

## NATIONAL CONFERENCE ON DEVELOPMENT IN THE AREA OF CONSTITUTIONAL LAW

P- 950

### TABLE OF CONTENTS

S.No.	CASES & MATERIALS	PAGE NO.
<b>1. Evolving a Constitutional Vision of Justice</b>		
1.	Abram Chayes, <i>“How Does The Constitution Establish Justice?”</i> <i>Harvard Law Review</i> , Vol. 101, No. 5 (Mar., 1988), pp. 1026-1042	
2.	Stathis Banakas <i>“A Global Concept of Justice-Dream or Nightmare? Looking at Different Concepts of Justice or Righteousness Competing in Today's World”</i> <i>Louisiana Law Review; Volume 67 ;Number 4</i>	
3.	Justice A.K. Sikri <i>“RULE OF LAW: Protecting the Constitution and Democracy”</i>	
4.	Dr. Surya Narayan Misra <i>“Constitutional Democracy, Judiciary and Social Justice in India”</i>	
<b>2. Contribution of Civil Society organizations in making Constitution relevant to disadvantaged sections of society</b>		
1.	SAHELI, A women's Resources Centre through Ms. Nalini Bhanot and others Vs.:Commissioner of Police, Delhi and others (1990) 1 SCC 422	
2.	Bandhua Mukti Morcha v. Union of India (1984) 3 SCC 161: AIR 1984 SC 802	
3.	People’s Union for Democratic Rights and others v. Union of India and others (1982) 3 SCC 235: AIR 1982 SC 1473	
4.	Bandhua Mukti Morcha v. Union of India (1997) 10 SCC 549	
5.	T.M.A. Pai Foundation and others v. State of Karnataka and others (2002) 8 SCALE 1: AIR2003SC355	
6.	Safai Karamchhari Andolan and Ors. Vs. Union of India (UOI) and Ors. 2014(4) SCALE165	
7.	Lucy Dubochet, <i>“Civil Society in India: an Overview: Role of Civil Society in the Current Context: Challenges for Civil Society”</i> The Changing Role of Civil Society in a middle income country: A case study from India	
8.	Sarbeswar Sahoo, <i>“Civil Society, Citizenship and Subaltern Counterpublics in Post-colonial India”</i> <a href="https://sahoo.files.wordpress.com/2007/11/civil-society-and-subaltern-counterpublics-in-india.pdf">https://sahoo.files.wordpress.com/2007/11/civil-society-and-subaltern-counterpublics-in-india.pdf</a>	
<b>3. Movement away from ‘Public Function Test’ laid down in <i>Ajay Hasia</i> and followed up to <i>Pradeep Kumar Biswas</i></b>		
1.	Ajay Hasia and Ors. Vs. Khalid Mujib Sehravardi and Ors. (1981)1SCC722	
2.	Pradeep Kumar Biswas and Ors. Vs. Indian Institute of Chemical Biology and Ors. 2002(3) SCALE638: (2002)5SCC111	
3.	Zee Telefilms Ltd. and Anr. Vs. Union of India (UOI) and Ors. , 2005(1) SCALE666: (2005)4SCC649	
<b>4. Equality as a tool to achieve Justice: Its use by Constitutional Courts</b>		
1.	Samaraditya Pal, Equality as a Tool to achieve Justice: An Overview	
2.	I.R. Coelho v. State of Tamil Nadu (2007) 2 SCC1: AIR 2007 SC 861	
3.	Reliance Energy Ltd. v. Maharashtra State Road Development Corp. Ltd., (2007) 8 SCC 1: (2007) 11 SCALE 49	
4.	M. Nagaraj v. Union of India (2006) 8 SCC 212: AIR 2007 SC 71	
5.	Budhan Choudhry v. State of Bihar, AIR 1955 SC 191	
6.	Charanjit Lal Chowdhury v. Union of India, AIR 1951 SC 41	
7.	Namit Sharma v. Union of India (2013) 1 SCC 745: (2012) 8 SCALE 593	
8.	State of A.P. v. Nallamilli Rami Reddi, (2001) 7 SCC 708: AIR 2001 SC 3616	

9.	Saurabh Chaudri v. Union of India(2003) 11 SCC 146: AIR 2004 SC 361	
10.	Subramanian Swamy v. Manmohan Singh, (2012) 3 SCC 64: AIR 2012 SC 1185	
11.	In Re The Special Courts Bill 1978- Spl. Ref. 1 of 1978, (1979) 1 SCC 380	
12.	Jagdish Lal v. State of Haryana, (1997) 6 SCC 538	
13.	Mohd. Haroon and Ors. V. Union of India (UOI) 2014 (5) SCC 252	
14.	Union of India and another v. Tulsiram Patel and others, (1985) 3 SCC 398	
15.	State of Bihar and others v. Kameshwar Prasad Singh and others (2000) 9 SCC 94: AIR 2000 SC 2306	
16.	Kailash Chand Sharma v. State of Rajasthan and others (2002) 6 SCC 562: AIR 2002 SC 2877	
<b>5. Debating NJAC</b>		
1.	The Constitution (Ninety-Ninth Amendment) Act, 2014	
2.	The National Judicial Appointments Commission Act, 2014	
3.	Recasting the Judicial Appointments Debate: Constitutional Amendment (120th Amendment) Bill, 2013 and Judicial Appointments Commissioner Bill, 2013; Working Paper No.1/2014; Recasting the Judicial Appointments Debate; Centre for Law and Policy Research	
4.	Khagesh Gautam, “ <i>Constitutionality of the national judicial appointments Commission: The Originalist Argument</i> ”	
5.	C Raj Kumar and , Khagesh Gautam “ <i>Questions of Constitutionality The National Judicial Appointments Commission</i> ”	
<b>6. Evolution of Statutory Regulatory Authorities- Implication of Separation of Powers</b>		
1.	Divisional Manager, Aravali Golf Club and Anr. Vs. Chander Hass and Anr. 2007(14) SCALE1, (2008)1SCC683	
2.	State of Kerala v. A. Lakshmikutty and others (1986) 4 SCC 632: AIR 1987 SC 331	
3.	Krishena Kumar and others v. Union of India and ors (1990) 4 SCC 204: AIR 1990 SC 1782	
4.	Supreme Court Employees welfare Association V. Union of India AIR 1990 SC 334	
5.	D.C. Wadhwa and Ors V. State of Bihar and Ors (1987) 1 SCC 378	
6.	Mallikarjuna Rao v. State of A.P. (1990) 2 SCC 707: AIR 1990 SC 1251	
7.	Union of India and another v. R. Gandhi, President, Madras Bar Association and another (2010) 11 SCC 1	
8.	Asif Hameed and others v. State of Jammu and Kashmir and others 1989 Supp (2) SCC 364: AIR 1989 SC 1899	
9.	The Spirit of the Laws (trans. Nugent), pp. 151-152 Writing in 1748 By Montesquieu	
10.	Rai Sahib Ram Jawaya Kapur and Ors. v. State of Punjab AIR 1995 SC 549	
11.	P. Kannadasan v. State of Tamil Nadu and Other (1996) 5 SCC 670	
12.	Indira Nehru Gandhi v. Raj Narain 1975 Supp SCC 1	
<b>7. Striking down Administrative Orders/ Circulars Impeaching Civil Liberties</b>		
1.	State of Maharashtra and Ors. Vs. Bhaurao Punjabrao Gawande 2008(3) SCALE356: (2008) 3 SCC 613	
2.	Siddharam Satlingappa Mhetre Vs. State of Maharashtra and Ors. (2011)1SCC694	
3.	Bhavesh Jayanti Lakhani Vs. State of Maharashtra and Ors. 2009(11) SCALE467: (2009)9SCC551	
4.	Naresh Kumar Goyal v. Union of India 2005CriLJ4539	
5.	Bhut Nath Mate v. State of West Bengal 1974 (1) SCC 645 ; State of W.B. V. Ashok Dey	

	1972CriLJ1010 ; ADM Jabalpur v. Shirakant Shukla 1976 Supp SCR 132	
6.	Public Interest Litigation and Anr. v. Union of India and Anr. (2005) 8 SCC 202	
7.	Sunil Batra etc. v. Delhi Administration and ors. etc. 1979 SCR (1) 392	
8.	Govind v. State of Madhya Pradesh. 1975 SCR (3) 946	
9.	Kameshwar Prasad and others v. The State of Bihar and Another. 1962 AIR 1166.	
10.	Bidhannagar (Salt Lake) Welfare Assn. –Central Valuation Board (2007) 6 SCC 668: AIR 2007 SC 2276	
11.	Prem Shankar Shukla v. Delhi Administration (1980) 3 SCC 526	
12.	State of Karnataka and others v Associated Management of (Government Recognised Unaided - English Medium) Primary and Secondary Schools 2014 (9) SCC 485	
13.	Christian Medical College Vellore and others v Union of India and others 2014(2) SCC 305	
14.	Deepak Bawaria and another V. State of Gujarat and others 2014(3) SCC 502	
15.	Selvi J. Jayalalithaa and others v State of Karnataka and others 2014 (2) SCC 401	
16.	Vinod Kumar v. State of Haryana AIR 2014 SC 33	
17.	Maharshi Mahesh Yogi Vedic Vishwavidyalaya v State Of M.P. & Ors (2013) 15 SCC 677	
18.	Vijay Shankar Pandey Vs. Union of India and another AIR 2015 SC 326	
19.	Onkar Lal Bajaj v. Union of India and another (2003) 2 SCC 673: AIR 2003 SC 2562	
20.	Saroj Screens (P) Ltd. v. Ghanshyam and others, (2012) 11 SCC 434: AIR 2012 SC 1649	
21.	Ramana Dayaram Shetty v. Intenational Airport Authority of India and others, (1979) 3 SCC 489	
22.	Common Cause, A Registered Society v. Union of India and others, (1996) 6 SCC 530: AIR 1996 SC 3538	
23.	Akhil Bhartiya Upbhokta Congress v. State of Madhya Pradesh And Others (2011) 5 SCC 29: AIR 2011 SC 1834	
24.	Ugar Sugar Works Ltd. v. Delhi Administration and others, (2001) 3 SCC 635: AIR 2001 SC 1447	
25.	Union of India and Others v Messrs Indo-Afghan Agencies Limited, AIR 1968 SC 718: 1968 2 SCR 366	
<b>8. Constitutionality of Unequal Representation in Public Sphere</b>		
1.	PP Rao <b>“Right to Equality and the Reservation Policy”</b> in Reclaiming the Vision challenges of Indian Constitutional Law and Governance	
2.	Shashi Ratnaker Singh <b>“People and Public sphere in India”</b> <a href="http://www.environmentportal.in/files/People%20and%20public%20sphere%20in%20India.pdf">http://www.environmentportal.in/files/People%20and%20public%20sphere%20in%20India.pdf</a>	
3.	State of Kerala v. N.M. Thomas, (1976) 2 SCC 310; 1976 (1)SCR 906	
4.	Vijay Lakshmi v. Punjab University, (2003) 8 SCC 440: AIR 2003 SC 3331	
5.	Agarwal v. Uttar Pradesh, A.I.R. 1993 S.C. 1440. And Reddy v. Andhra Pradesh (1993) 4 S.C.C. 439	
6.	Saran v. Union of India A.I.R. 1980 S.C. 820	
7.	Chairman, Ry. Bd. v. Das, A.I.R. 2000 S.C. 988 and Apparel Exp. Promotion Council v. Chopra, A.I.R. 1999 S.C. 625 and Vishaka v. Rajasthan, A.I.R. 1997 S.C. 3011	
8.	Rajesh Kumar Gupta v. Uttar Pradesh, (2005) 5 S.C.C. 172, Vijay Lakshmi v. Punjab Univ . , A.I.R. 2003 S.C. 3331, Union of India v. Prabhakaran, (1997) 11 S.C.C. 638, Gayatri Devi Pansari v. Orissa, A.I.R. 2000 S.C. 1531, Chandra v. Bihar, 1996 A.I.R. 88, Kavitha v. Tamil Nadu, 1992 A.I.R. 359	
9.	Moti Ram Deka etc.v. General Manager, N.E.F. Railways, Maligaon, Pandu, etc. AIR 1964 SC 600	
10.	Faculty Association of AIIMS v Union of India and others (2013) 11 SCC 246	

11.	State of Jharkhand and another v Harihar Yadav and others 2014 (2) SCC 114	
12.	E.V. Chinnaiah and Others v State of Andhra Pradesh and Others (2005) 1 SCC 394: AIR 2005 SC 162	
13.	Ashoka Kumar Thakur v Union Of India (2008) 6 SCC 1: (2008) 4 SCR 1	
<b>9. Innovative Interpretation of the Constitution</b>		
1.	Prof Upendra Baxi, “ <i>Demosprudence versus Jurisprudence: The Indian judicial Experience In the Context Comparative Constitutional Studies</i> ”	
2.	S.P. Sathe “ <i>India: from Positivism to Structuralism</i> ” Interpreting Constitutions A comparative Study edited by Jeffrey Goldsworthy	
3.	Sheela Barse v. Union of India, 3 S.C.C. 632 (1986); Kali Ram v. State of Himachal Pradesh, (1973) 2 S.C.C. 808; Chatisgarh Mukti Morcha v. State of M. P. , (1996) 1996 Cr.L.J. 2239; State of Punjab v. Baldev Singh (1999) 6 S.C.C. 172	
4.	Govind v. State of Madhya Pradesh (1975) 2 SCC 148	
5.	People's Union for civil Liberties (PUCL) v. Union of India (1997) 1 SCC 301	
6.	State of Maharashtra v. Madhukar Narayan Mardikar (1991) 1 SCC 57	
7.	Hussainara Khatoon & Ors v. Home Secretary, State of Bihar, Govt. of Bihar, Patna, 1979 SCR (3) 169	
8.	National Legal Services Authority v Union of India and others 2014 (5) SCC 438	
9.	Subham Hasmi v. Union of India and others 2014 (4) SCC 1	
10.	Shatrughan Chauhan and another v Union of India and others 2014 (3) SCC1	
11.	Beenu Rawat and others v Union of India and others 2013 (16) SCC 430	
12.	Thalappalam Ser. Co-op. Bank Limited and others v State of Kerala and others 2013 (16) SCC 82	
13.	Vikas v State of Rajasthan 2014 (3) SCC 321 and Satyajit Ballulbhai Desai and others v State of Gujarat 2014 (14) SCC 434	
14.	Mohd. Arif @ Ashfaq and others v Registrar, Supreme Court of India and others 2014 (9) SCC 737	
15.	Dr. Balram Prasad and others v Dr. Kunal Saha and another 2014 (1) SCC 384	
<b>10. Freedom of Press and Libel: Constitutionality of Gag Orders, Criminal Defamation etc</b>		
1.	PP Rao “ <i>Freedom of the Press and New Challenges</i> ” in Reclaiming the Vision challenges of Indian Constitutional Law and Governance	
2.	Sahara India Real Estate Corporation Ltd. and Ors. Vs. Securities and Exchange Board of India and Anr. 2012(8) SCALE541, (2012)10SCC603	
<b>11. Constitutionality of hidden cameras and hidden truths</b>		
1.	Rajat Prasad Vs. C.B.I. 2014(5) SCALE574, (2014)6SCC495	
2.	R.K. Anand Vs. Registrar, Delhi High Court 2009(10) SCALE164, (2009)8SCC106	
3.	Court on its Own Motion Vs. State 146(2008) DLT429	
<b>12. Judicial Activism v/s Judicial Restraint</b>		
1.	Justice K.G. Balakrishnan “ <i>Judicial activism under the Indian Constitution</i> ” <a href="http://www.sci.nic.in/speeches/speeches_2009/judicial_activism_tcd_dublin_14-10-09.pdf">http://www.sci.nic.in/speeches/speeches_2009/judicial_activism_tcd_dublin_14-10-09.pdf</a>	
2.	Prof Upendra Baxi, “ <i>The Avatars of Indian Judicial Activism: Explorations In The Geographies of In Justice</i> ” in <i>Fifty Years of the Supreme Court of India, Its Grasp and Reach</i> P-156 - 209	
3.	S. P. Sathe “ <i>Legitimacy of Judicial Activism</i> ” in <i>Judicial Activism in India</i>	
4.	State of U.P. and Ors. Vs. Anil Kumar Sharma and Ors. 2015(6) SCALE 590, (2015)6SCC716	
5.	A.M. Mathur Vs. Pramod Kumar Gupta (1990) 2 SCC533	

6.	Common Cause v. Union of India 2014(6) SCC 552	
7.	Abhay Singh v. State of UP 2013 (15) SCC 435	
8.	TSR Subramaniam and others v. Union of India and others 2013 (15) SCC 732	
9.	Pravasi Bhalai Sangthan v. Union of India and others 2014 (11) SCC 477	
10.	Manoj Narula v. Union of India. 2014 (9) SCC 1	
11.	Sahi Balwa v. Union of India and others 2014 (2) SCC 687	
12.	Manohar Lal Sharma v. Union of India 2014(2) SCC 532	
13.	Paramati Educational and Cultural Trust and others v. Union of India and others 2014 (8) SCC 1	
14.	Association of Unified Telephone Service Providers and others v. Union of India 2014 (6) SCC 110	
15.	Pathan Mohammed Suleman Rehmatkhan V. State of Gujarat and Ors. 2014 (4) SCC 156	
16.	Subrata Chattoraj and another v Union of India and others 2014 (8) SCC 768	
<b>13. Rationale behind Constitutional Mandate for control over Subordinate Courts</b>		
1.	Samsher Singh Vs. State of Punjab and Anr. AND Ishwar Chand Agarwal Vs. State of Punjab (1974)2SCC831	
2.	High Court of Judicature at Patna, through R.G. Vs. Shyam Deo Singh and Ors. 2014(4) SCALE69, (2014)4SCC773	
3.	Tej Pal Singh Vs. State of U.P. and Anr. 1986(2) SCALE176, (1986)3SCC604	
4.	The High Court of Judicature at Bombay, Through Its Registrar Vs. Shashikant S.Patil and Anr. 1999(6) SCALE673, (2000)1SCC416	
5.	The Registrar General High Court of Judicature at Madras Vs. R. Perachi and Ors. 2011(10) SCALE606, (2011)12SCC137	
6.	Ishwar Chand Jain Vs. High Court of Punjab and Haryana and Anr. 1988(1) SCALE1188, (1988)3SCC370	
7.	Registrar General, Patna High Court Vs. Pandey Gajendra Prasad and Ors. 2012(5) SCALE404, (2012)6SCC357	
<b>14. Constitutional Reforms must for India</b>		
1.	Report on Best Practices in Developing Effective Processes of American Indian Constitutional Reform	
2.	Yash Ghai, <i>“The Constitution Reform Process: Comparative Perspectives”</i>	
3.	Dr. Subhash C. Kashyap <i>Summary of Recommendations: Report of National Commission to Review the Working of the Constitution</i> <a href="http://lawmin.nic.in/ncrwc/finalreport/v1ch11.htm">http://lawmin.nic.in/ncrwc/finalreport/v1ch11.htm</a>	

**Note: Some of the cases in the Reference Material have been edited in order to highlight certain issues for discussion in the programme. The emphasis on certain paragraphs or sentences in the judgments has been made in the form of bold fonts. Please read the full judgment for conclusive opinion.**