

**CS EXECUTIVE- (NEW SYLLABUS)**  
**JURISPRUDENCE, INTERPRETATION AND GENERAL LAWS**  
**UNIT TEST 1**

**TIME: 90 MINUTES.**

**TOTAL MARKS: 50**

**NOTE: ANSWER ALL QUESTIONS.**

Q.1. Attempt all.

- A. Differentiate between Savigny's Theory of Law and Inhering's theory of law in relation to its historical significance.
- B. There are many meanings associated with the word "positivism". List down the meanings in accordance with the legal theory.
- C. In India a statute or law is valid because it derives its legal authority from being duly passed by the Parliament and receiving the assent of the President, the Parliament and the President, derive their authority from a norm i.e., the Constitution. As to the question from where does the Constitution derive its validity there is no answer and, therefore, it is the Grundnorm, Which theory adapts to such perception and such conception? Also list down the opprobrium of such theory.
- D. For purpose of Article 12 of constitution, can BCCI be called as STATE? Justify your answer.
- E. Mr. X, a citizen of India, on his arrival at the airport did not declare that he had brought gold with him. On search, it was revealed that he was carrying 107 tolas of gold in contravention of the law. The custom authorities thereupon took actions against him under custom law and confiscated his gold. Later a complaint was raised and filed in chief presidency magistrate against him for having committed an offence under FEMA, 1999. Mr. X pleaded that as per Article 20 (2) of constitution, he cannot be held responsible for same offence twice as per doctrine of double jeopardy. Is the contention of Mr. X tenable? Justify your answer.

(5 marks each)

Q.2. Attempt all.

- A. The vice chancellor of Gujarat University refused to allow university senate to discuss an important matter within his power. The university senate approached the court. Which writ can be issued in this matter? Also state the persons against whom such writ is not available.
- B. Write a short note on – Noscitur a sociis.
- C. Define as per IPC:
  - I. Month
  - II. Oath
  - III. Document
  - IV. Presidency town
  - V. Swear

(5 marks each)

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Q.3. Attempt (ANY ONE)

- a. 1. How does a bill become an act?
- 2. Short note on literal rule of interpretation.

Or

- b. Differentiate between Article 32 and Article 226 of Constitution of India.

(10 marks)

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