

**SQP- 2023-24**  
**Legal Studies (Code: 074)**  
**Class XII**

**Time Allotted: 3 Hrs**

**Marks - 80**

**General Instructions:**

**1. The Question Paper contains 4 sections – A, B, C and D.**

1.1 Section A contains 20 Multiple Choice Questions for 20 marks.

1.2 Section B contains 8 short answer type questions for 2 marks each.

1.3 Section C contains 8 questions for 3 marks each.

1.4 Section D contains 4 long answer type questions for 5 marks each.

**2. Internal Choice is given in the Paper. There is no overall choice.**

S.no.	SECTION A	Typo	Unit	Marks
1	The National Commission for Protection of Child Rights (NCPCR) emphasizes the principle of universality and inviolability of child rights for the protection of which category of children? a) All children in the 0 to 18 years age group b) Most vulnerable children only c) Only children in regions that are backward d) d. Children belonging to certain communities or under certain circumstances	K	5 B	1
2	John is a lawyer practicing law in his country. He wants to put up an advertisement to enhance his legal career. He finds out that he is forbidden to advertise on television, radio, and in the cinemas but is permitted to advertise in print media. Which country is John practicing law in? a) Malaysia b) Singapore c) Hong Kong d) d. USA	A	7	1

3	<p>Identify the correct arrangement of the following in the ascending order of their hierarchy in civil jurisdiction;</p> <p>a) Principal Junior Civil Judge Court  b) Senior Civil Judge Courts  c) Munsiff Courts  d) Junior Civil Judge Court</p> <p>a) D-A-B-C  b) A-B-C-D  c) B-C-D-A  d) d. C-D-A-B</p>	A	1	1
4	<p>Assertion (A): Justice Soumitra Sen resigned from his office before he reached the age of 62.  Reasoning (R): Justice Soumitra Sen was impeached from his office.</p> <p>a) Both Assertion (A) and Reason (R) are true and Reason (R) is the correct explanation of Assertion (A)  b) Both Assertion (A) and Reason (R) are true and Reason (R) is not the correct explanation of Assertion (A)  c) Assertion (A) is true but Reason (R) is false  d) Assertion (A) is false but Reason (R) is true</p>	A	1	1
5	<p>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. Is it possible in law?</p> <p>a) Yes, as it is A's property, he can decide how he wants to transfer it  b) Yes, B can do it as he is the buyer and A has to adjust to his requirements  c) No, as B cannot accept one property and reject another in the same document  d) d. No, as there is it will be difficult for A to decide the price of the house alone.</p>	A	3C	1
6	<p>Which of the following is NOT a criterion for setting aside the arbitral award?</p> <p>a) Arbitrator is biased  b) Improper appointment of arbitrator</p>	U	2	1

	<p>c) The arbitrator has jurisdiction</p> <p>d) d. Award against public policy</p>			
7	<p>If the conviction can be based on the statement alone, it is___, and where some supplementary evidence is needed to authorize a conviction, then it is___</p> <p>a) confession, confession</p> <p>b) admission , testimony</p> <p>c) confession, admission</p> <p>d) d. testimony, admission</p>	A	4C	1
8	<p>Ricasso was a painter who never sold even one of his paintings in his life. But after he died, his work became known as a new style of painting and was very sought after. Can Ricasso's son and only heir claim copyright benefits for his father's work?</p> <p>a. Yes because he has inherited the rights of ownership from the original creator, his father</p> <p>b. No, the rights belonged to Ricasso and ceased to exist after his death</p> <p>c. Only the rightful legal representative of Ricasso can claim the rights</p> <p>d. No, the rights devolve upon the state upon the death of the original artist</p>	A	3D	1
9	<p>X enters into an agreement with Y to share the profits by giving false assurance to public to get them a job in Singapore. The agreement is:</p> <p>a) Not enforceable as the agreement involves the fraudulent act of cheating.</p> <p>b) Enforceable as an agreement to share profit is separate from the act of false assurance.</p> <p>c) Enforceable as the parties are competent to contract.</p> <p>d) Not enforceable as the agreement to share profit is separate from the act of false Assurance</p>	A	3A	1
10	<p>Assertion (A) : The Attorney General is the first legal officer of the country.</p> <p>Reasoning (R): The first Attorney General of India was M. C. Setalvad.</p> <p>a) Both Assertion (A) and Reason (R) are true and Reason (R) is the correct explanation of Assertion (A)</p> <p>b) Both Assertion (A) and Reason (R) are true and Reason (R) is not the correct</p>	K	1	1

	<p>explanation of Assertion (A)</p> <p>c) Assertion (A) is true but Reason (R) is false</p> <p>d) Assertion (A) is false but Reason (R) is true</p>													
11	<p>Match the decided cases with their judgments:</p> <table border="1"> <thead> <tr> <th>Decided Cases</th> <th>Judgements</th> </tr> </thead> <tbody> <tr> <td>1. Sukry Kurdepa v.Goondakull</td> <td>A. Whether trees can be regarded as movable or immovable depends upon the circumstances of the case.</td> </tr> <tr> <td>2. Shantabai v. State of Bombay</td> <td>B. A sale of trees where they were cut and taken away was not that of immovable property.</td> </tr> <tr> <td>3. Fatimabibi v. Arrfana Begum</td> <td>C. If a thing can change its place without any injury it is movable, otherwise immovable</td> </tr> <tr> <td>4. Marshall v. Green</td> <td>D. The fruit-bearing trees like Mango, Jackfruit, Jamun, etc., are not standing timber, and they are immovable properties</td> </tr> </tbody> </table> <p>a. 1- A ; 2- C; 3- B; 4- D  b. 1-B ; 2- D; 3- C; 4- A  c. 1-C ; 2- A; 3- D; 4- B  d. 1-D ; 2- B; 3- A; 4- C</p>	Decided Cases	Judgements	1. Sukry Kurdepa v.Goondakull	A. Whether trees can be regarded as movable or immovable depends upon the circumstances of the case.	2. Shantabai v. State of Bombay	B. A sale of trees where they were cut and taken away was not that of immovable property.	3. Fatimabibi v. Arrfana Begum	C. If a thing can change its place without any injury it is movable, otherwise immovable	4. Marshall v. Green	D. The fruit-bearing trees like Mango, Jackfruit, Jamun, etc., are not standing timber, and they are immovable properties	U	3C	1
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12	<p>Choose one reason you would use to convince a private limited company trying to expand its business to convert to a public limited company.</p> <p>a) It is easier for the company to raise capital through the sale of shares to the public.</p> <p>b) It becomes more well known</p> <p>c) It gets regulated by the Government</p> <p>d) It becomes part of the Public Limited Companies Association of India</p>	U	4B	1										

13	<p>Consuming a product in line with the directions of the offer is a case of:</p> <ul style="list-style-type: none"> <li>a) Counter offer to claim reward</li> <li>b) Cross offer that substitutes the original offer</li> <li>c) Acceptance by performing conditions of the offer</li> <li>d) Acceptance by performing conditions of one's own choice</li> </ul>	K/U	3A	1
14	<p>Assertion (A) : Ram, a 12 year old boy has the right to free education as all children between the age group of 6-14 years have a fundamental right to free and compulsory education. Reasoning (R): Right to education flows from right to life under Article 21.</p> <ul style="list-style-type: none"> <li>a) Both Assertion (A) and Reason (R) are true and Reason (R) is the correct explanation of Assertion (A)</li> <li>b) b. Both Assertion (A) and Reason (R) are true and Reason (R) is not the correct explanation of Assertion (A)</li> <li>c) c. Assertion (A) is true but Reason (R) is false</li> <li>d) Assertion (A) is false but Reason (R) is true</li> </ul>	A	5 A	1
15	<p>A company wants to launch a new juice and distinguish itself from its competitors selling similar items. What kind of Intellectual Property right should it invoke to create a unique image for itself and distinguish itself from its competitors?</p> <ul style="list-style-type: none"> <li>a. Patent</li> <li>b. Copyright</li> <li>c. Trademark</li> <li>d. Trade secret</li> </ul>	A	3D	1
16	<p>Identify the type of mediation where a mediators act as guardian of the process, not content or the outcome. The parties in dispute control both what will be discussed and how their issues will be resolved. The mediator further provides a structure and agenda for the discussion.</p> <ul style="list-style-type: none"> <li>a) Evaluative Mediation</li> <li>b) Facilitative Mediation</li> <li>c) Transformative Mediation</li> <li>d) Mediation with Arbitration</li> </ul>	A	2	1

17	<p>Assertion (A): Aroha, a student activist can't be arrested or detained, without providing grounds for arrest under preventive detention laws.</p> <p>Reasoning (R): Safeguards under Article 22 do not apply to persons arrested or detained under preventive detention laws</p> <p>a) Both Assertion (A) and Reason (R) are true and Reason (R) is the correct explanation of Assertion (A)</p> <p>b) Both Assertion (A) and Reason (R) are true and Reason (R) is not the correct explanation of Assertion (A)</p> <p>c) Assertion (A) is true but Reason (R) is false</p> <p>d) Assertion (A) is false but Reason (R) is true</p>	AEC	5A	1
18	<p>In California, the responsibilities of regulating lawyers (admission, discipline etc) with activities to support their members as a professional body lies with</p> <p>a) State Supreme Court</p> <p>b) Board of Bar Examiners</p> <p>c) Federal Court</p> <p>d) State Bar Association</p>	AEC	7	1
19	<p>Under the recommendations of which committee was the Central Vigilance Commission set up?</p> <p>a) Venkatachaliah Committee</p> <p>b) Santhanam Committee</p> <p>c) Chandra Shekhar Committee</p> <p>d) Hanumant Rao Committee</p>	A	2	1
20	<p>Raju wants to murder Ratna. He buys 20 tablets of a sleeping pill and keeps it in his drawer. He plans on administering it to Ratna the next day. Has Raju committed an offence ?</p> <p>a) Yes, the intention of killing someone is terrible and is punishable.</p> <p>b) Yes, buying 20 tablets of sleeping pills constitutes an attempt to kill.</p> <p>c) No, intention and preparation alone do not give rise to any criminal liability.</p> <p>d) No, Ratna is evil and deserves to be killed.</p>	AEC	4C	1

	<b>SECTION B</b>			
21	Mr. Smith is a judge. During the court proceedings, he decides the manner in which evidence must be presented before the court and evaluates them. Identify the justice delivery mechanism to which Mr. Smith belongs. State two advantages of this system.	A	2	2
22	Varsha, a law graduate who completed law from India, wants to practice law in New York. Advise her on the procedure to be followed in order to be eligible for practicing in New York.	A	7	2
23	Differentiate between the legal systems of India and Germany. <b>Or</b> Explain the role of the Supreme court as an activist in the Indian judicial system.	U	1	2
24	A local factory owner has employed a thirteen-year-old boy, Bholu, in place of his father, who has fallen ill and wants Bholu to work to support the family 's income. Bholu had to drop out from school. Explain which, if any, fundamental rights are being violated here.	A	5 A	2
25	Veer has a big farm house. He has tied up with Narula Tent House for hosting grand marriage and other functions. They give the rights to use the property to interested parties to hold their functions and parties. Identify the type of transfer. State any two features of such transfer.	A	3C	2
26	A client has come to you alleging that his competing confectioner has stolen his jalebi recipe. As a legal advisor , advise whether the secret recipe of the jalebi can be classified as a trade secret?	A	3C	2
27	How are Human rights and SDGs interlinked? Give an example.	AEC	5 A	2
28	In India, the vehicle of LLP has gained a lot of traction during the last few years. This is evident from the fact that the number of active LLPs have risen to 2,13,014. There has been an annual growth of about 17 per cent in the number of LLPs incorporated during the fiscal year 2020-2021. State any three the reasons why LLP is an advantageous form of business to set up for some businesses.	AEC	4B	2

	<b>SECTION C</b>			
29	<p>Mr. A is an ambassador from Gosgoland who enters into an agreement with Mr. B in Delhi for the supply of 500 meters of silk cloth. The consignment is to be delivered by the first week of December. Mr. B fails to deliver the consignment. Mr. A initiates proceedings in Delhi for Breach of Contract against Mr. B. Decide if Mr. A will succeed. Elaborate on the reasons for the decision.</p> <p style="text-align: center;"><b>Or</b></p> <p>A company brings out an orange cola in the market that is packaged in a bottle identical to the Cip-Kola bottle.</p> <p>a) Which form of Intellectual Property would protect Cip-Kola's interests?  b) What is the law governing the said protection in India?  c) What are the characteristics of this type of Intellectual Property?</p>	A	3A / 3D	3
30	<p>Ram Babu attempted suicide with his wife and two daughters by consuming poisoned food that was administered to the family by him. Unfortunately, he survived. Ram Babu is charged with an attempt at suicide and the murder of his wife and children. He is presented before the sessions court for trial. He does not have the resources to represent himself.</p> <p>a) According to the provision of Sections 11 and 12 of the Legal Services Authorities Act, 1987, who all are eligible to get legal aid? Does Ram Babu qualify for legal aid under the provisions?  b) What alternate remedy is available with Ram Babu?</p>	A	8	3
31	<p>'In 1946, the General Assembly of the United Nations, enacted the Statute of the ICJ which gave rise to the institution to render Justice at The Hague, Netherlands.'</p> <p>a) Identify the institution and who are its members.  b) b. What is its role?  c) c. Explain the jurisdiction of the institution.</p>	K	6	3
32	What does NCPCR stand for and what are its aims and objectives?	U	5B	3
33	Compare the State Bar Councils with the Bar Council of India, giving any three functions of each.	AEC	7	3

34	<p>With respect to India, answer the following questions:</p> <p>a) Identify the Anti-corruption Ombudsman in India and in the Indian States.</p> <p>b) State the composition and function of the Anti-corruption Ombudsman in India.</p> <p>c) Identify the Banking and Insurance Ombudsman in India and state its role.</p> <p style="text-align: center;"><b>Or</b></p> <p>Two companies manufacturing health drinks had a dispute over manufacturing techniques. They want to resort to alternate dispute resolution to solve their dispute rather than going for traditional litigation.</p> <p>a) Suggest the most suited mechanism.</p> <p>b) Explain the procedure and compare the decision rendered under the suggested ADR mechanism and court order.</p>	A	2	3
35	<p>Aman was convicted under section 302 of IPC for having committed the murder of his wife Ritu. The judgment of the trial court is based on the dying declarations made by Ritu to the police officer and Metropolitan Magistrate who visited the hospital later on. Can the accused Aman be convicted solely on the basis of the dying declaration given by his wife Ritu? Explain with the help of a relevant case.</p>	A	4C	3
36	<p>A has litigation in determining the title of the property with X, though the possession of the property is with A. During this period, A initiates a sale of the same property in favour of B.</p> <p>a) Can X challenge this transfer? Give reason.</p> <p>b) What will be the status of B in this transaction? Explain with the help of a decided Case.</p>	A	3C	3
<b>SECTION D</b>				
37	<p>Answer the following:</p> <p>a. Explain the two major initiatives undertaken under the international scenario for the protection of the environment.</p> <p>b. Write any three functions of the Central Pollution Control Board constituted under the Water (Prevention and Control of Pollution) Act 1973.</p> <p style="text-align: center;"><b>Or</b></p>	K	4	5

	<p>A client has come to you for legal advice. He is looking to start a business. He is inclined to start a sole proprietorship firm. But on the other hand, he also has an interested investor who can come on as a partner.</p> <p>a) Discuss two advantages and disadvantages of each of the legal entities i.e. sole proprietorship and partnership.</p> <p>b) State the methods of dissolution of each of the legal entities i.e. sole proprietorship and partnership.</p>			
38	<p>The heads and representatives of various nations including India met at an international conference, to come up with a resolution between the member countries regarding environmental protection. Indian representatives headed for consent subject to approval by the Indian Parliament. The Parliament, upon considering the matter, refused to give assent and thus the terms of the resolution were not implemented in India.</p> <p>a) Identify the mode of entering into the treaty opted in the above scenario.</p> <p>b) Analyze the situation and explain when it would be binding on the Indian representative to give assent to the resolution.</p> <p>c) If the above resolution affected the rights of Indian citizens, then how can such a treaty be implemented in India? Cite the relevant judgment.</p> <p style="text-align: center;"><b>Or</b></p> <p>A dispute arose between three neighbouring nations Solera, Navratsia and Alkotsia regarding the 'delimitation' of the area of the continental shelf in the Gratsia Sea. Both Solera and Navratsia submitted their individual disputes with Alkotsia to the International Court of Justice. The case involved agreements amongst the three nations regarding the delimitation of areas, rich in oil and gas, of the continental shelf in the North Sea.</p> <p>In the above dispute, explain the source/s and principles of international law that will be applied by the International Court of Justice (ICJ) in reaching a decision.</p>	A	6	5
39	<p>Why is legal aid important in the adversarial system of justice dispensation? Explain the relevance of 1973,1976,1980,1987 in the development of legal services in the Indian judicial system.</p>	U	8	5

40.	<p>Explain the key differences between Admission and Confession.</p> <p style="text-align: center;"><b>Or</b></p> <p>“A common misconception is that motive and intention are the same concepts when it comes to crime.” Consider the statement given above and explain the concept of ‘Intent’ and ‘Motive’ in terms of criminal law with the help of relevant case laws.</p>	U	4C	5
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