

2012

LAW

(Jurisprudence)

Course No. 1:5

Full Marks : 100

Time : 3 hours

*The figures in the margin indicate full marks
for the questions*

Answer questions No. 1 and any five from the rest.

1. Write explanatory notes on any two of the followings: (10x2)
 - a) *"Jurisprudence is the eye of law"*
 - b) *"The prophecies of what the courts will do in fact, and nothing more pretentious are what I mean by law".*
 - c) *'Jurisprudence is the formal science of Positive Law'*
2. What do you mean by Austin's analytical Positivism? (8+8)
Critically examine Austin's theory of Positive Law.
3. Write short notes on any four of the followings- (4x4)
 - a) Delegated Legislation
 - b) Social Solidarity
 - c) Statutory Interpretation
 - d) Volkgeist
 - e) Jural opposites

(Please turn over)

4. What do you understand by Administration of criminal Justices? Discuss in brief the theories of punishment. What theory is suitable in the Indian context? (4+8+4)
5. Discuss the Position of Custom and Precedent as a source of law. What are the prerequisites of valid custom? How far the decisions of a High Courts in India are binding on the court's below. (8+4+4)
6. Define 'Legal Right'. Discuss in detail the relationship between Rights and Duties. (4+12)
7. What do you understand by 'Legal Person'? Discuss the various theories of legal personality. Distinguish between corporate sole and corporate aggregate. (4+8+4)
8. What is ownership? What are the different classifications of ownership? Explain the relationship between possession and ownership. (4+8+4)
9. Discuss the basic tenets of Roscoe pound's and highlight pound's contribution to the particular school of thought. (16)
10. Discuss and suitably illustrate the concept of vicarious liability and strict liability. (16)
