Himachal Pradesh Civil Judge (Main) Examination-II, 2019

CIVIL LAW-I

Time Allowed: 3 Hours **Maximum Marks: 200**

Note:

1. This question paper contains eight questions.
2. Part „A" is compulsory.
3. Answer any three questions from Part „B".
4. Each question carries equal marks. Marks are divided and indicated against each part of the question.
5. Question of 08 marks be answered in 250 words.
6. Question of 12 marks be answered in 400 words.
7. Write legibly supporting your answers with relevant statutory provisions and appropriate judicial pronouncements as may be desirable.
8. Each part of the question must be answered in sequence in the same continuation.
9. If questions are attempted in excess of the prescribed number only questions attempted first up to the prescribed number shall be valued and the remaining answers will be ignored.
10. Re-evaluation / Re-checking of answer book is not allowed.

Part-A
(Both questions are compulsory)

1.

(A) "The scope of the principle of res judicata is not confined to what is contained in section 11 of CPC but is of more general application. Res judicata could be as much applicable to different stages of the same suit as to findings on issues in different suits." Explain the concept of res judicate, and distinguish it from res sub-judice?

(08 Marks)

(B) Write a note on the power of the Chief Justice to transfer pending suits, appeals or proceedings to the subordinate civil courts under the Himachal Pradesh Courts Act, 1976.

(08 Marks)

(C) What is „Doctrine of Forum Convenience"? Explain the concept in the light of provisions prescribed under the Code of Civil procedure, 1908.

(12 Marks)

(D) "Rule of Estoppel appertains to equity and fairness in action." Explain and illustrate with decided cases.

(12 Marks)

2.

(A) Discuss the mode of payment of Stamp Duty under the Stamp Act, 1899.

(08 Marks)

(B) Explain the Rule making powers of High Court under the Himachal Pradesh Courts Act, 1976.

(08 Marks)

(C) Describe the scope and nature of presumption against the accused under Section 105 of Evidence Act, 1972. Elucidate the answer with the help of judicial decisions.

(12 Marks)

(D) Expound the conditions under which jurisdiction of „declaratory decree" may be exercised under the Specific Relief Act, 1963. (12 Marks)

Part-B
(Attempt any three questions)

3.

(A) Under what circumstances, the foreign judgments would be inconclusive, and shall not be executable in India as per the provision of the Code of Civil Procedure, 1908?

(08 Marks)

(B) Explain the adjudication mechanism prescribed under Stamp Act, 1899 for adjudicating undervalued stamp and related disputes.

(08 Marks)

(C) Discuss the scope of the Order IX Rule 13, of the Code of Civil Procedure, 1908.
What is the meaning and scope of „sufficient cause" for not being able to attend the hearing of the suit on the relevant date? Elucidate with relevant cases.

(12 Marks)

(D) What are the prerequisites of admitting electronic evidence under Indian Evidence Act, 1872.

(12 Marks)

4.

(A) City Municipal Corporation, a statutory body, permitted dumping of garbage at a specified place, which resulted into general inconvenience to people of that locality. Mr.A and B, resident of two different colonies of the City, files suit against theMunicipal Corporation. Municipal Corporation resisted the suit on the ground that „no specific damage caused to either of the plaintiff is mentioned the plaint?
Decide the question raised by the Municipal Corporation as per the provision of Code of Civil Procedure, 1908.

(08 Marks)

(B) The Department of Public Works invited tender for the construction of a over bridge. After opening of tender, the offer made by M/S P& Z Construction was approved as per the rules. However, the construction company fails to complete the construction work within the stipulated time period. The Department of Public Works files a suit against the company for the specific performance. Decide the suit.

(08 Marks)

(C) Discuss the Rule regarding right to file caveat, and the rule set out by Himachal High Court?

(12 Marks)

(D) Explain the conditions under which statement by the third party could be taken as „admission" under the Indian Evidence Act, 1872.

(12 Marks)

5.

(A) What are the exceptions wherein the general rule of Notice may be waived under Section 80 of the Code of Civil procedure, 1908? Explain.

(08 Marks)

(B) What is hearsay evidence? What are the exceptions to the rule of hearsay under the Indian Evidence Act, 1972?

(08 Marks)

(C) Explain the scope of second appeal as prescribed under the Code of Civil Procedure, 1908.

(12 Marks)

(D) Discuss the cases wherein oral evidence may be adduced to contradict or vary terms of a written contract which is strictly required by law to be in a writing?

(12 Marks)

6.

(A) With a view to obtain „expert opinion", who could be treated as „Expert", under the Indian Evidence Act, 1872?

(08 Marks)

(B) Discuss the power of court to grant interlocutory injunction under Rule 3 of Order XXXIX of the Civil Procedure Code, 1908.

(08 Marks)

(C) Mr. X has filed money suit against Mr. Z for the recovery of Rs.50 Lakhs together with interest and the said suit was decreed ex-parte. Execution petition was filed for execution of the decree. The Mr. Z, the defendant files application under order IX Rule 13 for restoration of suit, along with a request to condone the delay of 250 days in filing the application to set aside the ex-parte decree. In the said application, he stated that he was residing at Place „A", whereas the notice was served at place „B" and therefore, he did not have knowledge about the filing of the said suit. The request for condonation of delay in filing the application to set aside the ex-parte decree was dismissed. A revision application, and later on, the special leave petition, filed by Mr. Z were dismissed. Thereafter, Mr. „Z" preferred the first appeal with the application to condone the delay of 500 days in total i.e. a delay of 250 days in filing the application to set aside the ex-parte decree, and remaining 250 days in pursuing the revision application and SLP. In the application for condonation of delay, of course, the appellant has raised the very same ground, which was taken in the application filed under Order IX, Rule 13, Revision Application and SLP.
Decide the appeal on the basis of provisions contained in Code of Civil Procedure, 1908 and judicial precedents.

(12 Marks)

(D) Discuss the scope and limits of the privilege grated to the communications made between husband and wife. What are exceptions under which the said privilege may be withdrawn?

(12 Marks)

7.

(A) "The principle of restitution based on the notion that on the reversal of a decree, the law imposes an obligation on the party to the suit who received the benefit of the erroneous decree to make restitution to the other party for what he has lost." In the light of the statement explain the doctrine of restitution provided under 144, Code of Civil Procedure, 1908.

(08 Marks)

(B) Explain the rule and judicial guidelines regarding admissibility of test identification parade (TIP) under Indian Evidence Act, 1872.

(08 Marks)

(C) Discuss the circumstances under which execution court can pass attachment before judgment order under the Code of Civil Procedure, 1908.

(12 Marks)

(D) Discuss the scope of expression „discover" under Section 27, Indian Evidence Act, 1872. Elucidate with the help of judicial decisions.

(12 Marks)

8.

(A) What are the distinctions between „preliminary decree" and „final decree"?

(08 Marks)

(B) Whenever, a person is wrongfully dispossessed of his property, the law aims to restore it back." Explain the statement in the light of provisions contained in the Specific Relief Act, 1963.

(08 Marks)

(C) Mr. A & B, both were arrested for an alleged offence of theft in a moving train by the Railway protection Force. The arrests were made from two different compartments. Later on, accused „A" was brought to Railway Police Station, wherein in the presence of Judicial Magistrate (Railway), he made a confession about his offence as well as about the offence of „B". Discuss the relevancy and admissibility of the confession made by A, against himself and against „B" as well.

(12 Marks)

(D) "The executing Court has no power to entertain any objection as to the validity of the decree or as to the legality or correctness of the decree."
Discuss the jurisdiction of Execution Court as prescribed under Code of Civil Procedure, 1908 and decided case.

(12 Marks)

Civil Judge (Main) Examination-II, 2019

CIVIL LAW-II

Time Allowed: 3 Hours Maximum Marks: 200

Note:

1. This question paper contains eight questions.
2. Part 'A' is compulsory.
3. Answer any three questions from Part 'B'.
4. Each question carries equal marks. Marks are divided and indicated against each part of the question.
5. The answers should refer to the Himachal Pradesh Urban Rent Control Act (HPURCA), 1987, wherever applicable, as amended in 2012.
6. Write legibly supporting your answers with relevant statutory provisions and appropriate judicial pronouncements as may be desirable.
7. Each part of the question must be answered in sequence in the same continuation.
8. If questions are attempted in excess of the prescribed number only questions attempted first up to the prescribed number shall be valued and the remaining answers will be ignored.
9. Re-evaluation / Re-checking of answer book is not allowed.

Part-A
(Both questions are compulsory)

1. Write notes on the following with the help of the decided cases and relevant law:

(A) Effect of Fraud or Mistake on the Law of Limitation.

(10 Marks)

(B) Communication of Acceptance under Contract Act, 1872.

(10 Marks)

(C) Grounds under which a Hindu wife can claim separate residence and maintenance from the husband

(10 Marks)

(D) Difference between Vested and Contingent interests.

(10 Marks)

2.

(A) The object of rent law is to balance the competing claims of the landlord on the one hand to recover possession of building let out to the tenant and of the tenant to be protected against arbitrary increase of rent or arbitrary eviction, when there is acute shortage of accommodation.

Does the Amended Act of HP Urban Rent Control Act, 2012 (HPURCA) really balance the rights of both the landlord and tenant as mentioned in the statement of objects and reasons? Comment in view of any recent judgment of the High Court or Supreme Court on HPURCA.

(25 Marks)

(B) Explain the provisions relating to the Landlord's duty to keep the building or rented land in good repairs.

(15 Marks)

Part-B

(Attempt any three questions)

3. Discuss the rights of the parties to the contract in the following situations:-

(A) Somya, a famous singer, enters into an agreement with Mr. Abhijit, the manager of a Theatre Group, to sing at his theatre workshop for three nights every week during next two months. Mr. Abhijit agrees to pay to her Rs.20,000/- for each night's performance. On the fifth night, Somya wilfully absents herself from the theatre workshop. As a result, Mr. Abhijit rescinds the contract.

(14 Marks)

(B) A group of Himachal Pradesh Government employees acquired land for a Cooperative Group Housing Society (CGHS). One of the rules of the CGHS provided that no flat owner shall ever sell the flat to any buyer who is not an Himachal Pradesh Government employee. Decide with reference to the relevant provisions of the Transfer of Property Act, 1882 and the decided case law.

(13 Marks)

(C) Mr. Harish is enfeebled by age and illness. Ms. Priya, the nurse, who attended to him, uses her personal influence and induces Harish to transfer his property X to her in lieu of her professional services. After recovering from illness, Harish wants to avoid the contract. Advise him in view of the relevant provisions of the Contract Act, 1872.

(13 Marks)

4.

(A) Ramesh Chandra is owner of three fields F1, F2 and F3. His son, Somesh Chandra has now separated from him and gets F1 and F2 after partition. The third field, F3 has been retained by Ramesh. Somesh, representing himself to be the owner of F1, F2 and F3, sells all the three fields to Bhupesh. While the contract of sale is still subsisting and has not been

rescinded by Bhupesh, Ramesh Chandra dies. On his death, Somesh inherits F3. When Bhupesh comes to know of this, he sues Somesh for delivery of possession of F3. Discuss rights of Bhupesh in the light of the relevant provisions of the Transfer of Property Act, 1882 and the decided case law.

(14 Marks)

(B) Mukesh filed a suit against Vijay for specific performance of a contract of sale of a property X for execution of its sale deed. During the pendency of the suit, Vijay sold and executed the sale deed of X in favour of Rakesh. Decide the right and title of Rakesh in the property X.

(13 Marks)

(C) Law as well as justice should try to prevent unjust enrichment. Critically examine this statement with reference to the Quasi-Contracts.

(13 Marks)

5.

(A) Examine the validity of the following adoptions under the Hindu Adoption and Maintenance Act, 1956:

Somdutt, a Hindu male, has divorced his wife, gives his only son in adoption without the consent of his wife.

(14 Marks)

(B) Krishna, a Hindu male, works with Infosys at Chandigarh while Seema, a Hindu female, works as an HR executive at Tata Motors, Jaipur. After being in relationship for few years, they enter into a pre-nuptial agreement. Finally, they get married as per Hindu traditions and customs. One of the terms of the agreements stated:

That both of them shall continue with their present jobs and join each other during holidays whenever possible.

However, immediately after marriage, Krishna starts forcing Seema to leave her job and join him at Chandigarh permanently. Seema does not agree to this and tells him that this is violation of the agreement between them. Krishna files a petition for Restitution of Conjugal Rights against Seema. Decide with reference to the relevant case law and provisions of Hindu Law.

(13 Marks)

(C) Explain Privity of Contract and Privity of Consideration.

(13 Marks)

6.

(A) The limitation period to file an appeal expired on 08.10.2018. However, Ms. Manisha filed the said appeal on 10.09.2019 before the Shimla High Court with an application under Section 5 of the Limitation Act, 1963 seeking condonation of delay. The said application mentioned the following reasons for the delay:

(i) Manisha suffered a heart attack on 08.08.2018 and was hospitalized till 25.12.2018.

(ii) She had to go abroad on 28.12.2018 in relation to her urgent business assignment till 30.06.2019.

(iii) From 01.07.2019 to 06.09.2019, due to her counsel's mistake, she kept litigating before the wrong forum.

Decide whether the High Court will condone the delay? Will there be any change in the above answer if instead of filing an appeal, the delay had been there in filing a suit under similar circumstances?

(14 Marks)

(B) Law of limitation extinguishes the remedy but does not extinguish rights.

(13 Marks)

(C) Shweta and Subhash got married in 2018 in Delhi. During Covid-19 pandemic, Shweta discovered that Subhash was already married to Khyati at the time of their wedding. Shweta wants to file a case for maintenance from Subhash. Advise Shweta while discussing the relevant provisions of maintenance.

(13 Marks)

7.

(A) Ram Lal and Sham Lal are very close friends. Ram Lal executes transfer of his property Z in favor of Sham Lal with the following conditions:

(i) That the consideration of Rs.25 Lakh shall be paid after one year of the registration.

(ii) That Sham Lal will have to pay an extra amount of Rs.5 Lakh if he uses Z for gambling purposes.

After 8 months, Sham Lal uses Z for gambling purposes. Discuss the rights of Ram Lal.

(14 Marks)

(B) X made a gift of her property to her nephew's daughter Y for her life and then to Y's male descendants absolutely, if she had any. In case, if she had no male descendants, then to Y's daughter without any power of alienation. In case, Y had neither male nor female descendants, then the property was to revert back to her nephew. Y died without any child. Find out the validity of the gift.

(13 Marks)

(C) Discuss the provisions relating to Cutting off or withholding essential supply or service as per the Himachal Pradesh Urban Rent Control Act (HPURCA).

(13 Marks)

8.

(A) Yudhishthir, a Hindu male, governed by Mitakshara Law dies in Delhi as an undivided coparcener in 2018 survived by the following:

Father F, Mother M, Widow, Stepmother FW, Brother B1, A Married sister 'Sis' who has a son 'SisS' and a daughter 'SisD', Two Sons S1 and S2 and a daughter D1, S1is married to S1W and has a son S1S and a daughter S1D, D1 is married to H and has a son D1S and a daughter D1D

Determine the shares of each of these family members as per the law.

(14 Marks)

(B) Discuss the time requisite for obtaining a copy of the decree under Section 12 of the Limitation Act, 1963.

(13 Marks)

(C) Penalties as per Section 30(3) under the Himachal Pradesh Urban Rent Control Act (HPURCA).

(13Marks)

Civil Judge (Main) Examination-II, 2019

CRIMINAL LAW

Time Allowed: 3 Hours Maximum Marks: 200

Note:

1. This question paper contains eight questions.
2. Part „A" is compulsory.

3. Answer any three questions from Part „B".
4. Each question carries equal marks. Marks are divided and indicated against each part of the question.
5. Write legibly supporting your answers with relevant statutory provisions and appropriate judicial pronouncements as may be desirable.
6. Each part of the question must be answered in sequence in the same continuation.
7. If questions are attempted in excess of the prescribed number only questions attempted first up to the prescribed number shall be valued and the remaining answers will be ignored.
8. Re-evaluation / Re-checking of answer book is not allowed.

Part-A
(Both questions are compulsory)

1.

(A) There were two contracts one between the principal and the contractor and another between the contractor and the sub-contractor. Sub-contractor filed a criminal complaint against the contractor under section 403 of the Indian Penal Code alleging that the contractor having received the payment from the principal has misappropriated his money as it was due to him. The contractor made an application to the high court under section 482 of the CrPC for quashing of the complaint. Discuss the liability of the contractor. Also discuss the Inherent Powers of the High Court under section 482 of the CrPC with the help of appropriate case laws.

(10 Marks)

(B) In what circumstances may a police officer arrest a person without an order from a magistrate and without an arrest warrant? Can a person other than a police officer make an arrest in any circumstances? Explain with the help of case laws. What safeguards have been incorporated in the Code of Criminal Procedure with regard to the arrest of the females and the objective behind these safeguards.

(10 Marks)

(C)

(i) "Every offence shall ordinarily be inquired into and tried by the court within the local limits of whose jurisdiction it was committed". Discuss fully this rule. Are there any exceptions to this rule? If yes, what is the reason behind the exceptions?

(05 Marks)

(ii) A is wounded within the local limits of the jurisdiction of court X, and dies within the local limits of the jurisdiction of court Z. the offence of the culpable homicide of A is to be inquired where? Discuss the legal provisions and the relevant case laws.

(05 Marks)

(D) Define the following:- (10 Marks)

(i) 'forest produce' under the Indian Forest Act, 1927
(ii) 'excise revenue' under the HP Excise Act, 2011
(iii) 'shifting cultivation' under the Indian Forest Act, 1927
(iv) 'hunting' under the Wildlife (Protection) Act, 1972
(v) 'robbery' under the IPC

2.

(A) (i) A has sexual intercourse with a girl B, under the promise to marry her soon. The sexual intercourse continues for a few months and then the boy refuses to marry the girl on

account of his family members not agreeing to the marriage. The girl files a case of rape against the boy. Is the boy liable for the rape of the girl? Discuss the legislative position under the IPC, 1860 and the latest judicial trends. What changes have been brought in the IPC with respect to the offence of rape?

(05 Marks)

(ii) Discuss the recent changes made in the Code of Criminal Procedure with regard to victim compensation as a step towards Restorative Justice. Also discuss the recent judicial trends with regards to the compensation to the victims of sexual offences in India.

(05 Marks)

(B) "What constitutes an outrage to the female modesty is nowhere defined. The essence of a women‟s modesty is her sex. The culpable intention of the accused is the crux of the matter. Modesty for the purpose of the IPC is an attribute associated with the female human beings as a class." Discuss the above in the light of the IPC provisions which deal with the issue of modesty of a women and also discuss the important case law to substantiate your answer.

(10 Marks)

(C) A throws a stone, intending or knowing it to be likely that the stone will be thus brought into contact with Z, or with Z‟s clothes, or with something carried by Z, or that it will strike water and dash up the water against Z‟s clothes or something carried by Z. here, if the throwing of the stone produce the effect of causing any substance to come into contact with Z or Z‟s clothes. Define the crime under which the liability may arise and support it with the help of appropriate cases.

(10 Marks)

(D) The accused inflicted 18 injuries in the arms and legs of the deceased with a gandasa. None of the injuries were on a vital part of the body of the deceased, however one of the injury was on a vital part of the body. The obvious motive was revenge because the deceased‟s son had caused a serious leg injury which resulted in the amputation of the leg of P, the son of the deceased. Discuss the criminal liability of the accused under the IPC. Also differentiate between culpable homicide, murder and death caused by negligence.

(10 Marks)

Part-B
(Attempt any three questions)

3.

(A) The accused struck his wife a violent blow on the head with the ploughshare which rendered her unconscious and hanged his wife soon afterwards under the impression that she was already dead intending to create false evidence as to the cause of death. Discuss the criminal liability of the accused.

(10 Marks)

(B) A instigates B and C to break into an inhabited house at midnight for the purpose of robbery, and provides them with arms for that purpose. B and C break into the house, and being resisted by Z, one of the inmates, murder Z. Discuss the criminal liability of A,B and C with the help of legislative provisions and relevant case laws.

(10 Marks)

(C) The accused along with three others openly entered the girl‟s hostel in midnight without concealing themselves and bodily lifted by force one girl inmate of the hostel. They were stopped by the hostel guard and then one of them hit the guard repeatedly with a brick

laying on the road, thus causing his death. The girl was taken to an isolated place, kept there for three days and gang raped. Thereafter she was sold to a brothel. Discuss what offences are made out in this problem.

(10 Marks)

(D) Lord Coke observed in Semayne‟s case, "the house of everyone is to him as his castle and fortress, as well for defence against injury and violence, as for his repose". Discuss the above statement in the light of the offences against property and the right of private defence of property as provided in the IPC.

(10 Marks)

4.

(A) In a complaint case, C levelled allegations against the four police officers that they raided his house without any warrant of search and abused and assaulted his wife and took away certain articles belonging to him. The police officials while denying the allegations pleaded that the raid was conducted by them pursuant to the warrants of search issued by the metropolitan magistrate. Thus, they could not be prosecuted without the sanction of the state government under section 197 CrPC. Decide the application of the police officers.

(10 Marks)

(B) 'For every distinct offence of which a man is accused there shall be a separate charge, and every such charge shall be tried separately'. Explain the above statement with the help of case law and also discuss the exceptions to it.

(10 Marks)

(C) On account of assault on 1.10.2006 at about 1.00 PM, A died at the spot whereas B sustained injuries. On completion of the investigation, challan was filed against C and D for offences under section 307, 302 read with section 120B IPC. The matter was ultimately committed to the court of sessions. During trial, B made a statement before the sessions judge reiterating the statement made before the police leading to recording of the FIR. Thereupon, an application was filed on behalf of the complainant under section 319 CrPC for summoning of E as an additional accused in respect of the aforesaid assault. This application came to be dismissed. The high court quashed the order of the dismissal and directed the sessions judge to issue summons against E. E challenged this order before the apex court. The ground put forth by E is that he was not named by any other witness in their statements under section 161 CrPC and that he has been ordered to be summoned only on the statement of B. Another contention was that the very presence of B at the given time of occurrence is doubtful and as such E could not be summoned as additional accused. Decide with the help of appropriate case law.

(10 Marks)

(D)

(i) Distinguish between discharge and acquittal as given in the Code of Criminal Procedure with the help of suitable cases.

(05 Marks)

(ii) Can bail granted under section 167 (2) of the Code of Criminal Procedure be cancelled by the magistrate suo motu on the presentation of challan report under section 173 of the code of criminal procedure? Give reasons and relevant cases. Also discuss the purpose and rationale behind the anticipatory bail.

(05 Marks)

5.

(A) Discuss the liability of a company under section 138 of the Negotiable Instruments Act, 1881 with the help of decided cases.

(10 Marks)

(B) Who can file a complaint for offences under section 138 of the Negotiable Instruments Act, 1881 and what are the facts required to be proved for establishing the offence?

(10 Marks)

(C) Is mensrea an essential requirement for invoking the liability under section 138 of the Negotiable Instruments Act, 1881? What is the nature of the offence under section 138 of the Negotiable Instruments Act, 1881?

(10 Marks)

(D) "Section 141 of the Negotiable Instruments Act, 1881 creates a constructive liability". Discuss this statement with the help of the decided cases. Also discuss the rationale and object of section 141 of the Negotiable Instruments Act, 1881.

(10 Marks)

6.

(A) What was the objective behind the enactment of the Himachal Pradesh Excise Act, 2011? What are the different appointments made under this Act for the purpose of giving effect to the provisions of this Act?

(10 Marks)

(B) Who is an excise officer for the purposes of the Himachal Pradesh Excise Act, 2011? What are the different powers of the excise officer under this Act?

(10 Marks)

(C) Enumerate the circumstances under which the Himachal Pradesh Excise Act, 2011 imposes a prohibition on the possession of the liquor? What is the penalty for the unlawful production, manufacture, possession, import, export, transport, sale etc. of liquor?

(10 Marks)

(D) When can the state government grant lease for the purpose of manufacture, sale etc. of liquor?

(10 Marks)

7.

(A) Who is a Forest Settlement Officer for the purposes of the Indian Forest Act, 1927? What are the duties and powers of the Forest Settlement Officer under this Act?

(10 Marks)

(B) What is a reserved forest for the purposes of the Indian Forest Act, 1927? Also enumerate the activities which are prohibited in a reserved forest. Differentiate between a reserved forest and a village forest.

(10 Marks)

(C) Discuss the objective of the provision dealing with the regulation of manufacture and preparation of articles based on the forest produce. How does the state government regulate the manufacture, preparation of articles based on the forest produce?

(10 Marks)

(D) Discuss the provisions of the Indian Forest Act, 1927 with regards to the protection of forests for special purposes. Can the owner of any land make a request for the formation or conservation of any forests.

(10 Marks)

8.

(A) What is illegal hunting and trade for the purposes of the Wildlife (Protection) Act, 1972?

Also explain the meaning of „illegally acquired property" under this Act and the relevant provisions dealing with the identification, seizure and management of such properties under this Act?

(10 Marks)

(B) What is the scope and objective of the tiger and other endangered species crime control Bureau under the Wildlife (Protection) Act, 1972?Also discuss the constitution, powers and functions of the tiger and other endangered species crime control Bureau.

(10 Marks)

(C) What is a national park for the purposes of the Wildlife (Protection) Act, 1972? Under what circumstances can the state government declare an area to be a national park? Also discuss the purposes behind the declaration of an area as a conservation reserve.

(10 Marks)

(D) Discuss in detail the purpose behind the Central Zoo Authority, the constitution of the same and the procedure for recognition of the zoos under the Wildlife (Protection) Act, 1972.

(10 Marks)

Civil Judge (Main) Examination-II, 2019
English Composition

Time Allowed: 3 Hours **Maximum Marks: 150**

Note:

1. This question paper contains two questions and both are compulsory.
2. Marks are divided and indicated against the question.
3. Write legibly.
4. Re-evaluation / Re-checking of answer book is not allowed.

1. Translate the following Hindi passage into English : (50 Marks)

विज्ञापन आधुनिक सभ्यता की तरह काफी पुराना है। पहले विज्ञापन का अर्थ कोई घोषणा करना या सूचना देना था। प्राचीन समय में विज्ञापन को सूचनाएं प्रेषित करने के लिए उपयोग किया जाता था। प्रिंटिंग के विकास से पहले चिन्हों और चित्रों को सूचनाएं भेजने में उपयोग किया जाता था। प्रिंटिंग के विकास से विज्ञापन संदेश में चित्रों, चिन्हों के साथ शब्दों का उपयोग किया जाने लगा। उनीसवीं शताब्दी के अंत में विज्ञापन को सामूहिक संचार के रूप में उपयोग किया जाने लगा। स्वतंत्रता प्राप्ति से पहले विज्ञापन भारत में रह रहे अंग्रेजों, राजघराने के परिवारों और समाज के धनी वर्गों को ही लक्षित थे। स्वतंत्रता प्राप्ति के बाद भारत में विज्ञापनकर्ताओं का ध्यान नयी उदय हुई मध्यम आय वर्ग श्रेणी पर गया। इस मध्यम आय वर्ग की सामाजिक एवं आर्थिक विशेषताएं धनी वर्ग की तुलना में अलग थी। इसलिए बिलासिता की वस्तुओं के साथ- साथ, सुविधाजनक वस्तु व उपभोक्ता-उत्पादों का भी विज्ञापन होने लगा।

यातायात और संचार विकास होने से बड़े पैमाने पर उत्पादन सम्भव हुआ और बोताओं के साथ सामुहिक सन्चार के लिए विज्ञापन का उपयोग किया जाने लगा। साक्षारता के विकास से समाचार पत्रों और पत्रिकाओं का विकास हुआ, इससे विज्ञापन को बढ़ावा मिला। रेडियो, टेलीविजन,टेलीफोन, कंप्यूटर और इंटरनेट के विकास से तो विज्ञापन में क्रांति आ गई।

2. Write an essay in about 1000-1200 words on any one out of the following three topics:

(100 Marks)

(i) Crisis of National Character in India

(ii) Increasing intolerance in Indian Society: Causes, Effects and Remedies
(iii) Judicial Activism vis-a-vis Indian Democracy

सिविल जज (मुख्य) परीक्षा-II, 2019
हिंदी

निर्धारित समय: 3 घंटे **अधिकतम अंक 100**

नोट:
1. इस प्रश्न पत्र में कुल नौ प्रश्न हैं तथा सभी पत्र अनिवार्य है।
2. साफ लिखें।
3. उत्तरपुस्तिका के पुनर्मूल्यावन / पुनः जाँच की अनुमति नहीं है।

निम्नलिखित प्रश्नों के उत्तर निर्देशानुसार दीजिए.

1. निम्नलिखित का कोठक में दिए गए निर्देशानुसार उत्तर दीजिए: 04)
(क) भूखा हूँ, कुछ खाने को दो। (सर्वनाम बताइए)
(ख) मैं अगले महीने दिल्ली घूमने जाऊँगा (कर्मवाच्य में बदलिए)
(ग) वह पुस्तक लेकर विद्यालय चला गया। (संयुक्त वाक्य में बदलिए)
(घ) परिश्रम करने पर में सफल हो जाता। (मिथ वाक्य में बदलिए)

2. निम्नलिखित लोकोक्तियों और मुहावरों का अर्थ लिखकर वाक्य में प्रयोग कीजिए: (04)
(क) आग-बबूला होता
(a) थोथा चना बाजे घना
(ग) लिफाफा देखकर मजमून नाप लेना
(घ) हर दिल अजीज होता

3. निम्नलिखित अनेकार्थी शब्दों को ऐसे वाक्यों में प्रयुक्त पीजिए जिनसे उनके अलग अलग अर्थ स्पष्ट हो। (02)
(क) फल
(ख) संस्कृत
(ग) कनक
(घ) हरा

4. निम्नलिखित सामासिक पदों का विग्रह करके समास का नाम लिखिए: (02)
(क) पददलित
(ख) राजा-रंक
(ग) सुमुखी
(घ) षट्कोण

5. निम्नलिखित शब्दों के अर्थ लिखिए: (02)
(क) निंदाघ
(ख) अपर्णा
(ग) अभूतपूर्व

(प) जलजात

6. निम्नलिखित शब्दों के तीन पर्यायवाची शब्द लिखिए:

(02)

(क) बादल
(ख) मार्ग
(ग) आँख
(घ) फूल

7. निम्नलिखित गद्यांश में कुछ व्याकरणिक त्रुटियाँ हैं. इन त्रुटियों को शुद्ध करके लिखिए:
समय निकल जाता है और बातें रह जाता है। हमारा प्रायः सभी भाषाएँ किसी न किसी एक राष्ट्रियता का शासन-तंत्र में बंध कर उसका भाषा के प्रभाव या आतंक में रहा। हजारों वर्ष पहले देववाणी संस्कृत ने ऊपर से नीचे तक चारों घंट भारत में अपना दिग्विजय का झंडा गाड़ा था। बारहवीं तेरहवीं शताब्दी से हमने देखी कि हर भाषा अपने क्षेत्रीय जन की आध्यात्मीक और संसकृतिक मुख को शांत करने में समर्थ होकर संस्कृत भाषा के अंकुश से उबरने लगी।

8. निम्नलिखित अंग्रजी गद्यांश का हिन्दी अनुवाद कीजिए:

(30)

Amongst my few friends at the high school I had, at different times, two who might be called intimate. One of these friendships did not last long, though I never forsook my friend. He forsook me, because I made friends with the other. This latter friendship I regard as a tragedy in my life. It lasted long. I formed it in spirit of a reformer. This companion was originally my elder brother's friend. They were classmates. I knew his weaknesses, but I regarded him as a faithful friend. My mother, my eldest brother, and my wife warned me that I was in bad company. I was too proud to heed my wife's warning. But I dared not go against the opinion of my mother and my eldest brother. Nevertheless I pleaded with them saying, 'I know he has the weaknesses you attribute to him, but you do not know his virtues. He cannot lead me astray, as my association with him is meant to reform him. For I am sure that if he reforms his ways, he will be a splendid man. I beg you not to be anxious on my account.' I do not think this satisfied them, but they accepted my explanation and let me go my way. I have seen since that I had calculated wrongly. A reformer cannot afford to have close intimacy with him whom he seeks to reform. True friendship is an identity of souls rarely to be found in this world. Only between like natures can friendship be altogether worthy and enduring. Friends react on one another. Hence in friendship there is very little scope for reform. I am of opinion that all exclusive intimacies are to be avoided; for man takes in vice far more readily than virtue. And he who would be friends with God must remain alone, or make the whole world his friend. I may be wrong, but my effort to cultivate an intimate friendship proved a failure.

9. निम्नलिखित में से किसी एक विषय पर 800 शब्दों तक का निबंध निचिणः

(50)

(क) मनुष्य और नमाज
(ख) स्वास्थाय ही परम धन है
(ग) भारतीय किसान