



MOHANLAL SUKHADIA UNIVERSITY, UDAIPUR

FACULTY OF LAW

FIRST YEAR BACHELOR OF LAWS

(Effective from Session 2019-20)

PAPER – VII (PAPER CODE - 6006)

(PAPER NAME – **CONSTITUTIONAL LAW OF INDIA**)

Max. Marks: 100

Min. Marks: 36

Note: A. In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

B. Leading cases prescribed under this paper may be read whenever they are relevant.

1. **Introductory:** Salient features of the constitution; Federalism: Preamble, Citizenship & State; Fundamental rights, directives principles and fundamental duties.
2. **Union and State Executive:** President, Governor - Election, appointment, powers, position, Prime Minister and Chief Minister and Council of ministers,
3. **Union and State Judiciary** - Supreme Court & High Court, Composition, Jurisdiction & Powers:
 - (I) Writs
 - (II) Judicial Independence
 - (III) Judicial Activism
 - (IV) Public Interest litigation
4. **Union - State Legislature** - Parliamentary system of Government, Lok Sabha, Rajya Sabha, Vidhan Sabha & Vidhan Parishad - Composition; Speaker, Chairman, Privileges, Legislative procedure.
Legislative Relationship - Distribution of Legislative Powers; Administrative & Financial Relationship, Importance of VII Schedule
5. **Services under the Union and the States** - Constitutional protection of civil servants (Article 311); Constitutional Bodies - Public Service Commission of the Union & States (Article 315 to 323)
6. (a) State Liability in contracts and torts, Suits by and against the State (Article 299-300)
(b) **Article 300-A** - Property Rights
(b) Freedom of trade, Commerce and Inter-course (Article 301 – 307)
7. **Constitutional Bodies in India-** Public Service Commissions (as above), Election Commission (u/a 324), Finance Commission (u/a 280), National Commission for Scheduled Castes (u/a 338), National Commission for Scheduled Tribes (u/a 388-A), Special officer for Linguistic Minorities (u/a 350-B), Comptroller and Auditor General of India (u/a 148), Attorney General of India (u/a 76), Advocate General of States (u/a 165)
8. **The Panchayats and the Municipalities** – 73rd and 74th Amendments- brief introduction
9. **Emergency provisions-**
 - (I) National Emergency
 - (II) State Emergency
 - (III) Financial Emergency
10. **Amendment of the Constitution –**
 - (I) Constitutionality of ordinary law and amendment laws,
 - (II) Judicial review of amendment and Basic Structure of Constitution
 - (III) Major amendments and their constitutional values.

LEADING CASES FOR EXAMINATION:

1. Menaka Gandhi v Union of India, AIR 1978 SC 597
2. Keshvanand Bharti v. State of Kerala, AIR 1973 SC 1461
3. Indira Sawheny v.UOI, AIR 1993 SC 1789
4. K. S. Puttaswamy (Retd.) v. UOI, W.P. (Civil) No. 494 of 2012
5. Common Cause (A Regd. Society) v. UOI, W.P. (Civil) 215 of 2005

CASES FOR READING:

1. S.R. Bommai v. UOI, AIR 1994 SC 1918
2. People Union Civil Liberties v. UOI, 2007 (12) SCC 135
3. Unnikrishnan v. UOI, AIR 1993 SC 2178
4. Air India v. Nargesh Mirza, AIR 1981 SC 1829
5. I.R. Coelho (Dead) Through L.Rs v. State of Tamil Nadu & ors, AIR 2007 SC 137
6. Supreme Court Advocates-on-Record Association and another v. Union of India, (2016) 5 SCC 1

BOOKS FOR STUDY:

1. Dayal : Constitutional Law of India
2. H. M. Seervai : Constitutional Law of India
3. D.D. Basu : An Introduction to the Constitution of India
4. M.P. Jain : Constitutional Law of India
5. Shukla, V.N. : Constitution of India
6. Paras Diwan : Constitution of India
7. M.C.J. Kagzi : Constitution of India (Hindi English) Constitution of India as Amended Up to date.
8. B.K. Sharma : Introduction of Constitution of India
9. B.K. Sharma : भारत का संविधान एक परिचय
10. गंगा सहाय शर्मा - भारत का संविधान
11. जय नारायण पांडे – भारत की संवैधानिक विधि