



Previous Year Paper

U.P. Judicial Service Civil Judge Main Examination, 2003

PAPER – I {GENERAL KNOWLEDGE}

Time Allowed: Three Hours

Maximum Marks: 200

Note:

- All Questions are compulsory.
- Marks carried by each question are indicated against it.

1.
 - (a) Discuss the economic basis of the Indus Valley Civilization. (word limits 150)
10
 - (b) Examine the role of women in the struggle for the India's independence. (Word limits 150)
10
2.
 - (a) Write short notes on the following: - (word limit 125 each)
15
 - (i) Architecture style of Mughal period.
 - (ii) Special features of Government of India Act, 1935.
 - (b)
 - (i) Which foreign ruler was permitted by Samudragupt to build a Budha Vihar at Bodhgaya?
 - (ii) The famous poet Amir Khusro was associated with the court of which emperor?
 - (iii) What Mughal emperor undertook a journey from Agra to Ajmer on foot after being endowed with a son?
 - (iv) Which Mughal emperor is also known as 'Shah-e-Bekhabar'?
 - (v) At which place did the East India Company establish its first trade centre in India for carrying out its trade?
5
3. Write short notes on the following:- (word limit 50 each)
20
 - (a) Cross-border terrorism
 - (b) Globalization and free trade
 - (c) Green Revolution-II





(d) Growth rate of Indian Economy during 2000-04

(e) India Vision 2020.

4.

(a) Examine the main reasons behind the recent suicides by farmers in seven states of India including Andhra Pradesh, Karnataka and Rajasthan. (word limit 150)

10

(b) What proposals have been made in the budget of 2004-05 by the present Finance Minister Shri P. Chidambaram to tackle this problem? (word limit 150)

10

5.

(a) There have been controversies over the appointment of Governors in India by the President. Discuss the constitutional position and related examples. (word limit 150)

10

(b) Examine the problems of National Capital Region and efforts being made to solve them. (word limit 150)

10

6.

(a) "Despite all talk about the need for an effective opposition, it has not been possible to develop an effective opposition in India." Discuss this statement. (word limit 150)

10

(b) What are the main sources of revenue of Uttar Pradesh government? Discuss the reasons for the present economic position being not satisfactory. (word limit 150)

10

7.

(a) Write explanatory notes on the following :- (word limit 50 each)

15

- (i) Starred and Non-starred Questions
- (ii) e-governance
- (iii) Zero Hour
- (iv) Consolidated fund of India
- (v) Bicameral State

(b) Write the full form of the following:-

5

- (i) S.P.C.A.
- (ii) P.I. O
- (iii) D.V.C.
- (iv) S.A.L.'
- (v) J.K.L.F.

8.

(a) Why have the following been in the news recently. (word limit 50 each)

15

- (i) John Kerry
- (ii) Montek Singh Ahluwalia





- (iii) Vikram Seth
- (iv) Suraj Lata Devi
- (v) Goh Chok Tong

(b) Name the winner of the following competitions: -

- (i) Euro Cup 2004
- (ii) Copa America Cup 2004
- (iii) NatWest Trophy 2004
- (iv) Wimbledon Women's Single 2004
- (v) Wimbledon Men's Single 2004

9.

(a) Discuss the role of Cassini-Hagens spacecraft in exploring the structure of the rings of planet Saturn and the atmosphere of its largest moon-the Titan. (word limit 125)

10

(b) Write short notes on the following:- (word limit 35 each)

- (i) Param Padma
- (ii) Falcon Radar
- (iii) Boahmos
- (iv) Golden Quadrangle
- (v) Main issues of Fourth Annual Conference of World Social Forum, held in January 2004.

10

10.

(a) Indicate the answer to the following on the basis of census of 2001:

5

- (i) Total population of Uttar Pradesh
- (ii) Percentage of literate population in India.
- (iii) Percentage of working population in India.
- (iv) Name of district in U.P. having lowest sex-ratio among children (0-6 years)
- (v) Names of three most populous states in India in descending order.

(b) What is Nanotechnology? What kind of activities will benefit with its development? (word limit 75)

5

(c) Bring out the importance of the following as industrial centres in U.P. (word limit 35 each)

10

- (i) Manduadih
- (ii) Moradabad
- (iii) Firozabad
- (iv) Rampur
- (v) Kanpur.





U.P. Judicial Service Civil Judge Main Examination, 2003

PAPER – II {LANGUAGE}

Time Allowed: Three Hours

Maximum Marks: 200

Note:

- All Questions are compulsory.
- Marks are allotted against each question.

1. Write an essay in English on any one of the following topics in about 500 words:

60

- (a) The crisis of India is the crisis of character
- (b) How to check environment pollution.
- (c) The baneful influence of westernization.

2. Make a precis of the following passage in your own words in about one-third of the original passage and suggest a suitable title to it.

60

The people are living beings. They have their distinct personalities. But Nations are organisations of power, and therefore their inner aspects and outward expression are every where monotonously the same. Their differences are merely differences in degree of efficiency.

In the modern world the fight is going on between the living spirit of the people and the methods of nations organising. It is like the struggle that began in Central Asia between cultivated areas of Man's habitation and the continually encroaching desert stands, till the human region of life and beauty was choked out of existence.

When the spread of higher ideals of humanity is not held to be important, the hardening method of national efficiency gains a certain strength, and for some limited period of time, at least, it proudly asserts itself as the fittest to survive. But it is the survival of that part of man which is the least living. And this is the reason why dead monotony is the sign of the spread of the Nation. The modern towns. Which present the physiognomy due to this dominance of the Nation, are everywhere the same, from San Francisco to London, from London to Tokyo. They show no faces, but merely masks.

The peoples, being living personalities, must have their self-expression, and this leads to their distinctive creations. These creations are literature, art, social symbols and ceremonials. They are like different dishes at one common feast. They add richness to our enjoyment and understanding of truth. They are making the world, of man fertile of life and variedly beautiful.

But the nations do not create, they merely produce and destroy. Organisation for production are necessary. Even organisations for destruction may be so. But when, actuated by greed and hatred, They crowd away into a corner the living man who creates, then the harmony is lost, and people's history runs at a break-neck speed towards some fatal catastrophe. Humanity, where it is living, is guided by inner ideals; but where it is a dead organisation it becomes impervious to them. Its building process is only an external process, and in its response to the moral guidance it has to pass through obstacles that are gross and non- plastic.





Man as a person has his individuality, which is the field where his spirit has its freedom to express itself and to grow. The professional man carries a rigid crust around him which has very little variation and hardly any elasticity. (409 words)

3. Translate into English:

असफलता की चिन्ता मत करो। वे बिलकुल स्वाभाविक हैं, वे असफलताएँ जीवन के सौन्दर्य हैं उनके बिना जीवन क्या होता? जीवन में यदि संघर्ष न रहे, तो जीतिव रहना ही व्यर्थ है। इसी संघर्ष में है जीवन का काव्य। संघर्ष और त्रुटियों की परवाह मत करो। असफलताओं पर ध्यान मत दो, ये छोटी-छोटी फिसलनें हैं आदर्श को सामने रखकर हजार बार आगे बढ़ने का प्रयत्न करो। यदि तुम हजार बार भी असफल होते हो, तो एक बार फिर प्रयत्न करो। विश्व की समस्त शक्तियाँ हमारी हैं हमने अपने हाथ अपनी आँखों पर लिये हैं और चिल्लाते हैं। कि सब ओर अंधेरा है। जानलो कि हमारे चारों ओर अंधेरा नहीं है, अपने हाथ अलग करो, तुम्हें प्रकाश दिखाई देने लगेगा, जो पहले भी था अंधेरा कभी नहीं था, कमजोरी कभी नहीं थी। हम सब मूर्ख हैं जो चिल्लाते हैं कि हम कमजोर हैं, अपवित्र हैं। कमजोरी का इलाज कमजोरी की चिन्ता करना नहीं, पर शक्ति का विचार करना है। मनुष्यों को शक्ति की शिक्षा दो, जो पहिले से ही उनमें हैं।

4. Translate into Hindi :

40

After every happiness comes misery; they may be far apart or near. The more advanced the soul, the more quickly does one follow the other. What we want is neither happiness nor misery. Both make us forget our true nature; both are chains, one iron, another gold; behind both is the atman (Soul), who knows neither happiness nor misery. There are states and states must ever change; but the native of the soul is bliss, peace, unchanging. we have not to get it. We have it, only wash away the does and see it. Start upon the self, then only can we truly love the world. Take a very, very high stand; knowing our universal nature, we must look with perfect calmness upon all the panorama of the world. It is but baby's play, and we know that, so cannot be disturbed by it. If the mind is pleased with praise, it will be displeased with blame. All pleasures of the senses or even of the mind are evanescent. but within ourselves is the one true unrelated pleasure, dependant upon nothing. It is perfectly free, it is bliss.





U.P. Judicial Service Civil Judge Main Examination, 2003
LAW PAPER – I {SUBSTANTIVE LAW}

Time Allowed: Three Hours

Maximum Marks: 200

SPECIFIC INSTRUCTIONS

- Candidates have to attempt Question Nos. 1 and 2, and any four of the remaining ones. Attempt six questions in all.
- Marks carried by each question are indicated at its end.

1.

- (a) "A declaration of Fundamental Rights is meaningless unless there is an effective Judicial remedy for their enforcement." Comment. What are the Judicial remedies which the Constitution provides? Explain.
- (b) "The Indian Constitution is federal in form but unitary in substance." Comment.
- (c) 'Arbitrariness and equality are sworn enemies.' Explain.
- (d) Discuss the powers of President to consult Supreme Court under Article 143 of the Constitution. Whether the Supreme Court can decline to answer a reference? Explain.

2.

- (a) What is the rule against accumulation? What are exceptions of the rule against accumulation? Discuss.
- (b) Explain the difference between a void and voidable marriage under the Hindu Marriage Act.
- (c) Explain with illustrations 'Anticipatory breach of contract.' What is the measure of damages in cases of such breach?

3.

- (a) "In both motion is necessary but while the application of unlawful force to another constitutes the wrong called battery an action which puts another in instant fear of unlawful force, though no force be actually applied is the wrong called assault." Discuss and state the defences to an action for assault and battery.
- (b) What is malicious prosecution and false imprisonment? What are the remedies against malicious prosecution and what are the exceptions to it?





- 4.**
- (a) State briefly the origin and growth of Equity in England.
 - (b) What is temporary Injunction? When should a temporary Injunction be issued? Discuss.
- 5.**
- (a) Define a Licence. When can a licence be transferred? When is the licence not revocable?
 - (b) Can an 'easement of necessity' be extinguished by unity of ownership? If so, can it be revived in any case?
- 6.**
- (a) "Strangers to a contract can not sue." Discuss and point out the exceptions to the rule.
 - (b) What is a Lease? How is it determined under the Transfer of Property Act? Explain.
- 7.**
- (a) What are the effects of non-registration of a firm? Can a partner of unregistered firm sue for the realisation of property on its dissolution?
 - (b) Write short notes on the following-
 - (i) Equity follows the law.
 - (ii) Equity look on that as done which ought to have been done.
 - (iii) Where equities are equal the law shall prevail.
- 8.**
- (a) Define "Trust". Discuss the provisions regarding the creation of trust.
 - (b) What remedies does Specific Relief Act provide with regard to the recovery of the possession of immovable property to a person dispossessed of it?
- 9.**
- (a) What are the requisites of valid adoption and who are the persons capable of giving in adoption?
 - (b) "Life estate is unknown to Muslim Law as administered in India, but life interest can be created." Discuss.





10. Solve any three of the following problems-

- (a) X was a lodger in the house of Y. While going out on some business, X left fire burning in the grate of the fire place. During his absence, the fire some how spread and damaged the house. Y brings an action against X. Would Y succeed?
- (b) A gives a field to B, reserving to himself with B's assent the right to take back the field in case B and his descendants die before A. B dies without descendants in A's life time. Can A take back the field?
- (c) 'A' promises to drop a prosecution, which he has instituted against 'B' for robbery and 'B' promises to restore the value of the thing taken. Is the agreement valid?
- (d) Being fed-up with each other's quarrelling nature, both husband and wife entered into an agreement in which wife agrees to live separately from her husband permanently and husband agrees to pay her a monthly maintenance allowance of Rs. 1,000/-. After six months husband refuses to pay the allowance. Can wife enforce the agreement against her husband in a court of law?





U.P. Judicial Service Civil Judge Main Examination, 2003 LAW PAPER – II {PROCEDURE & EVIDENCE}

Time Allowed: Three Hours

Maximum Marks: 200

SPECIFIC INSTRUCTIONS

- Attempt five questions in all. Question No. 1 is compulsory.
- At least one question must be attempted from each Section.
- Marks carried by each question have been indicated against the question.

1.

(a) Plaintiff 'A' is owner of a house. In one of its portion defendant 'B' resides. The defendant has not paid rent for last 10 months. On this very ground the plaintiff wants to get his house vacated and also to recover arrears of rent due. On the above facts draft a plaint on behalf of 'A' for eviction and recovery of arrears of rent.

(b) Draft a written statement on behalf of 'B' in reply to the above plaint.

Or

A young man of considerable means 'A' developed friendship with a young girl 'B' of ordinary family living in his neighbourhood. The girl's mother had died and father usually goes to his fields for working during the whole day. The girl gave birth to an illegitimate child from the above-mentioned young man. The man declined the offer of marriage and also refused to maintain them on the basis of above facts write a judgment in the case.

Group A

2.

(a) Explain the principle of res judicata between co-defendants. How res judicata differs from res-sub-judice and estoppel?

(b) What are the fundamental rules of pleadings? What are the circumstances in which court can order amendment of pleadings?

3.

(a) Who is entitled to file a pauper suit? State the procedure for filing such suits? Can a defendant be allowed to defend in forma pauperis? Give reasons.

(b)

- (i) When a court shall reject an application to sue in forma pauperis. Discuss fully?
- (ii) A presented an application for leave to sue in forma pauperis but A dies pending the hearing of the application. Can the application be continued by B who is a legal representative of A? Give reasons.

4.

(a) When can a temporary injunction be granted by a civil court?

(b) What is an interpleader suit? When and by whom can it be instituted?

(c) In what circumstances can the property of defendant be attached before judgment?

(d) What do you understand by the inherent powers of the civil court?





Group B

- 5.**
- (a) All admissible evidence is relevant, but all relevant evidence is not necessarily admissible. Comment.
 - (b) Point out whether in the following case, the facts sought to be proved are relevant:-
 - (i) A is charged with shooting at B with intent to kill him. In order to prove A's intent the prosecution wants to prove the facts that A has earlier shot one.
 - (ii) A is tried for rioting and it is proved that he was marching at the head of the mob, the prosecution wants to prove that the mob was shouting.
- 6.**
- (a) Distinguish between direct and circumstantial evidence. Can a person be convicted on circumstantial evidence alone?
 - (b) Distinguish between rebuttable and irrebuttable presumptions?
 - (c) 'Hearsay evidence is no evidence'. Explain and state the exceptions.
 - (d) Distinguish between patent and latent ambiguities. Give examples of such ambiguities.
- 7.**
- (a) A Estoppel is a complex legal notion, involving a combination of several essential elements the statement to be acted upon, acted on the faith of it, resulting detriment to the actor?
 - (b) What is dying declaration. Discuss its evidentiary value. Can an accused be convicted on the basis of dying declaration alone? Cite case law.

Group C

- 8.**
- (a) When can warrant be issued by a court in lieu of summons?
 - (b) Can a court take a bond for appearance of a person who is present in the court? Discuss with reference to statutory provisions.
 - (c) Can a person who has filed a bond be arrested? If so, under what circumstances?





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9.

- (a), Define "charge" and enumerate the contents of charge.
- (b) Is a defective charge necessarily fatal to conviction.
- (c) Can a court alter charge? If so how and up to what stage?
- (d) What are the cases in which an accused person may be convicted of an offence which is not specified in the charge- sheet on which he has been tried?

10. Referring to statutory provisions, discuss the validity of the following:

- (a) Where investigation cannot be completed within 24 hours, the police officer produces the accused before an Executive Magistrate upon whom the power of the Judicial Magistrate has been conferred. Such Magistrate remands the accused to 10 days' police custody.
- (b) A Magistrate in a summary trial proceeding on conviction passes sentence order for 4 months' imprisonment.
- (c) A person arrested on accusation of bailable offence is not released on bail by the police officer though the person is ready to furnish bail.
- (d) For complaint against the accused without reasonable cause, Magistrate orders payment of compensation in favour of the accused. For default in payment of compensation passes an order of sentence for 60 days' imprisonment.
- (e) Where accused desires to plead guilty, Magistrate issues a special summon specifying rupees one hundred fifty as fine.





U.P. Judicial Service Civil Judge Main Examination, 2003
LAW PAPER – III {REVENUE & CRIMINAL}

Time Allowed: Three Hours

Maximum Marks: 200

SPECIFIC INSTRUCTIONS

- Candidates should answer six questions in all. Question Nos. 1 and 2 are compulsory and rest two each should be from Section - A and Section -B.
- Marks carried by each question are indicated at its end.

1. Write short note on the following:

- Allotment and release of building.
- Proceeding for release of building from occupation of tenant.
- Procedure for removal of Mayor.
- Powers, functions and duties of Municipalities.

2.

- What are the 73rd and 74th Constitution (Amendment) Acts? Discuss the effect and consequences of these amendments on U.P. Panchayati Raj Act and U.P. Municipalities Act.
- What do you understand by consolidation? What are tenure- holders to whom it is applicable? What is the benefit of consolidation?
- What is Master Plan, distinguish between Master Plan and Zonal Development Plan.

Group A

3.

- Write critical notes on the following:-
 - Constitutionality of U.P. Zamindari Abolition and Land Reforms (Amendment) Act, 1997.
 - Can a son of asami inherit the land in which his father enjoyed asami rights?
 - Can a woman tenure-holder execute a Will in favour of a stranger to her family?
- Define surrender and abandonment and distinguish between them.





4.

(a) Distinguish between the following:-

- (i) Mutation and Correction
- (ii) Khasra and Khatauni
- (iii) Appeal and Revision.

(b)

- (i) A male bhumidhar dies intestate, leaving behind his married daughter and brother who will succeed to his land? Explain.
- (ii) Write a short note on Land Management Committee.

5.

(a) Describe in brief the rights of bhumidhar with transferable rights and discuss restrictions on transfer of such rights.

(b)

- (i) Distinguish between Gram Sabha and Gram Panchayat.
- (ii) Distinguish between Rent and Revenue.

6.

(a) How far the U.P. Zamindari Abolition and Land Reforms Act has been successful in achieving the ideal of socio-economic justice as envisaged in the Constitution of India? Explain by referring to various amendments made in the Act.

(b) What do you mean by boundary mark? Discuss the consequences of removal of such marks as well as the procedure to settle boundary disputes.

Group B

7.

(a) Discuss the defamation and its exceptions according to Section 499 of the Indian Penal Code.

(b) Under what circumstances will causing of death be justified in the exercise of private defence.

8.

(a) Discuss the law relating to "grave and sudden provocation" as laid down in the Indian Penal Code and state the extent to which it may mitigate the responsibility of the accused for the offence of murder. Refer to case law to illustrate your answer.

(b) Critically examine the law relating to intoxication exonerating the accused from criminal liability.



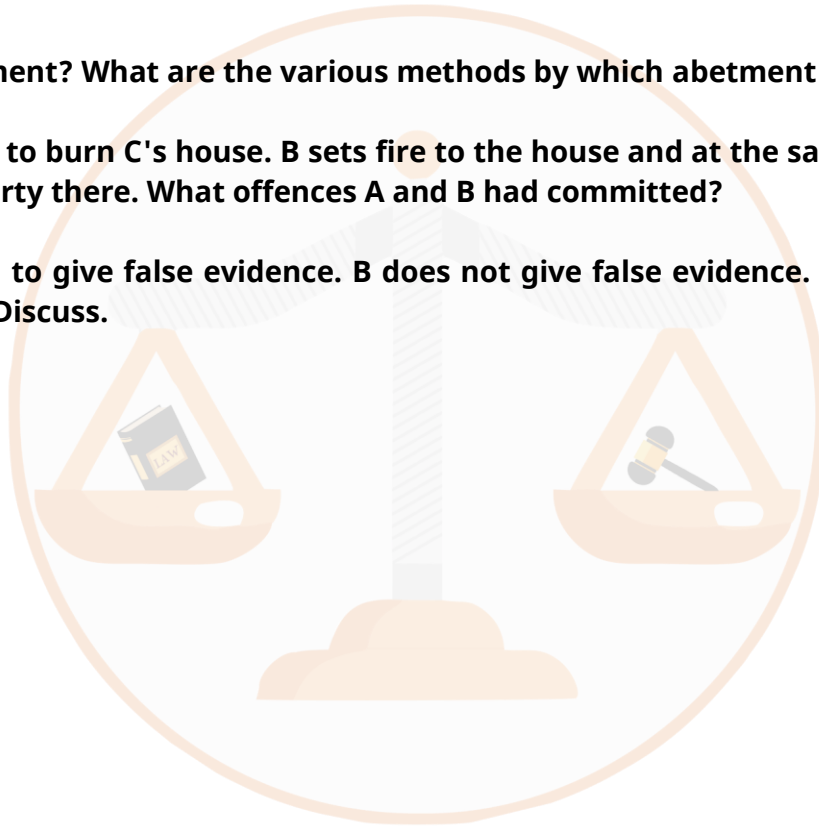


9. Distinguish with illustration between the following:-

- (a) Kidnapping and Abduction
- (b) House-trespass and house-breaking
- (c) Dishonest mis-appropriation of property and criminal breach of trust

10.

- (a) What is abetment? What are the various methods by which abetment is possible?
- (b) A instigates B to burn C's house. B sets fire to the house and at the same time commits theft of property there. What offences A and B had committed?
- (c) A instigates B to give false evidence. B does not give false evidence. Has A committed any offence? Discuss.





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