



Kot Bhalwal, Jammu



Model Institute of Engineering
& Technology (Autonomous)
Course Handout

COURSE HANDOUT

CONSTITUTIONAL LAW-II (LLB-201)
LLB (Hons) - 2nd Semester
ACADEMIC YEAR (2024-2025)

Ms. Janees Rafiq
Assistant Professor
Department of Law, MIET



Department of Law
Model Institute of Engineering & Technology (Autonomous)
Kot Bhalwal, Jammu- 181122
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Dr. Arun K. Gupta Teaching-Learning Centre

Version 1.1



Please Do Not Print Unless Necessary



| Course Code | Course Name | Course Type | Cd | L | T | P | Marks | | |
|-----------------|-----------------------|----------------------------------------------------------------------|----|---|---|---|-----------|------------|-------|
| | | | | | | | Sessional | Final Exam | Total |
| LLB-201 | Constitutional Law-II | Generic Core | 4 | 4 | 0 | 0 | 30 | 70 | 100 |
| Faculty Details | | Janees.llb@mietjammu.in | | | | | | | |

COURSE OUTCOMES

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|-------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| At the end of the course the student will be able to: | |
| CO1 | Understand the theoretical concepts of the Executive and Legislature under Indian Constitution. |
| CO2 | Analyse different Features of the Indian Judiciary under the Constitution of India. |
| CO3 | Articulate the concepts of the Centre-State relations under the Constitution. |
| CO4 | Analyse the conceptual understanding of the Liability of State in Torts and Contracts. |
| CO5 | Elucidate the concept of the Emergencies, Elections and Amendment Procedure laid under the Constitution. |

Unit-I: Executive and Legislature under Indian Constitution

- 1.1 Executive under Indian Constitution – President and Vice President
 - 1.2 Council of Ministers - Election, Powers and Functions and Governor - Appointment, Powers and Functions
 - 1.3 Relationship between State Government and Cabinet, Power to Make Laws
 - 1.4 Union and State Legislatures - Composition, Powers, Functions and Privileges
 - 1.5 Introduction and Passing of Bills, Joint Sitting, Money Bills, Budget
- (08 Hrs)

Unit-II: Judiciary under Constitution

- 2.1 Supreme Court – Establishment and Constitution, Appointment of Judges, Powers, and Jurisdiction
 - 2.2 Special Leave Petition and Precedents, High Courts – Establishment and Composition
 - 2.3 Appointment and Transfer of Judges – Powers and Jurisdiction
 - 2.4 Subordinate Judiciary - Independence of Judiciary
 - 2.5 Judicial Accountability – Writ Jurisdictions of Supreme Court and High Courts
- (10 Hrs)

Unit-III: Centre-State Relations

- 3.1 Legislative and Administrative Relations
 - 3.2 Financial Relations
 - 3.3 Cooperation and Coordination between the Centre and States
 - 3.4 Judicial Interpretation of Centre-State Relations
 - 3.5 Doctrines Evolved by Judiciary
- (12 Hrs)

Unit-IV: Liability of State in Torts and Contracts

- 4.1 Freedom of Interstate Trade
 - 4.2 Commerce and Intercourse
 - 4.3 Services under the State
 - 4.4 All India Services
 - 4.5 Public Service Commissions
- (09 Hrs)

Unit-V: Elections, Emergency and Amendment

- 5.1 Election Commission – Composition, Powers and Functions
 - 5.2 Role of EC in the Superintendence of Elections, Anti-defection Law - Representation of Peoples Act, 1951
 - 5.3 Need of Emergency Powers - National, State and Financial Emergency
 - 5.4 Impact of Emergency on Federalism and Fundamental Rights
 - 5.5 Amendment of Indian Constitution - Power and Necessary Procedure
- (09 Hrs)



TEXT BOOKS

| S.No. | Name of the Books | Author | Publisher Name | Edition (Pub. yr.) |
|-------|-------------------------------------------|-----------------|--------------------|--------------------|
| 1 | Constitutional Law of India | Dr. J.N. Pandey | Central Law Agency | 59th ed., 2022 |
| 2 | Introduction to the Constitution of India | Durga Das Basu | Lexis Nexis | 26th ed., 2022 |

REFERENCE BOOKS

| S.No. | Name of the Books | Author | Publisher Name | Edition (Pub. Yr.) |
|-------|---------------------------|------------|----------------|----------------------------|
| 1 | Indian Constitutional Law | M.P.Jain | Lexis Nexis | 8th ed., 2018 |
| 2 | Constitution of India | V.N.Shukla | EBX | 14 th ed., 2024 |

COURSE PLAN

| Unit-I: Executive and Legislature under Indian Constitution | | |
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| S.No | Topics | Recommended Books |
| 1 | Executive under Indian Constitution – President and Vice President | Ref. Book 1, Part V |
| 2 | Council of Ministers- Election, Powers and Functions and Governor - Appointment, Powers, and Functions | Ref. Book 1, Part VI |
| 3 | Relationship between State Government and Cabinet, Power to Make Laws | Ref. Book 1, Part V,VI,VII |
| 4 | Union and State Legislatures- Composition, Powers, Functions and Privileges | Ref. Book 1, Part V, VI |
| 5 | Introduction and Passing of Bills, Joint Sitting, Money Bills, Budget | Ref. Book 1, Part V |
| Unit-II: Judiciary under Constitution | | |
| 6 | Supreme Court – Establishment and Constitution, Appointment of Judges, Powers, and Jurisdiction | Ref. Book 1, Part V |
| 7 | Special Leave Petition and Precedents, High Courts – Establishment and Composition | Ref. Book 1, PartV, VI |
| 8 | Appointment and Transfer of Judges – Powers and Jurisdiction | Ref. Book 1, Part VI |
| 9 | Subordinate Judiciary -Independence of Judiciary | Ref. Book 1, Part VI |
| 10 | Judicial Accountability – Writ Jurisdictions of Supreme Court and High Courts | Ref. Book 1, Part III, V, VI |
| Unit-III: Centre-State Relations | | |
| 11 | Legislative and Administrative Relations | Ref. Book 1, Part XI |
| 12 | Financial Relations | Ref. Book 1, Part XI |
| 13 | Cooperation and Coordination between the Centre and States | Ref. Book 1, Part XI |
| 14 | Judicial Interpretation of Centre-State Relations | Ref. Book 1, Part XI |
| 15 | Doctrines Evolved by Judiciary | Ref. Book 1, Part XI |
| Unit-IV: Liability of State in Torts and Contracts | | |
| 16 | Freedom of Interstate Trade | Ref. Book 1, Part XIII |
| 17 | Commerce and Intercourse | Ref. Book 1, Part XIII |
| 18 | Services under the State | Ref. Book 1, Part XVI |
| 19 | All India Services | Ref. Book 1, Part XVI |
| 20 | Public Service Commissions | Ref. Book 1, Part XVI |
| Unit-V: Elections, Emergency and Amendment | | |



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|----|----------------------------------------------------------------------------------------------------------|-------------------------|
| 21 | Election Commission – Composition, Powers and Functions | Ref. Book 1, Part XV |
| 22 | Role of EC in the Superintendence of Elections, Anti-defection Law - Representation of Peoples Act, 1951 | Ref. Book 1, Part XV |
| 23 | Need of Emergency Powers - National, State and Financial Emergency | Ref. Book 1, Part XVIII |
| 24 | Impact of Emergency on Federalism and Fundamental Rights | Ref. Book 1, Part XVIII |
| 25 | Amendment of Indian Constitution - Power and Necessary Procedure | Ref. Book 1, Part XX |

ADDITIONAL WEB-SOURCES

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| 1 | NPTEL: Video lectures on Constitutional Law and Public Administration in India by Prof. Sairam Bhat, Department of Centre for Environmental Law Education, Research and Advocacy, National Law School of India University Advanced Constitutional Law. Link: https://nptel.ac.in/courses/129106411 |
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GRADING AND ASSESSMENT

- **Sessional Test:** 30 marks
- **Assignment:** 10
- **Attendance:** 5
- **Final Examination:** 70 marks

COURSE POLICIES

- **Attendance:** Minimum 75% attendance is mandatory to appear in the final examination of the course.
- **Academic Integrity:** MIET's academic integrity policies apply. Plagiarism will not be tolerated.
- **Late Submissions:** Assignments and projects must be submitted by the specified timelines.

FACULTY INFORMATION

- **Office Hours**
Monday-Friday (9:20AM – 5:15 PM)
- **Contact Information**
Janees.llb@mietjammu.in