

SAMPLE QUESTION PAPER 2016-17
CLASS XII
LEGAL STUDIES

Max. Marks: 100

Time Allowed: 3 hours

General Instructions:

All questions are compulsory.

1. Questions from 1 – 8 are MCQs of 1 mark each.
2. Questions from 9 – 14 are of 2 marks each. The answers to these questions should not exceed 40 words each.
3. Questions from 15 – 20 are of 4 marks each. The answers to these questions should not exceed 100 words each.
4. Questions from 21 – 24 are of 5 marks each. The answers to these questions should not exceed 150 words each.
5. Questions from 25 – 30 are of 6 marks each. The answers to these questions should not exceed 200 words each.

S.no.	Questions	Unit	Marks	Domain
1.	The age of retirement of a District Court Judge is determined by a) The President of India b) Chief Justice of High Court of that state c) Their respective state governments d) The Chief Justice of India	1	1	K
2.	Rakesh plans a get together of friends at his home. Ravi, one of his friends, promised to make a special dish for the guests. On the day of get together Ravi did not come nor did he arrange for the dish. Since it was the only starter planned in the menu, Rakesh had to face embarrassment .He sues Ravi for the breach of contract. Will Rakesh succeed in his action? a) Rakesh will succeed because Ravi failed to keep his promise. b) Rakesh will succeed because his reputation was affected due to of negligent behaviour of Ravi. c) Rakesh will not succeed because there is no consideration for Ravi to keep his promise. d) Rakesh will not succeed because Court doesn't entertain such petty issues.	2	1	A
3.	Puja gave possession of her residential property to Aarna for some period of time for money. What type of relationship exists between Puja and Aarna?	2	1	U

	<p>a) Donor and Donee b) Seller and Buyer c) Lessor and Lessee d) Lessor and Sub-lessee</p>																							
4.	<p>Vikas, a 16 year old offer to sell their plot in NOIDA to Arshad (aged 24) for Rs. 10 lacs. Vikas took an advance of Rs. 1 lac from Arshad. Vikas's father was annoyed with him at the transaction and did not allow the transfer. Arshad brought a suit for specific performance against Vikas. Will he succeed?</p> <p>a) Arshad will succeed as Vikas entered into the contract with his own free will b) Arshad will succeed as there is consideration and it is valid c) Arshad will not succeed as Vikas's father did not approve the transfer d) Arshad will not succeed as Vikas does have the capacity to contract</p>	2	1	H																				
5.	<p>Identify the correct pairs:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: center;">A</th> <th colspan="2" style="text-align: center;">B</th> </tr> </thead> <tbody> <tr> <td style="width: 5%;">a.</td> <td style="width: 40%;"><i>Maneka Gandhi v. Union of India</i></td> <td style="width: 5%;">i.</td> <td style="width: 50%;">The right to life or liberty could be violated only by a fair, just and reasonable procedure.</td> </tr> <tr> <td>b.</td> <td><i>M.H. Hoskot v. State of Maharashtra</i></td> <td>ii.</td> <td>representative suits, election disputes, criminal offenses, case against specific classes of persons (minors, mentally challenged) have been excluded from the scope of mediation.</td> </tr> <tr> <td>c.</td> <td><i>Konkan Railways Corp. Ltd. v. Mehul Construction Co. (2000) 7 SCC 201).</i></td> <td>iii.</td> <td>The Arbitration and Conciliation Act, 1996 should be interpreted and applied, keeping the commercial sense of the dispute in mind</td> </tr> <tr> <td>d.</td> <td><i>Afcons Infrastructure Ltd. v. Cherian Varkey Construction Co. (P) Ltd.,</i></td> <td>iv.</td> <td>Judicial justice, with procedural intricacies, legal submissions and critical examination of evidence, leans upon professional expertise; a failure of equal</td> </tr> </tbody> </table>	A		B		a.	<i>Maneka Gandhi v. Union of India</i>	i.	The right to life or liberty could be violated only by a fair, just and reasonable procedure.	b.	<i>M.H. Hoskot v. State of Maharashtra</i>	ii.	representative suits, election disputes, criminal offenses, case against specific classes of persons (minors, mentally challenged) have been excluded from the scope of mediation.	c.	<i>Konkan Railways Corp. Ltd. v. Mehul Construction Co. (2000) 7 SCC 201).</i>	iii.	The Arbitration and Conciliation Act, 1996 should be interpreted and applied, keeping the commercial sense of the dispute in mind	d.	<i>Afcons Infrastructure Ltd. v. Cherian Varkey Construction Co. (P) Ltd.,</i>	iv.	Judicial justice, with procedural intricacies, legal submissions and critical examination of evidence, leans upon professional expertise; a failure of equal	6	1	K
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			justice under the law is on the cards where such supportive skills is absent for one side.			
	a) a-ii, b-i, c-iv, d-iii b) a-i, b-iv, c-iii, d-ii c) a-iv, b-i, c-ii, d-iii d) a-iii, b-ii, c-iii, d-iv					
6.	Article 24 prohibits employment of children below the age of ----- years in factories, mining, and other hazardous employment. a) Eleven b) Twelve c) Thirteen d) Fourteen			4	1	K
7.	Article 39A of the Constitution - inserted by the 42 nd Amendment Act in 1976 provided for a) Free Legal Aid b) Dispute resolution through Administrative Tribunal c) Permanent lok adalats for disputes regarding Public Utility Services d) Establishment of National Legal Services Authority.			6	1	U
8.	Which among the following can be a reasonable restriction? a) Restrictions on the sale of a book because of protests b) Not allowing use of loudspeakers for religious purposes c) Restriction on sacrifice of animals for religious purpose d) State recognized or State aided educational institutions cannot force any student to take part in any religious instruction			4	1	A
9.	Arjun sees an expensive pen belonging to Ajitesh lying on a desk in school. Greed crept into Arjun's mind and he hid the pen on the classroom cupboard after wrapping it in a piece of paper. His intention was to take the pen home when the loss was forgotten. Stating the provisions of Section 378 of IPC, decide whether Arjun is guilty of theft or not?			2	2	H
10.	In context with provisions of the death penalty as stated in the Indian Penal Code, explain how it justifies the application of 'procedure established by law' as stated in Article 21 of the constitution.			4	2	U
11.	State the procedure to lodge a complaint with the National Human Rights			4	2	K

	Commission.			
12.	Explain the provisions of the most authoritative source of the international law?	7	2	H
13.	What changes did the Legal Services Authorities (Amendment) Act,2012 bring in the existing Legal Services Act,1987?	6	2	K
14.	Why was the the post of 'UN High Commissioner for Human Rights' created by The Vienna Declaration and Programme of Action (1993) ?	7	2	U
15.	<i>"The independent status of judiciary and roles to be performed by it can be understood as two sides of the same coin"</i> . Explain the reasons for granting a special status to judiciary in this context.	1	4	EV
16.	Define a 'Lok Adalat'? Which method of adjudication is followed by the Lok Adalat? Why should the concept of lok adalats be promoted? State any two values that it fosters in judicial system.	3	4	EV
17.	What are 'fundamental duties' as stipulated in the Constitution of India? State its salient features.	4	4	K
18.	Explain the main provisions of <i>"The Advocates Act, 1961"</i> in reference to the following points: i. Catagories of practitioners ii. Eligibility criterion for enrolment as an advocate.	5	4	U
19.	What is 'Doctrine of Election' and 'Doctrine of Lis Pendence' in the law of property? How do these two affect the validity of a transfer of a property?	2	4	K
20.	Why is the <i>'Keshavanada Bharathi vs State of Kerela</i> case is regarded as a Basic Structure case in the history of Indian Judiciary? Explain the impact of this decision on the working of the Constitution of India.	1	4	U
21.	Identify the legislation which proscribes the acts of bribery and corruption by the public-servants. State its composition and write down the scope of its application.	3	5	A
22.	A. State the 'Principle of Equality' as given under the Article 14 of the Constitution. Which of the following abides by this principle and how? i. The Prohibition of Child Marriage Act 2006 prescribes the marriage age of girl as 18 years and that of boy as 21 years. ii. The marriage between two parties can be disallowed based on the	4	5	A

	<p>classification of religion, race, caste, sex or place of birth.</p> <p>B. How do the provisions of Article 15, 16 and 17 attempt to maintain the spirit of equality in the country?</p>			
23.	<p>a. Explain the process of selection of panel lawyers under the NALSA Regulation, 2010 to provide free and competent legal services.</p> <p>b. State the grounds on the basis of which an empanelled lawyer can be removed?</p>	6	5	U
24.	Trace the history of the conceptualization of the Bar Council of India dating back to 1923.	5	5	K
25.	<p>Differentiate between each of the following (Give one main difference between each of the following)</p> <p>a. Division of power and Separation of power</p> <p>b. Writ of prohibition and writ of certiorari</p> <p>c. Public Interest litigation and writ jurisdiction.</p>	1	6	U
26.	Vidyut Supply Board (VSB) owned and managed the supply of electricity in a city. On a particular stormy night, a live wire snapped off and came down in a service lane. Alok, a scooterist, who happened to pass through that street at night got electrocuted and died. His family sued the Vidyut Supply Board for compensation. Stating the observations of the Hon'able Supreme Court in <i>the M.C Mehta Vs. Shri Ram Foods and Fertilizer Industries</i> , decide on the liability of VSB and validity of the claim of Alok's heirs.	2	6	U
27.	<p>How can mediation be entered into? Identify and explain the type of mediation being discussed here;</p> <p>a. The type of mediation that is focused on providing the parties with an evaluation of their case and directing them toward settlement.</p> <p>b. The mediators that act as guardian of the process, not the content or the outcome.</p> <p>c. The mediation practice that is focused on supporting empowerment and recognition shifts, by allowing and encouraging deliberation, decision-making and perspective-taking.</p>	3	6	A
28.	What course of action is adopted in case of a conflict between the International law and domestic law? Explain with reference to the practices followed in India, UK and USA.	7	6	K
29.	<i>'The growth of legal aid movement is seen as one of the late conscious attempts in social adjustment that followed the slow and often unconscious</i>	6	6	EV

	<i>process of social engineering</i> '. In the light of the given statement trace the provisions stated in the Indian legal system for providing legal aid.			
30.	The Bar Council of India maintains high ethical and moral standards for the advocates. On this line it forbids the advocates from advertising, but allows them to furnish certain information about them over internet. How does it regulate high ethical standards for advocates? What all information can be given by an advocate? What is the prerequisite to be complied by the advocate for publishing such information?	5	6	U