

Legal Knowledge Test 04

- If you are buying ration at a shop and the shopkeeper weighs less than the stipulated amount then you can approach a:**
 - Civil Court
 - District Court
 - Consumer Court
 - Tribunal
- The case of Mohd. Ahmed Khan vs. Shah Bano Begum & Ors. is related to:**
 - Muslim woman's right to divorce
 - Muslim woman's right to maintenance after divorce
 - Muslim woman's right to separation
 - Muslim woman's right to husband's property
- The essential ingredients of crime are:**
 - Motive, mens rea and actus reus
 - Motive, intention and knowledge
 - Mens rea and actus reus
 - Knowledge, intention and action
- Which of the following cases relates to the recognition or aid to minority institutions?**
 - TMA Pai Foundation v/s. State of Karnataka
 - D. K. Basu v/s. Union Of India
 - Vishaka v/s State of Rajasthan
 - R.S. Nayak v/s Antulay
- Which of the following writs can be issued to force a public authority to perform a public or statutory duty?**
 - Mandamus
 - Habeas Corpus
 - Certiorari
 - Quo Warranto
- By virtue of which amendment in the Constitution of India the eligible age for a voter in an election was reduced from being 21 years to 18 years?**
 - 44th Amendment
 - 42nd Amendment
 - 61st Amendment
 - None of the above
- What is the minimum qualification required to become a member of the Lok Sabha?**
 - Citizen of India & graduate degree holder
 - Citizen of India & not less than 25 years of age
 - Citizen of India & not less than 30 years of age
 - Citizen of India and experience in the field of politics for minimum of 5 years
- In which of the following cases the Supreme Court had directed for the evolution of a uniform Civil Code in India?**
 - Sarla Mudgal vs. Union of India
 - Maneka Gandhi vs. Union of India
 - D.K. Basu vs State of West Bengal
 - S.P. Gupta vs. Union of India
- Crime is a:**
 - Private wrong
 - Public wrong
 - Private as well as public wrong
 - None of the above
- Who is known as the 'Law giver' of Ancient India?**
 - Bhrigu
 - Manu
 - Panini
 - Katyayan
- The Indian Penal Code,1860 was drafted by:**
 - First Law Commission
 - Second Law Commission
 - Third Law Commission
 - Fourth Law Commission
- The Legal Maxim "Non Compos Mentis" stands for:**
 - No criminal Intent
 - Not of legal age
 - Not of sound mind
 - Not of sound body
- A Tribunal is a:**
 - Judicial body
 - Non Judicial body
 - Administrative body
 - Quasi Judicial body
- Consideration can be explained as:**
 - Some benefit to a person
 - Some loss or detriment to the promise suffered in return for the promise.
 - Fulfilment of some condition by the promise
 - Inducement for the performance of an agreement
- How many representatives are allowed from the Union Territory of Delhi to be a part of the Lok Sabha?**
 - 10
 - 5
 - 7
 - 6
- Identify the famous case that laid down the principle of Strict Liability.**
 - Ryland vs Fletcher
 - Donoghue vs Stevenson
 - Carlill vs Carbolic Smoke ball company
 - None of the above
- What is the doctrine of tort law that excuses the effect of the plaintiff's contributory negligence and permits claims for damages regardless of the plaintiff's own lack of ordinary care?**
 - Doctrine of Golden Opportunity
 - Doctrine of Last Opportunity
 - Doctrine of Volenti Non Fit Injuria
 - None of the above
- Which body of the government gives the final assent to the five year plan prepared by the Planning Commission?**
 - National Development Council
 - National Welfare Council
 - Human Resource Development Council

- d. Social Justice and Empowerment Council
- 19. Which Amendment added "Right to Equal opportunity for Justice and Free Legal Aid" in Part IV of the Constitution of India?**
- a. 42nd Amendment b. 46th Amendment
c. 44th Amendment d. 43rd Amendment
- 20. Which doctrine of law was discussed in the Bhopal Gas Tragedy case that grants the authority of the state to amend old laws and formulate new laws in order to protect persons who are legally unable to act on their own behalf?**
- a. Doctrine of Res judicata
b. Doctrine of Audi Alteram Partem
c. Doctrine of Autrofois Convict
d. Doctrine of Parens patriae
- 21. What are the essential ingredients of a contract?**
- a. Free consent, competence, offer, acceptance, consideration and lawful object.
b. Free consent, competence, offer, acceptance, lawful consideration and lawful object.
c. Free consent, competence, offer, acceptance, consideration and object.
d. None of these.
- 22. Under Hindu law, maintenance can be claimed by:**
- a. Wife b. Children
c. Aged parents d. All of the above
- 23. Hindu wife is not entitled to maintenance if:**
- a. She is unchaste
b. She ceased to be a hindu by conversion to another religion
c. Both (a) & (b)
d. She is of unsound mind
- 24. The maxim 'qui facit per alium facit per se' means:**
- a. He who does an act through another is deemed in law to do it himself
b. He who does an act through another is not deemed in law to do it himself
c. No man can be a judge in his own cause
d. All allegation contrary to a deed is not to be heard.
- 25. When two or more persons commit the same tort against the same plaintiff, they are called:**
- a. Composite tortfeasors
b. Contributory negligence tort committers
c. Tort partners
d. None of the above

SOLUTION

1. Correct Option is: "c"

Solution: Consumer Court is the special purpose court that deals with cases regarding consumer disputes and grievances. Its main function is to preserve consumer rights and maintain the fair practices by the sellers towards consumers. Consumers can file a case against a seller if they are harassed or exploited by sellers.

2. Correct Option is: "b"

Solution: Mohd. Ahmed Khan vs. Shah Bano Begum & Ors is a landmark judgment on Muslim woman's right to maintenance after divorce.

3. Correct Option is: "c"

Solution: Actus reus sometimes called the external element or the objective element of a crime, is the Latin term for the "guilty act" which, when proved beyond a reasonable doubt in combination with the mens rea, "guilty mind", produces criminal liability.

4. Correct Option is: "a"

Solution: TMA Pai Foundation v/s. State of Karnataka is a case relating to the recognition or aid to minority institutions.

5. Correct Option is: "a"

Solution: Mandamus [Latin, We comand] is a writ or order that is issued from a court of superior jurisdiction that commands an inferior tribunal, corporation, Municipal Corporation, or individual to perform, or refrain from performing, a particular act, the performance or omission of which is required by law as an obligation.

6. Correct Option is: "c"

Solution: The Sixty-first Amendment of the Constitution of India, officially known as The Constitution (Sixty-first Amendment) Act, 1988, lowered the voting age of elections to the Lok Sabha and to the Legislative Assemblies of States from 21 years to 18 years. This was done by amending Article 326 of the Constitution, which concerns to elections to the Lok Sabha and the Assemblies.

7. Correct Option is: "b"

Solution: Minimum qualification required to become a member of the Lok Sabha is Citizen of India & not less than 25 years of age. The minimum qualification age for Rajya Sabha is 30 Years.

8. Correct Option is: "a"

Solution: Uniform Civil Code is a Directive Principle of State Policy defined under Article 44 of the Constitution.

9. Correct Option is: "b"

Solution: Crime in distinction to a tort is a public wrong. It is considered an act against the society at large.

10. Correct Option is: "b"

Solution: Manu is known as the 'Law giver' of Ancient India.

11. Correct Option is: "a"

Solution: The Indian Penal Code, 1860 was drafted by First Law Commission under the chairmanship of Lord Macaulay.

12. Correct Option is: "c"

Solution: Non compos mentis is a term meaning "not of sound mind". It is the direct opposite of Compos mentis (of a composed mind).

13. Correct Option is: "d"

Solution: A tribunal is a court of justice but different from the usual courts. While the usual courts hear all kinds of cases, the tribunal is a court with the authority to deal with particular problems or disputes. For Example, an administrative tribunal is a special court with the authority to settle cases relating to the appointment and service conditions of government employees. A river waters tribunal is a court appointed to settle cases relating to the sharing of the waters by the various regions of the river flow.

14. Correct Option is: "c"

Solution: Consideration is defined in 2(d) of Indian Contract Act as, "When at the desire of the promisor, the promisee or any other person has done or abstained from doing something or does or abstains from doing something or promises to do or abstain from doing something, such act or abstinence or promise is called a consideration for the promise."

15. Correct Option is: "c"

Solution: Only seven seats in Lok Sabha are allocated to the Union Territory of Delhi.

16. Correct Option is: "a"

Solution: Rylands v. Fletcher was the 1868 English case that was the progenitor of the doctrine of Strict Liability for abnormally dangerous conditions and activities.

Doctrine of strict liability states that a person who for his own purposes brings on his land and collects and keeps there anything likely to do mischief, he must keep it at his peril. If such thing escapes he is prima facie answerable for all the damages that is the natural consequence of its escape.

17. Correct Option is: "b"

Solution: The doctrine of last opportunity is employed in cases of contributory negligence. Under this doctrine, a negligent plaintiff can nonetheless recover damage if he is able to show that the defendant had the last opportunity to avoid the accident.

18. Correct Option is: "a"

Solution: The National Development Council (NDC) or the Rashtriya Vikas Parishad is the apex body for decision making and deliberations on development matters in India, presided over by the Prime Minister. It was set up on 6 August 1952.

19. Correct Option is: "c"

Solution: 44th Amendment Act, 1978 added "Right to Equal opportunity for Justice and Free Legal Aid" in Part III of constitution under Article 39 A.

20. Correct Option is: "d"

Solution: Doctrine of Parens patriae grants the inherent power and authority of the state to protect persons who are legally unable to act on their own behalf.

21. Correct Option is: "b"

Solution: A valid contract is created between parties only when all essential ingredients viz. Free consent, competence, offer, acceptance, lawful consideration and lawful object are present.

22. Correct Option is: "d"

Solution: Hindu law enshrines right of maintenance on Wife, children and aged parents.

23. Correct Option is: "c"

Solution: Hindu wife is disentitled to maintenance if she is unchaste or if she ceases to be a hindu by conversion to another religion.

24. Correct Option is: "a"

Solution: Qui facit per alium facit per se is a Latin legal term meaning, "He who acts through another does the act himself." It is a fundamental maxim of the law of agency and is also often stated in discussing the liability of employer for the act of employee.

25. Correct Option is: "a"

Solution: Negligence of two or more persons resulting in the same damage constitutes Composite Negligence. Such persons are known as composite tortfeasors and there liability is joint and several.