

BOARD OF DEPARTMENTAL EXAMINATION

OCTOBER /2015

IAS/HAS

Paper No 10(Special Acts(criminal),Manuals and Rules)

TIME ALLOWED: 3 HOURS

Max Marks;100

NOTE:

1) Attempt any five questions.

2) All questions carry equal marks. Relevant provisions of the law must be quoted.

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Q.NO 1) (a) A, an ex-MLA of Himachal Pradesh Assembly was found possessing assets disproportionate to his known sources of income in a case u/s 13(1)(e) r/w section 13(2) of the P.C.Act,1988,Charge sheet(final report) was filed against him without Prosecution Sanction,What is the legality, whether the Court of Special Judge can take cognizance of the offence or not? Discuss with case laws. (10)

(b) Member Parliament and Member Legislative Assembly are Public servant within the definition of P.C.Act,1988. Comment? (10)

Q.NO2) (a) What are the salient feature of Food Adulteration Act? Is this Act sufficient to check food adulteration ? Comment.

(b) In which cases and under what circumstances the court can proceed against the manufacturer or distributor of an article of food while trying the complaint against the vendor from whom the sample was taken under the Prevention of Food Adulteration Act? (10x2)

Q.No3(a) How the forest settlement is carried out as per the provisions of Indian Forest Act ? Is

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there any power to acquire land where the right is claimed ?

(b) What procedure is required to be adopted before declaring any forest as Protected forest ?

Is this procedure mandatory ? (10x2)

Q.No 4(a) A ,person with no previous criminal record commits a offence of rape. Can he take the cover under Probation of Offenders Act ? Give reason.

(b) Who can appoint Probation Officer under the Probation of Offender Act ? What are his powers ? Discuss . (10x2)

Q.No5(a) Discuss the powers of Excise Officer with regard to arrest ,seizure and detention under the provisions of Excise Act?

(b) Can a License under the Punjab Excise Act once cancelled /suspended be revoked?

(c) What type of timber under the Indian Forest Act,1927 is deemed property of the Govt.

(7x7x6)

Q.No. 6(a) What are the various types of driving license ? Describe the procedure for issuance of driving license ?

(b) Write brief note on the scheme for Payment of Compensation in case of hit and run motor accidents under the Motor Vehicle Act ? (10x2)

Q.No. 7(a) Under what circumstances arms license can be refused by the Licensing Authority under the Arms Act ?

(b) State briefly the provisions relating to deposit of arms in possession on ceasing to be lawful possessor. Can his legal representative exercise his right under the Arms Act ? (10X2)

Q.No 8(a)What are the salient features of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act ? Whether a person can be detained for more than three months under the Act ?

(b) Whether the enforcement of Police Act in the state of H.P. has resulted in more efficiency and transparency in police working in the state ? Elaborate . (10x2)

Q.No9 (a) What are the duties of Police Officer under the Police Act.? Who can stop any procession On contravention of the conditions of assemblies and procession imposed by competent authority ?

(b) Whether the offences under the Essential Commodities Act ,1955 are cognizable ?

(c) Describe the duties of collector before passing an order of confiscation of seized essential commodities under the E.C Act 1955. (10,4,6)