REV-01 LLB/01/05

Duration: 3 hrs.

Time: 30 min.

LLB

THIRD SEMESTER JURISPRUDENCE

LLB - 303 [SPECIAL REPEAT]
[USE OMR FOR OBJECTIVE PART]

d. Bentham

b. Bentham

d. Ihering

d. Final Decision

[PART-A: Objective]

Choose the correct answer from the following:

1. Who defines Jurisprudence as 'the science of law'? b. Holland a. Austin

c. Salmond

2. 'Ratio decidendi' means a. Res judicata

c. Prospective Overruling

3. One of the major exponents of Social Contract theory was a. Hobbes

4. Which one of the following thinkers was involved in case of Revival of 'Natural Law Theories'? a. August Comte

c. Savigny

c. Immanual Kant 5. Bentham's legal philosophy is called -

a. Utilitarianism c. Laws of Gravity

a. John Austin c. F.C. Von Savigny 7. 'Pure theory of Law' is given by -

a. A.V. Dicey c. Henry Maine

a. House

c. Ornaments

b. Charles Montesquieu d. Rudolf Stammler

b. Reason of the decision

b. Species of commands d. Marxism

6. The main exponent of 'Historical School' is b. H.L.A Hart d. J.S. Mill

> b. Emile Durkheim d. Hans Kelsen

8. Which one of the following is an example of incorporeal property?

b. Land d. Copyright

9. The task of law is "Social Engineering'. This was the main thesis of -

b. Benjamin Cardozo a. Roscoe Pound c. Herbert Spencer d. Leon Duguit

2023/08

SET

A

Marks: 30

1×10=10

Full Marks: 80

- 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)

 $2 \times 10 = 20$

- 1. What do you mean by the term 'Legislation'?
- 2. Write two merits of 'Custom' as a valid source of law.
- 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 'Corporate Personality'?
- 7. What do you mean by the Austin's theory of Sovereignty'?
- 8. What is the extended meaning of the term 'Property'?
- 9. Write the main elements of 'Possession'.
- 10. What do you mean by the term 'Ownership'?

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USTM/COE/R—

PART-B: Descriptive

me: 2 hrs. 30 min. [Answer the following questions] 10 a. Discuss the nature, meaning and purpose of Jurisprudence? b. What do you mean by 'Sources of Law'? Discuss briefly about 3+7= 10 'Precedent' as a source of law. 3+7= 10 What are the basic tenets of 'Natural Law' School? Discuss 22. a. briefly the history of 'Natural Law' School. 10 b. Explain the concept of Jural relations as rearranged by Hohfeld on the basis of his table of Jural Relations. 6+4= 10 a. Write a note on Historical school of Jurisprudence. Discuss briefly about the contributions of Savigny towards this School of Law. 10 b. The principle of 'utilitarianism' revolves around the concept of 'Greatest Happiness of the greatest number'. Elaborate this principle as expounded by Jeremy Bentham. a. Write an elaborative note on 'Analytical Positivism'. Make a 6+4= 10 comparative analysis of Historical theory of law with that of Analytical one. Or 5+5=10 b. Write short notes on (any two) a. H.L.A. Harts 'Primary rules' and 'Secondary rule'. b. Kelsen's pure Theory of Law. Corporeal and Incorporeal property. d. Movable and Immovable property. 10 a. Discuss Roscoe Pound's theory of 'Social Engineering'. b. Discuss the theories of 'Possession' evolved by different jurists. 10

Marks: 50