

23-0009-AO TEST BOOKLET
LAW
PAPER – I

Time Allowed: 3 hours

Maximum Marks: 300

INSTRUCTIONS TO CANDIDATES

Read the instructions carefully before answering the questions: -

1. This Test Booklet consists of 16(sixteen) pages and has 75 (seventy-five) items (questions).
2. IMMEDIATELY AFTER THE COMMENCEMENT OF THE EXAMINATION, YOU SHOULD CHECK THAT THIS BOOKLET DOES NOT HAVE ANY UNPRINTED OR TORN OR MISSING PAGES OR ITEMS ETC. IF SO, GET IT REPLACED BY A COMPLETE TEST BOOKLET.
3. Please note that it is the candidate's responsibility to fill in the Roll Number and other required details carefully and without any omission or discrepancy at the appropriate places in the OMR Answer Sheet and the Separate Answer Booklet. Any omission/discrepancy will render the OMR Answer Sheet and the Separate Answer Booklet liable for rejection.
4. Do not write anything else on the OMR Answer Sheet except the required information. Before you proceed to mark in the OMR Answer Sheet, please ensure that you have filled in the required particulars as per given instructions.
5. Use only Black Ball Point Pen to fill the OMR Answer Sheet.
6. This Test Booklet is divided into 4 (four) parts – Part – I, Part – II, Part - III and Part – IV.
7. All three parts are Compulsory.
8. Part-I consists of Multiple Choice-based Questions. The answers to these questions have to be marked in the OMR Answer Sheet provided to you.
9. Part-II, Part-III and Part-IV consist of Conventional Essay-type Questions. The answers to these questions have to be written in the separate Answer Booklet provided to you.
10. In Part-I, each item (question) comprises of 04 (four) responses (answers). You are required to select the response which you want to mark on the OMR Answer Sheet. In case you feel that there is more than one correct response, mark the response which you consider the best. In any case, choose *ONLY ONE* response for each item.
11. After you have completed filling in all your responses on the OMR Answer Sheet and the Answer Booklet(s) and the examination has concluded, you should hand over to the Invigilator *only the OMR Answer Sheet and the Answer Booklet(s)*. You are permitted to take the Test Booklet with you.
12. Penalty for wrong answers in Multiple Choice-based Questions:
THERE WILL BE PENALTY FOR WRONG ANSWERS MARKED BY A CANDIDATE.
 - (i) There are four alternatives for the answer to every question. For each question for which a wrong answer has been given by the candidate, one-third of the marks assigned to the question will be deducted as penalty.
 - (ii) If a candidate gives more than one answer, it will be treated as a wrong answer even if one of the given answers happens to be correct and there will be same penalty as above to the question.
 - (iii) If a question is left blank. i.e., no answer is given by the candidate, there will be no penalty for that question.

PAPER -I
PART-I
(Multiple Choice-based Questions)

Instructions for Questions 1 to 50:

- ***Choose the correct answer for the following questions.***
- ***Each question carries 3 marks.*** ***[3x50=150]***

1. Which of the following has been considered supreme as a source of power?
 - (a) Supreme Court of India
 - (b) Parliament of India
 - (c) President of India
 - (d) Constitution of India

2. Which one of the following is not a salient feature of the Constitution of India?
 - (a) Written Constitution and supremacy of the Constitution
 - (b) Quasi-federal structure
 - (c) Committed judiciary
 - (d) Distribution of powers

3. “The Constitution establishes a System of Government which is almost quasi-federal almost devolutionary in character: a unitary state with subsidiary federal features rather than a federal state with subsidiary unitary features”. This was a statement by -
 - (a) Sir Jennings
 - (b) Dr. B.R. Ambedkar
 - (c) Sir K.C. Wheare
 - (d) Dr. Rajendra Prasad

4. He is a constitutional authority whose removal from office by the President requires a reference to the Supreme Court -
 - (a) Judge of the Supreme Court
 - (b) Comptroller-and Auditor General of India
 - (c) Chief Election Commissioner of India
 - (d) Chairman of Union Public Service Commission

5. In which part of the Constitution has the following provision been mentioned?
“The state shall take steps to organize village Panchayats and endow them with such powers as may be necessary to enable them to function as units of self government.”
 - (a) Part I
 - (b) Part II
 - (c) Part III
 - (d) Part IV

6. The term "socialist" used in the Preamble means a State whose basic policy is to
- (a) Prohibit concentration of wealth
 - (b) Distribute equitably the natural resources
 - (c) Prohibit concentration of wealth and uplift the living standards of people
 - (d) Prohibit concentration of wealth and distribute equitably the natural resources
7. Who is an exception before equality before law (Article 14)?
- (a) President
 - (b) Governors
 - (c) Both (a) and (b)
 - (d) None
8. A British citizen staying in India cannot claim the right to -
- (a) Freedom of trade and profession
 - (b) Equality before the Law
 - (c) Protection of life and personal liberty
 - (d) Freedom of religion
9. An accused person has been provided with the following protections by the Constitution of India:
- I. Ex post facto laws
 - II. Safeguards against arrest and detention
 - III. Double jeopardy
- The correct order in which these protections appear in the Constitution is -**
- (a) I, III, II.
 - (b) I, II, III.
 - (c) III, I, II.
 - (d) II, I, III.
10. Which of the following cases is related to constitutionality of 'Right to Death', in which it was held that "Right to Life" does not include "right to die"?
- (a) Maneka Gandhi v Union of India
 - (b) Gian Kaur v State of Punjab
 - (c) A.K. Gopalan v Union of India
 - (d) Kharak Singh v State of U.P.
11. The Right to constitutional remedies guaranteed under Article 32 is available to -
- (a) People of India
 - (b) Only Indian citizens
 - (c) All natural persons, citizens and non-citizens
 - (d) All Indian citizens and foreign ambassadors

12. The Supreme Court of India recognized sexual harassment at workplace as a human rights violation in the case of -
- (a) Vishaka v State of Rajasthan
 - (b) Birdhichand Sharad v State of Maharashtra
 - (c) Tukaram v State of Maharashtra
 - (d) Mr. Ahmed Khan v Shah Bano Begum
13. "Though the executive power is vested in the President but the President is only the Constitutional and formal head of the executive." This view is taken by the Supreme Court in the case -
- (a) Shamsheer Singh v State of Punjab
 - (b) Ram Jawaya Kapoor v State of Punjab
 - (c) Maganbhai v UOI
 - (d) None of the above
14. The concept of Welfare State is included in the Constitution of India in the
- (a) Preamble
 - (b) Fundamental Rights
 - (c) Fourth Schedule
 - (d) The Directive Principles of State Policy
15. Fundamental Duties mentioned in the Constitution of India are -
- I. Addressed to the State
 - II. Not enforceable by mandamus
 - III. Not having any legal sanction for their violation
- Which of the above statements are correct?
- (a) I, II and III are correct
 - (b) I and II are correct
 - (c) II and III are correct
 - (d) I and III are correct
16. Only that person can be appointed a judge of the Supreme Court who is a citizen of India and a/an
- (a) Judge of the High Court for at least five years
 - (b) Advocate of the Supreme Court for at least 10 years standing
 - (c) Judge of the High Court for at least ten years
 - (d) Advocate of the High Court for at least fifteen years
17. While a proclamation of emergency is in operation the State Government _____.
- (a) Cannot legislate
 - (b) Can legislate only on subjects in the Concurrent List
 - (c) Can legislate on the subject in the State List
 - (d) Is suspended

18. 'What cannot be done directly cannot be done indirectly'. This statement epitomizes the doctrine of -
- (a) Pith and Substance
 - (b) Ancillary Powers
 - (c) Implied Powers
 - (d) Colourable Legislation
19. Who said that “the Supreme Court in India has the highest powers which no other Court in the world possess”?
- (a) Mahatma Gandhi
 - (b) Jawahar Lal Nehru
 - (c) Sardar Vallabh Bhai Patel
 - (d) Alladi Krishna Swamy Iyyer
20. The power of Supreme Court of India to decide disputes between Centre and the States falls under:
- (a) Advisory jurisdiction
 - (b) Appellate jurisdiction
 - (c) Original jurisdiction
 - (d) Constitutional jurisdiction
21. The Judges of the Supreme Court _____.
- (a) Cannot be removed from office during their tenure
 - (b) Can be removed from office by the President at his discretion
 - (c) Can be removed by the President on the recommendation of Parliament
 - (d) Can be removed by the President on the recommendation of the Council of Ministers
22. Justice Sarkaria Commission is related to which of the following?
- (a) Review of the working of the Constitution
 - (b) Center State Relationship
 - (c) Inclusion of DPSP in the constitution
 - (d) Fundamental Duties
23. Under whose chairmanship was the National Commission for review of the working of the Constitution constituted?
- (a) Justice R. S. Sarkaria
 - (b) Justice M.M Punchi
 - (c) Justice A. M. Ahmadi
 - (d) Justice M.N. Venkatachaliah
24. Who is the Chairperson of the 22nd Law Commission of India?
- (a) Justice K. T. Sankaran
 - (b) Justice Ritu Raj Awasthi
 - (c) Justice M. N. Katju
 - (d) Prof. D. P. Verma

25. Which Constitutional Amendment provides 10% reservation for the Economically Weaker Sections (EWS) among forward castes in government jobs and colleges across India?
- 102nd Constitutional Amendment Act
 - 101st Constitutional Amendment Act
 - 103rd Constitutional Amendment Act
 - 104th Constitutional Amendment Act
26. Who said- the shift in international law has been "from the more or less formal regulation of diplomatic relations between States to an international law of welfare"?
- Friedmann
 - Whiteman
 - Schwazzenberger
 - Holland
27. "International Law is not a law but only a positive morality". Who said this?
- Austin
 - Hall
 - Hobbes
 - Oppenheim
28. Individual is as much a subject of International Law as a State - held
- Paquete Habana case*
 - The Lawless case*
 - Nicaragua case*
 - Tag v. Regers*
29. According to whom is "International law really law"?
- Austin
 - Holland
 - Oppenheim
 - Starke
30. "International Law is a part of our land and must be asserted." In which case was this decided by Justice Gray?
- Paquete v Habana*
 - Corfu Channel case*
 - Queen v Keyn*
 - De Becker case*
31. In Article 38 (2) of ICJ the words "*ex acquo et bono*" means -
- Considerations of fair dealing and good faith
 - Bona fide behavior by States
 - Relationship of past does not bother present
 - None of the above

32. A non-member of UN:
- May participate in the discussion of the Security Council if the Security Council thinks that the interest of Member State is specially affected
 - Has no right to participate in the discussion of the Security Council
 - May participate in the discussion of the Security Council if the General Assembly gives assent for the same
 - None of the above
33. The admission of a new political entity into the United Nations can be termed as:
- Express recognition.
 - Conditional recognition.
 - Collective recognition.
 - De facto* recognition.
34. Custom and usage are:
- Antonyms
 - Usage is first step towards custom
 - Custom is first step towards usage
 - Synonyms
35. Individual is the ultimate unit of all laws, International Law and Municipal – is given by:
- Cobbett
 - Starke
 - Lauterpacht
 - Austin
36. According to Starke, the term "Subject of international law" possess which of the following attributes?
- Incumbent of rights and duties.
 - Holder of procedural capacity for enforcing a claim before an international tribunal.
 - Possessor of interests for which provision is made by international law **Codes:**
- Only I
 - Only II
 - Both I and II
 - I, II and III
37. Which of the following is a case decided by the European Commission/European Court?
- Lawless Case.*
 - De Becker Case.*
 - Danzing Railways Official Case.*
 - Both (a) and (b).

38. Which of the following is an incorrect statement?
- Art. 1 of U.N. Charter impose legal obligation on member States to promote and protect human rights.
 - European Convention on Human Rights, 1950, conferred rights upon individuals even against the States.
 - The International Covenant on Human Rights, 1976 and the Optional Protocol represent the culmination of the benign trend that individual c claim rights directly (ie. without the medium of the State) under international law
 - International law prevents individuals from acquiring directly rights under a treaty.
39. In which of the following cases, it was held that a provision of a treaty may also generate a rule of customary international law?
- North Sea Continental Shelf Case.
 - The Right of Passage Case.
 - Asylum Case.
 - Both (a) and (b)
40. Which case demonstrates that the *opinio juris* is essential to the creation of a new customary rule of international law?
- S. S. Lotus Case
 - The Asylum Case
 - North Sea Continental Shelf Case
 - None of the above
41. Consider the following statements about India and choose the correct options using the codes given below:
- The courts follow the English practice that international customary rules are ipso facto part of Indian law and do not require incorporation.
 - The Courts would apply customary rules of international law, if they were not overridden by clear rules of domestic law.
 - If in respect of any principle of international law, the Parliament says "no", the national court cannot say "yes".
 - All treaties require implementation by legislation.
- Codes:**
- I, II and IV.
 - I, III and IV.
 - I, II and III.
 - All are correct.

42. In which case did Justice Chinnappa Reddy observe that "The comity of nations requires that rules of international law may be accommodated in the municipal law even without express legislative sanction?"
- (a) *Annakumaru Pillai v Muthupayal*
 - (b) *A.D.M. Jabalpur v Shukla*
 - (c) *Gramophone Co. of India Ltd. v B.B. Pandey*
 - (d) *Shiv Kumar Sharma v UOI*
43. State A deposited some gold in State B. There was a rebellion in State A and the rebels were successful in establishing a parallel government. After some time, State B granted *de jure* recognition to the new government formed by rebels. The new government claims the gold deposited in State B by the old government. Will it succeed?
- (a) Yes, but it has to pay the price of the gold.
 - (b) No.
 - (c) Yes, because the new government, which has been granted *de jure* recognition will be entitled to the succession and possession of the gold deposited by the old government.
 - (d) None of the above.
44. The EEZ is available to:
- (a) Coastal States
 - (b) Landlocked States
 - (c) Geographically disadvantaged States
 - (d) All of the above
45. Which concept has been advanced by developing countries like India to offset the economic imbalance created by history in favour of a few powerful countries?
- (a) Exclusive Economic Zone
 - (b) Continental shelf
 - (c) Contiguous zone
 - (d) None of the above
46. The disputes regarding the jurisdiction of the ICJ shall be decided by -
- (a) General Assembly
 - (b) Security Council
 - (c) Secretary General of UN
 - (d) Court itself
47. The International Covenant on Economic, Social and Cultural Rights contains -
- (a) First generation rights
 - (b) Second generation rights
 - (c) Third generation rights
 - (d) All of the above

48. Consider the following rights:
- I. Right to self-determination
 - II. Inherent right to life
 - III. Freedom from torture; cruel inhuman or degrading treatment punishment
 - IV. Right to work and enjoyment of just and favorable conditions of work

Which of these rights have been recognized under the International Covenant of Civil and Political Rights, 1966?

- (a) I, II, III and IV
 - (b) I, II and III.
 - (c) I and II
 - (d) II and III
49. World Trade Organization came into force on _____
- (a) 27th July 2007
 - (b) 1st January 1995
 - (c) 15th September 1993
 - (d) 1st January 1947
50. Which of the following is not the objective of the IMF?
- (a) To promote international monetary cooperation
 - (b) To ensure balanced international trade
 - (c) To ensure exchange rate stability
 - (d) To provide loan to private sectors

PART-II
(Short Answer-type Questions)

Instructions for Questions 51 to 63:

- ***Write the answers in short for any 10 (TEN) out of the thirteen questions.***
- ***Each question carries 5 marks. [5x10=50]***

51. Define Constitution and explain the meaning of Constitutionalism.
52. Is Freedom of Religion under Article 25 of the Constitution of India an absolute freedom? Discuss with the help of at least one leading case.
53. "Right to personal liberty has seen changing dimensions from A. K. Gopalan to Maneka Gandhi". Discuss the important developments with supporting case law.
54. Explain Public Interest Litigation and limitations on it, if any.
55. Explain the powers and functions of the Election Commission of India.
56. What is supersession of judges? Explain.

57. Discuss the Advisory Jurisdiction of the Supreme Court.
58. “International law is called as the vanishing point of jurisprudence”. Discuss the statement.
59. Explain the difference between ‘*de jure*’ and ‘*de facto*’ recognition.
60. Explain the principle of *pacta sunt servanda* in International Law.
61. Discuss the status of IMF as an international organization and point out its functions.
62. What is the composition and importance of International Court of Justice?
63. Examine the relationship between Covenant on Civil and Political rights, 1966 and Part III of the Indian Constitution.

PART-III
(Long Answer-type Questions)

Instructions for Questions 64 to 71:

- ***Answer any 5 (FIVE) out of the eight questions.***
- ***Each question carries 10 marks.***

[10x5=50]

64. The term ombudsman means ‘watchdog of the administration or the protector of little man.’ Discuss the above statement regarding the need and appointment of Lokpal or Lokayukta.
65. “Central Dominance in the Scheme of Distribution of Legislative Powers under the Constitution of India is prevailing. “Establish this fact with relevant provisions of the Constitution of India.
66. Describe the procedure for amendment of the Constitution of India and explain the Doctrine of “Basic Structure” as propounded by the Supreme Court of India with the help of case law.
67. “The President of India does not have any real power but only position of great authority and dignity”. Examine the statement in the light of the provisions of Constitution of India.
68. Discuss the composition, functions and powers of the General Assembly of the United Nations.
69. Examine comparatively the importance of ‘International Treaties’ as a source of international law with the other sources of international law.
70. Discuss about the origin, objective and functions of WIPO.

71. Petitioner, an editor of 'X' magazine, published a full account of the proceedings of the Legislative Assembly of Uttar Pradesh, including the portion expunged by the Speaker. The Speaker issued a show cause notice to the petitioner and directed him to appear before the House on a fixed date and time. When the petitioner failed in doing so, the Speaker issued an arrest warrant against him. In response, the petitioner filed a writ petition under Article 226 of the Constitution claiming that his publication is protected by Freedom of Speech and Expression and his arrest is against his right to life and liberty. Advise the petitioner whether or not he will be successful in his action and how citing the relevant Articles of the Constitution.

PART-IV
(Essay-type Questions)

Instructions for Questions 72 to 75:

- *Answer any 2 (TWO) out of the four questions.*
- *Each question carries 25 marks.*

[25x2= 50]

72. Explain in detail the powers privileges and immunities of the Members of Parliament. Discuss the approach of judiciary when there is a conflict between fundamental rights and parliamentary privileges with the help of a decided case law.
73. Discuss in detail the provisions in regard to the appointment of the judges of the Supreme Court. Is the President bound to implement the recommendation of Chief Justice of India without following the consultation process? Discuss the constitutionality of NJAC.
74. Discuss in detail the various peaceful methods of settlement of international disputes under the Charter of United Nations.
75. What do you understand by territorial sea? In the light of Anglo-Norwegian Fisheries Case, analyze the major ways in which the breadth of a territorial sea can be measured? What are the rights of the coastal states over the territorial sea? Refer to the provisions of United Nations Convention on Law of the Sea, 1982.
-