

DATE :- 24-07-2011.
TIME :- 9 AM to 12 PM.

**PRELIMINARY EXAMINATION FOR DIRECT RECRUITMENT TO
GRADE-III OF THE ASSAM JUDICIAL SERVICE FOR THE YEAR 2011**

TOTAL MARKS = 100
DURATION = 2 Hrs.
ATTEMPT ALL QUESTIONS

1. Fill up the blank with the correct words/ phrases from the options given below to make the sentence meaningfully complete:

(1 mark each)

(i) I'd rather have wine _____ beer.

- (a) instead than
- (b) instead from
- (c) instead to
- (d) instead of

(ii) If you don't go, I won't go _____

- (a) also
- (b) too
- (c) either
- (d) all of the above

(iii) You can trust John to have everything _____

- (a) over control
- (b) through control
- (c) for control
- (d) under control

2. Choose the correct idiom to replace the underlined word.

(1 mark each)

(i) Repairing television sets and radios is his livelihood.

- (a) ups and downs
- (b) apple for his eye
- (c) bee in his bonnet
- (d) bread and butter

(ii) Her problem is not that serious; she is just exaggerating.

- (a) making a mountain out of a molehill
- (b) telling a white lie
- (c) giving you the cold shoulder
- (d) minding her P's and Q's.

3. Choose the correct answer and fill in the blank.

(1 mark each)

(i) A _____ of wild horses was grazing in the field.

- (a) stack
- (b) choir
- (c) flock
- (d) stud

(ii) The earth is part of a _____ of stars.

- (a) flight
- (b) bale
- (c) galaxy
- (d) host

4. The questions below have a word/ phrase followed by four alternatives. From among the alternatives choose the one which is nearest in meaning to the word/ phrase given.

(1 mark each)

(i) HUDDLE

- (a) disclose
- (b) erect
- (c) closet
- (d) scatter

(ii) FIASCO

- (a) success
- (b) flawless
- (c) cacophony
- (d) order

5. Find out which part of the following sentence i.e. b,c,d has an error, If there is no error, mark your answer as (e).

(1 mark)

- (a) Judging by what he tells me, / (b) I don't think he has made a good impression/ (c) to the manager of the company where he works./ (d) No error.
- (b) Judging by what he tells me.
- (c) I don't think he has made a good impression
- (d) to the manager of the company where he works.
- (e) No error.

6. From the four given words, choose the one which is most appropriate so that the sentence not only makes sense, but is grammatically correct. Select the most suitable word from the four choices given for the sentence to complete it meaningfully :

(1 mark each)

- (i) My very thoughts were like the _____ rustle of dead leaves.
- (a) lively
 - (b) funny
 - (c) welcome
 - (d) ghostly
- (ii) The blood-bath that _____ the assassination is now part of history.
- (a) follow
 - (b) led
 - (c) ensued
 - (d) anticipated

(Each of the following questions carries 1 mark)

7. Which one of the following is not a feature of the Govt. of India Act of 1935 ?

- (a) Dyarchy at the centre as well as in the provinces
- (b) A bicameral legislature
- (c) Provincial autonomy
- (d) All India Federation

8. Entomology is the science that studies

- (a) Behaviour of human beings
- (b) Insects
- (c) The origin and history of technical and scientific terms
- (d) The formation of rocks

9. Exposure to sunlight helps a person improve his health because

- (a) the infrared light kills bacteria in the body
- (b) resistance power increases
- (c) the pigment cells in the skin get stimulated and produce a healthy tan
- (d) the ultraviolet rays convert skin oil into Vitamin D

10. Guarantee to an exporter that the importer of his goods will pay immediately for the goods ordered by him, is known as
- (a) Letter of Credit (L/C)
 - (b) Laissez-faire
 - (c) Inflation
 - (d) None of the above
11. Dumping is
- (a) selling of goods abroad at a price well below the production cost at the home market price
 - (b) the process by which the supply of a manufacture's product remains low in the domestic market, which fetches him better price
 - (c) prohibited by regulations of GATT
 - (d) All of the above
12. Where did Jasmine Revolution originate ?
- (a) Egypt
 - (b) China
 - (c) Tunisia
 - (d) Libya
13. India's first ocean wave's energy project was launched in
- (a) 1981
 - (b) 1991
 - (c) 1995
 - (d) 2000
14. In 1945, fifty nations met to phrase the basic charter for a world organisation which would "save succeeding generations from the scourge of war". This conference took place at
- (a) Dumbarton Oaks
 - (b) London
 - (c) San Francisco
 - (d) Yalta
15. The Indian Constitution has borrowed the ideas of Preamble from the
- (a) Italian Constitution
 - (b) Canadian Constitution
 - (c) French Constitution

- (d) Constitution of USA
16. In which case, it was held by the Supreme Court that 'Preamble is the basic feature of the Constitution'?
- (a) *In re: Golaknath case*
 - (b) *In re: Maneka Gandhi*
 - (c) *In re: Swarn Singh*
 - (d) *In re: Keshwananda Bharti*
17. Sovereignty under Constitution belongs to
- (a) the President
 - (b) the Parliament
 - (c) the People
 - (d) the Executant, Judiciary and Legislature
18. The word 'socialist secular' and 'unity and integrity of the Nation' were made to our Constitution by
- (a) 42nd Amendment of the Constitution
 - (b) 44th Amendment of the Constitution
 - (c) 46th Amendment of the Constitution
 - (d) None of the above
19. The concept of Directive Principle of State policy is borrowed from-
- (a) Germany
 - (b) France
 - (c) Ireland
 - (d) USA
20. The term "law in force" in clause (3) of Article 13 means
- (a) only statutory law
 - (b) customs and usages only
 - (c) both (a) & (b)
 - (d) newly formed public order only
21. Right to work in India is
- (a) fundamental right
 - (b) directive principle
 - (c) is not a fundamental right but it can be claimed after employment
 - (d) constitutional duty

22. Right to education is a fundamental right emanating from right to
- (a) freedom of speech and expression under Article 19(1)(a)
 - (b) culture and education under Articles 29 and 30
 - (c) life and personal liberty under Article 21
 - (d) equality before law and equal protection of law under Article 14
23. Which one of the under mentioned right is guaranteed to citizens as freedom of religion under Article 19
- (a) right to vote
 - (b) right to citizenship
 - (c) right to contest election
 - (d) right to assemble peacefully without arms.
24. Provisions of Section 10 of CPC are
- (a) directory
 - (b) mandatory
 - (c) non-mandatory
 - (d) discretionary
25. *Res-judicata* does not operate
- (a) between co-defendants
 - (b) between co-plaintiffs
 - (c) against a per-forma defendant
 - (d) none of the above
26. Validity of a foreign judgment can be challenged under section 13 of CPC
- (a) in a civil court only
 - (b) in a criminal court only
 - (c) in both civil and criminal court
 - (d) neither in civil nor in criminal court
27. A plaint can be rejected
- (a) under Order VII, Rule 10 of CPC
 - (b) under Order VII, Rule 10A of CPC
 - (c) under Order VII, Rule 11 of CPC
 - (d) all the above
28. Under Order VI, Rule 15 of CPC pleading must be verified by
- (a) all the parties
 - (b) any one of the parties

- (c) all the parties if there are more than one or any one of the parties
 - (d) only (a) & not (b)
29. In a written statement, a defendant can claim
- (a) set-off
 - (b) counter-claim
 - (c) both set-off & counter claim
 - (d) either (a) or (b)
30. An executing court
- (a) can modify the terms of the decree
 - (b) can vary the term of the decree
 - (c) can modify and vary the terms of the decree
 - (d) can neither modify nor vary the terms of the decree
31. Attachment before judgment, in a suit dismissed in default
- (a) revives automatically on the restoration of the suit
 - (b) does not revive automatically on the restoration of the suit
 - (c) may or may not revive depending on the facts & circumstances of the case
 - (d) neither (a) nor (b)
32. A person can be appointed as a guardian under Order XXXII, Rule 4 of CPC
- (a) on his oral consent
 - (b) on his consent in writing
 - (c) either (a) or (b)
 - (d) neither (a) nor (b)
33. Under the Transfer of Property Act, 1882, the term "attested" means
- (a) attested by two or more witnesses
 - (b) attested by one witness only
 - (c) attested by two witnesses only
 - (d) no condition prevails
34. Chapter II of the Transfer of Property Act shall not be deemed to effect any rule of
- (a) Mohammadan law
 - (b) Christian law
 - (c) Parsi law

(d) None of the above

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

- (a) the statement is true
- (b) the statement is false
- (c) the statement is partly true
- (d) none of the above

36. Under the provisions of the Transfer of Property Act, 1882, the unborn person acquires vested interest on transfer for his benefit:

- (a) upon his birth
- (b) 7 days after his birth
- (c) 12 days after his birth
- (d) No such provision is made in the Act

37. Section 38 of the Transfer of Property Act, 1882, has no application

- (a) to previous transfer where the transaction is still incomplete
- (b) to succeeding transfer where the transaction is to be completed in future
- (c) to perpetuity transfer
- (d) none of the above

38. Section 41 of the Transfer of Property Act, 1882 applies to voluntary transfers and has no application to :

- (a) court sale
- (b) contingent sale
- (c) perpetuity sale
- (d) price less sale

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

- (a) true
- (b) false
- (c) partly true
- (d) none of the above

40. The term 'sale' in the Transfer of Property Act, 1882 is defined in section

- (a) 53
- (b) 54

- (c) 55
- (d) 56

41. When the mortgagor's right to redeem accrues, the mortgagee has a right to enforce :

- (a) his security
- (b) his interest
- (c) only (b) is correct
- (d) none of the above

42. A lease of immovable property :

- (a) can be determined
- (b) cannot be determined
- (c) can be determined as per section 110 of the Transfer of Property Act, 1882
- (d) can be determined as per section 109 of the Transfer of Property Act, 1882

43. If only a part of the consideration or object is unlawful, the contract under section 24 shall be

- (a) valid
- (b) voidable
- (c) void
- (d) illegal

44. An agreement by way of wager under section 30 is

- (a) void
- (b) voidable
- (c) valid
- (d) unenforceable

45. What is a reasonable time for performance of a contract

- (a) is a question of fact
- (b) is a question of law
- (c) is a mixed question of fact & law
- (d) is a question of prudence

46. A person enjoying the benefits of a lawful non-gratuitous act of another

- (a) is liable to compensate that another

- (b) is not liable to compensate that another
 - (c) that another cannot claim any compensation
 - (d) both (b) & (c)
47. Executory consideration
- (a) consists of a promise in future
 - (b) liability is outstanding on both the parties
 - (c) is a promise for a promise
 - (d) all the above
48. Under section 73 of the Contract Act
- (a) special damages cannot be claimed
 - (b) special damages can be claimed if the party breaking the contract is made known of the special circumstances at any time before the breach
 - (c) special damages can be claimed if the party breaking the contract is made known of the special circumstances at the time of contract
 - (d) none of the above
49. On approval of tender
- (a) a concluded contract arises immediately
 - (b) a concluded contract arises only when an order is placed on the basis of tender
 - (c) the tender is converted into a standing offer
 - (d) both (b) & (c)
50. Mere silence is not fraud unless
- (a) there is a duty to speak
 - (b) the silence is deceptive
 - (c) there is a change in the circumstances to be brought to the notice of other party
 - (d) all the above
51. A guarantee
- (a) has to be in writing
 - (b) can be oral
 - (c) can be oral or in writing
 - (d) neither (a) or (b)

52. To establish section 34 of IPC
- (a) common intention be proved but not overt act be proved
 - (b) common intention and overt act both be proved
 - (c) common intention need not be proved but overt act be proved
 - (d) all the above
53. Under section 45 of IPC, life denotes
- (a) life of a human being
 - (b) life of an animal
 - (c) life of human being and of an animal both
 - (d) life of either human being or animal
54. Section 83 of IPC lays down
- (a) a presumption of fact
 - (b) an inconclusive or rebuttable presumption of law
 - (c) conclusive or irrebuttable presumption of law
 - (d) irrebuttable presumption of fact
55. Section 84 of IPC provides for
- (a) medical insanity
 - (b) legal insanity
 - (c) moral insanity
 - (d) unsoundness of mind of any kind
56. Right to private defence is
- (a) available under all circumstances
 - (b) available where there is time to have the recourse to the protection of public authorities
 - (c) available where there is no time to have recourse to the protection of public authorities
 - (d) all of the above
57. Culpable homicide is not murder, if it is committed under
- (a) grave & sudden provocation
 - (b) self-intoxication
 - (c) irresistible impulse
 - (d) all the above
58. Assault cannot be caused by
- (a) mere words
 - (b) mere gestures
 - (c) mere preparation
 - (d) all the above

59. Criminal breach of trust on an offence signifies
- (a) entrustment
 - (b) demand
 - (c) refusal
 - (d) all the above
60. Which one of the following is not a "Public Servant"?
- (a) liquidator
 - (b) a Civil Judge
 - (c) member of a panchayat assisting a Court of Justice
 - (d) secretary of a Co-operative Society
61. Classification of offences given in the Code of Criminal Procedure under
- (a) section 320
 - (b) the Ist Schedule
 - (c) the IInd Schedule
 - (d) section 482
62. Under the Scheme of Criminal Procedure non-cognizable offences are
- (a) public wrongs
 - (b) private wrongs
 - (c) both public and private wrongs
 - (d) none of the above
63. A Magistrate has the power to direct the police to investigate in respect of an offence
- (a) under the Indian Penal Code
 - (b) under any local or special law
 - (c) both (a) and (b)
 - (d) only (a) and not (b)
64. Maintenance of a case diary by an investigating officer is
- (a) directory
 - (b) mandatory
 - (c) discretionary
 - (d) neither (b) nor (c)
65. Obtaining signature on the confession of the person making the confession, under section 164 of CrPC is

