Tamil Nadu Civil Judge Prelims 2023 Solution

Tamil Nadu Public Service Commission · Preliminary Examination (Objective Type) · 19 August 2023 · Booklet CJP245 · 100 questions

1. Right to an office is?

(A) A Civil Right
(B) A Contractual Right
(C) A Fundamental Right
(D) A Constitutional Right

Answer: (A) A Civil Right

Section 9, Explanation I of the Code of Civil Procedure treats a dispute over the right to an office as a suit of a civil nature. That remains so when deciding the claim requires the court to examine religious rites or ceremonies. The office need not carry fees or be attached to a specific place.

2. All suits are to be instituted in the?

(A) High Court
(B) Principal Civil Court of original jurisdiction
(C) Court of lowest grade competent to by it
(D) Revenue Court

Answer: (C) Court of lowest grade competent to by it

Section 15 of the Code of Civil Procedure directs a plaintiff to file in the lowest-grade court competent to try the suit. Check the court's territorial, pecuniary and subject-matter jurisdiction first. If more than one grade can hear the matter, the rule allocates the filing to the lowest competent grade.

3. What is the remedy of a third party who is dispossessed in execution of a decree?

(A) To sue for possession
(B) To apply to the executing court
(C) To seek remedy from the Appellate Court
(D) None of the above

Answer: (B) To apply to the executing court

Order XXI Rule 99 of the Code of Civil Procedure gives a person other than the judgment-debtor a remedy in the executing court if the decree-holder or execution purchaser dispossesses them. That court can determine the parties' relevant rights under Rule 101 and order restoration where the applicant establishes their claim.

4. What is the duty of the Court if there is no one willing to be the Guardian of the Minor defendant in a suit?

(A) It can proceed exparte
(B) It has to dismiss the suit
(C) It has to appoint its officer to be Guardian
(D) None of the above

Answer: (C) It has to appoint its officer to be Guardian

Order XXXII Rule 3 requires the court to appoint a guardian for the suit for a minor defendant. If nobody else is fit and willing to serve, Rule 4(4) permits appointment of one of the court's own officers. Option (C) identifies that last-resort appointment, though the rule uses the word "may."

5. A gift of immovable property effected by a deed of gift but brought about by undue influence of the donee, though the donor acted voluntarily in making it:

(A) Is valid and binding
(B) Is void
(C) Is voidable at the donee's option
(D) Is voidable at the donor's option

Answer: (D) Is voidable at the donor's option

Section 126 of the Transfer of Property Act allows a gift to be revoked on grounds that would justify rescinding a contract, apart from absence or failure of consideration. Under Section 19A of the Indian Contract Act, undue influence makes the transaction voidable at the option of the party whose consent it caused. Here, that party is the donor.

6. Under the provisions of the Transfer of Property Act, 1882, an easement cannot be transferred apart from the dominant heritage:

(A) the statement is true
(B) the statement is false
(C) the statement is partly true
(D) none of the above

Answer: (A) the statement is true

Section 6(c) of the Transfer of Property Act bars transfer of an easement separately from the dominant heritage. The dominant heritage is the land for whose benefit the easement exists. An easement such as a right of way can pass with that land when the land is transferred.

7. Fraudulent transfer is dealt with under:

(A) section 49 of the Transfer of Property Act, 1882
(B) section 50 of the Transfer of Property Act, 1882
(C) section 51 of the Transfer of Property Act, 1882
(D) section 53 of the Transfer of Property Act, 1882

Answer: (D) section 53 of the Transfer of Property Act, 1882

Section 53 of the Transfer of Property Act covers transfers made to defeat or delay creditors. It also covers a transfer made without consideration with intent to defraud a subsequent transferee. The first rule allows an affected creditor to challenge the transfer, while the second gives the affected subsequent transferee that right.

8. Every transfer of immovable property made with intent to defeat or delay the creditors of the transferor, shall be voidable:

(A) At the option of creditor so defeated or delayed
(B) at the option of debtor
(C) at the option of court
(D) none of the above

Answer: (A) At the option of creditor so defeated or delayed

Section 53(1) of the Transfer of Property Act gives a creditor whom the transfer was intended to defeat or delay the option to avoid it. A creditor suing on this ground acts for the benefit of all creditors. The provision protects a transferee who took for consideration and in good faith.

9. How the preventive relief is granted under the Specific Relief Act, 1963 by the court?

(A) At the discretion of the court by injunction perpetual
(B) At the discretion of the court by injunction temporary
(C) Both (A) and (B) are correct
(D) None of the above

Answer: (C) Both (A) and (B) are correct

Section 36 of the Specific Relief Act recognises both temporary and perpetual injunctions as forms of preventive relief. A temporary injunction operates for a specified time or until a further order. Under Section 37, a perpetual injunction is granted by decree after the court hears and decides the suit on its merits.

10. What recourse is available to a person if he is dispossessed, without his consent, of immovable property otherwise than in due course of law:

(A) He may, by criminal suit, recover possession thereof
(B) He or any person through whom he has been in possession or any person claiming through him may, by a civil suit, recover possession thereof
(C) He may, by mortgage suit, recover possession thereof
(D) He may, by money suit, recover possession thereof

Answer: (B) He or any person through whom he has been in possession or any person claiming through him may, by a civil suit, recover possession thereof

Section 6 of the Specific Relief Act provides a civil action to recover possession after dispossession without consent and outside due process. The dispossessed person, a person through whom they held possession, or a person claiming through them may sue. The immediate issue is possession and unlawful dispossession. Title may be determined in a separate suit.

11. The following contracts cannot be specifically enforced, namely:-

(A) A contract, the performance of which involves the performance of a continuous duty which the court cannot supervise
(B) A contract, the performance of which involves the performance of an occasional duty which the court cannot supervise
(C) A contract, the performance of which involves the performance of a periodic duty which the court cannot supervise
(D) None of the above

Answer: (A) A contract, the performance of which involves the performance of a continuous duty which the court cannot supervise

Section 14(b) of the Specific Relief Act excludes specific enforcement where performance involves a continuous duty that the court cannot supervise. The two elements work together. A continuing obligation falls within this clause when the court also lacks a practical way to supervise performance throughout its duration.

12. Whether any appeal is allowed against the order or decree passed in any suit instituted under section 6 of the Specific Relief act, 1963:

(A) Yes, appeal is allowed
(B) No appeal shall lie from any order or decree passed in any suit instituted under this section
(C) Appeal can be allowed, if permitted by the court, which gave the order or decree
(D) None of the above

Answer: (B) No appeal shall lie from any order or decree passed in any suit instituted under this section

Section 6(3) of the Specific Relief Act bars both appeals and review from an order or decree in the special possessory suit. The bar applies even where a party considers the factual decision wrong. Section 6(4) preserves a separate action to establish title and recover possession on that basis.

13. When can a Court direct rescission of a contract?

(A) Where the contract is voidable or terminable by the plaintiff
(B) Where plaintiff becomes incapable of performing it
(C) Where the contract is illegal at its inception
(D) None of the above

Answer: (A) Where the contract is voidable or terminable by the plaintiff

Section 27(1)(a) of the Specific Relief Act allows rescission where a contract is voidable or terminable at the plaintiff's instance. The section also deals with a narrower case of unlawfulness arising from a cause that is not apparent on the face of the contract, where the defendant is more to blame.

14. Which is not an example of "Promissory Note"?

(A) "I acknowledge myself to be indebted to B in Rs. 1,000, to be paid on demand, for value received"
(B) "Mr. B, I.O.U Rs. 1,000"
(C) "I promise to pay B or order Rs. 500"
(D) None of the above

Answer: (B) "Mr. B, I.O.U Rs. 1,000"

Section 4 of the Negotiable Instruments Act requires a signed, unconditional undertaking to pay a certain sum of money. A bare "I.O.U." acknowledges a debt without promising to pay it. The other quoted instruments contain an undertaking to pay, either in express terms or through the direction that payment is due on demand.

15. All offences under Chapter XVII shall be tried by:

(A) A Metropolitan Magistrate
(B) A Judicial Magistrate of the first class
(C) Either (A) or (B)
(D) None of the above

Answer: (C) Either (A) or (B)
Question deleted by the Commission.

Section 142(1)(c) of the Negotiable Instruments Act sets a minimum trial court rank for an offence under Section 138. A Metropolitan Magistrate or a Judicial Magistrate of the first class meets that minimum. Option (C) names both eligible classes. The provision is framed as a bar on courts below those ranks.

16. A promissory note, bill of exchange or cheque payable to order, is negotiable:

(A) By endorsement and delivery thereof
(B) By the holder by endorsement
(C) By delivery thereof
(D) None of the above

Answer: (A) By endorsement and delivery thereof

Section 48 of the Negotiable Instruments Act requires the holder to indorse and deliver a negotiable instrument payable to order. The signature and delivery together complete negotiation. Section 47 deals with bearer instruments, for which delivery ordinarily suffices. The words "payable to order" in this question therefore matter.

17. Which section of the Negotiable Instruments Act defines the words, 'Negotiable Instrument':

(A) Section 15
(B) Section 14
(C) Section 13A
(D) Section 13

Answer: (D) Section 13

Section 13 of the Negotiable Instruments Act defines the expression as a promissory note, bill of exchange or cheque payable to order or bearer. Section 14 concerns the transfer that makes the recipient a holder. Section 15 describes indorsement, one of the steps commonly used to transfer an order instrument.

18. Under which of the following, any provision of the Indian Contract Act, would be void, if inconsistent with the fundamental rights?

(A) Article 11 of the Constitution of India
(B) Article 12 of the Constitution of India
(C) Article 13 of the Constitution of India
(D) Article 14 of the Constitution of India

Answer: (C) Article 13 of the Constitution of India

Article 13(1) makes a pre-Constitution law void to the extent of any inconsistency with a fundamental right. The Indian Contract Act predates the Constitution, so this is the relevant clause. Article 13(2) addresses laws made by the State after the Constitution came into force that take away or abridge Part III rights.

19. Section 69 of the Indian Contract Act, 1872 embodies which of the following doctrines?

(A) Doctrine of frustration
(B) Doctrine of unjust enrichment
(C) Doctrine of implied contract
(D) None of these

Answer: (B) Doctrine of unjust enrichment

Section 69 of the Indian Contract Act gives reimbursement to a person interested in paying money that someone else was legally bound to pay. The payer must have an interest in seeing the obligation discharged. Allowing the debtor to retain the benefit of that payment without reimbursement would result in unjust enrichment.

20. A contracts with B to deliver to him 250 kilograms of rice before the 1st of May. A delivers 130 kilograms only before that day and none after. B retains the 130 Kilograms after the 1st of May.

(A) He is not bound to pay A for them
(B) He is bound to pay A for them
(C) He is partially bound to pay A for them
(D) None of these

Answer: (B) He is bound to pay A for them

The rice example follows illustration (b) to Section 55 of the Indian Contract Act. B retained the quantity actually delivered after the agreed date and must pay for that rice. A's failure to deliver the remaining quantity is a separate issue. The question asks about payment for the 130 kilograms B kept.

21. Controller as defined under Section 2(3) of the Tamil Nadu Buildings (Lease and Rent Control) Act, is a?

(A) Civil Court
(B) Revenue Court
(C) Persona Designata
(D) Criminal Court

Answer: (C) Persona Designata

Under the former Tamil Nadu rent-control scheme, the Controller exercised powers attached to a statutory designation. The option calls this a persona designata.

Classification of the Controller depended on the rent-control framework and the particular function in issue. The name of the post alone did not make the Controller a civil, revenue or criminal court.

22. What is the time limit prescribed for entering into an agreement for tenancies in existence at the time of commencement of the Tamil Nadu Regulation of Rights and Liabilities of Landlords and Tenants Act 2017?

(A) one year
(B) 90 days
(C) 165 days
(D) 575 days

Answer: (D) 575 days

The 2020 amendment, deemed effective from 20 September 2019, to the Tamil Nadu tenancy legislation substituted 575 days for 210 days in the transitional provision for existing tenancies. The period concerns the making of a written agreement for a tenancy already in existence when the legislation commenced. The option giving 90 days reflects the original, unamended period.

23. A tenancy that has expired and not renewed for a further period and the landlord has not demanded possession is deemed to be extended for a period of

(A) One year
(B) Six years
(C) Six months
(D) 18 months

Answer: (C) Six months

For a fixed-term tenancy that ends without renewal, the amended Tamil Nadu tenancy law provides a deemed continuation where the landlord has not demanded vacant possession. It continues month by month on the previous terms for a maximum of six months. The six months are a ceiling on the deemed renewal.

24. The Electoral College for election of President of India consists of

(A) Members of both the houses of Parliament and Legislature Assemblies of the States
(B) Members of the Indian Administration Service
(C) Members of the Central and State Cabinets
(D) Members of the Legislative Councils of the States

Answer: (A) Members of both the houses of Parliament and Legislature Assemblies of the States

Article 54 gives the presidential vote to elected members of both Houses of Parliament and elected members of the State Legislative Assemblies. Nominated members and members of Legislative Councils do not participate. Option (A) is the closest choice, but its wording omits the qualification that the members must be elected.

25. A Judge of the High Court may resign by a letter addressed to

(A) Chief Minister of the State
(B) Governor of the State
(C) Chief Justice of India
(D) President of India

Answer: (D) President of India

Article 217(1)(a) provides for a High Court judge to resign by a signed writing addressed to the President. The Constitution specifies the recipient of the resignation even though the judge serves in a High Court within a State. Neither the Governor nor the Chief Justice of India is the designated recipient.

26. X was accused of a criminal offence by Y and the case pended on for 12 years, during which not a single witness was produced by the prosecution. Which of the following article of the constitution of India, in this case, was violated?

(A) Article 12, Constitution of India
(B) Article 15, Constitution of India
(C) Article 21, Constitution of India
(D) Article 25, Constitution of India

Answer: (C) Article 21, Constitution of India

Article 21 protects the right to a speedy criminal trial as part of fair procedure. A prosecution that runs for twelve years without producing any witness presents a serious and unexplained delay on the facts given. The issue is the accused's right to fair and timely proceedings rather than the other rights listed.

27. Extra territorial offences are mentioned under :

(A) Section 3 of IPC
(B) Section 2 of IPC
(C) Section 4 of IPC
(D) None of the above

Answer: (C) Section 4 of IPC

Section 4 of the Indian Penal Code extends the Code to specified offences committed outside India (BNS Section 1(5)). Section 3 deals with punishment of offences committed abroad where Indian law already permits trial in India (BNS Section 1(4)). The question asks for the provision addressing the Code's extra-territorial reach.

28. Which is wrong in respect of wrongful gain?

(A) Gain of some property
(B) Property to which a person is not legally entitled
(C) Gain by way of unlawful means
(D) None of the above

Answer: (A) Gain of some property

Section 23 of the Indian Penal Code (BNS Section 2(36)) requires a gain by unlawful means of property to which the person gaining has no legal entitlement. Gaining some property, by itself, says nothing about either qualification.

The definition also covers wrongfully retaining property as well as wrongfully acquiring it.

29. Which statement is not correct in regard to counterfeit?

(A) Who causes one thing to resemble another
(B) To imitate it exactly
(C) Knows that by act deception will be practised
(D) Intend by means of resemblance to practice deception

Answer: (A) Who causes one thing to resemble another

Under Section 28 of the Indian Penal Code (BNS Section 2(4)), counterfeiting depends on causing resemblance with deceptive intent or knowledge that deception is likely. The resemblance in option (A) is insufficient on its own. The Code expressly dispenses with exact imitation, so the wording of option (B) also makes this question ambiguous.

30. The purpose of examination of the accused under Sec 313 of Cr.P.C. is:

(A) To personally explain to the accused the circumstances appearing in the evidence against him
(B) To enable accused to know his defence
(C) To make accused aware of charges
(D) All the above

Answer: (A) To personally explain to the accused the circumstances appearing in the evidence against him

Section 313 of the Code of Criminal Procedure (BNSS Section 351) gives an accused an opportunity to answer circumstances appearing in the evidence against them. It is the accused who personally explains those circumstances to the court. Option (A) identifies the relevant subject of examination but reverses the direction of the explanation.

31. Generally, a copy of FIR is filed by the Police Officer to the Magistrate to take cognizance in compliance with :

(A) Section 156 of Cr.P.C.
(B) Section 157 of Cr.P.C.
(C) Section 158 of Cr.P.C.
(D) Section 159 of Cr.P.C.

Answer: (B) Section 157 of Cr.P.C.

Section 157 of the Code of Criminal Procedure (BNSS Section 176) requires the station officer who suspects an offence within their investigative power to send a report promptly to the competent Magistrate. Section 158 concerns the route by which the report is submitted where the State Government requires transmission through a superior officer.

32. The principle of proving beyond reasonable doubt applies to :

(A) Criminal proceedings only
(B) Civil proceedings only
(C) Evidence law
(D) Both civil and criminal proceedings

Answer: (A) Criminal proceedings only

In a criminal trial the prosecution generally has to establish guilt beyond reasonable doubt. A civil court generally decides disputed facts on the balance of probabilities. The higher criminal standard addresses the consequences of conviction. It calls for proof strong enough to exclude reasonable doubts supported by the evidence.

33. Section 68 of Evidence Act sets out the mode of proving?

(A) A Will only
(B) Will and Instruments requiring attestation by 2 witnesses
(C) A negotiable instrument
(D) Unregistered instrument

Answer: (B) Will and Instruments requiring attestation by 2 witnesses

Section 68 of the Indian Evidence Act (BSA Section 67) governs proof of documents that the law requires to be attested. Ordinarily at least one available and competent attesting witness must be called. The proviso relaxes this requirement for a registered document other than a will, unless execution is specifically denied.

34. In a Parliamentary Democracy real powers of the state are vested in the

(A) President
(B) Prime Minister
(C) Council of Ministers headed by the Prime Minister
(D) Parliament

Answer: (D) Parliament

Parliament exercises legislative power and holds the government to account. Executive power in India's parliamentary system is exercised in practice on the advice of the Council of Ministers headed by the Prime Minister under Article 74. Option (D) captures Parliament's institutional role. Option (C) more precisely describes where practical executive power lies.

35. Five Great epics in Tamil are

(A) Silapathikaram, Manimegalai, Seevaga Sinthamani, Valayapathi, Kundalakesi.
(B) Silapathikaram, Kamba Ramayanam, Thirukkural, Valayapathi, Kundalakesi.
(C) Thirukkural, Manimegalai, Naladiyar, Thiruppavai, Kundalakesi.
(D) Silapathikaram, Panniru Thirumurai, Seevaga Sinthamani, Periapuranam, Kundalakesi.

Answer: (A) Silapathikaram, Manimegalai, Seevaga Sinthamani, Valayapathi, Kundalakesi.

The five works traditionally grouped together are Silapathikaram, Manimegalai, Seevaga Sinthamani, Valayapathi and Kundalakesi. The alternatives mix the epics with other prominent works of Tamil literature. Thirukkural and Kamba Ramayanam are important examples of that literature, but they belong outside this particular group of five.

36. Retention of records provided by law can be done

(A) by preserving the documents in a physical form
(B) by preserving the documents in a electronic form
(C) by printing the documents in high quality paper
(D) by recording the contents on a voice recorder

Answer: (B) by preserving the documents in a electronic form
Question deleted by the Commission.

Section 7 of the Information Technology Act allows a statutory retention requirement to be met electronically where its conditions are satisfied, including continued accessibility and reliable preservation of the record. Ordinary physical retention may also be available. A printout or an audio recording does not automatically fulfil the requirements for preserving the original record.

37. Power to prescribe rules in respect of Electronic signatures is vested in the

(A) State Government
(B) Central Government
(C) Electronic Corporation of India
(D) President of India

Answer: (B) Central Government

Section 10 of the Information Technology Act authorises the Central Government to make rules about electronic signatures. The power covers the type of signature, the manner and format of affixing it, procedures for identifying the signer, and safeguards needed to protect the integrity and reliability of electronic records and payments.

38. Attachment made under the Criminal Law Amendment Ordinance 1944 is normally valid for a period of:

(A) 3 years
(B) 90 days
(C) 1 year
(D) None of the above

Answer: (C) 1 year

The Ordinance concerns the attachment and administration of property connected with specified offences. An attachment preserves the property while proceedings are pending and differs from a final confiscation order. The Prevention of Corruption Act applies that attachment machinery to property procured through offences covered by that Act, subject to the statutory exceptions. The choice gives the ordinary one-year period asked for here.

39. A sexual assault committed on a child becomes an aggravated sexual assault if it is committed by:

(A) Police Officer in course of his duties
(B) Another Child
(C) Brother or Sister of the child
(D) None of the above

Answer: (A) Police Officer in course of his duties

Section 9 of the Protection of Children from Sexual Offences Act treats sexual assault by a police officer in the course of duty as aggravated. The section also provides separate grounds involving relationships with the child, including qualifying relatives. That makes the police-officer option correct while showing why the sibling option also has a statutory basis.

40. The following provisions of the protection of children from sexual offences Act 2012 imposes an obligation on certain persons to report suspected offences against children?

(A) Section 22
(B) Section 20
(C) Section 30
(D) Section 21

Answer: (B) Section 20

Section 20 of the Protection of Children from Sexual Offences Act places a specific reporting duty on personnel in listed businesses and facilities, such as media organisations, hotels and studios. It applies when they encounter sexually exploitative material concerning a child. The report goes to the Special Juvenile Police Unit or local police.

41. Shared household under the provisions of the protection of women from domestic violence Act 2005 includes :

(A) The house belonging to the woman
(B) The house belonging to the husband of the woman
(C) Belonging to the joint family of which the husband is a member
(D) All the above

Answer: (D) All the above

Section 2(s) of the Protection of Women from Domestic Violence Act focuses on where the aggrieved person lives or has lived in a domestic relationship. It can cover premises belonging to either party, or a joint family home in which the respondent is a member. Ownership alone does not determine whether a dwelling is shared.

42. Anand was born 2 years after his father's marriage; his mother is 5 years younger than his father, but 20 years older than Anand, who is 10 years old; at what age did his father got married;

(A) 23 years
(B) 24 years
(C) 25 years
(D) 28 years

Answer: (A) 23 years

Anand is 10, so his mother is 30. His father is five years older than his mother and is therefore 35. The marriage took place two years before Anand was born, or 12 years before the present. Subtracting 12 from 35 gives the father's age at marriage, 23.

43. Prem ate 100 apples in five days, each day eating 6 more than the previous day. How many apples did he eat on the first day?

(A) 8
(B) 7
(C) 6
(D) 5

Answer: (A) 8

If Prem ate x apples on the first day, his five daily totals were x, x + 6, x + 12, x + 18 and x + 24. Together they equal 5x + 60. Setting that total equal to 100 gives 5x = 40, and therefore x = 8.

44. Who can be the Chairperson of the National Human Rights Commission?

(A) Who has been a Chief Justice of India or a Judge of the Supreme Court
(B) Who has been a Chief Justice of a High Court
(C) Who has been a Judge of a High Court
(D) Who has been an Attorney General of India

Answer: (A) Who has been a Chief Justice of India or a Judge of the Supreme Court

Section 3(2)(a) of the Protection of Human Rights Act, as amended in 2019, allows a person who has been Chief Justice of India or a judge of the Supreme Court to chair the National Human Rights Commission. Service as a High Court judge or Attorney General alone does not meet the chairperson's qualification.

45. Assaulting or obstructing public servant when suppressing riot, etc. is dealt under :

(A) Section 150 of IPC
(B) Section 151 of IPC
(C) Section 152 of IPC
(D) Section 153 of IPC

Answer: (C) Section 152 of IPC

Section 152 of the Indian Penal Code (BNS Section 195) concerns assaulting or obstructing a public servant engaged in dispersing an unlawful assembly or suppressing a riot or affray. The provision also reaches threats and attempts described in the section. The official's work in suppressing the disturbance is what identifies this offence.

46. ——————— permits joint trial of several persons.

(A) Section 221 of Cr.P.C.
(B) Section 222 of Cr.P.C.
(C) Section 223 of Cr.P.C.
(D) Section 224 of Cr.P.C.

Answer: (C) Section 223 of Cr.P.C.

Section 223 of the Code of Criminal Procedure (BNSS Section 246) permits a joint charge and trial for specified groups of accused. An example is people accused of the same offence in the same transaction. The section gives an exception to separate trials and depends on the connection prescribed between the accused and offences.

47. As per Section 108 of the Indian Evidence Act, a person is presumed to be dead, if he is not traceable for ——— years;

(A) 5 years
(B) 6 years
(C) 7 years
(D) 10 years

Answer: (C) 7 years

Section 108 of the Indian Evidence Act (BSA Section 111) shifts the burden when a person has not been heard of for seven years by those who would naturally hear from them. Whoever asserts that the person is still alive must then prove it. The rule does not fix a particular date of death.

48. Code of Civil Procedure does not extend to?

(A) Whole of India
(B) State of Nagaland & Tribal Areas
(C) Jammu & Kashmir
(D) Ladakh

Answer: (B) State of Nagaland & Tribal Areas

Section 1(3) of the Code of Civil Procedure sets out exceptions for Nagaland and the specified tribal areas, subject to the provisions preserved by the statute. The State Government can extend provisions by notification. Jammu and Kashmir and Ladakh are not the general territorial exceptions identified in the law as it stood in 2023.

49. Decree includes?

(A) An order of dismissal for default
(B) All appealable orders
(C) An order rejecting plaint
(D) An order returning the plaint

Answer: (C) An order rejecting plaint

Section 2(2) of the Code of Civil Procedure expressly includes rejection of a plaint within the definition of decree. It excludes dismissal for default and adjudications appealable as orders. Return of a plaint sends it for presentation to the proper court and is treated separately from rejection.

50. Maximum rate of interest allowable in ordinary suits post decree is?

(A) Twelve percent
(B) Nine percent
(C) Six percent
(D) Fifteen percent

Answer: (C) Six percent

Section 34 of the Code of Civil Procedure ordinarily limits post-decree interest on the principal sum adjudged to six per cent per year. The court fixes a reasonable rate within that ceiling. A separate proviso allows a higher rate where the liability arose out of a commercial transaction, subject to its own limits.

51. Which of the following are exempt from attachment?

(A) Tools of Artisans
(B) Cheques
(C) Movable Property
(D) None of the above

Answer: (A) Tools of Artisans

Section 60(1), proviso (b), of the Code of Civil Procedure exempts tools of artisans from attachment and sale in execution. The exemption protects implements needed for the debtor's livelihood. Movable property as a general category and payment instruments such as cheques do not enjoy the same blanket exemption.

52. What could a Court Subordinate to High Court do when it is of the opinion that an Act or Ordinance or Regulation is unconstitutional?

(A) Declare it void
(B) Refer the question to the High Court
(C) Leave the question open
(D) None of the above

Answer: (B) Refer the question to the High Court

Under the proviso to Section 113 of the Code of Civil Procedure, a subordinate court must refer a decisive validity question to the High Court if it considers the provision invalid and the High Court or Supreme Court has not already so declared. The subordinate court states its opinion and the reasons for it.

53. Before the commencement of the Transfer of Property Act, 1882, the transfer of immovable properties in India were governed by the:

(A) Principles of English law and equity
(B) Indian Registration Act, 1908
(C) British State of Goods Act, 1880
(D) Indian Contract Act, 1872

Answer: (A) Principles of English law and equity

Before the Transfer of Property Act codified general rules for transfers between living persons, courts drew on equitable principles, including English doctrines where suitable. That history explains option (A). It would be too broad to say that English rules displaced applicable Indian statutes, personal law, or local custom in every dispute.

54. In case of usufructuary mortgage the mortgagee is placed in possession and has a right to enjoy the rents and profits:

(A) until the debt is paid
(B) till the contract is rescinded
(C) only (B) is correct
(D) none of the above

Answer: (A) until the debt is paid

Section 58(d) of the Transfer of Property Act gives the usufructuary mortgagee possession and the right to receive rents and profits. The mortgagee applies them towards interest, principal, or both, according to the bargain. Section 62 provides when the mortgagor may recover possession after the amount due has been satisfied.

55. The principle of lis pendens embodied in section 52 of the Transfer of Property Act, 1882 pertains to:

(A) bonafide purchase
(B) public policy
(C) auction sale
(D) none of the above

Answer: (B) public policy

Section 52 rests on public policy because otherwise a litigant could frustrate a judgment by transferring the property while the suit is pending. A transfer during litigation binds the transferee to the outcome. The court may authorise a transfer on terms, but the buyer's good faith alone does not defeat the doctrine.

56. Rule of lis pendens is applicable to suits for specific performance of contracts to transfer immovable property. The statement is:

(A) true
(B) false
(C) partly true
(D) none of the above

Answer: (A) true

Section 52 of the Transfer of Property Act applies where a suit directly and specifically puts rights in immovable property in issue. A suit to compel performance of a contract transferring that property can meet this condition. A transfer during the suit then remains subject to the decree or order.

57. Which of the following properties can be transferred under the Transfer of Property Act, 1882?

(A) Salary of a public officer
(B) Right to sue
(C) Both (A) and (B)
(D) Neither (A) nor (B)

Answer: (D) Neither (A) nor (B)

Section 6(e) of the Transfer of Property Act bars transfer of a mere right to sue. Section 6(f) bars transfer of a public officer's salary, whether payable now or later. The broader

rule that property can be transferred is subject to both of these express exceptions.

58. A lease exceeding one year or reserving a yearly rent under Section 107 of the Transfer of Property Act can be made?

(A) By a registered instrument
(B) By oral agreement coupled with Delivery of possession
(C) By unregistered instrument
(D) None of the above

Answer: (A) By a registered instrument

Section 107 of the Transfer of Property Act requires registration for a lease from year to year, for a term exceeding one year, or reserving a yearly rent. It is enough that one of these features exists. Delivery of possession with an oral agreement cannot replace the registered instrument in these categories.

59. The specific performance of a contract shall be enforced by the court:

(A) Subject to the provisions of the Indian Contract Act, 1872
(B) Subject to the provisions of the Insolvency and Bankruptcy Code, 2016
(C) Subject to the provisions contained in section 11(2), section 14 and section 16 of the Specific Relief Act, 1963.
(D) None of the above

Answer: (C) Subject to the provisions contained in section 11(2), section 14 and section 16 of the Specific Relief Act, 1963.

Section 10 of the Specific Relief Act makes enforcement subject to Sections 11(2), 14 and 16. They deal, respectively, with specified contracts made by trustees, contracts that cannot be specifically enforced, and personal bars to relief. The amendment strengthened the remedy but preserved these express limitations.

60. Specific relief can be granted only for the purpose of:

(A) Enforcing individual civil rights
(B) Enforcing individual fundamental rights
(C) Enforcing individual criminal rights only
(D) Enforcing individual civil rights as well as criminal rights

Answer: (A) Enforcing individual civil rights

Section 4 limits specific relief to the enforcement of individual civil rights. Examples include recovery of possession and enforcement of a contractual obligation. A penal law serves a different purpose. A party cannot use a Specific Relief Act remedy simply to secure enforcement of a criminal penalty.

61. Is there any time limit for filing suit under Section 6 of the Specific Relief Act, by a person who is dispossessed of immovable property, without his consent otherwise than in due course of law, to recover possession thereof?

(A) Six months from the date of dispossession
(B) No time limit is prescribed
(C) Within a reasonable time limit, suit may be filed
(D) None of the above

Answer: (A) Six months from the date of dispossession

Section 6(2)(a) of the Specific Relief Act requires a suit under its summary possessory remedy to be brought within six months of dispossession. The period runs from the loss of possession. A separate suit based on title remains available under Section 6(4), subject to the rules that govern that suit.

62. Which of the following Sections of the Specific Relief Act 1963 empower the Court to award compensation in lieu of Specific Performance?

(A) Section 21
(B) Section 22
(C) Section 16
(D) Section 12

Answer: (A) Section 21

Section 21 of the Specific Relief Act permits a plaintiff in a suit for specific performance to claim compensation for breach. The court may award compensation instead where it declines specific performance but finds a breach and entitlement to compensation. The section also allows compensation alongside performance where performance alone provides insufficient relief.

63. In an appeal by the drawer against conviction under section 138, the Appellate Court may order the appellant to deposit such sum which shall be a minimum of ————— or compensation awarded by the trial Court:

(A) Ten per cent of the fine
(B) Fifteen per cent of the fine
(C) twenty per cent of the fine
(D) Twenty five per cent of the fine

Answer: (C) twenty per cent of the fine

Section 148 of the Negotiable Instruments Act permits an appellate court hearing the drawer's appeal from a Section 138 conviction to order a deposit. If ordered, the deposit is at least twenty per cent of the fine or compensation awarded by the trial court. It is additional to interim compensation already paid under Section 143A.

64. The interim compensation payable under section 143A may be recovered as if it were a fine;

(A) By execution as if it is a decree of a civil court
(B) As per the provisions of Income Tax act, 1961
(C) As per the provisions of the Code of Criminal Procedure, 1973
(D) None of the above

Answer: (C) As per the provisions of the Code of Criminal Procedure, 1973

Section 143A(5) of the Negotiable Instruments Act permits recovery of interim compensation as if it were a fine under Section 421 of the Code of Criminal Procedure (BNSS Section 461). The Act therefore invokes the criminal fine-recovery process. An independently obtained civil decree is unnecessary.

65. A cheque is a ———— drawn upon a specified banker and payable on demand:

(A) Bill of exchange
(B) Hundi
(C) Promissory note
(D) None of the above

Answer: (A) Bill of exchange

Section 6 of the Negotiable Instruments Act defines a cheque as a bill of exchange drawn on a specified banker and payable on demand. A bill of exchange generally orders another person to pay. Those two features distinguish a cheque from other bills, and a promissory note contains the maker's own undertaking.

66. What is NOT true about the "bills of exchange":

(A) it is an instrument in writing
(B) it is signed by the maker
(C) certain sum of money is mentioned on the instrument
(D) it contains a conditional order

Answer: (D) it contains a conditional order

Section 5 of the Negotiable Instruments Act requires a signed written instrument containing an unconditional order for payment of a certain sum of money. The order must be directed to a certain person. A conditional order therefore fails this requirement even if it is written, signed and states the amount payable.

67. Which among the following is a negotiable instrument?

(A) Banker's Demand Draft
(B) Currency note
(C) Letter of Credit
(D) Letter of guarantee

Answer: (A) Banker's Demand Draft

A banker's demand draft payable to order has the features of a negotiable instrument. Section 85A of the Negotiable Instruments Act specifically recognises drafts drawn by one branch of a bank on another, payable to order on demand. A letter of credit or a guarantee serves a different legal function.

68. Where there are two courts which would normally have the jurisdiction, an agreement to file suit in one of those courts alone, is:

(A) Void
(B) Valid
(C) Voidable
(D) Unenforceable

Answer: (B) Valid

Where both courts independently have jurisdiction, the parties can agree to litigate only in one of them. The clause selects a forum already competent to hear the suit. It cannot invest a court with jurisdiction that the law does not give it, or entirely prevent the parties from taking a dispute to court.

69. A contract is not frustrated:

(A) by commercial impossibility
(B) by imposition of Government restrictions or orders
(C) by destruction of subject matter of contract
(D) all the above

Answer: (A) by commercial impossibility

Under Section 56 of the Indian Contract Act, frustration concerns supervening impossibility or unlawfulness. Greater expense, reduced profit, or comparable commercial hardship ordinarily leaves the contract in force. Destruction of an essential subject matter or a government measure that makes the promised act unlawful can satisfy the test, depending on the agreement and facts.

70. The Tamil Nadu Buildings (Lease and Rent Control) Act, will not apply to a building which is not more than ———— years old?

(A) 25 years
(B) 15 years
(C) 5 years
(D) None of the above

Answer: (C) 5 years

The question concerns the former Tamil Nadu rent-control law's temporary exemption for newly completed buildings. The five-year choice refers to that exemption. Its purpose was to exclude newly completed premises for a limited period, rather than exempt buildings throughout their useful life. The transitional savings for pending proceedings explain why questions can still refer to the former legislation.

71. In order to seek eviction under Section 14(1)(b) of the Tamil Nadu Buildings (Lease and Rent Control) Act, the landlord should show that the building is?

(A) Old and dialipitated
(B) Old and need not be dialipitated
(C) Need not be old or dialipitated
(D) None of the above

Answer: (B) Old and need not be dialipitated

The question refers to eviction under the former Tamil Nadu rent-control regime for demolition and rebuilding. The inquiry was directed to the landlord's genuine requirement for the proposed work. The building's age and condition were relevant to that inquiry, but dilapidation was not an indispensable prerequisite.

72. Right to property is a

(A) Fundamental right
(B) Contractual right
(C) Constitutional right
(D) None of the above

Answer: (C) Constitutional right

Article 300A protects property by requiring authority of law for deprivation. The right therefore remains in the Constitution, although it is outside the catalogue of fundamental rights in Part III. A claim under it turns on whether a valid law authorises the deprivation, not merely on whether an official ordered it.

73. Which Article of the constitution of India empowers the legislature to impose reasonable restrictions?

(A) Article 14
(B) Article 16
(C) Article 19
(D) Article 21

Answer: (C) Article 19

Article 19 protects specified freedoms and permits reasonable restrictions on stated grounds. The grounds vary with the freedom concerned. For example, the grounds for limiting speech under Article 19(2) differ from those for regulating professions or trade under Article 19(6). A restriction must meet the conditions of the applicable clause.

74. National capital territory of Delhi was created by ———— Article of the Constitution of India?

(A) 239AA
(B) 239A
(C) 238
(D) None of the above

Answer: (A) 239AA

Article 239AA designates the Union territory of Delhi as the National Capital Territory of Delhi and provides for a Legislative Assembly. It was inserted by the Sixty-ninth Amendment. Article 239A concerns legislative or ministerial arrangements for certain other Union territories and does not supply the Delhi designation.

75. To which of the following, the law of presumption applies?

(A) Volenti non fit injura
(B) Mens rea
(C) De minimus non curat lex
(D) None of them

Answer: (B) Mens rea

Courts ordinarily presume that an offence requires a culpable mental state unless the statute expressly or by necessary implication excludes it. That is a presumption about how to interpret the offence. It does not ordinarily allow a court to presume that a particular accused possessed the required intention or knowledge.

76. Wrongful confinement in secret is dealt under

(A) Section 344 of IPC
(B) Section 345 of IPC
(C) Section 346 of IPC
(D) Section 347 of IPC

Answer: (C) Section 346 of IPC

Section 346 of the Indian Penal Code (BNS Section 127(6)) addresses wrongful confinement carried out with the intention of keeping the confinement or its location secret from a person interested in the victim or from a public servant. The secrecy aggravates the underlying wrongful confinement and attracts additional punishment.

77. Which section under IPC says that 'He' includes 'She' also:

(A) Section 8
(B) Section 9
(C) Section 7
(D) Section 10

Answer: (A) Section 8

Section 8 of the Indian Penal Code (BNS Section 2(10)) provides that the pronoun "he" and its derivatives can refer to a male or a female. It is a general interpretation rule. The newer provision uses a broader formulation that also expressly includes transgender persons.

78. The word 'Person' includes :

(A) Any group of persons
(B) Company or association or body of persons
(C) Corporate person
(D) None of the above

Answer: (B) Company or association or body of persons

Section 11 of the Indian Penal Code (BNS Section 2(26)) extends "person" to a company, association, or body of persons, whether incorporated or not. The definition allows penal provisions that use that word to apply to collective entities where the particular offence and its requirements permit.

79. 'A' intentionally causes 'Z's' death, partly by illegally omitting to give food to 'Z' and partly by beating 'Z'. 'A' has committed :

(A) Grievous hurt
(B) Culpable homicide
(C) Murder
(D) Only hurt

Answer: (C) Murder

Section 36 of the Indian Penal Code (BNS Section 3(7)) treats an effect caused partly by an act and partly by an omission as the same offence. Its illustration uses materially the same facts. The intentional beating and unlawful withholding of food together cause death, and the stated intention supports murder.

80. Section 162 of Cr.P.C provides protection to :

(A) Accused
(B) Witnesses
(C) Police Officer
(D) Magistrate

Answer: (A) Accused

Section 162 of the Code of Criminal Procedure (BNSS Section 181) generally bars substantive use of statements made to the police during an investigation. This protects the accused against an untested police record being used as evidence. A recorded statement can ordinarily be used to contradict the witness in the prescribed manner.

81. The period of limitation to file an application for setting aside the declaration of forfeiture is given under:

(A) Section 95 of Cr.P.C.
(B) Section 96 of Cr.P.C.
(C) Section 97 of Cr.P.C.
(D) Section 98 of Cr.P.C.

Answer: (B) Section 96 of Cr.P.C.

Section 96 of the Code of Criminal Procedure (BNSS Section 99) allows a person interested in the forfeited publication or document to apply to the High Court within two months of publication of the declaration in the Official Gazette. Section 95 deals with the declaration itself and is distinct from the challenge.

82. The power to direct investigation under section 156(3) is with :

(A) Any Magistrate
(B) Session Judge
(C) Both (A) and (B)
(D) Neither (A) nor (B)

Answer: (A) Any Magistrate

Section 156(3) of the Code of Criminal Procedure (BNSS Section 175(3)) authorises a Magistrate empowered under Section 190 to order investigation. The qualification matters. "Any Magistrate" in option (A) is shorthand for any Magistrate with that power, and a Sessions Judge has no power under this particular subsection.

83. Normally no Court shall take cognizance of an offence which is punishable only with a fine after the expiry of :

(A) 6 Months
(B) 12 Months
(C) 3 Years
(D) No such limitation

Answer: (A) 6 Months

Under Section 468(2)(a) of the Code of Criminal Procedure (BNSS Section 514), the ordinary limitation is six months for an offence punishable only with a fine. Different periods apply where the maximum punishment includes imprisonment. The Code separately governs when limitation begins and when a court may extend it.

84. The exclusion of oral evidence enumerated under Section 92 of Evidence Act will not apply to:

(A) Proof of any invalidating circumstance
(B) Varying the terms of the document
(C) Adding to the terms of the document
(D) Contradicting the terms of the document

Answer: (A) Proof of any invalidating circumstance

Section 92 of the Indian Evidence Act (BSA Section 95) ordinarily bars oral evidence used to vary or contradict the terms of a transaction proved by its document. Its first proviso allows evidence of matters that would invalidate the document, for example fraud, illegality, incapacity or want of due execution.

85. The presumption under Section 85B relating to electronic records is?

(A) Absolute
(B) Rebuttable
(C) Partial
(D) None of the above

Answer: (B) Rebuttable

Section 85B of the Indian Evidence Act (BSA Section 86) uses a rebuttable presumption for secure electronic records and secure electronic signatures in the circumstances it specifies. For a secure electronic record, the presumption concerns alteration since the relevant secure point in time. The other party can displace it with proof to the contrary.

86. The Insignia in the Flag of the Pallava Dynasty was

(A) Tiger
(B) Fish
(C) Lion
(D) Peacock

Answer: (C) Lion

The lion is the Pallava-associated emblem among these choices and appears on seals and coinage attributed to Pallava rulers. The wording generalises across the dynasty. The bull is also documented as a Pallava emblem and banner motif, so the lion should not be understood as the dynasty's only standard.

87. Who invented cell phone and in which year?

(A) Martin Cooper 1973
(B) Martin Luther 2001
(C) Martin David 1990
(D) Martin Motorola 1993

Answer: (A) Martin Cooper 1973

Martin Cooper, a Motorola engineer, demonstrated a handheld cellular telephone by placing a public call on 3 April 1973. The device he used was a prototype. The commercial introduction of handheld cellular phones came later, so the question's date refers to the demonstration rather than a retail launch.

88. Leading question under Indian Evidence Act can be asked during:

(A) Chief Examination
(B) Cross-Examination
(C) Re-Examination
(D) None of the above

Answer: (B) Cross-Examination

Section 143 of the Indian Evidence Act (BSA Section 146(4)) allows leading questions in cross-examination. Section 142 ordinarily prevents their use in examination-in-chief or re-examination if the opponent objects, unless the court gives permission. The permission can cover introductory or undisputed matters, or matters already sufficiently proved.

89. Which of the following acts as repository of the Digital Signature Certificates issued under the Information Technology act?

(A) The Controller
(B) The Registrar
(C) Reserve Bank of India
(D) National Stock Exchange

Answer: (A) The Controller

The Controller was the repository under former Section 20 of the Information Technology Act. That provision was omitted with effect from 27 October 2009. Option (A) identifies the historical office, but none of the choices states the statutory position as it stood on the examination date.

90. Which of the following sections of Information Technology Act deals with penalty for offences relating to computers?

(A) Section 43A
(B) Section 43
(C) Section 44
(D) Section 46

Answer: (B) Section 43

Section 43 of the Information Technology Act addresses listed unauthorised acts involving computers and provides compensation. The separate statutory offence provision is Section 66, which applies when an act referred to in Section 43 is done dishonestly or fraudulently. Section 66 is absent from the options.

91. The major change introduced in criminal jurisprudence by the Criminal law (amendment) ordinance 1944 is:

(A) To provide for arrest of a woman
(B) To provide for attachment of property of the person accused of certain offences
(C) Making a set of offences non bailable
(D) None of the above

Answer: (B) To provide for attachment of property of the person accused of certain offences

The 1944 Ordinance introduced a procedure for attaching property linked to specified offences. The mechanism secures the property while the criminal process runs, so it remains available for the orders ultimately made. Section 18A of the Prevention of Corruption Act applies the Ordinance's attachment and related procedures, subject to its stated qualifications.

92. The Burden of proving the guilt in a prosecution under the protection of children from sexual offences Act 2012 is:

(A) On the prosecution
(B) There is a presumption of guilt
(C) On the de facto complainant
(D) On the person accused

Answer: (B) There is a presumption of guilt

Section 29 of the Protection of Children from Sexual Offences Act creates a rebuttable presumption in prosecutions for the specified offences under Sections 3, 5, 7 and 9, including abetment or attempt. Its reach is limited to those provisions. The prosecution must establish the facts needed to trigger the presumption.

93. Section 33 of the protection of children from sexual offences Act 2012 contains an absolute prohibition regarding disclosure of the identity of the child. The above statement is:

(A) Partly Correct
(B) Full Correct
(C) Fully Incorrect
(D) None of the above

Answer: (A) Partly Correct

Section 33(7) of the Protection of Children from Sexual Offences Act normally protects the child's identity throughout investigation and trial. The Special Court can permit disclosure in the child's interest if it records its reasons in writing. The existence of that exception makes the statement partly correct.

94. Ananth owes money to Ramesh for repairing the watch, if Ramesh retained the watch lawfully for the security for his debt and Ananth took the watch out of Ramesh's possession.

(A) Ananth is guilty of committing criminal misappropriation of property
(B) Theft
(C) Criminal Breach of Trust
(D) Cheating

Answer: (B) Theft

Theft under Section 378 of the Indian Penal Code (BNS Section 303(1)) protects possession. A repairer may lawfully retain the watch to secure the repair debt. If its owner dishonestly removes it without consent to defeat that security, ownership does not prevent the removal from constituting theft.

95. What is the period of limitation provided under section 14-A of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act for preferring an appeal challenging the judgment, sentence or order passed under the said Act?

(A) 15 days
(B) 30 days
(C) 60 days
(D) 90 days

Answer: (D) 90 days

Section 14A(3) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act sets a ninety-day ordinary period from the date of the judgment, sentence or order appealed against. It permits a later appeal on sufficient cause, subject to the further limit written into the provision.

96. The practice of watching or capturing the image of women engaging in a private act in circumstances where she would usually have the expectation of not being observed either by the perpetrator or by any other person at the behest of the perpetrator or disseminates such image is called ———— under Indian Penal Code.

(A) Voyeurism
(B) Stalking
(C) Sexual abuse
(D) Frotteurism

Answer: (A) Voyeurism

Section 354C of the Indian Penal Code (BNS Section 77) covers watching a woman in a private act when she reasonably expects privacy, capturing her image in those circumstances, or disseminating the image. The privacy element distinguishes the offence described here from the separate offence of stalking.

97. Nothing is an offence which is done by a child under ——— years of age:

(A) 3 years
(B) 7 years
(C) 12 years
(D) 16 years

Answer: (B) 7 years

Section 82 of the Indian Penal Code (BNS Section 20) excludes criminal responsibility for acts of a child under seven. The exclusion is absolute at that age. For children above seven and under twelve, the distinct rule under Section 83 depends on maturity of understanding on the particular occasion.

98. Government of India, in the year 2020 banned 59 Chinese mobile apps including Tik Tok, by invoking ——— of the Information Technology Act 2000:

(A) Section 66A
(B) Section 67A
(C) Section 69A
(D) Section 70A

Answer: (C) Section 69A

Section 69A of the Information Technology Act gives the Central Government power to direct blocking of public access to online information on the grounds specified in that provision. The question concerns use of a blocking power. Section 67A deals with publication or transmission of sexually explicit material and addresses a different subject.

99. Procedure when corporation or registered society is an accused is given in:

(A) Section 305 Cr.P.C.
(B) Section 387 Cr.P.C.
(C) Section 280 Cr.P.C.
(D) Section 289 Cr.P.C.

Answer: (A) Section 305 Cr.P.C.

Section 305 of the Code of Criminal Procedure (BNSS Section 342) covers an accused corporation or registered society. It provides for the appointment of a representative in the inquiry or trial and explains how procedural requirements operate when the representative appears. The section's definition expressly includes societies registered under the relevant Act.

100. Notwithstanding anything contained in the Code of Criminal Procedure, 1973, the offence under sub section (1) of section 31 of the Protection of Women from Domestic Violence Act, 2005, shall be:

(A) Cognizable and bailable
(B) Cognizable and non-bailable
(C) Non-Cognizable and non-bailable
(D) Non-Cognizable and bailable

Answer: (B) Cognizable and non-bailable

Section 32(1) of the Protection of Women from Domestic Violence Act makes the offence of breaching a protection order or interim protection order under Section 31(1) cognizable and non-bailable. Its overriding wording directs courts and police to use that classification despite the general rules of criminal procedure.