

MIZORAM PUBLIC SERVICE COMMISSION
MIZORAM CIVIL SERVICE (JUNIOR GRADE) DEPARTMENTAL EXAMINATIONS
DECEMBER, 2015

PAPER - II

Time Allowed : 3 hours

Full Marks : 100

Pass Marks : 40

Marks for each question is indicated against it.

Attempt 10 (ten) questions, taking at least 3(three) from each group.

SECTION A
(Civil Procedure Code, 1908)

1. Write Short Notes on **any two(2)** of the following. **(2×5=10)**
 - (a) Pleat
 - (b) Suit by a Minor
 - (c) Decree
 - (d) Review
2. Define appeal and admission. Describe the detail procedures for filing an appeal. **(2+2+6=10)**
3. What is meant by 'res judicata'? Briefly explain the objects and essential conditions of the doctrine. **(3+7=10)**
4. What is temporary injunction? Critically examine the circumstances under which the court can grant it. **(2+8=10)**
5. Discuss the provisions and the significance of 'exemption of certain Public Officers from arrest and appearance in Courts' as provided under the Civil Procedure Code, 1908. **(10)**
6. What is meant by 'ex parte hearing'? Briefly discuss the consequences of non-appearance of parties to the suit under Order No IX of the Code. **(3+7=10)**

SECTION B
(Evidence Act, 1872)

7. Write short notes on **any two(2)** of the following. **(2×5=10)**
 - (a) Dying Declaration
 - (b) Cross Examination
 - (c) Extra-Judicial confession
 - (d) Proof of Handwriting & Signature
8. Define 'hostile witness'. State and explain the essential qualifications of a competent witness. **(2+8=10)**

9. Critically examine the competency of the following persons as witness: **(2×5=10)**
(a) Lunatic (b) Child
10. 'No confession made before a Police Officer shall be proved as against the person accused of the offence'. Comment. **(10)**
11. What is Oral evidence? Critically examine the evidentiary value of oral evidence. **(2+8=10)**
12. What is meant by Judgement? Clearly show and illustrate the distinctions between 'judgement in rem' and 'judgement in personum'. **(2+8= 10)**

SECTION C
(Constitution of India)

13. Write short notes on **any two(2)** of the following. **(2×5=10)**
(a) Article 371(G) (b) Preamble to the Constitution
(c) Doctrine of Pleasure (d) Article 51(A)
14. Who is a Scheduled Tribe? Critically examine the constitutional provisions for the protection of Scheduled Tribes and Scheduled Castes. **(2+8=10)**
15. What is Money Bill? Discuss the stages for passing a Money Bill in the Parliament. **(3+7=10)**
16. Are the Fundamental Rights absolute in real sense? Discuss the constitutional provisions to safeguard the Fundamental Rights by the Guardian of the Rights. **(10)**
17. What are the grounds under which an MLA may be disqualified from membership of a State Legislative Assembly? Discuss the details about Office of Profit as provided under Article 191. **(3+7=10)**
18. 'The Indian Parliament can amend any part of the Constitution of India at its sweet will'. Do you agree with the statement? Give reasons in support of your answer by citing suitable examples. **(10)**