AILET 2019
Solved Paper

LEGAL APTITUDE

Directions (Q.1–Q.3): Apply the legal principles to the facts given below and select the most appropriate answer.

Legal Principles:

1. An attempt is an act committed in part execution of a criminal design or intent, more than mere preparation, but failing short of actual commission.
2. Whoever, by deceiving any person, fraudulently or dishonestly induces the person so deceived to deliver any property to any person, or to consent that any person shall retain any property, or intentionally induces the person so deceived to do or omit to do anything which he would not do/omit if he were not so deceived, and which act or omission causes or is likely to cause damage or harm to that person in body, mind, reputation or property, is said to "cheat".
3. Preparation is the second stage in the commission of a crime. It means to arrange the necessary measures for the commission of the intended criminal act.
4. Whoever causes death by doing an act with the intention of causing death, or with the intention of causing such bodily injury as is likely to cause death, or with the knowledge that his act is likely to cause death, commits the offence of murder.
5. Whoever causes the death of any person by doing any rash or negligent act shall be guilty of negligence.

1. In which of the following cases, X is guilty of attempting to commit the offence?

(a) X, in order to forge a document purporting to be executed by Y, send his servant to buy a stamp paper in the name of Y. As the servant reaches shop, he is arrested.

(b) X shoots at Y whose back is towards him. Y is not hurt as he is beyond the range of the gun.

(c) X pours half a pint of substance from a bottle marked 'poison' into the drink of Y. Y Is not aware of It. Later, it turns out that the bottle did not contain any poison.

(d) X administers some noxious substance to Ria so that an abortion results. The woman was not pregnant.

2. **Fact:** Amar applied for the post of P. G. Teacher in a government school and submitted his application along with his degrees. He was called for the interview on 10 June 2018. But the school authorities on 10 May 2018 discovered that the copy of the degrees attached with Amar's application are forged and so the interview was cancelled.

Is any offence committed by Amar?

(a) Amar is guilty of cheating.

(b) Amar is guilty of preparation to cheat.

(c) Amar is guilty of attempt to cheat.

(d) Amar is not guilty of any offence as he is not called for the interview.

3. **Facts:** X tries to pickpocket Z. Z has a loaded pistol in his pocket. X's hand touches the pistol and triggers it, resulting in the death of Z.
Which of the following offence is committed by X?

(a) X is guilty of causing Z's murder.

(b) X is guilty of culpable homicide by negligence.

(c) X is guilty of causing grievous hurt.

(d) X is guilty of pickpocketing.

Directions (Q.4–Q.6): Apply the legal principles to the facts given below and select the most appropriate answer.

Legal Principles:

1. The Tort of Negligence is a legal wrong that is suffered by **someone** at the hands of another who fails to take proper care to avoid what a reasonable person would regard as a foreseeable risk.
2. The test of liability requires that the harm must be a reasonably foreseeable result of the defendant's conduct, a relationship of proximity must exist and it must be fair, just and reasonable to impose liability.
3. Volenti non-fit injuria is defence to action in negligence.

4. **Facts:** In a sad incident, 95 fans of a Football club died in a stampede in the Nehru Stadium. The court has decided that the accident was caused due to the negligence of the Police in permitting too many supporters to crowd in one part of the stadium. Now, a suit is filed by Harman and several other people against the Commissioner of State Police. Harman and the other claimants had relatives who were caught up in the Nehru Stadium disaster. The disaster was broadcast on live television, where several claimants alleged, they had witnessed friends and relatives die. Others were present in the stadium or had heard about the events in other ways. All claimed damages for the psychiatric harm they suffered as a result. Determine whether, for the purposes of establishing liability in negligence, those who suffer purely psychiatric harm from witnessing an event at which they are not physically present are sufficiently proximate for a duty to be owed, and thus can be said to be reasonably within the contemplation of the tort?

(a) Police is liable for all of the consequences of their negligence because they could reasonable foresee the injury. The liability towards victims who are not physically present is also there in all circumstances.

(b) Police is not liable because the duty of care towards Harman and others will be breached if they were present at the event and the harm caused was being foreseeable. The liability towards victims who are not physically present is only in certain exceptional circumstances.

(c) Police is not liable because the incident was an accident and supporters were there by their own free will.

(d) Police is liable for only for the death of 95 fans burns and not for the psychiatric harm to relatives of deceased fans which happened due to their own delicate mental condition.

5. **Facts:** X purchased a disused cinema with the intention of turning it into a Multiplex. Six weeks after, X entered the building for the first time, it was set on fire by intruders and destroyed. As a result, the adjacent buildings were also affected and damaged. The cinema building was a target to vandals and children who often played there, but X had had no knowledge of previous attempts to start fire at the cinema buildings. The owners of the adjacent buildings brought an action for negligence against X on grounds that X failed to take reasonable care for the safety of the buildings by not keeping the cinema locked, making regular inspections and employing a caretaker. Decide whether the occupier of a property owe a duty of care to the adjoining occupiers in respect of acts of trespass on his property resulting in damage to the adjoining properties?

(a) An occupier of a property owes a duty of care to the adjoining occupiers in respect of acts of trespass on his property resulting in damage to the adjoining properties under all circumstances.

(b) X was not aware of previous attempts of vandals to start fire and as such, the building did not present an obvious fire risk, so X was not under any duty to anticipate the possibility of fire and take measures to prevent the entry of vandals. So, no duty of care existed towards the adjoining properties in this case.

(c) Though X were not aware of previous attempts of vandals to start fire and as such and the building did not present an obvious fire risk but he failed to take reasonable care, so Xis liable.

(d) Xis not liable as the adjoining occupiers are also negligent by not being careful in safeguarding their properties against fire.

6. **Facts:** A team of scientists imported a virus for the purpose of research. They carried out research on their premises into foot and mouth disease in cattle, and they were apparently responsible for the escape of some virus. As a result, there was an outbreak of foot and mouth disease in the area, and the Minister of Agriculture ordered two markets to be closed. This caused the some of the traders, who were two firms of auctioneers, to suffer a loss of profits on a total of six market days, for which they sought to recover. Decide whether the scientists owed a duty of care towards the traders?

(a) An ability to foresee indirect or economic loss to another person as the result of a defendant's conduct automatically impose on the defendant a duty to take care to avoid that loss.

(b) The loss to the traders was pecuniary. They suffered no physical harm to themselves or to any of their property. An ability to foresee indirect or economic loss to another person as the result of a defendant's conduct did not automatically impose on the defendant a duty to take care to avoid that loss.

(c) It is not proved that there was negligence on the part of the scientists which resulted in an escape of the virus so they are not liable.

(d) Though the scientists are negligent in handling the virus but they are not liable as the leakage of virus was by accident.

7. **Legal Principles:**

1. Private nuisance is a continuous, unlawful and indirect interference with the use or enjoyment of land, or of some right over or in connection with it.
2. A person is liable if he can reasonably foresee that his acts would be likely to injure his neighbour.
3. The foreseeability of the type of damage is a pre-requisite of liability in actions of nuisance.

Facts: Bharat Sugar Ltd. operated a sugar refinery on the bank of the river Ravi. They had a jetty from which raw sugar would be offloaded from barges and refined sugar would be taken. The sugar would be taken by larger vessels and then transferred to smaller barges to enable them to get through the shallow waters. As part of development Bharat Sugar Ltd. wished to construct a new jetty and dredge the water to accommodate the larger vessels. At the same time the State was constructing new ferry terminals. The design of the ferry terminals was such that that it caused siltation of the channels. After using the channels for a short while, Bharat Sugars' larger vessels were no longer able to use them. Further dredging at the cost of~ 7,50,000 was required to make the channel and jetties usable by the vessels. Bharat Sugar Ltd. brought an action in nuisance to recover the cost of the extra dredging. Is the State liable?

(a) The loss caused by the construction of new ferry terminals could not amount to a private nuisance at law since they did not possess any private rights which enabled them to insist on any particular depth of water.

(b) The loss caused by the construction of new ferry terminals amount to a private nuisance at law since they did possess right to use the water at a particular depth.

(c) No, it cannot constitute private nuisance but the claimants can claim damages for loss suffered by them.

(d) Yes, the State's conduct was unreasonable in building the new terminals without thinking of all the consequences it will have on the rights of other parties.

8. **Legal principle:** The tort of negligent misstatement is defined as an inaccurate statement made honestly but carelessly usually in the form of advice given by a party with special skill/knowledge to a party that doesn't possess this skill or knowledge.

Facts: X and Y Co. were advertising agents placing contracts on behalf of a client on credit terms. X and Y Co. would be personally liable should the client default. To protect themselves, the X and Y asked their bankers to obtain a credit reference from K and L, the client's bankers. The reference (given both orally and then in writing) was given gratis and was favourable, but also contained an exclusion clause to the effect that the information was given 'without responsibility on the part of this Bank or its officials'. X and Y relied upon this reference and subsequently suffered financial loss when the client went into liquidation. X and Y sued K and L Co. for negligence, claiming that the information was given negligently and was misleading. K and L argued there was no duty of care owed regarding the statements. Decide.

(a) The K and L's disclaimer was not valid to protect them from liability and X and Y's claim will not fail.

(b) The X and Y has a duty to obtain the necessary information themselves without relying upon the other party.

(c) It was reasonable for K and L to have known that the information that they had given would likely have been relied upon for entering into a contract of some sort. That would give rise to a special relationship of trust, in which K and L would have to take sufficient care in giving advice to avoid negligence liability. However, on the facts, the disclaimer is sufficient to discharge any duty created by K and L's actions.

(d) It was reasonable for K and L to have known that the information that they had given would likely have been relied upon for entering into a contract of some sort. That would give rise to a special relationship of trust, in. which K and L would have to take sufficient care in giving advice to avoid liability. Hence, liable for negligent misstatement.

Directions (Q.9–Q.11): Apply the legal principles to the facts given below and select the most appropriate answer.

Legal Principles:

1. A contract comes into being from the acceptance of an offer. When the person to whom the offer is made signifies his assent thereto, the proposal is said to be accepted and the parties are at consensus ad idem regarding the terms of the agreement.
2. Consideration is something that moves from the promisee to the promiser, at the implied or express request of the latter, in return for his promise. The item that moves can be a right, interest, profit, loss, responsibility given or suffered, forbearance or a benefit which is of some value in the eyes of law.
3. Contractual rights and liabilities are exclusive to the parties to contract.
4. There are few exceptions to the doctrine of privity of contract like agency, trust, assignment and third-party beneficiary.
5. A quasi contract is a contract that is created by the court when no such official contract exists between the parties to prevent a party from being unjustly enriched, or from benefitting from the situation when he does not deserve to do so.

9. **Facts:** Goodtyre is a tyre manufacturer who agreed with their dealer to not sell the tyres below a recommended retail price (RRP). As part of the agreement, Goodtyre also required their dealers to gain the same agreement with their retailers, who in this instance was Bestmotors. The agreement held that if tyres were sold below the RRP, they would be required to pay~ 500 per tyre in damages to Goodtyre. This was agreed between the dealer and Bestmotors, which.effectively made Goodtyre a third-party to that agreement. Sometime after this, Bestmotor sold the tyres below the agreed price and Goodtyre sued for damages and an injunction to prevent them from continuing this activity. Bestmotor is arguing that Goodtyre could not enforce the contract as it was not part of the contract between the dealer and the Bestmotor. The court decided that Goodtyre had no right to access damages. Which of the following are correct reasons?

I. Goodtyre could not claim for damages as only a party to a contract can claim damages under it.

II. Goodtyre had not given any consideration to Bestmotor and therefore there could be no binding contract between the parties.

III. Goodtyre was not listed as an agent within the contract and could therefore not be included as a valid third-party who had rights to claim on the contract.

(a) I only

(b) II only

(c) I and II

(d) I, II, III

10. **Facts:** Nandini, by deed of gift, made over certain landed property to Reena, her daughter. By the terms of the deed, which was registered, it was stipulated that an annuity of Rs. 3,000 should be paid every year to the Subhashini, sister of Nandini. Reena executed in Subhashini's favour an agreement promising to give effect to the stipulation. The annuity was, however, not paid and the Subhashini sued to recover it. Reena is defending herself by claiming that there is no valid contract with Subhashini. Which of the following can be ground/s for court's decision?

I. A promise is enforceable if there is some consideration for it and it is quite immaterial whether it moves from the promise or any other person.

II. Only a person who is a party to a contract may demand the execution of that contract from other party. But if there is third party beneficiary to contract then it is enforced to the extent of his\her benefit.

III. The agreement is valid as both Reena and Subhashini agreed to on the same thing in the same sense.

IV. There is no privity of contract as Subhashini has furnished no consideration. Reena had promised to Subhashini but consideration was furnished by Nandini.

(a) I, II

(b) III, IV

(c) I only

(d) II only

11. **Facts:** Tanu's brother, Ishan, tries to talk her into building a greenhouse in her large back-yard. She declines, but Ishan is convinced that, if she were surprised by a lovely greenhouse, she would love it. Knowing that Tanu makes good money, and could easily afford the greenhouse, Ishan contacts greenhouse builder Aditya, and arranges to have him erect the structure while his sister is at work one day.

Tanu is not happy by her brother's initiative, but the deed is done. Ishan has directed Aditya to bill his sister for the greenhouse, and that turns out to be the biggest surprise for her. She declines to pay, and Ishan tells Aditya he cannot afford it. Aditya is now out, not only for payment for his many hours of hard work, but cash for the materials he used. He files a civil suit to claim against both Tanu and Ishan. Decide.

(a) Ishan is liable to pay as he has entered into contract with Aditya for his services.

(b) Tanu is not liable to pay as there is no contract between Aditya and Tanu.

(c) Tanu is liable to pay Aditya the costs involved in building the greenhouse as she has being unjustly enriched by this deal.

(d) Tanu is liable as Ishan is her brother and was acting on her behalf under her implied consent as she liked greenhouse.

12. Legal Principles:

1. Vicarious liability is when employers are held liable for the torts of their employees that are committed during the course of employment.
2. A servant is a person subject to the command of his master as to the manner in which he shall do his work. The question of whether a person is an employee depends upon the degree of control which the 'employer' exercises over the worker.

Facts: Raja is a travel agent and possessed certain houses, which has an internal communication throughout, and which were used for the purposes of his business. Ramesh looked after the houses, and lived in them for this purpose, but he was also a clerk in the Raja's pay at a set annual salary. He lived in the houses with his wife, a child, and a servant. The case concerned the payment of inhabited house duty. There was a statutory exemption for premises which were occupied by a "servant" or person occupying the premises "for the protection thereof". Raja was claiming the exemption from tax liability by claiming that Ramesh was the servant. Decide whether Ramesh was a servant or an independent contractor?

(a) Ramesh is not a servant as the premises was held purely for trade purposes, and as Ramesh's position was simply that of a caretaker.

(b) Ramesh earned a salary per annum in his separate role as a clerk and merely enjoyed residence of the building with his family members. Thus, is an employee of the building owner for tax purposes.

(c) Ramesh is a servant as servant is a person subject to the command of his master as to the manner in which he shall do his work.

(d) Ramesh is a servant as Raja can control his work of caretaker of the building as well as his job of clerk.

13. Legal Principles:

1. Private nuisance is a continuous, unlawful and Indlrcct i11te1ierence with the use or enjoyment of land, or of some right ewer or in connection with it.
2. The person who for his own purposes brings cm his lands and collects and keeps there anything likely to de mischief If It escapes, must keep It in at his peril, and, If he does not do so, Is prlma facie answerable for all the damage which is the natural consequence of its escape.
3. Generally, nuisances cannot be justified on the ground of necessity, pecuniary Interest, convenience, or economic advantage to a defendant.

Facts: Dr. Hemant had for 18 years operated a clinic and hospital tor the treatment of ENT. Dr. Karan operated a renal clinic in which patients receive haerno-dlalysls on the floor above the Dr. Hemant's clinic. The Karan was found liable for emitting from their clinic obnoxious fumes which escaped downwards into Hemant's clinic.

Hemant, his staff and patients were found to have suffered substantial damage ranging from skin diseases, red and swollen eyes, headaches, lethargy and breathing difficulties. Decide whether Karan is liable?

(a) Karan is not liable as the work is a public welfare requires, a nuisance may be permitted for special purposes.

(b) Hemant cannot claim damages as he is voluntarily operating his clinic since a decade.

(c) Karan is not liable as he is running the clinic for 18 years and Hemant has not raised any issues earlier.

(d) Karan is liable for the damages caused to Hemant and his staff and patients.

Directions (Q. 14–Q. 15): The following questions consist of two statements, one labelled as 'Assertion' and the other as 'Reason'. Read both the statements carefully and answer using the codes given below.

(a) Both A and Rare true and R is the correct explanation of A

(b) Both A and R are true but R is not the true explanation of A

(c) A is true but R is false

(d) A is false but R is true

14. **Assertion (A):** The rule making power of the Supreme Court is not subject to any law made by the Parliament of India.

Reason (R): Only an impartial and independent judiciary can protect the rights of the individual without fear or favour.

15. **Assertion (A):** The entries in the three legislative lists are not always set out with scientific precision.

Reason (R): The entries are not powers but only fields of legislation.

16. Which of the following amendments are sought to be introduced in the Representation of the People Act through Amendment Bill, 2017?

I. Proxy voting

II. Gender-neutral provisions

III. Allocation of seats

IV. Delimitation of constituencies

(a) I, II, III, IV

(b) III, IV

(c) I, II

(d) I, II, IV

17. Which of the following offences can be prosecuted under the newly enacted Fugitive Economic Offenders Act, 2018?

I. Economic offences involving ₹ 100 crores and more

II. Dishonouring of cheques

III. Money laundering

IV. Benami transactions

(a) III, IV

(b) I, II, III, IV

(c) II, IV

(d) I, III, IV

18. The Constitution (One Hundred and Third Amendment) Bill, 2019 seeks to amend _____ to include _____.

(a) Articles 15 and 29; Other Backward Classes

(b) Articles 15 and 30; Other Backward Classes

(c) Articles 15 and 29; Economically weaker sections

(d) Articles 15 and 16; Economically weaker sections

19. Which of the following are the salient features of the Aadhaar and other laws (Amendment) Ordinance 2019?

I. The maximum penalty proposed is ` One crore.

II. The cognizance of an offence under the law can be taken only on a complaint by UIDAI

III. It changes definition of 'Aadhaar number' to include 'Virtual ID', in addition to the 12-digit number.

IV. The authority who can issue orders to disclose Aadhaar information is proposed to be changed as 'High Court Judge' from 'District Judge'.

(a) I, II

(b) II, III, IV

(c) I, III, IV

(d) III, IV

20. Recently, Ram Janmabhoomi and Babri Masjid land dispute is referred to mediation by a panel. Which of the following is the correct constitution of the panel?

(a) Retd. Justice Kalifullah, Sadhguru

(b) Retd. Justice Altmas Kabir, Sadhguru, Sadhna Ramachandran

(c) Retd. Justice Altmas Kabir, Sri Sri Ravi Shankar

(d) Retd. Justice Kalifullah, Sri Sri Ravi Shankar, Sriram Panchu

21. Who is heading the five-member committee set up to examine the issues related to framing of a proper, structured scheme for providing of insurance cover to the advocates and also suggest modalities for the implementation of such a scheme?

(a) Ravi Shankar Prasad

(b) Anand Patel

(c) Alok Srivastava

(d) Amrinder Khuller

22. What is the punishment under the Official Secrets Act, 1923 for the offence of spying in relation to any work of defense establishment or in relation to any secret official code?

(a) Sentence of Death

(b) Imprisonment for 14 years

(c) Imprisonment for 10 years

(d) Imprisonment for life

23. Citizenship (Amendment) Bill, 2019 seeks to grant citizenship on the basis of _____ to the people from _____.

(a) Religion; Bangladesh, Pakistan, Afghanistan

(b) Religion; Bangladesh, Pakistan

(c) Birth; Bangladesh

(d) Descent; Bangladesh, Afghanistan

24. Delhi High Court has allowed the transgenders to register complaints of sexual harassment under which provision of the Indian Penal Code?

(a) Section 265

(b) Section 355 B

(c) Section 365

(d) Section 354 A

25. Who is the Executive Chairperson of NALSA?

(a) Justice A.K. Sikri

(b) Justice Madan B. Lokur

(c) Justice N.F. Nariman

(d) Justice D.Y. Chandrachud

26. Who is the first Chief Justice of Telangana High Court?

(a) B.N. Srikrishna

(b) T.B.N. Radhakrishna

(c) K.R. Lakshmanan

(d) Hrishikesh Roy

27. A human wall was made up by women in Kerala as part of the State-sponsored initiative to uphold gender equality from _____ to _____.

(a) Thrissur, Kollam

(b) Kasaragod, Thiruvananthapuram

(c) Kollam, Maradu

(d) Varkala, Thiruvananthapuram

28. Trade Union Act (Amendment) Bill, 2019 will provide for which of the following benefits?

I. Recognition of Trade Unions at Central and State level;

II. Ensure true representation of workers in the tripartite bodies;

III. Check on the arbitrary nomination of workers' representatives by the Government; and

IV. Reduce litigations and industrial unrest.

(a) I, II, III, IV

(b) I, II, III

(c) II, III

(d) I, II

29. Under the Forest Rights Act, 2006, Other Traditional Forest Dwellers have to give proof that they have been living in the forest areas for _____ years.

(a) 50 years

(b) 99 years

(c) 75 years

(d) 100 years

30. Article 35 A, Constitution of India is regarding

(a) Special status of Delhi

(b) Special status of 99 years

(c) Empowers the Jammu and Kashmir State's legislature to define "permanent resident" of the State

(d) Empowers the State of Jammu and Kashmir to have its own separate laws

31. Which of the following statements are true regarding the jurisdiction of the High Court?

I. High Court can punish for its contempt.

II. High Court tenders advice on the legal question referred to it by the Governor of the State.

III. High Court confirms the death sentences passed by lower judiciary.

IV. High Court can issue writs for enforcement of Fundamental rights.

(a) I, IV

(b) I, II, III

(c) I, II, IV

(d) I, III, IV

32. If the tax rate increases with the higher level of income, it is called_____.

(a) Progressive Tax

(b) Proportional Tax

(c) Lumpsum Tax

(d) Regressive Tax

33. In February 2019, a Public Interest Litigation has been lodged with the High Court of _____, wherein a 11-year-old boy has sought ban on the PUBG game in all the schools in the State.

(a) Delhi

(b) Karnataka

(c) Allahabad

(d) Bombay

34. As per the Insolvency and Bankruptcy Code (Amendment) Ordiance, 2018, which of the following is true?

I. Home Buyers Recognised as Financial Creditors.

II. Extension of the application of the Code to personal guarantors of Corporate Debtors and Proprietorship Firms

III. A person shall be eligible to submit a resolution plan if such person is an undischarged insolvent.

IV. A resolution applicant cannot withdraw a resolution application from the National Company Law Tribunal (NCLT), after such process has been initiated.

(a) I and II

(b) I, III and IV

(c) I, II and IV

(d) All of the above

35. The Supreme Court has said that FIR in respect of heinous and serious offences cannot be quashed solely on the ground that the dispute was settled amicably between the parties. Which of the following were included in the list of "heinous and serious offences"?

I. Offences under Prevention of Corruption Act

II. Some Offences under Arms Act

III. Rape

IV. Offences by public servants in their official capacity

(a) I, III

(b) II, III

(c) I, II, III

(d) I, II, III, IV

ANSWERS AND EXPLANATIONS

1.	(b)	2.	(c)	3.	(d)	4.	(b)	5.	(b)	6.	(b)	7.	(a)	8.	(c)
9.	(d)	10.	(a)	11.	(c)	12.	(a)	13.	(d)	14.	(d)	15.	(b)	16.	(c)
17.	(b)	18.	(d)	19.	(c)	20.	(d)	21.	(c)	22.	(b)	23.	(a)	24.	(d)
25.	(a)	26.	(b)	27.	(d)	28.	(a)	29.	(c)	30.	(c)	31.	(d)	32.	(a)
33.	(d)	34.	(a)	35.	(d)										

1. Answer: (b)

Explanation: If a person commits crime voluntarily or after premeditation, the doing of it involves four stages. These four stages are: (1) Intention (2) Preparation (2) Attempt and (4) Accomplishment or commission of crime.

Intention is the first stage in the commission of an offence and is also known as mental stage. **Preparation** is the second stage and involves arranging the necessary measures for the commission of the intended criminal act. Intention alone or the intention followed by a preparation is not enough to constitute the crime.

Attempt is the direct movement towards the commission of a crime after the preparation is made. A person may be guilty of an attempt to commit an offence if he does an act which is **more than merely preparatory** to the commission of the offence.

The last stage in the commission of an offence is its **accomplishment or completion**. If the accused succeeds in his attempt to commit the crime, he will be guilty of the complete offence and if his attempt is unsuccessful, he will be guilty of an attempt only

In the **first case**, before the servant could reach the shop and buy the stamps, he was arrested. Hence no act towards the commission of offence can be said to have taken place. If one looks at the **second case**, it can be observed that only because Y was beyond the range of the gun, he escaped any injury. Had this not been the case, X's act would have certainly resulted in injury to the body of/possibly death of Y. Hence, X is liable for attempt. The second case can actually be characterized as one falling under unsuccessful attempt.

In the **third case**, bottle did not contain any poison and in the **fourth one**, woman to whom poison was administered was not pregnant. Third and fourth case would not constitute attempt because the act performed would not have anyways resulted in the offence being committed due to external factors (impossibility of occurrence) unknown to the accused.

2. Answer: (c)

Explanation: Here, Amar had submitted the forged document in order to deceive the school authorities into believing that his application was genuine. However, before his attempt could be materialized, the authorities discovered the forged degrees (truth) and cancelled the interview. Thus, the act fell short of actual commission as he could not achieve the desired result, that is, he was not successful in deceiving the college authorities. Hence, Amar is only guilty of only an attempt to cheat

3. Answer: (d)

Explanation: In order to constitute the offence of murder, the act which resulted in the death of other person should have been performed with the **intention** to cause the desired result. Here, X was only trying to pickpocket Z and had no intention to kill him/her. Hence, option **(1)** is ruled out. The offence of culpable homicide by negligence and grievous hurt are not provided in the principles mentioned above, hence option **(2)** and **(3)** are also ruled out.
Here, X clearly intended to pickpocket Z and succeeded in committing the same. **Hence, X is guilty of pickpocketing.**

4. Answer: (b)

Explanation: As per principle 1, the foreseeability of the risk factor here means the probability that harm could be caused as a result of the stampede. This excludes psychological harm to people who weren't even present, and as per principle 2, since there's no proximity and psychological harm wasn't a reasonable outcome of the stampede. Hence, the police isn't liable for any such harm caused because the duty of care towards Harman and others will be breached only if they were present at the event and the harm caused was being foreseeable.

5. Answer: (b)

Explanation: Although X was wrong as to not employ guard, yet negligence requires knowledge of risk in order to foresee and make provisions for it. Since X had no knowledge of such vandals, there was no risk hence no foreseeability, hence no negligence. So, no duty of care existed towards the adjoining properties in this case. Hence, (B) is the most appropriate answer

6. Answer: (b)

Explanation: The foreseeability of an outbreak of said virus would mean that harm= health problems etc, perhaps even the closing of the markets, but not the financial loss to farmers. Had they faced problems in their field as a direct consequence of biological problem due to said outbreak, scientists could be liable but not because of the financial loss due to closing of markets, due to this outbreak and such a long chain of events isn't foreseeable. An ability to foresee indirect or economic loss to another person as the result of a defendant's conduct does not automatically impose on the defendant a duty to take care to avoid that loss.

7. Answer: (a)

Explanation: As per principle 1, private nuisance means interference with enjoyment of land, meaning that the said land is in possession of the plaintiff. However in this case, subject matter is State property, and even though Bharat Mills suffers damage, yet no legal right is interfered with. Hence, it is not a case of private nuisance. They did not possess any private rights which enabled them to insist on any particular depth of water.

8. Answer: (c)

Explanation: It was reasonable for K and L to have known that the information that they had given would likely have been relied upon for entering into a contract of some sort. That would give rise to a special relationship of trust, in which K and L would have to take sufficient care in giving advice to avoid negligence liability. The words in the principle of "but carelessly" are key to differentiate between options C and D. Although K and L took all measures to find accurate information, they weren't careless in analysis of their reference, and had also put a disclaimer. Hence technically, it wasn't the disclaimer in itself which protects them from liability, but it's presence which signifies that they took utmost care and weren't careless, which protects K and L from liability.

9. Answer: (d)

Explanation: Statements I and II talk about requirements of a contract, which is used to signify the absence of a contract between Bestmotor and Good tyre, hence no contractual liability upon Best motors. Hence I and II are true as no damages can be given to a party not in the contract, with whom a contract wasn't even made. Statement III talks about how the exception can't be applied due to the absence of agency on part of Good tyres, although Good tyres could be assumed 3rd party beneficiary, yet the statement talks about exception on ground of agency only, which is clearly absent hence all I, II and III are correct.

10. Answer: (a)

Explanation: The Court can talk about 2 contracts, one between Nandini and Reena, under which Suhasini is a 3rd party beneficiary and hence the terms of the deed can be executed in her favour, hence statement II is correct which gives a decision in favour of Suhasini. Also, the second agreement between Suhasini and Reena is not an enforceable contract, as there is no consideration on part of Suhasini, hence statement I is correct which gives a decision in favour of Reena. Statement III is wrong as consensus ad idem requires a consideration first, Statement IV is wrong since privity of contract can be ousted only because of third party beneficiary.

11. Answer: (c)

Explanation: Principle 5 states that A quasi contract is a contract that is created by the court when no such official contract exists between the parties to prevent a party from being unjustly enriched, or from benefitting from the situation when he does not deserve to do so.
In the present fact scenario, although Tanu clearly didn't want a greenhouse, yet she has unjustly gained, at the cost of the contractor. It is immaterial whether she wanted to have a greenhouse in the first place, or even her explicit refusal for such construction, as in the end she gained a greenhouse and a quasi contract is activated, which goes past normal factors of a contract. Hence, Tanu is liable to pay under principle 5, as she cannot unjustly enrich herself from the greenhouse construction making option (C) the most appropriate answer.

12. Answer: (a)

Explanation: If you look at the facts carefully, even though Ramesh lived in the house, took care of it and that was his purpose as an employee, yet he can't be termed as a servant. Raja doesn't control the manner in which Ramesh works (here work means and includes living in the house and taking care of it and there is no command present over Ramesh.) Ramesh is not a servant as the premises were held purely for trade purposes, and as Ramesh's position was simply that of a caretaker. Hence option (A) is the most appropriate answer.

13. Answer: (d)

Explanation: Generation of obnoxious fumes from the Clinic owned by Dr. Karan and their escape make him liable for private nuisance as they affect Dr. Hemant from enjoyment of his land as a clinic. Hence, Karan is liable for the damages caused to Hemant, his staff and patients making option (D), the most appropriate answer.

14. Answer: (d)

Explanation: As per Article 145 of the Constitution of India: Subject to the provisions of any law made by Parliament the Supreme Court may from time to time, with the approval of the President, make rules for regulating generally the practice and procedure of the Court. Hence Assertion is false. However, the statement given in the reason is true that only an impartial and independent judiciary can protect the rights of the individual without fear or favour and this is the reason that Indian Constitution follows the Doctrine of separation of power between legislature, executive and judiciary.

15. Answer: (b)

Explanation: Both the statements are true. However, there is no co-relation between assertion and reason. The entries in the three legislative lists are not always set out with scientific precision and it can't be done because there are certain situations where the Parliament has to legislate upon state list. Also, it is true that the entries are not powers but only fields of legislation.

16. Answer: (c)

Explanation: The Representation of the People (Amendment) Bill, 2017 was introduced in Lok Sabha by the Minister of Law and Justice, Mr. Ravi Shankar Prasad on December 18, 2017. The Bill seeks to amend the Representation of People Act, 1950 and the Representation of People Act, 1951 to:
(a) Allow for proxy voting and
(b) To make certain provisions of the Acts gender-neutral.
The 1951 Act permits an overseas voter to vote only in person. An overseas voter is a citizen of India who is absent from his place of ordinary residence in India. The Bill seeks to amend the 1951 Act to permit an overseas voter to cast their vote in person or by proxy in the constituency where the poll is taken. The 1951 Act provides for the wife of a person holding a service qualification to vote. The Bill replaces the term 'wife' with 'spouse'.

17. Answer: (b)

Explanation: The Fugitive Economic Offenders Act, 2018allows for a person to be declared as a fugitive economic offender (FEO) if:
(a) An arrest warrant has been issued against him for any specified offences where the value involved is over Rs 100 crore, and
(b) He has left the country and refuses to return to face prosecution.
The Act lists 55 economic offences in the Schedule, which include dishonouring cheques, benami transactions, money-laundering etc.

18. Answer: (d)

Explanation: The **One Hundred and Third Amendment** of the Constitution of India, officially known as the **Constitution (One Hundred and Third Amendment) Act, 2019**, introduced 10% reservation for economically weaker sections of society for admission to Central Government-run educational institutions and private educational institutions (except for minority educational institutions), and for employment in Central Government jobs.

19. Answer: (c)

Explanation: Aadhaar and other laws (Amendment) Ordinance 2019 was promulgated to make amendments to the Aadhaar Act 2016, Prevention of Money Laundering Act 2005 & Indian Telegraph Act 1885.
Virtual ID: It changes definition of 'aadhaar number' to include 'virtual ID', in addition to the 12 digit number. The Virtual ID enables one to authenticate identity without providing Aadhaar number.
High Court judge can order disclosure: The authority who can issue orders to disclose Aadhaar information is proposed to be changed as 'High Court judge' from 'District Judge' as per Section 33(1).
Civil penalties: It proposes a new chapter specifying civil penalties for collection, use and disclosure of Aadhaar information in contravention with the violation of the provisions of the Act. The maximum penalty proposed is Rs. one crore.

20. Answer: (d)

Explanation: The **five-judge** constitution bench had appointed a panel of 3 mediators in the Ram Janmabhoomi and Babri Masjid land dispute with Retired Justice Kalifullah chairing the court-appointed and monitored mediation process. The other two members being spiritual leader Sri Sri Ravi Shankar and senior advocate Sriram Panchu.

21. Answer: (c)

Explanation: The Government had set-up a five-member committee to examine the issues related to framing of a proper, structured scheme for providing of insurance cover to the advocates and also suggest modalities for the implementation of such scheme. **Union Minister for Law & Justice, Ravi Shankar Prasad had set-up the committer under the chairmanship of Secretary- Legal Affairs, Dr. Alok Srivastava.** Other members of the committee will include a senior representative from the Department of Financial Services and representative of Department of legal affairs. The committee will also have one representative each from Bar Council of India and State Bar Councils.

22. Answer:(b)

Explanation: Section 3 of the Official Secrets Act, 1923 prescribes the penalty for spying. As per this section, a person guilty of spying can be punished with imprisonment for a three year term which may extend, where the offence is committed in relation to any work of defense, arsenal, naval, military or air force establishment or station, mine, minefield, factory, dockyard, camp , ship or aircraft or otherwise in relation to the naval, military or air force affairs of Government or in relation to any secret official code, to fourteen years.

23. Answer: (a)

Explanation: Citizenship (**Amendment**)**Bill 2019**, seeks to provide Indian **citizenship** to non-Muslims from Bangladesh, Pakistan and Afghanistan

24. Answer (d)

Explanation: Delhi High Court had earlier affirmed the application of Section 354A of the Indian Penal Code, 1860 to transgender victims of sexual harassment.
Section 354A deals with the offence of sexual harassment and prescribed punishment for the same. Under Section 354A, acts that cause penal action are sub clause (i) is physical contact and advances involving unwelcome and explicit sexual overtures; sub-clause (ii) is demand or request for sexual favours; and sub-clause (iv) is making sexually coloured remarks.

25. Answer: (a)

Explanation: National Legal Services Authority of India (NALSA) was formed on 9th November 1995 under the authority of the Legal Services Authorities Act 1987. Its purpose is to provide free legal services to eligible candidates (defined in Sec. 12 of the Act), and to organize Lok Adalats for speedy resolution of cases. The Chief Justice of India is patron-in-chief of NALSA while second senior most judge of Supreme Court of India is the Executive-Chairman. Recently Justice AK Sikri was nominated as **Executive Chairman of NALSA**.

26. Answer: (b)

Explanation: T.B. **Radhakrishnan** has been appointed as the first Chief Justice of Telangana High Court.

27. Answer: (d)

Explanation: As part of a state-sponsored initiative to uphold gender equality, lakhs of women stood should-to-shoulder across the national highways, creating a 620 km-long human 'wall' from the northern end of Kasaragod to the southern tip, that is, Thiruvananthapuram.

28. Answer: (a)

Explanation: The Trade Union Act (Amendment) Bill, 2019 provides for inserting of section 10A in the Trade Union Act, 1926 to power Centre and State governments to recognize trade unions and federation of trade unions at central as well as state level.
The benefits of formal recognition to the trade unions are: Ensure true representation of workers in the tripartite bodies in a transparent manner, check on the arbitrary nomination of workers' representatives by the Government and Reduce the duplicacy of such exercise by different departments.

29. Answer: (c)

Explanation: The Scheduled Tribes and ***Other Traditional Forest Dwellers*** (Recognition ***of Forest Rights***) ***Act***, ***2006***, was enacted to protect the marginalised socio-economic class ***of*** citizens and balance the ***right*** to environment with their ***right*** to ***life*** and livelihood. Under the Forest Rights Act, 2006, Other Traditional Forest Dwellers have to give proof that they have been living in the forest areas for **75 years.**

30. Answer: (c)

Explanation: Article 35A of the Indian Constitution is an article that allows the Jammu and Kashmir state's legislature to define "permanent resident" of the state. It was added to the Constitution through a Presidential Order, that is, the Constitution (Application to Jammu and Kashmir) Order, 1954 – issued by the President of India on 14 May 1954, exercising the powers conferred by the clause (1) of the Article 370 of the Indian Constitution, and with the concurrence of the Government of the State of Jammu and Kashmir

31. Answer (d)

Explanation: As per Article 165 of the Constitution, it shall be the duty of the Advocate General to give advice to the Government of the State upon such legal matters, and to perform such other duties of a legal character, as may from time to time be referred or assigned to him by the Governor.

32. Answer: (a)

Explanation: A progressive tax is a tax in which the average tax rate (taxes paid ÷ personal income) increases as the taxable amount increases. The term "progressive" refers to the way the tax rate progresses from low to high, with the result that a taxpayer's average tax rate is less than the person's marginal tax rate.

33. Answer: (d)

Explanation: A PIL (Public Interest Litigation) was lodged with the High Court of Bombay, wherein a 11-year-old boy has sought ban on the game in all the schools in the State.

34. Answer: (a)

Explanation: The Insolvency and Bankruptcy Code (Amendment) Ordinance, 2018 brought about significant changes to improve the insolvency resolution framework in India. The ordinance has classified home buyers as financial creditors and any 'amounts raised from an allottee under a real estate project' as financial debt.

35. Answer: (d)

Explanation: A three Judge Bench of Supreme Court of India in **The State of M.P v. Laxmi Narayan and others, Criminal Appeal No. 350 of 2019,** had issued guidelines regarding quashing of Criminal Proceedings on the ground of compromise between the parties. As per the guidelines, offences which are heinous and serious in nature cannot be quashed solely on the ground that the dispute was settled amicably between the parties. Some of these offences are offences under Prevention of Corruption Act, Some Offences under Arms Act, Rape and Offences by public servants in their official capacity.