BLOGS

Passage Based Question on Family Law for CLAT PG

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“Domestic Violence” is undoubtedly a human rights issue, which was not properly taken care of in this country even though the Vienna Accord 1994 and the Beijing Declaration and Platform for Action (1995) had acknowledged that domestic violence was undoubtedly a human rights issue.

The UN Committee on Convention on Elimination of All Forms of Discrimination Against Women in its general recommendations had also exhorted the member countries to take steps to protect women against violence of any kind, especially that occurring within the family, a phenomenon widely prevalent in India.

Presently, when a woman is subjected to cruelty by husband or his relatives, it is an offence punishable Under Section 498A Indian Penal Code. The Civil Law, it was noticed, did not address this phenomenon in its entirety. Consequently, the Parliament, to provide more effective protection of rights of women guaranteed under the Constitution Under Articles 14, 15 and 21, who are victims of violence of any kind occurring in the family, enacted the DV Act.”

Judgement excerpt from Indra Sarma vs. V.K.V. Sarma (MANU/SC/1230/2013)

1. Which of the following judge was among the panel of judges who gave the judgment of Indra Sarma .V. V.K.V Sarma?

a) Justice Abdul Nazeer

b) Justice Surya Kant

c) Justice Pinaki Chandra Ghose

d) Justice Arun Mishra

2. How many judges did the panel of the Supreme Court comprised while delivering the judgement in the above mentioned case?

a) 2 judge bench

b) 3 judge bench

c) 5 judge bench

d) 7 judge bench

3. What was discussed in the above mentioned case?

a) Women Property Rights in India

b) Nature of Live in Relationship in India

c) Maintenance Claims

d) Guardian of Adopted Child

4. Who gave a dissenting opinion in the above mentioned case?

a) Justice K.S Radhakrishnan

b) Justice Pinaki Chandra Ghose

c) Justice Arun Mishra

d) Dissenting Opinion was not given in the above mentioned case

5. Which international instruments have acknowledged that domestic violence is a human rights issue?

a) Vienna Accord (1994)

b) Beijing Declaration and Platform for action (1995)

c) All of the Above

d) None of the Above

6. The UN Committee under which convention has provided recommendations to protect women from the violence of any kind?

a) Universal Declaration on Human Rights

b) United Nations Conventions on Elimination of all forms of Discrimination Against Women

c) International Covenant on Civil and Political Rights

d) International Covenant on Economic, Social and Cultural Rights

7. Which section of Indian Penal Code, 1860 is invoked when a woman is subjected to cruelty by husband or his relatives?

a) Section 498

b) Section 498A

c) Section 490

d) Section 490A

8. Which section of Bhartiya Nyaya Sanhita, 2023 is invoked when a woman is subjected to cruelty by husband or his relatives?

a) Section 82

b) Section 83

c) Section 84

d) Section 85

9. Which articles of the Constitution of India are discussed in the above mentioned case?

a) Article 14

b) Article 15

c) Article 21

d) All of the Above

10. Which legislation has been discussed exclusively in the above mentioned case?

a) Hindu Marriage Act, 1955

b) Domestic Violence Act, 2005

c) Hindu Succession Act, 1956

d) None of the Above

11. The concept of live-in relationship was discussed for the first time in which of the following cases?

a) Badri Prasad .V. Dy. Director of Consolidation

b) Tulsa.V. Durghatiya

c) D. Velusamy .V. Patchaiammal

d) S. Khusboo .V. Kanniammal and Anr

12. Which section of the Domestic Violence Act, 2005 has been discussed in the above mentioned case?

a) Section 2 (f)

b) Section 2(d)

c) Section 2(c)

d) Section 2(a)

13. In which it was decided that live-in relationships are not illegal in India?

a) Badri Prasad .V. Dy. Director of Consolidation

b) Indra Sarma .V. V.K Sarma

c) Lata Singh .V. State of U.P

d) S. Khusboo .V. Kanniammal and Anr

14. Which Law Commission report discusses the legality of Live-in relationships in India?

a) 238th Law Commission Report

b) 239th Law Commission Report

c) 240th Law Commission Report

d) 241st Law Commission Report

15. In which year the law commission of India discussed the legality of live-in relationships in India?

a) 2010

b) 2011

c) 2012

d) 2014

Answers

1. Option c
2. Option a
3. Option b
4. Option d
5. Option c
6. Option b
7. Option b
8. Option d
9. Option d
10. Option b
11. Option a
12. Option a
13. Option c
14. Option b
15. Option c