

SURENDRANATH LAW COLLEGE

24/2, Mahatma Gandhi Road, Kolkata-700009

Phone No. 23503896

Email: snlcollege@gmail.com

Website: snlawcollege.ac.in

To,
The Vice Principal,
Surendranath Law College,
24/2, Mahatma Gandhi Road,
Kolkata-700009.

Sub: Report of Certificate Course on Client Counselling, Career Counselling and Legal Drafting.

Respected Madam,

I Subashna Tamang (Asst. Prof.), a coordinator of the Certificate Course on “Career Counselling, Client Counselling, and Legal Drafting” organized by Surendranath Law College with the assistance of Faculties and Guest Lecturers from 15/05/23 to 08/06/23 on successful completion of certificate course and for further record, would like to submit an appraisal report along with other relevant documents as annexure as listed below.

Thanking you,

Yours faithfully,

Subashna Tamang
(Asst. Prof.)
Course Coordinator

LISTS OF ANNEXURES:

- I. Appraisal Report,
- II. Poster of the Certificate Course,
- III. Notice of the Certificate Course,
- IV. Syllabus of the Certificate Course,
- V. Schedule of Certificate Course,
- VI. Specimen of students attendance summary sheet, resource persons and faculties,
- VII. Photographs and Specimen of Certificate awarded,
- VIII. Invitation Letter,
- IX. Specimen of Assignment.

ANNEXURE-I

APPRAISAL REPORT

CERTIFICATE COURSE: CAREER COUNSELLING, CLIENT COUNSELLING AND LEGAL DRAFTING

Course organized by: Surendranath Law College.

Chairperson : Prof. Dr. Mohammadi Tarannum.

Coordinator : Asst. Prof. Subashna Tamang.

Venue/Mode : Offline Mode, Seminar Room (Surendranath Law College).

Date : 15th May-08th June, 2023.

ABOUT THE COLLEGE AND COURSE:

Surendranath Law College as an esteemed law institution affiliated to the University of Calcutta and recognized by the Bar Council of India, is regarded as one of the oldest law colleges of the country, where presently, College imparts 5 years B.A.LL.B. course, 5 years B.A. LL.B. (Honours) course and two years LL.M. course. With further commitment of enhancement of Institution in academic area, considering the need of the final year students, certificate course on career counselling, client counselling and legal drafting was extended with elaborate knowledge to cope up with dilemma of the final year students. Thus, certificate course intended to extend the knowledge on professional ethics and way of communication with clients which shall be followed by the advocates which reflects the shadow of responsible professionals towards society and nation at large.

Hence, understanding the sheer need of the young minds in the fields of law, Surendranath Law College offered the course and thus endeavored to spread an insight on the importance of career counselling, client counselling and legal drafting in legal area. Therefore, certificate course provided a detail

understanding of the subject with practical knowledge and draft offered in specimen on different issues by the institution.

OBJECTIVES AND OUTCOMES OF CERTIFICATE COURSE:

The Participating students were benefitted in various ways with core objectives of the Certificate Course as mentioned below:

- A skillful knowledge of drafting to meet the needs of future professional career;
- To bridge the skill gaps and enhance knowledge of law among students for upcoming challenges within legal area;
- To learn how to draft a legal document;
- To provide knowledge and stimulate participants for drafting petitions, applications, deed in different subject matters under law and real-life situations;
- To broaden knowledge, skills and abilities;
- To improve decision making skills;
- To increase self-esteem and motivation;
- To build interpersonal effectiveness;
- Understanding of clients' need and to point out the relief/reliefs effectively.

PROGRAMME DETAILS OF CERTIFICATE COURSE:

Certificate Course on “Career Counselling, Client Counselling and Legal Drafting” concentrated on the existing needs and utility of the course for the final year students thereby endeavored to provide a skill to enhance their ability on legal drafting, client counseling along with career counseling providing them guidance for near future with classes from experts.

Certificate Course was started from 15th May and ended on 08th June, 2023 on offline mode at Surendranath Law College (Seminar room), with proposed syllabus and assigned faculties and resource persons for 19 days, two hours per day.

Resource persons invited for Certificate Course are listed below:

- Adv. Suranjan Dasgupta,
- Adv. Aammar Zaki,
- Adv. Imtiaz Ahmed,
- Asst. Prof. Arindam Saha,
- Adv. Shreemoyee Mitra and
- Adv. Monika Karla.

Course was structured for 10th semester students and good number of students participated with enthusiasm through whole 19 days. On completion of the course the assessment was done with the submission of Final Project and assessment through MCQ, scheduled on 10th and 11th June for MCQ (online mode) along with final project submission (submitted offline) on 21st June, 2023 based on course syllabus. Among all 10th semester, almost 40- 97 students successfully attended certificate course each day and 88 students (participants) appeared for the online and offline assessment of the certificate course. After due evaluation of final Project and MCQ, 88 participants successfully passed the evaluation and thus were awarded with certificate. Certificate was issued to each and every successful participant.

ANNEXURE-II

POSTER OF THE CERTIFICATE COURSE

SURENDRANATH LAW COLLEGE
24/2, M.G. ROAD, KOLKATA, 700009



ORGANISES

**CERTIFICATE COURSE ON CAREER COUNSELLING,
CLIENT COUNSELLING AND LEGAL DRAFTING**



15th May-08th June, 2023
8am -10am
Venue: Seminar Hall
Surenranath law College

Dr. Mohammadi Tarannum
Chairperson
Subashna Tamang
Convenor



ANNEXURE-III

NOTICE OF THE CERTIFICATE COURSE

SURENDRANATH LAW COLLEGE

24/2, Mahatma Gandhi Road, Kolkata – 700009

Phone No. 23503896

Email : snlcollege@gmail.com

Website :www.snlawcollege.ac.in

Ref. No. SNLC/IQAC/ACA/031/2023-24

Date: 12.05.2023

NOTICE

Surenranath Law College is going to organize an offline Certificate Course (Value-added Course) on "CAREER COUNSELLING, CLIENT COUNSELLING AND LEGAL DRAFTING" from 15th May to 8th June for 19 days (2 hours per day) for final year law students of the institution. Each and every student is encouraged to participate in this certificate course. Participating candidates will be provided with certificates at the end of the programme.

The brochure, details and schedule of classes/program are attached herewith.



Dr. Mohammadi Tarannum
Vice Principal
Surenranath Law College

VICE PRINCIPAL
SURENDRANATH LAW COLLEGE
KOLKATA-09

SURENDRANATH LAW COLLEGE

24/2, Mahatma Gandhi Road, Kolkata – 700009

Phone No. 23503896

Email :snlcollege@gmail.com

Website :www.snlawcollege.ac.in

Ref. No. SNLC/IQAC/ACA/031/2022-23

Date:12/05/2023

NOTICE

The final examination for Certificate Course on "Career Counselling, Client Counselling and Legal Drafting" will be held in accordance with course syllabus provided earlier. Module of examination will be divided into two parts, MCQ examination and legal drafting. MCQ will remain open from 8:00am of 10/06/23 to 01:00 pm of 11/06/23. Project on legal drafting (any one topic of the Module-IV) is to be submitted to the Convenor on 21/06/23 till 01:00 pm. Students are advised to attend MCQ examination using the following link:

<https://forms.gle/sXUZdKxMh6hSP6Jr8>

Every participant is also requested to provide valuable feedback using the following link:

<https://forms.gle/TBC6ifB1BbAp5r5k7>


Subashna Tamang
Course Coordinator




Dr. Mohammadi Tarannum
Vice Principal
Surenranath Law College
VICE PRINCIPAL
SURENDRANATH LAW COLLEGE
KOLKATA-09

ANNEXURE-IV

SYLLABUS OF THE CERTIFICATE COURSE

SURENDRANATH LAW COLLEGE

24/2, Mahatma Gandhi Road, Kolkata – 700009

Phone No. 23503896

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Website :www.snlawcollege.ac.in

COURSE STRUCTURE OF THE CERTIFICATE COURSE ON CAREER COUNSELLING, CLIENT COUNSELLING AND LEGAL DRAFTING

MODULE I

1. Career Counselling:

- What is career counselling?
- Why career counselling?
- Scope of career in law.

MODULE II

2. Client Counselling:

- Concept of Client Counselling
- Components of effective client counselling
- Professional ethics
- Code of conducts of Advocates
- Privilege Communication

MODULE II

3. Legal Drafting:

- Introduction
- Principles and Rules of Legal Drafting
- Importance of Drafting in Civil and Criminal pleading
- Drafting of petition under Article 226 and Article 32 of the Indian Constitution
- Miscellaneous Drafting: Deed of- Adoption, Affidavit, Agreement, Assignment, Gifts, Lease, License, Mortgage, Negotiable Instruments, Partition, Family Settlement, Partnership, Power of Attorney, Sale, Wills, Trust.
- Moot Court

MODULE IV

4. Drafting of Writ Petition:

- Habeas Corpus
- Mandamus
- Certiorari
- Prohibition
- Qua Warranto
- Form and Contents of Writ Petition
- Drafting of Public Interest Litigation.

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MODULE V

5. Civil Pleading:

- History of Pleading
- Meaning of Pleading: Plaint and Written Statement
- Object of Pleading
- Significance of Pleading
- General and Fundamental Rules of Pleadings
- Alternative Dispute Resolution
- a. Plaint:**
 - Introduction
 - Essential and Formal Parts of Plaint(Cause of Action, Body of Plaint, Claim, Relief and Miscellaneous)
- b. Written Statement:**
 - Introduction
 - Essential and Formal Parts of Written Statement(Counter Claim, Legal and Equitable Set-off and Miscellaneous)
- c. Amendment or Revision of Pleadings:**
 - Introduction
 - General Power of amend
 - Compulsory Amendment
 - Voluntary Amendment
 - Amendment under Inherent Powers
- d. Interlocutory Applications:**
 - Injunction
 - Permanent, Mandatory, Temporary Injunctions including Application for interim injunction, Interlocutory Petitions,
 - Kinds of Interlocutory Petitions under the Supplementary Proceedings (Arrest for judgment, Application for attachment before judgment)
- e. Execution of Decree:**
 - Introduction
 - Application for Execution
 - Precepts
- f. Reference, Review and Revision**
- g. Appellate Courts and Appeals:**
 - Introduction
 - Appellate Courts
 - Appeal from Orders, Original Decrees, Appellate Decrees or Second Appeals
 - Stay of Execution
 - Memorandum of appeal

MODULE VI

6. Criminal Pleading:

- Classes of Criminal Courts
- Power of Criminal Courts
- Drafting of Complaint
- Distinctions of Criminal and Civil Pleadings
- a. Application in Criminal Courts:**
 - Introduction
 - Contents of Applications
 - Application for Bail
 - Application for Maintenance
 - Application for surety
- b. Appeals and Revisions:**
 - General understanding of Appeal and Revision under Criminal proceedings
 - Drafting of Petition of Appeal

ANNEXURE-V

SCHEDULE OF CERTIFICATE COURSE

SCHEDULE OF CLASSES/PROGRAMME			
Sl. No.	Date & Time	Topic	Assigned Teacher
01.	15.05.2023 (Monday) (8.00 A.M. to 10.00 A.M.)	Legal Drafting: Principles and Rules of Legal Drafting. Importance of Drafting in Criminal Pleading, Drafting of Complaint.	Adv. Suranjan Dasgupta
02.	16.05.2023 (Tuesday) (8.00 A.M. to 10.00 A.M.)	Writ and PIL under Constitution: Drafting of Petition under Article 32 and Article 226 of the Constitution of India.	Adv. Suranjan Dasgupta
03.	17.05.2023 (Wednesday) (8.00 A.M. to 10.00 A.M.)	Miscellaneous Drafting and Application in Criminal Courts (Bail, Maintenance, Surety)	Adv. Md. Ammar Zaki
04.	18.05.2023 (Thursday) (8.00 A.M. to 10.00 A.M.)	Appellate Courts: Appeal and Revisions under Criminal Proceedings & Drafting of petition of Appeal	Adv. Md. Ammar Zaki
05.	19.05.2023 (Friday) (8.00 A.M. to 10.00 A.M.)	Legal Drafting in Civil Pleading: Plaint and Written Statement (Essential and Formal Parts thereof).	Adv. Sreemoyee Mitra
06.	22.05.2023 (Monday) (8.00 A.M. to 10.00 A.M.)	Amendment or revision of Pleadings Injunctions and Application for Interim injunction, interlocutory petition.	Adv. Sreemoyee Mitra
07.	23.05.2023 (Tuesday) (8.00 A.M. to 10.00 A.M.)	Execution of Decree, Application for Execution, Stay of Execution and Percepts, Reference, Review and Revision.	Adv. Sreemoyee Mitra
08.	24.05.2023 (Wednesday) (8.00 A.M. to 10.00 A.M.)	Appellate Courts and Appeal	Adv. Sreemoyee Mitra
09.	25.05.2023 (Thursday) (8.00 A.M. to 10.00 A.M.)	Career Counselling and Client Counselling, Components of effective Client Counselling.	Adv. Suranjan Dasgupta
10.	26.05.2023 (Friday) (8.00 A.M. to 10.00 A.M.)	Professional Ethics, Code of Conducts of Advocates, Privilege Communication	Adv. Suranjan Dasgupta
11.	29.05.2023 (Monday) (8.00 A.M. to 10.00 A.M.)	Accountancy for Lawyers	Adv. Suranjan Dasgupta
12.	30.05.2023 (Tuesday) (8.00 A.M. to 10.00 A.M.)	Bar Bench Relation, Amicus Curiae	Adv. Suranjan Dasgupta
13.	31.05.2023 (Wednesday) (8.00 A.M. to 10.00 A.M.)	Concept and components of Moot Court, Importance and Purpose of mooting	Arindam Saha Asstt. Professor Amity Law School
14.	01.06.2023 (Thursday) (8.00 A.M. to 10.00 A.M.)	Observation of Trial in Civil and Criminal Cases.	Adv. Md. Ammar Zaki
15.	02.06.2023 (Friday) (8.00 A.M. to 10.00 A.M.)	Differences between Moot Court and Mock Court Moot Problems	Arindam Saha Asstt. Professor Amity Law School
16.	05.06.2023 (Monday) (8.00 A.M. to 10.00 A.M.)	History, Meaning, Scope and Classification of Alternative Dispute Resolution	Adv. Monika Karla

Sl. No.	Date & Time	Topic	Assigned Teacher
17.	06.06.2023 (Tuesday) (8.00 A.M. to 10.00 A.M.)	Negotiation, Conciliation, Mediation and Arbitration as a mode of Alternative Dispute Resolution, Arbitration and Conciliation Act, 1996.	Adv. Monika Karla
18.	07.06.2023 (Wednesday) (8.00 A.M. to 10.00 A.M.)	Lok Adalat Legal Services Authority Act, 1987.	Adv. Monika Karla
19.	08.06.2023 (Thursday) (8.00 A.M. to 10.00 A.M.)	Interviewing techniques and Pre-trial Preparation.	Adv. Md. Ammar Zaki

ANNEXURE-VI

SUMMARY OF ATTENDANCE

Name of the College : Surendranath Law College.
Actual Date of Implementation : 15th May- 08th June, 2023.
Total No. of Students benefitted : Students.

DATES OF COURSE CLASSES	TOTAL ATTENDEES	RESOURCE PERSON	FACUTIES	TOTAL PARTICIPANTS APPEARED ON EXAMINATION (MCQ & PROJECT SUBMISSION)	TOTAL PARTICIPANTS AWARDED WITH CERTIFICATE
15-05-22	97	01	02	88	88
16-05-22	74	01	02		
17-05-22	66	01	02		
18-05-22	73	01	02		
19-05-22	73	01	01		
22-05-22	67	01	01		
23-05-22	73	01	01		
24-05-22	49	01	01		
25-05-22	51	01	01		
26-05-22	54	01	01		
29-05-22	74	01	01		
30-05-22	67	01	01		
31-05-22	60	01	01		
01-06-22	64	01	03		
02-06-22	69	01	03		
05-06-22	66	01	02		
06-06-22	65	01	02		
07-06-22	49	01	01		
08-06-22	75	01	01		

SAMPLE OF ATTENDANCE SHEETS OF CERTIFICATE COURSE

DATE: 15th May, 2023
08a.m. - 10a.m.

SL. NO.	ROLL NO.	NAME OF THE STUDENT	SIGNATURE
1	1	AVROKONA PRAMANICK	Avrokona Pramanick
2	2	REESHAV DAS	Reeshav Das.
3	3	DURLAV DE	Durlav De
4	4	SNEHA BACHHWAT	Sneha Bachhwat
5	5	AKASH CHOWDHURY	Akash Chowdhury
6	6	SOUMIK DUTTA	Soumik Dutta 15/05/2023
7	7	SHUBHRO RAY	Shubhro Ray
8	8	MADHU CHANDRIMA THAKUR	Madhu Chandrima Thakur 15/5/23
9	9	SUMAN ADHIKARY	Suman Adhikary
10	10	SUDIP BISWAS	Sudip Biswas
11	11	BISWAJIT MUKHERJEE	Biswajit Mukherjee
12	12	DEBJYOTI NASKAR	Debjyoti Naskar
13	13	MONISHA ORAON	Monisha Oraon
14	14	NEELANJANA ROY	
15	15	SOUMIK HALDER	
16	16	INDRAJIT SARDAR	Indrajit Sardar
17	17	PRATYUSH SAHA	Pratyush Saha
18	18	BOLIVIA ROY	
19	19	KASTUR SAHA	Kastur Saha
20	20	SWETA HARI	Sweta Hari
21	21	SOUMADIP SINGHA	
22	22	DISHANI RAY	Dishani Ray
23	25	ADRIJA BOSE	Adrija Bose

50	58	SOUMYADIP GIRI	Soumyadip Giri
51	59	SANJANA SHARMA	
52	60	PAUSALI CHAKRABORTY	Pausali Chakraborty
53	61	SAMRAT PAN	S. Pan
54	63	OM PRAKASH	Om Prakash
55	64	ANTARIK DAWN	Antarik Dawn
56	65	PRANAY RANJAN	Pranay Ranjan
57	66	RAHUL SURTANI	
58	68	MAYUKH BANERJEE	Mayukh Banerjee
59	69	ANKITA MONDAL	Ankita Mondal
60	70	SARKAR BHAIRAVI VIKAS	Sarkar Bhairavi Vikas
61	71	SHREYASI KUNDU	Shreyasi Kundu 15.05.23
62	72	ANINDITA SARKAR	Anindita Sarkar
63	73	YASHO DEEPTA CHAKRABORTY	Yashodeepta Chakraborty
64	74	ANUPAM BAIDYA	
65	75	PALLAB BAIDYA	Pallab Baidya
66	76	RISHIRAJ GUPTA	
67	77	SAPTARSHI DAS	
68	78	SWEETY SINGH	Sweety Singh
69	79	SUMAN SAHA	
70	80	SHAISTA NIYAZ	
71	81	ZANNAT HAQUE	Zannat Haque
72	82	AMITABH MEHTA	
73	83	IKEETA BISWAS	Ikeeta Biswas
74	84	INA DE	Ina De
75	85	SUBHANKAR BANERJEE	Subhankar Banerjee

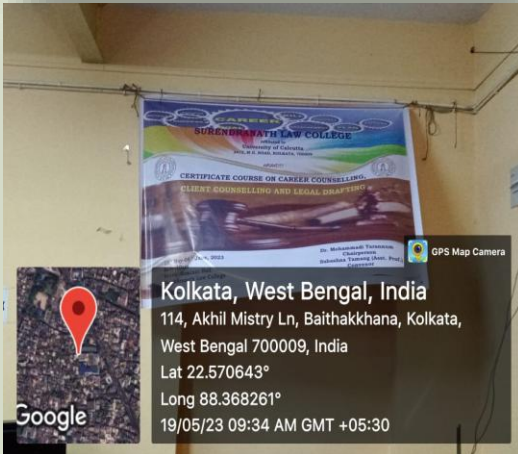
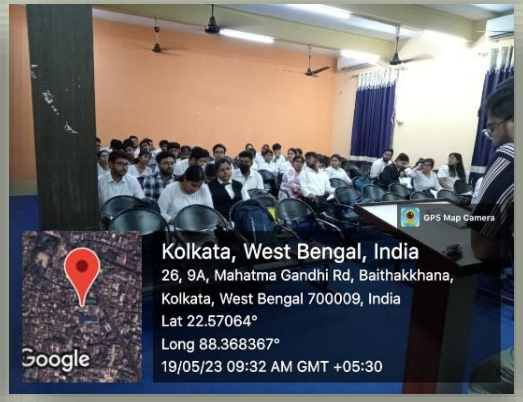
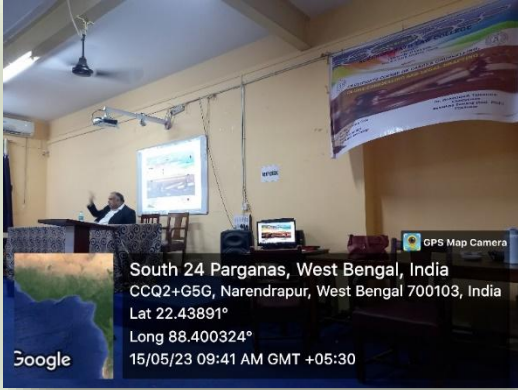
Hejwanda
a Chanda
a Adhikari
Singh
A. Acharya
Dip Malakar 14/5/23
Madap Roy 15/5/23
on Biswas
Sweta Bhattacharya
Sardar
Anika Sarkar
Singh
Bhargya
K Mondal
Lehit Jainwal
Sinha
Sreya Pandey
Kha Tinas
Apnaraj Kar
Anmay Baner
Sarbanti Nayak

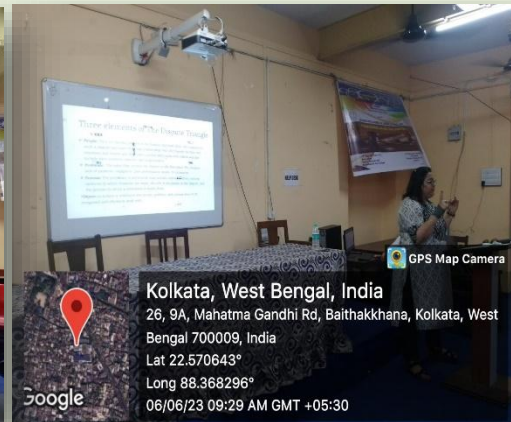
77	87	SAMRAT CHAKRABORTY	
78	88	SAKUNTALA MURMU	Sakuntala Murmu
79	89	RANIT GHOSH	Ranit Ghosh
80	90	SASWATA BASU	Saswata Basu
81	91	SUSMITA SARKAR	Susmita Sarkar
82	92	APARUPA CHAKRABORTY	Aparupa Chakraborty
83	93	RANOJOY MULLICK	Ranojoy MULLICK
84	94	NAYNA HANSDA	Nayna Hansda
85	95	PRITESH KUMAR	Pritesh Kumar
86	96	HUZEFA ZUZARBHAI TAMBAWALA	
87	97	RITIK RANJAN	Ritik Ranjan
88	98	SAIMON SHAIKH	
89	99	SAMPOORNA SAHA	Sampoorna Saha
90	100	ANAMIKA RAY	Anamika Ray
91	101	SHREYA	Shreya
92	102	DIPANWITA GORAI	Dipanwita Gorai
93	103	MRINAL MURMU	
94	104	KAZI ARDAN ALI	
95	105	NISHA KUMARI BIND	
96	107	SREEMOYEE MITRA	Sreemoyee Mitra
97	108	RISHAV BHOWMICK	Rishav Bhowmick
98	109	TITHI MONDAL	Tithi Mondal
99	110	RUPSHA MITRA	Rupsha Mitra
100	111	PRADIP MONDAL	Pradip Mondal
101	112	MIMI SAHA	Mimi Saha

102	113	ASMITA MITRA	Asmita Mitra
103	114	BIBEK DUTTA	Bibek Dutta
104	115	SAYANDIP BISWAS	Sayandip Biswas
105	116	SANKHA SUBHRA CHAKY	Sankha
106	117	SALMAN KHURSHID	
107	118	SHIBAJI GHOSH	Shibaji Ghosh 15/05/23
108	119	RAJDEEP BISWAS	Rajdeep Biswas 15/05/23
109	120	RANAJIT NAG	Ranjit Nag
110	121	DISHA DEY	Disha Dey
111	122	ARCHANA KUMARI SHARMA	Archana Kumari Sharma 15/05/23
112	123	HALIMA KHATOON	Halima Khatoon 15/5/23
113	124	AYANANTIKA SINGH	Ayanantika Singh 15/5/23
114	125	RUKSHAR ALAM	Rukshar Alam
115	126	MAHASWETA SARKAR	Mahasweta Sarkar
116		KAPIL DAS	
117	129	ANIRUDDHA CHANDA	Aniruddha Chanda
118	130	DEBOSREE NAG	Debosree Nag.
119	131	SOUMI AICH	Soumi Aich
120	132	MAARIYA PARVEEN	Maariya Parveen
121	133	KAUSHIKI DAS	Kaushiki Das
122	134	SHIVAM MISHRA	Shivam Mishra
123	135	MATANGINI HAZRA	Matangini Hazra

ANNEXURE-VII

PHOTOGRAPHS





SPECIMEN OF CERTIFICATE



ANNEXURE-VIII

INVITATION LETTER TO RESOURCE PERSONS

7/4/23, 1:24 PM Gmail - Series of Lecture

Mohammadi Tarannum <snlcollege@gmail.com>

Series of Lecture
4 messages

Mohammadi Tarannum <snlcollege@gmail.com>
To: mnkkaaraandassociates@gmail.com Thu, May 11, 2023 at 1:21 PM

To
Ms. Monika Kalra
Advocate
High Court at Calcutta
Kolkata

Respected Madam,

Surendranath Law College is going to organize a Series of Lecture on Certificate Course for the students of 5 Year B.A. LL.B. 10th Semester.

We would be venerated if you grace the occasion as the resource person and share your illustrious knowledge and insights, to enlighten our students.

Topic of lecture which you are going to deliberate are as follows :

Sl. No.	Topic	Date	Time
1.	Alternative Dispute Resolution	02.06.2023, 05.06.2023, 07.06.2023	8.00 A.M. to 10.00 A.M.

The schedule has been changed due to the upcoming examination of 10th Semester. We would be beholden for a line of confirmation which shall enable us to propel forward with the event. Your presence is highly solicited to make the event a grand success.

Thanking you in anticipation,

Yours sincerely,
Dr. Mohammadi Tarannum
Vice Principal
Surendranath Law College

[031_Schedule of Practical Classes_10th Sem.docx](#)
21K

Monika Kalra <mnkkaaraandassociates@gmail.com>
To: Mohammadi Tarannum <snlcollege@gmail.com> Thu, May 11, 2023 at 4:12 PM

Respected Madam,
Finally I extend my gratitude for choosing me to be a part of the lecture series.
It would be appreciable if you could shift my lecture from 02nd June 2023 being High Court holiday to 06th June 2023 as you have fixed my other dates on 05th and 7th June 2023.
Further it would also be appreciable if you could change the timing from 8am to 10 am to 9 am to 11 am.
Sorry for such inconvenience caused .
Looking forward to ur cooperation

Regards
Monika kalra
Advocate.
(Quoted text hidden)

Monika Kalra <mnkkaaraandassociates@gmail.com>
To: Mohammadi Tarannum <snlcollege@gmail.com> Thu, May 11, 2023 at 4:14 PM

(Quoted text hidden)

<https://mail.google.com/mail/u/0/?ik=eaeeec31&view=pt&search=all&permthid=thread-a:4342484733176929645&siml=msg-a:r-5358144139...> 1/2

7/4/23, 1:24 PM Gmail - Series of Lecture

Mohammadi Tarannum <snlcollege@gmail.com>

Series of Lecture
3 messages

Mohammadi Tarannum <snlcollege@gmail.com>
To: sreemoyeemitra1976@gmail.com Thu, May 11, 2023 at 1:16 PM
Cc: Debjani Ojha <debjanilata@gmail.com>, Subashna Tamang <subashnatamang.st@gmail.com>

To
Mrs. Sreemoyee Mitra
Advocate
High Court at Calcutta
Kolkata

Respected Madam,

Surendranath Law College is going to organize a Series of Lecture on Certificate Course for the students of 5 Year B.A. LL.B. 10th Semester.

We would be venerated if you grace the occasion as the resource person and share your illustrious knowledge and insights, to enlighten our students.

Topic of lecture which you are going to deliberate are as follows :

Sl. No.	Topic	Date	Time
1.	Drafting, Pleading & Conveyance	19.05.2023, 22.05.2023, 23.05.2023, 24.05.2023	8.00 A.M. to 10.00 A.M.

The schedule has been changed due to the upcoming examination of 10th Semester. We would be beholden for a line of confirmation which shall enable us to propel forward with the event. Your presence is highly solicited to make the event a grand success.

Thanking you in anticipation,

Yours sincerely,
Dr. Mohammadi Tarannum
Vice Principal
Surendranath Law College

[031_Schedule of Practical Classes_10th Sem.docx](#)
21K

Sreemoyee Mitra <sreemoyeemitra1976@gmail.com>
To: Mohammadi Tarannum <snlcollege@gmail.com> Thu, May 11, 2023 at 5:09 PM

Thankyou for your mail... I hereby confirm my participation and presence on the dates and time mentioned therein.

Regards,
Sreemoyee Mitra
Advocate
(Quoted text hidden)

Mohammadi Tarannum <snlcollege@gmail.com>
To: Debjani Ojha <debjanilata@gmail.com>, Subashna Tamang <subashnatamang.st@gmail.com> Fri, May 12, 2023 at 8:37 AM

(Quoted text hidden)

<https://mail.google.com/mail/u/0/?ik=eaeeec31&view=pt&search=all&permthid=thread-a:r-1774908982772664014&siml=msg-a:r4623161860...> 1/1

7/4/23, 1:23 PM Gmail - Invitation for the Series of Lecture cum Certificate Course

Mohammadi Tarannum <snlcollege@gmail.com>

Invitation for the Series of Lecture cum Certificate Course
1 message

Mohammadi Tarannum <snlcollege@gmail.com>
To: imtiyazahmed219@gmail.com Mon, May 15, 2023 at 12:52 PM

To
Mr. Imtiyaz Ahmed
Advocate
High Court at Calcutta
Kolkata

Respected Sir,

Surendranath Law College is going to organize a Series of Lecture on Certificate Course for the students of 5 Year B.A. LL.B. 10th Semester.

We would be venerated if you grace the occasion as the resource person and share your illustrious knowledge and insights, to enlighten our students.

The schedule has been enclosed hereby. We would be beholden for a line of confirmation which shall enable us to propel forward with the event. Your presence is highly solicited to make the event a grand success.

Thanking you in anticipation,

Yours sincerely,
Dr. Mohammadi Tarannum
Vice Principal
Surendranath Law College

[031_Schedule of Practical Classes_10th Sem.docx](#)
21K

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7/4/23, 1:21 PM Gmail - Series of Lecture

Mohammadi Tarannum <snlcollege@gmail.com>

Series of Lecture
1 message

Mohammadi Tarannum <snlcollege@gmail.com>
To: suranjan22dasgupta@gmail.com Thu, May 11, 2023 at 1:10 PM
Cc: Debjani Ojha <debjanilata@gmail.com>, Subashna Tamang <subashnatamang.st@gmail.com>

To
Mr. Suranjan Dasgupta
Advocate
High Court at Calcutta
Kolkata

Respected Sir,

Surendranath Law College is going to organize a Series of Lecture on Certificate Course for the students of 5 Year B.A. LL.B. 10th Semester.

We would be venerated if you grace the occasion as the resource person and share your illustrious knowledge and insights, to enlighten our students.

Topic of lecture which you are going to deliberate are as follows :

Sl. No.	Topic	Date	Time
1.	Professional Ethics	25.05.2023, 26.05.2023,	8.00 A.M. to 10.00 A.M.
2.	Accountancy for Lawyers	29.05.2023, 30.05.2023	
3.	Bar Bench Relation		

The schedule has been changed due to the upcoming examination of 10th Semester. We would be beholden for a line of confirmation which shall enable us to propel forward with the event. Your presence is highly solicited to make the event a grand success.

Thanking you in anticipation,

Yours sincerely,
Dr. Mohammadi Tarannum
Vice Principal
Surendranath Law College

[031_Schedule of Practical Classes_10th Sem.docx](#)
21K

<https://mail.google.com/mail/u/0/?ik=eaeeec31&view=pt&search=all&permthid=thread-a:r-7568328862558496647&siml=msg-a:r1813297367...> 1/1

7/4/23, 1:20 PM

Gmail - Series of Lecture



Mohammadi Tarannum <snlcollege@gmail.com>

Series of Lecture

1 message

Mohammadi Tarannum <snlcollege@gmail.com>

Thu, May 11, 2023 at 1:19 PM

To: Md Ammar Zaki <adv.zaki@gmail.com>

Cc: Debjani Ojha <debjanitai@gmail.com>, Subashna Tamang <subashnatamang.st@gmail.com>

To
Md. Ammar Zaki
Advocate
High Court at Calcutta
Kolkata

Respected Sir,

Surendranath Law College is going to organize a Series of Lecture on Certificate Course for the students of 5 Year B.A. LL.B. 10th Semester.

We would be venerated if you grace the occasion as the resource person and share your illustrious knowledge and insights, to enlighten our students.

Topic of lecture which you are going to deliberate are as follows :

Sl. No.	Topic	Date	Time
1.	Observance of Trial in two Cases—one Civil & one Criminal	01.06.2023, 08.06.2023	8.00 A.M. to 10.00 A.M.

The schedule has been changed due to the upcoming examination of 10th Semester. We would be beholden for a line of confirmation which shall enable us to propel forward with the event. Your presence is highly solicited to make the event a grand success.

Thanking you in anticipation,

Yours sincerely,
Dr. Mohammadi Tarannum
Vice Principal
Surendranath Law College

031_Schedule of Practical Classes_10th Sem.docx
21K

7/4/23, 1:28 PM

Gmail - Series of Lecture



Mohammadi Tarannum <snlcollege@gmail.com>

Series of Lecture

2 messages

Mohammadi Tarannum <snlcollege@gmail.com>

Thu, May 11, 2023 at 1:18 PM

To: asaha1@kol.amity.edu

Cc: Debjani Ojha <debjanitai@gmail.com>, Subashna Tamang <subashnatamang.st@gmail.com>

To
Mr. Arindam Saha
Faculty Member
Amity University
Kolkata

Respected Sir,

Surendranath Law College is going to organize a Series of Lecture on Certificate Course for the students of 5 Year B.A. LL.B. 10th Semester.

We would be venerated if you grace the occasion as the resource person and share your illustrious knowledge and insights, to enlighten our students.

Topic of lecture which you are going to deliberate are as follows :

Sl. No.	Topic	Date	Time
1.	Moot Court	31.05.2023, 06.06.2023	8.00 A.M. to 10.00 A.M.

The schedule has been changed due to the upcoming examination of 10th Semester. We would be beholden for a line of confirmation which shall enable us to propel forward with the event. Your presence is highly solicited to make the event a grand success.

Thanking you in anticipation,

Yours sincerely,
Dr. Mohammadi Tarannum
Vice Principal
Surendranath Law College

031_Schedule of Practical Classes_10th Sem.docx
21K

Arindam Saha <asaha1@kol.amity.edu>

Thu, May 11, 2023 at 1:52 PM

To: Mohammadi Tarannum <snlcollege@gmail.com>

Cc: Debjani Ojha <debjanitai@gmail.com>, Subashna Tamang <subashnatamang.st@gmail.com>

THANK YOU FOR THE INVITATION. WILL REVERT BACK ABOUT THE CONFIRMATION OF THE SAME, SOON.

REGARDS,
ARINDAM SAHA
ASSISTANT PROFESSOR
AMITY LAW SCHOOL KOLKATA
AMITY UNIVERSITY KOLKATA

From: Mohammadi Tarannum <snlcollege@gmail.com>

Sent: Thursday, May 11, 2023 1:18 PM


To: Arindam Saha <asaha1@kol.amity.edu>

Cc: Debjani Ojha <debjanitai@gmail.com>, Subashna Tamang <subashnatamang.st@gmail.com>

Subject: Series of Lecture


ANNEXURE-IX

SPECIMEN OF SUBMITTED ASSIGNMENT



Certificate course on:
"Career Counselling, Client Counselling and Legal Drafting"

Submitted By: Sujit Das
College Roll: 23 (A)
University Roll: L02- LLB- 171140
University Registration no: L02- 1111- 0038- 17
Topic: Drafting of Public Interest Litigation



Certificate course on:
"Career Counselling, Client Counselling and Legal Drafting"

Submitted By: Sujit Das
College Roll: 23 (A)
University Roll: L02- LLB- 171140
University Registration no: L02- 1111- 0038- 17
Topic: Drafting of Public Interest Litigation.

PUBLIC INTEREST LITIGATION (PIL)

Public Interest Litigation (PIL) is a *rule of law* declared by the courts of record. However, the person (or entity) filing the petition must prove to the satisfaction of the court that the petition serves the public interest and is not a frivolous lawsuit brought for monetary gain. Public Interest Litigation (PIL) is a practice or a technique that focuses on the citizens of the country. The main purpose of this school of jurisprudence - PIL, is to protect the people of the nation, the public interest litigation gets initiated by a group of people. These people belong to the country where the filing of the litigation happens. Also, it is important to understand that PIL is a practice that allows the following to file for litigation:

- an individual, or
- a group of people

Further, this individual person or a group of people can directly file interest litigation with the Supreme Court. Apart from the Supreme Court of India, the High Courts, as well as the Judicial Members, are capable of accepting litigation files.

Moreover, it is also important to note that the person or people who are filing the petition should not possess any interest in the litigation. In other words, the petitioners should not file a litigation petition keeping in mind a personal agenda. The Court accepts the litigation only when the plea comes from a large public interest.

Importance of the Public Interest Litigation

Some of the critical importance and scope of the PIL are as follows:

- Public interest litigation provides a wider scope promoting the right to equality.
- Not only does it promote equality, but it also ensures the right to life and personality. Part III of the Constitution of India guarantees the right to quality, life, and personality.
- PIL is solely responsible for providing relief and remedies of the writ jurisdiction.

- The public interest litigation practice functions as an effective instrument for changing society and ensuring welfare.
- Also, with the help of the public interest litigation, anyone can seek remedy on behalf of the under-privileged class by introducing the public interest litigation.

Apart from the obvious importance of the PIL, here is why it is valued as highly as it is:

DRAFT OF A PIL

IN THE SUPREME COURT OF INDIA
ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO. OF 2013

(UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA)

PUBLIC INTEREST LITIGATION

IN THE MATTER OF-

Shakti Prasad Nayak,

S/o Late Gouranga Charan Nayak, R/o. Room No- 15, Plot no- F-88-B, C/o Iswar Singh, PS-
VasantVihar, Po- Hauz Khas, New Delhi- 110016,

..... Petitioner

- Vs -

1. Union of India Through Secretary, Ministry of Railways Rail Bhawan, New Delhi-110001
2. The Railway Board through its Chairman Indian Railways, Rail Bhawan, New Delhi-110001

3. Ministry of Environment and Forest Government of India, through its Secretary, Paryavaran Bhavan, CGO Complex, Lodhi Road New Delhi - 110 003
4. State of Orissa through its Chief Secretary Orissa Secretariat 2 Bhubaneswar-751001(Odisha)
5. State of West Bengal through its Chief Secretary Writers' Building Kolkata-700001(W.B.)
6. State of Assam through its Chief Secretary Dispur Guwahati-6 (Assam)
7. State of Uttarakhand through its Chief Secretary Uttarakhand Secretariat 4, Subhash Marg Dehradun (U.K.)
8. State of Uttar Pradesh through its Chief Secretary Government of Uttar Pradesh Secretariat, Lucknow (U.P.)
9. State of Madhya Pradesh through its Chief Secretary Mantralaya, VallabhBhawan, Bhopal-462004
10. State of Chhattisgarh through its Chief Secretary, DKS Bhawan, Mantralaya, Raipur-492001
11. State of Tamil Nadu through its Chief Secretary, Government of Tamil Nadu Secretariat, Chennai-600009
12. State of Kerala through its Chief Secretary Government of Kerala Secretariat, Thiruvananthapuram-695001
13. State of Karnataka through its Chief Secretary Government of Karnataka 3 rd Floor, R. No. 320, Vidhan Sabha, Secretariat, Bangalore-560001
14. State of Jharkhand through its Chief Secretary Government of Jharkhand Secretariat, Ranchi-834004.

..... Respondents

3. That Respondent No. 1 & 2 is the Secretary and Chairman of the Indian Railways Board respectively. Indian Railways (reporting mark IR) is a statutory body incorporated originally under the Indian Railways Act, 1890 and later consolidated under The Railways Act, 1989. It is a Government enterprise headquartered in New Delhi, India owned and operated by the Government of India through the Ministry of Railways. It is administered by the Railway Board, which has a Chairman, five members and a Financial Commissioner. Indian Railways has 114,500 kilometers (71,147 miles) of total track over a route of 65,000 kilometers (40,389 miles) and 7,500 stations. It has the world's fourth largest railway network after those of the United States, Russia and China. It carries over 30 million passengers and 2.8 million tons of freight daily. In 2011-2012 Railway earned a sum of Rs 104278.79 crores in revenue which consists of Rs 69675.97 cores from freight and 28645.52 cores from passengers tickets. It is the world's fourth largest commercial or utility employer, by number of employees, with over 1.4 million employees. In terms of rolling stock, IR owns over 240,000 (freight) wagons, 60,000 coaches and 9,000 locomotives. It is thus "State" in terms of Article 12 of the Constitution of India and amenable to writ jurisdiction of this Hon'ble Court under Article 32. Respondent No. 3 is the Ministry of Environment and Forest Government of India, represented by its Secretary. Respondent No. 4 is the state of Orissa which is 7 represented by its Chief Secretary, Respondent No. 5 is the state of West Bengal represented by its Chief Secretary and Respondent No. 6 is the State of Assam represented by its Chief Secretary. Respondents No 4, 5, and 6 are the relevant stakeholders and the recent incidence of killing of elephants on the railway track has happened on their territories. Respondents Nos. 7 to 14 are the States where there is a major elephant population.

4. That Railways and highways are a major source of wildlife mortality throughout the world. Railways also cause direct loss of habitat, degradation of habitat quality, habitat fragmentation, population fragmentation/ isolation and reduce access to vital habitats. In India also, a large number of wild species are being killed annually due to railways and highways.

5. The cause of action for this writ petition arises out of the inaction of the Indian Railways in adopting a sound policy to avoid frequent killing of elephants by electrocution or speeding trains in different parts of the country. Hence this writ petition is an attempt to arrest such occurrences by virtue of a proper elephant movement monitoring system and other such well devised and scientific strategies.

6. India is home to between 50% to 60% of all of Asia's wild elephants and about 20% of the domesticated elephants. As such, the country is of paramount importance for the survival of the species. The elephant plays a central role in Indian life and has done so for many centuries.

TO.

HON'BLE CHIEF JUSTICE OF INDIA AND HIS HON'BLE COMPANION JUSTICES OF THE SUPREME COURT OF INDIA. THE HUMBLE PETITION OF THE PETITIONER ABOVE NAMED **MOST RESPECTFULLY SHOWETH:**

1. That this petition has been under Article 32 of the Constitution of India in the nature of public interest litigation challenging inaction of Indian Railways, the Ministry of Forest and Environment and various state governments in containing the widespread number of deaths of elephants on Railway track and due to electrocution or being hit by trains. There has been increasing elephant mortality on Railway track and due to electrocution which is antithesis to the Article 48-A and 51-A (g) of the Constitution of India and provisions of Wild life Protection Act, 1972 especially Sections 39 and 50, the Indian Forest Act 1927, Indian Penal Code, Forest Conservation Act 1980 and Prevention of Cruelty to Animals Act, 1986 and rules made thereunder. The Petitioner is seeking the following reliefs: a. Issue a writ of mandamus or other appropriate writ order or direction directing respondents 1 to 14 to initiate appropriate steps forthwith to prevent such killings of elephants on the track and due to electrocution; b. Issue a writ of mandamus or other appropriate writ order or direction directing all respondents to initiate appropriate action and 5 pass necessary directions to prevent such incidence of death of elephant on railway track; c. Issue a writ of mandamus or other appropriate writ order or direction directing the respondents and the concerned authorities under them to take such measures so as to develop and enforce such procedures and mechanisms to comply with the safety and security and protection of this endangered species; d. Issue a writ of mandamus or other appropriate writ, order and direction laying down guidelines, devising strategy to protect elephants with respect to prevention of such occurrences by the Respondents who are State within the meaning of Article 12 of the Constitution of India; e. Issue such other appropriate writ or direction that may be deemed to be just and equitable in the facts and circumstances of the case and in the interest of justice.

2. That the petitioner- a citizen of India and interested in safeguarding the interest of public at large and ventilating the grievances of public regarding the issues of public importance, in the exercise of his duty in terms of Article 51 A (g) of the Constitution and with a view to promote the Rule of Law, has preferred the instant Writ Petition under Article 32 of the Constitution of India in Public Interest. The petitioner is a journalist in a regional newspaper and based in Delhi. He is a public spirited person and takes lead in various issues of public interest before the authorities. He has a special interest in the preservation and 6 protection of wildlife and keeps writing in newspapers on the wildlife and environmental issues regularly.

4

Elephants are closely associated with religious and cultural heritage, playing an important role in the country's history. They remain revered today. Wild elephants in India are facing a variety of problems, but most focus around the usual issues of habitat loss and human-elephant conflict including the train accidents claiming about 8-10 elephants deaths annually.

7. That the Indian Railway has benefited the people of the country but its impact on wildlife and wild habitats has been a matter of increasing concern. Rail routes slicing through wild habitats not only cause direct mortality and injury to wild animals through train accidents but also create habitat fragmentation, degradation, wildlife population fragmentation and reduction of wildlife access to vital habitats. One of the major losers in this conflict has ironically been the mascot species of Indian Railways, the Asian elephant. Elephant deaths in railway accidents have been reported from all elephant range states in India, with more than 110 train-hit deaths recorded since 1987. Nearly 90% of these deaths in the past two decades were recorded in the states of Assam, West Bengal, Odisha, Uttarakhand and Jharkhand.

8. That there are at least 35 elephants killed due to train hit in Assam between 1990 and 2006 as per an Occasional Report titled "Deadly Track" (published in 2006) of the Conflict Mitigation Division of the 9 Wild Species Programme of the Wildlife Trust of India in partnership with the International Fund for Animal Welfare. According to the analysis of the data by dividing the sixteen years period from 1990 to 2005 into two (leaving out the year 2006 from analysis, since more than half of the year still remains), the total number of elephants killed in the first half, during 1990 - 1997 was six (0.75 per year), compared to twenty eight elephants (3.5 per year) during 1998 - 2005. This definitely indicates a considerable increase in train accidents and elephant mortality in the recent past. The number of elephant mortality in a given year was also high during the period. On several occasions the forest department hides such cases and instead shows them as cases of natural death. A copy of the extract of Occasional Report titled "Deadly Track" (published in 2006) of the Conflict Mitigation Division of the Wild Species Programme of the Wildlife Trust of India in partnership with the International Fund for Animal Welfare. Indicating the number of accidents during 1990 to 2006 leading to elephant mortality is annexed herewith and filed as ANNEXURE-P-1.

9. That a study conducted by some wildlife experts of repute belonging to the Asian Elephants Specialist Groups (ASEG) which was published in their Journal Gajah, Vol. 31 (2009) pg. 36-39 suggests that in the North Bengal alone there is increasing trend of occurrence of accidents on railway tracks in recent years. Over the period 1958-2008 only in North West Bengal alone 11 cases have been reported from Gulma (Mahanananda sanctuary stretch), 9 10 deaths from Panjhora

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(Chapramari Wildlife Sanctuary stretch), 2 on Good hope TE stretch, 4 from the Mongpong stretch (Kalimpong division), 3 in Jaldapara stretch and 7 from the Rajabhatkhabwa stretch (Buxa Tiger Reserve.) A copy of the article containing the reports indicating the death of elephants in this track between 1958-2008 on the railway track of north Bengal is annexed herewith and filed as ANNEXURE-P-2

10. That two elephants were killed when the speeding goods train hit in the north eastern part of the country. The elephants were knocked down when the herd of elephants were crossing the track. Earlier on the same route about six wild elephants were killed by a passenger train in 2001. A copy of the report published in the Washington Post dated 10.08.2010 is annexed herewith and filed as ANNEXURE-P-3.

11. That an entire herd of elephants was knocked down by a speeding train in North Bengal. Seven elephants were killed by the train while the herd was crossing the railway track. Initially two elephants got trapped on the tracks when other elephants came to their rescue, a speeding goods train hit them and another five elephants were killed on the spot and many succumbed to injury. According to the report this particular track has become notorious for the pachyderm deaths it causes every month. A copy of the report published in the CNN-IBN dated 24.09.2010 is annexed herewith and filed as ANNEXURE-P-4.

12. That an elephant died when a goods train hit near Humma (Odisha) on May 19th, 2012 when the elephant was crossing the track. A copy of the Newspaper report published in the Indian Express dated 20.05.2012 is annexed herewith and filed as ANNEXURE-P-5.

13. A speeding inter-city train going to Tinsukia killed a 7 year old elephant at Kurkuri under Sonapur Range in Kamrup district on 1st August. The female elephant which was separated from its herd, after being hit was dragged along the track for quite a distance. A copy of the Newspaper report carried by the SEVEN SISTER POST dated 2.08.2012 is annexed herewith and filed as ANNEXURE-P-6.

14. That two elephants were killed after being hit by a speeding goods train in Odisha's Keonjhar district. The accident occurred when a herd of elephants was crossing the railway track in the night of 16th August, 2012 through a forested area near Champua, about 300 km from state capital Bhubaneswar. A copy of the newspaper report published in DECCAN HERALD dated 16.8.2012 carrying the story is annexed herewith and filed as ANNEXURE-P-7

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two major accidents and the elephant mortality has been about 12. Copies of the said letters dated 26.12.2012 addressed to the Chairman, Railway Board and Secretary, Ministry of Environment and Forest, Government of India are annexed herewith and filed as ANNEXURE-P-11

19. The Chennai bound Coromandel Express dashed with a herd of elephants between Rambha and Huma stations in Khurda Road Brahmapur section under Khurda Road Division of East Coast Railway at about 00.43hrs on 30th, December, 2012 midnight. As a result, six elephants died on the spot. On the same spot there have been accidents earlier in the month of May, 2012 another accident took place wherein one elephant was killed on the track. A copy of the Press release dated 30.12.2012 by the East Coast Railway, Bhubaneswar is annexed herewith and filed as ANNEXURE-P-12.

20. The East Coast Railways, Bhubaneswar issued a clarification with respect to the elephant mishap of 30.12.2012 which was nothing but a manifestation of the typical bureaucratic nature having engaged in the blame game. The Railway blamed the State Forest department which informed them late. A copy of the said Press release dated 2.01.2013 is annexed herewith and filed as ANNEXURE-P-13.

21. After five days of the dreadful accident in Odisha another big accident was reported to have taken place in Jalpaiguri (West Bengal). Three jumbos, an adult female and two young males were killed and two calves injured when the speeding Guwahati bound Jhajha Express crashed into them inside West Bengal's Buxa Tiger Reserve on 6.1.2013. The impact of the crash was such that the bodies of the elephants were flung more than 200m from the 15 track. A copy of the Report in BUSINESS STANDARD dated 5.1.2013 carrying the story is annexed herewith and filed as ANNEXURE-P-14.

22. Unlike other elephant range states where it is more widespread, the issue of elephant deaths in railway accidents in Uttarakhand is localized in an 18km stretch of railway track passing through Rajaji National Park. Yet, between 1987 and 2002, Uttarakhand lost about 20 of its 400 plus elephants to train accidents. A copy of the newspaper report dated 13.01.2013 published in the Tribune, Dehradun edition is annexed herewith and filed as ANNEXURE-P-15.

23. That the Chief Minister of Odisha also wrote letter to the Hon'ble Minister for Forest and Environment expressing concern over the death six elephants, including a tusker and two calves, and a person were killed when Coromandel Express, considered the fastest train in the country, ran over them near Subalaya in Ganjam district in the early hours of 31st December, 2012. A copy of the letter dated 16.01.2013 is annexed herewith and filed as ANNEXURE-P-16

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15. That there are at least 46 elephants have met their tragic end on the rail track in the country since 2009 as per a report published by the Business Standard dated 30.08.2012 borrowing the source 12 from the Press Trust of India. A total number of 36 elephants were killed, including from 01 August 15, 2012 alone in North Frontier Railway. Railway Minister Moolay K. Reddy said in a written reply in the Lok Sabha. While in 2009, nine elephants were killed in train hits, the casualty rose to 20 in 2010 across the country. However the casualty decreased next year to 9 and 01 August 15, 2012 the figure stood at 8. A copy of the report published in the Business Standard dated 30.08.2012 carrying the said news is annexed herewith and filed as ANNEXURE-P-8

16. That it is unfortunate and a matter of grave concern that nearly 300 wild elephants have died in the state of Orissa state due to different reasons including the train accidents in the past five years. The state's forest and environment minister has said in the State Assembly which is reported in the BBC India on 31.10.2012. A copy of the BBC INDIA report dated 31.10.2012 is annexed herewith and filed as ANNEXURE-P-9.

17. That according to the latest CAG report 2012-13 which has also expressed concern over the issue of a large number of wild species are being killed due to accidents in railway tracks and highways but data maintained are very meager. Data is, however, available for large animals like elephants, the CAG noted "Despite some initiatives by Railways like imposition of speed restrictions, display of sign ages and regular clearance of vegetation along the track. The Railway and Environment and Forests ministries jointly issued general advisories to prevent train accidents involving 13 elephants. The advisories included measures like clearance of vegetation alongside the tracks, sensitizing programs for train drivers, guards, keeping the track free from food wastes and engagement of elephant trackers. The audit team checked the extent of implementation of above measures in three zones - South Eastern (SE), Southern and North Eastern Frontier (NEF) - where rate of animal mortality was high. It has found in SE zone that neither any sensitizing program was being conducted nor any action was taken for engagement of elephant trackers. A copy of the extracts of the CAG Report 2012-13 tabled in the Parliament on 22.12.2012 is annexed herewith and filed as ANNEXURE-P-10.

18. The petitioner was very much disturbed and saddened by seeing the report of the CAG and regular newspaper reports on the death of so many elephants on tracks. He being an animal lover, concerned citizen and a responsible journalist writes letters to the Secretary, Ministry of Forest, Government of India and Chairman, Railway Board, New Delhi seeking redressal of his grievance. Unfortunately the concerned authorities have never given him a suitable reply nor did they take any concrete steps to arrest such unhappy incidents immediately. Just after a few weeks there have been

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24. That the Petitioner has been of the consistent view that Elephant accidents have of late become a regular affair in these states. Trains account for 37 percent of elephant deaths in the country. 16 With this killing, the total death toll of elephants due to collisions with speeding trains has touched about 10 in the year 2012. On an average 8 to 10 elephants die each year in train accidents.

25. The petitioner states that on several occasions the incidents go unrecorded as the injured elephants simply vanish into the jungle after being hit by a train. They later die and thus it is recorded as natural death. In most of the cases, it is the female and calves who become the victims.

26. That the elephants follow the same route according to their behavior and if they are barred or if they find resistance they tend to go wayward and disturb the neighboring areas.

27. That the petitioner is constrained to file this petition as the Constitutional mandate under Article 48A and 51 A (g) and various provisions of the Wild Life Protection Acts and other allied Acts and rules made there under have not been complied with in letter and spirit by the Respondent State and their authorities in spite of India being declared to be a Constitutional Republic which necessarily envisages the role of the State akin to "parens patriae". The skewed understanding of the constitutional scheme has made the State oblivious of the obligation imposed on it by the said provisions. 17

28. That the National Railways of India was a statutory body incorporated originally under the Indian Railways Act, 1890 and later consolidated under the Railways Act, 1989. The Indian Railways (hereinafter referred to as the Railways) comes within the purview of the State as defined under Article 12 of the Constitution of India. As on today, it enjoys monopoly in the business of running the rail transport in the country. Its railway lines spin a web through the length and breadth of the country spanning over 64,015 kms, 17,000 trains, carrying 18 million passengers every day. Indian Railways is a department owned and controlled by the Government of India. Indian Railway due to its sheer mammoth size, importance and earning capacity, has been constituted into a Ministry by itself. Indian Railways holds a monopoly on the country's rail transport. It is one of the largest and busiest rail networks in the world, transporting over six billion passengers and almost 750 million tones of freight annually. The Indian Railways is the world's largest commercial or utility employer, with more than 1.6 million employees. But in terms of killing the jumbo it has attained notoriety.

29. The seemingly innocent actions of the Railways on elephants' death in the train accident has certainly come as a big setback for the countless animal lovers of the country. Furthermore, elephants and people have enjoyed a close cultural association in India since historical times. The

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challenge before the state is therefore to 18 promote the conservation of wild and captive elephants in the context of these unhappy incidents being repeated on a regular basis.

30. That the conservation and management of elephants in our country calls for a variety of strategies and responses, depending on the regional situation. Elephant-human conflicts in terms of elephant depredation of cultivated crops, damage to property and loss of human lives have become a major challenge to effective conservation in several regions of the state. The ecological basis of such conflicts is rooted in a set of complex factors including loss, fragmentation and degradation of the natural habitat, regional changes in land-use pattern, attraction from the superior palatability and nutritional properties of cultivated plants as compared to the natural forage of the elephant, social organization of the elephant with adult males generally becoming more persistent raiders, and adverse climatic events such as droughts causing elephant groups to disperse from their native habitats. There is an urgent need on the part of the relevant authorities to devise strategies taking into account the aforementioned factors and come out with a foolproof plan to prevent the recurring incidents of death of elephants on track.

31. That the lands that provide connectivity between key habitats need to be given greater legal cover. Where they lie entirely within Reserved Forests, the States may consider bringing them under the Wild Life (Protection) Act, 1972, whereas, if such lands lie 19 outside legally-designated forests, they could be notified as Ecologically Sensitive Areas under the Environment Protection Act, 1986, in accordance with recommendations made in the National Wildlife Action Plan and Strategy 2002-2016, as well as keeping in mind the recurring incidents of elephant death.

32. Within the major landscapes that harbor viable populations of elephants, efforts could be made to restore more recently fragmented corridors that are still being used by elephants. However, corridors to address the needs of dispersing animals or those living in high conflict areas, which do not have much potential for long-term conservation, should not be attempted without a detailed study. It is further submitted that building permanent barriers using railway rails, as has been done in South Africa could minimize such mishap.

33. That it is imperative for the Forest authorities to properly understand the elephant movements better and see whether and how connectivity lost due to highways and railway lines can be restored. Other than these steps, additional measures to address cross-cutting problems such as electrocution of elephants must also be part of the strategy.

34. That elephants' death due to an accident caused by a train could be prevented by determination of the position of the 20 elephants from a distance by the use of thermal infra-red cameras that can

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be fitted to the engine. The Elephant's body emits infra - Red radiation and that can be caught by the camera. This will help the train driver to take precautionary measures with enough time at his disposal for the image to be obtained at a point that is a long way behind the elephant's position. These cameras extend the distance of vision much more than what an ordinary light beam from the engine can help. The whole process can be automated using the necessary software which is available currently, namely image recognition software. This technique will work for straight stretches of the track but definitely difficult for tunnels and curved tracks.

35. That at this juncture it would be incumbent on part of the Respondents, herein, who are "State" under Article 12 of the Constitution to consider the implications of the number of elephants.

36. The Petitioner made representation before the concerned authorities who are arrayed as Respondent No. 1 and 3 herein seeking redressal of the issue. The Petitioner specifically states that after the said representation there has been more than two accidents of elephants claiming at least more than 10 elephants. There have been a lot of deliberations and meetings by the concerned ministries but the end result is they have failed to stop the accidents.

37. That receiving no reply from the concerned Respondents, the Petitioner has preferred the instant Writ Petition.

GROUNDS

A. Because of the inaction of the Indian Railways leading to the death of a number of elephants which has been listed as endangered species by IUCN as the population has declined by at least 50% over the last three generations estimated to be 60-75 years. Though the species is pre-eminently threatened by habitat loss, degradation and fragmentation, scanty attention is being paid by the authorities.

B. Because conservation of wildlife is of immense importance to mankind. The extinction of wildlife will ultimately lead to the extinction of the human race itself. Since the origin of life, wildlife has maintained an ecological balance. The wildlife must be preserved as they are having immense aesthetic value and it gives grace to the biosphere. Hence the state as well as citizens are under duty and obligation to protect the wildlife and to have compassion for living creatures.

C. Because Article 51 A (g) of the Constitution mandates that it shall be the fundamental duty of every citizen to protect and improve 22 the natural environment including forests and Wildlife. The

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Directive Principles of State policy - Article 48A, mandate that the State shall endeavor to protect and improve the environment and to safeguard the forests and wildlife of the country. This Court in its decisions has relied on the directive principles to enlarge the scope and content of the fundamental rights, thereby bringing them within the ambit of justiciable rights. Thus, the preservation of ecology and environment based on the principle of sustainable development to reconcile the conflicting interest of development with the preservation of a healthy environment has been recognized as a facet of the right to life. The principle adopted is that ecology and environment are not objects of ownership but are nature's gift intended to be preserved in trust for the future generation. They also empower citizens/ institutions to constructively participate in the process of protecting forests and wildlife.

D. Because of the Loss of significant extents of elephant range and suitable habitat continues, their free movement is impeded by reservoirs, hydroelectric projects and associated canals, irrigation dams, numerous pockets of cultivation and plantations, highways, railway lines, mining and industrial development. Of late, elephant deaths are on the rise. Irate farmers, terrified villages and even the military and police are reacting to crop depredation and damage to people and settlements by fighting back and killing elephants. Even though the elephant is protected by legislation across Asia, they are increasingly being killed in anger or self defense. Studies by Raman Sukumar in three locations in India 23 suggested that up to 20% of elephant deaths were caused directly by crop defense. These studies took place in 1982 and the situation is thought to have worsened since. In Sri Lanka, it is reported that up to 150 wild elephants are shot or poisoned by farmers every year.

E. Elephant mortality due to collision with trains is another issue of human conflict in India that has only increased despite several protected forest areas in the country. F. Because the continual inaction on part of the Respondents who are "State" under Article 12 of the Constitution is not taking any concrete steps to protect the wild animals who are facing death on the railway track. Any law, policy, guidelines etc need to be taken urgently. This Hon'ble Court in exercise of power vested under Article 32 and Article 142 of the Constitution of India has the power to issue guidelines and order for strict compliance to save the innocent animal from extinction. Since the said guidelines shall have the force of law in terms of Article 141 of the Constitution of India. G. Because this Hon'ble Court in State of Gujarat v. Mirzapur Moti Kureshi Kassab Jamat, (2005) 8 SCC 534, at page 567 pr 49 stated as under: 24 "49. Article 48-A deals with "environment, forests and wildlife". These three subjects have been dealt with in one article for the simple reason that the three are interrelated. Protection and improvement of the environment is necessary for safeguarding forests and wildlife. A similar view was taken by this Court in Indian Council for Enviro-Legal Action v. Union of India (SCC p 296, para 31) where Their Lordships said: "While economic

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development should not be allowed to take place at the cost of ecology or by causing widespread environment destruction and violation, at the same time, the necessity to preserve ecology and environment should not hamper economic and other developments. Both development and environment must go hand in hand, in other words, there should not be development at the cost of the environment and vice versa, but there should be development while taking due care and ensuring the protection of the environment." 72. The concept of sustainable development also finds support in the decisions of this Court in M.C. Mehta v. Union of India (Taj Trapezium case), State of H.P. v. Ganesh Wood Products and Narmada BachaoAndolan v. Union of India 73. In the light of the above discussions, it seems fit to hold that merely asserting an intention for development will not be enough to sanction the destruction of local ecological resources. What this Court should follow is a principle of sustainable development and finds a balance between the developmental needs which the respondents assert, and the environmental degradation, that the appellant alleges."

I. Because this Hon'ble Court has in Intellectuals Forum, Tirupathi v. State of A.P., (2006) 3 SCC 549, at page 578 held as under: 27 "85. Parliament has considerably responded to the call of the nations for conservation of environment and natural resources and enacted suitable laws. 86. The judicial wing of the country, more particularly this Court, has laid down a plethora of decisions asserting the need for environmental protection and conservation of natural resources. The environmental protection and conservation of natural resources has been given a status of a fundamental right and brought under Article 21 of the Constitution. This apart, the directive principles of State policy as also the fundamental duties enshrined in Part IV and Part IV-A of the Constitution respectively also stress the need to protect and improve the natural environment including the forests, lakes, rivers and wildlife and to have compassion for living creatures. 87. This Court in Dahanu Taluka Environment Protection Group v. Bombay Suburban Electricity Supply Co. Ltd. held (at SCC p. 541, para

2) that the Government concerned should "consider the importance of public projects for the betterment of the conditions of living of the people on the one hand and the necessity for preservation of social and ecological balances, avoidance of deforestation and maintenance of purity of the atmosphere and water free from pollution on the other in the light of various factual, technical and other aspects that may be brought to its notice by various bodies of laymen, experts and public workers and strike a just balance between these two conflicting objectives." J. Because in Sansar Chand v. State of Rajasthan, (2010) 10 SCC 604, at page 607 this Hon'ble court has considered the issue of importance of preservation of wildlife for the human society"

8. Before dealing with the facts of this case, we may consider why preservation of wildlife is important for human society.

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4. Preservation of wildlife is important for maintaining the ecological balance in the environment and sustaining the ecological chain. It must be understood that there is interlinking in nature. To give an example, snakes eat frogs, frogs eat insects and insects eat other insects and vegetation. If we kill all the snakes, the result will be that the number of frogs will increase and this will result in the frogs eating more of the insects and when more insects are eaten, then the insects which are the prey of other insects will increase in number to a disproportionate extent, or the vegetation will increase to a disproportionate extent. This will upset the delicate ecological balance in nature. If we kill the frogs the insects will increase and this will require more insecticides. Use of too much insecticide may create health problems. To give another example, destruction of dholes (wild dogs) in Shitani was intended to protect livestock, but this led to a greater number of wild boar and to resultant crop devastation causing several cases of abandonment by humans of agricultural fields. Destruction of carnivorous animals will result in an increase of herbivorous animals, and this can result in serious loss of agricultural crops and other vegetation.

31. It must be realized that our scientific understanding of nature and in particular of the ecological chain and the linkages therein is still very primitive, incomplete and fragmentary. Hence, it is all the more important today that we preserve the ecological balance because disturbing it may cause serious repercussions of which we may have no idea today. 11. As already stated above, the wildlife in India has already been considerably destroyed. At one time there were hundreds of thousands of tigers, leopards and other wild animals, but today there are only about 1400 tigers left, according to the Wildlife Institute of India. 12. Because this Hon'ble Court has in T.N. Godavarman Thirumalgad v. UOI (2009) 17 SCC 776 taken cognizance of the construction of roads passing through wildlife sanctuary and cleared the project subject to certain conditions. The Petitioner submits that in the instant case similar conditions be imposed on the Railways, Union 29 of India and States for the preservation and protection of the elephants crossing railways tracks. 38. That the Petitioner does not have any alternative and efficacious remedy for enforcement of his fundamental rights.

39. That the Petitioner has not filed any other petition in this Hon'ble Court or any other Court. PRAYER: It is therefore, most respectfully, prayed that this Hon'ble Court may graciously be please to:

4) Issue a writ of mandamus or other appropriate writ order or direction directing respondents 1, 2 and 3 to initiate appropriate steps forthwith to prevent such train accidents killing elephants

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b) Issue a writ of mandamus or other appropriate writ order or direction directing respondents 1, 2, and 3 to initiate appropriate action and pass necessary directions to prevent such sad accidents claiming the elephants' life.

c) Issue a writ of mandamus or other appropriate writ order or direction directing the respondents and the concerned authorities under them to take such measures so as to develop and enforce such procedures and mechanisms to comply with the safety and protection of the elephants. 30

d) Issue a writ of mandamus or other appropriate writ, order and direction laying down guidelines, with respect to prevention of mishaps leading to death of elephants, to Indian Railways as an interim measure pending framing of any law by the Respondents who are State within the meaning of Article 12 of the Constitution of India;

e) Issue a writ of mandamus or other appropriate writ order or direction directing the respondent No. 3 to initiate prosecutions under the Indian Penal Code, 1872, the Criminal Procedure Code, the Wild life Protection Act, 1972, against the Officers and responsible persons of respondents 1 and 2 for allowing such accidents to take place.

f) Issue such other appropriate writ or direction that may be deemed to be just and equitable in the facts and circumstances of the case and in the interest of justice.

AND FOR THIS ACT OF KINDNESS THE PETITIONER AS IN DUTY BOUND SHALL EVER PRAY.

Drawn by Samjeeb Panigrahi

Filed by Purusahottam Sharma Tripathi

Drawn on: __.01.2013

Filed On: __.01.2013

Place: New Delhi 31

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AFFIDAVIT

I, Shakti Prasad Nayak, S/o Late Gouranga Churan Nayak, Age about 35 years, resident of Room No. 15, Plot no- F-88-B, C/o Iswar Singh, PS- Vasant Vihar, PO - Hauz Khas, New Delhi- 110016 do solemnly affirm and state as under:-

1. That I am the petitioner in the above mentioned Writ Petition and as such am fully conversant with the facts of the case and competent to swear this affidavit.

2. I have read the accompanying Synopsis and List of Dates (pages B-), Writ Petition (pages 1 to 30, paras 1 to 39) and the same have been drafted as per my instructions and I believe the same to be true to the best of my knowledge and belief.

3. That the annexures accompanying this Writ Petition are true and correct copies of their respective originals.

4. That I have not filed any other petition in this Hon'ble Court or before the Supreme Court or any other Court.

DEPONENT

VERIFICATION

I, the above named deponent do hereby verify that the contents of this affidavit are true and correct to the best of my knowledge and belief, no part of it is false and nothing material has been concealed therefrom. Verified at New Delhi on this day of January, 2013

DEPONENT

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