

Netaji Subhas Administrative Training Institute
Government of West Bengal

Half Yearly Departmental Examination for Officers of the Indian Administrative
Service

NOVEMBER December-2023

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. Define the term 'bargadar' as per WBLR Act,1955 with special mention about the near relations of the owner who are excluded from being regarded as 'bargadar'- Discuss.
b. ' Once a bargadar , always a bargadar and nothing but a bargadar'- What would be the legal status of a bargadar when he purchases the owner's interest in the land he cultivates as a bargadars ?
5+5=10
- 2) a. When and by whom the barga cultivation of a land may be terminated under WBLR Act 1955?
b. Has the Civil Court got any jurisdiction to decide any barga related issues if any such issue arises before the civil court?
5+5=10
- 3) a. Who can claim pre-emption under WBLR act,1955?
b. Is there any time limit for making any such claim for pre-emption ?
c. What is the prerequisite of filing a preemption application ?
d. What are the consequences of an order for preemption? $2 \frac{1}{2} \times 4 = 10$
- 4) a. How can the Finally published C.S R.S and L.R record of right be distinguished?
b. In case of any conflict between the R.S and L.R record of right which one between them shall prevail?
c. Under what circumstances changes in the finally published record of right are permissible
under WBLR Act,1955
3+3+4=10
- 5) What procedure was followed in acquiring the estates and rights of intermediaries therein under WBEA Act,1953?
10

Group — B

(Answer all the questions)

- 6) a. 'Trial is something other than inquiry and investigation' elucidate .
b. When does the trial of summons case, warrant case and session case commence?
7+3=10
- 7) a. What are the statutory duties of a police officer making arrest both in connection with cognizable and non cognizable offence?
b. Narrate briefly the statutory authority of the police in arresting any person involved in the commission of cognizable or non-cognizable offence?
3+7= 10
- 8) What are the different stages of commission of a crime? 10
- 9) State as to what offence, if any, A has committed in the following cases.
a. A makes an attempt to steal some jewels by breaking open a box and find, after so opening the box, that there is no jewel in it.
b. A threaten Z that he will keep Z's child in wrongful confinement, unless Z will sign an deliver to A a promissory note binding Z's to pay certain money to A. Z signs an delivers the note .
c. A, a soldier fires on a mob by the order of the superior officer, in conformity with the command of the law.
d. A finds a ring lying on a table in the house which Z occupies A takes away the ring surreptitiously when A was having a talk with Z on a grave issue.
 $2 \frac{1}{2} \times 4 = 10$
- 10) a. 'Dying declaration is an exception to the general rule that hearsay evidence is not admissible' Answer this question with reference to the relevant provision of Indian Evidence Act?
b. Can conviction in a murder case be based solely on the dying declaration?
7+3=1

**Half-Yearly Departmental Examination for Officers of Indian Administrative Service
November, 2023**

**Law II
Group A**

Answer Question One (010 and any two from the rest

1. Write short notes on any four: 5 x 4
 - a. Occupier (WB Acquisition and Settlement of Homestead Land Act 1969)
 - b. Ceiling limit [Urban Land (Ceiling and Regulation) Act, 1976]
 - c. Public Land [WB Public Land (Eviction of Unauthorised Occupants) Act, 1962]
 - d. Public purpose (Land Acquisition Act, 1894)
 - e. Appellate authority [WB Govt Land (Regulation of Transfer) Act, 1993]
 - f. Immovable property (Cess Act, 1880)
2.
 - a. What procedure is to be followed for disposal of property left on public land by unauthorized occupants under the WB Public Land (Eviction of Unauthorised Occupants) Act, 1962? 7
 - b. Is there any provision for appeal and review under the said Act? 8
3. State the procedure required to be followed by a Collector upon receiving an application under Section 4 of the WB Acquisition and Settlement of Homestead Land Act, 1969 15
4. What is the statutory duty of the Collector if a person interested, who has not accepted the award, approaches the Collector for reference to the civil court? 15
5. Elucidate the special provision for disposal of vacant land in favour of certain persons under Urban Land (Ceiling and Regulation) Act, 1976 15

Group B

Answer Question Six (06) and any two from the rest

6. Define any five of the following: 4 x 5
 - a. Government Pleader (Code of Civil Procedure)
 - b. Conveyance (Indian Stamp Act, 1899)
 - c. Certificate- holder (Bengal Public Demand Recovery Act, 1913)
 - d. Hazardous substances [Environment (Protection) Act, 1986]
 - e. Place of safety [Juvenile Justice (Care and Protection) Act, 2000]
 - f. Heritage building (WB Heritage Commission Act, 2001)
 - g. Scheduled employment (Minimum Wages Act, 1948)
7. Enumerate the documents which are compulsorily registrable. 15
8. Has the certificate-debtor any right under the Bengal Public Demand Recovery Act to approach civil court to have the certificate cancelled or modified? 15
9. What are the functions of the Commission under the Protection of Human Rights Act? 15
10.
 - a. In which cases an order of temporary injunction may be passed under the Code of Civil Procedure? 10
 - b. Can such orders be passed without notice to the opposite party? 5

IPS & WBPS
LAW PAPER-1
CRIMINAL LAW
(WITHOUT BOOKS)

TIME ALLOTTED: 3 HRS.

NOVEMBER, 2023
(PASS MARKS: 60)

FULL MARKS: 100

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

1. Write short notes on any four of the followings: (5X4)
 - a. Confession
 - b. Unlawful Assembly
 - c. Counterfeit
 - d. Valuable Security
 - e. Punishments

2. Briefly describe the procedure for investigation of a cognizable case when such investigation can not be completed within 24 Hrs. as fixed by Section-57 of Criminal Procedure Code. 20

3. A. Distinguish between murder and Culpable Homicide not amount to murder. 15
B. Explain the "Doctrine of Transferred Malice". 5

4. When and under what conditions a convicted person shall be released on probation of good behavior? 20

5. A. State the ground on which a Magistrate of the 1st Class can take cognizance of any offence. 5
B. Specify the restrictions of taking cognizance of any offence relating contempt of lawful authority of public servants, offences against public justice and offences relating to documents given in evidence. 15

6. Specify the power of the Executive Magistrate to pass conditional order for ^{removal} ~~renewal~~ of public nuisance etc. 20

7. A. Specify the penalties for neglect of duty by a police officer as provided by the Police Act 1861. 8
B. when a person can be prosecuted under the Police Act 1861? 12

**Netaji Subhas Administrative Training Institute
Government of West Bengal
Half Yearly Departmental Examination for IPS and WBPS Officers,
November, 2023**

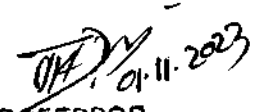
**Law Paper II
General Law and Police Regulations (With Books)**

Time allowed: 3 hours

**Full Marks: 100
Pass Marks: 60**

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

1. Write short notes on any 4 of the following: (5x4=20)
 - a) Public servant (under Indian Penal Code).
 - b) Conclusive proof
 - c) Petty offences
 - d) Transit remand Trafficking Police Officers
 - e) Mistake of fact
2. Explain the concept *mens rea*? Mention the offences where *mens rea* are not required under the Indian Penal Code. (20)
3. What is the evidentiary value of the First Information Report? Under what section of it is admissible in Evidence Act? Explain. (20)
4. Discuss the general defence provided under the Indian Penal Code with illustrations. (20)
5. Write a critical note on maintenance of peace and tranquility citing the law under the Indian Penal Code, Criminal Procedure Code, and the Police Act. (20)
6. Discuss with illustration the difference between abetment to commit a crime and criminal conspiracy. (20)
7. State the statutory framework of the Indian Police Act 1861. Also discuss the contemporary relevance of it. (20)


PROFESSOR
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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
West Bengal Police Service

NOVEMBER, December-2023

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. Victimology
 - e. Decoy witness/ trap witness5××=20
2. What is Crime and what are the characteristic features of crime? 20
3. 'The sociologist consider crime as a product of environmental deviation and varying social conditions'. In this perspective discuss about the inter-relation between criminality and some of these condition. 20
4. 'Besides Virus there are some common cyber offences directed against computer system, networks and data'- Discuss. 20
5. Discuss about the role of forensic science 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. To what extent the investigating officer can take the aid of science and opinion of the third party in detecting and establishing crimes like murder and rape? 20
7. Study of modus operandi is important to the investigating officer more in the matter of leading the investigation to culmination than in the matter of proving the crime of the offender in the court of law beyond all reasonable doubt. 20

Administrative Training Institute

Government of West Bengal

Half Yearly Departmental Examination for Officers of the WBCS(EX) Nov,2023

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) offence
- (C) High Court
- (d) Summons case
- (e) Police Station
- (f) Pleader

4x5=20

Q.2. (a) Whether the compliance of 41A Cr.P.C is compulsory. If it is not compulsory, in which cases it applies? 12

(b) What procedure is to be followed by the police officer for making arrest? 8

Q.3. Described the power of the Executive Magistrate in respect of the dispute concerning right of use of land or water u/s 147 Cr.P.C? 20

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

(a) May presume (b) Relevant (c) Estoppel (d) Burden of proof (e) proved (f) Admission
4x5=20

Q.5. (a) What is a leading question?

(b) When leading question may be put to a witness?

(c) In which case leading question cannot be asked?

(d) Can the Judge examine a witness who has been called by a party to the suit but the party declines to examine the witness? 4+6+6+4= 20

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

1. Dacoity and Robbery

2. Criminal Force and Assault

3. Kidnapping and Abduction

4. Common Intention and Common Object

10x2=20

**Q.7. (a) What would be the consequence for disobedience to order duly promulgated by public
Servant?**

20

Group B

(Any two of the following question)

**Q.8. Who are the persons authorised to investigate the case under the Prevention of
Corruption Act, 1988?**

10

**Q.9. What remedy is available against the order of confiscation under Sec. 6A of the essential
commodities act 1955?**

10

**Q.10 What would be the presumption where public servant accepts gratification other than the legal
remuneration?**

10

Administrative Training Institute
of West Bengal
Half Yearly Departmental Examination for Officers of the WBCS Nov'2023
Law Paper-II (Land Laws & General Laws)
(Without Books)

Answers to be written in English Only

Time Allowed –3 Hours
100

Full Marks-

Pass Marks-50

Group-A

(Answer any four)

Write short notes (Any three) with reference to West Bengal Estate Acquisition Act 1953

- (a) "Collector"
- (b) "Intermediary"
- (c) "Agricultural land"
- (d) "Homestead"
- (e) "Rent"
- (f) "Tank Fishery"

Q. 2. What matters are to be neglected in determining the compensation under Land Acquisition Act 1894? 15

Q. 3. What would be the consequence for non-compliance of Collector's order under sub-section 2 of section 10 of West Bengal Estate Acquisition Act 1953? Discuss.

Q. 4. Define any three with reference to W.B.L.R. Act 1955

- (a) "Encumbrance"
- (b) "Consolidation "
- (c) "Orchard"
- (d) "Irrigated area"
- (e) "Project report"

3x5 =15

Q.5. (a) Is barga right transferable? 3

(b) Is right of cultivation of land by a bargadar heritable? 12

Q. 6. What procedure is to be followed for transfer of vacant land under land (Ceiling and Regulation) Act 1976? 15

Group-B

(Answer Q. No 7 and any two from the rest)

Q. 7. Define any five

(a) "Certificate-holder" with reference to The Bengal Public Demand Recovery Act 1913

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) -2023 (NOVEMBER 2023)

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. Discuss briefly the scheme of conservation propagation and protection of fishes as envisaged in West Bengal Inland Fisheries' Act of 1984. 16
2. 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
3. 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

Group-B

(Answer any two)

4. 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
5. 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
6. 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

Group-C

(Answer any two)

7. a) Discuss the relevant provisions of the Civil Procedure Code for appointment of a receiver and fixation of his remuneration.
b) what are the duties of a receiver and how are these duties enforced by the Court.
c) When a collector may be appointed as a receiver? 8+4+4=16
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

**Administrative Training Institute
Government of West Bengal**

**Half Yearly Departmental Examination for Officers of the Indian Administrative Service and WBCS
(Executive) ,November 2023**

Accounts – Paper 1 (Without Books)

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

Answer Question No. 1 and any three from the rest ~~(SET-2)~~

1. Write short notes on the following : (5 x 4 = 20 marks)
 - a) Compilation of Accounts
 - b) Transaction with other Governments
 - c) Fiscal Deficit
 - d) Time Barred Deposits

 2. a) What is Annual Financial Statement ?
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. a) What are the main functions of a Treasury ?
b) How is audit of Establishment Charges conducted ? (5 x 2 = 10 marks)

 4. a) What are Transfer Entries ? How these are effected ?
b) What is the main purpose of Local Audit ? (5 x 2 = 10 marks)

 5. a) What are the different classes of Contingent Expenditure ?
b) How is Audit of Suspense Account conducted ? (5 x 2 = 10 marks)

 6. Distinguish between
 - a) Tax Revenue and Non-tax Revenue.
 - b) Appropriation and Reappropriation. (5 x 2 = 10 marks)
- =====

Administrative Training Institute
Government of West Bengal

Dec-17
Half Yearly Departmental Examination for Officers of the Indian Administrative Service and WBCS
(Executive), November 2023

Accounts – Paper II (With Books)

Full Marks – 100, Pass Marks – 50, Time – 3 Hours

Answer Question No. 1 and any four from the rest (SET 1)

1. Answer any ten from the following :

(Marks: 10x2=20)

- a) What is Presumptive Pay under WBSR- Part I ?
 - b) "Journey by cycle rickshaw will be equated to journey by scooter / motor cycle". Is the statement correct ? Validate your opinion citing the relevant rule.
 - c) What is Stagnation Pay under WBSR- Part I ?
 - d) "No payments may be made on account of increases to pay until the additional expenditure thereby caused has been provided for in the budget estimates and duly sanctioned". Is this a valid statement? Mention the specific Rule. Are periodical increments result in increases to pay under the said Rule ?
 - e) When a Government officer should obtain a voucher ?
 - f) "Duplicate or copies of receipts granted for money received on the allegation that the originals have been lost can never be issued." Is the statement correct? Discuss briefly and state the relevant Rule.
 - g) How shall a Government employee gets reimbursement of Travelling Allowance for undertaking journeys in higher class of accommodation than he/she is entitled to ?
 - h) With whom the responsibility of overcharge shall primarily rest ?
 - i) Is production of a medical certificate necessary when a person is re-employed after resignation or forfeiture of past service ?
 - j) To whom the Statutory Auditor of a Zilla Parishad will send his audit report ?
 - k) What should a Balance Sheet and Receipts & Payment Account of a Municipality contain ?
 - l) How shall an erroneous entry, after detection, be corrected in the cash book of a Zilla Parishad ?
2. a) Can any kind of leave be granted in combination with any other kind of leave?
- b) Is there any limitation in making substantive appointment ?
- c) Is the head of office at liberty to readjust the pay of a government servant by giving one government servant more and another less than the sanctioned pay of his post ? Discuss the rule in detail.

- d) What are the rules regarding signature and countersignature on Bills ?
(5 +5+5+5 = 20 marks)
3. a) What are the general limitations to Power of Sanction ?
- b) Discuss the provisions on power of sanction to expenditure by Departments other than the Finance Department.
- c) What are the rules regarding Doubtful Drawings ?
- d) Under what circumstances, Lien may be suspended ? (3+7+4+6=20 Marks)
4. a) What are the rules regarding Additional Grants and Reappropriation ?
- b) What are the rules regarding date of effect of Sanctions ?
- c) How a controlling officer should control the total expenditure ?
- d) Discuss the rule regarding charges which bind Government beyond a single payment.
(3+3+6+8=20 Marks)
5. What is Special Disability Leave? State the provisions of WBSR on Special Disability Leave.
(4+16=20 marks)
6. a) Shri X, a Government employee has been deputed to undergo a course of training for 60 days in a training institute in Hyderabad where board and lodging facility exist. At what rate he will draw his daily allowance for the training period?
- b) Smt. Y, a Government employee continued to travel to her temporary duty point, which is 17 kms. from her permanent duty point at headquarter, from 22nd January, 2021 to 3rd May, 2021. What will be her daily allowance and travelling allowance for the period ?
- c) Can extension of joining time be allowed ? If so, what are the relevant provisions ?
(5+5+10=20 Marks)
7. a) From which budgetary resources a municipality shall allocate fund to the fund called "Basic Services for Urban Poor Fund"? What percentage of funds within the budget of the Municipality shall be earmarked for the said Fund ? (10 Marks)
- b) What are the provisions under West Bengal Panchayat (Zilla Parishad and Panchayat Samiti) Accounts and Financial Rules, 2003 on book adjustment by transfer credit of grants allotted to Panchayat Samiti by the State Government? (5 marks)
- c) What are the procedures for destruction of records of a Zilla Parishad ? (10+5+5=20 marks)

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Dec-1

~~Set-2~~

**2nd Half Yearly Departmental Examination, 2023 for Officers of
the Indian Police Service & W.B.P.S (NOVEMBER, 2023)**

Accounts – Paper-I (Without Books)

Full Marks—50, Pass Marks-25 Time-2 Hours

Answer to be Written in English only

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

1. Discuss about the ' Finance of Governments" (20 Marks)
2. Which points an auditor will consider while conducting "Appropriation Audit"? (10 Marks)
3. What are the main objectives of classification of Government Accounts (10 Marks)
4. "Besides processing of bills for payment of claims against Government a Treasury has some other functions"---Discuss (10 Marks)
5. What is the function of audit regarding assessment, collection, refund of taxes?
6. Write short notes on the following (Any two): (5x2=10 Marks)
(a) Borrowings by Government
(b) Charged Expenditure
(c) Audit of Investment
(d) Treasury Inspection



Ans-11

Set-2

**2nd Half Yearly Departmental Examination, 2023 for the
Officers of the Indian Police Service & W.B.P.S (NOVEMBER 2023)**

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. All questions
carry equal marks**

1. Write short notes on any four of the following : (5x4= 20 Marks)

- (a) Resignation from Government Service
- (b) Detailment
- (c) "Family" for the purpose of Travelling Allowance
- (d) Two Bid system in Tender
- (e) Personal Pay

(10x2= 20 Marks)

2. (a) What is Lien? Under what circumstances Lien may be suspended?

**(b) In which cases Medical certificate of fitness is not necessary for
appointment in Government service?**

(10x2= 20 Marks)

**3 (a) How initial substantive pay of a Government employee who is
appointed substantively on a time scale of pay is fixed?**

**(b) How EOL taken during the previous year is treated and next
increment date is fixed now ?**

(10x2= 20 Marks)

**4(a) What steps should be taken in case of detection of defalcation
or loss of government money or property ?**

(b) Who are responsible for overcharges ?

[20 Marks]

**5. How permanent advance is regulated ? Answer as per provisions of WBFR
Vol-I as amended up to date.**

6. (a) How Articles worth Rs 15 lakh may be procured by a Govt. office ?

(b) Which organization can now be engaged as an Agency?[15+5=20 Marks]

**7. Discuss about the procedure for recovery arising from attachment orders and
remittance to the court [20 Marks]**



Administrative Training Institute
Government of West Bengal
Half Yearly Departmental Examination for IAS and WBCS (Exe) Officers
NOVEMBER, 2023
Bengali Paper I (Written) (Translation and Letter Writing)
Time- 1 Hour 45 Minutes Full Marks 45

Time- 1 Hour 45 Minutes

Full Marks 45

১। যেকোনো একটি বাংলায় অনুবাদ করুন-

১০

ক) The message of courage and hope, sustained by logic and scholarship, was like milk and honey; an old Nation seemed to be born a new. young man full of self-confidence were urged to give up the politics of prayer and petition and to face their problems and their opponents courageously. they must be 'abhi'; the only seen is weakness and cowardice.

খ) After October 1973 there were dramatic changes in the international prices of oil. Frequent increase in the price of oil created an unprecedented energy crisis. This increases in crude oil prices have put tremendous strain on the economy of the developing countries. It is difficult to say how the crisis will be resolved.

২। যেকোনো একটি ইংরেজিতে অনুবাদ করুন-

১০

ক) বহুদিন হইল দাদা পশ্চিমে কাজ করিতে গিয়াছিলেন, ইতিমধ্যে ফটকের মার দুই সন্তান হইয়াছে, তাহারা অনেকটা বাড়িয়া উঠিয়াছে, তাহার স্বামীর মৃত্যু হইয়াছে, কিন্তু একবারও দাদার সাক্ষাৎ পায় নাই। আজ বহুকাল পরে দেশে ফিরিয়া আসিয়া বিশ্বম্ভরবাবু তাহার ভগিনীকে দেখিতে আসিয়াছেন।

খ) মানুষ সৌন্দর্যের পূজারী। সৃষ্টির উষালগ্ন থেকেই সুন্দর জিনিস দেখা থেকে সে কখনো তার চোথকে বিরত রাখতে পারেনি। সে মানুষের মুখে, শিশুর হাসিতে, প্রেমিকের মুগ্ধ দৃষ্টিতে, দার্শনিকের জকৃষ্ণনে সৌন্দর্য খুঁজে পেয়েছে। আর এইসব সৌন্দর্য তার হৃদয়কে আনন্দিত করেছে। এর স্পর্শে তার আত্মা হয়েছে পুলকিত। সে এই আনন্দ ও রহস্যকে অনুধাবন করার চেষ্টা করেছে কিন্তু তা সফল হয়নি।

৩। যেকোনো একটি প্রশ্নের উত্তর দিন-

১০

পুরসভা কর্তৃপক্ষের কাছে সুষ্ঠু জলনিকাশি ব্যবস্থা গ্রহণের অনুরোধ জানিয়ে পত্র লিখুন।

অথবা

পণ্য ক্রয় করার পরও পণ্য বিক্রয়তা কোনো যথাবিহিত বিল না দেওয়ায় অভিযোগ জানিয়ে উপভোক্তা দপ্তরে একটি চিঠি লিখুন।

৪। নিচের অংশটি পড়ে প্রশ্নগুলির উত্তর দিন - ৫

x ২ = ১০

এ বৎসর চারিদিকে অভ্যস্ত জ্বর হইতেছিল। নারায়ণীও জ্বরে পড়িলেন। তিন-চারিটা গ্রামের মধ্যে একমাত্র খানিকটা পাশ করা ডাক্তার নীলমণি সরকারের একটাকা ভিজিট দু'টাকায় চড়িয়া গেল এবং তাঁহার কুইনিনের পুরিয়া অ্যারাকট ও ময়দা সহযোগে সুখাদ্য হইয়া উঠিল। সাতদিন কাটিয়া গেল, নারায়ণীর জ্বর ছাড়ে না। শ্যামলাল চিন্তিত হইয়া উঠিলেন। বাড়ির দাসী নৃত্যকালী ডাক্তার ডাকিতে গিয়াছিল, ফিরিয়া আসিয়া বলিল, আজ তাঁকে ভিন গাঁয়ে যেতে হবে—সেখানে চার টাকা ভিজিট—আসতে পারবে না।

শ্যামলাল ক্রুদ্ধ হইয়া বলিলেন, আমিও না হয় চার টকাই দেব, টাকা আগে, না প্রাণ আগে? যা তুই, চামারটাকে ডেকে আন গে।

নারায়ণী ঘরের ভিতর হইতে সে কথা শুনিতে পাইয়া ক্ষীণস্বরে ডাকিয়া বলিলেন, ওগো, কেন তুমি অভ ব্যস্ত হচ্ছ? ডাক্তার না হয় কালই আসবে, একদিনে আর কি ক্ষতি হবে? রামলাল উঠানের একধারে পিয়ারা তলায় বসিয়া পাখির খাঁচা তৈরি করিতেছিল, উঠিয়া আসিয়া বলিল, তুই থাক নেভ, আমি যাচ্ছি। দেবরটির সাড়া পাইয়া উদ্বেগে নারায়ণী উঠিয়া বসিয়া বলিলেন, ওগো, রামকে মানা কর। ও রাম, মাথা খাস আমার, যাসনে—লক্ষ্মী ভাইটি আমার, ছি দাদা, ঝগড়া করতে নেই।

ক) নীলমণি সরকারের ভিজিট কত ছিল? ভিজিট বেড়ে কত হয়েছিল এবং কেন?

খ) নীলমণি ডাক্তার কি ওষুধ দিতেন? শ্যামলালের বাড়ির দাসীর নাম কি ছিল?

গ) শ্যামলাল ক্রুদ্ধ হয়েছিলেন কেন?

ঘ) রামলাল আর নারায়ণীর মধ্যে সম্পর্ক কি? রামলাল কোন গাছের তলায় বসে কি করছিল?

ঙ) নারায়ণীর উদ্বেগ হওয়ার কি কারণ ছিল?

৫। নিচের শব্দগুলির সাহায্যে বাক্য রচনা করুন - ৫

x ১ = ৫

নামতা, ঝগড়া, ব্যস্ত, সুখাদ্য, ভিন গাঁয়ে

Administrative Training Institute
Government of West Bengal
Half Yearly Departmental Examination for IAS and WBCS (Exe) Officers

2023

Bengali Dictation

Dictation : 10 Minutes

Minutes Full Marks 15

Revision : 5 Minutes

দুর্গার বয়স দশ-এগারো বৎসর হইল। গড়ন পাতলা পাতলা, রঙ অপূর মতো এতটা ফরসা নয়, একটু চাপা। হাতে কাঁচের চুড়ি, পরনে ময়লা কাপড়, মাথার চুল রুক্ষ-বাতাসে উড়িতেছে, মুখের গড়ন মন্দ নয়, অপর মতো চোখগুলি বেশ ডাগর ডাগর।

অপু রোয়াক হইতে নামিয়া কাছে গেল, বলিল-কি রে?

দুর্গার হাতে একটা নারিকেলের মালা। সেটা সে নিচু করিয়া দেখাইল, কতকগুলি কচি আম কাটা। সর নিচু করিয়া বলিল—মা ঘাট থেকে আসেনি তো ?

অপু ঘাড় নাড়িয়া বলিল— উহ-

দুর্গা চুপি-চুপি বলিল—একটু, তেল আর একটু, নতুন নিয়ে আসতে পারিস? আমের কুসি জরাবো।

অপু আহ্লাদের সহিত বলিয়া উঠিল— কোথা পেলি রে দিদি ?

দুর্গা বলিল—পটুলিদের বাগানে সিঁদুরকোটোর তলায় পড়েছিল। আন, দিকি একটু নুন আর তেল !

অপু দিদির দিকে চাহিয়া বলিল-তেলের ভাঁড় ছুলে মা মারবে যে! আমার কাপড় যে বাসী!

তুই যা না শিগগির করে, আসতে এখন টের দেরি — স্কার কাচতে গিয়েচে— শিগগির যা।

অপু বলিল, নারিকেলের মালাটা দে। ওতে টেলে নিয়ে আসবো, তুই খিড়কি দোরে গিয়ে দ্যাখ মা আসচে কি না।

দুর্গা নিম্নস্বরে বলিল-তেল টেল যেন মেঝেতে ঢালিসনে, সাবধানে নিবি নইলে মা টের পাবে, তুই তো একটা হাবা ছেলে !

—আবার ওবেলা আনবো এখন ।

NETAJI SUBHAS ADMINISTRATIVE TRAINING INSTITUTE
GOVERNMENT OF WEST BENGAL
HALF YEARLY DEPARTMENTAL EXAMINATION FOR WBCS(Exe) OFFICERS
NOVEMBER, MAY, 2023
HINDI PAPER - II

Time: 1 Hour 45 Minutes

Full Marks-45

Pass Marks 22/1-2

1. निम्नलिखित अवतरण को हिंदी में अनुवाद कीजिए:

अंक - 10

It has been noticed that in the website of many Departments, information in Hindi is not being provided or in some cases it is not available completely in Hindi. Website should, therefore, be developed and updated in Hindi, regularly.

Hindi translation of the generally used English sentences has been provided by the Department of Official Language on its website under the heading "E-saral Hindi Vakyakosh" so that officers may write noting in Hindi of files easily by using them.

OR

Best wishes for a long and happy married life.

Hearty congratulations on your success in the examination.

Hearty congratulations on your success in election.

May heaven's choicest blessings be showered on the young couple.

Wish you both a happy and prosperous wedded life.

2. निम्नलिखित अवतरण को अंग्रेजी में अनुवाद कीजिए:

अंक - 10

1. विभाग के अध्यक्ष के माध्यम से छुट्टी आवेदन-पत्र ।

2. छुट्टी की मंजूरी के आदेश ।

3. छुट्टी लेखे के इन्दराज साक्ष्यांकित नहीं है ।

4. इयूटी और अर्जित छुट्टी की अवधियों के आकलन में कुछ गणितीय त्रुटियां रह गई हैं।

5. ली गई छुट्टी की कुछ अवधियां डेबिट करने से रह गई हैं ।

अथवा

1. जीवन के सभी क्षेत्रों में ईमानदारी तथा कानून के नियमों का पालन करूंगा ।
2. ना तो रिश्वत लूंगा और ना ही रिश्वत दूंगा ।
3. सभी कार्य ईमानदारी तथा पारदर्शी रीति से करूंगा ।
4. जनहित में कार्य करूंगा ।
5. अपने निजी आचरण में ईमानदारी दिखाकर उदाहरण प्रस्तुत करूंगा ।

3. कोलकाता शहर में वर्ष 2023 अक्टूबर में आयोजित भव्य पूजोत्सव का वर्णन करते हुए मित्र को पत्र लिखिए ।

अंक-10

अथवा

इस वर्ष रेड रोड पर आयोजित मंत्र मुग्ध मेगा कार्निवल का वर्णन करते हुए हिंदी समाचार पत्र के संपादक को पत्र लिखिए ।

4. निम्नलिखित अवतरण को ध्यानपूर्वक पढ़ कर नीचे लिखे गए प्रश्नों के उत्तर अपनी भाषा-शैली में लिखिए ।

अंक 2x5=10

स्वास्थ्य हमारी असली संपत्ति है स्वस्थ मनुष्य ही सुखी जीवन जी सकता है ।
स्वस्थता का अर्थ केवल रोगों से छुटकारा ही नहीं बल्कि इसका अर्थ है निरोग शरीर के साथ-साथ स्वस्थ मस्तिष्क । रोग के मुख्य कारण है असंतुलित आहार का सेवन ।

(क) हमारी असली संपत्ति क्या है ?

(ख) स्वस्थ मनुष्य कैसा जीवन जी सकता है ?

(ग) स्वस्थता का अर्थ क्या है ?

(घ) रोग का मुख्य कारण क्या है ?

(ङ) इस गद्यांश का उपयुक्त शीर्षक बताएं ।

5. निम्नलिखित में से किसी पाँच शब्दों से स्वरचित वाक्य बनाइए ।
अंक-5
पोषण, उचित, सहयोग, उत्थान, रुचि, दंड, हस्ताक्षर, आवेदन पत्र, सावधानी से ।

NETAJI SUBHAS ADMINISTRATIVE TRAINING INSTITUTE
GOVERNMENT OF WEST BENGAL
HALF YEARLY DEPARTMENTAL EXAMINATION
FOR WBCS(Executive) OFFICERS

~~May, 2022~~ NOVEMBER, 2023
HINDI PAPER-!!

Time: 15 Minutes

Full Marks - 15

Dictation: 10 Minutes

Revision: 5 Minutes

अपनी पसंद का मकान बनवाने के लिए वे नासिक जाने की बात सोचते थे। रविवार या राजपत्रित छुट्टियों में तो वहाँ जाते ही थे, वैकल्पिक छुट्टियों का उपयोग भी वे इसी प्रकार किया करते थे। समयोपरि काम के बदले जब प्रतिपूरक छुट्टी मिलती, तब वहीं जाया करते थे। वे इसके लिए दो-दो, चार-चार दिनों की आकस्मिक छुट्टियाँ भी लेते रहते थे। वर्ष में एक बार लंबी अर्जित छुट्टी अवश्य लेते एवं रविवार आदि अन्य छुट्टियों को आगे-पीछे जोड़ने की अनुमति लेकर भी वहाँ जाते रहते थे। अक्सर बच्चों के बारे में सोचते रहते थे बेटा कैसे पढ़ाई करता होगा। टाइम टेबल के अनुसार पढ़ रहा होगा या नहीं। उनके मन में खयाल आता रहता था बेटी सयानी हो गई है। कालेज के लिए बस से जाती होगी। परीक्षा की तैयारी किस तरह करती होगी। नासिक आने पर पत्नी जब कहीं जाने या सिनेमा देखने की बात करती तब वे जवाब दे देते कि कुछ दिनों की तपस्या और है. बाद मे हम अपना जीवन अपनी इच्छा के अनुसार बिताएंगे।

Model Answer of WBCS Law Paper 1---Nov' 2023

Q. 1 Answer

(a) Cognizable offence means an offence for which, and "cognizable case" means a case in which, a police officer may, in accordance with First Schedule or under any other law for the time being in force, arrest without a warrant.

(b) Offence means any act or omission made punishable by any law for the time being in force and includes any act in respect of which a complaint may be made under section 20 of Cattle Trespass Act, 1871(1 of 1871)

© "High Court" means,— (i) in relation to any State, the High Court for that State; (ii) in relation to a Union territory to which the jurisdiction of the High Court for a State has been extended by law, that High Court; (iii) in relation to any other Union territory, the highest Court of criminal appeal for that territory other than the Supreme Court of India

(d) Summons Case means a case relating to an offence, and not being a warrant case.

(e) Police Station means any post or place declared generally or specially, by the State Government, to be a police station, and includes any local area specified by the State Government in this behalf.

(f) Pleader , when used with reference to any proceedings in any Court, means a person authorized by or under any law for the time being in force, to practice in such Court, and includes any other person appointed with the permission of the Court to act in such proceedings.

Q.2(a)

Ans. It is compulsory for the police officer that a person must be served with the notice prior to his arrest for offence punishable with imprisonment for less than seven years.

[The police officer shall], in all cases where the arrest of a person is not required under the provisions of sub-section (1) of section 41, issue a notice directing the person against whom a reasonable complaint has been made, or credible information has been received, or a reasonable suspicion exists that he has committed a cognizable offence, to appear before him or at such other place as may be specified in the notice.

(2) Where such a notice is issued to any person, it shall be the duty of that person to comply with the terms of the notice.

(3) Where such person complies and continues to comply with the notice, he shall not be arrested in respect of the offence referred to in the notice unless, for reasons to be recorded, the police officer is of the opinion that he ought to be arrested.

4[(4) Where such person, at any time, fails to comply with the terms of the notice or is unwilling to identify himself, the police officer may, subject to such orders as may have been passed by a competent Court in this behalf, arrest him for the offence mentioned in the notice.]

Ans.(b) —Every police officer while making an arrest shall— (a) bear an accurate, visible and clear identification of his name which will facilitate easy identification; (b) prepare a memorandum of arrest which shall be— (i) attested by at least one witness, who is a member of the family of the person arrested or a respectable member of the locality where the arrest is made; (ii) countersigned by the person arrested; and (c) inform the person arrested, unless the memorandum is attested by a member of his family, that he has a right to have a relative or a friend named by him to be informed of his arrest

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within his local jurisdiction, whether such right be claimed as an easement or otherwise, he shall make an order in writing, stating the grounds of his being so satisfied and requiring the parties concerned in such dispute to attend his Court in person or by pleader on a specified date and time and to put in written statements of their respective claims. Explanation.—The expression “land or water” has the meaning given to it in sub-section (2) of section 145. (2) The Magistrate shall then peruse the statements so put in, hear the parties, receive all such evidence as may be produced by them respectively, consider the effect of such evidence, take such further evidence, if any, as he thinks necessary and, if possible, decide whether such right exists; and the provisions of section 145 shall, so far as may be, apply in the case of such inquiry. (3) If it appears to such Magistrate that such rights exist, he may make an order prohibiting any interference with the exercise of such right, including, in a proper case, an order for the removal of any obstruction in the exercise of any such right: Provided that no such order shall be made where the right is exercisable at all times of the year, unless such right has been exercised within three months next before the receipt under sub-section (1) of the report of a police officer or other information leading to the institution of the inquiry, or where the right is exercisable only at particular seasons or on particular occasions, unless the right has been exercised during the last of such seasons or on the last of such occasions before such receipt. (4) When in any proceedings commenced under sub-section (1) of section 145 the Magistrate finds that the dispute is as regards an alleged right of user of land or water, he may, after recording his reasons, continue with the proceedings as if they had been commenced under sub-section (1), and when in any proceedings commenced under sub-section (1) the magistrate finds that the dispute should be dealt with under section 145, he may, after recording his reasons, continue with the proceedings as if they had been commenced under sub-section (1) of section 145.

Q.4.Ans

(a) **"May presume"**. -- Whenever it is directed by this Act that the Court may presume a fact, it may either regard such fact as proved, unless and until it is disproved.

(b) **Relevant"** – One fact is said to be relevant to another when the one is connected with the other in any of the ways referred to in the provisions of this Act relating to the relevancy of facts.

(c) When one person has, by his declaration, act or omission, intentionally caused or permitted another person to believe a thing to be true and to act upon such belief, neither he nor his representative shall be allowed, in any suit or proceeding between himself and such person or his representative, to deny the truth of that thing.

(d) Whoever desires any Court to give judgment as to any legal right or liability dependent on the existence of facts which he asserts, must prove that those facts exist. When a person is bound to prove the existence of any fact, it is said that the burden of proof lies on that person.

(e) . A fact is said to be proved when, after considering the matters before it, the Court either believes it to exist, or considers its existence so probable that a prudent man ought, under the circumstances of the particular case, to act upon the supposition that it exists.

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy verification of the data. The text also mentions that regular audits are necessary to identify any discrepancies or errors in the accounting process.

Furthermore, it highlights the need for a clear and concise system of classification for all accounts. This helps in organizing the financial data and makes it easier to analyze and report on. The document suggests using a chart of accounts that is tailored to the specific needs of the business.

In addition, the text discusses the importance of timely reporting. Financial statements should be prepared and reviewed regularly to provide up-to-date information to management and stakeholders. This allows for better decision-making and helps in identifying trends and potential issues early on.

The document also touches upon the importance of maintaining proper documentation. All supporting documents, such as receipts, invoices, and bank statements, should be kept in a secure and organized manner. This is crucial for defending the accuracy of the financial records in the event of an audit or legal challenge.

Overall, the document provides a comprehensive overview of the key principles and practices of sound financial management. It stresses the importance of accuracy, transparency, and regular review in ensuring the reliability of the financial information.

The second part of the document focuses on the practical aspects of implementing these principles. It provides detailed instructions on how to set up a double-entry accounting system. This involves creating a set of accounts and recording every transaction in two entries, one debit and one credit, to ensure that the books always balance.

The text also discusses the importance of maintaining a clear and organized chart of accounts. It suggests using a hierarchical structure to group related accounts together, making it easier to navigate and understand the financial data. The document provides examples of how to structure a chart of accounts for different types of businesses.

Furthermore, it outlines the steps for preparing financial statements. This includes calculating the net income, determining the ending balances for each account, and presenting the information in a clear and readable format. The document provides a step-by-step guide to help users understand the process and avoid common mistakes.

In addition, the text discusses the importance of reconciling bank statements and other external records. This helps to identify any errors or discrepancies and ensures that the internal records are accurate and up-to-date. The document provides a detailed explanation of how to perform a bank reconciliation and what to do if there are any differences.

Overall, the second part of the document provides a practical and detailed guide to implementing sound financial management practices. It covers all the key steps and provides helpful tips and examples to ensure that users can successfully apply the principles discussed in the first part.

(f) Relevant" – One fact is said to be relevant to another when the one is connected with the other in any of the ways referred to in the provisions of this Act relating to the relevancy of facts

Q.5. (a) Any question suggesting the answer which the person putting it wishes or expects to receive, is called leading question.

(b) Leading question may be asked in the following cases:-

- 1) Leading question may be asked during cross-examination
- (2) A party may be allowed to cross-examine its witness and to put leading question to him when the witness is hostile to the party calling him.
- (3) A witness may be cross-examined as to the previous statement made by him.
- (4) to test the veracity of the witness.
- (5) To discover who he is or what is his position in life or
- (6) To shake his credit by injuring his character, although the answer to such questions might tend directly or indirectly to criminate him, or might expose or tend directly or indirectly to expose to a penalty or forfeiture.

(c) The general rule is that leading question must not be asked in examination-in-chief and in re-examination.

Section 142 of the Indian Evidence Act provides exceptions to the general rule stated above. By the order of the Court, the examiner may put leading questions in examination in chief or re-examination.

As to matters which begin
Which are unchallenged

Matters in which the opinion of the Court has already been proved.

(d) The judge cannot examine the witness where party declines to examine. Reason is that it is prerogative of the party whom he will examine or whom he will not examine.

Q.6.Ans

(a)

Basis of Difference	Criminal Misappropriation	Criminal Breach of Trust
Provision under IPC,1860	Offence of criminal misappropriation is defined under section 403 of Indian Penal Code, 1860	Offence of Criminal Breach of Trust is defined under section 405 of Indian Penal Code,1860
Relationship	In misappropriation, there is no contractual relationship	But in Criminal Breach of Trust, there is a contractual relationship of the offender regarding the property.
Possession	In misappropriation. the property is	In criminal breach of trust. the property is

		misappropriation, but the converse is not always true.
Nature of Property	In, Criminal misappropriation the property is always movable in nature.	Whereas, in criminal breach of trust, the nature of property can either be movable or immovable
Punishment	Offence of Criminal Misappropriation is punishable with imprisonment of either description for a term which may extent to 2 years or with fine, or with both (Sec.403,IPC)	Offence of Criminal Breach of Trust is punishable with imprisonment of either description for a term which may extent to 2 years or with fine, or with both (Sec.406,IPC)

(b) In the offence of wrongful gain the offender gains the property wrongfully; on the other hand in the offence of wrongful loss the offender wrongfully causes to loss the property by the victim. In the offence of wrongful gain, the offender is not legally entitled to gain the property but in the offence of wrongful loss the victim is legally entitled over the property losing. In the offence of wrongful gain the offender is said to gain wrongfully when he retains any property wrongfully as well as when he acquires any property wrongfully. But in the offence of wrongful loss the victim is said to lose wrongfully when he is wrongfully kept out of any property as well as when he is wrongfully deprived of any property. Wrongful gain connotes gain of the offender whereas wrongful loss connotes loss of the victim.

(c) **Cheating:** Where a person is fraudulently/ dishonestly deceived to delivery any property, or to consent that any person shall retain only property and does it intentionally induces and such an act can cause damage or harm to that person in body, mind, reputation or property is known as "cheat".

- (a) Deceiving a person fraudulently and dishonestly
 - b. To deliver his property to another
 - c. Or consents to let another person retain his property
 - d. Or deceived a person to do something or omits the person from doing something
 - e. Which such a person would not do if not deceived
 - f. And such an act would harm/damage the person's mind, body or reputation.
 - g. Concealment of facts with a dishonest intention is also cheating
- E.g.: A Intentionally deceives Z into a belief that A means to repay any money that Z may lend to him and thereby dishonestly induces Z to lend him money, A not intending to repay it. A cheats.

Extortion: When movable or immovable property of a person is taken away by obtaining consent through force or coercion where the person is put under the fear of injuring him or others

- A) Intentionally puts a person under fear of injury to him or another
- B) Dishonestly induces the feared person to deliver
 - a. His property; or
 - b. Valuable security; or
 - c. Anything signed or sealed which would amount to a valuable security.

(d)

Abetment	Attempt
The persons involved are called as abettor and principal offender.	The persons involved are called as attempter.
Abetment is defined in Section 107 of Indian Penal Code.	Attempt is not defined in the Indian Penal Code.
The principal offender is not the abettor.	The attempter is the main accused.
The abettor is not entitled to get the same punishment as the principal offender.	The attempter is entitled to get the punishment.
Abetment requires the principal offender to commit the offence in pursuance of abetment by abettor.	Attempt requires the attempter to commit the offence by himself or in pursuance of abetment.

Q. 7. Ans.

(a) Under Section 96 of I.P.C:- This section defines the general right to private defence, stating that everyone has the right to defend themselves or others against any act that causes a reasonable fear of death or serious bodily harm, or any act that attempts to commit theft, robbery, mischief, or criminal trespass.

(b) The right of private defence of the body commences as soon as a reasonable apprehension of danger to the body arises from an attempt or threat to commit the offence though the offence may not have been committed; and it continues as long as such apprehension of danger to the body continues.

In a very simple way the right of private defence of the body starts when there is a reasonable fear of harm from an attempt or threat to commit an offence, even if the offence has not yet occurred, and it lasts as long as the fear of harm persists.

(c) If the offence, the committing of which, or the attempting to commit which, occasions the exercise of the right of private defence, be theft, mischief, or criminal trespass, not of any of the descriptions enumerated in the last preceding section, that right does not extend to the voluntary causing of death, but does extend, subject to the restrictions mentioned in section 99, to the voluntary causing to the wrong-doer of any harm other than death.

Group-B

Q.8. Ans.

(2) If he habitually accepts or obtains or agrees to accept or attempts to obtain from any person for himself or for any other person any gratification other than the legal remuneration as a motive or reward such as is mentioned in section 7

(b) Govt. of India, States and union territories have designated police officers who may investigate but usually it shall be an officer of the rank of Inspector of police, Assistant Commissioner of police/ Deputy Superintendent of police.

(c) The punishment shall be imprisonment for a period not less than three years and may be extended to seven years and shall also be liable to fine .

Q.9.Ans.

No order confiscating [any [essential commodity] package, covering, receptacle, animal, vehicle, vessel or other conveyance] shall be made under section 6A unless the owner of such [essential commodity] package, covering, receptacle, animal, vehicle, vessel or other conveyance) or the person from whom 8[it is seized]—

- (a) is given a notice in writing informing him of the grounds on which it is proposed to confiscate the [essential commodity] package, covering, receptacle, animal, vehicle, vessel or other conveyance];
- (b) is given an opportunity of making a presentation in writing within such reasonable time as may be specified in the notice against the ground of confiscation; and
- (c) is given a reasonable opportunity of being heard in the matter.

2. Without prejudice to the provisions of sub-section (1), no order confiscating any animal, vehicle, vessel or other conveyance shall be made under section 6A if the owner of the animal, vehicle vessel or other conveyance proves to the satisfaction of the Collector that it was used in carrying the essential commodity without the knowledge or connivance of the owner himself, his agent, if any, and the person in charge of the animal, vehicle, vessel or other conveyance and that each of them had taken all reasonable and necessary precautions against such use.]

[(3) No order confiscating any essential commodity package, covering, receptacle, animal, vehicle, vessel or other conveyance shall be invalid merely by reason of any defect or irregularity in the notice, given under clause (a) of sub-section (1), if, in giving such notice, the provisions of that clause have been substantially complied with.]

Q.10.Ans.

—Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), no police officer below the rank,—

- (a) in the case of the Delhi Special Police Establishment, of an Inspector of Police;
- (b) in the metropolitan areas of Bombay, Calcutta, Madras and Ahmedabad and in any other metropolitan area notified as such under sub-section (1) of section 8 of the Code of Criminal Procedure, 1973 (2 of 1974), of an Assistant Commissioner of Police;
- (c) elsewhere, of a Deputy Superintendent of Police or a police officer of equivalent rank, shall investigate any offence punishable under this Act without the order of a Metropolitan Magistrate or a Magistrate of the first class, or the

(b) of sub-section (1)] of section 13 shall not be investigated without the order of a police officer not below the rank of a Superintendent of Police.

Group-A

Q.1.Ans

(a) "Collector" means the Collector of a District or any other officer appointed by the State Government to discharge any of the function of the Collector under this act.

(b) "intermediary" means a proprietor, tenure-holder, under-tenure holder or any other intermediary above a *raiyat* or non-agricultural tenant and includes a service tenure-holder and in relation to mines and minerals, includes a lessee and a sub-lessee;]

(c) "agricultural land" means land ordinarily used for purposes of agriculture or horticulture and includes such land, notwithstanding that it may be lying fallow for the time being:

(d). "homestead" means a dwelling house together with—any courtyard, compound, garden, out-house, place of worship, family grave-yard, library, office, guest-house, tanks, wells, privies, latrines, drains and boundary walls annexed to or appertaining to such dwelling house;

(e) "rent" means whatever is lawfully payable or deliverable in money or kind or both, by a tenant to his landlord, on account of the use or occupation of the land held by the tenant and includes also money recoverable under any enactment for the time being in force as if it was rent;

(f) Tank fishery' means a reservoir or place for the storage of water, whether formed naturally or by excavation or by construction of embankments, which is being used for pisciculture or for fishing, together with the sub-soil and the banks of such reservoir or place, except such portion of the banks as are included in a homestead or in a garden or orchard and includes any right of pisciculture or fishing in such reservoir or place;

Q.2.Ans. — But the Court shall not take into consideration—

first, the degree of urgency which has led to the acquisition;

secondly, any disinclination of the person interested to part with the land acquired;

thirdly, any damage sustained by him which, if caused by a private person, would not render such person liable to a suit;

fourthly, any damage which is likely to be caused to the land acquired, after the date of the publication of the declaration under section 6, by or in consequence of the use to which it will be put;

fifthly, any increase to the value of the land acquired likely to accrue from the use to which it will be put when acquired;\

sixthly, any increase to the value of the other land of the person interested likely to accrue from the use to which the land acquired will be put ; or

seventhly, any outlay or improvements on, or disposal of, the land acquired, commenced, made or effected without the sanction of the Collector after the date of the publication of the [54][notification under section 4, sub-section (1)].

Ans.Q.3. If any person on whom an order has been served under sub-section (2) of section 10, wilfully fails or neglects to comply with all or any of the directions given in such order within the time specified therein or within such further time as the Collector may allow or withholds any documents, registers, records or collection papers, or wilfully furnishes any incorrect statement, it shall be lawful for the Collector, after giving such person an opportunity of being heard. to impose a fine upon such person. Such fine may extend—

- (a) in the case of a proprietor,—to five times the annual revenue and cess payable by him or to one thousand rupees, whichever is greater;
- (b) in the case of an intermediary who is not a proprietor,—to five times the annual rent payable by him or to one thousand rupees, whichever is greater;
- (c) in other cases,—to one thousand rupees.

(2) An appeal against any order of the Collector under sub-section (1), if preferred within sixty days of such order, shall lie to a Special Judge appointed for the purpose of this section and such Special Judge shall dispose of the appeal according to the prescribed procedure.

The fine imposed under sub-section(1) of as confirmed or varied on any appeal therefrom shall be paid within sixty days of the order imposing the fine or the order on appeal, as the case may be, and in default of such payment shall be recoverable as a public demand.

Q.4.Ans

(a) "Encumbrance means any lien, easement or other right or interest created by a raiyat on his plot of land or in limitation of his own interest therein, but does not include the right of the bargadar to cultivate the land of the plot of land.

(b) "consolidation" includes re-alignment of plot of land or rearrangement of parcel of land comprised in different plots of land for the purpose of rendering such plots of land more compact;

(c) "Orchard" means a compact area of land having fruit bearing trees grown thereon in such number that they preclude; or when fully grown preclude; a substantial part of such land from being used for [any other] purpose

(d) "irrigated area" means an area specified as such by the State Government, by notification in the Official Gazette, being an area which is, or is in the opinion of the State Government capable of being irrigated, at any time during the agricultural year commencing on the 1st day of *Baisakh*, 1377 B.S., or thereafter, from any State canal irrigation project or [State power-driven deep tube-well or shallow tube-well or any other State irrigation project] or State river lift irrigation project;

(e) "project report" means a project report relating to such purpose as mentioned in the first proviso to section 14Y, which has been examined, vetted and approved by the appropriate Department of the State Government;]

Q.5.Ans

(a) No. The right of cultivation of a land by a bargadar is heritable but not transferable.

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- (b) The right of cultivation of a land by a bargadar is heritable.

Notwithstanding anything contained in any law for the time being in force or in any contract to the contrary, where a *bargadar*, cultivating any land, dies at a time when cultivation of such land by the *bargadar* was continuing, the cultivation of such land may be continued by the lawful heir of the *bargadar* or where there are more than one lawful heir, by such lawful heir of the *bargadar* as all the lawful heirs of the *bargadar* may determine within the prescribed period :

Provided that where the lawful heirs of the *bargadar* omit or fail to make a determination as required by this sub-section, the officer or authority appointed under sub-section (1) of section 18 may nominate one of the lawful heirs of the *bargadar*, who is in position to cultivate the land personally, to continue the cultivation thereof.

(2) The lawful heir of the *bargadar* who is determined or nominated or the cultivation of the land shall cultivate the land subject to such terms and conditions as may be prescribed.

(3) Where—

(a) no lawful heir of the *bargadar* is in a position to cultivate the land personally, or

(b) the lawful heirs of the *bargadar* fail to determine, within the prescribed period, the heir by whom the cultivation of the land will be continued and the officer or authority appointed under sub-section (1) of section 18 also omits or fails to nominate, within the prescribed period, any lawful heir of the deceased *bargadar* for the continuation of the cultivation of the land, or

(c) the person determined or nominated under sub-section (1) omits or fails to take any steps, within the prescribed period, for the continuation of the cultivation of the land, cultivation of the land may be continued by such person, whether an heir of the deceased *bargadar* or not, as may be nominated by the person whose land was cultivated by the deceased *bargadar*.

Q.6.Ans Notwithstanding anything contained in any other law for the time being in force, no person holding vacant land within the ceiling limit shall transfer such land by way of sale, mortgage, gift, lease or otherwise except after giving notice in writing of the intended transfer to the competent authority.

(2) Where a notice given under sub-section (1) is for the transfer of the land by way of sale, the competent authority shall have the first option to purchase such land on behalf of the State Government at a price calculated in accordance with the provisions of the Land Acquisition Act of 1894, Act, 1894 or of any other corresponding law for the time being in force and if such option is not exercised within a period of sixty days from the date of receipt of the notice, it shall be presumed that the competent authority has no intention to purchase such land on behalf of the State Government and it shall be lawful for such person to transfer the land to whomsoever he may like:

Provided that where the competent authority exercises within the period aforesaid the option to purchase such land the execution of the sale deed shall be completed and the payment of the purchase price thereof shall be made within a period of three months from the date on which such option is exercised.

(3) For the purpose of calculating the price of any vacant land under sub-section (2), it shall be deemed that a notification under sub-section 1 of 1894. (1) of section 4 of the Land Acquisition Act, 1894 or under the relevant provision of any other corresponding law for the time being in force, had been issued for the acquisition of such vacant land on the date on which the notice was given under sub-section (1) of this section.

Group-B

Ans.Q.7.

(a) "Certificate-holder" means the Government or person in whose favour a certificate has been filed under this Act, and includes any person whose name is substituted or added as creditor by the Certificate Officer;

(b) "public demand" means any arrear or money mentioned or referred to in Schedule I, and includes any interest which may, by law, be chargeable thereon up to the date on which a certificate is signed under Part II;

(c) "Calcutta" means the area comprised within the local limits for the time being of the ordinary original civil jurisdiction of the High Court at Calcutta

(d) "mauza" means an area defined, surveyed and recorded as a distinct and separate village in the revenue record of the district in which it is situate;

(e) "prescribed authority" means an authority appointed by the State Government, by notification, for all or any of the purposes of this Act;

(f) "qualifying date", in relation to the preparation or revision of every electoral roll under this Part, means "[the 1st day of January, the 1st day of April, the 1st day of July and the 1st day of October] of the year in which it is so prepared or revised:]"

⁴[Provided that "qualifying date", in relation to the preparation or revision of every electoral roll under this Part in the year 1989, shall be the 1st day of April, 1989.]

(g); "election" means an election to fill a seat or seats in either House of Parliament or in the House or either House of the Legislature of a State 6*

Q.8.Ans (1) No certificate duly filed under this Act shall be cancelled by a Civil Court, except on one of the following grounds, namely:—

(a) that the amount stated in the certificate was actually paid or discharged before the signing of the certificate;

(b) that no part of the amount stated in the certificate was due by the certificate-debtor to the certificate-holder; or

(c) that, in the case of fines imposed, or costs, charges, expenses, damages, duties or fees adjudged, by a Collector or a public officer under any law or any rule having the force of law, the proceedings of such Collector or public officer were

not in substantial conformity with the provisions of such law or rule, and that in consequence the certificate-debtor suffered substantial injury from some error, defect or irregularity in such proceedings.

(2) No certificate duly filed under this Act shall be modified by Civil Court, except on one of the following grounds, namely:—

- (i) that a portion of the alleged debt was not due; or
- (ii) that the certificate-debtor has not received credit for any portion which he has paid.

(3) Nothing contained in this section shall interfere with the ordinary original jurisdiction of the High Court at Calcutta, or with the jurisdiction of the Calcutta Court of Small Causes.

.Ans.Q.9.

[(1) A Gram Panchayat shall function as a unit of self-government and, in order to achieve economic development and secure social justice for all, shall, subject to such conditions as may be prescribed or such directions as may be given by the State Government, -

- (a) prepare a development plan for the five-year term of the office of the members and revise and update it as and when necessary with regard to the resources available;
- (b) prepare an annual plan for each year by the month of October of the preceding year for development of human resources, infrastructure and civic amenities in the area;
- (c) implement schemes for economic development and social justice as may be drawn up by, or entrusted upon it.]

[(2)] [Without prejudice to the generality of the provisions of sub-section (1) and subject to such conditions as may be prescribed or such directions as may be given by the State Government,] the duties of a Gram Panchayat shall be to provide within the area under its jurisdiction for -

- (a) sanitation, conservancy and drainage and the prevention of public nuisances;
- (b) curative and preventive measures in respect of malaria, small pox, cholera or any other epidemic;
- (c) supply of drinking water and the cleansing and disinfecting the sources of supply and storage of water;
- (d) the maintenance, repair and construction of public streets and protection thereof;
- (e) the removal of encroachments of public streets or public places;
- (f) the protection and repair of buildings or other property vested in it;
- (g) the management and care of public tanks, subject to the provisions of the Bengal Tanks Improvement Act, 1939, common grazing ground, burning ghats and public graveyards;
- (h) the supply of any local information which the District Magistrate, the Zilla Parishad [the Mahakuma Parishad, the Council] or the Panchayat Samiti within the local limits of whose jurisdiction the Gram Panchayat is situate, may require;
- (i) organising voluntary labour for community works and works for the upliftment of its area;
- (j) the control and administration of the Gram Panchayat Fund established under this Act;
- (k) the imposition, assessment and collection of the taxes, rates or fees leviable under this Act;
- (l) the maintenance and [control of the Dafadars, Chowkidars and Gram Panchayat Karmees] due [performance by the Dafadars, Chowkidars and Gram Panchayat Karmees] of the duties imposed on them under this Act;
- (m) the constitution and administration of the Nyaya Panchayat established under this Act; and
- (n) the performance of such functions as may be transferred to it under section 31 of the Cattle-trespass Act, 1871.

[(3) A Gram Panchayat shall not omit or refuse to act upon any recommendations of a Gram Sansad relating to [a programme or work proposed,] prioritization of any list of beneficiaries or scheme or programme so far as it relates to the area of the Gram Sansad unless it decides in a meeting for reasons to be recorded in writing that such recommendation or recommendations are not acceptable or implementable under the provisions of the Act or any rule, order or direction thereunder; such decision of the Gram Panchayat shall be placed in the next meeting of the Gram Sansad.]

Ans.Q.10 (1) The prescribed authority may, after giving an opportunity to a member of a *Gram Panchayat* to show cause against the action proposed to be taken against him, by order remove him from office -

- (a) if after his election he is convicted by a criminal court of an offence involving moral turpitude and punishable with imprisonment for a period of more than six months; or
- (b) if he was disqualified to be a member of the *Gram Panchayat* at the time of his election; or
- (c) if he incurs any of the disqualifications mentioned in clauses (b) to (g) of section 8 after his election as a member of the *Gram Panchayat*; or
- (d) if he is absent from three consecutive meetings of the *Gram Panchayat* without the leave of the *Gram Panchayat*; or
- (e) if he does not pay any arrear in respect of any tax, toll, fee or rate payable under this Act or the Bengal Village Self-Government Act, 1919, or the West Bengal *Panchayat Act*, 1957, or the West Bengal *Zilla Parishads Act*, 1963.

(2) Any member of a *Gram Panchayat* who is removed from his office by the prescribed authority under sub-section (1) may, within thirty days from the date of the order, appeal to such authority as the State Government may appoint in this behalf, and thereupon, the authority so appointed may stay the operation of the order till the disposal of the appeal and may, after giving notice of the appeal to the prescribed authority, and after giving the appellant an opportunity of being heard, modify, set aside or confirm the order.

(3) The order passed by such authority on such appeal shall be final.

Q.11. Ans (a)

1. Is found guilty of certain election offences or corrupt practices in the elections.
2. Is convicted for any offence resulting in imprisonment for two or more years (except for the detention under a preventive detention law).
3. Has failed to lodge an account of his/her election expenses within the time.
4. Has any interest in government contracts, works or services.

5. Is a director or managing agent or holds an office of profit in a corporation in which the government has at least 25% share.
6. Has been dismissed from government service for corruption or disloyalty to the State.
7. Has been convicted for promoting enmity between different groups or for the offence of bribery.
8. Has been punished for preaching and practising social crimes such as untouchability, dowry and sati.

Ans.(b)

1. An election can be called in question only by an election petition. Election petitions are to be heard in the High Court with its appeal lying at the Supreme Court. They act as a mechanism of grievance redressal for the affected parties.
2. Furthermore, on the question of whether a legislator is subject to any of the disqualifications the final authority to decide rests with the President (in case of members of Parliament) and the Governor (in case of members of State legislature).
3. However, the President or Governor shall act according to the advice of the Election Commission of India.
4. In case of any enquiry, the Election Commission is conferred the powers of a civil court for summoning and enforcing the attendance of any person or any evidence.
5. Besides, after a legislator is disqualified, the Election Commission may, on certain grounds, remove any disqualification or reduce the period of any disqualification.

Ans (b)