

**HIGH COURT OF TRIPURA
EXAMINATION FOR RECRUITMENT TO THE
TRIPURA JUDICIAL SERVICE, GRADE-I, 2020**

**PAPER-III
DURATION- 3 HOURS
TOTAL MARKS - 100**

PART-A

1. Write a brief note with illustrations on any one [within 400 words]: 15 marks
 - (a) Rights of individuals provided in the constitution are said to have *natural law* as their basis.
 - (b) The principle of *ejusdem generis* cannot be applied to make a part of the definition completely redundant.
2. Respond only to 5 (five) questions/statements/principles: 1x5=5 marks
 - (a) *Actus non reum facit reum nisi mens sit rea.*
 - (b) *Actus curiae neminem gravabit.*
 - (c) Repugnancy in case of the law made by the parliament and the law made by the state legislature.
 - (d) Three common sources of law.
 - (e) Purpose of separation of powers.
 - (f) Name one area where the 'Public Trust' doctrine applies.
 - (g) Identify one case where doctrine of 'absolute liability' has been applied.
 - (h) Pith and substance of a legislation.

PART-B

3. Write a brief note on any one with illustration [within 400 words]: 15 marks
 - (a) Fundamental attributes of Rule of Law with reference to ADM, Jabalpur vs. Shivkanta Shukla : AIR 1976 SC 1207
 - (b) Colourable exercise of the legislative power.
 - (c) Privacy of individual and unauthorized intrusion to the private data.
4. Respond only to 5 (five) questions/statements/principles: 1x5=5 marks
 - (a) Cite two grounds based on which right to freedom of speech and expression can be curbed.
 - (b) Habeas corpus.
 - (c) Name two fundamental rights which are not available to foreigners in India.
 - (d) Can a constitutional court direct enforcement of the Directive Principles of the State Policy [reference to Sarla Mudgal Vs. Union of India : AIR 1995 SC 1531]?
 - (e) When the financial emergency, if proclaimed, ceases to operate if not extended before expiration of the said period?

- (f) How 'Gram Sabha' [under Article 243-A of the Constitution] acquires powers?
- (g) What the Sixth Schedule of the Constitution deals with?
- (h) Can the fundamental rights be waived by citizen?

PART-C

60 marks

5. Write judgment on the basis of the paper book, real time case materials, as enclosed. But the order of sentence is not required to be written, even if, consequentially its necessity emerges. Judgment be divided broadly on the following segments:

- (a) Back-ground fact of prosecution leading to framing of the charge.
- (b) The history-sheet of trial.
- (c) Arguments by the prosecution and by the defence [imaginary]
- (d) Analysis of the evidence.
- (e) Inference with reasoning [with reference to the relevant case-law]

**Please turn to
the next page**