

**\*Approved by AC**

## **GENERIC ELECTIVES (GE-14): Fundamental rights, duties and directive principle of state policy**

### **Credit distribution, Eligibility and Pre-requisites of the Course**

<b>Course title &amp; Code</b>	<b>Credits</b>	<b>Credit distribution of the course</b>			<b>Eligibility criteria</b>	<b>Pre-requisite of the course</b>
		<b>Lecture</b>	<b>Tutorial</b>	<b>Practical/ Practice</b>		
<b>Fundamental rights, duties and directive principle of state policy GE-14</b>	<b>4</b>	<b>3</b>	<b>1</b>	<b>-</b>	<b>NA</b>	<b>NA</b>

### **Course Objectives**

This course aims to provide students with a foundational understanding of the constitutional framework of Fundamental Rights in ensuring (Justice, liberty and freedom), Duties and their relevance in contemporary society and Directive Principles of State Policy, their role in promoting justice and socio-economic transformation, and the evolving judicial and legislative interpretations that shape India's democratic governance.

### **Course Outcomes**

Upon successful completion of this course, students will:

1. Understand the foundational structure and philosophy of the Indian Constitution through the Preamble and Basic Features.
2. Critically analyze the scope, nature, and limitations of Fundamental Rights, and evaluate related constitutional debates and remedies.
3. Examine the significance and classifications of Directive Principles of State Policy and their relationship with Fundamental Rights through judicial interpretations.
4. Comprehend the origin, nature, and importance of Fundamental Duties, and their role in promoting civic sense and constitutional obligations.

### **Syllabus of GE-14**

#### **Unit 1: Introduction to the Indian Constitution**

- a) Preamble and its significance

- b) Basic features of the Constitution and Basic structure Debate

## **Unit 2: Fundamental Rights (Part III)**

- a) Meaning, features, and types of Fundamental Rights
- b) Constitutional debates on fundamental rights
- c) Constitutional Remedies
- d) Limitations of Fundamental Rights

## **Unit 3: Directive Principles of State Policy (Part IV)**

- a) Concept, classification, and significance
- b) Economic and social rights, Gandhian and liberal principles
- c) Relationship between Fundamental Rights and DPSPs
- d) Judicial recognition and implementation and Landmark judgments and PIL

## **Unit 4: Fundamental Duties (Part IVA)**

- a) Origin and incorporation (42nd Amendment)
- b) Nature and significance of Fundamental Duties
- c) Judicial recognition and implementation
- d) Civic sense and constitutional obligations

## **Suggested Readings**

### **Unit 1.1**

Austin, Granville. *The Indian Constitution: Cornerstone of a Nation*. Oxford University Press, 1966.

Sai Deepak, J. *India That is Bharat: Coloniality, Civilisation, Constitution*. Bloomsbury India, 2021.

“We, the People.” *Economic and Political Weekly*, vol. 55, no. 4, 2020.

### **Unit 1.2**

Khosla, Madhav. *The Indian Constitution*. Oxford University Press, 2012.

Sinha, Nandini. “Basic Structure and Constitutional Morality.” *Economic and Political Weekly*, vol. 58, no. 27, 2023.

Seervai, H.M. *Constitutional Law of India: A Critical Commentary*, Vol. I. Universal Law Publishing, latest edition.

### **Unit 2.1**

Bhatia, Gautam. *Offend, Shock, or Disturb: Free Speech under the Indian Constitution*. Oxford University Press, 2016.

Kashyap, Subhash C. Our Constitution: An Introduction to India's Constitution and Constitutional Law. National Book Trust, 2013.  
Khosla, Madhav. The Indian Constitution. Oxford University Press, 2012.  
Basu, Durga Das. Introduction to the Constitution of India. LexisNexis Butterworths, 2020.

## **Unit 2.2**

Austin, Granville. Working a Democratic Constitution: The Indian Experience. Oxford University Press, 1999  
"Safeguarding Fundamental Rights." Economic and Political Weekly, vol. 55, no. 45, 2020.  
"Article 19: Mapping the Free Speech Debate in India." EPW Engage, 2019  
"National Security vs Fundamental Rights." Economic and Political Weekly, vol. 56, no. 41, 2021.

## **Unit 2.3**

Kashyap, Subhash C. Our Constitution: An Introduction to India's Constitution and Constitutional Law. National Book Trust, 2013.  
Rakshit, Nirmalendu B. "Right to Constitutional Remedy." Economic and Political Weekly.

## **Unit 2.4**

"Sedition in India: Colonial Legacy, Misuse and Effect on Free Speech." EPW Engage, 2019.  
Khosla, Madhav. The Indian Constitution. Oxford University Press, 2012.  
"Constitutional Limits to Ridicule." Economic and Political Weekly, vol. 56, no. 49, 2021.

## **Unit 3.1**

Basu, Durga Das. Introduction to the Constitution of India. LexisNexis Butterworths, 2020.  
Bhatia, Gautam. The Transformative Constitution: A Radical Biography in Nine Acts. HarperCollins India, 2019.  
Shukla, V.N. Constitution of India, edited by Mahendra P. Singh. Eastern Book Company, latest edition.

## **Unit 3.2**

Austin, Granville. Working a Democratic Constitution: The Indian Experience. Oxford University Press, 1999.  
Baxi, Upendra. "Directive Principles and the Constitution." Law & Politics in India, Oxford University Press, 2008.

## **Unit 3.3**

Kashyap, Subhash C. Our Constitution: An Introduction to India's Constitution and Constitutional Law. National Book Trust, 2013.  
Rakshit, Nirmalendu B. "Directive Principles and Fundamental Rights." Economic and Political Weekly.

## **Unit 3.4**

Bhatia, Gautam. The Transformative Constitution: A Radical Biography in Nine Acts. HarperCollins India, 2019.  
Bhagwati, P.N. Judicial Activism and Public Interest Litigation. Columbia Journal of Transnational Law, Vol. 23, 1985.

Choudhry, Sujit. "Courting the People: Public Interest Litigation in Post-Emergency India." *International Journal of Constitutional Law*, Vol. 16, No. 2, 2018, pp. 710–725.

Ramanathan, Usha. *Public Interest Litigation in India: A Critical Review*. Social Science Research Network, 2009.

#### **Unit 4.1**

Sai Deepak, J. *India, Bharat and Pakistan: The Constitutional Journey of a Sandwiched Civilisation*. Bloomsbury India, 2022

Basu, Durga Das. *Introduction to the Constitution of India*. LexisNexis Butterworths, 2020.

Shukla, V.N. *Constitution of India*, edited by Mahendra P. Singh. Eastern Book Company, latest edition.

#### **Unit 4.2**

Kaushik, Abhishek. "Significance of Fundamental Duties in Indian Perspective." *International Journal of Humanities and Social Science Invention*, Vol. 5, Issue 1, 2023, pp. 63–65.

Ghatol, Akanksha, and Khandare, Jayashree. "Fundamental Rights and Duties: Two Sides of a Coin." *International Journal of Humanities and Social Science*, Vol. 3, Issue 2, 2021.

The Concept of Fundamental Duties under the Constitution of India. *JETIR*, Vol. 6, Issue 6, 2019.

#### **Unit 4.3**

Parthasarathy, Malavika. "Fundamental Duties: Court in Review." *Supreme Court Observer*, March 29, 2022.

Pradhan, Niharika. "Fundamental Duties Enforcement: Role of Judiciary." *Supremo Amicus*, Vol. 25, 2022.

#### **Unit 4.4**

Sai Deepak, J. *India, Bharat and Pakistan: The Constitutional Journey of a Sandwiched Civilisation*. Bloomsbury India, 2022

Swaraj, P. "Civic Sense: Rights, Duties, and Responsibilities." *Commonwealth of Learning*, 2016.

Chaudhary, V. "Legal and Social Insights on the Role of Fundamental Duties in India's Welfare System." *Indian Journal of Social Policy*, Vol. 33, Issue 1, 2008.

Joshi, A., & Gupta, P. "Fundamental Duties and Their Role in Advancing Social Welfare in India: A Constitutional Perspective." *Journal of Law and Social Welfare*, Vol. 18, Issue 3, 2010.

**Note:** Examination scheme and mode shall be as prescribed by the Examination Branch, University of Delhi, from time to time.

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**Nomenclature of certificate/diploma/degrees:**