
LEGAL REASONING

Passage 1

The Constitution which lays down the basic structure of a nation's polity is built on the foundations of certain fundamental values. The vision of socio-economic change through the Constitution is reflected in its lofty Preamble. The Preamble expresses the ideals and aspirations of a renaissance India. By the year 1949, the Constituent Assembly had completed the drafting of the Fundamental Rights Chapter. Fundamental Rights are constitutional guarantees for the human rights of our people. These rights were one of the persistent demands of our leaders throughout the freedom struggle. The founding fathers were conscious of the fact that mere political democracy, i.e., getting the right to vote once in five years or so was meaningless unless it was accompanied by social and economic democracy. Dr. Ambedkar had said:

"We do not want merely to lay down a mechanism to enable people to come and capture power. The Constitution also wishes to lay down an ideal before those who would be forming the government. That ideal is of economic democracy." Our founding fathers, however, were far-sighted people therefore they consolidated the principles of good governance as Directive Principles distinguished from issues of rights, government and politics.

That is how the vision of our founding fathers and the aims and objectives which they wanted to achieve through the Constitution are contained in the Preamble, the Fundamental Rights and the Directive Principles. These three may be described as the soul of the Constitution and the testament of the founding fathers to the succeeding generations together with the later Part on Fundamental Duties.

1. Based on the author's argument, which is the most possible inference author is most likely to agree with?
 - (a) Constitution is a means to give power to some people.
 - (b) Fundamental Rights coupled with Directive Principles of State Policy and the Preamble forms the basic structure of Constitution.
 - (c) Political Democracy is the soul of the Constitution.
 - (d) The fundamental rights were included in the constitution to honour the struggles of freedom fighters.

2. The state government decided not to charge any amount from lady passengers travelling on state run buses. The move was taken with a view to ensure protection and safety for lady commuters. Inevitably, this caused great rush in busses during peak office hours. Arvind, a daily commuter filed a petition before the High Court stating that the government's decision is violative of fundamental rights as it is discriminatory. Based on the passage, choose the most appropriate option.
 - (a) The privilege violates right to equality as the rule is discriminatory towards male commuters and hence is unconstitutional.
 - (b) The privilege does not violate right to equality as the governments should work under certain ideals and hence is constitutional.
 - (c) The privilege violates fundamental rights as providing free rides would cause huge losses to the government.
 - (d) The privilege does not violate fundamental rights as the state government has power under constitution to do as they like.

3. It is fundamental right of every citizen not to be discriminated on the ground of religion, race, sex, and place of birth or any of them. However, nothing in the fundamental rights shall prevent the state from making any special provision for women, children or elderly. State of XYZ enacted a law granting reservation of 50% in National Law School XYZ - to the native students scoring more than 75% percent in XII Examination. Based on the essence of the passage, decide whether the move of reservation is constitutional or not:
 - (a) Reservation is constitutional as it makes distinction on basis of merit.
 - (b) Reservation is constitutional as it addresses need of local students.
 - (c) Reservation is unconstitutional as it makes distinction on basis of place of birth.
 - (d) Reservation is unconstitutional as it makes distinction on basis of academic achievement.

4. Directive Principles of State Policy is non-justifiable and shall not be enforceable by any court of law. Shreeyam works as a peon in a government department of state and is paid a salary which is less than another peon employed in a different department of the same state though both have similar duties to discharge and both possess similar qualifications. Shreeyam has filed a writ petition claiming the same salary as the other peon under the principle of equal pay for equal work (which is a Directive Principle of State Policy) and his Fundamental Right to equality and equality of opportunity in matters relating to employment.
- He is entitled to equal pay as equal pay for equal work is a Directive Principles of State Policy and the State is required to enforce it.
 - He is entitled to equal pay as Directive Principles of State Policy of equal pay for equal work can be deduced from the Fundamental Rights of equality.
 - He is not entitled to equal pay as Directive Principles of State Policy are not justifiable.
 - He is not entitled to equal pay as it is not a fundamental right.
5. The Supreme Court held that access to Internet is a fundamental right under Article 19 of the Constitution. Abhishek has recently finished his MBA degree and after appearing for few interviews, came back to his native town, Muzafarnagar in Uttar Pradesh. Due to the ongoing protests in the Muzafarnagar, the government decided to take away internet access from the residents. Abhishek received a mail stating that he has been offered a job in one of the companies he interviewed for and he needs to send an email confirming his assent for the job within 48 hours. Due to lack of internet access in his region he was unable to send his confirmation and the job was offered to someone else. Abhishek wants to file a case against the government as his fundamental right of access to internet was violated.
- The main idea behind the constitution was to provide social economic and political democracy. Taking away access to internet is thus unconstitutional
 - Government is responsible to maintain order in the state. Hence taking away internet is constitutional as it was necessary to maintain law and order
 - There is no valid basis for Abhishek to file a case as he could have taken precautionary measures in order to avoid a situation like this.
 - Abhishek is bound by the decision of the government. Hence he cannot file a case against it.

Passage 2

The government is set to adopt a host of measures to control population growth, including offering family planning support and investing in the behavioural change of people and making family planning a national priority. Federal policy think tank NITI Aayog will consult subject specialists and officials on Friday to find ways of strengthening the country's population policy and family planning programmes, the government said. Some of the suggested measures to check population explosion in India are listed below:

- As fertility depends on the age of marriage. So the minimum age of marriage should be raised. In India, presently, minimum age for marriage is 21 years for men and 18 years for women. This will reduce the period of reproductive age among the females bringing down the birth rate.
- The spread of education changes the outlook of people. The educated men and women prefer to delay marriage and adopt small family norms. Educated women are health conscious and avoid frequent pregnancies and thus help in lowering birth rate.
- More and more people should be covered under-social security schemes. So that they do not depend upon others in the event of old age, sickness, unemployment etc. with these facilities they will have no desire for more children.
- Improved standard of living acts as a deterrent to large family norm. In order to maintain their higher standard of living people prefer to have small family.
- Increase in contraceptives use. By applying preventive measures, people can regulate birth rate. This method is being used extensively; success of this method depends on the availability of cheap contraceptive devices for birth control.
- Birth rate will likely to fall if there are different recreational facilities like cinema; theatre, sports and dance etc are available to the people.

- The communication media like, T.V., radio and newspaper are the good means to propagate the benefits of the planned family to the uneducated and literate persons especially in the rural and backward areas of country.
 - The govt. can give various types of incentives to the people to adopt birth control measures. Monetary incentives and other facilities like leave and promotion can be extended to the working Gleees-which adopts small family norms.
 - Another method to check the population is to provide employment to women. Women should be given incentive to give services in different fields. Women are taking active part in competitive examinations. As a result their number in teaching, medical and banking etc. is increasing rapidly.
6. The government of Haryana plans to construct sports complexes in every town of the state. Each sports complex will have an Olympics size swimming pool, table tennis court, running track, a basketball ground and the sitting capacity for audiences. The total cost of the project was calculated to be around fifteen thousand crore rupees. Choose the most appropriate answer from the option based on the above passage.
- (a) The sports complex will help bring down the fertility rate in Haryana.
 - (b) The sports complex will help bring down the death rate of India.
 - (c) The sports complex will help bring down the death rate of Haryana.
 - (d) The sports complex will help increase the birth rate of Haryana.
7. Tosh is a small remote village in Himachal Pradesh. There the marriage occur at a very age (i.e. before the age of majority). Radhe was an illiterate girl. She married off at the age of 15 years, saw an advertisement when she was at her matrimonial home in which they discussed about the benefits of family planning. A new injection was also suggested which gave protection from pregnancy for 3months after getting the single shot. She requested her husband to get her injected with the same. Choose the most appropriate option as per the above reading.
- (a) Radhe's action are offensive to Indian culture as taking any type of contraceptive is a taboo.
 - (b) The television advertisements must target rural men rather than women, as in the rural setting it is the men who makes all the decision related to family planning.
 - (c) Advertisement on television are good way to disseminate and increase use of contraceptives especially in rural and hinterland areas of the country.
 - (d) The government should rethink its strategies on family planning as there is no impact of it on the Indian masses.
8. Taking into consideration a hypothetical situation, if the GOI passes a law which increases the minimum age to marriage of men to 25years and of women to 22years. Choose the most appropriate answer based on your passage reading.
- (a) The government cannot pass such a law as marriage is a personal choice.
 - (b) The government can pass such a law but cannot have any discrepancy between the age of male and female.
 - (c) The move by the government will help in reducing the population growth in India.
 - (d) Merely taking legal actions cannot change the social behavior. There must be social efforts to bring in social change.
9. Kush is marginal farmer in Maharashtra. He enrolled himself to one of the state government's pension scheme. Later, he got married and was soon the father of two magnificent daughters whom he married off as they reached their age. He had one elder brother, who did not financially plan their old age and had three sons and seven daughters. He was dependent upon his son for his old age. Choose.
- (a) The fact given show that education has a positive impact on family planning measures.
 - (b) Kush was a cunning person as he did not make aware to his brother about the perks of social security schemes.
 - (c) Kush's brother must be forcefully sterilized to control the population growth in India.
 - (d) The above mentioned facts shows the benefits of social security schemes on family planning.

10. The Central government enacted a new law which entitles all couples having only one child exemption from tuition fees for their child from Classes I to XII across all the Center or state owned schools in the country. Besides, the couple having only two children will get 50% exemption for their first child in the tuition fees and couples with more than 2 children will not get any such benefits. Ela and her husband, Bhushan decided to have only one child to get the benefit of the scheme. Choose the most appropriate answer.
- (a) This government scheme will not motivate the couples to have less children.
 - (b) This incentive schemes of the govt. will encourage the couple to have less children.
 - (c) Children are unborn soul. The following scheme only gives the negative narrative to the society.
 - (d) The incentive scheme will cost the exchequer over tens of crore of rupees and may not be financially viable.

Passage 3

Hopefully, all those imbued with a deep commitment to public service join the ranks of public servants. Such public servants are required or expected to discharge their public duties with an acute sense of integrity, fair play and objectivity. But, alas, this is not so. There are public servants and public servants who do not measure up to this benchmark.

Prevention of Corruption Act was passed to put down the said social evil i.e. bribery and corruption by public servant. It also aims to protect honest public servants from harassment by prescribing that the investigation against them could be made only by police officials of particular status and by making the sanction of the Government or other appropriate officer a pre-condition for their prosecution. As it is a socially useful measure conceived in public interest, it should be liberally construed so as to bring about the desired object, i.e. to prevent corruption among public servants and to prevent harassment of the honest among them.

If a public servant takes gratification other than his legal remuneration in respect of an official act, he is criminally liable under Prevention of Corruption Act (PCA).

Mr. Ramji Naresh was a peon with a government telecommunication department. The department has a huge backlog of outstanding bills. The department head Mr. Chauhan decide to disconnect all telecommunication connection bills of which are outstanding over six months. Gaurav had not paid bill over 12 months. He was friends with Mr. Ramji Naresh. He asked him for help. Mr. Ramji Naresh asked Rs. 2000 for changing his due date from 10 to 1 month. Gaurav refused.

Further allegations against the Mr. Ramji Naresh was that he had prepared a false T.A. Bill and had cheated the Government Company and was guilty of serious criminal misconduct as envisaged by the Prevention of Corruption Act. The learned Special Judge accepted the State's case and convicted Mr. Ramji Naresh. Mr. Ramji Naresh then filed an appeal before the High Court which allowed appeal, mainly on the ground that as Mr. Ramji Naresh was not a public servant as contemplated by the provisions of the Prevention of Corruption Act; his trial under the said Act was without jurisdiction.

Section 21 of the Penal Code defines Public Servant as "Every person appointed in the service, pay of the Government, remunerated by fees or commission for the performance of any public duty by the Government."

11. Riti is working in government hospital as a nurse. During the second wave of corona virus when there is shortage of Ramdesivir medicine, Rita was supplying the stocked Ramdesivir medicine at higher price to the private hospital nearby without the knowledge of the concerned hospital for which she was working for monetary benefit. Lately, Riti's activity came to the notice of hospital authority. Whether Riti is liable for taking gratification other than her legal remuneration?
- (a) Riti is liable under PCA act.
 - (b) Riti is not liable under PCA act.
 - (c) Riti and the Private hospital to which she was supplying the Ramdesivir medicine will be held liable under PCA act.
 - (d) Riti might be suffering from financial crunch. She can take her financial situation as a plea to escape from the charges.

12. Based on the passage given above, decide whether Mr. Ramji Naresh is liable for taking gratification other than his legal remuneration.
- Mr. Ramji Naresh is liable under PCA act.
 - Mr. Ramji Naresh is not liable under PCA act.
 - Mr. Ramji Naresh did not inform Mr. Chauhan so he is not liable.
 - Mr. Ramji Naresh and Gaurav both are liable under PCA act.
13. Municipal Councillors is elected by the people. Ramcharan, a Municipal Councillor, was prosecuted under IPC and the Prevention of Corruption Act. Ramcharan contended that as a Municipal Councillor was not a 'public servant' within the meaning of Section 21 of the Indian Penal Code, he could not be prosecuted under the Act. Decide whether Ramcharan is a Public Servant under Section 21 IPC or not?
- No, Ramcharan is not a Public Servant, since he is not in the service and performing public duty by the Government.
 - Yes, Ramcharan is a Public Servant, since he has taken oath to serve the public.
 - Yes, Ramcharan is a Public Servant, since he is a Municipal Councillor who are undoubtedly acting in the public interest and serving the basic needs of the people who elected them.
 - No, Ramcharan is not a Public Servant, since does not owe his appointment to any governmental authority.
14. Laljit is the member of the Managing Committee of the co-operative societies and the Chairman of such cooperative societies. Members are appointed as per the rules of the co-operative societies. Co-operative societies are the extended limbs of the Government. Laljit was caught red handed taking bribe. He agitated before the Judge that he is not a public servants for the purposes of offences under the Indian Penal Code and the Prevention of Corruption Act. Decide whether Laljit is a Public Servant under Section 21 IPC or not?
- No, Laljit is not a Public Servant, since he is not acting in the course of employment of Co-operative Society while taking the bribe.
 - Yes, Laljit is a Public Servant, since he has taken bribe he should be considered as a public servant.
 - Yes, Laljit is a Public Servant, since he is a Member appointed as per the rules.
 - No, Laljit is not a Public Servant, since Managing Committee members are elected entities.
15. It is a principle of Criminal Law that Penal Statutes are to be construed strictly. Based on the inference drawn, what should be the author's stand on this principle of criminal law?
- Author would welcome such principle as it seeks to limit the State Authority.
 - Author would welcome such principle as it will make the environment conducive and save the Public Servants from unnecessary and vexatious prosecutions.
 - Author would oppose such principle as it will have detrimental impact on the norms of public service and in still lethargy in the administration.
 - Author would oppose the strict interpretation of Prevention of Corruption since it will undermine the public interest and produce undesirable object.

Passage 4

The government on January lifted the bar on tax payers having joint property ownership from filing income tax return in ITR Forms 1 and 4 meant for people with income up to Rs. 50 lakh per annum from salary, business or profession, provided such tax payer's income from salary, business or profession is below Rs. 50 lakh.

An official statement from the Central Board of Direct Taxes (-CBDTII) said that the eligibility norms for filing tax returns in ITR Forms 1 (called Sahaj) and Form 4 (called Sugam) have been eased. The move comes after tax payers expressed concerns about the conditions regarding use of these forms that were notified on 3 January.

The earlier notification had said that persons who own a property in joint ownership were not eligible to file their tax returns in these two forms. It also meant that certain persons who are

required to file returns only because of certain transactions entered into during the year such as bank deposits above Rs. 1 crore, spending more than Rs. 2 lakh on foreign travel or spending more than Rs. 1 lakh on energy consumption, were not able to use these two forms and instead had to go for more detailed forms. The lifting of the restriction allows these assesses to use ITR Forms 1 and 4.

"After the aforesaid notification, concerns have been raised that the changes are likely to cause hardship in the case of individual taxpayers. The taxpayers with jointly owned property have expressed concern that they will now need to file a detailed ITR Form instead of a simple ITR-1 and ITR-4," said the statement, adding that restrictions were removed after looking into their grievance.

Tax experts welcomed the move. "This is a welcome clarification from the government, allowing middle class taxpayers owning a single house property to file simpler ITR forms ITR-1 and ITR-4 and not the detailed ITR forms, even if they own house property in joint names," said Shailesh Kumar, director, Nangia Andersen Consulting Pvt. Ltd. Taxpayers owning multiple house properties, however, will have to file more detailed ITR forms, as the government apparently believes additional house properties as investment and not as basic need.

16. Safina and her son live in a house that Safina owns on the outskirts of the city. After her son's wedding, Safina buys a flat in the middle of the city, and tells her son that he and his wife can live there. Safina earns interest of Rs. 55 lakh per year from a large deposit that her mother had left for her when she passed away, and Safina lives on this interest alone, since her work as a care provider in the local charity hospital does not get her a salary. Can Safina file her income tax returns in ITR Forms 1 and 4?
 - (a) Yes, since her income is not from salary, business or profession.
 - (b) Yes, since she bought the flat for her son to stay in, and not as an investment.
 - (c) No, since she owns multiple house properties.
 - (d) No, since her income is above the prescribed limit.
17. Seema runs a large software business, and earns about Rs. 35 lakh a year from the business. Her offices are located in Bangalore, but most of her clients are located in Delhi. Seema has to travel a lot between these cities, and spends almost equal amounts of time in both cities, so she rents a flat in each city, and lives in those flats, rather than staying in hotels. Can Seema file her income tax returns using ITR Forms 1 and 4?
 - (a) Yes, since her income is below the prescribed limit.
 - (b) Yes, since she spends her time between two different cities.
 - (c) No, since she has two flats, and is therefore ineligible.
 - (d) No, since she runs a large software business, and the income of the business must be combined with her own income.
18. Rupert studies law, and stays in the hostel provided by his college, since his home is in a different city. His parents send him about Rs. 5,000/- per month for his expenses, which they transfer to his bank account. Rupert inherited a flat in a posh location in the city from his uncle this year, and decided to sell it. He sold the flat for Rs. 2 crore, which amount the purchaser transferred to Rupert's account. Can Rupert file his income tax returns in ITR Forms 1 and 4?
 - (a) Yes, since Rupert has not had any income in the past year.
 - (b) Yes, since the money deposited in his account is not income from salary, business, or profession.
 - (c) No, since inheriting a property from a relative is similar to jointly owning that property with them.
 - (d) No, since his income in the year has been much more than the prescribed limit.
19. Using the income from his medical practice, Parvez buys the flat adjoining the one that he stays in with his wife. The couple decide to break down the wall separating the two flats, and combine them into one large home for themselves. He also buys the chambers where he conducts his practice, a smart set of rooms in an office building. These are the first properties Parvez has bought, and he does not own any other properties. The next year however, Parvez's income reduces to Rs. 30 lakh for the entire year. Would he be eligible to file his income tax returns in ITR Forms 1 and 4 for that year?

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- (a) Yes, everyone with income below the prescribed limit of Rs. 50 lakh per annum can file returns in ITR Forms 1 and 4.
- (b) No, since he now owns multiple properties.
- (c) Yes, since his income is below the prescribed limit, and he does not own multiple house properties.
- (d) No, since combining his flat with his wife's means that he now jointly owns that property with his wife.
20. Parvez is a doctor, and has a very successful practice that he has been running in a big city for the past twenty years. He earns approximately Rs. 60 lakh per annum from the practice, but also has to spend about Rs. 30 lakh per year on expenses for his practice, such as rent for his chambers. He lives with his wife in a flat that is owned by his wife. Parvez tries to file his income tax returns on January Using ITR Forms 1 and 4, but the CBDT says that he is ineligible to file his returns in those forms, and must instead use more detailed forms. Parvez challenges this decision of the CBDT. Will he succeed?
- (a) Yes, because the flat he lives in is owned by his wife, and not by them jointly.
- (b) Yes, because he spends a lot of the money he earns on the practice, and so, his real income is below Rs. 50 lakh per annum.
- (c) No, since living in a property owned by someone else is equivalent to jointly owning that property.
- (d) No, since his annual income is more than Rs. 50 lakh.

Passage 5

Crime has existed in society since time immemorial and is considered to be inevitable. In order to keep crime and criminals at bay, the law has been created to ensure public order and to keep the society fairly organized. Law enforcement is a type of mechanism wherein the professionals work together in order to enforce law and order through various techniques such as deterrence, rehabilitation and punishing individuals who disobey the law of the land. Police Officers can be categorized as one of the most important aspects of the law enforcement mechanism. The police are authorized and emancipated by the state to enforce and implement law and order in the societal structure. However, in recent years a lot of police personnel have been misusing their powers and are violating the laws which are supposed to be enforced. Police misconduct can be defined as inappropriate conduct exhibited by a police officer or unlawful actions taken by them in connection with their official duties.

On 15 November 1977, The Government of India appointed a National Police Commission. The commission was appointed in order to evaluate the role and performance of the police both as a law enforcement agency and also as an institution to protect and preserve the Fundamental Rights and Human Rights of the citizens enshrined in the Constitution. The National Police Commission had various terms of reference which required the Commission to redefine the role, powers and responsibilities in order to keep a track of the maintenance of public order along with prevention and control of crime. The Commission was also required to recommend various measures and institutional changes in order to prevent the misuse of powers by the police or by the political executives so that a process of impartial inquiry of the complaints made by the public can be enforced which are made against the police officers about the misuse of their powers.

When the recommendations given by the National Police Commission have not implemented due to various different factors a petition under Article 32 of the Constitution of India was filed by Prakash Singh, a Padmashree awardee, who was a renowned police officer known for his impeccable contribution to the society and Indian Police Service along with two other petitioners praying for the issue of directions to the Government of India to frame and establish a new Police Act based on the recommendations given by the Commission in order to ensure the effective functioning of the people.

Police Complaints Authority: Composition. Power and Functions:

- At the District Level, there shall be a Police Complaint authority to look into the matter of complaints against the police officer of and up to the Rank of Deputy Superintendent of Police.

- The State Level- Police Complaints Authority would take cognizance of only those cases which involve allegations of serious misconduct by Police Officers or Workforce.
 - Apart from the incidents mentioned above the District Level Police Complaints Authority will take notice of and inquire into accusations and allegations of extortion, land/house grabbing, or any other incident or case involving gross misuse of authority. The recommendations made by these authorities shall have a binding effect on any action that is departmental or criminal against an irresponsible and delinquent police officer.
21. Capital Punishment is one of the most rigorous form of punishment which is being practised by many countries throughout the globe. This particular essay mainly aims at?
 - (a) At outlining the current status of capital punishment at the international level
 - (b) To know the rational behind abolition of the practice of Capital Punishment in Russia only
 - (c) The world must come together to protest against the practice of capital punishment at the international level
 - (d) To know the reasoning behind the abolition of the practice of Capital Punishment in India within its own territorial jurisdiction
 22. After witnessing the recent changes and amendments in the provisions of Capital Punishment at international level, which of the following can be say about its approach?
 - (a) The practice of Capital Punishment is regaining its momentum at international level
 - (b) As per the recent statistics at a global level, the implementation and adoption of the capital punishment can be said to approaching towards its abolition
 - (c) Many countries throughout the globe, abolishing the practice and concept of Capital Punishment due to pressure from many International organizations including International Court of Justice.
 - (d) None of the option is relevant with respect to the situation
 23. Adoption of the abolition move of death penalty in year 1995 by Spain was taken on which ground, in accordance with the given passage?
 - (a) It was taken on the ground that outside the criminal justice oysters of any civilization or society implementation of the same is necessary
 - (b) It was taken on the ground that Capital Punishment or death penalty is very rigid and inhuman form of punishment
 - (c) It was taken on the ground that, in spite of the offence committed by the offender is inhuman, death penalty should not be given
 - (d) It was taken on the ground that within the criminal justice system of any civilized Nation or society, implementation of the same is not necessary
 24. Despite undertaking of abolishments by many countries, within the purview of International Law such as under the International Covenant on Civil and Political Rights or that of any other universal International treatise formed, the provisions concerning death penalty is not prohibited. Contrary to this, there are some other instruments that exist concurrently. One of the most important instruments is/are?
 - (a) Venezuela Act of 1985 on Political Disarmament
 - (b) Second Optional Protocol to the International Covenant on Civil and Political Rights
 - (c) Abridgment of other Human Rights given under International Covenant on civil and Political Rights (ICCPR) with execution of Death Penalty
 - (d) Both (a) & (c)
 25. In the above mentioned passage, what is the point that the author is trying well to construe about the majority of the nation regarding capital punishment or death penalty?
 - (a) It can be well construed that majority of the Nations and International Organisations are pledging for removal of Capital Punishment from the boundaries of Criminal Justice System
 - (b) The majority of the Nations and International Organisations including International Court of Justice are willing to adopt the procedures of Capital Punishment with more rigidity
 - (c) India is going to give their consent for the implementation of capital punishment after amending its old procedures
 - (d) Both b & care relevant according to the author

Passage 6

India's central government said it is –empowered to intercept, monitor and decrypt digital information in the public interest as long as its agencies follow the law.

Laws allowed the central government to intercept -any information generated, transmitted, received or stored in any computer resource, II G. Kishan Reddy, junior minister for India's Ministry of Home Affairs told Parliament in a written reply when asked by an opposition lawmaker whether the government had snooped on WhatsApp, Facebook Messenger, Viber, and Google calls and messages. Information can only be intercepted by -authorised agencies as per due process of law, and subject to safeguards as provided in the rules, II the statement said.

Reddy didn't answer a question on whether the federal government had used the services of NSO Group's Pegasus software to snoop on calls and messages on WhatsApp Inc's mobile platform. Indian news reports had earlier this month listed activists and human rights lawyers who had spoken out against government policies as among those whose phones were hacked.

Facebook Inc., parent of WhatsApp, informed about 1,400 users that a malware was sent on their devices using the video calling system, the company had said in a statement. Facebook has sued spyware manufacturer NSO, alleging that the Israeli company hacked into the mobile phones of users.

The government can monitor digital information "in the interest of the sovereignty or integrity of India, security of the State, friendly relations with foreign States or public order or for preventing incitement to the commission of any cognizable offence relating to above or for investigation of any offence," Reddy said in his written statement to the parliament. No state agency has blanket permission for interception, he added. Each case is reviewed by a committee headed by the cabinet secretary in case of federal government and chief secretary of the state in case of a state government.

Facebook is currently fighting a case in India's Supreme Court that may decide whether WhatsApp, other messaging services providers, and social media companies can be forced to trace and reveal the identity of the originator of a message. Facebook has invoked users' right to privacy as part of its defense in the top court.

India plans to introduce rules to regulate social media because it can cause "unimaginable disruption" to democracy, Prime Minister Narendra Modi's government said in a legal document filed in the nation's Supreme Court last month.

26. The town of Sadanandpur has often witnessed communal riots in the past. The CBI obtained permission from the cabinet secretary in 2013 to monitor and intercept the digital information of Ghaney Singh, a local politician, who is connected with communal activities, and who has often been seen inciting people to commit violent crimes in the name of religion. In May 2020, the CBI, fearing a resurgence of communal activity in Sadanandpur, decide to start monitoring Ghaney Singh's online activities once again without the knowledge of anyone outside the CBI. Can the CBI do so?
- (a) Yes, since Ghaney Singh is often seen inciting people to commit violent crimes in the name of religion.
 - (b) No, since there is nothing to show that Ghaney Singh was involved in the communal activities in 2020.
 - (c) No, since they did not take the cabinet secretary's permission for the interception in 2020.
 - (d) Yes, since they had already taken the cabinet secretary's permission to do so.
27. The makers of the Unicorn software mentioned in the previous question want to sell their software to various government agencies in India. When they approached the CBI, an investigative agency of the central government, they were told that the CBI would only consider using their software if the company could demonstrate that Unicorn could actually intercept WhatsApp messages. In order to demonstrate this, the company randomly intercepted some WhatsApp messages of people from across the country, and brought the records to the CBI. The CBI now says that the company has violated the law, since it carried out unauthorised interception of digital information in the country. Is the CBI correct?

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- (a) Yes, since the Unicorn makers, a private company, did not have the authority to intercept digital information.
- (b) Yes, since the Unicorn makers should have taken the CBI's permission before randomly intercepting WhatsApp message.
- (c) No, since the company was collecting evidence that Unicorn actually worked, at the CBI's direction.
- (d) No, since the company was told by the CBI to intercept people's WhatsApp messages.
28. Madhu works for a non-governmental organisation (NGO) that is suspected by the government of misappropriating funds meant for the welfare of women and children. She wrote a letter to her colleague in another city, setting out the details of the NGO's accounts. Since the NGO is under suspicion, the local post office near Madhu's office is under orders to send the local police station any letters that may be sent from the NGO's office. Madhu's letter is sent to the local police station, where it is opened and read; seeing that there was nothing wrong in the letter, the police sent it on to Madhu's colleague. When Madhu finds out about this, she is very upset, and claims that the police have violated her rights by intercepting her letter. Have the police violated the law?
- (a) Yes, since Madhu's actions did not threaten the security of the state.
- (b) Yes, since the law empowers government agencies to intercept digital information only.
- (c) No, since Madhu's NGO was under suspicion.
- (d) No, since it was necessary for them to read the letter to help their investigation of the NGO.
29. Komal is a police officer who is posted to a town near India's border with Bangladesh. The area is infamous for being a hotbed of illegal immigration — many thousands of illegal immigrants from Bangladesh often slip through the border near the town and enter India. Over time, Komal has become sympathetic to the cause of these illegal immigrants. Her colleague hears Komal talking over the phone to someone one day, telling them that she was part of a Facebook group that provided tips and secret information to people across the border who wished to come into India illegally. The colleague tells his superiors, and based on this information, the NIA, an investigative agency of the central government, starts monitoring Komal's Facebook activities. Does the NIA have the authority to do so?
- (a) No, since Komal was only a member of the Facebook group and had not posted anything on it.
- (b) Yes, since it was necessary to do so to investigate offences against the sovereignty, integrity, and security of India.
- (c) Yes, since Komal's actions were not right for a police officer.
- (d) No, since Komal had not done anything that compromised the sovereignty and integrity of India.
30. Varun is a poet who often writes poems criticising the policies of the government of Bihar, his home state. Varun is also suspected of having collaborated with some Naxalite organisations in the past, who are known for committing violent crimes against the armed forces of India. The investigative agency of the Bihar government decides to monitor Varun's WhatsApp message using a software called Unicorn', made by a private company based in Israel. Varun challenges this, claiming that the Bihar government does not have the authority to intercept his WhatsApp messages. Will Varun succeed?
- (a) No, since the Bihar government's interception of Varun's messages was done in the interest of public order.
- (b) No, since Varun associated with Naxalite organisations, which threatened the security of the State.
- (c) Yes, since his actions did not threaten the security of the state.
- (d) Yes, since the state government of Bihar is not empowered to intercept digital information.

Passage 7

Given that secularism had not been defined in the Constitution and did not form part of the preamble until the 1970s, and since the concept is neither self-evident nor self-explanatory, the task of defining and elaborating the concept of secularism has fallen upon the shoulders of the Supreme Court.

On 27 October 2016, amidst an acrimonious legal debate on curbing the role of religion in electioneering, the Supreme Court rhetorically asked whether secularism meant the complete separation of religion from politics. The bench concluded that secularism does not mean that the state should stay aloof from religion, but that it should give equal treatment to every religion.

The Supreme Court reiterated an earlier ruling in the case of *SR Bommai vs The Union of India* in 1993. The set of judgments in the *Bommai* case are lengthy and complex but we can isolate the following themes from that case that are of interest to the argument at hand.

One, secularism is part of the basic structure of the Constitution and therefore cannot be amended.

Two, secularism is derived from the cultural principle of tolerance and ensures the equality of religions.

Three, the Court reiterated that no religion will be at risk in a secular India, because the government will not be aligned to any religion.

Four, there is an essential connection between secularism and democracy; the concept of the secular state is needed for the working of democracy, and the realisation of social and economic needs that are essential for material and moral prosperity and political justice.

I feel there is a need to secularise secularism for a multireligious society.

How can we recover secularism in and for a plural society that is wracked with anxieties about its own pretensions to democracy, and about the many injustices that have led to violence and disregard for the human condition?

Let us take stock of secularism within the context of democracy, and see what a reworked concept of secularism would look like.

If the basic aim of secularism as it has historically developed in India is to secure equality of all religious denominations, the concept of secularism is derived from the principle of equality. In fact, let me suggest that secularism gains meaning and substance only when we see it as legitimate from the perspective of democracy and its core principle of equality. Logically, there is no reason why a society should be committed to secularism, unless it is committed beforehand to the concept of equality.

Secularism can, justifiably, be interpreted as a companion concept of democracy. Both democracy and secularism are constitutive of a just state, a state that ensures equality of status between individuals, as well as between religious communities.

31. Ms. Rule is a devout follower of a religion that is also followed by the vast majority of the country. She is often seen visiting places of worship of that religion, and publicly declares that she believes strongly in the beliefs of that religion. Ms. Rule is appointed the Prime Minister after the general elections. Ms. Ojini, her political opponent, is a follower of another religion, which is followed by a minority in the country. Ms. Ojini challenges Ms. Rule's appointment, on the grounds that the appointment of a religious person as Prime Minister would violate the principle of secularism.

Based on the principles and information set out in the given passage:

- (a) Ms. Ojini's challenge would not succeed, since there is a need for greater representation of women in political office.
- (b) Ms. Ojini's challenge would not succeed, since secularism does not mean that the state stays aloof from religion, but that it grants equal treatment to all religions.
- (c) Ms. Rule would be disqualified from being appointed as Prime Minister, since secularism is derived from the cultural principle of tolerance and ensures the equality of religions.
- (d) Ms. Ojini's challenge would succeed, since secularism requires that only an atheist may be appointed as the Prime Minister of the country.

32. Two religious denominations are involved in a dispute over a plot of land. Each claims it has the right to build a place of worship on that plot of land, but neither denomination is able to establish that they have better rights over the land. Assume there are no other claims over the land. In such a situation, based on the themes from the Bommai case identified by the author in the given passage:
- (a) The land should be given to the denomination that first raises a claim in court.
 - (b) The land should be given to the denomination that has a longer history of existence in the country.
 - (c) The land should be given to the denomination that has more followers in the country.
 - (d) Since neither denomination has a better right over the land, they should be given equal rights over the land.
33. The Constitution is amended to remove the concept of equality. In such a situation, based only on the author's reworked concept of secularism in the given passage, would the removal of secularism from the Constitution be valid?
- (a) Yes, it would be valid, since secularism is not part of the basic structure of the Constitution.
 - (b) No, it would not be valid, since the basic aim of secularism is to ensure equality amongst religions.
 - (c) Yes, it would be valid, since a society that is not committed to equality need not be committed to secularism.
 - (d) No, it would not be valid, since secularism is part of the basic structure of the Constitution.
34. The government announces a rule making the provision of a prayer room mandatory in all government offices. The rule provides that followers of any religion may use the prayer rooms for their religious observances.
- Based on the principles and information set out in the given passage:
- (a) The rule would be valid, since it allows for the equal treatment of all religions and is therefore secular.
 - (b) The rule would be invalid, since secularism requires that the government stay away from all religions.
 - (c) The rule would be invalid, since secularism is derived from the cultural principle of tolerance, and it would not be possible for followers of different religions to tolerate each other in the same prayer room.
 - (d) The rule would be valid, since secularism requires that all persons must follow a religion of their choice, and atheism should be banned.
35. The Government seeks to move an amendment that would delete references to 'secularism' from the Constitution. Based only on the themes from the Bommai case identified by the author above, would such an amendment be valid?
- (a) The amendment would be valid, since the government is not aligned to any religion.
 - (b) The amendment would not be valid, since secularism is part of the basic structure of the Constitution.
 - (c) Since there is an essential connection between democracy and secularism, the amendment would be valid, as the amendment does not remove references to 'democracy'.
 - (d) The amendment would not be valid, since it is not backed by a cultural principle.

Passage 8

'Crime Against Humanity', means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack: Murder; Extermination; Enslavement; Deportation or forcible transfer of population; Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law; Torture; Rape, sexual slavery, enforced prostitution, forced pregnancy,

enforced sterilization, or any other form of sexual violence of comparable gravity; Enforced disappearance of persons; The crime of apartheid; Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health. Universal jurisdiction is a unique concept which, in its broadest sense, allows states to exercise criminal jurisdiction against a person or authority accused of grave international crimes (like genocide, crimes against humanity etc.) regardless of the place in which the crime was committed or the nationality of the accused or the victim. In a landmark judgment delivered in May earlier this year, the Argentinian Federal Court of Appeals reversed a previous verdict and decided to pursue a case against Myanmar's leader Aung San Suu Kyi and other senior officers for committing atrocities against the Rohingya in Myanmar. While it is not clear how the court would go about gathering evidence and summoning Myanmar's top leaders, the fact that a court located in the opposite part of the globe has been able to take cognizance of the case under the principle of universal jurisdiction is quite remarkable.

36. Fantasia is a Nordic country, and its economy majorly runs on prostitution and international tourism. Earlier the country was a major oil exporter since the resources ran out the government turned their economy to prostitution centric. The citizens agreed to the guidelines of the government. After few years, majority of the people in prostitution started demanding to get out of this profession. The Fantasia government allowed the demand with an imposed condition that they must pay 90% of their earnings as exit fee cum tax to sustain the nation. India is a very moral centric country and considers prostitution as taboo. India wants to prosecute the officials of the Fantasia government for crime against humanity, can India?
- (a) India can prosecute under universal jurisdiction.
 - (b) Fantasia is not involved in crime against humanity.
 - (c) Fantasia did not enforce prostitution, but the citizens willingly agreed to take part.
 - (d) India is not capable enough of prosecuting a foreigner for a crime done in their country.
37. Since the new tax reforms, Fantasia was faced with severe outrage. Several countries that consider prostitution immoral and illegal raised voice against Fantasia and agreed to provide free asylum to anyone who's running away from Fantasia. Is Fantasia involved in crime against humanity?
- (a) No, Fantasia is concerned about their citizen and trying to sustain the country and economy by every means possible.
 - (b) Yes, Fantasia is forcing people in prostitution when they demanded to leave the profession.
 - (c) No, because the terms of the 'crime against humanity' are not met.
 - (d) Yes, forced prostitution is a grave sexual offence and ruins a persons' life. People are being forced to work in brothels just to fill the belly of the government.
38. PokimonL and is a poor South Asian country. There are 2 major religious divisions; Musharna, 75% of the total population; and Heatmor, 25% of the total population. The government of PokimonL and made a new law where the right to live in the country will be decided via Legendary status which can be found on citizen's great-grandparents' identity card. Rest of the people will be sent to concentration camp. Legendary status was given to the tribes of Musharna people across PokimonL and only few families of Heatmor had legendary status. Surprisingly 90% of the Heatmor and 20% of Musharna cannot find the identity card of their ancestors and were send to separate concentration camps. Is this crime against humanity?
- (a) No, a state has the right to make laws in order to establish citizenship.
 - (b) Yes, it is a systematic and widespread attack and definitely a crime against humanity.
 - (c) No, nobody has been hurt yet, it cannot be a crime when no citizen is being hurt and are only being sent to their rightful place.
 - (d) Yes, it is crime against humanity because citizens have a right to live peaceful and this arbitrary law has secluded the citizens from their families and friends.

39. Ambipomm is the PM of PokimonL and, he assured the citizens that no one will suffer any harm because of this new reform, people were convinced that democracy has tough standards for reforms and people trusted Ambipomm. News came from Heatmor concentration camp that people are dying because they are kept in inhumane conditions, but the government had no intention of causing such deaths precisely why they made concentration camp with capacity of 40 lakh, half of all the people that were sent to concentration camp. Decide.
- (a) The Government did everything they could some things are inevitable.
 - (b) The death has nothing to do with the decision and actions of the government.
 - (c) Ambipomm is liable for crime against humanity.
 - (d) Both (a) & (b)
40. Is India capable of prosecuting and summoning Ambipomm?
- (a) India is capable.
 - (b) India is not capable.
 - (c) India does not have anything to do with PokimonLand.
 - (d) Cannot be determined.

