

**CBSE Class 12 Legal Studies
Outside Delhi Compt. 2017 Set 4**

General Instructions:

- There are 30 questions in all.
- All questions are compulsory.
- Questions number 1 to 8 are multiple choice questions carrying 1 mark each.
- Questions number 9 to 14 are short answer questions carrying 2 marks each. Answer to each of these should not exceed 50 words.
- Questions number 15 to 20 are short answer questions carrying 4 marks each. Answer to each of these should not exceed 100 words.
- Questions number 21 to 24 are long answer questions carrying 5 marks each. Answer to each of these should not exceed 150 words.
- Questions number 25 to 30 are long answer questions carrying 6 marks each. Answer to each of these should not exceed 200 words.

1. Nidhi was appointed for the post as specified under Article 76 of the Indian Constitution. Her duty is to give advice to the Government of India upon legal matters. She can also take part in proceedings of the Parliament without a right to vote. Identify the post for which she has been appointed. (1)
 - a. Advocate General
 - b. Attorney General of India
 - c. High Court Judge
 - d. Supreme Court Judge
2. This tort does not care about the intention or carelessness of the defendant when the defendant caused the injury. The defendant could be responsible for the damage caused even if the defendant has exercised reasonable care to prevent the harm. The tort mentioned here is: (1)
 - a. Tort of negligence
 - b. Tort of strict liability
 - c. Tort of conversion
 - d. Intentional tort

3. Praneet transferred his shares to his wife Shalika and the value of the shares is ₹ 500. In the above given situation, the transfer (1)
- Requires compulsory registration irrespective of the value of the property as shares are intangible property.
 - Does not require registration as in case of transfer of shares, transfer has to be made only by delivery.
 - Require registration as shares are tangible property and it requires compulsory registration.
 - Does not require registration as the value of property is less than ₹ 1,000.
4. The Criminal Law in India does not take into account ____ in affixing criminal liability or in determining criminal culpability. (1)
- Intention (Mens Rea)
 - Commission of an Act (Actus Reas)
 - Motive
 - Attempt
5. 'Law of Moses' relates to which of the following? (1)
- If the creditor took his poor debtors' cloak in pledge, he must return it by nightfall, otherwise he would have no covering for the night.
 - It is to prevent the strong from oppressing and exploiting the weak.
 - Each person should have an equal right to the system of equal basic liberties.
 - It attempts to limit the charges made for the services to poor men providing an instance wherein a surgeon can exact subjectively from the poor and the rich.
6. Directive Principles of State Policy are provided under which part and under which article/s of the Indian Constitution? (1)
- Part IV, Article 37-51A
 - Part IV A, Article 36-51
 - Part IV, Article 36-51
 - Part IV, Article 36-51A
7. The Chairman of District Legal Services Authority is (1)
- Judge of High Court
 - Chief Justice of concerned High Court
 - District Judge
 - Advocate General

8. Madhur belongs to a religious minority and in order to promote his religion, he wants to establish an educational institution. Under which article of Indian Constitution Madhur has the right to establish an educational institution? (1)
 - a. Article 25
 - b. Article 26
 - c. Article 30
 - d. Article 29
9. What is the purpose of Criminal Law in India? (2)
10. Give any four Human Rights provided under Universal Declaration of Human Rights (UDHR). (2)
11. State any four powers of National Human Rights Commission which are similar to that of Civil Courts. (2)
12. “This source of Public International Law is described as evidence of general practice accepted as law.” Identify and explain this provision of source of International Law. (2)
13. State the purpose of Article 39A which was inserted by the 42nd Amendment Act, 1976 of the Constitution of India. Give any one value instilled in the justice system by this addition. (2)
14. How can a ‘State’ express its consent to bind itself by a particular treaty? (any two) (2)
15. In order to increase the efficiency in judicial decision making, a need for judicial training was felt. Giving a brief introduction about the National Judicial Academy, explain: (4)
 - i. It’s role in providing judicial training.
 - ii. It’s methodology adopted for training judges.
16. What are ‘Lok Adalats’? State its salient features. (4)
17. Explain any four functions of National Human Rights Commission (NHRC). (4)
18. List the changes introduced in the legal profession and education by ‘The Advocates Act, 1961’ with special reference to:
 - i. Categories of legal practitioners
 - ii. Establishment of the bodies at National and State level to regulate the legal profession and education.
19. What is Doctrine of Separation of Powers? Give three aspects of this doctrine by Montesquieu.
20. ‘The Parliament of India passed 24th Amendment Act giving itself unlimited power to amend the Constitution of India. The case of Keshwananda Bharthi v. State of Kerala was

an answer to the 24th Amendment Act.' Explain.

21. Mrs. Namita Bose is a Central Government employee, working as a Custom Officer in Custom and Excise Department. Mrs. Namita has been allotted an accommodation but it was observed that Mrs. Namita sub-let that official accommodation without any permission and authority to do so. Heavy penalty was imposed on her for such an illegal act without giving her any notice and hearing.
- Which agency exercises jurisdiction of service matters of Central Government employees.
 - Explain the significance of such agency in supplementing the role of courts in adjudication of service disputes.
 - Can appeal be made against the order of such agency? If yes, where?
22. Sudhir walks into the Police Station, Preet Nagar and informs the Station Officer that he saw Rohit committing murder of two people who were trying to commit theft in Rohit's house. The officer arrested Rohit and put him in jail. Within 24 hours the police officer personally goes and informs the Magistrate about the incident. The Magistrate sentences Rohit to an imprisonment for 10 years. Is the procedure followed for Rohit's conviction justified? Give reason to your answer by referring Article 21 and 22 of the Indian Constitution.
23. Vishwas, a law graduate wishes to be empanelled with the Central Authority to provide free legal services to the vulnerable groups of the society. You are already in the panel. He is desirous to know about:
- the process of empanelment
 - do's and don'ts for the empanelled advocates
 - who pays remuneration to the empanelled advocates;
 - You are required to provide him with the information on the above mentioned queries.
 - State any two values communicated by Vishwas to the society when he expresses his desire to be empanelled.
24. With respect to Legal profession in United Kingdom, answer the following:
- Legal Education in the United Kingdom
 - Difference between Solicitor and Barrister
- 25.
- What qualifications are required to become a High Court Judge in India?

b. How are High Court Judges appointed in India?

26. Green World Organics is the manufacturer of a medicine called 'Giloysatva' which was used for the treatment of Dengue and Chikenguniya. The company believed that the medicine completely cured these ailments. An advertisement was put up offering a reward of ₹10,000 to anyone who got Dengue and Chikenguniya again after using the 'Giloysatva' medicine continuously for fifteen days. In the advertisement, it was also stated that ₹1,00,000 was deposited in a Bank, namely, Alliance Bank for paying the reward if such situation arose. Seeing the advertisement, Mrs. Suchika bought the 'Giloysatva' medicine and used it as per the directions provided. Mrs. Suchika got a fresh episode of Dengue and Chikenguniya. Mrs. Suchika sued the company for the reward of ₹10,000. The manufacturing company stated that:

1. there was no intention to enter into a legal relationship with anyone through the advertisement, and the advertisement was put up only to boost the marketing of the 'Giloysatva' medicine;
2. the advertisement was not an offer as it was not made to any particular person and an offer cannot be made to the public at large or to the whole world;
3. acceptance by the offeree had not been communicated, and so there was no binding contract.
 - a. What is an 'offer'? What is the impact of an 'acceptance' to an offer?
 - b. Explain the concept of 'general offer' as given by the Court in Carbolic Smoke Ball Case.
 - c. Will the action of Mrs. Suchika stay? Give reasons for your answer.

27. What is meant by Alternate Dispute Resolution (ADR) system? State any four benefits of opting ADR over the conventional judicial procedure.

28. Explain the role of following enactments in the history of Legal Profession in India:

- a. The Legal Practitioners Act of 1846
- b. Indian Bar Councils Act, 1926

29. 'None should be denied justice for being a poor or being disabled.'

In the light of this statement answer the following:

- i. Enumerate any six categories of persons who can avail free legal services as per the provisions of the Legal Services Authorities Act of 1987?
- ii. State any six functions performed by the Central Authority constituted under the Legal Aid Services Authority.

30. 'The International Human Rights practice provides for complaint mechanism and procedure for the protection and implementation of Human Rights within each state.' In the light of this statement, answer the following questions:
- When and why the post of UN High Commissioner for Human Rights was created?
 - Explain the role played by International Criminal Court to protect human rights in international context.

