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JUDICIARY EXAMS QUESTION PAPER

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Madhya Pradesh Judicial Service

Prelims. Examination, 2013

Question Paper

**M.P. (Pre) Judicial Service, Class II
Examination, 2013
Law and General Knowledge
(Shift I Dated 17.11.2013)**

Constitution

1. **Under Indian Constitution, in performance of his duties. Attorney General for India, shall have right of audience**
 - (1) Only Supreme Court
 - (2) Only in all the High Courts
 - (3) In all Courts of India
 - (4) Only in Supreme Court and Tribunals established by Central Government
2. **Under Indian Constitution, Fundamental duties enshrined under Article 51A does not includes the duty.**
 - (1) To uphold and protect sovereignty of India
 - (2) To defend the country when called upon to do so
 - (3) To value and preserve rich heritage of our composite culture
 - (4) To protect monuments, places and objects of national importance
3. **Which Article of Indian Constitution provides for reservation in matters of promotion in services under the state in favour of Scheduled Castes and Scheduled Tribes**
 - (1) Article 16(4A)
 - (2) Article 16(4B)
 - (3) Article 16(4)
 - (4) Article 15(4)
4. **Under Indian Constitution, the Supreme Court may make rules of regulating the practice and procedure of the Court with the approval of**
 - (1) Parliament
 - (2) President
 - (3) Government of India
 - (4) None of the above
5. **"Indian National Anthem is a reflection of the real India as a country—a confidence of many religious, races, communities and geographical entitles. It is a message of unity in diversity"**

The above phrase of the Supreme Court was taken from which of the following judgment

 - (1) Sanjeev Bhatnagar v. Union of India
 - (2) Union of India v. Naveen Jindal
 - (3) Sushanta Tagore v. Union of India
 - (4) Aruna Roy v. Union of India

6. Right to vote is a—

- (1) Statutory right (2) Constitutional right
(3) Fundamental right (4) Customary right

Transfer of Property Act

7. Section 41 of the T.P. A. 1882 is the statutory application of the law of

- (1) Waiver (2) Estoppel
(3) Res Judicata (4) Res Subjudice

8. Under Transfer of Property Act, in the absence of a Contract or Local Law, monthly lease is terminable

- (1) By 15 days notice expiring
(2) By one month's notice
(3) By three month's notice to the opposite party
(4) By sixty days notice

9. Under Transfer of Property Act, which of the following is not transferable

- (1) salary of a public officer after it has become payable
(2) right to receive offerings
(3) right to receive verified compensation amount
(4) right to repurchase

10. Under Transfer of Property Act, in which of the following matter, the doctrine of *lis pendens* does not apply.

- (1) Court sales
(2) Property included in the plaint by an amendment subsequent to sale
(3) property belonging to a minor
(4) All the above

11. According to Section 54 of Transfer of Property Act, a contract for the sale of immovable property

- (1) Create any interest in the property
(2) Create charge on the property
(3) Confer title on the property
(4) A contract that a sale of such property shall take place on terms settled between the parties

Civil Procedure Code, 1908

12. Under Section 151 of Civil Procedure Code, inherent powers can be exercised by the

- (1) Supreme Court
(2) High Court
(3) District Court
(4) Any Court

13. Under C.P.C. 1908, on death of either parties to the suit after conclusion of hearing and pronouncement of judgment, the suit

- (1) shall abate
(2) shall not abate
(3) may abate with the permission of court
(4) none of the above

14. Under CPC 1908, if the court finds at any stage that it has no pecuniary jurisdiction with respect to the subject matter of the suit, it will

- (1) dismiss the suit
(2) proceed with the suit
(3) amend the suit
(4) return the suit

15. Under C.P. Code, which of following is not a decree?

- (1) Dismissal of suit in default
(2) Rejection of a plaint
(3) Dismissal of suit in default & Rejection of a plaint— Both
(4) None

16. According to Order 20 Rule 7 of civil procedure code the decree shall bear the date of

- (1) The day on which the judgment was pronounced
(2) The day on which the decree was made
(3) The day on which plaint was filed
(4) The day on which final argument was heard

17. In a summary suit presented under order 37 civil procedure code it is necessary for the defendant to appear before the court within how many days of the service of the summon of appearance

- (1) 10 days (2) 15 days
(3) 30 days (4) two month

18. Under C.P.C., which of the following is not a suit of a civil nature

- (1) suit for correcting the date of birth in the service record
(2) suit for declaration of the right to worship
(3) suit for vindication of a mere dignity connected with an office
(4) suit for a religious office

19. Under CPC, a plaint can be rejected, where the suit is instituted in a Court having

- (1) no inherent jurisdiction
(2) no pecuniary jurisdiction
(3) no territorial jurisdiction
(4) all the above

Indian Contract Act

20. Under Indian Contract Act, when does an agreement becomes a contract?
- (1) It is enforceable by law
 - (2) It is between parties competent to contract
 - (3) It is by the free consent of parties
 - (4) All of the above
21. 'A' agree with 'B' to discover treasure by magic. Under Indian Contract Act, the agreement is—
- (1) Void
 - (2) Illegal
 - (3) Legal
 - (4) Valid agreement
22. A sent his servant B to trace his lost nephew. When the servant had left 'A' announced a reward of Rs. 501/- to any one who traces the boy. B found the boy and brought him home. Then he came to know about the reward. Under Indian Contract Act, can he claim the reward?
- (1) Yes because offer is open for all
 - (2) Yes after knowing the offer he could accept it
 - (3) No, because he did not know about the offer when he found the missing boy
 - (4) No, because he is the servant of A
23. A hires a carriage of B. The carriage is unsafe, though B is not aware of it, and A is injured. Under Indian Contract Act, B is
- (1) responsible to A for the injury
 - (2) not responsible to A for injury
 - (3) not responsible for A's injury because the injury was not caused by B
 - (4) not responsible for A's injury because A should have been alert himself
24. Under Specific Relief Act, 1963, Specific Relief may be granted
- (1) for enforcing individual civil right
 - (2) for enforcing a Penal law
 - (3) for enforcing both Civil law and a Penal law
 - (4) for enforcing public rights
25. The declaration given under Section 34 of the Specific Relief Act is binding on whom?
- (1) Only on the parties to the Suit
 - (2) On the persons claiming through parties to the Suit
 - (3) Trustee of the trust which is party to the Suit
 - (4) All of the above

26. Which of the following contract can not be specifically enforced as per the provisions of Section 14 of the specific relief Act?
- (1) A contract to marry B
 - (2) A contract with B, that in consideration of Rs. 1000 to be paid to him by B, he will paint a picture for B.
 - (3) A, an author, contracts with B, A publisher, to complete a literary work
 - (4) All of the above
27. An order or decree passed in a suit presented under Section 6 of the Specific Relief Act is
- (1) Appealable
 - (2) Reviewable
 - (3) Neither Appealable nor Re-viewable
 - (4) Appealable & Reviewable Both

Limitation Act, 1963

28. Under Limitation Act 1963, in computing the period of limitation for any suit, the day from which such period is to be reckoned
- (1) shall be excluded
 - (2) shall be included
 - (3) may not be excluded
 - (4) may be included
29. As per Section 5 of Limitation Act 1963, prescribed period of limitation may not be extended in case of
- (1) Any appeal
 - (2) Any application
 - (3) An application under Order 21 of the Code of Civil Procedure
 - (4) None of the above
30. Under Limitation Act, 1963, the prescribed period of limitation for suit for compensation for a malicious prosecution is
- (1) one year
 - (2) two years
 - (3) three years
 - (4) five years
31. Law of Limitation ordinarily bars a remedy, but does not extinguish a right. Which of the following Section of the Limitation Act, 1963, provides for exception to the said rule
- (1) Section 5
 - (2) Section 9
 - (3) Section 25
 - (4) Section 27

M.P. Accommodation Control Act, 1961

32. Under M.P. Accommodation Council Act, 1961, when the defence against eviction of the tenant can be struck out?
- (1) On non payment of amount as per Section 13
 - (2) When tenant is not personally present in the court

- (3) When tenant has not filed his written submission within prescribed time
- (4) On furnishing false information in the application
33. Under which provision of M.P. Accommodation Control Act, 1961, penalties can be imposed for a land lord and tenant?
- (1) Section 42 (2) Section 43
- (3) Section 44 (4) Section 45
34. The Provisions of M.P. Accommodation Control Act applies to
- (1) only municipal corporation area
- (2) only municipal corporation and nagar palika area
- (3) only those areas as specified in the first schedule
- (4) whole of Madhya Pradesh
35. Under M.P. Accommodation Control Act, 1961, what is the maximum period for which standard rent shall be fixed for a tenancy?
- (1) six months (2) one year
- (3) two years (4) three years
36. Which of the following is not a "member of the family" for the purpose of M.P. Accommodation Control Act, 1961
- (1) married daughter
- (2) major unmarried sister
- (3) brother's major unmarried daughter
- (4) all of the above
37. Under M.P. Accommodation Control Act, 1961, where a landlord has acquired any accommodation by transfer, no suit for the eviction of tenant shall be maintainable on the ground of bonafide need for residence, unless a period of has elapsed from the date of acquisition.
- (1) six months (2) one year
- (3) two year (4) three years
38. Under M.P. Accommodation Control Act, 1961, in a suit for eviction, the tenant shall deposit in the Court or pay to the landlord the arrears of rent within which period from the service of writ of summons
- (1) fifteen days (2) one month
- (3) two months (4) six months
39. Under M.P. Accommodation Control Act, 1961, where shall the tenant file a complaint when the landlord with holds the essential supply?
- (1) Sub-divisional officer
- (2) Collector
- (3) Rent Controlling Authority
- (4) Civil Court

M.P. Land Revenue Code, 1959

40. Under M.P. L.R.C. 1959, on all lands on which the assessment has not been made, the assessment of land revenue shall be made by
- (1) Tahsildar (2) Sub Divisional Officer
- (3) Collector (4) State Government
41. Under M.P. L.R.C. 1959, within how many days can the non tribal Bhumiswami may apply for restoration of possession of his land from where he has been illegally dispossessed?
- (1) 2 years (2) 1 year
- (3) 6 months (4) 3 months
42. Any dispute between the state government and any person in respect of any right under Section 57(1) of the M.P. Land Revenue Code shall be decided by the
- (1) Sub divisional officer (2) Collector
- (3) Commissioner (4) State Government
43. The offence under Section 250B of the M.P. Land Revenue Code is
- (1) Non-cognizable and bailable offence
- (2) Cognizable and non-bailable offence
- (3) Cognizable and bailable offence
- (4) Non-cognizable and non-bailable offence
44. Under M.P. L.R.C., 1959, which of the following Revenue Officer is empowered, after the closure of the revenue surveys and during the term of settlement, to correct any errors in the area of any holding due to mistake of arithmetical miscalculation.
- (1) Sub Divisional Officer (2) Collector
- (3) Settlement Commissioner (4) Commissioner
45. A person who, at the time of coming into force of the M.P. Land Revenue Code, 1959, held a land as a *pattedar* tenant in the Vindhya Pradesh region, shall be called
- (1) Bhumiswami (2) Government lessee
- (3) Occupancy tenant (4) Bonafide agriculturist
46. Under M.P. L.R.C., 1959, which of the following matter is not in exclusive jurisdiction of revenue authorities?
- (1) Any claim to modify a decision determining abadi made by a settlement Officer or Collector
- (2) The amount of Land Revenue assessed or reassessed under this Code or any other enactment for the time being in force
- (3) Any claim against the State Government to have any entry made in any land records or to have any such entry omitted or amended
- (4) Any dispute to which the State Government is not a party relating to any right which is recorded in the record or rights

47. Under which Section of MP. L.R.C. occupancy tenants defined?
 (1) Section 158 (2) Section 181
 (3) Section 183 (4) Section 185
48. Any right lawfully acquired by a person in any land shall be reported by the person under Section 109 of the M.P. Land Revenue Code to
 (1) Patwari (2) Tahsildar
 (3) Sub Divisional Officer (4) Settlement Officer

Indian Evidence Act, 1872

49. Under Indian Evidence Act, the evidence given by dog squad is
 (1) not admissible
 (2) not admissible because dependent on the canine inference
 (3) Dogs cannot give evidence on oath
 (4) Admissible
50. If an accused voluntarily consents for brain mapping and harco-analysis, then such information is relevant under which Section of Evidence Act?
 (1) Section 7 (2) Section 17
 (3) Section 27 (4) Section 30
51. An, accused of murder, alleges that, by grave and sudden provocation, he was deprived of the power of self-control under Indian Evidence Act, the burden of proof is on
 (1) Prosecution (2) Accused
 (3) Victim (4) None of the above
52. A prosecutes, B for adultery with C. A's wife, B deines that C is A's wife, but the Court convicts B of adultery. Afterwards, C is prosecuted for bigamy in marrying B during A's lifetime. C says that she never was A's wife. Under Indian Evidence Act, the judgment against B is
 (1) Irrelevant (2) Relevant
 (3) Conclusive Proof (4) Taking effect of estoppel
53. A, agrees, in writing, to sell a horse to B for "Rs. 1,000 or Rs. 1,500. To show which price was to be given, under Indian Evidence Act—
 (1) Evidence can be given
 (2) Evidence can not be given
 (3) Evidence can be given by the Court's permission
 (4) Can be proved as secondary evidence
54. A sues B for Rs. 1000 and shows entries in his account-books showing B to be indebted to him to this amount. Under Indian Evidence Act
 (1) The entries are relevant but are not sufficient, without other evidence, to prove the debt
 (2) The entries are sufficient, without other evidence, to prove the debt

- (3) The entries are not relevant but are sufficient, without other evidence, to prove the debt
 (4) The entries are neither relevant nor sufficient, to prove the debt
55. The term "Court", as defined in the Indian Evidence Act, 1872, does not include
 (1) Presiding officer of a Labour Court
 (2) Tahsildar
 (3) Arbitrator
 (4) Commissioner appointed by a Civil Court

Indian Penal Code, 1860

56. Which section of IPC is based on the maxim "*de minimis nor curate lex*" (the law takes no account of trifles)?
 (1) Section 91 (2) Section 92
 (3) Section 94 (4) Section 95
57. Under which provision of the IPC appropriate Government may commute the punishment of imprisonment for life?
 (1) Section 52 (2) Section 53
 (3) Section 54 (4) Section 55
58. According to Indian Penal Code, taking property dishonestly from the dead body
 (1) does not amount any offence
 (2) amount to the offence of theft
 (3) amount to the offence of Criminal misappropriation
 (4) amount to the offence of criminal breach of trust
59. According to Indian Penal Code, any man who monitors the use by a woman of the internet, email or any other form of electronic communication commits the offence of
 (1) Voyeurism (2) Stalking
 (3) Watching (4) Searching
60. Under Indian Penal Code, the imprisonment, which the Court imposes in default of payment of fine, may be of the following description—
 (1) only simple
 (2) rigorous
 (3) of either description
 (4) depends on the quantum of fine
61. A holds B down and fraudulently takes B's cell phone from B's trouser without his consent. Under Indian Penal Code. A commits the offence of
 (1) robbery (2) extortion
 (3) dacoity (4) criminal misappropriation

62. A obtains a decree against B for a sum not due. It may be an offence under I.P.C. if 'A' has done so
- (1) negligently
 - (2) fraudulently
 - (3) in good faith
 - (4) none of the above
63. Under I.P.C., sexual intercourse by a man with a woman who is not his wife with her consent is a rape, if she is below the age of
- (1) 16 years
 - (2) 17 years
 - (3) 18 years
 - (4) 19 years

Criminal Procedure Code, 1973

64. Under Criminal Procedure Code, 1973, who empowers the Judicial Magistrate First Class for summary trials?
- (1) The State Government
 - (2) The High Court
 - (3) The Sessions Court
 - (4) Chief Judicial Magistrate
65. Under Criminal Procedure Code 1973, who shall record the information of rape being given by a rape victim?
- (1) Officer in-charge of the police station
 - (2) Deputy Superintendent of Police
 - (3) Officer not below the rank of a Sub Inspector
 - (4) Woman Police Officer or any Woman Officer
66. Who can record statement and confession under Section 164 of the Cr.P.C.
- (1) Police Officers
 - (2) Judicial Magistrate
 - (3) Executive Magistrate
 - (4) Investing Officer
67. Under Criminal Procedure Code, 1973, a magistrate can commit a case to Court of Session which is not exclusively triable by the Court of Session if it appears to him that the case is such that
- (1) Which could not be adequately punished by him
 - (2) Some question of law of unusual difficulty is likely to arise
 - (3) He has no jurisdiction to try the case
 - (4) The case is one which ought to be tried by the Court of Session.
68. Under Criminal Procedure Code, when the inquiry or trial relates to an offence under Section 376 to 376D of the Indian Penal Code within which period the inquiry or trial shall as far as possible be completed from the date of filling of the charge sheet?
- (1) one month
 - (2) two months
 - (3) three months
 - (4) sixth month

69. Under Cr.P.C., a Magistrate First Class may order to make a monthly allowance for the maintenance at the monthly rate of
- (1) five hundred rupees
 - (2) three thousand rupees
 - (3) five thousand rupees
 - (4) as Magistrate thinks fit
70. Inherent power under Section 482 of the Code of Criminal Procedure 1973 can be exercised by
- (1) Session Court
 - (2) High Court
 - (3) Chief Judicial Magistrate
 - (4) Any Judicial Magistrate
71. When may an accomplice be tendered pardon under Section 306 of Criminal Procedure Code?
- (1) Only at the stage of investigation
 - (2) Only at the stage of enquiry
 - (3) Only at the stage of trial
 - (4) At any stage of enquiry or investigation or the trial

Negotiable Instrument Act, 1881 Act, 1961

72. To constitute an offence under Section 138, Negotiable Instrument Act, within how many days the cheque should be presented to the bank from the date on which it is drawn?
- (1) No limit
 - (2) 1 month
 - (3) 3 months
 - (4) 6 months or within the period of its validity
73. Under Section 118 of Negotiable Instrument Act, 1881, what presumption shall not be made?
- (1) The holder of a cheque received the cheque for the discharge of any debt or other liability
 - (2) Consideration
 - (3) Time of acceptance
 - (4) Order of indorsements
74. The maximum amount of fine which can be imposed under Section 138 of Negotiable Instrument Act is
- (1) Ten Thousand Rupees
 - (2) One Lakh Rupees
 - (3) Equal to the cheque's amount
 - (4) Twice of the cheque's amount

75. Under Negotiable Instrument Act 1881, how many times, a holder of a cheque can present it before a bank during the period of its validity?
- (1) Only once
 - (2) Twice
 - (3) Three
 - (4) Any number of times

General Knowledge

76. UN Security Council by a resolution decided to destroy the chemical weapons of which country?
- (1) Libya
 - (2) Egypt
 - (3) Syria
 - (4) Somalia
77. First woman Chairperson of the State Bank of India is
- (1) Chanda Kochhar
 - (2) Anudhati Bhattacharya
 - (3) Kiran Mazumdar Shaw
 - (4) Arundhati Roy
78. Name of scientists who discovered 'God Particle' and were awarded Nobel Prize for this in 2013 are:
- (1) Alice Munro
 - (2) Martin Karplus, Michael Levitt and Arich Washel
 - (3) Serge Haroche and David J Wineland
 - (4) Peter Higgs and Francois Englert
79. Khajuraho Festival is a culturally enriched show of
- (1) Folk dance
 - (2) Classical dance
 - (3) Classical music
 - (4) Indian classical vocal music
80. Bhimbetka is known for
- (1) Buddha statue
 - (2) Archaeological treasure
 - (3) Rich diversity of bird life
 - (4) None of the above
81. Name of India's first defence satellite, launched on 30 August, 2013 is
- (1) GSLV-D5
 - (2) GSAT-7
 - (3) IRNSS-1A
 - (4) INSAT-3D
82. Daman and Diu comes under the jurisdiction of which of the following High Court?
- (1) Gujarat
 - (2) Bombay
 - (3) Goa
 - (4) Rajasthan

83. The Kudankulam Nuclear Power Plant is established in
- (1) Kerala
 - (2) Andhra Pradesh
 - (3) Tamil Nadu
 - (4) Arunachal Pradesh
84. Who is the Chairperson of Unique identification Authority of India?
- (1) Dr. M.S. Swaminathan
 - (2) Nandan Nilekani
 - (3) E. Shreedharan
 - (4) M.N. Buch
85. Kshipra is the tributary of which River
- (1) Narmada
 - (2) Sindh
 - (3) Chambal
 - (4) Betwa
86. "Chand Ka Muh Teda Hal"—is the work of
- (1) Gajanan Madhav Muktibodh
 - (2) Mohan Rakesh
 - (3) Balkrishna Sharma Naveen
 - (4) None of the above
87. Mid-Day Meal Scheme presently covers students up to class
- (1) 5th
 - (2) 8th
 - (3) 10th
 - (4) 12th
88. In addition to India Nepal and Pakistan, following countries are also included in Indian Sub continent?
- (1) Bhutan & Bangladesh
 - (2) China & Afganistan
 - (3) Sri Lanka & Afganistan
 - (4) Bhutan & Afganistan
89. The gas which traps the heat of the suit and prevents it from going back into space is?
- (1) Oxygen
 - (2) Nitrogen
 - (3) Helium
 - (4) Carbon dioxide
90. In which district of Madhya Pradesh 'Bori wild life' is situated?
- (1) Umariya
 - (2) Hoshangabad
 - (3) Panna
 - (4) Sheopur

Computer Knowledge

91. A Storage system for small amount of data is?
- (1) Magnetic Tape
 - (2) Magnetic Card
 - (3) Punched Card
 - (4) Optical Mark Reader

92. A Stand-alone system which produces one page of printout at a time is?
 (1) Page Printer
 (2) Line Printer
 (3) Laser Printer
 (4) Dot Matrix Printer
93. Which of the following is not a type of touch screen technology
 (1) Capacitive (2) Resistive
 (3) RAW (4) Strain Gauge
94. What is true about Ubuntu
 (1) it is developed by Google
 (2) it is developed by Apple
 (3) it is an open source software
 (4) it is developed by Microsoft
95. 'www' stands for
 (1) World Word Web
 (2) World Wide Web
 (3) World White Web
 (4) World Work Web

English

96. Antonym for "MARVELLOUS" is
 (1) Awful (2) Contentious
 (3) Fictitious (4) Malacious
97. Synonym of "BLEMISH" is
 (1) Evil (2) Attraction
 (3) Blot (4) Virtue
98. Choose the word which best expresses the meaning of 'veracity'
 (1) Truth (2) Freedom
 (3) Wisdom (4) Loyalty
99. Monkey are able to move quickly they are very (which is most appropriate word to complete the sentence)
 (1) hasty (2) agile
 (3) prompt (4) rapid
100. (Select the appropriate word to complete the sentence) most important event in India's history was the revolution of 1857?
 (1) the (2) it was the
 (3) that the (4) there was

ANSWERS

M.P. Judicial Service Examination, 2013 (Class II) Shift 1st

1. (3)
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