

**WRITTEN EXAMINATION FOR RECRUITMENT TO THE REGULAR CADRE OF
ARUNACHAL PRADESH HIGHER JUDICIAL SERVICE (GRADE-I) FROM THE
DIRECT RECRUITMENTS IN THE FAST TRACK COURTS, 2012**

**Total marks - 150
Duration - 3 hours**

GROUP-A

Q. No. 1

16 x ½ = 8

- a. Who Won Nobel Prize in literature in 2010?
- b. Who won Jnanpith Award in 2000?
- c. Who was the Miss Universe of 2000?
- d. What is the significance of the colosus of Rhodes?
- e. Who won Phalke Award in 1992?
- f. Who was the Prime Minister of India in 1966?
- g. Name the President of the USA, who was assassinated in Office?
- h. What is the importance of 10th December?
- i. Who was the Chief of Army Staff during 2005-2007?
- j. Who won Silver for India in the London Olympic?
- k. Who, from the North-East, won a medal in the London Olympic?
- l. What was the total No. of seats in the State Assembly of Arunachal Pradesh in 2009?
- m. Which protocol is related to global warming?
- n. Which year was declared as the International Year of Forest?
- o. Name the Manipur born lady, who is on hunger strike since November, 2000?
- p. What is the actual name of Sri Anna Hazare?

Q. No. 2

14 x ½ = 7

Write the answers:

- (a) Whether the rights provided by Article 19 of the Constitution are available to all persons?
- (b) Which provision of the Constitution of India provides the principles of free and fair trial?
- (c) Which article of the Constitution requires that a person arrested and detained in custody should be informed about the grounds of his arrest and right to consult a legal practitioner?

- (d) Whether fundamental rights can be taken away by a legislation?
- (e) By which amendment of the Constitution the provision for free legal aid has been provided?
- (f) Who can make appointment of persons to the post of District Judge?
- (g) Which article of the Constitution provides right of education. Is it a fundamental right?
- (h) Whether a citizen of India has fundamental right for trade in liquor?
- (i) Which Article of the Constitution prohibits double punishment for the same offence?
- (j) Whether fundamental rights can be, read in isolation of directive principles?
- (k) In whose name the government of India may sue or be sued and under which provision of the Constitution of India?
- (l) Who can promulgate ordinance during the recess of Parliament?
- (m) Can Court inquire into proceedings of Parliament?
- (n) Which provision of the Constitution of India provides the requirement for separation of judiciary from the executive and who is to take steps in this regard?

GROUP-B

1. Write an essay on the following topic (in 300 words): 10

"Independence of Judiciary and the role of Executive and Media in India"

2. Write a pre'cis of the following passage giving an appropriate title. 5

"It is not the men who succeed that is always worthy of estimation. The men who fail in a worthy cause continue to exercise a potent influence on their race. The leader of the forlorn hope may fall in the beach, but his body furnishes the bridge over which the victors enter the citadel; the martyr may perish on the stake, but the truth for which he dies may gather new lustre from his sacrifice. The patriot may lay his head upon the block and hasten the triumph of the cause for which he suffers. The memory of a great life does not perish with the life itself but lives in others' minds. The ardent and enthusiastic may seem to throw their lives away; but the enduring men continue the fight and enter in, and take possession of the ground on which their predecessors sleep. Thus the triumph of a just cause may come late, but when it does come, it is due to the men who have failed as well as to the men who have eventually succeeded".

3. Add the appropriate word to the followings: 4 x 1/2 = 2
- (a) As bold as _____
 - (b) As loud as _____
 - (c) As obstinate as a _____
 - (d) As gentle as a _____
4. Write the appropriate name : 4 x 1/2 = 2
- (a) The young one of a pig is called _____
 - (b) The young one of a stag is called _____
 - (c) The young one of a cat is called _____
 - (d) The young one of a horse is called _____
5. Fill up the blanks:- 4 x 1/2 = 2
- (a) A _____ of people.
 - (b) An _____ of soldiers.
 - (c) A _____ of Monkeys.
 - (d) A _____ of events.
6. Make sentence with the followings: 4 x 1/2 = 2
- (a) Bar to.
 - (b) Believe in.
 - (c) Cling to.
 - (d) Die of.
7. Use adjective form of the appropriate words. 4 x 1/2 = 2
- (a) I depend on you.
 - (b) He behaved kindly.
 - (c) The driver was fatally wounded.
 - (d) She was poorly dressed.
8. Inter change the Parts of Speech. 4 x 1/2 = 2
- (a) Her song pleased us much.
 - (b) He is familiar to me.
 - (c) This book costs twenty five rupees.
 - (d) Please sign here.
9. Write the following in positive/ comparative form. 4 x 1/2 = 2
- (a) Truth is stranger than fiction.
 - (b) Prevention is better than cure.
 - (c) He is as brave as a lion.
 - (d) This boy is as clever as a fox.

10. Change the voice of the following:

4 x 1/2 = 2

- (a) Our habits make us slave.
- (b) They laugh at me.
- (c) Listen to me.
- (d) Who told you so?

11. Combine the followings to one simple sentence.

4 x 1/2 = 2

- (a) He saw the bear. He ran away.
- (b) He read the book. He returned it to the library.
- (c) He heard the said news. He started for home at once.
- (d) I have some duties. I must perform them.

(Answer all questions of group-C to H with reference to the relevant provision of law)

GROUP-C

Answer any six questions:

6 x 3 = 18

1. What is resjudicata? Whether a subsequent suit is hit by Section 11 of C.P.C., in a case where the earlier suit was disposed of under order 9 rule 6(2), C.P.C.?
2. Whether a defendant pleading set-off, can bring counter claim, in respect of a cause of action accruing to the defendant after filing of the suit, if so, what are the required conditions?
3. When and under what provision of C.P.C., can a plaint be rejected?
4. A and B, co-plaintiffs obtained a decree for Rs.10,000/- against C, and C obtained a decree for Rs.1,000/- against B. Can C treat his decree as a cross decree?
5. Can a minor sue and be sued, if so, what is the procedure to be followed by a Court in a case where a minor is one of the defendants?
6. (a) When can Court grant an injunction without notice to the opposite party?
(b) What are the principles of granting an injunction?
7. (a) Who are exempted from personal appearance in Court? Whether they are exempted from appearing in exeuctuion of civil process in a case?
(b) Who are not liable to arrest or detention under civil process?
8. (a) What is the option for the defendant, if the suit is fixed for hearing under the provision of Oder 6 Rule 1(a), C.P.C.?
(b) Can a plaintiff bring a fresh suit, if the earlier suit is dismissed under Order 9 rule 9, if not, what steps can be take?

GROUP-D

Answer any six questions:

6 x 3= 18

1. What is Rule against perpetuity, and under what circumstances the restrictions in respect of transfer in perpetuity will not be applicable?
2. Whether a right to future maintenance and a right to sue can be transferred?
3. Whether a vested interest is defeated by the death of the transferee before he obtains possession?
4. What are the consequences of a transfer by a co-owner of immovable property?
5. What is sale and how sale is made? Whether registration of the instrument of sale is compulsory? Is there any exceptions?
6. Write short notes on any two of the following:-
 - A. Mortgage.
 - B. Lease.
 - C. Exchange.
7. What is gift? Who and under what circumstances, can suspend or revoke a gift? What will be the effect of the gift, if the donee dies before acceptance?
8. (a) A transfer to C a debt due to him by B, A being then indebted to B. C sues B for the debt due by B to A. Is B entitled to set off the debt due by A to him, although C was unaware of it at the date of such transfer?

(b) A owes money to B, who transfers the debt to C. B then demands the debt from A, who, not having received notice of the transfer, as prescribed in Section 131, pays B. Is the payment valid, can C sue A for the debt?

GROUP-E

Answer any six questions:

6 x 3= 18

1. (a) Under what circumstances right of private defence of body can extend to causing any harm other than death?

(b) A is attacked by a mob who attempt to murder him. He can not effectually exercise his right of private defence without firing on the mob, and he can not fire without risk of harming young children who are mingled with the mob. What offence will A commit, if he harms any of the children, by so firing.
2. (a) A, a public Officer, is authorized by a warrant from a Court of justice to apprehend Z. B, knowing the fact and also that C is not Z, willfully represents to A that C is Z, and thereby intentionally causes A to apprehend C. here, what offence has B committed?

- (b) A instigates B to murder C. B refuses to do so. Here, has A committed any offence, if so, what?
3. Explain the ingredients of Section 34 and Section 149 of the Indian Penal Code?
4. (a) When does a culpable homicide not amount to murder?
- (b) A gave one blow with a pair of scissors on the chest of the deceased. Under which Section of I.P.C., he can be convicted?
5. Under what circumstances presumption of guilt can be drawn in a case of "dowry death"? Whether the accused has any burden to discharge? What is the consequence of failure to discharge the burden, if any?
6. (a) What are the types of kidnapping and how does kidnapping differ from abduction?
- (b) Can a father be charged with the offence of kidnapping for taking away a minor girl from the custody of her maternal grandfather, with whom she was living in view of strained relationship between her parents?
7. (a) A girl aged about 15 years went with her lover 'B' at her own will. B had sexual intercourse with her consent. Here, has B committed any offence, if so, what offence?
- (b) 'A' meets 'Z' on the high road, shows a pistol, and demands 'Z's purse. 'Z' in consequence, surrenders his purse. What offence has 'A' committed?
- (c) 'A' obtains property from 'Z' by saying –" Your child is in the hands of my gang, and will be put to death unless you send us one lakh rupees". Here, what offence has 'A' committed?
8. (a) 'A' is a warehouse keeper. 'Z' going on a journey, entrusts his furniture to 'A', under a contract that it shall be returned on payment of a stipulated sum for warehouse room. 'A' dishonestly sells the goods. Here, what offence, has 'A' committed?
- (b) 'A' by falsely pretending to be in the civil service, intentionally deceives 'Z', and thus induces 'Z' to let him have on credit goods for which he does not pay. What is the offence committed by 'A'?

GROUP-F

Answer any six questions:

6 × 3 = 18

1. (a) What are the circumstances in which Search-Warrant can be issued?
- (b) Who can issue a Search-Warrant?
2. (a) Who and under what circumstances can seek maintenance under Section 125, Cr.P.C.?
- (b) What is the procedure to be followed in a case where the person ordered to pay maintenance fails to do so without sufficient cause?

3. (a) Whether the order made by a Magistrate under Section 133 Cr.P.C. can be challenged in a Civil Court?
- (b) Can a Magistrate issuing order under Section 133 Cr.P.C., issue an injunction?
- (c) Under what provision of law an Executive Magistrate can pass order, in a dispute concerning land and water, if the dispute is likely to cause breach of peace and he is unable to satisfy himself as to which of them was then in possession of the subject of dispute?
4. (a) On receipt of a telephonic message, regarding an occurrence and identity of the culprit, Police made a G.D. entry and visited the place of occurrence. At the place of occurrence the injured submitted a written information to the Police. Here, which one is the first information report and what will be the value of the other one?
- (b) Whether First information report, under Section 154 Cr.P.C. is a substantive piece of evidence and for what purpose such report can be used in criminal trial?
5. (a) Whether a Court can alter or add to any charge? If so, at what stage?
- (b) What procedure is to be followed, in a case, if the offence stated in the altered or added charge is one for the prosecution of which, previous sanction is necessary?
- (c) After alteration or addition of charge, can Court proceed within the trial as if the altered or added charge had been the original charge?
6. What steps should a Court take if it comes to its notice that the accused person is incapable of making defence or is of unsound mind?
7. (a) Can a Session Court alter or review its judgment or order after it has signed its judgment? If so, to what extent?
- (b) Whether a convicted person is entitled to get free copy of judgment, if so, at what stage?
8. (a) Whether a convicted person can prefer a revision before the Court of Sessions?
- (b) Can a victim prefer an appeal against the order of acquittal, if so, who, can be treated as a victim?

GROUP-G

Answer any six questions:

6 x 3 = 18

1. (a) What is Fact in issue?
- (b) When does a fact become relevant?
- (c) What is 'document'?
2. (a) On whom does the burden to prove alibi lie? Whether the evidence of alibi sought to be proved by the defence witness, who is partner of the accused in his business, can be believed?

- (b) 'A' is accused of receiving stolen goods knowing them to be stolen. It is proved that he is in possession of a particular stolen article. Whether the fact that, at that time, he was in possession of many other stolen articles, is relevant?
3. (a) Explain how does admission differ from confession?
- (b) Whether confession to Police Officer and confession made whilst in police custody can be proved against the accused and what is the exception?
4. (a) Can confessional statement be the sole basis for conviction, if so, when?
- (b) What is the exception to rule of hearsay and when such statement is admissible?
5. (a) In what manner the contents of a document is proved?
- (b) When can a copy compared with a copy of a letter, made by a copying machine, be treated as evidence and what will be the type/nature of such evidence?
- (c) Whether an ordinary copy of a registered document is admissible in evidence? Under what circumstances a copy of such document can be accepted?
6. (a) 'A' desires a Court to give judgment that 'B' shall be punished for a crime which 'A' says 'B' has committed. On whom does the burden of proof lie?
- (b) 'A' is charged with traveling on a rail without ticket. Has 'A' any burden to prove, if so to what extent?
- (c) In case of dowry death, when the occurrence took place in house of her in-laws, what is the onus on the inmates of the house?
7. (a) A intentionally and falsely leads B to believe that the plot 'A' land belongs to A, and thereby induces B to buy it. Accordingly 'B' also buys the land by paying the consideration amount. Subsequently, the said plot of land becomes the property of A, and now, A seeks to set aside the Sale Deed made in favour of B, on the ground that, at the time of the sale, 'A' was not the owner and title holder of the land. Here, can A be allowed to prove his title?
- (b) Whether an accomplice is a competent witness?

GROUP-H

Answer any four questions :

4 x 3 = 12

1. Write short notes on any two of the following:

- (a) Bond
(b) Easement
(c) Good faith

2. (a) Under what provision and when an appeal or an application filed, after the prescribed period, can be admitted?
(b) Is there any bar in accepting an application after the statutory period?
3. What time is to be excluded, in computing the period of Limitation, in legal proceedings?
4. What is the effect of death, with regard to limitation on or before the accrual of the right to sue?
5. (a) When does the period of limitation begin, in a case of fraud or mistake?
(b) At what stage the acknowledgment of liability is required to be signed, for computation of fresh limitation, in respect of a claim or right, for which period of limitation has already started.
6. What is the effect of substituting or adding new plaintiff or defendant with regard to date of institution of the suit?
