

6 MAY 2024

## NATIONAL LAW UNIVERSITY, JODHPUR

End Term Examination April-May, 2024

Semester: U.G – VIII Sem – Criminal Law Hons.

Subject: Socio Economic Offences

Time: Three Hours

Marks: 100

### Instructions:

1. Attempt any Five out of six questions.
2. All questions carry equal marks.
3. Use of any reference material such as Bare Acts is not permitted.

Q1. Clearly bring out the distinction between traditional offences and socio-economic offences and the need to adopt severe measures in the dealing with socio-economic offences, even to the extent of departing from basic principles of criminal jurisprudence. Critically examine the state of socio-economic offence legislations in India. What further measures would you suggest to improve the existing legal framework of each legislation?

(20 Marks)

Q2. Implementation of any law is a challenge and the same is also applicable with the Fugitive Economic Offender Law, 2018. The main intent because of which the legislator has drafted the law is still not fulfilled. In the light of abovementioned statement with the help of relevant case studies highlight the various issues and problems associated with this law. Also, recommend various methods and techniques which can be adopted in order to solve this problem.

(20 Marks)

Q3. The object of Essential Commodities Act, 1955 is to ensure that certain essential commodities are made available to the citizens at a reasonable rate and that same may be equitable distributed. Critically Comment. Also, explain the pivotal role played by the government in maintain the demand and supply of essential items in the market.

(20 Marks)



Q4. What are the key functions and responsibilities of the Enforcement Directorate, and how does it contribute to combating financial crimes and ensuring economic stability within a country?

(20 Marks)

Q5 Explain the concept of Public Servant defined under Prevention of Corruption Act, 1988 and how the definition of Public Servant under this act is different from the definition being provided under IPC. Also, explain how this difference has created an impact. Also, explain why there is a requirement of previous sanction before initiating any inquiry against a public servant is provided under the act and what difference it would have created if the previous sanction by a relevant authority is not taken and the proceeding has been initiated.

(20 Marks)

Q6. Mr. Ramesh Prasad is a newly appointed food inspector in the city of Patna, Bihar. He is known for his courage, valour and also for the commitment he shares towards his work. Since childhood he has observed that there are several persons during festive seasons consume adulterated food and therefore, he set up a mission that every person should eat clean. During the Diwali season he conducted several raids in main market Patna, and he seized food items from several vendors. Since the goods were of perishable nature (Sweets sold in festive season), therefore certain preservatives were added by the team before sending them to laboratory for further examination. During the additions of preservatives by the team, certain preservatives which were not allowed to be added were also added and also goods were manhandled by them and certain foreign particles were unknowingly added to these goods. During the inspection Mr. Ramesh tries to follow the entire procedural requirements and for the same witnesses were called. Since Market union was protesting against this inspection no witness can be called. Mr. Ramesh has directed his driver and personal assistant to act as a witness for the entire proceeding. Later on, Market union claimed that the procedural requirement was not fulfilled and also forcefully taking sample does not amount to sale. The market union has approached seeking your legal advice, render your legal advice on the following issues.

1. Whether mixing of preservatives which is not allowed to be added to these perishable goods will amount to adulteration?

2. Whether manhandling of the goods and unknowing addition of foreign particles will amount to adulteration?
3. Whether sale under the Act, means an actual sale or the items seized by the food inspector from the shop where they are displayed will also amounts to sale?
4. Whether the procedural requirement in the abovementioned scenario has been fulfilled or not?

(5Marks\*4=20Marks)