

School of Law

Bachelor of Law

ETE - May 2023

Time : 3 Hours

Marks : 100

TRIMESTER II - MLAW5023 - Criminal Justice and Human Rights

Your answer should be specific to the question asked

Draw neat labeled diagrams wherever necessary

1. In your opinion, what is the most critical issue in administration of criminal justice system and how it can be made better? K2 CO1 (5)
2. Discuss the hierarchy of Police and role played by them in Criminal Justice System. K2 CO2 (5)
3. "International Plan of Action on Ageing, adopted by the World Assembly on Ageing and endorsed by the General Assembly, Dec 1982." In this light discuss human rights of elderly people. K2 CO1 (5)
4. *"Injustice anywhere is a threat to justice everywhere" (Martin Luther King)*
In the light of above statement discuss what role can be played by law students as human rights activists. K2 CO2 (5)
5. Examine Anti-terrorism laws. K3 CO3 (10)
6. *"When state and government have gone, laws must go."*
Elucidate the role of judiciary in securing human rights. K3 CO4 (10)
7. Describe constitutional foundations of criminal justice administration. K3 CO4 (10)
8. Discuss any two special acts on laws passed by the Government of India which amended to rigorous violation of human rights. K4 CO5 (15)
9. Discuss Adversarial Vs Inquisitorial criminal justice models. K4 CO6 (15)
10. Read the below given case and answer the question: K5 CO6 (20)

Two years ago, on October 8, the late Father Stan Swamy, a Jesuit priest and tribal rights activist, was arrested by the National Investigation Agency (NIA) from his home in Bagaicha at Ranchi, which has a library and a computer room for tribals. He was charged under several Sections of the Indian Penal Code and Unlawful Activities Prevention Act (UAPA) in the Bhima Koregaon caste violence case. He died on July 5, 2021 at a private hospital's COVID-19 intensive care unit. He was suffering from Parkinson's disease and had lost his hearing in both ears. "The notion of human rights has to be positive and an actual one granting not just protection from the state but protection by the state and of the state to fulfil human beings' growth and development," Mr. Tharoor said.

He said Father Stan's death had brought the world's attention to his work and commitment, adding that there were trends observed of assaults on human rights and xenophobia all over the world. Mr. Tharoor explained different schools of thoughts on human rights — cultural, philosophical, and religious. Father Frazer Mascarenhas, Father Stan's next of kin, who was also present, said, "Fr. Stan was fully committed to human rights, and it was unfortunate that the entire case against him was a violation of his human rights and those of others." Not long before his death, a special NIA court rejected his application for medical bail and held: "Prima facie, it can be gathered that Fr Swamy, along with other members of the banned organisation, hatched a serious conspiracy to create unrest in the entire country and to overpower the government, politically and by using muscle power."

Q) Examine highlighted human rights issue in the case study and what can be strategies to deal to make it a better system?

OR

Critically analyse the gaps and way forward in securing human rights.

K5 CO6 (20)