

PYQ Vault

560

questions

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days

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years of PYQs

DAY 17

Making of the Indian Constitution

· 9 questions

Every question carries a **Flow Snapshot** — and a handwritten model answer on the channel. No PYQ will be unfamiliar.

PREVIOUS YEAR QUESTION

UPSC 2018 · 10 marks

Indian Constitution is a 'Lawyers' Paradise' — Ivor Jennings

• FLOW SNAPSHOT — how the answer moves

Intro routes

R1 Jennings's "lawyer's paradise" = a real feature of the text → length, legalism, complexity → read as a flaw **R2** label true of the form → but the detail was a design choice, not a defect

Body flow

why **Jennings** said it → unusually long + detailed + technical legal language + administrative provisions → many framers were lawyers → **Maheshwari** himself concedes → detail invites litigation → distances the ordinary citizen

Counter-view

detail was a deliberate safeguard → diversity + untested democracy → precision to prevent arbitrariness and misuse → **Ambedkar**: the text can be perverted, so protections had to be spelt out

Conclusion routes

R1 description fits the form, not its purpose **R2** detailed text has held for decades → gave India a stable order

Sir Ivor Jennings described the Indian Constitution as a "lawyers' paradise" to fault its length, legalism & complexity. His charge has grounds. The constitution is unusually long and detailed, written in technical legal language and packs in administrative provisions as well.

Many of its framers were trained lawyers, and one member, H.K. Maheshwari himself conceded the draft read as a lawyer's paradise. The detail invites interpretation and litigation & can distance the ordinary citizen from the text.

That detail was a deliberate safeguard. India's deep diversity and an untested democracy demanded precision to prevent arbitrariness and misuse.

B.R. Ambedkar defended this length, arguing that a constitution can be perverted, so its protections had to be spelt out fully.

The description fits the form, not its purpose. Its detailed text has held for decades and given India a stable order.

PREVIOUS YEAR QUESTION

UPSC 2019 · 10 marks

Unity and integrity of India was perhaps the single uppermost factor in the minds of the Constitution makers. Comment.

• FLOW SNAPSHOT — how the answer moves

Intro routes

R1 Partition + communal violence + 540 princely states → fears of secession / Balkanization → holding the country together = framers' first concern **R2** a subcontinent fractured by Partition → Constitution designed above all to hold a diverse polity together → unity as the organising anxiety of the makers

Body flow

centralising design: Art 1 (Union of States, not a compact) → Arts 2–3 (Parliament creates/alters states) → strong Union List + single citizenship + integrated judiciary + emergency 352/365 (Centre armed against fragmentation) → but unity through accommodation, not force: cultural rights 29–30, Fifth/Sixth Schedules, Art 371, linguistic reorganization → **Manor**: internal heterogeneity strengthens unity → holding-together federation

Counter-view

unity not the sole aim → **Austin**: Constitution first and foremost a social document, equally devoted to justice and fraternity

Conclusion routes

R1 on balance, threat of disintegration kept unity foremost → secured through accommodation, not coercion **R2** claim holds, with one qualification → unity uppermost as the immediate priority, but pursued as plural, holding-together unity, not coercive uniformity

Framed after Partition, communal violence and uncertainty over 540 princely states, the Constitution was born amid real fears of secession and Balkanization. Holding the country together became the framers' first concern.

Article 1 calls India a Union of States, not a compact of sovereign units, and Articles 2 and 3 let parliament create and alter states. A strong Union list, single citizenship, an integrated judiciary and the emergency powers of Articles 352 and 365 aim the Centre against fragmentation.

But unity was sought through accommodation, not force. Cultural rights under Articles 29-30, the Fifth and Sixth schedules, Article 371 and linguistic reorganisation let regional & tribal identities survive within the whole.

According to James Manar, heterogeneity within regions strengthens national unity rather than weakening it, making Indian federalism a holding-together arrangement.

Unity was not the only aim, though: according to Granville Austin, the constitution was first and foremost a social document, equally devoted to justice and fraternity.

On balance, the danger of disintegration kept unity the framers' foremost concern, even as they secured it through accommodation rather than coercion.

PREVIOUS YEAR QUESTION

UPSC 2020 · 10 marks

Indian constitution maker's concern on social inequality.

• FLOW SNAPSHOT — how the answer moves

Intro routes

R1 social inequality not a side issue → deepest threat to the new democracy **R2** society split by caste / religion / gender / economy → cannot sustain political freedom

Body flow

Ambedkar: political democracy needs social democracy → equal in vote, unequal in life = contradiction → no nation without fraternity → **Austin**: Constitution as social document → Art 14 equality before law → Art 15 non-discrimination → Art 16 equal opportunity → Art 17 untouchability abolished → SC/ST reservations vs historical exclusion → DPSP → welfare order → universal adult franchise → equal voice

Counter-view

political equality secured on paper vs persisting social-economic inequality → the contradiction **Ambedkar** forced the makers to confront

Conclusion routes

R1 Santhanam: a social revolution → exit from medievalism of birth **R2** the concern shaped the Constitution's moral core → equal status, justice, dignity for all

For India's Constitution makers, social inequality was not a secondary problem but the deepest threat to the new democracy.

A society split by caste, religion, gender and economic condition.

They believed it could not sustain political freedom.

Dr. B.R. Ambedkar gave this concern its sharpest form. He held that political democracy cannot survive without social democracy.

A people equal in voting but unequal in social and economic life would live in contradiction. No nation, he argued, could exist without fraternity.

The constitution therefore became, in Granville Austin's view, essentially a social document. Article 14 guaranteed equality

before law, Article 15 barred discrimination. Article 16 secured equal opportunity and Article 17 abolished untouchability.

Reservations for SCs and STs answered historical exclusion, the DPSPs committed the state to a welfare order. The universal adult franchise gave every citizen an equal voice.

K. Santhanam views this as a social revolution - India's exit from the medievalism of birth. The makers' concern with inequality thus shaped the Constitution's moral core: equal status, justice and dignity for all.

PREVIOUS YEAR QUESTION

UPSC 2021 · 10 marks

“The Constitution of India is a product of a historical process, rich with constitutional antecedents.”
Comment.

• FLOW SNAPSHOT — how the answer moves

Intro routes

R1 not a sudden 1950 document → product of a long historical process
R2 two streams feed it → colonial statutes + nationalist demands → reworked for India

Body flow

colonial line builds governance → Regulating Act 1773 / Charter Acts / GoI Act 1858 → Indian Councils Acts + Morley-Minto + Montagu-Chelmsford → limited representation → GoI Act 1935 contributes most (federation, governor, PSCs, judiciary, emergency) → parallel nationalist tradition supplies values → Swaraj Bill 1895 / Nehru Report 1928 (rights, federalism, secularism, responsible govt) / Karachi Resolution 1931 (freedom + socio-economic justice) → Cripps + Cabinet Missions → Constituent Assembly → British model (parliamentary govt, rule of law)

Counter-view

not mechanical copying → antecedents adapted to Indian needs

Conclusion routes

R1 layered inheritance, colonial + nationalist
R2 endpoint of evolution, not an overnight document

The Indian Constitution did not appear in 1950. It grew through a long historical process, drawing on two streams i.e. colonial statutes and nationalist demands reworked for Indian conditions.

The colonial line built the machinery of government. From the Regulating Act of 1773 through the Charter Acts and the Government of India Act of 1858, administration took shape. The Indian Councils Acts and the Morley-Minto & Montagu-Chelmsford reforms added limited representation. Government of India Act of 1935 contributed most i.e. federation, governor, public service commissions, judiciary & emergency provisions.

A parallel nationalist tradition supplied the values. The Swaraj Bill of 1895 and the Nehru Report of 1928 proposed rights, federalism, secularism and responsible government.

The Karachi Resolution of 1931 tied political freedom to socio-economic justice. The Cripps and Cabinet Missions opened the path to the Constituent Assembly.

The British model shaped parliamentary government and the rule of law. However, the framers adapted these antecedents to Indian needs rather than copying them. The constitution is therefore a product of layered inheritance, not an overnight creation.

PREVIOUS YEAR QUESTION

UPSC 2021 · 10 marks

“The Constitution makers faced the great task of forging a common national identity in the face of unparalleled social and cultural diversity in India.”
Comment.

• FLOW SNAPSHOT — how the answer moves

Intro routes

R1 diversity unmatched at once (language, religion, caste, tribe, region) → Partition + violence + 500+ princely states → fear of fragmentation → identity a “great task” → stake: unity by accommodation, not uniformity **R2** makers’ real choice: crush difference or constitutionalise it → they chose a plural, constitutional identity → diversity made the basis, not the enemy, of unity

Body flow

shared constitutional values = common ground → Preamble values + Arts 14–18 (equality) + Art 17 (untouchability abolished) → one equal civic identity → diversity protected directly → Arts 29–30 (minorities) + Fifth/Sixth Schedules (tribal) + linguistic reorganisation (regional) → federalism binds both (Union / States / local)

Counter-view

fear that unparalleled diversity threatens unity → answered by **Manor**: cross-cutting heterogeneity (caste, class, sub-region) strengthens rather than weakens unity

Conclusion routes

R1 identity forged was plural and constitutional, not uniform or coercive **R2** unity by accommodation, not assimilation → diversity turned into unity’s strength

India entered freedom with a diversity of language, religion, caste, tribe and region that few nations faced at once.

Partition, communal violence and the integration of over five hundred princely states raised real fears of fragmentation, making a common identity an urgent task.

The makers built unity through accommodation, not uniformity. Shared constitutional values supplied the common ground. The Preamble's justice, liberty, equality and fraternity, the equality guarantees of Articles 14-18, and the abolition of untouchability under Article 17 gave every citizen one equal civic identity.

Diversity itself was protected directly. Articles 29 and 30 secured the cultural and educational rights of minorities; the fifth and Sixth schedules accommodated tribal life.

Linguistic reorganisation allowed regional identities to live within the national one. Federalism held both together through Union, States and local institutions.

According to James Manor, this heterogeneity cut across by caste, class and sub-region. It strengthens rather than weakens national unity. The makers therefore forged an identity that was plural and constitutional, not uniform or coercive.

PREVIOUS YEAR QUESTION

UPSC 2022 · 15 marks

The making of the Indian Constitution is described as an attempt towards 'social revolution'. Comment.

• FLOW SNAPSHOT — how the answer moves

Intro routes

R1 not merely a transfer of power → makers aimed to remake an unequal society → “social revolution” fits **R2** **Santhanam’s** three revolutions → social revolution = exit from medievalism of birth, religion, custom, community

Body flow

intent shaped the core design → Preamble (justice, liberty, equality, fraternity) → Fundamental Rights attack discrimination, untouchability, forced labour → Directive Principles seek welfare state, economic justice, education, social security → universal adult suffrage = revolutionary democratic step → reservations for SC / ST / backward classes = historical injustice addressed → **Austin**: a social document; Part III + Part IV = “conscience of the Constitution”

Counter-view

revolution by constitutional, peaceful means, not sudden upheaval → **Ambedkar**: political democracy must rest on social democracy → persisting inequality can betray it

Conclusion routes

R1 description holds: a legal and moral framework for social transformation **R2** revolution in design and intent; its completion lay in society, not in the text alone

The Constitution was not a legal text marking the transfer of power. Its makers set out to remake an unequal society, which is why "social revolution" describes the objectives. K. Santhanam distinguished three revolutions i.e. political, social and economic.

He located the social revolution in India's exit from medievalism of birth, religion, custom and community. This intention shaped the document. The Preamble commits the nation to justice, liberty, equality and fraternity. The Fundamental Rights attack discrimination, untouchability and forced labour. The DPSPs seek a welfare state with economic justice, education & social security.

Universal adult suffrage, granted at once, was a revolutionary democratic decision. The reservations for the SCs, STs & BCs confronted historical injustice.

Granville Austin therefore views it first as a social document, calling Part III and Part IV the 'conscience of the constitution'.

But this was a revolution pursued by constitutional & peaceful means, not sudden upheaval. B.R. Ambedkar held that political democracy cannot survive without social democracy and that persisting inequality could betray it.

The description thus holds: the Constitution gave India a legal and moral framework for social transformation, even if the revolution's completion lay in society itself.

PREVIOUS YEAR QUESTION

UPSC 2023 · 10 marks

Imprint of the British Constitution on the Indian Constitution.

• FLOW SNAPSHOT — how the answer moves

Intro routes

R1 clear British imprint → rooted in colonial familiarity with parliamentary institutions **R2** parliamentary system as the strongest mark → the natural starting point

Body flow

parliamentary core (nominal President + real PM & Council of Ministers) → collective responsibility to Lok Sabha, as in British practice → rule of law → bicameralism + legislative procedure → parliamentary privileges → single citizenship → prerogative writs

Counter-view

not a copy → written Constitution, judicial review, federalism, justiciable Fundamental Rights set India apart

Conclusion routes

R1 borrowed core joined to Indian concerns of diversity, justice, social transformation **R2** imprint real but reshaped for Indian conditions → adaptation, not imitation

The Indian Constitution has a clear British imprint, because colonial rule had made Indians familiar with parliamentary institutions and their working. The strongest mark is the parliamentary system itself.

India retained a nominal head in the President, while the PM and Council of Ministers form the real executive. They are collectively answerable to the Lok Sabha as in British practice. Around this core several further borrowings include: the rule of law, the bicameral legislature with its detailed legislative procedure, parliamentary privileges, single citizenship and the prerogative writs that protect rights through the courts.

But the makers adapted these ideas rather than copying them.

Unlike Britain, India adopted a written Constitution, judicial review, a federal structure & justiciable Fundamental Rights.

This borrowed was thus joined to Indian concerns of diversity, justice and social transformation. The British imprint is real, but it remains a borrowing reshaped for Indian conditions, not an imitation.

PREVIOUS YEAR QUESTION

UPSC 2024 · 10 marks

Comment on the Constitutional morality in the Indian Constitution in 150 words.

• FLOW SNAPSHOT — how the answer moves

Intro routes

R1 constitutional morality = fidelity to constitutional values, not obedience to text → binds rulers + citizens to procedures, limits, spirit **R2** the moral spirit behind the legal text → the values that make a written Constitution actually work

Body flow

core values (justice, liberty, equality, fraternity, secularism, rule of law, dignity) + self-restraint, plurality → **Ambedkar**: democracy lives on habits of constitutional conduct, not paper guarantees → **Baxi**: restraint on power-seeking leaders who subvert from within → shields individuals + minorities against majoritarian social morality → judicial use: Navtej Singh Johar → LGBTQ+ dignity; Sabarimala → gender equality vs exclusionary custom → Constitution as living ethical framework

Counter-view

constitutional morality vs popular / social morality → how far may courts place it above community sentiment

Conclusion routes

R1 keeps democracy faithful to founding promise, not to passing majorities **R2** moves the Constitution from text to living ethic — its working conscience

Constitution morality means fidelity to the values of Constitution, not mere obedience to its text. It binds rulers and citizens alike to its procedures, limits and spirit.

Its substance lies in justice, liberty, equality, fraternity and secularism. The rule of law and human dignity, held together by self-restraint and respect for plurality. Dr. B.R. Ambedkar argues that a young democracy survives on settled habits of constitutional conduct, not on paper guarantees alone.

Upendra Baxi views it as a restraint on power-seeking leaders who might subvert constitutional values from within. Its major role is to shield individuals and minorities against majoritarian social morality. Courts have turned it into a working standard.

Naveen Singh Johar protected LGBTQ+ dignity, and Sabarimala upheld gender equality against exclusionary custom, making the Constitution a living ethical framework.

However, it sets constitutional morality against popular social morality, raising how far courts may place it above community sentiment. Applied with care, it keeps democracy faithful to its founding promise rather than to passing majorities.

PREVIOUS YEAR QUESTION

UPSC 2024 · 10 marks

Comment on the Objective Resolution of the Constituent Assembly in 150 words.

• FLOW SNAPSHOT — how the answer moves

Intro routes

R1 Nehru moves Resolution, 13 Dec 1946 → ideals fixed before drafting → philosophical foundation / moral charter of the Constitution **R2** Resolution as the Constitution's soul → purpose set before a single Article written → opens Constitution-making as the nation defining itself

Body flow

sovereign independent republic + democracy → justice: social, economic, political + equality of status & opportunity → freedoms: thought, expression, belief, faith, worship, vocation → safeguards for minorities, backward & tribal areas, depressed & backward classes → outward turn: Indian freedom tied to world peace & welfare of mankind → ideals not abandoned → reappear in Preamble, shape Fundamental Rights & Directive Principles

Counter-view

mere statement of lofty ideals / aspiration vs. ideals actually carried into the operative Constitution (Preamble, FRs, DPSPs)

Conclusion routes

R1 Constitution-making as social transformation, not only legal drafting **R2** Resolution as the guiding ideals the Constitution still carries

Jawaharlal Nehru moved the Objective Resolution on 13 December 1946 to set out the ideals the future Constitution would serve. It became the philosophical foundation of the document.

The Resolution declared India a sovereign independent republic and committed it to democracy. It promised justice i.e. social, economic and political & equality of status and opportunity. It guaranteed freedom of thought, expression, belief, faith, worship and vocation. It pledged safeguards for minorities, backward and tribal areas, and depressed & backward classes. Looking outward, it tied Indian freedom to world peace and the welfare of mankind.

These ideals were not abandoned once drafting began. The Resolution's spirit reappeared in the Preamble and shaped the Fundamental Rights and Directive Principles.

It thus made Constitution making a project of social transformation, not merely legal drafting and gave the constitution the guiding ideals it still carries.

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