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Q.3)

Exp) Option b is the correct answer.

Statement 1 is correct. Cognizable offences are those in which the police can investigate and arrest the offender without a warrant. In non-cognizable offenses, the police do not have the power to arrest a person for a crime without a warrant.

Statement 2 is incorrect: The Cognizable offences are both bailable and non-bailable. Whereas non-cognizable offences are bailable.

Statement 3 is correct: Non-cognizable offences are less serious or grave in nature. Examples: cheating, forgery, defamation, public nuisance, etc. Cognizable offences are generally serious crimes. The Criminal Procedure Code, 1973 (CrPC states that an offence that is punishable with death, imprisonment for life, or imprisonment for more than 3 years shall be cognizable.

Q.4)

Exp) Option a is the correct answer.

Pair 1 is incorrect. Guwahati High Court has jurisdiction over four Northeast states in India- Assam, Mizoram, Arunachal Pradesh, and Nagaland (not Sikkim). Sikkim High has territorial jurisdiction over the state of Sikkim.

Pair 2 is correct. The Kerala High Court has jurisdiction over the entire state of Kerala and the Union Territory of Lakshadweep.

Pair 3 is incorrect. The Calcutta High Court has territorial jurisdiction over the state of West Bengal and the Union Territory of the Andaman and Nicobar Islands (not over Union territory of Puducherry). The court was established on July 1, 1862, under the High Court's Act, 1861. Whereas, the Madras High Court has jurisdiction over the Union Territory of Puducherry.

Pair 4 is incorrect. The High Court of Andhra Pradesh has territorial jurisdiction over the State of Andhra Pradesh whereas the High Court for the State of Telangana exercises territionial jurisdiction over the States of Telangana.

Q.12)

Exp) Option a is the correct answer.

In the landmark case of Kedar Nath Singh Case, a Constitution Bench of the top court upheld the validity of section 124A (sedition) of the IPC, but also attempted to restrict the colonial-era law's scope for misuse by trying to demarcate the difference between which acts amounted to sedition and which ones did not. Supreme Court said that any act that had the "effect of subverting the Government" by violent means or creating public disorder would come within the definition of sedition. It also upheld Section 505 (statements conducive to public mischief) as constitutionally valid.

Q.14)

Exp) Option c is the correct answer.

Civil law is concerned with activities committed by persons in which the harm caused can be reimbursed by compensation or monetary remedy. Criminal law deals with crimes that cause harm to people and are also crimes against society. The punishment for a crime is to imprison the perpetrator. Accordingly,

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Description of Violation/Event	Relevant Branch of Law	Explanation
Driving under the influence of alcohol	Criminal Law	Option 1 is correct: Driving under the influence of alcohol is a criminal offense under the Motor Vehicle Act. It can lead to fines, license suspension, and potentially imprisonment. Hence, it falls under the jurisdiction of criminal law.
An individual arrested for theft from a local grocery store	Criminal Law	Option 2 is correct: Theft is a criminal offense, and an individual arrested for theft would face criminal charges, potentially leading to fines, probation, or imprisonment. Hence, it falls under the jurisdiction of criminal law.
A company breaches a contract with a client by failing to deliver goods on time	Civil Law	Option 3 is incorrect: Breach of contract is a civil matter where a party has violated the terms of an agreement. The resolution of a case typically involves compensation or specific performance (eg. Under the Contract Act, 1872) and it falls under civil law.
Selling of illegal drugs on a tourist spot	Criminal Law	Option 4 is correct: Selling illegal drugs is a criminal offense that can lead to criminal charges, prosecution, and penalties, including imprisonment. This violation falls under criminal law.

Q.15)

Exp) Option b is the correct answer.

Recently, Supreme Court held that the public cannot be given free access to a charge sheet or a final investigation report as it is not a public document.

Statement 1 is correct: An FIR is the first document that is filed when police are informed of a cognizable offense. It sets the process of investigation in motion. On the other hand, the chargesheet is the final report that is filed after the investigation is complete and the evidence has been collected.

Statement 2 is correct: The purpose of an FIR is to initiate the investigation into the commission of an offense, while the purpose of a chargesheet is to provide evidence to support the allegations against the accused and to prosecute the accused in a court of law.

Statement 3 is incorrect: FIR and Chargesheet **cannot be withdrawn**. There is no such provision to withdraw FIR or chargesheet under The Code of Criminal Procedure, 1973. However, Delhi High Court has observed that the **FIR and chargesheet can be quashed** if the allegations made in the FIR or complaint or the evidence collected, though remaining uncontroverted, do not disclose the commission of an offence.

Statement 4 is incorrect: FIR is a **public document** prepared u/s-154 of Cr. P.C. A certified copy of an FIR can be given in evidence. A copy of the FIR can be given to the accused only under the order of the court after the court has taken cognizance of the case and not before. However, Supreme Court (SC) recently, has ruled that **chargesheets are not 'public documents'** and enabling their free public access violates the provisions of the Criminal Code of Procedure (CrPC) as it compromises the rights of the accused, victim, and the investigation agencies.

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Q.16)

Exp) Option c is the correct answer.

The Constitution of India does not contain detailed provisions regarding the jurisdiction and powers of a High Court. It only lays down that the jurisdiction and powers of a high court are to be the same as immediately before the commencement of the Constitution. The present jurisdiction and powers of a high court are governed by:

- (a) the constitutional provisions,
- (b) the Letters Patent,
- (c) the Acts of Parliament,
- (d) the Acts of State Legislature,
- (e) Indian Penal Code, 1860,
- (f) Criminal Procedure Code, 1973, and
- (g) Civil Procedure Code, 1908.

While Rule of Procedure of Lok Sabha and Rajya Sabha is associated with the conduct of businesses in both the houses of Parliament.

Q.22)

Exp) Option a is the correct answer.

As per Article 130 of the Indian Constitution, the usual place of the Supreme Court's meetings is in New Delhi. However, the Supreme Court has the flexibility to hold its sessions or sittings at any other place outside New Delhi if the President of India approves it. This provision allows the court to conduct its proceedings in other locations when deemed necessary or in special circumstances with the President's permission.

Q.24)

Exp) Option d is the correct answer

State Administrative Tribunals (SATs) are similar to the Central Administrative Tribunal (CAT) but operate at the state level in India. **SATs** exercise original jurisdiction in relation to recruitment and all service matters of **state government employees**.

Statement 1 is incorrect: The SATs are established by the Central Government (not by State governments). The Administrative Tribunals Act of 1985 empowers the Central government to establish the State Administrative Tribunals (SATs) on specific request of the concerned state governments.

Statement 2 is incorrect: The Chairperson and Members of the SATs are appointed by the President of India (not by the Governor) after consultation with the governor of the respective States.

Q.30)

Exp) Option a is the correct answer.

First Information Report (FIR): It is with the registration of an FIR that the police can begin their investigations into a crime. The FIR usually mentions the date, time and place of the offence, details the basic facts of the offence, including a description of the events. There is a prescribed form in which the police registers an FIR and it is signed by the complainant. The complainant also has a legal right to get a free copy of the FIR from the police.

Statements 1 is incorrect: The term First Information Report (FIR) is not defined in the Indian Penal Code (IPC), Code of Criminal Procedure (CrPC), 1973, or in any other law. FIR is the information given to a police officer as per the provisions of Section 154 of the Code of Criminal Procedure (CrPC). There are three important elements of an FIR:

1) the information must relate to the commission of a cognizable offence

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- 2) it should be given in writing or orally to the head of the police station and,
- 3) it must be written down and signed by the informant, and its key points should be recorded in a daily diary.

Statement 2 is correct. A zero FIR can be filed in any police station, regardless of whether the offence was committed under the jurisdiction of that particular police station.

When a police station receives a complaint regarding an alleged offence that has been committed in the jurisdiction of another police station, it registers an FIR, and then transfers it to the concerned police station for further investigation. This is called a Zero FIR.

No regular FIR number is given. After receiving the Zero FIR, the concerned police station registers a fresh FIR and starts the investigation.

Statement 3 is incorrect. All an informant has to do to file an FIR is to visit the local police station and furnish information, orally or in writing, about the commission of an offence. Further, anyone can file an FIR – the person approaching the police does not necessarily have to be the victim of or an eyewitness to an offence.

Knowledge Base: What is the difference between a complaint and an FIR?

The CrPC defines a "complaint" as "any allegation made orally or in writing to a Magistrate, with a view to his taking action under this Code, that some person, whether known or unknown, has committed an offence, but does not include a police report."

However, an FIR is the document that has been prepared by the police after verifying the facts of the complaint. The FIR may contain details of the crime and the alleged criminal.

Q.32)

Exp) Option b is the correct answer.

Statement 1 is correct. The Bar Council of India was established by Parliament under **the Advocates Act**, **1961**. It regulates and represents the Indian bar. It safeguards the rights, privileges and interests of advocates.

Statement 2 is incorrect. It exercises disciplinary jurisdiction over **advocates/lawyers.** It performs the regulatory function by prescribing standards of professional conduct and etiquette and by exercising disciplinary jurisdiction over the bar. It lays down procedure to be followed by its disciplinary committee and the disciplinary committees of each State Bar Council.

Statement 3 is correct. It grants **recognition to universities** whose degree in law shall be a qualification for enrolment as an advocate. The Bar Council of India visits and inspects Universities, or directs the State Bar Councils to visit and inspect Universities for this purpose. It promotes legal education and lays down standards of legal education. This is done in consultation with the Universities in India imparting legal education and the State Bar Councils

Q.38)

Exp) Option b is correct

Statement 1 is correct. Memorandum of Procedure (MoP) is an agreement between the judiciary and the government. It contains a set of guidelines for **making appointments to the Supreme Court and High Court.** The MoP has evolved as the standard based on three SC decisions – the First Judges Case (1981), Second Judges Case (1993) and the Third Judges Case (1998) form the basis of a peer selection process for appointment of judges.

Statement 2 is correct. As per the MoP, the **High Court Collegium headed by the Chief Justice of the HC** initiates the process of appointment of other judges.

If the Supreme Court collegium clears the names, the files return to the central government. The government then either notifies the appointments or sends them back with objections or its views. At

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this stage, the Supreme Court collegium can seek additional inputs on the government's opinion. Accordingly, it can either reject or reiterate the proposal. If the collegium reiterates its decision, then, under the MoP, the government is bound to notify the appointments.

Statement 3 is incorrect. The existing MoP does not prescribe a timeline for the Centre to forward the recommendations. But the Supreme Court has recently set a fixed timeline for the government for the process of appointment of judges.

Q.48)

Exp) Option c is the correct answer

Three categories of Advocates are entitled to practice law before the Supreme Court. They are:

Statement 1 is correct. Advocates-on-Record are entitled to file any matter or document before the Supreme Court. They can also file an appearance or act for a party in the Supreme Court.

Statement 2 is correct. Other Advocates are advocates whose names are entered on the roll of any State Bar Council maintained under the Advocates Act, 1961 and they can appear and argue any matter on behalf of a party in the Supreme Court but they are not entitled to file any document or matter before the Court.

Statement 3 is correct. Senior Advocates are Advocates who are designated as Senior Advocates by the Supreme Court of India or by any High Court. The Court can designate any Advocate, with his consent, as Senior Advocate if in its opinion by virtue of his ability, standing at the Bar or special knowledge or experience in law the said Advocate is deserving of such distinction. A Senior Advocate is not entitled to appear without an Advocate-on-Record in the Supreme Court or without a junior in any other court or tribunal in India.

Q.49)

Exp) Option a is the correct answer.

Parliamentary committee on external affairs has presented a report titled "India and international law" in the Lok Sabha. The report discusses how Indian courts have dealt with international law.

Statement 1 is correct: International customary law refers to international law norms derived from a custom. It derives from "a general practice accepted as law". Such practice can be found in official accounts of military operations but is also reflected in a variety of other official documents, including military manuals, national legislation and case law.

Statement 2 is incorrect: International customary laws are binding legal rules that have developed on global or region levels through continued practice. States recognize that treaties and customary international law are sources of international law and, as such, are binding. This is set forth, for example, in the Statute of the International Court of Justice. One example of the binding nature of customary international law is its application by national and international courts and tribunals.

Statement 3 is incorrect: Supreme Court of India has been of the view that customary international law (CIL), unless contradictory to domestic law, is part of the Indian legal regime even if the parliament has not enacted a law for that. In Vellore Citizens Welfare Forum v. Union of India it held that CIL which is not contrary to the municipal law shall be deemed to have been incorporated in India's domestic law. This principle has been affirmed in subsequent decisions like in Research Foundation for Science v. Union of India. Here, the SC, relying on the Vellore Citizen case, declared that the precautionary principle, an environmental law concept, is part of CIL and thus part of Indian law.

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Q.50)

Exp) Option a is the correct answer.

The Supreme Court is primarily a court of appeal and hears appeals against the judgements of the lower courts under four heads: constitutional matters, civil matters, criminal matters and appeals by special leave.

Statement 1 is incorrect: The Parliament had **enlarged the Criminal Appellate Jurisdiction** of the Supreme Court in 1970. Accordingly, an appeal lies to the Supreme Court from the judgement of a high court if the high court:

- has on appeal, reversed an order of acquittal of an accused person and sentenced him to imprisonment for life or for ten years; or
- has taken before itself any case from any subordinate court and convicted the accused person and sentenced him to imprisonment for life or for ten years

Statement 2 is correct: The Supreme Court hears appeals against the judgement in a criminal proceeding of a high court if the high court

- has on appeal reversed an order of acquittal of an accused person and sentenced him to death; or
- has taken before itself any case from any subordinate court and convicted the accused person and sentenced him to death; or
- certifies that the case is a fit one for appeal to the Supreme Court

In the first two cases, an appeal lies to the Supreme Court as a matter of right (i.e., without any certificate of the high court). But if the high court has reversed the order of conviction and has ordered the acquittal of the accused, there is no right to appeal to the Supreme Court.

Statement 3 is incorrect: The appellate jurisdiction of the Supreme Court **extends to all civil and criminal cases.** The Supreme Court is authorised to grant in its **discretion special leave to appeal** from any judgement in any matter passed by any court or tribunal in the country (except military tribunal and court martial). It may be related **to any matter-constitutional, civil, criminal,** income-tax, labour, revenue, advocates, etc.