

## **CCLW 1001. Indian Constitutional Law ; The New challenges**

**100 (4 Credits)**

### **Objective:-**

Constitution of India is one of the largest in the world. We must respect it. Looking to present scenario, it is right and proper time to review some of the articles. It is a challenge before us. By introduction of this subject in LL.M programme, students will go into the depth of the subject.

#### **1. Federalism :**

- 1.1 Allocation and share of resources - distribution of grants in aid.
  - 1.1.1 The inter-state disputes on resources
- 1.2 Directions of the center to the state under article 356 and 365
- 1.3 Special status of certain states.
  - 1.3.1 Tribal Areas, Scheduled Areas.

#### **2. "State" : Need for Widening the Definition in the Wake of Liberalization.**

#### **3. Right to Equality : Privatization and Its Impact on Affirmative Action.**

#### **4. Freedom of press and challenge of new scientific development.**

- 4.1 Freedom of speech and right to broadcast and telecast.
- 4.2 Access to information
- 4.3 Right to strikes, hartal and bandh

#### **5. Immerging Regime of New Rights and Remarks**

- 5.1 Realign Directive principles and fundamental duties into fundamental rights.
  - 5.1.1 Compensation jurisprudence
- 5.2 Right to education
  - 5.2.1 Commercialization of education and its impact
  - 5.2.2 Brain drain by foreign education market

#### **6. Secularism and Religious Fanaticism**

#### **7. Separation of Powers : Stresses and Strain**

- 7.1 Judicial activism and judicial restraint
- 7.2 PII : implementation
- 7.3 Judicial independence
- 7.4 Appointment, transfer and removal of judges
- 7.5 Accountability : executive and judiciary
- 7.6 Tribunals

**Bibliography.**

No specific bibliography is suggested for this course since the course materials obviously depend upon the latest development. These development in the areas specified in the course can be gathered from the recent materials such as case law, changes and amendments to laws, critical comments, studies and reports, articles and research papers and lastly contemporary emerging ethos impacting on constitutional values.