

Time Allowed – 3 Hours

Full Marks – 200

If the questions attempted are in excess of the prescribed number, only the questions attempted first up to the prescribed number shall be valued and the remaining ones ignored.

Answer may be given either in English or in Bengali but all answers must be in one and same language.

GROUP A

Answer any three questions

1. (a) "The Preamble to the Constitution sets out the aims and aspirations of the people of India." To what extent have they been translated into the various provisions of the Constitution? (20)
(b) What is the nature of Indian Constitution? Do you think it is a Federal Constitution? Discuss. (20)
2. (a) Explain how the Fundamental Right to Education evolved. What limitations are now placed on this right by the Supreme Court? (20)
(b) Are provisions relating to preventive detention "undemocratic and harsh"? Discuss briefly the safeguards available to a person detained under the law of preventive detention. (20)
3. (a) Examine critically the relationship between the Fundamental Rights and Directive Principles of State Policy in the light of decided cases and the constitutional amendments. (20)
(b) "Fundamental Duties are only ethical and moral duties and should not form a part of Fundamental law". Comment. (20)
4. (a) Examine the conditions under which emergency can be proclaimed under Article 352 of the Constitution. Point out the safeguards against undue prolongation of the emergency. (20)
(b) What is the meaning of 'Failure of Constitutional machinery in a State'? To what extent is the satisfaction of the President in this regard subject to review by the courts? Discuss. (20)
5. (a) Enumerate the various procedures of amending the Constitution. Discuss the limits of the amending powers. (20)
(b) "The doctrine of basic structure has established judicial supremacy in the area of constitutional amendment". Examine. (20)

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6. Write notes on any two of the following: (20+20)
- (a) Doctrine of Prospective Overruling
 - (b) Advisory Jurisdiction of the Supreme Court
 - (c) Pardoning Power of the Governor
 - (d) Doctrine of Pith and Substance

GROUP B

Answer any one question

7. (a) "International Law is defined as 'vanishing point of Jurisprudence'. (Holland). Examine this view point with reference to the nature of International Law. (20)
- (b) "The relationship between International Law and Municipal Law is one of coordination and interdependence". Discuss. (20)
8. (a) "Asylum ends where extradition begins" Explain the statement. (20)
- (b) The prohibition of genocide is considered to be a jus cogens norm. (20)
- i. Explain what jus cogens means.
 - ii. Explain at least two legal effects of the fact that the prohibition of genocide is a jus cogens norm.

GROUP C

WBCS MADE EASY

Answer any one question

9. (a) Write down the conceptual framework of the term "Jurisprudence". Discuss the importance and necessity of Administration of Justice. (20)
- (b) What is the purpose and function of law? (20)
10. (a) Define custom. State the importance of custom. What are the requisites of a valid custom? (20)
- (b) Explain the concept of ownership and discuss the essential elements of ownership. (20)

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