

We promised and we delivered !!

Out of the total 61 questions asked in the Law Paper I and II, students those who have sincerely pursued our tests, have been able to directly/indirectly address 45 questions in CSM 2020

Here is the report !!

Sl No	Question asked in CSM 2020	Reference to Our Tests	
		Test Code	Question Number and Question
Paper I; Section A			
1.	1(a) The goals specified in the Preamble contain the basic structure of the Constitution, (which cannot be amended under Article 368 of the Constitution. Analyse this statement in the light of leading decided cases.	CCS005	4(a) "The Supreme Court of India has extended the theory of basic structure of the Constitution to the constitutional morality in the case of B.R. Kapur Vs. State of Tamil Nadu, (2001)." Explain. 20
2.	1(b) Make a distinction between judicial review and judicial power. Explain the scope of judicial review with reference to the cases arising under the Xth Schedule of the Constitution.	FLT004	1.(d) Discuss the limits and extent of the power of Judicial Review. 10.
3.	1(c) Analyse the relevance of doctrine of eminent domain under the Constitution of India. Explain the limitations of this doctrine with the help of case law.	FLT004	5(a) What do you understand by the term "Eminent Domain"? Discuss its relevance in the present-day context. 10.
4.	1(d) Enumerate the list of Fundamental Duties as provided in the Constitution of India. What is the rationale of incorporation of Fundamental Duties under the Indian Constitution through the Constitutional (Forty-second	FLT004	4(c) Discuss the latest judicial trends as regards enforceability of Fundamental Duties. 15
		FLT006	3(c) "Fundamental duties are only ethical or moral duties and should not form a part of

	Amendment) Act, 1976?		the fundamental law.” Comment. 15
5.	1(e) What are the various modes of judicial control of delegated legislation ?	FLT004	5(e) Highlight the legislative control over delegated legislation. 10
6.	2(a)(i) Discuss the powers and functions of the Lokpal and the Lokayukta under the Lokpal and Lokayuktas Act, 2013. How do you think the office of Lokpal is better than other anti-corruption mechanisms?	CCS005 FLT006	1(e) Define and distinguish between the terms ‘Lokayukta’ and ‘Lokpal’ in the Indian context. Also mention about its relevance. 10 4(b) State the inadequacies in the legislative framework of Lokpal and Lokayukta Act, 2013. 15
7.	2(a)(ii) Explain the Pardoning Powers of the President. Examine how far the Judicial Review can be exercised over such powers.	CRS001	3(b) “What would be your opinion regarding the view that the exercise of powers by the President and Governors under Article 72 and 161 to grant mercy should also be open to Constitutional Challenge ? Discuss with reference to recent cases of the Apex Court of the country. 15
8.	2(b) “Distinction between quasi-judicial and administrative functions is no longer the exclusive criteria for deciding whether or not the rules of Natural justice apply.” Critically examine this statement.	FLT006 CCS005	1(d) Principles of Natural Justice requires a Modern progressive approach. Comment. 10 1(b) “Natural justice is not a formula which has to be fitted to all situations with an iron-bound uniformity.” – Comment. Refer to case laws. 10
9.	2(c) With the help of	FLT006	1(c) “Federalism has in recent

	illustrations, discuss and differentiate, co-operative federalism and competitive federalism.		years, witnessed a change - from the dogmatic to dynamic - approach.” Discuss the changing approach and point out the main deviations in the working of the Constitution of India.10
10.	3(a) Examine the scope of protective discrimination offered to persons belonging to Scheduled Castes, Scheduled Tribes and Other Backward Classes under Articles 15 and 16 of the Constitution of India. Explain with the help of decided cases.	CCS001	4(c) What is ‘Protected discrimination’? Examine how far it is constitutional under Article 15 and 16. Give reference of decided cases. Also mention the limitations of these articles as per its application. 15
11.	3(b) An amendment of the Constitution of India for better Union and State relations is due." Comment on this statement and substantiate your recommendations for amendment of specific provisions of the Constitution, if any, on this matter.	FLT004	1(a) Recent developments suggest that “Cooperative Federalism” as desired under the Constitution of India requires greater protection. Do you agree? Justify. 10
12.	3(c) "Governor's office is sui generis. The Governor in our system does not function as constitutional head for the whole gamut of his responsibilities. There is an important area, though limited and subject to constitutional constraints, within which he acts in the exercise of his discretion.” Examine this statement in the light of Sarkaria Commission Report.	CCS003	4(C) What are the discretionary powers of the Governors of States? Why is there no provision in the Constitution for impeachment of a Governor? Explain. 15

13.	4(a)(i) Do local bodies enjoy autonomy in performing their role in the field of economic development and social justice ? Explain in the light of relevant constitutional provisions.		Not dealt with
14.	4(a)(ii) Describe the powers and functions of the Union Public Service Commission.	CCS004	1(c) Discuss the powers and functions of the Union Public Service Commission. Also explain how it has maintained its impartiality. 10
15.	4(b) "Parliamentary privilege is an essential incident to the high and multifarious functions which the legislature performs." Discuss. What reforms will you suggest, if any, in the existing position ?	CRS001	4(b) "Parliamentary privileges are an essential incident to the high and multifarious functions which the legislature is called upon to perform." Discuss the position under the Constitution of India. Will you suggest reforms, if any, in the existing position?
16.	4(c) "While certainly law is important in India, it can't be at the cost of justice." Critically examine this statement in the context of "Curative Writ Petition" in India. Refer to relevant case law.		Not dealt with
Paper -I; Section-B			
17.	5(a) What are the various steps involved for concluding an international treaty and bringing it into force ?		Not dealt with
18.	5(b) A WTO member country "X" agrees with a non-member country "Y" to reduce the tariff		Not dealt with

	on product “A” to 7 percent. Can the WTO members claim the same tariff level on like product “A” from country “X” ? How have the dispute settlement bodies defined the "like product” in Article I-1 of GATT?		
19.	5(c) Discuss the purposes and principles governing United Nations. What reforms, if any, do you suggest for the UN system?	CCS006	3(a) Do you agree with the statement that ‘United Nations is a World Government? Give reasons for your answer. Would you support the idea of a general review of the United Nations Charter? Give reasons. Also give your opinion about the continuity of the ‘Veto System’. What is the stand of India in these respects? 20
20.	5(d) What are the parameters of contentious jurisdiction exercisable by the International Court of Justice ?	FLT008	7(a) How does the ICJ get jurisdiction over contentious disputes? Can a state be compelled to submit its dispute with another sovereign state without its consent? 20
21.	5(e) Discuss the status of individual in International Law especially with reference to human rights treaties.	CRS002	1(c) Discuss the status of individual in International Law especially with respect to Human Rights Treaties. 10
22.	6(a) In resolution 67/19, the United Nations General Assembly decides to accord to Palestine, a non-member observer state status in the United Nations. Explain the importance of the resolution while determining the Statehood of Palestine. Analyse your arguments in the	FLT003 FLT003	2(b) What do you mean by the term ‘Subjects of International Law’? What are its attributes? Can individual fiefdoms masquerading as political or social parties/organizations claim rights under international law? 15 3(a) “The distinction between

	light of various theories of recognition.		'de jure/de facto recognition' and 'recognition as the de jure and de facto government' is insubstantial, more especially as the question is one of intention and the legal consequences thereof in the particular case. If there is a distinction it does not seem to matter legally." Comment and discuss the distinction between the two.
23.	6(b) "Asylum ends where extradition begins." Comment. Distinguish between territorial asylum and extra-territorial asylum.	FLT008 CRS002	5(c) "Asylum ends where extradition begins." Explain.10 3(c) What is the meaning of the term 'Territorial Asylum', under International law? What are its major components? And how is it different from the term 'Territorial Sovereignty'? Discuss.
24.	6(c) Do you agree with the view that International law is merely a positive morality ? Discuss the nature and scope of International law.	CCS006	1(a) Discuss the nature and basis of International Law.
25.	7(a)(i) Explain the State practices relating to observing International law within the Municipal law.	FLT003	1(e) "Due to increasing penetration of international legal rules within the domestic systems, the distinction maintained between two autonomous zone of international and municipal law has been somewhat blurred." Explain with special reference to Indian practice. 10
26.	7(a)(ii) Explain the role of	FLT005	5(c) Define and distinguish

	arbitration for peaceful settlement of international disputes.		between 'arbitration' and 'judicial settlement' in the context of the rules of International Law. Also mention the relevant provisions regarding 'forum prorogatum'.
27.	7(b) Discuss the rights and obligations of Coastal States and other States in the territorial waters and contiguous zone.		Not dealt with
28.	7(c) Explain in detail the anti-dumping provisions under GATT and WTO What are the methods laid down for determination of wantind and material injury”?		Not dealt with
29.	8(a) What is the understanding and scope of legal regimes pertaining to International Armed Conflict (IAC) and Non-International Armed Conflict (NIAC) respectively, and what are the thresholds of application of these two regimes ? Illustrate the impact of International Humanitarian Law on the international refugee crisis.		Not dealt with
30.	8(b) Treaties Evaluate the main sources of International Environmental Law. Explain and discuss in particular the emergence of “Soft Law” and principles of International Environmental Law and how this has influenced the development of this area of	FLT003 CRS002	1(d) Discuss how significant has been “soft law” in development of International Law. 10 8(b) Do you agree with the statement that “Beginning with the Stockholm Declaration of 1972, there has been an

	International Law.		increased reliance upon non-binding international instruments dealing with environment”? Why has this trend developed and have these instruments been more useful than treaties? Explain. 15
31.	8(c)(i) International Terrorism	FLT003	7(b) Write a note on: State sponsored terrorism. 15
32.	8(c)(ii) Grounds of Intervention	FLT008	7(c) Define intervention and mention the grounds under which it is justified. Also throw light on the violations this principle of International Law. 15
33.	8(c)(iii) Nuclear Non-Proliferation Treaty	CRS002	2(a) Discuss the legality of the use of nuclear weapons in International Law with special reference to recent developments. 20

Paper II, Section-A

34.	1(a) If a person, who voluntarily consumed intoxicating liquor, commits an offence, while under the influence of such intoxication, can he plead 'voluntary intoxication' as a defence? Discuss in the light of relevant provisions of the IPC.		Not dealt with
35.	1(b) If a woman watches or captures the image of another woman engaging in a private	FLT002	4(b) “It would be wrong to perceive nudity and sex as essentially obscene, indecent

	act in circumstances where she would usually have the expectation of not being observed by any other person, does that amount to offence of voyeurism' under the Indian Penal Code? Discuss.		or immoral. Sex and obscenity are not always synonymous.” In the light of the above statement elaborate the position of obscenity as an offence in India. 15
36.	1(c) Is it mandatory to obtain previous sanction for prosecuting a public servant for offences under the Prevention of Corruption Act, 1988? Discuss in the light of relevant provisions and the decisions of the Supreme Court.	FLT002	2(b) Describe the legal lacunas that exist in dealing with Corruption in public life. How far the recent amendments in the Prevention of Corruption Act, 1988 has been able to deal with the existing shortcomings? 15
37.	1(d) " 'Public nuisance' does not create a civil cause of action for any person." Comment.	CCS012	1(b) “Nuisance as a tort means an unlawful interference with a person’s use or enjoyment of land or some right over or in connection with it.” Comment. 10
38.	1(e) "The common cases of vicarious liability relate to servant driving his vehicle in the course of employment." Explain in the light of decided cases.		Not dealt with
39.	2(a) The definition of 'murder' under Section 300 of the Indian Penal Code is very wide. It includes not only both 'intentional' and 'unintentional' causing of death but also cases where the death is not even 'foreseen'. Explain.		Not dealt with
40.	2(b) "The expression 'measures	CRS005	3(a) “Section 74 of the Indian

	of damages' means the scale or rule by reference to which the amount of damages is to be recorded and assessed." In the light of the above statement, examine the changing contours of damages as a tortious remedy.		Contract Act, 1872, has cut down the most troublesome knot of common law doctrine of awarding damages." Discuss the statement. 20
41.	2(c) Though both Sections 34 and 149 of the Indian Penal Code provide for imposition of constructive criminal liability, there are substantial points of difference between the two. What are they?	CCS009	1(c) Discuss the rules regarding joint and constructive liability in Criminal Law. Do you find any distinction between similar intention and common intention? 10
42.	3(a) Though the 'capital punishment' is not abolished in India, the recent trends show that the Supreme Court, in appeals, is inclined to modify the same and sentence the convict to life imprisonment with further direction that the convict must not be released from prison before he/she actually serves certain specified number of years usually 20, 25 or 30 years. Do you think the Court is justified in issuing such directions? Comment.	CCS008	3(c) "In murder cases sentence of imprisonment for life is the rule and death sentence an exception". Discuss. 15
43.	3(b) Critically examine the Consumer Protection Act, 2019 and distinguish it with the Consumer Protection Act, 1986.	CCS012	4(b) Briefly discuss the changes introduced in the new Consumer Protection Act with special reference to dispute resolution mechanism and the concept of consumers. Discuss critically as to whether the new enactment have been a step forward in implementing the

			original objectives of Consumer Protection. 20
44.	3(c) Privilege' means that a person stands in such relation to the facts of the case that he is justified in saying or writing what would be 'slanderous' or 'libellous' in anyone else." Explain the statement with leading case law.	CCS012	1(a) It is not necessary that in all cases of tort of defamation there must be a loss of reputation of the plaintiff." Explain and illustrate. 10
45.	4(a) Unless the ingredients of either theft' or 'extortion' are present, neither the offence of 'robbery' nor the offence of 'dacoity' can be made out. Explain.	CCS010	1(a) In all robbery, there is either theft or extortion. Explain.
46.	4(b) Mere proof of presence of both actus reus' and 'mens rea' is not sufficient, the concurrence between the two also needs to be established to impose criminal liability. Elucidate in the light of case law.	FLT005	1(a) 'Although the requirements of <i>mens rea</i> are general throughout the criminal law, there are numerous exceptions to it'. Explain with illustrations. 10
47.	4(c) The rule "Crown was not answerable for tort committed by its servant" has never been applied in India. Examine the statement in the light of the decided cases.	CRS004	2(b) "Although the decision of the Supreme Court in <i>Kasturi Lal v. State of U.P.</i> has not been overruled as such, yet for all practical purposes its force has been considerably reduced." Elucidate. 15
Paper II; Section – B			
48.	5(a) "Like an ordinary paper contract, an electronic contract is also primarily governed by the codified	FLT001	5(b) Do you think that the Indian Contract Act, 1872 is adequate to deal with E-Contracts? List the probable

	provisions of the Indian Contract Act, 1872 as applicable to contracts in general." Explain the statement highlighting the legal provisions relating to conclusion of electronic contract.		issues that may arise out of a transaction in the nature of a contract done electronically, for which the Act is inadequate. 10
49.	5(b) Discuss the access and benefit sharing (ABS) law provided under the Biodiversity Conservation Act, 2002 with special reference to adjudication of biodiversity disputes and jurisdiction of the National Green Tribunal.		Not dealt with
50.	5(c) "The Supreme Court of India in public interest litigation cases relating to COVID-19 pandemic adopted a judicial policy of non-interference into the policies of the Government." Elucidate with the help of decided cases	CRS007	2(a)Public Interest Litigation (PIL) in India, of late has been used not only to represent the unrepresented and weak but also to advance the interest of others. Comment on the recent trends relating to the application, use and misuse of PIL in India. 20
51.	5(d) "A surety is said to be discharged from liability when his liability comes to an end." Throw light on the statement with relevant legal provision under the Indian Contract Act, 1872.	CCS014	1(d) "Liability of the surety is secondary." Comment. 10
52.	5(e) According to Anson, "Contract of insurance bears a certain superficial resemblance to wagering agreement but they are really transactions of different nature". Elucidate.		Not Dealt with

53.	6(a) "The grant of patent implies that patentee has a right to exclude others from using the invention. "Examine the implication of the above statement with relevant provisions of the Patent Act, 1970 and leading judgements.	FLT005	8(a) "An invention has to satisfy certain conditions in order to get a patent."Examine critically the statement. 20
54.	6(b) "No court will lend its aid to a man who found his cause of action upon an immoral or illegal act." Are there any exceptions to the above-said rule? Explain.		Not dealt with
55.	6(c) "The parties cannot appeal against an arbitral award as to its merits and the court cannot interfere on its merits." Critically examine the statement and also explain the highlights of the Arbitration and Conciliation (Amendment) Act, 2019.	FLT001	2(b) "Section 34 of the Arbitration and Conciliation Act, 1996 as amended till date has been the most judicially debated provision under the Act". Analyse with reference to recent Case Laws. 15
56.	7(a) "The objective of Section 138 of the Negotiable Instruments Act, 1881 is to promote the efficiency of banking operations and to ensure credibility in transacting business through cheques." Explain the statement with recent amendments.		Not dealt with
57.	7(b) "Laws are geared to protect the right to equitable remuneration but life is beyond the material." In the light of the above statement,	FLT008	8(b) "Copyright is the right of the artist, author, producer of a film who have created a work by use of their artistic skills." Examine infringement of

	<p>dwell on the dichotomy of economic rights and moral rights under the Copyright Act, 1957 and case law on the point.</p>		<p>copyright particularly relating to video piracy and the remedies available under the law. 15</p>
58.	<p>7(c) Discuss the rationale of exemption to disclosure of information endangering life and the information regarding criminal trial and criminal investigation provided under the Right to Information Act, 2005 in the light of decided cases.</p>	FLT005	<p>5(a) Discuss the exemptions as provided under Right to Information Act, 2005 with landmark judgments in this regard. 10</p>
59.	<p>8(a) "In the course of time, the courts have introduced a number of exceptions in which the rule of privity of contract does not prevent a person from enforcing a contract which has been made for his benefit but without his being a party to it." Explain the statement with the help of leading case law.</p>	FLT001	<p>5(a) "Privity of contract is no longer a rule but only an exception." Explain in the context of modern transactions. 10</p>
60.	<p>8(b) "The intellectual property right and competition law generally work in tandem but often become friends in disagreement." Elucidate the above statement by referring to the mandate of the TRIPS Agreement, 1995 and its compliance under the Competition Act, 2002.</p>		<p>Not dealt with</p>
61.	<p>8(c) "The Environment (Protection) Act, 1986 is an umbrella legislation to not only protect and improve the environment but to prevent</p>	FLT001	<p>2(a) Discuss the framework for enforcement of Environmental Laws. Analyse whether the Pollution Control Boards at the Centre and the States require</p>

	and control of pollution." Comment and analyze.		any further change? 20
--	--	--	------------------------