# Odisha Judicial Service (Mains) 2018

## Jurisprudence and Constitution of India · optional paper

Time: 3 hours. Full marks: 150. The questions are of equal value. Individual marks are not printed (150 marks for six answers, or 25 each). Answer six questions, selecting three from Section A and three from Section B.

### Section A

1. Explain the concept of "State" under Part — III of the Constitution and its relevance for the enforcement of fundamental rights. [25 marks]

2. "The fundamental rights conferred by Part — III of the Constitution are not mutually exclusive and laws that lay down the a procedure to deprive a person of his life and personal liberty must satisfy the requirements of Articles 14, 19 and 31." Discuss the above in the light of decided cases. [25 marks]

3. Discuss, in brief, jurisdictions of the Supreme Court of India. [25 marks]

4. Discuss the grounds for proclamation of emergency under Article 352 and its various effects. [25 marks]

5. "Parliament has limited powers to amend the Constitution." Discuss with the help of decided cases. [25 marks]

6. "Whether the Constitution of India is Federal?" Discuss. [25 marks]

### Section B

7. "Law is the command of a sovereign, containing a common rule of life for his subjects and obliging them to obedience." Discuss. [25 marks]

8. Write an essay on the authority of precedents as a source of Law. [25 marks]

9. Explain Kelson's Theory of Pure Law. [25 marks]

10. What do you mean by Ownership? Elaborate its essential elements. How is it acquired? [25 marks]

11. Discuss the importance of Precedent as a source of law. Comment upon the applicability of doctrine of precedent in India. Is Supreme Court bound by its own decisions? [25 marks]

12. Discuss theories of Punishment. [25 marks]