

ICSE X

MAHESH TUTORIALS I.C.S.E.

Marks : 80

SUBJECT **HISTORY & CIVICS**

Exam No. : MT/ICSE/I SPA 011

Time : 2 hrs.

Model Answer Paper**Part I (30 Marks)***Attempt all questions from this section.***A.1 Answer the following questions**

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| (a) | A Judge may be removed from his office on ground for "proved misbehavior or incapacity" by impeaching him/her.
Procedure : The above can be done when a resolution is passed in each House of Parliament, supported by a simple majority of the total strength of a House, and by a two-thirds majority of those present, and voting in both Houses. | 1 |
| (b) | The Supreme Court can issue following Writs :
(a) Writ of Habeas Corpus
(b) Writ of Mandamus
(c) Writ of Prohibition
(d) Writ of Quo-Warranto
(e) Writ of Certiorari | 1 |
| (c) | A Lok Adalat means "People's Court". It encourages the settlement of disputes through compromise between two parties. | 1 |
| (d) | The Supreme Court has the power of exclusive jurisdiction with regard to questions relating to constitutional validity of Central laws. Only Supreme Court can settle disputes between Centre and States. | 1 |
| (e) | India is a federal state which means the Centre and the State both have their powers. The Supreme Court acts as a guardian of the Constitution. The Supreme Court keeps an eye on the working and powers of both the State and the Centre. The Supreme Court has the power to settle disputes between the State and the Centre and between two states.
The Constitution of India has also given powers to the Supreme Court for the protection of Fundamental Rights. If the government passes any law or issues any order which is unconstitutional, the Supreme Court can declare the law as 'Ultra vires'. | 1 |
| (f) | (i) When any of the Fundamental Rights of any citizen is violated by the government or any individual he/she can seek the protection of the Supreme Court.
(ii) Right to Constitutional Remedies also provides the citizens, power to go to the Supreme Court in case of denial of any of the Fundamental Rights.
(iii) If the Union or State Legislative passes a law, which violates the basic framework of the Constitution, then the Supreme Court can declare that law null and void. | 1 |

<p>(g)</p> <p>(h)</p> <p>(i)</p> <p>(j)</p>	<p>Judgment and orders of High court are preserved as a record to be referred to by its courts in future cases. They can be produced as precedents. The law laid down by the High Court is binding on all subordinates courts in the State concerned. But it does not bind the other High Courts, although it is of great significance and can be produced in support of an argument.</p> <p>The High Court may send for the record of any case, decided by a Subordinate Court. This is done if the High Court feels that the Subordinate Court had no jurisdiction to try that case. The revisional jurisdiction can be exercised only in exceptional cases where the interest of public justice requires interference.</p> <p>The appeal lies to the Supreme Court as a matter of right in two types of cases of death sentence. For example :</p> <p>(a) Where a Lower Court acquits an accused, and the High Court reverses this order and sentences the accused to death.</p> <p>(b) Where the High Court withdraws a case under trial in a Subordinate Court and sentences the accused to death.</p> <p>The High Court has no power of superintendence over any court or tribunal constituted under any military law.</p>	<p>1</p> <p>1</p> <p>1</p> <p>1</p>
<p>A.2 Answer following questions</p>		
<p>(a)</p> <p>(b)</p> <p>(c)</p> <p>(d)</p> <p>(e)</p> <p>(f)</p>	<p>(a) The League of Nations had no military power of its own, the only weapon that was available with the League were the economic sanctions.</p> <p>(b) The USA did not become its member, because the Senate of the United States did not ratify the Covenant of the League of Nations.</p> <p>Forward Bloc would work for the establishment of a Socialist State through:</p> <p>(i) reorganisation of agriculture and industry on socialist lines;</p> <p>(ii) abolition of the Zamindari system; and</p> <p>(iii) introduction of a new monetary and credit system.</p> <p>The Soviet Union was described as a Super Power after the Second World War as it's empire was greatly expanded. It included half of Poland, Estonia, Latvia, Lithuania, Finland and many parts of Germany. It also became a dominant power in world politics and occupied the position of a leader of the Communist Bloc.</p> <p>(i) The Treaties made with the Britishers would come to an end.</p> <p>(ii) They would be free to join India or Pakistan or to remain sovereign.</p> <p>(1) Germany brought about the unification of all the German - speaking provinces by the annexation of Austria, Czechoslovakia and aggression on Poland.</p> <p>(2) Italy annexed Ethiopia in 1936 and Albania in 1939.</p> <p>(3) Japan invaded China and by the middle of 1939 occupied three - fourths of its territory.</p> <p>(i) There was tension between France and Germany over the territories of Alsace and Lorraine, which were annexed by Germany in Franco-Prussian war.</p>	<p>2</p> <p>2</p> <p>2</p> <p>2</p> <p>2</p> <p>2</p>

	(ii) Austria and Russia were rivalrous over the Eastern European territories of the Ottoman Empire known as the Balkans.	2
	(g) It was the period of conflict, tension and competition between the USA and the Soviet Union and their respective allies from the mid 1940s till 1990s. It is situation where there is no armed struggle but the rivals continue to maintain their peace time diplomatic relations along with their hostility.	2
	(h) Italy had joined the First World War on the side of Britain and France in 1915 as she hoped to get large territories such as Trentino, Trieste, Istria, Fiume, coastal regions of Dalmatia, Albania and some parts of Germany and Turkey after their victory. But the Paris Peace Treaties gave her nothing from the defeated German and Turkish empires. So, Italians developed a feeling of dissatisfaction.	2
	(i) Non-Alignment is the international policy of a sovereign state according to which it does not align itself with any of the power blocs and at the same time actively participates in the world affairs to promote international peace, harmony and cooperation.	2
	(j) On December 7, 1941, the US Fleet based at Pearl Harbour in Hawaii was attacked by Japan. So, America declared war on Japan, Germany and Italy.	2
<p>Part II (20 Marks) SECTION A <i>(Attempt any two out of three questions from this section.)</i></p>		
A.3	(a) Court of Record is a court whose judgements are recorded for evidence and testimony. The judgements are in the nature of precedents', i.e., the High Courts and other Courts are bound to give a similar decision in a similar case. They are not to be questioned when they are produced before any subordinate court. According to Article 129 of the Constitution the Supreme Court shall be a "Court of Record" and shall have all the powers of such a court including the power to punish for contempt of itself. The Court of Record has two implications : (i) Its judgements and orders are preserved as record. These can be produced in any court as precedents. (ii) If a person commits a contempt of court, the court has the authority to punish him. No authority can deprive the court of this right.	5
	(b) Judicial Review is the power of the Supreme Court to examine laws passed by the independent and the executive orders of the Centre and State governments in order to find whether these are in accordance with the Constitution or not. This is called Judicial Review. If an order or a law is found to be contrary to the Constitution, the Supreme Court declares it null and void.	5
A.4	(a) Every judge of the Supreme Court is appointed by the President in consultation with the Chief Justice and such other Judges of the Supreme Court or High Courts as he may deem necessary from this purpose.	2

	<p>(b) A judge of the Supreme Court must be a citizen of India, and have the following other qualifications :</p> <ul style="list-style-type: none"> (i) Must have been a Judge of one or more High Courts for five consecutive years, or (ii) Be an advocate of one or more High Courts for ten consecutive years, (iii) Be a distinguished jurist in the opinion of the President. <p>(c) A judge of the Supreme Court, including the Chief Justice, remains in office until he attains the age of sixty-five years.</p> <p>The procedure for impeachment or removal of Judges is as under :</p> <ul style="list-style-type: none"> (i) The resolution to impeach the Judge may be moved in either House of the Parliament after a notice of 14 days has been given. A list of charges must be supported by one-fourth of the total members of the House. (ii) Such a resolution must be passed by a 2/3rd of the total majority of the members of that House. (iii) Then the charges leveled against the Judge are investigated by the other House. The Judge can appear in person or through a counsel to defend himself. (iv) If the charges are approved by 2/3rd of the total majority, the impeachment is finalised and the Judge is removed from the day the impeachment resolution is passed. 	<p>3</p> <p>5</p>
<p>A.5</p>	<p>(a) High Courts have original jurisdiction, that is the power to hear and decide cases at the first instane. It has original jurisdiction in the following cases :</p> <ol style="list-style-type: none"> 1. It has original juridiction over matters relating to State revenue and its collection. 2. Cases regarding wills, divorce, marriage, company law and comtempt of court may be referred or bought before the High Court directly. 3. Every High Court has the power to interpret the Constitution. This power is known as the power of Judicial Review. 4. Along with the Supreme Court, it enjoys original jurisdiction for the enforcement of Fundamental Rights guaranteed by the Constitution. It can also issue writs for the enforcement of Fundamental Rights. 5. The High Court has Original jurisdiction in cases such as, election petitions challenging the election of the Members of Parliament or a member of the State Legislative Assembly or other local bodies. <p>(b) Appellate Jurisdiction</p> <p>Appellate Jurisdiction of High Court means that the High Court has the power to accept appeals against the decisions of District Courts, in civil as well as criminal matters.</p> <p>Civil Cases</p> <p>Only those civil cases which are decided by the District Courts under the jurisdiction of the High Court concerned, can be brought to the High Court by an appeal. Appeals can be brought to the High Court:</p> <ul style="list-style-type: none"> (i) in matters concerning land revenue, and (ii) in cases where a blatant injustice has been committed by any Tribunal. In such cases, the High Court may quash the order of the Tribunals. <p>Criminal Cases</p> <p>In criminal cases appellate jurisdiction consists of appeals:</p>	<p>5</p>

	<p>(iv) It makes the people aware of the human rights.</p> <p>(c) (i) The UNESCO seeks to promote international scientific co-operation and encourages scientific research designed to improve living conditions.</p> <p>(ii) It has established many scientific co-operation offices to provide support to member states in the field of higher education, advanced training and research in natural and social sciences.</p> <p>(iii) It organizes regional and world conferences to bring together scientists and technicians.</p> <p>A.8 (a) (i) Abolition of Imperialism and Colonialism. (ii) Maintenance of International Peace. (iii) End of Racism (iv) Disarmament (v) Support to the U.N. system. (vi) Creation of a New International Economic Order. (vii) Protection of environment (viii) Stress on equality of nations (ix) Enforcement of human rights. (x) Global Co-Operation (xi) To promote freedom of nations, to follow an independent domestic and foreign policy and (xii) To resist the domination or interference of super-powers.</p> <p>(b) 1. Asian-Relations Conference, 1947 : India with Nehru as her Interim P. M. convened the Asian Relations Conference in New Delhi in March, 1947. He laid down the basic principle of Non Alignment, when he said, "We have no design against any body; ours is the great design of promoting peace and progress all over the world".</p> <p>2. Enunciation of Panchsheel 1954 : Later in 1954, Nehru along with the Chinese Premier, Chou-En-Lai, enunciated the five principles of Peaceful co-existence, popularly known as Panchsheel. These principles provided the firm basis on which friendly relations between nations could be maintained, as well as economic development and peace in the world. This was Nehru's singular contribution to international relations.</p> <p>3. Nehru's Role in the Belgrade Conference, 1961 : The first formal NAM Summit / Conference was held, from September 1 to 6 in 1961 at Belgrade in Yugoslavia, in which 25 nations participated. This conference adopted a 27-Points Declaration, in preparing which Nehru is said to have played a crucial role. In the Belgrade Conference, he laid emphasis on the following principles: (a) Negotiation for peace, (b) Disarmament, (c) Ending Colonialism and Imperialism in all its forms, (d) Condemnation of racial discrimination being practised in South Africa or else where, (e) Stress on socio-economic development of Afro-Asian nations on the basis of mutual benefit and equality. The Belgrade Summit also made an appeal to Super-Powers to help in maintaining peace and security in the world. The Conference</p>	<p>3</p> <p>2</p> <p>4</p>
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<p>A.9</p>	<p>also invited other Afro-Asian and Latin American nation to join the NAM. Jawahar Lal Nehru, Marshall Tito and Colonel Nasser were the most prominent leaders of the NAM at Belgrade. The Trio carried a great influence.</p> <p>(a) After the Mountbatten Plan was accepted by the Indian leaders, the British Prime Minister introduced the Indian Independence Bill in the House of Commons. The Bill was passed by both houses of the British Parliament on July 1, 1947. The main provisions of the Act were as follows: (any 4)</p> <ol style="list-style-type: none"> 1. Two New Dominions : India would be partitioned and two independent Dominions—India and Pakistan—would be created from August 15, 1947. The Act provided legislative supremacy of both the Dominions. The territories of the two Dominions were divided in such terms that Pakistan would comprise Sindh, British Baluchistan, North West Frontier Province, the West Punjab and East Bengal. India was to comprise all the remaining territories included in the British India. The exact boundaries of the Dominions would be determined by a Boundary Commission. 2. Provisions of Partition : <ol style="list-style-type: none"> (a) Both Bengal and Punjab would be divided if so desired by the people. The Provincial Assemblies of the two parts would meet separately representing Hindu majority districts and Muslim majority districts and would decide through a majority vote whether they wanted the division of the province or not. (b) A plebiscite would be held in North West Frontier Province (NWFP) as well as in Sylhet district (Muslim majority area) in East Bengal to determine whether they would like to join Pakistan or India. (Both these provinces joined West and East Pakistan respectively.) 3. Governor-General for Each Dominion : There would be a Governor-General who would be appointed by the British King on the advice of the Cabinet of the concerned Dominion. This arrangement would work till the framing of the Constitutions. 4. Constituent Assemblies to serve as Central Legislatures : The Constituent Assemblies of both the dominions were to act as the Central Legislatures and would have full powers to make laws for their respective Dominion. They would act as sovereign bodies for legislative purposes. 5. End of Jurisdiction of the British Parliament : <ol style="list-style-type: none"> (a) The legislative authority of the British Parliament would cease from August 15, 1947. (b) The titles of the 'Emperor of India' and the 'King of England' were dropped from the royal style. (c) Till the new Constitution was framed, each of the Dominions and all Provinces were to be governed in accordance with the Act of 1935. (d) The Governor-General was given the powers to modify or adopt the Government of India Act 1935 by March 31, 1948. (e) The right of the King to veto laws was given up. This right was given to the Governor-General. 	<p>6</p>
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<p>A.10</p>	<p>(a) (i) Germany had to pay the cost of War called war-indemnity to the victor nations which cost it 33 billion dollars. (ii) The German army was disbanded. She was allowed to keep only one lakh soldiers. The air force and sub marines were also banned. Her navy was limited to 15,000 men and 24 ships. (iii) Germany had to cede to the Allies her merchant ships as compensation. (iv) Germany was to supply huge quantity of coal to France, Italy and Belgium for 10 years. (v) To compensate France for the destruction of the coal mines by Germany in 1918, she was given full control over the rich coal mines in the Saar basin. But the area was governed by the League of Nations.</p> <p>(b) (i) The German territory to the West of Rhine Valley was to be occupied by the Allied Troops for 15 years. (ii) Germany was to return Alsace and Lorraine to France. (iii) She was to hand over Eupen and Molmedy to Belgium.</p>	<p>8</p> <p>2</p> <p>4</p>

