

LEGAL STUDIES XII (074)
SAMPLE QUESTION PAPER
TERM II- SUBJECTIVE

Maximum Marks: 40

Duration of Exam: 2 hours

General Instructions:

- a. The paper is divided into 3 Sections
- b. Overall choice given to the students section wise.
- c. Section A (2 markers) has 6 questions. Attempt any 5 out of 7.
- d. Section B (3 markers) has 7 questions. Attempt any 5 out of 7.
- e. Section C (5 markers) has 5 questions. Attempt any 3 out of 4.

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SECTION A- 2 MARKERS				
1	Veer challenged the reservation in government jobs to backward classes as being violative of Article 14. Is the petition by Veer maintainable? State and explain the principle, if any, on the basis of which the reservation can be justified	4	A	1+ 1
2	Which body is responsible for enrolment of advocates? Also state any two other functions of this body.	5	R	1+ 1
3	Amreen, a national of UK was allowed to be enrolled as an advocate in India. Under what arrangement can such an enrolment be allowed? If Amreen was an Indian citizen, state two qualifications, that she requires to practice in India.	5	A	1+ 1
4	When can a senior advocate be appointed under the NALSA regulation?	6	R	2
5	In a country Jingpa to give effect to a treaty it was put before the legislature for a vote of the majority. Identify the form of consent and the purpose behind such form of consent.	7	A	1+ 1
6	By passing of which legislation was the right to free legal aid under Article 39A made available to the citizens? Name the judges associated with the	6	R	1+ 1

	movement of legal aid by the State in India.			
7	The Citizens of Yodaland have been facing continuous and grave human rights violations in the form of slavery and racial discrimination. The neighbouring country, Boroway, after becoming aware of such grave human right violations, decided to take action against such violations in the country, Yodaland. There is no treaty between the two countries which gives Boroway the right to interfere in the internal matters of Yodaland. Justify the action of Boroway.	7	A	2
SECTION B- 3 MARKERS				
8	Sameer was awarded death penalty in the year 2010 and the same was not executed until 2016. Identify and mention the provisions of the Article in the Indian Constitution under which a remedy is available for such a situation?	4	A	1+ 2= 3
9	“In 2009, Section 377 of the Indian Penal Code, 1860 was declared invalid and unconstitutional by the Delhi High Court to protect rights to privacy, non-discrimination, and liberty of lesbian, gay, bisexual and trans gender people. But in 2013, the Supreme Court reversed the High Court's decision.” Apoorva and Kiran were convicted under Section 377 in the year 2011. Stating the relevant Constitutional provision, explain if the conviction can be upheld in law.	4	C	3
10	Answer the following with respect to liberalisation of legal profession in India. a) Under which agreement and treaty is India expected to liberalise the legal profession? b) ‘There have been contrary positions taken by High courts when it comes to liberalization of the legal profession in India.’ Explain.	5	A	1+ 2= 3
11	“Ms. Hazra, the petitioner, secured a B.L. degree from Calcutta University. She was refused enrollment as a Pleader. She challenged this in the High Court of Patna.” What was the decision of the Patna High Court in the year 1922 regarding Ms. Hazra’s petition and how was a revolution brought about in the system?	5	C	3
12	Why does legal aid stand first in the species of human rights?	6	R	3

13	Mention any six categories of persons entitled to receive free legal aid under the provisions of the Legal Services Authorities Act?	6	R	3
14	<p>“These bodies were established by the Legal Services Authorities (Amendment) Act, 2002, for settling disputes concerning public utility services at pre litigation stage”</p> <p>a. Identify the institution being talked about in the above lines.</p> <p>b. Enlist any four services covered under Public Utility Services?</p>	6	R	1+ 2= 3
SECTION C- 5 MARKERS				
15	<p>A) Against whom can an action for Fundamental Rights violation be taken?</p> <p>B) Identify and explain if a Fundamental Right has been violated in the following situations. Give reason for your answer and explain the right violated, if any.</p> <p>i. Rajni, a girl living in a village in Chattisgarh is unable to attend school because there is no school in her village or in the neighboring villages.</p> <p>ii. Amrit was prevented from making a speech that was aimed at inciting the people to commit violence.</p> <p>iii. Donations in temples that are used for the upkeep of temples being taxed.</p> <p>iv. Ratan Singh convinced unemployed rural people to migrate to the city on the pretext of employment. However, the poor people were duped into an organ transplant racket.</p>	4	A	1+ 1+ 1+ 1+ 1= 4
16	Shivam, an advocate, wants to be an Advocate on Record (AOR). Advise him on the necessary steps that he will have to undertake in order to become an AOR. Also, describe the role of an AOR.	5	R	3+ 2= 5
17	<p>India entered into an International Agreement to stop the killing of a species of fish. However, this international agreement restricted the ‘Right to Trade’ (which is a Fundamental Right provided under Part III of Indian Constitution) of certain fishermen by prohibiting killing of the fish.</p> <p>Can this International Agreement be enforced in India? Explain in light of constitutional provisions and decided cases.</p>	7	C	5

18	What is the contribution of UNESCO and WHO to foster greater cooperation between nations and create awareness about health issues in various countries of the world?	7	R	5
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