PUNJAB PUBLIC SERVICE COMMISSION

Competitive Examination (August-2016) for Recruitment of Law Officer in the Department of Local Government, Govt. of Punjab

READ INSTRUCTIONS BEFORE FILLING ANY DETAILS OR ATTEMPTING TO ANSWER THE QUESTIONS.

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- 1. Parliament can make any law for the whole or any part of India for implementing International treaties:
 - a) With the consent of all the States
 - b) With the consent of the majority of States
 - c) With the consent of the State concerned
 - d) Without the consent of any States
- 2. Given below are two statements, one labelled as Assertion (A) and the other labelled as Reason (R):

Assertion (A): The reservation of thirty-three percent of seats for women in Parliament and State Legislatures does not require Constitutional amendment.

Reason (R): Political parties contesting elections can allocate thirty-three percent of seats they contest to women candidates without any Constitutional amendment.

In this context of the above two statements which one of the following is correct?

- a) Both A and R are true and R is the correct explanation of A
- b) Both A and R are true but R is not the correct explanation of A
- c) A is true but R is false
- d) A is false but R is true.
- 3. Which of the following are correct?
 - 1) Supreme Court's power to issue writs is narrower than that of the High Courts
 - 2) A citizen is free to approach High Court or Supreme Court as he chooses, whenever his fundamental rights are violated
 - 3) The law declared by the Supreme Court is binding on all courts throughout India
 - a) (2) and (3)
 - b) (1), (2) and (3)
 - c) (1) and (2)
 - d) (1) alone
- 4. What is the outstanding feature of the Electoral System in India?
 - a) It is based on universal adult franchise
 - b) It provides a single electoral body
 - c) The political parties are indispensable part of the electoral process
 - d) All of the above
- 5. The world famous debate regarding the extent to which Criminal law ought to be applied in dealing with human behavior, was between:
 - a) Lord Devlin and HLA Hart
 - b) Hart and Fuller
 - c) Kenny and Blackstone
 - d) None of the above

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- 6. 'B' happened to be a member of unlawful assembly. A factional fight ensued during which 'B' was injured and retired to the side. Later on a man was killed. Now:
 - a) 'B' is guilty of murder being member of unlawful assembly
 - b) 'B' is not guilty of murder as he ceased to be a member of unlawful assembly at the time when the murder was committed
 - c) 'B' is not guilty of murder though he happened to be a member of unlawful assembly
 - d) None of the above
- 7. In the context of the exception of grave and sudden provocation, which of the following is correct?
 - a) Provocation should not be voluntarily provoked by the offender
 - b) Lawful exercise of the right of private defence does not give provocation
 - c) Lawful exercise of powers by a public servant in obedience to the law does not amount to provocation
 - d) All the above
- 8. The accused filed an application before the Magistrate to allow him to appear through his Power of Attorney holder. The Magistrate allowed the application. The order is:
 - a) Legal
 - b) Illegal
 - c) Improper
 - d) Irregular
- 9. To arrest a woman after sunset and before sunrise, the woman police officer shall, by making a written report, obtain the prior permission of the:
 - a) Judicial Magistrate First Class
 - b) District Magistrate
 - c) Director General of Police
 - d) None of the above

10. Section 98 of Cr.P.C, 1973 gives the power to issue search warrant for the restoration of :

- a) Abducted woman
- b) Unlawfully detained woman
- c) A female child under the age of 18 years
- d) All the above
- 11. Normally, the rule of Evidence is that the burden of proof is on the party who asserts the positive; but in which of the following instances the burden is cast upon the party who pleads the negative?
 - a) Proof of legitimacy
 - b) Proof of Alibi
 - c) Proof of conspiracy
 - d) None of the above

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- 12. Mark the incorrect statement:
 - a) A judge has to decide the admissibility of evidence
 - b) A judge can impart his personal knowledge to take the place of evidence
 - c) A judge can ask any question about relevant or irrelevant facts of the witness
 - d) All the above.
- 13. Identification of suspect by photo is:
 - a) Admissible in evidence
 - b) Not admissible in evidence
 - c) Section 9 of Indian Evidence Act excludes identification by photo
 - d) Section 8 of Indian Evidence Act excludes identification by photo

14. A court can return the plaint when the court has got :

- a) No territorial jurisdiction
- b) No pecuniary jurisdiction
- c) No subject matter jurisdiction
- d) Any of the above
- 15. In a suit, issues are framed in respect of:
 - a) Questions of facts
 - b) Questions of Law
 - c) Mixed questions of facts and law.
 - d) All the above.
- 16. Agreement between the parties to institute the suit in a particular court :
 - a) Does not oust the jurisdiction of other courts
 - b) May operate as estopple between the parties
 - c) Both a) and b)
 - d) Neither a) nor b)
- 17. In which case the Supreme Court observed that "Intercaste marriages and adoptions were two important social institutions through which secularism would find its fruitful and solid base for an egalitarian social order under the Constitution of India"?
 - a) Aruna Roy v. Union of India
 - b) Valsamma Paul v. Cochin University
 - c) Mohan Lal v. District Magistrate
 - d) None of the above
- 18. Right to Information as crucial human right was for the first time recognized by the Supreme Court in:
 - a) S.P.Gupta v. Union of India 1981
 - b) Indian Express Newspaper v. Union of India- 1998
 - c) Vishaka v. State of Rajasthan 1997
 - d) Secretary, Ministry of Information & Broadcasting Govt. of India v. Cricket Association of Bengal, 1995
- 19. Which of the following is a valid defence under IPC?
 - a) Mistake of fact
 - b) Insanity
 - c) Good faith d) All the above http://www.khilare.com
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- 20. Which of the following principles were emerged from R v/s Dudley and Stephens (1884 -14 QBD 237)?
 - a) Self preservation is not an absolute necessity
 - b) No person has a right to take others life to preserve his own
 - c) There is no necessity to justify homicide
 - d) All the above
- 21. A is attacked by a mob who attempts to murder him. He cannot effectually exercise his right of private defence without firing on the mob and he cannot fire without risk of harming young children who are mingled with the mob:
 - a) A commits no offence if by so firing he harms any of the children
 - b) A commits culpable homicide not amounting to murder
 - c) Both a) and b)
 - d) None of the above
- 22. Classification of summons case and warrant case:
 - a) Is useful to determine the trial procedure to be adopted
 - b) Is useful to determine the investigation procedure to be adopted
 - c) Is useful to decide the question of issuance of process to the accused
 - d) a) and c) are correct
- 23. Every police officer while making an arrest shall:
 - a) Bear an accurate, visible and clear identification of his name which will facilitate easy identification
 - b) Prepare a memorandum of arrest
 - c) Inform the person arrested unless the memorandum is attested by a member of his family, that he has a right to have a relative or a friend named by him to be informed of his arrest
 - d) All the above
- 24. Is smoking a public nuisance which can be abated by invoking section 133 of the Code of Criminal Procedure, 1973?
 - a) Yes
 - b) No
 - c) Depends
 - d) None of the above
- 25. A disputed handwriting can be proved:
 - a) By calling an expert
 - b) By examining a person acquainted with the handwriting of the writer of the questioned document
 - c) By comparison of the two admitted and disputed handwritings
 - d) All the above
- 26. A says in his deposition that the accused B told him that he had a scuffle with the deceased C. A then spoke to D. Which of the following is direct evidence?
 - a) Testimony of A
 - b) Testimony of D
 - c) Both are hearsay
 - d) None of thetep://www.khilare.com

- 27. Which of the following sections of the Indian Evidence Act is based on the maxim Pater est quem nuptiae demonstrant. (The father is he, whom the nuptials indicate)?
 - a) Section 110
 - b) Section 111
 - c) Section 112
 - d) Section 113
- 28. The rule of constructive Res Judicata is:
 - a) A product of judicial interpretation
 - b) A rule of equity
 - c) Contained expressly in the Code of Civil Procedure
 - d) A part of the Supreme court
- 29. The right to counter claim was:
 - a) Originally there in the Code of Civil Procedure, 1908
 - b) Inserted by 1976 amendment
 - c) Inserted by 2002 amendment
 - d) None of the above
- 30. An application for setting aside exparte decree shall be filed before:
 - a) the High Court
 - b) the Court which passed the decree
 - c) the court to which an appeal lies from the decree
 - d) None of the above
- 31. In which of the following cases the Constitution Bench held that :

"A company or a corporation, being a juristic person could be prosecuted for an offence for which mandatory sentence of imprisonment and fine is provided"?

- a) Anil Hada v. Indian Acrylic Ltd.
- b) Anita Hada v. God Father Tours and Travels
- c) Standard Chartered Bank & ors. v. Directorate of Enforcement
- d) SMS Pharmaceuticals v. Neeta Bhalla
- 32. Which of the following statement is incorrect?
 - a) Prior to Supreme Court decision in Shah Bano case, there was a view that divorced Muslim wife was not entitled to any maintenance from her Husband after expiry of Iddat period
 - b) In Shah Bano, it was held that under Muslim Personal Law, a divorced wife unable to maintain herself is entitled to maintenance. If she is able to maintain self, the husband's liability to provide ceased with the expiration of the Iddat period
 - c) Under the Muslim women (Protection of Rights on Divorce) Act, 1986, a divorced woman is entitled to have a "reasonable and fair provision and maintenance" from her Husband and the Husband must do so within the period of Iddat and his obligation is not confined to the period of Iddat but afterwards also, till her marriage again

d) If she fails to get maintenance from her Husband, she cannot claim it from relatives **http://www.khilare.com**

- 33. The classical statement of law in _____ case, has been widely accepted as decision of the standard of care required both of professional men generally and medical practitioners in particular:
 - a) R v. Tolson
 - b) R v. Govinda
 - c) Bolam v. Friern Hospital Management Committee
 - d) None of the above
- 34. Mr. A, a candidate for Tamilnadu Assembly elections distributes mobile phones to some voters and requesting their vote in return. Mr. A has committed offence under which of the following Sections of IPC?
 - a) Section 171-A
 - b) Section 171-B
 - c) Section 172-A
 - d) Section 172-B
- 35. The accused saw the deceased committing an act of sodomy on his son, which enraged him and he killed the deceased. The accused is liable for :
 - a) Murder
 - b) Culpable homicide not amounting to murder
 - c) No offence
 - d) None of the above
- 36. In which of the following cases, the Supreme Court issued guidelines for issuing nonbailable warrants?
 - a) Inder Mohan Goswami v. State of Uttaranchal
 - b) Hussainara Khatoon v. Home Secretary
 - c) CBI v. Dawood Ibrahim Kaskar
 - d) None of the above
- 37. No wife shall be entitled to receive an allowance for the maintenance or interim maintenance and expenses of proceeding, as the case may be, from her husband under section 125 of the Code of Criminal Procedure if:
 - a) She is living in adultery
 - b) If, without any sufficient reason, she refuses to live with her husband
 - c) If they are living separately by mutual consent
 - d) All of the above
- 38. In which of the following cases, an omission amounts to a contradiction?
 - (i) When a recital is necessarily implied from the recital or recitals found in the statement
 - (ii) A negative aspect of a positive recital in a statement
 - (iii) When the statement before the police and that before the court cannot stand together
 - a) (i) and (ii) only
 - b) (i) and (iii) only
 - c) (ii) and (iii) only d) (i),(ii) and (iii) //www.khilare.com

- 39. No judge or magistrate shall be compelled to answer any question, as to his own conduct in courts, as judge or magistrate, or as to anything which came to his knowledge in court as such Judge or Magistrate :
 - a) Under any circumstances
 - b) Except upon special order of some court to which he is subordinate
 - c) Except in Impeachment proceedings
 - None of the above d)
- 40. Confession of one accused is admissible against the other co-accused:
 - a) If they are tried jointly for the same offence
 - b) If they are tried jointly for different offences
 - c) If they are tried for the same offence but not jointly
 - d) If they are tried for different offences and not jointly
- 41. Which of the following is not an essential condition for the admissibility of a dying declaration?
 - a) The declarant must have died
 - b) The declaration must be under the expectation of death EW WOI
 - c) The declaration must be a statement oral or written
 - d) None of the above
- Provisions regarding Res subjudice are: 42.
 - a) Discretionary
 - b) Non mandatory
 - c) Mandatory
 - d) Directory
- A sues B in a foreign court. The suit is dismissed. Another suit filed by A against B in 43. India on the same cause of action is dismissed. The order of dismissing the second suit is:
 - a) Legal
 - b) Illegal
 - c) Improper
 - d) Justifiable
- A Court can add or strike out a party: 44.
 - a) On application of parties only
 - b) Suo moto
 - c) Either (a) or (b)
 - d) None of the above
- In which of the following cases it was told that the power of the President to grant 45. pardon shall never be exercisable arbitrarily or malafide and ordinary guidelines for fair and equal execution are generators of the valid play of power:
 - a) Kehar Singh v. Union of India
 - b) Maru Ram v. Union of India
 - c) Swaran Singh v. State of U.P d) K.M.Nana attp: state of BWntkhilare.com
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- 46. Which of the following does not constitute Electoral College for the purpose of election of the President of India?
 - a) State of Sikkim
 - b) State of Uttaranchal
 - c) Daman and Diu
 - d) Pondicherry
- 47. By which of the following amendments, the provisions relating to Panchayats were inserted in the Constitution of India:
 - a) 42nd
 - b) 54th
 - c) 73rd
 - d) 74th
- 48. Which of the following provisions of the Constitution of India deals with the failure of Constitutional machinery in a State?
 - a) Article 354
 - b) Article 356
 - c) Article 352
 - d) Article 359
- 49. Which of the following subjects is exclusively within the domain of the State Legislature?
 - a) Trust and Trustees
 - b) Marriage and Divorce
 - c) Taxes on agricultural income
 - d) Actionable claims
- 50. Article 48-A dealing with protection and improvement of environment and safe guarding of forests and wild life was incorporated in the constitution by which of the following amendments:
 - a) 38th
 - b) 42nd
 - c) 44th
 - d) 48th
- 51. "To include or not to include a particular language in VIIIth schedule is a policy matter of the Union. Courts do not exercise their power of judicial review unless policy violates the mandate of the Constitution or any statutory provision or is actuated by malafide". In which of the following cases this view was held :
 - a) Om Prakash Chautala v. State of Haryana
 - b) Kanhaiya Lal Sethia v. Union of India
 - c) Minerva Mills Ltd v. Union of India
 - d) Shyam lal Ghosh v. Union of India
- 52. Which of the following is a non-cognizable offence?
 - a) Counterfeiting currency notes
 - b) Using as genuine a forged document known as forged
 - c) Marrying again during the life time of wife
 - d) Habituall http://www.weinare.com
- ^{53. Which one of the following is a non bailable offence?} Jobs alert

- a) Causing diminution of supply of water for agricultural purposes
- b) Threatening any person to give false evidence
- c) Abetment of the desertion of an officer
- d) Being member of an unlawful assembly
- 54. Which of the following provisions of the criminal procedure code deals with grant of bail in case of even non bailable offence?
 - a) Section 421
 - b) Section 437
 - c) Section 450
 - d) Section 433
- 55. Who of the following cannot be tried under the provisions of the Indian Penal Code?
 - a) An alien enemy Committing theft in India
 - b) U.S. Ambassador violating traffic rules in India
 - c) A foreigner in India without proper document
 - d) An Indian citizen Committing breach of trust

56. Who among the following is not a judge within the meaning of the Indian Penal Code?

- a) A collector exercising jurisdiction under Act 10 of 1859
- b) A Magistrate exercising jurisdiction in respect of a change on which he has power to impose fine
- c) A Magistrate exercising jurisdiction in respect of a change on which he has power to only commit for trial to another court
- d) A member of a Panchayat which has power to try and determine suits
- 57. Barendra Kumar Ghose V. Emperor is a leading case on which of the following subjects:
 - a) Common object
 - b) Common intention
 - c) Riot
 - d) Affray
- 58. R v. Govinda is a leading case on which of the following topics:
 - a) Cheating
 - b) Criminal breach of trust
 - c) Culpable homicide and murder
 - d) Wrongful restraint and wrongful confinement
- 59. Sarat Chunder Dey v. Gopal Chander is a leading case on which of the following subjects:
 - a) Competency of witnesses
 - b) Estoppel
 - c) Examination of witnesses
 - d) Accomplice

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60. Pakala Sprevious prepers, "Typing," Jobs alerics:

- a) Confession
- b) Admission
- c) Dying Declaration
- d) Facts showing relationship
- 61. Which one of the following is a decree?
 - a) An order of dismissal in default
 - b) An order of dismissal of appeal under order 41, r.11(1)
 - c) An order passed on the basis of a compromise
 - d) An order accepting an application under Arbitration Act
- 62. 'The operation of the doctrine of res-judicata is the transformation of a question of fact into a question of law'. In which of the following cases this view was expressed?
 - a) Shankarlingappa v. Nanje Gowda
 - b) Sita Ram v. Amir Begum
 - c) Radha Rani v. Binoda Moyee
 - d) State of U.P. v. Roop Lal Sharma
- 63. In which of the following cases the High Court can not exercise its revisional jurisdiction under Section115 of the code of Civil Procedure 1908:
 - a) The subordinate Court exercises jurisdiction not vested in it
 - b) The subordinate Court failed to exercise jurisdiction vested in it
 - c) The subordinate Court having jurisdiction came to a wrong decision
 - d) The subordinate Court acted illegally in the exercise of its jurisdiction
- 64. Which of the following is not an essential requirement of pleading?
 - a) Every pleading must State facts and not law
 - b) Every pleading must State in detail the facts and relevant circumstances
 - c) Every pleading must State material facts only
 - d) Every pleading must State only the fact on which the party pleading relies for his claim or defence
- 65. In which of the following cases it was held that the doctrine of eclipse is applicable not only to pre-constitution law but also to post-constitution laws:
 - a) R.C.Cooper v. Union of India
 - b) State of Gujrat v. Sri Ambica Mills
 - c) Maneka Gandhi v. Union of India
 - d) K.M.Menon v. State of Bombay
- 66. Which of the following provisions of the Indian Penal Code makes punishable buying and disposing of any person as a slave:
 - a) Section 368
 - b) Section 370
 - c) Section 372
 - d) Section 374
- 67. A person habitually associated with another for the purpose of committing robbery accompanied with murders at WWW.Khilare.com

- a) Robber
- b) Dacoit
- c) Thug
- d) Cheater
- 68. Offences relating to religion are dealt with in which of the following provisions of the Indian Penal Code:
 - a) SS. 230-235
 - b) SS. 295-298
 - c) SS. 264-267
 - d) SS. 312-235
- 69. Which of the following is a judicial proceeding:
 - a) Investigation proceeding
 - b) Proceeding to collect tax
 - c) Proceeding in execution of a decree
 - d) Proceeding before a Revenue Authority
- 70. Which of the following provisions of the Criminal Procedure code empowers the High court to transfer a case to itself for trial: N. W.
 - a) Section 402
 - b) Section 407
 - c) Section 474
 - d) Section 478
- 71. Which of the following is a non-compoundable offence:
 - a) Causing hurt
 - b) Adultery
 - Riot c)
 - d) House trespass
- 72. Which of the following provisions of the Criminal Procedure Code deals with tendering of pardon to accomplice:
 - a) Section 304
 - b) Section 305
 - c) Section 306
 - d) Section 307
- 73. The provisions relating to trial of summons cases is provided in which of the following:
 - a) SS. 238-243
 - b) SS. 244-247
 - c) SS. 251-259
 - d) SS. 266-271
- 74. In which of the following cases confession made by an accused person is admissible in http://www.khilare.com evidence:

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- b) If made before a Jailor
- c) If made before circle officer of the police
- d) If made before the Superintendent of Police
- 75. Provisions as to evidence relating to electronic record was incorporated in the Evidence Act in which of the following years:
 - a) 1999
 - b) 2000
 - c) 2003
 - d) 2005

76. Which of the following needs to be proved?

- a) Facts judicially noticeable
- b) Facts of which Court must take judicial notice
- c) Fact bearing upon opinion of experts
- d) Facts admitted
- 77. In which of the following cases inherent powers of the Court are not exercised:
 - a) To ascertain whether the proper parties are before it
 - b) To order joint trial of suits
 - c) To set aside an ex-parte decree
 - d) To grant maintenance allowance to prevent abuse
- 78. Which of the following is not a suit of civil nature:
 - a) The right to an office
 - b) The suit for the declaration of religious honours
 - c) The claim to run a Tanga race in the month of Shrawan
 - d) The right of burial

79. Which of the following is a leading case on the subject of res-judicata:

- a) Huntse village v. Yikhum village
- b) Kendall v. Hamilton
- c) Duchess of Kingstones case
- d) Lockyer v. Ferry man
- 80. Which of the following is related to Appeals to the Supreme Court:
 - a) Order XXXIX
 - b) Order XLII
 - c) Order XLIV
 - d) Order XLIX
- 81. In which of the following charge need to be framed:
 - a) For enquiries under Section 116 of the Cr.P.C.
 - b) For trial dattp://www.kehilane.com

^cPrevious papers, Typing, Jobs alert

- d) For summary cases where no appeal lies
- 82. Which of the following is not a relevant fact:
 - a) Facts forming part of the same transaction
 - b) Facts which are the occasion of the fact in issue
 - c) Facts in which there is no continuity of action
 - d) Facts in consistent with facts in issue
- 83. In which of the following cases secondary evidence relating to the contents of a documents may not be given:
 - a) When the original is in possession of the person against whom it is sought to be proved;

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- b) When the original has been lost and it cannot be produced in reasonable time;
- c) When the document is required to be registered but has not been registered;
- d) When the original is of such a nature as not to be easily moveable;

84. Who led the Salt Satyagrah Movement with Gandhi?

- a) Annie Besant
- b) Mridula sarabhai
- c) Muthulakshmi
- d) Sarojinee Naidu
- 85. The Simon Commission was formed to review:
 - a) Legislatures in India
 - b) Fitness of India for future administration reforms
 - c) Constitution of India
 - d) The position of vice-Roy

86. The first Indian Factory Act was passed by:

- a) Lord Curzon
- b) Lord Wellesley
- c) Lord Ripon
- d) Lord Cornwallis
- 87. Which of the following sportspersons declined Arjuna award in 2001?
 - a) Milkha Singh
 - b) Jeevmilka Singh
 - c) Pargat Singh
 - d) Ajitpal Singh
- 88. Which one of these is connected with Agricultural research?
 - a) CSIR
 - b) NABARD
 - c) ICAR d) ICMR http://www.khilare.com
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- 89. Itmad-Ud-Daulah's tomb at Agra was built by:
 - a) Akbar
 - b) Babar
 - c) Nurjahan
 - d) Shahjahan
- 90. When were Punjab and Pepsu merged?
 - a) 1950
 - b) 1952
 - c) 1953
 - d) 1956
- 91. Who is a non-member but can attend the Sessions of Parliament?
 - a) Attorney General
 - b) Chief Justice of Supreme Court
 - c) Vice-President
 - d) Solicitor General
- 92. The Treaty on Accession of the Republic of Crimea to Russia was signed on:
 - a) 18 February 2014
 - b) 18 March 2014
 - c) 24 February 2014
 - d) 24 March 2014
- 93. The Secretary of State's of United States is
 - a) John Kerry
 - b) Joe Biden
 - c) Hillary Clinton
 - d) James F. Dobbins
- 94. India's first Diesel Electric Multiple Unit (DEMU) train service with an air-conditioned coach is launched in ______

-3

- a) Kozhikode
- b) Kharagpur
- c) Chennai
- d) Kochi
- 95. Name the 35th National Games mascot named in Limca Book of Records:
 - a) Ammu
 - b) Tiger
 - c) Ostrich
 - d) Peacock
- 96. Which country became 162nd Member of WTO?
 - a) Kyrgyzstan
 - b) Turkmenistan
 - c) Afghanistanttp://www.khilare.com
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- 97. Montreal Action plan is:
 - a) An international convention to reduce marine pollution
 - b) An international conference on disaster risk reduction
 - c) A plan for reduction in emission of greenhouse gases
 - d) A plan for rewarding countries that create low pollution

98. Which country did not agree for signature on Kyoto protocol on climate change treaty?

- a) China
- b) India
- c) U.S.A.
- d) Japan

99. Bio-Diversity Act came into existence in India in:

- a) 1984
- b) 2002
- c) 1990
- d) 1976

100. The meaning of sustainable development is:

- a) High growth rate in GNP
- b) Stability in growth rate
- c) To consider the interest of present and future generation in development

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d) High value of Human Development index

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