

ENTRANCE EXAMINATION FOR ADMISSION, MAY 2012.

L.L.M. (CORPORATE LAW)

COURSE CODE : 312

Register Number :

Signature of the Invigilator
(with date)

COURSE CODE : 312

Time : 2 Hours

Max : 400 Marks

Instructions to Candidates :

1. Write your Register Number within the box provided on the top of this page and fill in the page 1 of the answer sheet using pen.
2. Do not write your name anywhere in this booklet or answer sheet. Violation of this entails disqualification.
3. Read each of the question carefully and shade the relevant answer (A) or (B) or (C) or (D) in the relevant box of the ANSWER SHEET using HB pencil.
4. Avoid blind guessing. A wrong answer will fetch you -1 mark and the correct answer will fetch 4 marks.
5. Do not write anything in the question paper. Use the white sheets attached at the end for rough works.
6. Do not open the question paper until the start signal is given.
7. Do not attempt to answer after stop signal is given. Any such attempt will disqualify your candidature.
8. On stop signal, keep the question paper and the answer sheet on your table and wait for the invigilator to collect them.
9. Use of Calculators, Tables, etc. are prohibited.

1. The Supreme Court of India upheld the decision to implement the quota for other backward classes (OBCs) in higher educational institutions. The court, however, excluded the "creamy layer" from being a beneficiary. The reason is:
 - (A) Creamy layer is not an OBC; it is a forward caste
 - (B) Creamy Layer's politically powerful
 - (C) It can compete with others on equal footing
 - (D) The inclusion of creamy layer would be unjust
2. The Speaker can ask a member of the House to stop speaking and let another member speak. This phenomenon is called as
 - (A) Crossing the floor
 - (B) Anti-defection
 - (C) Decorum
 - (D) Yielding the floor
3. What is the duration of the "Zero hour" in Lok Sabha?
 - (A) 15 minutes
 - (B) Half an hour
 - (C) One hour
 - (D) Not mentioned
4. Which of the following exercises, the most profound influence, in framing the Indian Constitution?
 - (A) British Constitution
 - (B) US Constitution
 - (C) The Government of India Act, 1935
 - (D) The Government of India Act, 1919
5. Which of the following features and their source is wrongly matched?
 - (A) Judicial review / British practice
 - (B) Concurrent list / Australian Constitution
 - (C) Directive principles / Irish Constitution
 - (D) Fundamental Rights / US Constitution
6. The Constitution of India borrowed the scheme of Indian federation from the constitution of
 - (A) USA
 - (B) Canada
 - (C) Ireland
 - (D) UK
7. Who among the following was NOT a member of the constitutional assembly?
 - (A) Sardar Vallabhai Patel
 - (B) Acharya J.B. Kriplani
 - (C) Lok Nayak Jayprakash Narayan
 - (D) K.M. Munshi

8. Secularism means
 - (A) suppression of all religions
 - (B) a system of political, economical and social understanding that unifies all religions as one
 - (C) a system of political and social philosophy that does not favour any particular religious faith
 - (D) separation of religion from state

9. Which one of the following statements regarding the preamble is correct?
 - (A) It is not enforceable in a court of law
 - (B) The Supreme court has recently ruled that it is not a part of the constitution
 - (C) It has been amended twice
 - (D) Both (B) and (C)

10. The Constitution names our country as

(A) Bharat	(B) India that is Bharat
(C) Hindustan	(D) Bharathiya Raj

11. Which of the following articles describes about the person voluntarily acquiring citizenship of a foreign state not to be citizens?

(A) Article 5	(B) Article 7	(C) Article 8	(D) Article 9
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12. The President of India may make a proclamation under Article 356 as to the breakdown of Constitutional machinery in a state on receipt of report from
 - (A) The Chief Justice of India
 - (B) Chief Minister of State
 - (C) Governor of State
 - (D) Union Home Minister

13. The President of India in the matters of appointment of judges of a High Court other than chief Justice
 - (A) is not obliged to consult any judges of the Supreme Court or High Court
 - (B) after consultation with the Chief Justice of the High Court
 - (C) after consultation with the Governor of the State where the High Court is situated
 - (D) after consultation with the Governor of the State and High Court

14. Once the proclamation of emergency is made the right of a citizen to move the Supreme Court for the enforcement of his fundamental right is suspended by the
 - (A) Prime Minister of India
 - (B) President of India
 - (C) Speaker of Lok Sabha
 - (D) Chief Justice of Supreme Court
15. Which of the following can impose reasonable restrictions on the Fundamental Rights of the Indian citizens?
 - (A) Supreme Court
 - (B) Parliament
 - (C) President on the advice of the Council of Ministers
 - (D) None of these; restrictions have already been included in the Constitution
16. Directive principles are
 - (A) Justifiable as fundamental rights
 - (B) Justifiable but not as fundamental rights
 - (C) Decorative portions of India constitution
 - (D) Not justifiable but fundamental in governance of the country
17. Under the Right to free and compulsory Education Act of 2009 every child of the following age group is to be provided free education
 - (A) 6-14 years
 - (B) 6-16 years
 - (C) 5-14 years
 - (D) 5-16 years
18. Right to education has been included in the constitution by
 - (A) 85th Amendment
 - (B) 86th Amendment
 - (C) 87th Amendment
 - (D) 88th Amendment
19. The minimum age required for Presidentship is
 - (A) 30 years
 - (B) 60 years
 - (C) 35 years
 - (D) 40 years
20. In the election of the President each member of the electoral college has
 - (A) one vote
 - (B) as many votes as there are candidates
 - (C) one vote with value attached to it
 - (D) one vote with value attached to it and he can give as many preferences as there are candidates

21. Who among the following is directly responsible to Parliament for all matters concerning the Defense Services of India?
- (A) Cabinet Committee on political affairs
(B) President
(C) Prime Minister
(D) Defense Minister
22. Consider the following Vice- President of India:
- i. V.V. Giri
ii. M. Hidayatullah
iii. B.D. Jatti
iv. G.S. Pathak
- Which one of the following is the correct chronology of their tenures?
- (A) i-iv-iii-ii (B) ii-i-iii-iv (C) iii-ii-i-iv (D) iv-i-iii-ii
23. Who observed that the international law is vanishing point of Jurisprudence?
- (A) Austin (B) Salmond (C) Starke (D) Holland
24. 'International law may be defined in the broad form as the body of general principles and specific rules which are binding upon the members of the International community in their mutual relations' is a statement made by
- (A) Oppenheim (B) Lawrence (C) Brierly (D) Fenwick
25. 'The duties and rights of the State are only the duties and right of man who compose them' is a statement made by
- (A) Kelson (B) Westlake (C) Hall (D) Starke
26. 'A state is and becomes an international person through recognition only and exclusively' was told by
- (A) Oppenheim (B) Anzillotti (C) Holand (D) Pitt Corbett
27. What is the correct sequence of steps in electoral procedure?
- i. Filing of nominations
ii. Presidential notification
iii. Scrutiny of nomination papers
iv. Withdrawal of candidature
v. Allotment of symbols
- (A) i, iii, iv, v, ii (B) ii, i, iv, v, iii (C) i, iii, v, iv, ii (D) ii, i, iii, iv, v

28. A party who suffers loss of damage caused by breach of contract can claim
(A) damages (B) compensation
(C) restoration (D) consideration
29. Damages awarded to victim fall under two heads
(A) Pecuniary and Compensatory
(B) Compensatory and medical benefit
(C) Pecuniary and Non Pecuniary
(D) Restorative and Compensatory
30. In order to succeed in a case of Negligence the plaintiff has to prove
(A) National duty and factual duty
(B) Primary Duty and Factual duty
(C) Conceptual Duty and Reasonable duty
(D) National duty and Primary duty
31. "Volanti non fit injuria" means
(A) when a person voluntarily submits to a harm he suffers
(B) in law no wrong is done to a man who consents to undergo it
(C) in law a wrong done to a man should be set straight
(D) in law when a wrong is done without consent no harm is cause
32. Who owns the copyright of a chapter in a book written by an author under contract?
(A) The Publisher
(B) The writer
(C) The book editor
(D) Will be decided based on the contract
33. In India, term of copyright is
(A) 50 years from the death of the author
(B) 50 years from the publication of the work
(C) 60 years after the death of the author
(D) 70 years after the death of the author

34. Which of the following statements is false?
- (A) Under the TRIPS Agreement, intellectual property right granted by one member country is automatically available in all other member countries
 - (B) WIPO extends special assistance to least developed countries and transitional economics in IP matters
 - (C) Only States can be members of WIPO
 - (D) WTO deals with global rules of trade between nations
35. In India the registration of a trademark is a for a period of
- (A) Fixed 5 years
 - (B) Fixed 10 years
 - (C) 5 years and renewable indefinitely
 - (D) 10 years and renewable indefinitely
36. If a woman who has inherited property from her mother dies without children, then such property devolves on
- (A) the heir of her father
 - (B) the heirs of her maternal grand father
 - (C) on her husband
 - (D) the heirs of her brothers
37. Under the Hindu Succession Act, 1956 in the case of intestate succession of a male Hindu father
- (A) Class I Heir
 - (B) Class II Heir
 - (C) Class III Heir
 - (D) Distant Kindred
38. A judgment contains
- (A) concise statement of the case
 - (B) the decision on the point of determination and the reason thereof
 - (C) the Point for determination
 - (D) all of the above
39. One of the following is not a ground for divorce under Sec 13 of the Hindu Marriage Act 1955
- (A) Adultery
 - (B) Cruelty
 - (C) Desertion
 - (D) Irretrievable breakdown of marriage
40. Philosophy of Positive Law is the name given to Jurisprudence by
- (A) Holland
 - (B) Austin
 - (C) Salmond
 - (D) Grey

41. What is not the requisite of a valid custom?
- (A) Reasonableness (B) Consistency
(C) Compulsory observance (D) Personal in nature
42. Among the following which is a meaning of 'stare decisis'?
- (A) Let the decision stand in its rightful place on courts and could be followed in similar cases
(B) Let the decision be clear on the courts and could or not be referred in similar cases
(C) Lets the decision stand that has been inferred
(D) A series of decisions binding on the courts and should be followed in similar cases
43. Among the following which is not a characteristic of legislation?
- (A) Legislation is imposed on courts by the legislature
(B) Legislation is created by the courts
(C) It is enacted before a case arises
(D) It involves law making by deductive method
44. Law recognizes the legal status of
- (A) dead man
(B) animals
(C) animals used in Laboratory Experiments
(D) unborn Human Fetus
45. Corporeal ownership is
- (A) Land and Chattels (B) Chattels and trademark
(C) Right to own things (D) Right to copyrights
46. Possession is acquired
- (A) when the corpus is transferred
(B) when the corpus and animus are jointly acquired
(C) when the animus and conscious possession is taken
(D) when the person is aware
47. Mediate possession exist when
- (A) The lessee holds the lease land on behalf of the easer
(B) The possession is connected with intangible objects
(C) The goods of the owner is kept in another house
(D) The person holding the land claims the title

48. C.K. Allen's work on jurisprudence is the book
- (A) Law in the making
 - (B) The Study of Jurisprudence
 - (C) Jurisprudence
 - (D) The Province of Jurisprudence determined
49. The founder of English historical school of Jurisprudence is
- (A) Friedrich Carl Von Savigny
 - (B) Max Weber
 - (C) Eugene Ehrlich
 - (D) Sir Henry Maine
50. Identify the jurist who defined law as the form of guarantee of the conditions of life of society assured by the States' power of constraint
- (A) Roscoe Pound
 - (B) John William Salmond
 - (C) Rudolf Van Jhering
 - (D) Oliver Wendell Holmes
51. Realist theory of Law emphasizes on
- (A) Social function in law
 - (B) Human factor in law
 - (C) Essentiality of law for social life
 - (D) Social criterion of validity of law
52. Possession is said to be objective realization of ownership
- (A) John William Salmond
 - (B) Friedrich Carl Von Savigny
 - (C) James Gray
 - (D) Rudolf Van Jhering
53. To constitute adverse possession, possession must be
- (A) with the permission of the owner
 - (B) with the violence and hostility
 - (C) with stealth and silence
 - (D) with exclusive and adequate continuity
54. Mode of acquisition of ownership
- (A) original and direct
 - (B) original and derivative
 - (C) perpetual and direct
 - (D) perpetual and derivative
55. Spec succession means
- (A) Speculating succession
 - (B) Chance of succession
 - (C) Small succession
 - (D) Changing succession

56. The legal effect of attestation
- Attester had notice of the contents
 - Attester had no knowledge of the contents of the document
 - Attester can raise objection of the content of the document
 - Attester to be furnished with a copy of the document
57. Mr. A transfer of Rs. 5000 to Mr. B on condition that he shall marry with the consent of Mr. C, Mr. D and Mr. E. Mr. B marries without the consent of Mr. C, Mr. D and Mr. E but obtains consent after the marriage
- Mr. B need not bother about the condition
 - Mr. B has not fulfilled the condition
 - Mr. B had to apologize to Mr. A
 - Mr. C, Mr. D and Mr. E can ignore
58. Mr. A transfer Rs. 5000 to his niece Ms. C if she will desert her husband. The transfer is void because
- it is forbidden morally
 - it is against religion
 - it is opposed to public policy
 - it cannot be fulfilled
59. The lead case on the doctrine of election
- Cooper Vs Cooper
 - Janaki Vs Ganesh Ham
 - Tulk Vs Moschay
 - Spencer's Case
60. The meaning of "Nemo dat Quod Non Habet" is
- No one can transfer his better title
 - No one can transfer a better title than what he has
 - No one can transfer his title and others title
 - No one can transfer any title
61. In judging whether a chattel has become a fixture or not there are two tests they are Choose from the below options:
- Mode of annexation
 - Nature of Annexation
 - Permanent of annexation
 - Purpose of Annexation
- iii & iv
 - ii & iii
 - ii, iii & iv
 - i & iii
62. "Lis Pendens" means
- Pending law
 - Pending land
 - Pending suit or action
 - Pending litigant

63. A transfer of immovable property made with the intent to defeat or delay the creditors of the transferor shall be
(A) void
(B) voidable at the discretion of the court
(C) voidable at the option of any creditor so defeated or delayed
(D) voidable compulsory
64. Statement of objects are not intended to protect
(A) the shareholders (B) the creditors
(C) the State (D) the Public Interest
65. Promoter is a
(A) Member of a company (B) Creditor of a company
(C) Subscriber of a company (D) Creator of a company
66. Share certificate is prima facie evidence of
(A) Title (B) Money value
(C) Incorporation (D) Relationship
67. Special resolution passed seeking wind up of a company
(A) will be binding on the court
(B) will not be binding on the court
(C) will be subject to discretion of the court
(D) will become operational on its own
68. A subscriber to a memorandum shall take
(A) one fourth of the total share capital (B) twenty shares
(C) hundred shares (D) one share
69. Loss of substratum is a ground for
(A) compulsory winding under the order of the court
(B) members voluntary winding up
(C) creditors voluntary winding up
(D) voluntary winding up under supervision of the court
70. Central Govt may apply for winding upon the ground of
(A) losses (B) dead lock
(C) inability to pay debts (D) fraudulent purpose

71. After winding up suit can be initiated against a company except with the leave of
 (A) the official liquidator (B) the provisional liquidator
 (C) the central govt (D) the court
72. Public examination of an officer of a company may be ordered on the basis of
 (A) The resolution of Directors (B) The resolution of the Shareholders
 (C) The report of the official liquidator (D) The report of the inspector
73. The liability of a member to be included in the list of contributors is
 (A) Ex Lege (B) Ex Contractu
 (C) Ex Genesis (D) Ex Conditio
74. A hypothesis means
 (A) a relation between facts (B) that which gives meaning to facts
 (C) what we are looking forward to (D) speculation based on facts
75. In order to formulate a hypothesis, it should be one that can
 (A) be put to test
 (B) answer questions clearly and definitely
 (C) be good and practical
 (D) be good, definite and testable
76. Sources of hypothesis can be formulated
 (A) i. Experience of the researcher
 ii. Review of literature
 iii. Body of fact
 (B) i. Experience gained from reading
 ii. Knowledge of facts
 ii. Body of the theory
 (C) i. Experience of researcher
 ii. Review of earlier studies
 iii. Body of theory
 (D) i. Experience of the researcher
 ii. Review of literature
 iii. Body of theory

77. According to Goode and Hatt without hypothesis study becomes
- (A) a random and elaborate study
 - (B) extensive random empirical wandering
 - (C) unfocussed random empirical wandering
 - (D) extensive elaborate empirical wandering
78. Primary source of legal research are
- (A) Legislation and precedent
 - (B) Central and State Enactments
 - (C) Central Enactment and Precedent
 - (D) Legislation and A.I.R Cases
79. Essentials of a Research design are
- (A) Plan, Outline, Print, Scheme
 - (B) Plan, Scheme, Blueprint, Outline
 - (C) Concept, Source, Print, Execution
 - (D) Concept, Plan, Blueprint, Source
80. Social Research is broadly classified as
- (A) Theoretical type and Empirical type
 - (B) Theoretical type and Pure type
 - (C) Primary type and Empirical type
 - (D) Primary type and Pure type
81. What is not the objective of Social Research?
- (A) Development of knowledge
 - (B) Welfare of humanity
 - (C) Self study
 - (D) Social control and prediction
82. The qualities of a good research are
- (A) Systematic, Logical, Empirical, Replicable
 - (B) Order, Search, Empirical, Theoretical
 - (C) Order, Logical, Primary, Experimental
 - (D) Problem Solving, Logical, Data Analysis, Theoretical

83. What is not the characteristic of Scientific Method?
 (A) Inter subjective reliability (B) Subjectivity
 (C) Objectivity (D) Quantifiable
84. A robbery becomes dacoity
 (A) when two or more persons together commit robbery
 (B) when committed with deadly weapons
 (C) when five or more persons together commit robbery
 (D) when committed with another dacoit
85. Affray means
 (A) a fight between two or more persons in a public space
 (B) a fight between five or more persons in a public space
 (C) a fight between two or more persons in a private place
 (D) a fight between five or more persons in a private place
86. What is primary object of inquest report under Sec 174 C.R.P.C?
 (A) To know the name of the assailants of the deceased
 (B) To know the motive of the committed offence
 (C) To know the apparent cause of death
 (D) To know the place of occurrence
87. As per Indian Penal Code a document whereby any legal right is created, extended, restricted or released is
 (A) Conveyance deed (B) Gift deed
 (C) Will (D) Valuable security
88. Aravind threatens to publish defamatory statement concerning Bhagya, unless he is given money. What is the offence committed by Aravind?
 (A) Extortion (B) Theft
 (C) Criminal Intimidation (D) Misrepresentation
89. Definition of wrongful gain is as follows
 (A) gaining wrongfully and losing wrongfully
 (B) gaining wrongfully by unlawful means any property to which the person is not legally entitled
 (C) gaining dishonestly any property to which the person is not entitled
 (D) loss by unlawful means of property

90. What is the meaning of retracted confession?
- Confession which is subsequently confirmed
 - Confession which is subsequently assured
 - Confession which is made during investigation
 - Confession which is subsequently resiled
91. Which provision requires that evidence must be taken in the presence of the accused?
- Sec. 302 of Indian Penal Code
 - Sec. 154 of Evidence Act
 - Sec. 273 of Cr. P.C
 - Sec. 277 of Cr. P.C
92. A Police report under Sec 173 (2) of Cr. P.C must contain the particular such as
- inquest particulars, post mortem details
 - name of the parties, name of the police officer
 - inquest particulars, name of the suspects and investigating officer and name of the persons acquainted with the circumstances of the case
 - name of the parties, name of persons acquainted with the circumstances of the case
93. Under Sec 482 Cr.P.C the High Court exercises
- | | |
|------------------------|----------------------|
| (A) Inherent powers | (B) Appellate powers |
| (C) Provisional powers | (D) Review powers |
94. In Criminal proceeding the standard of proof that is required for finding the accused guilty of an offence, so as to convict him for the said offence is
- Beyond all reasonable doubt
 - Preponderance of probabilities
 - Both (A) & (B)
 - Beyond certain probabilities
95. Mr. X proposes by letter sent by post to sell her car to Mr. Y. The proposal of Mr. X is accepted by Mr. Y by letter sent by post. When can Mr. X revoke her proposal
- Mr. X can revoke proposal at any time before Mr. Y sent letter of acceptance
 - Mr. X can revoke proposal by sending another letter by speed post
 - Both (A) & (B) are correct
 - Mr. X may revoke proposal after Mr. Y sent letter of acceptance

96. Mr. Patel promises Mr. Sharma a job in government services and Mr. Sharma promises to pay Rs. 10,000/- for it. The agreement is
- (A) void
 - (B) voidable
 - (C) enforceable on the direction of the government
 - (D) enforceable on the direction of the court
97. Caveat Emptor means
- (A) beware of thieves
 - (B) let the seller choose
 - (C) let the buyer choose
 - (D) let the buyer beware
98. Mr. ABC delivers certain goods to Mr. XYZ mistaking it to be Mr. LMN and Mr. XYZ consumes them.
- (A) Mr. XYZ is bound to pay half of the price of the goods
 - (B) Mr. XYZ can direct Mr. LMN to pay for the goods
 - (C) Mr. XYZ is bound to pay compensation to Mr. ABC for the value of the goods
 - (D) Mr. XYZ is not at fault but Mr. ABC is
99. Perpetual injunctions are governed by
- (A) Specific Relief Act 1963
 - (B) Contract Act
 - (C) Sale of Goods Act
 - (D) Civil Procedure Code
100. A contract of life insurance falls under the category of
- (A) Contract of indemnity
 - (B) Contingent contract
 - (C) Contract of guarantee
 - (D) Settlement contract