

AIBE-XIX Webinar

AdvLokesh Academy

INTRODUCTION AND OVERVIEW OF THE AIBE

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INTRODUCTION

- The Sole intention of the AIBE examination was to improve the standard of legal profession.
- AIBE is a certification exam conducted twice a year by Bar Council of India for law graduates willing to start practice of profession as Lawyer.
- AIBE is an open book exam
- All India Bar Examination is a post-enrolment examination where persons are initially said to be provisionally enrolled on an undertaking that they will pass the exam within 2 years of said enrolment.
- Any person who is provisionally enrolled is allowed to practice for two years, but is allowed to take the exam not just for two years but for any number of times till he passes the exam while the date of reckoning seniority is from the date of the provisional enrolment.

INTRODUCTION

<u>Activity</u>	<u>Important Dated</u>
Online Registration Begins From	3 rd September 2024
Payments for the Application Starts From	3 rd September 2024
Online Registration Closes On	25 th October 2024
Last Date of Payment For the Application	28 th October 2024
Last Date of Correction in Registration Form	30 th October 2024
Release of Admit Cards	18 th November 2024
Examination	24 th November 2024

Source; <https://www.allindiabarexamination.com/images//AIBE-XIX%20Notification%20dated%2003.09.2024.pdf>

ELIGIBILITY

- **Final Year Law Students (without backlogs):** Candidates currently in their final semester of a 3-year or 5-year LL.B. degree course, studying at a BCI-recognised University or a College approved by the BCI and affiliated with a BCI-recognised University, are **eligible** to register for AIBE. These candidates must have no backlogs from previous semesters to qualify.
- **Law Graduates who have not obtained their degree:** LL.B. graduates (3-year or 5-year course) who have passed out from BCI-recognised Universities or a College approved by the BCI and affiliated with a BCI-recognised University, but who have not yet obtained their degree are also **eligible** to apply for AIBE. This includes graduates who have completed their course and are awaiting degree conferral.

• Source: <https://www.allindiabarexamination.com/notification.html>

ELIGIBILITY

- **Graduates who have obtained their degree but have not enrolled or have surrendered their enrolment certificates:** Candidates who have obtained their LL.B. degree from a BCI-recognised University or BCI-approved College but have not enrolled with any State Bar Council, as well as those who had enrolled but have surrendered their enrolment certificates, are also **eligible** to apply.
- **Ineligibility based on non-recognition:** Any candidate, whether currently a student or a graduate, who is studying or has passed out from a university or college that is not recognised/approved by the Bar Council of India, will **not be eligible** to appear for AIBE. It is the responsibility of the candidates to ensure their educational institution is duly recognised by the BCI.

• Source: <https://www.allindiabarexamination.com/notification.html>

PAPER PATTERN

- TOTAL QUESTIONS: 100
- TIME: 3 HOURS 30 MINUTES
- 19 LAW SUBJECTS
- NO NEGATIVE MARKING
- OPEN BOOK EXAM (ONLY BARE ACTS WITHOUT COMMENTARY IS ALLOWED)
- AIBE IS A QUALIFICATION EXAM AND NOT A COMPETITIVE EXAM
- REQUIRES PASSING PERCENTAGE OF 45% FOR GENERAL/OBC AND 40% FOR SC/ST AND DISABLED CANDIDATES

SYLLABUS AND MARKS DISTRIBUTION

<u>S.No.</u>	<u>TOPIC/SUBJECT</u>	<u>NUMBER OF QUESTIONS</u>
1.	Constitutional Law	10
2.	I.P.C. (Indian Penal Code) & B.N.S. (Bhartiya Nyaya Sanhita)	8
3.	Cr.P.C. (Criminal Procedure Code) & B.N.S.S. (Bhartiya Nagarik Suraksha Sanhita)	10
4.	C.P.C. (Code of Civil Procedure)	10
5.	Evidence Act & Bhartiya Sakshya Adhiniyam	8

SYLLABUS AND MARKS DISTRIBUTION

<u>S. No.</u>	<u>TOPIC/SUBJECT</u>	<u>NUMBER OF QUESTIONS</u>
6.	Alternative Dispute Redressal including Arbitration Act	4
7.	Family Law	8
8.	Public Interest Litigation	4
9.	Administrative Law	3
10.	Professional Ethics & Cases of Professional Misconduct under Bar Council of India Rules	4

SYLLABUS AND MARKS DISTRIBUTION

<u>S.No.</u>	<u>TOPIC/SUBJECT</u>	<u>NUMBER OF QUESTIONS</u>
11.	Company Law	2
12.	Environmental Law	2
13.	Cyber Law	2
14.	Labour & Industrial Law	4
15.	Law of Tort, including Motor Vehicle Act and Consumer Protection Law	5

SYLLABUS AND MARKS DISTRIBUTION

<u>S.No.</u>	<u>TOPIC/SUBJECT</u>	<u>NUMBER OF QUESTIONS</u>
16.	Law related to Taxation	4
17.	Law of Contract, Specific Relief, Property Laws, Negotiable Instruments Act	8
18.	Land Acquisition Act	2
19.	Intellectual Property Laws	2
TOTAL		100

MAJOR FOCUS

Every Aspect of the Syllabus is important. But, there are some topics/subjects that may be deciding your qualification.

- Constitutional Law: 10 Questions
- I.P.C. (Indian Penal Code) & B.N.S. (Bhartiya Nyaya Sanhita): 8 Questions
- Cr.P.C. (Criminal Procedure Code) & B.N.S.S. (Bhartiya Nagarik Suraksha Sanhita): 10 Questions
- C.P.C. (Code of Civil Procedure): 10 Questions
- Evidence Act & Bhartiya Sakshya Adhiniyam: 8 Questions
- Family Law: 8 Questions
- Law of Contract, Specific Relief, Property Laws, Negotiable Instruments Act: 8 Questions

SAMPLE Q&A SESSION: CONSTITUTION

1. Protection against arrest and detention in certain cases is mentioned in which of the following Articles of Indian Constitution?

- a. Article 21
- b. Article 21A
- c. Article 22
- d. Article 22A

Ans. C (2021-II)

SAMPLE Q&A SESSION: CONSTITUTION

2. Article 300A of Indian Constitution i.e., Right to property has been inserted in the Constitution by

-
- a. 44th Amendment Act
 - b. 42nd Amendment Act
 - c. 40th Amendment Act
 - d. 51st Amendment Act

Ans. A (2021-II)

SAMPLE Q&A SESSION: CONSTITUTION

3. In the Preamble of the Indian Constitution, the expression 'liberty' is followed by the words

- a. Of status and opportunity
- b. Of thought, expression, belief, faith and worship
- c. Assuring the dignity of the individual
- d. Justice, social economic and political

Ans. B (2021-I)

SAMPLE Q&A SESSION: CONSTITUTION

4. Parliament may by law establish Administrative Tribunals under _____ of the Constitution

- a. Article 323B
- b. Article 323A
- c. Article 233
- d. Article 323

Ans. B (2021-I)

SAMPLE Q&A SESSION: IPC

5. 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. A has abetted the offence defined in section 160, IPC
- b. A has abetted the offence defined in section 161, IPC
- c. A has abetted the offence defined in section 162, IPC
- d. A has abetted the offence defined in section 163, IPC

Ans. B (2021-II)

SAMPLE Q&A SESSION: CrPC

6. The Bond under section 109 Cr.P.C. as security for good behaviour from suspected person can be executed for a period not exceeding:

- a. Six months
- b. Two years
- c. One year
- d. Three months

Ans. C (2021-II)

SAMPLE Q&A SESSION: CPC

7. Which of the following sections of the Civil Procedure Code defines the '*Mesne Profit*'?

- a. Section 2(4)
- b. Section 2(14)
- c. Section 2(6)
- d. Section 2(12)

Ans. D (2021-II)

SAMPLE Q&A SESSION: CPC

8. Recovery of Specific Immovable Property may be obtained by C.P.C. within what period- (SRA Section 6)

- a. Within 7 months
- b. Within 6 months
- c. Within 8 months
- d. Within 10 months

Ans. B (2021-II)

SAMPLE Q&A SESSION: CPC

9. Section 88 read with Order XXXV of the Code of Civil Procedure, 1908 deals with

- a. Interpleader suit
- b. Interlocutory order
- c. Restitution order
- d. Attachment order

Ans. A (2021-I)

SAMPLE Q&A SESSION: FAMILY LAW

10. The commission of offences under the Prohibition of Child Marriage Act, 2006 are_____.

- a. Cognizable and bailable
- b. Non-cognizable and non-bailable
- c. Cognizable and non-bailable
- d. Non-cognizable and bailable

Ans. C (2021-II)

SAMPLE Q&A SESSION: FAMILY LAW

11. Which of the following sections of the Hindu Adoption and Maintenance Act, 1956 deals with “*amount of maintenance*”?

- a. Section 21
- b. Section 22
- c. Section 23
- d. Section 24

Ans. C (2021-II)

SAMPLE Q&A SESSION: PROFESSIONAL ETHICS & CASES OF PROFESSIONAL MISCONDUCT UNDER BCI RULES:

12. Advocate's Act, 1961 came into force on:

- a. 19th May, 1961
- b. 19th April, 1961
- c. 1st May, 1961
- d. 19th January, 1961

Ans. A (2021-II)

SAMPLE Q&A SESSION: PROFESSIONAL ETHICS & CASES OF PROFESSIONAL MISCONDUCT UNDER BCI RULES:

13. According to Justice 'Abbot Parry' what are the "Seven Lamps of Advocacy".

- a. (i) Honesty (ii) Courage (iii) Professionalism (iv) Wit (v) Eloquence (vi) Judgement and (vii) Fellowship
- b. (i) Honesty (ii) Courage (iii) Industry (iv) Wit (v) Eloquence (vi) Judgement and (vii) Fellowship
- c. (i) Influence (ii) Courage (iii) Industry (iv) Wit (v) Eloquence (vi) Judgement and (vii) Fellowship
- d. (i) Honesty (ii) Courage (iii) Industry (iv) Seriousness (v) Eloquence (vi) Judgement and (vii) Fellowship

Ans. B (2021-I)

SAMPLE Q&A SESSION: CASE LAWS

14. What is the leading decision in the case of *Maneka Gandhi v. Union of India*?

- a. Right of Hearing
- b. Separation of powers
- c. Delegated legislation
- d. Rule of evidence

Ans. A (2021-II)

SAMPLE Q&A SESSION: CASE LAWS

15. In which of the following case the Supreme Court first of all made an attempt to look into the question regarding the extension of the right to life to the right to health and other hygienic conditions-

- a. *The Rural Litigation and Entitlement Kendra v. State of Uttar Pradesh* 1985
- b. *M.C. Mehta v. Union of India* 1986
- c. *V. Lakshmi Prasad v. State of Karnataka* 1991
- d. *F.K. Hussain v. Union of India* 1990

Ans. A (2021-II)

SAMPLE Q&A SESSION: MISCELLANEOUS

16. The maxim '*actus not facit reum nisi mens sit rea*' means

- a. There can be no crime without a guilty mind
- b. Crime has to be coupled with guilty mind
- c. Crime is the result of guilty mind
- d. In crime intention is relevant, motive is irrelevant

Ans. A (2021-II)

SAMPLE Q&A SESSION: MISCELLANEOUS

17. The Term 'WIPO' stands for:

- a. World Investment Policy Organisation
- b. World Intellectual Property Organisation
- c. Wildlife Investigation and Policing Organisation
- d. World Institute for Prevention of Organised Crime

Ans. B (2021-II)

SAMPLE Q&A SESSION: MISCELLANEOUS

18. Under the head subsequent conduct, which of the following type of conduct would be material?

- a. Change of life
- b. Evasion of Justice
- c. Fear, trembling
- d. All of them

Ans. D (2021-II)

SAMPLE Q&A SESSION: MISCELLANEOUS

19. Right to property was eliminated from the list of Fundamental Rights during the tenure of (44th CAA, 1978)

- a. Indira Gandhi
- b. Charan Singh
- c. Rajiv Gandhi
- d. Morarji Desai (1977-1979)

Ans. D (2021-II)

SAMPLE Q&A SESSION: MISCELLANEOUS

20. Under the Patent Act which of the following are not patentable?

- a. A method of agriculture or horticulture
- b. A presentation of information
- c. Topography of integrated circuits
- d. All of the above

Ans. D (2021-I)

MISCELLANEOUS

- Effective Techniques of Tackling the Question Paper
- Exam-room Environment
- Bare Act and Notes Arrangement

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