

Curriculum Structure and Content for the Academic Batch 2024-26
Law Programs
Program: LL.M. Constitutional Law

Table of Contents

<i>Vision and Mission of KLE Technological University.....</i>	<i>3</i>
<i>Vision and Mission statements of KLE Law College.....</i>	<i>4</i>
<i>Program Educational Objectives/Program Outcomes and Program-Specific Objectives.....</i>	<i>5</i>
<i>Program Educational Objectives -PEOs.....</i>	<i>5</i>
<i>Curriculum Structure-Overall.....</i>	<i>7</i>
<i>Curriculum Structure-Semester-wise.....</i>	<i>8</i>
<i>Semester I</i>	<i>8</i>
<i>Semester – II.....</i>	<i>9</i>
<i>Semester- III.....</i>	<i>10</i>
<i>Semester- IV.....</i>	<i>11</i>

Vision and Mission of KLE Technological University

Vision

KLE Technological University will be a national leader in Higher Education–recognised globally for innovative culture, outstanding student experience, research excellence and social impact.

Mission

KLE Technological University is dedicated to teaching that meets the highest standards of excellence, generation and application of new knowledge through research and creative endeavours.

The three-fold mission of the University is:

- To offer undergraduate and post-graduate programs with engaged and experiential learning environment enriched by high quality instruction that prepares students to succeed in their lives and professional careers.
- To enable and grow disciplinary and inter-disciplinary areas of research that build on present strengths and future opportunities aligning with areas of national strategic importance and priority.
- To actively engage in the Socio-economic development of the region by contributing our expertise, experience and leadership, to enhance competitiveness and quality of life.

As a unified community of faculty, staff and students, we work together with the spirit of collaboration and partnership to accomplish our mission.

Vision and Mission Statements of KLE Law College

Vision

To inspire, sculpt, and empower the students through holistic education to attain the objective of 'Learn with Purpose and Live with Purpose'

Mission

- To disseminate industry-oriented legal education of global standards rooted in social values.
- To impart coherent legal education by laying special emphasis on participative clinical learning.
- To promote the values of democracy, diversity, and inclusiveness.
- To calibrate curricular, co-curricular, and extra-curricular activities in tune with the vision of the Institution and also foster democratic values.
- To organize community and social concern-oriented programmes in the domain of law with the common man as the focal point.
- To create an apt atmosphere for learning with the aim of developing ethically strong and morally exalted individuals with the values of love, truth, service, and sacrifice.
- To promote research culture and nurture innovative ideas among the faculty and students

Program Educational Objectives/Program Outcomes and Program-Specific Objectives

Program Educational Objectives -PEOs	
LL.M. graduates are expected to attain the following after 2 years of graduation	
1. Legal Competence	Graduates will demonstrate legal competence by effectively applying legal knowledge, critical reasoning, and analytical skills to interpret, draft and argue legal matters in diverse practice areas.
2. Leadership Role	Graduates will actively embrace leadership roles and strive to achieve professional and organisational goals with adherence to legal ethics, professional responsibilities, teamwork and an appreciation of cultural diversity.
3. Societal Development	Graduates will contribute to nation-building by engaging in legal practice, policymaking and advocacy that address societal challenges and uphold constitutional values and justice for all stakeholders.
4. Professional Development	Graduates will actively participate in ongoing professional development, continuously upgrading their legal expertise to adapt to evolving legal landscapes and emerging areas of law in a dynamic global context.
Program Outcomes-POs	
P01. Knowledge of Law: Graduates will demonstrate a comprehensive understanding of substantive and procedural laws across diverse areas of the legal system.	
P02. Facts and Problem Analysis: Graduates will analyse facts and legal issues to identify problems and apply relevant legal principles for resolution.	
P03. Designing Solutions: Graduates will design effective legal solutions, draft arguments and propose policy reforms.	
P04. Conduct Investigations: Graduates will conduct doctrinal and empirical legal research using appropriate methodologies and credible sources.	
P05. Modern Tool Usage: Graduates will utilise modern legal research tools, digital databases and technology-driven legal applications effectively.	
P06. Social Engineering and Society: Graduates will evaluate the role of law as a tool for social transformation and advocate for justice and equity in society.	
P07. Environment and Sustainability: Graduates will recognise environmental concerns and contribute to sustainable legal solutions that uphold ecological balance.	
P08. Ethics: Graduates will demonstrate ethical conduct, practice integrity and maintain accountability in all professional and academic engagements.	

P09. Individual and Teamwork: Graduates will function effectively as individuals and collaborate as team members in multidisciplinary and multicultural settings.

P010. Communication: Graduates will communicate legal ideas, construct arguments, and present findings clearly through persuasive writing and articulate oral advocacy.

P011. Project Management and Finance: Graduates will apply basic principles of project management and financial literacy in legal practice and organisational contexts.

P012. Life-long Learning: Graduates will engage in continuous learning to keep abreast of legal advancements and evolving societal needs.

Program Specific Objectives -PSOs: What graduates will achieve through this programme?

PS01 – Advanced Constitutional Interpretation: Graduates will interpret constitutional provisions, doctrines, and judicial decisions to address complex governance and rights-based issues.

PS02 – Policy and Democratic Governance Analysis: Graduates will analyze the impact of constitutional law on public policy, legislative reforms, and administrative decision-making.

PS03 – Engagement with Contemporary Constitutional Challenges: Graduates will engage with evolving constitutional issues such as federalism, secularism, and constitutional morality through academic and policy research.

Curriculum Structure-Overall

Semester: 1 to 4 (2024-26Batch)				Total
Program Credits: 64				
Course with Course Code	I	II	III	IV
	Judicial Process and Law-Making Processes (21LLIC101)	Law and Social Transformation in India (21LLCC104)	Specialisation Course – 4: Centre – State Relations (21LLIT201)	Specialisation Course – 8: Law Relating to Writs and Public Services (21LLCT205)
	Research Methodology (21LLIC102)	Law Pedagogy and Legal Writing (21LLCP101)	Specialisation Course – 5: Civil Liberties - Comparative Study of Select Constitutions (21LLIT202)	Specialisation Course – 9: Law and Media (21LLCT206)
	Legal Theory and Philosophy (21LLIC103)	Specialisation Course – 2: Comparative Constitutional Governance (21LLCT102)	Specialisation Course – 6: Comparative Administrative Law (21LLIT203)	Dissertation (24LDLD201)
	Specialisation Course – 1: Constitutional Law: Theory and Principles of Constitutional Interpretation (21LLIT101)	Specialisation Course – 3: Facets of Constitutionalism: Socialism, Rule of Law, Secularism, Multiculturalism and Federalism (21LLCT103)	Specialisation Paper – 7: Constitutional Miscellany (21LLIT204)	
Credits	16	16	16	16

Curriculum Structure-Semester-wise

Semester – I

No	Code	Course	Course Type	L-T-P-SS	Credits	ISA	ESA	Total	Exam Duration (in hrs)
1	21LLIC101	Judicial Process and Law-Making Processes	Theory	4-0-0-0	4	50	50	100	3 hours
2	21LLIC102	Research Methodology	Theory	4-0-0-0	4	50	50	100	3 hours
3	21LLIC103	Legal Theory and Philosophy	Theory	4-0-0-0	4	50	50	100	3 hours
4	21LLIT101	<i>Specialisation Course- 1:</i> Constitutional Law: Theory and Principles of Constitutional Interpretation	Theory	4-0-0-0	4	50	50	100	3 hours
TOTAL					16				

Semester – II

No	Code	Course	Course Type	L-T-P-SS	Credits	ISA	ESA	Total	Exam Duration (in hrs)
1	21LLCC104	Law and Social Transformation in India	Theory	4-0-0-0	4	50	50	100	3 hours
2	21LLCP101	Law Pedagogy and Legal Writing	Skill Development	2-1-1-0	4	100	0	100	NA
3	21LLCT102	<i>Specialisation Course- 2:</i> Comparative Constitutional Governance	Theory	4-0-0-0	4	50	50	100	3 hours
4	21LLCT103	<i>Specialisation Course- 3:</i> Facets of Constitutionalism: Socialism, Rule of Law, Secularism, Multiculturalism and Federalism	Theory	4-0-0-0	4	50	50	100	3 hours
TOTAL					16				

Semester – III

No	Code	Course	Course Type	L-T-P-SS	Credits	ISA	ESA	Total	Exam Duration (in hrs)
1	21LLIT201	<i>Specialisation Course - 4: Centre-State Relations</i>	Theory	4-0-0-0	4	50	50	100	3 hours
2	21LLIT202	<i>Specialisation Course- 5: Civil Liberties - Comparative Study of Select Constitutions</i>	Theory	4-0-0-0	4	50	50	100	3 hours
3	21LLIT203	<i>Specialisation Course- 6: Comparative Administrative Law</i>	Theory	4-0-0-0	4	50	50	100	3 hours
4	21LLIT204	<i>Specialisation Course- 7: Constitutional Miscellany</i>	Theory	4-0-0-0	4	50	50	100	3 hours
TOTAL					16				

Semester – IV

No	Code	Course	Course Type	L-T-P-SS	Credits	ISA	ESA	Total	Exam Duration (in hrs)
1	21LLCT205	<i>Specialisation Course- 8: Law Relating to Writs and Public Services</i>	Theory	4-0-0-0	4	50	50	100	3 hours
2	21LLCT206	<i>Specialisation Course- 9: Law and Media</i>	Theory	2-1-1-0	4	100	0	100	3 hours
3	21LLCD201	Dissertation	Practical	0-0-8-0	8	100	0	100	NA
TOTAL					16				

Semester	I	II	III	IV	Total
Credits	16	16	16	16	64

Curriculum Content- Course-wise

Program: PG		Semester: I
Course Title: Judicial Processes and Law-Making Processes		Course Code: 21LLIC101
L-T-P-SS: 4-0-0-0	Credits: 04	
ISA Marks: 50	ESA Marks: 50	Total Marks: 100
Teaching Hours: 60	Examination Duration: 3hrs	
Unit I		
Unit I: Nature of Judicial Process: <ul style="list-style-type: none"> Judicial process as an instrument of social ordering; Judicial process and creativity in law Common law model Legal Reasoning and growth of law Change and stability Stare decisis The tools and techniques of judicial creativity and precedent Identifying ratio decidendi and obiter dicta Legal development and creativity through legal reasoning under statutory and codified systems 		
Unit II: Special Dimensions of Judicial Process in Constitutional Adjudications: <ul style="list-style-type: none"> Notions of judicial review Role in constitutional adjudication various theories of judicial role Tools and techniques in policy-making and creativity in constitutional adjudication Variants of judicial and juristic activism 		
Unit III: Problems of accountability and judicial law-making <ul style="list-style-type: none"> Judicial Process in India: Indian debate on the role of judges and on the notion of judicial review The "independence" of judiciary and the "political" nature of judicial process Judicial activism and creativity of the Supreme Court the tools and techniques of creativity Institutional liability of courts and judicial activism - scope and limits. Structural challenges 		
Unit IV: Legislation as a source of law: its relationship with other sources of law <ul style="list-style-type: none"> Supreme legislation: law making by Indian Parliament; Interaction between law and public opinion Major rules of interpretation of statutes Literal or Plain Meaning Rule Golden Rule Purposive approach: Mischief Rule; Compromise approach 		
Unit V: Nature of legislative drafting: <ul style="list-style-type: none"> Diseases of language to be dealt and taken care of Its history in India and England Components or parts of legislation and their purposes Role of draftsman; the skills, traits and abilities Draftsman's duties and responsibilities Impact of constitutional values and provisions on legislative drafting Impact of the general clauses act upon legislative drafting 		

- Steps in legislative drafting; pre-draft preparation; drafting
- Deliberation with others;
- Post-draft refinement.

Prescribed Book(s):

1. W. Friedman, Law in a Changing Society
2. Julius Stone, The Province and Function of Law, Part II, Chs. 1, 8-16 (2000), Universal, New Delhi.
3. Benjamin Cardozo, The Nature of Judicial Process (1995) Universal, New Delhi
4. Henry J. Abraham, The Judicial Process (1998), Oxford.
5. J. Stone, Precedent and the Law: Dynamics of Common Law Growth (1985) Butterworths
6. W. Friedmann, Legal Theory (1960), Stevens, London
7. Bodenheimer, Jurisprudence - the Philosophy and Method of the Law (1997), Universal, Delhi
8. C. K. Allen, Law in the Making
9. C. K. Allen, Law and Orders
10. Sir Henry Maine, Ancient Law
11. Rupert Cross, Precedents in English Law
12. A. Lakshminath, Judicial Process: Precedent in Indian Law

References:

1. J. Stone, Legal System and Lawyers' Reasonings (1999), Universal, Delhi
2. U. Baxi, The Indian Supreme Court and Politics (1980), Eastern, Lucknow.
3. Rajeev Dhavan, The Supreme Court of India - A Socio -Legal Critique of its Juristic Techniques (1977), Tripathi, Bombay.
4. John Rawls, A Theory of Justice (2000), Universal, Delhi
5. Edward H. Levi, An Introduction to Legal Reasoning (1970), University of Chicago.
6. F. C. Cohen, 'Modern Ethics and the Law' (1934) 4 Brooklyn Law Review 33
7. P. Devlin, 'Judges, Government and Politics' (1978) 41 Modern Law Review 501
8. J. Dickinson, 'The Law Behind Law' (1929) 29 Columbia Law Review 285
9. T. K. Vishwanathan, (Ed) G. Rajagopaul's Legislative Drafting: Shaping the Law for the Millennium (Indian Law Institute, 2007)
10. B R Atre, Legislative Drafting: Principles and Techniques (Universal, 2014)
11. Helen Xanthaki, Thornton's legislative Drafting (5th ed); G C Thornton, Legislative Drafting (Butterworths, 1996)
12. Constantin Stefanou and Helen Xanthaki (ed) Drafting Legislation (Ashgate, 2008)
13. Reed Dickerson, Legislative Drafting
14. Reed Dickerson, Interpretation of Statutes
15. G P Singh, Statutory Interpretation (14th ed, 2018)

Program: PG		Semester: I
Course Title: Research Methodology		Course Code: 21LLIC102
L-T-P-SS: 4-0-0-0	Credits: 04	
ISA Marks: 50	ESA Marks: 50	Total Marks: 100
Teaching Hours: 60	Examination Duration: 3hrs	
Unit I		
Unit I: Foundations of Research: <ul style="list-style-type: none"> • Meaning, objectives, utility of research • Concept of theory, empiricism, deductive and inductive logic • Reflective Thinking Process • Characteristics of scientific method • Understanding the language of research – Concept, Construct, Definition, Variable • Research Process 		
Unit II: Idea of Legal Research, Methodology and ensuring quality research <ul style="list-style-type: none"> • Legal research: introduction • Legal research methodology: purposes and footsteps • Thinking process in legal research: diverse models; objectivity, value neutrality, originality, and ethics in legal research • Choosing, designing, and building the legal research theme • Formulation and testing of hypothesis • Rules against plagiarism • Introduction to kinds of research 		
Unit III: Doctrinal Legal Research Methods <ul style="list-style-type: none"> • Doctrinal legal research as a means of synthesizing facts, thoughts and legal principles • Analytical legal for expanding the legal world • Historical legal research: implications and applications • Philosophical research in law: the possibilities • Comparative method of legal research: nature, process, and potentiality 		
Unit IV: Non-doctrinal Methods of Legal Research <ul style="list-style-type: none"> • Empirical legal research: nature, features and expanding horizons • Tools of data collection in empirical legal research: observation, interview, case study, questionnaire, survey • Qualitative legal research; sampling method: varieties and uses • Quantitative legal research 		
Unit V: Integrated methods of legal research and Research Reporting <ul style="list-style-type: none"> • Multi-method legal research: nature, need, procedure and potentiality • Policy research in law • Action research in law • Methodology, Legal writing based on research: report writing 		
Prescribed Book(s):		

1. Bhat Ishwara P., Idea and Methods of Legal Research, (Oxford: Oxford University Press, 2019)

References:

1. Whitney F.L., The Elements of Research, (rev.edn. Prentice Hall, 1948)
2. Goode, William J. and Hatt Paul K., Methods in Social Research, 1st Ind. Re.pt. (Delhi: Surjeet Publications, 2006)
3. Mike McConville and Wing Hong Chi, Research Methods for Law (Edinburg University Press, 2007)
4. SK Verma and Afzal Wani, Legal Research methodology (Indian Law Institution, Second Edition, 2007)
5. Young, Pauling, V (1973) – Scientific Social Surveys & Research, Delhi, Prince Hall of India Pvt., Ltd.
6. Upendra Baxi (1975) – Socio –Legal Research on India: A programs chirift, ICSSR 12, Occasional Monograph.
7. Ervin, H. Pollack (1967) – Fundamentals of Legal Research.
8. S.K.Verma and M. Afzal Wani (ed), Legal Research and Methodology, 2nd Edition, ILI Publication (2009)
9. Jonathan Anderson, Poole Millicent E., Thesis and Assignment Writing, John Wiley & Sons Inc. (2002)
10. Lazarsfeld, Paul F. (1967)-The Language of social research (N.Y. Free Press.)
11. Russel L. Ack;off (19530- The Design of Social Research (University of Chicago Press).



Program: PG		Semester: I
Course Title: Legal Theory and Philosophy		Course Code: 21LLIC103
L-T-P-SS: 4-0-0-0	Credits: 04	
ISA Marks: 50	ESA Marks: 50	Total Marks: 100
Teaching Hours: 60	Examination Duration: 3hrs	
Unit I		
Unit I: <ul style="list-style-type: none"> • Introduction, meaning and importance of Legal theory and philosophy. • Natural law theory of Law - Ancient Greek Philosophy, Sophists, Medieval Thinkers, Modern Thinkers 		
Unit II: <ul style="list-style-type: none"> • Positivist theory of Law – Jeromy Bentham, John Austin, H L A Hart, Hans Kelsen 		
Unit III: <ul style="list-style-type: none"> • Sociological – Roscoe Pound, Historical – Savigny and Puchta 		
Unit IV: <ul style="list-style-type: none"> • Realist theory of Law – American realists, Marxian theory of law 		
Unit V: <ul style="list-style-type: none"> • J S Mill's and Bentham's Utilitarianism, Rawls' Theory of Justice, Amartya Sen's idea of justice. • Dworkin's Rights Based Theory of Justice, Dharma - A dutybased approach to justice. Feminist Theories of Justice. 		
Prescribed Book(s): <ol style="list-style-type: none"> 1. Julius Stone – The Province and Function of Law 2. RWM Dias – Jurisprudence 3. Salmond – Jurisprudence 4. Julius Stone – Social Dimensions of Law, 5. Bodenheimer – Jurisprudence 6. Julius Stone – Lawyers Law & Lawyers Reasoning 		
References: <ol style="list-style-type: none"> 1. Lloyd- Introduction to Jurisprudence (latest edition) 2. Roscoe Pound- Jurisprudence- Vol. 1 to 5 3. Roscoe Pound- Introduction to the Philosophy of Law 4. Kelson – The Pure Theory of Law, 5. D' Entreaves – Natural Law, 6. Summers- Essays on Law, 7. Mill, JS. Utilitarianism, Chapters 1 & 2 8. Sen, Amartya. The idea of justice. Harvard University Press, 2011, Chapters 2 		



9. Dworkin, Ronald. Taking rights seriously. Harvard University Press, 1978.
10. Posner, Richard A. The Economics of Justice, Harvard University Press, 1981, Chapter 3.
11. Cohen, G.A. If You're An Egalitarian How Come You're So Rich?, Harvard University Press, 2001 (Revised edition). (Excerpts)
12. Okin, Susan Moller. 'Justice and Gender', Philosophy and Public Affairs, 16(1), 1987.



Program: PG		Semester: I
Course Title: Specialisation Course- 1: Constitutional Law Theory and Principles of Constitutional Interpretation		Course Code: 21LLIT101
L-T-P-SS: 4-0-0-0	Credits: 4	
ISA Marks: 50	ESA Marks: 50	Total Marks: 100
Teaching Hours: 0	Examination Duration: 3 hrs	
Unit I		
Unit I: <ul style="list-style-type: none"> • Nature and importance of Constitution • Evolution of Constitutional Values • Requisites of ideal Constitution • Concept of Constitutionalism – its development and role in the legal system • Nature and limitations of constituent and amending power; Basic structure theory 		
Unit II: <ul style="list-style-type: none"> • Saptanga Theory of State in ancient India • Obligation of ruler • Modern Indian Political thoughts of Gandhi and Ambedkar about functions of the state, Separation and Division of powers 		
Unit III: <ul style="list-style-type: none"> • Role of Internal and External Aids in the Interpretation of Constitution • Preamble; Headings, Marginal Notes • Non-Abrogation and Non-Derogation provisions • Inclusive and exclusive definitions, use of Drafts • Constituent Assembly Debates • Legislative History • International Law • Original Intention Theory • Values and approaches that influence constitutional interpretation 		
Unit IV: <ul style="list-style-type: none"> • Interpreting the Constitution as a value document • Purposive interpretation • Living Organism Approach • Reading Down and Reading Up and Reading in • Inter-relationship of Fundamental Rights • Interpreting the Constitution as a legal document, Presumption of constitutionality 		
Unit V: <ul style="list-style-type: none"> • Literal Interpretation and its limitations • Interpretation of federal scheme: Doctrine of inconsistency • Doctrine of pith and substance and colourable legislation • Doctrine of occupied field • Harmonious construction, the study is with reference to constitutional ideologies and experience of India, U.S.A. and Canada 		

Prescribed Book(s):

1. Karl Lowenstein. Political Power and Governmental Process.
2. Gettel, Readings in Political Science
3. K.C.Wheare, Modern Constitutions
4. H.J. Laski, The State in Theory and Practice (Chapter-I)
5. B.A Masodkar, Society State and the Law.
6. R.M Mc Ivan, The Modern State
7. Nomos, Constitutionalism
8. P.V Kane, History of Dharmasastra Vol.III
9. M.Rama Jois, Constitutional and legal History, Vol. I & II
10. Carl J.Friedrich, Constitutional Government and Politics.
11. Appadorai, Modern Indian Political Thought

References:

1. M.Hidayatullah- Fifth and sixth Schedule to the Constitution
2. H.M.Seervai- Constitutional Law of Indian Vol. I
3. Lawrence Tribe & Michael Douf- On Reading the Constitution
4. Ely.J.H.- Democracy and Distrust
5. Rotunda and Nowak- Treatise on American Constitution Vol. IV.
6. P.K.Tripathi- Spotlights on Constitutional Interpretation.
7. Peter W.Hogg- Constitutional Law of India.
8. Joseph E.Magnet- Constitutional Law of Canada; Cases and Materials, Vol. II
9. M.P.Jain,- Constitutional Law of Canada
10. Hidayatullah (ed.) – Constitutional Law of India Vol. I (relevant chapters)
11. G.P.Singh- Interpretation of Statutes.
12. Vepa P. Sarathi, Interpretation of Statutes
13. Laurence H. Tribe, American Constitutional Law

Program: PG		Semester: II
Course Title: Law and Social Transformation in India		Course Code: 21LLCC104
L-T-P-SS: 4-0-0-0	Credits: 4	
ISA Marks: 50	ESA Marks: 50	Total Marks: 100
Teaching Hours: 0	Examination Duration: 3 hrs	
Unit I		
Unit I: Theoretical foundation <ul style="list-style-type: none"> • Historical and evolutionary theories • Gandhian philosophy on social change • Relationship between law and society • Constitution and social transformation 		
Unit III: Law and gender justice <ul style="list-style-type: none"> • Gender based social conflicts • Social and economic empowerment of women • Gender based violence - Law and policy • Feminist critique of Indian jurisprudence 		
Unit IV: Law and Poverty alleviation <ul style="list-style-type: none"> • Poverty alleviation: Law and policy framework • Access to justice - Legal aid • Agrarian reforms - Constitutional perspective • Law and education policy- Access to universal education 		
Unit V: Strategies for social inclusion and empowerment <ul style="list-style-type: none"> • Empowerment of the backward classes • Protection and empowerment of tribal community • Regionalism, law and social transformation • Reforms in justice delivery system • Role of NGOs and Local self-governments 		
Prescribed Book(s): <ol style="list-style-type: none"> 1. P Ishwara Bhat, Law and Social Transformation, EBC Publications, 2nd edition (2022). 		
References: <ol style="list-style-type: none"> 1. W. Friedmann, Law in a Changing Society, Rothman (Fred B.) & Co, U.S. (1988). 2. Julius Stone, Social Dimensions of Law and Justice, Stevens & Sons Ltd., (1966) 3. Upendra Baxi, The Crisis of Indian Legal System, <u>Vikas Publishing House, New Delhi</u>, (1982). 4. Upendra Baxi, Law and Poverty, N.M. Tripathi Pvt. Ltd. Publications, (1988). 5. P. K. Gandhi (Ed.), Social Action Through Law, Department of Law, Special Issue, Cochin University Law Review, (1984), pp. 433-546. 		



Program: PG		Semester: II
Course Title: Law Pedagogy and Legal Writing		Course Code: 21LLCP101
L-T-P-SS: 2-1-1-0	Credits: 4	
ISA Marks: 100	ESA Marks: 0	Total Marks: 100
Teaching Hours: 30	Examination Duration: NA	
Unit I		
Unit I: Legal education and methods of teaching <ul style="list-style-type: none"> Teaching and Teac Legal education in India – Evolution, Reforms and Challenges Role of a Law Teacher Teaching Methods in Law - Lecture Method, Case Method, Problem Method, Discussion Method, Simulation and Role Play, Collaborative Teaching, Seminar Method and Other methods 		
Unit II: Outcome-based education (OBE) <ul style="list-style-type: none"> Outcome-based legal education Programme outcomes Course outcomes Lesson outcomes Tools and techniques of OBE Salient features of Bloom's Taxonomy 		
Unit III: Curriculum drafting and deployment <ul style="list-style-type: none"> Learning objectives Curriculum planning Developing teaching plans Teaching professional values and skills Employing clinical methods in teaching law Practical training courses and skills training Extension services - Legal aid and legal awareness 		
Unit IV: Assessment planning and execution <ul style="list-style-type: none"> Assessment and evaluation of student's performance Examination system Problems in evaluation Methods of evaluation - Continuous evaluation, end-term exams, assessment and supervision 		



Unit V: Legal writing

- Legal Writing - Articles, case analysis and book reviews
- Skills, tools and techniques
- Ethics
- Plagiarism
- Research supervision and inculcation of good practices

Prescribed Book(s):

1. Louise G. Trubek (Edt.), Educating for Justice Around the World: Legal Education, Legal Practice and the Community, Ashgate Publishing Company, USA (1997)
2. Madhava Menon, Legal Education for Professional Responsibility–An Appraisal of the New Pattern, Legal Education in India Status and Problems, BCI Trust, New Delhi (1983).
3. N. R. Madhava Menon (ed.) Clinical Legal Education: Concept and Concerns, A Handbook on Clinical Legal Education, Eastern Book Co., (1998).
4. S. P. Sathe, Access to Legal Education and the Legal Profession in India, Rajeev Dhavan Ed., Butterworths, London, (1989).
5. Gerald F. Hess and Steven Friedland, Techniques for Teaching Law, Carolina Academic Press, (1999).

References:

1. Louise G. Trubek (Edt.), Educating for Justice Around the World: Legal Education, Legal Practice and the Community, Ashgate Publishing Company, USA (1997)
2. Madhava Menon, Legal Education for Professional Responsibility–An Appraisal of the New Pattern, Legal Education in India Status and Problems, BCI Trust, New Delhi (1983).
3. N. R. Madhava Menon (ed.) Clinical Legal Education: Concept and Concerns, A Handbook on Clinical Legal Education, Eastern Book Co., (1998).
4. S. P. Sathe, Access to Legal Education and the Legal Profession in India, Rajeev Dhavan Ed., Butterworths, London, (1989).
5. Gerald F. Hess and Steven Friedland, Techniques for Teaching Law, Carolina Academic Press, (1999).

Program: PG		Semester: II
Course Title: Constitutional Law Specialisation - 2: Comparative Constitutional Governance		Course Code: 21LLCT102
L-T-P-SS: 4-0-0-0	Credits: 4	
ISA Marks: 50	ESA Marks: 50	Total Marks: 100
Teaching Hours: 60	Examination Duration: 3 hrs	
Unit I: Comparative study of Executive – India, USA and Switzerland <ul style="list-style-type: none"> Constitutional Status and Powers Functions and Accountability Judicial development 		
Unit II: Comparative study of Legislature – India, USA and France <ul style="list-style-type: none"> Composition, Powers and Functions Relation between executive and legislature Accountability Judicial developments – disqualification of members, privileges and immunities 		
Unit III: Comparative study of Legislative Relations – India, USA and Australia <ul style="list-style-type: none"> Distribution of Legislative subjects Competence of federal and state legislature Judicial developments 		
Unit IV: Comparative study of Judiciary – India, USA and UK <ul style="list-style-type: none"> Structure and Appointment Removal of judges Accountability and Independence of Judiciary Judicial developments 		
Unit V: Comparative study of provisions relating to War, Emergency and Treaties <ul style="list-style-type: none"> National Security Emergency War Treaty-making powers Judicial developments 		
Prescribed Book(s): <ol style="list-style-type: none"> Basu D. D., Comparative Constitutional Law, 3rd Edition, Lexis Nexis, (2020). H.M. Seervai, Constitutional Law of India, Tripathi, Universal Law Publication, Bombay, (1991). Anup Chand Kapur and K.K. Misra, Select Constitutions, 16th Revised Edition, S. Chand Publishing, New Delhi, (2015). M.V. Pylee, Select Constitutions of the World, 4th Edition, Universal Law Publishing, (2016). M.P. Jain, Indian Constitutional Law, 8th Edition, Lexis Nexis, (2021). 		

Program: PG		Semester: II
Course Title: Constitutional Law Specialisation - 3: Facets of Constitutionalism: Socialism, Rule of Law, Secularism, Multiculturalism and Federalism		Course Code: 21LLCT103
L-T-P-SS: 4-0-0-0	Credits: 4	
ISA Marks: 50	ESA Marks: 50	Total Marks: 100
Teaching Hours: 60	Examination Duration: 3 hrs	
Unit I: Socialism <ul style="list-style-type: none"> Meaning and importance of socialism Socialism in the context of Constitution of India Conundrums of socialism Judicial approach towards socialism 		
Unit II: Rule of Law <ul style="list-style-type: none"> Concept of Rule of law Evolution of Rule of Law: Thick and thin versions of Rule of Law Constitutional Conventions Constitutional Morality 		
Unit III: Secularism <ul style="list-style-type: none"> Secularism – Concept and evolution Dimensions of secularism Secularism -Judicial developments Essential Religious Practices Doctrine Conundrums of religion and secular state 		
Unit IV: Pluralism <ul style="list-style-type: none"> The notion of multiculturalism and pluralism Ethnic, linguistic, cultural and political pluralism Individual rights - right to dissent Uniform Civil Code Tribal Groups - Social inclusion and exclusion 		
Unit V: Federalism <ul style="list-style-type: none"> Federalism – Concept and associated theories Conditions requisite for federalism Original jurisdiction of the Supreme Court and conflicts between centre and state- its impact on the working of federalism New trends in federalism: Co-operative federalism Central Control versus State Autonomy 		
Prescribed Book(s): <ol style="list-style-type: none"> Rajeev Bhargava , Secularism and Its Critics, Oxford University Press, 1999. Jakob de Roover Europe, India, and the Limits of Secularism, Oxford University Press, 2015. P. Ishwara Bhat, ed., Constitutionalism and Constitutional Pluralism, Gurgaon: Lexis Nexis, 2013. H.M. Seervai, Constitutional Law of India, Tripathi, Bomaby,1993. M.P. Jain, Indian Constitutional Law, Lexis Nexis, 2020. 		
References		



1. Dhavan, Rajeev, and N.S. Nahar. The Compensation Conundrum-Socialism at the Bar of The Supreme Court, *Journal of the Indian Law Institute* 20, no. 3 (1978): 406–37. <http://www.jstor.org/stable/43950609>.
2. A. V. Dicey, *An Introduction to the Study of the Law of the Constitution*, Macmillan and Co. (1889)



Program: PG		Semester: III
Course Title: Constitutional Law Specialisation - 4: Centre-State Relations		Course Code: 21LLIT201
L-T-P-SS: 4-0-0-0	Credits: 4	
ISA Marks: 50	ESA Marks: 50	Total Marks: 100
Teaching Hours: 60	Examination Duration: 3 hrs	

Unit I:

- Doctrine of Territorial Nexus
- Scheme of distribution of legislative powers between Union and States
- Principles of interpretation of lists- Doctrine of Pith and Substance; Doctrine of Colorable Legislation; Doctrine of harmonious construction; Ancillary legislation
- Parliament's power to legislate on the State List
- Inconsistency between laws passed by Parliament and State legislature

Unit II:

- Distribution of executive powers
- Inter-governmental delegation of powers
- Centre's directive to State & other Constitutional provisions
- All India Services

Unit III:

- Distribution of Fiscal Power: Scheme of Allocation of taxing power
- Extent of Union power of taxation
- Intergovernmental tax immunities
- Tax-Sharing under the Constitution
- Finance Commission - Specific purpose grants (Article 282)
- Borrowing Power of the State; Borrowing by the Government of India

Unit IV:

- Inter-State Trade and Commerce: Freedom of Inter-State trade and commerce
- Restrictions on legislative power of the Union and States with regard to trade and Commerce
- Planning and Financial Relations: NITI Ayog
- National Development Council; Plan grants

Unit V:

- Co-operative Federalism: Full faith and credit
- Inter-State Council; Zonal Councils
- Inter-State disputes
- Abrogation of Arts. 35A and 370
- Disputes relating to waters, Inter-State Council

References:

1. H.M. Seervai, Constitutional Law of India (1991), Tripathi, Bombay.
2. Sudha Bhatnagar, Union-State Financial Relations and Finance Commissions, (1979)
3. Ashok Chandra, Federalism in India, (1965)
4. V.D. Sebastian, Indian Federalism: The Legislative Conflicts Chs. 6-7 and 8 (1980)
5. Chandrapal, Centre-State Relations and Cooperative Federalism, Chs. 5 and 8 (1983)
6. G.C.V. Subba Rao, Legislative Powers in Indian Constitution Law, Chs. 37, 38, 39 (1982)
7. K.P. Krishna Shetty, The Law of Union-State Relations and the Indian Federalism Ch.9 (1981)

8. Administrative Reforms Commission on Centre-State Relationship Ch. 3 (1969)
9. Constituent Assembly Debates Vol. 9, 203, 240 and 302-349; Vol. 10, 325-342
10. Administrative Reforms Commission, Report of the Study Team on Central-State Relationship (1967) Vol. 1, Sections and 11, pp. 15-168
11. L.M. Singhvi (ed.), Union-State Relations in India 124-154 (1969)
12. M.P. Jain, Indian constitutional Law (1994), Wadhwa.



Program: PG		Semester: III
Course Title: Constitutional Law Specialisation - 5: Civil Liberties - Comparative Study of Select Constitutions		Course Code: 21LLIT202
L-T-P-SS: 4-0-0-0	Credits: 4	
ISA Marks: 50	ESA Marks: 50	Total Marks: 100
Teaching Hours: 60	Examination Duration: 3 hrs	

Unit I:

- Philosophy of rights and liberties
- Methods of guarantee of basic rights – Common Law method – Constitutional bill of rights – Division of powers approach
- Concept of State action
- Right to Life – Traditional and Modern Concept – Positive rights of life – Rights to die
- Right to personal liberty and right to privacy

Unit II:

- Right to Equality - Non-discrimination
- Reasonable Classification
- Gender equality
- Protective discrimination – method and extent
- Rights of Accused– Immunity against Self- incrimination – Rule against double jeopardy – Protection against unreasonable search and seizure – Speedy Trial – Right to Counsel – Right to bail – Protection against Cruel and Unusual punishment

Unit III:

- Freedom of Speech and Expression –
- Facets of freedom of speech and expression
- Extent of restriction
- Freedom of Press
- Freedom of Assembly, Association, Movement, Residence – Content and Extent of restrictions

Unit IV:

- Freedom of Trade Occupation and Profession
- Restrictions of Freedom of trade, occupation, and profession
- Freedom of Religion
- Restrictions on freedom religion
- Right to property – Power of eminent domain

Unit V:

- Right to education
- Educational and cultural rights
- Rights of Minorities
- Interrelation between fundamental rights

References

1. Rotunda and Nowak – Treatise on American Constitution Vol.3 and 4.
2. Lockhart, Kamisar and Choper – American Constitution
3. Bernad Schwartz Commentary on American Constitution Part II & III
4. Wade and Philips – Constitutional and Administrative Law.
5. Bailey, Harries and Jones – Civil Liberties.
6. Hood Philips – Constitutional and Administrative Law



7. A.V. Dicey – Introduction to the Study of Constitution.
8. P Ishwar Bhat - Fundamental Rights
9. DD Basu - Constitutional law of India
10. M P Jain - Constitutional law of India



Program: PG		Semester: III
Course Title: Constitutional Law Specialisation - 6: Comparative Administrative Law		Course Code: 21LLIT203
L-T-P-SS: 4-0-0-0	Credits: 4	
ISA Marks: 50	ESA Marks: 50	Total Marks: 100
Teaching Hours: 60	Examination Duration: 3 hrs	
Unit I:		
<ul style="list-style-type: none"> Impact of Rule of Law and Doctrine of Separation of Power upon Administrative Law Delegability of legislative power – Judicial review on the question of delegability Types of control over Delegated Legislation – Judicial and Parliamentary control 		
Unit II:		
<ul style="list-style-type: none"> Principles of Natural Justice – Principle of hearing Components – Effect of non-compliance Rule against Bias – Administrative Direction Identification- Nature of enforceability 		
Unit III:		
<ul style="list-style-type: none"> Nature and Control over administrative Discretion Governmental liability for torts committed by public servants Doctrine of Legitimate Expectation – Its dimensions and application 		
Unit IV:		
<ul style="list-style-type: none"> Doctrine of Promissory Estoppels, Right to Information v/s official secrecy Governments Privilege to withhold documents and evidence 		
Unit V:		
<ul style="list-style-type: none"> Control on Mal-administration -Ombudsman Evolving Indian Models; Lokayukta and Lokpal Commission of Enquiry; Vigilance Commission The CBI; Inquiries by Legislative Committees Judicial Enquiries; The Administrative Tribunal 		
References:		
<ol style="list-style-type: none"> Neville Brown & Garner – French Administrative Law. RNK Wade – Administrative Law. Bernard Schwartz – Administrative Law. K.C. Davis – Administrative Law. Garner – Administrative Law. M.P. Jain & S.N. Jain – Principles of Administrative Law. M.P. Jain – Treatise on Administrative Law. S.P. Sathe – Administrative Law. I.P. Massey – Administrative Law. Michael Allen & Brian Thompson – Cases and Materials on Constitutional and Administrative Law. Jerry L. Mashaw and et.al. Administrative Law – The American Public Law System(Cases and Materials). D.D. Basu – Administrative Law. 		

Program: PG		Semester: III
Course Title: Constitutional Law Specialisation - 7: Constitutional Miscellany		Course Code: 21LLIT204
L-T-P-SS: 4-0-0-0	Credits: 4	
ISA Marks: 50	ESA Marks: 50	Total Marks: 100
Teaching Hours: 60	Examination Duration: 3 hrs	
Unit I: <ul style="list-style-type: none"> Constitutional foundations of Public policy Directive Principles of State Policy Interrelationship between DPSPs and Part III Reading in of rights under DPSP into Part III Fundamental Duties 		
Unit II: <ul style="list-style-type: none"> Creation of New States Elections and Constitutional issues Electoral reforms Anti-defection law 		
Unit III: <ul style="list-style-type: none"> Local Self Governments Special status to certain regions Functioning of NHRC, NWRC and NCRC Tribes and tribulations 		
Unit IV: <ul style="list-style-type: none"> Environment protection under Constitution of India Judicial contribution Judicial interventions in utilisation of natural resources Principles and Doctrines evolved by the judiciary Implementing international obligation 		
Unit V: <ul style="list-style-type: none"> Emerging issues of Equality Protection of Third gender Protection of refugees Decriminalizing the offenses 		
References: <ol style="list-style-type: none"> H.M. Seervai, Constitutional Law of India (Universal Law Publishing Co. Ltd., 4thedn., 2015) DD Basu - Constitutional law of India M P Jain - Constitutional law of India Roshini Sinha and Prachi Kaur, Anti defection law intent and impact https://prsindia.org/files/parliament/discussion_papers/Anti-Defection%20Law%20Intent%20and%20Impact_0.pdf Mr. Suvir Raghuvansh, CREATION OF NEW STATES IN INDIA, Bharati Law Review, July – Sept., 2016 https://docs.manupatra.in/newsline/articles/Upload/E6D33255-8F9C-4F9E-B3F9-7359D9D25FE9.pdf Study on Human Rights of Transgender as a Third 		

Gender https://nhrc.nic.in/sites/default/files/Study_HR_transgender_03082018.pdf
8. Akanksha Mishra, Third Gender Rights: The Battle for Equality Christ University Law Journal, 5, 2
(2016), 9-21 ISSN 2278-4322 | doi.org/10.12728/culj.9.2 9
<https://core.ac.uk/download/pdf/236436832.pdf>



Program: PG		Semester: IV
Course Title: Constitutional Law Specialisation - 8: Law Relating to Writs and Public Services		Course Code: 21LLCT205
L-T-P-SS: 4-0-0-0	Credits: 4	
ISA Marks: 50	ESA Marks: 50	Total Marks: 100
Teaching Hours: 60	Examination Duration: 3 hrs	
Unit I: Laws of Writs – Origin and Evolution <ul style="list-style-type: none"> Importance of constitutional remedies and its evolution in UK and India Nature and writs in England: Prerogative writs and judicial writs Comparative study of English Law and Indian Law on writs Obsolete writs 		
Unit II: Writ Jurisdiction <ul style="list-style-type: none"> Jurisdiction – Meaning, importance and types General principles - Exhaustion of local remedies, <i>locus standi</i> and its exceptions, alternative remedy, delay and laches; <i>res judicata</i> and <i>res sub judice</i>, Procedures - pleadings, contents of writ petition, raising of a new plea, relief and prayers in petition, review petition, speaking orders, dismissal <i>in limine</i>, Public Interest Litigation 		
Unit III: Writs and Constitutional Courts <ul style="list-style-type: none"> Writ jurisdiction- Supreme Court and High Courts Grounds and Procedure for filing writs – habeas corpus, mandamus, prohibition, certiorari and quo warranto Practice and procedure in writ petitions- Supreme Court Rules and Karnataka High Court Rules, drafting of writ pleadings, applicability of C.P.C., evidentiary matters 		
Unit IV: Laws relating to Public Service <ul style="list-style-type: none"> Service regulation under the Constitution Doctrine of Pleasure and its limitations Constitutional safeguards - Rights of civil servants Departmental inquiry Compassionate appointments Retirement - Voluntary and compulsory 		
Unit V: Remedies under Public Services Law <ul style="list-style-type: none"> Departmental remedies – Representation, review, revision and appeal under Central Services (Classification, Control and Appeal) CCS (CCA) Rules 1965 Procedure for imposing penalties Administrative Tribunals – Jurisdiction, scope, procedure, and remedies Administrative Tribunals Acts, 1985 Articles 323A and 323B – exclusion of judicial review, judicial review of service matters 		
Prescribed Book(s): <ol style="list-style-type: none"> D. D. Basu, Constitutional Remedies and Writs, Kamal Law House, Kolkata, 3rd edn., (2009). Justice C. K. Takker and M. C. Thakker, V. G. Ramachandran's Law of Writs, 6th edn., EBC, Delhi, (2007). Justice P.S. Narayana, Law of Writs, 6thedn, Asia Law House, Hyderabad, (2010). M. R. Mallick, Writs Law & Practice, 2ndedn, Eastern Law House, New Delhi, (2009). G. B. Singh's, Commentary on the CCS (CCA) Rules, 1965, 16th edn., New Delhi G. B. Singh Books, (2022). 		
References		



1. P. M. Bakshi, Public Interest Litigation, 3rd edn., Ashoka Law House, New Delhi, (2012).
2. S. A. De Smith, Judicial Review of Administrative Action, Cambridge University Press, (2009).
3. H. M. Seervai, Constitutional Law of India, 4th edn., Universal Law Publishing Co. Ltd, (2015).
4. Justice M. Rama Jois, Services Under the State, The Indian Law Institute, New Delhi, (2007).
5. Samaraditya Pal, Law relating to Public Service, 3rd edn. Lexis Nexis (2017).



Program: PG		Semester: IV
Course Title: Constitutional Law Specialisation - 9: Law and Media		Course Code: 21LLCT206
L-T-P-SS: 4-0-0-0	Credits: 4	
ISA Marks: 50	ESA Marks: 50	Total Marks: 100
Teaching Hours: 60	Examination Duration: 3 hrs	
Unit I: Introduction to Media		
<ul style="list-style-type: none"> • Mass media – Meaning, evolution and importance • Types of media • Impact of media on society and role of media in democracy • Patterns of ownership of media • The Prasar Bharathi (broadcasting Corporation of India) Act, 1990 		
Unit II: Media and the Constitutional Framework		
<ul style="list-style-type: none"> • Evolution of freedom of press • Constitutional status of media • Restrictions on the freedom of speech and expression • Commercial speech as fundamental right • Statutory regulations of advertisements • Cinema and censorship 		
Unit III: Media and regulatory framework		
<ul style="list-style-type: none"> • Meaning of decency, morality and obscenity • Decency and morality as exceptions • Test of obscenity • Media and contempt of court • Hate Speech – Law and judicial development • Hate Speech and social media 		
Unit IV: Media and Ethics		
<ul style="list-style-type: none"> • Modern media and privacy • Global perspectives on media and ethics – US, UK and India • Parliamentary privileges and Media • Reporting on Judicial Proceedings • Trial by Media and the Judicial Approach 		
Unit V: Regulation of Broadcasting Media and Social Media		
<ul style="list-style-type: none"> • Broadcasting Media: Meaning, Judicial recognition and Evolution • Evolution of Internet as New Media • Regulation of Social Media • Information Technology: Guidelines for Intermediaries and Digital Media Ethics – Act and Rules 		
Prescribed Books:		
<ol style="list-style-type: none"> 1. Durga Das Basu, Law of the Press, 5th ed., Lexis Nexis, Butterworths Wadhwa, Nagpur (2010) 2. Madhavi Goradia Divan, Facets of Media Law, 2nd Edn., Lucknow, Eastern Book Company (2018) 3. Durga Das Basu, Commentary on the Constitution of India, 9th ed., Vol. 5 Lexis Nexis, New Delhi (2015). 		
References:		
<ol style="list-style-type: none"> 1. Ram Jethmalani & Chopra D.S. Cases and Material on Media Law, 1st edition, New Delhi, Thomson Reuters (2012). 		

2. Sara Hadwin and Dunstan Bloy, Law and the Media, London, Sweet and Maxwell, 2nd Edition (2011).
3. Pooja Kataria, Women and the Media, New Delhi, Regal Publications (2007)
4. Rajeev Dhavan, On the Law of the Press in India, 26 J. I.L.I. 288 (1984)
5. Rajeev Dhavan, Legitimizing Government Rhetoric: Reflections on Some Aspects of the Second Press Commission, 26 J. I.L.I. 391 (1984).
6. Rashmi Sharma, Electronic Media: Issues and Innovations, New Delhi, Regal Publications (2007).
7. M. Tugendhat and Christie, The Law of Privacy and the Media, 3rd ed., Oxford (2002)