

PACKAGE-II



**Drishti IAS**

# DRISHTI IAS MAINS TEST SERIES 2024

## LAW

(Optional Subject)

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### Salient Features

- The language-style and nature of the questions are in line with the questions asked by the Union Public Service Commission and based on deep understanding and knowledge.
- The topics asked in the question are based on the important and relevant topics asked by the Commission which will be directly and indirectly helpful in the main examination.
- Simple and effective presentation of model answers with interdisciplinary and multidisciplinary approach.
- Emphasis on preparing better answers through illustrations, examples, graphic analysis, etc. required in answer writing by adopting scientific approach.
- Use of only standard books and sources during model answer writing.
- Necessary interval between each test for proper preparation.

Test Code	Date	Syllabus
<b>Test-1</b> <b>OPT-LAW-2401</b>	<b>17 December, 2023</b> <b>(Sunday)</b>	● Constitution and Constitutionalism, Services under the Union and the States, Constitutional Position of the President and relation with the Council of Ministers & Governor and his powers; Amendment of the Constitution, Principle of Natural Justice, Delegated legislation and its constitutionality, Separation of powers and constitutional governance, Judicial review of administrative action & Ombudsman
<b>Test-2</b> <b>OPT-LAW-2402</b>	<b>24 December, 2023</b> <b>(Sunday)</b>	● Fundamental Rights, Relationship between Fundamental Rights, Directive Principles and Fundamental Duties, Supreme Court and the High Courts, Centre, States and local bodies, Legislative powers, privileges and immunities, Eminent domain, Emergency
<b>Test-3</b> <b>OPT-LAW-2403</b>	<b>31 December, 2023</b> <b>(Sunday)</b>	● Nature and Definition of International Law, State Recognition and State Succession, Individuals, Treaties, Lawful recourse to force, New International Economic Order and Monetary Law & Protection and Improvement of the Human Environment, Individual, Human right & procedures available for their enforcement, Legality of the use of nuclear weapons,
<b>Test-4</b> <b>OPT-LAW-2404</b>	<b>7 January, 2024</b> <b>(Sunday)</b>	● United Nations, Peaceful settlement of disputes, Fundamental principles of international humanitarian law, International Terrorism, State Terrorism Hijacking ICC, Relationship between International Law and Municipal Law, Law of the sea, Territorial jurisdiction of States, Extradition & asylum
<b>Test-5</b> <b>OPT-LAW-2405</b>	<b>14 January, 2024</b> <b>(Sunday)</b>	● General principles of Criminal liability, Kinds of punishment and emerging trends as to abolition of capital punishment, Preparations and criminal attempt, General exceptions, Joint and constructive liability, Abetment & Criminal conspiracy; Offences against the State, Offences against public tranquillity, Offences against the human body, Offences against property, Offences against women, Defamation, Prevention of Corruption Act, 1988, Protection of Civil Rights Act, 1955 and subsequent legislative developments & Plea bargaining
<b>Test-6</b> <b>OPT-LAW-2406</b>	<b>21 January, 2024</b> <b>(Sunday)</b>	● Nature and definition, General defences, Joint tortfeasors, Remedies & Negligence; Defamation, Nuisance, Conspiracy, False imprisonment, Malicious prosecution & Consumer Protection Act, 1986
<b>Test-7</b> <b>OPT-LAW-2407</b>	<b>28 January, 2024</b> <b>(Sunday)</b>	● Nature and formation of contract/E-contract, Factors vitiating free consent, Void, voidable, illegal and unenforceable agreements, Performance and discharge of contracts, Quasi-contracts & Consequences of breach of contract; Contract of indemnity, guarantee and insurance, Contract of agency, Sale of goods and hire purchase, Formation and dissolution of partnership, Negotiable Instruments Act, 1881, Arbitration and Conciliation Act, 1996 & Standard form contracts
<b>Test-8</b> <b>OPT-LAW-2408</b>	<b>4 February, 2024</b> <b>(Sunday)</b>	● Public Interest Litigation, Intellectual property rights, Information Technology Law including Cyber Laws, Competition Law, Alternate Dispute Resolution, Major statutes concerning environmental law, Right to Information Act & Trial by media

\*For detailed breakup of syllabus, kindly refer to the subsequent pages.

## Test Schedule

Test Code	Test Date	Subject
Test-1 OPT-LAW-2401	17 December, 2023 (Sunday)	<u>Constitution Law</u> <ul style="list-style-type: none"> <li>● Constitution and Constitutionalism</li> <li>● Services under the Union and the States</li> <li>● Constitutional Position of the President and relation with the Council of Ministers</li> <li>● Governor and his powers</li> <li>● Amendment of the Constitution</li> <li>● Principle of Natural Justice</li> <li>● Delegated legislation and its constitutionality</li> <li>● Separation of powers and constitutional governance</li> <li>● Judicial review of administrative action</li> <li>● Ombudsman</li> </ul>
Test-2 OPT-LAW-2402	24 December, 2023 (Sunday)	<u>Constitution Law</u> <ul style="list-style-type: none"> <li>● Fundamental Rights</li> <li>● Relationship between Fundamental Rights</li> <li>● Directive Principles and Fundamental Duties</li> <li>● Supreme Court and the High Courts,</li> <li>● Centre, States and local bodies, Legislative powers</li> <li>● Privileges and immunities</li> </ul>
Test-3 OPT-LAW-2403	31 December, 2023 (Sunday)	<u>International Law</u> <ul style="list-style-type: none"> <li>● Nature and Definition of International Law</li> <li>● State Recognition and State Succession</li> <li>● Individuals <ul style="list-style-type: none"> <li>❖ Nationality</li> <li>❖ Statelessness</li> </ul> </li> <li>● Treaties</li> <li>● Lawful recourse to force</li> <li>● New International Economic Order and Monetary Law</li> <li>● Protection and Improvement of the Human Environment</li> <li>● Human right &amp; procedures available for their enforcement</li> <li>● Legality of the use of nuclear weapons</li> </ul>



<p>Test-4 OPT-LAW-2404</p>	<p>7 January, 2024 (Sunday)</p>	<p style="text-align: right;"><u>International Law</u></p> <ul style="list-style-type: none"> <li>● United Nations</li> <li>● Peaceful settlement of disputes</li> <li>● Fundamental principles of international humanitarian law</li> <li>● Terrorism <ul style="list-style-type: none"> <li>❖ International Terrorism</li> <li>❖ State Terrorism</li> <li>❖ Hijacking</li> <li>❖ ICC</li> </ul> </li> <li>● Relationship between International Law and Municipal Law</li> <li>● Law of the sea</li> <li>● Territorial jurisdiction of States <ul style="list-style-type: none"> <li>❖ Extradition</li> <li>❖ Asylum</li> </ul> </li> </ul>
<p>Test-5 OPT-LAW-2405</p>	<p>14 January, 2024 (Sunday)</p>	<p style="text-align: right;"><u>Law of Crime</u></p> <ul style="list-style-type: none"> <li>● General principles of Criminal liability</li> <li>● Kinds of punishment and emerging trends as to abolition of capital punishment</li> <li>● Preparations and criminal attempt</li> <li>● General exceptions</li> <li>● Joint and constructive liability</li> <li>● Abetment &amp; Criminal conspiracy</li> <li>● Offences against the State</li> <li>● Offences against public tranquillity</li> <li>● Offences against the human body</li> <li>● Offences against property</li> <li>● Offences against women</li> <li>● Defamation</li> <li>● Prevention of Corruption Act, 1988</li> <li>● Protection of Civil Rights Act, 1955 and subsequent legislative developments</li> <li>● Plea bargaining</li> </ul>



Test-6 OPT-LAW-2406	21 January, 2024 (Sunday)	<p style="text-align: right;"><u>Law of Torts</u></p> <ul style="list-style-type: none"> <li>● Nature and definition</li> <li>● General defences</li> <li>● Joint tort feasons</li> <li>● Remedies &amp; Negligence</li> <li>● Defamation</li> <li>● Nuisance</li> <li>● Conspiracy False imprisonment, Malicious prosecution</li> <li>● Consumer Protection Act, 1986</li> </ul>
Test-7 OPT-LAW-2407	28 January, 2024 (Sunday)	<p style="text-align: right;"><u>Law of Contracts and Mercantile Law</u></p> <ul style="list-style-type: none"> <li>● Nature and formation of contract/E-contract</li> <li>● Factors vitiating free consent</li> <li>● Void, voidable, illegal and unenforceable agreements</li> <li>● Performance and discharge of contracts</li> <li>● Quasi-contracts</li> <li>● Consequences of breach of contract</li> <li>● Contract of indemnity, guarantee and insurance</li> <li>● Contract of agency, Sale of goods and hire purchase</li> <li>● Formation and dissolution of partnership</li> <li>● Negotiable Instruments Act, 1881</li> <li>● Arbitration and Conciliation Act, 1996</li> <li>● Standard form contracts</li> </ul>
Test-8 OPT-LAW-2408	4 February, 2024 (Sunday)	<p style="text-align: right;"><u>Contemporary Legal Development</u></p> <ul style="list-style-type: none"> <li>● Public Interest Litigation</li> <li>● Intellectual property rights</li> <li>● Information Technology Law including Cyber Laws</li> <li>● Competition Law</li> <li>● Alternate Dispute Resolution</li> <li>● Major statutes concerning environmental law</li> <li>● Right to Information Act</li> <li>● Trial by media</li> </ul>

## UPSC (2023) & Drishti IAS Mains Test Series (Law Optional) Comparative Analysis

### Paper 1

Test Series (Code)	Question Code	Drishti IAS Test Series Question	UPSC Question Number	UPSC Question	Marks
2311	1(a)	● What are the major commitments incorporated in Preamble of Constitution of India?	1(a)	● "Preamble of the Indian Constitution is indicative of basic values that the political system is expected to pursue"". How far do you agree with the statement? Explain with the reference to values that have been enshrined in the preamble of the Constitution."	10
2301	3(b)	● Is the President of India a mere Constitutional head? Whether he is bound to accept the advice of council of minister? Elaborate it.	1(b)	● "The office of the President under the Indian Constitution has been designed to be largely that of a 'figurehead' ". Explain, with reference to the cases decided on the subject."	10
2301	1(a)	● "The Indian Constitution is Federal in form but unitary in substance." Comment.	1(c)	● "There is an obvious slant in favour of the Centre, in distribution of power between Centre and States"". Do you agree with the statement? Explain."	10
2301	7(a)	● Is principle of natural justice is an essential precondition for all legal and administrative action? Explain the position of this principle as it has emerged under the Constitution.	1(d)	● "The principles of natural justice are not cast in stone and there is always a possibility of deviation from stated principles of law in view of overall demands of justice"". Explain citing decided cases on the subject."	10
2315	3(c)	● Mention the grounds on which administrative action can be subject to Judicial review?	1(e)	● Explain and elucidate the grounds of judicial review for administrative actions, by quoting decided cases on the subject.	10
2302	6(a)	● Directive Principles of State Policy have played a significant role in the interpretation of the Constitution. Explain and illustrate your answer.	2(a)	● "The constitution of Indian has provided for a clear cut distinction between civil and political rights on the one hand and economic and cultural rights on the other, with a distinct primacy given to civil and political rights". Explain.	20
2310	1(b)	● Discuss critically the provisions in the Constitution of India guaranteeing protection to Civil Servants.	2(c)	● "The Constitution of Indian provides constitutional status and protection to civil servants". What protections have been secured for civil servants in India? Explain."	15

2301 2311	3(c) 3(c)	<ul style="list-style-type: none"> <li>● "Discuss the power and functions of Election Commission of India.</li> <li>● ""Power of election commission are not sufficient"". Comment."</li> </ul>	3(a)	<ul style="list-style-type: none"> <li>● "Supremacy, direction and control of election is vested in the office of the election Election Commission and therefore, the appointment of Election Commissioner is crucial importance in conducting free and free elections". Critically examine the above statement with reference to recent judicial decisions."</li> </ul>	20
2302 2309	1(a) 4(c)	<ul style="list-style-type: none"> <li>● Explain the Doctrine of eminent domain with its exception.</li> <li>● Write a short note on eminent domain.</li> </ul>	3(c)	<ul style="list-style-type: none"> <li>● "The strength of the 'eminent domain' is inversely proportional to the strength of democratic structure of any system". Do you agree with this statement? Explain."</li> </ul>	15
2301	3(a)	<ul style="list-style-type: none"> <li>● What are the grounds, duration and consequences of the Proclamation issued by the President of India pertaining to the failure of Constitutional machinery in states? Is such a proclamation justiciable?</li> </ul>	4(a)	<ul style="list-style-type: none"> <li>● "What do you understand by breakdown of constitutional machinery in a State? Critically examine the powers of the President in imposing President's Rule under 356 of the Constitution, by citing decided cases on the point."</li> </ul>	20
2301	8(b)	<ul style="list-style-type: none"> <li>● Discuss the powers and functions of the Lokpal and the Lokayukta under the Lokpal and Lokayuktas Act, 2013.</li> </ul>	4(b)	<ul style="list-style-type: none"> <li>● Discuss the objectives of the establishment of Lokpal and Lok Ayukta, and their powers and functions under the Lokpal and Lok Ayuktas Act, 2013. Examine the effectiveness of the said Act.</li> </ul>	15
2311	1(e)	<ul style="list-style-type: none"> <li>● Discuss the advisory jurisdiction of the Supreme Court of India.</li> </ul>	4(c)	<ul style="list-style-type: none"> <li>● If at any time, it appears to the President that a critical question of law and fact has arisen, the President can obtain the opinion of the Supreme Court. Discuss the role of the Supreme Court in this matter, by giving suitable examples.</li> </ul>	15
2303	5(c)	<ul style="list-style-type: none"> <li>● To what extent individual can be treated as subject of international law? Explain.</li> </ul>	5(a)	<ul style="list-style-type: none"> <li>● "Triumph of Positivism has reduced an individual to be an object of international law rather than a subject of subject of international law". Comment on the status of the individual under international law in the light of the above statement."</li> </ul>	10
2309	6(a)	<ul style="list-style-type: none"> <li>● Explain the concept of 'Contiguous Zone'. What is the difference between territorial sea and contiguous zone? Discuss with reference to 1982 UN Convention and the Indian Maritime Zones Act, 1976.</li> </ul>	5(b)	<ul style="list-style-type: none"> <li>● What do you mean by 'Contiguous Zone'? Explain with reference to Indian practices on the subject.</li> </ul>	10
2315	7(c)	<ul style="list-style-type: none"> <li>● Discuss the theories of recognition. Also explain the legal effects of recognition.</li> </ul>	5(c)	<ul style="list-style-type: none"> <li>● Explain the impact of recognition on the powers and privileges of the States.</li> </ul>	10
2303	1(b)	<ul style="list-style-type: none"> <li>● Explain 'jus cogens'.</li> </ul>	5(d)	<ul style="list-style-type: none"> <li>● Explain the principle of 'Jus cogens' with reference to 'Vienna Convention on Law of Treaties, 1969'.</li> </ul>	10
2311	6(a)	<ul style="list-style-type: none"> <li>● Critically analyse the relationship between International Law and Municipal Law.</li> </ul>	6(b)	<ul style="list-style-type: none"> <li>● "States show considerable flexibility in the procedures, whereby they give effect to the rules of the International Law, within their territory". Explain the acceptability of norms of International Law in India, citing relevant cases on the subject."</li> </ul>	15

2311	7(a)	● Write an explanatory note on the Continental Shelf and also compare it with the Exclusive Economic Zone.	6(c)	● "How do you distinguish between 'Continental Shelf' and 'exclusive Economic Zone'? Explain giving examples."	15
2304	7(a)	● The main function of the security council is to maintain international security council has been successful in this field. Discuss.	7(a)	● "Preamble of the UN Charter is representative of the aspirations of humanity in ensuring peace and security across the globe". How far have these objectives been achieved by the UN? Explain and elucidate."	20
2303	7(c)	● Define 'aggression' and explain lawful use of force under the Charter of United Nations Organisation.	7(c)	● Under what circumstances is recourse to 'force' or 'aggression' premissible and justifiable under International Law?	15
2302	4(a)	● International organisations are very important to International Trade law". Examine the role of relevant International Organisations involved in the development of International Trade Law.	8(a)	● "WTO provides a platform for agreements amongst its members which form the legal foundation of global trade". Critically evaluate the importance of WTO in the new international economic order."	20
2304	8(b)	● What do you mean by 'human environment? Discuss the role of United Nations Organization (UNO) in protecting and improving the human environment.	8(b)	● "Member States of the UN need to take appropriate action for protecting and improving human environment". In light of the above statement, highlight the major steps of the UN for protecting human environment."	15

## Paper 2

Test Series (Code)	Question Code	Drishti IAS Test Series Question	UPSC Question Number	UPSC Question	Marks
2305	3(b)	● Is the concept of 'constructive liability' recognized under the provisions of the Indian Penal Code? Elucidate.	1(c)	● Illustrate the doctrine of 'constructive-criminality' with reference to law on abetment.	10
2306	6(a)	● Explain the principle of vicarious liability and discuss the circumstances when a master can be held liable for the tort of his servant. Refer the decided case.	1(c)	● "He who acts through another, does the act himself". Discuss the tortious liability entailed in the above statement."	10
2306	4(a)	● Discuss the various remedies available to an aggrieved party in tort.	1(e)	● Explain the various kinds of damages that a plaintiff can claim after a tort has been committed against him.	10
2306	3(c)	● What is the essential constituent of negligence under torts?	2(b)	● "In Negligence the chain of causation must remain intact". Describe the essentials of 'negligence' by referring case laws.	15
2306	2(b)	● Define the term nuisance and discuss its essential elements. Can an individual have a private right of action in respect of public nuisance.	3(c)	● Elucidate the essentials of 'Private Nuisance'. Also discuss the remedies available to a plaintiff in a suit for 'private nuisance'.	15
2314	3(c)	● What are the ingredients of the offence of theft? Can a man commit theft of his own good? Answer with illustration.	4(a)	● "Dishonest Intention is the gist of the offence of theft". Examine the above statement with the help of relevant illustrations. Also discuss how 'theft' is different from 'dishonest misappropriation of property'."	20



2314	2(a)	<ul style="list-style-type: none"> <li>● Explain the essentials of malicious prosecution. What are the grounds on which plaintiff can claim damages?</li> </ul>	4(c)	<ul style="list-style-type: none"> <li>● Critically analyse with the help of decided cases, the essentials to be proved by a plaintiff a suit for damages for 'Malicious Prosecution'.</li> </ul>	15
2314	5(a)	<ul style="list-style-type: none"> <li>● "The test of contractual intention is objective, not subjective". Discuss.</li> </ul>	5(a)	<ul style="list-style-type: none"> <li>● ""The law of contract is not the whole of agreements, nor is it the whole law of obligations. It is the law of those agreements which create obligations, and those obligations which have their source in agreement""-Salmond. Critically examine this."</li> </ul>	10
2316	7(b)	<ul style="list-style-type: none"> <li>● Discuss the grounds on which the court can order dissolution of partnership firm.</li> </ul>	5(b)	<ul style="list-style-type: none"> <li>● ""At the suit of a partner, the court may dissolve a firm on certain grounds specified in the Indian Partnership Act, 1932. The right of a partner to ask for dissolution on any of the grounds mentioned in the Act cannot be excluded by any agreement to the contrary"". Explain."</li> </ul>	10
2316	7(c)	<ul style="list-style-type: none"> <li>● Explain the grounds available for the setting aside an award under the Arbitration and Conciliation Act.</li> </ul>	5(c)	<ul style="list-style-type: none"> <li>● ""The parties cannot appeal against an arbitral award as to its merits. But, this does not mean that there is no check on the Arbitrator's conduct. Awards may also be challenged"". Critically examine the above statement."</li> </ul>	10
2314	7(b)	<ul style="list-style-type: none"> <li>● Explain the various jurisdictions of the National Green Tribunal.</li> </ul>	5(e)	<ul style="list-style-type: none"> <li>● What kind of cases are heard by the 'National Green Tribunal'? How is it different from the Central Pollution Control Board?</li> </ul>	10
2310	7(c)	<ul style="list-style-type: none"> <li>● Explain law relating to minor's agreement.</li> </ul>	6(b)	<ul style="list-style-type: none"> <li>● "A minor's contract being void, ordinarily it should be wholly devoid of all effects. If there is no contract, there should, indeed, be no contractual obligation on either side"". Explain with the case laws."</li> </ul>	15
2307	4(a)	<ul style="list-style-type: none"> <li>● What is meant by 'Standard form of contract'? What protective devices have been evolved by the courts to save an individual from such contracts? Discuss briefly.</li> </ul>	7(a)	<ul style="list-style-type: none"> <li>● ""Standard-contracts' contain a large number of terms and conditions in 'fine print' which restrict or often exclude liability under the contracts. The individuals can hardly bargain with the massive organisation"". Explain the modes of protection which have been evolved by the courts."</li> </ul>	20
2308	2(a)	<ul style="list-style-type: none"> <li>● Discuss the symbiotic relationship between Media trial and fair trial with reference to judicial approach</li> </ul>	8(b)	<ul style="list-style-type: none"> <li>● "Media trials entail the possibility of subverting administration of justice'. In the light of this statement, analyse the report of Law Commission of India on Media Trial."</li> </ul>	15