

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

GENERIC ELECTIVES (GE-2) : Introduction to the Indian Constitution

Credit distribution, Eligibility and Pre-requisites of the Course

Course title & Code	Credits	Credit distribution of the course			Eligibility criteria	Pre-requisite of the course
		Lecture	Tutorial	Practical/ Practice		
Introduction to the Indian Constitution GE-2	4	3	1	-	Passed Class XII	NIL

Learning Objectives

The course aims to introduce the students to the foundational text of constitutional democracy in India - the Indian Constitution. By providing an overview of the socio-political context of its origin and its basic tenets, which provide the organizing framework for democracy in India, the course expects to bring historical insights in making the constitutional text comprehensible. The course traces the history of the Constitution both in the colonial legislations and in the declaration and reports produced in the course of the Indian National Movement. It focuses on the creation and the working of the Constituent Assembly as part of a transformative vision for independent India. The basic features of the Constitution form the core themes of the course introducing students to the philosophy behind them and the final form in which they were adopted in the Indian Constitution to make it a document for social revolution. The course aims at providing students with both a textual and a contextual introduction to the Indian Constitution.

Learning outcomes

On successful completion of the course, the students will demonstrate

- Knowledge of the origin and contents of the Indian Constitution
- Awareness of the rights and duties of the citizens and the obligations of the state
- Familiarity with the functioning of constitutional governance in India and the division of power between different tiers of the government.

SYLLABUS OF GE-2

UNIT – I (8 Hours)

Constitutional antecedents and the making of the Constitution of India

UNIT – II (7 Hours)

Basic features of the Indian Constitution

UNIT – III (8 Hours)

Fundamental Rights

UNIT – IV (7 Hours)

Obligations of State and Duties of Citizens

UNIT – V (7 Hours)

Organs of Constitutional Governance- Legislature, Executive and Judiciary

UNIT – VI (8 Hours)

Centre-State Relations and Decentralization

Essential/recommended readings

Readings:

1. Constitutional antecedents and the making of the Constitution of India

(a) Constitutional antecedents

Shibani Kinkar Chaube, 2010, Pre History, in *The Making and Working of the Indian Constitution*, NBT, India.

Arun Thiruvengadam, 2018, Origin and Crafting of the Constitution (pp. 11 to 26), in *The Constitution of India, a Contextual Analysis*, Hart Publishing.

D D Basu, 2011, The Historical background, in *Introduction to the Constitution of India* (20thed.). Lexis Nexis, India.

(b) Making of the Constitution of India

Shibani Kinkar Chaube, 2000, Birth of the Constituent Assembly, in *Constituent Assembly of India: Springboard of Revolution*, Manohar.

Granville Austin, 1966, The Constituent Assembly- Microcosm in Action, in *Indian Constitution, Cornerstone of a Nation*, OUP.

Subhash Kashyap, 1994, Making of the Constitution, in *Our Constitution: An Introduction to India's Constitution and Constitutional Law*, NBT, India.

2. Basic Features of the Indian Constitution

B R Ambedkar, 2010, Basic features of the Indian Constitution, in Valerian Rodrigues (ed), *The essential writings of BR Ambedkar*. Oxford University Press, India.

D D Basu, 2011, Outstanding Feature of Our Constitution, in *Introduction to the Constitution of India* (20thed.). Lexis Nexis, India.

Ivor Jennings, 1953, Introduction, in *Some Characteristics of Indian Constitution*, G Cumberlege and Oxford University Press.

3. Fundamental Rights

Primary text: Article 14- 32, Part III, The Constitution of India

Granville Austin, 1966, The Conscience of the Constitution- Fundamental Rights and Directive Principles of State Policy- I (pp. 63-94), in *Indian Constitution, Cornerstone of a Nation*, OUP

Shibani Kinkar Chaube, 2010, Rights of Indians, in *The Making and Working of the Indian Constitution*, NBT, India.

D D Basu, 2011, Fundamental Rights and Duties (pp. 79- 142), in *Introduction to the Constitution of India* (20thed.). Lexis Nexis, India.

Arun Thiruvengadam, 2018, Fundamental rights, Directive Principles and the Judiciary (pp. 118-137), in *The Constitution of India, a Contextual Analysis*, Hart Publishing.

4. Obligations of State and Duties of Citizens

Primary text: Article 36- 51A, Part IV and IVA, The Constitution of India

Shibani Kinkar Chaube, 2010, Duties of State and Citizens, in *The Making and Working of the Indian Constitution*, NBT, India.

D D Basu, 2011, Directive Principles of State Policy (pp. 79- 142), in *Introduction to the Constitution of India* (20th ed.). Lexis Nexis, India.

Gautam Bhatia, 2016, Directive Principles of State Policy, in Sujit Choudhry, *et al*, *The Oxford Handbook of the Indian Constitution*, New Delhi: OUP

Ivor Jennings, 1953, Directives of Social Policy, in *Some Characteristics of Indian Constitution*, G Cumberlege and Oxford University Press.

5. Organs of Constitutional Governance- Legislature, Executive and Judiciary

Primary Text: Part V, The Constitution of India

S.K. Chaube, Union Government- 1: The Executive, in *The Making and Working of Indian Constitution*, NBT, India

S.K. Chaube, Union Government 2: The Legislature, in *The Making and Working of Indian Constitution*, NBT, India

Granville Austin, 1966, *Indian Constitution, Cornerstone of a Nation*, OUP, pp. 145- 230.

Arun Thiruvengadam, 2018, The Executive and the Parliament, in *The Constitution of India, a Contextual Analysis*, Hart Publishing

M.R. Madhavan, 2017, Parliament, in D. Kapur, P.B. Mehta and M Vaishnav (eds.), *Rethinking Public Institutions in India*, Oxford University Press

D.D. Basu, 2011, The Judicature (pp. 299- 313), in *Introduction to the Constitution of India* (20thed.). Lexis Nexis, India.

Pratap Bhanu Mehta, 2005, India's Judiciary: the Promise of Uncertainty, in *Public Institutions in India: Performance and Design*, OUP, India.

Punam S Khanna, 2008, The Indian Judicial system, in K Sankaran and U K Singh (eds), *Towards Legal Literacy: An Introduction to Law in India*, OUP.

6. Centre-State Relations and Decentralization

D D Basu, 2011, Distribution of Legislative and Executive Powers, in *Introduction to the Constitution of India* (20thed.). Lexis Nexis, India.

M.P. Singh and Rekha Saxena, 2013, Asymmetrical Federalism, in *Federalising India in the Age of Globalisation*, Primus

Ivor Jennings, 1953, Indian Federalism, in *Some Characteristics of Indian Constitution*, G Cumberlege and Oxford University Press.

S.K. Chaube, Local Government, in *The Making and Working of Indian Constitution*, NBT, India.

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