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**1 SEM LLB JURIS 4 (N)**

**2016**

**(December)**

**LAW**

**Paper : 1.4**

**(Jurisprudence)**

**Full Marks – 80**

**Time – Three hours**

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

Answer the following questions.

- ✓ 1. Explain in brief the various theories of Punishment. Which according to you is most appropriate for the present society ? Give reasons. 12

Or

Write short notes on :

6+6=12

- (a) Legislation as a source of law.  
(b) Custom as a source of law.

2. Explain in brief Savigny's Theory of Law. 12

Or

Explain in brief Kelson's Pure Theory of Law. 12

3. What is a legal right ? Explain in brief Hohfeld's Theory of right. 2+10=12

Or

Explain in brief Roscoe Pound's Social Engineering Theory of Law. 12

4. Explain in brief the meaning and kinds of property. What are the various ways of acquisition of property ? 12

Or

Explain in brief the meaning and kinds of ownership. 12

5. Explain in brief the concept of Analytical Positivism. 12

6. Answer the following questions : 1×10=10

(a) Mention two different kinds of justice.

(b) What is judicial legislation ?

- (c) What are the defects in Primary Rules that can be cured by Secondary Rules as per Hart ?
- (d) Find out 'Grundnorm' in the context of Indian legal system.
- (e) Mention one example of 'right in rem' and 'right in personam'.
- (f) What is 'interest' as per Roscoe Pound ?
- (g) Define Possession.
- (h) What is sole and co-ownership ?
- (i) What do you mean by 'Sadachar' ?
- (j) What is meant by 'Law is the king of kings.' ?

7. Answer the following questions :  $2 \times 5 = 10$

- (a) What do you mean by administration of justice ?
- (b) What do you mean by Secondary Rules of Recognition ?

**(c) Define 'Sovereign' as per Austin.**

**(d) Mention two modes for acquisition of ownership.**

**(e) Define the concept of 'Non-violence.'**

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