

CSM – 48 / 15
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 **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) What is the nature and extent of freedom of speech and expression under the Constitution of India ?
 - (b) Describe the right to equality as guaranteed by the constitution and also provisions of protective discrimination.

- (c) Explain the appellate jurisdiction of the Supreme Court of India.
- (d) Discuss the interrelation between the two Houses of Parliament in the light of their respective powers and functions.
2. (a) The Supreme Court in **Maneka Gandhi's** case has revolutionized the law relating to personal liberty under Article 21 of the constitution. Explain its new dimensions. 30
- (b) The doctrine of Basic Structure has established the judicial supremacy in the area of constitutional amendments. Explain. 30
3. (a) "Parliament is the sole judge in matters involving parliamentary privileges and immunities except when it is the question concerning the personal liberty of a citizen". Discuss with the help of decided cases. 30
- (b) In the light of the decision of the Supreme Court in **D. C. Wadhwa v State of Bihar**, examine the ordinance making power of the Governor under the Constitution. 30

4. (a) Compare and contrast the constitutional position of the President and Governor in India. Can a Governor be removed when a new Central Government takes over ? Discuss with the help of case law. 30
- (b) "No one shall be a judge in his own cause". Explain the statement with illustrations. 30

Section – B

5. Answer any **three** of the following (Each answer should be in about **200** words) : 20×3 = 60
- (a) "International law is vanishing point of jurisprudence". Explain.
- (b) "The distinction between municipal law and international law is blurring gradually". Explain.
- (c) Explain 'double nationality'.
- (d) Discuss the doctrines of **pacta sunt servanda** and **rebus sic stantibus** in relation to treaties.
6. (a) Compare the implementation mechanisms of International Covenant on Civil and Political Rights, 1966 vis-a'-vis implementation

mechanism of International Covenant on Economic, Social and Cultural Rights, 1966.

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(b) What are mechanisms in the Disputes Settlement Understanding of the World Trade Organization to settle trade disputes ? 30

7. (a) While referring to collective security provisions of the UN charter, examine the role of UN Security Council in the Libyan crises.

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(b) Examine the role of General Assembly in the maintenance of International peace and security.

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8. (a) What were the reasons for discarding UN Human Rights Commission ? Discuss the constitution, powers and functions of the Human Right Council which succeeded HR Commission in 2006.

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(b) Discuss the significance of TRIPS and IMF in the new international economic order and monetary regime.

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