DEPARTMENTAL EXAMINATION OF INSPECTORS OF CENTRAL EXCISE
(PAPER-IV) - LAW (With Books)

Date: 09.12.2015
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)
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 Define any eight of the following. Two definitions from each are compulsory.

[2*8]

Constitution of India:
(a) Finance Bill
(b) Quorum
(c) CAG
(d) NITI Aayog

Code of Criminal procedure, 1973:
(a) Non-Cognizable Offence
(b) Inquiry
(c) Summon
(d) Complaint

Indian Evidence Act, 1872:
(a) Relevancy
(b) Admission
(c) Confession
(d) Burden of Proof

Indian Penal Code 1860:
(a) Mens Rea
(b) Insanity
(c) Illegal
(d) Wrongful gain

Q.No.2 Answer any six of the following (Constitution of India).

[3*6]

(a) What do you mean by Parliamentary form of government and Presidential form of government and what is the difference between both?
(b) Is the Indian Constitution is federal or otherwise? Describe.
(c) What do you mean by Pre-Constitutional Law and Post Constitutional Law? When Post Constitutional Law becomes Void?
(d) What are the Principles of Natural Justice? Where it have been included in the Constitution?
(e) What is the importance of Fundamental Rights of Constitutional remedies?
(f) What is Adjournment, Prorogation and Dissolution of the Lok Sabha?
(g) Describe the importance of Fundamental Duties in the Constitution of India.
(h) Describe the writs Habeas Corpus and Prohibition.
Q.No.3  Answer any six of the following (Criminal Procedure Code).  

(a) Describe the rights of an arrested person.
(b) What is warrant of arrest? What are essential elements of a valid warrant?
(c) What is an offence?
(d) What is a Bailable and Non-Bailable offence?
(e) What is difference between Charge and FIR?
(f) What are the differences between Compoundable and Non Compoundable Offences?
(g) How Complaint is different from information?
(h) Under what circumstances a search warrant can be issued?

Q.No.4  Answer any five of the following (Indian Penal Code).  

(a) What are the essential elements of crime?
(b) What is 'vicarious liability'?
(c) How Section 420 of IPC, 1860 is different from Section 415?
(d) Distinguish between 'Fraudulently' and 'Dishonestly'?
(e) Explain the difference between 'mistake of fact' and 'mistake of law'.
(f) What is the difference between 'preparation' and 'attempt'?

Q.No.5  Answer any three of the following (Code of Civil Procedure, 1908)  

(a) What is preliminary decree? When it becomes final?
(b) How Order is different from Decree?
(c) Define Public officer.
(d) Describe Res Judicata.

Q.No.6  Answer any five of the following (Indian Evidence Act, 1872).  

(a) Describe the 'law of evidence’.
(b) Describe 'Oral Evidence’.
(c) 'Facts admitted need not to be proved'. Explain.
(d) Describe 'eye witness'.
(e) Describe 'Extra-judicial confessions'.
(f) What do you understand by 'Burden of Proof'?
(g) What is Judicial Presumption?

Q.No.7  What was the purpose of bringing Provisional Collection of Taxes Act? When it came into force? Explain the effects of declaration made under this Act and its duration. When the declaration ceases to have the force of law in any case?  

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