

LLB
THIRD SEMESTER
JURISPRUDENCE
LLB – 303 [REPEAT]
[USE OMR FOR OBJECTIVE PART]

Duration : 3 hrs.

Full Marks : 80

Time : 30 min.

(Objective)

Marks :30

Choose the correct answer from the following:

1×10=10

1. Who defines Jurisprudence as 'the science of law'?
 - a. Austin
 - b. Holland
 - c. Salmond
 - d. Bentham
2. 'Ratio decidendi' means -
 - a. Resjudicata
 - b. Reason of the decision
 - c. Prospective Overruling
 - d. Final Decision
3. One of the major exponents of Social Contract theory was -
 - a. Hobbes
 - b. Bentham
 - c. Savigny
 - d. Ihering
4. Which one of the following thinkers was involved in case of Revival of 'Natural Law Theories'?
 - a. August Comte
 - b. Charles Montesquieu
 - c. Immanuel Kant
 - d. Rudolf Stammler
5. Bentham's legal philosophy is called -
 - a. Utilitarianism
 - b. Species of commands
 - c. Laws of Gravity
 - d. Marxism
6. The main exponent of 'Historical School' is -
 - a. John Austin
 - b. H.L.A Hart
 - c. F.C. Von Savigny
 - d. J.S. Mill
7. 'Pure theory of Law' is given by -
 - a. A.V. Dicey
 - b. Emile Durkheim
 - c. Henry Maine
 - d. Hans Kelsen
8. Which one of the following is an example of incorporeal property?
 - a. House
 - b. Land
 - c. Ornaments
 - d. Copyright
9. The task of law is "Social Engineering". This was the main thesis of -
 - a. Roscoe Pound
 - b. Benjamin Cardozo
 - c. Herbert Spencer
 - d. Leon Duguit
10. Ownership has its origin in the ancient -
 - a. Indian Law
 - b. Roman Law
 - c. English Law
 - d. American Law

Answer the following: (Use descriptive answer sheet)

2×10=20

1. Write two requisites of a valid custom.
2. Distinguish between Supreme and Subordinate Legislation.
3. What do you mean by 'Social-Contract Theory'?
4. Write two essentials of a legal right.
5. What do you understand by the term 'Volksgeist' as evolved by Savigny?
6. What is the concept of 'Corporation Sole'?
7. What do you mean by 'Laws -properly-so-called' and 'Laws-improperly-so-called'?
8. Distinguish between 'Corporeal' and 'Incorporeal' property.
9. Write the main elements of 'Possession'.
10. Distinguish between 'Possession' and 'Ownership'.

-- --- --

(Descriptive)

Time : 2 hrs. 30 min.

Marks : 50

[*Answer the following questions*]

1. Discuss the nature, meaning and purpose of Jurisprudence? 10

Or

What do you mean by 'Sources of Law'? Discuss briefly about 'custom' as a source of law. 3+7=10

2. What are the basic tenets of 'Natural Law' School? Discuss briefly the history of 'Natural Law' School. 3+7=10

Or

Explain the concept of Jural relations as rearranged by Hohfeld on the basis of his table of Jural Relations. 10

3. Write a note on Historical school of Jurisprudence. Discuss briefly about the contributions of Savigny towards this School of Law. 6+4=10

Or

The principle of 'utilitarianism' revolves around the concept of 'Greatest Happiness of the greatest number'. Elaborate this principle as expounded by Jeremy Bentham and John Stuart Mill. 10

4. Critically discuss 'Austin's theory of Sovereignty'. Make a comparative analysis of Bentham's theory of law with that of Austin. 6+4=10

Or

Write short notes on (*any two*) - 5+5=10

- a. H.L.A. Harts 'Primary rules' and 'Secondary rule'.
 - b. Kelsen's pure Theory of Law.
 - c. Corporeal and Incorporeal property.
 - d. Movable and Immovable property.
5. Discuss Roscoe Pound's theory of 'Social Engineering' with the help of various interests which are to be protected by Law. 10

Or

What do you mean by the term 'Possession'? Distinguish between 'Defacto' and 'Dejure' possession. Discuss the theories of 'Possession'. 2+2+6 = 10

= = *** = =