

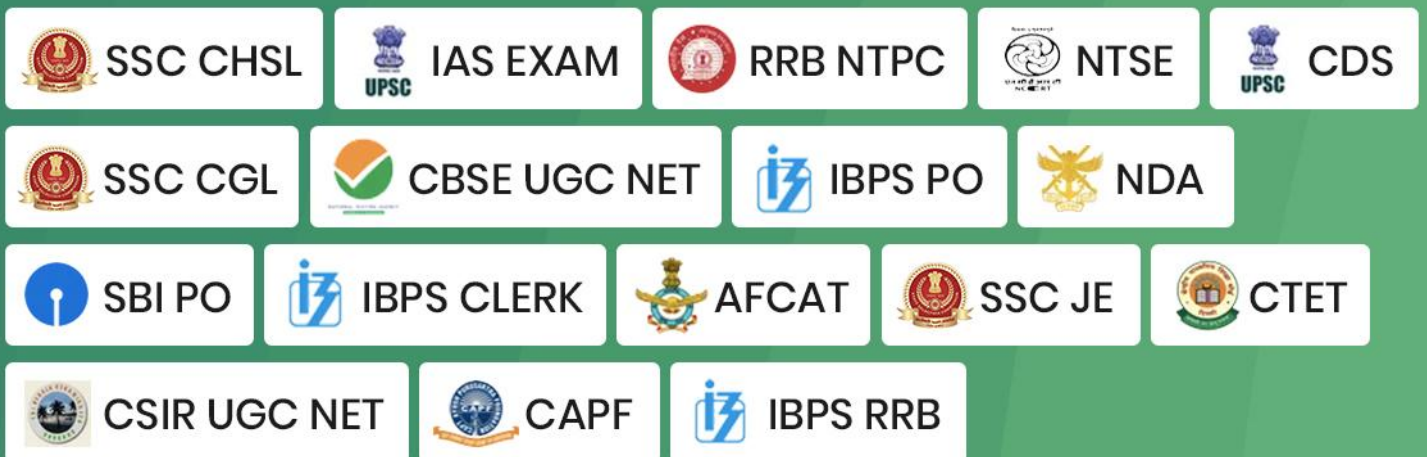


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[This question paper contains 02 printed pages]

Roll Number: _____

HPAS Etc. Combined Competitive (Main) Examination, 2019

Law-I

Time Allowed: 3 Hours

Maximum Marks: 100

Note:

1. This question paper contains total eight questions. *Attempt any five questions including compulsory question No.1.*
2. Each question carries equal marks. Marks are divided and indicated against each part of the question. Write answer in legible handwriting. Each part of the question must be answered in sequence and in the same continuation.
3. Attempts of questions shall be counted in sequential order. Unless struck off, attempt of question shall be counted even if attempted partly. Any page or portion of the page left blank in answer book must be clearly struck off.
4. Give reasons for your answer supported by relevant statutory provisions and case law.
5. *Re-evaluation / Re-checking of answer book is not allowed.*

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1. (a) Discuss the classes of 'Revenue Officers' under the Himachal Pradesh Land Revenue Act, 1953. (6)
(b) Discuss the Fundamental Duties of citizens of India in the time of Covid-19 Pandemic. (8)
(c) "Marxist concept of legal theory had an impact on the Western Concept of Law". Discuss. (6)
 2. (a) 'Austin's insistence on sanctions as a mark of law conceals and distorts the real character and function of law in a society.' In light of the above statement, discuss the contributions and criticism of Austin's theory. (10)
(b) Discuss the procedure of appointment, powers and functions of the 'Village Officers' and 'Nambardars' under the provisions of the Himachal Pradesh Land Revenue Act, 1953. (10)
 3. (a) Explain Roscoe Pound's 'theory of interest' and his idea of 'Social Engineering'. Explain how the Constitution of India has incorporated the principles of Roscoe Pound. (10)
(b) 'Equality is a dynamic concept with many aspects and dimensions and it cannot be cribbed, cabined and confined within traditional doctrines and limits'. Discuss the 'doctrine of equality' in the light of the above statement. (10)

4. (a) What are the documents included under the 'Record of Rights and Documents'? Discuss the procedure relating to preparation of 'Record of Rights' referring to the relevant provisions of the Himachal Pradesh Land Revenue Act, 1953. (10)
- (b) 'A' was sentenced to death, but his death sentence was not executed for eleven years, because his mercy petition was pending before the President. Do you think that long delay by the President or Governor in disposing of mercy petitions of persons convicted can be a ground for commutation of their Death Sentence? Discuss in the light of Article 21 of the Constitution of India and refer to relevant case laws. (10)
5. (a) The work of Karl Marx is primarily based on the relationship between the economic system and the legal system. Discuss. (10)
- (b) What are the main features of the Historical School of Jurisprudence? Explain the term "*Volkgeist*" (general consciousness) expressed by Savigny in his substantive approach. (10)
6. (a) (i) Discuss the status of 'custom' as a source of Law. What are its characteristics and legal requirements? Can a custom outweigh the written text of Law? Discuss by referring to relevant provisions of law. (5)
- (ii) According to Marxists, 'Law arises from class conflicts caused by property'. Explain. (5)
- (b) 'Karl Marx believes in economic determination of law and treats rights as an ideological rationalisation of a capitalist society.' Discuss the validity of this statement. (10)
7. (a) What do you understand by 'Record of rights'? Discuss the procedure relating to 'Making of Records' under the provisions of the Himachal Pradesh Land Revenue Act, 1953. (10)
- (b) What do you understand by 'Right to Religion'? A law prohibits religious conversions brought by the use of force, fraud or allurement and makes it a punishable offence. Do you think that the law is violative of the right to propagate religion guaranteed under Article 25 of the Constitution? Discuss with the help of decided cases. (10)
8. (a) Discuss the relevance of Fundamental Duties under the Constitution of India. Do you think that there is a need to frame a national policy to promote and propagate the national song and national flag in the spirit of Article 51A to achieve the great golden goals. Examine. (10)
- (b) 'Ownership as a right is indefinite in point of user, unrestricted in point of disposition and unlimited in point of duration over a determinate thing'. Do you agree with this definition of ownership? Critically analyse the concept of ownership. (10)



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