

Report of Residential Program on Legislative Principles and Law Making Process of B.A.LL.B Second Year

Background

Kathmandu School of Law has been conducting outreach residential campus from past years focusing students and scholars with intention of providing practical knowledge. Continuing this spirit of residential learning, students of B.A.LL.B 2nd year have been assigned to have a mock parliament session compulsorily as per their syllabus. As other years, this year also from 2080-09-02 to 2080-09-05, Kathmandu school of law conducted Mock parliament session for its B.A.LL.B 2nd year students on its outreach residential campus located on Bhakundebesi, Kavre.

A Mock Parliament serves as a dynamic platform where individuals, often students and scholars, engage in a legislative environment to a democratic process and existing governance. Through this mock session, an immersive experience, participants gain invaluable insights into the complexities of lawmaking, parliamentary procedures, and the art of persuasive communication. Mock Parliaments not only foster a deeper appreciation for democratic principles but also cultivate essential skills such as critical thinking, public speaking, teamwork.

For law students as an educational tool, this simulation provides a bridge between theoretical knowledge and practical application, enabling participants to grasp the intricacies of the political landscape while fostering informed and also engaged citizenry. This provides a multitude of benefits to the student as per the spirit of Clinical Legal education, emphasizing on learning by doing approach.

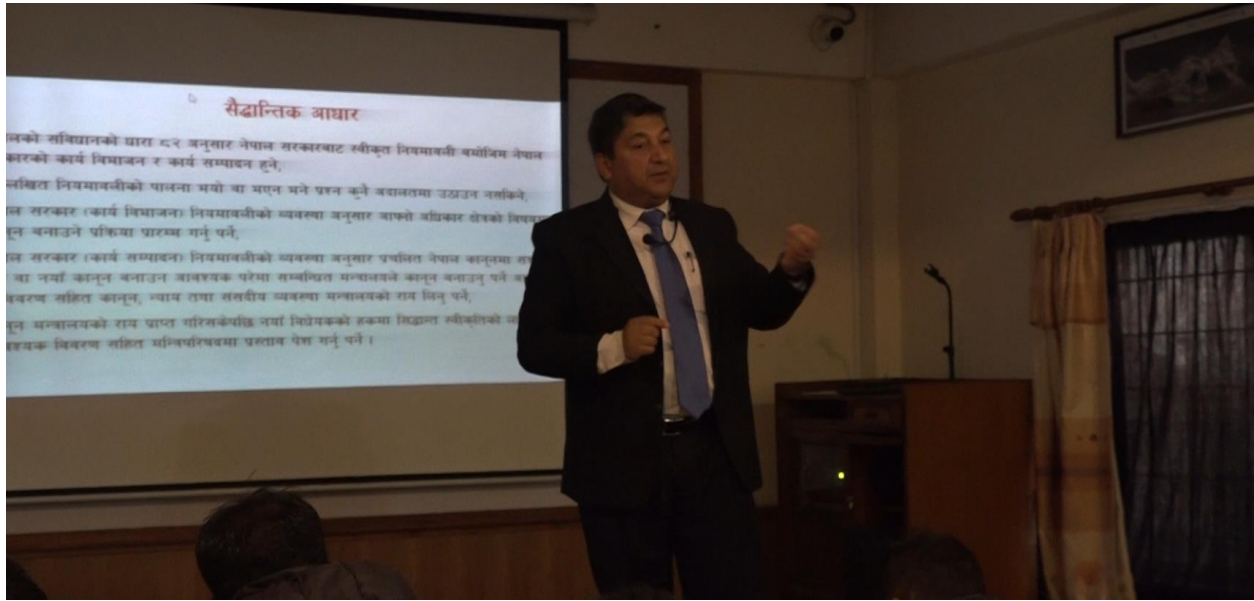
The activities was led by Clinical Law Department under the headship of Associate Professor Gyanu Gautam, co-ordinator of the Department. The team was accompanied with BALLB Second Year Co-ordinator Associate Professor Laxmi Bakhadyo, TA Padam Rawal and six mentors.

Major Highlights

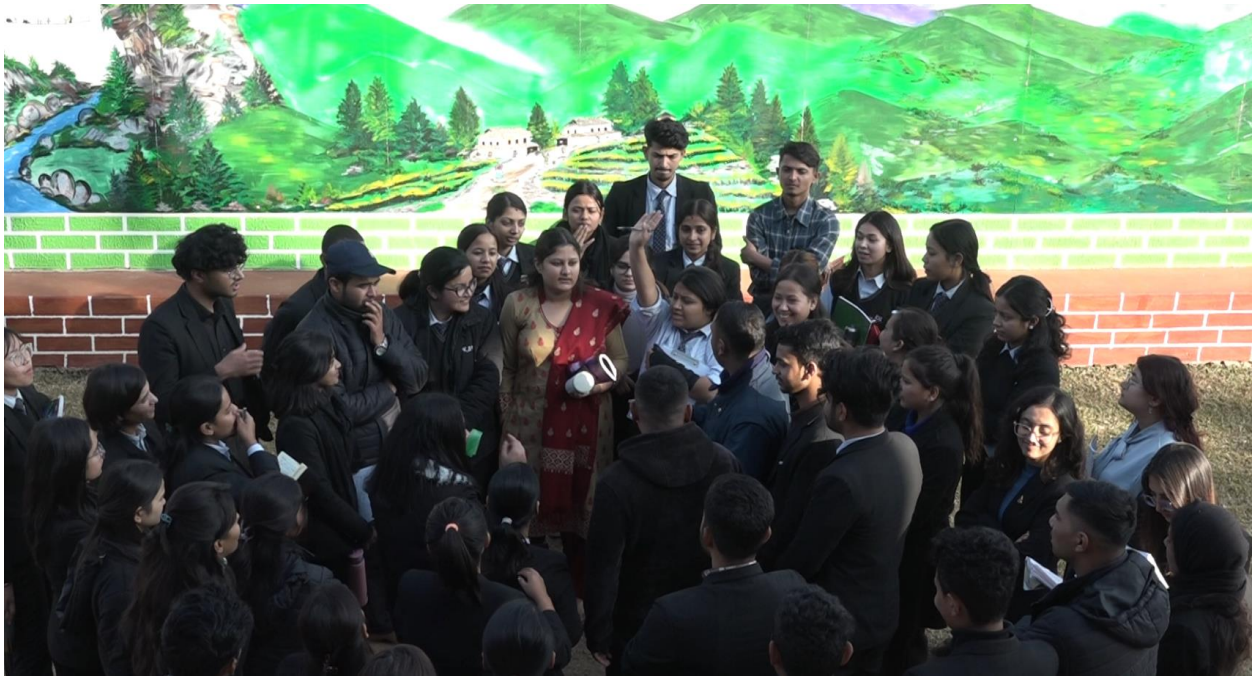
The Model Parliament Simulation unfolded over four days, immersing participants in a comprehensive exploration of the legislative process. The intricate schedule encompassed various facets of parliamentary proceedings, from knowledge of constitutional principles to the practicalities of bill drafting, committee formation, and the passage of the bills among others.

First Day

The inaugural day commenced with an insightful orientation by Mr. Rajendra Thapa, Joint Secretary, OPMCM, and shedding light on the intricate dynamics of the law-making process. Deliberations covered the pre-drafting stage, constitutional provisions, and the distribution of state powers. The session was followed by Q/A and an extensive open discussion in which students raised multiple questions to the speaker. After the orientation program at the KSL premises, students moved to the residential campus of KSL, Bhakundebesi, Kavre.



At the residential campus, the session started with an informal party discussion, setting the stage for the subsequent party elections for the post of Party President, Leader of the Parliamentary Party, Chief Whip, Whip. This election process encompassed both uncontested as well as contested elections through secret voting, with individuals assuming specific party posts. Following a brief tea break, the session proceeded to the process of selecting the Speaker and Deputy Speaker.



The eldest member among the students presided over as a Speaker of the house before the election of the Speaker and deputy speaker. An orientation conducted by mentor Hrithik Yadav shed light on the nuanced oath-taking process emphasizing the existing national and international legal norms, followed by the administration of the oath by the President to the Speaker.



The parliamentary session officially commenced under the direction of the Speaker i.e. the eldest member of the house, resulting in the uncontested election of the speaker of the house from the Socialist Party.

The subsequent contest for the deputy speaker involved two candidates, with the Liberal Party's candidate securing victory through a secret voting process. The day concluded with the oath-taking ceremony of the newly elected speaker, the appointment of the Prime Minister from the Communist Party, and the formation of a government with the coalition of three parties i.e. Communist Party, Socialist Party, and the Traditional Party, adhering to the provisions in Article 76(2) of the Constitution

of Nepal, 2072 B.S. Then, the Prime Minister took the vote of Confidence as per Article 76(4) of the Constitution of Nepal.

Second Day

Day 2 unfolded with a zero-hour session, providing each student a concise 45-second window to articulate pertinent issues and concerns of their respective elected area. The theoretical part of the residential program involved classes led by Assoc. Prof. Anil Kumar Shrestha and Assoc. Prof. Gyanu Gautam. Assoc. Prof. Anil Kumar Shrestha explained the drafting process of the bills and drafting principles of legislation. Associate Professor Gyanu Gautam added additional insights into it. All the students then engaged in preparing position papers. The theoretical aspect continued with three mentors providing insights to the students regarding bills and their types. After that, respective ministries presented bills for approval in the house where one out of the three got approved for further discussion. The three bills tabled for approval were the ones sub-judice in the House of Representatives and National Assembly of Nepal.



Third Day

Day 3 commenced with a resumption of the zero-hour session, with students contributing to an extended discourse highlight their concerns. A dedicated special hour session allowed for more profound discussions.

During the day, an important moment occurred when the political party in the coalition government withdrew its support and the Prime Minister again had to obtain a vote of confidence. Additionally, two private bills were registered by the parties for approval which was passed by the house. This added

a significant layer of activity to the proceedings, contributing to the depth and diversity of the day's events where the students were divided into two groups irrespective of their assigned political parties to draft the private bill by themselves.

Then three Committees were systematically formed leading to meticulous clause-wise deliberations of the three bills (one government bill and two private bills) which were facilitated by subject matter experts and the respective ministers. Each committee prepared and presented a report. Then, the ministers responded comprehensively to issues raised to their ministry during the zero and special hour sessions.

On the last day of the residential program, the legislative work reached its end with ministers and the respective parliamentarians presenting the final bills. All three bills were approved by the house, successfully making their way through the process. In the end, the Prime Minister and the leader of the opposition party addressed the house answering some crucial questions and ending with a promise of a successful tenure.

The final part of the event was a formal closing ceremony. Few representatives from the students and mentors shared their experience and the learning of the four-day simulation program. Assoc. Prof. Gyanu Gautam, Assoc. Prof. Laxmi Bakhadyo and Teaching Assistant Padam Rawal shared their insights into the program including their expectations and their experience with the students bringing the event to a thoughtful conclusion.

Achievement and Outcomes

The Model Parliament Simulation constituted a harmonious blend of theoretical knowledge of the law-making process and hands-on legislative exercises, providing students with an enriching experience. The students gained at least the following achievements from the activities:-

- **Skill Development**

Students developed their skill on the drafting bills, presentation skill, vocational skill, political skill, diplomatic skill, bargaining skill, cognitive skill. Students formed the government, drafted the bills in different issues, and did the clause-by-clause discussion in the parliamentary committee passed the bills, made laws.





- **Flourished of students' information**

Students learnt about law making process and government formation process. Intense involvement of the students in the law making and government formation process flourished their information in the context of parliamentary process.

- **Concept Paper**

Every student drafted and presented the concept paper as a parliamentarian in the time of zero hour. While presenting these students learnt how to address the house, speaker, learnt to keep the voice of their respective election constituency and of the national importance.

- **Position Paper of different party in the different bills.**

Members of different party presented the position paper in the different topic. The position paper was prepared as per the ideology of different parties.

- **Five bills drafted and prepared by the students.**

Students prepared the bills (Mention the bills and laws name here) and passed it. This is the prominent achievement of this mock parliament.

- **Committee formation**

Student in their respective committees minutely discussed clause by clause in the article of the bills. Also the experts and the concerned minister also gave the answers of the question raised by the member of the committee.

Concluding Remark

In conclusion, the Model Parliament Simulation by Kathmandu School of Law was a success, providing B.A.LLB 2nd year students with hands-on experience in legislative processes. The four-day program facilitated skill development, enriched students' understanding of lawmaking, and showcased their ability to draft and pass bills. The event's dynamic nature, including zero-hour sessions and committee deliberations, fostered critical thinking and diplomatic skills. The formal closing ceremony allowed participants to share their experiences, marking the program's thoughtful conclusion. Overall, the simulation achieved its goal of bridging theoretical knowledge with practical application, offering students a valuable and enriching educational experience. The Best parliamentarian, Best position Paper, Best Speaker and other Honorary Mentions shall be awarded on the Annual Day of Kathmandu school of Law.

Annexes :











Annex-2

Faculties

The 3-days long residential school on mock-parliament was facilitated by Associate Professor Gyanu Gautam, the coordinator of the Clinical Law, Associate Professor Laxmi Bakhadyo, coordinator of BALLB Second Year, and Teaching Assistant duos Sudip Raj Ghimire and Padam Rawal Department. Moreover, Associate Professor Anil Kumar Shrestha made extensive deliberations on the law-making principles and procedures in Nepal based on the constitutional and legal provisions.

Moderators/Trainers

The students were trained by the seniors in different sessions of the residential school on mock-parliament. The mentors actively guided the students in facilitating in the party meeting, forming the government, drafting of the bill, committee discussions and other necessary activities. The mentors also presented on various issues such as Types of bills, legal provision relating to oath, importance of committee hearing and other issues. The team of mentor comprised of the following students: -

- A. Hrithik Yadav (BALLB, Fourth Year)
- B. Aakriti Gautam BALLB, Fourth Year)
- C. Saurav Shrestha (BALLB, Fourth Year)
- D. Aakhil Bhusal (BALLB, Third Year)
- E. Puja Basnet (BALLB, Third Yare)
- F. Samikshya Thapa (BALLB, Third Yare)

Annex-3

The List of Students

Name:

Aakriti Lamichhane

Aakriti Subedi

Aasha Acharya

Aashish Khadka

Aastha Bhandari

Aayush Mahrajan

Aayusha Phuyal

Aishwarya Shrestha
Ajin Shrestha
Akansha Karmacharya
Akhyat Sherchan
Alaka Neupane
Alisha Khadka
Anaisha Tiwari
Anisha Poudel
Anjali koirala
Ankit Malla
Anudit Adhikari
Anuradha Thapa
Anusmirti Bhattra
Aryan Thapa
Ashim Dahal
Ashim Shrestha
Asmi Rajbhandari
Asmit Ban
Asmita Bhishwokarma
Asrusha Neupane
Babina Adhikari Xettri
Bibek Adhikari
Bidhan Acharya
Binay Yadav
Chandra Pandey
Deeksha G.C
Deepika Thapa

Dibya silwal KC
Himani Khatiwoda
Irada Rokaha
Ishan Syaiju
Jayaram Mahato Koiri
Jeniva Dangal
Jigisha Pokhrel
Juno Khatri
Jyoti Tamang
Kabita Bajgain
Kajal Bhiswokarma
Kanchan Rai
Kapil Acharya
Karuna Karna
Kaushal Raj Khatri
Keshab Phago
Khushi Dahal
Kripa Panta
Kriti Subedi
Kritika Prajapati
Kritika Upreti
Kusum Basnet
Kusum Dhakal
Kusum Sumitra Upreti
Leena Aryal
Linda Kumari sah
Manashi Bam Thakuri

Mandira Subedi
Manish Karki (A)
Manish Karki (B)
Melina karki
Mohd Washim Hussain
Monika Chaulagain
Monika Khatiwada
Monika Shrestha
Muskan Karmacharya
Niru Bal
Nirusha Guidel
Nischal Pudasaini
Nisha Lamgade
Nitika Mahat
Niyatee Shrestha
Omraj Tamang
Pragya Kafle
Pragya Tripathi
Prajur Raut
Prakriti Khadka
Pranish Bhakta Upreti
Prashant kumar Sah
Prashant Maharjan
Pratikshya Aganja
Pratisha Manandhar
Prativa Ghimire
Preetika Yadav

Priska Udash

Priya Mishra

Priya Rokaya

Purnima KC

Rabiya Parween

Rajarshi Aryal

Rashila Regmi

Rashima Khanal

Rasmit Yadav

Reshina Gwaccha

Rohan Yadav

Rojen Budha Shrestha

Sabina Mijar

Sachin Adhikari

Safalta Karki

Sambriddhi Timalisina

Sampada Lamsal

Samyog Acharya

Sandhya Byanju

Sanjana Rawal

Sanjita Shrestha

Saptami Regmi

Sarad Yadav

Sarika Regmi

Satyam sundar sah

Shaira Khadka

Shakti Gharti

Shalini Tripathi

Sheela Pun Magar

Shlesha Basaula

Shradha Sapkota

Shree Sumitra Shrestha

Shreeyana Thapa

Shrisha KC

Shristi Bhakunchhe

Siddarth Thapa

Siddika Pathak

Smarika Bastola

Smarika Ghimire

Sneha Gurung

Sneha Neupane

Sneha Sangroula

Sonish Adhikari

Soumika Singh Rathour

Sudechha Dawadi

Sudikshya Pudasaini

Sudristi Chapagain

Sujina Dhoju

Suman Khadka

Sunil Magar

Suprim Dahal

Supriya Nepal

Suraj Shrestha

Suruchi Belbase

Swastika Neupane

Swastika Upreti

Swechhya Maharjan

Swekshya Chaudhary

Swostika Panta

Upasana kattel

Yubina Rai

Kathmandu School of Law
B.A.LL.B. 2nd Year
Residential Program on Legislative Principles and Law Making Process
Date: 2nd – 5th Poush, 2080
Tentative Schedule

Time	Program	Resource Person/Facilitator
2nd Poush (Monday) Reporting Time at KSL Main Campus: 8:30 AM Dress Code: Formal Dress (or College Uniform) with Black Coat		
9-11	<u>Lecture 1</u> : Process of Bill Drafting	Lecture by Mr. Rajendra Thapa, Joint Secretary, OPMCM
11-12	Lunch	
12-1:30	Travel to Kavre	
1:30-2	Room Arrangements	
2-2:30	Orientation	Mentors
2:30-3:30	Respective Party Meeting <i>Members are to convene individual political party gatherings where they will participate in the selection of a) Party President (दलको अध्यक्ष), b) Leader of Parliamentary Party (संसदीय दलको नेता), c) Chief Whip (प्रमुख सचेतक) & d) Whip (सचेतक)</i>	Facilitated by Faculties & Mentors
3:30-4:30	Tea Break <i>Responsible party leaders will lobby amongst each other for the post of Speaker/Deputy Speaker of Parliament, Prime Minister and Council of Minister</i>	
4:30-5:30	<u>Parliament Session 1</u> <i>Participants will elect the Speaker/Deputy Speaker</i>	
5:30-7	Appointment of Prime Minister <i>President will appoint one leader of parliamentary party as prime minister following article 76 of the Constitution</i>	
7-8:30	Dinner	
8:30-10	<u>Parliament Session 2</u> <i>Prime Minister will face the parliament for vote of confidence</i>	Facilitated by Faculties & Mentors
3rd Poush (Tuesday)		
7-8	Breakfast	
8-10:30	<u>Parliament Session 3</u> <i>Every member will speak (for 1 minutes each) in the zero hour</i>	Facilitated by Faculties & Mentors
10:30-12:30	<u>Lecture 2</u> : Drafting Principle of Legislation	Assoc. Prof. Anil Kr. Shrestha
12:30-2	Lunch	
2-4	<u>Lecture 2</u> (cont...): Drafting Principle of Legislation	Assoc. Prof. Anil Kr. Shrestha
4-4:30	Tea Break	

4:30-5:30	Workshop <i>Members will establish the prescribed number of parliamentary committee. The committee includes president of committee and other members.</i>	Facilitated by Faculties & Mentors
5:30-7	<u>Parliament Session 4: Introduction of Bill</u> <i>The minister will table the bill at the parliament</i> <i>The opposition party will table opposition motion and voting will be held</i> <i>Any other proposal of public importance may also be tabled</i>	
7-7:30	Orientation on Committee Hearing	Mentors
7:30-9	Dinner	
9-11	<u>Committee Hearing 1</u> <i>Committee members will discuss on the bills that have been forwarded to respective committee.</i>	Facilitated by Faculties & Mentors
4th Poush (Wednesday)		
7-8	Breakfast	
8-11	<u>Lecture 3: Understanding the Dynamics of Legislative Drafting</u>	Prof. Dr. Yubaraj Sangroula
11-1	<u>Committee Hearing 2</u> <i>Committee members will discuss on the bills that have been forwarded to respective committee.</i>	Facilitated by Faculties & Mentors
1-2:30	Lunch	
2:30-4	<u>Committee Report Preparation</u> <i>Members will prepare the Committee Report in matter to the bills discussed to submit at the Parliament</i> <u>Respective Party Meeting 2</u> <i>Members are to convene individual political party gatherings to determine their position in matter to the bills discussed</i>	Facilitated by Faculties & Mentors
4-4:30	Tea Break	
4:30-7	<u>Lecture 4: Understanding the Parts of an Statute</u>	Assoc. Prof. Gyanu Gautam T.A. Sudip Raj Ghimire
7-8:30	Dinner	
8:30-9:30	<u>Parliament Session 5: Table Committee Report</u> <i>Member will table the committee report at the Parliament</i>	Facilitated by Faculties & Mentors
9:30-10:30	<u>All Party Meeting</u> <i>The responsible party members of all the representing political party will convene the all party meeting</i>	
5th Poush (Thursday)		
7-8	Breakfast	
8-12	<u>Parliament Session 6: Discussion on Bill</u> <i>Member will discuss on the bill and will either pass the bill or reject it</i>	Facilitated by Faculties & Mentors
12-1:30	Lunch	
2-4	Travel to KSL Main Campus, Bhaktapur	