

THE GAUHATI HIGH COURT AT GUWAHATI
(The High Court of Assam, Nagaland, Mizoram & Arunachal Pradesh)
Mains Written Examination for direct recruitment to Grade III of
Arunachal Pradesh Judicial Service.

Date: 17.02.2024 (Saturday)
Total Marks: 100

Time: 9 AM to 12 Noon
Duration: 3 Hours

PAPER – I [ENGLISH]

1. Write an essay (any one): (25 marks)

- (a) The ethnic conflict in Manipur: Origin, concerns and way forward.
- (b) Reformation of the India's criminal justice system: Prospects and concerns.
- (c) Religion and Politics.

2. Write a précis of the following: (15 marks)

Many people believe that science and religion are contrary to each other. But this notion is wrong. As a matter of fact, both are complementary to each other. The aim of both these institutions is to explain different aspects of life, universe and human existence. There is no doubt that the methods of science and religion are different. The method of science is observation, experimentation and experience. Science takes its recourse to progressive march towards perfection, the rules of religion are faith, intuition and spoken word of the enlightened, in general, while science is inclined towards reason and rationality, spiritualism is the essence of religion.

In earlier times when man appeared on earth, he was over-awed at the sight of violent and powerful aspects of nature. In certain cases, the usefulness of different natural objects of nature overwhelmed man. Thus began the worship of forces of nature—fire, the sun, the river, the rocks, the trees, the snakes, etc. The holy scriptures were written by those who had developed harmony between external nature and their inner self.

Their object was to enoble, elevate and liberate the human spirit and mind. But the priestly class took upon itself the monopoly of scriptural knowledge and interpretation to its own advantage. Thus, the entire human race was in chains. Truth was flouted and progressive, liberal and truthful ideas or ideas expressing doubt and skepticism were suppressed and their holders punished.

It was in these trying circumstances the science emerged as a saviour of mankind. But its path was not smooth and safe. The scientists and free thinkers were tortured. This was the fate of Copernicus, Galileo, Bruno and others. But, by and by Science gained ground.

3. Use any five (5) of the following idioms/phrases in your own sentences to illustrate their meanings: (5x2=10 marks)

- (a) Dark horse
- (b) Give the slip
- (c) Mother's wit
- (d) Nook and corner
- (e) Red tape
- (f) Snake in the grass
- (g) Wet blanket

4. Complete the sentence with suitable prepositions: (1x10 = 10 marks)

- (a) They are very grateful ___ your kindness.
- (b) Your scheme is adverse ___ my career.
- (c) Chairs are made ___ wood.
- (d) There is a bridge ___ the river.
- (e) I will have finished my work ___ Friday.
- (f) They have quarrelled ___ a piece of land.
- (g) There was a lot of commotion ___ the speaker left the hall.
- (h) I prefer tea ___ coffee.
- (i) Afflicted ___ penury, he died a miserable death.
- (j) The desire ___ fame drove him relentlessly.

5. Name the parts of speech (Adverb/ Adjective/ Preposition/ Pronoun/ Noun/ Conjunction) of the underlined words in the following sentences: (1x5=5 marks)

- (a) Why are you so quiet these days?
- (b) Being a student, he is, hence, very studious.
- (c) Tell your problems to her as a friend does.
- (d) Please wait till noon.
- (e) Which of those is your house?

6. Give the collective nouns of the following: (1x5=5 marks)

- (a) A ___ of rice.
- (b) A ___ of lions.
- (c) A ___ of stamps.
- (d) A ___ of hounds.
- (e) A ___ of actors.

7. Rewrite as directed without changing the meaning: (1x5=5 marks)

- (a) He wrote an amazing essay and scored A+. (change to complex sentence)
- (b) I love him because he was my friend. (change to compound sentence)
- (c) He confessed that he was confused. (change to simple sentence)
- (d) Those who are poor deserve our sympathy. (change to simple sentence)
- (e) The house on the hill is haunted. (change to complex sentence)

8. Rewrite the following into active/passive voice. If the question is in active voice, change it to passive voice and vice versa. (1x5=5 marks)

- (a) Manners reveal character.
- (b) You are being watched carefully.
- (c) Peter did not speak a word.
- (d) Tawang was visited by me in the month of August last year.
- (e) The mistake could not have been made by them.

9. Change the narration. (1x5=5 marks)

- (a) Thomas said to me, "Your father is going to Guwahati next month."
- (b) He says that he knows the way.
- (c) After regaining his consciousness, the patient said, "Where am I now?"
- (d) The annoyed guide pleaded that his lead be followed.
- (e) The father told his son, "Never go out when it rains."

10. Make a meaningful sentence using the following as noun. (1x5=5 marks)

- (a) stand
- (b) build
- (c) drink
- (d) walk
- (e) bet

11. Choose the correct answer: (1x10=10 marks)

- (a) Selecting dogs among many for pets ___ quite tough. (is/are)
- (b) At the end of the movie, they thought it ___ worth their time. (was/were)
- (c) A class of students from that school ___ not being cooperative. (is/are)
- (d) The staffs from different offices ___ already gathered in the hall. (has/have)
- (e) The problem, which is minor in comparison with this problem, ___ because of Tom. (exist/exists)
- (f) One-third of the city ___ experiencing heavy rain tonight. (is/are)
- (g) None of that ___ your assigned task. (is/are)
- (h) I just could not understand these sums. If only I ___ better in Maths! (was/were)
- (i) ___ neither of the students your son?' (Is/Are)
- (j) His power and influence over those lands ___ immense. (is/are)

a) A-3,B-1,C-4,D-2

c) A-1,B-2,C-3,D-4

3. List I

A) Sarod

B) Santoor

C) Shahnai

D) Tabla

a) A-1,B-2,C-3,D-4

c) A-4,B-2,C-3,D-1

4. List I

A) Kuki

B) Lepchas

C) Warlis

D) Lushais

a) A-1,B-2,C-3,D-4

c) A-1,B-3,C-2,D-4

5. List I

A) Col. Gadaffi

B) Hosni Mubarak

C) Fidel Castro

D) Bashar Al-Asad

a) A-1,B-2,C-3,D-4

c) A-2,B-3,C-1,D-4

b) A-4,B-3,C-2,D-1

d) A-3,B-1,C-2,D-4

List II

1) Allah Rakha Khan

2) Bismillah Khan

3) Shiv Kumar Sharma

4) Amjad Ali Khan

b) A-4,B-3,C-2,D-1

d) A-1,B-3,C-2,D-4

List II

1) Manipur

2) Sikkam

3) Maharashtra

4) Tripura

b) A-4,B-3,C-2,D-1

d) A-1,B-2,C-4,D-3

List II

1) Syria

2) Libya

3) Egypt

4) Cuba

b) A-2,B-3,C-4,D-1

d) A-2,B-1,C-3,D-4

IV. Choose the correct answer of the following legal questions .

2x5= 10

1. "Animal" denotes
 - a) Any living creature including human being
 - b) Any living creature other than a human being
 - c) Any creature alive or dead
 - d) All of the above
2. Which of the following statements is true regarding a "Warrant of Arrest" ?
 - a) It must be a written order
 - b) It must be signed, sealed and issued by a Magistrate
 - c) It is addressed to a police officer
 - d) All of the above
3. Which of the following involves " laying of trap" ?
 - a) Investigation
 - b) Inquiry
 - c) Preliminary inquiry
 - d) Trial
4. Maintenance of a case diary by an Investigating Officer is
 - a) Directory
 - b) Mandatory
 - c) Discretionary
 - d) None of the above
5. While taking cognizance, whom does the court take cognizance of ?
 - a) The offence
 - b) The offender
 - c) The offenders, if there is more than one
 - d) All of the above

V. Give the correct answer .

2x5= 10

1. A man swims 12 km downstream and 10 km upstream. If he takes 2 hours each time, what is the speed of the stream ?

- A) 1km/h
B) 0.5 km/h
C) 1.5 km/h
D) 0.7 km/h

2. A jogger is running at a speed of 15 km/h. In what time he will cross a track of 400 meters length ?

- A) 96 sec
B) 100 sec
C) 104 sec
D) 110 sec

3. The ratio of income of two workers A and B are 3:4. The ratio of expenditure of A and B is 2:3 and each saves Rs. 200. What is the income of A and B ?

- A) 500, 600
B) 600, 800
C) 600, 900
D) 800, 1000

4. A shopkeeper bought a watch for Rs.1200. At what price should he sell the watch to earn a profit of 25% ?

- A) Rs. 1400
B) Rs. 1300
C) Rs. 1500
D) Rs. 1550

5. The day on 5th April of a year will be the same day on 5th of which month of the same year

- A) 5th July
B) 5th August
C) 5th June
D) 5th October

VI. Write on any one of the following topics: (200 words)

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A) Advent of " Artificial Intelligence" ----- its impact on modern day judiciary.

B) " Doctrine of basic structure" of the Indian Constitution with reference to the Kesavananda Bharati case .

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PAPER III (Law Paper-I)

A. Constitution of India

- 1.** Write short notes on any three of the following: (3×3= 9 marks)
 - i. Directive Principles of State Policies.
 - ii. Basic Feature doctrine.
 - iii. Article 21 of the Constitution of India.
 - iv. Federalism under Indian Constitution.

- 2.** Answer the following questions: (5×1= 5 marks)
 - i. Which Article of the Constitution of India guarantees a citizen to approach Supreme Court for enforcement of fundamental rights?
 - ii. Which Article of the Constitution provides for adjudication of inter-state dispute relating to rivers or river valleys?
 - iii. By which Constitution Amendment Act an independent commission to appoint Judges to Supreme Court and High Court to replace Collegium system was created?
 - iv. How many subjects does List – II under 7th Schedule of the Constitution consists?
 - v. Under which Article of the Constitution of India financial emergency can be proclaimed?

- 3.** What is right of a citizen against exploitation provided in the Constitution? (2 marks).

- 4.** Define Parliamentary form of Government. (2 marks)

5. What is "Power of Judicial Review"? (2 marks)
6. What is "impeachment" under Indian Constitution? (2 marks)
7. What is "Doctrine of Pleasure"? (2 marks)

B. CODE OF CIVIL PROCEDURE

8. Write notes on the following: (4×2 = 8 marks)
i. Preliminary decree.
ii. Return and Rejection of Plaint.
9. Answer the following: (5×1=5 marks)
i. Under which provisions of CPC, a person can be arrested in execution of decree?
ii. Under what circumstances plea of Bar of Suit Under Order II Rule 2 can be raised?
iii. Which section of CPC deals with transfer of execution by the Court which had decreed the suit to other Court?
iv. Which section of CPC empowers High Courts to make rules?
v. Which provision of CPC prescribes that copy of the plaint be annexed with the summon?
10. Define any two of the following: (2×2 = 4 marks)
i. Foreign judgment
ii. Legal representative
iii. Mesne profit.
iv. Decree holder.
11. What is Compensatory cost under section 35A CPC? Explain . (3 marks)
12. What is section 80 CPC? Explain. XX (3 marks)
13. What should be a content of judgment as per Order ~~XXII~~ Rule 4. (3 marks)

C. Transfer of Property Act

- 14.** Answer the following:
- i. What is the default interest payable under S.63 & 63A of the T.P Act, 1882? (1 mark)
 - ii. What are the essential elements of a valid sale under T.P. Act, 1882? (2 marks)
 - iii. What is the difference between Simple mortgage and Mortgage by conditional sale? (2 marks)
 - iv. Which section of T.P Act, 1882 provides "Contingent Interest"? (1 mark)
- 15.** What are the differences between lease and license? (3 marks)
- 16.** What is 'actionable claim'? (3 marks)
- 17.** Differentiate between vested and contingent interest? (3 marks)
- 18.** Explain 'Doctrine of Election' as enunciated under S.35 of the T.P. Act, 1882 (3 marks)
- 19.** What are the different kinds of mortgages under T.P. Act, 1882? Explain. (5 marks)
- 20.** Who can sue for redemption under S.90 of the T.P. Act, 1882? (2 marks)

D. Indian Contract Act

- 21.** What is a fraud and misrepresentation under Section 17 & 18 of the T.P. Act? *Indian Contract Act ?* (4 marks)
- 22.** What is the difference between agent and bailee? (2 marks)
- 23.** What are the elements of a contract? All contracts are agreement but all agreements are not contract. Explain with example. (5 marks)
- 24.** What are the essential conditions of Pledge? (3 marks)
- 25.** What is "Quantum Meruit"? Explain. (3 marks)
- 26.** What is Continuing Guarantee? Can such guarantee be revoked? (5 marks)
- 27.** Write a brief note on Doctrine of Frustration of Contract. (3 marks)

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PAPER – IV (LAW PAPER-II)

A. Indian Penal Code (IPC)

1. Attempt any five-

5X5= 25

- (a) Explain the concept of 'Mens rea' and 'Actus Reus'.
- (b) All murders are culpable homicide but all culpable homicides are not murder. Explain.
- (c) Distinguish 'Kidnapping' from 'Abduction'.
- (d) Distinguish 'Robbery' from 'Extortion'.
- (e) What are the ingredients to constitute the offence of 'Theft'?
- (f) Brief note regarding the provisions of Dowry Death in the IPC.
- (g) Brief note on the offence of Defamation under the IPC.

B. Code of Criminal Procedure (Cr.P.C.)

2. Attempt any five-

5X5= 25

- (a) Brief note on the introduction of Sec.41 A in the Cr.P.C. Cite relevant case laws.
- (b) Brief note on Sec.436 Cr.P.C.
- (c) Concept of Double Jeopardy and the connected provision in the Cr.P.C.
- (d) Brief note on the 'Power to examine the accused.'
- (e) Explain the provisions regarding compounding of offences.
- (f) Provisions of Limitation under the Cr.P.C.
- (g) Explain briefly the concept of 'Plea Bargaining' as introduced in the Cr.P.C.
- (h) Brief note on Sec.197 Cr.P.C. relating to Prosecution of Judges and Public servants.

C. Indian Evidence Act

3. Attempt any five-

5X5= 25

- (a) Provisions in the Evidence Act regarding 'Estoppel'.
- (b) Brief note on examination of witnesses and the relevant provisions in the Evidence Act.
- (c) Distinguish Primary Evidence from Secondary Evidence.
- (d) Brief note on Sec.27 of the Evidence Act.
- (e) Short note on Dying Declaration with its relevance to the Evidence Act.
- (f) Brief note on the harmonious construction of sec.133 and Illustration (b) of Sec.114 of the Evidence Act relating to accomplice evidence.
- (g) Brief note on the provisions in the Indian Evidence Act regarding presumption as to abetment of suicide of a married woman and Dowry Death.

D. Law of Torts

4. Attempt any five-

5X5= 25

- (a) Brief note on Negligence in Law of Torts.
- (b) Explain the doctrine of 'Injuria Sine Damnum' and 'Damnum Sine Injuria' with Illustrations.
- (c) Brief note on 'Res Ipsa Loquitor'. Illustrate with case laws.
- (d) 'Volenti Non Fit Injuria' as a defence in Tort; Elaborate.
- (e) Doctrine of Strict Liability and its exceptions.
- (f) Defamation as a tortious liability.
- (g) Absolute Liability – development of the concept with relevant case laws.
