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Note : The above index contain the various subjects of laws as per latest syllabus for Haryana Judiciary Prelim/mains Examination

Disclaimer: All efforts have been made to assure accuracy of the answer given and explanation provided. However, any Bonafede or unintentional error or mistake as to typing, printing or otherwise will not entitled any reader of the book for any kind of damages or compensation whatsoever.

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Analysis Table (HJS 2013-2021 Years Previous Papers)

| Sr. No. | SUBJECTS | Total Questions no, (in %) | | | | | | |
|---------|------------------------------------|----------------------------|------|------|------|------|-----------------|------------------------------------|
| | | 2013 | 2014 | 2017 | 2018 | 2021 | Total No. of Q. | Average of Last Five HJS Exams (%) |
| 1 | Constitution of India | 18 | 11 | 12 | 11 | 11 | 63 | 10.08 |
| 2 | Indian Penal Code, 1860 | 24 | 15 | 14 | 10 | 13 | 76 | 12.16 |
| 3 | Code of Civil Procedure, 1908 | 16 | 15 | 15 | 20 | 13 | 79 | 12.64 |
| 4 | Code of Criminal Procedure, 1973 | 11 | 15 | 15 | 16 | 17 | 74 | 11.84 |
| 5 | Indian Evidence Act, 1872 | 19 | 12 | 11 | 14 | 13 | 69 | 11.04 |
| 6 | Limitation Act, 1963 | 1 | 5 | 5 | 5 | 3 | 19 | 3.14 |
| 7 | Transfer of Property Act, 1882 | - | 1 | 1 | 3 | - | 5 | 0.8 |
| 8 | Indian Contract Act, 1872 | 6 | 7 | 9 | 6 | 8 | 36 | 5.76 |
| 9 | Specific Relief Act, 1963 | 1 | 4 | 4 | 3 | 3 | 15 | 2.4 |
| 10 | Punjab Courts Act | - | 2 | 1 | 1 | 1 | 5 | 0.8 |
| 11 | Sale of Goods Act, 1930 | 3 | 5 | 3 | 4 | 3 | 18 | 2.88 |
| 12 | Registration Act | - | 4 | 2 | 2 | 3 | 11 | 1.76 |
| 13 | Partnership Act | 3 | 4 | 3 | 5 | 2 | 17 | 2.72 |
| 14 | Muslim Law | 1 | 2 | 1 | 3 | 3 | 10 | 1.6 |
| 15 | Hindu Succession Act | 2 | 3 | 3 | 3 | 4 | 15 | 2.4 |
| 16 | Hindu Marriage Act | 5 | 8 | 5 | 5 | 8 | 31 | 4.96 |
| 17. | Hindu adoption and Maintenance Act | 3 | 1 | 6 | 3 | 3 | 16 | 2.56 |
| 18. | Haryana Urban Act | 1 | 2 | 2 | 2 | 2 | 9 | 1.44 |
| 19. | General Knowledge | 11 | 9 | 13 | 9 | 15 | 57 | 9.12 |

Constitution of India

Year- Wise Weightage Analysis

| Year | Question No. | Total No. of Questions | Weightage (%) |
|--------------|---------------------------------------|------------------------|---------------|
| 2013 | 58-75 | 18 | 14.4% |
| 2014 | 6, 7, 38-40, 49, 87, 93, 98, 112, 125 | 11 | 8.8% |
| 2017 | 13,14, 52-55, 75,83,84,94,106,122, | 12 | 9.6% |
| 2018 | 38,39,40,41,42,43,44,45,46, 69,83, | 11 | 8.8% |
| 2021 | 115-125 | 11 | 8.8% |
| Total | | 63 | 10.08% |

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HCS (Judicial Branch) PAPERATHON Constitution of India

2013

58. Which one of the following is not a ground on which a reasonable restrictions on the right to freedom of speech and expression can be imposed;

- (a) Security of the State
- (b) Public Order
- (c) Morality
- (d) Public Policy

Ans. [d]

Explanation :- Article 19(2) confers the right on the state to impose reasonable restrictions on the right to freedom of speech and expression on the ground -

- i. Sovereignty and Integrity of India.
- ii. Security of the State.
- iii. Friendly relations with Foreign states,
- iv. Public Order decency or Morality
- v. Contempt of court, defamation, and incitement to an offence.

Thus we can say that Public Policy is not a valid ground to restrict freedom of speech and expression.

59. Which of the following is included in the definition of law' as provided in Article 13;

- (a) Bye-Law
- (b) Custom having the force of law
- (c) Usage having the force of law
- (d) All of the above

Ans. [d]

Linked Provisions :-

1. **Article 13** - Laws inconsistent with or in derogation of the fundamental rights.
2. **Doctrine of Eclipse.**

Explanation: Article 13(4) - Nothing in this article applies to constitutional amendment made under Article 368 and, also the Supreme Court in Kesavananda Bharati Case held that the Constitutional Amendment doesn't constitute law. According to Article 13(3) (a) Law includes any Ordinance, Order, Bye-law, Regulation, Notification, Custom and usage in the territory of India having force of law.

60. Which one of the following is a ground which is not mentioned in both Articles 15 and Article 16 on which the State can not discriminate;

- (a) Race
- (b) Caste
- (c) Residence
- (d) Place of Birth

Ans. [c]

Explanation :- Article 15 provides that the State shall not discriminate against any citizen on grounds only

of religion, race, caste, sex or place of birth. Discrimination on other grounds is not prohibited.

Article 16(2) says that no citizen shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect of, any employment or office under the State.

61. Practising untouchability is;

- (a) Violation of a constitutional right
- (b) A criminal offence
- (c) Both (a) and (b)
- (d) Violation of a legal right only

Ans. [c]

Linked Provisions:-

1. **Articles - 17, 23 or 24** was being violated by a private individual.
2. Untouchability(offences) act 1955 declares various offences regarding untouchability, not under IPC.

Explanation :-

1. The practise of Untouchability is forbidden. It is not protected under the Right to freedom of religion.
2. **Article 17** - Abolition of Untouchability - its practice in any form is forbidden. The enforcement of any disability arising out of "Untouchability" shall be an offence punishable in accordance with law.

62. Petitions to the Supreme Court under Article 32 are subject to the rule of Res judicata except

- (a) Quo Warranto
- (b) Habeas Corpus
- (c) Certiorari
- (d) Prohibition

Ans. [b]

Linked Provisions:- Where Article 32 of the Indian Constitution empowers the Supreme Court to issue writs; Article 226 empowers the High Courts of India. The Latin meaning of the word -

1. 'Habeas Corpus' is To have the body of.
2. 'Mandamus' is We command.
3. 'Prohibition' is To forbid.
4. 'Certiorari' is To be certified or To be informed.
5. 'Quo-Warranto' is By what authority or warrant.

Explanation :- Res Judicata is applicable on a writ petition filed under Article 32. However, Habeas Corpus is an exception to this principle but it can't be filed on the same facts more than once.

Habeas Corpus is a writ that is enforced to protect the fundamental right to liberty of an Individual against unlawful detention. This writ commands a public official to deliver a detained person in front of the court and provide valid reasons for the detention.

HCS (Judicial Branch) PAPERATHON Constitution of India

63. Which one of the following is a ground on which the state can impose reasonable restrictions on the right to move freely throughout the territory of India;

- (a) Security of the State
- (b) Decency
- (c) Morality
- (d) Protecting the Interests of any Scheduled Tribe

Ans. [d]

Linked Provisions:-

1. Where Article 19 to provided that the Protection of 6 rights concerning the freedom of:
 - i. Speech and expression
 - ii. Assembly
 - iii. Association
 - iv. Movement
 - v. Residence
 - vi. Profession
2. The right to freedom guarantees freedom for citizens to live a life of dignity among other things. These are given in Articles 19, 20, 21A and 22 of the Indian Constitution.

Explanation :- Freedom to move freely: A citizen of India can move freely throughout the territory of India. But this right can also be restricted on the grounds of security, public order or for protecting the interests of the Scheduled Tribes.

64. As per Article 21A, the state shall provide free and compulsory education to all children of the age of;

- (a) Six to fourteen years
- (b) Six to twelve years
- (c) Six to ten years
- (d) Six to eighteen years

Ans. [a]

Linked Provisions:-

1. **Article 51A** provides to the eleven Fundamental duties. It was inserted by the Constitution (Forty-second Amendment) Act, 1976.
2. **Article 51A(k)** who is a parent or guardian to provide opportunities for education to his child or, as the case may be, ward between the age of six and fourteen years.

Case MC Mehta V. UOI 1988.

Explanation :- Article 21A - This article was introduced by the 86th Constitutional Amendment in 2002. It provides that the State shall provide free and compulsory education to all children between the ages of Six to Fourteen Years.

65. According to Article 50, the state Shall take steps to;

- (a) Separate the judiciary from the executive in the public services of the state
- (b) Separate functioning of judiciary from executive

(c) Separate the powers of judiciary from the executive

(d) Separate the powers of judiciary from the legislature

Ans. [a]

Linked Provisions:- the doctrine of separation of powers is not applied strictly. Apart from Article 50, the other provisions that substantiate separation of powers are as follows:

1. Article 123 the President can exercise his executive powers under certain conditions.
2. Article 121 and Article 211 of provisions for the separation of legislation from the judiciary. It states that legislation cannot discuss the conduct of judges of the SC and HC.
3. Article 122 and Article 212 of the courts can not inquire about the proceedings of the legislature.
4. Article 361(4) of the Constitution separates the judiciary from the executive. It states that no court may hold the President or any governor of any state responsible for actions or misconduct committed while carrying out or exercising their official duties.

Explanation :- Article 50 of the Indian Constitution provides that the State shall take steps to separate the judiciary from the executive in the public services of the state.

66. What is the minimum age to be eligible for becoming the President of India;

- (a) 35
- (b) 45
- (c) 55
- (d) 25

Ans. [a]

Linked Provisions:-

1. The President shall hold office for a term of five years from the date on which he enters upon his office.
2. Article 57 of the Constitution, a President is eligible for re-election to that office.
3. (Article 52-78) - The President and Vice-President.

Explanation :- According to Article 58 of the Constitution, no person shall be eligible for election as President unless he is a citizen of India, has completed the age of thirty-five years and is qualified for election as a member of the House of the People. A person shall not be eligible if he holds any office of profit under the Government of India or the Government of any State or under any local or other authority subject to the control of any of the said Government.

67. When the President is to be impeached, the charge shall be preferred by;

- (a) Either House of the Parliament
- (b) The Upper House of the Parliament

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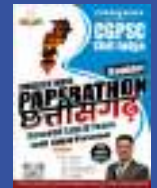
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