

Dedicated to the growth of Constitutional Law in India



2<sup>ND</sup> IJLMS JUSTICE H.R. KHANNA  
MEMORIAL ESSAY COMPETITION

**COURAGE | INTEGRITY | COMPETENCE**

**June 2017**

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**Brochure & Rules of the Competition**

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“If India ever finds its way back to the freedom and democracy that were proud hallmarks of its first eighteen years as an independent nation, someone will surely erect a monument to Justice H.R. Khanna of the Supreme Court”

The New York Times, April 30, 1976

# Contents

I.	About .....	3
II.	Theme of the 2 <sup>nd</sup> Edition.....	4
III.	Eligibility & Registration.....	5
IV.	Schedule.....	5
V.	Format.....	6
VI.	General Submission & Formatting Rules including Deduction Guide.....	7
VII.	Format of the Summary/Working Draft (not exceeding 2500 words) .....	8
VIII.	Rules concerning the summary and final essay .....	8
IX.	Marking Criteria .....	9
X.	Organizing Committee, Reserving Powers.....	10

## ***I. About***

International Journal of Law & Management Studies, founded in February 2016, as a bimonthly inter-disciplinary journal has released six issues as of today, with indexation obtained in more than five databases of value. Further, the journal is registered with the National Science Library, the Indian Center for ISSN and has been allotted the ISSN Number 2455-2771. The journal has then progressed to be included in ROAD (Center for ISSN) and affiliated with the same for indexation. Further, the journal has later been indexed in various databases including International Innovative Journal Impact Factor (IIJIF), Scientific Indexing Services, I2OR Research Databases, Directory of Research Journals Indexing (DRJI), Scholarly Open Access and some others. The IIJIF has assessed an impact factor of around 2.3 for the journal. The journal is owned and published by Agradoot Web Technologies LLP (Harbinger). The Journal operates through the Advisory Board and the Editorial Board as its units of operation. The Advisory Board comprises of superior members from the Bar & professors from eminent law schools and management schools contributing to the growth of the journal and guiding the Editorial Board in the operations of the journal. The competition is an initiative of the journal towards contributing towards one of the most essential laws sustaining and balancing the democratic setup and recognizing one of the most valuable contributions that a judge has made to the sustenance and qualitative enrichment of the Indian democratic experience.

Justice H.R. Khanna, one of the finest judges in the Indian Democratic History and a staunch believer of human rights, integrity and the role of the Supreme Court as *guardian of fundamental rights in India* is always remembered as the true champion of the Indian understanding of checks and balances and the Basic Structure Doctrine (Limits to Constitutional Change). Truly said, India would erect a monument to Justice Khanna for his invaluable contribution to the development of the Basic Structure Doctrine with one of the finest advocates India has ever seen, Nanabhoy Palkhivala. His contributions in various fields of constitutional growth and evolution are notably the landmarks of Indian Constitutional Law evolution.

## *II. Theme of the 2<sup>nd</sup> Edition*

### **“Evolving Landscape of Tribunals in India”**

With the advent of the Finance Act, 2017, certain important and crucial tribunals were merged into others by the Parliament which led to a different view on tribunals being adopted by the Legislature giving lesser importance to technical specialization as a ground for establishment of tribunals. In light of the decision of the Hon’ble Supreme Court in *L. Chandrakumar v. Union of India* wherein the Supreme Court observed that the various Tribunals have not performed up to expectations is a self-evident and widely acknowledged truth and that drastic measures may have to be resorted in order to elevate their standards to ensure that they stand up to constitutional scrutiny in the discharge of the power of judicial review conferred upon them. The reasons that the court identified for the inefficiency include lack of competence, objectivity and judicial approach their constitution, the power and method of appointment of personnel thereto, the inferior status and the casual method of working along with their actual manpower and political interference in judicial functioning. Tracing the roots of the tribunals to the recommendations of the Law Commission of India in various reports, specific recommendations have been made towards the establishment of these Tribunals thereby lending force to the approach adopted by the Supreme Court in *Sampath Kumar v. Union of India*. Describing and citing the pendency in the High Courts as "catastrophic, crisis ridden, almost unmanageable, imposing an immeasurable burden on the system", the trimming of the jurisdiction of the High Courts by setting up specialist courts/Tribunals was recommended.

#### *Sub-Themes*

1. Tracing the Historical Evolution of Tribunals in India
2. Finance Act, 2017: A step in the right direction?
3. Enlargement of Jurisdiction of HC vis-à-vis Functioning of Tribunals
4. An International Perspective of Tribunalization with focus on the Indian Experience

The list is not exhaustive and two sub-themes may be merged by the participants.

### ***III. Eligibility***

All students pursuing any undergraduate/postgraduate courses in any discipline from any recognized university/college/institution in India can participate in the competition. A maximum of two students can co-author and participate in the competition. Only one submission per team will be allowed. There is no limit of number of teams that may participate from an institution.

### ***IV. Schedule***

The schedule provided below is of a tentative nature.

<b>Date &amp; Time</b>	<b>Schedule</b>
<b>25-May-2017</b>	Release of Topic and Notification
<b>10-June-2017</b> By 11:59 PM	Last Date for Registration
<b>16-June-2017</b> By 05:00 PM	First Round: Last Date for Submission
<b>20-June-2017</b>	First Round: Declaration of Results
<b>23-June-2017</b> By 05:00 PM	Final Round: Last Date for Submission
<b>30-June-2017</b>	Final Round: Declaration of Results
<b>20-July-2017</b>	Dispatch of Certificates & Prize Money

**V. Format**

The competition shall have two rounds. The participants have to submit their **summary/working draft of the essay** in the first round of the competition. The Peer Reviewers shall evaluate the working drafts and select the top fifteen essays to qualify to the final round of the competition for review by the Judges Panel. The selected participants (qualified) then have to submit their **final essays** in the final round of the competition. The judges panel shall scrutinize and evaluate the final essays and select and adjudge the Top Essays as Winners/Runners-Up of the competition. There shall be a specific format for the Summary/Working Draft which is provided hereunder.

<b><u>Round I:</u></b>	Submission of Summary/Working Draft of the Essay <i>Evaluation by Peer-Reviewers</i>
<b><u>Round II:</u></b>	Submission of Top Twelve Final Essays <i>Evaluation by the Final Panel of Judges</i>

**VI. General Submission & Formatting Rules including Deduction Guide**

- i. The essays shall be submitted in English only.
- ii. The submission has to be made in a DOCX document attached to an email containing in the body, the name and team code of the author(s) along with the Authors Details document in DOCX as mentioned in Rule 6(4)
- iii. The essays should be the original work of the authors. Any kind of plagiarism will lead to disqualification. The essays published elsewhere or selected/ submitted for publication elsewhere shall be disqualified.
- iv. The name(s) of the author(s) shall not be mentioned anywhere in the Essay. The Authors Details shall instead be mentioned in a separate word document containing Names, Team Code, Affiliation, Email Address, Address & Phone Number of both.
- v. Word Limit for the Summary/Working Draft shall be 2500 words excluding footnotes.
- vi. Word Limit for the Final Essay shall be 5000 words, excluding footnotes
- vii. All participants should conform to the Harvard Bluebook ed. 19<sup>th</sup> format of citation methodology. Footnotes & References must be in Times New Roman Size 10.
- viii. The title of the essay must be in Times New Roman Size 16, Bold, All Capitals and Center-Aligned while the sub-title may be in Times New Roman Size 14, Italics C/A
- ix. The Heading No. 1 including the headings of Abstract, Introduction, Important Internal Headings, Conclusions, Recommendations and References must be in Times New Roman, Size 12, Bold, All Caps, while the Heading No. 2 and 3 shall be in Times New Roman Size 12, Bold and Italics respectively. Content must be in Size 12, Justified.
- x. The content must be in Times New Roman Size 12, Justified. The Line Spacing must be 1.5 lines. Borders must be in double-aligned borders with 1” margin.

**DEDUCTIONS GUIDE**

Word Limit	Grace upto 20 words 2.5 points per 20-100 words exceeding
Time of Submission	Grace upto 5 minutes 2.5 points per 5-10 minutes of delay
Formatting Guidelines	2.5 points per rule
Other deductions	2.5 points per rule

***VII. Format of the Summary/Working Draft (not exceeding 2500 words)***

- I. Abstract (not exceeding 300 words)
- II. Introduction
- III. Other relevant heads
- IV. Conclusion
- V. Proposed Recommendations/Solutions
- VI. Bibliography and Complete References

***VIII. Rules concerning the summary and final essay***

- 1. The abstract and proposed recommendations/solutions shall not be substantially changed in the Final Essay.
- 2. All essays and drafts submitted shall become the sole property of International Journal of Law & Management Studies which may have the right to publish the entries in the form of a journal.
- 3. International Journal of Law & Management Studies possesses the right to reject entries which do not conform to the Guidelines and other rules or for any other reason provided.
- 4. The Organizing Committee reserves the absolute rights to cancel, defer, or postpone indefinitely, the competition in the event of the accruing of any incident, natural or man-made.
- 5. In case of any dispute, the decision of the Editor-in-Chief and Convenors shall be final and binding.



## **IX. Marking Criteria**

a) For the Summary/Working Draft

<b>Head</b>	<b>Weightage</b>
1. Abstract & Introduction	05 points
2. Content Accuracy and Correctness	05 points
3. Plagiarism	05 points
4. Solutions/Recommendations	05 points
Deductions ( <i>On-Time Submissions, Word Limit, Other Guidelines as per Deduction Rules</i> )	
<b>TOTAL</b>	20 points

b) For the Final Essays

<b>Head</b>	<b>Weightage</b>
1. Theoretical & Conceptual Framework	05 points
2. Abstract & Introduction	05 points
3. Significance of Research	05 points
4. Scope & direction for further research	05 points
5. Recommendations/Solutions	05 points
6. Internal Consistency	05 points
7. Readability & Writing Style	05 points
8. Novelty/Innovation	05 points
9. Authorities & Referencing	05 points
10. Recent Material/Developments	05 points
Deductions ( <i>On-Time Submissions, Word Limit, Other Guidelines as per Deduction Rules</i> )	
<b>TOTAL</b>	50 points

**X. Organizing Committee, Reserving Powers**

The Publisher (Agradoot Web Technologies LLP), the Publishing Editor shall have the final say in decision-making in any aspect relating to the competition. Further, the Editor-in-Chief and Convenors of the competition shall have power to make any decision in the interest of the competition and the Co-Convenors shall be responsible towards the successful organization of the competition. Any decision of the Convenors shall be final and binding subject to any change by the Publishing Editor.

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**ON BEHALF OF AGRADOOT WEB TECHNOLOGIES LLP**