



Course Syllabus  
Gyanmanjari Institute of LAW  
Semester-3 (LL.B)

**Subject:** Constitutional Law Paper-II LAWLL13513

**Type of course:** Major (Core)

**Prerequisite:** A general understanding of the political and social context in which the Indian Constitution was framed.

**Rationale:** The study of the **Executive, Legislature, and Judiciary** within the context of the **Indian Constitution** allows students to understand how India's democratic system functions at different levels of government. Understanding the **Amendment process, Emergency provisions, and Miscellaneous provisions** provides insights into the flexibility and resilience of India's constitutional framework. This knowledge is essential for anyone seeking to engage with constitutional law, public administration, or political science in India.

### Teaching and Examination Scheme:

| Teaching Scheme |    |    | Credits | Examination Marks |     |                 |    |     | Total Marks |
|-----------------|----|----|---------|-------------------|-----|-----------------|----|-----|-------------|
| CI              | T  | P  | C       | Theory Marks      |     | Practical Marks |    | CA  |             |
|                 |    |    |         | ESE               | MSE | V               | P  | ALA |             |
| 05              | 01 | 00 | 06      | 100               | 30  | 00              | 00 | 20  | 150         |

*Legends: CI-Classroom Instructions; T – Tutorial; P - Practical; C – Credit; SEE - Semester End Evaluation; MSE- Mid Semester Examination; V – Viva; CCE-Continuous and Comprehensive Evaluation; ALA- Active Learning Activities.*

**Course Content:**

| Sr. NO | Course Content                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Hrs. | % Weight age |
|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|--------------|
| 1      | <p>Executive, Legislature and Judiciary:</p> <ul style="list-style-type: none"> <li>• Union Executive: President, Vice-President, Prime Minister, their Qualifications, Powers and duties, position of the President.</li> <li>• State Executive: Governor, Chief Minister, Powers, Council of Ministers</li> <li>• Union Legislature: Composition of Parliament, Qualifications and Disqualifications of of the Member of Parliament</li> <li>• State Legislature: Composition of House, Qualifications and Disqualifications of MLAs.</li> <li>• Union Judiciary: Supreme Court Judges &amp; Chief Justice: Procedure for appointment and removal, Qualifications, Powers and Jurisdiction of SC</li> <li>• State Judiciary: Appointment, Transfer and removal Procedure of High Court Judges and Chief Justice of High Court, Powers and Jurisdiction of High courts, Writes.</li> </ul> | 15   | 25           |
| 2      | <p>Amendment of the Constitution:</p> <ul style="list-style-type: none"> <li>• Procedure to amend the Constitution under Article 368</li> <li>• Limited Powers of the Parliament to amend the Provisions of the Constitution</li> <li>• Judicial Pronouncements of the Supreme Court and relevant Constitutional Amendments</li> <li>• Basic Structure Doctrine along with relevant decisions of the Apex Court</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 15   | 25           |
| 3      | <p>Emergency provisions:</p> <ul style="list-style-type: none"> <li>• National Emergency: Ground, Effects of Proclamation of Emergency: Suspension of</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 15   | 25           |

|   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |    |    |
|---|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|----|
|   | <p>Fundamental Rights during Emergency, Revocation of Emergency, Judicial Approach</p> <ul style="list-style-type: none"> <li>• Emergency due to Failure of Constitutional Machinery in States: Grounds</li> <li>• Report of Sakaria Commission, Guidelines of S.R.Bombai's case, Other relevant Cases of the Apex Court</li> <li>• Financial Emergency</li> </ul>                                                                                                                                                                                                                                                                                                                                                                     |    |    |
| 4 | <p>Miscellaneous:</p> <ul style="list-style-type: none"> <li>• Right to Property (Article 300-A), Doctrine of Pleasure, Constitutional Safeguards to Civil Servants, Attorney General, Advocate General, Chief Election Commissioner and Election Commission, Official Language</li> <li>• Freedom of Trade: Commerce and Intercourse</li> <li>• GST Council: Constitution, Function and Powers</li> <li>• Relation between Union and State: Legislative, Administrative and Financial Schedule VII and Its Importance</li> <li>• Consolidated Funds, Contingency Funds, CAG, Public Service Commission, Vigilance Commission and other commissions</li> <li>• Special provisions related to Tribal Areas, Scheduled areas.</li> </ul> | 15 | 25 |

**Continuous Assessment:**

| Sr. No       | Active Learning Activities                                                                                                                                                                                                                                                             | Marks |
|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| 1            | <p><b>Case Law &amp; Presentation:</b></p> <p>Faculty will Provide Guideline and Knowledge about Landmark cases regarding Indian Constitution. Students have to Write any 3 Case law and also they have to present it in to classroom. Students have to Upload on GMIU Web Portal.</p> | 10    |
| 2            | <p><b>Analysis on Historical Background:</b></p> <p>Faculty will Provide Flowchart and Diagram to the Students. Students have to prepare a perfect Mind Map and give a Note on Historical Background of Indian Constitution. Students have to Upload on GMIU Web Portal.</p>           | 10    |
| <b>Total</b> |                                                                                                                                                                                                                                                                                        | 20    |

### List of Suggested Tutorials

| Sr. No | Suggested Tutorials                                          |
|--------|--------------------------------------------------------------|
| 1      | General information of Indian Constitution.                  |
| 2      | Discussion on Indian Legislative Body.                       |
| 3      | Discussion on Indian Executive Body.                         |
| 4      | Role and Importance of Judiciary System.                     |
| 5      | Discussion on Indian Constitutions Major Concept.            |
| 6      | Presentation of Students.                                    |
| 7      | Case Study Through Live Law Application.                     |
| 8      | Discussion on Pattern of Amendment in Indian Constitution.   |
| 9      | Doctrine related Indian Constitution.                        |
| 10     | General Overview and Case Study Related Indian Constitution. |

### Suggested Specification table with Marks (Theory): 60

| Distribution of Theory Marks<br>(Revised Bloom's Taxonomy) |                    |                      |                    |                |                 |               |
|------------------------------------------------------------|--------------------|----------------------|--------------------|----------------|-----------------|---------------|
| Level                                                      | Remembrance<br>(R) | Understanding<br>(U) | Application<br>(A) | Analyze<br>(N) | Evaluate<br>(E) | Create<br>(C) |
| Weightage                                                  | 40%                | 40%                  | -                  | 10%            | 10%             | 0%            |

Note: This specification table shall be treated as a general guideline for students and teachers. The actual distribution of marks in the question paper may vary slightly from above table.

### Course Outcome:

|                                                            |                                                                                            |
|------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| After learning the course, the students should be able to: |                                                                                            |
| CO1                                                        | Develop a Comprehensive Understanding of the Separation of Powers and Constitutional Roles |

|     |                                                                                                                                                                          |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CO2 | Describe the different types of constitutional amendment procedures: by a simple majority, by a special majority, and by a special majority with ratification by states. |
| CO3 | Examine the procedure for revocation and the role of Parliament in approving emergency proclamations.                                                                    |
| CO4 | Discuss the constitutional safeguards and provisions aimed at promoting socio-economic development and protecting the interests of tribal and marginalized communities.  |

### **Instructional Method:**

The course delivery method will depend upon the requirement of content and the needs of students. The teacher, in addition to conventional teaching methods by black board, may also use any tools such as demonstration, role play, Quiz, brainstorming, MOOCs etc.

From the content 10% topics are suggested for flipped mode instruction. Students will use supplementary resources such as online videos, NPTEL/SWAYAM videos, e-courses. The internal evaluation will be done on the basis of Active Learning Assignment.

Practical/Viva examination will be conducted at the end of semester for evaluation of performance of students in the laboratory.

### **Reference Books:**

[1] Constitutional Law of India: V.N. Shukla

[2] Indian Constitution: Jamanadas & CO.

[3] Introduction of Indian Constitution: D.D. Basu

[4] Constitutional law of India: J.N. Pandey