



KLE COLLEGE OF LAW, NAVI MUMBAI

COURSE PLAN

A.Y. 2021-2022

SECTION-I

CLASS: LLM

SEMESTER: 1

**COURSE NAME: FOUNDATION PAPER II— INDIAN CONSTITUTIONAL
LAW : NEW CHALLENGES**

HOURS PER WEEK: 6 hours

CREDITS: 4

COURSE OBJECTIVES:

The curriculum of LL.M. has been designed to prepare students with the key skills and competencies required to demonstrate these learning outcomes in academics, profession and corporate sector. Every student after the completion of his LL.M. should be able to meet the following requirements. To develop amongst the students practical understanding of Constitutional provisions and to augment critical thinking skills related to the Constitution and various authorities and to give them a picture of Constitutional Parameters regarding the organization, Powers and Functions of the various Organs of the Government. The emphasis is also on the study of the nature of federal structure and its functioning. A critical analysis of the significant judicial decisions is offered

to highlight judicial restraint, judicial passivity, judicial activism and judicial balancing. The students will be able to articulate their independent views over contemporary crucial constitutional issues. The course intends to provide students with tools for identifying Constitutional issues that may arise so that the issues can be anticipated and averted through proper planning and legal recourse.

COURSE OUTCOMES:

1. Comparative analysis of the constitutional framework of different countries and their working principles.
2. Outline the concept of federal structure in India and differentiate it from other countries like USA, Canada and Australia
3. Analyse the provisions in the Constitution regarding the institutional framework, the jurisdictional ambit and the limitations in its working.
4. Apply the interpretation of the constitutional document and testing the jurisdictional competencies of the different institutions – legislative, executive and the judiciary.
5. Assess the principles of constitutionalism such as Rule of Law, Separation of Powers and Independence of the judiciary and their unavoidable objectives to be advanced while interpreting the constitutional scheme.
6. Interpret case laws that helped in developing the constitutional jurisprudence in India.

SECTION-II

Unit number and title	Unit details	Week	Hours per week	Teaching learning methods used)/ activities and or class trips/ dates for assessment	Resource/ Reference details
Module 1: Historical and Constitutional	Framing of Indian Constitution	1	1	Descriptive based	D.D.Basu Shorter Constitution

developments between 1858-1947					of India
	Nature and Features		2	Descriptive based	D.D.Basu Shorter Constitution of India
	A broad overview of the constitution of India, 1950 Introduction of bicameralism, federalism by 1935 Act		1	Descriptive based	D.D.Basu Shorter Constitution of India
	Freedom struggle, Indian Independence Act, 1947		1	Descriptive based	D.D.Basu Shorter Constitution of India
	Drafting of our constitution		1	Descriptive based	D.D.Basu, Introduction to Constitution
Module 2 Fundamental Rights and judicial activism	Equality and Social Justice	1	2	Reflective	H.M.Seervai, Constitution of India
	Secularism and religious freedoms		2	Reflective	H.M.Seervai, Constitution of India
	Life, Liberty other rights and freedoms		2	Reflective	H.M.Seervai, Constitution of India
Module 3 Directive Principles and Fundamental Duties	Directive Principles of State Policy	1	3	Descriptive based	Dr. J.N.Pandey Constitutional Law of India
	Fundamental		3	Group	Dr.

	Duties			discussion	J.N.Pandey Constitutional Law of India
Module 4 Indian Federalism	Idea of federalism	1	1	Participative learning	Dr. J.N.Pandey Constitutional Law of India
	Indian federal features		1	Participative learning	Dr. J.N.Pandey Constitutional Law of India
	Strong centre		1	Participative learning	Dr. J.N.Pandey Constitutional Law of India
	Cooperative Spirit		1	Participative learning	Dr. J.N.Pandey Constitutional Law of India
	Centre relations		1	Participative learning	Dr. J.N.Pandey Constitutional Law of India
	Special status to Jammu and Kashmir		1	Participative learning	Dr. J.N.Pandey Constitutional Law of India
Module 5 Indian Parliament	Nature, Composition	1	3	Descriptive based	Dr. J.N.Pandey Constitutional Law of India
	Powers and Privileges and state legislatures		3	Descriptive based	Dr. J.N.Pandey Constitutional Law of India
Module 6 Cabinet Form of Government	Parliamentary form at the Centre and states	1	1	Participative Learning	M.P Jain Indian Constitutional Law
	Head of state		1	Participative Learning	M.P Jain Indian Constitutional

					Law
	Council of Ministers		2	Participative Learning	M.P Jain Indian Constitutional Law
	Attorney General		1	Participative Learning	M.P Jain Indian Constitutional Law
	Advocate Generals		1	Participative Learning	M.P Jain Indian Constitutional Law
Module 7 Indian Judiciary	Supreme Courts and High Courts	1	2	Participative Learning	M.P Jain Indian Constitutional Law
	Composition of Supreme Courts and High Courts		2	Participative Learning	M.P Jain Indian Constitutional Law
	Powers and Judicial Independence		1	Participative Learning	M.P Jain Indian Constitutional Law
	Subordinate Courts		1	Participative Learning	M.P Jain Indian Constitutional Law
Module 8 Law making under Indian Constitution	Kinds of Bills Passing of Bills Ordinances	1	2	Descriptive based	Dr. J.N.Pandey Constitutional Law of India
	Citizenship Act 1955 Representation of Peoples Act 1951		1	Descriptive based	Dr. J.N.Pandey Constitutional Law of India
	Comptroller and Auditor Generals Act, 1971		2	Descriptive based	Dr. J.N.Pandey Constitutional Law of India

	Legislation made in pursuance of the constitution like the 1) Civil Rights Protection Act, 1955 2) Scheduled Castes and Scheduled Tribes (Prevention of atrocities) Act 1989		1	Descriptive based	Dr. J.N.Pandey Constitutional Law of India
Module 9 Emergency	Kinds of emergency	1	3	Descriptive based	Dr. J.N.Pandey Constitutional Law of India
	Legal requirements		1	Descriptive based	Dr. J.N.Pandey Constitutional Law of India
	Legal effects		2	Descriptive based	Dr. J.N.Pandey Constitutional Law of India
Module 10 Amendment and Basic Structure Doctrine	Amendment (Part XX)	1	3	Descriptive based	M.P Jain Indian Constitutional Law
	Basic Structure Doctrine		3	Descriptive based	M.P Jain Indian Constitutional Law
Module 11 Services under Indian Constitution	Services under Union/ State – All Indian Services	1	3	Descriptive based	M.P Jain Indian Constitutional Law
	Doctrine of pleasure and exceptions		3	Descriptive based	M.P Jain Indian Constitutional

					Law
Module 12 Democracy and Election Commission of India	Democracy	1	3	Group Discussion	M.P Jain Indian Constitutional Law
	Election Commission of India		3	Group Discussion	M.P Jain Indian Constitutional Law
Module 13: Introduce the following	Civil Rights Protection Act, 1955 Citizenship: Part II	1	2	Descriptive based	M.P Jain Indian Constitutional Law
	Parts IX, IX A, X Panchayats, Municipalities and Scheduled & Tribal Areas Part XIV Administrative Tribunals		2	Descriptive based	M.P Jain Indian Constitutional Law
	Part XVII Official Language Part XIX Miscellaneous		2	Descriptive based	M.P Jain Indian Constitutional Law

SECTION-III

Course Outcome (CO) and Programme Outcome (PO) & Programme Specific Outcome (PSO1) Mapping

Course Outcome	Programme Outcome				
	PO1	PO2	PO3	PO4	P05
CO1	✓				
CO2					
CO3			✓		
CO4				✓	
CO5				✓	

SECTION-IV

Course Outcome and Internal Assessment Mapping

Learning outcomes of the course	Components of Assessment		
	Internal Assessment 1 (Class Test)	Internal Assessment 2 (Research Project)	End Semester Exam
CO1: Remember and Understand	✓		✓
CO2: Apply			✓
CO3: Analyze	✓	✓	
CO4: Evaluate	✓	✓	
CO5: Create		✓	