

SECTION — A

1. Answer the following questions in about 150 words each: (10×5 = 50)

(a) "The 'Doctrine of Pleasure' in its absolute unrestricted application does not exist in India." Elucidate with regard to service jurisprudence.

(b) "If the power of judicial review of legislation and administrative actions is abrogated or taken away, the Constitution will cease to be what it is." Critically evaluate.

(c) What do you understand by legislative process? Under the Constitution, the Parliament has been empowered to make law on any matter, in any list, for any territory not included in a State. Explain.

(d) The word 'State' used in the 'Directive Principles' has the same meaning as has been given to it by Article 12, for the purposes of enforcement of the Fundamental Rights. Examine in the light of exceptions, if any.

(e) The President in India is elected not directly by the people, but by the method of indirect election. Explain. Who will decide in case any dispute arises in connection with the election of the President? Discuss.

2. (a) "While interpreting Article 21 of the Constitution, the Supreme Court introduced the concept of 'due process of law' indirectly into the Constitution of India, and thereby expanded its scope considerably." Support your answer with the help of leading case laws. **(20)**

(b) "'Constitutionalism' connotes in essence — 'limited government' or 'a limitation on government'. It is the antithesis of arbitrary powers." Discuss. **(15)**

(c) "The Legislature itself must set the essential policy, or lay down standards or policy in the Delegating Act and the delegate would then legislate to advance the legislative policy." Elaborate the statement with the help of relevant case laws. **(15)**

3. (a) Keshavananda illustrates judicial creativity and the policy-making role of the Supreme Court of a very high order and could be regarded to be an improvement over the formulation in Golaknath. Examine with the help of relevant arguments. **(20)**

(b) 'Constitutional governance' is a system where government authority is limited, defined and structured by a supreme written or unwritten constitution. Analyze with special reference to the Sixth Schedule of the Indian Constitution. **(15)**

(c) "The concept of 'natural justice' is of variable content and imposes variable procedural norms from case to case." Explain. **(15)**

4. (a) "The Supreme Court of India is a multi-jurisdictional Court and may be regarded as the most powerful Apex Court in the world." Justify this statement supported by relevant constitutional provisions. **(20)**

(b) "It is the satisfaction of the President and not of the Central Cabinet, for proclamation of emergency in India." Do you agree with it? Critically examine and also, discuss about the consequences of such proclamation. **(15)**

(c) "An 'Ombudsman' is the projection of the legislative function of supervising the administration." Elucidate this statement in Indian perspectives with the help of examples. **(15)**

SECTION — B

5. Answer the following questions in about 150 words each: (10×5 = 50)

- (a)** Whether International Law is a law in the true sense of the term 'law' or not? Examine.
- (b)** Critically examine the theories which have been propounded to explain the relationship between International Law and Municipal Law.
- (c)** What is 'asylum'? Is 'Right to Asylum' a fundamental right of a person in other country to save from prosecution? Explain.
- (d)** What do you mean by imposing 'Double Veto' by a permanent member of the Security Council of the United Nations? Also, discuss its impact on decision-making process of the United Nations.
- (e)** What do you understand by 'State succession' and 'State recognition'? Differentiate between them.

6. (a) "The present world economic order is supposed to be guided by the operation of free market forces propelled by free competition, based on free movement of goods and services including technology." Discuss the role of the principle of non-discrimination and free trade under the General Agreement on Tariffs and Trade (GATT) in this regard. **(20)**

(b) Discuss the grounds of 'intervention' and its types. State the circumstances under which lawful recourse to use of force for self-defence could be taken. Give its limitations also. **(15)**

(c) "International Law may be defined as that body of law which is composed for its greater part of the principles and rules of conduct which States feel themselves bound to observe and, therefore, do commonly observe in their relation to each other." Explain. **(15)**

7. (a) Discuss the facts and the Principles of the Law of the Sea, emerged in 'Corfu Channel Case', with reference to the territorial sea and contiguous zone. Give your opinion, how far the 'Strait of Hormuz' problem could be resolved under the UN Convention on the Law of the Sea (1982) in the light of the principle of 'innocent passage' by foreign vessels. Explain. **(20)**

(b) Discuss the composition, powers and functions of the Security Council of the United Nations for the maintenance of international peace and security. **(15)**

(c) Define the term 'nationality'. State the various modes of acquisition of nationality by a person. Differentiate between 'nationality' and 'domicile'. **(15)**

8. (a) "The Bretton Woods Conference, 1944 adopted the statutes of two institutions to promote New International Economic Order for international financial cooperation and economic development." Discuss the above statement in terms of the International Forum. **(20)**

(b) Discuss briefly 'pre and post' developments of Kyoto Environment Summit on Global Warming, 1997 for the protection and improvement of the human environment. **(15)**

(c) What do you mean by Human Rights? Discuss the procedure for the enforcement of Human Rights of a person as laid down under the International Law. **(15)**