

## UTTRAKHAND HIGHER JUDICIAL SERVICE

## DIRECT RECRUITMENT EXAMINATION. - 2024

Maximum Marks – 100.

Time- 02 Hours

Note: -

- (i) All questions are compulsory.
- (ii) All the questions in Part -1 should be answered in one Language (either Hindi or English).

## PART – 1

(Current Affairs, Indian Legal History, Legal Maxims, Medical Jurisprudence, Basic knowledge of Computer Operation, Legal Phraseology)

1. Explain briefly any five of the following Maxims: - (5 x 2= 10 Marks)

- (i) Actio Personalis Moritur Cum Persons.
- (ii) Actus Non Facit Reum Nisi Mens Sit Rea.
- (iii) Allegans Contraria Non Est Audiendus.
- (iv) Contemporanea Expositio Est Optima Et Fortissimo Lege.
- (v) Delegatus Non Protest Delegare.
- (vi) Nemo Debet Esse Judex In Propria Sua Causa.
- (vii) Obiter Dicta.
- (viii) Suppressio Veri Or Suggestio Falsi

2. Whether Enforcement Directorate can take suo-moto action under P M L A (Prevention of Money Laundering) Act, 2002? Give brief note on the power of E D and C.B.I..

(5 Marks)

3. Why do states introduce Domicile Based Reservations in Employment? What is Domicile Reservation? Explain with landmark judgements of Supreme Court of India.

(5 Marks)

4. Explain the concept of "One Nation One Election". What are the Key Features of the Constitution 129<sup>th</sup> Amendment Bill, 2024?  
(5 Marks)
5. What is Cyber -Crime ? What are the challenges related to Cyber- Crime in India? What Measures can be taken to tackle Cyber Crimes in India.  
(10 Marks)
6. What is Human -Animal Conflict? What are the government measures and laws to tackle Human – Animal Conflict?  
(5 Marks)
7. What structural changes have been made with regard to Filing of First Information Report (F I R)? What are the key changes made by BNSS, 2023 "Bhartiya Nagrik Suraksha Sanhita ,2023 "?  
(10 Marks)

## PART – 2

### LANGUAGE

( 50 Marks)

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

1. Right to privacy in the digital age.
  2. Protection of Child Rights in India.
  3. Causes and Consequences of Corruption in India. Role of the Judiciary in the Fight against Corruption.
  4. Lawyers Role in Speedy Justice – delivery.
  5. Artificial Intelligence and it's regulation. Wheather a boon or bane ?  
( 15 Marks )
8. Write a precise in English of the following write-up. You should reduce its word count to one-third without omitting important points:  
( 15 Marks)

" India is now the most populous country. The demographic dividend of a young population , available for the next 25 years, demands investments to keep the population healthy and productive as it ages. The United Nations Population Fund forecasts that the number of persons aged over 60 years will grow from 153 million now to 347 million by 2050. Can we ensure healthy

ageing. Where people remain fit and functioning rather than frail and feeble? Otherwise, we will have a cascade of chronic non- communicable diseases and mental health disorders.

Health threats posed by climate change, environmental pollution and loss of biodiversity will escalate over the next quarter century. Our health system has to withstand this fusillade. Future pandemics are high probability events. Microbial surveillance must now extend across several species. New vaccines and drugs must be developed within the country owing to fragility of global supply chains during public health emergencies.

There will be remarkable advances in science and technology, which will transform many aspects of health care. Artificial intelligence is just beginning to demonstrate its immense potential , from drug discovery to diagnostic and treatment algorithms. Molecular biology is opening up the human cell for engineered interventions. We must develop health system capability to critically evaluate and appropriately adopt such innovation. Besides advancing multi-disciplinary research for discovery and development, we need an efficient health system to effectively deliver those interventions to intended beneficiaries. Our health information system will have to provide accurate, representative and timely data.

The biggest challenge to the delivery of needed health services comes from across-the board shortages in skilled health workforce. WHO says that a health worker density of 44.5 doctors, nurses and midwives per 10,000 people is essential to achieving the health targets of SDGs, especially the service coverage component of the universal health coverage. Doctor-population ratio ranges from 42 per 10,000 in Kerala to 4 per 10,000 in Jharkhand.

Prioritising primary care, we must train and deploy higher numbers of technology- enabled ASHA workers, nurses and mid-level community health officers. District hospitals should be upgraded to become training centres for undergraduate and postgraduate medical and nursing students as well as various categories of allied health professions.”

9. Translate the following English phrase in to Hindi :

“ As India embarks on the Viksit Bharat journey to become a developed nation by 2047, it has five countries to look up to – China, Japan, Germany, Singapore and South Korea. The road to becoming a developed nation essentially means transformation in the economy to bring overall development.

China might have been a tricky neighbour, but there are many things that India can learn from it. The recent Economic survey pointed out that it may not be

possible to replicate or replace China in the manufacturing sector, but India can look at getting Chinese RDI as part of the China plus one strategy. This strategy involves finding alternatives to China in other emerging economic like India, where one can find cheap labour and accommodative trade policies.

China stands out due to its massive investment in infrastructure and the manufacturing sector. This gave a proportionate boost to labour productivity.

Japan, Germany, and South Korea also did 'miracles' to transform their economic after the wars. Japan underwent a massive transformation in the 1950s and 1960s with its rapid economic growth.

Similarly, Germany's economic trajectory changed between the 1950s and 1970s. After Wirtschaftswunder or "economic miracle" Germany has remained one of the largest and most competitive economic owing to its "strong manufacturing base and technological prowess" notes a paper by NITI Aayog.

The NITI Aayog also looked at the Singapore model as the country transformed from being an impoverished one to a highly developed one through the 1960s and 1970s. The country shifted from being predominantly an entrepot (port city) economy to a rapidly industrializing and export – oriented one."

(10 Marks)

10. Translate the following Hindi passage in to English:

माननीय उच्चतम न्यायालय ने रामकृष्ण डालमिया बनाम न्यायमूर्ति एस. आर. टैंडोलकर के मामले में जाँच आयोग अधिनियम, 1952 में अंतर्विष्ट उपबंधों पर विचार करते हुए ए. आइ. आर. 1958 एस. सी. 538 में निम्नलिखित अभिनिर्धारित किया है:

"8..... आयोग को ऐसा कोई आदेश पारित करने के अर्थ में न्यायनिर्णयन की कोई शक्ति नहीं है जिसे उचित रूप से लागू किया जा सके। प्राधिकारियों पर ऐसे विनिश्चय के बीच स्पष्ट अंतर किया जाना चाहिए जिसका स्वयं कोई बल नहीं है और कोई दंडात्मक प्रभाव नहीं है और ऐसा विनिश्चय जो तुरंत प्रवर्तनीय हो जाता है या जो किसी कार्रवाई द्वारा प्रवर्तनीय हो सकता है। इसलिए, जैसा प्रश्न आयोग का संबंध है, उसे लागू करने की शक्ति के बिना मात्र जांच करना और अपने निष्कर्षों और सिफारिशों को अभिलेख करना है, जांच या रिपोर्ट को न्यायिक जांच के रूप में इस अर्थ में नहीं देखा जा सकता है प्रश्न यह न्यायिक कार्यका उचित रूप से तथाकथित प्रयोग हैं और इसके परिणामस्वरूप संसद या भारत संघ के न्यायिक अंगों की शक्तियों की सरकार द्वारा इस मामले के तथ्यों पर और अमेरिकी संविधान द्वारा प्रदान की गई शक्तियों के श्रेणीबद्ध पृथक्करण पर आधारित अमेरिकी अधिकारियों की विस्तृत चर्चा हमें प्रतीत होती है, पूरी तरह से अनुचित और अनावश्यक है और हम वर्तमान अवसर पर, इस बारे में कोई मत व्यक्त करने के लिए नहीं कहते हैं प्रश्न – क्या हमारे संविधान में शक्तियों के पृथक्करण के विशिष्ट उपबंध के अभाव में भी, जैसा प्रश्न अमेरिकी संविधान के कुछ विभाजन से हैं, और फिर भी हमारे विधायी शक्तियों—यह हमारे संविधान में निहित है। इस विचार को ध्यान में रखते हुए हमारे लिए यह विचार करना भी आवश्यक नहीं है कि यदि अधिनियम समुचित सरकार को न्यायिक शक्तियों के साथ जांच आयोग गठित करने की शक्ति प्रदान करता है तो क्या ऐसी विधि को, निःसंदेह, संविधान के अन्य उपबंधों से रहते हुए, इन दो प्रविष्टियों के साथ पठित न्यायालयों के गठन को प्राधिकृत करते हुए, सूची- I या सूची- III की किसी प्रविष्टि से बनाए गए कानून के रूप में समर्थित नहीं किया जा सकता है, क्योंकि एक विधान कई प्रविष्टियों पर आधारित हो सकता है।

(10 Marks)