

**HARYANA CIVIL SERVICE JUDICIAL
EXAMINATION, 2011**

**Paper I
Civil Law**

Max. Marks: 200

Time: 3 hrs.

Notes:

- (i) Candidates are required to attempt all questions in the same seriatim as they appear.
- (ii) Marks are indicated against each question.
- (iii) Support your answer with relevant provisions and case law.
- (iv) No extra Answer Sheet will be provided.

Q. 1. (a) What is the difference between *res sub judice* in Section 10 and *res judicata* in Section 11 of the Code of Civil Procedure, 1908? (10)

(b) What causes of action can be joined without the leave of the court, to a suit for recovery of immovable property? (10)

(c) 'A' agrees to sell and deliver to 'B' 500 Kgs. of sugar at the rate of Rs.50 per kg. on date 'X'. On the same day he agrees to sell and deliver to 'C' a like quantity of sugar at the same rate on the same date. Can 'B' & 'C' join together as plaintiffs in one suit against 'A' and if not, then why not? (10)

(d) What are the powers given by Section 94 to a civil court for preventing the ends of justice from being defeated? (10)

Q. 2. (a) What are the alternative methods of dispute resolution in the Civil Procedure Code, 1908? (10)

(b) 'A' is a tradesman in Calcutta. 'B' carries on business in Delhi. 'B', buys goods of 'A' through his agent in Calcutta and requests 'A' to deliver them to the Indian Railways. 'A' deliver the goods accordingly in Calcutta. Where can 'A' sue 'B' for the price of the goods delivered by him to 'B'? (10)

(c) When can a civil court impose costs by way of compensation and costs for causing delay? (10)

(d) How has the Code of Civil Procedure 1908 defined the following:-

- (i) summary procedure,
- (ii) mesne profits,
- (iii) judgment and order,
- (iv) Legal representative.

(10)

Q. 3. (a) Yamuna Developers Pvt. Ltd. (YDPL) contracted with Jaipur Tiles Ltd. (JTL) for supplying various kinds of tiles to its Green Valley Project with actual cost of Rs.50,00,000. JTL fulfilled its own part but YDPL had paid only Rs.20,00,000. After one year, JTL agreed to accept Rs.20,00,000 in satisfaction of its claim of Rs.30,00,000. Later on JTL filed a suit for the enforcement of contractual obligation. Decide the case on the basis of relevant legal provisions and case law. (10)

(b) Contract for the sale of a horse is entered into on the condition that the buyer should have it for eight days for trial and be at liberty to return it at the expiration of that period if he did not find it suitable. The horse dies without any fault on the part of either party, three days after it was delivered to the buyer for trial. Whether contract can be enforced? (10)

(10)

(c) Discuss the law relating to Privity of contract in English and Indian Law with its qualified exceptions. Discuss relevant case laws. (10)

(10)

(d) Write the short notes on following:-

- (i) Unjust enrichment
- (ii) Holding Out

(10)

Q. 4. (a) (i) Mr. and Mrs. Kaur are running a Legal Aid Clinic. Whether is it a kind of partnership? Discuss.

(ii) What is implied authority of partner? In what circumstances implied authority cannot be used by partner? (10)

(10)

(b) What are the rights of surety against creditors? Discuss with the relevant provisions of Indian Contract Act. (10)

(10)

(c) What are the rights of unpaid seller against goods? How the rights of unpaid seller will vary in case of part delivery of goods? (10)

(d) Explain the circumstances alongwith relevant provisions of the Statute as to when the Civil Court may order a licensed petition- writer to re-write any petition written by him? (10)

Q. 5. (a) Digvijay proceeds against Srijayan in a civil court claiming compensation for the injury caused to him. He adduces the following evidence in addition to other documentary and oral evidence. Decide whether following facts are relevant and admissible? (10)

(i) The judgment of the Criminal Court convicting Srijayan for causing grievous hurt by rash and negligent driving;

(ii) The advice note given in confidence by the public prosecutor who had instructed Digvijay to make certain statements during his deposition. (10)

(10)

(b) Rajesh, a student got marks-sheet from Haryana Education Board, showing that he had passed in biology, physics and chemistry with good marks. Rajesh, as a matter of fact had never opted or appeared for biology. However, he remained silent and sought admission in 1st year of MBBS course at Guru Nanak Dev Medical College. When he had to appear in his 1st professional course of MBBS, Haryana Board realizing the error, served a notice on him for wrong marks-sheet. Subsequently, the Medical College cancelled his admission. Rajesh consults you for using estoppel against Haryana Board. Give your opinion with reasons. (10)

(10)

(c) Enumerate the situations when leading questions can be asked during Examination-in-chief and Re-examination. Also point out when it is not allowed during cross-examination. (10)

(10)

(d) Can a Judge base his judgement on answer to irrelevant matters? What are the restrictions on the power of the Court to compel a witness to produce any document? (10)

(10)

Paper II

Civil Law

Max. Marks: 200

Time: 3 hrs

Notes:

(i) Candidates are required to attempt all questions in the same seriatim as they appear.

- (ii) Marks are indicated against each question.
- (iii) Support your answer with relevant provisions and case law.
- (iv) No extra Answer Sheet will be provided.

Q. 1. (a) Two Hindus got married in a temple. Several years and after the birth of three children, they get the marriage registered under the Special Marriage Act. A year later husband claims that certain ceremonies were not performed and hence the marriage was void. Decide after giving arguments for both the sides. (20)

(b) What are the de-merits of testamentary disposition of property? While answering, keep in mind particularly the rights of vulnerable persons in the family. (10)

(c) A wife becomes pregnant through artificial insemination using the husband's sperm without his permission. Husband and wife have not met in two years. The child is born with severe disabilities. Husband denies the child to be his. Decide. (10)

Q. 2. (a) Calculate the shares of X's heirs assuming he had only HUF property when he died on 1.1.2000 leaving a widow, a mother, a step mother, two sons, two married daughters (one married in 1980 and the other in 1989), one unmarried daughter, ten grandchildren of whom four are children of a predeceased son and a predeceased daughter married in 1990 (each having a son and daughter).

Give reasons for inclusions, exclusions and quantum of shares. What is the nature of property in the hands of each heir?

X has left behind considerable debts also. Who should pay the same and to what extent? These are his debts:-

To workers	Rs. 30,000/-
To temple priests for ceremonies	Rs. 10,000/-
To local shopkeeper for groceries	Rs. 3,000/-
To local liquor shop	Rs. 5,000/-

In the light of this, how far does Mitakshra law play a role in Hindu Law? (20)

(b) What is the status of Rita in the following cases:

- (i) Nita and Rita are twins. Rita was born 15 minutes later than Nita. They were both adopted by a childless Hindu

couple through an adoption agency. Forty years later after the death of their parents Nita asserts that Rita had no claims to their parent's property.

- (ii) Rita was adopted by Childless Hindu woman. After the adoption, the woman converted to Christianity. (10)

(c) Two Hindus marry and have a son. The husband converts to Islam and marries a Muslim girl. They have a daughter. All this happens prior to the decision in Sarla Mudgal's case. In 2001 the husband dies. The son denies the claims of the daughter and her mother. Is the marriage valid and the child legitimate? (10)

Q. 3. (a) A Muslim man has two Muslim wives. The entire family converts to Christianity. Discuss the status of the wives and children. Can he divorce his wives by triple talaq post conversion? (20)

(b) Write short notes on followings:

(a) Dastane v. Dastane

(b) Law relating to Custody in India (10)

(c) The waiting period of six months contemplated under Section 13-B of the Hindu Marriage Act, 1955 is as mandatory as the other conditions prescribed for obtaining divorce by mutual consent. Explain the statement with support of case law. (10)

Q. 4. (a) What is the impact of the Property Laws (Amendment) Act, 2001, which amended the Registration Act as well on Section 53-A of the Transfer of Property Act? (10)

(b) What documents may be registered? What are the effects of non-registration? (10)

(c) Discuss the circumstances in which registration of a document can be refused by the Registering Authority. Is there any remedy against an unjustified refusal? Briefly discuss. (10)

(d) What is the effect of 'acknowledgement' as envisaged under the Limitation Act? (10)

Q. 5. (a) 'X' was allotted a residential plot in the Municipal Area of Karnal, being the highest bidder in a public auction held by the Rehabilitation Department, Government of Haryana, on 31.10.1980. The site plan shown to 'X' at the time of auction depicted two 'Public

Parks' on the east and west side of the plot. 'X' constructed his house in April, 1985 after getting the building plans sanctioned from Municipal Council, Karnal and kept windows on both sides of the house. In the year 2004, 'A' started digging foundations in the open space abutting the 'west' side of the 'X's house, claiming to be its owner on the plea that it was allotted to him by the Rehabilitation Department in lieu of the properties left by his deceased father in West Pakistan. 'X' institutes a civil suit on 3.10.2006, claiming easement rights by prescription. Soon thereafter, Rehabilitation Department also issued a public notice for the auction of a residential plot, which as per the description given was abutting the house of 'X' on east side. 'X' institutes another civil suit on 1.1.2007 against the Rehabilitation Department, claiming the easementary rights. Explain with the support of case law:—

- (i) Whether 'X' has acquired absolute and indefeasible right to easement against 'A'?
- (ii) Whether 'X' has acquired absolute and indefeasible right to easement against the Rehabilitation Department, Haryana?
- (iii) What are the essential conditions to claim such like easementary rights under the Limitation Act, 1963? (20)

(b) *'Justice has emanated from nature. Therefore, certain matters have passed into custom by reason of their utility. Finally the fear of law, even religion, gives sanction to those rules which have both emanated from nature and have been approved by custom.'* What is the relevance of this statement of Cicero in Indian Legal System? (10)

(c) How does a custom originate? Write briefly the role of the Supreme Court in preserving and developing the customs of the people? (10)

Paper III Criminal Law

Time: 3 hrs

Max. Marks: 200

Notes:

- (i) Candidates are required to attempt all questions in the same seriatim as they appear.

- (ii) Marks are indicated against each question.
- (iii) Support your answer with relevant provisions and case law.
- (iv) No extra Answer Sheet will be provided.

Q. 1. (a) Mohan was an Engineer by profession. He was a bachelor and had lost his parents in an accident, when he was a small child. In 1995, Mohan met with a terrible accident where he was involved in a car crash, in which his legs were stuck in the debris. He had lost his consciousness also. After a great deal of effort, doctors managed to extricate him from the debris. But, he remained in a coma. There was no improvement in his condition till March 2005. The doctors treating him were in a fix as to whether they should turn off his life support system.

On April 10, 2005, a young girl was admitted to the hospital in which Mohan was being treated. She had multiple organ failure and required an urgent kidney and liver transplant. Mohan was known to be an activist who, before his accident, fought for the cause of organ transplantation. He had even received awards for his work in encouraging people to donate their kidneys and eyes. The doctors (a team of eight) took a decision to remove one of Mohan's kidneys and a part of his liver and transplant it into the young girl. After the surgery was completed, Mohan miraculously regained consciousness. He sought to prosecute the doctors who operated on him and contended that the doctors were, inter alia, guilty of various offences under Indian Penal Code. Address the following issues:

- (i) Mohan seeks to prosecute the doctors under Section 379 of IPC. He also seeks to prosecute them under Section 392 and 395 of IPC. Will he succeed? Give reasons. (10)
- (ii) Can the doctors take up necessity as a defence? Give cogent reasons. (10)

(b) Samaresh was a student of National Institute of Epidemiology. One day, after completing his term examination, he decided to go to a local pub and have a drink. By the time he returned from the pub, he was highly intoxicated and in that state of intoxication, he entered the room of his neighbor in the hostel and set his mattress on fire. He was charged for offences under sections 436 and 447 of the Indian Penal

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Code. He wants to plead intoxication as a defence. Advise him on the present law along with contemporary judicial reasoning.

(c) Explain the offence of criminal conspiracy. How is it punishable? Distinguish between abetment and conspiracy. (10)

Q. 2. (a) Discuss the Constitutional validity of section 497 of IPC in the light of case law. (10)

(b) Discuss the Fifth Exception to Section 499 IPC and the law relating to Contempt of Court in the light of case law. (10)

(c) Can an offence committed outside India, be tried in India under Indian Criminal Law (IPC & Cr. P.C.)? Explain in the light of case law. (10)

(d) Write a brief note on the nature of burden of proof on an accused who takes plea of insanity, under the Indian Penal Code. Do you think that fairness demands that burden on prosecution should not be heavier? Refer to post Malimath development. (10)

Q. 3 (a) A Hindu girl aged 17 years studying in B.A. was living under the care and protection of her parents. She was in intimacy with a shopkeeper named Mahesh running a shop near her house. One day the girl left her house and went to Mahesh and asked him to take her away permanently, who took her away to several places. He handed her over to one of his friend, Mr. Rimal who took her to Kolkata where he was arrested. Discuss the liability of Rimal and Mahesh. Can they be prosecuted under section 363 of the Indian Penal Code? Give reasons with relevant authorities. (10)

(b) Jagat Singh gave orders to a press to print 100 forms similar to those formerly used by a Coal Company. He had corrected the first proof and also suggested further corrections in the second proof in order to make it appear exactly like the form used by the Coal Company. At this stage Jagat Singh was arrested and charged with the offence of having attempted to make a false document. Decide and give reasons. (10)

(c) Amar Singh was arrested by custom officers while in possession of a suit case which he believed to contain prohibited drugs whereas on analysis the drugs in the suitcase were found to be only snuff or harmless

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vegetable matter. Amar Singh had admitted to the custom officers after his arrest that he was dealing in the prohibited drugs. He was charged under section 511 of the Indian Penal Code, with attempting to commit the offence of being knowingly concerned in dealing with and harboring prohibited drugs. Decide and give reasons. (10)

(d) How the trial of warrant cases instituted on police report is different from cases instituted otherwise than on police report? Elaborate the procedural differences between the two. (10)

Q. 4. (a) "Every distinct offence of which any person is accused there shall be a separate charge and every such charge shall be tried separately". Identify the aforesaid provision of Cr.P.C. and discuss seven exceptions to this rule. (10)

(b) Outline the cardinal provisions of Code of Criminal Procedure at the time of commencement of proceedings before magistrates that uphold the virtue of fair trial.

(c) Discuss provision of bail available to an under trial under sections 436 and 437 of Cr.P.C. vis-a-vis section 436A inserted by the Code of Criminal Procedure (Amendment) Act, 2005. Evaluate the significance of insertion of section 436A in Cr.P.C. (10)

(d) Write short notes on the following:-

(i) Difference between "Discharge" and "Acquittal".

(ii) Effect of "Error in Framing Charge". (10)

Q. 5 (a) List the situation when evidence of bad character can also be given. Do you think that Indian law of evidence is based on law and not on logic? (10)

(b) State the provisions of law and give reasons as to relevancy of the following facts:

(i) In a case of homicide against 'X', prosecution produces a statement of 'Y'. "I heard the cries and saw the dead body".

(ii) In case of an identity of a carcass recovered from a pond, 'the production of super imposed photograph of deceased over the skeleton' by the prosecution. (10)

(c) What is the evidentiary value of FIR and in what cases FIR may become substantive evidence? (10)

(d) (i) Arun, on his trial before the Court of Sessions, says that a deposition was improperly taken by Bir Singh, the Magistrate. Can Bir Singh be called as a witness and compelled to answer the questions as the deposition which is alleged to be improperly taken? (5)

(ii) If Arun is an accused before the Court of Sessions of attempting to murder while on his trial before Ram Singh, a Session Judge. Can Ram Singh be examined as to what happened before him. (5)

Hindi

समय: 3 घण्टे

पूर्णांक: 100

नोट: सभी प्रश्न अनिवार्य हैं। सभी प्रश्नों का उत्तर क्रम में दें जिस क्रम में प्रश्न पत्र में दिए गए हैं।

प्र० 1. निम्नलिखित गद्यांश का हिन्दी में अनुवाद कीजिए:

There are two basic lessons of Indian history. First, our people have always taken their moral standards from their rulers: the people have arisen to great heights when they have basked in the glow of noble kings or leaders. Secondly, regimes and kingdoms have been destroyed not by adversity but by abasement. Corruption is the greatest solvent of public institutions; poverty poses a far smaller threat. So far from giving the moral leadership which the people are yearning and waiting for, our politicians are only occupied in maintaining a system which is poisoned by collective bad faith and polluted by individual avarice. They are served by deception and craftiness, instead of vision and imagination. The caption of a famous cartoon, "The world is neither flat nor round- it is crooked", aptly sums up the world of Indian politics. In modern India, Machiavelli would have remained unemployed on account of his *naivete*. Our ministers look with austere disfavour upon any attempt to depict the reality. They find something indecent in the naked truth, hence the Bihar Press Bill. They wax eloquent on the blessings of the government they represent. It is interesting to recall that eloquence flourished most in Rome when public affairs were in the worst condition.

प्र० 2(अ) निम्नलिखित गद्यांश की व्याख्या सरल हिन्दी भाषा में कीजिए:

समाज शास्त्र में सभ्यता और संस्कृति के विषय में अनेक विद्वानों के अलग-अलग मत हैं। कुछ का कथन है कि सभ्यता, मानव मनोवृत्तियों में सतत हो रही परिष्कृति अथवा सुधार का नाम है। आदिम मानव अपनी हिंसे प्रवृत्ति को धीरे-धीरे छोड़ता हुआ जंगली बना और फिर सामाजिक बनकर मानवीय गुणों से परिपूर्ण हुआ तो उसकी यह परिणति सभ्यता कही जाती है। संस्कृति के विषय में कहा जाता है कि सभ्य बर्ताव का नाम संस्कृति है।

भारतीय संस्कृति के संबंध में सभ्यता और संस्कृति की घिसी-पिटी परिभाषाओं से काम नहीं चलेगा। वस्तुतः भारतीय संस्कृति एक विराट अवधारणा है जिसमें अनादि काल से उसका चिन्तन, आचार-विचार, परम्पराएँ और विकास की गति संजोई हुई है। उसे किसी लचर परिभाषा में बाँधना आसान नहीं है। इस संस्कृति के विषय में हमारे आलोचक भी यह स्वीकार करते हैं कि भारत को अनेक परिस्थितियों और अनेक कठिनाइयों से जुझना पड़ा है फिर भी वह अपने अस्तित्व को बचाने में सफल रहा है। यह उसका साहस सिद्ध करता है कि भारतवासी सदा से साहसी तथा परिस्थितियों से समझौता करने वाले रहे हैं।

15

(ब) निम्नलिखित पद्यांशों की व्याख्या कीजिए:

15

(क) चलो अभीष्ट मार्ग में सहर्ष खेलते हुए,
विपत्ति, विघ्न जो पड़े उन्हें ढकेलते हुए।
घटे न हेलमेल हों, बड़े न भिन्नता कभी,
अतर्क एक पंथ के सतर्क पंथ हों सभी।
तभी समर्थ भाव है कि तारता हुआ तरे,
वही मनुष्य है कि जो मनुष्य के लिए मरे।

(ख) बिना विचारे जो करै, सो पाछे पछिताय।
काम बिगारै आपनो, जग में होत हँसाय।।
जग में होत हँसाय, चित में चैन न पावै।
खान-पान सम्मान, राग-रंग मनहिं न भावै।।
कह गिरधर कविराय, दुःख कछु टरत न टारै।

खटकत है जिस माँहि, कियों जो बिना विचारे॥

प्र० 3 (अ) निम्नलिखित अशुद्ध शब्दों को शुद्ध करके लिखिए:

(क) रितिकाल, (ख) प्रदर्शिनी, (ग) अनुदित, (घ) इतिहासिक, (ङ) कूटिल, (च) त्यौहार, (छ) स्वयंवर, (ज) अन्ताक्षरी, (झ) कुन्डली, (ण) मध्यान्ह (5)

(ब) निम्नलिखित अशुद्ध वाक्यों को शुद्ध करके लिखिए:

(क) सभी श्रेणी के लोग सभा में थे।
(ख) गुणवान् स्त्री सर्वत्र पूजी जाती है।
(ग) प्रतिभा विकसित होने से कौन रोक सकता है।
(घ) तुम सारा दोष अपने सिर पर क्यों लेते हो?
(ङ) मैं मंगलवार के दिन तुम्हारे आफिस आऊगा। (5)

प्र० 4. निम्नलिखित मुहावरों के अर्थ लिखकर वाक्यों में प्रयोग कीजिए:

(क) अंग छूना।
(ख) अक्ल के पीछे लट्ठ लिए फिरना।
(ग) एक आँख से देखना।
(घ) कंचन बरसना।
(ङ) खाक में मिला देना।
(च) गले का ढोल।
(छ) तीन-तेरह होना।
(ज) धूल में उड़ाना।
(झ) पेट बाँधकर सोना।
(ण) रँगा सियार। (10)

प्र० 5. निम्नलिखित विषयों में से किसी एक पर निबंध लिखिए:

(क) क्यों गिर गया रुपया सरे बाजार में?
(ख) अरब देशों में उभरते जनक्रोश के कारण।
(ग) पर उपदेश कुशल बहुतेरे।
(घ) भारत की बढ़ती जनसंख्या—भविष्य की समस्या और समाधान?
(ङ) क्यों आवश्यक है मीडिया को लोकपाल के दायरे में लाना? (30)

English

Time: 3 hrs

Notes:

Max. Marks: 200

(i) Candidates are required to attempt all questions in the same seriatim as they appear.

(ii) Marks are indicated against each question.

(iii) No extra Answer Sheet will be provided.

Q. 1. Write an essay on any one of the following topics in 1000-1100 words.

(i) Multi-National Companies (MNCs) Saviours or Saboteurs

(ii) Nuclear Winter and its Repercussions

(iii) Right to Information-Boon or Bane

(iv) Misinterpretation and Misuse of Freedom in India

(v) When Money Speaks, Truth is Silent? (100)

Q. 2. Make sentences using the following words:

(i) Reticent (ii) Desolate

(iii) Circumspect (iv) Volition

(v) Gratuitous (vi) Exodus

(viii) Inculcate (viii) Investiture

(ix) Omnibus (x) Maverick (25)

Q. 3. Write a Precis of the following passage, of about one-third of the original length—

Proportional representation has been a subject of heated controversy for more than a hundred years. Since the mid-nineteenth century some democratic theorists have argued that the simple majority system makes genuinely democratic representation impossible and have proposed that such system should be replaced with some kind of proportional representation. The system of proportional representation is well suited to remedy the main defects of the simple majority system. Proportional representation secures representation to the various parties and groups in the State according to their relative strength, and prevents an election from degenerating into a gamble. And, legislature becomes truly a mirror of the State, as it must be in a democracy which professes equality as its very root and foundation. Secondly, it offers an easy and excellent solution of the troublesome question of minority representation as we have to face in our country. Thirdly, every voter and group is represented

in the legislature by a real representative and not by one elected by others. Fourthly, by a process of choice and elimination, it ensures intellectual qualities in the representatives and therefore elevates the character and usefulness of the legislature. Fifthly, it is a better instrument of political education, particularly the exercise of a single transferable vote bring with it good political education, because voter cannot assign his preferences without a serious reflection on the important political issues of the day, and on the merits and shortcomings of the various candidates. Sixthly, this system prevents the capture by one party of overwhelming majority of seats in the legislature and thereby prevents and sudden and radical changes in the constitution which such a majority party in the legislature might successfully introduce. Lastly, there is little wastage of votes in this system. In other words, it may eliminate wastage of votes. Thus, on principle, there is much to commend it.

There is no doubt that proportional representation has certain disadvantages too. First of all, the system is highly complicated and difficult for the voters, particularly the illiterate ones to follow. The process of counting of votes is also highly difficult and complicated. Secondly, it leads to political fragmentation and Government instability. It tends to multiply parties on the basis of caste, religion, languages or other interests. Every minor party or small group is encouraged to retain its own individuality instead of amalgamating or merging itself with allied groups to form a single party. The natural consequences of the presence of a large number of parties or groups in the legislature is fragile coalition Governments which fall whenever any one section withdraws its support. This system thus leads to unstable Governments. However, proliferation of political parties is a feature of Indian politics and that the existing electoral system, i.e., the simple majority system has not been able to reduce the number of political parties in the country. It is, therefore, obvious that any electoral system can result into coalition Governments. The difference which proportional representation makes is that the coalitions are of parties and not of individual defectors, who have brought bad name to the coalition experience. It is easier for parties to coalesce than amorphous individuals or unattached members of legislatures. Some coalition Governments remained unstable in the Indian States, not because of inter-party competition, but because of inter-party factionalism and unprincipled support of independent legislators. Thirdly,

it encourages 'minority thinking' and 'class legislation' harmful to national integration. By insisting on minority representation it encourages minority to think only of their interests. They consider every question from the point of view of their own interests, and neglect the common interests of all classes of people. It is obvious that a legislature elected on this basis represents a number of isolated interests, it hardly helps to form the general will of the nation.

Q. 4. Read the following para and answer the questions given below in context thereof: (25)

Historians have long recognized the Japanese sword as one of the finest cutting weapons ever created. But to consider the sword that is synonymous with the Samurai as merely a weapon is to ignore what makes it so special. The Japanese sword has always been considered a splendid weapon and even a spiritual entity. The traditional Japanese saying "The sword is the soul of the Samurai" not only reflects the sword's importance to its wielder but also is indicative of its importance to its creator, the master smith.

Master smiths may not have been considered artists in the classical sense, but every one of them took great care in how he created a sword, and no sword was created in exactly the same way. The forging process of the blade itself took hundreds of hours as two types of steel were heated, hammered and folded together many a times. This created a blade consisting of thousands of very thin layers that had an extremely sharp and durable cutting edge; at the same time, the blade was flexible and therefore less likely to break. It was common, though optional, for a master smith to place a physical signature on a blade; in addition, every master smith had a "structural signature" due to his own secret forging process. Each master smith brought a high level of devotion, skill, and attention to detail to the sword-making process, and the sword itself was a reflection of his personal honour and ability. This effort made each blade an unique as the samurai who wielded it; today the Japanese sword is recognized as much for its artistic as for its historical significance.

The Questions are:

- (1) Does the passage consider Japanese sword as merely a weapon?

- (2) What can be inferred about the term "structural signature" in the passage?
- (3) What does the traditional Japanese saying reflect?
- (4) Whether the master smiths have been considered artists?
- (5) Describe briefly the forging process of the blade? (25)

Q. 5. Fill in the blanks and complete the sentence by using the correct alternative out of (a), (b), (c) and (d):

1. They still think that women are inferior _____ men.
(a) To (b) Than (c) From (d) With
2. The river overflowed its _____ and flooded the area.
(a) edges (b) fronts (c) limits (d) banks
3. His father-in-law _____ him up in business.
(a) put (b) made (c) set (d) built
4. The robbers were arrested and _____ prison yesterday.
(a) brought into (b) brought to (c) taken into (d) taken to
5. We had a _____ of warm weather in February.
(a) time (b) spell (c) length (d) phase
6. He lives near a lovely _____ of countryside.
(a) length (b) piece (c) Section (d) Stretch
7. I _____ a car to be absolutely necessary these days.
(a) consider (b) regard (c) think (d) agree
8. Once you suspect a person of double dealing, you ought to keep him at an arm's _____
(a) distance (b) length (c) aim (d) width
9. To reach the agreement, each side had to _____ by giving up some of its demands.
(a) Compliment (b) Compensate (c) Compromise (d) comply
10. Relationship between those two has never been very _____ and became very bad in the last few days.
(a) Warm (b) Close (c) Clear (d) Agitated (e) Cordial