



MOHANLAL SUKHADIA UNIVERSITY, UDAIPUR

FACULTY OF LAW

FIRST SEMESTER MASTER OF LAWS

(Session 2018-19)

PAPER – II (PAPER CODE - 41902) : (PAPER NAME – **INDIAN CONSTITUTIONAL LAW : THE NEW CHALLENGES**)

Max. Marks: 100 (80 External + 20 Internal)

Min. Marks: 40

Unit – I:

(A) **Federalism:**

- i) Creation of new states
- ii) Allocation and share of resources-distribution of grants in aid
- iii) The inter-state disputes on resources
- iv) Rehabilitation of internally displaced persons
- v) Centre's responsibility and internal disturbance within States
- vi) Freedom of Trade, Commerce and Intercourse
- vii) Directions of the Centre to the State under Article 356 and 365
- viii) Services under Union and State Emergency Provisions
- ix) Federal Comity : Relationship of trust and faith between Centre and State
- x) Special status of certain States
- xi) Tribal Areas, Scheduled Area

(B) "State" Need for widening the definition in the wake of Liberalization.

(C) Right to Equality: Privatization and its impact on affirmative action

Unit : II : Freedom of Press and challenges of new scientific development :

- i) Freedom of speech and right to broadcast and telecast
- ii) Right to Strike, Hartal and Bandh
- iii) Emerging regime of new rights and remedies – Right to Education; Right to Information and Right to Privacy
- iv) Reading Directive Principles and Fundamental Duties to Fundamental Rights
- v) Compensation jurisprudence
- vi) Right to education
- vii) Commercialization of education and its impact
- viii) Brain drain by foreign education market

Unit – III : Right of minorities to establish and administer educational Institutions and state control :

- i) Secularism and Religious fanaticism
- ii) Separation of Powers : Stresses and Strain
- iii) Judicial Activism and Judicial Restraint
- iv) PIL : Implementation
- v) Judicial Independence
- vi) Appointment, Transfer and Removal of Judges
- vii) Accountability ; Executive and Judiciary
- viii) Tribunals

Unit – IV : Democratic Process

- i) Nexus of Politics with Criminals and the Business
- ii) Election
- iii) Election Commission : Status
- iv) Electoral Reforms
- v) Coalition Government, Stability, Durability, Corrupt Practice
- vi) Grass Root Democracy

SELECTED BIBLIOGRAPHY:

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