

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-II

Time Allowed : 2 hours

Full Marks : 200

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

1. The IPC is a comprehensive piece of legislation comprising of
 - (a) 23 chapters and 511 sections
 - (b) 26 chapters and 538 sections
 - (c) 23 chapters and 515 sections
 - (d) 24 chapters and 516 sections
2. Application of the IPC depends on
 - (a) Place of the residence of the offender
 - (b) Nationality of the offender
 - (c) Place where the offence is committed
 - (d) None of the above
3. 'Good faith' is defined under
 - (a) Section 21 of IPC
 - (b) Section 52 of IPC
 - (c) Section 50 of IPC
 - (d) Section 48 of IPC
4. The punishments not included under IPC for liable offenders
 - (a) Death
 - (b) Imprisonment for life
 - (c) Forfeiture of property
 - (d) Seizure of property
5. Which one of the following is not an ingredient in mens rea
 - (a) Strict liability
 - (b) Public nuisance
 - (c) Ignorance of law is not an excuse-maxim
 - (d) All are correct
6. Infancy as an exception has been provided under
 - (a) Section 80 of IPC
 - (b) Section 81 of IPC
 - (c) Section 82 of IPC
 - (d) Section 84 of IPC
7. A person is stated to be partially incapax under section 83, IPC if he is aged
 - (a) Above seven years and under twelve years
 - (b) Above seven years and under ten years
 - (c) Above seven years and under sixteen years
 - (d) Above seven years and under eighteen years
8. Which of the following is not correctly matched:
 - (a) Mens Rea – R vrs Prince
 - (b) Necessity – DPP vrs Bread
 - (c) Insanity – Mc Naughten case
 - (d) Intoxication – Basudeo vrs State of Pepsu
9. Section 84 of IPC provides for
 - (a) Medical insanity
 - (b) Legal insanity
 - (c) Moral insanity
 - (d) Unsoundness of mind of any kind

10. A hangman who hangs the prisoners pursuant to the order of the court is exempt from criminal liability by virtue of
- (a) Section 77 of IPC (b) Section 78 of IPC
(c) Section 79 of IPC (d) Section 76 of IPC
11. When the master is held liable for the wrongful act of his servant, the liability is called
- (a) Strict liability (b) Vicarious liability
(c) Tortious liability (d) Absolute liability
12. Which one of the following sections of the Indian Penal Code deals with vicarious liability
- (a) Section 120 A (b) Section 121
(c) Section 154 (d) Section 159
13. Which one of the following is not an example of vicarious liability?
- (a) Liability of the parents for the tort of his children (b) Liability of master for the tort of his servant
(c) Liability of partners for each others torts (d) Liability of the principle for the tort of his agent
14. The doctrine of the master for the act of his servant is based on the maxim
- (a) Res ipsa loquitur (b) Respondeat superior
(c) Assentio mentium (d) Persona non grata
15. The maxim 'Qui facit per alium facit per se' means
- (a) Act of an agent is act of all of the agents and thereby all of them becomes vicariously liable for the act of any one of them
(b) Act of an agent is the act of the principal and thereby makes the principal vicariously liable for the acts of the agent
(c) Act of one tortfeasor is the act of another tortfeasor and both are equally liable for the act of each other
(d) A tortious act makes a person liable per se and no evil motive is needed to be proved
16. 'A' runs away with 'B's' wallet. B chases him and while chasing gives a severe lathi blow on A's head to retrieve his wallet. A dies in hospital some days later because of head injury. B has committed
- (a) No offence because he was exercising his right to private defence of property
(b) Murder
(c) Culpable homicide
(d) Grievous hurt
17. Which one of the following is an essential element of criminal liability
- (a) Volition (b) Motive
(c) Mens Rea (d) Will
18. Section 304 of IPC explain
- (a) Punishment for murder by life convict
(b) Punishment for culpable homicide not amounting to murder
(c) Punishment for culpable homicide amounting to murder
(d) None of these
19. The case of Gian Kaur vrs State of Punjab is related to
- (a) Murder (b) Culpable homicide
(c) Abetment of suicide (d) Attempt to commit suicide

20. Any hurt is grievous if it causes the sufferer to be in severe bodily pain or unable to follow his ordinary pursuits during the space of
- (a) 15 days (b) 25 days
(c) 20 days (d) 30 days
21. For abduction, the person abducted should be
- (a) Below 16 years of age (b) Below 18 years of age
(c) Insane person (d) Of any age
22. Sexual intercourse by a man with a woman even with her consent is a rape, if she is below the age of
- (a) 17 years (b) 16 years
(c) 18 years (d) 15 years
23. Under Section 498A of IPC, cruelty includes
- (a) Harassment of the woman (b) Physical cruelty only
(c) Mental cruelty only (d) None of the above
24. Dowry death is described in IPC under
- (a) Section 308 of IPC (b) Section 306 of IPC
(c) Section 304B of IPC (d) Section 302 of IPC
25. Whoever voluntarily causes a woman with child to miscarry and with no good faith can be punished with
- (a) Imprisonment for 3 years (b) Imprisonment for 4 years
(c) Imprisonment for 2 years (d) Imprisonment for 10 years
26. When a man does sexual intercourse with an unmarried girl of 18 years of age without her consent, he commits the offence of
- (a) Sexual harassment (b) Rape
(c) Offence under Section 354 of IPC (d) No offence
27. House trespass is
- (a) Lurking house trespass (b) Lurking house trespass by night
(c) House breaking (d) All of the above
28. Which section of IPC defined dacoity
- (a) Section 378 of IPC (b) Section 390 of IPC
(c) Section 391 of IPC (d) None of these
29. For the offence of theft, the taking of property should be
- (a) Permanent (b) Temporary
(c) Either permanent or temporary (d) None of these
30. Which is not a stolen property
- (a) Possession whereof was obtained by cheating (b) Possession whereof was obtained by forgery
(c) Possession whereof was obtained by dacoity (d) Possession whereof criminal breach of trust
31. Extortion is described in
- (a) 379 of IPC (b) 382 of IPC
(c) 383 of IPC (d) 380 of IPC
32. A took a sum of Rs 50,000 from B by putting B in fear of death. A has committed
- (a) Cheating (b) Robbery
(c) Mischief (d) Extortion

33. Defamation is related with
(a) Character of a person (b) Reputation of a person
(c) Both (a) & (b) (d) None of the above
34. Forgery is an offence relating to
(a) Documents (b) Property
(c) Hurt (d) None of the above
35. Possession of forged counterfeit currency notes of bank notes is punishable under
(a) Section 498A of IPC (b) Section 489 B of IPC
(c) Section 489 C of IPC (d) Section 489 D of IPC
36. Arrest of a person might be necessary in order to
(a) Secure attendance of an accused (b) Obtain correct name and address
(c) Take preventive or precautionary measure (d) All of the above
37. A magistrate has the power under CrPC to direct the police to investigate into
(a) A non cognisable offence
(b) A cognisable offence
(c) Only a non cognisable offence, as in a cognisable offence the police is under a duty to investigate
(d) Both (a) & (b)
38. Which one is not a cognisable offence
(a) All serious offences
(b) Offences which are punishable with imprisonment for 3 years or more
(c) Police has no authority to arrest without warrant
(d) Waging war against the government
39. A search warrant is a written authority given to a police officer or any other person for the search of any place
(a) Generally
(b) For specified things or documents
(c) Generally as well as for specified things or documents
(d) None of the above
40. Seizure under CrPC is dealt in
(a) Section 102 (b) Section 200
(c) Section 90 (d) Section 202
41. For every State, the following classes of criminal courts are present
(a) Courts of session (b) Judicial Magistrate of first class
(c) Executive magistrate (d) All of the above
42. In every metropolitan area, the State government may after consultation with _____, establish courts of Metropolitan magistrate at such places and in such numbers as it thinks fit.
(a) Supreme Court (b) Tribunal
(c) High Court (d) Governor
43. Appointment of public prosecutor is mentioned under
(a) Section 24 of CrPC (b) Section 27 of CrPC
(c) Section 28 of CrPC (d) Section 23 of CrPC

44. Which one is held not to be a judicial proceeding
- (a) Maintenance proceedings
 - (b) Departmental inquiries
 - (c) Proceedings in execution of a decree
 - (d) An inquiry by a magistrate before issuing an order
45. The power of chief judicial magistrate includes
- (a) Imprisonment upto 7yrs and fine
 - (b) Imprisonment upto 6 yrs and fine
 - (c) Imprisonment upto 10 yrs and fine
 - (d) None of the above
46. An inquiry is never conducted by the
- (a) Police
 - (b) Magistrate
 - (c) Advocate
 - (d) Public prosecutor
47. The police can proceed to investigate
- (a) On the information received from any person as to the commission of any cognisable offence
 - (b) Even without any such information but if they have reason to suspect the commission of any cognisable offence
 - (c) Both (a) & (b)
 - (d) None of the above
48. Which of these is incorrect about the first information report
- (a) It may not be oral
 - (b) Copy of FIR must be given for free
 - (c) Copy of FIR must be given to the informant
 - (d) Telephonic FIR is admitted
49. A person aggrieved by a refusal to register an FIR by the police station may send the report to
- (a) Station House Officer
 - (b) Superintendent of Police
 - (c) Inspector
 - (d) IGP
50. Maintenance and use of case diary is mentioned under
- (a) Sec 161 CrPC
 - (b) Section 172 CrPC
 - (c) Section 125 CrPC
 - (d) Section 173 CrPC
51. Which one is not the mode to compel appearance of a person
- (a) Summons
 - (b) Warrant of arrest
 - (c) Proclamation of person absconding
 - (d) Inquiry
52. Summons issued by a court shall be
- (a) In writing
 - (b) In duplicate
 - (c) Signed and sealed by the presiding officer of the court
 - (d) All of the above
53. Who cannot serve Summons
- (a) Police Officer
 - (b) At the request of complainant or accused, the court may serve summons on his own
 - (c) By an officer, subject to such rules as the Provincial Govt may prescribe
 - (d) Advocate
54. Section 162 of the Code of Criminal Procedure 1973 is for the protection of
- (a) Accused
 - (b) Witnesses
 - (c) Police officer
 - (d) Magistrate

55. Unless he is produced before a magistrate, an arrested person cannot be detained by the police for more than
- (a) 12 hours (b) 24 hours
(c) 36 hours (d) 48 hours
56. Summary trial may be conducted by
- (a) Any chief judicial magistrate (b) Any metropolitan magistrate
(c) Any magistrate of first class empowered by HC (d) All the above
57. Offences not triable summarily
- (a) Offences punishable with death (b) Theft
(c) Lurking house trespass (d) Imprisonment for life
58. A warrant may be executed
- (a) Within the jurisdiction of the court where the magistrate issues the warrant
(b) Within the session division where the warrant is issued
(c) Within the jurisdiction of the High Court under whose jurisdiction warrant was issued
(d) At any place in India
59. A confession during the course of an investigation must be made before
- (a) Sessions judge (b) Judicial/metropolitan magistrate
(c) Executive magistrate (d) Superintendent of Police
60. In a session trial, if an accused pleads guilty, the session judge
- (a) Must convict and sentence him
(b) May convict him after recording the plea
(c) Forward the case to the judicial magistrate for sentencing
(d) Forward the case to the High Court
61. An appeal against the judgment of acquittal under section 378 of the Code of Criminal Procedure 1973
- (a) Is not possible (b) Possible as long as made by the accused
(c) Can only be filed by the public prosecutor (d) Can only be made by the Supreme Court
62. Under Section 401 of the CrPC
- (a) A total stranger cannot move an application for revision
(b) The revision can be done without giving notice to the parties
(c) A party who is in contempt of Court cannot be heard
(d) The Court cannot interfere if the case is pending
63. Which of the following deals with the procedure of presenting the petition of appeal when appellant is in jail
- (a) Section 380 CrPC (b) Section 287 CrPC
(c) Section 383 CrPC (d) Section 289 CrPC
64. The revisional jurisdiction is derived from
- (a) Section 397-401 of the Code (b) Article 227 of the Constitution of India
(c) Both (a) & (b) (d) High Court
65. Reference to High Court is mentioned under
- (a) Section 395 CrPC (b) Section 400 CrPC
(c) Section 401 CrPC (d) Section 375 CrPC

66. Powers of the Supreme Court to transfer cases and appeals from one High Court to another High Court can be done only on the application from
- (a) Attorney General of India
 - (b) Advocate General
 - (c) Senior Advocate
 - (d) Any advocate practicing
67. While considering the transfer of any case or appeal the High Court may act
- (a) On the report of the lower court
 - (b) On its own initiative
 - (c) On the application of the party interested
 - (d) All of the above
68. Where an application for transfer has been dismissed and is found to be frivolous or vexatious, the SC may order the applicant to pay appropriate compensation not exceeding
- (a) Rs 5000
 - (b) Rs 2000
 - (c) Rs 1000
 - (d) Rs 500
69. Applicant under this act includes
- (a) a petitioner
 - (b) any person from or through whom an applicant derives his right to apply
 - (c) both (a) & (b)
 - (d) the respondent
70. Bill of exchange includes
- (a) Cheque
 - (b) Hundi
 - (c) Promissory note
 - (d) Both (a) & (b)
71. Section 6 of the Limitation Act does not apply to
- (a) insolvent
 - (b) minor
 - (c) insane
 - (d) idiot
72. Period of limitation stands extended by virtue of section 6 of Limitation Act for a maximum period of
- (a) 1 year
 - (b) 3 years
 - (c) 6 years
 - (d) 12 years
73. The Limitation Act 1963 applies to
- (a) Proceedings before court
 - (b) Suit before courts
 - (c) Complaint before magistrate under Negotiable Instrument Act
 - (d) All the above
74. If the money suit filed within three years from the date on which cause of action arises, then the suit
- (a) does not relate to Limitation Act
 - (b) is not barred by limitation
 - (c) is barred by limitation
 - (d) depends on application for condonation of delay
75. Delay in filing the suit
- (a) cannot be condoned
 - (b) can be condoned under section 3 of the Limitation Act
 - (c) can be condoned under Order VII Rule 6 of CPC
 - (d) can be condoned under section 5 of the Limitation Act.

76. Under section 2(1) of the Limitation Act, suit includes
- (a) appeal
 - (b) application
 - (c) execution
 - (d) none of the above
77. Section 3 Limitation Act does not apply to
- (a) Suits
 - (b) appeals
 - (c) application
 - (d) execution
78. A time barred debt can be claimed
- (a) as a set off
 - (b) as a counter claim
 - (c) as a fresh suit
 - (d) none of the above
79. The delay under Section 5 Limitation Act 1963 can be condoned on
- (a) an oral application
 - (b) a verbal application
 - (c) a written application
 - (d) none of the above
80. Limitation for filling an appeal commences from
- (a) the date of judgment
 - (b) the date of signing of the decree
 - (c) the date of application for copy of the judgment
 - (d) the date of availability of copy of the judgment
81. For the purpose of section 3, Limitation Act 1963, limitation is checked
- (a) when the plaint is actually presented in the proper court
 - (b) when the plaint is presented even in a court not competent to try the suit
 - (c) when the plaint is presented by the part
 - (d) all the above
82. Section 17 of Indian Limitation Act 1963 take within its ambit
- (a) frauds
 - (b) mistakes
 - (c) concealments
 - (d) all of the above
83. Time requisite under section 12 (2) of Limitation Act means
- (a) minimum time
 - (b) maximum time
 - (c) actual time taken
 - (d) absolutely necessary time
84. Law of limitation is
- (a) lex loci
 - (b) lex fori
 - (c) non obstante
 - (d) all the above
85. A suit for possession of immovable property based on title can be filed
- (a) within one year
 - (b) within three years
 - (c) within twelve years
 - (d) within six months
86. Section 21 of Indian Limitation Act 1963 applies only to
- (a) suits
 - (b) appeals & application
 - (c) executions
 - (d) all the above
87. For a suit filed by or on behalf of Central government or any State government, the period of limitation is
- (a) one year
 - (b) three years
 - (c) twelve years
 - (d) thirty years

- 88.** Section 22 of Indian Limitation Act 1963 refers to cases of
(a) continuing breach of contract (b) successive breach of contract
(c) both continuing & successive breaches (d) neither continuing nor successive breaches
- 89.** Which of the following is not required for a valid acknowledgement
(a) in writing
(b) made before the expiration of period of limitation
(c) signed by the person concerned
(d) in the handwriting of the person concerned
- 90.** Under Section 25 of Indian Limitation Act 1963 the easement rights are acquired by continuous & uninterrupted user
(a) for 12 years (b) for 20 years
(c) for 30 years (d) for 3 years
- 91.** Section 27 of the limitation Act applies to
(a) suits (b) appeals
(c) execution application (d) all the above
- 92.** Easementary rights under section 25 can be acquired by
(a) tenant (b) a co-owner
(c) both a tenant & a co-owner (d) neither a tenant nor a co-owner
- 93.** Section 27 of the Limitation Act
(a) bars the remedy (b) extinguishes the right
(c) both (a) & (b) (d) neither (a) nor (b)
- 94.** Period of limitation for suits relating to tort is
(a) 1 year (b) 1 year to 3 years
(c) 3 years (d) 12 years
- 95.** Period of limitation for suits relating to movable property is
(a) 3 years (b) 1 year to 3 years
(c) 1 year (d) 12 years
- 96.** Period of limitation for setting aside an ex parte decree
(a) 10 days (b) 30 days
(c) 60 days (d) 90 days
- 97.** Period of limitation for suits relating to contract is
(a) 1 year (b) 1 year to 3 years
(c) 3 years (d) 12 years
- 98.** The period of limitation for review of judgment is
(a) 30 days (b) 60 days
(c) 90 days (d) 180 days
- 99.** The period of limitation for filing a revision
(a) 120 days (b) 90 days
(c) 60 days (d) 30 days
- 100.** Condonation of delay is dealt under
(a) Section 5 of the Limitation Act (b) Section 7 of the Limitation Act
(c) Section 9 of the Limitation Act (d) Section 10 of the Limitation Act