

CONSTITUTIONAL LAW (ML 102)

(As Amended in June 2026)

Credits – 4 (Compulsory)

COURSE OBJECTIVES:

This advanced Constitutional Law course aims to provide LL.M. students with a comprehensive understanding of the Indian Constitution, its historical development, fundamental principles, and contemporary interpretations. The course objectives include fostering critical analysis of constitutional provisions and landmark judicial decisions, examining governmental structures and functions, evaluating fundamental rights, and exploring key constitutional doctrines.

LEARNING OUTCOMES:

By the end of the course, students are expected to:

1. Demonstrate a nuanced grasp of the Indian constitutional framework and its evolving interpretations.
2. Critically analyse complex constitutional issues, evaluate the functioning of Indian federalism, and assess the balance of power among governmental branches.
3. Develop advanced research and analytical skills, enabling them to construct well-reasoned legal arguments on constitutional matters both orally and in writing.
4. Examine contemporary constitutional challenges, compare Indian constitutional principles with international standards, and apply their knowledge to real-world legal and policy problems.
5. Cultivating their ability to contribute meaningfully to academic and public discourse on constitutional matters.

MODULE I – FUNDAMENTAL RIGHTS AND CONSTITUTIONAL REMEDIES

- a. Right to Equality and Freedom: Foundations of Justice, Liberty and Individual Rights
- b. Right against Exploitation: Prohibition of Human Trafficking, Forced Labour and Child Labour
- c. Freedom of Religion and Protection of Cultural and Educational Rights of Individuals and Communities
- d. Right to Constitutional Remedies and Public Interest Litigation with the Basic Structure Doctrine

MODULE II – DIRECTIVE PRINCIPLES AND FUNDAMENTAL DUTIES

- a. Concept, nature, scope and classification of Directive Principles
- b. Relationship between fundamental rights and directive principles

- c. Judicial interpretation and enforceability of the directive principlesList of fundamental duties and their significance
- d. Judicial interpretation and enforcement of the fundamental duties

MODULE III – FEDERALISM, DISTRIBUTION OF POWERS AND DECENTRALIZATION

- a. Federalism in India – Concept and significance
- b. Legislative and Administrative Relations between the Union and States
- c. Financial Relations between Union and States, and the Role of the Finance Commission

MODULE IV – STRUCTURE AND FUNCTIONING OF GOVERNMENT

- a. Union Government – Role, Powers and Functions of President and Vice President
- b. Role of Prime Minister, Union Council of Ministers, and the Attorney General of India
- c. State Government – Role, Powers and Functions of the Governor
- d. Role of Chief Minister, State Council of Ministers, and the Advocate General of the State

MODULE V – LEGISLATURE AND LEGISLATIVE PROCESS

- a. Parliament – Evaluation of the functioning of Rajya Sabha and Lok Sabha; Structure, powers and functions; Legislative process and privileges.
- b. State Legislatures – Evaluation of State Legislatures; Structure, powers and functions; Role and significance of Legislative Councils.
- c. Legislative procedures, including Procedures for passing various types of bills

MODULE VI – JUDICIARY AND JUDICIAL REVIEW

- a. Supreme Court of India – Evaluation of its Composition and jurisdiction, Powers and functions, Appointment of judges, Judicial independence and Evaluation of the Supreme Court’s role as guardian of the Constitution and Judicial review.
- b. High Courts – Evaluation of Composition and jurisdiction, Powers and functions
- c. Evaluation of the Subordinate judiciary and its functioning.

Recommended Readings:

1. M.P. Jain, Indian Constitutional Law, LexisNexis
2. D.D. Basu, Constitutional Law of India, LexisNexis
3. H.M. Seervai, Constitutional Law of India, N M Tripathi
4. Granville Austin, The Indian Constitution: Cornerstone of a Nation, Oxford University Press
5. Arvind Datar, Commentary on Constitution of India, Lexis Nexis

6. Sujit Chaudhry, et al, The Oxford Handbook of the Indian Constitution, Oxford University Press.
7. Upendra Baxi, "The Indian Supreme Court and Politics"
8. S.P. Sathe, "Judicial Activism in India"
9. Pratap Bhanu Mehta, "The Burden of Democracy"
10. Recent articles from reputed law journals