Odisha Judicial Service (Mains) 2017

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. The definition of the expression 'The State' in Article 12 has been extended so much that even a private organization comes in this expression. Discuss.

2. Over the years the freedom of speech and expression guaranteed in Article 19 (1)(a) has been restricted. Discuss the restrictions in detail.

3. Critically discuss the position of the President of India.

4. Enumerate the circumstances in which Parliament may encroach on the exclusive subjects of the State Legislature. Also discuss, in very brief, whether they affect the federal structure.

5. Explain the controversy on the appointment of judges of the Supreme Court of India. Point out, in very brief, the solution you want to suggest.

6. The journey of the Constituent Power has been from Unlimited scope to a very limited scope. Explain.

Section B

7. The term 'natural law' has been variously applied by different people at different time. Narrate in brief and point out its social relevance.

8. Write a note on the nature and importance of legal possession.

9. The concept of Positivism has seen changes with John Austin and H. L. A. Hart. Elaborate.

10. Write a note on the theories of the nature of legal persons.

11. Write a critical essay on the pure theory of law.

12. According to Pound the sociological jurisprudence ensures that 'the making, interpretation and application of law take account of social facts'. Explain.