

MIZORAM PUBLIC SERVICE COMMISSION

DEPARTMENTAL EXAMINATIONS FOR INSPECTOR (GROUP 'B' GAZETTED) UNDER EXCISE & NARCOTICS DEPARTMENT, SEPTEMBER 2016

PAPER – II

Time Allowed : 3 hours

FM : 100 PM : 40

Marks for each question is indicated against it.

Attempt all questions.

INDIAN PENAL CODE

1. State whether the Commissioner of Aizawl Municipal Corporation is a public servant under the definition of a public servant in Indian Penal Code. (2)
2. What are Special Law and Local Law as defined in the Indian Penal Code? (3)
3. State whether a public servant engage in a trade in good faith to which he is being legally bound not to engage is punishable under the Indian Penal Code. (2)
4. What is the punishment for voluntarily obstructing public servant in the discharge of his public functions? (3)
5. What is the punishment for giving or fabricates false evidence knowing it would cause any person convicted of an offence? (3)
6. State under what circumstances a death penalty can be awarded to a person convicted and sentence to undergo life imprisonment under Section 307 of IPC. (3)
7. State three kinds of hurt which are designated as grievous hurt. (3)
8. Can a man be said wrongfully confined when he was threatened to kill if he make any movement.(2)
9. State whether sexual intercourse by a man with his own wife who is only 16 years old would amount to rape. (2)
10. Whether a man would liable to be punished for committing rape if he had sexual intercourse with his wife on her consent but during judicial separation of their marriage. (2)
11. State whether the offence of extortion is compoundable or not. (2)
12. Can a rigorous imprisonment be imposed for the offence of defamation? Also state whether expression of opinion whatever relating to pending case before the Court is safeguard by the exception of defamation. (3)

CODE OF CRIMINAL PROCEDURE

13. State whether the State Government can make appointment of Public Prosecutor for the High Court without consulting the High Court. (2)
14. Is it required to consult the High Court by the State Government towards appointment of Assistant Public Prosecutor for conducting prosecutions in the court of Magistrate? (2)
15. State which offence under the Indian Penal Code is to be tried preferably before the Court presided by a woman. (2)
16. What are the limitations towards making arrest of a woman under Section 46 of CrPC, 1973? (3)
17. State the consequences against a person refusing or neglecting to attend and witness a search under Section 100 of CrPC, 1973? (3)
18. State whether a servant can be deemed as family member of the person summoned. (2)
19. What is the duty of the Magistrate towards the accused before recording of his confessional statements? (3)
20. State the difference between the functioning of the Court of Session and the Magistrate First Class towards cognizance of an offence. (3)
21. When can the court alter or add to the charge against the accused? (2)
22. Can a police officer who has taken part in the investigation into the offence under being trial be permitted to conduct the prosecution? (2)
23. To which court would an appeal lie against the sentence passed by the Magistrate? (2)
24. To which court would an appeal lie against the sentence passed by the court other than Magistrate? (2)
25. Is it necessary to seek for leave to appeal from the High Court for filing an appeal against acquittal of the accused? (2)
26. State the procedure for releasing arrested person on bailable offence in respect of an indigent person unable to furnish surety. (3)
27. Can the person being accused of an offence punishable with death be released on bail by the Court? If so, what is the pre-requisite procedure? (3)
28. What is the total period permissible for detaining the accused person during investigation which relates to the offence punishable for a term of 10 years? (2)
29. State whether the person entitled to be enlarged on bail on expiry of the period specified under Section 167 of CrPC would specifically required to furnish bail. (2)

CONSTITUTION OF INDIA

30. What would be the consequences towards the person arrested for contravention of the Mizoram Liquor Total Prohibition Act, 1995 when the said act was repealed during trial by the enforcement of the Mizoram Liquor (Protection and Control) Act 2014? (3)
31. Under which Article of the Constitution of India prohibits prosecuting and punishing a person more than once for the same offence. (2)
32. What are the exceptions towards the right guaranteed by the Constitution of India in respect of arrest and detention? (3)
33. For how long can the arrested person be detained by the police officer without obtaining further authority from the magistrate? (2)
34. What are the duties of the authority to inform a person while arresting him? (3)
35. State under which Article is provided in the Constitution of India towards separation of judiciary from the executive in the public services of the State. Also state whether separation of judiciary has been adopted in the state of Mizoram. (3)
36. State three fundamental duties of the citizen of India. (3)
37. Why does the law declared by the Supreme Court bind to all courts within the territory of India? (2)
38. Which Article of the Constitution of India empowers the State Government to frame rules regarding recruitment and conditions of service? (2)
39. State whether dismissal of an employee by an officer subordinate to his appointing authority is sustainable in law. (2)
40. How many members can be consisted by the Mizoram Legislative Assembly as provided in the Indian Constitution? (2)
41. State whether the Mizoram Liquor (Protection & Control) Act, 2014 is extended in the autonomous districts of Mizoram. Give reason. (3)

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