Assam Judicial Service Grade III (Mains) 2006

General Knowledge · compulsory paper

100 marks · 2 hours · 2006

GROUP A — Objective type (25 × 2)

Example. There are two classes of Advocates under the Advocates Act, 1961 (a) Advocates and Lawyers (b) Junior Advocates and Senior Advocates (c) Advocates and Senior Advocates (d) Barristers and Senior Advocates.

1. Justice R.C. Lahoti is the (a) 32nd Chief Justice of India (b) 33rd Chief Justice of India (c) 34th Chief Justice of India (d) 35th Chief Justice of India.

2. A triable offence committed by an adult is (a) criminal offence (b) indictable offence (c) indenture (d) incriminatory.

3. The killing of a new born child by its parents (a) Infanticide (b) Abortion (c) Foeticide (d) Malfeasance.

4. International Court of Justice has its seat in: (a) Geneva (b) The Hague (c) New York (d) London.

5. A Supreme Court Judge is removed by (a) order of Vice President (b) both Houses of Parliament (c) Chief Justice of India (d) President's order, after both Houses of Parliament pass resolution.

6. First Woman Prime Minister in the world was of (a) Sri Lanka (b) Bhutan (c) India (d) Nepal.

7. Who is the present Secretary General of the United Nations? (a) Boutros Boutros Ghali (b) Kofi Annan (c) Madeline Albright (d) Collin Powell.

8. Which one of the following States is not adjacent to National Capital Territory of Delhi? (a) Punjab (b) Haryana (c) Rajasthan (d) Uttar Pradesh.

9. Medha Patekar is a (a) Philosopher (b) Scientist (c) Environmentalist (d) Journalist.

10. First Bar-at-Law in India (a) Madhusudan Das (b) Jnanendra Mohan Tagore (c) Chitta Ranjan Das (d) Mahatma Gandhi.

11. Number of High Courts in India are: (a) 30 (b) 28 (c) 21 (d) 20.

12. December 10 is observed as (a) World Animal Welfare day (b) World Habitat day (c) Human Rights day (d) Legal Services day.

13. The largest gland in the human body is (a) Liver (b) Pancreas (c) Thyroid (d) Endocrine.

14. Complete the series: 4, 12, 36, 108 .... (a) 304 (b) 144 (c) 216 (d) 324.

15. Though the Constitution of India provides for the federal system of Government, India has (a) dual judicial system (b) plural judicial system (c) single judicial system (d) multiple judicial system.

16. VAT refers to (a) value added tax (b) various added tax (c) valuable added tax (d) value-based additional tax.

17. In India, recognition to Political Parties is accorded by (a) President (b) Law Commission (c) Speaker of the Lok Sabha (d) Election Commission.

18. To be appointed a Judge of the Supreme Court, a person should have been an Advocate of a High Court for at least (a) 10 years (b) 12 years (c) 13 years (d) 15 years.

19. Which is the worst affected State in India from TSUNAMI wave tragedy in 2004? (a) Andaman (b) Kerala (c) Tamil Nadu (d) Pondicherry.

20. Which one of the following is not 'primary colour'? (a) Red (b) Green (c) Blue (d) Yellow.

21. Tonny Blair, Prime Minister of Britain belongs to (a) Conservative party (b) Liberal Democratic party (c) Labour party (d) Radical party.

22. Which of the following statement is correct? (a) Under the Criminal Law, an accused is presumed to be innocent (b) Under the Criminal Law, an accused is presumed to be guilty (c) Under the Criminal Law, an accused is presumed to be innocent and the burden is upon the prosecution to prove him guilty (d) None of these above.

23. One who brings an action at law (a) Defendant (b) Plaint (c) Plaintiff (d) Party.

24. India has the world's largest deposit of (a) Copper (b) Mica (c) Plutonium (d) Uranium.

25. What distinguishes Civil law from Universal law? (a) everyone follows civil law (b) everyone follows Universal law (c) Civil laws are derived from Universal laws (d) Universal laws are derived from Civil laws.

GROUP B — Aptitude test (10 × 5)

1. PRINCIPLE: Acts done by children below 12 years of age are not offences if they are not mature enough to understand the nature and consequences of the acts. FACTUAL SITUATION: Bobby, a child of 9 years of age, finds a gold chain in his uncle's home. He gives the chain to his sister Ruby who is eight years old and tells her not to tell anyone. The uncle reports the matter to the police. The police conducts a search. During the investigation the police finds the gold chain kept in the toys of Ruby. Ruby tells the police that Bobby had given the chain to her. DECISION: (a) Bobby is guilty of theft (b) Ruby is guilty of theft (c) Both Bobby and Ruby are guilty of theft (d) Neither Bobby nor Ruby is guilty of theft.

2. PRINCIPLE: Every employee can compel for his remuneration. FACTUAL SITUATION: Shankar and Sohail jointly promised to pay Rs.5,000/- to gardener for the work he did in their resorts. Gardner demanded money only from Sohail. But Sohail argued that since both of them had jointly promised, gardener must demand money from both or none. DECISION: (a) Gardener cannot demand money from Sohail only (b) Gardener can demand from Sohail only (c) Gardener can demand from Shankar only (d) Gardener has right to claim from any one.

3. PRINCIPLE: The supplier is responsible for any contaminated goods. FACTUAL SITUATION: A shopkeeper sold a bottle of sealed soft drink to Mr. A. The bottle contained contaminated soft drink. A suffered illness after consuming the soft drink. The shopkeeper pleads that he is not responsible. The manufacturer argues that the bottle was not purchased by A from them. So manufacturer was not liable to A. Has A any remedy? DECISION: (a) Yes, A has remedy against shop keeper (b) Yes, A has remedy against manufacturer (c) No, A has no remedy against shop keeper (d) A has no remedy against manufacturer and shopkeeper.

4. PRINCIPLE: Acceptance must be communicated to the party to the contract. FACTUAL SITUATION: Kavya came across a beautiful Ganesha idol made of sandalwood in an exhibition. After returning home, she sent an e-mail to the organizers of the exhibition asking them whether they would sell the Ganesha idol and what would be the price for the same. The organizers replied, "We would not sell for anything less than Rs.10,000/-". Kavya wrote back saying "I accept". In the meantime, the organizers sold the same idol for Rs.12,000/- to another person. Kavya demanded the idol or Rupees two thousand, that is, the extra money taken by the organizers. Decide. DECISION: (a) Kavya cannot succeed because mere writing "accept" does not make the party binding. The acceptance to be complete must be communicated to the other party (b) Kavya cannot succeed because she did not pay immediately for the Ganesha idol (c) Kavya can succeed because she was first to inform him to purchase (d) Kavya can succeed because the seller sold above the price offered first by her.

5. PRINCIPLE: Whoever intentionally uses force to any person, without that person's consent, in order to the committing of any offence, or intending by the use of such force to cause, or knowing it to be likely that by the use of such force he will cause injury, fear or annoyance to the person to whom the force is used, is said to use criminal force to that other. FACTUAL SITUATION: A incites a dog to spring upon B intending to cause injury and fear to B. B was severely injured and by receiving shock, suffered from high fever. B lodged complaint with the police. A takes defence plea that the dog is a stray dog and he is not the owner of the dog and hence is not liable to be punished. Decide. DECISION: (a) A is not liable because he himself has not done any injury etc. to B (b) A is not liable because the dog is a stray dog and for the act of stray dog he is not responsible (c) A is responsible because he intended to cause injury to B by using the force through dog at his instruction (d) A is responsible because he was present at the time of dog attacked to B.

6. PRINCIPLE: Ignorance of law is not an excuse in India with the practice that every person in India should be acquainted with the law of land. FACTUAL SITUATION: Mr. Jackson a foreigner came to Delhi in the winter season. He saw the people in Delhi set fire on road side during night and get their body warm. One night he came out of his hotel and asked two labourers to cut down a dry tree in Pandara Road and when they agreed he paid them Rs.150 Indian currency for cutting down the tree. They cut and made the log into small pieces and the foreigner along with the tree cutters set fire and got their body warm. After some time the Police Patrol car watched it and arrested the

foreigner and two labourers on the spot. The foreigner pleaded that the tree was dry and he did not know the cutting of tree from road side is an offence in India. DECISION: (a) The foreigner shall not be responsible for the offence because he himself has not cut but through the Indian People (b) The foreigner shall be punished because in India cutting of tree from road side is an offence (c) The pretence that he does not know such act is an offence is not an excuse to foreigner also (d) Both (b) and (c).

7. PRINCIPLE: A person is said to cause an effect "voluntarily" whereby he intended to cause it or by means which, at the time of employing those means, he knew or had reason to believe, to be likely to cause it. FACTUAL SITUATION: A sets fire, by night, to an inhabited house in a large town, for the purpose of facilitating a robbery and this causes death of a person. A pleaded that he has intended the robbery but not the cause of death and became sorry for the death caused by his act. Decide. DECISION: (a) A is liable for causing the death voluntarily though he has not intended to cause death of any one, because he has set fire in an inhabited house not in abandoned house and it is quite natural that in such house people must be there during night (b) A is not liable because he has not intended the murder of any one other than robbery (c) A is not liable for murder but is liable for robbery only (d) A is not responsible for murder because he has not killed any one by his own hands.

8. PRINCIPLE: The State is liable for the act of its employees, when the act is of private nature, in the same manner and under the same conditions as any other employer. The State is not liable when the act is in the exercise of sovereign power or in performance of an act of State. FACTUAL SITUATION: An army truck driven by a military driver 'A' was proceeding on duty to check the army men on duty at different military posts. The truck hit a civilian 'B' and caused material injury. The fact showed that the injury was caused due to rash and negligent driving by the military driver 'A'. The injured civilian 'B' brought a suit in tort against the Union of India. DECISION: (a) the suit succeeded on the principle of qui facit per alium facit per se (he who does an act through another is deemed to do it himself) (b) the suit succeeded on the master and servant relationship between the Union of India and the military driver (c) the suit failed because the Union of India did not ratify the rash and negligent driving (d) the suit failed because the incident occurred in the course of discharge of sovereign functions of the State.

9. PRINCIPLE: Criminal trespasser has no immunity of law. FACTUAL SITUATION: Arun, an industrialist had a warehouse fenced by six feet concrete wall. But still there were occasions of regular pilferages. His security guards could not find the culprit. So Arun lifted his wall to eight feet. The wall became slippery. One day, a thief climbed up the wall and fell down and died. Did Arun commit any wrong? DECISION: (a) Arun did not commit any wrong (b) Arun committed the offence of murder (c) Arun did not commit the offence of murder but culpable homicide (d) Arun committed the wrong against State.

10. PRINCIPLE: The speed limit to driver in a road is given in the road signs showing 65 km. per hour. FACTUAL SITUATION: X drives his car on that road at 70 km. per hour. He argues that he drives safe and there is no injury or inconvenience to any body. Can

he be fined by the traffic police? DECISION: (a) Yes, X violates the traffic norms, and the law does not recognize such statement that he does not make any injury or inconvenience (b) Yes, because he is not a policeman (c) No, because he has not injured any one (d) No, because no accident occurred.

De Facto IAS