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IMPORTANT DECISIONS IN THIS ISSUE

- ⇒ The Customs Act, 1962 – S. 104, S. 108 – Code of Criminal Procedure, 1973 – S. 154 & S. 173 – Power of the Custom Officer to arrest – Registration of First Information Report (FIR) – Necessity – The Custom Officer or Officers of Directorate of Revenue Intelligence (DRI) are not Police Officers and therefore they are not obliged in law to register FIR against person arrested in respect of offences punishable under the Customs Act.
- ⇒ The Motor Vehicles Act, 1988 – S. 167 – The Workmen Compensation Act, 1923 – S. 10 – Fatal Accident – Claim for compensation – Simultaneous remedy availed under both the statutes – Permissibility – When the claimants have elected the option under the Motor Vehicles Act and availed the compensation as provided therein, they are not entitled to maintain another claim under the Workmen Compensation Act, 1923.
- ⇒ The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 – S. 3 (1) (r) – Indian Penal Code, 1860 – S. 504 and S. 506 – Allegation of Commission of Offence of Atrocities - The property dispute between a vulnerable Section of the society and a person of the upper caste will not disclose any offence under the Act merely because victim being a person of Scheduled Caste – Every person can protect his right by way of procedure established by law – If the Accused have invoked the jurisdiction of the Civil Court, than the parties are availing the remedies in accordance with the procedure established by law and such action is not for the reason that the Complainant is a member of Scheduled Caste.(S.C.)....

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