

2019-20

[Time: 3 Hours]

[Marks: 100]

**N.B:**

1. All questions are compulsory.
2. Figures to the right indicate full marks.
3. Give case-law/ reasons wherever necessary.

**Q. 1 Answer the following in not more than 2 sentences:-**

20

- a) What is article 38(1) of the statute of International Court of Justice?
- b) Distinguish between law making treaties and treaty of contract
- c) When can the recognition of government be withdrawn ?
- d) What is *Pacta Sunt Servanda*?
- e) Define Ozone Depletion ?
- f) Discuss 2 important issues from Justice Puttaswamy v/s Union of India
- g) What is Right to Development?
- h) State the importance of Magna Carta
- i) State the Principles of 'Equal Pay for Equal work' as enshrined in the constitution of India
- j) What do you mean by Land Locked State?

**Q. 2 Write short notes (any 4)**

20

- a) Peaceful Settlement of Disputes
- b) CEDAW
- c) International Labour Organisation
- d) National Commission for Minorities
- e) Rights of children in the Indian Constitution
- f) Island Of Palmas Case

**Q. 3 Situational Problems. (any two)**

12

- a) A Russian tourist was gang raped by the employees of the local hotel where she was staying while visiting a city. She left the country after the incident and a case was registered on her behalf for compensation
  1. Is there any breach of fundamental rights? Explain your answer with reasons .
  2. Explain with case laws if any fundamental rights are available to foreign citizens .

b). Bondana and Pacika are two neighboring State having boundary dispute. To resolve their disputes both the countries decide to approach International Court of Justice.

1. State the Procedure followed by the countries to approach the International Court of Justice.
2. Write the two famous Cases decided by the International Court of Justice.

c) The 1972 Stockholm conference had the effect of initiating worldwide participation and partnership in creating the awareness to preserve the Environment from further damage .

1. State two major suggestions of the Stockholm conference for improvement of Environment.
- 2) Write any two provisions which were inserted in the Indian Constitution as an impact of Stockholm conference

**Q. 4 Answer the following (any four)**

**48**

- a) Define International Law. Explain in detail the various sources of International Law.
- b) Explain the principle of freedom of high seas? Describe its usefulness
- c) Explain the status of the rights of Prisoners
- d) Explain Human Rights ? Trace its origin and development.
- e) Discuss the following
  1. European Human Rights Arrangements
  2. UDHR.
- f) Explain the Powers and Functions of NHRC

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[वेळ:३ तास]

[गुण:१००]

**सूचना:**

1. सर्व प्रश्न सोडवा.
2. उजवी कडील अंक पूर्ण गुण दर्शवतात.
3. आवश्यक तेथे कारणे/धारा/ केस लॉ द्या

**प्र.१ खालील प्रश्नांची उत्तरे दोनच वाक्यात द्या.**

**(20)**

- 1) आंतरराष्ट्रीय न्यायालयाच्या न्यायदंडाच्या कलम 38 (1) काय आहे?
- 2) कायदा बनविण्याच्या संधि आणि कराराच्या संधि दरम्यान फरक स्पष्ट करा
- 3) सरकारची मान्यता कधी काढली जाते?
- 4) *Pacta Sunt Servanda* म्हणजे काय ?
- 5) *OZONE* विलोपन ची व्याख्या लिहा ?
- 6) Justice Puttaswamy v/s Union of India ह्या खटल्यामधील महत्त्वाचे २ मुद्दे लिहा
- 7) विकासाचा अधिकार म्हणजे काय ?
- 8) मॅग्रा कार्टाचे महत्त्व सांगा
- 9) भारतीय संविधानामध्ये निहित केलेल्या "समान कामासाठी समान वेतन" ह्या धोरणाचे स्थिती लिहा 10) जमीन बंद राष्ट्र म्हणजे काय?

**प्र.२ थोडक्यात टीपा लिहा (कोणत्याही चार) (20)**

- 1) शांतताप्रिय विवाद निपटारा
- 2) *CEDAW*
- 3) आंतरराष्ट्रीय श्रम संघटना
- 4) अल्पसंख्याक राष्ट्रीय आयोग
- 5) भारतीय संविधानातील मुलांचे हक्क
- 6) पालमास बेट खटला

**प्र.३ कोणतेही दोन सोडवा.**

**(12)**

1. एका रशियन महिला पर्यटकेवरती एका स्थानिक हॉटेल मध्ये राहत असताना त्यातील कर्मचार्यांनी तिच्यावरती सामूहिक बलात्कार केला .त्या घटने नंतर तिने देश सोडला आणि तिच्या वतीने एक खटला दाखल करण्यात आला.

अ. मूलभूत अधिकारांचे कोणतेही उल्लंघन आहे काय? कारणे द्या ?

ब . परदेश्याना उपलब्ध असलेले मुलभूत अधिकार **CASE LAWS** च्या साहाय्याने स्पष्ट करा.

b. बॉडाना आणि पेसीका हे दोन शेजारील राज्य आहेत ज्यामध्ये सीमा विवाद आहे. त्यांच्या विवादांचे निराकरण करण्यासाठी दोन्ही देशांनी आंतरराष्ट्रीय न्यायालयात जाण्याचा निर्णय घेतला.

1. आंतरराष्ट्रीय न्यायालयात जाण्यासाठी देशांनी अनुसरण केलेली प्रक्रिया लिहा.

2. आंतरराष्ट्रीय न्यायालयाने दिलेले कोणतेही दोन प्रसिद्ध निर्णय लिहा

c) 1972 च्या स्टॉकहोम परिषदेने पर्यावरणास पुढील हानीपासून संरक्षण देण्यासाठी जागरूकता निर्माण करण्यासाठी जगभरातील सहभागास आणि भागीदारीची सुरुवात केली.

1. पर्यावरण सुधारण्यासाठी स्टॉकहोम परिषदेच्या दोन प्रमुख सूचना लिहा .

2) स्टॉकहोम कॉन्फरन्सचा प्रभाव म्हणून भारतीय संविधानात समाविष्ट केलेल्या कोणत्याही दोन तरतुदी लिहा

#### Q.4 कोणत्याही ४ प्रश्नांची उत्तरे लिहा

(48)

a) आंतरराष्ट्रीय कायदा परिभाषित करा . आंतरराष्ट्रीय कायद्याच्या विविध स्त्रोतांचा (Sources) तपशील स्पष्ट करा

b) उच्च समुद्रांच्या स्वातंत्र्याचा सिद्धांत समजावून सांगा . त्याच्या उपयुक्ततेचे वर्णन करा

c) कैद्यांच्या अधिकारांची स्थिती स्पष्ट करा

d) मानवाधिकारांची व्याख्या स्पष्ट करा? त्याचे मूळ आणि विकासाचे वर्णन करा

e) स्पष्ट करा: 1. युरोपियन मानवाधिकार व्यवस्था 2. UDHR

f) NHRC चे अधिकार आणि कार्ये विस्तारित करा.

[Time: 3 Hours]

[Marks: 100]

Please check whether you have got the right question paper.

- N.B:
1. All questions are compulsory.
  2. Figures to right indicate full marks.
  3. Give reasons / case laws wherever necessary.

Q.1 **Attempt the following in not more than 2 sentences each:** 20

1. What is the monist view of International law?
2. Define Recognition?
3. Why is sovereignty a considered an important element of State?
4. What are bilateral treaties?
5. Write any two functions of ILO?
6. Explain Disintegration of States with examples.
7. What is *ex aequo et bono*?
8. What does the European Convention on Human Rights concerned with?
9. Who constitutes the State Human Rights Commission?
10. What is PUCL?

Q.2 **Write Short Notes on any four of the following:** 20

1. De facto Recognition
2. UNESCO
3. International Court of Justice
4. Supreme Court & Human Rights
5. Legal Nature of Judicial Decisions
6. Continental Shelf

Q.3 **Solve any two of the following problems:** 12

1. On January 23, 1925, the United States of America and the Netherlands referred their dispute concerning sovereignty over particular Islands to arbitration by a sole arbitrator to determine whether the Island in its entirety formed a part of the territory belonging to the United States of America or of the territory of the Netherlands.
  - a) Which case is being referred to here and explain the facts of the case.
  - b) What was the principle adopted by the Arbitrator in resolving the case.
2. Mr. X was illegally detained in prison for over two years after his acquittal due to negligence of the jail authorities. Explain -
  - a) Is it a Human Rights violation?
  - b) Which writ is available to Mr. X in this case?
3. Thirty-seven states of the world are land-locked states. Nepal is also a land locked state and has no access to the sea for carrying out commercial activities.
  - a) Which UN Convention grants rights to land locked States?
  - b) What are the rights of the land locked states?

IX  
Human Rights  
Year

[Marks: 100]

[Time: 3 hours]

Please check whether you have got the right question paper.

Q.4 **Attempt any four of the following questions:** 48

- a. Explain the role played by NGO's in the protection of Human Rights.?
- b. Explain the significance of Fundamental Rights and the Directive Principles provided in the Indian Constitution towards the protection of women and Children.
- c. What is Territorial Sea? Explain the various freedoms of High Seas with appropriate examples.
- d. Explain Territory. Modes of Acquisition and Loss of Territory.
- e. Explain the UN Convention on Law of Seas and its significance in bringing Peace and harmony in the World.
- f. Elaborate on the sources of International law.

Write Short Notes on any four of the following:

De Facto Recognition

UNESCO

International Court of Justice

Supreme Court & Human Rights

Legal Nature of Judicial Decisions

Continental Shelf

Solve any two of the following problems:

On January 21, 1952, the United States of America and the Netherlands resumed their dispute concerning sovereignty over particular islands in arbitration by a sole arbitrator to determine whether the island in its entirety formed a part of the territory belonging to the United States of America or of the territory of the Netherlands.  
a) Which case is being referred to here and explain the facts of the case.  
b) What was the principle adopted by the Arbitrator in resolving the case.

Mr. X was illegally detained in prison for over two years after his acquittal due to negligence of the jail authorities. Explain -  
a) Is it a Human Rights violation?  
b) Which writ is available to Mr. X in this case?

Thirty-seven states of the world are land-locked states. Nepal is also a land-locked state and has no access to the sea for carrying out commercial activities.  
a) Which UN Convention grants rights to land-locked states?  
b) What are the rights of the land-locked states?