

CSM : 15

LAW PAPER - I

Time Allowed : 3 hours

Full Marks : 100

Marks for each question is indicated against it.

Attempt any 5 (five) questions taking not more than 3 (three) questions from each Part.

PART A

1. For a country like India, the Directive Principles of State Policy should be given more importance than Fundamental Rights to bring effective social justice. Discuss. Do you agree that in certain situations, a harmonious construction of the provisions in Part III and Part IV of the Constitution of India is not possible? **(15+5=20)**
2. Explain the principle of 'repugnancy'. Can it apply when two legislations, one enacted by the Parliament and the other by State Legislative Assembly, cover a subject in the State List? What procedure is to be followed to make a law valid even if the same was repugnant to Parliamentary legislation? **(8+4+8=20)**
3. What are the circumstances in which a civil servant is not entitled to the safeguards provided under Article 311(2) of the Constitution of India? Also, discuss the effect of non-supply of enquiry committee report to a civil servant before his dismissal from the service. **(15+5=20)**
4. What do you mean by "Principles of Natural Justice"? Discuss some basic principles thereof. How far is the "doctrine of legitimate exception" applicable in India? Discuss. **(5+10+5=20)**

PART B

5. "International law is no law". What is the rationale behind this statement? Do you agree with it? What, according to you, is the basis of international law? **(5+5+10=20)**
6. Define 'extradition'. Is extradition a legal duty of a State? What is the basis of non-extradition of political offenders? Under what circumstances can a nation extradite its own nationals? Discuss. **(5+5+10=20)**
7. Discuss in brief some of the main international efforts/instruments to protect and improve the human environment. **(20)**
8. Discuss in brief the various conventions relating to International Humanitarian Law. Also, discuss the various fundamental principles to be followed under International Humanitarian Law. **(10+10=20)**