


Name:			
Enrolment No:			
<b>UPES</b> <b>End Semester Examination, May 2025</b>			
<b>Course: Making of the Indian Constitution</b> <b>Program: BA/BBA/Bcom LL.B. (CNTL Hons.)</b> <b>Course Code: CLCT 3002</b>		<b>Semester: VI</b> <b>Time : 03 hrs</b> <b>Max. Marks: 100</b>	
<b>Instructions:</b> <i>i.) Read all the questions carefully.</i> <i>ii.) There is prescribed response limit for some sections, please adhere to the guidelines for them.</i>			
<b>SECTION A</b> <b>(5Qx2M=10Marks)</b> <b>Maximum Response limit is three lines</b>			
S. No.		Marks	CO
Q 1	Select the correct option – <i>'Poona Pact'</i> was a consequence of communal award in the form of separate electorate. Which British Prime Minister announced it? A.) Stanley Baldwin B.) Ramsay Macdonald C.) Winston Churchill D.) Clement Atlee	2	CO1
Q 2	Select the correct option – What is the name of author who wrote, <i>Gandhian Constitution for Free India</i> ? A.) C Rajagopalachari B.) Jawaharlal Nehru C.) Sriman Narayan Agarwal D.) Alladi Krishnaswamy Ayyar	2	CO1
Q 3	Who wrote <i>Sapere Aude</i> and what is its significance of modern constitutionalism?	2	CO1
Q 4	Name any four women Constituent Assembly members.	2	CO1
Q 5	Which legal framework introduced the separate electorate in Indian electoral democracy?	2	CO1
<b>SECTION B</b> <b>(4Qx5M= 20 Marks)</b> <b>Maximum response limit is 10 lines</b>			
Q 6	Explain two important provisions of <b>Government of India Act, 1919.</b>	5	CO2
Q 7	Explain the significance of <b>Karachi Resolution.</b>	5	CO2

Q 8	It is often stated that <b>Lahore Resolution</b> is one of the foundational documents for creation of Pakistan. In this context, analyze the text of Lahore Resolution and comment on its significance.	5	CO2
Q 9	Analyze the legacy of Section 93 of Government of India Act, 1935.	5	CO2
<b>SECTION-C</b> <b>(2Qx10M=20 Marks)</b> <b>Maximum Response limit is 1 page</b>			
Q 10	Dr. Ambedkar while defending the draft constitution stated – As to the accusation that the Draft Constitution has produced a good part of the provisions of the Government of India Act, 1935, I make no apologies. There is nothing to be ashamed of in borrowing. It involves no plagiarism. Nobody holds any patent rights in the fundamental ideas of a Constitution. Based on the above excerpt and your reading of the Constituent Assembly debates – <b>Assess whether Constitution of India, 1949</b> should be called ‘Constitution made by Indians’ or ‘Colonial Constitution’? Substantiate your response using relevant examples.	10	CO3
Q 11	Constitutional history of India is filled with alternate imaginations. <b>Analyze any one of the alternate imaginations of the Constitution and comment on its applicability.</b>	10	CO3
<b>SECTION-D</b> <b>(2Qx25M=50 Marks)</b>			
Q 12	Read carefully below excerpts from Constituent Assembly Debates on 25 <sup>th</sup> November 1949 – <b>Frank Anthony:</b> May I say a word about the Directive Principles? I know my honourable Friend Mr. Kher will not agree with what I say and my views will be regarded as heterodox and as perhaps striking a discordant note. I would not like to have seen prohibition put in the Directive Principles. I am not advocating the cause of drunkards or drunkenness. Far from it. I think prohibition as an ideal is a very good ideal. But, what I am afraid of is this: having put this into the Directive Principles, once again, you are giving a head to certain provinces which, without considering the realities, may rush ahead with this scheme. I am one of those who regard it probably from a rationalistic point of view or from the point of view of a psychologist. I regard this question of prohibition fundamentally as a psychological problem. I believe that there is a fundamental similarity in human nature everywhere, and that an Indian is no different in certain fundamentals from an European. I believe that essentially legislation in this matter has tended to be resented and regarded as an entrenchment on the domain of private life and private	CO 4	25

liberty. As I was trying to explain to my honourable Friend Mr. Kher will you be able to legislate for morality? Can you create morality through legislation? You can ever do it; it has never been possible.... As long as you have your chawals for workers in the urban areas, and you cannot even provide them with a semblance of decent living conditions, what is the good of trying to make them moral or weaning them from drunkenness by legislation? As an ideal, I have nothing against it. What I am against is this. While the Prime Minister keeps on asking us to let first things come first, we have fallen into the unfortunate habit of making last things come first. What should be the first priority in any administration? What are the most urgent nation-building activities on which we should concentrate? Surely, health and education. But, today, ask your average provincial Government what it is doing in these matters. It pleads poverty on the one hand in the matter of the most urgent nation-building subjects which should have received top priority, and on the other hand chases these idealistic chimeras. We are throwing away crores and crores of Rupees. That is my main objection to the precipitate introduction of a measure like prohibition.

Despite opposition, the prohibition of consumption of intoxicating drinks entered Constitutional text through **Article 47**. The same is reiterated as—  
**47. Duty of the State to raise the level of nutrition and the standard of living and to improve public health** - The State shall regard the raising of the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties and, in particular, the *State shall endeavour to bring about prohibition of the consumption except for medicinal purposes of intoxicating drinks and of drugs which are injurious to health.*

**In Bharatila (Constitution and legal framework is parimateria to India),** state of **HimKhand** completely banned and criminalized the consumption and possession of liquor through a law called, **Himkhand Welfare (Prohibition of Liquor) Act, 2025**.

Civil Organization, **PFP (People for Privacy)** filed a writ petition in the High Court of HimKhand challenging the constitutionality of **Himkhand Welfare (Prohibition of Liquor) Act, 2025**. The court accepted the petition and framed two issues –

- i.) Whether the Act is in accordance with Article 47 and State of Himkhand (Provincial legislature) has power to create laws supported by DPSP?
- ii.) Whether the Act violates Right to Privacy as guaranteed under Article 21 especially after Puttaswamy which declared Privacy as a fundamental right?

	<b>You are a counsel of Petitioner, PFP (People for Privacy). Respond to above issues keeping in light constitutional text and history of Article 47.</b>		
Q 13	<p>Preamble of Constitution of India States:  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: JUSTICE, social, economic and political; LIBERTY of thought, expression, belief, faith and worship; EQUALITY of status and of opportunity; and to promote among them all FRATERNITY assuring the dignity of the individual and the unity and integrity of the Nation;</p> <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 <b>YOU</b> to amend it.</p> <p>In the context of above:</p> <ol style="list-style-type: none"> <li>(i) Enumerate at least <b>five (5)</b> changes (addition of any term/ omission/ modification/ amendment, etc.) that <b>YOU</b> would recommend.</li> <li>(ii) Substantiate <b>YOUR</b> recommendations (the one that you have enumerated above) by giving relevant examples.</li> </ol>	<b>CO 4</b>	<b>25</b>