

UTTARAKHAND HIGHER JUDICIAL SERVICE DIRECT RECRUITMENT EXAMINATION – 2019

PAPER-1

Maximum Marks:100

Time: 2:00 Hours

Note: (i) All questions are Compulsory.

(ii) Candidate can answer the Questions either in English or in Hindi.

Part –I

Q.1. Write short notes on any two of the following: (5 x 2 = 10 Marks)

- (i) Women rights – Developments in the recent past
- (ii) Zero pendency courts project
- (iii) Passive Euthanasia
- (iv) Electoral Bonds

Q.2. Starting from the Regulating Act of 1773, trace the developments that culminated in the development of the Constitution of India. (10 Marks)

Q.3. Give the meaning of the following. (1 x 10 = 10 Marks)

- a. Actus non facit reum, nisi mens sit rea
- b. Consensus ad aidem
- c. Volenti non fit injuria
- d. Void ab initio
- e. Res ipsa Loquitur
- f. Ubi jus, ibi remedium
- g. Nemo debet bis vexari pro una et eadem causa
- h. Nemo debet esse judex in propria causa
- i. Lex talionis
- j. Hominum causa jus constitutum est

Q.4. Death from asphyxia may be due to many circumstances including hanging, strangulation and suffocation etc. Explain it. (5 Marks)

Q.5. Explain briefly the following: (1 X 5 = 5 Marks)

- (i) Ossification test
- (ii) Abrasion
- (iii) Lacerated wound
- (iv) Incised wound
- (v) Ante mortem injuries

Q.6. Choose the correct options:- (1 x 5 = 5 Marks)

a. The term "Pentium" is related to:-

- (i) DVD
- (ii) Hard Disk
- (iii) Microprocessor
- (iv) Mouse

b. All of the following are examples of real security and privacy risks except:-

- (i) Viruses
- (ii) Hackers
- (iv) Spam
- (v) Identity Theft

c. The difference between people with access to computers and internet and those without its access:-

- (i) Digital Divide
- (ii) Internet Divide
- (iii) Cyberway Divide
- (iv) Web Divide

d.-controls the way in which the computer system functions and provides a means by which users can interact with the computer.

- (i) Operating System
 - (ii) Motherboard
 - (iii) Platform
 - (iv) Application Software
- e. WWW stands for:
- (i) World Whole Web
 - (ii) Wide Whole Web
 - (iii) Web World Wide
 - (iv) World Wide Web

Q.7. Explain briefly the meaning of the following:

(1 x 5 = 5 Marks)

- a. Ambulatory Will
- b. Pro bono publico
- c. Autrefois Convict.
- d. Novation
- e. Personalty

Part-II

Q.8. Write an essay in about 400 words (in English) on any one of the following topics:

(15 marks)

- (i) The only thing necessary for the triumph of evil is for good people to do nothing.
- (ii) Poverty anywhere is a threat to prosperity everywhere.

Q.9. Write a précis in English of the following write-up. You should reduce its word count to one third without omitting important points. (15 Marks)

People moan about poverty as a great evil; and it seems to be an accepted belief that if people only had plenty of money, they would be happy and useful and get more out of life. As a rule, there is more genuine satisfaction and more is obtained from life in humble cottages of the poor men than in the palaces of the rich. I always pity the sons and daughters of the rich men, who are attended by servants and governesses; at the same time, I am glad to think they do not know what they have missed.

It is because, I know how sweet and pure and happy the home of honest poverty is, how free from perplexing care and from social envies and jealousies, that I sympathise with the rich man's boy and congratulate a poor man's son. It is for these reasons that from the ranks of the poor so many strong, eminent, self-reliant men have always sprung and always must spring. If you read the list of the great men and women of the world, you will find that most of them have been born poor.

Q.10. Translate the following English passage into Hindi.

(10 Marks)

Our Constitution fosters and strengthens the spirit of equality and envisions a society where every person enjoys equal rights which enable him/her to grow and realize his/her potential as an individual. This guarantee of recognition of individuality runs through the entire length and breadth of this dynamic instrument. The Constitution has been conceived of and designed in a manner which acknowledges the fact that "change is inevitable". It is the duty of the courts to realize the constitutional vision of equal rights in consonance with the current demands and situation and not to read and interpret the same as per the standards of equality that existed decades ago. The judiciary cannot remain oblivious to the fact that the society is constantly evolving and many a variation may emerge with the changing times. There is a constant need to transform the constitutional idealism into reality by fostering respect for human rights, promoting inclusion of pluralism, bringing harmony. The Court, as the final arbiter of the Constitution, has to keep in view the necessities of the needy and the weaker sections.

Q.11. Translate the following Hindi passage into English.

(10 Marks)

इस पर बल दिये जाने की आवश्यकता नहीं है कि साक्षियों के लिये पक्षद्रोही होने के मुख्य कारणों में से एक यह है कि उन्हें राज्य द्वारा समुचित संरक्षण प्रदान नहीं किया जाता है। यह एक कठोर वास्तविकता है, विशिष्ट रूप से उन मामलों में, जहां अभियुक्त का जघन्य अपराधों के लिये विचारण किया जाता है। जहां अभियुक्त व्यक्ति प्रभावी होते हैं। वे साक्षियों को आतंकित करने या अभित्रस्त करने के लिये प्रयत्न करते हैं यह दुर्भाग्यपूर्ण स्थिति इस कारण से अभिभावी होती है कि राज्य ने इन साक्षियों की सुरक्षा को सुनिश्चित करने के लिये कोई संरक्षणात्मक उपाय नहीं किये हैं, जो सामान्यतया साक्षी संरक्षण के रूप में ज्ञात हैं। यह सामान्य अनुभव का विषय है कि वर्तमान में सार्वजनिक जीवन में नैतिक मूल्यों को तेजी से क्षरण हुआ है। साधारण मामलों में भी साक्षीगण न्यायालय में साक्ष्य देने के इच्छुक नहीं होते हैं। इसका एक कारण भय है। विशेष रूप से साक्षीगण उन मामलों में साक्ष्य देने के इच्छुक नहीं रहते, जब अभियुक्त अभ्यस्त अपराधी होता है या प्रभावी व्यक्तियों के सम्पर्क में रहता है। विधि के शासन के लिये यह आवश्यक है कि न्याय प्रणाली भय के प्रभावों से मुक्त रहे।