

**H.P.BOARD OF DEPARTMENTAL EXAMINATION
DEPARTMENTAL EXAMINATION OF OTHER GAZETTED OFFICERS/
OFFICIALS OF HIMACHAL PRADESH SESSION SEPTEMBER, 2008**

PAPER-3 **(Law of Crime & Excise Law for E.T.O.s)**

Time Allowed: 3 Hours

Maximum

Marks:100

**Note:- 1. Attempt any five questions. All questions carry equal marks.
2. Relevant provisions of Acts & Rules must be quoted.
3. Only bare Acts & Rules are allowed inside examination hall.**

Q.No.1 How many classes of EXCISE OFFICERS are there? What are their powers?

Q.No.2 Define the following:-

- a) Under IPC
 - 1) Dishonestly (ii) Valuable (iii) Omission (iv) Offence (v) Good faith
- b) Under Evidence Act
 - (i) Fact (ii) Proved (iii) Conclusive proof (iv) Relevancy of fact
- c) Under CRPC
 - (i) Complaint (ii) Inquiry (iii) Warrant case

Q.No.3 When a person is said to have given 'false evidence'. How is it different from Fabrication of false evidence.

Q.No.4 (i) How do you distinguish between 'Primary evidence' and 'Secondary Evidence'?

(ii) Under what circumstances 'Secondary evidence' relating to documents can be given.

Q.No.5 a) Define the following:-

- (i) Psychotropic substances,
- (ii) D-2,
- (iii) Alcoholic Liquor for human consumption,
- (iv) Excise Officer,
- (v) Toilet preparation.

b) Differentiate between the following:-

- (i) Industrial Alcohol & Potable Alcohol
- (ii) Ethyl Alcohol & Denatured spirit
- (iii) L-IC & L- IB
- (iv) L-13 & L- 13A
- (v) BWH & Distillery.

Q.No.6 a) Describe in detail the procedure required to be adopted for Investigation under

The Excise Act.

b) Who is competent to conduct Investigation?

Q.No.7 What is the policy on:

(a) Grant of S.I License

(b) Grant of L- IBB

© Opening of sub shop on border areas

Q.No.8 a) what is Abatement?

b) What are essential ingredients of an offence falling under abatement?

c) Give some illustrations.

Q.No.9 Whether under Excise Act or under the Indian Penal Code. The 'mean rea' i.e.

"Guilty intention" is necessary to be established before punishment/ Conviction. How far do you agree with the statement? Are there any Exception under Excise Act where "mean rea" is not necessary to be proved? Discuss.
