

Sample Question Paper for PhD Legal Studies

Details of syllabus

Format of the Entrance Test Paper

The duration of the Entrance Test will be of 2 hours and the question paper will consist of 50 multiple choice questions at the LLM level of two marks each. The areas from which questions may be asked will include the following:

- ☆ Research Methods
- ☆ Comparative Constitutional Law of the SAARC Nations
- ☆ Public International Law: Sources of International Law, Relation of International Law and Municipal Law Principal of International Law, State Responsibility.
- ☆ The Law of International Organizations.
- ☆ International Trade Law: World Trade Organization (WTO) and its covered agreements
- ☆ International Humanitarian Law: Geneva Conventions.
- ☆ Intellectual Property Rights: Patents; Copyright; Trademarks and Related Rights.
- ☆ Jurisprudence: Sources of Law; Legal Personality; Analytical Jurisprudence; Sociological School of Law and Rule of Law.
- ☆ International Environmental Law: Sustainable development, precautionary principal, common but differentiated responsibility, contemporary developments.
- ☆ International Human Rights Law: Civil and political rights, economic, social and cultural rights, current developments.

Negative Marks for Wrong Answers

If the answer given to any of the multiple choice questions is wrong, $\frac{1}{4}$ of the marks assigned to that question will be deducted.

- This is only a sample paper and only meant to be indicative of the type of questions that will be asked.

1. South Asian University in New Delhi (India) has been established as an:

- a. Inter-governmental Organization
- b. Non-governmental Organization
- c. Bilateral Regional Institution
- d. None of the above

2. Declaration of the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms was adopted in:

- a. 1998
- b. 1997
- c. 1996
- d. None of the above

3. Which one of the following terms refers to those persons who are fleeing persecution and human rights violations from one region of the country and have sought refuge in another region of the same country?

- a. IDPs
- b. Illegal Economic Migrants

- c. Temporary Residents
- d. None of the above

4. “Freedom to seek, receive and impart information and ideas of all kinds” has been given under:

- a. Article 19, ICCPR including articles 10, 14 and 16 of the CEDAW, and articles 13, 17 and 24 of the CRC
- b. Article 21, ICCPR including articles 12, 15 and 15 of the CEDAW, and articles 22, 27 and 23 of the CRC
- c. Article 18, ICCPR including articles 13, 13 and 16 of the CEDAW, and articles 14, 16 and 29 of the CRC
- d. None of the above ”

5. A UN Report documented the genocide of Rakhine Muslims by Myanmar state in:

- a. 2019
- b. 2018
- c. 2017
- d. 2016

6. The Bill of Rights – 10 Amendments ensuring basic individual securities such as freedom of expression and faith – entered into the US Constitution in:

- a. 1791
- b. 1789
- c. 1787
- d. None of the above

7. The right to the highest attainable standard of health, first reflected in the WHO Constitution in 1946 is referred to as:

- a. the right to health
- b. the right to wealth
- c. the right to speech
- d. None of the above

8. Which Amendment abolished slavery in the US?

- a. Amendment 13
- b. Amendment 15
- c. Amendment 17
- d. Amendment 19

9. “The right of everyone to adequate food and the fundamental right of everyone to be free from hunger...” has been provided under:

- a. Article 11, ICESCR
- b. Article 11, ICCPR
- c. Article 11, CEDAW
- d. None of the above

10. The Additional Protocol to the 1951 UN Convention relating to the Status of Refugees was adopted in:

- a. 1967
- b. 1966
- c. 1965
- d. None of the above

11. Jean Bodin defined sovereignty as the “absolute and perpetual power of the...”
- Commonwealth
 - Common Health
 - Common Interest
 - None of the above
12. What were the three types of law that Aquinas was concerned with?
- Unity, Spiritual, Good
 - Eternal, Natural, Human
 - Eternal, Unity, Natural
 - None of the above
13. Read the following assertion and reason, then identify the correct derivation from those listed below:
Assertion (A): Customs to have the force of law must be immemorial.
Reason (R): Customs represent the common consciousness of people.
Which of the following is an apt representation of the position of custom as a source of law?
- Both (A) and (R) are true and (R) is the correct explanation of (A).
 - Both (A) and (R) are true and (R) is not a correct explanation of (A).
 - (A) is true, but (R) is false.
 - (A) is false, but (R) is true.
14. Which one of the following theoretical approaches considers that “a reasoned scale of values can be discovered as a basis for legal development” ?
- Sociological
 - Historical
 - Analytical
 - Philosophical
15. Mediate possession is one which a person can:
- acquire through an agent or a servant
 - acquire unlawfully
 - acquire directly by himself
 - acquire lawfully
16. Read the following assertion and reason, then identify the correct derivation from those listed below.
Assertion (A): A legal right is a legally protected interest.
Reason (R): An element of advantage is essential to constitute right.
Codes:
- Both (A) and (R) are true, and (R) is the correct explanation of (A).
 - Both (A) and (R) are true, but (R) is not correct explanation of (A).
 - (A) is true, but (R) is false.
 - (A) is false, but (R) is true.
17. “Possession is nine-tenths of law” implies:
- Possession has become a pure technicality of the law.
 - Possession has become a variable concept of the law.
 - Ownership is easier to maintain if one has possession of something.
 - None of the above

18. Per incurium is
- a decision which ignores a statute on the subject
 - a decision which ignores the case law on the subject
 - a decision which ignores the constitution on the subject
 - All of the above
19. According to realists, the law is:
- legislation
 - custom
 - command of the sovereign
 - what the judges decide
20. Natural law is:
- the idea that law is based on certain immutable principles intrinsic to human beings
 - the law of natural phenomena
 - the idea that law is natural
 - None of the above
21. According to the theory of 'social utilitarianism' as propounded by Ihering:
- the greatest number of people should get the greatest pleasure
 - law is a means to an end
 - a balance is to be struck between the competing interests in society
 - None of the above
22. A legal system that works to ensure a fair division of social benefits and burdens among the members of a community could be characterised as a legal system that aims at:
- Distributive justice
 - Remedial justice
 - Corrective justice
 - Adversarial justice
23. Which one of the following conventions/protocols is responsible for reducing the production of Chloro Fluoro Carbons (CFC) by half?
- Copen Hagen Protocol
 - Montreal protocol
 - Kyoto Protocol
 - Convention on Long Range-Transboundary Air Pollution
24. Identify the South Asian Country which is party to the 1997 Convention on the Law of the Non-Navigational Uses of International Watercourses:
- India
 - Pakistan
 - Bangladesh
 - None of the Above
24. Which Amendment was aimed at phasing down HFCs under the Montreal Protocol in 2016?
- The Paris Amendment
 - The New York Amendment
 - The Delhi Amendment
 - The Kigali Amendment

25. Which *three* of the following were part of the provisional agreement known as the Kyoto Protocol?
- i. The 'clean development mechanism' whereby a developed country can set any greenhouse gas reduction it helps a developing country to achieve against its overall Kyoto Protocol emission reduction target
 - ii. A legally binding commitment by developed countries to collectively reduce their 1990 emission level of a basket of six greenhouse gases by 5 per cent by 2012
 - iii. A compliance system with measures for non-compliance
 - iv. A legally binding commitment by the developed countries as a whole to match any greenhouse gas reductions achieved by all the developing countries
 - v. A system in which no penalties can be imposed when a country fails to meet its emission reduction target
- a. (i),(ii),(iii)
 - b. (ii),(iii),(iv)
 - c. (i),(ii),(v)
 - d. (ii),(iii),(v)
26. Under the Paris Agreement countries have to submit-----
- a. Internationally Determined Commitments
 - b. Internationally Determined Contributions
 - c. Nationally Determined Contributions
 - d. Nationally Determined commitments
27. Which of the following has been declared to be a customary International law by the International Court of Justice?
- a. Intergenerational Equity
 - b. Sustainable Development
 - c. Environmental Impact Assessment
 - d. Precautionary Principle
28. Grave breaches regime is provided in:
- a. Geneva Conventions of 1949 and the Additional Protocol I of 1977
 - b. Additional Protocol I and the Additional Protocol II of 1977
 - c. Geneva Conventions of 1949 and the Additional Protocol II of 1977
 - d. Geneva Conventions of 1949 and the Additional Protocol III of 1977
29. Which is the first formal agreement prohibiting the use of certain weapons in war?
- a. Geneva Convention of 1864
 - b. Geneva Gas Protocol of 1925
 - c. St. Petersburg Declaration of 1868
 - d. Brussels Declaration of 1874
30. Which one of the following statements gives the correct meaning of the term Most Favoured Nation (MFN) in the General Agreement on Tariffs and Trade?
- a. MFN means that a GATT/WTO member country has to treat one specific GATT/WTO member country as most favoured for trade
 - b. MFN means that a GATT/WTO member country has to dismantle trade barriers for one specific GATT/WTO member country
 - c. MFN means that a GATT/WTO member country has to treat all other GATT/WTO member countries without discrimination.
 - d. None of the above.

31. What does the term 'national treatment' in international trade law mean?
- a. Non-discrimination between domestic and imported product
 - b. Non-discrimination between two imported products
 - c. Non-discrimination between imported products of most favoured trading partners
 - d. Both (a) and (b).
32. The World Trade Organization rules allow member countries to:
- a. deviate from their trade obligations for essential security interests
 - b. deviate from their trade obligations to safeguard their domestic industry
 - c. deviate from their trade obligations for the purpose of public health
 - d. All of the above
33. Estoppel is a:
- a. general principle of international law
 - b. principle of general law
 - c. rule of natural law
 - d. general principle of law