

JSM – 18/7

**Jurisprudence And
Constitution of India**

Time : 3 hours

Full Marks : 150

The questions are of equal value.

*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.
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.

3. Discuss, in brief, jurisdictions of the Supreme Court of India.
4. Discuss the grounds for proclamation of emergency under Article 352 and its various effects.
5. "Parliament has limited powers to amend the Constitution." Discuss with the help of decided cases.
6. "Whether the Constitution of India is Federal ?" Discuss.

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.
8. Write an essay on the authority of precedents as a source of Law.
9. Explain Kelson's Theory of Pure Law.

10. What do you mean by Ownership ? Elaborate its essential elements. How is it acquired ?
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 ?
12. Discuss theories of Punishment.

