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6 SEM LLB OP 5 HR/C&P (N)

2017

(June)

LAW

Paper : 6-5

(Optional)

(New Course)

(i) Human Rights

(ii) Criminology and Penology

Full Marks : 80

Time : Three hours

**The figures in the margin indicate
full marks for the questions.**

(i) Human Rights

1. India has moved a petition before the U.N. Body seeking justice for Kulbhusan Jadhav alleging violation of Vienna Convention. Discuss the provisions and significance of Vienna Declaration, 1993. 12

Contd.

Or

What is the function of International Criminal Court? State its power and jurisdiction. 12

2. What are the principles of 'Magna Carta'? How it relates to Human Rights? 12

Or

Describe the "Two Covenants" adopted by the U.N. General Assembly on Dec 16, 1966. 12

3. Enumerate the Civil and Political Rights considered under three generation of Human Rights. 12

Or

What is the concept of Human Rights? Is there any parity with the Fundamental Rights guaranteed by the Constitution of India with it? 12

4. What measures were adopted in The Fourth World Conference on Women held at Beijing in 1995, in respect of empowerment of women and their enjoyment of Human Rights? 12

Or

What role is played by the UN Body to curb poverty and other economic problems affecting Human Rights of men and women. 12

5. What do you mean by the term Vulnerable groups? What measures are adopted by United Nations for protection of harassment of women in the society? 12

Or

The role played by UNESCO Conventions for protection of child rights is adequate. Discuss. 12

6. Write short notes on : 2x5=10
- (a) Genocide
 - (b) Common Article 3 to the Geneva Conventions

- (c) The National Commission for Minorities
- (d) Internally Displaced Persons
- (e) Rights of the Child under convention of 1989 not to separate from his/her parents.

7. Choose the correct answers : 1×10=10

(a) The Headquarters of UNO is located at

- (1) Washington
- (2) New York
- (3) Geneva.

(b) The persons who migrate from one place to another for hunger, violence within the state are called

- (1) Refugee
- (2) Internally Displaced persons
- (3) Nomades
- (4) Stateless persons.

(c) The case of Olga Tellis Vs Bombay Municipal Corporation dealt about

- (1) Pavement Dwellers
- (2) Child abuse
- (3) Bar dance girls.

(d) The qualification prescribed for appointment as Chairman of State Human Rights Commission

- (1) Must be a judge of High Court
- (2) Should be a retired District judge
- (3) Must be an advocate of with minimum ten years practise in Supreme Court.

(e) The Headquarters of International Criminal Court is located at

- (1) New York
- (2) Geneva
- (3) The Hague.

(f) The Kashmiri Pandits are the persons of belonging to Kashmir who are

- (1) Considered as great pandits (scholars)
- (2) Driven out of Kashmir due to internal violence
- (3) Refugees who settled abroad.

(g) To seek redressal against Human Rights violation, an individual has to seek justice in

- (1) International Court of justice
- (2) Supreme Court of India
- (3) High Court
- (4) None of the above.

(h) Genocide is committed by

- (1) Terrorists
- (2) Enemy armed forces
- (3) A tyrant
- (4) None of the above.

(i) Universal Declaration of Human Rights was made in

- (1) 1948
- (2) 1993
- (3) 1864.

(j) Right of self determination is a

- (1) First generation Human Rights
- (2) Second generation Human Rights
- (3) Third generation Human Rights
- (4) None of the above.

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6 SEM LLB OP HR/C & P 5

2020

LAW

(Optional)

Paper : 6.5

1. Human Rights

2. Criminology and Penology

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

1. Human Rights

1. Explain the concept of human rights. Can the first, second and third generation of rights be distinguished? Discuss. 12

Or

Explain the origin and development of human rights and discuss the theories of human rights. 12

Contd.

2. "A right is the product of given social order. It therefore possesses a historical character." Would you agree? Discuss the above statement in the context of evolution of human rights. 12

Or

Critically examine the implementation mechanisms of the International Covenant on Civil and Political Rights (ICCPR) 1966 and its effectiveness. 12

3. What is the relationship between human rights and economic growth? How do you relate the sustainable development goals drawn by the United Nations that include No Poverty, Zero Hunger, Quality Education, Gender Equality etc. with Human Rights? 12

Or

Discuss the issue of violations of human rights of Dalits and Adivasis in India. Elaborate on the relevant legal provisions and mechanisms in India for the redressal of their rights. 12

4. (a) "The International Criminal Court is perhaps the most innovative and exciting development in International Law since the creation of the United Nations." Comment. 6

(b) Discuss the jurisdiction of the ICC over various crimes and the concept of 'superior responsibility' as contained in the Rome statute. 6

Or

Discuss the historical importance and significance of Vienna Convention 1993 with respect to reviving the UDHR. Evaluate the standing of the UN High Commissioner for Human Rights in the upholding of universal worth of human rights. 12

5. Discuss the salient features of Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Do you agree that the system of State Accountability and Implementation is unsatisfactory under CEDAW? Support your answer giving suitable examples. 12

Or

"In the context of administration of juvenile justice, the principle of best interest of the juvenile shall be the primary consideration."

In the light of the above statement, discuss the fundamental principles of juvenile justice and the kind of orders that may or may not be passed regarding juveniles by Juvenile Justice Board. What reforms, if any, would you suggest with regard to 16 to 18 year old juvenile committing serious offences?

6. Write short notes on **any five** from the following: $2 \times 5 = 10$

- (a) Poverty and Human Rights
- (b) Domestic Violence Act, 2005
- (c) Right to Education in India
- (d) Social and Cultural Rights under the ICESCR
- (e) National Human Rights Commission
- (f) Rights of Internally Displaced Persons

7. Answer the following questions: $1 \times 10 = 10$

(a) Which right is mentioned in Article 1 of the ICESCR?

- A. Right to Self-determination
- B. Right to Life
- C. Right to Property
- D. Right to Peace

(b) The principle of greatest good of the greatest number was advocated by which school of thought?

- A. Utilitarianism
- B. Idealism
- C. Liberalism
- D. Marxism

(c) "Right is a claim recognized by the society and enforced by the state." Who said this?

- A. Elbert Spencer
- B. Harold Laski
- C. T. H. Green
- D. Bosanquet

(d) Liberty, Equality and Fraternity are the slogans of

- A. American Revolution
- B. Glorious Revolution
- C. Russian Revolution
- D. French Revolution

(e) Right to family is ensured in which Article of the UDHR ?

- A. 21
- B. 14
- C. 28
- D. 16

(f) National Women Commission is what kind of body ?

- A. Statutory
- B. Constitutional
- C. Executive
- D. Judicial

(g) Which Article of the Protection of Human Rights Act prescribes for Human Rights Courts ?

- A. Article 12
- B. Article 16
- C. Article 31
- D. Article 13

(h) How many human rights treaty bodies are there ?

- A. 8
- B. 6
- C. 9
- D. 7

(i) Which organization launched the 'Freedom from Hunger Campaign' ?

- A. FAO
- B. WHO
- C. UNESCO
- D. UNICEF

(i) Who founded PUCLDR?

- A. V. R. Krishna Iyer
- B. Mirza Hameedullah Beg
- C. Jayaprakash Narayan
- D. None of the above

(ii) How many human rights treaty bodies are there?

- A. 8
- B. 5
- C. 9
- D. 7

(iii) Which organization launched the 'Freedom from Hunger Campaign'?

- A. FAO
- B. WHO
- C. UNESCO
- D. UNICEF

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6 SEM LLB HR 6.5 OP6

2021
(September)
LAW
Paper: 6.5 OP6
(Human Rights)
Full Marks- 40
Time: 1 ½ Hrs

(The figures in the margin indicate the full marks for the questions)

1. Answer any two from the following questions

13×2=26

- a. "Human Rights differ from other moral rights in being the rights of all people at all times and in all situations." How far do you agree with the above statement? What parameters will you use to distinguish human rights from other moral rights? Explain. 7+6=13
- b. The convergence of several historical factors starting from the 13th century right upto the middle of the 20th century resulted in the emergence of the concept of human rights, universal in its approach and comprehensive in its content. Discuss in details about the said factors. 13
- c. What are the social problems which affect human rights? How can the problems be eradicated to promote human rights? 6+7=13
- d. The violation of the rights of the prisoners has always been a matter of great concern for all. Discuss the steps taken by the international community in arresting the said violations. 13
- e. Who is a child? Explain in brief the various rights conferred on him under the different international instruments and also highlight the Indian laws pertaining to his rights. 4+9=13

2. Answer any one question from the following:

14×1=14

- a. Human Rights are not mere pedantic texts but embody certain human values, cherished principles and spiritual norms and recognizes and upholds the dignity of a man. Discuss the statement in details. How has the development of the concept of human rights led to the classification of human rights. 14
- b. State and critically analyse the implementation mechanisms available in the treaties which constitute the International Bill of Human Rights. What suggestions would you give to enhance the implementation mechanisms of those treaties? 7+7=14
- c. How does social hierarchy and social prejudices violate human rights? What are the remedial measures prescribed by law to arrest the said violations? 7+7=14
- d. What was transpired during the 1993 Vienna Convention on human rights? Why is the Vienna World Conference on Human Rights significant? 4+10=14
- e. Discuss the vulnerability of women in the Indian Society and discuss the protective measures initiated for safeguarding their rights. 14

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6 SEM LLB HR/C&P 6.5 OP₆

2023

(June)

LAW

Paper : 6.5 OP₆

1. Human Rights

2. Criminology and Penology

Full Marks : 80

Pass Marks : 32

Time : Three hours

The figures in the margin indicate full marks for the questions.

1. Human Rights

1. What do you understand by human rights ?
Discuss different generations of human rights. 3+9=12

Or

Discuss the salient features of International Covenant on Civil and Political Rights, 1966.

12

Contd.

2. Discuss the significance of International Bill of Human Rights. 6+6=12

Or

Write short notes on: 6+6=12

- (a) Geneva Conventions of 1864
(b) Human Rights Committee

3. What do you understand by racial discrimination? Discuss the International Convention on Elimination of All Forms of Racial Discrimination of 1965. 2+10=12

Or

Write notes on: 6+6=12

- (a) IDP
(b) Economic problems and Human Rights

4. Discuss the jurisdiction of International Criminal Court. 12

Or

Write notes on: 6+6=12

- (a) Vienna Declaration, 1993
(b) War Tribunal

5. Discuss the main provisions provided by United Nations Convention on the Rights of Child, 1989. 12

Or

Write notes on: 6+6=12

- (a) CEDAW
(b) National Commission for Women

6. Write short notes on: 2×5=10

(a) Natural Rights

(b) Magna Carta

(c) Urban Migration

(d) International Crime

(e) Social hierarchy

7. Answer the following questions in 1 or 2 sentences: 1×10=10

(i) What is Fourth Generation Human Rights?

(ii) The First International Conference on Human Rights was held in _____.

(iii) In which year the Covenant on Civil and Political Rights was adopted ?

(iv) What is genocide ?

(v) The headquarters of UNO is located in _____.

(vi) What is Rome Statute ?

(vii) Whether the National Human Rights Commission can take suo moto action.

(viii) What is a declaration ?

(ix) The headquarters of ILO is located in _____.

(x) UN Centre for Human Rights is located in _____.