Odisha Judicial Service (Mains) 2016

Jurisprudence and Constitution of India · optional paper

3 hours · 150 marks

The questions are of equal value. Answer six questions, selecting three from Section A and three from Section B. Individual marks not printed.

Section A

1. Discuss the inter-relationship of Fundamental Rights, Directive Principles of State Policy and Fundamental Duties.

2. Compare and contrast between the positions of President and Governors in India. What is the meaning of pleasure doctrine as contained in Article. 156 (Term of Office of Governor) ?

3. What special rights are available to the 'minorities' under Article 30(1) of the Constitution of India ? Whether Union of India can establish an University exclusively for 'Minority' students ?

4. "The anti-discriminatory provisions contained under Articles 14 to 16 includes the right not to be discriminated against on the grounds of sexual orientation and gender." Explain with reference to National Legal Services Authority v Union of India (2014) 5 SCC438.

5. Right to know is included in right to speech and expression. Discuss with reference to case law.

6. Explain the 'Right to Freedom of Religion' as provided under the Constitution of India. Explain the restrictions on Freedom of Religion.

Section B

7. Explain what do you mean by right-duty relationship. What is peculiar in right-duty relationship in Human Rights ?

8. The 'Natural Law' theories reflect a perpetual quest for absolute justice. Elucidate.

9. "Possession is nine-tenths of ownership." Discuss.

10. "The concept of personality is wider than the concept of humanity." Discuss. Differentiate between the realist theory and fictions theory of corporate personality.

11. "International law is vanishing point of jurisprudence." Explain.

12. "The movement of progressive societies has hitherto been a movement from status to contract." In the light of this observation discuss the contribution of Maine.