

BA.LL.B (HONS.) – IV-SEMESTER

CONSTITUTIONAL LAW-I

COURSE CODE:

Course Objective: Constitution, the grund norm of all laws comprises various facets like federalism, fundamental rights, Centre-State relations etc. In a democratic nation like India, the law students need to know thoroughly the various aspects of constitution to become a complete legal professional. This Course mainly covers the principles of federalism, fundamental rights, constitutional remedies and emphasis has would be laid on directive principles of state policy and fundamental duties

Course Outcomes:

1. To understand the basics and essential feature of Indian Constitution
2. To understand the principles of federalism and its application to the India
3. To appraise and critique the application of fundamental rights through various judicial decisions
4. To analyse the significance of Directive Principles of State Policy and Fundamental Duties
5. To analyse the diverse judicial interpretation of Constitution by Supreme Court and High Courts.

UNIT-I: Constitution – Fundamental Law of the Land: Making of the Indian Constitution, Aims and Objectives; Essential Features of Constitution; Theory of Basic Structure; Principles of Federalism; Nature of the Indian Constitution – Federal, Unitary, Quasi-federal; Union and State Territory; Citizenship; Definition of State, Doctrines of Ultra-vires, severability, eclipse, waiver'; Parliament's power to amend the Constitution

UNIT-II: Judicial Review, Right to Equality, Prohibition on grounds of Religion, Race, Caste, Sex, Place of Birth, Equality of Opportunity in Public Employment, Abolition of Untouchability and Titles

UNIT-III: Basic Freedoms-Freedom of Speech and Expression Reasonable restrictions; Protection in respect of conviction for offences-Ex-post-facto law, Double jeopardy, Self-incrimination; Right to Life and Personal Liberty, Safeguards against arbitrary arrest and detention

UNIT-IV: Right against exploitation, Freedom of Religion, Cultural and Educational Rights of Minorities, Constitutional Remedies-Enforcement of Fundamental Right, Writ Jurisdiction of the Supreme Court and High Court

UNIT-V: Directive Principles of State Policy and their relation with Fundamental Rights, Fundamental Duties, Right to Property-before and after the Constitution 42nd Amendment Act, 1976;

Text Books:

1. M.P Jain: Indian Constitutional Law, Wadhwa & Co., Nagpur.
2. V.N Shukla: Constitution of India, Eastern Books Company, Lucknow.
3. D. D. Basu: Constitutional Law of India; Lexis Nexis Publication