

Class XII
Legal Studies (074)
Sample Question Paper 2018-19

Time allowed: 3 hours

Max. Marks 100

General Instructions:

1. Section A contains questions 1 – 8 which carry 1 mark each
2. Section B contains questions 9 - 14 which carry 2 marks each and should be answered in about 40 words
3. Section C contains questions 15-20 which carry 4 marks each and should be answered in about 100 words
4. Section D contains questions 21-24 which carry 5 marks each and should be answered in about 120 words
5. Section E contains questions 25-30 which carry 6 marks each and should be answered in about 150 words
6. Internal choices have been given in all sections of the question paper
7. All questions are compulsory

SECTION - A

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| 1. | <p>Which of the following may act as an estoppel?</p> <ol style="list-style-type: none"> a. Admission b. Confession c. Intention d. Preparation | 1 |
| OR | | |
| | <p>Saraswati University was created under the mandate of a Central Legislation which specified that the university should open a bank account with the Karamchari Bank. This is an:</p> <ol style="list-style-type: none"> a. Administrative legislative action b. Administrative judicial action c. Simply administrative action d. Purely administrative action | |
| 2. | <p>An armed thief entered Aviral's house. To save himself and his belongings, Aviral pushed the thief which resulted in head injuries to the thief. Is Aviral's act justified under criminal law?</p> <ol style="list-style-type: none"> a. Yes, causing injury under self defence is not a crime. b. No, causing hurt intentionally is a crime. c. Yes, because the injury was not serious. d. No, he should have called the police. | 1 |

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| 3. | <p>Ramika International Ltd. And Northstar Pvt. Ltd. have a dispute over production process which involved intricate trade secrets. Suggest the most suited ADR that can protect the trade secret while resolving the dispute:</p> <ul style="list-style-type: none"> a. Arbitration b. Mediation c. Conciliation d. LokAdalat | 1 |
| 4. | <p>The driver of a bus owned by State Road Transport Authority asked Rajni, a passenger to deboard the bus in a deserted place where no other means of transport was available. She alleged that her Fundamental Right was violated by the driver's conduct. Can action be taken against the State Road Transport Authority?</p> <ul style="list-style-type: none"> a. Yes, because Rajni was dropped at a deserted place. b. Yes, because State Road Transport Authority is state according to article 12. c. Yes, Fundamental Rights can be enforced against private entities. d. Yes, because she was not given a fair hearing. | 1 |
| 5. | <p>Simran is 22 years old and has completed her LLB degree from a recognized Indian University. She wants to obtain a license to start her practice. Identify the additional requirement she needs to fulfill</p> <ul style="list-style-type: none"> a. She must have an LLM degree b. She must get herself registered with BCI c. She must have completed her internship under a senior advocate d. She must clear All India Bar Exam. | 1 |
| 6. | <p>With regard to FLC, point the odd one out:</p> <ul style="list-style-type: none"> a. New York b. New Jersey c. California d. Florida | 1 |
| | OR | |
| | <p>With respect to an Advocate on Record, point the odd one out:</p> <ul style="list-style-type: none"> a. Has to be enrolled with the Bar Council of India for at least 5 years b. Completed 1 year training with an AOR of not less than 5 years standing c. Must have office in Delhi within 16 kms from the Supreme Court d. Wear gowns that have flaps on the shoulder | |

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| 7. | <p>Dinesh Kumar, a practicing advocate engaged in the following activities as part of his professional duties:</p> <ol style="list-style-type: none"> 1. Accepted the brief from his client 2. Asked for contingency fee from the client 3. Met the opposite party directly. 4. Maintained client confidentiality. <p>Which of the above activities amounts to breach of professional duties by the advocate:</p> <ol style="list-style-type: none"> a. Only 2 b. Both 1 and 2 c. Both 2 and 3 d. Only 3 | 1 |
| 8. | <p>Mr. Mehta, an activist lawyer wrote a letter to a judge of the Supreme Court, drawing his attention towards the need for political reforms having general elections round the corner where he insisted on a condition on the disclosure of the assets by the candidates. Which extra ordinary jurisdiction empowers Mr. Mehta to move the court?</p> <ol style="list-style-type: none"> a. Public Interest Litigation b. Writ Jurisdiction c. Special Leave to Appeal d. Judicial review <p style="text-align: center;">OR</p> <p>Sushil was working with a government agency whose function was to formulate laws and policy for resolving telecom disputes in India. Identify the body:</p> <ol style="list-style-type: none"> a. Telecom Dispute Settlement Appellate Tribunal b. Central Administrative Tribunal c. Telecom Regulatory Authority of India d. Regulator | 1 |
| SECTION – B | | |
| 9. | <p>Mr. Nakul wanted to sell his property at Cochin worth Rs. 30 Lakhs to Ms. Sheetal and by the same instrument another property at Delhi for Rs. 50 Lakhs. As Ms. Sheetal can stay at only one place among the two, she wants to retain the property at Cochin and reject the property at Delhi. Can she do it? Explain</p> | 2 |
| 10. | <p>Mini and Jolly are neighbours, and have a dispute over the wall that divides their property. They decide to undergo a mediation session, where the mediator listens to Mini and Jolly and discuss their issues. The mediator then decides on a solution for Mini and Jolly, and tells them that they must adhere to it as it is legally binding.</p> <p>Identify two errors in the mediation process experienced by Mini and Jolly and explain how these mistakes can be corrected.</p> | 2 |

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| | OR | |
| | Salil and Gunjan had a matrimonial dispute for which they approached litigation as the mode of dispute resolution. However the procedure turned out to be very lengthy and the hearing dates were far apart from each other. Many a times, lawyers representing the parties charged their fees without fruitful results. In light of the above situation, state the benefits of alternative dispute resolution over traditional litigation. | |
| 11. | A statutory body was created consisting of an eminent judicial member of impeccable integrity as its chairman and 8 other members, out of which 4 were judicial members. Identify the body and state its scope. | 2 |
| 12. | Sumit, a resident of NayaSavera society was violently beaten up by his neighbours on the suspicion of human trafficking. He approached the police but they did not take any action to protect his rights. Identify the body he can approach for redressal of his grievance and give its powers. | 2 |
| 13. | Article 19 gives right to freedom and these rights come with a clause which makes these freedoms conditional. Comment on the need of reasonable restrictions. | 2 |
| 14. | State any 4 functions of State Bar Council. | 2 |
| | OR | |
| | What are the rules on advertising by lawyers in India? | |
| SECTION – C | | |
| 15. | Distinguish between Attorney General and Advocate General. | 4 |
| 16. | Justify the contradiction between Article 14 and Article 16. | 4 |
| | OR | |
| | “This article is most fundamental; it is expansive and covers many other rights and is applicable to both the citizens as well as non-citizens.” Evaluate the above statement by identifying the article described. | |
| 17. | How did Chamier committee contribute towards the development of present day Indian Legal Profession? | 4 |
| 18. | Explain any 4 reasons which necessitate Legal aid in India | 4 |
| | OR | |
| | Explain the main reason behind amendment of the Legal Services Authority Act, 1987 in 2002 and also explain the amendment so made. | |
| 19. | State the relevance of the following institutions: i. UNESCO ii. World Bank and IMF | 4 |
| 20. | Explain the process of impeachment of Judges of the Supreme Court. | 4 |

| SECTION - D | | |
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| 21. | <p>Gaurav opened an account with Sapna Bank. One day, while operating the ATM, his card did not function. However, the money was deducted from his account. To add to his agony, he discovered that his passbook showed multiple deductions for service charges also He approached the Bank but the bank refused to address his problem.</p> <p>i. Identify the agency he can approach for the redressal of his grievance. ii. State its functions. iii. Provide the advantage and disadvantages of this agency.</p> | 5 |
| OR | | |
| | <p>Which innovative Indian Contribution to the global legal jurisprudence was conceptualized from Nyaya Panchayats?</p> <p>A. Give the composition and jurisdiction of this body. B. State any two benefits of this body.</p> | |
| 22. | <p>Chintu and his friends were working in a fire cracker factory. One day, the factory caught fire and Chintu and his friends were seriously injured. It was established that the owner had taken all due precautions for the safety of his factory. However, Chintu wants compensation for the injury suffered by him and his friends. Identify the principle of tort law under which he can claim relief and explain its evolution.</p> | 5 |
| 23. | <p>In an adversarial dispute resolution model, the knowledge and experience of a judge is not fully utilized. Justify the above statement.</p> | 5 |
| 24. | <p>Explain the purpose of social engineering. Also, state the three processes whereby developing civilizations progressively moved towards social engineering through free legal aid.</p> | 5 |
| SECTION E | | |
| 25. | <p>Explain the scope of Judicial Review.</p> | 6 |
| OR | | |
| | <p>Explain the reasons for granting an independent status to the judiciary.</p> | |
| 26. | <p>Sohan Lal promises to supply 50 bags of cement to Magna Real Estate for their ongoing commercial project on 15th March 2018. Sohan Lal does not supply cement on 15th March 2018 but supplies it on 25th March 2018, due to which the project could not be completed on time.</p> <p>i. Identify and explain the mode of discharge of this contract. ii. What is the remedy available to Magna Real Estate. iii. Explain the rationale behind this remedy.</p> | 6 |
| 27. | <p>Explain any 6 opportunities for law graduates in India.</p> | 6 |

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| 28. | Trace the development of the concept of free legal aid in India. | 6 |
| 29. | Under an International treaty, to which India was a signatory, a species of fish was declared as endangered and restrictions were put on the right to trade of that species by prohibiting the killing of the fish. How can this treaty be enforced in India? Explain in the light of constitutional provisions and decided cases. | 6 |
| | OR | |
| | A convention was held to discuss ways by which global warming can be curbed by the concerted efforts of all participating countries. Answer the following questions: A. Define treaty B. State any two essentials of a treaty. C. Explain the various ways in which a Country can be bound by the clauses of the above convention. | |
| 30. | This article provides human rights framework to the criminal justice system. Identifying this article, explain its provisions. | 6 |