



**Master of Laws (Environment & Legal Order Group)**  
**LL.M. (Environment & Legal Order Group) Semester-II**

<b>Course Code</b>	PL02CLEN21	<b>Title of the Course</b>	Indian Constitutional Law: The New Challenges-II
<b>Total Credits of the Course</b>	5	<b>Hours per Week</b>	

<b>Course Objectives:</b>	<ol style="list-style-type: none"><li>1. The course is designed with the aim to provide exposure to the new challenges and perspectives of constitutional development.</li><li>2. To acquaint the students about the emerging regime of new rights and remedies such as right to education, commercialization of education of its impact on society, brain drain by foreign education market.</li><li>3. To understand the various rights of minorities and the constitutional safeguards available to them.</li><li>4. To understand secularism and the religious fanaticism regarding it.</li><li>5. To understand the doctrine of basic structure and separation of powers.</li></ol>
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<b>Unit</b>	<b>Description</b>	<b>Weightage* (%)</b>
1.	<b>Emerging regime of new rights and remedies</b> Rights of life and personal liberty Reading Directive Principles and Fundamental Duties into Fundamental Rights Compensation jurisprudence under the constitution Right to Education Commercialization of education and its impact. Brain drain by foreign education market.	20%
2.	<b>Right of minorities to establish and administer educational institutions and state control.</b> Inter relation of Art-14,19 and 21 old and present view Inter relation of Art-32 and 226 Constitutional safeguards and minorities in India	20%
3.	<b>Secularism</b> Secularism and religious fanaticism Right against exploitation Right to freedom of religion Uniform civil code and new challenge	20%
4.	<b>Separation of powers: stresses and strain</b> Judicial activism and judicial restraint. PIL: implementation. Judicial independence. Appointment, transfer and removal of judges. Accountability: executive and judiciary. Tribunals	20%





5.	<b>Basic Structure, Amendment &amp; Constitution</b> The constitution and environmental justice Amendment of constitution Basic structure theory of constitution Emergency provisions under the constitution	20%
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<b>PSDA (Professional Skill Development Activities)</b>	
❖	Statutes and Judgment Analysis
❖	Preparation of One Research Paper/Research Article
❖	Access to Legal Resources: E-Library, E-Books and E-Database
❖	Developing Comparative Analysis Skills

<b>Teaching-Learning Methodology</b>	<ul style="list-style-type: none"><li>• Lecture Method</li><li>• Case study</li><li>• Expert talk</li></ul>
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<b>Evaluation Pattern</b>		
Sr. No.	Details of the Evaluation	Weightage (%)
1.	Internal Written / Practical Examination (As per CBCS R.6.8.3)	20%
2.	Internal Continuous Assessment in the form of Practical, Viva-voce, Quizzes, Seminars, Assignments, Attendance (As per CBCS R.6.8.3)	10%
3.	University Examination	70%

<b>Course Outcomes:</b> Having completed this course, the learner will be able to	
1.	To enable the students to understand the mechanism of judicial process of constitutional interpretation involves a technique of adapting the law to meet changing social needs.
2.	To understand the working of legal system and processes leads to constitutional developments.
3.	To study about new challenges and perspectives of constitutional developments.

<b>Suggested References:</b>	
Sr. No.	References





1.	<b>Textbooks</b> 1. Marc Galanter (ed.)- Law and Society in Modern India (1997) Oxford, 2. Robert Lingat-The Classical Law of India (1998), Oxford 3. U. Baxi -The Crisis of the Indian Legal System (1982). Vikas, New Delhi. 4. U. Baxi (ed.) -Law and Poverty Critical Essays (1988). Tripathi, Bombay.
2.	<b>Reference books:</b> 1. Manushi - A Journal about Women and Society. 2. Duncan Derret -The State, Religion and Law in India (1999). Oxford University Press, New Delhi. 3. H.M. Seervai -Constitutional Law of India (1996), Tripathi. 4. D.D. Basu -Shorter Constitution of India (1996), Prentice - Hall of India (P) Ltd., New Delhi
3.	<b>Journal</b> 1. Journal of Constitutional Law Review 2. Constitutional & Administrative Law Journal

<b>On-line Resources</b>
1. SCC Online
2. Hein Online
3. JStor
4. Manupatra
5. EPW
6. Bloonmsbury

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