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**Netaji Subhas Administrative Training Institute
Government of West Bengal**

**Half Yearly Departmental Examination for Officers of the Indian Administrative Service and WBCS
(Executive) ,December 2024**

Accounts – Paper 1 (Without Books)

Full Marks – 50, Pass Marks – 25, Time – 2 Hours

Answer Question No. 1 and any three from the rest

1. Write short notes on : (5 x 4 = 20 marks)
 - a) Fiscal Deficit
 - b) Time Barred Deposits.
 - c) Annual Financial Statement
 - d) Settlement of Account

 2. a) What is Charged Expenditure ? What are the Charged Expenditure of a State ?
b) "The Reserve Bank of India provides facilities to the public for remittance of moneys from one place to another". -- Discuss. (5 x 2 = 10 marks)

 3. How does monthly closing of Treasury Accounts take place ? (10 marks)

 4. a) What is the purpose of Local Audit ? How will Local Audit Party take up the audit of a particular institution ?
b) How is audit of Establishment Charges conducted ?(5 x 2 = 10 marks)

 5. a) Indicate briefly the different classes of Contingent Expenditure .
b) Discuss the rules of nominations in respect of the Provident Fund. (5 x 2 = 10 marks)

 6. Distinguish between
 - a) Ways and Means and Ways and Means Advance
 - b) Capital Expenditure and Revenue Expenditure (5 x 2 = 10 marks)
- =====

(D)

**Netaji Subhas Administrative Training Institute
Government of West Bengal**

**2ND t Half Yearly Departmental Examination 2024, for Officers of
the Indian Administrative Service & WBCS (Executive)**

Accounts – Paper-II (With Books)

Full Marks—100, Pass Marks-50 Time-3 Hours

Answer Question No. 1 and any four from the rest

1. Answer the following Question mentioning relevant rule or Govt, order (any ten) (10x2=20 Marks)
- (a) What is the maximum period a Government employee may remain on leave of any kind or different kinds of leave taken together and under which Rule?
 - (b) Who acts an 'Internal Audit Officer' of Zillah Parisad and Panchayat Samiti?
 - (c) Which PSUs are exempted from payment of earnest Money for participation in Tenders of Government of west Bengal ?
 - (d) How many days joining time is admissible to a Government employee who is transferred within the same station ?
 - (e) A State Government employee resigns from service who has 150 days Earned Leave at his credit . How may days cash equivalent of leave salary he will get?
 - (f) How records of subscriptions and donations for special purposes shall be recorded by a Zillah Parisad ?
 - (g) What is 'Dies Non' ?
 - (h) Why Non-practicing Allowance is treated as compensatory Allowance?
 - (i) How Municipal Accounts Committee is formed ?
 - (j) Which document must be submitted with the request letter to the RBI for ways and means advance by State Government?
 - (k) Whether contribution towards GISS and GPF may be recovered from subsistence grant ?

(6+4+6+4=20 Marks]

2. a) What is Stagnation Pay? What is the provision as per WBS(ROPA) Rules 2019?
- b) When half pay leave may be granted to a Government employee not in permanent employment?
- c) Which conditions are to be fulfilled for grant of Commuted Leave on medical ground to a Government employee?

d) When lien may not be terminated even with the consent of the Government employee?

[15+5=20 Marks)

3 .a) What is the provision for creation of ' Basic Services for Urban poor Fund" by a municipality and mention the sources from which the provision shall be made for such fund.

b) Where the fund shall be kept and how the accounts for such fund shall be maintained?

(5+ 10+5=20 Marks)

4 a) How much amount can be spent without inviting tender or quotation? Is there any condition?

b) What is the procedure to be followed for publication of notice for purchase of articles or execution of works worth Rs one lakh or more

c) How articles works Rs 125000/- may be procured by a State Government office ?

(12+8=20 Marks)

5 (a) How Zillah Parisad and Panchayat Samity Fund is maintained ?

(b) What is the the procedure of reconciliation of Pass Book with Treasury records ?

(6+ 6+8=20 Marks)

6.a) What is local Journey? How daily allowance is admissible in such Case?

b) How many days joining time is admissible if distance between two places are 700 kms and 1000 kms respectively?

c) Who can engage agency? Which organisations can now be engaged as agency?

[12+8=20 Marks)

7(a) Discuss the provision of service rule regarding protection of pay of a senior officer when his junior draws higher pay ? When pay protection is not admissible?

(b) *When leave not due is granted to a Government employee?*

What are the conditions for grant of such leave?

(D)

**Netaji Subhas Administrative Training Institute
Government of West Bengal**

**2nd Half Yearly Departmental Examination, 2024 for the Officers of the
Indian Police Service & W.B.P.S**

Accounts – Paper-II (With Books)

Full Marks—100, Pass Marks-50 Time-3 Hours

Answer to be Written in English only

Answer any five Questions quoting relevant rules.

1. Write short notes on any four of the following : (5x4= 20 Marks)
 - (a) Earnest Money and Security Deposit
 - (b) Lapsed Deposit
 - (c) Deposit work and Interdepartmental work
 - (d) Temporary post and tenure post
 - (e) Leave preparatory to retirement

(20 Marks)
2. What are the essential conditions governing expenditure from public funds? Discuss the standards of Financial propriety

(10x2=20 Marks)
3. (a) During which period a Government employee holds lien?
(b) A government employee was on Extraordinary leave for three months During the period from 1st July to 30TH June. How he will be allowed to draw next increment ?
4. How orders of attachment of pay and allowances for debt is implemented?
(20 Marks)

(20 Marks)
5. Discuss which periods are counted and which periods are not counted towards increments.

(10x2=20 Marks)
- 6.a) Who are family members for the purpose of Travelling Allowance ?
b) Which benefits are allowed in case of temporary transfer?

(10x2=20 Marks)
- 7(a) Who can authorize advance drawal of fund from Treasury/PAO ?
How it is drawn and adjusted?
(b) what are the limitations in making substantive appointment?

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**Netaji Subhas Administrative Training Institute
Government of West Bengal**

Half Yearly Departmental Examination for Officers of the Indian Police Service and WBPS

December 2024

Accounts – Paper 1 (Without Books)

Full Marks – 50, Pass Marks – 25, Time – 2 Hours

Answer Question No. 1 and any three from the rest)

1. State the main divisions in Government Accounts. (20 marks)
2. a) What is Finance Act ?
b) Discuss the importance of Appropriation Act . (5 x 2 = 10 marks)
3. a) What is the procedure for opening the Treasury Strong Room ?
b) By whom, claims are presented to the Treasury ? What are the three principal processes involved while making payment from Government Account ? (5 x 2 = 10 marks)
4. a) How are Transfer Entries made ?
b) What is the purpose of Local Audit ? (5 x 2 = 10 marks)
5. Distinguish between
a) Tax Revenue and Non Tax Revenue
b) Allotments and Re-appropriation (5 x 2 = 10 marks)
6. Write short notes on any two of the following : (5 x 2 = 10 marks)
 - a) Compilation of accounts
 - b) Transaction with other Governments
 - c) Consolidated Fund
 - d) Treasury Inspection by Accountant General

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(A)

Netaji Subhas Administrative Training Institute Government of West Bengal
Half-Yearly Departmental Examination
For WBCS (Executive) Officers 2024

Hindi Paper-1

Full Time -- 1 hour 45 minutes

Marks--45 Pass Marks -- 22 1/2

1. निम्नलिखित अवतरण का हिन्दी में अनुवाद कीजिए : 10

It was National milk day . To celebrate this day, on 26th November, mega car and bike rallies were organised in many cities like Pune Kolkata Jammu Himmatnagar and Delhi. An award-winning film 'Manthan' will be shown to the participants. This programme is planned in celebration of cooperative achievements worldwide .

OR

Every child holds a unique quality within them. It is required to be nurtured and celebrated. This responsibility lies on parents and educators .They should try to help the child to grow. It is sure that the child will bloom into a gem of mankind .The children observe everything minutely. Their observation needs to be taken care properly.

2. निम्नलिखित अवतरण का अंग्रेज़ी में अनुवाद कीजिए: 10

प्रेमचंद अपने समाज से बहुत प्रेम करते थे. समाज में स्त्री और गरीबों की दुर्दशा से वे दुःखी थे. अपने साहित्य में उन्होंने इन विषयों को लिखा. वे स्त्री शिक्षा का समर्थन करते थे .उनका विश्वास था कि समाज का हर वर्ग एक समान होता है. इसलिए सबको शिक्षा का प्रकाश मिलना चाहिए . शिक्षा के द्वारा ही समाज की उन्नति होती है .

अथवा

स्वास्थ्य कमीशन ने एक निजी अस्पताल को आदेश दिया कि वह श्रीमती सुमना को पांच लाख रुपए वापस लौटाए . अस्पताल ने स्वास्थ्य बीमा योजना के अंतर्गत उनसे यह रुपए लिए थे .श्रीमती सुमना ने अतिरिक्त बिल का आरोप लगाते हुए स्वास्थ्य कमीशन को पत्र लिखा था. मामले की सुनवाई करते हुए जस्टिस ने पाया कि यह आरोप सही है .

3. निरंतर बढ़ते हुए वाहनों के उपयोग और उससे होने वाले वायु प्रदूषण का उल्लेख करते हुए जिलाधिकारी को पत्र लिखिए । 10

अथवा

अपने महानगर में होने वाली सड़क दुर्घटनाओं के विषय में आवश्यक कदम उठाने का अनुरोध करते हुए सम्बंधित अधिकारी को पत्र लिखिए ।

4. निम्नलिखित अवतरण को ध्यानपूर्वक पढ़कर नीचे पूछे गए प्रश्नों के उत्तर अपनी भाषा शैली में लिखिए :
स्वामी विवेकानंद का पूर्व आश्रम का नाम नरेंद्र नाथ दत्त था. बाल्यावस्था में नरेंद्र नाथ एक चंचल प्रकृति के विनोद प्रिय बालक थे, परंतु आध्यात्मिक विषयों के प्रति उनके मन में अद्भुत आकर्षण था. अपनी माता द्वारा सुनाई गई रामायण और महाभारत की कहानियां ने उन पर अमिट छाप डाली थी. साहस और पर दुःख कातरता उनके विशेष गुण थे. भ्रमणशील सन्यासी जीवन के प्रति उनके मन में बहुत लगाव था. वह चाहते थे कि प्रत्येक विषय में उनका निजी अनुभव हो. इन्हीं गुणों के साथ एक अदम्य तरुण के रूप में उनका विकास हुआ.

- 1)स्वामी विवेकानंद का पूर्वाश्रम का नाम क्या था?
- 2)बाल्यावस्था में उनमें किन विषयों के लिए आकर्षण था?
- 3)किन कहानियों ने उनपर अमिट छाप डाली थी?

- 4) उनके मन में किस जीवन के प्रति लगाव था ?
5) इस अनुच्छेद का एक उपयुक्त शीर्षक बताइए ।

5 . निम्नलिखित में से किन्हीं पाँच शब्दों से स्वरचित वाक्य बनाइए : 1x5=
खुशी, झील, मकान, उत्सव, हिमालय, यात्रा, बगीचा, जल ।

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(A)

Netaji Subhas Administrative Training Institute Government of West Bengal
Half-Yearly Departmental Examination
For WBCS (Executive) Officers

Hindi Paper-1

(Dictation)

Time Allowed – 15 Minutes

Full Marks – 15

Dictation : 10 Minutes

Revision : 5 Minutes

हम अपनी हंसी-खुशी और सुख-सुविधाओं का उपार्जन स्वयं नहीं करते. वह दूसरों के सहयोग और साथ से मिलती हैं. किसान यदि अन्न ना उपजाए तो हम कितने भी रुपए कमा लें, लेकिन भोजन नहीं कर सकते. वस्त्र के व्यवसायी यदि कपड़ों की व्यवस्था न करें तो हमें वस्त्र नहीं मिलेंगे. इसी प्रकार अन्य सभी विषयों में भी मानव समाज एक दूसरे पर निर्भर होता है. अतः हम सबको अपने समाज के प्रति कृतज्ञ होना चाहिए. कृतज्ञता मानव का एक अच्छा गुण है. बचपन से इस चीज पर ध्यान देना चाहिए. एक अच्छे समाज में सबको कृतज्ञता का अभ्यास होना चाहिए.

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Administrative Training Institute

Government of West Bengal

Half Yearly Departmental Examination for IAS and WBCS(Exe) Officeres

December 2024

Bengali Paper I(Written)(Translation and Letter Writing)

Time- 1 Hour 45 Minutes

Full Marks 45

১। যে কোনও একটি বাংলায় অনুবাদ করুন-

১০

a) Now the trees were filled with birds. The earth would give a long sigh before sliding into darkness. In a moment, with the first star, night would fall on the theatre of the world. The dazzling gods of day would return to their daily death.

b) Rabindranath Tagore wrote some memorable school stories; so did R. K. Narayan, in his stories about Swami and friends. And Munshi Prem Premchand was a schoolmaster. Probabely the most famous of school stories was Thomas Hughes' Tom Brown's Schooldays, a vivid account of life in an English public school over a hundred yeras ago.

২। যে কোনও একটি ইংরেজিতে অনুবাদ করুন-

১০

ক) রমেশের পিতার সহিত রমার যত বিবাদই থাক, তাহার জননীৰ সম্বন্ধে রমার কোথায় একটু যেন প্রচ্ছন্ন বেদনা ছিল। এতদিনেও তাহা সম্পূর্ণ তিরোহিত হয় নাই। বেণী তৎক্ষণাৎ সায় দিয়া বলিলেন,—“তা বটে, তা বটে। ছোটখুড়ী ভালমানুষের মেয়ে ছিলেন। মা আজও তাঁর কথা উঠলে চোখের জল ফেলেন।”

খ) এই সময়ে নিরুর একটা গুরুতর পীড়া হইল। কিন্তু সেজন্য তাহার শাশুড়ীকে সম্পূর্ণ দোষ দেওয়া যায় না। শরীরের প্রতি সে অত্যন্ত অবহেলা করিত। কার্তিক-মাসের হিমের সময় সমস্তরাত মাথার দরজা খোলা, শীতের সময় গায়ে কাপড় নাই। আহারের নিয়ম নাই। দাসীরা যখন মাঝে-মাঝে খাবার আনিতে ভুলিয়া যাইত, তখন যে তাহাদের একবার মুখ খুলিয়া স্মরণ করাইয়া দেওয়া, তাহাও সে করিত না।

৩। যে কোনও একটি প্রশ্নের উত্তর দিন-

১০

ক) জনশিক্ষা প্রচারের প্রয়োজনীয়তা নিয়ে সংবাদপত্রের জনমতবিভাগের সম্পাদককে একটি চিঠি লিখুন।

খ) বিদ্রোহের প্রতারণার কারণে ক্রেতা সুরক্ষা দপ্তরের স্থানীয় কর্মকর্তার কাছে আবেদন করুন।

৪। নিচের অংশটি পড়ে প্রশ্নগুলির উত্তর দিন(যেকোনও ৫টি) -

৫ X ২ = ১০

হঠাৎ রমেশ যেন নিদ্রোথিতের মত জাগিয়া উঠিল, এবং পরক্ষণেই তাহার বিস্তৃত বক্ষের ভিতর হইতে এমনি গভীর একটা নিঃশ্বাস বাহির হইয়া আসিল যে, সে নিজেও সেই শব্দে সচকিত হইয়া উঠিল। ঘরের ভিতর কবাটের অন্তরালে দাঁড়াইয়া রমা মুখ তুলিয়া চাহিয়া দেখিল। রমেশ একবার বোধ করি ইতস্ততঃ করিল, তাহার পরে, রান্নাঘরের দিকে উদ্দেশ করিয়া কহিল, “যখন যাওয়া হতেই পারে না, তখন আর উপায় কি! কিন্তু আমি ত এত কথা জান্তাম না-না জেনে যে উপদ্রব ক’ রে গেলাম, সেজন্য আমাকে মাপ করো রাণি!” বলিয়া ধীরে ধীরে চলিয়া গেল। ঘরের ভিতর হইতে এতটুকু সাড়া আসিল না। যাহার কাছে ক্ষমা-ভিক্ষা করা

হইল, সে যে অলক্ষ্যে নিঃশব্দে তাহার মুখের দিকে চাহিয়া রহিল, রমেশ তাহা জানিতেও পারিল না। বেণী তৎক্ষণাৎ ফিরিয়া আসিয়া দাঁড়াইল। সে পলায় নাই, বাহিরে লুকাইয়া অপেক্ষা করিতেছিল মাত্র।

ক) রমেশ কীভাবে জেগে উঠেছিল?

খ) নিজের বুকের নিঃশ্বাসে কে সচকিত হয়ে উঠেছিল?

গ) ঘরের কবাটে আড়ালে কে দাঁড়িয়েছিল?

ঘ) রমেশ রান্না ঘরের উদ্দেশে কী বলেছিল ?

ঙ) রমেশের এই কথার কোনও সাড়া মিলেছিল কি?

চ) বেণী কী করছিল ?

৫। নিচের শব্দগুলির সাহায্যে বাক্য রচনা করুন(যেকোনও ৫টি)-

উপগ্রহ, বেকারত্ব, দেশপ্রেম, দূষণ, যন্ত্রসভ্যতা, ক্লান্ত, বাংলাদেশ।

৫ X ১ = ৫

A/2

(A)
Dictation

Administrative Training Institute
Government of West Bengal
Half Yearly Departmental Examination for IAS and WBCS(Exe) Officeres
December 2024
Bengali Dictation

Marks 15

Dictation : 10 Minutes

Revision : 5 Minutes

মামীর স্নেহহীন চক্ষে সে যে একটা দুর্গহের মতো প্রতিভাত হইতেছে, এইটে ফটিকের সবচেয়ে বাজিত। মামী যদি দৈবাৎ তাহাকে কোনো-একটা কাজ করিতে বলিতেন, তাহা হইলে সে মনের আনন্দে যতটা আবশ্যিক তার চেয়ে বেশি কাজ করিয়া ফেলিত,— অবশেষে মামী যখন তাহার উৎসাহ দমন করিয়া বলিতেন, “ঢের হয়েছে, ঢের হয়েছে। ওতে আর তোমায় হাত দিতে হবে না। এখন তুমি নিজের কাজে মন দাওগে। একটু পড়োগে যাও।” – তখন তাহার মানসিক উন্নতির প্রতি মামীর এতটা যত্নবাহুল্য তাহার অত্যন্ত নিষ্ঠুর অবিচার বলিয়া মনে হইত।

ঘরের মধ্যে এইরূপ অনাদর, ইহার পর আবার হাঁফ ছাড়িবার জায়গা ছিল না। দেয়ালের মধ্যে আটকা পড়িয়া কেবলই তাহার সেই গ্রামের কথা মনে পড়িত। প্রকাণ্ড একটা ধাউস ঘুড়ি লইয়া বাঁ বাঁ শব্দে উড়াইয়া বেড়াইবার সেই মাঠ, ‘তাইরে নাইরে নাইরে না’ করিয়া উচ্চৈঃস্বরে স্বরচিত রাগিণী আলাপ করিয়া অকর্মণ্যভাবে ঘুরিয়া বেড়াইবার সেই নদীতীর, দিনের মধ্যে যখন-তখন ঝাঁপ দিয়া পড়িয়া সাঁতার কাটিবার সেই সংকীর্ণ স্রোতস্বিনী, সেইসব দলবল, উপদ্রব, স্বাধীনতা এবং সর্বোপরি সেই অত্যাচারিণী অবিচারিণী মা অহর্নিশি তাহার নিরুপায় চিত্তকে আকর্ষণ করিত।

(D)

Netaji Subhas Administrative Training Institute
Government of West Bengal
Half Yearly Departmental Examination for Officers of the Indian Administrative
Service December-2024
Law Paper - I (Land Laws & General Laws)
(Without Books)
Answers to be written in English only

Time Allowed - 3 hours

Full Marks- 100
Pass Marks -50

Group-A
(Answer all the question)

1. a) Discuss the provisions of W.B.E.A. Act. 1953 relating to notification vesting estate and right of intermediaries.
b) State whether rights in sub-soil including right mines and minerals will vest unto the state free from all encumbrances upon the publication of the notification.
5+5=10
2. Discuss the provision relating to transferability of a plot of land of a raiyat under W.B.L.R. Act 1955 .
10
3. a) State whether the interest of non-agricultural tenant could be vested to the state under W.B.E.A. Act. 1953 ?
b) State the provision of W.B.E.A. Act. 1953 relating the extent of inquiry by the Revenue Officer to ascertain the bonfide or malafide of a transfer during the mischief period between 5th May 1953 and the date of vesting as per notification.
5+5= 10
4. a) Who can apply for pre-emption and the time limit of such application and what is the position of a Bargadar in the matter of exercise of such a right ?
b) What transfers of land are exempted from the purview of pre-emption under W.B.L.R. Act. 1955 ?
5+5=10
5. a) Who is empower to correct bonafide mistake in the R.O.R. and what is the time limit for making such correction under the W.B.E.A. Act. 1953 ?
b) State whether the R.S.R.O.R. is a document of title and what is the presumption attached is it.
c) What is the period within which an appeal before the statutory authority is to be filed before the Collector or Commissioner of a Division under W.B.L.R. Act. 1955 ?
d) State the provision of the W.B.L.R. Act. 1955 relating to the bar of jurisdiction of the civil court in respect of certain matters.
2.5×4=10

Group-B
(Answer all the question)

6. a) What is police report ?
b) Define judicial proceedings .
c) Distinguish between inquiry and investigation.
d) Define the term of complaint.
2.5×4=10
7. Discuss the provision of the Cr.P.C. regarding medical examination of a victim of rape.
10
8. Bring out the difference between culpable homicide and murder
10
9. Distinguish between theft and criminal breach of trust with special reference to section 410 of the I.P.C. . which define the term "stolen property".
10
10. Discuss the evidentiary value of the testimony of the following :-
a) an approver as a witness for the prosecution
b) a victim of a rape case
c) a hostile witness
d) an extra judicial confession
10



Netaji Subhas Administrative Training Institute
Government of West Bengal
Half-Yearly Departmental Examination for IPS and WBPS Officers
December 2024
LAW Paper- I (WITHOUT BOOKS)
Criminal Law

Time Allowed – 3Hours

Full Marks – 100

Pass Marks - 60

Answer Question No.1 and any four from the rest.

1. Write short notes on any **four** of the following.
(4x5=20)
 - a) Special Police Officers
 - b) Kidnapping from lawful guardianship
 - c) Dacoity
 - d) Criminal intimidation
 - e) Forgery

2. a) Explain “Injunction pending inquiry”. 12
b) Who and how may prohibit repetition or continuance of public nuisance? 08

3. a) Write a note on “Place of inquiry or trial.”. 14
b) Write a note on “Place of trial where act is an offense by reason of relation to other offence”. 06

4. Write a note on “Public Servant” with special reference to Indian Penal Code, 1860. 20

5. a) Define “Theft” and “Punishment for theft”. 10
b) Define “Cheating” and “Punishment for cheating”. 10

6. a) Distinguish between Culpable homicide and Murder. 14
b) Explain the “Doctrine of Transfer of Malice”. 06

7. a) Write a note on “Power of Inspector-General to make rules” in reference to the Police Act, 1861. 08
b) Write a note on “Quartering of additional police in disturbed or dangerous districts” in reference to the Police Act, 1861. 12

Netaji Subhas Administrative Training Institute
Government of West Bengal

(D)

2nd set

Half Yearly Departmental Examination for police officers

December-2024

Law Paper-II (General law & police regulations)

(With Books)

Time Allotted—3Hours

Full Marks—100

Pass Marks-60

Answer the Question No.1 and any four from the rest

1. Write short notes on any four from the following: -

4x5

- (a) Public Nuisance,
- (b) Explosive Substances
- (c) F.I.R.
- (d) Constructive criminal liability under section 149 I.P.C.
- (e) Gang Rape

2.(a) Under what circumstances security for keeping the peace may be demanded otherwise than on conviction?

10

(b) Under what facts and circumstances and on what conditions, a convict can be released on probation of good conduct.

10

3. Define 'unlawful assembly'. When an unlawful assembly becomes Riot? State the penal provision for promoting enmity between different groups on the grounds of religion, race, language, place of birth, residence, etc, and doing acts prejudicial to maintenance of harmony.

6+2+12

4. Specify the provisions of Motor Vehicle Act, 1939 as to requirement of the policy of insurance in respect of the motor vehicle used in public place to cover third party risk.

20

5. Define 'Murder'. Distinguish between 'Murder' and 'Culpable Homicide' not amounting to murder.

8+12

6. Define 'Public servant' as per the Prevention of Corruption Act, 1988.

Who is authorised to try the offence of criminal misconduct by a public servant as provided by the said Act?

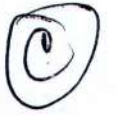
12+8

7(a). The general rule is that any person having knowledge of the commission of an offence may set the law in motion by filing a complaint. Are there any exceptions to this rule?

15

(b) A sub-Inspector of police while on patrol duty arrests A for selling illicit liquor, B for selling stolen goods and C for committing theft. Can A, B, and C be tried together? If so, why?

5



Netaji Subhas Administrative Training Institute
Government of West Bengal
Half Yearly Departmental Examination for Officers of the Indian Police Service and
West Bengal Police Service
December-2024
Criminology
(Without Books)

Answers to be written in English only

Time Allowed — 3 hours

Full Marks- 100
Pass Marks -60

Group-A

(Answer Q.1 and rest any four(4) questions)

1. Write short notes on any four(4) of the following.
 a) Money Laundering, b) Cyber crime, c) White collar crime, d) Honour killing, e) Decoy witness/ trap witness.
5×4=20
2. What is Crime and what are the characteristic features of crime?
20
3. How far the physiological and anatomical factor is responsible in shaping life and habit of criminals ?
20
4. What are the different notable cyber offences which are directed against computer system, network or data ?
20
5. To what extent the Investigating Officer can take the aid of forensic science and expert opinion not only in the matter of detection of crime but also in the matter of establishing the same in the court of law .
20
6. Discuss about the importance of "modus operandi" in preventing and detecting a crime .
20
7. What are the advantages and medicolegal importance of DNA finger printing / profiling ?
20

Mahadeb Ghosh



**Netaji Subhas Administrative Training Institute
Government of West Bengal**

Half Yearly Departmental Examination for Officers of the WBCS(EX) Dec 2024

Law Paper-I (Criminal Law & Law of Evidence)

(Without Books)

Answers to be written in English Only

Time Allowed –3 Hours

Full Marks-100

Pass Marks-50

Group-A

(Answer any four)

Q.1 Write short notes on any four of the following with reference to Code of Criminal Procedure

(a) Cognizable Offence

(b) Inquiry

(c) Victim

(d) Warrant-case

(e) Complaint

(f) Offence

4x5=20

Q.2.(a) Enumerate the provisions relating to make conditional order for removal of public nuisance under the code of Criminal Procedure 1973. 12

(b) Can Executive Magistrate issue injunction pending the inquiry while making an order under section 133 Cr.P.C.? 8

Q.3. (a) Examine the meaning and purpose of arrest . 5

(b) Who can arrest? 5

(c) Discuss the right of an accused person. 10

Q. 4. Write short notes any four of the followings with reference to Indian Evidence Act1872

(a) Document (b) Court (c) Burden of proof (d) Fact (e) Relevant fact (f) Conclusive Proof
4x5=20

Q.5.(a) Explain Falsus in uno falsus in omnibus. 5

(b) What is confession? 5

P.T.O

(c) Distinguish between Judicial and Extra Judicial confession? 10

Q.6. Distinguish between any two of the following with reference to Indian Penal Code.

1. Cheating and Forgery

2. Theft and Extortion

3. Inquiry and Investigation

4. Dacoity and Robbery

10x2=20

Q.7. (a) Discuss Me Naghtens rule in Sec 84 I.P.C. 6

(b) What do you mean by right of private defence? 4

(c) When the right of private defence of property extending to causing death. 10

Group B

(Any two of the following question)

Q.8. Write short notes on the following with reference to Prevention of Corruption Act 1988.
(2.5x4)

(a) Public servant

(b) public duty

© corruption

(d) legal remuneration

Q.9. What procedure is to be followed before confiscation of essential commodities under section 6-B of the Essential Commodities Act 1955. 10

Q.10. What do you mean by criminal misconduct by a public servant under the Prevention of Corruption Act,1988 10

Q.11. Can a public servant be prosecuted without the prior permission of his employer under Prevention of Corruption Act 1988.Discuss.10



Netaji Subhas Administrative Training Institute
Government of West Bengal
1st Half Yearly Departmental Examination for Officers of the W.B.C.S. (Executive) -
December 2024
Law Paper - II (General Laws)
(With Books)
Answers to be written in English only

Time Allowed - 3 hours

Full Marks- 100
Pass Marks -50

Group-A
(Answer any four)

- 1) a) What do you understand by the expression "acquisition of land for public purpose under L.A. Act.1894 ?
 b) Who are the persons interested that can raise objection against such acquisition of land under L.A. Act 1894 ?
 7.5×2=15
- 2) 'Barga Right is a hereditary and protective right but not a transferable right'- Discuss with reference to the relevant provisions of the W.B.L.R. Act.1955.
 15
- 3) What are the relevant considerations that should not weigh with the collector in determining compensation under Land Acquisition Act1894 ?
 15
- 4) Answer the following two questions with reference to the relevant provisions of the WB Public Land (Eviction of unauthorised occupants) Act.1962
 a) Who is empower to enforce delivery of possession of Public Land ?
 b) What procedure is to be followed in disposing of the property left on the Public Land by an unauthorised occupant ?
 7.5×2=15
- 5) a) Who can claim pre-emption under W.B.L.R. Act. 1955 ?
 b) What is the time limit for making such an application for pre-emption ?
 c) What is the pre-requisite for filing a pre-emption application ?
 d) What are the consequences of an order for pre-emption ?
 e) What sort of transfers will not come within the purview of pre-emption ?
 3×5=15
- 6) What procedure was followed in acquiring the estates and rights of the intermediaries therein under W.B.E.A. Act. 1953 ?
 15

GROUP-B

(Answer Question no-10 and two(2) from the rest)

- 7) a) Who may execute a certificate under the Bengal Public Demand Recovery Act.1913?
 b) When a certificate may be executed ?
 c) What are the deferent modes prescribe under the aforesaid Act. for execution of a certificate ?
 3+4+8=15
- 8) a) On what grounds an elected member of a Gram Panchayat may be removed from his office?
 b) What is the legal remedy available to him after such removal ?
 12+3=15
- 9) a) On what grounds a people's representative can be disqualified under the Representation Of People Act. 1950.
 b) What remedies are available to such persons against his disqualification under the Representation Of People Act. 1950.
 8+7=15
- 10) Define any four of the following with reference to the Bengal Public Demand Recovery Act.1913
 a) Kolkata , b) Certificate holder, c) Certificate -debtor, d) Collector, e) Public Demand,
 2.5×4=10



Netaji Subhas Administrative Training Institute
Government of West Bengal
Half Yearly Departmental Examination for Officers for Officer's of the W.B.C.S
(Executive) - December 2024
Law Paper no-III (General Laws)
(With Books)

Answers to be written in English only

Time Allowed — 3 hours

Full Marks- 100
Pass Marks -50

Group-A
(Answer any two)

1. a) Define 'Mouza' as per the Bengal Survey Act, 1875.
 b) What steps are required to be taken by the collector before entering into a land for the purpose of survey?
 c) Can the collector require the occupants to clear the boundary lines under the Bengal Survey Act?
 d) How is the demand of the occupants clearing the boundary line met by the collector?
4×4=16
2. Can a lessee dispose of the Government land held by him under lease? If so, the procedure of making such disposal under the W.B. Govt. land (Regulation of Transfer) Act, 1993
16
3. Discuss briefly the scheme of conservation propagation and protection of fishes as envisaged in West Bengal Inland Fisheries' Act of 1984.
16

Group-B
(Answer any two)

4. When a licensing authority may refuse to grant license under the Arms Act, 1959 and what is the legal remedy available to an aggrieved person under this Act whose prayer for grant of arm-license has been refused.
16
5. a) What is the composition of the state human rights commission?
 b) State as to how the chairperson and other members of the state human right commission are appointed and removed?
6+10=16
6. Write Short notes on the following with reference to the Act specified against each.
 a) Observation Home (the Juvenile Justice(care and protection of children) Act 2000)
 b) Handling (Environment Protection Act, 1966)
 c) Arms(Arms Act, 1959)
 d) Human Rights (the Protection of Human Rights Act, 1993)
4×4=16

Group-C
(Answer any two)

7. a) What are the provisions of the C.P.C of appointment of a receiver in a pending a civil suit?
 b) What are the duties of a receiver so appointed by the civil court ?
 c) How can the duties of the receiver be enforced?
 d) When the collector of a District may be appointed a receiver ?
6+4+4+4=18
8. Answer the following question with reference to the Registration Act 1908
 a) Instruments required to be registered compulsorily
 b) Instruments, registration of which is optional
9+9=18
9. What are the powers of the Collector of a district to grant allowance for spoiled stamps as per provisions of the Indian Stamp Act, 1899.
18

(set-II)

Model answer to questions on Law Paper II for W.B.C.S., December 2024

(Without Books)

Group- A

- 1) Ans to Q 1(a) and 1(b) vide sections 3(f) and 3(b) respectively of the L.A. Act. 1894.
- 2) Ans to Q 2 vide Section 15(2) and 15A of the W.B.L.R. Act. of 1955.
- 3) Ans to Q 3 vide Sec. 24 of the Land Acquisition Act of 1894.
- 4) Ans. to Q 4(a) & 4(b) vide Sec 5,6 and 6A of the West Bengal Public Land (eviction of unauthorized occupants) Act. 1962
- 5) Ans. to Q 5(a) to 5(e) vide Sec. 8, 9 and 10 of the W.B.L.R. Act. 1955.
- 6) Ans. to Q 6(a) & (b) vide Ss. 4, 5, 5A and 10 of the W.B.E.A. Act. 1953.

Group- B

- 7) Ans. to Q 7(a) to 7(c) vide Ss. 11, 12, 13 and 14 respectively of the Bengal Public Demands Recovery Act. 1913.
- 8) Ans. to Q 8(a) and 8(b) vide Ss 11(1)(a) to (h) and 11(2) of the W.B. Panchayat Act. 1973.
- 9) Ans. to Q 9(a) and 9(b) vide Ss 21 and 22 of the Representation of People Act. 1950.
- 10) Ans. to Q 10(a) to 10(e) vide Ss 3(a1), 3(2), 3(1) 3(a) and 3(6) respectively of the B.P.D.R. Act. 1913.

Mahadeb Ghosh

Model answer to questions on Law Paper III for W.B.C.S. (Exe) December 2024
(set-II)

Group- A

- 1) Ans to Q 1(a) vide Sec. 2(4) of the Bengal Survey Act. 1875.
Ans to Q 1(b). vide Sec. 5 of the Bengal Survey Act. 1875.
Ans to Q 1(c) vide Sec. 9 of the Bengal Survey Act. 1875.
Ans to Q 1(d) vide Sec. 10 of the Bengal Survey Act. 1875.
- 2) Ans to Q 2 vide Sec. 10 of the West Bengal Government Land (Regulation of Transfer) Act. 1993.
- 3) Ans to Q 3 vide Ss 3, 4, 5 and 6 of the West Bengal Inland Fisheries Act. 1984.

Group -B

- 4) Ans. to Q 4 vide Ss 13, 14 and 18 respectively of the Arms Act. 1959.
- 5) Ans. to Q 5 (a) vide Section 21 of the Protection of Human Rights Act. 1993.
Ans. to Q 5 (b) vide Section 23 of the Protection of Human Rights Act. 1993.
- 6) Ans. to Q 6(a) vide sec. 2(o) of the Juvenile Justice (Care and protection of Children) Act. 2000.
Ans. to Q 6(b) vide section 2(d) of the Environment (Protection) Act. 1986
Ans. to Q 6(c) vide section 2(c) of the Arms Act. 1959.
Ans. to Q 6(d) vide section 2(d) of the Protection of Human Rights Act. 1993.

Group-C

- 7) Ans. to Q 7(a) to 7(d) vide order 40 Rule 1 to 5 of the C.P.C. respectively.
- 8) Ans. to Q 8(a) and 8(b) vide section 17 and 18 of the Registration Act. 1908.
- 9) Ans. to Q 9 vide Section 49 of the Indian Stamp Act. 1899

Mahadeb Ghosh.

Netaji Subhas Administrative Training Institute

Government of West Bengal

ANSWER KEY for Model Question Paper – 2

Half-Yearly Departmental Examination for IPS and WBPS Officers

December 2024

LAW Paper- I (WITHOUT BOOKS)

Criminal Law

Answer Key

1.
 - a) Section 17 of the Police Act, 1861 to be explained.
 - b) Section 361 of the Indian Penal Code, 1860 to be explained.
 - c) Section 391 of the Indian Penal Code, 1860 to be explained.
 - d) Section 503 of the Indian Penal Code, 1860 to be explained.
 - e) Section 463 of the Indian Penal Code, 1860 to be explained.
2. a) Section 142 of Code of Criminal Procedure, 1973 to be explained.
b) Section 143 of Code of Criminal Procedure, 1973 to be explained.
3. a) Section 178 of Code of Criminal Procedure, 1973 to be explained.
b) Section 180 of Code of Criminal Procedure, 1973 to be explained.
4. Section 21 of the Indian Penal Code, 1860 to be explained.
5. a) Sections 378 and 379 of the Indian Penal Code, 1860 to be explained.
b) Sections 415 and 417 of the Indian Penal Code, 1860 to be explained.
6. a) Sections 299 and 300 of the Indian Penal Code, 1860 to be explained.
b) Section 301 of the Indian Penal Code, 1860 to be explained.
7. a) Section 12 of the Police Act, 1861 to be explained.
b) Section 15 of the Police Act, 1861 to be explained.

2nd Set Law Paper-II (General Law & Police Regulation)

Keys/Model Answer

Question No. 1

- (a) Public Nuisance-268 IPC,
- (b) Explosive Substance-Section 29(a) Of Explosive Substance Act.
- (c) F.I.R.-Section 154 of CrPC,
- (d) Constructive Criminal Liability- Section 149 IPC,
- (e) Gang Rape-Sections 375 & 376-D of IPC.

Question No.2

- (a) Section 107 of CrPC,
- (b) Section 360 of CrPC.

Question No.3

Sections 141,142,143,146, &153-A of IPC.

Question No.4

Sections 94 and 95 of Motor vehicle Act,1939.

Question No.5

Section 300 of the IPC defines the offence 'Murder'. Except the cases excepted, the culpable homicide is murder, if the act by which the death is caused is done with intention of causing death, or

2ndly-If it is done with the intention of causing such bodily injury as the offender knows to be likely to cause the death of the person to whom the harm is caused, or

3rdly-If it is done with intention of causing bodily injury to any person and the bodily injury intended to be inflicted is sufficient in the ordinary course of nature to cause death,or

4thly-If the person committing the act knows that it is so imminently dangerous that it must all probability,cause deathor such bodily as is likely to cause death and commit such act without any excuse for incurring the risk of causing death or such injury as aforesaid.

Exception-1—Culpable homicide is not murder if the offender, whilst deprived of the power of self- control by grave and sudden provocation, caused the death of the person who gave the provocation or causes the death of any other person by mistake or accident.

Exception-2 Culpable homicide is not murder if the offender, in the exercise power in good faith of the right of private defence of person or property, exceeds the powers given to him by law and causes the death of the person against whom he is exercising such right of defence without premeditation and without any intention of doing more harm than is necessary for the purpose of such defence.

Exception 3-Culpable homicide is not murder if the offender, being a public servant or aiding

a public servant acting for the advancement of public justice, exceeds the power given to him by law, and causes death by doing an act which he, in good faith, believes to be lawful and necessary for the due discharge of his duty as such public servant and without ill-will towards the person whose death is caused.

Exception 4—Culpable homicide is not murder if it is committed without premeditation in a sudden fight in the heat of passion upon a sudden quarrel and without the offender having taken undue advantage or acted in a cruel or unusual manner.

Exception 5—Culpable homicide is not a murder when the person whose death is caused being above the age of eighteen years, suffers death or takes the risk of death with his own consent.

When the case of the accused comes within any of the five exceptions specified in section 302 IPC, then the offence committed is not murder but culpable homicide not amounting to murder.

Question No. 6

Section 2(c) of Prevention of Corruption Act 1988 defines the 'Public Servant'. Section 3 & 4 of said Act specified the authority to try the Criminal misconduct by a public servant.

Question No. 7

- (a) The general rule that anybody having knowledge of commission of an offence can set the law in motion, has got certain exceptions mentioned in sections 198, 198-A, 198-B and 199 of CrPC.

Section 198 CrPC says that no court shall take cognizance of an offence punishable under Chapter XX of IPC except upon a complaint made by some person aggrieved by the offence:

Provided that-

- (a) Where such person is under the age of eighteen years, or is an idiot or a lunatic, or from sickness or infirmity unable to make a complaint, or is a woman who, according to the local customs and manners, ought not to be compelled to appear in public, some other person may, with the leave of the court, make a complaint on his or her behalf,
- (b) Where such person is the husband, and he is serving in any of the Armed Forces of the union under conditions which are certified by his commanding Officer as precluding him from obtaining leave of absence to enable him to make a complaint in person, some other person authorised by the husband may make a complaint on his behalf,
- (c) Where the person aggrieved by an offence punishable under section 494 or section 495 of the IPC is the wife, the complaint may be made on her behalf by her father, mother, brother, or sister, son or daughter or by her father's or

mother's brother or sister, with the leave of the court, by any other person related to her by blood, marriage or adopted.

(2) For the purpose of the sub-section (1), no person other than the husband of the woman shall be deemed to be aggrieved by any offence punishable under section 497 or section 498 of IPC.

Section 198-A IPC says that no court shall take cognizance of the offence punishable under section 498-A of IPC except upon a police report of facts which constitute such offence or upon a complaint made by the person aggrieved by the offence or by her father, mother, brother, sister or by her father's or mother's brother or sister or, with the leave of the court, by any other person related by her blood, marriage or adopted.

Section 198-B IPC says that no court shall take cognizance of an offence punishable under section 376-B of IPC where the persons are in marital relationship, except upon prima facie satisfaction of the facts which constitute the offence upon a complaint having been filed or made by the wife against the husband.

Section 199 IPC says that (1) No court shall take cognizance of offence punishable under chapter XXI of the IPC except upon a complaint made by some person aggrieved by the offence:

Provided that where such person is under the age of eighteen years, or is an idiot or lunatic, or is from sickness or infirmity unable to make a complaint, is a woman who, according to the local customs and manners, ought not to be compelled to appear in public some other person other person may, with leave of the court, make a complaint on his or her behalf.

7(b) B and C can be tried together under section 223(d) of CrPC and the case of A for selling illicit liquor should be referred to the excise department.

**Model answers to questions on criminology, December 2024 For
I.P.S. / W.B.P.S.**

Answer to Q no 1(a)- Money laundering is the process of making illegally gained proceeds is crime proceeds to appear to legal. Typically it involves three steps placement, layering and integration. First, the illegitimate funds are furtively introduced into legitimate financial system. There is specific central Act. on this subject which is P.M.L. Act. 2002 further amended in 2005.

Answer to Q no 1(b)- Cyber crimes are computer related crimes they are different from the normal crime and therefore to deal with such crimes a special technique and procedure is adopted cyber crime causes great loss to economy and human security those who deal with crime and criminality and control it should have the some of the important cyber crimes are vandalism, extortion and pornography in most of the cyber crimes the motive generally is greed, pride or desire to play with the character of victim.

Answer to Q no 1(c)- White colour crime is crime committed by a person belonging to the upper socio-economic class who violets the criminal laws in course of his occupational or professional activities. White colour crime is more dangerous to society than ordinary crime, firstly, because the financial losses are higher and secondly, because of the damage inflicted on public morale. There are different types of white colour crimes namely :-

- 1) Frauds in business in relation to sale of bonds and investments,
- 2) Adulteration of foods, drugs and misleading advertisement,
- 3) Malpractices in the medical profession,
- 4) Crimes by the lawyers, such as guiding criminal a quasi criminal activities of corporations, twisting of testimony to give false picture, fake claims in Motor Accident claim cases.
- 5) Bribery and graft by public officers etc.

Answer to Q no 1(d)- Honour killing. In India, the practice of honour killing is prevelant in the states of Punhab, Hariyana, Rajasthan and Bihar. In these states women /men are killed if they marry outside their caste or religion. In these types of killing, khap Panchayats (local caste based courts) play on important role and act as courts. The Indian judiciary is now very proactive in dealing with cases of honour killing and provide protection

Answer to Q no 1(e)- Decoy witness/ Trap witness. There are various types of bribe- givers. There is one type of bribe giver who pays the bribe and gets an advantage and subsequently gives evidence for ulterior purpose. He is an accomplice unworthy of belief unless corroborated by other evidence on all material particulars. There is another type of bribe-giver who from the very beginning has no intention of giving a bribe, but makes a show of doing it, so as to bring the dis honest public servant to book. There is the giver, who goes half way with the intention of paying, but for some reasons beyond his control things itself to report to the authorities to pay the bribe makes himself the instrument of the authority in bringing the dishonest public servant to book. There is a witness who is not a willing party to giving bribe to accused but only actuated by the motive of trapping the accused, he can not be treated as an accomplice. His evidence is never the less cannot be

treated as the evidence of partisan witness who was out to entrap the accused. His evidence cannot be relied upon without independent corroboration.

Answer to Q no 2- A precise definition of crime is by no means an easy task. Generally speaking, almost all societies have certain norms, beliefs, customs and traditions which are implicitly accepted by its members as conducive to their well being and healthy development. Infringement of these cherished norms and customs is condemned as anti-social behavior. Thus many writers have defined 'crime' as an anti-social, immoral or sinful behavior. However, according to the legal definition, 'crime' is any form of conduct which is declared to be socially harmful in a state and as such forbidden by law under pain of some punishment.

The main characteristics of a crime are as follows :-

- 1) External consequences :- Crimes always have a harmful impact on society may it be social, personal, emotional or mental.
- 2) An act (Actus Reus):- There should be an act or omission to constitute a crime. Intention or mens-rea alone shall not constitute a crime unless it is followed by some external or overt act. Generally, omitting to do something will not amount to actus reus of an offence. The criminal law usually punishes individuals for positive conduct and not for inaction. There are, however, some notable exceptions. For example, a police officer may have a duty to prevent an assault and if he does not, he will be liable to be punished under the law.
- 3) Mens-rea or guilty mind :- Mens-rea is one of the essential ingredients of a crime. It may, however, be direct or implied. The implied mens-rea is otherwise termed as constructive mens-rea.

Mens-rea implies that there must be a state of mind with respect to an actus-reus, that is, an intention to act in the proscribed fashion. It is, however, important to distinguish mens rea from motive. Thus if a person steals away a few loaves of bread from someone's kitchen to feed a child who is dying of hunger, the motive here may be honorable and understandable, nevertheless the mens rea being to commit the theft, the person would be convicted for theft. His motive may, however, be taken into account in sentencing and he may be less severely punished because of his good motive. In short, motive should be taken into consideration at the sentencing stage and not at the time of deciding the question of mens rea.

- 4) Prohibited act. :- The act should be prohibited or forbidden under the existing penal law. An act, howsoever immoral, shall not be an offence unless it is prohibited by law of the land.
- 5) Punishment :- The act in order to constitute a crime should not only be prohibited by the law but should also be punishable by the state. The punishment is usually set out in terms of a maximum and the actual punishment in any particular case is left to the discretion of the judge. Both, the defence and the prosecution have a right to appeal against the quantum of sentence.

Answer to Q no 3- Psychologists treat crime as a behavior learnt by the criminal in course of his contact with different persons. Thus like

sociologists, they seek to explain crime in terms of environmental circumstances.

Lombroso attributed criminality to atavism which meant that criminals have savagery ancestral history and criminality in them is hereditary. Similar assertions were made by Goring who pointed out that criminalistic traits in criminals are imbibed by heredity and through instinctive patterns and, therefore, environmental conditions are of little importance. Subsequent researches by psychologists and sociologists have, however, demonstrated beyond doubt that it is not the heredity but the psychological influences operating in delinquent families that makes one criminal. The child unconsciously imbibes criminalistic traits from the family background of the delinquent parents and subsequently turns into a confirmed criminal. Also, children who are removed away from their parents at an early age tend to follow criminality for want of proper parental care and lack of affection which develops the feelings of inferiority complex, frustration and humiliation in them. Thus, it has been rightly commented by Sutherland that the resemblance between father and son as regards criminality is not due to contagion but if is because of peculiar human psychology of learning things, observation and association that makes them follow criminal behaviour if placed in circumstances which are conducive to crime.

Psychological researches on teen-age violence have shown that violent careers develop along two main paths. Sometimes children start early before puberty. They are more likely to become chronic, violent offenders. More commonly children who turn to violence in adolescence mend themselves sooner or later. The reason for violence may be birth complications, poverty, anti-social parents, poor parenting, aggression, academic failure, psychological problems, alienation from home, school etc.

Answer to Q no 4 - Some of the cyber crimes which are generally committed in the cyber space through computer systems are explained as follows :-

- 1) **Stalking** :- In stalking, persistent messages are sent to unwilling recipients, thus causing them annoyance, worry and mental torture. Sending of unsolicited e-mails or spamming is an infringement of right of privacy. Online harassment and threats may take many forms.
- 2) **Hacking** :- Hacking is the most common form of cyber crime in these days. The reason why hackers indulge in this crime may vary from monetary gain to political interest or it may even be for the sake of sheer thrill. Hacking may be of different forms such as web-spoofing, e-mail bombing, Trojan attacks, virus attacks, password cracking etc. In simple words hacking means seeking unauthorized access through computer network.
- 3) **E-mail spoofing** :- A spoofed e-mail may be said to be one which misrepresents its origin. That is, it shows its origin to be different from which it actually originates. For example, where a person sends a threatening e-mail to the President of the students union threatening to detonate a nuclear device in the college campus and this e-mail

was sent from the account of some other student, 'A' would be guilty of e-mail spoofing.

- 4) **Computer Vandalism** :- Literally speaking, vandalism means destroying or damaging property of another. In the context of cyber crime, computer vandalism includes within it any kind of physical damage done to the computer of any person. It may be in the form of theft of a computer or some part thereof or some part thereof or a peripheral attached to a computer.
- 5) **Cyber Terrorism** :- Despite lighter physical and border security and border security, terrorism has become a complex problem faced by the Government and the policy makers. With the emergence of new communication technologies, the nature and mode of operation of terrorism has undergone a radical change giving rise to a new variety of terrorism called as cyber-terrorism.
- 6) **Cyber Pornography** :- Pornography on the internet may take various forms. It may include hosting of website containing some obscene or prohibited material or use of computers for producing obscene material.
- 7) **Cyber Defamation** :- Cyber defamation is not different from conventional defamation except that it involves the use of cyber space medium. Any derogatory statement which is intended to injure a person's name or reputation on a web-site or sending e-mail containing defamatory informations to some other person constitute the offence of cyber defamation.
- 8) **E-mail Frauds (Spam)** - E-mail is an inexpensive and popular device for disturbing fraudulent messages to potential victims. This technique not only helps to assume someone else's identity, but also helps to hide one's own.
- 9) **Intellectual Property Crime** :- Intellectual property consists of a bundle of rights which may be violated by committing software piracy, copyright infringement, trade-mark and service-mark violations, theft of computer source code etc.

Answer to Q no 5 - Forensic science is a branch off science which deals with application of the knowledge of basic science to study and evaluate the evidence produced before the court of law for the purpose of establishing a fact. There are various sections / divisions in forensic science namely :- 1) Toxicology Section, 2) Chemistry Section, 3) Biology Section, 4) Molecular Biology Section, 5) Ballistic and explosive Section, 6) finger Print Section, 7) Photography Section.

Forensic Science may be pressed into service to collect physical evidence. By physical evidence is meant the materials left or taken away from the crime scene by the suspect or the victim; or any impression like finger print, foot print, left in the crime scene. In medico-legal investigation special emphasis is given to detect the following important physical evidence; namely, i) blood stain, ii) seminal stain, iii) scalp, axillary, pubic hair, iv) saliva stain, v) marks of bite over articles like apple, cheese etc, vi) finger print, vii) foot print, viii) hip print, ix) inflammable articles, x) botanical evidence, xi) entomological evidence, xii) suicidal note, xiii) empty container of poisons, xiv) foils of poisonous medicines and others.

The main objects of collection and examination of physical evidence are as follows :-

- 1) To establish that a crime has actually been committed.
- 2) To establish correlation between the suspect, victim and the place of occurrence of crime.
- 3) To establish the identity of the unknown victims or offender.
- 4) To exonerate the innocent.
- 5) To establish the genuineness of the statement given by the victim before.
- 6) To establish the truth, if collected and preserved properly and examined thoroughly.
- 7) To give legal recognition.
- 8) To reveal the 'modus operandi' of the offender in the commission of crime.
- 9) To play the adequate role for the purpose of administration of criminal justice. Even in absence of direct or circumstantial evidence.

Different method of forensic science are mainly used as investigation tools and cannot be cited as evidence of conclusive nature to establish existence or non-existence of any facts. Whenever anything is said about judicial appreciation of evidence, it is to be borne in mind that the judicial authorities are guided in this respect by the rules of evidence as laid down in the Indian Evidence Acts, 1872 and interpreted by the Apex Court and High Court in their judgment laws.

Forensic evidence being of the nature of opinion of the experts, has to be evaluated in the light of the provision of section 45, 45A, 46, 47, 48 of the evidence act.

Judicial pronouncement as to the acceptability and probity of the forensic evidence on the following aspects are given below;

Answer to Q no 6 - Modus Operandi Method of Investigation. The expression 'Modus Operandi' means plan of working or mode of operation. Naturally, therefore, the modus operandi method of investigation is based on the study of the various crime patterns and the methods adopted by different criminals in committing different crimes. It is really a system of crime indexing that suggest to the investigator the name and description of the probable criminal on the basis of his past criminal activities. The principle underlying this system is that a criminal, like any other human being, is but a creature of habits and is likely to follow the same old method of committing crime from case. Having found that a particular method has worked well in the past he clings to it with almost a blind faith in its efficiency, "Oddly enough", says Sir Harold Scott, "even after several detections and arrests, some offenders go on repeating themselves and seem either too lazy or too stupid to vary their methods, which is fortunate for the police". If a person had started his criminal career as a burglar entering houses by the roof or by boring a hole in the door leaf and then opening the door latch, he will continue to do so throughout the rest of his life. Not only would he adhere to this peculiar method of entry into the house bur he would also continue to maintain the same crime pattern. Thus where a person had started his career as a pickpocket, he prefers to continue his

activities as a pickpocket and very rarely becomes a burglar or a dacoit. This, however, does not mean that a criminal would never vary his modus operandi at all. Sometimes, clever criminal criminals do change their methods to suit the varying circumstances of each case. Thus a burglar whose habit it is to enter building by boring a hole in the wall may when confronted with a thick stone decide to enter it either through the ventilator or through the eaves. Similarly, it would be foolish to expect a burglar to bore a hole in the wall even if finds a door or a barless window wide open to facilitate his entry into the house. Though in such cases he may modify the method of entry, he would not change his crime pattern.

There are some limitations of modus operandi system :-

- 1) Change of Mos by clever criminals.
- 2) It is not a ready help in case of first offender or a novel modus operandi.
- 3) The help the modus operandi bureau gives to the investigator is not always precise and pin pointed.
- 4) It is only useful in professional crime.
- 5) It is not an exclusive method by itself.
- 6) This system is dependent on some special circumstances like well organized system of reporting, classification, recording and indexing.

Thus it is seen that most of the criticisms against the Mos are rather ill conceived and do not bear the test of scientific scrutiny. At best it suffers from some limitations and shortcomings as may be found in any other branch of human knowledge.

A careful study of modus operandi may prove helpful not only in detecting crimes but also in preventing them. Thus if in a city it is found that one after another small and isolated banks are being looted by armed gangsters, it may be possible, in some cases, by a systematic study of the crime pattern, particularly the hour, time, locality and interval of attacked etc, to say as to which other banks are likely to be attacked next. When such a finding is reached plain-cloths policemen may be posted in such banks to surprise the criminals when they come. Many crimes have thus been miraculously prevented in our country.

Answer to Q no 7 - The advantages and medicolegal importance of DNA finger print are as follows :-

- 1) To identify missing person, if the parents or children are available.
- 2) By applying this method, blood / family relationship between individuals can be established.
- 3) To identify the baby when mixed in a busy hospital or nursing homes.
- 4) To solve disputed paternity or maternity.
- 5) To solve disputes of custody of a child born out of wedlock or false implication on a person, legacy etc.
- 6) To identify the accused and to link him with the crime if blood, hair bulbs are available at the place of occurrence of the offence, attached with the offending weapon or on the victim.
- 7) Exonerating falsely implicated persons from an alleged offence.

- 8) In cases of rape, if spermatozoa, semen is available on the body of victim or on the stains over the garments of the victim, the accused can be identified.
- 9) To solve disputes of allegations of incestuous relationship, adultery etc.
- 10) In accidents, mass-disasters investigations where previous prints of parents or of close relatives are available.
- 11) Identification of the mutilated body parts, very old body remains, even skeletal remains of human being.
- 12) Saliva used to paste envelope may help to identify the person used the envelope.
- 13) Pedigree analysis of per animals and of medical uses.
- 14) Extremely small quantity of tissue or body fluid is sufficient for analysis.
- 15) As DNA is very stable, the technique can be applied on very old stains or specimens.