

Assam Judicial Service Grade-III Examination- 2013-14
Paper-I (English)

Total Marks: 100

Time: 3 Hours

1 X 30 = 30

1. Write essays on any one of the following topics:

- (i) Judicial Activism - Bane or boon
- (ii) Right to food - A Constitutional Right
- (iii) Stringent women protection laws and gender equality

2. Read the following passage and answer the questions that follow the passage:

2 X 5 = 10

Both plants and animals of many sorts show remarkable changes in form, structure, growth habits and even mode of reproduction in becoming adapted to different climatic environment, types of food supply or mode of living. This divergence in response to evolution is commonly expressed by altering the form and function of some parts of the organism, the original identification of which is clearly discernible. For example, the creeping foot of the snail is seen in related marine pteropods to be codified into flapping organ useful for swimming, and is changed into prehensile arms that bear suckorial disks in the squids and other cephalopods. The limbs of modes of life for swift running (cursorial) as in the horse and antelope, for swinging in trees (arboreal) as in the monkeys, for digging (fossorial) as in the moles and gophers, for flying (volant) as in the bats, for swimming (aquatic) as in the seals, whales and dolphins and for other adaptations. The structures or organs that show main change in connection with this adaptive divergence are commonly identified readily as homologous, in spite of great alterations. Thus, the finger and wrist bones of a bat and whale, for instance, have virtually nothing in common except that they are definitely equivalent elements of the mammalian limb.

(Please write the answer only, the question should not be repeated)

1. Which is the most appropriate title for the passage based on its content?

- (a) Evolution
- (b) Our Changing Bodies
- (c) Adaptive Divergence
- (d) Changes in organs

2. The author provides information that would answer which of the following questions-

1. What factors cause changes in organism?
2. What is the theory of evolution?
3. Could structurally different organs be similar in evolution?

- (a) 1 only (b) 2 only
(c) 1 and 3 only (d) 1, 2 and 3

3. The Author organizes the passage by-

- (a) comparison and contrast
(b) general statements followed by examples
(c) hypothesis and proof
(d) definition of key terms

4. Which of the following words could best be substituted to "homologous" (underlined) without substantially changing the authors meaning?

- (a) Divergent
(b) Corresponding
(c) Altered
(d) Tactile

5. The author's style can best be described as-

- (a) objective
(b) humorous
(c) esoteric
(d) patronizing

3. In each of the following questions, a word printed in capital letters precedes four optional words or phrases. From these four optional words or phrases, pick the one most nearly opposite in meaning to the capitalized word.

5X1 = 5

1. IMPLICATE

- (a) appease (b) exonerate (c) adore (d) advocate

2. MELANCHOLY

- (a) depressed (b) prejudiced (c) reckless (d) cheerful

3. TERSE

(a) lengthy (b) scarce (c) diffuse (d) headless

4. TRAIT

(a) symbol (b) uncharacteristic (c) habit (d) identity

5. RETRIBUTION

(a) compensation (b) forgiveness (c) contempt (d) grudge

4. **In each of the following questions, a word printed in capital letters precedes four optional words or phrases. From these four optional words or phrases, pick the one most nearly similar in meaning to the capitalized word.**

5 X 1 = 5

1. QUOTE

(a) sight (b) sigh (c) sue (d) cite

2. ATTACHMENT

(a) affinity (b) influence (c) causation (d) appendage

3. GULLIBLE

(a) credible (b) believable (c) credulous (d) fallible

4. PATRONAGE

(a) donation (b) support (c) espionage (d) beneficiary

5. ALMS

(a) blessings (b) charity (c) prayers (d) worship

5. **Directions - In each of these questions, in the given sentences, a part of the sentence is underlined. Write the correct/more appropriate part for the underlined part of the sentence.** **10 X 2 = 20**

(Please write complete sentence with the answer underlined)

- 1- Expect for you and I, everyone brought a present to the party.

- 2- We want the teacher to be him who has the best rapport with the students.
- 3- Today this is a totally different world than we have seen in the last decade.
- 4- Although he was the most friendly of all present and different from the others, he hadn't hardly any friends except me.
- 5- Since we are living in Bombay for five years, we are reluctant to move to another city.
- 6- As a child, my parents took me to Jammu to visit my grandmother.
- 7- Anyone interested in the use of computer can learn much if you have access to a state-of- the-art microcomputer.
- 8- Start the motor, and then you should remove the blocks.
- 9- He does not smoke, nor he drinks.
- 10- She wished that her career could be as glamorous as the other women but not willing to work as they had.

6. Substitute the following by one word -

5 X 1 = 5

1. General pardon
2. Lawlessness and disorder caused by absence of control.
3. A broad street having trees on each side.
4. Something (to be) made correct in a printed book.
5. Existing at or from one's birth.

7. Directions- The following questions consist of two words each that have a certain relationship to each other followed by another pairs of words. Select the word that has same relationship as the original pair of words.

(Please write the answer only, the question should not be repeated)

5 X 1 = 5

(1) Moon: Satellite:: Earth :?

- (a) Asteroid
- (b) Solar system.
- (c) Planet
- (d) Sun

(2) Scribble: Write :: Stammer :?

- (a) Speak
- (b) Walk
- (c) Dance
- (d) Play

(3) Oceans: Deserts:: Waves : ?

- (a) Sea
- (b) Dust
- (c) Sand Dunes
- (d) Ripples

(4) Cub: Lion:: Colt: ?

- (a) Stallion
- (b) Leopard
- (c) Doe
- (d) Stag

(5) Giant: Dwarf:: Genius: ?

- (a) Idiot
- (b) Gentle
- (c) Wicked
- (d) Tiny

8. Fill in the blanks with most appropriate option-

5 X 1 = 5

(Please write the answer only, the question should not be repeated)

(1) The person who is looking for sympathy talks_____.

- (a) glibly
- (b) didactically
- (c) ominously
- (d) plaintively

(2) The speaker did not properly use the time as he went on _____ on one point alone.

- (a) devoting
 - (b) deliberating
 - (c) diluting
 - (d) distributing.
- (3) Usha was badly _____ by the news which she got in the letter
- (a) electrified
 - (b) petrified
 - (c) deranged
 - (d) shaken
- (4) In spite of her other _____, Kasthuri still managed to find time for her hobbies.
- (a) occupations
 - (b) preoccupations
 - (c) predilections
 - (d) business
- (5) Success comes to those who are vigilant not to permit _____ from the chosen path.
- (a) distraction
 - (b) deviation
 - (c) alienation
 - (d) diversion

9. Write a précis (should be about 1/3rd of the original passage). 15

Hussain Ali owned 20 acres of land in a village in the Montgomery District which was cultivated by him and his two grown-up-sons- Hamid and Gulsher. Hussain Ali's land adjoined that of Bakhsh- a tall, paunchy and swaggering young man with a dark complexion.

One day there was a little dispute about the turn of water between Bakhsh and the sons of Hussain Ali. The former lost temper and rashly abused Hamid and Gulsher. The two brothers pocketed the insult and returned home from the field. Bakhsh boasted many a time, how he had insulted them.

Few days after the incident Hamid and Gulsher went to irrigate their fields as it was their turn of water. They found Bakhsh at the outlet but when they wanted to divert water to their fields they were prevented by Bakhsh. Sharp and heated words passed between the parties. Hamid and Gulsher feeling that they could no longer brook the insult, jointly attacked Bakhsh with the Kassies which they had in their hands. They inflicted injuries on his head and other parts of the body. Bakhsh reeled and fell on the ground. He bled profusely from his wounds and in a few minutes lay

dead.

Nobody had witnessed the fight. The brothers felt nervous and confused. The dead body of Bakhsh lay before them in a pool of blood. They looked at each other but could not make up their minds what to do. Eventually they started for their home to tell their father about the unfortunate occurrence. Their perplexed faces indicated that all was not well. On inquiry they narrated to their father the whole incident from beginning to end.

Meanwhile, Bakhsh did not return home, his relations began to feel anxious. His food was ready, but there was no Bakhsh. His maternal uncle and younger brother went to the field only to discover the ghastly tragedy. A report was lodged at the police station the same night.

That night Hussain Ali had hardly a wink of sleep. The picture of his sons being hunted by the police, of their being arrested and hand-cuffed, the clank of chains, the shouting of guards, of their being put into prison, the torment of a long-drawn and agonizing trial, of his sons being condemned as murderers and rotting in narrow cells, of their being led to their doom, his house in utter gloom and desolation, all these floated before his eyes. He was lost in deep thoughts. Suddenly, as if under the influence of some impulse, he got down from his cot and began to pace the compound. His mind was like an erupting volcano; the deep rumbling thoughts shook his frame. He had taken a grim resolve. His mind had become calm like the sea after the storm. The man of dreams had become a man of action.

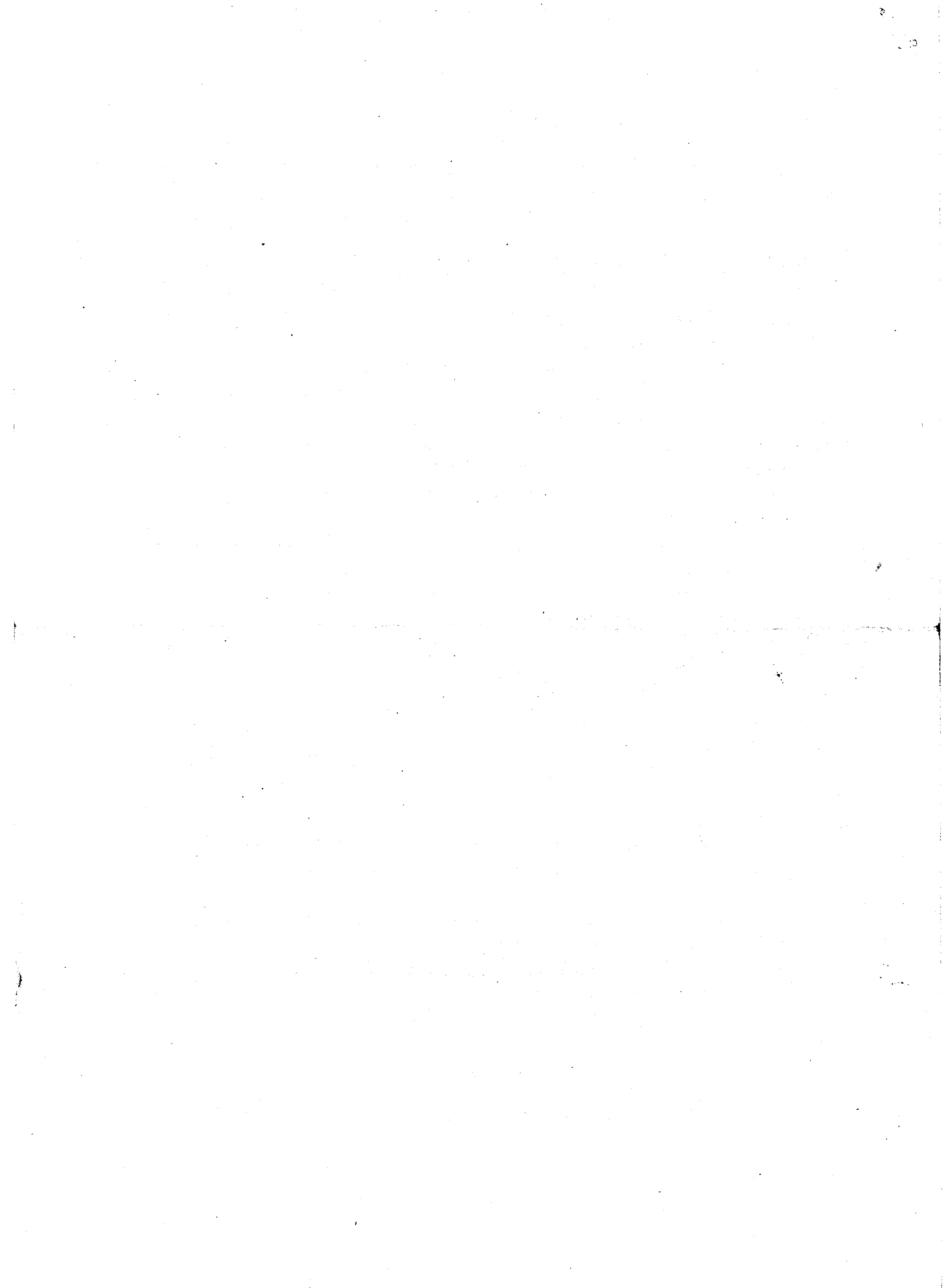
The Sub-Inspector of Police arrived the following morning and investigation of the case started. Hussain Ali abruptly left his home and went towards the place where the investigation was proceeding. He passed through the crowd and to the great astonishment of all, he made the following statement:

"Bakhsh had previously insulted me over a turn of water. I kept quiet but felt humiliated and wanted to avenge myself. Last night I went to water my fields. I found Bakhsh alone. I attacked him with my kassi and inflicted several injuries on his head and other parts of his body, which resulted in his death. I am the murderer of Bakhsh and no other person is liable for it."

The Sub-Inspector took down his statement and produced Hussan Ali before a Magistrate who recorded his confession. The Court believing the confession held Hussan Ali guilty and sentenced him to death.

The last words to his sons were, "Thrive my boys. Do not fight again. I find comfort in the thought that I leave my house Abad."

Thus, Hussan Ali laid down his life for the sake of his sons. He mounted the gallows without any murmur or reproach.



Assam Judicial Service Grade-III Examination- 2013-14
Paper-II (General Knowledge)

Total Marks: 100
Time: 3 Hours

1. Write essays on any two of the following topics: 20 X 2 = 40

- (i) The Information Technology and its impact on changing trends of law.
- (ii) Right to Reject - A Voter's prerogative.
- (iii) Indian Economy - progressive or regressive.
- (iv) Special Minority Rights - Necessity or Appeasement Politics.

2. Select the most appropriate answer - 30 X 1 = 30

1- Olympic 2016 will be held at -

- 1 Rio-de-Jenerio
- 2 Glassgow
- 3 Sochi
- 4 Queen'sland

2- Gagan Narang is related to which game?

- 1 Tennis
- 2 Shooting
- 3 Golf
- 4 Badminton

3- Pongal is famous festival of -

- 1 Tamil Nadu
- 2 Karnataka
- 3 Kerala
- 4 Andhra Pradesh

4- Which deities are worshiped in Badrinath and Kedarnath?

- 1 Vishnu and Shiva
- 2 Shiva and Ram
- 3 Krishna and Shiva
- 4 Krishna and Vishnu

5- Which foreign dignitary was the guest of honour for Republic Day Parade on 26th January, 2014?

- 1 Prime Minister of Indonesia
 - 2 Chancellor of Germany
 - 3 President of Sri Lanka
 - 4 Prime Minister of Japan
- 6- Light waves are-
- 1 Mechanical waves
 - 2 Longitudinal waves
 - 3 Electromagnetic waves
 - 4 None of the above
- 7- Which Mughal Ruler was known as 'Zinda Pir' (Living Saint)?
- 1 Akbar
 - 2 Shahjahan
 - 3 Jahangir
 - 4 Aurangzeb
- 8- Which one is written by Kalidasa?
- 1 Kadambari
 - 2 Harshacharita
 - 3 Geetgovinda
 - 4 Raghuvansham
- 9- Which disease-causing germ is borne by Anopheles Mosquito?
- 1 Dengue
 - 2 Encephalitis
 - 3 Malaria
 - 4 Filaria
- 10- In the world of sport what has maximum dimensions of 60 meters by 30 meters?
- 1 Javelin throw
 - 2 100 meters sprint
 - 3 Marathon
 - 4 An ice skating ring
- 11- In which sport do the rules state that the water must be a minimum of 1 meter deep?
- 1 Water Polo

- 2 Water Volley ball
- 3 Scuba diving
- 4 Water throw ball

12- Which City/UT has the highest density of population?

- 1 Mumbai
- 2 Delhi
- 3 Patna
- 4 Bangalore

13- Which line divides a circle into equal halves?

- 1 Radius
- 2 Diameter
- 3 Secant
- 4 Tangent

14- The main religion in Nepal is a style of what?

- 1 Buddhism
- 2 Muslim
- 3 Christianity
- 4 Hinduism

15- What branch of biology, dating from the discovery of blood corpuscles by Marcello Malpighi in 1661, classifies and describes the development of the forms of living organisms?

- 1 Enology
- 2 Geology
- 3 Histology
- 4 Scientology

16- What is the name of pilot project launched by President Mrs. Pratibha Patil which aims to empower women in rural areas through telecom services?

- 1 Indira Awaz
- 2 Awaz Uthao

- 3 Sanchar Shakti
- 4 Soochna Shakti

17- Recently PSLV-C16 rocket was launched by Indian Space Research Organisation (ISRO) from Sriharikota. In context of space research programme, what is the expansion of term PSLV?

- 1 Power Satellite Launch Vehicle
- 2 Plane Satellite Light Vehicle
- 3 Plane Satellite Launch Vehicle
- 4 Polar Satellite Launch Vehicle

18- When is “International Women’s’ Day”?

- 1 January 2
- 2 March 8
- 3 March 2
- 4 March 22

19- When is “International Labour Day (May Day)”?

- 1 May 1
- 2 May 2
- 3 May 22
- 4 May 14

20- IC chips used in computers are usually made of

- 1 Lead
- 2 Silicon
- 3 Chromium
- 4 Gold

21- Check the odd term out

- 1 Internet
- 2 Linux
- 3 Unix
- 4 Windows

22- How many Grand Prix did Michael Schumacher win before leaving F1?

- 1 111
- 2 91
- 3 61
- 4 51

23- LOT is the name of an airline of –

- 1 Belgium
- 2 Poland
- 3 Czech Republic
- 4 Slovakia

24- Which cricketer's popularity was so much that his wedding was broadcast live on the government television throughout the country?

- 1 Shane warne
- 2 Vivian Richards
- 3 Imran Khan
- 4 Sachin Tendulkar

25- The poorest district in India – Malkangiri is in which state?

- 1 Sikkim
- 2 West Bengal
- 3 Andhra Pradesh
- 4 Orissa(Odisha)

26- Nelson Mandela, the anti-apartheid revolutionary of South Africa died on ----- . He was also known as Madiba in South Africa

- 1 1 January 2013
- 2 8 March 2013
- 3 5 November 2013
- 4 10 December 2013

27- Who is the director of the film Life of Pi?

- 1 Gil Netter
- 2 Ang Lee
- 3 David Womark
- 4 Anita Nayar

28- Name the Mars rover of NASA.

- 1 Era
- 2 Curiosity
- 3 Discovery
- 4 Challenger

29- Anthrax is caused by _____

- 1 Virus
- 2 Bacteria
- 3 Fungus
- 4 Mycoplasmas

30- Name the first Indigenous developed Rotavirus Vaccine of India.

- 1 Rotavac
- 2 Rotacid
- 3 Rotovac
- 4 Rotomid

3. Write most appropriate answers to the following questions.

(Do not write the question) -

10 X 1 = 10

1. What is common between Kutty, Shanker, Laxman, Sudhir Dar?
2. Ordinary Table Salt is Sodium Chloride. What is Baking Soda?
3. Nazeeb Jung is -----
4. What is commonly used unit for measuring the speed of data transmission?
5. A computer system follows a simple principle called GIGO which means-

6. Name the first Nuclear Powered Submarine of India?
7. For what reason Edward Snowden was recently in news?
8. What does IRCTC stand for?
9. Who is Head of Unique Identification Authority?
10. PRISM, software was recently in news, it relates to.....?

4. Write most appropriate answers to the following questions.

(Do not write the question) -

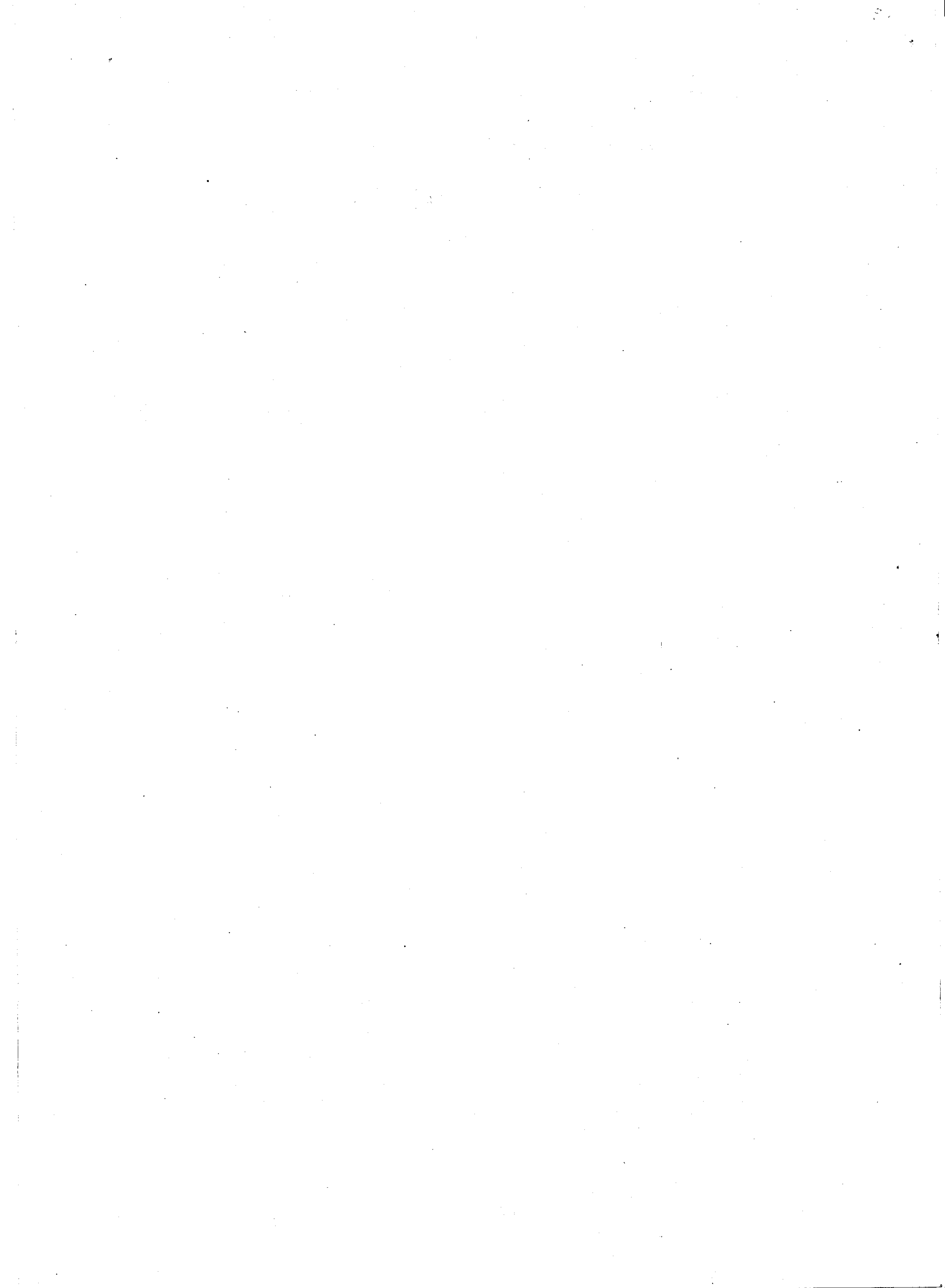
10 X 2 = 20

- 1- Today is Tuesday. What will it be after 62 days?
 - 1- Monday
 - 2- Tuesday
 - 3- Friday
 - 4- Saturday
- 2- In an ordinary year, which three months begin on the same day of the week?
 - 1- January, May, October
 - 2- March, July, December
 - 3- February, March, November.
 - 4- Never
- 3- A can complete a piece of work in 12 days and B is 60% more efficient than A. In how many days B will complete the same work?
 - 1- 6.5 days
 - 2- 8.5 days
 - 3- 5 days
 - 4- 7.5 days
- 4- If DELHI is coded as FGNIK, how is MADRAS coded?
 - 1- OCTFCU
 - 2- OBFSCU
 - 3- OCFTCU
 - 4- OCETCV

- 5- A's mother is the only daughter of B's father. How is B's husband related to A?
- 1- UNCLE
 - 2- BROTHER
 - 3- FATHER
 - 4- GRANDFATHER
- 6- A is brother of B. B is the son of C. D is C's father then what is A of D ?
- 1- BROTHER
 - 2- SON
 - 3- GRANDSON
 - 4- GRANDFATHER
- 7- A cricket team won 3 matches more then they lost. If a win gives them 2 points and loss gives (-1) point, how many matches, in all, have they played if their score is 23?
- 1- 17
 - 2- 20
 - 3- 37
 - 4- 40
- 8- In a group of buffaloes and ducks, the number of legs is 24 more than twice the number of heads. What is the number of buffaloes in the group?
- 1- 6
 - 2- 8
 - 3- 10
 - 4- 12
- 9- $3 + 33 + 333 + 3.33 = ?$
- 1- 362.3
 - 2- 372.33
 - 3- 702.33
 - 4- 702
- 10- $666 \div 6 \div 3 = ?$
- 1- 37
 - 2- 333

3- 111
4- 84

SPACE FOR ROUGH WORK



ASSAM JUDICIAL SERVICE GRADE-III EXAMINATION, 2013-2014

**Paper-III
(Law Paper – I)**

Total Marks- 100

Time- 3 hours

All questions carry 5 (five) marks.

GROUP A – CONSTITUTION OF INDIA

Answer any **five** questions:-

1. What kinds of freedom are guaranteed under article 19 of the Constitution of India as fundamental rights? What are the limitations that may be imposed thereon? What is the test of reasonableness of a restriction?
2. “Right to freedom of speech and expression includes right to acquire and disseminate information”. Explain this proposition with reference to relevant case law.
3. Explain the principle of collective responsibility of Council of Ministers?
4. Explain the status of the President of India in relation to His Council of Ministers.
5. Explain the constitutional provisions regarding repugnancy of statutes enacted by Parliament in one hand and the State Legislature on the other.
6. Write short notes on any two of the following:
 - (a) A Money Bill
 - (b) Appellate jurisdiction of the Supreme Court in regard to criminal matters
 - (c) Supervisory Jurisdiction of the High Court
 - (d) Courts of record
7. Describe the status of Administrative Tribunals.
8. Explain the doctrine of pleasure incorporated in Article 310 of the Constitution of India.

GROUP B – INDIAN CONTRACT ACT, 1872

Answer any **five** questions:-

1. Explain the law relating to compensation for breach of contract where the contract contains stipulation by way of penalty.
2. Write short notes on any two of the following:
 - (a) Reciprocal promises
 - (b) Contract of guarantee
 - (c) Contract made under a mistake of fact.
 - (d) Bailment of pledges
3. Describe the relationship between a principal and a sub-agent.
4. Explain voidable contracts. How can a voidable contract be enforced?
5. What are the contracts that need not be performed?
6. What is the obligation of a person enjoying benefit of a non-gratuitous act? How does it differ from the responsibility of finder of goods?
7. What are the exceptions to the general proposition that agreement without consideration is void? Can a minor enter into an agreement without consideration?
8. Explain the “Doctrine of Ratification”. What are the acts that cannot be ratified?

GROUP C – TRANSFER OF PROPERTY ACT, 1882

Answer any **five** questions:-

1. Explain the “rule against perpetuity” envisaged in Section 14 of the Transfer of Property Act, 1882? What effect does it have on an agreement to sell property in future?
2. What is a conditional transfer? How can a condition precedent be fulfilled ?
3. What is the transfer of property by an ostensible owner? How does it differ from a Benami transaction?

4. Explain the principle of *lis pendens*.
5. Write short notes on any two of the following:
 - (a) Usufructuary mortgage
 - (b) Subrogation
 - (c) Onerous gift
 - (d) Mortgaged debt
6. How can a lease of immovable property be determined? How does waiver of notice to quit affects the determination of a lease?
7. What are the rights of a mortgager to redeem the mortgaged property? What is the extent of entitlement of such mortgager regarding accession of the mortgaged property?
8. "A transferee can avail the protection provided under Section 53-A of the Transfer of Property Act as a shield only and not as a sword." Explain the proposition.

GROUP D – THE CODE OF CIVIL PROCEDURE, 1908

Answer any five questions:-

1. Write short notes on any two of the following:
 - (a) Decree
 - (b) Inter pleader suit
 - (c) Mediation
 - (d) Equitable set-off
2. Describe the procedure relating to suits by or against the Government or a public Officer.
3. Explain the doctrine of res judicata. What is the distinction between estoppel and res judicata?
4. Explain the doctrine of restitution with reference to Section 144 of the Code of Civil Procedure.
5. What is the distinction between a necessary party and a proper party? What shall be the effect of non-joinder thereof?

6. "Death of a plaintiff or defendant shall not cause the suit to abate if the right to sue survives." Elucidate.
7. Who may be appointed as guardian *ad litem*? Explain the procedure for appointment and removal of guardian for the suit.
8. What are the basic principles governing grant of temporary injunction? Whether jurisdictional aspect of the matter can be considered while granting such injunction?

ASSAM JUDICIAL SERVICE GRADE-III EXAMINATION, 2013-14

PAPER-IV
(Law Paper II)

Total Marks: 100
Time: 3 Hours

GROUP A - INDIAN PENAL CODE

4X1=4

Q.1 Choose the correct answer:

(i) Two young ladies X and Y fight with each other. X knowing herself to be likely to permanently disfigure Y's face, inflicts injury with a blade on the face of Y, leaving a permanent ugly scar on her cheek. Here X is guilty of causing -

- (a) simple hurt
- (b) grievous hurt by dangerous means
- (c) attempt to commit murder
- (d) grievous hurt by rash and negligent act

(ii) Z strikes B. By this provocation, B is excited to violent rage. A, a bystander, intending to take advantage of B's rage and to cause him to kill Z, puts a knife into B's hand for that purpose. B kills Z with the knife. A is guilty of-

- (a) attempt to murder.
- (b) murder.
- (c) culpable homicide not amounting to murder.
- (d) no offence.

(iii) Section 195 - A IPC relates to -

- (a) Protection of witnesses
- (b) Protection for victim
- (c) Threatening to give false evidence
- (d) None of the above

(iv) In the case of an offence punishable with fine only, imprisonment in default of fine shall be:

- (a) rigorous
- (b) simple
- (c) rigorous or simple
- (d) partly rigorous and partly simple

Q.2 Answer any two of the following questions, giving reasons therefor and also quoting relevant provisions of law- 2X4=8

(i) A police officer obtains certain ornaments from a person by issuing threat to the effect that he will be locked up immediately and will not be released for months. What offence, if any, has been committed by the police officer ?

(ii) A finds a purse with money lying on the road. A did not know to whom did the purse belong. Subsequently A learns that purse belonged to B but A retained the purse and appropriated the money. What offence, if any, has A committed?

(iii) A goes to his brother-in-law's house to bring his wife. There was a quarrel between A and his brother-in-law B on the question whether his wife should return with him by the night train the same day or on the next day. During the quarrel, A loses his temper and administers a blow with a knife on B's chest, which results in his death. What offence has been committed by A?

Q.3 Write short notes on any four of the following: 4 x 3 =12

- (1) Voyeurism
- (2) Exceptions to the offence of murder
- (3) Unlawful assembly
- (4) Abetment
- (5) Forgery

Q.4 Define any three of the following: 3 X 2 = 6

- (a) Voluntarily
- (b) Injury
- (c) Dishonestly
- (d) Fraudulently

GROUP B - CODE OF CRIMINAL PROCEDURE, 1973

Q.5 Select the correct answer. 4x1=4

(i) Under which Section of the Cr.P.C., a joint trial can be split up-

- (a) 223
- (b) 299
- (c) 317
- (d) 210

(ii) An inquest report must contain the-

- (a) the names of accused persons
- (b) apparent cause of death
- (c) details of the weapons used
- (d) details of the incident.

(iii) If it appears to the Magistrate that the offence complained of is triable exclusively by the Court of Session, he, under Section 202 Cr.P.C., postponing the issue of process against the accused –

- (a) shall commit the case to the Court of Session.
- (b) may direct an investigation to be made by a police officer.
- (c) shall call upon the complainant to produce all his witnesses and examine them on oath.
- (d) shall return the complaint for presentation before the court of Session.

(iv) Where the court has dispensed with personal attendance of an accused in a summons case, the court, at the time of examination of accused, can -

- (a) examine the advocate of the accused.
- (b) examine the accused after defence evidence.
- (c) examine the other accused on behalf of the accused.
- (d) dispense with his examination.

Q.6 (a) Discuss various provisions of Cr.P.C. under which release of accused on bail is mandatory? 1x4=4

(b) What do you understand by 'Anticipatory bail'? Which courts are competent to grant 'Anticipatory bail'? 1x3=3

Q.7 Discuss the power of Court to alter the charge and procedure to be adopted whenever a charge is altered or added to by the Court after the commencement of the trial? What is the effect of omission to frame, or

absence of, or error in charge?

1x7 =7

Q.8 Writes short notes on any three of the following:

3x4=12

- (a) Power of Magistrate to award imprisonment in default of fine
- (b) Procedure of trial in summons cases
- (c) Limitation for taking cognizance of offences
- (d) Irregularities which vitiate proceedings.

GROUP C - INDIAN EVIDENCE ACT

Q.9 Select the correct answer.

4x1=4

(a) A Statement made by a person to a police officer, in anticipation of death but who survives, would be –

- (a) admissible as dying declaration under S. 32.
- (b) admissible as former statement of witness under S.157.
- (c) inadmissible
- (d) admissible under S.144.

(b) Burden of proving the plea of insanity lies on

- (a) the accused
- (b) the prosecution
- (c) Either of (a) & (b)
- (d) Both (a) & (b)

(c) In a prosecution for rape or attempt to commit rape, When a prosecutrix is cross examined, she may not be asked any question which tend-

- (a) to test her veracity ,
- (b) to discover who she is and what is her position in life,
- (c) to know her living standard,
- (d) to shake her credit through her general immoral character,

(d) If evidence which can be put is not produced, the court may presume that if produced it would be -

- (a) unfavourable
- (b) favourable

- (c) beneficial
- (d) none of these.
 - to the person who withheld it.

- Q 10 Discuss any four of the following: 4x4=16
- (a) Circumstances in which admissions may be proved by or on behalf of the person making it:
 - (b) Facts of which court must take judicial notice:
 - (c) Modes of proving a signature:
 - (d) Circumstantial evidence:
 - (e) Promissory estoppel:

GROUP D - LAW OF TORTS

- Q.11 Select the correct answer 3x1 =3

(i) A tort "actionable per se" is a wrong –

- (a) for which the plaintiff can sue even though he has suffered no damage.
- (b) for which the proof of damage is a necessary part of the Plaintiff's claim.
- (c) of strict liability.
- (d) in which the occurrence speaks for itself about the defendant's negligence.

(ii) In which of the following torts, the liability is not based on 'fault':

- (a) Malicious prosecution
- (b) Conversion
- (c) Negligence
- (d) Trespass

(iii) In cases of joint tort feasons:

- (a) The liability is only several
- (b) The liability is only joint and not several
- (c) The liability is joint as well as several
- (d) The liability is neither joint nor several.

Q.12 Answer any two of the following:

2 x 2 ½ = 5

(a) A customer of the bank gives an amount to the bank employee in his capacity as a friend, for being deposited in the account of the customer, without obtaining any receipt for the same. The bank employee misappropriates the amount for his personal gain. A suit for damages is filed by customer against the bank and employee of bank. Discuss the responsibility of bank, if any, and the principle on which your answer is based.

(b) The owner of a car, requested his friend to drive it from Panbazaar to Dispur so that on reaching Dispur, they could use it for a joint holiday. Shortly after leaving Panbazaar, the friend driving the car, caused an accident resulting in bodily injury to a pedestrian. A suit for damages is filed by the pedestrian against owner of the car and the driver. Discuss the liability of owner of the car, if any, and the principle on which your answer is based.

(c) A and B entered C's premises to locate a leakage in gas pipe. Each one of them held naked flame of a candle to the gas pipe. A's application resulted in an explosion causing damage to C's premises. A suit for damages is filed by C against A and B. B took the defence that his act did not result in explosion. Discuss the responsibility of B, if any, and the principle on which your answer is based.

Q.13 Write note on any three of the following:

3X4=12

- (a) Defence of minority in an action for torts.
- (b) Defence of plaintiff being the wrongdoer in an action for torts.
- (c) Conversion.
- (d) Rule of absolute liability.
- (e) Defenses in an action for a tort of nuisance.

(PAPER-V)

অসম ন্যায়িক সেৱা - ৩

২০১৪

সময় : ২ ঘণ্টা

অসমীয়া

মুঠ নম্বৰ-৫০

১) যি কোনো এটা বিষয়ৰ ওপৰত এখন ৰচনা লিখক:

১০

(ক) আইনৰ শাসন।

(খ) ন্যায়পালিকা ও ভ্ৰষ্টাচাৰ।

(গ) মৌলিক অধিকাৰ।

২) অসমীয়াত অনুবাদ কৰক :

১০

(ক) I was in class VII during the year 1962.

(খ) I was inspired enough to write a short poem that was subsequently published in the school magazine.

(গ) I donot want to be a wealthy man; nor do I want to be a working man.

(ঘ) I wish to be a great soldier fighting against poverty and injustice for my beloved nation.

(ঙ) Our Headmaster encouraged us to be truthful and upright.

(চ) We had to fetch water in metal pots or earthen pots.

(ছ) It was winter in Delhi and the sun was setting by the time I reached the place.

(জ) That evening I was left alone in the hostel.

(ঝ) On Sundays we would walk to the Central market in Pilani.

(ঞ) I felt my job as a citizen of this country was only half done.

৩) ইংৰাজীত অনুবাদ কৰক :

১০

(ক) মোৰ বয়স তেতিয়া ন-দহ বছৰমান হ'ব।

(খ) এদিন ৰাতি শুবৰ সময়ত দেউতাই মোক ক'লে, "তই কাইলৈ বুধিৰামহঁতৰ লগত পথাৰত মাটি চহাবলৈ যাব লাগিব।"

(গ) সেইদিনাই মই জীৱনত প্ৰথমবাৰৰ বাবে পথাৰত হাল বাবলৈ গৈছিলো।

(ঘ) খুব কম মানুহেই তেওঁক চিনি পাইছিল।

(ঙ) এটা সময়ত গাঁও এৰি চহৰলৈ পঢ়িবলৈ আহিলো।

(চ) কোনো দুজন মানুহৰ জীৱনৰ অভিজ্ঞতা সাইলাখ একে হ'ব নোৱাৰে।

(ছ) সেই কথা এতিয়াও মোৰ মনত আছে।

(জ) এবাৰ আমি পূজাৰ বন্ধৰ পিছত গাওঁৰ ঘৰৰ পৰা চহৰলৈ খোজ কাঢ়ি গৈছিলো।

(ঝ) মোৰ দেউতা আজি কলকতাৰ পৰা গুৱাহাটীলৈ অহাৰ কথা।

(ঞ) আইন আৰু ন্যায়ৰ ধাৰণা মানৱ সভ্যতাৰ সমানেই পুৰণি।

(৪) তলৰ শব্দসমষ্টিবোৰ শুদ্ধকৈ সজাই একোটি বাক্য ৰচনা কৰা :

৫X২=১০

(ক) তেস্তে অভ্যাস থাকি যদি জীয়াই আনন্দ খোজ পাব খুজিছে কঢ়াৰ কৰক।

(খ) আছিল লগত মানুহৰেই সকলো জীৱ-জন্তু বনৰ চৰাই-চিৰিকটিৰ মিল।

(গ) মাজৰ মানুহ মধুৰ অতি আছিল কালত জীৱ-জন্তুৰ আৰু সম্পৰ্ক পুৰণি।

(ঘ) খায় নিজেই কেতিয়া থাকে বাবে মাছে পানী নেজানে পানীতে।

(ঙ) বিচাৰি অভিধান তেনেকুৱা নাই প্ৰতিশব্দ মই পোৱা।

(৫) তলৰ শব্দকেইটাৰ অৰ্থ ইংৰাজীত বুজাই লিখক :

১X৫=৫

পেহী, জেঠেৰী, জেঠাই, একৈশ, আঠাৰন

(৬) তলৰ শব্দকেইটাৰ বাক্য ৰচনা কৰক :

১X৫=৫

উদগনি, শহাকণীয়া, হাত-লৰ, লালকাল, লটিঘটি।