Sample Question Paper Introduction to Law (338)

Time 3 hrs Maximum Marks: 100

Note:

- I) This question paper consists of 49 questions in all
- II) All questions are compulsory
- III) Marks are given against each question
- IV) Attempt all questions either from Optional Module A or Optional Module B in all sections
- V) Section A consists of

Q.No. 1 to 20 Multiple Choice type questions (MCQs) carrying 01 mark each. Select and write the most appropriate option out of the four options given in each of these questions.

Q.No. 21 to 35 Objective type questions. Q.No. 21 to 35 carrying 02 marks each (with 2 sub-parts of I mark each) and Attempt these questions as per the instructions given for each of the questions 21-35.

VI) Section B consists of

Q.No. 36 to 41 Very Short questions carrying 02 marks each to be answered in the range of 30 to 50 words:

Q.No. 42 to 46 Short Answer type questions carrying 04 marks each to be answered in the range of 50 to 80 words.

Q. No. 47 to 49-Long Answer type questions carrying 06 marks each to be answered in the range of 80 to 120 words.

Section-A

S. No.		Marks
1.	Canonic Principles applied by Christians were modernised by codifying. The	1
	Law applicable for Christian Marriage is known as	
	a) Christian Marriage and Divorce Act of 1869	
	b) Christian Marriage Act of 1891	
	c) The Indian Christian Marriage Act of 1872	
	d) Divorce/Marriage Enactment Act 1869.	
2.	According to evetemony proceeds of Christians marriage communics in India	1
2.	According to customary practices of Christians marriage ceremonies in India	1
	can be performed only by a person who has received.	
	a) Archbishop blessing	
	b) Episcopal ordination	

	c) Gospel Ministry ordination	
3	d) Seacons Divorce by Mutual consent has been granted to Christian Community in	1
	which year.	1
	a) 1870	
	b) 1980	
	c) 2001	
	d) 2018	
	a)	
4	Ceremony performed to initiate the child into the Zoroastrian religion is	1
	termed as	
	a) Navjote	
	b) Avesta	
	c) Dastoorji	
	d) Hathevaro	
	a)	
5	'Palak' Adoption is	1
	a) Confers all civil rights on the adopted son or daughter	
	b) Child is taken in a family with all the rights, social, religions or civil	
	of the adoptive father.	
	c) It is not by way of conferring any right on the 'adopted' son, but it is	
	the imposition of a duty ceremonies of the 'adoptive' of other for the	
	progress and onward journey of Puran (Soul) in the next world.	
	d) There is no mention of adoption.	
6	The Indian Parliament regulated Parsi Marriage and divorces by	1
	a) Parsi Marriage Act 1946	
	b) Parsi Divorce Art 1946	
	c) The Parsi Marriage and Divorce Act, 1936	
	d) None of these	
7.	The standard common Law of Criminal liability is expressed in Latin Phrase	1
	'that' actus non – facit – reum nisi mens sit rea". This principle was first cited	
	as a principle by	
	a) Edward Coke	
	b) Lord Gray	
	c) Lord Baker	
	d) Lord Bakewell	
8.	Supreme Court decisions shall be binding on all the courts within the territory	1
	of India. Here all courts means:	
	a) All Courts except the Supreme Court of India	

	 b) All Courts including the Supreme Court except a Bench of the Supreme Court which consists of all the Judges of the Supreme Court. c) All Courts including the Supreme Court except such branches of the Supreme Court which consists of seven judges or more d) All Courts including the Supreme Court of India. 	
0	d) All Courts including the Supreme Court of India.	1
9.	One of the 'Defence' in Criminal law where there must have been a total	1
	destruction of voluntary control is known as	
	a) Intoxication	
	b) Insanity	
	c) Automatism	
10	d) d. Self Defence	1
10.	Suggest whether the following acts in given cases constitute 'actus reus'	1
	a) 'a' pushes 'b' in pond	
	b) 'a' and 'b' while walking near the pond and 'a' accidently falls into	
	the pond.	
	c) Act does not comprise of 'actus reus'	
1.1	d) None of the above	1
11.	The concept of 'Mens Rea' developed in	1
	a) Russia	
	b) India	
	c) England	
	d) France	
12.	'Treatise on Jurisprudence' is written by	1
12.	a) Benthem	
	b) Austin	
	c) Kelson	
	d) Holland	
	a) Honana	
13.	Who said "Procedural Law is concerned with affairs inside the courts of	1
	justice" white "substantive Law deals with matters in the world outside."	
	a) Salmond	
	b) Austin	
	c) Bentham	
	d) d. Holland	
14.	Professor Cook in, "Substance and Procedure" in the conflict of Laws talks	1
	about "apenumbra" which means.	
	a) Process	
	b) twilight zone	
	c) Substance	
	d) d. procedure	
_		

15.	Indian Contract Act, 1872; Transfer of Property Act 1882 Specific Relief Act;	1
	are examples of	
	a) Substantive Law	
	b) Procedural Law	
	c) Surficial Law	
	d) Administrative Law	
16.	Decide whether right to appeal is substantive Law or procedural law	1
	a) Substantive Law	
	b) Procedural Law	
	c) Both of above	
	d) None of above	
17.	"The Nature of Judicial Process" is famous compilation of lectures written by	1
	a) Justice Senning	
	b) Justice Benjamin N. Cardozo	
	c) Justice Anderson	
	d) Justice Thomas	
18.	Unless legislature specifies, procedural Laws are	1
	a) Prospective	
	b) As on date rule applicable	
	c) Retrospective	
10	d) d. As law better suits.	
19.	Which Article under the constitution of India provides for free legal Aid.	1
	a) Article 14	
	b) Article 12	
	c) Article 39-A	
	d) Article 46	
20.	Name the Act enacted to give a statutory base to legal aid programmes	1
	throughout the country on a uniform manner	
	a) The National Judicial Appointments Commission Act.	
	b) Legal Services Authorities Act 1987	
	c) Legal Awareness for people Act 1957	
	d) The Indian Institute of Information Technology Act 2017.	
21.	Lok Adalats are intended to arrive at and settlements. Settlements	1x2
21.	reached under Lok Adalats are deemed as of a civil court.	172
	of a civil court.	
22.	Bargaining involves the agreement to a plea of guilty in return	1x2
	for a lighter sentence. While Bargaining is the least used in a	
	prosecution in which the Prosecutor agrees not to reveal any aggravating	
	factual circumstances to the court because that would lead to a mandatory	

	mini	nun	n sentence or to a more sev	vere sentence under sentencing guidelines.	
23.	Match the following:			1x2	
		Co	lumn A	Column B	
	a)		luk Legal Services ommittee	(1) District Judge	
	b)		strict Legal Services athority.	(2) Senior Civil Judge	
			•	(3) Chief Justice of India	
				(4) Chief Justice of state High Court	
24.			ue (T) or False (F)		1x2
	b) I	Or. E		s partly elected and partly nominated body nairman of the Drafting Committee of	
25.	Write	e Tru	ue (T) or False (F)		1x2
	,		term of Rajya Sabha is six	•	
			Money Bill can be introdu	<u> </u>	
26.	Incase the Supreme Court held the Preamble to the Constitution				1x2
	is the basic structure of the Constitution. In case the Supreme Court held that the Preamble to the Constitution is not the basic structure of				
			titution.	e Constitution is not the basic structure of	
27.	In asystem, the executive which runs the administration must enjoy the confidence of the Parliament, especially in thewhich represents the people.			* *	1x2
28.				meral State Legislature of a State is	1x2
	calle	d	is t	the final authority to abolish or create	
			ve Council in a State.		
29.	In M	adhı	Kishwar V. The State of	Court made a case of the	1x2
				all forms of Discrimination Against women accession for tribal women.	
30.	The by_	Joir	nt sitting of the two h	ouses of is presided over	1x2
31.		h th	e following:		1x2
			Column A	Column B	
	a.		Half hour Discussion	(1) Draw attention of the Government	
				on urgent matters related to public	
				importance.	
	b.		Calling Attention	(2) Provides opportunity to the members	

	Motion	to express their views on a particular topic. (3) Has an element of censure against the Govt. Motion allowed only in Lok Sabha (4) Opposition Members try to bring out lapses and weaknesses of the government or to bring it down in the eyes of people.	
	Attempt eit	ther question from Module A or Module B Optional Module A	
32.	absolute liability for ha compensate the victims environmental degradat	India interpreted "polluter Pays Principle" as the rm to the environment extending not only to of pollution but also the cost of restoring the	1x2
33.	Match the following		1x2
	a. Vellore Citizens' Forum union of India	Column B (1)Two-Fold Liability	
	b. Public Trust Doctrine	 (2) Precautionary principle is a part of the environmental law of the country. (3) The state as 6 Trustee' is under a legal duty to protect the natural resources (4) A person guilty of causing pollution has to compensate for the restoration of damage caused to the environment and ecology. 	
34.	whole.	ong, a tort committed against the community as a ction of contaminants into the natural environment	1x2
35.	Write True (T) or False (F)		1x2

	and irreversible damage, lac	tes that the state is the 'Trustee' of all naturally owned. In th	S
		tional Module B	
32.	India.	ct, 1986 protects the interests of consumers in act, 1986 has provision for establishing	1x2
33.	 Write True (T) or False (F) a) Any practice that permits the to sell the goods or provide cost of those or other similar Practice'. b) Offering any gifts, prizes or real intention is different and 	e	
34.	The Consumers Protection Ac interests of consumers in India. consumer and other disputes and matters connected to	f	
35.	Column A a. Consumer Court Tripura b. The East District Consumer Disputes Redressal forum	Column B (1) Airtel directed to pay compensation for providing faulty Internet Connection. (2) 'Mercedes Benz' fined for selling a used demo car. (3) Cadbury India Ltd. To pay compensation for an iron pin found inside a chocolate box. (4) Quasi Judicial Consumer disputes Redressal bodies.	1x2

	Section B	
36.	'A' visits the police station for the filing of an FIR. The Police Officer refers to it. What suitable action can be taken by 'A'.	2
37.	A) What does 'Sapinda' under Hindu Marriage mean? Or	2
20	B) Write a short note on Testamentary Succession.	2
38.	Explain T. Poole claims on judicial review by judges. Write down a few provisions for entailing free legal aid in civil and criminal matters where people cannot afford service of a lawyer for the conduct of a case.	2
40	A) Write a short note on Budget. Or B) Write a short note on No Confidence Motion.	2
	Attempt either question from Module A or Module B Optional Module A	
41.	Give two examples to ensure sustainable Development.	2
	Optional Module B	
41.	Explain the necessity of legal monopoly.	2
42.	A) What are the four kinds of divorce recognized by the old Rabbinical law under Jewish community? Or	4
	B) Write about the role of custom in Christian law.	
43.	 A) Distinguish between Public Law and Private Law, according to theories determining the distinction. Or B) Write about the meaning and nature of Administrative law. 	4
44.	Cite relevant examples/case laws to justify the statement "The maximum punishment prescribed may not always be the determinative factor for repairing the crippled psyche of the offender. "It is necessary to balance the scale of retributive justice and restorative justice.	4
45.	The framers of the Indian Constitution were strongly committed to various fundamental freedoms which are absolutely necessary in a free democracy, however all such freedoms cannot be absolute. Write down reasonable restrictions imposed on Article 19. Any two.	4
46.	A) What do you understand by 'Locus standi'. Cite relevant case law where court has done away with orthodox bar of 'Locus standi'. Or A) Write about Legislative powers and functions of Indian Parliament.	4
47.	A) Chief Justice of India N.V. Ramana has expressed that Mediation can	6

	change the landscape of justice in India. Elaborate your thoughts on the	
	usefulness of ADR mechanisms.	
	Or	
	B) Evaluate various stages of Civil suits.	
48.	 A) Article 18 of the constitution of India prohibits the State from awarding any title then why does it award National Honours. Cite relevant case law. Or B) Write in detail about salient features of the Indian Constitution. 	6
	Attempt either question from Module A or Module B Optional Module A	
49.	Sunita lives near a beautiful public Garden soon. She learns that there is going to be construction of a shopping complex in place of Public Park. Explain the Environmental Principles and the Fundamental Right through which such construction can be stopped. Cites relevant Case law.	6
	Optional Module B	
49.	Evaluate the role of 'Consumer Activism' in protecting the rights of the consumers in India	6

Marking Scheme

Section A

S.no		Marks
1.	b Christian Marriage and Divorce Act of 1869	1
2.	b Episcopal ordination	1
3.	c 2001	1
4.	a Navjote	1
5.	c It is not by way of conferring any right on the "adopted" son, but it is the imposition of a duty ceremonies of the "adoptive" of others for the progress and onward journey of Puran (Soul) in the next world.	1
6.	c The Parsi Marriage and Divorce Act, 1936	1
7.	a Edward Coke	1
8.	b All Courts including the Supreme Court except a Bench of the Supreme Court which consists of all the Judges of the Supreme Court.	1
9.	c Automatism	1
10.	a "a" pushes "b" in pond	1
11.	c England	1
12.	d Holland	1
13.	a Salmond	1
14	b twilight zone	1

15.	a Substantive Law	1
16.	a Substantive Law	1
17.	b Justice Benjamin N. Cardozo	1
18.	c retrospective	1
19.	c Article 39-A	1
20.	b Legal Services Authorities Act 1987	1
21.	A. Compromise ; Decree	1x2
22.	A. Sentence; Fact	1x2
23.	(a) 2	1x2
	(b) 1	
24.	(a) T	1x2
	(b) T	
25.	(a) T	1x2
	(b) T	
26.	Kesavananda Bharati ; Berubari	1x2
27.	Parliamentary ; Lok Sabha	1x2
28.	Vidhan Parishad; Parliament	1x2
29.	Bihar; Vienna	1x2
30.	Parliament; Speaker	1x2
31.	(a) 1	1x2
	(b) 2	
	Optional Module A	

32.	(a) T	1x2
	(b) F	
33.	(a) 2	1x2
	(b) 3	
34.	(a) T	1x2
	(b) T	
35.	(a) F	1x2
	(b) T	
	Optional Module B	
32.	(a) T	1x2
	(b) T	
33.	(a) T	1x2
	(b) F	
34.	A. Parliament; Councils	1x2
35.	(a) 3	1x2
	(b) 1	

	Section B	
36.	'A' can file a complaint Writ of 'Mandamus issued by an order of a superior Court would ensure that a person holding public office/authority does his Public Duty.	2

37.	Sapinda means particles of the same body.	1
37.	Sapinua means particles of the same body.	
	-Sapinda is prohibited because marriage relationship with one's mother or one's sister or one's daughter or one's son's wife is considered as sin in Hindu Law .The Hindu Marriage Act, 1955 provides the extent of Sapinda relationship to five degree in line of ascent through the father and three degrees in the line of ascent through the mother.	2
	Or	
	Testamentary succession governs law of immovable property of Christians and Parsis	
38.		
	According to T. Poole judicial review' by judges cannot legally replace political debate in the legislature as the principal forum for debates.	2
39.	Provisions of free legal aid includes:	
	Representation by an Advocate in legal proceedings.	2
	Drafting of legal documents, special learn petition.	
	Giving advice on any legal matter. (Any two points)	
40.	The Budget is an annual financial statement showing annual expected revenue and expenditure of public money. It is not a Bill. It is presented in the Parliament (Lok Sabha) . The presentation of the Budget is the responsibility of the Finance Minister.	2
	Or	
	This motion can be used by Lok Sabha members only. Any member of Lok Sabha may move a resolution after the required formalities to express lack of confidence in the Council of Ministers. It is here that most of the opposition members try to bring out the lapses and the weaknesses of the government to censor it or to bring it down in the eyes of the people. The ruling party replies to the points raised and defends itself.	

	Optional Module A	
41.	Examples to ensure sustainable Development.	2
	If we use groundwater, then we also have a responsibility of recharging it through various techniques like rain water harvesting.	
	If we use cars then we have to make sure that we use eco-friendly fuel and technology that minimizes air pollution.	
	Optional Module B	
41.	A government grants monopoly to provide an incentive to invest in a risky venture.	2
	Sometimes the government may also reserve the venture to regulate, thus forming a government monopoly.	
42.	Jewish customary law recognizes four kinds of divorce	4
	Divorce by mutual agreement.	
	Divorce enforced upon the wife on the petition of the husband.	
	Divorce enforced upon the husband on the petition of the wife.	
	Divorce enforced by the Jewish court without the petition of either of the parties.	
	Or	
	'Custom' plays an important role in the lives and legal system of the Christians in India. During British rule, these canonic customary laws were practiced by the Christians all over the Churches in India and were modernized by the passing of two specific legislations, namely Indian Divorce Act of 1869 and Indian Christian Marriage Act of 1872. Christians did not recognize divorce in their customary practices and their marriages are regarded as sacramental. The Law of Christian divorce is codified by the name of 'The Divorce Act, 1869. This Act has been amended in 2001 whereby divorce by internal consent is allowed.	

43. Distinction between public and private law

The Interest Theory – This theory has been developed by the Roman jurist Ulpian. According to this theory Public law is that which concerns the Roman state while private law is concerned with the interest of citizens.

The 'Subordinate Theory' – This theory differentiates according to the relationship between the participants.

Public law is characterized by a Superior – Subordinate relationship whereas private law creates a relationship of coordination.

The Subject Theory -According to this theory if a person deals with Sovereign Authority such a State or a Municipality, the Public Law applies, otherwise it is Private law.

Or

As per Holland, Administrative Law provides for the manner of activities or the various organs of the Sovereign Power as provided by the Constitution. In this sense Administration has been defined as 'the exercise of political powers within the limits of the Constitution as the total concrete and manifoldly changing activity of the State in particular cases as the functions, or the activity, of the Sovereign Power'. It may fairly be said to include the making and promulgation of laws; the action of the government in guiding the State in its foreign relations; the administration of justice; the management of the property and business transactions of the State; and the working in detail, by means of subordinates entrusted with a certain amount of discretion, of the complex machinery by which the State provides at once for its own existence and for the general welfare. It deals with the collection of the revenue, the collection of statistics, international trade, manufacturing, pollution, taxation, and the like. This is sometimes seen as a subcategory of Civil Law and sometimes seen as Public Law as it deals with regulation and public institutions

44. The relevant examples/case laws to justify the statement "The maximum punishment prescribed may not always be the determinative factor for repairing the crippled psyche of the offender. "It is necessary to balance the scale of retributive justice and restorative justice.

4

In case of Bachan Singh V. State of Punjab

The Constitution Bench while upholding the Constitutional validity of the death sentence held inter alia that the imposition of death penalty is to be guided (via sections 354 (3) and 235 (2) of the (CrPC) such that

The extreme penalty can be inflicted only in the gravest cases of extreme culpability.

In making the choice of the sentence; in addition to the circumstances of the offence, due regard must be paid to the circumstances of the offender also.

2) In Rajiv Gandhi Assassination Case AG Perarivalan, a supporter of rebel group fighting for separate Tamil State in Sri Lanka was of 19 years when he was convicted of procuring batteries that were used in the bomb to kill Rajiv Gandhi. (The Ex-PM).

The Supreme Court in 1998 gave him a death sentence, which was in 2000 commuted. In 2022 he was set free by Supreme Court invoking Article 142.

45. The State is empowered to impose reasonable restrictions in the interest of the security of the state, friendly relations with foreign-countries, public order or decency or morality or in relation to contempt to court, defamation or incitement to an offence and maintenance of sovereignty and integrity of the country.

The freedom under 19 (b) (Freedom to assemble peacefully and without arms) is subject to two reasonable restrictions

Meetings, rallies and procession should be peaceful.

The participants should not carry any weapon.

The freedom under Article 19(c) (to form association or union) in case of illegal, immoral or conspirational associations, where integrity and sovereignty may face danger, the state can disallow such formations.

46. According to the traditional Anglo-Saxon concept of locus-standi, only the person whose rights were violated could seek judicial redress.

Case Law

S.P. Gupta vs. Union of India

In this Case, Justice P.M. Bhagwati said that a major impediment in bringing the problems of the under-privileged before the courts was the traditional rule of locus-standi.

It was held that any public spirited individual can move the court provided that the person is acting in the interest of the public and not for personal gain, private profit, political motivation or other considerations.

Thus the court outed the orthodox bar of locus standi and cleared the path for providing justice. In fact even a letter could be treated by the court as a writ petition.

Or

Law making is the primary function of the State Legislature. It makes laws on 66 subjects included in the State List. It also has the right to make laws on the subjects mentioned in the Concurrent List but it should not contradict any law made by the Parliament on the same subject. In case of contradiction, the law made by the Central Government prevails. The procedure of law making is the same as in Parliament both in the case of Ordinary Bills (Non-money bills) and the Money bills. Every bill passed by the State Legislature (One House if unicameral and both the Houses if bicameral) is sent to the Governor for his/her assent after which it becomes a law.

47. Usefulness of ADR mechanisms.

ADR can emerge as a tool of social justice in the country. In fact, CJI speaking at India's two day conference on Mediation and Information Technology organized at the Statue of Unity in Gujarat in April 2022 stressed that active effort must be taken by court to make negotiations and mediations mandatory as part of case management.

ADR through Lok Adalats, Gram Nyayalayas, Mediation and Arbitration centuries, has the potential to transform the legal landscape of India by providing millions of people grievances.

Among many benefits of mediation, major being that it can reduce pendency, same judicial resources and time and allow litigants a degree of control over the dispute resolution process and its outcome.

Or

In civil matters the party which files the case is known as 'plaintiff' and the party against whom the case is filed is known as 'defendant'. In legal terminology, a civil case is known as a suit. Civil suit or case passes through following stages: 1. Filing of plaint ('plaint' is a legal term for the case filed by the plaintiff) –

- 2. Issuing summons to the opposite party –
- 3. Appearance of defendant
- 4. Framing of issues
- 5. Recording of
- 6. Arguments
- 7. Judgment

The Dissatisfied party has the right to approach the higher Court by way of appeal or any other remedy.

6

48.	In democracy titles go against the realization of social equality under Article 14. However under Article 18 conferment of 'Bharat Ratna", "Padma Vibhuties", "Padma Shri" are not prohibited as they merely denote state recognition of good work by citizens in the various fields of activity. The President of India can award National honors to eminent citizens in any field such as public, social, academic or sports. Similarly, military and bravery awards are also given for service or sacrifice by the military paramilitary forces. Article 18 does not secure any fundamental right but imposes a restriction on executive and legislative power. Bharat Ratna and Padma awards are not titles and cannot be used as prefix or suffix to names of the recipient. The awards can be withdrawn in case of misuse. 3)In Balaji Raghavan vs. UOI, the supreme court upheld the validity of civilian honors. Justice Ahmadi observed that restraint is necessary to safeguard the importance of conferment of awards. The court suggested a high level committee may be appointed by the PM in consultation with the President who will ensure that only describing persons are bestowed an award to enhance its respect.	6
	Or	
	Salient features of the Indian Constitution are	
	Written Constitution	
	Partly Rigid and Partly Flexible	
	Federal System with Unitary Bias	
	(Explain all above points in detail)	
	Optional Module A	

49.	Relevant Case law.	6
	People have the right to question one use of natural resources. In fact, many years before Romain king Distinction stated that "The Air, the water, and the sea are all common to the public and are entitled to be used by anyone due to the law of nature'. This concept is known as Public Trust Doctrine.	
	In India, the court observed that we follow the Common law system and thus our Constitution includes public trust doctrine in its jurisprudence. The court applied this doctrine for the protection of Environment. The court referred to various Articles of the Indian Constitution such as 48 A which made a way though Article 21 by including the rights to clean environment and Article 39 of the Directive Principle) which states proper distribution of the resources.	
	Sunita can assert the public trust doctrine under the right to life Article 21 of the Constitution as allowing the construction will deprive the public of the quality of life as stated under Article 21 of the Constitution. Also under the public trust doctrine the government is under the obligation to maintain the public park for the citizens' – Relevant case M-I. Builders Pvt. Ltd. Versus Radhey Shyam Sehra (1999) S.C. (464.)	
	Optional Module B	
49.	The 'Consume Activism' has succeeded in bringing pressure and in applying a check on the unfair trade practices in India. It has also been successful in protecting and promoting the interest of consumers against unethical and unfair trade practices.	6
	'Consumer Activism' has also helped in creating an awareness about consumer goods and services.	
	It has also succeeded in bringing the unscrupulous tradesman to books.	
	It has also helped the consumer movement in achieving its goals	