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

Date: 05.12.2018
TIME: 2.00 PM to 5.00 PM

MAXIMUM MARKS: 100
PASS MARKS: 50

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)

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

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) Uniform Civil code
(b) Fundamental Duties

Evidence Act, 1872
(e) Public Documents
(f) Examination in Chief

Indian Penal Code, 1860
(c) Private Defence
(d) Criminal Conspiracy

Cr PC, 1973
(g) Acquittal
(h) Local inspection

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

(a) Abandon
(b) Amnesty
(c) Arbitrator

(d) In liminie
(e) Decree
(f) Complaint

(g) Consent decree
(h) Overrule

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

(a) Election of the Vice President.
(b) Short note on the Attorney General.
(c) What is the composition of Council of States?
(d) What are the various provisions to a Financial Bill?
(e) Explain the writ of mandamus and its scope.
(f) What is the constitution of a municipality?

IPC 1860

Q.No.4 Answer any five questions from the following. Explain your answer quoting relevant provisions of the law:

(a) Discuss “Robbery” and its punishments.
(b) What are the consequences of obstructing “Public Servant” in discharge of public function?
(c) What is the punishment for criminal intimidation?
(d) What are consequences of destruction of electronic document to prevent its production as evidence?
(e) What is Unlawful Assembly?
(f) Define any three of the following:
   (i) Oath
   (ii) Grievous Hurt
   (iii) Sedition
   (iv) Common Intention
   (v) Coin
   (g) How do you define “Culpable homicide”? Support with suitable illustrations.
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]
(a) How can the evidences be produced in case of facts in issue?
(b) What is the relevance of entries in the books of accounts as per Evidence Act?
(c) When the confession of an accused is said to be “irrelevant”?
(d) What are the special provisions for electronically recorded evidences?
(e) Comment on “Things said or done by the conspirator in reference to common design”.
(f) Mention the cases where the court must take judicial note on the provided facts.
(g) How is the proof of good faith assured in case of transactions where one party is in relation of active confidence?
(h) Explain the term “Dumb witnesses” and explain who can qualify as a valid witness.

Civil Procedure Code, 1908

Q.No.6 Answer any four questions from the following. Answer may be limited to 50 words.  [2.5x4=10]
(a) Discuss Section 10 of Code of Civil procedure.
(b) Define precepts under execution.
(c) How does the court decide the amount of interest payable in case of a decree which concerns the payment of money?
(d) Discuss general power of transfer and withdrawal of suits in general.
(e) Define ‘Transferee’ and ‘Res-Judicata’.
(f) Define Provincial and Presidency Small Causes Courts

Criminal Procedure Code, 1973

Q.No.7 Answer any four questions from the following. Answer may be limited to 50 words.  [2.5x4=10]
(a) Discuss Court of Session.
(b) Define
   (i) Metropolitan areas
   (ii) Reference
   (iii) Revision
   (iv) Classes of criminal courts
   (v) Argument
(c) Mention the types of sentences which can be passed by a magistrate.
(d) Discuss the situations where police have the authority to arrest a person without warrant.
(e) Write a short note on the appointment of a Public Prosecutor.
(f) What is the procedure for prosecution of judges and public servants?

Q.No.8 All parts of the question are compulsory.
(1) How is Inter-State Transactions of Goods and Services being taxed under GST in terms of IGST method?  [2]
(2) How are imports being taxed under GST?  [4]
(3) How to compute ‘aggregate turnover’ to determine eligibility for Composition Scheme?  [4]

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