

# MIZORAM PUBLIC SERVICE COMMISSION

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

### PAPER – III

Time Allowed : 3 hours

FM : 100 PM : 40

*Marks for each question is indicated against it.*

*Attempt all questions.*

### THE NARCOTIC DRUGS & PSYCHOTROPIC SUBSTANCES ACT, 1985 & RULES

(50 Marks)

1. Define any **three (3)** of the following:- (3×2=6)
  - (a) Cannabis
  - (b) Controlled substance
  - (c) Opium derivative
  - (d) Import Certificate
  - (f) Commercial quantity
2. Describe the punishment for contravention in relation to manufactured drugs and preparations. Also state the punishment for contravention in relation to psychotropic substances. (3+3=6)
3. What are illegal import and export to and from India and also state the punishments for those offences. (3+3=6)
4. State the applicability of section 360 of Cr. PC, 1973 and the Probation of Offenders Act, 1958 under ND&PS Act, 1985. (3)
5. Describe the power of entry, search, seizure and arrest under the Act. (3)
6. Describe in details the procedure to issue warrant and authorisation under the Act. (3)
7. Describe the procedure for confiscation of seized articles under the Act and Rules. (3)
8. Discuss the punishment for vexatious entry, search, seizure and arrest under the Act. (4)
9. Are the offences under the ND&PS Act, 1985 cognizable? What are abetment and criminal conspiracy under the Act. (2+3=5)
10. Discuss the effect of non-compliance of section 50 of the ND&PS Act, 1985 in the light of the decisions rendered by Supreme Court of India. (5)
11. Discuss in details 'small quantity' and 'commercial quantity' in relation to narcotic drugs and psychotropic substances. Also state the punishments made available for offences with regard to manufactures, sells, purchase, etc. of the psychotropic substances. (3+3 = 6)

**THE MIZORAM LIQUOR (PROHIBITION AND CONTROL) ACT, 2014 & RULES**

**(50 Marks)**

12. Define any three (3) of the following:- **(3×2=6)**
- (a) Bar (b) Export and Import  
(c) Manufacture (d) Winery  
(e) Excise Officer
13. State the power of Commissioner to declare dry days and grant of exclusive privilege of manufacture and sale of country liquor. **(2)**
14. Describe the punishment for vexatious search, seizure or arrest of the officer exercising powers under the MLPC Act, 2014? **(3)**
15. Who has the power to inspect places of manufacture, bottling plant, bonded warehouse, retail shop, etc. and what powers been vested by that authority? **(3)**
16. Describe in details the power of entry, search, seizure and arrest under the MLPC Act and Rules. **(4)**
17. If a person having no permit consume liquor in public place, what punishment may be given to that person? If a person fails to produce license on demand by the competent authority, what penalty may be given? **(2+2=4)**
18. Differentiate 'attempt' and 'abetment' under the MLPC Act, 2014 and also discuss the punishments for that offences. **(2+2=4)**
19. With whom the burden of proof lies under the MLPC Act, 2014 and also describe presumption of culpable mental state under the Act. **(4)**
20. What kind of articles be confiscated under the MLPC Act 2014 and who could make such order for confiscation? **(4)**
21. Discuss in details the procedure for issue of permit under the MLPC Act and Rules. **(4)**
22. Is commutation or remission of sentence available under the MLPC Act? Give in details the procedures to be followed by the investigating officer while investigating offences under the Act. **(2+4=6)**
23. Answer **any two (2)**: **(2×3=6)**
- (a) What is the meaning of 'prove' under the provisions of MLPC Act and Rules.  
(b) Is compounding of offence available under the Act? If so, give details about such compounding of offence.  
(c) Is there an alternative punishment for a person convicted under section 43(2) of the Act?