Telangana Civil Judge (Mains) 2019

Paper-III (English Translation and Essay Writing) · compulsory paper

HIGH COURT FOR THE STATE OF TELANGANA

Written Examination for Recruitment of Junior Civil Judges

Dated: 18th August, 2019

Time: 3 Hours, from 10:00 am to 1:00 pm · Maximum Marks: 100

Instructions to the candidates

1. English translation is for 30 marks consisting of two questions of 15 marks each. Essay writing is for 70 marks consisting of two questions of 35 marks each.
2. Translation has to be made from English language to either Hindi or Telugu language only.
3. Essay writing must be written in English only.
4. If the answers are not legible, such answers will not be evaluated.
5. Write your hall ticket number only in the space provided in the first page of the main answer booklet. Do not write either your name, or hall ticket number, or any mark, anywhere in the main answer booklet/additional answer sheets.
6. Any attempt by the candidate to disclose his/her identity in any manner in the answer sheets will disqualify him/her.
7. No candidate will be permitted to leave the examination room/hall before 11:00 am.

I. English Translation – 30 marks – Two questions (15) marks each.

1) But who are the violators of the human rights? Ironically, the leader of this tribe of marauders is the State itself. Wanting to hold on to political power, the leaders of various countries have plunged their nation either in a civil war, or in an international conflict. But, during these conflicts the human rights of women, children and old persons are constantly violated. President Assad of Syria continues to use deadly forces to quell the rebellion in his country. On August, 21st 2013, his regime used gas and artillery to target the suburbs of Damascus killing over 1,000 people. Millions of people have left Syria as refugees. While many have entered Europe, others have entered the neighbouring countries of the Mid-East. Presently, Syria ranks at the top of the list on the Human Right Index.

The State, unfortunately, employs various methods for suppressing its own people: from draconian laws to absence of laws. If we have law for sedition for arresting people, there are no laws for arresting the police for atrocities committed against the sex workers. Thus, not only the existence of laws, but even absence of laws can violate human rights. North Korea and China are known for using its harsh laws for silencing the voice of the conscience, namely the writers, the artists and the journalists who question the basis of the political powers. In 2011, 1,20,000 persons were imprisoned, starved, executed by firing squad in North Korea. The President of North Korea, Kim Jong-Un is more ruthless than his father. He continues not only to be a threat to his own people, but also threatens the global peace. For, repeatedly he proclaims that he will use nuclear weapons to teach America a lesson. Thus, leaders like him may plunge the world into a nuclear holocaust.

The State also utilises the police force, the para-military force, and the armed forces for oppressing its people. In Sudan, the security services continue to commit unlawful and extra-judicial killings. The

warring factions in the said country continue to recruit children for their Forces. Thus, violating the human rights of the children. On the other hand, the tribes in and around Darfur region have been massacred systematically. Yet, the Government has turned a blind eye to such atrocities. The UNO projects that in case the internal conflict continues in Sudan, half of the Sudanese population would be displaced, or dead by the end of this year.

2) The modern Indian legal system has existed for the last two hundred years. During this period, the judiciary has undergone tremendous changes in its roles and scope. Today, the judiciary has seven different roles to play: i) the traditional role of resolving disputes between two individual parties (civil courts), ii) as a forum to punish the offender (criminal courts), iii) guarantor of the civil and fundamental rights of the people (the writ courts), iv) as an archangel of human rights for the masses (the emergence of the PIL), v) as a check on the Executive and the Legislature (exercising the power of judicial review), vi) as the People's court (Legal Service Authority), and vii) as an Alternate Dispute Resolution forum (arbitrators, mediators and conciliators).

Since time immemorial, the courts have been the arbitrator of private disputes between two parties. In the Bible, King Solomon had to resolve the dispute between two women fighting over the custody of a child; in Shakespeare's play The Merchant of Venice, the dispute was over recovery of money. Traditionally, the courts are seized with either civil disputes, or with criminal trials. In the former, the dispute is between two private parties; in the latter the battle is between the State, as the prosecutor, and the individual, as the defender. Both during the British Raj and even after our independence, the judiciary continues to play the twin traditional roles.

In Plato's Republic, the question was asked, "Who guards over the guardians?" If the Executive is the guardian, then who would oversee the action of the Executive? Throughout history, there has always been a tussle between the people and the State. In democratic countries the endeavour has been to safeguard the people from the colossal power of the State. In order to protect the people from the avarice of the State, the Constitution has guaranteed certain rights—called the fundamental rights. The Apex Court and the High Courts have been entrusted with the responsibility of protecting and promoting these fundamental rights. Art. 32 of the Constitution, bestowing the writ jurisdiction upon the Apex Court, is itself a fundamental right; the people have been given a fundamental right to approach the Apex Court whenever their fundamental rights are violated. Once the violation is established, the Hon'ble Supreme Court has no option but to hear the case. On the other hand, Art. 226 of the Constitution, bestows the writ jurisdiction upon the High Court. However, the power under Art. 226 is larger in its scope than the power under Art. 32 of the Constitution of India: the High Court can issue a writ not only when a fundamental right is violated, but also when a civil right have been trampled upon.

II. English Essay Writing not less than 1500 words: 70 marks. Two questions (35) marks each.

1. Role of Judiciary in protecting the environment.

2. Women empowerment and the laws