

CC/M/EXAM.
2020

LAW

PAPER—I

Time : 3 hours]

[Full Marks : 250

Note : Question Nos. **1** and **5** are compulsory and out of the remaining, any **three** are to be attempted choosing at least ONE question from each Section. The number of marks carried by a question/part is indicated against it.

SECTION—A

1. Answer *any five* of the following questions :

10×5=50

- (a) Briefly discuss the salient features of Indian Constitution and the ethos of India's Secularism.
- (b) The Legal Services Authorities Act seeks to achieve social justice but it is riddled with problems on the ground. Critically analyze.
- (c) Fundamental Rights are not an end in themselves but are the means to an end. Describe the inter-relationship of Fundamental Rights and Directive Principles of State Policy.
- (d) Critically examine the executive powers of the President under the Constitution. What are the discretionary powers of the President? Cite relevant cases.
- (e) Comment on S. R. Bommai v. Union of India case in context of Governor's power under Article 356 of the Constitution.
- (f) Suggest ways in which National Judicial Appointments Commission and Collegium system can be balanced to benefit the judiciary.
- (g) Describe the division of legislative powers between Centre and States under the Constitution.

2. Answer the following questions :

- (a) Discuss the importance of Local Self Government in a democracy such as India. State the main problems in local governance and give suggestions for its improvement. 20
- (b) Enumerate the powers, functions and responsibilities of the State Public Service Commission under the Constitution. What reforms are needed to make the Commission more efficient? 15
- (c) Like any other written Constitution in the world, the Constitution of India also provides for its amendment in order to adjust itself according to the changing conditions and needs. Elaborate with the help of leading cases. 15

3. Answer the following questions :

- (a) Repeated interventions of one organ into another's functioning can diminish the faith of the people in the integrity, quality and efficiency of the other organs. Justify with reasons. 20
- (b) Explain the concept, evolution and importance of natural justice. 15
- (c) What are the advantages and disadvantages of delegated legislation? Write in brief constitutional validity of delegated legislation in India. 15

4. Answer the following questions :

- (a) Give an overview of constitutional remedies against administrative action. What do you mean by 'Wednesbury Test'? 20
- (b) Discuss the salient features of The Lokpal and Lokayuktas Act, 2013. What are the shortcomings of the Act? 15
- (c) Analyze the doctrine of eminent domain in the light of constitutional provisions pertaining to right to property. What is right to fair compensation in case of land acquisition? 15

SECTION—B

5. Answer *any five* of the following questions : 10×5=50

- (a) Can International law be termed as a true law? Give the views of all the proponents for or against it.
- (b) Explain the theory of monism and dualism in the realm of International law. What is the position of International law in the Constitution of India?
- (c) Enumerate the essentials for recognition as a State. What are the legal effects of such recognition?

- (d) Although State succession forms part of the established corpus of classical International law, it is an area of especial confusion and inconsistency. Comment.
- (e) Discuss the rights and duties of Coastal States. What is the Indian position on continental shelf?
- (f) What is the importance of the United Nations Convention on the Law of the Sea, 1982? Define 'exclusive economic zone' and its relevance.
- (g) Give a brief summary of the major United Nations Human Rights Treaties and their implementation.

6. Answer the following questions :

- (a) What do you mean by a Stateless person? Discuss the rights and status of a Stateless person under the relevant International Conventions. 20
- (b) Discuss the essentials of extradition. How do extradition and asylum interact? Are they mutually exclusive? 15
- (c) Describe the various stages of formation of the International treaties. What is reservation to a treaty and does it affect the validity of the treaty? 15

7. Answer the following questions :

- (a) Discuss the main functions of UN Security Council and what are the reforms necessary in the 21st century? 20
- (b) The International Court of Justice's rulings are final but not enforceable. Comment. 15
- (c) What are the various means for the peaceful settlement of International disputes? 15

8. Answer the following questions :

- (a) State the principle of self-defense and intervention under the International law. Explain with the help of decided cases if any. 20
- (b) Critically analyze the 1996 Advisory Opinion by the International Court of Justice on the legality of the threat or use of nuclear weapons. 15
- (c) Give a brief account of the role and contribution of WTO, TRIPS, IMF and World Bank in establishing New International Economic Order post World War II. 15

★ ★ ★