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| CSM – 48/20 |
| Law |
| Paper – I |

Time : 3 hours

Full Marks : 300

The figures in the right-hand margin indicate marks.

*Candidates should attempt Q. No. 1 from
Section – A and Q. No. 5 from Section – B
which are compulsory and any **three** of
the remaining questions, selecting
at least **one** from each Section.*

SECTION – A

1. (a) Discuss the objectives and importance of the objective of the Indian Constitution. 20
- (b) Article 142 of the Constitution of India provides the **“Power to do Complete Justice Under the Rule of Justice”**. Comment in the Light of Recent Judgements of the Supreme Court and Constitutional Provisions. 20

- (c) **Comment of the “Equality before the law” and “Equal Protection of Law” with the help of decided case law and constitutional provisions.** 20
2. (a) **Discuss the main elements of right to freedom of speech and expression in the light of contemporary legislations and decided case laws and grounds for restriction.** 30
- (b) **“Natural Justice Represents higher procedural principles developed by judges which every administrative agency must follow in taking any decision adversely affecting the rights of a private individual.” In the light of given statement discuss on principle of “Natural Justice” and various aspects of the “Rule against Bias”.** 30
3. (a) **“Article 21 states that “No person shall be deprived of his life or personal liberty except according to a procedure**

established by law.” Thus, in the light of given statement, discuss on ‘Right to life’ and ‘Right to personal liberty’ in context of contemporary society with the help of judicial pronouncements. 30

- (b) Discuss the cooperation between the Centre and States and constitutional provision for obligations towards each other. 30

4. (a) **“Directive Principles of State Policy that aim at providing social and economic justice and set the path towards the welfare state were not originally classified DPSPs but on the basis of their content and direction in the Indian Constitution.”** Discuss critically in the light of Part III of the constitution and modern socio-political situation, how these are proved to be instrumental in achieving its goal and to what extent ? 30

- (b) Discuss the legislative power and functions of President of India and critique in view of the modern socio-political situation in the light of role of council of minister. 30

SECTION – B

5. (a) Discuss the relationship between International Law and Municipal Law, comment how it balances the relation internationally between states and local administration in contemporary world. 20
- (b) Discuss the nationalism and how do we define a nation ? Is language the criterion, or religion, or ethnicity ? If so, then every few thousand people make up a nation. Comment. Also, we face a dilemma because many people feel that this nation-state with its European historical basis is an outdated concept. At the same time, every nationalist struggle takes political guarantee for its identity. How do you resolve this dilemma ? 20

(c) Define and distinguish between **“Defacto and Dejure Recognition”**, also discuss on the legal effect of International recognition in the contemporary world. 30

6. (a) Discuss why does the Security Council need to be reformed and why should or should not Germany be given a permanent seat ? Discuss your analysis on the right of veto power for new permanent members also. 30

(b) Discuss role of UNHRC ? How do you find out India is fulfilling its obligations under international human rights law and how can you help to monitor its compliance ? 30

7. (a) **“Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.”** In the light of given statement of the International Covenant on Civil and Political Rights, Comment on the basis of decided case laws and constitutional provision in India. 30

(b) Discuss on the 'State Succession' in the light of Germany unification, what are the circumstances, type of succession and the theories of State succession. 30

8. (a) **"Equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence."** Discuss in the light of article 7(c) of International Covenant on Economic, Social and Cultural Rights, the provision available in Indian Constitution and interpretation drawn in judicial pronouncement. 30

(b) Advance your Arguments for and against the TRIPS Agreement in view of contemporary world. 30

