

LAW
(Paper I)

Time Allowed : Three Hours

Maximum Marks : 300

QUESTION PAPER SPECIFIC INSTRUCTIONS

(Please read each of the following instructions carefully before attempting questions)

There are EIGHT questions divided in two Sections.

Candidate has to attempt FIVE questions in all.

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.

Wherever any assumptions are made for answering a question, they must be clearly indicated.

Word limit in questions, wherever specified, should be adhered to.

SECTION 'A'

1. Answer any three of the following (each answer should be in about 200 words):
 - (a) What procedure would you suggest to the Government of India where under an agreement between the Government of India and a neighbouring foreign country a small portion of Indian territory comprised in State Y has to be ceded to the above foreign neighbouring country? 20
 - (b) "The doctrine of pith and substance introduces a degree of flexibility into the otherwise rigid scheme of distribution of legislative power under the Indian Constitution." Justify this statement with the help of case law. 20
 - (c) "The Constitution of India is not true to any traditional pattern of federation." Comment. 20
 - (d) What is the meaning of 'Freedom of Press' under the Indian Constitution? Can the freedom of press be restricted by a law requiring the press owners to pay minimum wages to the employees of the press? Decide. 20
2.
 - (a) Examine and elucidate the scope and significance of Article 32 of the Constitution in the context of Public Interest Litigation as expounded by the Supreme Court in *M. C. Mehta Vs. Union of India*, AIR 1987 SC. 1086. 30
 - (b) When can the President's Rule be imposed under Article 356 of the Constitution? Is there any need to amend Article 356? What will be your suggestion in this regard? 30
3.
 - (a) Are these features in the Constitution of India that are basic or fundamental to it? Would you subscribe to the proposition that the Parliament's competence to amend the Constitution is subject to the basic or fundamental features of the Constitution? Elucidate. 30
 - (b) Discuss in detail the advisory jurisdiction of the Supreme Court of India. Is the Supreme Court opinion binding on all courts? 30
4. Write short notes on the following:
 - (a) The doctrine of territorial nexus. 20
 - (b) Meaning of the term 'Other Authorities' under Article 12 of the Constitution. 20
 - (c) Power of President of India to grant pardons, reprieves, etc. under Article 72 of the Constitution. 20

SECTION 'B'

5. Answer any three of the following (each answer should be in about 200 words):

	(a)	“International Law is defined as ‘Vanishing point of Jurisprudence’.” (Holland). Examine this viewpoint with reference to the nature of International Law.	20
	(b)	Explain the doctrine of ‘Pacta sunt servanda’. What are the exceptions to the above doctrine?	20
	(c)	How does the ICJ get jurisdiction over contentious disputes? Can a state be compelled to submit its dispute with another sovereign state without its consent?	20
	(d)	What do you mean by the term ‘Subjects of International Law’? What are its attributes?	20
6.	(a)	Discuss the importance of International Customs as a source of International Law. When does a usage crystallize into a custom?	30
	(b)	International practice supports the evidentiary theory as to the nature, effect and function of recognition. Comment.	30
7.	(a)	Define ‘Continental Shelf’ and distinguish it from ‘Exclusive Economic Zone’. Critically evaluate the rights and obligations of coastal states in the Exclusive Economic Zone.	30
	(b)	Discuss the powers of the Security Council to investigate any ‘dispute’ or ‘situation’ inimical to international peace and security.	30
8.		Write explanatory notes on the following:	
	(a)	Territorial Sea	20
	(b)	International Criminal Court	20
	(c)	Jus Cogens	20