

LEGAL STUDIES SAMPLE PAPER 2019-2020
SUB CODE:074
Class XII

General Instructions:

1. All questions are compulsory. Internal choice is given in all sections.
2. Section A- Questions from 1 – 4 has 20 Objective type questions.
3. Section B - Questions from 5 – 12 are of 2 marks each. The answers to these questions should not exceed 40 words each.
4. Section C- Questions from 13 – 17 are of 4 marks each. The answers to these questions should not exceed 100 words each.
5. Section D- Questions from 18 – 21 are of 6 marks each. The answers to these questions should not exceed 200 words each.

MAX MARKS: 80**TIME: 3 HRS**

S.No.	QUESTION	Marks	Unit	Typo
SECTION A				
Q1. Fill in the blanks:-				
a	_____ is the highest judicial authority below a High Court Judge.	1	1	R
b	<p>_____ of administrative law is applied on the basis of the following elements:-</p> <p>a. If there is an express promise given by a public authority</p> <p>b. Because of the existence of a regular practice which the claimant can reasonably expect to continue</p> <p>c. Such an expectation must be reasonable</p> <p style="text-align: center;">OR</p> <p>_____ form of Government cannot strictly apply separation of powers.</p>	1	2	U
c	Doctrine of stare decisis means _____	1	3	R

d	In the 13 th century England, the barons were dissatisfied with the taxation policies of the King. The problem was resolved by _____ OR _____ is the International human rights treaty which protects our civil and political rights.	1	4	U
e	_____ was the first pan India law which abolished a religious test for enrolment as a pleader.	1	5	R
Q2. Answer the following in one word/one sentence each.				
a.	The President of India approached the Supreme Court to give its advice on State's obligation to provide social security to the senior citizens. The Supreme Court refrained from giving any advice. In one word, explain the reason for Supreme Court's refrain. OR In one line, any one reason why Senior advocates refuse to accept judgeship.	1	1	U
b.	Name the Patron in chief of the State Legal Service Authority.	1	6	R
c.	Mr. Venkath, a renowned advocate regularly argued in the Court wearing a special uniform but was not allowed to file a vakalathnama. Identify the post.	1	5	A
d.	Which fund would be utilized towards the cost of legal services provided by the SCLSC?	1	6	R

e.	<p>‘Set up in the 20th Century BC, its purpose was to establish justice on the Earth and to hold back the strong from oppressing the weak.’ Which document is being discussed in the above lines?</p> <p style="text-align: center;">OR</p> <p>Which article of the Indian Constitution ensures social justice based on equality of opportunity in accessing justice?</p>	1	6	U
Q.3	Multiple Choice Questions:-			
a.	<p>Which of the following disputes can be resolved through mediation?:</p> <p>a. Election disputes b. Criminal offences c. Matrimonial disputes d. Cases of Minors</p> <p style="text-align: center;">OR</p> <p>Rohan wants to opt for a dispute resolution form which offers way to discuss and solve the problem underlying a dispute and create truly lasting peace? Identify:</p> <p>a. Mediation b. Conciliation c. Arbitration d. Lok Adalat</p>	1	3	A

b.	<p>Rakesh was caught jumping the traffic signal and as a punishment, he was sought to be imprisoned. However, instead of being imprisoned, Rakesh could pay a fine. Which category of crime does the above act belong to?</p> <ol style="list-style-type: none"> Compoundable offences Non – compoundable offences Cognizable offences Non – bailable offence <p style="text-align: center;">Or</p> <p>A crime involves the following stages:</p> <ol style="list-style-type: none"> Commission Preparation Intention Attempt <p>Which of the following shows the correct sequencing:</p> <ol style="list-style-type: none"> 1,2,3,4 4,3,2,1 3,2,4,1 3,2,1,4 	1	2	U
c.	<p>In response to a PIL filed by AK Balaji, the Madras High Court allowed the foreign lawyers to practice in India and held that :</p> <ol style="list-style-type: none"> Foreign lawyers are not allowed to practice in India Foreign lawyers are allowed to practice in India by setting up offices Foreign lawyers are not allowed to set up liaison offices in India Foreign lawyers can practice in India on a fly in, fly out basis 	1	5	U

d.	<p>Ajay completed his LL.B. degree and wants to get himself enrolled for practice in various District Courts in India. An application for his enrolment will be made to:</p> <ol style="list-style-type: none"> Bar Council of India State Bar Council High Court District Court <p style="text-align: center;">OR</p> <p>Ravin, a Non law graduate wants to become a Solicitor in the UK. He necessarily needs to pursue:</p> <ol style="list-style-type: none"> Graduate Diploma in Law Legal Practise Course LL.B. Bar Vocational Course 	1	5	A
e.	<p>Richard, a citizen of an enemy country was detained by the local police without providing grounds of arrest. Can Richard question the action of police authority?</p> <ol style="list-style-type: none"> Yes, he was not given ground for his arrest under Section 22 of the Indian Constitution Yes, he is a foreign national and will not be subject to Indian laws No, safeguard for arrest and detention under Article 22 do not apply to a national from an enemy country No because police authorities can arrest and detain on suspicion 	1	4	A
Q4.	State whether the following statements are True or False			
a.	<p>UNESCO and WHO have together been termed as the Bretton Woods Twins</p> <p style="text-align: center;">Or</p> <p>Custom could be derived from law of nature or mutual consent of both the parties</p>	1	7	R

b.	A grave human rights violation took place in Elpesia by a national of Serenia. The accused was hiding in a neighbouring country of Serenia which took action against the accused. Can the above action be justified on the ground of Erga omnes obligation?	1	7	U
c.	<p>The purpose of having DPSP's is to remind citizens to behave responsibly and help build a free democratic and strong society.</p> <p style="text-align: center;">OR</p> <p>Basin structure of the Constitution allows the Parliament to amend features like rule of law, secularism, etc</p>	1	4	E
d.	<p>'The law treats a millionaire and a pauper sleeping under the bridge alike' holds good in the case of dispensation of justice by the courts modeled on adversarial system.</p> <p style="text-align: center;">Or</p> <p>In International treaties, human rights and human dignity form the foundation of providing legal aid as a legal obligation.</p>	1	6	E
e.	Angad filed a complaint against his neighbor Jai for violating his human rights in the NHRC. A complaint in the NHRC can be filed against a private individual as well as a public servant.	1	4	A
SECTION B				
5.	<p>How does judicial review ensure smooth Centre State relations?</p> <p style="text-align: center;">OR</p> <p>How does independence of Judiciary ensure due process of law?</p>	2	1	U

6	<p>Maniram owned a mango grove. In 2014, he sold the mangoes from his grove. Later, in 2018, he sold the wood of the trees as timber. Citing the relevant case law, identify the nature of property in</p> <p>a. 2014 b. 2018</p> <p style="text-align: center;">OR</p> <p>Suresh and Dinesh were brothers who had a dispute over a property. Dinesh filed a suit in the court to determine the title of the property. While the suit is pending, Suresh initiates a sale of this property in favour of Mahesh. Is the action of Suresh justified in law? Give reasons for your answer.</p>	2	2	E
7	<p>Chanbar Medicos Ltd. created a drug 'Chikleria' for treatment of Chikangunia if taken regularly as per directions during monsoons and even offered a reward if anyone contracted the disease despite taking the medication as per directions. Soni purchased the drug and consumed it according to the directions, but yet contracted chikangunia. Soni sued the company for the reward. The Company denied the reward on the ground that the offer was not made to Soni personally hence there was no binding contract. Decide the above in light of leading case law.</p>	2	2	A
8	<p>Arbitration, though is a flexible mode of dispute resolution determined by the will of the parties, still there is a particular type which mandates a recourse to arbitration irrespective of the parties' will. Which type of arbitration is being talked about? Explain.</p>	2	3	E
9	<p>Why is Right to Education an extension of Article 21?</p>	2	2	U
10	<p>How did women get the right for enrolment as pleader in pre independent India?</p>	2	5	R

11	In the light of Maneka Gandhi vs. Union of India , explain the need for legal representation as an element for fairness in adversarial system.	2	6	R
12	A convention was held by an international body which created a treaty that avoided choice of laws issues in relation to contractual disputes. Identify and define the type of law.	2	7	A
SECTION C				
13	Vaibhav, without taking permission from his friend Raj, took his golf kit. While playing golf, he damaged the golf kit in such a way that it became useless. a. Identify and explain the tort. b. What is the remedy in such cases?	4	2	A
14	Vinod barged into the home of Vineeta and after gagging her, took away her jewellery and laptop. Vineeta went to the police station and lodged an FIR. Identify and explain the stages of prosecution after the filing of the FIR.	4	2	A

15	<p>Examine the following situations and explain whether an action for violation of fundamental rights would be justified.</p> <p>a. A textile mill employed a boy aged 12 years. A case was filed against the textile mill by an NGO.</p> <p>b. Amar and his friends prevented the college union leader Sahil from giving a speech because they considered it provocative for others to commit violence. Sahil sued Amar and his friends for violation of his Fundamental Right.</p> <p style="text-align: center;">OR</p> <p>Justify the relevance of the following constitutional provisions with respect to enforceability of Fundamental Rights:</p> <p>a. Article 13</p> <p>b. Article 32</p>	4	4	E
16	Explain the evolution of legal aid in criminal law from pre independence India to post independence India	4	6	U
17	<p>‘The position in the USA is different from that in India where lawyers have a right to advertise but subject to reasonable restrictions’.</p> <p>State the various provisions related to advertising in the USA.</p>	4	5	R
SECTION D				

18	<p>Answer the following questions:</p> <p>a. Adhesh has been serving in Tis Hazari District Courts , Delhi as an Additional Sessions Judge since 2005 in succession. He wishes to be elevated to higher judiciary. Once appointed, how can Adhesh enhance his judicial skills?</p> <p>b. How did the collegium system come into existence?</p>	6	1	R
19	<p>Sumit and Samaira enter into an agreement where Sumit promised to pay Rs. 5000 if India won against Australia in the cricket match and Samaira promised to pay Rs. 5000 if Australia won the match.</p> <p>Vinay entered into a contract with Vimal Ltd. for procuring 500 T-shirts @ Rs. 250 per T- shirt, having a photograph of the Indian Cricket team if India won the semi final in the cricket world cup.</p> <p>Identify and differentiate between the above two types of agreements.</p>	6	2	A

20	<p>Answer the following questions:</p> <p>a. Why mediation/arbitration hybrids pose ethical and process problems for mediators? How can this concern be addressed?</p> <p>b. Evaluate the system of ombudsman in dispute resolution.</p> <p style="text-align: center;">OR</p> <p>A frustrated judge in a court finally asked a barrister after a witness had produced conflicting accounts, 'Am I never to hear the truth?' 'No, my Lord merely the evidence, replied the counsel'.</p> <p>Evaluate:</p> <p>a. The role of Cross Examination in the above system</p> <p>b. What factor creates an inbuilt discrimination amongst the litigants in the above system</p> <p>c. Does this model offer more acceptance of the decision by the parties?</p>	6	3	E
21	Explain how India balances the interplay between International Law and Municipal Law.	6	7	U