

Case Study Guidelines

Instructions:

1. No direct use of AI; as copy pasting from AI chatbots will not be allowed.
 2. The assignment must include two case studies related to the Constitution of India.
 3. Each case study should highlight the constitutional provisions, key legal principles, and judicial interpretation.
 4. The total length of the assignment should not exceed two A4 pages (excluding references).
 5. Maintain clarity, conciseness, and structured analysis.
 6. The assignment must be neatly formatted, typed in Times New Roman, 12-point font, and 1 line spacing.
 7. Cite sources and references properly wherever applicable.
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Evaluation Criteria:

- **Written Assignment (20 Marks):**
 - Clarity and Structure: **5 Marks**
 - Depth of Analysis: **5 Marks**
 - Relevance to Constitutional Provisions: **5 Marks**
 - Conciseness and Presentation: **5 Marks**
- **Oral Presentation (10 Marks):**
 - Clarity and Communication: **5 Marks**
 - Depth of Understanding: **5 Marks**



**Pimpri Chinchwad Education Trust's
Pimpri Chinchwad College of Engineering (PCCoE)
(An Autonomous Institute)
Affiliated to Savitribai Phule Pune University (SPPU)
ISO 21001:2018 Certified by TUV SUD**

Name : _____

Roll Number : _____ **Branch:** _____

Course Name : Constitution of India (BSH24VE02) **Semester/Year:** IV - SY B Tech

CASE STUDY : 1

(Title: Times Roman 14 Fonts Size, Centre Aligned)

I. Introduction (Context Setting)

- Provide a brief introduction to the case, including the facts and key issues.
- Mention the parties involved (petitioner, respondent, government, etc.).
- Outline the context in which the case was brought to the court (social, legal, or political significance).

II. Point 1: Constructive Interpretation of the Case Study

- Identify the relevant Articles of the Indian Constitution cited in the case.
- Mention any fundamental rights, directive principles, or constitutional doctrines that were discussed.
- Highlight any specific laws or amendments related to the case.

III. Court's Judgment

- Summarize the final decision given by the court (Supreme Court/High Court).
- Explain the key reasoning behind the verdict.
- Mention any legal precedents set or upheld by the judgment.

IV. Impact and Analysis

- Discuss how the ruling affected constitutional interpretation or legal framework.
- Explain any changes in laws, policies, or societal impact resulting from the judgment.
- Provide your perspective on whether the decision was just and its implications for future cases.

CASE STUDY : 2

(Title: Times Roman 14 Fonts Size)

I. Introduction (Context Setting)

- Provide a brief introduction to the case, including the facts and key issues.
- Mention the parties involved (petitioner, respondent, government, etc.).
- Outline the context in which the case was brought to the court (social, legal, or political significance).

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Sample Case Study

Title: The Right to Education for Rohingya Refugee Children in India

https://www.theguardian.com/global-development/2024/nov/26/education-rohingya-refugee-children-india-schools?utm_source=chatgpt.com

1. Introduction

The right to education is a fundamental human right enshrined in various international covenants and the Constitution of India. This case study examines the challenges faced by Rohingya refugee children in accessing formal education in India, highlighting the constitutional provisions and legal interpretations pertinent to this issue.

2. Background & Facts of the Case

Rohingya refugees, fleeing persecution from Myanmar, have sought asylum in various countries, including India. Despite possessing necessary documentation, many Rohingya children in areas like Khajuri Khas, Delhi, have been denied admission to local government schools. This denial persists despite the constitutional mandate for free and compulsory education for all children up to the age of 14. Activists argue that this exclusion is discriminatory and undermines the children's future prospects. In a recent development, the Delhi High Court declined a plea for the enrollment of these children, directing the petitioner to approach the Home Ministry instead.

3. Constitutional Provisions Involved

- **Article 21A:** Introduced by the 86th Amendment, this article mandates the State to provide free and compulsory education to all children aged 6 to 14 years
- **Article 14:** Ensures equality before the law and equal protection of the laws within the territory of India
- **Article 15:** Prohibits discrimination on grounds of religion, race, caste, sex, or place of birth.

- **Article 51(c):** Directs the State to foster respect for international law and treaty obligations.

Additionally, India is a signatory to the United Nations Convention on the Rights of the Child (UNCRC), which emphasizes the right of every child to education without discrimination

4. Analysis and Interpretation

The denial of education to Rohingya refugee children raises critical questions about India's adherence to its constitutional mandates and international obligations. Article 21A's guarantee of free and compulsory education is not explicitly limited to Indian citizens, suggesting an inclusive approach. Furthermore, Article 14's promise of equality before the law extends to all persons, not just citizens, reinforcing the argument against discriminatory practices.

The Supreme Court of India, in various judgments, has upheld the right to education as integral to the right to life under Article 21. In *Unni Krishnan J.P. v. State of Andhra Pradesh*, the Court recognized education as a fundamental right essential for the full development of individuals.

However, the application of these rights to non-citizens, particularly refugees, remains a complex issue. While the Constitution provides certain fundamental rights to all persons, the enforcement of these rights for refugees often intersects with national security and immigration policies. The Delhi High Court's direction to approach the Home Ministry underscores the administrative challenges in addressing refugee rights within the existing legal framework.

5. Implications and Conclusion

The exclusion of Rohingya refugee children from formal education has profound implications. It not only violates constitutional principles but also hampers the integration and development of refugee communities. Education serves as a vital tool for empowerment and social cohesion, and its denial can lead to marginalization and social unrest.

To uphold constitutional values and international commitments, it is imperative for policymakers to devise inclusive educational policies that accommodate refugee children. This includes clarifying the applicability of the Right to Education Act to refugee populations and ensuring that administrative hurdles do not impede access to fundamental rights.

6. References

- The Constitution of India
- Unni Krishnan J.P. v. State of Andhra Pradesh, (1993) 1 SCC 645
- United Nations Convention on the Rights of the Child, 1989
- The Guardian article on Rohingya refugee children's education in India