

**GUJARAT NATIONAL LAW UNIVERSITY  
GANDHINAGAR**

Course: **Constitutional History of India**  
Semester- I (Batch: 2022-27)

**End Semester Examination: November 2022**

**Date: 05<sup>th</sup> Nov, 2022**

**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.

- |  | <b>Marks</b> |
|--|--------------|
| Q.1 “The father guards her during virginity, the husband guards her in youth, the sons guard her in old age; the woman is never fit for independence”. In light of the aforementioned verse of Manusmriti, discuss the rights of women during Ancient India. Discuss the steps taken by the Government of India and the judiciary in recognizing the rights of women and removing the practice of gender-based discrimination. | (10)         |

**OR**

The idea of Rule of Dharma is wider in its connotation than what we understand by Rule of Law. Analyze the statement and trace the history of ‘Rule of Law’ in India.

- |  |      |
|--|------|
| Q.2 Critically analyze the religious freedom during Sultanate and Mughal rules in India. Discuss the development of Fundamental Right to Religion with the help of Constituent Assembly Debates on Religion. | (10) |
| Q.3 Discuss the development of courts between the period 1773-1950. Explain the constitution and the jurisdiction of those courts established during that period.  | (10) |
| Q.4 What are ‘Royal Courts’? Explain the difference between the Mayor’s Courts established under the Charter of 1687 and Charter of 1726.  | (10) |

**OR**

Discuss the power of the judiciary to review the Constitutional Amendment Acts. Substantiate your answer with suitable judgements

- |   |              |
|---|--------------|
| Q.5 Answer <b>any two</b> of the following:   | (5x2=<br>10) |
| a) “No substantive law to be enforced and no procedure law to be followed. The whole system was capricious and arbitrary”. Comment on the aforementioned statement by Hon’ble Justice Rama Jois about the Judicial system of Bombay settlement. |              |

- b) “Be he ill-mannered or of licentious habits or destitute of good qualities, the husband should always be attended upon like a god by the true wives”. Explain this verse of Manusmriti with the help of Tamil Epic Silappadikaram.
- c) “During period of Muslim rule in India the objective of punishment was not to reform the offender but to set an example for others”. Explain this statement with the help of examples of punishment and relate it with the appropriate theory of punishment.

\*\*\*\*