



**KLE COLLEGE OF LAW, NAVI MUMBAI**

**COURSE PLAN**

**A.Y. 2021-2022**

**SECTION-I**

**CLASS: LL.M.**

**SEMESTER: 1**

**COURSE NAME: NATIONAL SECURITY, PUBLIC ORDER,  
AND RULE OF LAW**

**HOURS PER WEEK: 6 hours**

**CREDITS: 4**

**COURSE OBJECTIVES:**

This course is designed with the spirit of inquiry to familiar with relevant provision of the Constitution of the World-USA, Australia and Canada and explore the importance of national security and various legislation and its functional aspects, maintenance of public order. This subject examines the limits and justification of civil liberties, power of state, emergency and other safeguard to protect the nation, and importance of Rule of Law, also explore the mechanism of election commission, and democratic set up.

## COURSE OUTCOMES:

1. Understand and interpret various provision and critically analyse safeguards to protection of national security
2. To explore the various approach of public order, importance of rule of law and different legislations
3. Examine the balancing between civil liberties and power of state
4. Critically examine the various functional institution like election commission, parliament and check and balance on the national importance

## 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 – I<br>National Security, Public Orders and Rule of Law,1.1 | Emergency Detention in England – Civil Liberties | 1    | 1              | Interactive lecture method, group discussions, presentations                         | H.M. Seervai, The Emergency, Future Safeguards and the habeas Corpus : A Criticism; PPT; Research Readings |
| 1.2                                                                | Subjective satisfaction or objective assessment? |      | 2              | Descriptive lecture method, group discussions, presentations                         | H.M. Seervai, The Emergency, Future Safeguards and the habeas Corpus : A Criticism; PPT; Research Readings |

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| 1.3                                                  | Pre-Independence law               |   | 2 | Descriptive lecture method, group discussions, presentations              | H.M. Seervai, The Emergency, Future Safeguards and the habeas Corpus : A Criticism; PPT; Research Readings |
| 2. Preventive Detention and Indian Constitution ;2.1 | Article 22 of the Constitution     |   | 1 | Interactive lecture method, group discussions, presentations              | H.M. Seervai, The Emergency, Future Safeguards and the habeas Corpus : A Criticism; PPT; Research Readings |
| 2.2                                                  | Preventive Detention and Safeguard | 2 | 2 | Interactive lecture method, group discussions, presentations              | H.M. Seervai, The Emergency, Future Safeguards and the habeas Corpus : A Criticism; PPT; Research Readings |
| 2.3                                                  | Declaration of Emergencies         |   | 1 | Interactive lecture method, group discussions, presentations; Documentary | H.M. Seervai, The Emergency, Future Safeguards and the habeas Corpus : A Criticism; PPT; Research          |

|                                                      |                                                           |   |   |                                                                           | Readings                                                                                                   |
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| 2.4                                                  | 1962, 1965 and 1970 Emergencies                           |   | 3 | Interactive lecture method, group discussions, presentations; Documentary | H.M. Seervai, The Emergency, Future Safeguards and the habeas Corpus : A Criticism; PPT; Research Readings |
| 2.5                                                  | 1975 Emergency                                            | 3 | 1 | Interactive lecture method, group discussions, presentations; Documentary | H.M. Seervai, The Emergency, Future Safeguards and the habeas Corpus : A Criticism; PPT; Research Readings |
| Module – II<br>3.<br>Exceptional Legislation;3<br>.1 | COFEPOSA and other legislation to curb economic offenders |   | 3 | Descriptive lecture method, group discussions, presentations              | H.M. Seervai, The Emergency, Future Safeguards and the habeas Corpus : A Criticism; PPT; Research Readings |
| 3.2                                                  | TADA : “The draconian Law”- comments of NHRC              |   | 2 | Descriptive lecture method, group discussions, presentations              | H.M. Seervai, The Emergency, Future Safeguards and the habeas Corpus                                       |

|                                          |                                     |   |   |                                                              |                                                                                                                                                   |
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|                                          |                                     |   |   |                                                              | : A Criticism;<br>PPT;<br>Research<br>Readings                                                                                                    |
| 3.4                                      | Special courts and tribunals        | 4 | 2 | Descriptive lecture method, group discussions, presentations | H.M. Seervai, The Emergency, Future Safeguards and the habeas Corpus : A Criticism; PPT; Research Readings; Indian Constitutiona l Law by MP Jain |
| 3.5                                      | Due process and special legislation |   | 2 | Descriptive lecture method, group discussions, presentations | H.M. Seervai, The Emergency, Future Safeguards and the habeas Corpus : A Criticism; PPT; Research Readings; Indian Constitutiona l Law by MP Jain |
| 4. Civil Liberties and Emergency;<br>4.1 | Article 19                          |   | 2 | Descriptive lecture method, group discussions, presentations | PPT; Research Readings; Indian Constitutiona l Law by MP Jain                                                                                     |

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| 4.2 | Meaning of "Security of State"                              | 5 | 3 | Descriptive lecture method, group discussions, presentations | PPT; Research Readings; Indian Constitutiona l Law by MP Jain |
| 4.3 | Meaning of "Public Orde                                     |   | 1 | Descriptive lecture method, group discussions, presentations | PPT; Research Readings; Indian Constitutiona l Law by MP Jain |
| 4.4 | Suspension of Article 19 rights on declaration of emergency |   | 2 | Interactive lecture method, group discussions, presentations | PPT; Research Readings; Indian Constitutiona l Law by MP Jain |
| 4.5 | President's Right to suspend right to move any court        | 6 | 2 | Interactive lecture method, group discussions, presentations | PPT; Research Readings; Indian Constitutiona l Law by MP Jain |
| 4.6 | Article 21 – special importance- its non-suspendability     |   | 4 | Descriptive lecture method, group discussions, presentations | PPT; Research Readings; Indian Constitutiona l Law by MP Jain |
| 4.7 | Suspendability – 44th amendment                             | 7 | 2 | Descriptive lecture method, group discussions, presentations | PPT; Research Readings; Indian Constitutiona l Law by MP Jain |

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| Module – II;5Access to Courts and Emergency; 5.1 | Article 359 : Ups and downs of judicial review   |   | 4 | Descriptive lecture method, group discussions, presentations              | PPT; Research Readings; Indian Constitutiona l Law by MP Jain |
| 5.2                                              | Constitution (Forty-fourth), Amendment Act, 1978 | 8 | 2 | Interactive lecture method, group discussions, presentations              | PPT; Research Readings; Indian Constitutiona l Law by MP Jain |
| 5.3                                              | Constitution (Fifty-ninth) Amendment Act, 1988   |   | 2 | Descriptive lecture method, group discussions, presentations              | PPT; Research Readings; Indian Constitutiona l Law by MP Jain |
| 6. Martial Law;6.1                               | Provisions in English Law                        |   | 2 | Descriptive lecture method, group discussions, presentations              | PPT; Research Readings; Indian Constitutiona l Law by MP Jain |
| 6.2                                              | Provisions in the Constitution                   | 9 | 1 | Descriptive lecture method, group discussions, presentations              | PPT; Research Readings; Indian Constitutiona l Law by MP Jain |
| Module – IV; Human Rights in India; 7.1          | Constitutional Philosophy                        |   | 3 | Interactive lecture method, group discussions, presentations; Documentary | PPT; Research Readings; Indian Constitutiona l Law by MP Jain |

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| 7.2 | Human Rights of Disadvantaged Groups – Women, Children, Dalits, Unorganised Labour and Minorities. |    | 2 | Interactive lecture method, group discussions, presentations | PPT; Research Readings; Indian Constitutiona l Law by MP Jain |
| 7.3 | Police, Prison and Human Rights                                                                    | 10 | 6 | Interactive lecture method, group discussions, presentations | PPT; Research Readings; Indian Constitutiona l Law by MP Jain |
| 7.4 | Judicial Activism.                                                                                 | 11 | 6 | Interactive lecture method, group discussions, presentations | PPT; Research Readings; Indian Constitutiona l Law by MP Jain |

### SECTION-III

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

| Course Outcome | Programme Outcome |     |     |     |     |
|----------------|-------------------|-----|-----|-----|-----|
|                | PO1               | PO2 | PO3 | PO4 | PO5 |
| 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: Analyse                    | ✓                                  | ✓                                        |                   |
| CO4: Evaluate                   | ✓                                  | ✓                                        |                   |
| CO5: Create                     |                                    | ✓                                        |                   |