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Name :	Reg. No.	Signature :
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**DEPARTMENTAL TESTS — JULY, 2020**

Number of Questions : 100

Time : 2 hours

(Maximum Marks :100)

**INSTRUCTIONS TO CANDIDATES**

1. The question paper will be given in the form of a Question Booklet. There will be four versions of question booklets with question booklet alpha code viz. A, B, C & D.
2. The Question Booklet Alpha Code will be printed on the top left margin of the facing sheet of the question booklet.
3. The Question Booklet Alpha Code allotted to you will be noted in your seating position in the Examination Hall.
4. If you get a question booklet where the alpha code does not match to the allotted alpha code in the seating position, please draw the attention of the invigilator IMMEDIATELY.
5. The Question Booklet Serial Number is printed on the top right margin of the facing sheet. If your question booklet is un-numbered, please get it replaced by new question booklet with same alpha code.
6. The Question Booklet will be sealed at the middle of the right margin. Candidate should not open the question booklet, until the indication is given to start answering.
7. Immediately after the commencement of the examination, the candidate should check that the question booklet supplied contains all the 100 questions in serial order. The question booklet does not have unprinted or torn or missing pages and if so the fact should be brought to the notice of the Invigilator and get it replaced by a complete booklet with same alpha code. This is most important.
8. A blank sheet of paper is attached to the question booklet. This may be used for rough work.
9. **Please read carefully all the instructions on the reverse of the Answer Sheet before marking your answers.**
10. Each question is provided with four choices (A), (B), (C) and (D) having one correct answer. Choose the correct answer and darken the bubble corresponding to the question number using Blue or Black Ball Point Pen in the OMR Answer Sheet.
11. **Each correct answer carries 1 mark and for each wrong answer 1/3 mark will be deducted. No negative marks for unattended questions.**
12. No candidate will be allowed to leave the examination hall till the end of the session and without handing over the Answer Sheet to the Invigilator. Candidates should ensure that the Invigilator has verified all the entries in the Register Number Coding Sheet and that the Invigilator has affixed his/her signature in the space provided.
13. Strict compliance of instructions is essential. Any malpractice or attempt to commit any kind of malpractice in the Examination will result in the disqualification of the candidate.
14. **If any candidates make a marking of answer in the question paper and exchange with other candidate during the course of the examination, the answer script will be invalidated and the candidates will be debarred for a minimum period of 2 years from appearing the Departmental Tests.**

A

1. Section 28-B of the Kerala Stamp Act, 1959 relates to :
  - (A) Annuity
  - (B) Marketable Securities
  - (C) Flats/Apartments
  - (D) Foreign Currencies
2. Under Section 2 (pa) of the Kerala Stamp Act, 1959, “Registering Authority” means the officer appointed under :
  - (A) The Societies Act
  - (B) The Registration Act
  - (C) The Transfer of Property Act
  - (D) The Public Debt Act
3. As per Section 17 of the Kerala Stamp Act, 1959, all instruments chargeable with duty and executed by any person in Kerala shall be stamped :
  - (A) Before or at the time of execution
  - (B) Within 30 days
  - (C) Before execution
  - (D) Within 60 days
4. The term “lease” under Section 2 (1) of the Kerala Stamp Act, 1959 includes :
  - (A) Agreement relating to installation of ATM/CDM
  - (B) Agreement relating to opium farms
  - (C) Only (A)
  - (D) Both (A) & (B)
5. In the case of a Bond, Section 30 of the Kerala Stamp Act, 1959 requires that the expense of providing the proper stamp shall be borne by :
  - (A) The drawer
  - (B) The maker
  - (C) The person executing the instrument
  - (D) The person drawing, making or executing the instrument
6. The date of commencement of the Kerala Stamp Act, 1959 :
  - (A) 1-9-1960
  - (B) 1-10-1960
  - (C) 1-9-1959
  - (D) 1-10-1959
7. The term “instrument” under Section 2 (j) of the Kerala Stamp Act, 1959 does not include :
  - (A) Promissory note
  - (B) Bill of exchange
  - (C) Mortgage deed
  - (D) Both (A) & (B)
8. If the instrument chargeable under the Kerala Stamp Act, 1959 is for amount exceeding one lakh rupees, it should be stamped with e-stamp only :
  - (A) *Kavitha v. State of Kerala 2018 (4) KLT 1220*
  - (B) *State of Kerala v. George Jacob 2005 (4) KLT 709*
  - (C) *New Bus Stand Shop Owners Assn. v. Corporation of Kozhikode (2009)10 SCC455*
  - (D) *Kerala Builders Forum v. State of Kerala 2009(3) KLJ 228*
9. As per the Kerala Stamp Rules, 1960, who is not a “proper officer” for the purpose of the Act ?
  - (A) The Officer in charge of the District Treasury
  - (B) The Superintendent of Stamps
  - (C) Manager of the State Bank of India
  - (D) District Collector

10. The term 'executed' in Section 2 (f) of the Kerala Stamp Act, 1959 with reference to instruments means :
- (A) Implemented (B) Performed (C) Signed (D) Registered
11. Where several instruments are used in single transaction, the principal instrument shall be chargeable with the duty prescribed in the Schedule to the Kerala Stamp Act, 1959. Under Section 4, each of the other instruments shall be chargeable with a duty of :
- (A) ` 1000 (B) ` 2000 (C) ` 500 (D) ` 100
12. The term "impressed stamp" in Section 2 (h) of the Kerala Stamp Act, 1959 includes :
- (A) Labels affixed and impressed by the proper officer  
 (B) Stamps engraved on stamped paper  
 (C) Stamps embossed on stamped paper  
 (D) All of the above
13. In a ..... the right of ownership is transferred.
- (A) Sale (B) Lease (C) Trust (D) Mortgage
14. Under Section 2(d) of the Kerala Stamp Act, 1959 "conveyance" includes :
- (A) A conveyance on sale  
 (B) An order made in respect of amalgamation of a company  
 (C) Only (A)  
 (D) Both (A) & (B)
15. Under Section 2 (o) of the Kerala Stamp Act, 1959, "paper" includes :
- (A) Vellum  
 (B) Any material on which an instrument may be written  
 (C) Parchment  
 (D) All of the above
16. Under Section 2 (e) of the Kerala Stamp Act, 1959 "duly stamped" as applied to an instrument means that the instrument bears an :
- (A) Adhesive stamp (B) Impressed stamp  
 (C) e-stamp (D) All of the above
17. The proper stamp duty provided under the Schedule to the Kerala Stamp Act, 1959 for Notarial Act is :
- (A) Rupees thousand (B) Rupees five hundred  
 (C) Rupees one hundred (D) Rupees fifty
18. Section ..... of the Kerala Stamp Act, 1959 states that 'no duty shall be chargeable in respect of any instrument executed by or on behalf of the Central or State Governments'.
- (A) Section 3 (B) Section 4 (C) Section 5 (D) Section 6
19. The proper stamp duty for certificate of enrolment in the roll of advocates under the Kerala Stamp Act, 1959 shall be :
- (A) Rupees one thousand (B) Rupees five hundred  
 (C) Rupees five thousand (D) Rupees ten thousand

A

20. The proper stamp duty provided under the Schedule to the Kerala Stamp Act, 1959 for Articles of Association of a company having authorized capital up to ` 10 lakhs is :
- (A) Rupees ten thousand (B) Rupees five thousand  
(C) Rupees one thousand (D) Rupees two thousand
21. Which of the following provisions of the Kerala Stamp Act, 1959 requires that 'only one instrument to be on same stamp' ?
- (A) Section 13 (B) Section 14 (C) Section 15 (D) Section 16
22. A bill of exchange drawn on a specified banker is termed :
- (A) Bill of Lading (B) Letter of Credit  
(C) Cheque (D) Actionable Claim
23. The proper stamp duty under the Kerala Stamp Act, 1959 for protest of bill of exchange or promissory note :
- (A) Five rupees (B) Fifty rupees  
(C) Hundred rupees (D) Five hundred rupees
24. No duty shall be chargeable under Section 3 of the Kerala Stamp Act, 1959 for :
- (A) Disposition of a ship or vessel (B) Appraisement  
(C) Acknowledgement of a debt (D) Articles of Clerkship
25. The proper stamp duty under the Kerala Stamp Act, 1959 in the case of warrant for goods :
- (A) One rupee fifty paise (B) Five rupees  
(C) Fifty paise (D) Ten rupees
26. Generally, the proper stamp duty for a security bond under Kerala Stamp Act, 1959 shall be :
- (A) Rupees thousand (B) Rupees five hundred  
(C) Rupees one hundred (D) Rupees fifty
27. An instrument whereby the master of a sea going ship borrows money on the security of the ship to enable him to preserve the ship is called :
- (A) Respondentia Bond (B) Bottomry Bond  
(C) Warrant for goods (D) Security Bond
28. The Indian Stamp Act was enacted in :
- (A) 1872 (B) 1899 (C) 1956 (D) 1932
29. The proper stamp duty under the Kerala Stamp Act, 1959 in the case of chitty or kuri variola where the total amount subscribed exceeds rupees one hundred :
- (A) 0.5% of the amount  
(B) 0.25% of the amount  
(C) Fifty rupees for every ` 1,000 or part thereof  
(D) Hundred rupees for every ` 1,000 or part thereof
30. "Bill of exchange" is defined under :
- (A) RBI Act (B) Negotiable Instruments Act  
(C) Companies Act (D) Notaries Act

31. The proper stamp duty under the Kerala Stamp Act, 1959 in the case apprenticeship deed is :
- (A) Ten rupees (B) Fifty rupees  
(C) Five hundred rupees (D) One hundred rupees
32. As per the law relating to stamps, Hundis may be stamped with :
- (A) Revenue stamp (B) Postal stamp  
(C) Adhesive stamp (D) Non-judicial stamp
33. The authority under Section 45-B of the Kerala Stamp Act, 1959 to make decisions as to instruments undervalued :
- (A) Registering Officer  
(B) District Collector  
(C) The Officer in charge of the District Treasury  
(D) The Superintendent of Stamps
34. Under Section 30 of the Kerala Stamp Act, 1959, in the case of partition, expense of providing stamp shall be borne :
- (A) By the parties in proportion to their shares  
(B) As directed by the Revenue Authority or Civil Court or Arbitrator  
(C) Only (A)  
(D) Either (A) or (B)
35. Which among the following legislation inserted “electronic records” in Section 2 (j) of the Kerala Stamp Act, 1959 ?
- (A) Kerala Finance Act, 2019 (B) Information Technology Act, 2000  
(C) Stamps (Amendment) Act, 2019 (D) Gram Nyayalayas Act, 2008
36. An instrument securing loan on the cargo laden making repayment contingent on the arrival of the cargo at the port of destination is called :
- (A) Respondentia Bond (B) Security Bond  
(C) Bottomry Bond (D) Warrant for goods
37. The proper stamp duty prescribed under the Kerala Finance Act, 2019 for agreement relating to limited liability partnership where the capital does not exceed rupees ten lakhs :
- (A) Rupees one thousand (B) Rupees five thousand  
(C) Rupees one hundred (D) Rupees five hundred
38. The proper stamp duty under the Kerala Stamp Act, 1959 generally for a copy or extract certified to be a true copy or extract by a public officer :
- (A) Hundred rupees (B) Twenty five rupees  
(C) Fifty rupees (D) Two hundred rupees
39. The period of limitation under the Limitation Act, 1963 for suit for the money payable for money lent :
- (A) Three years (B) Thirty days  
(C) Six months (D) One year

A

40. The true test relating to “sufficient cause” under the law of limitation is :
- (A) Due diligence on the part of the applicant  
 (B) Legal disability  
 (C) Balance of convenience  
 (D) Chain of circumstances
41. Which of the following statements is correct as regards Sections and Articles in the Limitation Act, 1963 ?
- (A) Sections and Articles lay down general principles  
 (B) Sections and Articles prescribe period of limitation  
 (C) Sections lay down general principles and Articles prescribe period of limitation  
 (D) Sections prescribe period of limitation and Articles lay down general principles
42. The period of limitation under the Limitation Act, 1963 for suits on bill of exchange payable at a fixed time after demand :
- (A) One year      (B) Thirty days      (C) Three years      (D) Twelve years
43. The period of limitation prescribed under the Limitation Act, 1963 for a suit for foreclosure by a mortgagee :
- (A) Thirty years      (B) Twelve years      (C) Three years      (D) No limitation
44. The period of limitation under the Limitation Act, 1963 for suit on a single bond where a day is specified for payment :
- (A) Twelve years      (B) Thirty days      (C) Three years      (D) One year
45. The period of limitation under the Limitation Act, 1963 to set aside a transfer of immovable property comprised in a religious endowment made by a manager for a valuable consideration :
- (A) Three years      (B) Thirty years      (C) Twelve years      (D) One year
46. Which of the following provisions of the Limitation Act, 1963 deals with “legal disability” ?
- (A) Section 3      (B) Section 4      (C) Section 5      (D) Section 6
47. The period of limitation under the Limitation Act, 1963 for suit on a promissory note payable by installments :
- (A) Twelve years      (B) Three years      (C) Thirty days      (D) One year
48. Section ..... of the Limitation Act, 1963 deals with “disability of one of several persons”.
- (A) Section 5      (B) Section 6      (C) Section 7      (D) Section 8
49. The period of limitation under the Limitation Act, 1963 for suit for compensation for diverting a water course :
- (A) Three years      (B) Thirty days      (C) Twelve years      (D) One year
50. The period of limitation under the Limitation Act, 1963 for suits by principal against agents for misconduct :
- (A) One year      (B) Thirty days      (C) Three years      (D) Twelve years
51. The period of limitation under the Limitation Act, 1963 relating to any application for which no period of limitation is provided elsewhere in the Schedule :
- (A) One year      (B) Twelve years      (C) Three years      (D) No limitation

52. Which of the following is wrongly stated with regard to the Limitation Act, 1963 ?
- (A) Section 11 provides for exclusion of time in legal proceedings
  - (B) Section 13 provides for exclusion of time in suit or appeal by pauper
  - (C) Section 6 deals with legal disability
  - (D) Section 14 provides for exclusion of time of proceedings *bona fide* in court without jurisdiction
53. The period of limitation under the Limitation Act, 1963 for suits against a carrier for compensation for losing goods :
- (A) Twelve years
  - (B) Thirty days
  - (C) Three years
  - (D) One year
54. The period of limitation under the Limitation Act, 1963 for suit for specific performance of a contract :
- (A) Three years
  - (B) Thirty days
  - (C) One year
  - (D) Twelve years
55. Part III of the Limitation Act, 1963 deals with :
- (A) Limitation of suits, appeals and application
  - (B) Computation of the period of limitation
  - (C) Acquisition of ownership by possession
  - (D) Period of limitation in criminal cases
56. The period of limitation under the Limitation Act, 1963 for suit to enforce payment of money secured by a mortgage :
- (A) Twelve years
  - (B) Thirty days
  - (C) Three years
  - (D) One year
57. The period of limitation under the Limitation Act, 1963 relating to an application for leave to appear and defend a suit under summary procedure :
- (A) Thirty days
  - (B) Sixty days
  - (C) Ninety days
  - (D) Ten days
58. The period of limitation under the Limitation Act, 1963 for suit for specific moveable property lost or acquired by theft :
- (A) Three years
  - (B) Thirty days
  - (C) Twelve years
  - (D) One year
59. Section 27 of the Limitation Act, 1963 deals with :
- (A) Acquisition of easement by prescription
  - (B) Exclusion in favor of reversioner
  - (C) Extinguishment of right to property
  - (D) Saving of Section 25 of the Indian Contract Act, 1872
60. The period of limitation under the Limitation Act, 1963 for suit for compensation for false imprisonment :
- (A) Three years
  - (B) Two years
  - (C) Twelve years
  - (D) One year
61. The total number of Schedules in the Limitation Act, 1963 :
- (A) Two
  - (B) Three
  - (C) One
  - (D) Five
62. The period of limitation under the Limitation Act, 1963 relating to a suit upon a foreign judgement :
- (A) Twelve years
  - (B) Thirty years
  - (C) Three years
  - (D) One year

A

63. Section ..... of the Limitation Act, 1963 deals with suits against trustees and their representatives :
- (A) Section 8 (B) Section 9 (C) Section 10 (D) Section 11
64. The period of limitation under the Limitation Act, 1963 relating to a suit by a Hindu governed by Mitakshara law to set aside his father's alienation of ancestral property :
- (A) Twelve years (B) Thirty years (C) Three years (D) No limitation
65. The Schedule to the Limitation Act, 1963 is related to :
- (A) Section 2 (j) & Section 3 (B) Section 2 (j)  
(C) Section 3 (D) Section 3 & Section 6
66. The period of limitation under the Limitation Act, 1963 relating to an application under the Code of Civil Procedure, 1908 for an order to set aside abatement :
- (A) Ten days (B) Sixty days (C) Ninety days (D) Thirty days
67. Section 17 of the Limitation Act, 1963 deals with effect of :
- (A) Fraud or mistake (B) Death  
(C) Acknowledgement (D) Substitution or addition of new parties
68. The period of limitation under the Limitation Act, 1963 relating to an application for the enforcement of a decree granting a mandatory injunction :
- (A) Twelve years (B) Thirty years (C) Three years (D) No limitation
69. The phrase "period of limitation" is defined under Section ..... of the Limitation Act, 1963 :
- (A) Section 2 (j) (B) Section 2 (k) (C) Section 2 (m) (D) Section 2 (n)
70. The period prescribed under the Limitation Act, 1963 relating to easement by prescription in the case of government property :
- (A) Twelve years (B) Thirty years (C) Twenty years (D) Fifty years
71. Which of the following provisions of the Limitation Act, 1963 relate to suits for compensation for acts not actionable without special damage ?
- (A) Section 22 (B) Section 23 (C) Section 24 (D) Section 25
72. The Schedule to the Limitation Act, 1963 contains
- (A) Articles 1-137 (B) Articles 1-136 (C) Articles 1-135 (D) Articles 1-139
73. Section ..... of the Limitation Act, 1963 contains provisions relating to suits for which the prescribed period of limitation is shorter than that prescribed by the Indian Limitation Act, 1908 :
- (A) Section 29 (B) Section 30 (C) Section 31 (D) Section 32
74. Section 2 of the Limitation Act, 1963 provides 'negative' definitions for the terms :
- (A) "Application" and "applicant" (B) "Suit" and "trustee"  
(C) "Tort" and "bond" (D) "Bill of exchange" and "easement"
75. Which among the following terms has not been defined in Section 2 of the Limitation Act, 1963 ?
- (A) Plaintiff (B) Defendant (C) Easement (D) Sufficient cause



76. Legal disability under the Limitation Act, 1963 applies to :  
 (A) Minor (B) Insolvent (C) Foreigner (D) Convicted
77. Section 74 of the Kerala Court Fees and Suits Valuation Act, 1959 contains special provisions in favor of :  
 (A) Registered Trade Union (B) Scheduled Caste or Scheduled Tribe  
 (C) Workmen (D) All of the above
78. The proper fee for a copy or translation of a judgement or order of a criminal court prescribed under the Kerala Court Fees and Suits Valuation Act, 1959 :  
 (A) Two rupees (B) Five rupees (C) Fifty rupees (D) Four rupees
79. Exemption to State from paying court fee is not discriminatory. It was so held in :  
 (A) *Human Rights Protection Forum v. Kerala, 2003 (3) KLT 436*  
 (B) *Victoria v. Yesuraj, 2017 (5) KHC 319*  
 (C) *Abdulla v. Kerala, 2003 (1) KLT 961*  
 (D) *Vasudevan v. Kerala, 2010 (4) KLT 301*
80. The proper fee for application presented before the High Court for arrest before judgement prescribed under the Kerala Court Fees and Suits Valuation Act, 1959 :  
 (A) Five rupees (B) Two rupees  
 (C) Fifty rupees (D) Four rupees
81. The year of commencement of the Kerala Court Fees and Suits Valuation Act, 1959 is :  
 (A) 1959 (B) 1960 (C) 1961 (D) 1962
82. Who is the *ex-officio* chairman of the “Kerala Legal Benefit Fund Trustee Committee” constituted under the Kerala Court Fees and Suits Valuation Act, 1959 ?  
 (A) Minister of Law (B) Chief Justice of the High Court  
 (C) Advocate General (D) Law Secretary
83. Section ..... of the Kerala Court Fees and Suits Valuation Act, 1959 provides for the levy of fee at the time of institution of suit :  
 (A) Section 4 (B) Section 4-A (C) Section 5 (D) Section 5-A
84. The proper fee for election petition relating to the office of a member of Panchayat and a President of Panchayat prescribed under the Kerala Court Fees and Suits Valuation Act, 1959 :  
 (A) Fifty rupees and one hundred rupees respectively  
 (B) One hundred rupees and two hundred rupees respectively  
 (C) Five rupees and fifty rupees respectively  
 (D) Two hundred and fifty rupees and Five hundred rupees respectively
85. The total number of Schedules in the Kerala Court Fees and Suits Valuation Act, 1959 :  
 (A) One (B) Two (C) Three (D) Four

A

86. The proper fee for application for a caveat prescribed under the Kerala Court Fees and Suits Valuation Act, 1959 :
- (A) Fifty rupees (B) Two rupees (C) Five rupees (D) Four rupees
87. Section 7 of the Kerala Court Fees and Suits Valuation Act, 1959 relates to :
- (A) Multifarious suits  
 (B) Determination of market value  
 (C) Set off and counter claim  
 (D) Document falling under two or more descriptions
88. The period prescribed under the Limitation Act, 1963 relating to easement by prescription in the case of private property :
- (A) Twelve years (B) Thirty years  
 (C) Twenty years (D) Fifty years
89. The provisions relating to original and appellate jurisdiction of the district courts and sub courts in Kerala are embodied under :
- (A) Sections 11 & 13, the Kerala Civil Courts Act, 1957  
 (B) Section 12 the Kerala Civil Courts Act, 1957  
 (C) Sections 10 & 11, the Kerala Civil Courts Act, 1957  
 (D) Sections 12 & 13, the Kerala Civil Courts Act, 1957
90. "Subordinate courts" under the Kerala Civil Courts Act, 1957 means :
- (A) Subordinate to the District Court (B) Subordinate to the High Court  
 (C) Subordinate to the State Government (D) Subordinate to Supreme Court
91. Part ..... of the Kerala Civil Courts Act, 1957 provides for the constitution of subordinate civil courts :
- (A) I (B) II (C) III (D) IV
92. Section ..... of the Kerala Civil Courts Act, 1957 bars the judges from trying suits in which they are personally interested.
- (A) Section 14 (B) Section 15 (C) Section 16 (D) Section 17
93. The provisions of the Kerala Civil Courts Act, 1957 relating to the jurisdiction of subordinate civil courts :
- (A) Sections 2-8 (B) Sections 9-15 (C) Sections 16-20 (D) Sections 20-A-22
94. The local limits of jurisdiction of Munsiff's court can be varied under Section 10 of the Kerala Civil Courts Act, 1957 by :
- (A) The District Judge  
 (B) The Government  
 (C) The High Court  
 (D) The Government in consultation with the High Court

95. The power of the civil courts to require witness to make oath or affirmation has been provided in Section ..... of the Kerala Civil Courts Act, 1957.  
(A) 10 (B) 12 (C) 14 (D) 16
96. The High Court of Kerala Rules came into force in :  
(A) 1958 (B) 1959 (C) 1971 (D) 1961
97. Which among the following is false with regard to Kerala Small Cause Courts Act, 1957 ?  
(A) "Court of small causes" includes any person exercising jurisdiction under the Act  
(B) Claims relating to *mesne profits* can be tried by a court of small causes  
(C) Registrar of the court can try a suit  
(D) Court of small causes is subject to the superintendence of the High Court
98. For the purpose of Kerala High Court Act, 1958, the term "Code" means :  
(A) The Indian Penal Code, 1860 (B) The Code of Civil Procedure, 1908  
(C) The Code of Criminal Procedure, 1973 (D) Both (B) & (C)
99. The power of adjournment of cases by the Chief Ministerial Officer is specified under Section ..... of the Kerala Small Cause Courts Act, 1957  
(A) Section 16 (B) Section 17  
(C) Section 18 (D) Section 19
100. The matters specified in the Schedule to the Kerala Small Cause Courts Act, 1957 :  
(A) Suits exempted from the cognizance of the Court of small causes  
(B) The proper court fees to be paid  
(C) The statutes repealed by the Act  
(D) None of the above
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**A**

**SPACE FOR ROUGH WORK**

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