

**[SET-A]**  
**ENTRANCE EXAMINATION-2016**  
**MASTER OF LAWS (LL.M.)**

ROLL NO.

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Signature of Invigilator

PART-A: 60 Marks

PART-B: 40 Marks

Total Marks: 100

Time : 1 Hour 45 Minutes

Instructions to Candidates

1. Do not write your name or put any other mark of identification anywhere in the OMR Answer Sheet. IF ANY MARK OF IDENTIFICATIONS IS DISCOVERED ANYWHERE IN OMR ANSWER SHEET, the OMR sheet will be cancelled, and will not be evaluated.
2. This Question Booklet contains this cover page and a total of **60 Multiple Choice Questions of 1 mark**. Space for rough work has been provided at the beginning and end. Available space on each page may also be used for rough work.
3. Each correct answer carries one mark.
4. There is negative marking in Multiple Choice Questions. For each wrong answer 0.25 marks will be deducted.
5. USE OF CALCULATOR IS NOT PERMITTED.
6. USE/POSSESSION OF ELECTRONIC GADGETS LIKE MOBILE PHONE, iphone, iPad, pager ETC. is not permitted.
7. Candidate should check the serial order of questions at the beginning of the test. If any question is found missing in the serial order, it should be immediately brought to the notice of the Invigilator. No pages should be torn out from this question booklet.
8. Answers must be marked in the OMR answer sheet which is provided separately. OMR answer sheet must be handed over to the invigilator before you leave the seat.
9. The OMR answer sheet should not be folded or wrinkled. The folded or wrinkled OMR/Answer Sheet will not be evaluated.
10. Write your Roll Number in the appropriate space (above) and on the OMR Answer Sheet. Any other details, if asked for, should be written only in the space provided.
11. There are four alternative answers to each question marked A, B, C and D. Select one of the answers you consider most appropriate and fill up the corresponding oval/circle in the OMR Answer Sheet provided to you. The correct procedure for filling up the OMR Answer Sheet is mentioned below.
12. Use Black or Blue Ball Pen only for filling the ovals/circles in OMR Answer Sheet while answering the Questions. For your Choice of answers darken the correct oval/circle completely. If the correct answer is 'B', the corresponding oval/circle should be completely filled and darkened as shown below.

CORRECT  
METHOD

A	●	C	D
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WRONG METHOD

A	X	C	D	A	✓	C	D	A	●	C	D	A	●	C	D	A	●	C	D	A	●	C	D	A	●	C	D
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1. The 97<sup>th</sup> amendment to the Constitution –
  - A. Amended its Article 19.
  - B. Added to it Part IX B.
  - C. Added to it Part IX B and amended its First Schedule.
  - D. Amended its Article 19 and added to it Part IX B.
2. Which of the following is not a complainant under the Consumer Protection Act 1986 in India?
  - A. Central/State Government.
  - B. Recognised Consumer Association.
  - C. A retail dealer.
  - D. One or more consumers where there are numerous consumers having the same interest.
3. Maximum number of partners in a partnership firm which carries a banking business is 10 as per –
  - A. Partnership Act, 1932.
  - B. Banking Regulation Act, 1949.
  - C. Companies Act, 1956.
  - D. Income Tax Act, 1961.
4. Sanjay and Radha, the two class-mates, were playing tag in the park. Radha was "hit," and within a few minutes caught Sanjay. Rather than lightly tapping him, however, she hit him in the jaw with her fist, breaking one of his teeth. She had not intended to break a tooth, only to smack him in fun. Sanjay brings a battery action against Radha to recover for his broken tooth. Which of the following statements is most accurate?
  - A. Sanjay will prevail because Radha, in exercising her right of self-defense, exceeded the force reasonably necessary to repel Sanjay's attack.
  - B. Sanjay will prevail because Radha, by striking him so hard, exceeded the scope of his consent to a touching.
  - C. Radha will prevail because, by agreeing to play the game, Sanjay consented to touches that would otherwise constitute batteries.
  - D. Radha will prevail because she did not intend to break Sanjay's tooth.
5. The conviction of an accused is foremost and primarily preceded on his –
  - A. Right to due process of law.
  - B. Presumption of innocence.
  - C. Right to remain silent.
  - D. Right against self-incrimination.
6. Under the Hindu Adoption and Maintenance Act, a mother is –
  - A. Entitled to live along with her son's family.
  - B. Not entitled to live along with her son's family.
  - C. Morally entitled to her son's care.
  - D. Entitled to have separate accommodation from her son.
7. '*Lex iniusta non est lex*' has which of the following meanings?
  - A. The law is not valid unless it is formally enacted.
  - B. Law has lexical priority over morality.
  - C. An unjust law is not law.
  - D. No-one is above the law.
8. Judges of the ICJ are –
  - A. Elected by the Security Council.
  - B. Elected by the General Assembly and the Security Council.
  - C. Appointed by the Secretary General in consultation with the five permanent members of the Security Council.
  - D. None of the above.
9. The earliest Indian statute to regulate the relationship between employer and his workmen was-
  - A. Trade Dispute Act 1929.
  - B. Factories Act.
  - C. Industrial Relation Act.
  - D. Employees Act.
10. GATT has been replaced by –
  - A. GATS.
  - B. IFC.
  - C. WTO.
  - D. None of the above.
11. VAT is a –
  - A. First Stage tax.
  - B. Last Stage tax.
  - C. Multi stage tax.
  - D. Single stage tax as per the option of the assessee.
12. Oral evidence under section 60 of Evidence Act may be –
  - A. Direct only.
  - B. Hearsay.
  - C. Both direct & hearsay.
  - D. Either (a) or (b).

13. Which of the following cannot be exploited by assigning or licensing the rights to others –
  - A. Patents.
  - B. Designs.
  - C. Geographical Indications.
  - D. All of the above.
14. Triple Bottom Line is –
  - A. An accounting tool that looks at the impact on people, planet and profits.
  - B. A management strategy which states all the attention should be on profits.
  - C. An accounting tool that looks at cost, profit and loss.
  - D. A management strategy which focuses on corporate social responsibility.
15. The Supreme Court of India quashed the following Constitution amendment in toto –
  - A. 97<sup>th</sup>.
  - B. 98<sup>th</sup>.
  - C. 99<sup>th</sup>.
  - D. None of the above.
16. Rajan was fired his employer only after a service of five months, in breach of a twenty four months of employment contract. Rajan is entitled to recover as damages –
  - A. His salary for twenty four months.
  - B. His salary for nineteen months.
  - C. His salary for nineteen months, less what he could have earned in another job had he made reasonable effort to find another suitable job.
  - D. Nothing, because the employment contract must provide for liquidated damages.
17. Sale of Goods Act, 1930 came into force on-
  - A. 15<sup>th</sup> march, 1930.
  - B. 30<sup>th</sup> July, 1930.
  - C. 1<sup>st</sup> July, 1930.
  - D. 1<sup>st</sup> April, 1931.
18. Moral pressure is involved in the case of –
  - A. Coercion.
  - B. Undue influence.
  - C. Misrepresentation.
  - D. Fraud.
19. An agreement whereby a ship is hired for the exclusive use is called –
  - A. Charter party.
  - B. Voyage agreement.
  - C. Sea agreement.
  - D. Both A & B.
20. Which of the following means that the resulting injury is greater than what is intended –
  - A. Aberratio ictus.
  - B. Error in personae.
  - C. Dura Lex Sed lex.
  - D. Praeter Intentionem.
21. A person against whom summons has been issued may be compelled under Sec. 32 of C.P.C. to attend by –
  - A. Issue of a warrant.
  - B. Attachment and sale of his property.
  - C. Imposing a fine.
  - D. All the above.
22. Which of the following is not an Actionable Claim?
  - A. Mesne profit.
  - B. Claim of a Muslim wife for unpaid dower.
  - C. Unsecured debt.
  - D. Profit under a sale of goods contract.
23. Which one is not a source of Muslim Law?
  - A. The Quran.
  - B. Shariat.
  - C. Hadis.
  - D. Ijmaa.
24. Austin is described as a 'naive empiricist' –
  - A. Because he neglects the importance of morality.
  - B. Because his account of law is based on an anachronistic model of a legal system.
  - C. Because he conceives of laws in a pragmatic rather than a conceptual manner.
  - D. Because he overlooks the role of law in economic relations.
25. The Estrada Doctrine relates to –
  - A. Delimitation of boundaries.
  - B. Recognition of a government.
  - C. Recognition of a State.
  - D. None of the above.
26. One of the objectives of the Contract Labour (Regulation and Abolition) Act 1970 is to
  - A. Increase the contract employee.
  - B. Decrease the contract employee.
  - C. Promote the contract employee.
  - D. Develop the contract employee.

27. Members of the World Trade Organization are required to –
- Eliminate all tariffs.
  - Allocate quotas on a first-come-first-served basis.
  - Use the WTO's definitions of products, such as what can be called "beer."
  - Enforce patent rights for patent holders from other countries.
28. The provisions relating to service tax are given in –
- Finance Act, 1994 - Chapter V and VA.
  - Income-tax Act, 1961.
  - The Central Excise Act.
  - The Service Tax Act.
29. List of facts of which the judicial notice has to be taken under section 57 of Evidence Act is –
- Exhaustive.
  - Illustrative only.
  - Both (a) & (b).
  - Neither (a) nor (b).
30. Design under (Indian) Design Act 2000 does not include –
- Features of shape.
  - Composition of lines or colours.
  - Mode or principle of construction.
  - None of the above.
31. "Key Managerial Personnel", in relation to a company under Companies Act, 2013, means –
- The CEO or MD or the Manager.
  - The company secretary, whole-time director and Chief Financial Officer.
  - Such officer as may be prescribed.
  - All the above.
32. Constitutionally who has the power to make laws on insurance subject?
- Parliament.
  - State Legislature.
  - Both A and B.
  - Legislative Council.
33. Contracts classified on the basis of performance are –
- Executed contracts.
  - Executory contracts.
  - Partly executed or partly executory contracts.
  - All of the above.
34. A condition may be treated as warranty in the following cases –
- Where the buyer altogether waives the performance of the condition.
  - Where the buyer elects to treat the condition as one of a warranty.
  - In both of the above cases.
  - None of the above cases.
35. Ram Coomar Kundoo V/s Mc Queen (1872) is related to –
- Lis pendens.
  - Ostensible owner.
  - Part performance.
  - Mortgage.
36. Dower in Muslim Law is –
- An obligation imposed upon the husband as a mark of respect for wife.
  - Consideration for marriage.
  - A legal right of the wife.
  - All the above.
37. Minister Residents are –
- Higher in rank than that of the Minister Plenipotentiary.
  - Lower in rank than that of the Minister Plenipotentiary.
  - Equal in rank to the Minister Plenipotentiary.
  - None of the above.
38. In which of the following Acts provisions were made for restraining the right of strike and lockout –
- Factories Act.
  - Industrial Relation Act.
  - Trade Dispute Act.
  - Strike and Lock Act.
39. Which of the following issues did the Uruguay Round not address?
- Tariffs.
  - Intellectual Property.
  - Agriculture.
  - Migration.
40. Transfer of income without transfer of asset would be taxable in the hands of –
- Transferor only.
  - Transferee only.
  - Either transferor or transferee.
  - Both transferor and transferee.

41. Entries in the books of accounts regularly kept in the course of business are admissible under section 34 of Evidence Act –
- If they by themselves create a liability.
  - If they by themselves do not create a liability.
  - Irrespective of whether they themselves create a liability or not.
  - Either (a) or (b).
42. Plant variety to be protected under the Protection of Plant Variety & Farmer's Act must be –
- Novel and distinct.
  - Uniform and stable.
  - Neither A nor B.
  - A and B together.
43. Which of the following companies is a target company for the purpose of CSR under the companies Act, 2013 –
- A Company having a net worth of rupees five hundred crore or more or a turnover of rupees one thousand crore or more, or a net profit of rupees five crore or more during any financial year.
  - A Company having a net worth of rupees five hundred crore or more, a turnover of rupees one thousand crore or more, and a net profit of rupees five crore or more during any financial year.
  - A Company having a net worth of rupees five hundred crore or more and a turnover of rupees one thousand crore or more, or only a net profit of rupees five crore or more during any financial year.
  - A Company having a net worth of rupees five hundred crore or more or a turnover of rupees one thousand crore or more, irrespective of any net profit during any financial year.
44. In which of the following cases, it was held that the Union government cannot dismiss a duly elected State Government on the sole ground that the ruling party in the State suffered an overwhelming defeat in the General election –
- S. R. Bommai v. Union of India, AIR 1994 S. C. 1916.
  - State of Rajasthan v. Union of India, AIR 1977 S. C. 1361.
  - A and B.
  - None of the above.
45. All that precedes an acceptance is –
- Offer.
  - Offer and counter-offer.
  - Invitation to offer.
  - Offer and invitation to offer.
46. By virtue of what, our Indian Parliament is not sovereign or supreme with respect to the Constitution –
- Preamble.
  - Written Constitution.
  - Separation of Power and Checks and Balances between three constitutional organs.
  - All the above.
47. Through which Constitutional amendment in Article 359, it has been laid down that Fundamental rights under Articles 20 and 21 are enforceable during the operation of Emergency-
- 44<sup>th</sup> Amendment Act.
  - 46<sup>th</sup> Amendment Act.
  - 45<sup>th</sup> Amendment Act.
  - 48<sup>th</sup> Amendment Act.
48. Under which Constitutional Article review of judgment or orders lies with the Supreme Court-
- Article 139.
  - Article 137.
  - Article 140.
  - Article 141.
49. What is Contrabands?
- All narcotics.
  - Articles banned by a Government.
  - All smuggle goods.
  - Goods which may assist an enemy in the conduct of war.
50. In the Constituent Assembly, which parties were members –
- Congress, Muslim League, Unionist Muslim.
  - Unionist Schedule Caste, Krishak Poja, Scheduled Caste Federation, Sikh (Non-Congress).
  - Communist, Independent.
  - All the above.
51. An act or omission which is the result of a voluntary but not intentional misapprehension of facts is –
- An impossible crime.
  - A mistake of facts.
  - An accidental crime.
  - A complex crime.

52. Which Constitutional Article empowers the State legislature to adopt any state language as the official language of that State –  
 A. 345.  
 B. 346.  
 C. 348.  
 D. 349.
53. Under which Supreme Court judgment, action of the President to summon, prorogue and dissolve either of the Houses of Parliament shall be unconstitutional if acted without the advice of the Council of Ministers.  
 A. Indra Gandhi v. Raj Narain, AIR 1975 S.C. 2299.  
 B. Rao v. Indra Gandhi, AIR 1971 S.C. 1002.  
 C. Anandan v. Chief Secretary, AIR 1966 S.C. 657.  
 D. None of the above.
54. The basis of quasi contractual relation is the  
 A. Existence of a valid contract between the parties.  
 B. Prevention of unjust enrichment at the expense of others.  
 C. Provisions contained in section 10 of the Contract Act.  
 D. Existence of a voidable contract between the parties.
55. Conduct of Business of Parliament is mentioned in the Constitutional Article number –  
 A. 90.  
 B. 93.  
 C. 76.  
 D. None of the above.
56. Promotion of litigation in which one had no interest is –  
 A. Champerty.  
 B. Maintenance.  
 C. Stifling litigation.  
 D. None of the above.
57. Which Fundamental Rights Article is enforceable during the period of emergency –  
 A. 20.  
 B. 21.  
 C. Both A and B.  
 D. None of the above.
58. Calvo Clause means –  
 A. A state can intervene on behalf of its nationals.  
 B. A state can't intervene on behalf of its nationals.  
 C. An alien agrees not to seek the diplomatic protection of his own state.  
 D. None of these.
59. On the coming into force of the Companies Act, 2013 –  
 A. Companies Act, 1956 (1 of 1956) and Registration of Companies (Sikkim) Act, 1961 stand repealed provided that Part IX-A of the Companies Act, 1956 shall be applicable *mutatis mutandis* to a Producer company.  
 B. Companies Act, 1956 (1 of 1956) stands repealed.  
 C. Companies Act, 1956 (1 of 1956) stands repealed provided that Part IX-A of the Companies Act, 1956 shall be applicable *mutatis mutandis* to a Producer company.  
 D. Companies Act, 1956 (1 of 1956) and Registration of Companies (Sikkim) Act, 1961 stand repealed.
60. What is the meaning of the adjournment motion under Parliamentary procedure –  
 A. Member draws attention regarding important subject-matter.  
 B. Member wants the House to discuss his subject-matter.  
 C. Member wants to raise complicated issues.  
 D. Member wants to draw the attention of the House to recent matters of urgent public importance having serious consequences.

JAMIA MILLIA ISLAMI, NEW DELHI  
ENTRANCE EXAMINATION -2016-2017

MASTER OF LAWS (LL.M.)  
[PART -B]  
[DESCRIPTIVE]

40 Marks

Answer all the questions. Each question carries equal marks.

1. What do you understand by the expression "procedure established by law" as enshrined in the Constitution of India.
2. Do you think that the legal aid to the accused is an important tool to achieve the goal of fair trial? Discuss in the light of the relevant provisions of the Cr. P. C. and the Constitution of India.
3. Bring out clearly the notion that dacoity is the aggravated form of theft.
4. "For giving rise to a valid contract, there must be *consensus-ad-idem* among the contracting parties." Explain this statement and discuss the meaning of 'free consent.' Also give reason for your answer to the following problem: A sells a horse to B knowing fully well that the horse is vicious. A does not disclose this to B. Is the sale valid?
5. Describe the classes of heirs adopted under the Hanafis (Sunni) system of inheritance.
6. What do you understand by dependents and maintenance? In what conditions a Hindu wife is eligible for a separate residence without forfeiting her claim to maintenance?
7. How is the alteration of share-capital different from the reduction of share-capital? Discuss the legal provisions regarding the reduction of share-capital.
8. How are the 'trademarks', 'collective marks' and certification marks' different from each other? Can all the three be affixed simultaneously on a product?