doctrine

- (a) Where conflicting communications are exchanged, each is a counter offer, so that if a contract results at all, it must be on the terms of the final document in the series leading to the conclusion of the contract
- (b) Where conflicting communications are exchanged, each is an offer, so that if there has to be an acceptance of the offer, it will be of the last offer in the series of offers
- (c) Where conflicting communication is exchanged, each is an acceptance so that if there is an acceptance leading to the formation of the contract, it will be the last acceptance in the series
- (d) None of the above

Answer:

27. Who among the following is not a proponent of realist school?

- (a) Holmes
- (b) Lelewellyn
- (c) Jerome frank
- (d) John finnis

Answer:

28. Locus penitential test is applied to trace which one of the following?

- (a) Criminal misappropriation
- (b) Attempt
- (c) Sedition
- (d) conspiracy

Answer:

29. Pacta tertiis nee nocent nechprosunt means

- (a) Treaties do not impose obligations but confer rights on third state (not parties to the treaty)
- (b) Treaties impose obligations and confer rights on third states
- (c) Treaties impose obligations but do not confer rights on third states
- (d) Treaties neither impose obligations nor confer rights on third states

Answer:

30. When neither the state nor its government is recognised yet some States or a state may enter into negotiations or correspondence with the Government of such a State. Will this relationship be called:

- (a) Quasi- recognition
- (b) Ad hoc recognition
- (c) De facto recognition
- (d) No recognition at all

Answer:

31. Which of the following cases has elucidated "Retroactive effect of recognition"?

- (a) Duff Development Co. v. Kelantan Government
- (b) Mighell v. Sultan of Lahore
- (c) Civil Air Transport Inc. v. Central Air Transport Corpn
- (d) Rich v. Naveria Vacuba and Republic of Cuba

Answer:

32. In rendering its decision on the Awards of Compensations made by the United Nations Administrative Tribunal (1954) the International Court of Justice took recourse to rule of municipal law.

- (a) Estoppel
- (b) Res Judicata
- (c) Prescription
- (d) Laches

Answer:

33. A, was indebted to B for a sum of Rs. 5,000, met B in a party where on the demand of B, he executed a promissory note for the debt. At that time, A was not aware that the debt had become time-barred. He discovered it later on, and wanted to avoid the promissory note.

- (a) A can avoid the contract as it was entered into under a mistaken belief that the debt was not time-barred
- (b) The contract of promissory note is valid and binding
- (c) Since the mistake was unilateral on the part of A, there is no mutual mistake
- (d) The contract is invalid as no consideration moved from B

Answer:

34. Tomato-growers of the Uttar Pradesh formed an association and fixed the rates of various kinds of tomatoes, and all sales were routed through the association, and the profits were distributed to each tomato grower on a fixed proportion agreed upon.

- (a) It is an agreement of creating monopoly and hence void.
- (b) It, being against the interest of small growers, is unreasonable and hence void.
- (c) This is a valid trade combination both in the interests of tomato growers and general public, and hence valid.
- (d) The agreement is hit by section 27, Indian Contract Act.

Answer:

35. An army-police vehicle was on duty checking military personnel on duty, and while on this mission, the vehicle caused serious injuries to one D who was crossing the road. D sued the Government. What defence, if any, the Government has:

- (a) of inevitable accident
- (b) of contributory negligence

- (c) of sovereign functions
- (d) none

Answer:

36. Abridged prospectus means_____.
- (a) The standards of accounting or any addendum thereto for companies or class of companies referred to in section 133
 - (b) The articles of association of a company as originally framed or as altered from time to time or applied in pursuance of any previous company law or of this Act
 - (c) A memorandum containing such salient features of a prospectus as may be specified by the Securities and Exchange Board by making regulations in this behalf
 - (d) The standards of auditing or any addendum thereto for companies or class of companies referred to in sub-section (10) of section 143

Answer:

37. Which of these is a geographical indication?
- (a) World Wide Web
 - (b) Hogwarts
 - (c) PlayStation
 - (d) Champagne

Answer:

38. Which among the following cannot be a member of a company?
- (a) Subscriber of MOA
 - (b) Holder of equity shares of company
 - (c) Every person whose name is entered in the register of members
 - (d) Insolvent persons

Answer:

39. Mark out the type of alteration that is permitted in the articles of association_____.

- (a) that may not be in the company's interest.
- (b) that is contrary to the provisions of the companies act.
- (c) that increases a member's liability without his written consent.
- (d) that is consistent with the memorandum of association.

Answer:

40. A fraud or misrepresentation which did not cause the consent to a contract of the party on whom such fraud was practised, or to whom such misrepresentation was made, does not render a contract:

- (a) Void
- (b) Voidable
- (c) Bad
- (d) Illegal

Answer:

41. A agrees to pay B ₹ 10,000, if two straight lines should enclose a space. The agreement is _____.

- (a) Void
- (b) Voidable
- (c) Valid
- (d) Illegal

Answer:

42. A undertakes to deliver a thousand maunds of jute to B on a fixed day Applying Section 47, Indian Contract Act:

- (a) A need not apply to B to appoint a reasonable place for the purpose of receiving it, and must deliver it to him at such place
- (b) A must apply to B to appoint a reasonable place for the purpose of receiving it, and can choose to later change the place

- (c) A must apply to B to appoint a reasonable place for the purpose of receiving it, and must deliver it to him at such place
(d) None of these

Answer:

43. A, as surety for B, makes a bond jointly with B to C, to secure a loan from C to B. Afterwards, C obtains from B a further security for the same debt. Subsequently, C gives up the further security.

- (a) A is partly discharged
(b) A is discharged
(c) A is not discharged
(d) None of these

Answer:

44. A owns a shop in Jhansi, living himself in Lucknow, and visiting the shop occasionally. The shop is managed by B, and he is in the habit of ordering goods from C in the name of A for the purposes of the shop, and of paying for them out of A's funds without A's knowledge.

- (a) B has no implied authority from A to order goods from C in the name of A for the purposes of the shop
(b) B has an implied authority from A to order goods from C in the name of A for his own purposes
(c) B has an implied authority from A to order goods from C in the name of A for the purposes of the shop
(d) None of these

Answer:

45. Which case was dismissed by the Court on the ground that the agreement entered into between the husband and wife was not a contract. The arrangement between the husband and wife was only a moral obligation and the parties never intended to create any legal relationship?

- (a) Cooper v. Cooper
(b) Gajadhar v. Rombhaee
(c) Balfour v. Balfour
(d) None of these

Answer:

46. The reason behind the Russian-Ukraine crisis is:

- (a) the violation of Geneva Convention of the refugees 1951
(b) the violation of the Agreement between Confederation of independent States and Europe
(c) threat or use of force contrary to the Purpose and Principles of the United Nations Charter
(d) Neither (a) nor (b)

Answer:

47. The appropriate writ issued by Supreme Court to quash the appointment of a person to a public office is-

- (a) Certiorari
(b) Mandamus
(c) Prohibition
(d) Quo-Warranto

Answer:

48. The Supreme Court held that Election Commissioners cannot be placed on par with the Chief Election Commissioner in terms of power and authority in the following case:

- (a) S.S. Dhannoa Vs Union of India
(b) T.N. Seshan Vs Union of India
(c) A.C. Jose Vs Sivan Pillai
(d) Venkatachalam Vs A. Swamickan

Answer:

49. Which of the following Acts is popularly known as Umbrella Legislation?

- (a) The Water (Prevention and Control of Pollution) Act, 1974
(b) The Air (Prevention and Control of Pollution) Act, 1981

- (c) The Factories Act, 1948
- (d) The Environment (Protection) Act, 1986

Answer:

50. In which of the following cases, the Supreme Court directed closing down and demolition of shrimp industries in coastal regulation zone and implement the "precautionary principle" and "the polluter pays principle" and held them liable for payment of compensation for reversing the ecology and compensate the individual for loss suffered?

- (a) S. Jagannath v. Union of India
- (b) Vellore Citizens Welfare Forum v. Union of India
- (c) M.C. Mehta c. Union of India
- (d) Church of God (Full Gospels) in India v. KKR Majestic Colony Welfare Association

Answer:

51. Assertion (A): Public Trust Doctrine in the state to act as the Trustee Resources. Reason (R): The benefit of natural resources to public cannot be deprived unilaterally Code:

- (a) Both (A) and (R) are correct and (R) is the correct explanation of (A)
- (b) Both (A) and (R) are correct and (R) is not correct explanation of (A)
- (c) (A) is correct but (R) is incorrect
- (d) (A) is incorrect but (R) is correct

Answer:

52. In M.C. Mehta v. Union of India, the Supreme Court held that the directions given by the Environment Pollution (Prevention and control) Authority Constituted under Section 3, Environment Pollution Act are _____.

- (a) Binding only to the extent that it conforms with Act.
- (b) Final and binding on all persons and organizations concerned and are bound to follow the same.

(c) Non-binding where reasons are given for justification of the Act.

(d) Non appealable and binding in nature.

Answer:

53. Which of the following legal maxim is not related to the law of tort?

- (a) Ubi jus ibi remedium
- (b) Ex turpi causa non oritur action
- (c) Res ipsa Loquitur
- (d) Consensus ad idem

Answer:

54. The tort of inducement a breach of contract finds its origin in-

- (a) Lumley v. Gye
- (b) Rookes v. Barnard
- (c) Donoghue v. Stevenson
- (d) Rylands v. Fletcher

Answer:

55. When two persons coming from opposite directions in their cars collide with each other and in that process, they injure seriously a person who was standing on the roadside, the two motorists are-

- (a) joint tort-feasors
- (b) two negligent persons
- (c) independent tort-feasors
- (d) participants in contributory negligence

Answer:

56. State whether the following are jointly liable:

- (a) Master and servant
- (b) Principal and agent
- (c) Only master and servant, and principal and agent are jointly liable.
- (d) Husband and wife

Answer:

57. X & Co. owned several buses. One day one of their buses was being driven by their mechanic who, on account of his negligence, hit a scooterist and seriously injured him. The scooterist sued X & Co. for damages.

- (a) X & Co. are not liable as they did not authorise the mechanic to drive the vehicle
- (b) The mechanic alone is liable
- (c) X & Co. are liable as the mechanic was their employee and driving bus under the implied authority
- (d) X & Co. have the defence of inevitable accident

Answer:

58. On the infringement of a private absolute right, if no damage or injury has resulted-

- (a) No action lies in a court of law
- (b) Since there is no injury, there is no remedy
- (c) Action lies in tort, though damages awarded may be nominal
- (d) No useful purposes can be served by a suit

Answer:

59. There are some defences which apply to all torts. State which of the following defences does not apply to torts generally-

- (a) Necessity
- (b) Statutory authority
- (c) Lawful arrest
- (d) Inevitable accident

Answer:

60. State which of the following statements is not privileged-

- (a) A statement made to a police officer which the maker of the statement is willing to substantiate upon oath.
- (b) A statement made by a witness to the counsel before going to the witness-box

(c) Statement made by a party to the proceeding in his written statement presented to the court

(d) All the above statements are privileged.

Answer:

61. Co-relatives are-

- (a) Right and Duty
- (b) Privilege and no-right
- (c) Right and no right
- (d) (a) and (b) are correct

Answer:

62. Duties may be-

- (a) Universal
- (b) General
- (c) Particular
- (d) All the above

Answer:

63. The realist say that the group, the corporate entity, has a will and a real life. This is criticised by-

- (a) Wolf
- (b) Maitland
- (c) Pound
- (d) Kelson

Answer:

64. The essential characteristic of a corporate aggregate is-

- (a) It possesses a personality distinct from its members
- (b) It is dual personality
- (c) It has collective leadership
- (d) All the above

Answer:

65. Doctrine of lifting of or piercing the veil was propounded to-

- (a) Protect the interest of a company

- (b) Protect the interest of the shareholders
- (c) To redress fraud upon creditors
- (d) Safeguard general public interest

Answer:

66. The element of possession are-

- (a) Corpus and animus
- (b) Physical control over the thing and will to exercise that control
- (c) Either
- (d) Neither

Answer:

67. Choose the correct statement:

- (a) Prior possession is "prima facie" proof of title
- (b) Constructive possession is a right to recover possession
- (c) Both the above statements are correct
- (d) Only statement (a) is correct

Answer:

68. Possession in law is a legal relationship of a thing. It includes possessor's right to exclude all other from interference. This statement was made by-

- (a) Salmond
- (b) Austin
- (c) Pound
- (d) Kelson

Answer:

69. Is the ownership in the following cases corporal-

- (a) Copyright
- (b) Goodwill
- (c) Debt
- (d) Car

Answer:

70. Choose the correct statement:

- (a) Continuity is an essential aspect of custom
- (b) Non-exercise of custom continuously for some time is an indication that it has been abandoned
- (c) But merely because it has not been exercised for some time does not mean that it has been abandoned
- (d) All the above statements are true

Answer:

71. There is hardly any school which does not have any philosophy, yet philosophical school emphasises-

- (a) Philosophy of law
- (b) Guiding principles behind law
- (c) The ideal end of law
- (d) None of the above

Answer:

72. Maine incorporated what was best in the theories of Montesque and Savigny and avoided abstract and unreal romanticism. Who said this?

- (a) Friedman
- (b) B. Harold Laski
- (c) Roscoe Pound
- (d) Hegel

Answer:

73. The work "The Province of Jurisprudence Determined" was written by-

- (a) Pound
- (b) Austin
- (c) Kelson
- (d) Salmond

Answer:

74. "All murders are terrific and if the fact of murder being terrific is an adequate reason for imposing death sentence, then every murder shall have to be visited with that death sentence. In that event, death sentence will become the rule and not an exception."

In which of the cases, this observation was made:

- (a) Municipal v. State of T.N. (1981) Cr. LJ 726(SC)
- (b) Shive Mohan Singh v. State of Delhi, AIR 1977 SC 949
- (c) Mathew v. Tranvencore-Cochin State, AIR 1956 SC 241
- (d) Harpal Singh v. State of Haryana, AIR 1977 SC 1066

Answer:

75. A abets B to offer a bribe to an officer who is functus officio-

- (a) A is guilty
- (b) A is not guilty
- (c) A will be guilty only if the officer accepts the bribe
- (d) A will be guilty of the same offence of which B will be.

Answer:

76. According to McNaughten's rule, "legal insanity" is completely different from "medical insanity". This is related to the-

- (a) Total loss of cognitive faculties
- (b) Total loss of conative faculties
- (c) Congenital insanity
- (d) None of the above

Answer:

77. State which of the following defences are not available to a person who has committed a criminal act-

- (a) Infancy
- (b) Self-defence
- (c) Self-preservation
- (d) Consent of the other party

Answer:

78. _____ rights are recognised and enforced at law.

- (a) Legal
- (b) Moral

- (c) Natural
- (d) Ethical

Answer:

79. The Judicature Act of 1873 did not abolish_____, but abolish rules of its conflict.

- (a) Law
- (b) Equity
- (c) Law or equity
- (d) Law and equity

Answer:

80. Personal rights are_____.

- (a) Inheritable
- (b) Uninheritable
- (c) Inheritable or uninheritable
- (d) Neither inheritable or uninheritable

Answer:

81. Who was the first person to understand offenders in physical terms?

- (a) Prof. Gillin
- (b) Edwind Sutherland
- (c) Gabriel Tarde
- (d) Cesare Lombroso

Answer:

82. Which among the followings are Victimless Crimes?

- (a) Suicide
- (b) Gambling
- (c) Drug addiction
- (d) All the above

Answer:

83. Which among the following is not the theories of punishment?

- (a) Theory of Deterrence
- (b) Theory of Retributive
- (c) Theory of Compensatory
- (d) Theory of imitation

Answer:

84. Hacking belongs to which type of crime?

- (a) Crimes against individual
- (b) Sedition
- (c) Crimes against property
- (d) Cyber crime

Answer:

85. Who wrote the book 'On crimes and Punishments'?

- (a) Lombroso
- (b) Tarde
- (c) Becker
- (d) Beccaria

Answer:

86. According to differential association theory _____ leads to crimes.

- (a) Social interactions
- (b) Psychological exchanges
- (c) Social conflicts
- (d) Social changes

Answer:

87. The classical school of criminology is based on the concept of

- (a) Free will
- (b) Opportunity
- (c) Biology
- (d) Lack of choice

Answer:

88. The study of crime, its perpetrators, and its cases; and related, an interest in its prevention, and in the deterrence, treatment, and punishment of offenders is _____.

- (a) Criminology
- (b) Victimology
- (c) Psychology
- (d) Classical Theory

Answer:

89. The structural part of the Constitution of India is to a large extent derived from:

- (a) Government of India Act, 1919
- (b) Government of India Act, 1935
- (c) Pitts Act, 1784
- (d) Indian Independence Act, 1947

Answer:

90. The Constitution of India describes India as:

- (a) Quasi-federal
- (b) A Union of States
- (c) A Federation of States and Union Territories
- (d) Partly Unitary and partly federal

Answer:

91. The provision of preventive detention is mentioned in:

- (a) Article 20
- (b) Article 22
- (c) Article 23
- (d) Article 24

Answer:

92. Who among the following is known as the guardian of public purse in India?

- (a) Comptroller and Auditor General
- (b) Parliament
- (c) Finance Commission
- (d) Finance Minister

Answer:

93. The Proclamation of Emergency under Article 352 must be approved by both the houses of Parliament within _____ from the date of issue.

- (a) One month
- (b) Two months
- (c) Three months
- (d) Six months

Answer:

94. By which Constitution Amendment the number of Ministers have been limited to 15% of the total number of members of the Lower House?

- (a) Ninetieth Amendment
- (b) Ninety-first Amendment
- (c) Ninety-second Amendment
- (d) Ninety-third Amendment

Answer:

95. Judicial Review of the 9th Schedule of the Indian Constitution has been made permissible by:

- (a) Keshavananda Bharti v. State of Kerala
- (b) M.Nagraj v. Union of India
- (c) Minerva Mills Ltd. V. Union of India
- (d) I.R Coelho v. State of Tamil Nadu

Answer:

96. The number of Articles and Schedules in original Indian Constitution were:

- (a) 395 Articles and 8 Schedules
- (b) 394 Articles and 8 Schedules
- (c) 396 Articles and 10 Schedules
- (d) 395 Articles and 7 Schedules

Answer:

97. The power of the Supreme Court of India to decide disputes between the Centre and the States falls under its:

- (a) Advisory jurisdiction
- (b) Appellate jurisdiction
- (c) Original jurisdiction

(d) Constitutional jurisdiction

Answer:

98. The Supreme Court considered the scope of Freedom of speech and expression under Article 19(1)(a) for the first time in:

- (a) Cross Roads Case
- (b) K.A. Abbas Case
- (c) Bandit Queen Case
- (d) None of the above

Answer:

99. In which of the following cases, Supreme Court held that right to legal aid is a Fundamental Right?

- (a) Sunil Batra Case
- (b) M.H Hoskot Case
- (c) Prem Shanker Shukla Case
- (d) None of the above

Answer:

100. The functions of the provisions of Section 11 of the Indian Contract Act, 1872 relating to personal competency is _____.

- (a) To protect those whose mental powers are undeveloped or underdeveloped
- (b) Preventing them from doing themselves an injury by their legal declarations
- (c) Both (a) and (b)
- (d) None of these

Answer:

Rough Work

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CHANAKYA NATIONAL LAW UNIVERSITY, PATNA

LL.M. ENTRANCE EXAMINATION – MAY 2023

Time: 60 Minutes

Marks: 10 x 5 = 50

Instructions:

- **Answer all the questions with the help of decided cases.**
 - **Each answer should not exceed 300 words.**
 - **No additional Answer Book will be provided.**
-

Questions:

1. *“The purpose of analytical jurisprudence is to analyse, without reference either to their historical origin or development or their ethical significance or validity, the first principles of law.”* In light of the above-mentioned statement, critically analyse and compare Bentham and Austin’s theory of positive law.
2. *“Advent of social media with the advancement in technology has expanded the role of media in the present society”.* – In this light discuss the freedom of speech and expression of press and their limitations with the help of suitable cases.
3. Elaborate briefly the contribution of Public Interest Litigation in the development of environmental Jurisprudence in India.
4. *“Rape is a question of Law”.* Illustrate the essentials of the crime of rape. How has the criminal law in India changed in matters of sexual offences involving rape.
5. In the light of relevant constitutional provisions and judicial decisions, elaborate upon the application of doctrine of separation of power in Indian scenario.