



Solved Paper of Haryana Judicial Services (Prelims)

## HARYANA CIVIL SERVICES (JUDICIAL BRANCH) PRELIMINARY EXAM – 2010

1. The meaning of "Audi alteram Partem" is -

- Rights are associated with the duties
- Everybody has a right to defend himself
- Everybody should be given a reasonable opportunity to defend himself
- None of the above

*Ans: (c) - Audi alteram partem is a Latin phrase meaning "listen to the other side", or "let the other side be heard as well". It is the principle that no person should be judged without a fair hearing in which each party is given the opportunity to respond to the evidence against them. This is an important principle of every legal system and a decision which is in violation of this principle makes the decree invalid. If the decision is in violation of this principle it will be against the principles of natural justice. Such a decision cannot even form res judicata as the decision is not on merit. A foreign judgment in violation of this principle cannot be enforced in India.*

2. In law, a man is presumed to be dead if he is not heard of as alive for

- 4 years
- 7 years
- 10 years
- 15 years

*Ans: (b) - This presumption is based on section 107 and 108 of the Indian Evidence Act. According to section 107 - When the question is whether a man is alive or dead, and it is shown that he was alive within thirty years, the burden of proving that he is dead is on the person who affirms it. Further according to section 108 - Provided that when the question is whether a man is alive or dead, and it is proved that he has not been heard of for seven years by those who would naturally have heard of him if he had been alive the burden of proving that he is alive is shifted to the person who affirms it. The burden of proof is on the person who takes the plea that a certain person is dead.*

*The latter section shows that the presumption arises only when the question as to whether a man is alive or dead is in issue. In other words, there is no presumption, so long as there is no dispute about a man being alive, that a man died after a particular time after his disappearance. (Narayana Pillai v. Velayudhan Pillai (1964) 1 MLJ 246)*

*According to section 2 of the Dissolution of Muslim Marriages Act 1939, if the whereabouts of the husband is not known for a period of four years a woman married under Muslim law shall be entitled to*

*obtain a decree for the dissolution of her marriage, but a decree passed on this ground will not take effect for a period of six months from the date of such decree and if the husband appears within that period and satisfy the court that he is prepared to perform his conjugal duties, the court must set aside the said decree.*

*Whereas under the personal law of other parties the period of absence is 7 years even for matrimonial purposes.*

3. A sentence of death by a lower court

- Must be confirmed by High Court
- Must be confirmed by Supreme Court
- Must be confirmed by President
- Is operational if no appeal is made to High Court

*Ans: (a) The question is based on section 366 of Cr PC - When the Court of Session passes a sentence of death, the proceedings shall be submitted to the High Court, and the sentence shall not be executed unless it is confirmed by the High Court. Further the Court passing the sentence shall commit the convicted person to jail custody under a warrant.*

4. Conspiracy needs at least persons

- Three
- Two



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- c. Five
- d. One

**Ans: (b)** – A person cannot conspire with himself. It requires at least two persons for a conspiracy. Conspiracy can be a civil wrong or a crime. When two or more persons without lawful justification combine for the purpose of willfully causing damage to the plaintiff and actual damage result therefrom, they commit the tort of conspiracy.

Criminal conspiracy is defined under section 120A of the IPC and it is different from conspiracy as a tort in the sense that just an agreement between the parties to do an illegal act or an act which is not legal by illegal means is actionable. Thus conspiracy under torts requires some act and consequential damage whereas criminal conspiracy alone is punishable under crime.

However if two or more persons combine together to facilitate their own interest and without intention of causing wrongful loss or damage to any other person then they will not be liable even though their collective effort causes damage to the plaintiff. (*Moghul Steamship Co. v. McGregor Gow & Co.*)

5. The act of unlawfully entering into another's property is known as

- a. Breach of property
- b. Trespass
- c. Easement
- d. Escheat

**Ans: (b)** – Trespass can be a civil wrong or a crime. Intention to commit a crime is

essential in criminal trespass whereas trespass as a civil wrong needs no such criminal intention. Thus if a person enters an exhibition building secretly without a ticket for the purpose of watching the exhibition, there is no criminal trespass as such because even though he has entered the property in the possession of the other without permission, his intention was not to commit an offence and it will only be a civil wrong.

6. Sexual intercourse with the consent of a girl amounts to rape if she is under

- a. 15 Years
- b. 16 Years
- c. 17 Years
- d. 18 Years

**Ans: (d)** The question is based on section 375 of the IPC. Sexual intercourse with or without consent when the girl is under eighteen years of age amounts to rape according to amended definition of rape. However sexual intercourse or sexual acts by a man with his own wife, the wife not being under 15 years of age, is not rape.

7. Which of the functionaries can be invited to give his opinion to the Parliament?

- a. Chief Justice of India
- b. Chief Election Commissioner of India
- c. Comptroller & Auditor-General of India
- d. Attorney-General of India

**Ans: (d)** – The most senior law officer of the Government of India is the Attorney General of India, who is a presidential

appointee under Article 76(1). He has the authority to address any court in the country. He must be a person qualified to be appointed as a Judge of the Supreme Court, also must have been a judge of some high court for five years or an advocate of some high court for ten years or an eminent jurist, in the opinion of the President and must be a citizen of India. He also has the right to participate in the proceedings of the Parliament, though no right to vote.

8. First Indian President of International Court of Justice was

- a. Justice Nagendra Singh
- b. Justice P.N. Bhagwati
- c. Justice M. Hidayatullah
- d. Justice S.M. Sikri

**Ans: (a)** – He was an eminent Indian lawyer and administrator who became the President of the International Court of Justice from 1985 to 1988. There are other two judges from India to have been on the International Court of Justice in The Hague, J. R. S. Pathak, (1989 to 1991) the 18<sup>th</sup> Chief Justice of India and J. Dalveer Bhandari, former Justice of the Supreme Court of India (Since January 2012).

9. Which of the following is a human rights organization?

- a. I.L.O.
- b. Amnesty International
- c. I.C.J.
- d. Human agency organization

**Ans: (b)** – Amnesty International is a non-governmental organisation focused on human rights with



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over 7 million members and supporters around the world.

Headquarters: London, UK,

Motto: It is better to light a candle than to curse the darkness.

Founder: Peter Benenson,

Founded: July 1961, London, United Kingdom

10. Which of the following countries is not a member of SAARC?

- a. Bhutan
- b. Myanmar
- c. Nepal
- d. Pakistan

Ans: (b) – Myanmar is not a member of SAARC. The SAARC members are Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, Sri Lanka. SAARC was founded in Dhaka on 8th December, 1985. Its secretariat is based in Kathmandu, Nepal. The organization promotes development of economic and regional integration.

11. Fourth Estate refers to

- a. Press
- b. Parliament
- c. Executive
- d. None of the above

Ans: (a) – The Press is referred to as the fourth Estate. The first use of the term was by Edmund Burke in 1787 during a debate in parliament on the opening up of press reporting of the House of Commons of Great Britain. The press is called the fourth estate usually because they observe the political process.

12. Who is the present Secretary General of United Nations Organization?

- a. Ban-ki-Moon
- b. George Bush
- c. Robert Blackwell
- d. None of the above

Ans: (d) – The General Assembly on 13<sup>th</sup> October 2016 appointed by acclamation the former Prime Minister of Portugal, António Guterres, as the next United Nations Secretary-General, to succeed Ban Ki-moon who completed his tenure on 31/12/2016. He is the 9<sup>th</sup> Secretary General. Article 97 of the United Nations Charter determines that the Secretary-General is "appointed by the General Assembly upon the recommendation of the Security Council." As the recommendation must come from the Security Council, any of the five permanent members of the Council can veto a nomination. He is usually appointed for a period of 5 years and the term is renewable.

13. 'West Bank' is a disputed territory between

- a. Syria
- b. Palestine and Israel
- c. Jordan and Israel
- d. None of the above

Ans: (b) – The West Bank and Gaza Strip are disputed territories between Israel and Palestine. Israel claims rights in the West Bank and Gaza Strip, which the Palestinians deliberately disregard.

14. Which is the world's highest battle ground?

- a. Kargil

- b. Jojila
- c. Siachen
- d. None of the above

Ans: (c) – Siachen glacier is strategically important to India and Pakistan. Both India and Pakistan claim authority over siachen.

15. Who was the first Indian to go in space?

- a. KalpanaChawala
- b. KiranBedi
- c. Rakesh Sharma
- d. Sunita Williams

Ans: (c) – Rakesh Sharma was the first Indian astronaut to travel in to space. Rakesh Sharma, flew aboard Soyuz T-11, launched on April 2, 1984, as part of the Inter-cosmos programme. Other Indians who travelled into space are Kalpana Chawla & Sunita Williams.

16. The Rowlatt Act was passed in

- a. 1921
- b. 1917
- c. 1919
- d. None

Ans: (c) – It was passed in the year 1919. This Act authorized the government to imprison for a maximum period of two years, without trial, any person suspected of terrorism. The act provided speedy trial of the offenses by a special cell that consisted of 3 High Court Judges. There was no court of appeal above that panel.

17. Who was the first and last Indian Governor-General of Independent India?

- a. R. Rajagopalachari
- b. Dr. Rajendra Prasad
- c. Lord Mountbatten



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d. Lord Canning

*Ans: (a) C. Rajagopalachari was the first Indian and the last Governor General of independent India. The post of Governor General was originally the head of the British administration in India and, later, after Indian independence in 1947, the representative of the Indian monarch and head of state. The post of Governor General was created on 20 October 1774 and abolished with effect from 26 January 1950.*

18. The first woman to become a Governor of a State in India

- a. Vijayalakshmi Pandit
- b. Sarojini Naidu
- c. Fateema Biwi
- d. Suchetakriplani

*Ans: (b) - Sarojini Naidu was the first Indian woman to become the president of the Indian National Congress and the first woman to become governor of Uttar Pradesh. Known as the Nightingale of India, she eulogized India in her poems published in three collections, The Golden Threshold (1905), The Bird of Time (1912) and the Broken Wing (1917). Pained by the Jallianwala Bagh massacre of 1919, she stopped writing poetry. Her collection of poems entitled "The Feather of The Dawn" was later edited and published after her death in 1961.*

19. Bhagat Singh, Rajguru and Sukhdev were hanged for their role in

- a. Kakori case
- b. Lahore Conspiracy case
- c. Meerut conspiracy case

d. all the above

*Ans: (b) - The political parties boycotted the Simon commission and this was followed by a wave of demonstrations all over India. In Lahore, Lala Lajpat Rai was leading an anti-Simon Commission demonstration on 30 October 1928, when the brutal Lathi charge claimed his life. The death of Lala Lajpat Rai led the HSRA (Hindustan Socialist Republican Organization) again take the path of assassination of the British. To avenge the killing of Lal Lajpat Rai, Bhagat Singh, Raj guru, Jai Gopal and Sukh Dev conspired to kill the police chief, Scott.*

20. The executive authority of the Union is vested by the Constitution in the

- a. Prime Minister
- b. President
- c. Cabinet
- d. Union Legislature

*Ans: (b) - The question is based on Article 53 of the Constitution of India - The executive power of the Union shall be vested in the President and shall be exercised by him either directly or through officers subordinate to him in accordance with the Constitution. He will be the Supreme Commander of the Defence Forces. If a function is conferred on any government of state or other authority by any existing law, then that function cannot be transferred to President. Again this Article authorizes the Parliament to confer function on authorities other than President. However, Parliament cannot*

*transfer/destroy any power which is conferred on President by the Constitution.*

21. Right to seek advisory opinion of the Supreme Court on any question of law belongs to -

- a. President
- b. Governor
- c. Prime minister
- d. President and Governor

*Ans: (a) - Article 143 of the Constitution of India with its two sub-clauses has cast twin obligations or duty upon the Supreme Court to advise the President on the question of law or fact, which has arisen or is likely to arise of such nature and of such public importance that the President feels it expedient to seek the opinion of the Supreme Court upon it. The President can seek the opinion of the Supreme Court on any question of law or fact which appears to him to be of such a nature and of such public importance that it is expedient to obtain the Court's opinion. The Supreme Court cannot be asked to reconsider its earlier decisions by making reference under Article 143(1) of the Constitution. The Supreme Court cannot travel beyond the reference made by the President under Article 143(1) of the Constitution.*

*However the SC is not bound to give its opinion and the President is also not bound by the advice given by the SC.*

22. Which one of the following Chief Justices of India has acted as President of India?

- a. M. Hidayatullah



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- b. P.B. Gajendragadkar
- c. P.N. Bhagwati
- d. All of the above

**Ans:** (a) - Mohammad Hidayatullah was the eleventh Chief Justice of India serving from 25 February 1968 to 16 December 1970, and the sixth Vice-President of India, serving from 31 August 1979 to 30 August 1984. As the Chief Justice of India, he had also served as the Acting President of India from July 20, 1969 to August 24, 1969.

23. An ordinance promulgated by the President -

- a. Has an indefinite life
- b. One year
- c. Must be laid before parliament when it re-assembles
- d. None of the above.

**Ans:** (c) - Under the Constitution, the power to make laws rests with the legislature. However, in cases when Parliament is not in session, and 'immediate action' is needed, the President can issue an ordinance. An ordinance is a law, and could introduce legislative changes.

However such an ordinance must receive parliamentary approval within six weeks of the next session of the parliament, otherwise it shall become invalid.

The promulgation of an ordinance is not necessarily connected with an 'emergency' but issued by the president in case he is convinced that it is not possible to have the parliament enact on same subject immediately and the circumstance render it necessary for him to take

"immediate action" (Article 123)

24. To contest the election of Rajya Sabha a person shall not be less than

- a. 25 years
- b. 30 years
- c. 35 years
- d. 40 years

**Ans:** (b) - The following qualifications are to be possessed by a person to be qualified for the membership of Parliament.

(a) He must be a citizen of India

(b) He must make and subscribe to an oath before an authorized person.

(c) For the membership of Lok Sabha he must not be less than 25 years of age and for Rajya Sabha not less than 30 years of age.

(d) He must possess such other qualifications as may be prescribed in that behalf by or under any law made by Parliament. (He must be registered as a voter in any of the Parliamentary constituencies) (Article 84)

25. Area of a Lok Sabha constituency for the purpose of general elections is determined by

- a. Delimitation Commission
- b. Election commission of India
- c. Census Commission
- d. President

**Ans:** (a) - Area of a Lok Sabha constituency is determined by the Delimitation Commission or Boundary Commission of India which is a Commission established by the Government of India under the provisions of the Delimitation

Commission Act. The main task of the commission is redrawing the boundaries of the various assembly and Lok Sabha constituencies based on latest census.

26. On which date did India become a Sovereign Democratic Republic?

- a. 15th August, 1947
- b. 26th January, 1950
- c. 30th January, 1952
- d. 26th January, 1947

**Ans:** (b) - The Constituent Assembly enacted the Constitution on the 26th of November 1949 but it was enforced with effect from 26 January 1950. Thus India became a Sovereign Republic only with effect from 26 January 1950 only.

27. The Constitution is declared to have been adopted & enacted by the

- a. Constituent assembly
- b. People of India
- c. Indian President
- d. Indian Parliament

**Ans:** (b) - The preamble declares that the people of India are the source of the constitution and that sovereignty lies in the people. We, the people of India having solemnly resolved to constitute India in to a sovereign, socialist, secular, democratic Republic and to secure all its citizens:

JUSTICE, social, economic, and political  
LIBERTY, of thought, expression, belief, faith and worship  
EQUALITY of status and opportunity, and promote among them all



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**FRATERNITY**, assuring the dignity of the individual and unity and integrity of the nation.

In our Constituent assembly, this 26<sup>th</sup> day of November 1949 does hereby adopt, enact, and give to ourselves this Constitution.

28. Which of the following Article of the Constitution of India is related to liberty of press?

- a. Article 19
- b. Article 20
- c. Article 21
- d. Article 22

**Ans: (a)** – The freedom of press is covered under Article 19 (1) of the Constitution. In *Ramesh Thapar v. State of Madras* - the Apex court by majority expressed the view that there can be no doubt that the freedom of speech and expression includes freedom of propagation of ideas and that freedom is secured by freedom of circulation. Liberty of circulation is essential to that freedom as the liberty of publication. Indeed without circulation publication would be of little value. Thus freedom of circulation involves freedom of communication over which there can be no censorship. Censorship can only arise under the exception covered by Clause 19(2).

29. Who can impose reasonable restrictions on the Fundamental Rights?

- a. Supreme Court
- b. Parliament
- c. President
- d. None of these

**Ans: (b)** – The parliament can impose reasonable restrictions on the fundamental rights, but it cannot totally abrogate it as fundamental rights constitutes a basic feature of the Constitution. (*Kesavananda Bharti v. State of Kerala*). In case of an emergency all fundamental rights except that under Article 20 and 21 can be suspended by the parliament.

30. The right to Constitutional remedies in India is available to

- a. Citizens of India only
- b. All persons, in case of infringement of any Fundamental Right

- c. All persons, for enforcing any of the fundamental Rights, conferred on them
- d. An aggrieved individual alone

**Ans: (c)** – Right to constitutional remedies are available in the form of writs under Article 226 and Article 32 of the Constitution to all persons for enforcing any of the fundamental rights, conferred on them.

31. A command asking a public authority to perform its public duty is called the writ of

- a. Habeas corpus
- b. Qua warranto
- c. Mandamus
- d. Prohibition

**Ans: (c)** – The object of mandamus is to compel the performance of a public duty by an administrative authority. It is also however used to enforce private rights when they are withheld by public officers. The wrongful exercise of discretion is redressable by

an order of mandamus. It is a remedy of summary nature and is coercive in its character. Mandamus is a command directed to any person or corporation or inferior court, requiring him or those to do something therein specified which is related to his or their office and is in the nature of a public duty. A writ of mandamus will lie against a public body, such as University compelling it to carry out its duties and to obey its rules and regulations when there is a failure on their part to perform mandatory duty.

32. An another name of mercy killing is

- a. Final exit
- b. Euthanasia
- c. Murphy's death
- d. None of these

**Ans: (b)** – The term derived from Greek means 'good death'. It means the act or practice of putting to death painlessly so as to release a man from incurable suffering. There are two situations in euthanasia:

i) Cases in which a physician decides not to provide or continue to provide, for his patient treatment or care which could or might prolong his life and

(ii) Cases in which a physician decides, for example, by lethal drug actively to bring his patient's life to an end.

In the first case, the courts take a lenient view if it is recommended by a team of doctors as a patient cannot be placed on life support indefinitely. However, it not



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lawful for a doctor to administer a drug to his patient to bring about his death, even though that course is prompted by a humanitarian desire to end his suffering. Euthanasia is not legal in India.

33. Every person who is arrested or detained is required to be produced before the nearest Magistrate within a period of

- a. 24 hours
- b. 48 hours
- c. 72 hours
- d. None of these

*Ans: (a) - Every person who is arrested and detained in custody shall be produced before the magistrate within a period of 24 hours of such arrest excluding the time necessary for the journey from the place of arrest to the Magistrate's court and no such person shall be detained in custody beyond the said period without the authority of a magistrate. [Article 22(2)].*

34. Ownership and possession are

- a. Same
- b. Similar
- c. Different
- d. Identical

*Ans: (c) - Ownership implies a bunch of rights over the thing owned. This bunch of rights consists of various interests, power, liberties, immunities etc vested in the owner with regard to the thing owned. These rights are recognized and protected by law. However law can impose certain limitations on these rights in public interest and to regulate general*

*transactions concerning ownership. It includes - i) Right of possession (ii) Right of enjoyment (iii) Right of disposition. Thus possession is only one aspect of ownership. However it is said that possession is nine points in law, meaning thereby possession is good against the entire world except the real owner.*

35. When a child is born alive which one is true about him?

- a. He is considered to be a person in the eye of law
- b. He is considered even in womb to be in existence
- c. He is considered to be capable of owning personal rights
- d. All of the above

*Ans: (d) - A child in the womb of his mother is by legal fiction regarded as already born. If he is born alive, he will have a legal status. Though law normally takes cognizance of living human beings yet the law makes an exception in case of an infant in the womb. Rights are given to an unborn child under the Transfer of Property Act and the Hindu law as well as under the criminal law and torts.*

36. Locus Standi means

- a. One's personal interest
- b. Right to sue
- c. Right to be heard
- d. Right to intervene

*Ans: (d) - It is the right or capacity of a litigant to bring an action or to appear in a court. In general only an aggrieved person can come to a court and institute a case. Public Interest Litigations are an exception.*

37. A contract is -

- a. An agreement enforceable by law
- b. A set of promises
- c. An agreement not enforceable by law
- d. A promise to do something or abstain from doing something

*Ans: (a) - According to Section 2 (h) of the Indian Contract Act, Contract is "an agreement enforceable by law". A contract is an agreement, an agreement is a promise, and a promise is an accepted proposal. So agreement and enforceability are the two essential constituents in contract. First there should be an agreement and secondly such agreements should be enforceable by law.*

38. Illegality renders a contract

- a. Punishable
- b. Void
- c. Illegal

d. All of these

*Ans: (b) - An illegal agreement is destitute of legal effects from the beginning but a contract may become void subsequently on the happening of an event which makes it illegal. Money paid or property transferred by one party to another, in the case of an illegal agreement, shall in general be not recoverable. But in case of agreements which were valid in the beginning but had become illegal on account of happening of some event or where the parties did not know the illegality the money paid or property transferred might be recovered.*



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*An illegal agreement is punishable and illegality of the original contract will make even the collateral transactions illegal unlike void agreements.*

39. Total no. of seats in Lok-Sabha for Haryana is

- a. 13
- b. 15
- c. 20
- d. None of above

*Ans: (d)*

40. First Chief Minister of Haryana State was

- a. BD Sharma
- b. Bansi Lal
- c. Rao Birender Singh
- d. Devi Lal

*Ans: (a)*

*Note:- Currently CM of Haryana is Sh. Manohar Lal Khattar*

41. Which of the following statements is/are correct:

- 1. A claim for damages arising out of breach of contract is not debt.
  - 2. A person who enters into a contract with Government does not necessarily thereby undertake any public duty.
- a. 1 only
  - b. 2 only
  - c. both 1 and 2
  - d. Neither 1 nor 2

*Ans: (c) - Both the above statements are correct. Damages and debts are different and similarly contractual assignment with a government does not amount to public duty even.*

42. Which of the following agreement (s) is/are void?

- 1. Agreement without consideration.
  - 2. Agreement in restraint of legal proceedings.
  - 3. Agreement effected by fraud
- a. 3 only
  - b. 2 only
  - c. 1, 2 and 3
  - d. 1 and 2

*Ans: (d) - An agreement without consideration is void (Section 11). Every agreement by which any party thereto is restricted absolutely from enforcing his rights under or in respect of any contract, by the unusual legal proceeding in the ordinary tribunals or which limit the time within which he may thus enforce his rights, is void to that extent - (Section 28). When the consent of the party is obtained by fraud, the contract is voidable at the option of the party whose consent has been obtained by fraud - (Section 17).*

43. 'A' obtained a sum of Rs. 10,000/- from 'B' by putting 'B' in fear of death. Which one of the following offences was committed by 'A'?

- a. Cheating
- b. Robbery
- c. Mischief
- d. Extortion

*Ans: (d) - When a person puts another person under fear of injury and dishonestly induces the person so put under fear to hand over any valuable security or anything signed or sealed which can be converted in to a valuable security, commits the offence of extortion. Valuable security includes both movable and immovable property.*

*There should be fear of injury, bare threats are not sufficient. Or in order to constitute the offence of extortion there must be fear of injury and delivery of property. (Ramjee Singh v. State of Bihar 1987 Cr LJ 137 (Pat)).*

44. Use of violence by a member of an assembly of five or more persons in furtherance of common object will constitute:

- a. Affray
- b. Assault
- c. Rioting
- d. Unlawful assembly

*Ans: (c) - An assembly of five or more persons is designated as an "unlawful assembly" if the common object of the persons composing that assembly is: (Section 141 IPC).*

*(i) to overawe government by criminal force.*

*(ii) to resist the execution of law or legal process.*

*(iii) to commit an offence, or*

*(iv) Forcible possession or dispossession of any property.*

*(v) to compel any person to do an illegal act.*

45. 'A' sees 'B' drowning, but does not save him. 'B' is drowned. 'A' has committed:

- a. The offence of murder
- b. The offence of abetment of suicide
- c. The offence of culpable homicide not amounting to murder
- d. No offence

*Ans: (d) - Omission in general is not punishable unless made so by a statute, however immoral the act might be. For instance if A see a child*





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drowning and in the absence of any relationship between A and the child, he is guilty of no offence if he allows the child to die and makes no effort to save it. Again for example, a woman's head dress catches fire and a passerby watches and laughs at it and takes no steps to extinguish the fire even though water is handy, does it amount to omission? Here the passerby has committed no offence. The reason being, they are under no legal duty to act. For liability, it should be the legal duty of every one, when another's life is in danger to save him when it can be done without prejudicing himself. There are no such binding laws in India.

46. 'A' has knocked down two teeth of 'B'. 'A' has committed the offence of:

- a. Grievous hurt
- b. Simple hurt
- c. Culpable homicide
- d. Attempt to hurt

*Ans: (a) - The offence of grievous hurt is defined under Section 320 of the Indian Penal Code. A hurt will be grievous under the following circumstances:*

- 1. Emasculation
- 2. Permanent privation of the sight of either eye
- 3. Permanent privation of the hearing of either ear
- 4. Privation of any member or joint (an act or instance of depriving)
- 5. Destruction or permanent impairing of the powers of any member or joint.
- 6. Permanent disfiguration of the head or face

7. Fracture or dislocation of a bone or tooth.

8. Any hurt which endangers life or which causes the sufferer to be during the space of 20 days in severe bodily pain, or unable to follow his ordinary pursuits.

47. Which one of the following statements correctly define the term 'murder'?

- a. Act by which the death is caused must have been done with the intention of causing such bodily injury as is likely to cause death.
- b. Death is caused with the knowledge that he is likely to cause death by his act.
- c. Death is caused with the intention of causing such bodily injury as the offender knows to be likely to cause death of the person to whom the injury is caused
- d. Death is caused under grave and sudden provocation

*Ans: (c)- It corresponds to clause (ii) of section 300 which states that - If it is done with the intention of causing such bodily injury as the offender knows to be likely to cause the death of the person to whom the harm is caused.*

48. A servant collected money from the debtor of his master as authorized by him. The servant retained the money in his hands because it was due to him as wages. He commits:

- a. Criminal breach of trust
- b. Theft
- c. No offence
- d. Criminal misappropriation

*Ans: (a) - When the accused person was entrusted with the*

*property or with dominion or power over the property of another and that the person to whom it was entrusted has dishonestly misappropriated it or converted it to his own use, it constitutes the offence of criminal breach of trust under section 405 of IPC. The servant in this case had dominion over the property of the master.*

*Entrustment is the most essential ingredient of Section 405 (State of Gujarat v. Jaswant Lal)*

49. 'A' finds a watch on the floor of a State Transport bus while he was leaving it as the last passenger. He picked it up and put it in his pocket instead of returning it to the State Transport authorities. Next day he sold it. 'A' is liable for:

- a. Theft
- b. Extortion
- c. Criminal misappropriation
- d. Criminal breach of trust

*Ans: (c) - It is an offence under section 403 of the IPC. In order to constitute theft the initial possession must be dishonest. However in this case the initial possession was honest and dishonest intention developed only subsequently. So in case of criminal misappropriation, there is no dishonest intention to steal it or misappropriate it at the time of taking. The factor of dishonest intention develops subsequent to the act of taking either through change of intention or knowledge of some new facts which the party was not aware earlier.*

50. Under which of the following situations the Indian



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Courts would have jurisdiction?

1. Crime committed by an Indian in a foreign country
2. Crime committed by a foreigner in India
3. Crime committed by a person on an Indian ship

- a. 1 and 2
- b. 1 and 3
- c. 2 alone
- d. 1, 2 and 3

**Ans: (d)** – (i) The exercise of criminal jurisdiction depends on the locality of the offence committed and not upon the nationality or citizenship or domicile etc of the offender.

(ii) In order to invoke the provisions of the Code, it must be established that the crime for which the accused was charged was committed in the territory of India.

(iii) The territory of India includes the land and the territorial waters which extend up to 12 maritime miles from the appropriate baseline.

(iv) The territory of a country includes its ships, aircrafts, and private ships of its subjects on the high seas, foreign private ships while within its ports.

(v) The column of air resting on the territory of the state is included within the territory of a country.

51. Which one of the following is an essential ingredient of sedition?

- a. Dishonest intention
- b. Mala fide intention
- c. Words spoken must cause public disorder by act of violence.

d. Words spoken must be capable of exciting disaffection towards the Government

**Ans: (d)** – Sedition under section 124 of IPC involves the misdemeanor of publishing orally or in any other manner of communication with the intention of exciting disaffection, hatred or contempt against the government established by law. Thus it is nothing but the libel (defamation) of the established legal authority of the state. In the ordinary sense it stirs up rebellion against the government. However, mere exciting disaffection without incitement to violence does not amount to sedition. [Kedarnath Singh v. State of Bihar AIR 1962 SC 955].

52. Nothing is an offence which is done by a person who is

- a. 100-years-old man
- b. 6-years-old boys
- c. 12-years-old girl
- d. 8-years-old girl

**Ans: (b)** – According to Section 82 - Nothing is an offence which is done by a child under seven years of age. It is an accepted notion that moral delinquency is a pre-requisite of criminal guilt and hence liability cannot be imputed to very young children.

53. Acceptance sent through post:

- a. Can be revoked at any time
- b. Cannot be revoked at all
- c. Can be revoked before it comes to the knowledge of the offeror
- d. Can be revoked only if it does not reach the offer or

**Ans: (c)** - An acceptance may be revoked at any time before the communication of the acceptance is complete as against the acceptor, but not afterwards." Since the communication of acceptance is complete as against the acceptor, when it comes to knowledge of the proposer. Hence acceptor can revoke his acceptance at any time before his letter accepting the offer reaches the proposer. Once the letter of acceptance reaches the proposer, the acceptance cannot be revoked.

54. Who won the Women's single title at Wimbledon in 2010?

- a. Venus Williams
- b. Serena Williams
- c. Martina Sharparova
- d. Vera Zvonareva

**Ans: (b)** Serena Williams was the winner in the year 2016 as well.

55. Who is the current top ranked Woman Badminton player in India?

- a. Sania Mirza
- b. Saina Nehwal
- c. Shiny Wilson
- d. None of these

**Ans: (b)** - The ranking may vary from time to time. This question has no relevance today.

56. Which of the following Section defines the doctrine of holding out, creating the liability on a 'Non-partner' under Indian Partnership Act?

- a. Section 28
- b. Section 29
- c. Section 30



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d. Section 31

*Ans: (a) - In certain cases under section 28, a person who is not a partner in the firm may be deemed to be a partner or held out to be a partner for the purpose of his liability towards a third party. The basis of liability of such a person is not that he himself was a partner or was sharing profits, or was taking part in the management of the business, but the basis is the application of the law of estoppels because of which he will be held out to be a partner or deemed to be partner by "holding out".*

57. A dissolution of a firm can be claimed under Section 44 (e) of the Indian Partnership Act, where a partner has transferred his interest in the partnership firm to

- a. A partner
- b. A third party
- c. All the partners
- d. None of the above

*Ans: (b) - A dissolution of a firm can be claimed under section 44(e) of the Indian Partnership Act, where a partner transfer the whole of his interest to a third party.*

58. A firm is liable to be compulsorily dissolved under Section 41 of the Indian Partnership Act on adjudication of

- a. All the partners as insolvents
- b. All but one of the partners as insolvents
- c. Either (a) or (b)
- d. Neither (a) nor (b)

*Ans: (c)- According to section 41, compulsory dissolution*

*occurs under the following circumstances -*

*(1) when all the partners or all except one are adjudicated insolvent, the firm is compulsorily dissolved. When a partner is adjudged as insolvent, we have already discussed that such member ceases to be a member.*

*(2) If the business of the firm though lawful when the firm came in to existence, subsequently becomes unlawful, there has to be dissolution of the firm. This provision is based on Section 23 of Indian Contract Act, for a valid contract, the object, and consideration have to be lawful as defined in section 23. Again Section 56 of the contract Act, further provides that when the contract to do an act becomes unlawful after making the contract, such a contract becomes void.*

*However if the firm is carrying on more than one activities or undertakings, the illegality of one or more of them shall not of itself result in the dissolution of the firm in respect of those adventures or undertakings which are still lawful.*

59. A minor, who has been admitted to the benefits of the partnership under Section 30(5) of the Indian Partnership Act on attaining majority has to exercise an option, to stay or to leave the firm within

- a. one month of attaining majority
- b. six months of attaining majority
- c. 90 days of attaining majority

d. None of the above

*Ans: (b) - In a partnership, relationship arises out of contract and not by status. Thus a minor or a person of unsound mind cannot become a partner in a partnership firm. But an incompetent person can be admitted to the benefits of partnership. A minor has a right to such share of property and profits as may be agreed upon but the minor is not personally liable to contribute from his personal property in case of loss. Within six months of attaining majority or of knowing that he has been admitted to the benefits of a partnership, whichever is later, a minor can elect to become or not to become a partner. This option is exercised by giving a notice under section 72 of the Act. Silence or failure on his part to give notice will be treated as willingness to become a partner and he shall become a partner in the firm after six months.*

60. A partnership firm is

- a. A distinct legal entity from its partners
- b. Not a distinct legal entity from its partners
- c. A juristic person
- d. None of the above

*Ans: (b) - A partnership is merely an association of persons and does not possess a separate legal entity. Meaning thereby, law does not make any distinction between the firm and the partners who compose it. Hence the liability of the firm is unlimited. This implies that a partner is not only liable to the extent of the capital*



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invested in the firm but he may be called upon to meet the liability out of his personal property also.

61. An illegal partnership

- a. Can sue
- b. Can be sued
- c. Cannot be sued
- d. Both (a) & (b)

*Ans: (b) - If a partnership is formed for the purpose of illegal purposes, the law will not aid the partners in the division of profits or return of capital, or in the enforcement of any of the terms of the partnership contract; yet innocent parties furnishing supplies to the partners may hold them liable.*

62. Consider the following statements about the Queen's Baton Relay and indicate the correct ones:

1. The helix shape of the Baton of the 2010 Commonwealth Games, created out of aluminum, is coated with a graded and layered soil pattern in black, yellow and red to represent the diversity of Commonwealth nations.

2. This relay traditionally begins with a commencement ceremony at Buckingham Place, London, during which, the Queen entrusts the Baton containing her message to the athletes to the first honorary relay runner.

3. The Relay for the 1998 Games in Kuala Lumpur, Malaysia was the first to travel to other nations of the Commonwealth.

- a. 1, 2 and 3
- b. 2 and 3 only

- c. 2 only
- d. 1 and 3 only

*Ans: (b) - Both the answers a two and three are correct.*

63. Which of the following committees was constituted as per the directions of the Supreme Court of India to frame guidelines on student's union elections in Colleges/Universities?

- a. Moily Committee
- b. Lyngdoh Committee
- c. Sachar Committee
- d. Ganguly Committee

*Ans: (b) - The Lyngdoh Committee was set up by the Ministry of Human Resource Development (MHRD) in 2006 as per the direction of the Supreme Court to reform students' union elections and to get rid of money and muscle power in student politics. Lyngdoh was former election commissioner of India and winner of Magsasay Award.*

64. If the Prime Minister is a member of the Rajya Sabha?

- a. He/she has to get elected to the Lok Sabha within six months
- b. He/she can declare the government's policies only in the Rajya Sabha
- c. He/she cannot vote in a no confidence motion
- d. He/she cannot take part in the budget deliberations in the Lok Sabha

*Ans: (c) - Only elected members have the right to vote in no confidence motion in Lok Sabha. Thus a Prime Minister who is not elected cannot*

*exercise his right to vote in a no confidence motion.*

65. Confederations Cup has been bagged by

- a. Argentina
- b. Chile
- c. Brazil
- d. Paraguay

*Ans: (c)*

*Note:- FIFA Cup Foot ball tournament 2014 was won by Germany beating Brazil by 7-0*

66. Which of the following countries is not the party to the 'Peace Pipeline Agreement'?

- a. Afghanistan
- b. India
- c. Pakistan
- d. Iran

*Ans: (a) - Afghanistan is not a party to peace Pipeline Agreement which is among India Pakistan and Iran.*

67. The country which recently came into news for attacks on Indian students is

- a. Canada
- b. England
- c. Australia
- d. Germany

*Ans: (c) - This question is related to situation as existed then and has importance in the present context.*

68. Which of the following countries is not a part of G-5 developing nations grouping?

- a. Mexico
- b. Indonesia
- c. India
- d. Brazil

*Ans: (b) - G-5 includes the five emerging largest economies. The countries are China, India, Brazil, Mexico & South Africa.*



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69. Who among the following was elected as first women Speaker of Lok Sabha?

- a. Dayavi Verma
- b. SaumyaThangam
- c. Meira Kumar
- d. JyotiAmuba

*Ans: (c) – Meira Kumar was the first woman speaker of the Lok Sabha.*

70. Whose record did Roger Federer level by winning his 14<sup>th</sup> Grand Slam title in 2009?

- a. Bjorn Borg
- b. Andre Agassi
- c. John McEnroe
- d. Pete Sampras

*Ans: (d) – He has surpassed the existing record of Pete Sampras.*

71. On November 25, 2009 Indian President Pratibha Patial became the first woman head of State to fly in a fighter jet. The jet she flew in was

- a. MIG
- b. Vajra
- c. Falcon
- d. Sukhoi

*Ans: (d) – She flew in a Sukhoi fighter. The Sukhoi Su-30 MKI is a super-maneuverable twinjet air superiority fighter which is manufactured under license from Russia by the Hindustan Aeronautics Limited for the Indian Air Force. The constantly evolving Sukhoi Su-30 MKI has provided the Indian Air Force an upper hand in matters of air superiority. Here are some fascinating facts about this indigenously built aircraft.*

72. Which of the following has been brought within the ambit of the Right to Information by

the recent Verdict of Delhi High Court?

- a. President of India
- b. Prime Minister of India
- c. Chief Justice of the Supreme Court
- d. None of the above

*Ans: (c) – In a recent verdict, the Delhi High court has decided that the Chief Justice of the High Court comes under the ambit of RTI.*

73. V.K. Singh is the new Chief of

- a. Army
- b. Navy
- c. Air force
- d. B.S.F.

*Ans: (a)*

74. Under which Section of the Civil Procedure Code a second appeal can be filed

- a. Section 99
- b. Section 99-A
- c. Section 100
- d. Section 100-A

*Ans: (c) – Second appeal can be filed under section 100. An appeal shall lie to the High Court from every decree passed in appeal by any court subordinate to High Court from every decree passed in appeal by any court subordinate to High Courts. The memorandum of appeal shall precisely states the substantial question of law involved in the appeal. Where the HC is satisfied that a substantial question of law is involved in any case, it shall formulate that question. The appeal shall be heard on the question so formulated and the respondent shall, at the hearing of the appeal, be allowed to argue that*

*the case does not involve such question.*

75. A decree can be

- a. Preliminary
- b. Final
- c. Either preliminary or final
- d. None of the above

*Ans: (c) – A decree is preliminary when a further procedure has to be taken before the suit can be completely disposed off. In a preliminary decree certain rights are conclusively determined and unless the preliminary decree is challenged in appeal, the rights so determined become final and conclusive and cannot be questioned in the final decree. When adjudication completely disposes of the suit such decree is final. Then a decree may be partly preliminary and partly final. For example in a suit for possession of immovable property with mesne profits, where the court - decrees possession of the property and directs and enquiry in to the mesne profits, the former part of the decree is final, while the later part is only preliminary because the final decree for mesne profits can be drawn only after enquiry and the amount due is ascertained.*

76. A judgment passed by a court can be reviewed

- a. By the court passing the judgment
- b. By the court of district judge
- c. By the high court
- d. All of the above

*Ans: (a) – Section 114 CPC: Review in simple words means*



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to reconsider, to look again or to re-examine. It is judicial re-examination of the case by the same court and by the same judge.

As a general rule, once an order has been passed by a court, a review of such order must be subject to the rules of the game and cannot be lightly entertained. Further a review of a judgment is a serious step and reluctant resort to it is called for only where a glaring omission or grave error has crept in. (Sajjan Singh v. State of Rajasthan)

There can be no inherent right of review. As a substantive right, it has to be conferred by law and as a procedural provision; every court or tribunal can correct an inadvertent error occurred while deciding a previous case.

77. A necessary party is one in whose:

- a. absence no order can be made effectively
- b.
- c. It is well settled Absence an order can be made but whose presence is necessary for the complete decision of the case
- d. Only (b) is correct
- e. None of the above.

**Ans: (a) - Necessary and proper parties:** A necessary party is one whose presence is indispensable to the adjudication of a suit:

- against whom the relief is sought and  
- without his presence no effective decree can be passed.

A proper party is one in whose absence an effective order can be passed but his presence enables the court to adjudicate more

effectively. Thus in the absence of a necessary party no decree can be passed while in absence of a proper party a decree can be passed but his presence enables a court to adjudicate effectively.

78. A suit through 'next friend' can be filed According to section 32 - a minor must by:

- a. A minor
- b. A lunatic
- c. Both (a) & (b)
- d. None of the above

**Ans: (c) - A minor as well as a lunatic cannot institute a case and they can only file it through the "next friend." sue through a next friend and where suit is instituted without next friend, plaint to be taken off the file. In the case of Ram Chandra v. Ram Singh (1968) the - SC held that a decree passed against a minor or a lunatic without appointment of a guardian is a nullity and is void.**

79. A temporary injunction can be granted to a party establishing

- a. A prima facie case in his favor
- b. Balance of convenience in his favor
- c. Irreparable injury to him in the event on non-grant of injunction
- d. All of the above

**Ans: (d) - The object of the interlocutory injunction is to protect the plaintiff against injury by violation of his right for which he could not be adequately compensated in damages recoverable in the action if the uncertainty were resolved in his favor at the trial.**

**Gujarat Bottling Co. Ltd. vs. Coca Cola Company 1995(5) SCC 545.** that for the grant of temporary injunction three factors have to be satisfied which are:

- i) prima facie case,
- ii) balance of convenience
- iii) irreparable loss. (Dalpat Kumar v. Pralhad Singh, AIR 1993 SC 276)

80. Abatement means-

- a. Suspension or termination of proceedings in an action for want of proper parties
- b. The process of bringing on record legal representatives of the deceased party
- c. Both (a) and (b)
- d. None of the above

**Ans: (a) - Abatement implies a suspension or termination of proceedings in an action for want of proper parties or owing to a defect in writ of service. Order XXII of the Code of Civil Procedure deals with abatement of suits. Thus in a petition for divorce, if either party dies, there is no need to proceed with the petition for divorce and the petition abates. However, the death of a plaintiff or defendant shall not cause the suit to abate if the right to sue survives. "Right to sue" means the right to bring a suit asserting a right to the same relief which the deceased plaintiff asserted at the time of his death.**

81. An executing court

- a. Can modify the terms of the decree
- b. Can vary the term of the decree



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c. Can modify and vary the terms of the decree

d. Can neither modify nor vary the terms of the decree

**Ans: (d)** - Section 47 CPC deals with the jurisdiction of an executing court. It is confined to determining all questions arising between the parties to the suit and relating to the execution, discharge or satisfaction of the decree only. It enjoins that all these questions shall be determined by the executing court and not by a separate suit. All other questions can be determined by a separate suit. Any question that does not relate to the execution, discharge or satisfaction of the decree is thus not within the jurisdiction of the executing court. Thus, if there is a compromise after the passing of a decree by which its terms are varied, any question relating to the execution, discharge, or satisfaction of the compromise cannot be said to be a question relating to the execution etc. of the decree. [Maharaj Kumar Mahmud Hasan Khan v. Moti Lal Banker, AIR 1961 All 1]

82. Civil Procedure Code provides for

a. Temporary injunction

b. Permanent injunction

c. Mandatory injunction

d. None of the above

**Ans: (a)** - The granting of perpetual Injunctions is regulated by the Specific Relief Act, while temporary or, as they are sometimes called, interlocutory Injunctions, which are simply intended to preserve the status quo pending the

decision, and which may be granted at any period of a suit, are treated as of the nature of procedure and are therefore regulated by the Code of Civil Procedure.

83. In case the suit has been instituted in a court having no jurisdiction territorial or pecuniary the plaint is liable to be

a. Returned

b. Rejected

c. Either (a) or (b)

d. None of the above

**Ans: (a)** - Every suit should be instituted in the court of the lowest grade competent to try it. If it is filed in a court without jurisdiction (territorial or pecuniary) the plaint is liable to be returned so that it may be filed in a proper court.

84. In which of the following cases res-judicata is not applicable

a. Consent/compromise decree

b. Dismissal in default

c. Both (a) & (b)

d. None of the above

**Ans: (c)** - The matter is controversial with many conflicting views of the courts. The earlier view of many courts was that a consent decree does not form res judicata as it was given without proper adjudication. The Supreme Court in the case of Byram Pestonji Gariwala v. Union Bank of India stated that consent decree is as binding as any other decree and is binding on both the parties and operates as res judicata provided the compromise is not

vitiating by fraud, misrepresentation. The Law commission in its 144<sup>th</sup> report (1992) recommended for the addition of an Explanation to section 11 making compromising decree a binding one, but the addition is yet to take place.

85. Pleading can be amended

a. Before the trial court

b. Before the first appellate court

c. Before the second appellate court

d. All of the above

**Ans: (d)** - According to Order VI, Rule 17, the court may allow the amendment at any stage of the proceedings. The proviso to Order VI Rule 17 of the Code of civil procedure puts a mandate upon the court not to allow such amendment after the trial has begun (if issues have been settled), if it finds that the party could have raised the pleadings by due diligence at an earlier point of time. However this is only directory in nature.

After the trial begins - the burden of proof is on the applicant who makes the application for amendment after the trial has commenced, to prove that despite due diligence he could not have raised the issue before the commencement of trial. (Salem Bar Association v. Union of India).

86. A confessional statement recorded in accordance with the special procedure under section 164 of Cr. P.C.



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- a. Can be used as a substantive evidence without being formally proved
- b. Cannot be used as a substantive evidence at all
- c. Cannot be used as a substantive evidence without being formally proved
- d. Either (b) or (c)

**Ans: (a)** - The question in all confessions is that where the confession was voluntary? The magistrate who records the confession ask the accused a number of question to find out whether he was not being forced by the police to confess and then tell him that he was not bound to give any statement and that he would be given 24 hours in judicial custody to consider whether he should confess or not. If a confession is recorded with these precautions, it can naturally be held as voluntary. The Magistrate should see that the mind of the accused person is completely free from any possible influence of the police. The best way to ensure this is to send the person to judicial custody and give him time to consider whether he would make the confession at all and 24 hours time was held to be sufficient for this purpose.

In law it is always open for the courts to convict an accused on his confession itself (*Sarwan Singh v. State of Punjab*).

87. A proclamation under Section 82 Cr. P.C. can be issued against a person against whom a warrant has been issued. Thus a proclamation can be issued against

- a. Accused offender
- b. Surety
- c. A witness
- d. All the above

**Ans: (d)** - Section 82, CrPC provides as to when and how proclamation can be issued for an absconding person. If any court had reason to believe that any person against whom a warrant had been issued by it, had absconded or was concealing himself so that such warrant could not be executed, such Court may publish a written proclamation requiring, him to appear at specified place and at specified time not less than thirty days from date of publishing such proclamation.

88. A Public Prosecutor for the High Court is appointed under Section 24 of the Code of Criminal procedure, 1973 by the

- a. Central Government without consultation with the High Court
- b. State Government without consultation with the High Court
- c. State government after consultation with the High Court
- d. State Government or Central Government after consultation with the High Court

**Ans: (d)** - According to section 24(1) for every High Court the Central government or the State government shall after consultation with the High Court appoint a public prosecutor and may also appoint one or more additional public prosecutors for conducting in such court, any prosecution, appeal or other proceeding on behalf of the Central government or state government, as the case may be.

89. Cognizable offence has been defined

- a. Under Section 2 (e)
- b. Under Section 2 (c)
- c. Under Section 2 (i)
- d. Under Section 2 (k)

**Ans: (b)** - According to Section 2 (d), cognizable offence means an offence for which and cognizable case means a case in accordance with the First Schedule or under any other law for the time being in force arrest without warrant.

90. Compounding of offence under Section 320 of Cr. P.C. results in

- a. Acquittal of the accused under all circumstances
- b. Acquittal of the accused only where the charge has already been framed
- c. Discharge of the accused where the charge has not yet been framed
- d. Either (b) or (c)

**Ans: (a)** - Section 320 of the Cr PC contains detailed provisions for compounding of offences. It lists various compoundable offences under the Indian Penal Code, of which 21 may be compounded by the specified aggrieved party without the permission of the court and 36 that can be compounded only after securing the permission of the court. If both the parties agree that there has been compromise, then the Court has to dispose of the case in terms of that compromise and the petitioner is to be acquitted. If, on the other hand, parties differ, then the Court has to call upon them to lead evidence





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and then record a finding on such evidence.

91. FIR can be filed under which Section of Cr. P.C.

- a. Section 151
- b. Section 154
- c. Section 155
- d. Section 54

*Ans: (b) – Any person can give information to the police relating to the commission of a cognizable offence, and section 154 of the Code provides for the manner in which such information is to be recorded.*

92. FIR is not a substantive evidence it can be used during trial

- a. To corroborate the informant
- b. To contradict the informant
- c. Both (a) & (b)
- d. Neither (a) nor (b)

*Ans: (c) – FIR is not a substantive evidence. It can only be used to corroborate the informant under section 157 of the Indian Evidence Act, or to contradict him under section 145 of the Act, if the informant is called as a witness at the time of trial. Then it may become relevant under Section 8 of the Evidence Act. – (Bheru Singh v. St of Rajasthan (1994) 2 SCC 467). It is settled law that a first information report is not substantive evidence (not evidence of the facts which it mentions) (State of Assam v. Rajkhowa 1975 Cri LJ 354)*

93. Hearing on sentence by a Magistrate is required on conviction

- a. In a summons trial case under Section 255 (a) of Cr. P.C.

b. In a warrant trial case under Section 248(a) of Cr. P.C.

- c. Both (a) & (b)
- d. Neither (a) nor (b)

*Ans: (c) – During the sentencing phase of a criminal case, (both in Summons trial & Warrant trial) the court determines the appropriate punishment for the convicted defendant. In determining a suitable sentence, the court will consider a number of factors, including the nature and severity of the crime, the defendant's criminal history, the defendant's personal circumstances, and the degree of remorse felt by the defendant.*

94. Power under Section 311 of Cr. P.C. can be exercised by the Court

- a. To recall any witness (es) already examined
- b. To summon any witness who has been cited as a witness but not produced or examined before the evidence is closed
- c. To summon any witness who has not been cited as a witness
- d. All of the above

*Ans: (d) – The first part of Section 311 of Cr.P.C. gives the Court the discretionary power to:*

- (i) Summon any one as a witness;
- (ii) Examine any person present in the Court.
- (iii) Recall and re-examine any witness.

*The second part of the section makes it mandatory on the court to take any of the above steps if the new evidence appears to be essential to the*

*just decision of the case. The paramount consideration of this section is doing justice to the case and not filling up the gaps in the prosecution of defence evidence. In fact, both the prosecution and the defence may cross-examine a witness called under Section 311, and the court may decide which party will ask questions first, and to what extent. But these tools for ascertaining the truth is rarely used by the proactive trial Magistrate or a Session Judge. Hence, the reality is that Section 311 remains a dead letter.*

95. A communication made to the spouse during marriage under Section 122 of Evidence Act.

- a. Remains privileged communication after the dissolution of marriage by divorce or death
- b. Does not remain privileged after the dissolution of marriage by divorce or death
- c. Does not remain privileged after the dissolution of marriage by divorce, but remains privileged even after death
- d. Remains privileged after the dissolution of marriage by divorce but not so on after death.

*Ans: (a) – Law protects all information between wife and husband and hence no person can compel them to reveal what the other spouse communicated. Thus according to section 122 - No person who is or has been married, shall be compelled to disclose any communication made to him during marriage by any person to whom he is or has been*



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married; nor shall he be permitted to disclose any such communication, unless the person who made it, or his representative in interest, consents, except in suits between married persons, or proceedings in which one married person is prosecuted for any crime committed against the other.

96. A confession made in police custody is admissible under section 26 of Evidence Act

- If made in the presence of a doctor
- If made in the presence of a captain of a vessel
- If made in the presence of a magistrate
- None of the above

*Ans: (c) – According to section 26, No confession made by any person whilst he is in the custody of a police officer, shall be admitted as evidence. Thus confession made to a police officer by an accused person while he is in the custody of such police officer is not admissible as evidence. However, there are two exceptions: Firstly, if the confessional statements is made in the immediate presence of a Magistrate, Secondly if the confessional statement relates to a discovery of any fact, then, so much of such information as relates distinctly to the fact thereby discovered.*

97. A dumb person is competent witness as provided under

- Section 118 of the Evidence Act
- Section 119 of the Evidence Act
- Section 120 of the Evidence Act
- Section 121 of the Evidence Act

*Ans: (b) – According to section 119, A person who by reasons of dumbness or otherwise is unable to speak may give evidence by any means by which he can make himself intelligible, such as, by writing or by signs. However, evidence so recorded shall be regarded as oral evidence only.*

98. A dying declaration is admissible

- Only in criminal proceedings
- Only in civil proceedings
- Both in civil as well as criminal proceedings
- In criminal proceedings alone and not in civil proceedings.

*Ans: (c) - Dying declarations are admitted as an exception to the hearsay rule when they are made by declarants who are dead at the time of trial and who, at the time they made the declaration, believed that their death was near and certain. It must also appear that the declarant, if living, would have been competent to testify. At early common law, the English courts made no distinction between receiving dying declarations in criminal or civil cases. A good example of the early view is the case of Wright v. Littler, in which Lord*

*Mansfield admitted a dying declaration in an action of ejectment. Thus the present accepted view is that Dying declaration is valid both in civil and criminal cases whenever the cause of death comes into question.*

99. Admissibility of electronic record has been prescribed under:

- Section 64 of Evidence Act
- Section 65 of Evidence Act
- Section 65-B of Evidence Act
- Section 65-A of Evidence Act

*Ans: (c) – Admissibility of electronic record is provided under section 65-B of the Indian Evidence Act.*

100. An accomplice is a person

- Who participates in the commission of crime with the charged accused
- Who is a pretended confederate
- Who is an informer
- All of the above

*Ans: (a) - An accomplice is a person who actively participates in the commission of a crime, even though they take no part in the actual criminal offense. According to Section 133 an accomplice shall be a competent witness against an accused person and a conviction is not illegal merely because it proceeds upon the uncorroborated testimony of an accomplice. The accomplice may have known that the crime was going to happen and not taken any steps to prevent it, or*



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may have engaged in other activities which were designed to make the crime easier to commit or less likely to be detected.

101. Court question under Section 165 of Evidence Act can be put to:

- Any witness
- Any party
- Both (a) & (b)
- Neither (a) nor (b)

*Ans: (c) - The Judge may, in order to discover or to obtain proper proof of relevant facts, ask any question he pleases, in any form, at any time, of any witness, or of the parties about any fact relevant or irrelevant; and may order the production of any document or thing; and neither the parties nor their agents shall be entitled to make any objection to any such question or order, nor, without the leave of the Court, to cross-examine any witness upon any answer given in reply to any such question:*

*Provided that the judgment must be based upon facts declared by this Act to be relevant, and duly proved:*

*Provided also that this section shall not authorize any Judge to compel any witness to answer any question or to produce any document which such witness would be entitled to refuse to answer or produce under sections 121 to 131, both inclusive, if the question were asked or the document were called for by the adverse party; nor shall the Judge ask any question which it would be improper for any other person*

*to ask under section 148 or 149; nor shall he dispense with primary evidence of any document, except in the cases hereinbefore excepted.*

102. Define who in the following cases is not competent to testify:

- A lunatic who is prevented by his lunacy from understanding the questions put to him
- A child above 7 years but below 12 years able to exhibit maturity and understanding
- A dumb person capable of putting things in writing
- A witness who is related to the deceased
  - 1 alone
  - 2 alone
  - 1 and 2
  - all

*Ans: (a) - According to section 118 of the Evidence Act - every person is competent to testify unless the court feels that he is not able to understand the questions put to him or to give rational answers to them. This may be due to tender years, extreme old age, disease, whether of body or of mind or any other cause of the same kind. Thus no person is particularly declared to be incompetent and it is for the court to decide.*

103. In criminal proceedings the burden of proof is -

- On the prosecution to prove the guilt of the accused
- On the accused to prove his innocence
- On both the parties

d. Court decides on whom the burden of proof lies .

*Ans: (a) - In criminal proceedings usually, the burden of proof is on the prosecution to prove the guilt of the accused. However in the case of certain sections like 304-B, 376, 498-A and in the case of General exceptions, the burden of proof shifts to the accused to prove his innocence.*

104. Opinion of an expert under section 45 of Evidence Act.

- Is a conclusive proof
- Is not a conclusive proof
- Is supportive & corroborative in nature
- Is not admissible

*Ans: (c) - When the Court has to form an opinion upon a point of foreign law or of science or art, or as to identity of handwriting or finger impressions, the opinions upon that point of persons specially skilled in such foreign law, science or art, or in questions as to identity of handwriting or finger impressions, are relevant facts. Such persons are called experts. The opinion of an expert does not bind the court. The ultimate opinion has to be formulated by the Court. The duty of the expert is to depose and not to decide. He only has to furnish the data with necessary scientific criteria to enable the judge to come to an independent conclusion.*

105. Oral account of the contents of a document is admissible



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- When given by a person who has seen & read the document
- When given by a person who has seen but not read the document
- When given by a person to whom the document was read over
- Is not admissible in either of the above cases.

**Ans: (a)** According to Section 60, oral evidence must be direct. This means that a witness can tell the court of only a fact of which he has the first hand personal knowledge in the sense that he perceived the fact by any of the five senses. This section thus excludes hearsay evidence which means the statement of a witness is not based on his personal knowledge but on what he heard from others. The law wants the best evidence in each case. The best evidence is a document or personal knowledge of a witness and if the document is lost and the witness is unable to appear before the court then those who have either seen the document or shared that knowledge of that person will be considered as the best knowledge.

106. Under Section 32 of Evidence Act, a statement of a person who is dead, to be admissible

- Must relate to the cause of his own death
- May relate to the cause of someone else's death
- May relate to the cause of his own death or someone else's death
- Both (b) & (c) are correct.

**Ans: (a)** - Statements written or verbal or relevant facts made by a person who is dead, or who cannot be found, or who has become incapable of giving evidence, or whose attendance cannot be produced without an amount of delay or expense which, under the circumstances of the case appears to the court as unreasonable, are themselves relevant facts in the following cases:

- when it relates to cause of death
- Or is made in course of business
- Or against interest of maker
- Or relates to existence of relationship
- Or relates to existence of relationship
- Or is made in deed or will relating to family affairs.
- Or in document relating to transaction mentioned in Section 13, Clause (a).
- Or is made by several persons and express feelings relevant to matter in question: When the statement was made by a number of persons, and expressed feelings or impressions on their part relevant to matter in question.

107. When the Court obtains a sample of handwriting or signature of a person under section 73 of the Indian Evidence Act, 1872, the Court

- Itself may compare the same
- Itself may compare the same or may refer it to an expert under section 45
- Can not refer it to an expert under section 45

- Must refer the same to an expert under section 45

**Ans: (b)** According to section 73, when a matter is pending before a Court, the court may compare the disputed signature, writing or seal of a person with signatures, writings or seals which have been admitted or proved to the satisfaction of the court to have been made or written by that person. A court may rely upon its own comparison unaided by expert evidence. However this should be exercised by the courts with caution. This section enables the court to require some person to write any words or figures to enable the court to compare them with the words or figures in question. The court can even ask for the specimen handwriting of a stranger even though he is not a party to the case. The court can send the matter to an expert under section 45 as well.

108. A bigamous marriage contracted before the commencement of the Hindu Marriage Act, 1955

- Ipsa facto becomes void
- Becomes voidable
- Remains valid
- Neither of them

**Ans: (c)** - According to section 17 - Any marriage between two Hindus solemnized after the commencement of the Hindu Marriage Act is void if at the date of such marriage either party had a husband or wife living. Thus Hindu Marriage Act 1955 does not apply to bigamous marriages contracted



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before the commencement of the Hindu Marriage Act 1955.

109. A Hindu ceases to be a Hindu by:

- a. Renunciation
- b. Abandonment
- c. Conversion
- d. Neither of these

**Ans: (c)** – A Hindu can only cease to be a Hindu when he himself gets converted in to another religion. Neither renunciation nor abandonment makes a Hindu cease to be a Hindu.

110. Sapinda relationship includes relationship by

- a. Half or uterine blood
- b. Full blood
- c. Adoption
- d. All of the above

**Ans: (d)** – According section 2(f) of the Hindu Marriage Act, two persons are said to be sapindas of each other, if one is a lineal ascendant of the other within the limits of sapinda relationship, or if they have a common lineal ascendant who is within the limits of sapinda relationship with reference to each of them. Sapinda relationship includes — (i) Relationship by full blood, half blood, as well as uterine blood; (ii) Legitimate as well as illegitimate blood relationship; and (iii) Blood relationship, as well as relationship by adoption.

111. venereal disease to be a ground for divorce under section 12 (1) (v) of Hindu Marriage Act, 1955

- a. Must be in communicable form
- b. Must be in non-communicable form
- c. Must be in either (a) or (b)
- d. Form is not relevant

**Ans: (a)** – Venereal Disease is a ground for divorce and judicial separation under the matrimonial laws of most Indian communities and under the Hindu marriage act, the ground is worded in identical language. It comprises a number of contagious diseases that are most commonly acquired at the time of sexual intercourse. The ground runs - the respondent "has been suffering from venereal disease in a communicable form.

The Punjab and Haryana high court in a recent case has ruled that a person suffering from hepatitis B, which could be passed on to others by sexual activity, could not be a ground for divorce under section 13. The court held that Cruelty must be a voluntary act of person who visits cruelty on the other. Perhaps it is – the Parliament to look into the issue of whether any illness in communicable form could afford ground for divorce. So long as legislation does not provide for such a course, it is not possible for allowing for the husband to make out a case for examination of the wife to assess whether she is suffering from Hepatitis B or not." (Nirmal Singh v. Smt.Reeta).

112. when two person are the descendents of a common ancestor but by different wives,

they are said to be related to each other by

- a. Half blood
- b. Full blood
- c. Uterine blood
- d. Either (b) or (c)

**Ans: (a)** – when two persons have a common father between them but have two different mothers then they both are related to each other by Half blood. When two persons have a common father and mother they are related by full blood. When two persons have a common mother but have two different fathers, they both are related to each other by Uterine blood.

113. Which school of law does not recognize the talaq pronounced under compulsion or undue influence or by

- a. Shia
- b. Malikis
- c. Shafiis
- d. All of above

**Ans: (d)** – Marriage under compulsion is valid under Hanafi law. It is based on the tradition – "Apostle of God said – "there are three things which whether done in joke or earnest, shall be considered as serious and effectual: one marriage, second divorce and third the taking back". The other three schools of Sunni law (Maliki, Shafi, Hanabali) and the Shia School holds a contrary opinion and for them marriage under compulsion is not valid.

114. For divorced women not subject to menstruation "Iddat period" means – lunar month after her divorce



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- a. Two
- b. Three
- c. Four
- d. Nine

**Ans: (b)** – When a person dies leaving a widow, she is prohibited from marrying before the expiration of 4 months and 10 days. The period of iddat is three courses if the woman is subject to menstruation; otherwise three lunar months. If the woman is pregnant at the time of divorce, iddat will not terminate till delivery. If the marriage is irregular and the parties have separated before actual consummation, there is no need to observe iddat. If marriage is not consummated iddat has to be observed in case of death and not in the case of divorce. The period of iddat begins from the date of divorce or death. If she gets the information of death / divorce after the expiry of specified term she need not observe iddat. Where a husband had divorced his wife and has died before the completion of iddat, the woman is required to undergo a fresh iddat for four months and ten days from the date of the husband's death.

115. Set-off can be

- a. Legal set-off
- b. Equitable set-off
- c. Both (a) and (b)
- d. None of the above

**Ans: (c)** – Set off can be either legal or equitable. Order 8 Rule 6 deals with legal set off. But the said provision is not exhaustive and does not take away the

power of the court to allow such adjustment independent of Rule 6 of Order 8. It is known as equitable (what is fair reasonable and just) set off. The following are the difference between legal set off/ equitable set off.

(i) Legal set off must be for an ascertained sum of money. Equitable set off may be allowed even for an unascertained sum of money.

(ii) Legal set off can be claimed as a right and the court is bound to entertain and adjudicate upon it. Equitable set off, on the other hand, cannot be claimed as of right and the court has discretion to refuse to adjudicate upon it.

(iii) In legal set off, it is not necessary that the cross demands arise out of the same transaction. Equitable set off can only be allowed when the cross demands arise out of the same transaction.

(iv) In a legal set off, it is necessary that the amount claimed as set off must be legally recoverable and must not be time barred. A claim by way of equitable set-off may be allowed even if it is time barred when there is fiduciary relationship between the parties.

116. several persons can be joined as plaintiffs, in cases

- a. Where right arises out of the same act in favour of such person
- b. Where any common question of law is involved
- c. Both (a) and (b)
- d. None of the above

**Ans: (c)** – Joinder is allowed in a suit under O.1 subject to the following two conditions:

- i) the right to relief / defence alleged to exist in each plaintiff / defendant arises out of the same act or transaction; and
- (ii) the case is of such a character that, if such persons brought separate units/defended, any common questions of law or fact would arise.

The word "and" in between clauses (i) & (ii) clearly indicates that both the above conditions should be fulfilled. The primary object of Rule 1/3 is to avoid multiplicity of proceedings and unnecessary expenses.

117. The court under Section 89(1) of CPC can refer the dispute for

- a. Arbitration or conciliation
- b. Conciliation or mediation
- c. Mediation or lok adalat
- d. arbitration or conciliation or lok adalat or mediation

**Ans: (d)** – The Law Commission of India in its 129<sup>th</sup> report in 1988 recommended for the introduction of ADR in India. Clause 3(d) of the Code of Civil Procedure Bill 1997, accordingly provided that "with a view to implement the 129<sup>th</sup> report of the Law Commission of India, and to make conciliation scheme effective, it is proposed to make it obligatory for the court to refer the dispute after the issues are framed for settlement either by way of arbitration, conciliation, mediation, judicial settlement or through Lok



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*Adalats. It is only after the parties fail to get their dispute settled through any one of the alternate dispute resolution methods that the suit shall proceed further in the section in which it was filed. Section 89 has been introduced to the Civil Procedure Code by the amendment Act of 1999 and it became effective from 1.07.2002. The basic objective of section 89 is to ensure that the court makes an endeavor to facilitate out-of-court settlements through one of the ADR processes before the trial commences.*

118. A time barred debt can be claimed

- a. As a set-off
- b. As a counter claim
- c. As a fresh suit
- d. None of the above

*Ans: (d) - Section 3 of the Limitation Act provides that any suit, appeal or application if made beyond the prescribed period of limitation it is the duty of the court not to proceed with such suits irrespective of the fact whether the plea of limitation has been set up in defence or not. Court has no discretion or inherent powers to condone the delay if the suit was filed beyond the prescribed period of limitation unless the matter was covered by sections 4 to 24 of the limitation act. The provision in section 3 is absolute and mandatory.*

119. Condonation of delay under section 5 of Limitation Act

- a. Can be claimed as a matter of right

b. Is a matter of discretion of the court

- c. Sufficient cause for the delay has to be shown
- d. None of the above.

*Ans: (c) - According to section 5 of the Limitation Act; any appeal or any application under any of the provisions of O. XXI of CPC may be admitted after prescribed period, if the appellant or applicant satisfies the court that he had sufficient cause for not preferring an appeal or making the application within such period.*

120. On acknowledgement, fresh period of limitation starts

- a. From the date of signing of acknowledgement
- b. From the date of promise of acknowledgement
- c. From the date of expiry of extended period of limitation
- d. None of the above

*Ans: (a) - The question is based on Section 18 of the Limitation Act, 1963, which states that In case of right or liability, a fresh period of limitation will start running from the date of acknowledgment in writing of such right or liability by the party. If the acknowledgement is undated, oral evidence may be given of the time when it was signed, but oral evidence of the contents of acknowledgement shall not be received.*

121. Period of limitation for setting aside an ex parte decree is

- a. 60 days
- b. 30 days
- c. 90 days
- d. 10 days

*Ans: (b) According to Order 9 of the CPC, an application for setting aside an ex parte decree made within 30 days from the date of the decree.*

122. Period of limitation for suits relating to accounts is

- a. 3 years
- b. 7 years
- c. 1 years
- d. 5 years

*Ans: (a) - The Limitation period for filing a suit relating to accounts according to Part I of Schedule of the Limitation Act is three years.*

123. The Supreme Court laid down certain requirements to be followed in all cases of arrest or detention in

- a. Vishakha's case
- b. DK. Basu's case
- c. antulay's case
- d. Keshavananda Bharti's case

*Ans: (b) - The following guidelines were issued in this case:*

1. The police personnel carrying out the arrest and handling the interrogation of the arrestee should bear accurate, visible and clear identification and name tags with their designations.
2. That the police officer carrying out the arrest shall prepare a memo of arrest at the time of arrest and such memo shall be attested by at least one witness, who may be either a member of the family of the arrestee or a respectable person of the locality from where the arrest is made. It shall also be



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counter signed by the arrestee and shall contain the time and date of arrest

3. A person who has been arrested or detained and is being held in custody in a police station or interrogation centre or other lock up, shall be entitled to have one friend or relative or other person known to him or having interest in his welfare being informed, as soon as practicable, that he has been arrested and is being detained at the particular place, unless the attesting witness of the memo of arrest is himself such a friend or a relative of the arrestee.

4. The time, place of arrest and venue of custody of an arrestee must be notified by the police where the next friend or relative of the arrestee lives outside the district or town through the Legal Aid Organisation in the District and the police station of the area concerned telegraphically within a period of 8 to 12 hours after the arrest.

5. The person arrested must be made aware of his right to have someone informed of his arrest or detention as soon as he is put under arrest or is detained.

6. An entry must be made in the diary at the place of detention regarding the arrest of the person which shall also disclose the name of the next friend of the person who has been informed of the arrest and the names and particulars of the police officials in whose custody the arrestee is.

7. The arrestee should, where he so requests, be also

examined at the time of his arrest and major and minor injuries, if any present on his/her body, must be recorded at that time. The 'Inspection Memo' must be signed both by the arrestee and the police officer effecting the arrest and its copy provided to the arrestee

8. The arrestee should be subjected to medical examination by the trained doctor every 48 hours during his detention in custody by a doctor on the panel of approved doctors appointed by Director, Health Services of the concerned State or Union Territory, Director, Health Services should prepare such a panel for all Tehsils and Districts as well.

9. Copies of all the documents including the memo of arrest, referred to above, should be sent to the Magistrate for his record.

10. The arrestee may be permitted to meet his lawyer during interrogation, though not throughout the interrogation.

124. The expression 'goods' under Section 2(7) of the Sale of Goods Act, 1930 includes

- Both movable and immovable property
- Every kind of immovable property including actionable claims and money
- Every kind of movable property other than actionable claims and money
- All movable property including money

**Ans: (c) - Goods:** Under the Sales of Goods Act, the subject matter of contract must be goods. Goods means "every kind of movable property other than actionable claims and money; and includes stock and shares, growing crops, grass and things attached to or forming part of the land which are agreed to be severed before sale or under the contract of sale" Things like goodwill, copyright, trademark, patents, water, oil, air, gas, electricity, motor vehicles, and ships are all goods and may be subject of a contract of sale.

Mutual fund units have been treated as goods for the purpose of service tax. Things attached to or forming part of land may be sold as goods provided they are agreed to be severed under the contract (like standing timber). Electricity was held to be goods as it can be transmitted, transferred, delivered, stored, and possessed in the same way as any other movable property. (Commissioner Sales Tax, MP v Madhya Pradesh Electricity Board) Electronic TV signals are in the form of energy just like electricity and are goods. (Jabalpur cable network v ESPN Software India Ltd).

Sale of lottery tickets (H. Anraj v. Govt of Tamil Nadu.) It has been held by the SC that lottery tickets are goods and not actionable claim. It was observed that a sale of a lottery ticket confers two rights on the purchaser:

- right to participate in the draw





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(ii) right to claim the prize, if successful

The right to participate in the draw, which takes place on the sale of lottery ticket would be transfer of beneficial interest in the movable property to the purchaser, and is therefore a sale of lottery ticket. The right to claim the prize is held to be an actionable claim.

Fixed deposit receipt is goods.

It may be pledged as a collateral security. (*SBI v Smt Neela Ashok Naik*).

**Actionable claims and money are not goods:** An actionable claim means:

- i) any unsecured debt
- ii) any beneficial interest in movable property not in the possession of the claimant.

The transfer of actionable claims is to be made by "assignment" under the Transfer of Property Act. Actionable claims include a claim for the arrears of rent, a claim in respect of salary, a claim in respect of a prize on a lottery ticket, or a claim on an insurance policy etc.

**Money:** It is not a subject matter of sale of goods. Money constitutes consideration for the sale of goods, rather than itself being goods. Old and rare coins are goods as they can be purchased or sold as such. (They are not in circulation).

**Human body** whether living or dead is not a movable property. However body parts preserved in museums are treated as movable property.

125. The second Commission on Centre-State Relations is headed by

- a. Vijay Kelkar
- b. R.S. Sarkaria
- c. M.M. Punchhi
- d. None of the above

**Ans: (c)** - The Punchi Commission was constituted by the Central Government in 2007 to examine centre-state relations. The Commission was also to examine the possibility of giving more powers to the centre for suo motu deployment of Central forces in states and investigation of crimes affecting national security. The Commission was headed by the former Chief Justice of India M.M. Punchi which submitted its recommendation in 2009. Its recommendations included:

1. Fixed term five years for governor and provision for impeachment.
2. Governor should have power to sanction prosecution against a minister.
3. Amendment to Article 355/356 to place specific area in a state under the Central rule.
4. Deployment of central forces in case of communal violence even without the consent of the states.

The first Commission on Centre State relations was the Sarkaria Commission which submitted its report in 1988.