


Name:			
Enrolment No:			
UPES End Semester Examination, May 2023			
Course: Making of the Indian Constitution (Hons 1) Program: BA/BBA/Bcom LL.B. (Constitutional Law Hons.) Course Code: CLCT3002H		Semester: VI Time: 03 hrs. Max. Marks: 100	
Instructions: <i>Read questions carefully.</i> <i>Word limit is not stated as a conscious choice, kindly adhere to the scope of question while attempting.</i>			
SECTION A (5Qx2M=10Marks)			
S. No.		Marks	CO
Q 1	Which has recently been argued as the first historical Constitution of India?	2	CO1
Q 2	Who is regarded as the author of Constitution of India Bill 1895 (also known as ‘Swarajya Bill’)?	2	CO1
Q 3	Who presented Indian Woman's Charter Of Rights And Duties Prepared In India:By All India Women’s Conference (AIWC)?	2	CO1
Q 4	Henry II passed a set of legislative procedures in 1164. What are they collectively called and how many articles do they have?	2	CO1
Q 5	‘Poona Pact’ was a consequence of communal award in form of separate electorate. Which British Prime Minister announced it?	2	CO1
SECTION B (4Qx5M= 20 Marks)			
Q 6	What was the core criticism (pick any one) of Indian Councils Act, 1909?	5	CO2
Q 7	Explain TWO key provisions of Motilal Nehru Report, 1928.	5	CO2
Q 8	Compare and Distinguish between Ancient Constitutionalism and Modern Constitutionalism.	5	CO2
Q 9	Constitutional history of India is filled with alternate formulations. Write a short note on any one of the alternate imaginations of the Constitution.	5	CO3
SECTION-C (2Qx10M=20 Marks)			
Q 10	Define Modern Constitutionalism and explain five salient features of modern Constitutionalism.	10	CO3
Q 11	The Government of India Act was passed by the British parliament in 1935 and came into effect in 1937. It was based on a report by a Joint	10	CO3

	Select Committee, led by Lord Linlithgow, set up the two houses of the British parliament. However, the Act was not successful due to myriad of reasons. Analyze the causes for failures of Government of India Act 1935.		
SECTION-D (2Qx25M=50 Marks)			
Q 12	<p>The Sub Committee on Fundamental Rights had been given the task of discussing and drafting the first version of the fundamental rights for the Indian Constitution. On 28 March 1947, the important issue of interfaith marriage came up for discussion in the sub-committee. Minoos Masani, a Parsi socialist elected from Bombay, proposed a clause:</p> <p style="text-align: center;">‘No impediments to marriages between citizens shall be based merely upon difference of religion.’</p> <p>Sitting that day were nine members of the sub-committee: Acharya Kripalani, Ayyar, Amrit Kaur, Hansal Mehta, Dr. BR Ambedkar, M R Masani, Prof. KT Shah, KM Munshi and J Daulatram.</p> <p>The proposal LOST and the motion was rejected in a 5-4 vote. In favour of the proposal were Masani, Amrit Kaur, Hansal Mehta and Dr. BR Ambedkar.</p> <p>In their note of dissent, they stated:</p> <p style="padding-left: 40px;">“Such an impediment to marriage between two Indians is a reflection on our claim to common nationhood. Only as recently as February 26, 1947, Mahatma Gandhi is reported at a prayer meeting to have supported the idea of marriages between persons professing different religious faiths, each retaining his or her own religion without abatement.”</p> <p>In the context of 2023 India wherein interfaith marriage (through anti-conversion laws) is heavily policed and criminalised, answer the following:</p> <p>(i) Whether right to marriage (inter-faith, inter-caste, same-sex, etc.) should be acknowledged as fundamental right? Substantiate your response with relevant examples.</p> <p>(ii) Whether Anti-conversion laws (The Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021) are constitutionally valid? Substantiate your response with relevant examples.</p>	25	CO4
Q 13	<p>Preamble of Constitution of India States:</p> <p style="padding-left: 40px;">WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC and to secure to all its citizens:</p> <p style="padding-left: 40px;">JUSTICE, social, economic and political;</p> <p style="padding-left: 40px;">LIBERTY of thought, expression, belief, faith and worship;</p> <p style="padding-left: 40px;">EQUALITY of status and of opportunity;</p> <p style="padding-left: 40px;">and to promote among them all</p> <p style="padding-left: 40px;">FRATERNITY assuring the dignity of the individual and the unity and integrity of the Nation;</p>	25	CO4

	<p>In 2023, Government of India wants to amend the Preamble so that it can represent the constitutional values in the contemporary world. They consulted YOU to amend it.</p> <p>In the context of above:</p> <ul style="list-style-type: none">(i) Enumerate atleast five (5) changes (addition of any term/ omission/ modification/ amendment, etc.) that YOU would recommend.(ii) Substantiate YOUR recommendations (the one that you have enumerated above).		
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