

FIRST SEMESTER

LL.M. (Constitutional and Administrative Law)	Paper Code: LLM 0104 CAL FRD
Fundamental Rights, Fundamental Duties & DPSP	Credit: 02

Assessment:

Mid-Term	End-Term
50%	50%

Course Outcome:

CO1	To recall the concepts enshrined in Part III i.e. fundamental rights.	L1
CO2	To explain the principles of fundamental rights and interpretative approach on modern legal issues involving fundamental rights of individuals.	L2
CO3	To apply and assess the efficiency and impact of fundamental rights in Indian legal system and reflect upon the issues pertaining to the same.	L3
CO4	To assume and reflect upon new dimension and emerging trends of fundamental rights in the changing horizons of individual life.	L4

UNIT	CONTENT	PEDAGOGY	HOURS
1.	Concept of Fundamental Rights and Relation with Natural Rights a. Enforcement of Fundamental Rights b. Definition of 'State' - Rights against state c. Rights against non-state actors d. Is there need to enlarge the definition of State?	LECTURE	10
2.	Fundamental Rights: Limitations, Suspendability and Amendability a. Remedies against Violation/Threat of Violation of Fundamental Rights – Effects of Indemnity Granted under Article 34. b. Significance and Importance of Fundamental Duties	LECTURE	10

	c. Significance of Directive Principles of State Policy and their Unenforceability		
3.	Emerging Regime of New Rights and Remedies under the Garb of Fundamental Rights – a. Use of DPSP and International Instruments in Interpreting FRs. b. Constitutional Torts	LECTURE AND CASE STUDY	10
4.	FRs and Judicial Review a. Reasonableness Test and Strict Scrutiny Test b. Rights Test and Essence of Rights Tes	LECTURE	10

REFERENCES:

TEXT BOOK	B. Shiva Rao, Framing of Indian Constitution, (Universal Law, 2004). Christopher Forsyth, Mark Elliott, Swati Jhaveri, Effective Judicial Review: A Cornerstone of Good Governance (Oxford University Press, 2010).
REFERENCE BOOKS	Christopher N. May and Allan Ides, Constitutional Law: National Power and Federalism (3rd Edition, Aspen Publishers, 2004). D.D. Basu, Comparative Constitutional Law (2nd ed., Wadhwa Nagpur). David Strauss, The Living Constitution (Oxford University Press, 2010)

FIRST SEMESTER

LL.M. (Constitutional and Administrative Law)	Paper Code: LLM 0105 CAL CS
Centre State Relations	Credit: 02

Assessment:

Mid-Term	End-Term
50%	50%

Course Outcome:

CO1	To recall the principles and provisions governing the federal structure in the nation which establish the co-ordination between centre and state relation in federal matters.	L1
CO2	To illustrate the approach of judiciary to maintain cordial relation between centre and state <i>vis-a-vis</i> protection of autonomy of both.	L2
CO3	To apply the principles of centre-state relations on legal problems arising between centre and state.	L3
CO4	To discover and assess the efficiency of Constitutional provision in establishing a structure to maintain balance of centre state power sharing regime.	L4
CO5	To evaluate the problem and identification of possible solutions of conflict of centre and state.	L3

UNIT	CONTENT	PEDAGOGY	HOURS
1	Centre - State Relations a. Federal Features of the Indian Constitution b. Comparison of federalism and relation between centre and state in India, USA and Canada c. Objective and Intent of Constituent Assembly behind federalism d. Federal features for India: whether suitable? e. Competitive and co-operative federalism	LECTURE	8
2	Legislative Relation a. Legislative Relations between centre and state constitutional structure b. Principles governing Legislative relation critical	LECTURE	8

	appraisal of legislative arrangement between centre and state. c. Judicial Approach		
3	Administrative Relations and Cooperative Federalism a. Supremacy of central executive over state executive b. effect of article 365 c. Reports of various commission on administrative arrangements d. Position of governor; a crucial key in administrative arrangement e. Inter state council f. Role of administrative services. g. Emergency and dilution of federalism	LECTURE AND CASE STUDY	8
4	Financial Relation a. Financial autonomy of centre and state b. Pre and post GST structure c. Effect of GST on horizontal and vertical imbalances d. Role of GST council and finance commission e. Inter state trade and commerce & compensatory and regulatory taxes.	LECTURES	6

REFERENCES:

TEXT BOOK	D. D. Basu, Comparative Constitutional Law (2nd ed., Wadhwa Nagpur).
REFERENCE BOOK	1. B. Shiva Rao, Framing of Indian Constitution, (Universal Law, 2004). 2. Christopher Forsyth, Mark Elliott, Swati Jhaveri, Effective Judicial Review: A Cornerstone of Good Governance (Oxford University Press, 2010). 3. Christopher N. May and Allan Ides, Constitutional Law: National Power and Federalism (3rd Edition, Aspen Publishers, 2004). 4. David Strauss, The Living Constitution (Oxford University Press, 2010) 5. Elizabeth Giussani, Constitutional and Administrative Law (Sweet and Maxwell, 2008). 6. Erwin Chemerinsky, Constitutional Law, Principles and Policies (3rd ed.,

	Aspen, 2006) 7. H.M. Seervai, Constitution of India (Universal, 2004). 8. M.V. Pylee, Constitution of the World, (Universal Publishers, 2006) 9. Mahendra P. Singh, Comparative Constitutional Law (Eastern Book Company, 1989). 10. Neal Devins and Louis Fisher, The Democratic Constitution (Oxford University Press, 2010).
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SECOND SEMESTER

LL.M. (Constitutional and Administrative Law)	Paper Code: LLM CAL 0201 ML
Media Law	Credit: 02

Assessment:

Mid-Term	End-Term
50%	50%

Course Outcome:

CO1	To understand the role of Media as a social instrument.	L1
CO2	To identify the Constitutional and Regulatory framework of Media.	L2
CO3	To analyze the historical background, present position and future prospects of the various privileges, rights and freedoms guaranteed by the state to media through various laws and judicial interventions.	L3

UNIT	CONTENT	PEDAGOGY	HOURS
1	Media and Law a. The Concept of Freedom of Thought, Speech and Expression b. Role of Mass Media in Democratic Countries	LECTURE	8
2	Media and Freedom of Expression under the Indian Constitution a. Ownership Pattern: Press, Film and other Electronic Media b. Pre-censorship c. Media and Rights of Othersß Media and Right to Privacy	LECTURE	8
3	Media and Parliamentary Privileges a. Media and Contempt of Court b. Right to Advertisement	LECTURE AND CASE STUDY	8
4	Media Rights During Emergency	LECTURE	6

	a. Media and Accountability		
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REFERENCES:

TEXT BOOK	Madhavi Goradia Divan, <i>Facets of Media Law</i> (3rd edn, Eastern Book Company 2022). Divan, M. G. (2022). <i>Facets of media law</i> (3rd ed.). Eastern Book Company.
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SECOND SEMESTER

LL.M. (Constitutional and Administrative Law)	Paper Code: LLM CAL 0202 PAL
General Principles of Administrative Law	Credit: 02

Assessment:

Mid-Term	End-Term
50%	50%

Course Outcome:

CO1	To define the major principles related to administrative laws.	L1
CO2	To understand the nature, scope, need and development of administrative laws.	L2
CO3	To choose appropriate remedies available to people against administrative bodies	L3
CO4	To analyze liabilities of the public bodies.	L4
CO5	To evaluate the administrative actions of the public authorities	L3

UNIT	CONTENT	PEDAGOGY	HOURS
1	General Principles of Administrative Law a. Administrative Law: Definition, Nature, Scope and Functions b. Growth of Administrative Law in India c. Basic Constitutional Principles: Indian Perspectives d. Rule of Law	LECTURE	8
2	Separation of Powers a. Natural Justice b. Classification of Administrative Functions c. Administrative Discretion and Rules of Fairness d. Transparency and Accountability e. Lokpal and Lokayukt	LECTURE	8

3	Right to Information a. Vigilance Commission b. Comptroller and Auditor General of India c. Commissions of Inquiry	LECTURE AND CASE STUDY	8
4	Delegated Legislation a. Importance, Need and Constitutionality of Delegated Legislation b. Conditional Legislation c. Controls on Delegated Legislation d. Parliamentary Control e. Procedural Control f. Judicial Control g. Administrative Tribunals	LECTURE	6

REFERENCES:

TEXT BOOK	B. Shiva Rao, Framing of Indian Constitution, (Universal Law, 2004). Christopher Forsyth, Mark Elliott, Swati Jhaveri, Effective Judicial Review: A Cornerstone of Good Governance (Oxford University Press, 2010). Christopher N. May and Allan Ides, Constitutional Law: National Power and Federalism (3rd Edition, Aspen Publishers, 2004).
REFERENCE BOOK	D.D. Basu, Comparative Constitutional Law (2nd ed., Wadhwa Nagpur). David Strauss, The Living Constitution (Oxford University Press, 2010) Elizabeth Giussani, Constitutional and Administrative Law (Sweet and Maxwell, 2008). Erwin Chemerinsky, Constitutional Law, Principles and Policies (3rd ed., Aspen, 2006) H.M. Seervai, Constitution of India (Universal, 2004). M.V. Pylee, Constitution of the World, (Universal Publishers, 2006)

SECOND SEMESTER

LL.M. (Constitutional and Administrative Law)	Paper Code: LLM CAL 0203 JR
Judicial Review	Credit: 02

Assessment:

Mid-Term	End-Term
50%	50%

Course Outcome:

CO1	To understand the major principles relating to judicial review of administrative action	L1
CO2	To examine recent cases to identify trends in judicial review	L2
CO3	Research, critically evaluate and apply the functional impact of court review on government administrative decision-making	L3
CO4	Demonstrate the ability to plan and execute a research project applying legal research principles and methodologies through critical, detailed analysis	L4

UNIT	CONTENT	PEDAGOGY	HOURS
1	Judicial Review - The Concept of Judicial Review – Origin and Its Democratic Legitimacy - Judicial Review of Legislation - Judicial Review of Administrative Actions - Grounds - Scope – Permissibility of Merits Review - Limits on Judicial Review	LECTURE	8

2	Doctrine of Political Questions a. Judicially Manageable Standards b. Policy Matters a. Constitutional Framework for Judicial Review of Administrative Actions in India b. Power and Jurisdiction of the Supreme Court c. Power and Jurisdiction of High Courts d. Subordinate Courts and Judicial Review of Administrative Actions – Is there a need to invoke Article 32 (3)?	LECTURE	8
3	Writs a. Mandamus b. Certiorari c. Quo warranto d. Prohibition e. Habeas Corpus	LECTURE AND CASE STUDY	8
4	Judicial Activism as an Extension of Power of Judicial Review a. Exclusion of Judicial Review Foreign Investment.	LECTURE	6

REFERENCES:

TEXT BOOK	B. Shiva Rao, Framing of Indian Constitution, (Universal Law, 2004). D.D. Basu, Comparative Constitutional Law (2nd ed., Wadhwa Nagpur). David Strauss, The Living Constitution (Oxford University Press, 2010) Elizabeth Giussani, Constitutional and Administrative Law (Sweet and Maxwell, 2008). Erwin Chemerinsky, Constitutional Law, Principles and Policies (3rd ed., Aspen, 2006) H.M. Seervai, Constitution of India (Universal, 2004). M.V. Pylee, Constitution of the World, (Universal Publishers, 2006) Mahendra P. Singh, Comparative Constitutional Law (Eastern Book Company, 1989).
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REFERENCE BOOK	S.N Ray, Judicial Review and Fundamental Rights (Eastern Law House, 1974). Sudhir Krishna Swamy, Democracy and constitutionalism in India – A study of the Basic Structure Doctrine (Oxford University Press, 2009). Sunil Khilnani, Vikram Raghavan, Arun Thiruvengadam, Comparative Constitutionalism in South Asia (Oxford University Press, 2013). Vikram David Amar, Mark Tushnet, Global Perspectives on Constitutional Law (Oxford University Press, 2009). Zachery Elkins, Tom Ginsburg, James Melton, The Endurance of National Constitutions (Cambridge University Press, 2009).
ARTICLES	Aman Ullah and Uzair Samee, “Basic Structure of Constitution: Impact of Kesavananda Bharati on Constitutional Status of Fundamental Rights”, Vol. 26 (2) South Asian Studies 299-309 (July-December 2011). Anne Smith, “Internationalization and Constitutional Borrowing in Drafting Bills of Rights” 60(4) International and Comparative Law Quarterly 867-894 (2011October). Bruce Ackerman, “The New Separation of Powers”, 113 (3) Harv. L. Rev. 634-729 (2000). Daryl Levinson and Richard H. Pildes “Separation of Parties, Not Powers” 119(8) Harvard Law Review. 2311-2386 (2006).

SECOND SEMESTER

LL.M. (Constitutional and Administrative Law)	Paper Code: LLM CAL 0204 CGA
Comparative and Global Administrative Law	Credit: 02

Assessment:

Mid-Term	End-Term
50%	50%

Course Outcome:

CO1	To develop an understanding of Comparative Administrative Law – India, USA, UK	L1
CO2	To understand Doctrine of locus standi and relevance of public interest litigation against administrative action	L2
CO3	To develop an advanced understanding of the principles, concepts, and evolution of comparative administrative law in different legal and constitutional systems.	L3
CO4	To examine and compare administrative structures, rule-making processes, judicial review mechanisms, and principles of administrative accountability across various jurisdictions.	L4
CO5	To enhance analytical and research skills for evaluating contemporary administrative law issues and applying comparative perspectives to governance, public administration, and regulatory frameworks.	L3

UNIT	CONTENT	PEDAGOGY	HOURS
1	Comparative and Global Administrative Law a. Comparative Administrative Law	LECTURE	10
2	French concept of Separation of Powers and Administrative Courts a. Droit Administratif b. Administrative courts in France	LECTURE	10

	c. Council d' etat		
3	Scope of Judicial Review in UK a. Scope of Judicial Review in US b. Public Interest Litigation in India and US	LECTURE AND CASE STUDY	10
4	Global Administrative Law a. Globalization and Global Governance b. Players in Global Governance – Public, Private and Hybrid c. Emergence of Global Administrative Law: Bottom - up and Top - down approach d. Global Administrative Law: Perspectives of Developing Countries	LECTURE	10

REFERENCES:

TEXT BOOK	B. Shiva Rao, Framing of Indian Constitution, (Universal Law, 2004). Christopher Forsyth, Mark Elliott, Swati Jhaveri, Effective Judicial Review: A Cornerstone of Good Governance (Oxford University Press, 2010). Christopher N. May and Allan Ides, Constitutional Law: National Power and Federalism (3rd Edition, Aspen Publishers, 2004). D.D. Basu, Comparative Constitutional Law (2nd ed., Wadhwa Nagpur). David Strauss, The Living Constitution (Oxford University Press, 2010) Elizabeth Giussani, Constitutional and Administrative Law (Sweet and Maxwell, 2008). Erwin Chemerinsky, Constitutional Law, Principles and Policies (3rd ed., Aspen, 2006)
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