West Bengal Judicial Service (Mains) 2022

Jurisprudence and Principles of Legislation · optional paper

Time: 3 hours · Full marks: 100 · Answer any five questions taking at least two from each group

Group A

1. Discuss importance of jurisprudence as subject for study in law and its relation with other social sciences. (20)

2. (a) Explain the territorial nature of Law.
(b) Discuss purpose and functions of law. (5+15=20)

3. Critically evaluate the theories of punishment and mention with reasons, which theory you prefer most. (15+5=20)

4. Write short notes on the following: (a) Codification; (b) Ratio Decidendi; (c) Obiter dictum; (d) Advantages of Legislation over Precedent (5×4=20)

Group B

5. Discuss legal status of unborn person and corporation with reference to the theories of personality. (10+10=20)

6. Discuss the basic principles of Natural law theory as explained by St. Thomas Aquinas and mention its demerits, if any. (20)

7. (a) What do you understand by 'Question of Law' and 'Question of Fact'?
(b) Explain the Golden Rule of interpretation and interpretation of penal statute. ((5+5)+(5+5)=20)

8. Explain the concept of 'property' and discuss different kinds of property in jurisprudential perspectives with examples. (5+15=20)