DEPARTMENTAL EXAMINATION OF INSPECTORS OF CENTRAL TAX

PAPER-IV - LAW (With Books)

Date: 04.03.2020
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 for all answers.
4. Use of Mobile / Smart Phones is strictly prohibited during examination.

Suggested 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 four of the following. One definition from each is compulsory. Answer may be limited to 50 words.
[2.5x4=10]

Constitution of India

(i) Council of Ministers in the State
(ii) Directive Principles of State Policy
Indian Penal Code, 1860
(iii) Court of Justice
(iv) Reason to Believe
Evidence Act, 1872
(v) Burden of Proof
(vi) Refreshing memory
Cr. P.C., 1973
(vii) Place of Inquiry or Trial
(viii) Previous Conviction

Q.No.2 Explain the following terms. All parts of the question are compulsory. Answers may be limited to 30 words:
[2x10=20]

(i) Magistrate
(ii) Offense
(iii) Public Nuisance
(iv) Judge
(v) Court of Justice
(vi) Document
(vii) Valuable security
(viii) Government
(ix) Summons-case
(x) Judicial proceedings

Q.No.3 Answer any four of the following. Answer may be limited to 50 words.
[2.5x4=10]

(i) Amendment of the Constitution.
(ii) Short note on Cabinet Committees.
(iii) Explain Money Bills and Ordinary Bills.
(iv) Write a short note on Central Information Commission.
(v) Explain the writ of certiorari and its scope.
(vi) What are the powers of the Supreme Court?

IPC 1860

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

(i) Discuss 'Act done in good faith for benefit of a person without consent' with illustrations.
(ii) What is 'Sedition'? Also explain 'Disaffection'.
(iii) What constitutes 'Abetment' in India of offences outside India?
(iv) What constitutes fabricating false evidence?
(v) What is 'Consent' known to be given under fear or misconception?
(vi) What is the 'Punishment' for criminal conspiracy?
(vii) Define any three of the following:

(a) Movable Property
(b) Public Servant
(c) Good Faith
(d) Harbor
(e) Reason to believe

(viii) Define 'Communication made in good faith' and support the same with suitable illustrations.
Evidence Act 1872

Q.No.5 Answer any five from the following. Explain your answer quoting relevant provisions of the law. Answer may be limited to 50 words:- [3x5= 15]
(i) What are the situations in which 'When facts not otherwise relevant become relevant'?
(ii) Discuss 'Presumption as to powers-of attorney'.
(iii) Explain with illustrations ‘Exclusion of evidence of oral agreement’
(iv) What proof of execution of document required by law to be attested?
(v) Comment on ‘Motive, preparation and previous or subsequent conduct’.
(vi) Write short note on ‘Entries in books of account when relevant’.
(vii) How is relevancy of certain evidence for proving, in subsequent proceedings, the truth of facts therein stated established?
(viii) Explain the term ‘Opinion as to handwriting, when relevant’.

Civil Procedure Code, 1908

Q.No.6 Answer any four from the following. Answer may be limited to 50 words:- [2.5x4=10]
(i) Discuss Execution of decrees passed by the Courts in reciprocating territory.
(ii) Define ‘Appeal’ from original decree.
(iii) What is the procedure in appeals from Appellate decrees and orders?
(iv) Discuss Property attached in execution of decrees of several Courts.
(v) Discuss ‘Exemption’ from arrest under Civil Process.
(vi) Define ‘Oath on affidavit’ and by whom to be administered.

Criminal Procedure Code, 1973

Q.No.7 Answer any four from the following. Answer may be limited to 50 words. [2.5 x4=10]
(i) Discuss ‘Arrest on refusal to give name and residence'
(ii) Define the following:-
   (a) Framing of charge       (d) Withdrawal of complaint
   (b) Reference              (e) Issue of process
   (c) Continuing Offense
(iii) Discuss ‘Proof of service in such cases and when serving officer not present’
(iv) Discuss the Cognizance of offences by Magistrates.
(v) Write a short note on the Examination of complainant.
(vi) What are Special summons in cases of petty offence? Illustrate with example.

Q.No.8 Answering all parts of the following questions is compulsory.
(i) What is the difference between works contract and mixed supply under GST? [2]
(ii) What is the scope of Composition scheme under GST? [4]
(iii) What are the benefits of GST for (a) the Centre and the State Governments; (b) Consumers [4]