

## **Core II**

### **Introduction to the Constitution Of India**

#### **Course Objectives:**

This course introduces students to the Constitution of India – the supreme law of the land. The primary objective of this course is to provide students with a comprehensive understanding of the constitutional framework and political institutions in India. Through a critical examination of the constitutional design, the learners will explore the foundational principles of the Indian Constitution. By tracing the historical contestations surrounding the incorporation of these values into the Constitution and their practical manifestations, learners will develop an appreciation for the intricate interplay between institutional practices and political contexts. Furthermore, the course aims to cultivate an understanding of the institutional dynamics within the Indian governance matrix, characterized by both conflict and cooperation, asymmetrical federal arrangements, and mechanisms for safeguarding vulnerable populations against discrimination. Additionally, students will gain insight into the powers and functions of key governmental figures such as the President, Prime Minister, and Chief Minister and other constitutional and non-constitutional bodies, while also delving into the intricacies of Union-State relations.

#### **Expected Learning Outcomes:**

This course endeavours to equip students with the necessary knowledge and analytical tools to engage critically with the constitutional structures and processes that underpin Indian democracy. The unit-wise outcomes are given below.

**Unit-I:** The learners would gain basic understanding of Indian Constitution and its underlying values. This would enable them to analyse the operation of the Constitution of India from a policy perspective, and in the context of social and cultural diversity. This would strengthen the foundation of constitutional ethics among the learners.

**Unit-II:** The learners would develop awareness regarding the basic structures and processes of government at both union and state levels with a specific focus on power and responsibilities of highest constitutional dignitaries. This will help them to acquire administrative skills and political insights for engaging in various institutions.

**Unit-III:** The learners would be familiar with the judicial structures and procedures in India. Further, the awareness about Writs, Judicial Review, PIL, Basic Structure Doctrine would enable them to develop an understanding about their rights and entitlements as citizens and methods to secure these within the legal framework, in case of violation.

**Unit-IV:** The learners would understand the division of power between Union and States with focus on different constitutional bodies. This would enable them to understand and analyse the manner in which the Indian federal system functions.

**Course Content:**

**Unit-I: Basic Structure of the Indian Constitution**

- a) Making of the Indian Constitution: Formation and Working of Constituent Assembly
- b) Preamble: Nature of State and Constitutional Values
- c) Fundamental Rights, Directive Principles of State Policy, Fundamental Duties

**Unit-II: Legislature and Executive in Union and State**

- a) Structure of the Parliament and Legislative procedures; State Legislatures
- b) President; Governor
- c) Prime Minister and Council of Ministers; Chief Minister

**Unit-III: Judiciary**

- a) Supreme Court of India: Structure and Functions
- b) High Courts: Structure and Functions
- c) Judicial Review and Basic Structure Doctrine, Public Interest Litigation (PIL)

**Unit-IV: Union-State Relationship**

- a) Division of Power: Administrative, Legislative and Financial
- b) Election Commission, Finance Commission, CAG
- c) NITI Ayog, Inter-State Council, GST Council

**Essential Readings:**

- ✓ *Austin, Granville (1999). The Constitution of India: Cornerstone of a Nation. Oxford University Press.*
- ✓ *Bakshi, P.M. (2023). The Constitution of India. Universal Law Publishing.*

- ✓ *Basu, D. D. (2022). Introduction to the Constitution of India. Educational Printed; 26<sup>th</sup> Edition, Lexis Nexis.*
- ✓ *Chakrabarty, Bidyut (2017). Indian Constitution: Text, Context and Interpretation. Sage Publication India Private Limited.*
- ✓ *Kashyap, Subhash (2021). Our Constitution. National Book Trust.*
- ✓ *Khosla, Madhav, Mehta, Pratap Bhanu and Choudhry, Sujit (Eds). (2016). The Oxford Handbook of the Indian Constitution. Oxford University Press.*
- ✓ *Pai, Sudha (2020). Constitutional and Democratic Institutions in India: A Critical Analysis. Orient Blackswan.*

### **Additional Readings:**

1. *Bhargava, Rajeev (2009). Politics and Ethics of the Indian Constitution. Oxford University Press.*
2. *Chandra, Bipan, Mukherjee, Aditya and Mukherjee, Mridula. (2008). India Since Independence. Penguin Books.*
3. *Ghosh, Peu (2021). Indian Government and Politics, PHI Learning.*
4. *Gupta, D.C. (2023). Indian government and Politics. Vikas Publishing House Pvt. Ltd.*
5. *Jain, M.P. (2018), Indian Constitutional Law, LexisNexis.*
6. *Jayal, Niraja Gopal and Mehta, Pratap Bhanu (2011). The Oxford Companion to Politics in India. Oxford University Press.*
7. *Kumar, Avinash and Pai, Sudha (2017). The Indian Parliament: A Critical Appraisal. Orient Blackswan Pvt Limited.*
8. *Pylee, M.V. (2023). India's Constitution. S. Chand Publishing.*
9. *Shivhare, Nitin (2023). Indian Polity and Governance. S. Chand Publishing.*
10. *Shukla, V.N. (2019). Constitution of India. Eastern Book Company.*
11. *Subramanian, S.G. (2022). Indian Constitution and Polity. Pearson Education.*

### **Internet Resources:**

The internet resources include online articles and e-contents published on websites, blogs, e-Newspaper, online magazines, or scholarly journals, digital repositories, Audio- Visual contents.

1. Digital Sansad. *Historical Debates: Constituent Assembly Draft Making Debates*. <https://sansad.in/ls/debates/historical?1>
2. Ghosh, Sujit. (2018). *Indian Judiciary: Organizational structure and Jurisdiction*. National Judicial Academy. [https://nja.gov.in/Concluded\\_Programmes/2017-18/SE-13\\_PPTs/6.Judiciary%20organization%20HC%20and%20SC.pdf](https://nja.gov.in/Concluded_Programmes/2017-18/SE-13_PPTs/6.Judiciary%20organization%20HC%20and%20SC.pdf)
3. Goel, Anupama. *Advanced Constitutional Law*. SWAYAM. [https://onlinecourses.SWAYAM2.ac.in/cec20\\_hs22/preview](https://onlinecourses.SWAYAM2.ac.in/cec20_hs22/preview)
4. NIOS. *Political Science: Aspects of the Constitution of India*. National Institute of Open Schooling. [https://nios.ac.in/online-course-material/sr-secondary-courses/political-science-\(317\).aspx](https://nios.ac.in/online-course-material/sr-secondary-courses/political-science-(317).aspx)
5. NITI Aayog. <https://www.niti.gov.in/>. National Institution for Transforming India

**Activities to do:**

1. Watch *Constitution Assembly Speeches* from News on Official YouTube [<https://www.youtube.com/watch?v=0W9L6rFjF0>] and organize a discussion on various themes with two groups of learners debating on issues discussed by the Constituent Assembly.
2. Watch *Constitution of India – A Journey* from Prasar Bharati Archives on YouTube [[https://www.youtube.com/playlist?list=PLqtVCj5iilH4hOskMihD3woXA5C\\_58B0y](https://www.youtube.com/playlist?list=PLqtVCj5iilH4hOskMihD3woXA5C_58B0y)] and stage a short play depicting the essence of this journey.
3. Read the biographies of freedom fighters and founding fathers of Indian Constitution.
4. Study important judgements passed by Supreme Court of India on Basic Structure Doctrine and assess its impact on the functioning of the Constitution.
5. Study a Report prepared by NITI Ayog and evaluate its significance.
6. Organize community outreach programme to aware people about their rights and duties as citizens.