

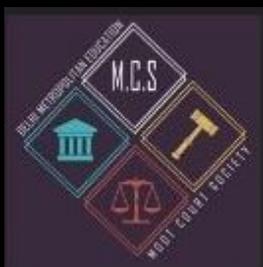
DELHI METROPOLITAN EDUCATION

APPROVED BY THE BAR COUNCIL OF INDIA
AFFILIATED TO G.G.S.I.P.U.



THE 3rd DME NATIONAL MOOT COURT COMPETITION 2019

5th - 7th April, 2019



In Association with
Delhi Metropolitan Education
Moot Court Society



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ABOUT THE COLLEGE

Delhi Metropolitan Education is a premier Educational Institute affiliated to the **Guru Gobind Singh Indraprastha University, New Delhi**. The college offers **B.A.LLB(H), B.BA.LLB(H), B.A.(JMC)** and **BBA** course with premium quality infrastructure and excellent academic facilities to provide a dynamic and clinical ground for success. It is promoted by the founders of Mayoor School, Noida (in collaboration with GC MAYO College, Ajmer) and DPS World School, Noida Extension. Our vision at **DME** is “to create an inspirational setting where global standards of learning, ethical professional practices and academic and scholarly deliberations are practiced towards attaining individual growth.”

The institute is strategically located at a few minutes distance from the prime localities of Noida, Vaishali, Indirapuram, Mayur Vihar, Laxmi Nagar, Kaushambi, Ghaziabad etc. Adjacent to NH24, it is within 5-7 minutes driving distance from Delhi Border. The architecture of the institute is inspired by the ancient Greek Doric Pillars and many modern facilities including the impressive Nelson Mandela Auditorium, Rabindranath Tagore Library, exquisite audio and video studios for journalism, a moot court for law, a legal aid center, computer labs, conference rooms and a cafeteria are some of the invaluable assets of the institute.

Since its inception, the college has attained numerous laurels to its credit and has successfully attained a distinguished stature. For two consecutive years it has bagged ‘**A - Grade**’ Certificate from the **G.G.S.I.P.U.** The college has numerous societies which are involved in diverse fields & activities ranging from the cultural arts, photography, academics to scholarly events. The societies not only successfully organize Internal and National Events but also participate in National and International level competitions with great enthusiasm, adroitness, efficiency and skillfulness.

The **Department Of Law**, has created a professional and healthy competitive environment for its students, ensuring that they get the best understanding of law. It also continuously works hard and focuses on improving the professional skills of their students and provides them with the best academic and practical experiences. The **Department of Law, DME** has organized many triumphant National Events the most recent being the **3rd National Seminar** titled “**Litigating Equality : Are Human Rights Effective?**” which had over 100 participants from all over the country.



FROM CHAIRMAN'S DESK



Mr. Aman Sahni
Vice-Chairman, Delhi Metropolitan Education, Noida

“Students of Law today are more active, they have numerous competitions and events. At DME, I have seen the amount of preparations, dedication and efforts that go into organizing one Moot Court Event.

Our Faculty and students are very passionate about mooting and this is reflected in the growing level of our Annual Competitions. This is also in sync with our larger objective of seeing DME as the leading Institution for legal education in the Country.

I wish all those associated with the National Moot Court Competition, 2019 the very best of luck.”

MESSAGE FROM DIRECTOR GENERAL



Hon'ble Justice Bhanwar Singh
(Former Judge, Allahabad High Court)

Director General, Delhi Metropolitan Education, Noida

Argument is an art by itself and a skillful argumentative quality proves to be a boon, to an advocate and a judge, both. True Advocacy skills helps the judicial system in emerging out with the best judgments, which serves as a guiding principle for the future generations to come. A moot court event provides a forum to the law students to show and sharpen their legal skills. With that goal to achieve, DME School of law, Noida is organizing its 3rd moot court event inviting law students from across the country on an ongoing debate i.e. "ten percent reservation" for the economically backward higher caste people of our country. I am sure the budding law students will certainly provide skilled arguments which may prove to be a good guide in future even in the legally established courts of our country.

I wish the event a great success.

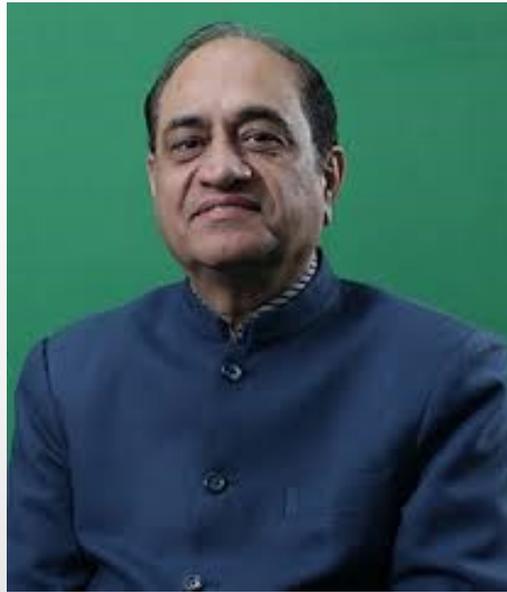
From the Desk of the Director



Prof. (Dr.) Ravi Kant Swami
Director
Delhi Metropolitan Education, Noida

Mooting, the soul of advocacy, is a sine qua non for law students. With a view to advancing mootng skills, the 3rd DME National Moot, slated for April 5 - 7, 2019, will focus on pan Asia inter-college competitions. This event, under the tutelage of the DME Law School, will deliberate upon mootng in the contemporary legal scenario. I trust the participants will have a fruitful horizontal learning experience.

From Head of Department



Prof. (Dr.) N. K. Bahl
HOD (Law)

Delhi Metropolitan Education, Noida

The art of mooting plays a vital role in each individual's personality as, every individual is trying to penetrate the legal field through its skills and talent. The practice of mooting gives a close end experience in the actual realms of the working of the court. It is an activity which acts as a test for each and every law student eagerly waiting to be a part of the field of litigation. Propelled by the success of 2nd National Moot Court Competition organized by the Moot Court Society of Delhi Metropolitan Education, Noida, we have now embraced to follow the league and host the 3rd Delhi Metropolitan Education National Moot Court Competition from 5th - 7th April, 2019.

There is a proverb that practice makes a man perfect. The closest experience that a law student can get to appearing in a court is mooting. Mooting is the better way to learn the law than to read, interpret, comprehend, and understand research, frame arguments, and present the same in real courts during their practice in the field of law. I hope that participants shall make use of doctrine of ratio decidendi to demolish the arguments of their opponents. I wish the participants all the luck for the competition and a wonderful opportunity to learn and grow.”

MESSAGES FROM THE CONVENERS



Mr. Mukesh Kalwani
Faculty Convener, DME Moot Court Society

Moot court is the paramount activity of a Law college. It provides practical knowledge of Law and gives a first hand experience of the court craft and etiquettes. It helps greatly in inculcating skills of advocacy.

DME Law school offers a congenial environment for the development and enhancement of the personality of students with these opportunities to be utilised in the best interest and overall development. The DME Moot Court Society has come a long way since its first edition in 2017. With a spirit as enthused, it seeks to progress and endeavours to achieve distinguished results and set new benchmarks of success.



Mr. Rishabh Karan Mehta
Student Convener, DME Moot Court Society

"Mooting is not just about any competition, not just about victory or failure, it is about a magnificent journey, a journey where one takes a heuristic approach to learn some unforgettable lessons of life and profession, a journey that prepares one to overcome the difficult challenges that the future holds and emerge victorious there from.

Mooting has always been one of the most enjoyable experiences of my life in Law school and I hope that the 3rd Delhi Metropolitan Education National Moot Court Competition, 2019 proves to be the same for all the participants!"



DME MOOT COURT SOCIETY (DMEMCS)

Patrons

Mr. Vipin Sahni — Chairman, DME

Chief Advisors

Hon'ble Justice Bhanwar Singh — Director General, DME
(Former Judge, Allahabad High Court)

ADVISORS

Mr. Aman Sahni — Vice-Chairman, DME

Prof. (Dr.) Ravi Kant Swami — Director

Prof. (Dr.) N. K. Bahl—HOD (Law)

FACULTY ORGANIZERS

CONVENER

Mr. Mukesh Kalwani (Asst. Prof. Law, DME)

Treasurer

Ms. Sakshi Agarwal (Asst. Prof. Law, DME)

Co-Conveners

Ms. Abhilasha Lapra (Asst. Prof. Law, DME)

Ms. Priyansha Badoni (Asst. Prof. Law, DME)

STUDENT ORGANIZERS

CONVENER

Mr. Rishabh Karan Mehta

SECRETARY

Mr. Anand Awasthi

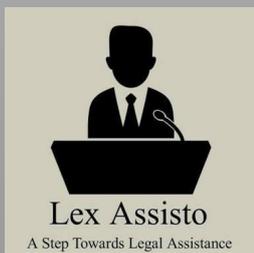
CO-CONVENER

Ms. Vallabha Gulati

JOINT SECRETARY

Mr. Harshit Singh Bhatia

OUR PROUD PARTNERS



ABOUT NATIONAL MOOT COURT COMPETITION

Delhi Metropolitan Education, an esteemed institution has burgeoned itself over the years in a very less time span through hard work and dedication of every individual associated with it. A foremost Educational Institute coalesce with the **Guru Gobind Singh Indraprastha University, New Delhi**. At the heart of School of Law, DME is the **Delhi Metropolitan Education Moot Court Society (DMEMCS)** which comprises of ambitious students with keen interest in mooting and our sterling faculty members.

DME in its previous **National Moot Court Competitions** had witnessed an array of law aspirants from all over the country. A massive participation of more than 90 teams has been witnessed at the DME Campus. This competition was consecrated by the presence of distinguished personalities from the bar, bench and academics. Our ingenious Chief Guests, Sr. Adv. Mr. Salman Khurshid, Hon'ble Justice A.N. Verma and Hon'ble Justice A.N. Mittal have also graced us with their presence. Through this venture, the **DMEMCS** gained an exemplary position amongst various institutions and established itself.



Delhi Metropolitan Education Moot Court Society (DMEMCS) is proud to announce its **3rd National Moot Court Competition** to be held in April, 2019. Enticing 60 teams this time, we cordially invite the teams from your esteemed Institution. The objective of this competition is to allow the students to go beyond their horizons and give them an opportunity to explore the legal world and to develop individually through research and advocacy skills. Through this competition, we aim to provide the participants with indispensable experience.

With the help of our diligent and competent Organizing Committee we will ensure that the event sees the pinnacle of success.



RULES AND REGULATIONS

1. DEFINITIONS

The following Rules shall be called the 3rd Delhi Metropolitan Education National Moot Court Competition Rules, 2019. Wherein,

1.1 Organizers mean the Delhi Metropolitan Education Moot Court Society (DMEMCS).

1.2 Competition means the 3rd Delhi Metropolitan Education National Moot Court Competition, 2019.

1.3 Participating Team means the team that has registered itself for the competition as per the rules.

1.4 Venue means Delhi Metropolitan Education, Noida (B-12, Sector – 62, Noida, U.P.)

The Rules mentioned herein are not exhaustive. The Rules shall be strictly adhered to and any deviation from the same shall result in immediate disqualification, unless exempted by the Organizers.

2. INTERPRETATION OF THE RULES

2.1 Organizers have the authority to interpret the Competition rules, to resolve any complaints or disputes connected thereto and to develop, update or amend these rules.

2.2 The Faculty Convener shall serve as final arbiter of implementation and interpretation of these rules.

3. GENERAL

3.1 Date: The Competition shall be held from 5th April to 7th April 2019 in the Delhi Metropolitan Education, Noida.

3.2 Dress Code: The participants shall adhere to the following dress code when present in any court room during the Competition and otherwise when present within the campus premises.

3.2.1 Girls: Black salwar and white kurta or white shirt and black trousers along with a black coat, black tie and black shoes.

3.2.2 Boys: White shirt, black trousers and black tie along with black coat and black shoes.

Please Note: The participating teams shall also adhere to the above mentioned dress code while attending the inaugural and valedictory ceremonies of the Competition.

3.3 Theme: The moot proposition for the 3rd Delhi Metropolitan Education National Moot Court Competition, 2019 is based on Constitution & Criminal Law.

3.4 Language: The official language for the Competition shall be strictly English.



4.ELIGIBILITY:

- 4.1 The organizers will select 60 teams out of all the registrations they receive for the purpose of participation.
- 4.2 The Competition shall be open for all the students who are pursuing an integrated 5 year& 3 year B.A. LL.B/ B.B.A. LL.B/LL.B. Programme or LL.B from a university recognized by bar council of India.

5. TEAM COMPOSITION

- 5.1 Each team shall consist of a minimum of two members and maximum of three members. Under no circumstance a team consisting of more than 3 members will be allowed to participate. No observer/additional member can be part of a team in any capacity in the Moot Court Competition.
- 5.2 In case of a three-member team, there shall be two speakers and 1 researcher in the team.
- 5.3 In case of a two-member team, there shall be one speaker who shall be registered as the “Researcher” in order to be eligible for the Researcher’s test.

6. ANONYMITY

- 6.1 The teams shall remain anonymous.
- 6.2 Each team shall be allotted a team code before the competition. During the competition teams shall be identified by the team code allotted to them.
- 6.3 Disclosure of details with respect to identity to any participating team or member(s) other than the DME Moot Court Society is strictly prohibited and stands as a ground for disqualification.
- 6.4 Sharing of personal details especially, during the proceedings will lead to immediate disqualification.

7. REGISTRATION

- 7.1 The Fee for the competition is INR 4,500/- per team, payable in the form of NEFT or Demand Draft.
- 7.2 Last Date of Registration is 15th March 2019. Teams must register by sending an email to mootcourt@dme.ac.in with the subject “Registration for DME National Moot 2018”. This e-mail shall be accompanied by the soft copies of the registration form & the registration fees receipt along with a cover letter showing the team’s intent to participate in the said competition.

It shall contain the following Details of the Participants-

Speaker 1: Full Name, Contact.

Speaker 2: Full Name, Contact.

Researcher : Full Name, Contact.



8. MEMORIALS

Memorials submitted for all purposes of the competition shall strictly adhere to the rules as stated below:

8.1 Teams have to prepare memorials for both the sides.

8.2 The registered teams shall submit the pdf copy of their memorial (Soft Copy) for both sides by mailing the same to mootcourt@dme.ac.in and shall carry 6 printed copies– printed back to back (for each side For & Against) of such memorials total copies 12 on the day of the competition.

8.3 The soft copy file pertaining to the memorials in pdf format shall be named as ‘P(TC)’ for the Petitioner’s Memorial and ‘R(TC)’ for the Respondent’s Memorial. (Here, TC means the allotted Team Code)

8.4 The cover page of the memorials sent for both the soft and hard copies shall clearly mention the word “P” for memorials on behalf of the Petitioner, and the word “R” for memorials on behalf of the Respondent, followed by the team code for both the instances, such being clearly inscribed on the top right hand corner of the cover page of the memorial for the Petitioner and Respondent.

For example, if a team had been assigned a code of 10, the memorials sent by such team shall have “P10” and “R10” clearly marked on the top right hand corner of the cover page of the respective memorials.

8.5 The teams shall not disclose their own identity anywhere on the memorial. Violation of this rule will result in immediate disqualification.

8.6 The cover page of the petitioner's memorial shall be printed on Blue color A4 size paper, and the cover page of the respondent's memorial shall be printed on Red color A4 size paper.

8.7 The memorials have to be submitted on A4 size paper and must only contain the following sections in the order stated below-

Cover Page	1 page
Table of Content	1 page
Statement of Jurisdiction	1 page
Summary of Arguments	1 page
Arguments Advanced	20 pages (Maximum)
Prayer	1 page



8.8 Non-compliance with above criteria shall result in a penalty of 2 marks per missing section.

8.9 The memorials must be printed in Times New Roman font with 12 font size and 1.5 line spacing. The footnotes must be in Times New Roman font with 10 font size and 1.0 line spacing. The Body of text should be “Justified”.

8.10 The memorials should have a 1 inch margin on all sides of each page.

8.11 The 'Arguments Advanced' section should not exceed 20 pages, while the memorial as a whole should not exceed 30 pages including the cover page.

8.12 The numbering should be on the bottom center of each page.

8.13 The teams have to use the citation method as stated in the 20th Edition of the Harvard Blue Book for citation throughout the memorial, with strict adherence.

8.14 There shall be no speaking footnotes in the memorial & USE OF PLASTIC SHEETS ON HARD COPIES OF THE MEMORIALS IS STRICTLY PROHIBITED IN RESPECT OF ENVIRONMENT CONSCIOUSNESS.

8.15 The maximum scores for the memorials shall be 100 marks. The memorials shall be evaluated on the following criteria:

Knowledge & Applicability of Law	30 Marks
Articulation/Presentation of Facts	30 Marks
Extent and Use of Research	20 Marks
Clarity and Originality	10 Marks
Language and Grammar	10 Marks

9. RESEARCHER'S TEST

9.1 There shall be a researcher's test, which will be conducted on 5th April on the day of Inaugural.

10. FORMAT OF THE COMPETITION

10.1 There shall be two Preliminary Rounds, a Quarter Final Round, a Semi Final Round and a Final Round.

10.2 There shall be no exchange of memorials in the Preliminary Round.

11. FORMAT OF ORAL ROUNDS

11.1 Preliminary Rounds

11.1.1 The Preliminary Rounds are scheduled to take place on 6th April 2018

11.1.2 Teams shall be subjected to two Preliminary Rounds. The teams shall be arguing on behalf of each side during the Preliminary Rounds. Each team shall argue once from each side on the same day which shall be notified to the teams before the start of the oral rounds on the day itself.



11.1.3 The top eight scorers will proceed to Quarter-Final Rounds.

11.2 Quarter- Final Rounds

11.2.1 The Quarter- Final Rounds are scheduled to take place on 6th April 2018.

11.2.2 The top-eight scoring teams shall compete according to the draw of lots.

11.2.3 The top four teams would be selected for the Semi-Final round based on the knock out format.

11.3 Semi Final Rounds

11.3.1 The Semi-final Rounds are scheduled to take place on 7th April 2018.

11.3.2 The top-four scoring teams shall compete according to the draw of lots.

11.3.3 The top two teams would be selected for the Final round based on the knock out format.

11.4 Final Rounds

11.4.1 The Final rounds are scheduled to take place on 7th April.

11.4.2 The teams shall argue from the side decided by the draw of lots.

11.4.3 The team obtaining a higher score shall be declared as the winner of the Competition.

12. PROCEDURE FOR ORAL SUBMISSIONS

12.1 The speakers can provide the copies of the compendium, only if the same is permitted by the Panel of Judges in their respective court rooms.

12.2 Each Team will get a total of 30 Minutes to present their case in Preliminary Rounds and Quarter Final Round.

12.3 Each Team will get a total of 40 Minutes to present their case in Semi-Final Rounds and Final Round.

12.4 The oral arguments should be confined to the issues presented in the memorial. The researcher shall be present with the speakers during the oral rounds.

12.5 Rebuttal and Sur-rebuttal are allowed at the discretion of the Judges in every round. However, it should not exceed 5 Minutes in Preliminary Round and 10 Minutes in Semi-Final Rounds and Final Round.

12.6 Sur-surrebuttal is not allowed under any circumstance.

12.7 Maximum scores for the oral rounds shall be 100 points per speaker per Judge.

12.8 Extension of time beyond the specified limit shall attract negative marking of - 1 per minute.

12.9 In case any opponent team fails to appear in an oral round, the round shall be conducted ex-parte and the scoring shall be done as if the defaulter team had been presenting and arguing.



12.10 The oral rounds shall be judged on the following criteria:

Knowledge of Law	20 Points
Application of Law to Facts	20 Points
Ingenuity and Ability to Answer the Questions	20 Points
Style, Poise, Courtesy, Demeanor & Organization	20 Points
Time Management	20 Points

13. ANNOUNCEMENT OF RESULTS

13.1 The results of each round will be declared shortly after the conclusion of the rounds.

13.2 The results of the final round shall be announced in the Valedictory and Award Ceremony, to be held on 7th April 2018.

14. FINALITY OF DECISION

14.1 The ruling of the Judges with regard to the outcome of the rounds shall be final.

14.2 In case of evaluation of all the rounds, the Memorial Marks shall not be included to decide the merit; mere scoring of the ongoing rounds would be considered to move ahead for the next round.

14.3 In case a tie takes place in any round, the marks of the memorial will become a deciding factor, wherein, the higher scorer will proceed further.

15. AWARDS

15.1 Winning Team Award: The winning team will receive a trophy, certificate of excellence and a cash prize of INR 50,000/-

15.2 Runners-Up Team Award: The runners up team will receive a trophy , certificate of excellence and a cash prize of INR 30,000/-

15.3 Best Advocate Award: The Best Student Advocate/Counsel will receive a trophy, certificate of excellence and a cash prize of INR 5,000/-.

15.4 Best Memorial: The team submitting the best Memorial will receive a trophy, certificate of excellence and a cash prize of INR 10,000/-

15.5 Best Researcher: The Best Researcher will receive a trophy, certificate of excellence and a cash prize of INR 5,000/-

16. SCOUTING

16.1 Scouting is strictly prohibited.

16.2 Teams shall not be allowed to observe the oral rounds of other teams, unless they have been officially knocked-out of the competition. Scouting by any team shall entail instant disqualification.



17. ACCOMMODATION FOOD AND TRANSPORT

17.1 Accommodation and food shall be provided to all participating outstation teams by the DME Moot Court Society from 5th – 7th April, 2019.

17.2 Accommodation Fee is Rs. 1,000/- which shall be paid together with the registration fee of Rs. 4,500/-, i.e. total—Rs. 5,500/-.

17.3 The interested students are required to inform the Organizing Committee, through their Travel & Accommodation Form, so as to enable them to make necessary arrangements.

17.4 Under no circumstances shall the Organizers provide accommodation to any other person accompanying the team.

17.5 It is MANDATORY for the teams to send their travel plans along with the hard copy of Registration Form and Demand Draft on or before 20th March, 2019.

18. MISCELLANEOUS PROVISIONS

18.1 All participants are expected to maintain the decorum in the Court during the competition and are expected to conduct themselves in a manner befitting the legal profession.

18.2 Any compiled Research Material (Compendium) or other supplementary documents may be submitted to the Court Masters prior to the oral rounds which will be submitted to the judges at their discretion.

18.3 During the oral rounds, teams shall not be allowed to use any electronic devices such as phones, laptops, LCD projectors, video camera etc. Any such use shall lead to an immediate disqualification or any other penal action as the organizers may

18.4 The Organizers reserve the right to amend, modify, change or repeal any of the Competition Rules at any point of time. The Organizers shall communicate any such change made in the Competition Rules to the teams.

18.5 The Organizers reserve the right to take decisions on any matter not mentioned in the Competition Rules. Any such decision taken by the Organizers shall be final and binding.

18.6 No audio or videotaping of oral pleadings is permitted without the permission of the Organizers.

18.7 If a team believes that violation of any of the Competition Rules has taken place at any stage of the competition, the teams, within half an hour after the completion of the round wherein a violation has allegedly occurred shall register a complaint with the Faculty/Student Convener of the DMEMCS and under no circumstance are the teams allowed to approach the Judges for any complaints.

18.8 The Organizers reserve all rights to audio and videotaping, or any other form of audio or visual recording and its reproduction, of any oral round or part thereof.



19. CLARIFICATIONS

19.1 Teams may request for clarifications regarding the moot problem by sending an E-mail to mootcourt@dme.ac.in before 10th March. The subject of the mail should be “Regarding Clarification of Moot Problem”.

19.2 The request for clarification may also include a short explanation describing the expected significance of the clarification sought. The clarification shall be replied to through the same mail.

CONTACT US

Mr. Mukesh Kalwani — +91-9871001436
(Faculty Convener)

Ms. Sakshi Agrawal—+91-9592985912
(Faculty Treasurer)

Mr. Rishabh Mehta—+91- 9818018157
(Convener)

Ms. Vallabha Gulati- +91-9818217182
(Co-Convener)

Mr. Vinay Joshi—+91-7409533988
(Treasurer)

Mr. Anshuman Gupta- +91-8532001543
(Advisor)

Mr. Alekshendra Sharma—+91-9871669577
(Advisor)

Email us at — mootcourt@dme.ac.in

For Information and Updates follow us on Facebook — <https://www.facebook.com/dmenmcc/>

College Address — B - 12, SECTOR-62, NOIDA, UTTAR PRADESH - 201301 (INDIA)

ACCOUNT DETAILS

Details for NEFT:

NAME OF THE BANK	HDFC BANK LTD.
BRANCH	SECTOR 18, NOIDA
COLLEGE NAME	DELHI METROPOLITAN EDUCATION
ACCOUNT TYPE	SAVING
ACCOUNT NO.	50100187447560
IFSC CODE	HDFC0001592

Details for Demand Draft:

In favour of “ DELHI METROPOLITAN EDUCATION ” payable at Noida.



MOOT PROBLEM

PISHACHU is a democratic country having a Constitution similar to that of India. The majority party after coming to power had formed the Government and brought a Constitutional amendment, which provides 15% reservation for Economically Backward Classes (EBC). The country already had a reservation of 49% for socially and Educationally Backward Classes. This has caused civil disturbance among various communities and sections of the society throughout the PISHACHU. From various places anti-reservation movement rocked the nation, resulting in a huge loss of persons & property.

REMO, a student studying in **Kalikrati University** (a Central University), located in ALOKAM, a state of PISHACHU; is a leader of the youth wing of the **Kheyo Kheyo Party (KKP)** which happens to be in the opposition; sought permission from the authorities to organize a cultural event wherein the students and the professors would participate in a discussion relating to the policies of the current Government. The University Authorities provided him with the permission to organize the event, but also clearly stated that they were not allowed to hold discussion on the reservation policies of Government. When questioned about the latter condition the University Authorities clearly abstained from providing the reason behind the imposition of the condition and told that they are an autonomous institution and had all the rights to do so.

The cultural program was to begin at 7:00 P.M. At around 6:00 P.M. a march took place from one of the hostels in the campus and headed towards the proposed venue along with the crowd, which included students, professors and a group of people who were not recognized by the hostel authorities. In the middle of their way towards the venue, many people joined the march with anti-national posters and slogans were crooned which were regarding the policies of the Government including the current reservation policy. According to a section of media reports it was alleged that the slogans raised were highly derogatory and seditious and did not just oppose the policies of the Government but also the Nation. It was also reported that the posters contained the quotes from a citizen convicted as a terrorist **JULINIALANI** which stated “THE BIGGEST DISEASE IS CORRUPTED GOVERNMENT, SYSTEM & NATION. THE VACCINE IS THE TRANSPARENCY”.



MOOT PROBLEM

Youth leaders from different political parties were seen participating in the march and were restraining the students from reaching the venue, due to which the two parties had a fight which turned into a mob. One of the girls named RIKA who was protesting against the policy of reservation was molested and touched badly. The media was also present at the said location. The whole incident was recorded and published in pieces. The same was also reported to the nearest police station which led to the arrest of REMO and RIKA along with a few others for offences under the Penal Code of the Country for provoking citizens against the Government.

Next day, the students from the University who believed that REMO and RIKA were innocent and their freedom of speech and expression were being curbed by the University Authority and the Government, peacefully assembled in large numbers near the Vice Chancellor's office and started raising slogans against him and the Central Government. SHEILIA, one of the students of the social sciences department, who was not active in any of the student political parties came forward and threatened the authorities and police that she would burn herself if the reservation for the Economically Backward Classes is not taken back. RAHU, being the friend of REMO along with the Vice President of the University Union gathered more people to protest. He poured kerosene on himself and took out a matchstick in his hand and threatened that he would also join SHEILIA, if the demands were not fulfilled in next three days.

Meanwhile a petition was also filed before the Hon'ble High Court of ALOKAM by Dr. BIJYUE, a professor of the University against the amendment brought by the Government and the reservation policy causing civil disturbance among various communities and sections of the society throughout the ALOKAM. To control the situation, the High Court took cognizance and passed orders prohibiting the assembly of more than four people together. Dr. BIJYUE gave a media bite supporting the demands of the students.

On the third day of the protest SHEILIA burnt herself. RAHU continued to sit with a match-box and threatened the authorities for committing suicide like SHEILIA. He also gave a speech which was covered by different media houses.



MOOT PROBLEM

After what SHEILIA did, many other student unions at different colleges came up protesting within ALOKAM and fifteen more suicides took place within a week. RAHU along with his three friends AMKUL, VINASH and AVISHESH who were also sitting with RAHU were arrested for abetment of suicide in all the cases. Also, on the basis of a speech given by Dr. BIJYUE he was also arrested under the charge of abetment, sedition and criminal conspiracy for being a member of the same party to which some of the student protesters belonged.

The protests were finally controlled by the Central Government through military forces, bringing peace to the state of ALOKAM. The ruling State Government of ALOKAM (which is in opposition in Central Government) was widely criticized in the media, and by various political parties and NGO's, for inaction. The Chief Minister, MORAN DALWAN, and the Vice Chancellor of the University were asked for tendering apology to the Citizen and for resignation. They refused and an official party statement was released by the Chief Minister expressing deep anguish at the provocative suicides and promises to take action. The Chief Minister described the acts as "spontaneous" and killings of students as terrible. He said his State government was "helpless" in controlling the situation.

Subsequently, an NGO called HUMAN SOUL published a report accusing the State Government of killings, and particularly the Chief Minister of being directly responsible for the killings by organizing and inciting through the party members to provoke suicide among students. CM denied the reports and filed a prosecution for a defamation case in the local courts against the NGO directly. That matter is ongoing and the Court has asked the CM to justify why the complaint is not filed through the State prosecutor. The Special Prosecutor submitted an indictment for confirmation to the Trial against Accused CMMORAN DALWAN, who was then charged with crimes of initiation of rioting, killings as per the indictment. CM pleaded not guilty. MORAN DALWAN was detained in a Special Detention Facility.



MOOT PROBLEM

The Supreme Court by witnessing the protests has taken a *suo moto* cognizance of the entire situation and constituted a bench to adjudicate on the following issues:

1. Whether the implementation of 15% reservation for Economically Backward Classes (EBC) by the Central Government is unconstitutional?
2. Whether the restrictions imposed by the University curbs the rights of free speech and expression?
3. Whether the State Government can be held liable for their failure to discharge constitutional duties?
4. Whether the arrest and criminal charges brought against the individual student and the professor is justified?

*It will be open for the teams to amend the existing and frame the additional issues.

**Please prepare arguments for and against

***The Laws of PISHACHU are *Pari Materia* to the Laws of India.

NOTE: *The moot problem for this event is drafted by KPS Advocates. Any team found contacting KPS Advocates will be disqualified with immediate effect.*

DISCLAIMER: *This problem is a product of fiction. All the names, characters, parties, places and events and incidents depicted in the problem are used in fictional manner. Any resemblance to the moot problem is deemed to be purely coincidental.*



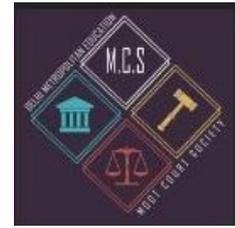
TIMELINE

LAST DATE OF REGISTRATION (SOFT COPY) ALONG WITH SCANNED COPY OF DEMAND DRAFT	15th March 2019
LAST DATE OF REGISTRATION (HARD COPY) ALONG WITH DEMAND DRAFT	20th March 2019
CONFIRMATION OF PARTICIPATION ALONG WITH ALLOTMENT OF TEAM CODE	After Closing Of Registration
ACCOMMODATION CONFIRMATION	20th March 2019
RELEASE OF CLARIFICATIONS	10th March 2019
MEMORIAL SUBMISSION (SOFT COPY)	20th March 2019
MEMORIAL SUBMISSION (HARD COPY)	On 5th April, 2019 (During Desk registration)
INAUGURAL CEREMONY/DRAW OF LOTS/RESEARCHER'S TEST	5th April 2019 (5:00PM)
PRELIMINARY ROUND I & II QUARTER FINALS	6th April 2019
SEMI FINAL ROUNDS FINAL ROUND	7th April 2019
VALEDICTORY CEREMONY	7th April 2019

THE 3rd DME NATIONAL MOOT COURT COMPETITION



REGISTRATION FORM (TO BE FILLED IN BLOCK LETTERS)



DATE : _____

NAME OF THE INSTITUTION : _____

ADDRESS : _____

SPEAKER 1 : _____

COURSE - YEAR : _____

EMAIL : _____

PHONE NO. : _____

(SELF ATTESTED
PHOTOGRAPH)

SPEAKER 2 : _____

COURSE - YEAR : _____

EMAIL : _____

PHONE NO. : _____

(SELF ATTESTED
PHOTOGRAPH)

RESEARCHER : _____

COURSE - YEAR : _____

EMAIL : _____

PHONE NO. : _____

(SELF ATTESTED
PHOTOGRAPH)

MODE OF PAYMENT (DEMAND DRAFT/ NEFT) : _____

DEMAND DRAFT NO. / TRANSACTION ID : _____

NAME OF BANK : _____

ISSUING DATE : _____

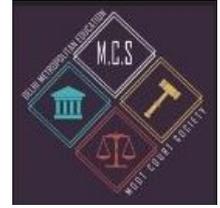
***NOTE :** Attach a **Demand Draft of Rs. ____ /-** (_____ Only) in favour of “**DELHI METROPOLITAN EDUCATION**” payable at Noida, and send it along with the registration form.

SIGNATURE & SEAL OF THE HEAD OF THE INSTITUTION

THE 3rd DME NATIONAL MOOT COURT COMPETITION



TRAVEL AND ACCOMMODATION FORM



DATE : _____

NAME OF THE INSTITUTION : _____

ARRIVAL

DATE OF ARRIVAL : _____

MODE (AIRWAY/ RAILWAY/ BUS/ CAR) : _____

NUMBER (AIRWAY/ RAILWAY/ BUS/ CAR) : _____

TIME OF ARRIVAL : _____

NAME & NUMBER OF CONTACT PERSON : _____

OTHER DETAILS (like name of Airline/Railway, etc. or other relevant information) :

ACCOMMODATION REQUIRED :YES-

NO-

SIGNATURE & SEAL OF INSTITUTE