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 **PRESIDENCY UNIVERSITY**

**BENGALURU**

 **SCHOOL OF LAW**

**SUMMER TERM END TERM EXAMINATION – AUGUST 2024**

**Semester:** 2023-24 **Date:** 14-08- 2024

**Course Code:** LAW 304 **Time:** 09.30 AM – 12.30 PM

**Course Name:** Human Rights **Max Marks:** 100

**Programme:** BA LLB (Hons.) **Weightage:** 50%

**Instructions:**

1. *Read all questions carefully and answer accordingly.*
2. *Question paper consists of 3 parts.*
3. *Scientific and non- programmable calculators are permitted.*
4. *Do not write any information on the question paper other than the Roll number*

**PART A**

**ANSWER ANY FOUR QUESTIONS 4Q x 5M = 20 MARKS**

1. Define the concept of human rights and explain their fundamental characteristics.
2. Compare and contrast the rights guaranteed under Article 19 of the Indian Constitution with those in the International Covenant on Civil and Political Rights (ICCPR).
3. Evaluate the effectiveness of the Protection of Children from Sexual Offences (POCSO) Act, 2012 in upholding the principle of "best interest of the child" in India.
4. List and briefly explain the five core UN human rights treaties and their optional protocols.
5. Examine the definition of discrimination embodied in the provisions of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the International Convention on the Elimination of All Forms of Racial Discrimination.
6. Explain the significance of the Universal Declaration of Human Rights (UDHR) in the development of international human rights law.

 **PART B**

**ANSWER ANY FOUR QUESTIONS 4Q x 10M = 40 MARKS**

1. Compare the functions and powers of the National Human Rights Commission (NHRC) and State Human Rights Commissions in India, highlighting their strengths and limitations.
2. Critically assess the role of the Indian judiciary in interpreting and expanding the scope of Articles 14, 15, 16, and 17 of the Constitution, citing two relevant cases for each article.
3. Analyze the recent Supreme Court judgment in Puttaswamy v. Union of India (2017) and its implications for the right to privacy under Article 21 of the Indian Constitution.
4. Explain the impact of liberalization, privatization and globalization on growth and development of human rights.
5. Explain the scope of protection provided to prisoners under Articles 20, 21, and 22 of the Indian Constitution. Describe how these provisions safeguard the fundamental rights of individuals even when deprived of their liberty.
6. Differentiate between the Genocide Convention and the Torture Convention. Describe the core crimes defined under each convention and the mechanisms for their prevention and punishment. **PART C**

**ANSWER ANY TWO QUESTIONS 2Q x 20M = 40 MARKS**

1. A woman flees her country due to persecution based on her gender. She seeks refugee status in another country but is denied on the grounds of national security. Analyze the case in light of the Refugee Convention and CEDAW, discussing the intersection of gender-based persecution and refugee rights.
2. A dispute arises between two countries over the rights of indigenous peoples within the territory of one country. The indigenous community approaches the UN for assistance. Analyze the role of relevant UN agencies and the potential jurisdiction of the International Court of Justice in such a case.
3. A journalist publishes an article exposing corruption in a government department. The government imposes restrictions on the article under the guise of national security. The journalist challenges this, claiming violation of Article 19 of the Indian Constitution and seeking information under RTI. Analyze the case in light of reasonable restrictions and compare the protections offered by ICCPR and ICESCR.