



**BRAINWARE UNIVERSITY**  
**ODD Semester Examinations 2021- 22**

Programme – Bachelor of Business Administration & Bachelor of Law - 2020 [BBA LL.B.]

Course Name – Legal Method

Course Code – BBALLB304

(Semester III)

Time allotted : 1 Hour 15 Minutes

Full Marks : 60

(Multiple choice type question)

60 x 1 = 60

*Choose the correct alternative from the following*

- (I) Mention the reason for the growth of delegated legislation
- |  |                                   |
|--|-----------------------------------|
| A) Pressure and busy on Parliamentary time | B) Technicality of subject matter |
| C) Experiment and emergency                | D) All of these                   |
- (II) The following precedent is the legal source of law
- |                          |   |
|--------------------------|---|
| A) Persuasive Precedent  | B) Declaratory Precedent                          |
| C) Alternative Precedent | D) Authoritative Precedent and Original Precedent |
- (III) Literal interpretation is also known as \_\_\_\_\_ interpretation.
- |                |                  |
|----------------|------------------|
| A) grammatical | B) geometric     |
| C) good        | D) none of these |
- (IV) “Law is the sum total of the conditions under which the personal wishes of one man can be combined with the personal wishes of another man in accordance with the general law of freedom.” - Who made this definition?
- |                  |                 |
|------------------|-----------------|
| A) Immanuel Kant | B) Maine        |
| C) Kelsen        | D) Roscoe Pound |
- (V) \_\_\_\_\_ is the safest rule of interpretation because the legislature’s intention can be deduced from the language itself.
- |                        |                 |
|------------------------|-----------------|
| A) Literal Rule        | B) Silver Rule  |
| C) Circumstantial rule | D) Natural rule |
- (VI) Ashby vs White case stands for
- |                          |                            |
|--------------------------|----------------------------|
| A) Original Precedent    | B) Persuasive Precedent    |
| C) Declaratory Precedent | D) Authoritative Precedent |
- (VII) The \_\_\_\_\_ is the ‘Court of Record’.
- |                            |                           |
|----------------------------|---------------------------|
| A) Supreme court of North  | B) Supreme Court of India |
| C) Supreme court of Russia | D) Supreme court of Rome  |
- (VIII) Legislation is classified into?
- |   |  |
|---|--|
| A) Direct and Indirect legislation          | B) Supreme and Subordinate legislation                                     |
| C) Authorities and unauthorized Legislation | D) Direct and Indirect legislation and Supreme and Subordinate legislation |
- (IX) The court interprets the \_\_\_\_\_ whenever a dispute comes before it.
- |                |              |
|----------------|--------------|
| A) legislature | B) precedent |
| C) time        | D) courage   |
- (X) \_\_\_\_\_ is a requisite of a valid custom.
- |                  |               |
|------------------|---------------|
| A) Discontinuity | B) Continuity |
| C) Direct        | D) Indirect   |
- (XI) The court should give \_\_\_\_\_ meaning to a technical word.
- |                |              |
|----------------|--------------|
| A) technopolis | B) technical |
|----------------|--------------|

- C) server  
D) habitual
- (XII) Particulars of a statute include  
A) Short title  
B) Preamble  
C) Headings of a group of sections or of individual sections  
D) All of these
- (XIII) "Legislation means the formal utterances of the legislative organs of the society." – Who made this observation?  
A) Gray  
B) Maine  
C) Holland  
D) Austin
- (XIV) For criminal liability, the actus should be reus, i.e., -  
A) the act should be permitted by law  
B) the intention should be pleased by duty  
C) Both the act should be permitted by law and the intention should be pleased by duty  
D) The act should be prohibited by law
- (XV) Rylands vs Flercher is an authoritative and original precedent and stands for  
A) Liability for negligence  
B) Strict liability  
C) Absolute liability  
D) Mens rea
- (XVI) \_\_\_\_\_ is the primary function of a court.  
A) Interpretation  
B) Precedent  
C) Legislation  
D) Time
- (XVII) Ubi jus ibi remedium means-  
A) the act should be permitted by law  
B) Where there is a right there is a remedy  
C) Good behaviour  
D) Act of god
- (XVIII) The mens rea is second requirement in crime, i.e., -  
A) guilty intention or knowledge of his wrong act  
B) the act should be permitted by law  
C) both guilty intention or knowledge of his wrong act and the act should be permitted by law  
D) the intention should be pleased by duty of lawyer
- (XIX) The fundamental object of the doctrine of separation of powers is  
A) Strong government  
B) Liberty and freedom of individual and establishing welfare state  
C) Smooth running of administration  
D) Clash between states
- (XX) Which one of the following is a research tool?  
A) Graph  
B) Questionnaire  
C) Illustration  
D) Diagram
- (XXI) The \_\_\_\_\_ is one of the features of basic structure.  
A) rule of illegality  
B) rule of law  
C) rule of lawyer  
D) rule of loss
- (XXII) Actus non-facit reum nisi mens sit rea means-  
A) The act does make a woman guilty  
B) The act does not make a man guilty unless there be guilty intention  
C) The duty does make a woman guilty when there is no guilty intention  
D) The act does make a man guilty when there is no guilty intuition
- (XXIII) What is the effect of violation of rule of audi alterem partem r the rule of fair hearing?  
A) Null and void  
B) Mere an irregularity  
C) An illegality  
D) Voidable
- (XXIV) A common test in research demands much priority on  
A) reliability  
B) usability  
C) objectivity  
D) All of these
- (XXV) Research can be conducted by a person who  
A) has studied research methodology  
B) Possesses thinking and reasoning ability  
C) Holds a PG degree  
D) Is a hard worker
- (XXVI) Alamgir vs State of Bihar (AIR 1959 SC 436) is mainly coupled with the following-  
A) loss of contact  
B) Noscitur a sociis

C) Jus civile

D) both loss of contact and Jus civile

(XXVII) "Law is essentially and exclusively a social fact. The foundation of law is in the essential requirements of the community life." --- Who made this observation?

A) Duguit

B) Allen

C) Maine

D) Blackstone

(XXVIII) "Law in its most general and comprehensive sense signifies a rule of action and is applied indiscriminately to all kinds of actions, whether animate or inanimate, rational or irrational. Thus, we say the laws of gravitation, or optics or mechanics, as well as the laws of nature and nations." --- Who gave this definition?

A) Blackstone

B) Immanuel Kant

C) Austin

D) Maine

(XXIX) The term civil law is derived from \_\_\_\_\_ or civil law of the Romans.

A) Jus civile

B) Just law

C) Jus crimino

D) Just civilian

(XXX) Due to the following reason, the binding force of precedent is weakened

A) Abrogated decisions, ignorance of statute

B) Affirmation or reversal on a different ground, inconsistency with earlier decision of higher court

C) Erroneous decisions, decisions of equally divided, sub-silento rule

D) All of these

(XXXI) Precedent is an important source of law , but is always, \_\_\_\_\_.

A) Superior to statute law

B) Equal to statute law

C) Superior to statute law and Equal to statute law

D) Inferior to statute law

(XXXII) In the case of Keshavananda Bharati v State of Kerala, some of the judges constituting majority were of the opinion that the Rule of law was an "aspect of the doctrine of basic structure of the Constitution, which even the plenary power of Parliament cannot reach to amend." Identify the citation of the case from the following

A) AIR 1963 SC 1565

B) AIR 1953 SC 1761

C) AIR 1973 SC 1461

D) AIR 1963 SC 1464

(XXXIII) The history of Supreme Court of India begins from the year \_\_\_\_\_.

A) 1950

B) 1980

C) 1990

D) 1870

(XXXIV) Research is conducted to I.Generate new knowledge II.Not to develop a theory III.Obtain research degree IV.Reinterpret existing knowledge

A) I, III &amp; IV

B) I, II &amp; III

C) I &amp; II

D) II &amp; IV

(XXXV) Research can be classified as

A) Basic, applied and action research

B) Survey and experimental research

C) both Basic, applied and action research and Survey and experimental research

D) None of these

(XXXVI) Noscitur a sociis means-

A) Know from the association

B) There must be a wrongful intention

C) Where there is a right there is a remedy

D) There must be a wrongful act

(XXXVII) A good piece of research is a product of

A) Collective scholarship

B) A penetrating and analytical mind

C) A good library

D) A touch of genius

(XXXVIII) Legal research is the process of identifying and retrieving information necessary to support \_\_\_\_\_.

A) illegal decision making

B) legal decision making

C) illogical decision making

D) none of these

(XXXIX) The fundamental principle of the Indian Penal Code to attract liability is that

A) There must be a wrongful act (actus reus)

B) There must be a wrongful intention (mens rea)

C) Combination of options There must be a wrongful act (actus reus) and There must be a wrongful intention (mens rea)

D) None of these

- (XL) "Law is a statement of the circumstances in which the public force will be brought to bear upon men through courts." --- Stated by whom?
- A) Dias  
B) Allen  
C) Buckland  
D) Holmes
- (XLI) The main object of interpretation is to \_\_\_\_\_ the meaning of the statute.
- A) complex  
B) confuse  
C) simplify  
D) adjudicate
- (XLII) Actus reus denotes-
- A) duty  
B) pledge  
C) bali  
D) act
- (XLIII) 'Persuasive Precedent' means
- A) A precedent which is merely the application of an already existing rule of law.  
B) A precedent which is superior to statute law  
C) A precedent which is merely the application of an already existing rule of law. and A precedent which is superior to statute law  
D) A precedent which the judges are under no obligation to follow
- (XLIV) Ex Post Facto research means
- A) the research is carried out after the incident  
B) the research is carried out prior to incident  
C) the research is carried out along with the happening of an incident  
D) the research is carried out keeping in mind the possibilities of an incident
- (XLV) 'Original Precedent' means
- A) A precedent which creates and applies a new rule  
B) A precedent which is merely the application of an already existing rule of law.  
C) A precedent which the judges are under no obligation to follow  
D) None of these
- (XLVI) "Law is no more a legal concept than courage is a courageous concept. The fact is that law itself is not a legal concept anymore than 'geometry' in a geometrical concept." --- Who observed it?
- A) Salmond  
B) Buckland  
C) Maine  
D) Dias
- (XLVII) According to Salmond, \_\_\_\_\_ is the body of those legal principles which determine the Constitution of the State.
- A) Constitutional Law  
B) Colonial Law  
C) Civil Law  
D) Criminal Law
- (XLVIII) Lee vs Knapp is a case related to
- A) Golden rule  
B) Silver rule  
C) Diamond rule  
D) Platinum rule
- (XLIX) Research ethics do not include
- A) honesty  
B) integrity  
C) objectivity  
D) subjectivity
- (L) "By the golden rule of interpretation literal meaning is modified to some extent."
- A) By the mischief rule of interpretation literal meaning is modified to some extent.  
B) The statement is false because by the silver rule of interpretation literal meaning is modified to some extent.  
C) The statement is true  
D) By the heydon's rule of interpretation literal meaning is modified to some extent.
- (LI) The doctrine of separation of powers was propounded by \_\_\_\_\_.
- A) Pound  
B) Holland  
C) Kelsen  
D) Montesquieu
- (LII) Actus reus means-
- A) A famous statute  
B) A legally permitted act  
C) A legally satisfying statement  
D) deed of commission or result of active conduct
- (LIII) Essential ingredients of a crime are-

- A) men and women  
C) Only mens rea
- (LIV) Noscere means-
- A) To know  
C) duty
- (LV) Custom is an important source of \_\_\_\_\_.
- A) law  
C) law and precedent
- (LVI) Grammatical interpretation is also known as -
- A) litera scripta  
C) jus civile
- (LVII) "Rule of law permeates the entire fabric of the Indian Constitution and indeed forms one of its basic features." This was reflected in the case of
- A) Ashby vs White Case  
C) Bachan Singh v State of Punjab, AIR 1982 SC 1336
- (LVIII) The mischief rule of interpretation originated in the year \_\_\_\_\_.
- A) 1584  
C) 1900
- (LIX) The essential qualities of a researcher are
- A) Spirit of free enquiry  
C) Systematization or theorizing of knowledge
- (LX) 'Qui facit per alium facit per se' means-
- A) He who does an act through another is deemed in law to do it himself  
C) Where there is right there is remedy
- B) mens rea and actus reus  
D) None of these
- B) To act  
D) pledge
- B) precedent  
D) none of these
- B) noise  
D) just technical
- B) Heydon's case  
D) State vs Tara, AIR 1789 SC 1234
- B) 1870  
D) 2001
- B) Reliance on observation and evidence  
D) All of these
- B) Injury without damage  
D) No man is greater than law