FEDERAL PUBLIC SERVICE COMMISSION

COMPETITIVE EXAMINATION FOR RECRUITMENT TO POSTS IN BS-17 UNDER THE FEDERAL GOVERNMENT, 2013

LAW, PAPER-I

Roll Number

TIME ALLOWED:	**(PART-I MCQs)**	**30 MINUTES**	**MAXIMUM MARKS: 20**
THREE HOURS	**(PART-II)**	**2 HOURS & 30 MINUTES**	**MAXIMUM MARKS: 80**

NOTE: **(i)** **First** attempt **PART-I (MCQs)** on separate **OMR Answer Sheet** which shall be taken back after **30** minutes.

(ii) **Overwriting/cutting of the options/answers will not be given credit.**

PART-I ((MCQs) (COMPULSORY)

Q.1. (i) Select the best option/answer and fill in the appropriate Circle ◯ on the **OMR Answer Sheet. (20x1=20)**
(ii) Answers given anywhere, other than OMR Answer Sheet, shall not be considered.

1. Presumption upon the production of any certified copy of a foreign judgment mean:
(a) Judgement was pronounced by a court of competent jurisdiction.
(b) Foreign judgment needs to be proved in evidence.
(c) Both (a) and (b) **(d)** None of these

2. Every suit shall be instituted in the court of:
(a) Civil Judge **(b)** Lowest grade competent to try **(c)** Court of higher grade **(d)** None of these

3. A decree may be executed by the court:
(a) Which passed it. **(b)** Which sent it for execution. **(c)** Both (a) and (b) **(d)** None of these

4. The court on the application of the decree holder, order execution of the decree by:
(a) Delivery of any property specifically decreed.
(b) Attachment and sale or by sale without attachment of any property.
(c) Both (a) and (b) **(d)** None of these

5. Subject to conditions and limitation as prescribed any court may state a case and sent to the High Court for its opinion called:
(a) Review **(b)** Revision **(c)** Reference **(d)** None of these

6. Nothing in CPC deemed to limit or affect the inherent power of the court to make such orders as may be necessary:
(a) For the ends of justice or to prevent abuse of the process of court.
(b) To maintain the power and hierarchy of the court.
(c) To secure the plaintiffs right. **(d)** None of these

7. The plaint shall be rejected:
(a) Where it does disclose a cause of action.
(b) Where the relief claimed is under valued and plaintiff, failed to correct the valuation within prescribed time fixed by court.
(c) Both (a) and (b) **(d)** None of these

8. Where a judge has vacated office after pronouncing judgment but without signing of decree, a decree drawn up in accordance with such judgment may be signed by:
(a) Sending the same to the same judge who pronounced judgment.
(b) His successor or if the court ceased to exist by, the Judge of any court to which such court was subordinate.
(c) Both (a) and (b) **(d)** None of these

9. Every promise and every set of promises, forming the consideration of each other is:
(a) Contract **(b)** Agreement **(c)** Offer **(d)** None of these

10. Acceptance of the proposal is said to be when/or:
(a) Acceptance of any consideration for a reciprocal promise which may be offered with a proposal.
(b) Performance of the conditions of a proposal. **(c)** Both (a) and (b) **(d)** None of these

11. In a contract of reciprocal promises no promisor need to perform his promise unless:
(a) The promisee is ready and willing to perform his promise.
(b) The promisor has to show his good intention and perform his promise.
(c) The promisee and promisor has to sign a surety bond in order to fulfil their promises.
(d) None of these

12. The original contract between the parties need not to be performed when the parties to a contract:
(a) Agree to substitute a new contract. **(b)** Agree to rescind **(c)** Both (a) and (b) **(d)** None of these

13. When anything delivered to a person by mistake, he must:
(a) Sell it and pay the proceed to sender. **(b)** Return it to the sender
(c) Wait for the sender to contact him, if not, can keep it. **(d)** None of these

14. When a contract has been broken, the party who suffers by such breach is entitled for:
(a) Damages **(b)** Compensation for loss or damage
(c) Renewed contract along with damages **(d)** None of these

15. A sufficient consideration to the surety for giving the guarantee is considered, when for the benefit of principal debtor.
(a) Anything is done **(b)** Any promise is made **(c)** Both (a) and (b) **(d)** None of these

16. A tort is a civil wrong, for which the remedy is an action for:
(a) Compensation **(b)** Un liquidated damages **(c)** Both (a) and (b) **(d)** None of these

17. Maxim Ub*i* Jus lb*i* remedium mean:
(a) Wrong with remedy. **(b)** Action of wrong with remedy.
(c) There is no wrong without a remedy. **(d)** None of these

18. Corporation is an artificial Juristic person, against it certain torts cannot be committed, such as:
(a) Assault or false imprisonment **(b)** Capacity to sue and be sued
(c) Negligence and misrepresentation **(d)** None of these

19. Release of one joint tort feasor:
(a) May not have actionable affect on others **(b)** Releases all others
(c) Both (a) and (b) **(d)** None of these

20. Extinction of liability in tort may take place on:
(a) Waiver, Accord and Satisfaction, Death **(b)** Release, Judgement and Statutes of the Limitation
(c) Both (a) and (b) **(d)** None of these

PART-II

NOTE: **(i)** **Part-II** is to be attempted on the separate **Answer Book.**
(ii) Candidate must write **Q. No.** in the **Answer Book** in accordance with **Q. No.** in the **Q. Paper.**
(iii) Attempt **ONLY FIVE** questions from **PART-II**, selecting at least **ONE** question from **EACH SECTION. ALL questions carry EQUAL marks.**
(iv) Extra attempt of any question or any part of the attempted question will not be considered.

SECTION-A (CIVIL PROCEDURE CODE)

Q.2. Write notes on the following:- **(4 each)** **(16)**

(a) Code and Rule **(b)** SET OFF
(c) Preliminary and final decree **(d)** Precept

Q.3. Explain the term “Garnishee”. What is Garnishee Order? **(16)**

Q.4. What does inherent power of the court mean with reference to section 151 of CPC? **(16)**

SECTION-B (THE CONTRACT ACT)

Q.5. Write notes on the following:- **(4 each)** **(16)**

(a) Proposal and Acceptance **(b)** Promise
(c) Agreement **(d)** Voidable contract

Q.6. Explain with Illustration about “undue influence” used in contract act. **(16)**

Q.7. What is fraud? Explain the essentials of fraud. **(16)**

SECTION-C (LAW OF TORT)

Q.8. Write notes on the following:- **(4 each)** **(16)**

(a) Tort and crime **(b)** Private Nuisance
(c) Contributory Negligence **(d)** Damnum sine Injuria

Q.9. What is Assault and Battery? Describe its main distinctions. **(16)**

Q.10. Explain with illustrations, “Publication of a defamatory statement”. **(16)**

****

FEDERAL PUBLIC SERVICE COMMISSION

COMPETITIVE EXAMINATION FOR RECRUITMENT TO POSTS IN BS-17 UNDER THE FEDERAL GOVERNMENT, 2013

Roll Number

LAW, PAPER-II

TIME ALLOWED: THREE HOURS	**(PART-I MCQs)**	**30 MINUTES**	**MAXIMUM MARKS: 20**
	(PART-II)	**2 HOURS & 30 MINUTES**	**MAXIMUM MARKS: 80**

NOTE: **(i)** **First** attempt **PART-I (MCQs)** on separate **OMR Answer Sheet** which shall be taken back after **30** minutes.

(ii) **Overwriting/cutting of the options/answers will not be given credit.**

PART-I ((MCQs) (COMPULSORY)

Q.1. (i) Select the best option/answer and fill in the appropriate Circle ◯ on the **OMR Answer Sheet. (20x1=20)**
(ii) Answers given anywhere, other than OMR Answer Sheet, shall not be considered.

1. Whosoever attempts to commit Qatl-i-Amad in the name of or the pretext of honour shall be punished with imprisonment of not less than:
(a) 10 years **(b)** 5 years **(c)** 7 years **(d)** None of these

2. "A" offers a bribe to "B", a public servant, as a reward for showing "A" some favour in the exercise of B's official function. "B" accepts the bribe. "A" has abetted the offence defined in Section:
(a) 503 P.P.C **(b)** 161 P.P.C **(c)** 511 P.P.C **(d)** None of these

3. "A" makes an attempt to pick the pocket of "Z" by thrusting his hand into Z's pocket. "A" fails in the attempt in consequence of Z's having nothing in his pocket. "A" is guilty of offence under Section:
(a) 379 P.P.C **(b)** 411 P.P.C **(c)** 511 P.P.C **(d)** None of these

4. "A" unlawfully digs a pit in the thoroughfare, but, without any intension to cause death or harm of any person. "B" while passing falls in it and is killed. "A" has committed:
(a) Qatl-i-Khata **(b)** Qatl-Bis-Sabab **(c)** Qatl-Shibh-i-Amad **(d)** None of these

5. "A" aims at a deer but misses the target and kills "Z". "A" is guilty of:
(a) Qatl-i-Amad **(b)** Qatl-i-Khata **(c)** Qatl-Shibh-i-Amad **(d)** None of these

6. Section 411 P.P.C relates to:
(a) Extortion **(b)** Dacoity **(c)** Dishonestly receiving stolen property **(d)** None of these

7. "A" threat to injure the reputation of any deceased person in whom the person threatened is interested is punishable under Section:
(a) 506 P.P.C **(b)** 500 P.P.C **(c)** 508 P.P.C **(d)** None of these

8. In culpable homicide amounting to murder:
(a) Intention/knowledge is an essential ingredient **(b)** Intention/knowledge has no relevance at all
(c) Motive not set up need not to be proved **(d)** None of these

9. Trial is a judicial proceedings which ends in:
(a) Conviction/acquittal **(b)** Discharge **(c)** Both (a) and (b) **(d)** None of these

10. Sections 241 Cr.P.C to 249 Cr.P.C are applicable to trials before:
(a) High Court **(b)** Session Court **(c)** Magistrate **(d)** None of these

11. A woman being accused of any offence not punishable with death has been detained for such offence is entitled to bail after expiry of the period of:
(a) Five months **(b)** Six months **(c)** One year **(d)** None of these

12. The accuse shall not render himself liable to punishment by refusing to answer any question under Section 342 Cr.P.C or by giving false answer to them.
(a) True **(b)** False **(c)** None of these

13. Criminal Procedure is code of:
(a) Substantive law **(b)** Adjective law **(c)** Both (a) and (b) **(d)** None of these

14. In every case where accused is convicted, the copy of judgement shall be given to him:
(a) Immediately **(b)** After 7 days **(c)** On confirmation by High Court **(d)** None of these

15. Proof 'beyond any reasonable shadow of doubt' is a sine qua non in:
(a) Civil matters **(b)** Criminal cases **(c)** Service matters **(d)** None of these

16. A judgement in rem is valid against:
(a) Entire world **(b)** In personam **(c)** Both (a) and (b) **(d)** None of these

17. Confession made under the promise of secrecy is:
(a) Admissible **(b)** Inadmissible **(c)** Objectionable **(d)** None of these

18. An irrebuttable presumption is:
(a) Inconclusive proof of a fact **(b)** Conclusive proof of a fact
(c) Can be contradicted **(d)** None of these

19. Statement of the accused under Section 342 Cr.P.C shall be recorded on:
(a) Oath **(b)** Without oath **(c)** Subject to discretion of court **(d)** None of these

20. Doctrine of estoppel:
(a) Applies to a minor **(b)** Does not apply to a minor
(c) Applies to a minor for acts and omission of others **(d)** None of these

PART-II

NOTE: **(i)** **Part-II** is to be attempted on the separate **Answer Book.**
(ii) Candidate must write **Q. No.** in the **Answer Book** in accordance with **Q. No.** in the **Q. Paper.**
(iii) Attempt **ONLY FIVE** questions from **PART-II**, selecting at least **ONE** question from **EACH SECTION. ALL questions carry EQUAL marks.**
(iv) Extra attempt of any question or any part of the attempted question will not be considered.

SECTION-A (QANUN-E-SHAHADAT ORDER, 1984)

Q.No.2. What are identification parades? Under what Article of Qanun-e-Shahadat Order are they relevant and what is their evidentiary value? **(16)**

Q.No.3. Under what circumstances, facts which are not otherwise relevant, become relevant. State and explain the provisions in Qanun-e-Shahadat Order. **(16)**

Q.No.4. Write a short note on: Examination in Chief, Cross Examination, Re-examination and Leading Questions. **(16)**

SECTION-B (CRIMINAL PROCEDURE CODE, 1898)

Q.No.5. Explain the processes to compel the appearance of a person before a Criminal Court. **(16)**

Q.No.6. What is Confession? How it can be recorded? Whether the statement under Section 164 Cr.P.C can be used against the accused and under what circumstances. **(16)**

Q.No.7. Write a short note on 'FIR', Dying Declaration', 'Discharge' and 'Charge'. **(16)**

SECTION-C (PAKISTAN PENAL CODE, 1860)

Q.No.8. What is difference between 'Cheating', 'misappropriation' and 'theft'? Discuss in detail. **(16)**

Q.No.9. When a person is accused of an offence the 'burden of proof' is on the prosecution, What are the exceptions to this rule? **(16)**

Q.No.10. Define and explain: **(16)**
(a) Qisas (b) Badl-i-Sulah (c) Diyat
(d) Arsh (e) Daman

****