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

Date: 14.03.2018
TIME: 2.00 PM to 5.00 PM
MAXIMUM MARKS: 100
PASS MARKS: 50

Q.No.1 Define any four of the following. One definition from each is compulsory. Answer may be limited to 50 words.

Constitution of India
(a) Money bill  
(b) Preamble

Indian Penal Code, 1861
(a) Cognizance of Offence 
(b) Affray

Evidence Act,1872
(a) Interpretation clause  
(b) Facts in issue

Cr PC, 1973
(a) Remission of sentences 
(b) Seizure of property

Q.No.2 Explain the following terms. All parts of the question are compulsory. Answers may be limited to 30 words.

(a) Ratio decidendi  
(b) Abatement
(c) de jure  
(d) Certiorari
(e) nominal party  
(f) tort
(g) Ex-parte 
(h) Dominus litis

Q.No.3 Answer any four from the Constitution of India. Answer may be limited to 50 words.

(1) Fiscal federalism in India.
(2) What are the grounds for imposition of financial emergency?
(3) What are the provisions for issuance of ordinance by the President of India?
(4) What are the qualifications required for election as member of either of the two houses of the Parliament.
(5) Explain the writ of habeas corpus and its scope.
(6) Zero Hour and Question Hour.

IPC 1861

Q.No.4 Answer any five questions from the following. Explain your answer quoting relevant provisions of the law. [3x5=15]

(1) Discuss “Abettor when liable to cumulative punishment for act abetted and for act done”
(2) Discuss "Assault or Criminal force to deter public servant from discharge of his duty" and consequence for the same.
(3) Explain the general exception where act done by person is justified, or by mistake of fact believing himself justified, by law.
(4) Define "Criminal Breach" and discuss it with suitable examples.
(5) Define the following terms: -
   - Wrongful gain  
   - Good faith  
   - Electronic record
(6) Intentional omission to apprehend on the part of public servant bound to apprehend. Comment.
(7) Define any three of the following:-

- Cumulative punishment
- Forfeiture of property
- Negligent conduct
- Contempt
- Personation

(8) Discuss "Imputations, assertions prejudicial to national-integration"

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. [3x5=15]

1. Write a short note on Relevancy and admissibility under the Evidence Act with suitable example.
2. What does ‘fact’ mean under Evidence Act? Discuss “Fact in issue”
4. What documents are not admissible as evidence?
6. Discuss “Admission” with illustrative example.
7. Discuss Section 9 under Evidence Act?
8. Discuss Presumptions under the law of evidence with illustrative example.

Civil Procedure Code, 1908

Q.No.6 Answer any four questions from the following. Answer may be limited to 50 words. [2.5x4=10]

1. What do you understand by the term “Pecuniary jurisdiction”?
2. Explain exemption from arrest and personal appearance.
4. Discuss Summons to defendants.
5. Discuss the power of State Government to transfer suits.
6. Distinguish between judgement and decree.

Criminal Procedure Code, 1973

Q.No.7 Answer any four questions from the following. Answer may be limited to 50 words. [2.5x4=10]

1. When police may arrest without warrant?
2. What are powers of Judge and Magistrates exercisable by their successors-in-office?
3. Define
   - Local jurisdiction
   - Charge
   - Pledger
   - Offence
   - Summons-case
4. Comment on Obligation of person making arrest to inform about the arrest, etc. to a nominated person.
5. Discuss the conditions/situations for ‘Warrant forwarded for execution outside jurisdictions’.
6. Discuss prosecution for contempt of lawful authority of public servants, for offences against public justice and for offences relating to documents given in evidence.

Q.No.8 All parts of the question are compulsory.

1. What are the benefits available to small tax payers under the GST regime? [2]
2. How will imports be taxed under GST? [4]
3. What is GSTN and its role in the GST regime. [4]