

**Q. No. : 160 - Legal Principle:** The doctrine of basic structure in Constitutional jurisprudence means that the Constitution of India has certain basic features that cannot be taken away through amendments by the Parliament. The power of judicial review is a part of the basic structure and it helps the constitutional Courts to determine whether an amendment is against the basic structure or not.

**Fact Situation:** Parliament proposes an amendment to limit the power of appeal against conviction for the offence of Sedition, to be exercised only by the Supreme Court of India.

Which of the following statements is the most appropriate in relation to the legal principle stated above?

**Options:**

- 1) The proposed amendment is against the doctrine of basic structure.
- 2) The proposed amendment is unconnected to the doctrine of basic structure.
- 3) The proposed amendment can be reviewed and struck down by the Constitutional Courts.
- 4) The proposed amendment is beyond the power of the Parliament.

**Correct Answer:** 3) The proposed amendment can be reviewed and struck down by the Constitutional Courts.

**Q. No. : 161 - Who among the following was the first Chairman of the Constituent Assembly in India?**

**Options:**

- 1) Dr. Rajendra Prasad
- 2) Dr. Sachchidananda Sinha
- 3) Harendra Coomar Mookerjee
- 4) Dr. B.R. Ambedkar

**Correct Answer:** 2) Dr. Sachchidananda Sinha

**Q. No. : 162 - Legal Principle:** It is an offence to obstruct a public servant in the due discharge of his duty. Right of private defence is available to protect one's person and property.

**Fact Situation:** Sidhu comes to the rescue of his uncle who is sought to be taken into a car by some men. In the process, he causes injury to some of them. Later, it turns out that the men were police persons in plain clothes trying to enforce a warrant against his uncle.

Which of the following statements is the most appropriate in relation to the legal principle stated above?

**Options:**

- 1) Sidhu has committed the offence of obstructing a public servant in due discharge of his duty.
- 2) Sidhu has not committed an offence since he did not know that the men were from the police.
- 3) Sidhu's uncle has resisted arrest and should be proceeded against.
- 4) Sidhu should not have tried to help his uncle without ascertaining the fact

**Correct Answer:** 2) Sidhu has not committed an offence since he did not know that the men were from the police.

**Q. No. : 163 - Legal Principle: An employer is liable for the act of his servant performed during the course of employment.**

**Fact Situation: While working as a driver for Verma, Alok sometimes used to earn some side income by carrying parcels for others in Verma's car without his knowledge or permission. While going to pick Verma from the airport one day, Alok stopped to deliver a parcel he was carrying with him. While he was delivering the parcel, which unknown to him was one of contraband goods, the police arrested Alok.**

**Which of the following statements is the most appropriate in relation to the legal principle stated above?**

**Options:**

- 1) Verma is liable for the act of Alok since he is Verma's driver.
- 2) Verma is liable for the act of Alok since he had gone to pick Verma from the airport.
- 3) Verma is not liable for the act of Alok since Alok himself did not know that he was carrying contraband goods.
- 4) Verma is not liable for the act of Alok since carrying the parcel was not in the course of his employment.

**Correct Answer: 4) Verma is not liable for the act of Alok since carrying the parcel was not in the course of his employment.**

**Q. No. : 164 - Which law introduced the system of dyarchy in India during the British reign?**

**Options:**

- 1) The Government of India Act, 1858
- 2) The Government of India Act, 1909
- 3) The Government of India Act, 1919
- 4) The Government of India Act, 1935

**Correct Answer: 3) The Government of India Act, 1919**

**Q. No. : 165 - Legal Principle: The Latin maxim *nemo bis punitur pro eodem delicto* means that nobody can be punished twice for the same offence.**

**Fact Situation: Sajan, a petty thief, is caught and thrashed thoroughly by the people before being handed over to the police. Sajan pleads before the magistrate that since he was already thrashed by the people he should not be again punished by the State.**

**Which of the following statements is the most appropriate in relation to the legal principle stated above?**

**Options:**

- 1) Sajan is right since nobody should be punished for the same offence twice.
- 2) Thrashing given by the people does not amount to legal punishment and so Sajan can be punished by the State.
- 3) Giving a good thrashing to the thief is the best form of punishment to prevent future theft.
- 4) The Magistrate should take into consideration the thrashing received by Sajan while fixing his punishment.

**Correct Answer: 2) Thrashing given by the people does not amount to legal punishment and so Sajan can be punished by the State.**

**Q. No. : 166 - Legal Principle: The Latin maxim *qui facit per alium, facit per se* means that he who acts through another, acts himself.**

**Fact Situation: Heema requests her minor sister Harika to purchase a bag for her from the local shop. Harika purchases the bag on credit telling the shop keeper that her sister will pay for it. Afterwards, Heema refuses to pay for the bag.**

**Which of the following statements is the most appropriate in relation to the legal principle stated above?**

**Options:**

- 1) Since Heema has not purchased the bag herself she is not liable to pay for it.**
- 2) Harika being a minor the shop keeper should not have sold the bag to her.**
- 3) Since she purchased the bag through her sister, Heema is liable to pay for it.**
- 4) Harika being a minor should not have been entrusted by Heema for the purchase of the bag.**

**Correct Answer: 3) Since she purchased the bag through her sister, Heema is liable to pay for it.**

**Q. No. : 167 - Legal Principle: Negligence is the absence of care by one party which results in some damage to another. Damage is an essential ingredient to constitute a tort of negligence.**

**Fact Situation: Mistry left his ladder on the public road while unloading it from a truck when he went to open the shutters of his shop. Saini who was riding his motorcycle had to swerve hard to avoid hitting the ladder as he came with speed on the road. Saini fell down but was miraculously not injured.**

**Which of the following statements is the most appropriate in relation to the legal principle stated above?**

**Options:**

- 1) Mistry is not liable for the tort of negligence since Saini was not injured though he fell down.**
- 2) Mistry is liable for the tort of negligence since Saini fell down due to the presence of the ladder.**
- 3) Mistry is not liable for the tort of negligence since Saini was speeding on the road.**
- 4) Mistry is liable for the tort of negligence since he was careless in leaving the ladder on the road.**

**Correct Answer: 2) Mistry is liable for the tort of negligence since Saini fell down due to the presence of the ladder.**

**Q. No. : 168 - Legal Principle: Every partner is liable alone and jointly with other partners for the debts of a partnership firm incurred for the business. Every partner is an agent of every other partner while being a principal in his own right in the business of the partnership.**

**Fact Situation: Varun is a partner in a firm with Chinmoy and Jaffar. Jaffar purchases a car for his personal purpose and obtains credit for the same in the name of the partnership behind the back of the other partners. He fails to pay the due amount on the expiry of the period of credit.**

**Which of the following statements is the most appropriate in relation to the legal principle stated above?**

Options:

- 1) Varun, Chinmoy and Jaffar are liable to pay for the car since they are partners and the credit was obtained in the name of the firm.
- 2) Varun and Chinmoy are not liable to pay for the car since Jaffar purchased it for his personal purpose.
- 3) Varun, Chinmoy and Jaffar are liable as partners for all credit obtained in the name of the firm even if it is for the personal purpose of a partner.
- 4) Jaffar can use the credit of the firm to make purchases even for personal purposes since he is a partner in the partnership.

Correct Answer: 2) Varun and Chinmoy are not liable to pay for the car since Jaffar purchased it for his personal purpose.

Q. No. : 169 - Legal Principle: Parents are not liable for wrongs committed by their children unless they provide the opportunity for such wrongful acts to be committed by their children.

Fact Situation: Sunil, a minor, takes the keys to his father's car from the table top where his father keeps it, drives the car on the public road and hits a pedestrian who gets injured.

Which of the following statements is the most appropriate in relation to the legal principle stated above?

Options:

- 1) Since Sunil took the car without his father's permission, his father is not liable for Sunil's act resulting in the accident.
- 2) Sunil's father is liable for the conduct of Sunil resulting in the accident since he left the car keys where his son could easily take it without permission.
- 3) Accidents happen despite utmost care and hence neither Sunil nor his father is liable in the instant case.
- 4) Sunil's father is not liable since he had kept his car locked and securely deposited its keys without negligence on his table top.

Correct Answer: 2) Sunil's father is liable for the conduct of Sunil resulting in the accident since he left the car keys where his son could easily take it without permission.

Q. No. : 170 - Legal Principle: No remedy lies in law where an injury is caused to a person without any infringement of his legal right.

Fact Situation: Ashutosh started a tuition Centre right next to the one being run for the past twenty years by Gulshan. After Ashutosh started his Centre, a large number of students shifted from Gulshan's tuition Centre to Ashutosh's Centre forcing Gulshan to close down his establishment suffering huge losses. Can Gulshan initiate legal action against Ashutosh?

Which of the following statements is the most appropriate in relation to the legal principle stated above?

Options:

- 1) Ashutosh must compensate Gulshan for his loss consequent to the start of the new tuition centre.
- 2) Gulshan cannot blame Ashutosh if he cannot retain his students.
- 3) Ashutosh has not violated any legal right of Gulshan, though students shifted to Ashutosh's Centre and though Gulshan suffered loss, after he shut down his tuition Centre.
- 4) Gulshan should have improved his quality with lower fees to retain his students in the light of competition brought in by Ashutosh.

Correct Answer: 3) Ashutosh has not violated any legal right of Gulshan, though students shifted to

Ashutosh's Centre and though Gulshan suffered loss, after he shut down his tuition Centre.

**Q. No. : 171 - Legal Principle:** Article 20(3) of the Constitution of India states that no person accused of any offence shall be compelled to be a witness against himself.

**Fact Situation:** Ubaid refuses to give a sample of his blood after he is stopped by the police for driving over the speed limit. The police suspect him to be driving under the influence of alcohol, which is prohibited under the law.

Which of the following statements is the most appropriate in relation to the legal principle stated above?

Options:

- 1) Ubaid is protected by Article 20(3) in his refusal to give a blood sample.
- 2) Ubaid is not protected by Article 20(3) as he was under the influence of alcohol.
- 3) Ubaid is not protected by Article 20(3) in his refusal to give a blood sample since he is not accused of any offence yet.
- 4) Refusal to give a blood sample is a crime and Ubaid must be punished for the same.

**Correct Answer:** 3) Ubaid is not protected by Article 20(3) in his refusal to give a blood sample since he is not accused of any offence yet.

**Q. No. : 172 - The law which provides special powers to the Armed Forces in India is popularly known as:**

Options:

- 1) AFSPA
- 2) POTA
- 3) TADA
- 4) SARFAESI

**Correct Answer:** 1) AFSPA

**Q. No. : 173 - Legal Principle:** The law states that a food business operator must be registered with or licensed by the Food Safety and Standards Authority of India (FSSAI) to run a food business.

**Fact Situation:** Kavita's neighbours suffer food poisoning after consuming sweets gifted by her on the occasion of a celebration at her home. Kavita does not have a registration or license from the FSSAI.

Which of the following statements is the most appropriate in relation to the legal principle stated above?

Options:

- 1) Kavita is in violation of the law since she does not have a FSSAI registration or license.
- 2) Kavita is not in violation of the law since she did not make the sweets she gave by way of gift.
- 3) Law does not apply in cases like this where transactions happen between neighbours.
- 4) Kavita need not take a license or register with FSSAI since she is not running a food business.

**Correct Answer:** 4) Kavita need not take a license or register with FSSAI since she is not running a food business.