

QUESTION PAPER BOOKLET CODE : **A**

327

Question Paper Booklet No.

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Roll No. :

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Time Allowed : 3 hours

Maximum marks : 100

Total number of questions : 100

Total number of printed pages : 24

Instructions :

1. Candidates should use blue/black ballpoint pen ONLY to fill-in all the required information in OMR Answer Sheet and this Question Paper Booklet.
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8. Darkening of more than one circle corresponding to any question or overwriting/cutting any answer(s) shall be taken as wrong answer for computation of result. Ticking/marking/writing of answer(s) in the Question Paper Booklet shall not be considered in any circumstance for award of marks. The Institute shall neither entertain any claim nor be liable to respond to any of the query in the aforesaid matter.
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(SIGNATURE OF CANDIDATE)

PART – A

1. Which one of the following is not an essential element of a factory —
 - (A) There must be premises
 - (B) There must be a manufacturing process being carried on at the premises
 - (C) There must be 10 or more workers where the manufacturing process is being carried on with the aid of power
 - (D) There are installed electronic data processing units.

2. Which one of the following is not an obligation of apprentices under the Apprentices Act, 1961 —
 - (A) To qualify himself as a skilled craftsman before the expiry of the period of training
 - (B) To attend practical and instructional classes regularly
 - (C) To carry out all orders of his employer
 - (D) To carry out his obligations under the contract of apprenticeship.

3. Consider the following statements under the Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 :
 - (i) 'Employer' includes any person entrusted with the supervision and control of employees in such establishment
 - (ii) Establishment in private sector means an establishment which is not an establishment in public sector and where ordinarily twenty five or more persons are employed to work for remuneration
 - (iii) The Act is applicable in relation to vacancies in any employment connected with the staff of Parliament.
 - (iv) The Act imposes punishment by way of fine and imprisonment both.
Select the incorrect answer from the options given below —
 - (A) (i) and (ii)
 - (B) (ii) and (iii)
 - (C) (iii) and (iv)
 - (D) (iv) and (i).

4. Consider the following statements under the provisions of the Trade Unions Act, 1926 :
 - (i) A federation of two or more trade unions is not deemed to be a trade union
 - (ii) Trade unions are the most suitable organisations for balancing and improving relations between the employers
 - (iii) Every registered trade union is a body corporate but not having perpetual succession
 - (iv) A registered trade union has power to acquire and hold movable and immovable properties.
Select the incorrect answer from the options given below —
 - (A) (i), (ii) and (iii)
 - (B) (ii), (iii) and (iv)
 - (C) (iii), (iv) and (i)
 - (D) (iv), (i) and (ii).

5. The term 'award' is defined in the Industrial Disputes Act, 1947 as —
 - (A) An interim determination of any industrial dispute by any Labour Court, Industrial Tribunal or National Industrial Tribunal

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- (B) A final determination of any industrial dispute by any Labour Court, Industrial Tribunal or National Industrial Tribunal
- (C) An interim or a final determination of any industrial dispute by any Labour Court, Industrial Tribunal or National Industrial Tribunal
- (D) An interim or a final determination of any industrial dispute by any Labour Court, Industrial Tribunal and not National Industrial Tribunal.
6. The Industrial Employment (Standing Orders) Act, 1946 extends to the whole of India and applies to every industrial establishment wherein _____ or more workmen are employed or were employed on any day during the preceding _____ months.
- (A) 50; 6
- (B) 75; 9
- (C) 100; 12
- (D) 200; 3
7. Which one of the following statements is incorrect as per the provisions of the Child Labour (Prohibition and Regulation) Act, 1986 —
- (A) The provisions of the Act are consistent with the provisions of the Constitution of India
- (B) The Act prohibits the engagement of children below the age of 14 years in factories, mines and hazardous employments
- (C) The prohibition of employment is applicable to any workshop wherein any process is carried on by the occupier with the aid of his family
- (D) The Act does not prohibit but regulates employment of children in non-hazardous occupations and processes.
8. Under the Payment of Gratuity Act, 1972, 'gratuity' —
- (A) Is payable only in case of death of an employee
- (B) Shall be paid by the employer at the rate of thirty days wages on the rate of wages last drawn by the employee for every completed year of service
- (C) Is a lump sum payment made by the employer as a mark of recognition of the service rendered by the employee when he retires or leaves service
- (D) Is payable only to those employees who are engaged in factories and mines.
9. Under the provisions of the Maternity Benefit Act, 1961 no woman shall work in any establishment during —
- (A) Six weeks immediately following the day of her delivery, miscarriage or medical termination of pregnancy
- (B) Eight weeks immediately following the day of her delivery, miscarriage or medical termination of pregnancy
- (C) Nine weeks immediately following the day of her delivery, miscarriage or medical termination of pregnancy
- (D) Three weeks immediately following the day of her delivery, miscarriage or medical termination of pregnancy.

10. 'Retrenchment' under the Industrial Disputes Act, 1947 includes —
- (A) Voluntary retirement of the workman
 - (B) Retirement of the workman reaching the age of superannuation as per the contract of employment
 - (C) Termination by the employer of the service of a workman as a punishment inflicted by way of disciplinary action
 - (D) Termination by the employer of the service of a workman for any other reason.
11. Which one of the following statements is incorrect under the Contract Labour (Regulation and Abolition) Act, 1970 —
- (A) The Act does not apply to establishments in which work only of intermittent or casual nature is performed
 - (B) 'Workman' does not include a person who is employed mainly in administrative capacity or who is an out-worker
 - (C) The Tribunals enjoy jurisdiction to abolish contract labour
 - (D) Before revoking registration of establishment / contractor the registering officer is required to obtain previous approval of the appropriate government.
12. Which one of the following statements is correct regarding 'compensation' under the Employees' Compensation Act, 1923 —
- (A) The employer can make payment of compensation directly to the legal heirs of the deceased employee
 - (B) The compensation money does not bear the first charge on the assets transferred by the employer
 - (C) The amount of compensation payable under this Act, cannot be assigned or charged, save as provided by this Act
 - (D) An agreement by an employee with the employer to relinquish any right of compensation is enforceable by the employer.
13. Consider the following statements under the Payment of Gratuity Act, 1972 :
- (i) In a seasonal establishment, an employee shall be deemed to be in continuous service if he has actually worked for not less than seventy-five percent of the number of days on which the establishment was in operation
 - (ii) Service is not continuous in case of legal termination of service and subsequent re-employment
 - (iii) In a seasonal establishment, an employee shall be deemed to be in continuous service if he has actually worked for one hundred and ninety days
 - (iv) Service is deemed to be continuous in case of legal termination of service and subsequent re-employment.
- Select the incorrect answer from the options given below —
- (A) (i) and (ii)
 - (B) (ii) and (iii)
 - (C) (iii) and (iv)
 - (D) (iv) and (i).

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14. As per section 4 of the Payment of Wages Act, 1936, no wage period shall exceed _____ and as per section 5, the wages of every person employed upon or in any railway factory or industrial or other establishment upon or in which less than one thousand persons are employed shall be paid before the expiry of _____.
- (A) One month; fifth day
 (B) One month; seventh day
 (C) Three months; seventh day
 (D) Two months; seventh day.
15. Consider the following statements under the Payment of Bonus Act, 1965 :
- (i) A suspended employee, subsequently reinstated with full back wages is not eligible for bonus
 (ii) An employee dismissed from service for any act of misconduct is eligible for bonus
 (iii) Statutory bonus and customary bonus operate in two fields and do not clash with each other
 (iv) The employer is not entitled to deduct 'puja bonus' from the amount of bonus payable by him to the employee.
- Select the incorrect answer from the options given below —
- (A) (i), (ii) and (iii)
 (B) (ii), (iii) and (iv)
 (C) (iii), (iv) and (i)
 (D) (iv), (i) and (ii).
16. The Employees' Deposit-Linked Insurance Scheme, 1976 is applicable to —
- (A) All factories/ establishments to which the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 applies
 (B) All the employees who are members of the provident fund in exempted establishment are covered under the scheme
 (C) All the employees who are members of the provident fund in unexempted establishment are covered under the scheme
 (D) All of the above.
17. Under section 2 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952, 'basic wages' includes —
- (A) Emoluments earned by an employee while on duty and which are paid or payable in cash to him
 (B) The cash value of any food concession
 (C) Any dearness allowance
 (D) Any presents made by the employer.
18. Consider the following statements under the Equal Remuneration Act, 1976 :
- (i) The executive power to enforce the provisions of the Act are available to both the governments, *i.e.*, the Central Government and the State Governments
 (ii) The provisions of the Act are applicable to all categories of employment
 (iii) Under section 3, the provisions of the Act do not have overriding effect
 (iv) The Act prevents discrimination made in favour of scheduled castes or scheduled tribes.
- Select the correct answer from the options given below —
- (A) (i) and (ii)
 (B) (ii) and (iii)
 (C) (iii) and (iv)
 (D) (i) and (iv).

19. Which one of the following statements is incorrect as per the provisions of the Employees' State Insurance Act, 1948 —
- (A) It is the first major legislation on social security in independent India
 - (B) The Employees' State Insurance Corporation established by the State Governments is the premier social security organisation
 - (C) Employees' State Insurance Fund has been created which is held and administered by the Employees' State Insurance Corporation
 - (D) The Act guarantees reasonably good medical care to workers and their immediate dependents.
20. Which one of the following is true in relation to courts of inquiry under section 6 of the Industrial Disputes Act, 1947 —
- (A) The court of inquiry is constituted by the State Government by notification in the official gazette
 - (B) The court always consists of five independent persons and out of them one person is appointed as Chairman
 - (C) The court enjoys power to consider and decide any matter under the provisions of this Act
 - (D) The period within which the report is to be submitted is not mandatory and the report may be submitted even beyond the period of six months without affecting the legality of the inquiry.
21. Consider the following statements under the Maternity Benefit Act, 1961 :
- (i) The object of this legislation does not correspond with the provisions contained in Article 42 of the Constitution of India
 - (ii) Women employees are also entitled to six weeks maternity benefit in case of miscarriage
 - (iii) A woman entitled to maternity benefit is also entitled to receive from her employer medical bonus
 - (iv) The Act does not make provisions to safeguard the interest of pregnant women workers.
- Select the correct answer from the options given below —
- (A) (i) and (ii)
 - (B) (ii) and (iii)
 - (C) (iii) and (iv)
 - (D) (iv) and (i).
22. Under the provisions of the Industrial Disputes Act, 1947, which of the following is not a valid reason for an employer to declare lay-off —
- (A) Break-down of machinery
 - (B) Financial stringency
 - (C) Accumulation of stocks
 - (D) Shortage of raw materials.
23. The Labour Laws (Exemption from Furnishing Returns and Maintaining Registers by Certain Establishments) Act, 1988 —
- (A) Provides for the exemption of employees employed in small establishments
 - (B) Is applicable to establishments in which not less than fifteen and not more than twenty persons are employed

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- (C) Provides for the exemption of employers of small establishments in relation to their tax liability
- (D) Is applicable to establishments in which not less than ten and not more than nineteen persons are employed.
24. Labour audit provides benefits to the labour, to the employer and to the government. Which one of the following is not a benefit of labour audit to the labour —
- (A) Labour audit boosts the morale of the workers
- (B) It increases social security of the labour
- (C) It increases status of the employer in society
- (D) Labour audit secures timely payment of wages.
25. In the case of *Workmen of Dimakuchi Tea Estate v. Dimakuchi Tea Estate* (1958), the Supreme Court laid down the following objectives of the Industrial Disputes Act, 1947 :
- (i) Promotion of measures for securing and preserving amity and good relations between the employer and workmen
- (ii) Investigation and settlement of industries
- (iii) Prevention of collective bargaining
- (iv) Relief to workmen in the matters of lay-off and retrenchment.
- Select the incorrect answer from the options given below —
- (A) (i) and (ii)
- (B) (ii) and (iii)
- (C) (iii) and (iv)
- (D) (iv) and (i).
26. Under section 27 of the Contract Labour (Regulation and Abolition) Act, 1970 where the offence consists of disobeying a written order made by an inspector, complaint thereof may be made —
- (A) Within three months from the date on which the alleged commission of the offence came to the knowledge of an inspector
- (B) Within six months from the date on which the offence is alleged to have been committed
- (C) Anytime before the expiry of one year from the date on which offence is alleged to have been committed
- (D) Anytime because no rule of limitation applies to such cases.
27. Section 1 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 states that —
- (A) The State Government can extend the provisions of this Act to any establishment
- (B) The provisions of this Act cannot be applied to cooperative societies
- (C) Once an establishment falls within the purview of this Act, it shall continue to be governed by this Act notwithstanding that the number of persons employed therein at any time falls below twenty
- (D) Where an establishment to which this Act applied was divided among the partners, the Act would not apply to the part of each ex-partner if the number of persons employed in each part is less than twenty.

28. Which one of the following activities would fall under 'industry' under the Industrial Disputes Act, 1947 —
- Welfare activities or economic adventures undertaken by government or statutory bodies
 - A charitable institution that makes no profit but hires the services of employees as in any other business but the goods and services which are the output, are made available at a low or no cost to the indigent poor
 - Physical Research Laboratory, Ahmedabad carrying on research not for the benefit of others and not engaged in commercial activity
 - Posts and Telegraphs Department.
29. Section 15 of the Payment of Wages Act, 1936 deals with claims arising out of deductions from wages or delay in payment of wages. In this relation, which one of the following statements is incorrect —
- Every application for such claim shall be presented within twelve months from the date on which the deduction was made or from the date on which the payment was due to be made
 - Such application may be admitted after the expiry of twelve months if there was sufficient cause for delay
 - Every claim shall be disposed of as far as practicable within a period of three months
 - Direction for the payment of compensation cannot be made in the case of delayed wages.
30. Which authority has been constituted by the Central Government to preside over the cases regarding determination of monies due from the employers —
- Employees' Provident Funds Appellate Tribunal
 - Employees' Provident Fund Consultancy Tribunal
 - Employees' Provident Fund Help Desk
 - Employees' Provident Fund Information Center.
31. Consider the following statements under the provisions of the Payment of Wages Act, 1936 :
- The employer is responsible for the payment of wages and in case of death of the employer his legal representative is liable
 - The wage period fixed by the employer cannot exceed one month
 - The employer cannot pay the wages either by cheque or by crediting the wages in the bank account of the employed person
 - Fine can be imposed on any employed person without the previous approval of the State Government.
- Select the correct answer from the options given below —
- (i) and (iii)
 - (ii) and (iv)
 - (i) and (ii)
 - (iii) and (iv).

32. According to section 2(13) of the Payment of Bonus Act, 1965, 'employee' means any person (other than an apprentice) employed on a salary or wages not exceeding _____ per month in any industry to do any skilled or unskilled, manual, supervisory, managerial, administrative, technical or clerical work of hire or reward, whether the terms of employment be expressed or _____.
- (A) ₹10,000; implied
 (B) ₹15,000; tacit
 (C) ₹18,000; implied and tacit
 (D) ₹20,000; implied or tacit.
33. The Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 —
- (A) Provides for compulsory notification of vacancies and submission of employment returns by the employers to the employment exchange
 (B) Provides that the main activity of the employment exchange is appointment of job seekers in the establishments in the public sector
 (C) Applies to all establishments in the private sector and establishments engaged in agricultural activities
 (D) Applies to all establishments in the private sector employing 250 or more workers.
34. Which one of the following statements is correct under the Payment of Bonus Act, 1965 —
- (A) The sums deductible from gross profits do not include any amount by way of depreciation admissible under the Income-tax Act, 1961
 (B) The sums deductible from gross profits include any amount by way of development rebate for which the employer is entitled under the Income-tax Act, 1961
 (C) In calculating direct tax payable by the employer, account shall be taken of any loss incurred by the employer in respect of any previous accounting year
 (D) The available surplus in respect of any accounting year shall be the gross profit for that year before deducting the sum under section 6.
35. Under the Payment of Wages Act, 1936, the term 'wages' does not include —
- (A) Any travelling allowance or the value of any travelling concession
 (B) The value of any house accommodation
 (C) Any remuneration to which the person employed is entitled in respect of overtime work or holidays or any leave period
 (D) Any contribution paid by the employer to any pension or provident fund.
36. As per the provisions of section 20 of the Apprentices Act, 1961, any person aggrieved by the decision of the Apprenticeship Advisor may, within _____ from the date of communication to him of such decision, prefer an appeal against the decision to the Apprenticeship Council.
- (A) 15 Days
 (B) 30 Days
 (C) 60 Days
 (D) 90 Days.

37. Consider the following statements under the Minimum Wages Act, 1948 :
- The Act provides for fixation and revision of minimum wages of the workers in the scheduled employments
 - Under this Act, both Central and State Governments are responsible for fixation and revision of minimum wages in respect of scheduled employments
 - There is a uniformity of minimum wages within the country inspite of differences in price of essential commodities, paying capacity, productivity, local conditions, *etc.*
 - The Act extends to whole of India and provides for fixing minimum rate of wages in all employments.
- Select the correct answer from the options given below —
- (i) and (ii)
 - (ii) and (iii)
 - (iii) and (iv)
 - (i) and (iv).
38. According to the Payment of Gratuity Act, 1972, gratuity shall be payable to an 'employee' —
- On his superannuation after completion of continuous service for not less than 5 years
 - On his retirement or resignation after completion of continuous service for not less than 5 years
 - On his becoming disabled due to accident even though unable to complete 5 years of continuous service
 - All of the above.
39. According to section 3(2) of the Minimum Wages Act, 1948 the appropriate government may fix minimum rate of wages. Accordingly, which one of the following matter does not fall within the provisions of section 3(2) —
- Time work
 - Piece work
 - Manual work
 - Guarantee time rate.
40. Section 7 of the Child Labour (Prohibition and Regulation) Act, 1986 stipulates that no child shall be permitted or required to work between —
- 6.00 P.M. and 12.00 midnight
 - 6.00 A.M. and 6.00 P.M.
 - 8.00 A.M. and 4.00 P.M.
 - 7.00 P.M. and 8.00 A.M.
41. Under section 2(1)(e) of the Employees' Compensation Act, 1923 the following persons are included in the definition of 'employer' :
- Any body of persons incorporated or not
 - Any managing agent of the employer
 - Legal representative of a deceased employer
 - A contractor
- Select the correct answer from the options given below —
- (i) and (ii) only
 - (i), (ii) and (iii) only
 - (i), (ii), (iii) and (iv)
 - (ii), (iii) and (iv) only.

42. Which one of the following statements is incorrect regarding certification of draft standing orders under the Industrial Employment (Standing Orders) Act, 1946 —
- (A) The employee of an establishment is required to submit to the Certifying Officer, three copies of the draft standing orders proposed by him for adoption in their establishments
- (B) The draft standing orders must be in conformity with the model standing orders
- (C) Employers of industrial establishments of similar nature may submit a joint draft of standing orders
- (D) Standing orders shall be certifiable if they are otherwise in conformity with the provisions of the Act.
43. Which one of the following statements is correct under the Trade Unions Act, 1926 —
- (A) A certificate of registration is not a conclusive evidence that the trade union has been duly registered under the Act
- (B) A certificate of registration of a trade union may be cancelled by the Registrar if he is satisfied that the certificate has been obtained by fraud
- (C) Any fifteen or more members of a trade union may apply for registration of the trade union
- (D) The Act does not protect a trade union from civil or criminal liability.
44. Under the Minimum Wages Act, 1948, the appropriate government can fix or revise minimum rates of wages by notification in the official gazette. In this regard —
- (A) The minimum rates of wages can be revised with retrospective effect
- (B) The minimum rates of wages cannot be revised with retrospective effect
- (C) The minimum rates of wages can be revised with retrospective effect in consultation with representatives of scheduled employments
- (D) The minimum rates of wages can be revised with retrospective effect only when owners of scheduled employments can afford to pay.
45. According to the provisions of the Employees' Compensation Act, 1923 an appeal against the order of Commissioner may be filed to the High Court within —
- (A) 15 Days of the order
- (B) 30 Days of the order
- (C) 45 Days of the order
- (D) 60 Days of the order.
46. Under section 20(1) of the Minimum Wages Act, 1948, which one of the following may be appointed by the appropriate government as an authority to hear and decide cases related to payment of wages —
- (A) Any commissioner for workmen's compensation
- (B) Any officer of the Central Government exercising functions as labour commissioner for any region
- (C) Any officer of the State Government not below the rank of Labour Commissioner
- (D) All of the above.

47. Which one of the following statements is incorrect within the meaning of 'employee' under the Employees' State Insurance Act, 1948 —
- (A) Person who is directly employed on any work by the principal employer of the factory
 - (B) Person employed in zonal offices and branch offices of a factory
 - (C) Person whose services are temporarily let on hire to the principal employer
 - (D) Person who is a member of the armed forces and working in the Ordnance Depot.
48. As per the Minimum Wages Act, 1948, the appropriate government may review and revise the minimum rate of wages at such intervals as it may think fit, such intervals should —
- (A) Not exceed one year
 - (B) Not exceed two years
 - (C) Not exceed three years
 - (D) Not exceed five years.
49. Under the Employees' State Insurance Act, 1948 to determine whether an injury is 'employment injury' or not, the basic test to be applied is that —
- (A) Injury was sustained by a person within the premises or the concern where a person works
 - (B) There was visible injury in the form of some wound
 - (C) Injury sustained was not caused by negligence
 - (D) There is a nexus between the circumstances of the accident and the employment.
50. Which one of the following is not welfare provisions under the Factories Act, 1948 —
- (A) Canteen
 - (B) Crèches
 - (C) Alcoholic beverage
 - (D) Drinking water.
51. Which one of the following statements is true under the Payment of Gratuity Act, 1972 —
- (A) Gratuity is payable only to the employee himself
 - (B) The maximum amount of gratuity allowed under the Act is ₹3.5 lakh
 - (C) An employee is not required to make nomination
 - (D) An employer has the right of forfeiture of gratuity, but the right of forfeiture of gratuity is limited to the extent of damage.
52. Section 2(n) of the Factories Act, 1948 defines the term 'occupier' as a person who has ultimate control over the affairs of the factory. In the light of the definition of occupier, in the case of a company —
- (A) The Company Secretary shall be deemed to be the occupier
 - (B) Any one of the directors shall be deemed to be the occupier
 - (C) Any senior officer of the company shall be deemed to be the occupier
 - (D) Any responsible and trusted employee who stays at the factory premises throughout day and night shall be deemed to be the occupier.

53. Consider the following statements under the Employees' Compensation Act, 1923 :
- The liability of the employer for compensation in case of occupational disease is of moral nature
 - Where the employment was under more than one employer, all such employers are liable for the payment of compensation in such proportion as the Commissioner may deem just
 - In matters of personal injury, the employer is liable if the injury is caused by accident arising out of and in the course of employment
 - 'Personal injury' includes nervous shock or break-down or mental strain.
- Select the correct answer from the options given below —
- (i), (ii) and (iii)
 - (ii), (iii) and (iv)
 - (iii), (iv) and (i)
 - (iv), (i) and (ii).
54. Which of the following relations of an insured person will be included in the 'family' under section 2(11) of the Employees' State Insurance Act, 1948 —
- Spouse
 - A minor legitimate child
 - An adopted child dependent upon the insured person
 - All of the above.
55. In relation to section 1(3) of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952, the Rajasthan High Court held in the case of Bikaner Cold Storage Co. Ltd. v. Regional Provident Fund Commissioner, Rajasthan (1979) that —
- All types of workmen should be included for the purpose of ascertaining the strength of workmen
 - Persons employed in the normal course of the business of the establishment should not be considered as the persons employed for the purpose of this provision
 - Persons employed for a short duration or on account of urgent necessity which is not a regular feature of the business cannot be considered as employees.
 - Casual workers are covered under this provision.
56. Which statement is correct as held by the Supreme Court in the case of Bijoy Cotton Mills v. State of Ajmer (1955) —
- The freedom guaranteed under Article 19(1)(g) of the Constitution of India is an absolute freedom
 - The restrictions imposed upon the freedom of contract by the fixation of minimum rate of wages are not unreasonable
 - The restrictions imposed upon the freedom of contract by the fixation of minimum rate of wages are unreasonable
 - In the interest of general public the appropriate government is required to fix uniform rate of minimum wages.
57. Under section 2(3) of the Employees' State Insurance Act, 1948 the term 'confinement' means —
- Confinement of employees within the premises of the establishment during specified period
 - Confinement of manufacturing process within the premises of the establishment

- (C) Labour resulting in confinement on account of injury during the course of employment
- (D) Labour resulting in the issue of a living child or labour after 26 weeks of pregnancy resulting in the issue of child.
58. Under the provisions of the Industrial Disputes Act, 1947 no workman who is employed in any industrial establishment shall go on strike in breach of contract and no employer of any such workman shall declare a lock-out during the pendency of —
- (A) Conciliation proceedings before a Board and two months after the conclusion of such proceedings
- (B) Proceeding before a Labour Court and two months after the conclusion of such proceedings
- (C) Proceeding before a Tribunal or National Tribunal and two months after the conclusion of such proceedings
- (D) Arbitration proceedings before an arbitrator and seven days after the conclusion of such proceedings.
59. Which one of the following statements is true under the provisions of the Factories Act, 1948 —
- (A) For the purpose of cleanliness, the office of the factory must be kept clean and free from effluvia arising from any drain or nuisance
- (B) Where the work carried on in the factory generates excessively high temperature, such process should be separated from the work room
- (C) Artificial humidification is required for carrying out every type of manufacturing process
- (D) Sufficient number of spittoons situated at convenient places is a mandatory condition where more than 1,000 workers are ordinarily employed in a factory.
60. Which one of the following is not a qualification to be a judge of the Employees' Insurance Court —
- (A) Judicial officer with minimum of five years standing
- (B) Legal practitioner with minimum of five years standing
- (C) Judicial officer as well as legal practitioner with minimum of five years standing
- (D) Special legal officer with minimum of five years standing.
61. The administration of the Factories Act, 1948 is carried out through Inspecting Staff, Certifying Surgeon, Welfare Officer and Safety Officer. In this relation read the following statements :
- (i) The Chief Inspector of factories is appointed by the Central Government
- (ii) In every district the Sessions Judge shall be deemed to be an Inspector for his district
- (iii) The primary function of a 'Certifying Surgeon' is to make examination of the premise, plant and machinery and to maintain registers and records
- (iv) Under section 40B of this Act, appointment of Safety Officer is not mandatory in every factory.
- Select the correct answer from the options given below —
- (A) (i) and (ii)
- (B) (ii) and (iii)
- (C) (i) only
- (D) (iv) only.

62. Under the provisions of the Employees' Compensation Act, 1923, the employer is not liable to pay compensation —
- Where injury results in disablement for a period exceeding 3 days
 - Where the employee dies due to an accident and at the time of accident he was under the influence of drink
 - Where the employee has instituted a suit for damages in a Civil Court
 - Where the injury results in permanent total disability and at the time of accident the employee was under the influence of drugs.
63. Under section 2 of the Employees' State Insurance Act, 1948 'permanent partial disablement' means —
- Such disablement of a permanent nature as incapacitates an employee for all work which he was capable of performing at the time of the accident resulting in such disablement
 - A condition which requires medical treatment and attendance and necessitates abstention from work on medical grounds
 - Disablement of a permanent nature, as reduced the earning capacity of an employee in every employment which he was capable of undertaking at the time of the accident resulting in the disablement
 - A condition resulting from an employment injury which requires medical treatment and renders an employee as a result of such injury, temporarily incapable of doing the work which he was doing prior to or at the time of injury.
64. The second schedule appended to the Industrial Disputes Act, 1947 relates to matters within the jurisdiction of the Labour Court. Which one of the following matters is not covered in the said schedule —
- The illegality or otherwise of a strike or lock-out
 - Discharge or dismissal of workmen
 - The application and interpretation of standing orders
 - Leave with wages and holidays.
65. The provisions of the Payment of Bonus Act, 1965 do not apply to the following classes of employees —
- Employees employed by any insurer carrying on general insurance business
 - Employees employed by universities and other educational institutions
 - Every other establishment in which twenty or more persons are employed on any day during an accounting year
 - Both (A) and (B) above.
66. In which case, the Supreme Court held that the process undertaken in zonal and sub-stations, transforming and transmitting electricity generated at the power station does not fall within the definition of 'manufacturing process' and could not be said to be a 'factory' —
- Workmen of Delhi Electric Supply Undertaking v. Management of Delhi Electric Supply Undertaking
 - R.E. D'souza v. Krishnan Nair
 - V.P. Gopala Rao v. Public Prosecutor
 - P. Natrajan v. E.S.I. Corporation.

67. Which one of the following statements is incorrect regarding recovery of bonus from an employer under the Payment of Bonus Act, 1965 —
- An application for recovery of bonus is required to be submitted to the State Government
 - An application for recovery of bonus shall be made within one year from the date on which the money becomes due
 - After the expiry of limitation period of one year, an application for recovery of bonus may be entertained on the ground of sufficient cause
 - Mode of recovery of bonus under section 21 is available only if bonus sought to be recovered is under settlement or an award or an agreement.
68. Which one of the following statements is not correct as per section 2 of the Factories Act, 1948 —
- 'Child' means a person who has not completed his 15th year of age
 - 'Power' does not include the power generated by human or animal agency
 - 'Adolescent' is a person who has completed his 14th year of age but has not completed his 20th year.
 - The term 'machinery' includes prime-movers, transmission machinery and all other appliances whereby power is generated, transformed, transmitted or applied.
69. Which one of the following statements is incorrect under the Apprentices Act, 1961 —
- The stipend is to be given to an apprentice at the rate specified by the appropriate government
 - Any disagreement or dispute between an employer and an apprentice arising out of the apprenticeship contract is referred to Apprenticeship Council
 - The National Council is not an authority under the Apprentices Act, 1961
 - An offence cannot be committed by a company under this Act.
70. Under section 38 of the Employees' State Insurance Act, 1948, consider the following statements :
- Insurance of all employees in factories or establishments, to which this Act applies, is compulsory
 - Exempted employees are not liable to pay employees' contribution
 - It is moral obligation of the employer to pay his own contribution
 - Any dispute, in this relation, shall be settled by the court of Chief Judicial Magistrate.
- Select the incorrect answer from the options given below —
- (i) and (ii)
 - (ii) and (iii)
 - (iii) and (iv)
 - (iv) and (i).

PART – B

71. Consider the following statements under the Constitution of India :
- In India, legal sovereignty is vested in the people of India and political sovereignty is distributed between the Union and the States
 - The Constitution of India is basically unitary but with some federal features
 - The Preamble declares India to be a socialistic State which means that people of India enjoy religious freedom
 - The Constitution is the supreme law of India and it can be amended by following the procedure laid down in Article 368.
- Select the incorrect answer from the options given below —
- (i) and (ii)
 - (ii) and (iii)
 - (iii) and (iv)
 - (iv) and (i).
72. Which of the following acts as a Chairman of the committee constituted for appointment of Central Information Commission —
- President of India
 - Prime Minister of India
 - The leader of opposition in the Parliament
 - Any designated member of the Parliament.
73. Which one of the following statements is false regarding power of 'summary trial' under the Code of Criminal Procedure, 1973 —
- Power of summary trial is available to the Chief Judicial Magistrate, Metropolitan Magistrate and Magistrate of the First Class who is specially empowered by the High Court
 - Offences not punishable with death, imprisonment for life or imprisonment for a term exceeding three years are covered under summary trial
 - In all summary trials the summons case procedure is followed
 - No sentence of imprisonment for a term exceeding three months shall be passed in any conviction in summary trials.
74. Consider the following statements under the Code of Civil Procedure, 1908 :
- In a suit by or against a corporation, pleading may be signed and verified on behalf of the corporation by any of the promoters of the corporation
 - In a suit by or against a corporation, the Court cannot require the personal appearance of the Secretary or Director of the corporation
 - When a suit is instituted by a minor through a 'next friend', it is not necessary that such next friend should be of sound mind and has attained majority

- (iv) When a suit is instituted by a minor through a 'next friend' and during pendency of the suit he attains the age of majority, he may elect to proceed with the suit or may elect to abandon the suit.

Select the incorrect answer from the options given below —

- (A) (i), (ii) and (iii)
 (B) (ii), (iii) and (iv)
 (C) (iii), (iv) and (i)
 (D) (iv), (i) and (ii).

75. Consider the following statements under the law of torts :

- (i) The rule of strict liability, as laid down in the case of *Rylands v. Fletcher*, is applicable where damage is caused due to natural use of the land
 (ii) For the tort committed by a partner in the ordinary course of the business of the firm, all other partners are liable
 (iii) A sovereign function denotes the activity of the State which can be carried out only by the State
 (iv) Defamation is a statement which tends to lower a person in the estimation of right thinking members of society.

Select the incorrect answer from the options given below —

- (A) (i) and (ii)
 (B) (ii) and (iii)
 (C) (iii) and (iv)
 (D) (iv) and (i).

76. Which one of the following statements is incorrect relating to 'complaint' under section 2(d) of the Code of Criminal Procedure, 1973 —

- (A) A complaint is an allegation made orally or in writing to a Magistrate
 (B) It is necessary that the name of the person or persons who have committed the offence in question must be mentioned in the complaint
 (C) A police report is deemed to be a complaint where after investigation it discloses commission of a non-cognizable offence
 (D) A petition addressed to the Magistrate containing an allegation that an offence has been committed and ending with a prayer that the culprit be suitably dealt with is a complaint.

77. Which one of the following statements is incorrect under the Right to Information Act, 2005 —

- (A) The Right to Information Act, 2005 extends to the whole of India except Jammu and Kashmir
 (B) The Right to Information Act, 2005 confers on all persons a right to information
 (C) Under section 4 of the Act every public authority has been entrusted with a duty to maintain records and publish manuals, rules, regulations, instructions, *etc.* in its possession as prescribed under the Act
 (D) The Act specifies the manner in which request may be made for obtaining the information.

78. Which one of the following statements is correct regarding interpretation of statutes —
- (A) A statute has been defined as an advice of the legislature to people to do or not to do something
 - (B) Consolidating statute means a statute which consolidates several previous statutes relating to the same subject matter, with or without alteration of substance
 - (C) The purpose of interpretation is to understand the statute according to one's own comprehension
 - (D) While on interpretation of statutes omissions may be presumed and when a word is not in the statute, it may be given meaning.
79. Which one of the following statements is true regarding appeals in civil cases under the Code of Civil Procedure, 1908 —
- (A) Right to appeal in civil cases is a natural or inherent right attached to litigation
 - (B) From all original decrees an appeal can be preferred to the High Court
 - (C) No appeal lies in any suit of the nature cognizable by courts of small causes when the amount or value of the subject matter of the original suit does not exceed ten thousand rupees
 - (D) An appeal does not lie against an order under section 95 for compensation for obtaining attachment or injunction on insufficient ground.
80. Which one of the following statements is false under the Code of Civil Procedure, 1908 —
- (A) The explanation to section 9 provides that a suit in which the right to an office is contested is not a suit of civil nature
 - (B) To apply the doctrine of *res sub judice* it is essential that there must be two suits instituted at different times
 - (C) The doctrine of *res judicata* underlines the general principle that no one shall be twice vexed for the same cause
 - (D) 'Set-off' is a reciprocal acquittal of debts between the plaintiff and defendant and it has the effect of extinguishing the plaintiff's claim to the extent of the amount claimed by the defendant as a counter claim.
81. Section 190 of the Code of Criminal Procedure, 1973 provides for taking cognizance of an offence by the Magistrate —
- (A) On a police report filed under section 173 of the Code of Criminal Procedure, 1973
 - (B) On a complaint within the meaning of section 2(d) of the Code of Criminal Procedure, 1973
 - (C) *Suo motu*
 - (D) All of the above.

82. Under section 10 of the Specific Relief Act, 1963 to succeed in a suit for specific performance the party need not prove that —
- (A) The plaintiff did not commit the breach of contract
- (B) A valid agreement of sale was entered into by the defendant in his favour and the terms thereof
- (C) The defendant committed breach of the contract
- (D) The plaintiff was always ready and willing to perform his part of obligation in terms of the contract.
83. Consider the following statements under the Right to Information Act, 2005 :
- (i) Information regarding Cabinet papers including records of deliberations of the Council of Ministers is exempted from disclosure
- (ii) The Public Information Officer is empowered to reject a request for information where an infringement of a copyright is involved
- (iii) The Central Information Commission is constituted by the appropriate government through a gazette notification
- (iv) The State Information Commission consists of one State Chief Information Commissioner and not more than 15 State Information Commissioners.
- Select the incorrect answer from the options given below —
- (A) (i) and (ii)
- (B) (ii) and (iii)
- (C) (iii) and (iv)
- (D) (iv) and (i).
84. Though the Directive Principles of State Policy contained in the Constitution are not enforceable by any court, yet they are —
- (A) Fundamental in the governance of the country
- (B) Binding on the State
- (C) Enforceable at the instance of the President of India
- (D) Superior to fundamental rights.
85. For a suit to recover possession of a movable property conveyed or bequeathed in trust and afterwards transferred by the trustee for a valuable consideration, under clause 93 of the Schedule to the Limitation Act, 1963 the period of limitation is —
- (A) Thirty years
- (B) Twelve years
- (C) Three years
- (D) One year.
86. The doctrine of *estoppel* is a —
- (A) Substantive law
- (B) Rule of equity
- (C) Rule of evidence
- (D) Law of pleading.

87. Out of the following which is not a secondary evidence —
- Copies made from the original by mechanical process
 - Copies made from or compared with original
 - Oral accounts of the contents of a document given by a person who has himself seen it
 - Oral account of a photograph.
88. Which one of the following statements is false under the Code of Civil Procedure, 1908 —
- A decree is the decision of a court of justice upon respective rights and claims of the parties to an action
 - A decree may be preliminary or final. It is preliminary when further proceedings are required to be taken before the suit can be completely disposed of
 - A person who is not a party to the suit but in whose favour an order capable of execution is passed is deemed to be a 'decree-holder'
 - The court may on application of any party to a suit, pass orders on different applications and any order which is not the final order in a suit is called 'interlocutory order'.
89. Where the meaning of the statute is clear, there is no need for presumptions. But if the intention of the legislature is not clear, there are a number of presumptions. Which one of the following is not applicable in this regard —
- A statute creating a criminal offence does not intend to attach liability without guilty intent
 - A statute is not intended to be consistent with the principles of international law
 - The legislature does not confer powers necessary to carry out duties imposed by it
 - The law compels no man to do that which is futile or fruitless.
90. Which one of the following in respect of set-off is correct under the provisions of the Code of Civil Procedure, 1908 —
- Set-off can be claimed in a suit for recovery of money
 - The amount claimed must be ascertained amount
 - The amount claimed to be set-off must be legally recoverable and not barred by limitation
 - All of the above.
91. Under interpretation of statutes, the maxim *expressio unis est exclusio alterius* means that —
- Meaning of a word should be known from its accompanying or associate words
 - The best way to give the meaning to a document or proposition of law is to read it as it would have read when it was made

- (C) Where there are general words following particular and specific words, the general words must be confined to things of the same kind as those specified
- (D) Express mention of one thing implies the exclusion of another.
92. Which one of the following statements is incorrect as per the Constitution of India —
- (A) Laws made by Parliament may have their application even beyond the territory of India
- (B) Laws made by the State legislature having extra-territorial application may be valid on the basis of 'territorial nexus'
- (C) Parliament has power to make laws in relation to subjects enumerated in the Union List and the Concurrent List
- (D) The Concurrent list contains subjects on taxation and hence Parliament as well as State Legislature both have power of taxation under this list.
93. In which of the following case the Supreme Court held that an amendment of the Constitution under Article 368 was 'law' within the meaning of Article 13 —
- (A) *Golak Nath v. State of Punjab*
- (B) *Sajjan Singh v. State of Rajasthan*
- (C) *Shankari Prasad v. Union of India*
- (D) *Kesvananda Bharti v. State of Kerala*.
94. Consider the following statements under the Code of Criminal Procedure, 1973 :
- (i) A Sessions Judge may pass any sentence authorised by law but the sentence of death is subject to confirmation by the Supreme Court
- (ii) If a person has committed a non-cognizable offence and does not disclose his name and residence, he may be arrested without warrant
- (iii) A private person can arrest any person who has committed any offence
- (iv) A Magistrate of the First Class may pass a sentence of imprisonment up to seven years and fine up to five thousand rupees or both.
- Select the incorrect answer from the options given below —
- (A) (i), (ii) and (iii)
- (B) (ii), (iii) and (iv)
- (C) (iii), (iv) and (i)
- (D) (iv), (i) and (ii).
95. The purpose of interpretation clause is —
- (A) To give dictionary meaning of the word or expression
- (B) To give an overview of the statute
- (C) To give complete meaning of the statute
- (D) To avoid the necessity of frequent repetition in describing all the subject matter to which the word or expression so defined is intended to apply.

96. Which one of the following statements is true regarding limitation period for taking cognizance of an offence under the Code of Criminal Procedure, 1973 —
- (A) If the offence is punishable with fine only, the period of limitation is one year
- (B) If the offence is punishable with imprisonment for a term exceeding three years, the period of limitation is three years
- (C) No rule of period of limitation is applicable where the offender is absconding or concealing himself
- (D) The court may take cognizance of an offence after the expiry of the period of limitation, in the interest of justice.
97. While interpreting the phrase 'equality before the law' contained in Article 14 of the Constitution of India, the Supreme Court consistently maintained that 'equality' means —
- (A) Absolute equality among human beings
- (B) Equal treatment to all persons
- (C) Equality of status in the Preamble of the Constitution
- (D) Among equals, the law should be equal and should be equally administered.
98. Consider the following statements under the Constitution of India :
- (i) The writ jurisdiction of the High Courts is wider than that of the Supreme Court
- (ii) The writ of *habeas corpus* is a remedy available to a person who is confined without legal justification
- (iii) One of the relevant justifications for delegated legislation is the need of some weapon for coping with situations created by emergency
- (iv) The power of judicial review is not available in relation to delegated legislation.
- Select the incorrect answer from the options given below —
- (A) (i), (ii) and (iii)
- (B) (ii), (iii) and (iv)
- (C) (iii), (iv) and (i)
- (D) (iv), (i) and (ii).
99. Perpetual injunction under section 38 of the Specific Relief Act, 1963 can be granted —
- (A) When there exists no standard for ascertaining the actual damages caused
- (B) When compensation would not afford adequate relief
- (C) When the defendant is a trustee of the property for the plaintiff
- (D) All of the above.
100. Which one of the following statements is incorrect as per the Constitution of India —
- (A) The definition of 'State' under Article 12 of the Constitution includes the Government and legislature of each of the States
- (B) Article 13(2) of the Constitution prevents the State from making law which takes away or abridges the fundamental rights
- (C) Under Article 13(1) of the Constitution, any law inconsistent with the fundamental rights shall become *void* and hence dead for all times to come
- (D) In *Bheshar Nath v. CIT* (1959), the Supreme Court held that the fundamental rights cannot be waived.

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