

GUJARAT NATIONAL LAW UNIVERSITY**SILVASSA CAMPUS**Course: **Constitutional History of India****Semester- I (Batch: 2025-30)****End Semester Examination: October – November 2025****Date: 30th October, 2025****Duration: 3 hours****Max. Marks: 50****Instructions:**

- Read the questions properly and write the answers in the given answer book.
- Do not write anything on the question paper.
- The respective marks for each question are indicated in-line.
- Indicate correct question numbers in front of the answer.
- No questions or clarification can be sought during the exam period, answer as it is, giving reason, if any.
- Word Limit: 10 Marks: 800 words, 5 Marks: 400 words.

Part A**Marks**Answer **any four** of the following questions:

- Q.1 The legal framework of Ancient India was primarily governed by dharmic texts, with Manusmriti and Yagnavalkya Smriti serving as foundational legal codes. These texts not only prescribed social conduct but also established a comprehensive judicial system through the eighteen titles of law (*Vyavahara Padas*). However, modern scholars debate whether these texts represented uniform legal practice or merely idealized Brahmanical prescriptions that varied significantly across different regions and time periods. Critically evaluate the eighteen titles of law as prescribed in Manusmriti and Yagnavalkya Smriti. To what extent did these legal categories reflect actual judicial practice in ancient India, and how did regional variations challenge the notion of a unified legal system? (10)
- Q.2 The English East India Company's early settlements at Madras, Bombay, and Calcutta evolved from trading posts to centres of governance. Examine how local conditions, indigenous legal traditions, and imperial ambitions shaped the administration of justice in these presidencies. (10)
- Q.3 The Regulating Act of 1773 marked a decisive moment in Britain's attempt to assert control over its Indian possessions. Critically analyse how this legislation reconfigured the balance of power between the East India Company and the Crown. What does the conflict between the Supreme Court and the Company courts reveal about competing conceptions of authority and justice in colonial India? (10)
- Q.4 The 19th century was marked by the British colonial state's ambitious project of codifying Indian law — an endeavour that aimed to impose uniformity while navigating immense social diversity. Critically examine how this process embodied imperial agendas of control, governance, and 'civilisation'. To what extent did legal codification reshape indigenous legal traditions, and where did it encounter resistance or limitations in transforming existing social and legal practices? (10)

- Q.5 The Constituent Assembly Debates represent one of the most significant Constitutional discourses in modern history of India. The Assembly grappled with fundamental questions about democracy, federalism, individual rights, and social justice while navigating the complex realities of a newly independent, diverse nation. The Debates reveal how the framers sought to balance universal democratic principles with India's specific historical, social, and cultural context. Critically analyse how the Constitutional Assembly Debates reflected the tension between universal democratic principles and contextual Indian realities. To what extent did the framers successfully reconcile Western Constitutional thought with indigenous political traditions, and what compromises were made in this process? (10)

Part B

(10)

Answer **any two** of the following questions:

- Q.6 Analyse the contradictions inherent in ancient Indian inheritance laws regarding women's property rights. How did the concept of *Stridhan* both empower and constrain women's economic autonomy, and what does this reveal about the underlying social tensions in ancient Indian society? (5)
- Q.7 The Charter of 1726 aimed to introduce judicial uniformity and a semblance of English legal order in India. Critically assess the nature and limitations of this experiment. To what extent did it create legal certainty, and where did it fall short in mediating between English and Indian legal worlds? (5)
- Q.8 How far the aim of a responsible government was achieved under the Government of India Act, 1935? (5)
