



# BRAINWARE UNIVERSITY

Term End Examination 2023-2024

Programme – LLM-2022

Course Name – Human Rights and Indian Constitution

Course Code - LLM301B

( Semester III )

Full Marks : 60

Time : 2:30 Hours

[The figure in the margin indicates full marks. Candidates are required to give their answers in their own words as far as practicable.]

## Group-A

(Multiple Choice Type Question)

1 x 15=15

1. Choose the correct alternative from the following :

(i) Examine human rights as:

- |   |  |
|---|--|
| a) Privileges granted by governments            | b) Fundamental rights inherent to all individuals        |
| c) Rights exclusively for citizens of a country | d) Rights reserved for certain groups based on ethnicity |

(ii) Observe the statement that best describes human rights:

- |  |  |
|--|--|
| a) Rights that can be taken away by authorities    | b) Rights that can be taken away by authorities      |
| c) Rights that can be traded for economic benefits | d) Inherent rights that cannot be denied or violated |

(iii) Tell the primary purpose of human rights:

- |   |   |
|---|---|
| a) Ensuring government control over individuals   | b) Protecting the interests of corporations |
| c) Safeguarding the well-being of all individuals | d) Promoting discrimination and inequality  |

(iv) Identify human rights applies to:

- |  |  |
|--|--|
| a) Only citizens of a country          | b) All individuals universally             |
| c) Only wealthy and influential people | d) People belonging to a specific religion |

(v) Identify the significance of the human rights principle of non-discrimination:

- |  |   |
|--|---|
| a) It ensures that everyone receives the same income and resources   | b) It protects individuals from unfair treatment based on various characteristics |
| c) It guarantees unlimited freedom of expression for all individuals | d) It allows governments to discriminate against minority groups                  |

(vi) Identify the human right is often considered a prerequisite for the realization of other rights:

- |                       |                      |
|-----------------------|----------------------|
| a) Right to Life      | b) Right to Privacy  |
| c) Right to Education | d) Right to Religion |

- (vii) Locate the the consequence of violating human rights under international law:
- a) The violator is exempt from legal consequences                      b) The violator is exempt from legal consequences
- c) Violators are only accountable to their own government                      d) Human rights violations are not recognized under international law
- (viii) Examine the period of emergence of human rights:
- a) Ancient Ages                      b) 19th century
- c) Middle Ages                      d) 20th century
- (ix) Select the correct case on equality of opportunity in employment
- a) Indra Sawhney v. Union of India, 1993                      b) Kesavananda Bharati v. State of Kerala, 1973
- c) both a and b                      d) none of these
- (x) Select the correct case on Affirmative Action for the disadvantaged people of India
- a) Indra Sawhney v. Union of India, 1993                      b) Kesavananda Bharati v. State of Kerala, 1973
- c) Union of India v. A Sanyasi Rao, 1996                      d) none of these
- (xi) Enumerate the concept of positive rights referring to:
- a) Rights that are easily attainable without any effort                      b) Rights that require the government to take action to ensure their realization
- c) Rights that can be taken away under certain circumstances                      d) Rights that are only applicable to specific religious or ethnic groups
- (xii) Predict women\'s sufferage movement was fought for:
- a) The right to own property                      b) The right to vote
- c) The right to access education                      d) The right to freedom of speech
- (xiii) Choose the correct case that held that development is a component of Art 21
- a) Samantha vs State of Andhra Pradesh 1997                      b) Enviro-Legal Action vs Union of India 1996
- c) M.C. Mehta vs Union of India                      d) Madhu Kishorev State of Bihar 1996
- (xiv) Choose the correct context of art. 1 of UDHR
- a) all human beings are born free and equal                      b) all humans have right to life
- c) prohibition of slavery                      d) none of these
- (xv) Choose the correct case that held that in the absence of any domestic law the international conventions and norms are to be read as reference
- a) Vishaka vs State of Rajasthan 1997                      b) Samantha vs State of Andhra Pradesh 1997
- c) Enviro-Legal Action vs Union of India 1996                      d) M.C. Mehta vs Union of India

### Group-B

(Short Answer Type Questions)

3 x 5=15

2. Identify the concept of jus cogens norms in human rights law (3)
3. Cite the meaning of Social Rights. (3)
4. Identify the concept of positive obligations in human rights jurisprudence (3)
5. Illustrate the meaning of Right to social security in the light of the Constitution of India. (3)
6. Test the case of Olga Tellis v. Bombay Municipal Corporation on the basis of the principle of Human Rights (3)

OR

Test the case of Vishaka v. State of Rajasthan in the light of the adoption of International Convention under municipal law (3)

### Group-C

(Long Answer Type Questions)

5 x 6=30

7. Define the meaning of the term Human Rights (5)

8. Describe importance of Article 32 of the Constitution of India in order to protect the Human Rights (5)
9. Explain about the American Convention on Human Rights, 1969 (5)
10. Explain about the Pact of San José, 1969 (5)
11. Evaluate about the interrelation between Article 21 and 39A of the constitution of India (5)
12. Illustrate the basic components of the Socio-Economic Rights (5)

**OR**

Explain a brief note on the Specialized Agencies of the United Nations (5)

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