

PARUL UNIVERSITY
FACULTY OF LAW
LLB. Winter 2019 – 20 Examination

Semester: 2**Subject Code: 17100155****Subject Name: Human Rights and Practices****Date: 13/12/2019****Time: 10.30 am to 1.00 pm****Total Marks: 60****Instructions:**

1. All questions are compulsory.
2. Figures to the right indicate full marks.
3. Start new question on new page.

Q.1 Do as directed. (1 marks each. All Compulsory)**(15)**

1. National Human Rights Commission is a

(a) Statutory body	(c) Multilateral institution
(b) Constitutional body	(d) Both a and c
2. What is the main aim of Human rights?

(a) To teach Morals and ethics	(c) to make people sensible
(b) to develop friendly relations	(d) to establish peace, security and one world
3. Who can be appointed as the chairman of the National Human Rights Commission?

(a) Any sitting judge of the Supreme Court	(c) Any person appointed by the President
(b) Any retired Chief Justice of the Supreme Court	(d) Retired Chief Justice of any High Court
4. Natural rights bind who of the following:

(a) Special people	(c) older people
(b) All of us	(d) Women
5. What is tenure of the chairman of the National Human Rights Commission?

(a) 5 years or upto 62 years of age	(c) 6 years or upto 65 years of age
(b) 5 years or upto 65 years of age	(d) 5 years or upto 70 years of age
6. Who of the following is not included in the Committee constituted for the appointment of the Chairman of the National Human Rights Commission?

(a) President	(c) Lok Sabha Speaker
(b) Prime Minister	(d) Leader of the main opposition party
7. In which year the General Assembly adopted the resolution recognizing the significance of Human Duties?

(a) 1998	(c) 1999
(b) 1997	(d) 2000
8. In which year was the World Conference on Human Rights was conducted?

(a) 1993	(c) 1995
(b) 1992	(d) 1996
9. On which of the grounds / aspects discrimination is based on?

(a) Gender, disability, social, cultural, customary type, etc.	(c) Both '(a)'and '(b)'
(b) Race, sex, caste, colure of skin, etc.	(d) None of the above
10. In which part of the Indian Constitution, the Fundamental rights are provided?

(a) Part II	(b) Part III
(c) Part V	(d) Part IV
11. Fundamental Rights have no value without?

(a) Right to Freedom	(c) Right to Freedom of Religion
(b) Right to Property	(d) Right to Constitutional Remedies
12. When was the Universal Declaration of Human Rights adopted?

(a) 10 December 1948	(b) 15 August 1947
(c) 26 January 1950	(d) None

13. In case of fundamental rights violations, _____ can be approached directly for ultimate justice per Article 32
- (a) Any court in India (c) High Courts
(b) Supreme Court (d) Both B and C
14. Who is the guarantor of the rights according to the Indian constitution?
(a) Supreme Court of India (c) Parliament
(b) President (d) Government
15. The concept of human right is based on the assumption that human beings are born equal in dignity and rights. (True/False)

Q.2 A) Write short notes on. (Each of three mark) (15)

1. Theory of legal rights
2. Nature of rights
3. United Nations Convention on the Rights of Child (UNCRC)
4. Universal Declaration of Human rights
5. Development of Human rights

Q.3 A) The inclusion of fundamental rights in the Constitution of a country is for the purpose of preserving certain fundamental human rights, which are not only to be protected by the State, but which contains an area wherein the State has no right to interfere. Discuss with relevant case laws. (07)

OR

“The judicial control communicates the message that the rule of law is a respectable alternative against the extremism and tendency of violence”. Discuss with reference to judicial review as a tool in ensuring the rights of the citizens.

B) Human rights are no rights at all. They gain their prominence only if it is backed by the State”. (08)

Discuss the statement with reference to the state being the perpetrator of human rights violations, in the background of People’s Union of Civil Liberties vs Union of India (1997).

OR

“Human rights are simply what every human being owes to every other human being and as such represent universal moral obligation”. Discuss the same in reference to the meaning and nature of human rights.

Q.4 A) The situation of human rights in the country remains as bad, if not worse, as it was at the time of establishment of the NHRC and before. The NHRC’s main function is to inquire into complaints of “violation of human rights or abetment thereof, or negligence in the prevention of such violation, by a public servant”. But it cannot execute its decisions based on its findings. Critically discuss the limitations of NHRC in the background of Protection of Human Rights (Amendment) Bill 2019. (07)

B) Answer the following (Any FOUR)(Each of two mark) (08)

1. Social contract theory
2. Welfare state
3. ‘Justice’ in the Preamble
4. Characteristics of Human rights
5. Utilitarianism