

**Third Semester LL.B. Three Years Course (C.B.S.) Examination**  
**JURISPRUDENCE**  
**Compulsory Paper—1**

Time : Three Hours]

[Maximum Marks : 80

**Note :—** (1) **ALL** Sections are compulsory.

(2) Section–A carries **10** marks, Section–B carries **30** marks and Section–C carries **40** marks.

(3) Follow the instructions given in each Section.

**SECTION—A**

**(Multiple Choice Questions)**

**Note :—** This Section consists of **ONE** question having sub-questions carrying **1** mark each.

1. Attempt any **TEN** of the following :—

- (i) Who said, 'Jurisprudence as the knowledge of things, human and divine, the science of the just and the unjust' ?
  - (a) L.B. Curzon
  - (b) Ulpian
  - (c) Salmond
  - (d) Llewellyn
- (ii) Austin calls jurisprudence as \_\_\_\_\_.
  - (a) Science of Civil Law
  - (b) Science of Natural Law
  - (c) Science of Positive Law
  - (d) All of the above
- (iii) A Law means \_\_\_\_\_.
  - (a) Statute, an act of Parliament
  - (b) Ordinance or decree of court
  - (c) Both (a) and (b)
  - (d) Neither (a) and nor (b)
- (iv) The entire body of law consists of the \_\_\_\_\_ and \_\_\_\_\_ law, according to Austin.
  - (a) Civil - Criminal
  - (b) Positive - Negative
  - (c) General - Specific
  - (d) Public - Private

- (v) \_\_\_\_\_ is that portion of International law which relates to the determination of the legality of the capture of ships and cargos at sea in time of war.
- (a) Treaty law (b) Convention  
(c) Prize law (d) All of the above
- (vi) \_\_\_\_\_ is an example of public law.
- (a) Constitutional law and Administrative law  
(b) Criminal law  
(c) Both (a) and (b)  
(d) Neither (a) nor (b)
- (vii) The main purpose of administration of criminal justice is \_\_\_\_\_.  
(a) To maintain law and order  
(b) To punish the criminal  
(c) The prevention of crime by punishing the criminal  
(d) All of the above
- (viii) Which theory of the criminal justice support the following statement, 'A good action deserves to be crowned with good reward and a bad action, on the other hand, meets its own fate' ?
- (a) Preventive theory (b) Retributive theory  
(c) Deterrent theory (d) Reformatory theory
- (ix) According to Dias, \_\_\_\_\_ are the necessary conditions of a valid custom.
- (a) Immemorial Antiquity (b) Continuous and certainty  
(c) Obligatory force and consistency (d) All of the above
- (x) \_\_\_\_\_ precedents are those precedents, which the courts are not bound to follow though they may take them into consideration while giving their decisions.
- (a) Authoritative (b) Declaratory  
(c) Conditional (d) Persuasive
- (xi) The ruling on which a case is decided is called the \_\_\_\_\_ which concerns future litigants as well as those involved in the instant dispute.
- (a) Judgement (b) Decree  
(c) Ratio decidendi (d) Obiter dicta

- (xii) \_\_\_\_\_ are the safeguards against the delegated legislation.
- (a) Parliamentary and Judicial control                      (b) Due Publicity
- (c) Both (a) and (b)    (d) None of the above
- (xiii) Dead men are no longer persons in the eye of the law, they have no rights and duties because they have \_\_\_\_\_.
- (a) no liabilities    (b) no interests
- (c) no obligations    (d) All of the above
- (xiv) Which Article of Indian Constitution lays down the principle that, 'no person can be deprived of his property without the authority of law' ?
- (a) Article 31    (b) Article 31 (1)
- (c) Article 31 (2)    (d) Article 33
- (xv) Who amongst the following is considered as the, 'Father of English Jurisprudence' ?
- (a) Salmond    (b) Austin
- (c) Bentham    (d) Fuller
- 1×10=10

## SECTION—B

### (Short Answer Questions)

**Note :—** Both the questions in this section are compulsory. Each question carries **15** marks.

2. Answer the following (any **THREE**) :—

- (a) Define Jurisprudence.
- (b) Write criticism of imperative theory of law.
- (c) What are the requisites of a valid custom ?
- (d) Explain in brief legislation as a source of law.
- 5×3=15

3. Write short notes on (any **THREE**) :—

- (a) Kinds of ownership
- (b) Legal status of animal
- (c) The purpose of criminal justice
- (d) Define possession with illustration.
- 5×3=15

## SECTION—C

### (Long Answer Questions)

**Note :—** Attempt any **FIVE** questions out of the following. Each question carries **8** marks.

4. Discuss the concept of Jurisprudence in relation to other social sciences.
5. 'The foundation of the law has its existence, its reality in the common consciousness of the people'. Elaborate this notion of Savigny with the help of Historical School.
6. Write a detailed note on 'Feminist Jurisprudence' and its relevance in contemporary era.
7. Elaborate the characteristics of legal rights along with the wider sense of legal rights.
8. Write notes on :—
  - (a) Doctrine of Precedent
  - (b) Doctrine of prospective overruling.
9. Define, 'person'. Discuss its kinds, also state the nature of corporate personality.
10. Explain the concept of social engineering.
11. Define property. State various modes of acquiring property. 8×5=40