# West Bengal Judicial Service (Mains) 2018

## Jurisprudence and Principles of Legislation · optional paper

Time: 3 hours · Full marks: 100

### Group A

1. Law is a normative science; law norms are "ought" norms. In the light of this statement state the implications of Hans Kelsen's pure theory of law and point out the criticism of this theory. (20)

2. (a) Discuss the contribution of Roscoe Pound in explaining the functional aspect of law.
(b) State in brief certain criticism against Roscoe Pound's theory. (10+10)

3. (a) Write a critical note on possession.
(b) Explain various classes of ownership with suitable illustrations. (10+10)

4. (a) Discuss various theories of punishment applied in the administration of criminal justice.
(b) Write a note on "contemporary approach of Capital punishment". (10+10)

### Group B

5. Discuss the importance of legislation as a source of law. (20)

6. (a) Discuss the "Will Theory" and "Interest Theory" of legal right.
(b) Rights and duties are correlative. In the light of this statement discuss the relationship between rights and duties. (10+10)

7. Discuss in detail the jurisprudential aspect of corporate personality. (20)

8. Write notes on:
(a) Concept of "sovereignty";
(b) Ratio decidendi and obiter dictum;
(c) Legal person;
(d) Custom and usage. (5×4)