

# CSM : 22

## 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. What is a Constitution? Explain the concept of constitutionalism. Do you think the Constitution is a living document? Discuss with respect to the relationship between the Fundamental Rights and Directive Principles of State Policy. **(3+7+10=20)**
2. According to Dicey, power distribution is an essential feature of a federation. The legislative powers are constitutionally guided by the principle of distribution of power between the Union and State Legislatures. - Discuss. **(20)**
3. What do you understand by the term 'separation of the judiciary'? Critically evaluate how the judges of the Supreme Court of India are appointed. Do you think bringing the office of the Chief Justice of India under the ambit of the Rights to Information Act strikes a balance between transparency and judicial independent? **(5+10+5=20)**
4. "A rigid sense of separation of powers which has been given under the American and Australian Constitution does not apply to India". - Elucidate the truth of the statement and justify the application of the principle in the constitutional governance of the Indian Context. **(20)**

### PART - B

5. What are the sources of International Law? Elucidate the conditions and circumstances under which State practice crystallises into Customary International law? Critically examine the monistic theory on the relationship between International law and Municipal law? **(6+7+7=20)**
6. (a) Distinguish between territorial and extra-territorial Asylum under international law. **(10)**  
(b) What are the main steps in the formation of treaty under international law. **(10)**
7. (a) What do you mean by 'continental shelf'? What are the rights of coastal states in their continental shelf? Distinguish between continental shelf and Exclusive Economic Zone. **(3+3+6=12)**  
(b) Discuss the rights and duties of coastal states to hot pursuit under international law. **(8)**
8. Explain the role of United Nations for the protection and improvement of Human Environment. How far do you agree that international efforts to achieve this goal are inadequate for the protection of the Human Environment? **(20)**