

<b>CSM – 48/17</b>
<b>Law</b>
<b>Paper – I</b>

*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. Answer any **three** of the following (Each answer should be in about **200** words) :  $20 \times 3 = 60$ 
  - (a) Write an exhaustive note on the Preamble to the Constitution of India.
  - (b) The Indian judiciary has from time to time accommodated new rights under Article 21 of the Indian Constitution. Discuss the emerging rights with the help of case laws.
  - (c) What is Public Interest Litigation ? How has it helped the Supreme Court of India in protecting fundamental Rights in India ?

- (d) What is meant by Directive Principles of State Policy ? Bring out the distinctions between Directive Principles of State Policy and Fundamental Rights.
2. (a) Discuss the constitutional position of the President of India. 30
- (b) Explain the procedure provided by the Constitution in order to maintain the independence and impartiality of the judiciary. 30
3. (a) Write an explanatory note on the power of the Parliament to amend the Constitution of India, refer to judicial pronouncements. 30
- (b) Describe the procedure prescribed in the Constitution of India for the appointment of a judge of the Supreme Court. 30
4. (a) What are the grounds, duration and consequences of proclamation issued by the President of India pertaining to the failure of constitutional machineries in states ? Is such a proclamation justiciable ? 30
- (b) What is meant by 'Judicial Activism' ? Trace the evolution of this concept through various judgements of the Supreme Court. 30

## SECTION – B

5. Answer any **three** of the following (Each answer should be in about **200** words) :  $20 \times 3 = 60$

- (a) What do you understand by the sources of International Law ? Explain the hierarchy of sources and jus cogens of International Law.
- (b) What is a Treaty under International Law ? Discuss the formalities relating to Treaty making. How it is terminated ?
- (c) "State responsibility concerning International duties is a legal responsibility." Openheim.

In the light of the above statement, discuss the nature and extent of such a responsibility. Refer to case laws.

- (d) What are the legal consequences of recognition of a state ? Has a non-recognised state any statute in International Law ?

6. (a) Write an exhaustive note on the composition and jurisdiction of International Court of Justice. Can the International Court of Justice give an advisory opinion on any legal question at the request of anybody authorised by, or in accordance with the Charter of U. N. to make such a request. 30

- (b) Discuss the origin and development of International Humanitarian Law. 30
7. (a) Enumerate various legislations relating to Human Rights in India. 30
- (b) Discuss the law relating to the protection of women during armed conflicts in the light of Conventions and Protocols. 30
8. (a) Elaborate the dispute settlement procedure under WTO. 30
- (b) Define Human Rights. Describe the major features of International Criminal Court. 30

