

Updated as on 16.09.2015

[For departmental use]

[Exercise No.01]

E-exercise Book



Panchnama

Note

In this E-exercise, attempts have been made to understand the concept of *Panchnama* in the Customs and Excise Department. It is expected that it will help the new entrants into the service. Though all efforts have been made to make this exercise error free, but it is possible that some errors might have crept into the same. If you notice any errors or if you have any suggestion to improve this exercise, the same may be brought to the notice to the NACEN, RTI, Kanpur on the Email addresses rtinacenkanpur@yahoo.co.in or goyalcp@hotmail.com (Email address of ADG, RTI, NACEN, Kanpur). This may not be a perfect E-exercise and all are requested to assist us to make it better.

Take the following Quiz & Test your knowledge

Identify the most appropriate choice by choosing the correct option given below.

Q.No.1 Panchnama is a

- (i) record of seizure.
- (ii) record of search.
- (iii) factual record of observation by Panchas.
- (iv) None of the above.

Q.No.2 Panchnama is prepared in the presence of

- (i) officers
- (ii) the party
- (iii) witnesses
- (iv) all of the above.

Q.No.3 Panchnama is a document for

- (i) proper investigation.
- (ii) record of memory.
- (iii) evidence.
- (iv) all of the above.

Q.No.4 Panchas should be

- (i) at least two in number.
- (ii) independent persons.
- (iii) respectable person of the locality.
- (iv) literate.
- (v) should not be a minor.

Out of five options given above which is the most appropriate

- (a) (i) and (ii) only.
- (b) (ii) and (iii) only
- (c) (i), (ii) and (iii) only.
- (d) (iv) and (v) only.
- (e) All of the above
- (f) None of the above.

Q.No.5 Panchnama should be drawn in which of the following situation

- (i) During search of a factory/office.
- (ii) During the search of a residence.
- (iii) During the service of summons, notice etc.
- (iv) all of the above.

Q.No.6 Panchas should be

- (i) employee of the party.
- (ii) employee of the department conducting search.
- (iii) employee of another department not related with proceedings.
- (iv) respectable, literate and independent person of the locality.
- (v) should have good antecedents.

Out of five options given above which is the most appropriate

- (a) (i) and (ii) only.
- (b) (iii), (iv) and (v) only
- (c) All of the above
- (d) None of the above.

Q.No.7 Authority of panchnama is given under

- (i) Section 12 of the Central Excise Act, 1944.
- (ii) Section 105 of the Customs Act, 1962.
- (iii) Section 82 of the Finance Act, 1994.
- (iv) None of the above.

Q.No.8 Panchnama should bear only

- (i) the date of start of proceedings.
- (ii) the time of start of proceedings.
- (iii) both date and time of end of proceedings.
- (iv) All of the above.

Q.No.9 A search warrant should be executed

- (i) in the presence of panchas.
- (ii) without the presence of panchas.
- (iii) depends on officers.
- (iv) None of the above.

Q.No.10 The provision of calling upon witnesses is given under

- (i) Section 100 (5) of the Cr. P. C.
- (ii) Section 100 (8) of the Cr. P. C.
- (iii) Section 100 (2) of the Cr. P. C.
- (iv) Section 100 (4) of the Cr. P. C.

Q.No.11 Preferably the Panchnama should be in the language known to

- (i) the party.
- (ii) the officers conducting the search.
- (iii) the witnesses.
- (iv) None of the above.

Q.No.12 A copy of Panchnama should

- (i) never be given to the party.
- (ii) normally be given to the party before leaving the spot.
- (iii) be kept in file for purpose of official records.
- (iv) Given to the party at the time of issuance of Show Cause Notice only.

Q.No.13 A Panchnama

- (i) has no evidentiary value.
- (ii) has evidentiary value.
- (iii) can not be produced in a court of law.
- (iv) is to be kept in file only.

Q.No.14 Panchnama should be signed by

- (i) the Party only.
- (ii) the witnesses only.
- (iii) the officer authorized for the search only.
- (iv) all of the above.

Q.No.15 Panchnama should be prepared

- (i) on the spot.
- (ii) during the course of search proceedings only.
- (iii) during the course of seizure proceedings only
- (iv) on service of a notice by way of pasting.

Out of four options given above which is the most appropriate

- (a) (i) and (ii) only.
- (b) (ii), (iii) and (iv) only
- (c) (iii) and (iv) only.
- (d) All of the above.

ANSWERS OF MULTI CHOICE QUESTIONS (MCQs)

Q. No.	Answer
1.	(iii)
2.	(iv)
3.	(iv)
4.	e
5.	(iv)
6.	b
7.	(iv)
8.	(iv)
9.	(i)
10.	(iv)
11.	(iii)
12.	(ii)
13.	(ii)
14.	(iv)
15.	d
