UNIVERSITY OF NORTH BENGAL

LL.M. Non-Specialization 1st Semester Examination, 2021

LEGAL CONCEPT

PAPER CODE: LL.M.CC 1.2

Time Allotted: 4 Hours   Full Marks: 100

The figures in the margin indicate full marks.

Answer any *four* questions. The questions are of equal value   25×4 = 100

1. "Every right has a corresponding duty." Comparatively validate this statement with the concept of ownerless right. Explain Hohfeld's concept of Jural co-relatives and Jural contradictions.

2. Discuss the concept and theories of Liability. Explain the applicability of doctrine of *mens rea* with its exceptions in India by the help of decided case laws.

3. Write a comprehensive note on Legal Personality and Corporate Personality. Summarise the Theories of Corporate Personality.

4. "Ownership is *de-jure* recognition of a claim to certain property and Possession is the prima facie evidence of Ownership." Describe the relationship between Ownership and Possession in the purview of the above stated contradiction.

5. Elaborately explain the contribution of John Rawls in Distributive Justice.   15+10
   Write a comprehensive note on Criminal Justice System in India.

6. "A liberty is that which I may do innocently: a power is that which I can do effectively; a right in the narrow sense is that which other persons ought to do on my behalf."
   In the light of the above statement discuss the various components of rights in wider sense and analyze the 'Hohfeld's analysis of legal rights'. Also, state the Hohfeld's conception of jural correlatives, jural opposites and jural contradictories.

7. "The notion that nothing is property which cannot be earmarked and recovered in detenu or trover, may be true in an early stage of society when property is in simplest form and the remedies for the violation of it are also simple, but it is not true in a more civilized state when the relations of the life and the interests arising there from are complicated."

In the light of the above statement, discuss the origin and development of the concept of property. Also explain its changing dimensions in the modern era.

8. Write notes on any *two* of the following: $12\frac{1}{2} \times 2=25$
   (a) Summarise the contradictions between Hart and Fuller on Law and Morality
   (b) Law and morals
   (c) Theory of Interest.

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