

DEPARTMENTAL EXAMINATION OF INSPECTORS OF CENTRAL EXCISE

(PAPER-IV) - LAW (With Books)

Date: 15.03.2022
TIME: 2.00 PM to 5.00 PM

MAXIMUM MARKS: 100
PASS MARKS: 50

Note:-

1. All Questions are compulsory.
2. Candidates have options to answer in Hindi
3. Relevant authority must be quoted will all answers.
4. Use of Mobile/Smart Phones is strictly prohibited during examination.

Concerned Books:-

1. The Constitution of India.
2. The Indian Penal Code 1860 (45 of 1860)
3. The Code of Criminal procedure, 1973 (2 of 1974)
4. The Code of Civil Procedure, 1908 (5 of 1908)
5. The Indian Evidence Act, 1872 (1 of 1872)
6. The Provisional Collection of Taxes Act, 1931 (16 of 1931)

Q.No.1 Answer **any four** of the following. One question from each group is compulsory. Answer may be limited to 100 words. [2.5x4=10]

Constitution of India

- (i) Who appoints the President of India and what are his duties?
- (ii) Who appoints the Governor of a state and what are his duties?

Indian Penal Code, 1861

- (iii) Discuss provisions relating to furnishing of false information
- (iv) Discuss provisions relating to obstruction of public servant in discharge of public functions.

Evidence Act, 1872

- (v) Discuss provisions relating to Burden to proof
- (vi) Discuss provisions relating to Facts in issue

Cr PC, 1973

- (vii) Discuss provisions relating to Remission of sentences
- (viii) Discuss provisions relating to Opinion of third persons, when relevant

Q.No.2 Explain the following terms. **All parts of the question are compulsory.** Answers may be limited to 100 words. [2x10=20]

- (i) Agent and Principal
- (ii) De Facto
- (iii) Powers of the High Court under Article 226
- (iv) Mortgage
- (v) Tort
- (vi) Judicial Proceedings.
- (vii) Private Nuisance
- (viii) Quo Warranto
- (ix) Lien
- (x) Declared provisions.

Q.No.3 Answer **any four** from the provisions of the Constitution of India. Answer may be limited to 50 words. [2.5x4=10]

- (i) What is the difference between General Emergency and Financial Emergency?
- (ii) What are the provisions for issuance of ordinance by the President of India?
- (iii) Explain difference between Money Bills and Ordinary Bills.
- (iv) Explain the Writ of Mandamus and it's scope.
- (v) Powers of Speaker of Lok Sabha.
- (vi) What is a Finance Bill and who presents this?
- (vii) Explain the role of Public Accounts Committee.

Indian Penal Code 1860

Q.No.4 Answer **any five** questions from the following. Explain your answer quoting relevant provisions of the law. Limit answer to 100 words. [5x3=15]

- (i) Discuss "omission to produce documents to public servant by the person legally bound to produce it".
- (ii) Discuss "threat of injury to public servant" and consequence for the same.
- (iii) What constitutes fabricating false evidence?
- (iv) Discuss the fraudulent removal or concealment of property to prevent it's seizure as forfeited or in execution".

- (v) What is abatement of offence? Whether it punishable with imprisonment?
- (vi) Define the following terms: -
- **Wrongful gain**
 - **Good faith**
- (vii) Define any two of the following: -
- (a) Movable Property
 - (b) Public Servant
 - (c) Good Faith
 - (d) Harbor
 - (e) Reason to believe

Evidence Act 1872

Q.No.5 Answer **any five** questions from the following. Explain your answer quoting relevant provisions of the law. Answer may be limited to 50 words. **[5x3=15]**

- (i) Write a short note on 'Facts'. Explain with suitable example.
- (ii) What does 'document' mean under Evidence Act? Discuss with example.
- (iii) What happens when confession is caused by inducement, threat or promise? Is it admissible in criminal proceedings?
- (iv) Explain 'opinion of third parties when relevant'.
- (v) Burden of proof lies on whom? Explain 'Burden of proof especially when within knowledge'.
- (vi) Court may presume existence of certain facts. Explain.
- (vii) Write short note on 'Estoppel'.

Civil Procedure Code, 1908

Q.No.6 Answer **any four** questions from the following. Answer may be limited to 50 words. **[4x3=12]**

- (i) What do you understand by the term "Pecuniary jurisdiction"?
- (ii) Define 'Appeal' from original decree.
- (iii) Define 'Institution of Suits'. Explain its procedure.
- (iv) Discuss Property attached in execution of decrees of several Courts.
- (v) Define 'Oath on affidavit' and by whom to be administered.
- (vi) Discuss about search by police officer

Criminal Procedure Code, 1973

Q.No.7 Answer **any six** questions from the following. Answer may be limited to 100 words. **[6x3=18]**

- (i) What is obligation of the person affecting an arrest?
- (ii) Discuss 'when search warrant may be issued'.
- (iii) Define any three of the following: -
 - **Framing of charge**
 - **Reference**
 - **Withdrawal of complaint**
 - **Continuing Offense**
 - **Local Jurisdiction**
 - **Charge**
 - **Pleader**
- (iv) Discuss 'arrest by private person and procedure on such arrest'.
- (v) Discuss the rights of person arrested and his right to bail.
- (vi) Discuss when search warrant may be issued.
- (vii) What is the difference between works contract and mixed supply under GST?
- (viii) What is SGST/CGST/IGST and Compensation Cess, define with example.
- (ix) What is DG Systems and its role in the GST regime.
- (x) Write short notes on Composition scheme under GST on services and goods?
- (xi) What are the benefits of GST for:
 - (a) the Centre and the State Governments;
 - (b) Consumers
