

**MIZORAM PUBLIC SERVICE COMMISSION**  
**COMPETITIVE EXAMINATIONS FOR RECRUITMENT TO THE POST OF**  
**ASSISTANT LABOUR OFFICER UNDER LABOUR, EMPLOYMENT, SKILL**  
**DEVELOPMENT & ENTREPRENEURSHIP DEPARTMENT,**  
**GOVERNMENT OF MIZORAM, MARCH-2021.**

**LAW PAPER-I**

Time Allowed : 2 hours

Full Marks : 200

*All questions carry equal marks of 2 each.*  
*Attempt all questions.*

1. The Supreme Court of India formulated the doctrine of eclipse in
  - (a) Bhikaji Narain Dhakras Vs State of M.P
  - (b) Bashesharnath Vs Income Tax Commissioner
  - (c) State of W.B. Vs Anwar Ali Sarkar
  - (d) Maneka Gandhi Vs Union of India
2. The Concurrent List was described as a 'Twilight Zone', as it were for both the Union and the States are competent to legislate in this field without coming in to conflict" is stated by
  - (a) Basu, D.D.
  - (b) Dicey, A.V.
  - (c) Pyle, M.V.
  - (d) Ambedkar, B.
3. Article 16(4A) which gives power to the State to make laws regarding reservation in favour of Scheduled Castes and Scheduled Tribes was added by the
  - (a) 75<sup>th</sup> Amendment to the Constitution of India.
  - (b) 76<sup>th</sup> Amendment to the Constitution of India.
  - (c) 77<sup>th</sup> Amendment to the Constitution of India.
  - (d) 78<sup>th</sup> Amendment to the Constitution of India.
4. The protection and improvement of environment including forests and wild life of the country is
  - (a) Directive Principle of State Policy
  - (b) Fundamental National Policy
  - (c) Fundamental Duty of a Citizen
  - (d) Both Directive Principles of State Policy and Fundamental Duty of a Citizen
5. Originally the Supreme Court consisted of a Chief Justice and
  - (a) Seven other judges
  - (b) Twelve other judges
  - (c) Thirteen other judges
  - (d) Fifteen other judges
6. A resolution passed under Clause (1) of Article 249 shall remain in force for such period not exceeding
  - (a) Three months
  - (b) Six months
  - (c) Nine months
  - (d) Twelve months
7. The President's rule under Article 356 of the Constitution of India remains valid in the State for maximum period of
  - (a) One month
  - (b) Three months
  - (c) Six months
  - (d) One year
8. Art. 51A of the Constitution of India provides for the Fundamental Duties of
  - (a) Citizens of India
  - (b) Public Servants
  - (c) All those who run public and private sectors
  - (d) Prime Minister and his Council of Ministers

9. The appropriate writ issued by Supreme Court to quash the appointment of a person to a public office is
- (a) Certiorari (b) Mandamus  
(c) Prohibition (d) Quo-Warranto
10. At the first instance, the President can issue a proclamation of financial emergency for a period of
- (a) Fifteen days (b) Two months  
(c) One month (d) Six months
11. The Constitution of India embodies the parliamentary form of government because:
- (a) The Council of Ministers is collectively responsible to the Lok Sabha.  
(b) The Council of Ministers is responsible to Lok Sabha and Rajya Sabha.  
(c) The President, the head of the executive, is answerable to Parliament.  
(d) The Prime Minister, the Head of the Cabinet, is accountable to Parliament.
12. The maximum interval between the two sessions of each House of Parliament is
- (a) Three months (b) Four months  
(c) Five months (d) Six months
13. The word 'Secular' was added in the Preamble to the Constitution of India by
- (a) First Amendment Act (b) Seventh Amendment Act  
(c) Forty-Second Amendment Act (d) Forty-Fourth Amendment Act
14. Article 15(1) prohibits discrimination against any citizen on the grounds of
- (a) Religion, race and caste only.  
(b) Religion, caste and sex only.  
(c) Religion, caste, sex and place of birth only.  
(d) Religion, race, caste, sex, place of birth or any of them.
15. 'Right to life' under Article 21 of the Constitution does not include 'right to die'. This observation was made by the Supreme Court in
- (a) P. Rathinam V. Union of India (b) Gian Kaur V. State of Punjab  
(c) Both (a) and (b) (d) None of the above
16. A Judge of the Supreme Court can be removed from his office on the ground(s) of
- (a) Proved misbehavior or incapacity. (b) Violation of the Constitution.  
(c) Both (a) and (b) (d) None of the above
17. Which among the following has the power to legislate on the matters which are neither in the Union List, nor in the State list nor in the Concurrent list of the Constitution of India?
- (a) Parliament (b) State Legislatures  
(c) Both State legislatures and Parliament (d) Neither Parliament nor State legislature
18. Which among the following don't come under the purview of Right to Education?
- (a) Government Schools (b) Private Schools  
(c) Madrasas (d) Government schools funded by Private Funds
19. Parliament has power to legislate with respect to a matter in the State List, provided it is in the
- (a) Public interest (b) National interest  
(c) Both (a) and (b) (d) None of the above

20. In which schedule of Indian Constitution, the territorial extent of Indian states and union Territories is prescribed?
- (a) 1<sup>st</sup> (b) 2<sup>nd</sup>  
(c) 3<sup>rd</sup> (d) 4<sup>th</sup>
21. Which of the following are the conditions for acquiring Indian Citizenship?
- (a) Domicile and Descent  
(b) Domicile, Descent & Registration  
(c) Domicile, Decent, Registration and Holding property  
(d) None of the above
22. The constitution of India is considered federal in nature, and unitary in spirit. Which of the following is not a federal feature?
- (a) Three-tier governmental structure  
(b) Independent Judiciary  
(c) Bicameralism  
(d) Appointment of state governors by the central government
23. Which of the following Articles promote the idea of equal justice and to provide free legal aid to the poor?
- (a) Article 38 (b) Article 39  
(c) Article 39 A (d) Article 41
24. The President of India can dissolve the House of People on the recommendation of the
- (a) Vice President (b) Chief Justice  
(c) Cabinet (d) Council of Ministers
25. The power of judicial review means:
- (a) The power of the courts to define and interpret constitution  
(b) The power of the courts to declare null and void any legislative or executive act, which is against the provisions of the Constitution  
(c) The power of the judiciary to define and interpret laws  
(d) The power of the courts to legislate when there is no statutory provision
26. The transfer of Judges from one High Court to another High Court may be made by the:
- (a) President of India in consultation with the Chief Justice of that High Court.  
(b) Chief Justice of the concerned High Court  
(c) Governor of the concerned State in consultation with the Chief Justice of India.  
(d) President of India after consultation with the Chief Justice of India.
27. Which constitutional amendment added the provision that a member of either House of state legislature belonging to any political party who is disqualified on the ground of defection shall also be disqualified to be appointed as a minister?
- (a) 90<sup>th</sup> (b) 91<sup>st</sup>  
(c) 92<sup>nd</sup> (d) 93<sup>rd</sup>
28. Seventh Schedule is concerned with .....?
- (a) From languages (b) Partition of powers between center and states  
(c) From the judicial areas of the states (d) From Panchayati Raj
29. What is not taken from British Constitution in the Constitution of India?
- (a) Parliamentary rule (b) Single citizenship  
(c) Fundamental Rights (d) Cabinet System

30. In which of the following amendment the term of Lok Sabha increased from 5 to 6 years?  
(a) 40<sup>th</sup> Amendment (b) 42<sup>nd</sup> Amendment  
(c) 44<sup>th</sup> Amendment (d) 46<sup>th</sup> Amendment
31. Which famous case involved the term “basic structure” of the Constitution?  
(a) Kesavananda Bharti vs State of Kerala (1973) (b) Maneka Gandhi vs Union of India (1978)  
(c) Vishakha vs State of Rajasthan (1997) (d) Indra Sawhney vs Union of India (1992)
32. Which Schedule in the Indian Constitution specifies the powers, authority, and responsibilities of Panchayats?  
(a) Fourth Schedule (b) Sixth Schedule  
(c) Seventh Schedule (d) Eleventh Schedule
33. Which article of the Constitution empowers the President to promulgate ordinances?  
(a) Article 123 (b) Article 52  
(c) Article 25 (d) Article 78
34. In how many ways the Constitutional amendment in India can take place?  
(a) 2 (b) 3  
(c) 4 (d) 1
35. The sequence of procedure for passing a Bill in the House is  
(a) First reading, Committee stage, report stage, second reading, third reading  
(b) First reading, second reading, committee stage, report stage, third reading  
(c) First reading, second reading, third reading, Committee stage, report stage  
(d) First reading, Committee stage, second reading, third reading
36. When plaintiff appeared defendant does not appeared and summons are duly served the Court may proceed ex-parte against defendant as provided by  
(a) O. IX, Rule 4, of C.P.C. (b) O. IX, Rule 6, of C.P.C.  
(c) O. IX, Rule 8, (d) None of the above
37. An inter pleader suit is one where the real dispute is between the \_\_\_\_\_ only.  
(a) plaintiffs (b) defendants  
(c) intervenors (d) respondents
38. Mesne profit can be claimed with respect to  
(a) Immovable property only (b) Movable property only  
(c) Both (a) and (b) above (d) None of the above
39. The term “Res judicata” means  
(a) Further proceeding (b) A matter already adjudicated  
(c) Stay of proceeding (d) Bar the Proceedings
40. A \_\_\_\_\_ is said to take place when the High Court calls for the record of any case decided by a subordinate court and passes an appropriate order.  
(a) reference (b) review  
(c) revision (d) appeal
41. When Court reject any document under O. XIII, Rule 3 C.P.C. it  
(a) Must inform the affected party  
(b) Must inform the beneficent party  
(c) Must record ground of rejection  
(d) Must inform the affected party and beneficent party

42. At the time of framing of issues Court seek light from  
(a) Plaint (b) Written statement  
(c) Both (a) & (b) (d) Neither (a) nor (b)
43. A suit filed on behalf of a minor  
(a) Cannot be withdrawn  
(b) Can be withdrawn as a matter of right  
(c) Can be withdrawn only with the leave of the Court  
(d) None of the above
44. Which of the following deals with where the subject- matter of the suit is immovable property in the Code of Civil Procedure?  
(a) Order 5, Rule 30 (b) Order 9, Rule 12  
(c) Order 7, Rule 3 (d) Order 10, Rule 22
45. Provision regarding Res sub judice are—  
(a) Mandatory (b) Discretionary  
(c) Not Mandatory (d) Directory
46. If a plaint is rejected for non-payment of Court fee, the remedy is  
(a) Appeal (b) Writ  
(c) Revision (d) None of the above
47. The term “Revision” means  
(a) A re-examination or careful reading of a case for the purpose of correction or improvement  
(b) A factual change of trial Court decision  
(c) None of the above  
(d) Both (a) and (b)
48. Section 135, C.P.C. exempt \_\_\_\_\_ from arrest under civil processes.  
(a) Police Officers (b) Politicians  
(c) Judge, Magistrate, Judicial Officers (d) Court officer
49. Section \_\_\_\_\_, of C.P.C deals with oath on affidavit  
(a) 129 (b) 139  
(c) 149 (d) 119
50. A decree, judgment or order can be amended if there is  
(a) Clerical or arithmetical error (b) Factual error  
(c) Conceptual error (d) Minor error
51. All persons may be joined as \_\_\_\_\_ against whom any right to relief is claimed  
(a) Plaintiffs (b) Respondents  
(c) Defendants (d) Plaintiff and respondent
52. No suit shall be defeated by reason of \_\_\_\_\_ as provided in Order, 1, Rule 9  
(a) Mis-joinder and non joinder of the parties (b) Lack of documents  
(c) None of the above (d) Both (a) & (b)
53. Service of the summons shall be made by delivering or tendering a copy thereof signed by the  
(a) Judge (b) Officer of the Court  
(c) Public prosecutor (d) Both (a) and (b)

54. Proclamation in news papers is also a type of
- (a) Substituted service
  - (b) Ordinary service
  - (c) Special service
  - (d) None of the above
55. As per principle laid down in Order VI, Rule 2, of C.P.C. Pleadings needs to state.
- (a) Material facts not evidence
  - (b) Evidence
  - (c) None of the above
  - (d) Both (a) & (b)
56. A decree becomes final—
- (a) When no appeal has been preferred against the decree
  - (b) When it conclusively determines the right of the parties
  - (c) Both (a) and (b)
  - (d) Neither (a) nor (b)
57. For setting aside ex parte order affected party needs to file
- (a) An application
  - (b) A fresh Suit
  - (c) A revision
  - (d) A review
58. At the first hearing of the suit, the Court must—
- (a) Frame and record the issues
  - (b) Ascertain upon what material propositions of fact or of law the parties are at variance
  - (c) Record the evidence
  - (d) None of the above
59. If a party fails to produce any documentary evidence at subsequent stage can produce it if that party
- (a) Is effective,
  - (b) Shows good cause for non production of evidence
  - (c) Make application with affidavit
  - (d) All of the above
60. The Court may grant time and adjourn hearing as provided in O. XVII, Rule 1, when
- (a) Court is busy
  - (b) Any party intend to do so
  - (c) Any party request for adjournment with sufficient cause
  - (d) All the above
61. Where a judge vacated office after pronouncing judgment but without signing decree the decree may be signed by \_\_\_\_\_ as provided by O. XX, R. 8,
- (a) Court Officer
  - (b) The successor of decree passing judge
  - (c) District Judge
  - (d) High court judge
62. Discretion of Court in executing decrees for restitution of conjugal right is provide in
- (a) O. XXI, Rule 30, of C.P.C.
  - (b) O. XXI, Rule 32, of C.P.C.
  - (c) O. XXI, Rule 33, of C.P.C.
  - (d) None of the above
63. Where it appears to the Court that there exist element of a settlement the Court shall
- (a) Leave the matter undecided
  - (b) Decide the matter itself
  - (c) Refer the same for arbitration, conciliation or mediation
  - (d) None of the above

- 64.** Any application for the appointment of guardian of minor for suit shall contain
- (a) An affidavit verifying the fact that proposed guardian has no interest
  - (b) List of relatives of the minors and other persons and their adverse who prima-facie are most likely to act as guardian
  - (c) Both (a) and (b)
  - (d) Neither (a) Nor (b)
- 65.** “Pauper” means a person
- (a) Who does not possess sufficient means to enable him to pay the fee prescribed by law for the plaint in suit
  - (b) The person who does not possess property worth 1000/- rupees other than his necessary wearing
  - (c) Both (a) and (b)
  - (d) Neither (a) Nor (b)
- 66.** In every suit of interpleader the plaint shall in addition to other statement necessary for plaints state
- (a) That the plaintiff claims no interest in the subject matter in dispute other than for charges, or costs, the claims made by the defendants severally
  - (b) That there is no collusion between the plaintiff and any of the defendant
  - (c) Both (a) and (b)
  - (d) Neither (a) Nor (b)
- 67.** Under Order XXXVII, summary cases can be filed in
- (a) Court of Session
  - (b) High Court
  - (c) Both (a) and (b)
  - (d) Supreme Court
- 68.** In summary case when defendant appear before Court after receiving summon he needs
- (a) To submit written reply
  - (b) Leave of Court to defend the suit
  - (c) To surrender
  - (d) To object
- 69.** An agreement consists of reciprocal promises between at least
- (a) Four parties.
  - (b) Six parties.
  - (c) Three parties.
  - (d) Two parties.
- 70.** Every promise and every set of promise forming the consideration for each other is a/an
- (a) Contract.
  - (b) Agreement.
  - (c) Offer.
  - (d) Acceptance.
- 71.** A, a money-lender advances Rs.100/- to B, an agriculturist, and by undue influence, induces B to execute a bond for Rs.200/- with interest at 6 per cent per month.
- (a) the Court will not set the bond aside and not take any legal action against B
  - (b) the Court may set the bond aside, ordering B to repay the Rs. 100/- with such as may seem just
  - (c) either (a) or (b)
  - (d) none of these
- 72.** Contract is defined as an agreement enforceable by law, vide Section ... of the Indian Contract Act.
- (a) Section 2(e)
  - (b) Section 2(f)
  - (c) Section 2(h)
  - (d) Section 2(g)

73. A makes a contract with B to beat his business competitor. This is an example of  
(a) Valid contract. (b) Illegal agreement.  
(c) Voidable contract. (d) Unenforceable contract.
74. \_\_\_\_\_ is a one-sided contract in which only one party has to perform his promise or obligation.  
(a) Void contract (b) Illegal agreement  
(c) Unilateral contract (d) Bilateral contract
75. An agency comes to an end:-  
(a) By performance of contract  
(b) By agreement between the principal and the agent  
(c) By renunciation of his authority by the agent  
(d) All of the above
76. Which one of the following has the correct sequence.  
(a) Offer, acceptance, consideration, offer. (b) Offer, acceptance, consideration, contract  
(c) Contract, acceptance, consideration, offer. (d) Offer, consideration, acceptance, contract.
77. An offer is revoked  
(a) By the death or insanity of the proposer (b) By Lapse of time  
(c) By Communication of notice of revocation (d) All of these
78. Agreement without consideration is valid, when made  
(a) Out of love and affection due to near relationship  
(b) To pay a time barred debt  
(c) To compensate a person who has already done something voluntarily  
(d) All of the above
79. The expression “Privity of contract” means  
(a) A Contract is Contract between the parties only  
(b) A Contract is a private document  
(c) Only private documents can be contracts  
(d) The contacts may be expressed in some usual and reasonable manner.
80. “Consensus – ad – idem” means  
(a) General Consensus  
(b) Meeting of minds upon the same thing in the same sense  
(c) Reaching an agreement  
(d) Reaching of contract
81. A promise to give money or money’s worth upon the determination or ascertainment of an uncertain event is called  
(a) Wagering Agreement (b) Unlawful Agreement  
(c) Illegal Agreement (d) Voidable Agreement
82. The phrase “Quantum Meruit” literally means –  
(a) As much as is earned (b) The fact in itself  
(c) A Contract for the sale (d) As much as is gained.
83. How agency is created:  
(a) By Direct appointment (b) By implication  
(c) By necessity (d) All of the above



- 84.** A Gratuitous Promise can
- (a) Be enforced
  - (b) Not be enforced
  - (c) Be enforced in court of law
  - (d) None of above
- 85.** The two types of breach are
- (a) Actual breach and Deemed breach
  - (b) Actual breach and Conditional breach
  - (c) Actual breach and Anticipatory breach
  - (d) Actual breach and Remedial breach
- 86.** The rights of the indemnity holder is covered by
- (a) Section 125
  - (b) Section 101
  - (c) Section 224
  - (d) None of the above
- 87.** A contract to perform a promise or discharge the liability of a third party is called
- (a) Contract of indemnity
  - (b) Contract of agency
  - (c) Contract of guarantee
  - (d) Contract of warranty
- 88.** When the consent of a party is obtained by coercion undue influence, fraud or misrepresentation, the contract is:
- (a) Voidable
  - (b) Void
  - (c) Illegal
  - (d) Valid
- 89.** Principal is not liable for the agents act if
- (a) Agent acts within the scope of his authority
  - (b) Agent exceeds his authority
  - (c) Fraud or misrepresentation committed for benefit of the principal
  - (d) Work done out of his authority but the principal accepts it
- 90.** A Contract of Indemnity is
- (a) Void Agreement
  - (b) Quasi Contract
  - (c) Contingent Contract
  - (d) Wagering Contract
- 91.** Surety is a person
- (a) Who gives the guarantee
  - (b) To whom the guarantee is given
  - (c) In respect of whose default the guarantee is given
  - (d) None of the above
- 92.** A continuing guarantee applies to
- (a) Reasonable number of transactions
  - (b) Any number of transactions
  - (c) A series of transactions
  - (d) A specific transaction
- 93.** Right of Subrogation means
- (a) The surety will step into the shoes of the another
  - (b) He is entitled to the benefit of every security which the creditor has
  - (c) The surety can claim indemnity from the principal debtor
  - (d) All the above
- 94.** The bailment of goods as security for payment of a debt is called
- (a) mortgage
  - (b) pledge
  - (c) bailment
  - (d) none of these

95. If the goods are lent free to the bailee for his use it is known as  
(a) Commodation (b) Gratuitous Bailment  
(c) Non-Gratuitous Bailment (d) Deposition
96. According to Section 71 of the Contract Act, a person who finds goods belonging to another and takes them into his custody, is subject to the same responsibility as a  
(a) Bailee (b) Bailor  
(c) Surety (d) Pawnor
97. Substituted agent is  
(a) Agent's agent (b) Principal's agent  
(c) None of the above (d) Both (a) and (b)
98. An agency is terminated  
(a) By the principal revoking the authority  
(b) By the agent renouncing the business of agency  
(c) By either the principal or agent dying or becoming of unsound mind  
(d) All the above
99. The damages which are accorded to establish the right of decree for breach of contract is called a  
(a) Nominal damages (b) Liquidated damages  
(c) Exemplary damages (d) Special damages
100. Sometimes, the courts award damages for mental or emotional suffering also caused by the breach. Such damages are called  
(a) Exemplary or vindictive damages. (b) Assignment or novation  
(c) Ex-gratia claims or claims of right (d) All of the above

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