

INDIAN INSTITUTE OF LEGAL STUDIES
PRACTICAL ASSIGNMENT TOPICS
5YEARS B.BA/B.COM- LL.B. SEMESTER X

SUBJECT: EXPERIENTIAL LEARNING/FIELD WORK

S/NO	NAME OF STUDENTS	
1	AADARSH PRADHAN	Impact of social media, social skills, and health awareness on academic achievement of Law students at law students in Siliguri
2	ABHISHEK MOHANTY	
3	ANIKET RAJ BHATTARAI	
4	ANJUMANARA KHATUN	
5	ANUKRITI SAHA GUPTA	
6	ARATRIKA CHAKRABORTY	Child Labour in Informal Sector in Hotels and Restaurants – A Case Study on Siliguri and Adjoining Areas
7	ARITRI BHATTACHARJEE	
8	ARKAPRAVA BHATTACHARYA	
9	ASHISH BOMZAN	
10	ASTHA KUMARI	
11	BASUDHA ROY	Child marriage in Siliguri: A Sociological Analysis of Existing Laws and Prevalent Practices
12	BHASKAR SINGH	
13	BIDHI SINGHA	
14	BISWAJEET GHOSH	
15	CHANCHAL AGRAWAL	
16	DIGANTA SEHANABIS	Violence against street children and protection of their rights with special reference to the city of Siliguri a critical insight
17	DIPAYAN DUTTA	
18	GURGEE JAYITA BURMAN	
19	KARMA TAMANG	
20	KAUSHAL RAI	

21	MADHUSHREE CHAKRABORTY	Domestic Violence against Women and protection of their rights with special reference to the city of Siliguri: A critical insight
22	MANISHA LO	
23	MST NASRIN AKHTAR PERVIN	
24	PANKAJ KUMAR MAHATO	
25	PRATHAM SIKHWAL	
26	PRIYANKA PAUL	Determinants of child labour and their participation in the workforce at an early age in Siliguri
27	PUJA SINGH	
28	RADHIKA AGARWAL	
29	RUMPI GHOSH ALAM	
30	SAMIKSHA SINGH	
31	SANGITA DAS	Status of Child Labour in Siliguri before and after the implementation of National Child Labour Project Scheme in India
32	SHEETAL KAPOOR	
33	SUVEKSHA GURUNG	
34	SAJIYA HUSSAIN (G)	
BCOM-S. NO	NAME OF STUDENTS	
1.	APARNA SINHA	Major challenges faced in online Education of children during Covid-19 in Public Sector with special reference to Siliguri
2	ARYAN SHUKLA	
3	DIPANKAR KARMAKAR	
4	GIRISH AGARWAL	
5	GOVIND SHARMA	
6	NAIRITA ROY	Mental Health Challenges of internal migrant workers of India during Covid-19 with special reference to Siliguri
7	RISHAV PERIWAL	
8	SHREEYA MANI SOTANG	

9	SHILPI KUMARI	
10	SUMAN PRADHAN	
11	SUVHASHINI PAUL	Quality of Health Care in Public Hospital in West Bengal specially in Siliguri: Challenges, priorities with special reference to Siliguri
12	ANIRBAN CHAKRABORTY	

Subject: MOOT PROBLEM (CRIMINAL LAW)

5 Years B.A./BB.A/B.Com LL.B Semester X

The Democratic Republic of *Amphissa* is situated in Asian Subcontinent. *Amphissa* is a quasi-federal country comprised of 35 states with strong central Government. The Laws of *Amphissa* are in Pari-materia with the Laws of India. Pallaka is among one of the developed states of *Amphissa*. Michael and Jenny are citizen of *Amphissa*. They are resident of *Flemingo*, a small town of *Pallaka*.

On dated 25th feb.2008, Michael, aged 29, S/O- Late John, R/O- 54/3-New Ext. Apartment, Flemingo, and Jenny, Aged 24 yrs, D/O- Defrado, R/O- Greater Ango Colony, Flemingo, were married according to their religious rituals. Their marital life was going smoothly. On some occasions they used to have few verbal quarrels with each other but they reconciled soon after the verbal fight. Two years after the marriage Jenny gave birth to a baby girl on 4th September 2010. The girl was named as Jennifer. After few months of the birth of Jennifer, Jenny observed certain changes in the behaviour of Michael. Michael started behaving in a rude way and he usually becomes violent on every petty issue without any reason. Initially Jenny did not took the matter in a serious way but when the violent character of Michael continued Jenny took her husband Michael to the doctor Alfered (DW1), who was a psychiatrist. The doctor advised Michael to have control over anger and to take certain medicines. The doctor diagnosed him to be suffering from first stage of Bipolar Mood Disorder (Bipolar disorder, also known as

manic-depressive illness, is a brain disorder that causes unusual shifts in mood, energy, activity levels, and the ability to carry out day-to-day tasks. There are four basic types of bipolar disorder; all of them involve clear changes in mood, energy, and activity levels).

In spite of the medical treatment the violent behaviour of Michael continued to exist. On slight issues Michael becomes violent and he also started to fight with Jenny and he also use to beat him without any reason. On dated 5th December 2010 at 11am, loud noise of fighting, crying and shouting was coming from the house of Michael. On hearing the cry Daniel(PW3) who was neighbour of Michael went in the house of Michael and found Jenny lying unconscious on the floor pooled in blood with various injuries on her body. At that time Daniel saw Michael hiding a 7 inch Iron Axe in the garden. Thereafter Daniel called the police and Jenny was taken to government hospital whereby she was treated by Dr. Andrew (PW2). Michael was arrested by police on the same day and was kept in police custody. On 6th December, 2010 Jenny regained her consciousness and her statement was recorded by Jaison (PW1) SHO of Flemingo Police Station. In her statement she told to the police that on 5th December at 10 am Michael came home and started fighting with her in a violent way and when she resisted Michael attacked him with axe kept in the garden. On 8th December Jenny died because of the injury in her lower abdomen which proved fatal. Jennifer the daughter of Michael was sent to Government Child Care Centre.

On the basis of the statement of Daniel and the dying declaration of Jenny FIR was lodged against Michael vide. 733/2010 in Flemingo police station. Michael was prosecuted under Section 302 of IPC for the murder of Jenny. During interrogation Michael stated that he was unconscious at the time when Jenny was attacked. He told to police that when he regained his consciousness he found Jenny lying on the floor and axe in his hand. He told to the police that he did not know from where the axe came and he also stated that he did not know how Jenny died.

Final Report was submitted on 3rd Feb.2011 in which Michael was charged for murder of Jenny under Section 302 of IPC. The case (State of Pallaka vs. Michael) was tried by the Session Court vide Session Trial No-57/2011.

The prosecution examined the material witnesses in the court as under:-

Prosecution Witness 1 (PW1)- Jaison, SHO, Flemingo Police Station and Investigating Officer of the case deposed before the Court that the deceased Jenny in her dying declaration blamed

Accused Michael for the attack over her. PW1 also deposed before the Court that the axe used for attack was recovered from the garden of Michael on which there was finger print of Michael as per forensic report.

Prosecution Witness 2 (PW)3- Dr. Andrew who treated the deceased deposed before the Court that the cause of death was due attack of the axe and the injury on abdomen proved to be fatal. He also deposed that Jenny was in a mentally fit condition at the time of making dying declaration.

Prosecution Witness 3 (PW3)- Daniel who was neighbour of Michael and informant of the case in FIR deposed that he saw the unconscious body of Jenny on the floor and Michael trying to hide the axe in the garden.

The accused Michael took the plea that he was suffering from Bipolar Mood Disorder and for which he was being treated. He also stated that at the time when Deceased Jenny was attacked he was suffering from the disorder and he was out of his conscience and he did not knew the nature of the act and therefore, he could not be made liable by virtue of Section 84 of IPC on ground of insanity.

The defence examined the material witnesses in the court as under:-

Defence Witness1 (DW1)- Dr. Alfered who was treating accused Michael for Bipolar Mood Disorder stated before the Court that accused Michael was suffering from Bipolar Mood Disorder and the disorder was sufficient to enable a person to do any violent act under its influence.

Defence Witness 2 (DW2)- Mathew brother of Michael who stated before the Court that on various occasions Michael was very much aggressive and violent even for slight reasons.

On 3rd September 2014 Michael was found guilty of intentional murder of Jenny and convicted under Section 302 IPC and sentenced to 10 years Rigorous Imprisonment.

The accused feeling aggrieved by the said judgment preferred an appeal before the High Court of Pallaka on dated 9th October 2014 vide Criminal Appeal No. 875/2014. The High Court relying on the version of the doctor treating the accused for Bipolar Mood Disorder found that the

accused at the time of committing crime was suffering from both legal and medical insanity and accordingly the Court acquitted the accused from the charge of murder on dated 5th September 2016.

State of Pallaka preferred an appeal before the Supreme Court of *Amphissa* against the order of acquittal by the High Court of Pallaka on 17th of November 2016.

The case of *State of Pallaka vs. Michael* is listed before the Divisional Bench of Supreme Court of *Amphissa* for final hearing on 10th Jan.2017. The respective counsels are expected to submit their considerations on the following issues:-

1. *Whether sufficient ground of legal insanity exists so as to exonerate the accused from liability of murder.*
2. *Whether the burden of proof of legal insanity on the part of Defence is at par with burden of proof on part of Prosecution.*
3. *The parties may raise any other issue on the given facts to advance arguments upon.*

5YEARS B.A LL.B. SEMESTER X

SUBJECT: EXPERIENTIAL LEARNING/FIELD WORK

SL.NO.	NAME OF THE STUDENTS	TOPICS
	CBCS	
1	AAYUSH RAI	A STUDY OF WORKING CONDITIONS OF LABOURERS IN TEA FACTORIES (ANY 2) IN DARJEELING DISTRICT
2	ABHISHEK ROY	
3	ADESH SINGHAL	

4	AKASH DEY	N.B. EVERY INDIVIDUAL STUDENT IS FREE TO CONDUCT SURVEY IN ANY AREA OF THEIR CHOICE
5	AMBIKA BISWAKARMA	<p>A STUDY ON WORKING CONDITIONS OF HAWKERS WITH SPECIFIC REFERENCE TO (ANY AREA IN SILIGURI)</p> <p>N.B. EVERY INDIVIDUAL STUDENT IS FREE TO CONDUCT SURVEY IN ANY AREA OF THEIR CHOICE</p>
6	ANANYA SAHA	
7	ANIK SAHA	
8	ARCHANA CHOUDHARI	
9	ARCHANA TAMANG	<p>A SOCIO-LEGAL STUDY ON THE SERVICES PROVIDED BY AN NGO</p> <p>N.B. EVERY INDIVIDUAL STUDENT IS FREE TO CONDUCT SURVEY IN AN NGO OF THEIR CHOICE</p>
10	ARJYAMA LAHIRI	
11	BHASWATI CHAKRABORTY	
12	BINITA MINDA	
13	BISANT KHATI	<p>AN ANALYSIS OF AIR POLLUTION AND STEPS TAKEN TO MITIGATE WITH SPECIFIC REFERENCE TO ANY AREA OF YOUR CHOICE</p>
14	DEBARSHI GHOSH DASTIDAR	

15	DEEPIKA BOTHRA	<p>N.B. EVERY INDIVIDUAL STUDENT IS FREE TO CONDUCT SURVEY IN AN AREA OF THEIR CHOICE</p>
16	DEEPSHIKA PAUL	
17	DIPU MUNDA	<p>AN ANALYSIS OF WATER POLLUTION AND STEPS TAKEN TO MITIGATE WITH SPECIFIC REFERENCE TO ANY AREA OF YOUR CHOICE</p> <p>N.B. EVERY INDIVIDUAL STUDENT IS FREE TO CONDUCT SURVEY IN AN AREA OF THEIR CHOICE</p>
18	DIVYA CHHETRI	
19	DIVYA MITRUKA	
20	DIVYANI THAPA	
21	DORCHI OMGMU SHERPA	<p>A STUDY ON PREVALANCE OF CHILD WORKERS IN NON-HAZARDOUS INDUSTRIES IN SILIGURI</p> <p>N.B. EVERY INDIVIDUAL STUDENT IS FREE TO CONDUCT SURVEY IN AN AREA OF THEIR CHOICE</p>
22	JUYEL ROY	
23	KAJAL UPADHYAY	
24	KIRTI CHAUHAN	

25	LOVELY SHARMA	<p>A STUDY ON THE ROLE OF ICDS IN WOMEN EMPOWERMENT AND RIGHT TO EDUCATION FOR CHILDREN IN SILIGURI</p> <p>N.B. EVERY INDIVIDUAL STUDENT IS FREE TO CONDUCT SURVEY IN AN AREA OF THEIR CHOICE</p>
26	MANAN SAHA	
27	MANISHA RAI	
28	MANJITA THAPA	
29	NEHA JHA	<p>A STUDY ON CYBER FRAUDS AND SPAMS AWARENESS AMONGST THE GENERAL PUBLIC AND UNDERSTANDING THE NATURE OF CRIME IN SILIGURI</p> <p>N.B. EVERY INDIVIDUAL STUDENT IS FREE TO CONDUCT SURVEY IN AN AREA OF THEIR CHOICE</p>
30	PANKAJ SHAH	
31	PRABESH SHARMA (BARAL)	
32	PRACHEE SINGH RAJPUT	<p>A STUDY OF RIGHTS OF MIGRANT WORKERS IN SILIGURI</p> <p>N.B. EVERY INDIVIDUAL STUDENT IS FREE TO CONDUCT SURVEY IN AN AREA OF THEIR CHOICE</p>
33	PRANABI PRADHAN	
34	PRANEEM CHHETRI	
35	PREETY CHOUDHARY	

36	PRIYA BISWAKARMA	
37	PRIYANKA GHOSH	<p>A STUDY ON ROLE OF CIVIL SOCIETY ORGANISATIONS (ANY 2) OF SILIGURI IN GENERATING LEGAL AWARENESS</p> <p>N.B. EVERY INDIVIDUAL STUDENT IS FREE TO CONDUCT SURVEY IN AN AREA OF THEIR CHOICE</p>
38	PRIYANKA THAKUR	
39	RAJAT ACHARJEE	
40	RICHA CHETTRI	
41	RIHA TAMANG	<p>AN ANALYSIS OF WASTE DISPOSAL AND STEPS TAKEN TO MITIGATE WITH SPECIFIC REFERENCE TO ANY AREA OF YOUR CHOICE</p>
42	RIJU DAS	
43	RIKESH THAPA	
44	RIYA DEY	<p>N.B. EVERY INDIVIDUAL STUDENT IS FREE TO CONDUCT SURVEY IN AN AREA OF THEIR CHOICE</p>
45	RIYA GURUNG	<p>A STUDY ON TYPES OF CYBERCRIME REGISTERED WITH THE DARJEELING POLICE CYBER CELL</p>
46	RONALD THAPA	

47	SAHITYA MUKHIA	
48	SAKSHI MISHRA	
49	SANZANA LIMBU	<p>A STUDY OF ALL GIRLS' SCHOOLS (ANY 2) IN SILIGURI AND THE BASIC AMENITIES PROVIDED BY THEM FOR THEIR UPLIFTMENT</p> <p>N.B. EVERY INDIVIDUAL STUDENT IS FREE TO CONDUCT SURVEY IN AN AREA OF THEIR CHOICE</p>
50	SHENAAZ ALI	
51	SHIBANGI GHOSH	
52	SHRUTI YADAV	
53	SIWALI LAMA	
54	SUJIT SWAMI	<p>AN ANALYSIS OF DRUG ABUSE REPORTS IN SILIGURI WITH SPECIFIC REFERENCE TO CASES IN NDPS COURT, SILIGURI</p>
55	SURAJ MOHANTA	
56	SWAPNEL TAMANG	
57	TANUJ CHHETRI	
58	TRIBENI RAI	<p>A STUDY ON UNEMPLOYMENT VIS-A-VIS RIGHT TO WORK WITH SPECIFIC REFERENCE TO EMPLOYMENT EXCHANGE, SILIGURI</p>

59	TRISHNA GURUNG	
60	URMILA AGARWALA	
61	VIVEK SAHA	

Subject:-MOOT COURT PROBLEM
CONSTITUTIONAL LAW
5 Years B.A./BB.A/B.Com LL.B Semester X

Maratha Butchers' Association, a Registered Society and Others Petitioner

v.

State of Maratha and Others Respondent

The Republic of Indica is located in the South Asian Region of Asia. It is one of the ancient nations in the world. Till 1947, Republic of Indica was a British colony for about 150 years. It achieved independence in 1947. Now the Republic of Indica is a democratic country with a written Constitution which came into force in 1950. It has 29 States and 7 Union Territories. The Constitution has adopted Parliamentary system wherein President is the executive Head of the government. The majority of the population of the country belongs to Hindu religion. Buddhism, Christianity, Islam, Jainism and Sikhism are the other major religions followed by the people of Republic of Indica. The Republic of Indica is characterized by a diversity of religious beliefs and practices, dressing, cultural outlook, food-habits etc. Some religion like Jainism strictly follow the principle of non-violence and therefore stressed upon vegetarian food habit. This is not so in case of other religions. Under Hindu religion some are vegetarians and some are non-vegetarians. Throughout the Republic of Indica's history, religion has been an important part

of the country's culture. The history of Republic of India has witnessed some prominent instances of religious disharmony amongst various religious groups.

The Constitution of India declares various rights as fundamental rights. Some of the fundamental rights are the right to freedom of religion, freedom to carry on any trade, profession and business, right to life and personal liberty etc. The fundamental rights are mostly enforceable against the 'State'. The concept of 'State' is defined by the Constitution of India. The Constitution also incorporates some features of secularism. The Supreme Court of India, in its few landmark judgments has expanded the meaning of 'right to life and personal liberty'. Almost everything which has connection with person's meaningful life has been held as integral part of this right. Recently the Supreme Court of India held that right to privacy is a part of 'right to life and personal liberty'.

The Constitution of India also laid down some Directive Principles of State Policy. These directives are not enforceable in the court of law, nevertheless these principles are to be looked into while formulating any policy and enacting any law. One of those directives laid down that the **“State shall endeavor to organize agriculture and animal husbandry on modern and scientific line and shall take steps in particular for preserving and improving the breeds, and prohibiting the slaughter, of cows and calves and other milch and draught cattle.”** This directive was inserted in the Constitution of India after a long-heated debate. On the one hand the economy of the Republic of India is largely based upon agriculture and on the other hand cow is treated as 'Holy' under Hindu religion. Therefore, the above-mentioned directive was perceived to be an outcome of a compromise between the scientific rationality and religious sentiments of the majority Hindu citizens.

The Constitution of India also laid down some fundamental duties for its citizens. One of the fundamental duty of the citizens is to protect and improve the natural environment and to have compassion for living creatures.

Since 1950 Republic of India and various States enacted laws for the protection of Cows. Some of these laws are enacted with specific object of protection of cow whereas some of them were enacted in the name of 'protection of animals from cruelty'.

State of Maharashtra is situated in western region of India and second most populous state of the Republic of India. In 1978 it enacted the Maharashtra Animal Preservation Act, 1978. In 1995, amendments were made in 1978 Act and Amendment Act of 1995 was reserved for the

assent of the President. (Under the Constitution of the Republic of India, if on a subject-matter both the Republic as well as state legislature enacted a law, then the state law will prevail over the Republic Law only if it has been reserved for the President's assent and received such assent). These amendments sought to make following changes in the Act of 1978-

1. It sought to extend the bans on the slaughter of cows and calves to bulls and bullocks.
2. It sought to prohibit the transport (from the State of Maratha to another state), the export, as well as purchase, sale and disposal of cows, bulls and bullocks for the purpose of slaughter.
3. It sought to prohibit the possession of the flesh of the cow, bull or bullock slaughtered in contravention of the provisions of the Act.
4. It also criminalizes the possession of beef *per se*, whether or not this was obtained through lawful slaughter from another state.
5. The amendment sought to put the burden on the accused that he/she was not in contravention of provisions of the Act.
6. The amendment also stipulated punishment for contravention of the Act.

The Amendment Act, 1995 received the assent of the President in 2015 and came into force immediately. Meanwhile there was a political turmoil throughout the Republic of India. Various religious organizations started large scale mobilization against slaughter of cows. Few individuals were attacked on the accusation that they stored cow-flesh in their home. It created tension between those who were beef-eater and those who were not. More particularly, a minority community 'X' was affected drastically as beef eating was their common food habit. Moreover, beef was less costly as compared to other non-vegetarian food. As the degree of poverty is higher in community 'X', beef eating was an easy source of protein for them. But with the newly amended law by the state of Maratha, they were deprived of this source.

In this background, writ petitions were filled by various associations and individuals before the Hon'ble High Court of State of Maratha challenging the constitutional validity of the Amendment Act of 1995. Maratha Butchers' Association, a Registered Society is one of the petitioners working for the protection of the interest of minority community 'X'.

This petition is posted for final arguments and for disposal on 20th January 2018.

Note: The students have to frame the issues and make submissions by presuming that the Constitution of India and all other laws applicable in India are applicable in Republic of India. With reference to the Act of 1978 and amendment of 1995, the students shall refer to the Maharashtra Animal Preservation Act, 1978 along with the amendments made to it from time to time.