

MIZORAM PUBLIC SERVICE COMMISSION
DEPARTMENTAL EXAMINATIONS FOR SUB-INSPECTOR
UNDER EXCISE & NARCOTICS DEPARTMENT, SEPTEMBER 2016

PAPER – III

Time Allowed : 3 hours

FM : 100 PM : 40

Marks for each question is indicated against it.

I Answer any 5 (five) questions from Questions 1 – 8 (5×8=40)

1. What are the powers of state government for permission, control and regulation of Narcotic Drugs and Psychotropic substances under ND & PS Act 1985?
2. What are the powers of Special Courts under ND & PS Act 1985?
3. What are the powers of entry, search, seizure and arrest provided under Section 42 of ND & PS Act 1985?
4. State the conditions and procedure under which search of persons shall be conducted under ND & PS Act 1985.
5. How are the seized narcotic drugs and psychotropic substances disposed of as per law?
6. Explain the procedures for sampling, packing of seized articles and how the seized articles are to be kept and delivered to court.
7. State the special provisions regarding manufacture, possession, transport, import-export, purchase and consumption of narcotics drugs and psychotropic substances for medical, scientific and training purposes provided under Rule 67 A of the Narcotics Drugs and Psychotropic Substances Rules, 1985.
8. Mr. A was arrested at World Bank Road, Falkawn at around 6:30 PM on 12.2.2016 while he was driving a Bolero where he kept 10,000 tablets suspected to contain Pseudoephedrine inside his vehicle. On interrogation, he was not having any valid licence and stated that those were sent through Blue Dart, Tuikual 'S', Aizawl by his friend Mr. B from Delhi. Prepare a brief chargesheet writing all essential requirement as per law to be submitted to Special Court, ND & PS Act.

II Answer any 5 (five) questions from Questions 9 – 16 (5×8=40)

9. What are the powers of entry, search, seizure and arrest under MLPC Act, 2014?
10. What are the prohibitions, offences and penalties in respect of manufacture, transport, import, export and consumption of liquor enshrined under Chapter –VIII of the MLPC Act, 2014?
11. On what conditions is the state government empowered to make rules under Chapter-X of the MLPC Act, 2014?
12. State the things/properties liable for confiscation under MLPC Act, 2014.
13. What are the powers of the authority in respect of compounding offences under the MLPC Act, 2014?

14. Describe about the issue of licences for import, export, transport, storage, sale, consumption of IMFL or Extra Neutral Alcohol provided under Part II of the Mizoram Liquor (Prohibition and Control) Rules, 2014.
15. Explain the procedure for retail sale of liquor provided under Part-IV of the Mizoram Liquor (Prohibition and Control) Rules, 2014.
16. Mr. X was arrested on the allegation that he purchased liquor from JC Wine Shop, Millenium Centre showing the liquor card of Mr Y. He stated that Mr. Y sent him to purchase for him. On being searched he was having a number of liquor cards which he collected from others. Is Mr. X liable for prosecution under MLPC Act, 2014? If so, prepare a brief chargesheet against him. If not, justify your grounds that he is not liable for any offence.

III Choose the correct answer

(20×1=20)

17. Section 9A of the NDPS Act relates to;
 - (a) Power to Central Government to permit, control and regulate
 - (b) Power to control and regulate Controlled substances
 - (c) Power to add to or omit from the list of Psychotropic Substances
 - (d) All of the above
18. The Narcotic Drugs and Psychotropic Substances Act, 1985 came into force on;
 - (a) 4th November, 1985
 - (b) 14th November, 1985
 - (c) 4th December, 1985
 - (d) 14th December, 1985
19. Which Central Government notification declared Pseudoephedrine and its salts as 'controlled substance'?
 - (a) 26.03.2012
 - (b) 26.03.2013
 - (c) 15.4.1993
 - (d) 26.03.1993
20. Pseudoephedrine, its salts and preparations thereof had been controlled by the Central Government in its latest notification and kept under ;
 - (a) Schedule A
 - (b) Schedule B
 - (c) Schedule C
 - (d) Schedule D
21. The 'Poppy Straw' means all parts of the Opium Poppy except
 - (a) Flower
 - (b) Leaf
 - (c) Seed
 - (d) All of these
22. Ganja means the flowering or fruiting tops excluding :
 - (a) Seeds only
 - (b) Leaves only
 - (c) Seeds and leaves
 - (d) All of these
23. The Narcotics Drugs and Psychotropic Substances Rules, 1985? came into force on;
 - (a) 12.7.1985
 - (b) 14.11.1985
 - (c) 7.12.1988
 - (d) None of these

- 24.** What quantity of Heroin is categorised as ‘Small quantity’ permissible under the Act?
- (a) 5 gm (b) 15 gm
(c) 25 gm (d) 50 gm
- 25.** Punishment for contravention in relation to manufactured drugs and preparations of commercial quantity;
- (a) May extend to 10 years
(b) Shall not be less than 10 years
(c) Shall not be less than 10 years but which may extend to 20 years
(d) None of the above
- 26.** In which of the landmark judgment, The Supreme Court has held that the quantity of neutral substance is not to be taken into consideration and it is the only actual content by weight of the offending drug which is relevant for the purpose of determining whether it would constitute small quantity or commercial quantity should be considered;
- (a) E. Micheal Raj v. Intelligence Officer, Narcotics Control Bureau (2008) 5 SCC 161
(b) State of Punjab v. Balbir Singh [1994 CriLJ 3702]
(c) Vijaysinh Chandubha Jadeja v. State of Gujarat, (2011) 1 SCC 609
(d) State of NCT of Delhi v. Ashif Khan @ Kalu AIR 2009 SC 1977
- 27.** When did the MLPC Act, 2014 come into force?
- (a) 15.1.2015 (b) 9.1.2015
(c) 15.1.2014 (d) 1.9.2014
- 28.** Excise Officer under the Act means
- (a) Any officer subordinate to the Commissioner
(b) Any Excise & Narcotics Officer invested with powers under the MLPC Act
(c) Any Gazetted Officer declared by the state government working in Excise and Narcotics Department
(d) Both (a) & (b)
- 29.** How many sections are there in MLPC Act, 2014?
- (a) 77 (b) 86
(c) 72 (d) None of these
- 30.** Power of magistrate to try offences under the Act is provided under which Section?
- (a) 30 (b) 31
(c) 32 (d) 33
- 31.** Every offence punishable under this Act shall be;
- (a) Cognizable (b) Non-bailable
(c) Cognizable and Non-bailable (d) Non-Cognizable

- 32.** Driving under influence of liquor may invite penalty of;
- (a) A fine of Rs.5,000 (b) One month imprisonment
(c) 2 years imprisonment (d) (a), (b) & (c) are true
- 33.** Who is competent person to examine and prove that a person has consumed liquor?
- (a) MBBS (b) Medical practitioner
(c) Any registered medical practitioner (d) All of these
- 34.** The period of limitation for taking of cognizance of any offence charges against any Excise and Narcotics or Police personnel for commission of an offence in course of performance of duty is;
- (a) 2 months (b) 3 months
(c) 4 months (d) 5 months
- 35.** The success of the implementation of MLPC Act is entrusted upon
- (a) State Prohibition Council (b) District Prohibition Committee
(c) Mizoram Synod (d) Both (a) & (b)
- 36.** Who made the Mizoram Liquor (Prohibition and Control) Rules, 2014?
- (a) Chief Minister (b) Chief Secretary
(c) Home Minister (d) Governor

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