

LEGAL STUDIES (074)
CLASS XII
SAMPLE QUESTION PAPER 2014-15

Q.No.	QUESTIONS	MARKS
1.	The landmark 1973 Supreme Court case of <i>KeshavandaBharathi v. State of Kerala</i> discussed the question about..... a) collegium model of appointment of judges in India b) scope of separation of powers in India c) the basic structure or feature of the constitution d) Power of judicial review	1
2.	What does the Latin phrase <i>audialterampartem</i> mean? a) 'listen to the other side' b) 'one cannot be forced to be a witness against himself' c) 'justice delayed is justice denied' d) 'ignorance of law is no excuse'	1
3.	A sells his garden as well as his house through one instrument to B. Whereas; B wants to retain only the house and wants to cancel the transfer regarding the garden. Can B have the right to partial selection? a) Yes, B has the right to selection. b) Yes, B can have partial selection only if ratified by A. c) No, B has to accept or reject the transfer in totality. d) No, because House and garden are inseparable.	1
4.	“You must not use a steam hammer to crack a nut if a nut cracker would do.” This statement refers to which doctrine of Administrative Law. a) Doctrine of Legitimate expectation b) Doctrine of proportionality c) Doctrine of Governmental liability d) Doctrine of Separation of powers.	1
5.	Rahul is facilitating an alternative dispute resolution in which parties appoints a neutral third party who facilitates the parties in achieving an acceptable, voluntary agreement, which is more formal than negotiation. What is Rahul facilitating? a) Arbitration b) Mediation c) Conciliation d) Administrative Tribunal	1
6.	Which Indian Statue provides for statutory free legal aid under criminal law; a) Code of Criminal Procedure b) Advocates Act c) Indian Penal Code d) Indian Evidence Act.	1
7.	With regards to International Human Rights “ICCPR” stands for: a) International Covenant on Civil and Political Rights. b) International Covenant on Criminal and Penal Rights.	1

	<p>c) International Charter on Civil and Political Rights.</p> <p>d) International Committee on Civic and Public Rights.</p>	
8.	<p>The International Criminal Court was set up with the purpose of prosecuting criminals for 4 major crimes. Which amongst the following <u>doesn't</u> belong to that category?</p> <p>a) Genocide</p> <p>b) War Crimes</p> <p>c) Crimes against Humanity</p> <p>d) Intellectual Property Piracy.</p>	1
9.	<p>A public authority was given the duty to construct a community center for public in Uddeshyanagar and land was also allotted for this purpose. But instead of constructing community center, the public authorities started constructing shops on that allotted land. What remedy is available to the citizens of Uddeshyanagar under the Indian Constitution?</p>	2
10.	<p>A boy is sinking in the swimming pool of a resort. A man who is beside the pool does not make any attempt to save this boy. Will the man be criminally liable? If yes why; if no why not?</p>	2
11.	<p>Kapoors and Bedis are neighbors living on the first and second floor of ABCL Apartments. The issue between the two is that the water from the kitchen area of Bedis seeps through and the wall of Kapoors kitchen is drenching. The electric gadgets are fitted on that wall and it leads to electric shock. Kapoors have been trying to draw the attention of Bedis to this problem. How can this issue between the two be resolved?</p>	2
12.	<p>Who is an Ombudsman? Identify the Ombudsman in India that brings the Members of Parliament, Union ministers and even the Prime Minister in its preview.</p>	2
13.	<p>Who all can avail free legal aid under the provision of Legal Services Authorities Act?</p>	2
14.	<p>'Prevention is better than cure', in the light of above statement explain the pre litigation legal services provided to the accused.</p>	2
15.	<p>A frustrated judge in an English court finally asked a barrister after witnesses had produced conflicting accounts,' Am I never to hear the truth? 'No, my lord, merely the evidence', replied counsel.</p> <p>To which judicial system does this judge belong? What is his role in such a system? Give two disadvantages of this system.</p>	4
16.	<p>Article 14 of the constitution provides to all the right to equality. Article 16 provides for Reservation and affirmative action for government jobs to backward classes. Are these two provisions contradictory to each other? Explain giving reasons.</p>	4
17.	<p>What changes did the Advocates Act 1961 bring in legal profession in India?</p>	4
18.	<p>What is National Legal Services Authority (NALSA) Regulations, 2010? Explain its relevant features.</p>	4
19.	<p>Distinguish between Public International Law and Private International Law.</p>	4

20.	What is a Treaty? How can a state express its willingness to be bound by a treaty?	4
21.	'The Indian Constitution contains several provisions to serve the twin functions of Independence and Impartiality of Indian Judiciary.' Explain the features of the constitution for the independence and impartiality of the judiciary.	5
22.	Shine Soap Co. advertised that it would give a reward of Rs.1,000 who developed skin disease after using, "Aroma" soap of the company for a certain period according to the printed directions. Ms. Supriya purchased the advertised "Aroma" and developed skin disease in spite of using this soap according to the printed instructions. She claimed reward of Rs.1,000. The company refused the reward on the ground that offer was not made to her and that in any case she had not communicated her acceptance of the offer. Decide whether Ms. Supriya can claim the reward or not. Refer the relevant case law, if any.	5
23.	Article 32 and Article 226 gives special powers to the Apex court and High Court for safeguarding the fundamental rights of the citizens. Along with this another extra judicial power is granted to citizens to move these judicial bodies for social interest. Identify these measures to protect/ safeguard the fundamental rights of the citizens.	5
24.	"Law is an exciting and challenging profession." In the light of the above statement evaluate the opportunities for law graduates in India.	5
25.	Shriram Food and Fertilizers Industry (SFFI) a subsidiary of Delhi Cloth Mills Limited was producing caustic and chlorine. On December 4th and 6th 1985, a major leakage of oleum gas took place from one of the units of SFFI in the heart of the capital city of Delhi which resulted in the death of several persons. The leakage was caused by a series of mechanical and human error. Within two days, another leakage, though this time a minor one took place as a result of escape of oleum gas from the joints of a pipe. SFFI had several units engaged in the manufacture of chemicals, vanaspati, soap, and many hazardous chemicals. All units were set up in a single complex situated in approximately 76 acres and they are surrounded by thickly populated colonies within a radius of 3 kilometers from this complex. At this juncture M.C.Mehta moved to the Supreme Court to claim compensation for the losses caused and pleaded that the Shriram Foods and Fertilizer Industries should not be allowed to restart. Does M.C.Mehta have the locus standi to move the higher courts under this situation? If yes, identify this form of judicial activism and explain its characteristics.	6
26.	Diya and a friend Priya were at a café in GK Market. Priya ordered and paid for a bottle of Mango Mania for Diya. The Mango Mania was in an opaque bottle. Diya drank some of the contents and her friend lifted the bottle to pour the remainder of the Mango Mania into the tumbler. The remains of a snail in a state of decomposition dropped out of the bottle into the tumbler.	6

	Diya later complained of stomach pain and her doctor diagnosed her as having gastroenteritis and being in a state of severe shock. Diya sued Sip Drinks, the manufacturer of the drink, for negligence. Explain the tort of negligence in the light of the above situation	
27.	What is meant by Arbitration? What is the procedure followed for administering justice by this mechanism? Distinguish between foreign arbitration and International commercial arbitration.	6
28.	Ms. Usha Raja, Technical Assistant in the Herb Research and Development Institute, Gopawar, was being sexually harassed by the Director of the Institute. Allegations of further harassment by way of non-renewal of her job contract with effect from 1.5.2014 were also leveled. She moved an NGO, Sakshi, for help. It approached the National Human Rights Commission(NHRC) for action. What are the powers and functions of NHRC in resolving the issue?	6
29.	What are the roles and functions performed by the Bar Council of India?	6
30.	Explain the functions of Central Authority constituted for legal services.	6