



**Dr. Annasaheb G.D. Bendale Memorial**  
**14<sup>th</sup> NATIONAL MOOT COURT COMPETITION**

**KCE SOCIETY'S S.S. MANIYAR LAW COLLEGE, JALGAON**  
**NAAC REACCREDITED WITH 'A' GRADE**

To,  
2018

Date: 10-12-

Dear Sir/Madam,

Sub: Dr. Annasaheb G.D. Bendale Memorial 14<sup>th</sup> National Moot Court Competition on Feb 2019.

It gives us immense pleasure to inform you that the K.C.E. Society's S.S. Maniyar Law College, Jalgaon organizes the Dr. Annasaheb G. D. Bendale Memorial 14<sup>th</sup> National Moot Court Competition on 9<sup>th</sup> and 10<sup>th</sup> February, 2019 at our college. We invite your prestigious and esteemed institution to participate in the said competition.

S.S. Maniyar Law College is one of the Pioneer Institute in the field of legal education which is located in Jalgaon at Khandesh region of North Maharashtra. Jalgaon is very prominent centre for cultural literary and learning. It situates in the main route between Mumbai - Nagpur, Mumbai- Delhi, Bangalore- Delhi, Mumbai -Howrah and Ernakulam-Nizamudin. The Headquarters of Jalgaon district, where the college situates, is nearby Bhusawal the divisional headquarters of central railway. The world famous Ajanta caves are located only 50k.m. away from Jalgaon. With great pleasure we invite you to participate in the competition. The Registration form, the rules and other details of the competition along with moot problems are enclosed here with.

Thank You.

Yours Faithfully

**Prof. Dr. Vijeta Singh**

**Co-ordinator**

**Dr. B. Yuvakumar Reddy**

**Principal**

**Contact No.** Mob.No.09823341326

Offi.0257- 2239523

**Email:** 1) [ssmlc70@gmail.com](mailto:ssmlc70@gmail.com)

2) [vijetalaw@gmail.com](mailto:vijetalaw@gmail.com)



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**Moot Problem**

**Hameed Khan and others V/s Union of Sindhia and others**

Petitioner No. 1 Hameed Khan and Petitioner No. 2 Gopal Sharma, on the date of filing of this writ petition, were six months old and Petitioner No. 3 Anil Yadav was fourteen months old. This petition has been filed through their next friends, i.e. their fathers, who are concerned about the health of their children as they feel that due to the alarming degradation of the air quality, leading to severe air pollution in the city of Asbia (where these Petitioners reside), the Petitioners may encounter various health hazards. Poor, very poor or severe air quality/air pollution affects all citizens, irrespective of their age. However, claim the Petitioners, children are much more vulnerable to air pollutants as exposure thereto may affect them in various ways, including aggravation of asthma, coughing, bronchitis, retarded nervous system breakdown and even cognitive impairment. The petition accepts that there are a number of reasons which have contributed to poor air quality in Asbia a city in Sindhia country. At the same time, it is emphasized that air pollution hits its nadir during Diwali time because of indiscriminate use of firecrackers, the chemical composition whereof increases harmful particulate matters such as PM<sub>2.5</sub> or PM<sub>10</sub> at alarming level thereby bringing the situation of 'emergency'. The Petitioners have, thus, prayed for direction to the official Respondents to take possible measures for checking the pollution by striking at the causes of the pollution, which include seasonal crop burning, indiscriminate dumping of dust/mulch and other pollutants, etc. The prayer also includes banning the use, in any form, of firecrackers, sparkles and minor explosives, in any form, during festivals or otherwise. The Petitioners had pressed for interim relief in respect of fireworks, drawing the attention of this Court to the emergent situation that has resulted in worsening the air quality standards in Asbia because of extensive use of fireworks, including firecrackers during Diwali last year. It was pointed out that onset of winter itself deteriorates air quality in this region and it gets aggravated because of festival/marriage season that occurs during these very months. Taking note of the aforesaid factors, particularly impact of fireworks on the ambient air and unhealthy effects thereof which had created unprecedented situation in Asbia, with air pollution going up at alarming levels and making it the most polluted city in the world. Air pollution had gone up to 29 times above the World Health Organisation (WHO) standards. The harmful effect of fireworks is on the ambient air and the lungs, eyes and ears of people. What is also obvious is the extreme nuisance, noise the fireworks cause to citizens particularly the ailing and the aged. The significance and even joy of bursting fireworks, but at the same time, prima facie, a just constitutional balance must overwhelmingly prioritize the harmful effects of this hazardous air on present and future generations, irreversible and imperceptible as they are, over the immediate commercial constraints of the manufacturers and suppliers of fireworks.

Petitioners approached the court for seeking relief as pollution creates violation of right to health, violation of provisions of different laws and well established principles. Petitioner thus wants the court to issue appropriate directions to all respondent parties in order to control the rising level of environment pollution problem which affects the life of people



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which is the basic fundamental right guaranteed under Constitution. The contentions of Respondent were that burning of crackers itself does not have any significant adverse effect on environment. If there is a ban restriction on manufacturing and selling of fireworks it would affect fundamental right to carry on trade. It would also occur in loss of revenue to nation and would bring loss of employment. They also contended that proper survey and socio-economic approach to be taken by court before passing any directions.

Argue the case on both sides.

Note:-Indian Laws will be applicable to Union of Sindhia and others.



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**RULES GOVERNING THE COMPETITION**

**1] Name of the competition:**

Dr. Annasaheb G. D. Bendale Memorial 14<sup>th</sup> National Moot Court Competition.

**2] Organizers:**

K. C. E. Society's S. S. Maniyar Law College, Jalgaon.

**3] Venue:**

The competition will be held at S. S. Maniyar Law College, Jalgaon.

**4] Date: - --9<sup>th</sup> & 10<sup>th</sup> Feb-- , 2019**

**5] Subject matter:**

Hypothetical problem / decided case

**6] Eligibility and Registration:**

Teams from Law Colleges recognized by Bar Council of India will be eligible to participate in the competition. The member of each team should comprise of the law students who are at the time of competition pursuing their bachelors' degree in either 5 years LL.B programme or 3 years LL.B programme. The participating team is required to send a D.D. for Rs. 800/- towards the registration fee payable at Bank of India, Jalgaon, Ring road Branch and IFSC: BKID0000672, A/C No 067210100003126 in favour of the Principal S. S. Maniyar Law College, Jalgaon.

**7] The last date for registration will ---20<sup>th</sup> Jan, 2019.**

**Address to which Registration Forms Shall Reach:** Principal, S. S. Maniyar Law College, IMR Campus, Jalgaon, North Maharashtra, 425001

**8] The organizing committee will have the sole and absolute discretion to short list of the Participants. The decision of organizing committee will be final and binding on all concerned.**

**9] The short listed teams will be required to reconfirm their participation and their acceptance of being bound by the rules of the competition within the time stipulated by the organizing committee**

**TEAM COMPOSITION**

Each team shall comprise of two speakers and one researcher. The team shall send their particulars to the organizers by the dates to be decided by the administrators, on the college letterhead duly signed by the Principal/Directors/Dean as the case may be. The teams may additionally send their particulars by email to organizers.

**LANGUAGE**

The competition shall be conducted strictly in English.



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**ACCOMMODATION AND TRAVEL**

1. The organizers will not be responsible for making travel arrangements or providing any charges whatsoever for teams participating in the competition.
2. Teams requiring transfer from and to hotel on arrival/departure would be required to provide clear details and particulars of arrival and departure details. The details of arrival of each team must be communicated to the organizers before **3<sup>rd</sup>- Feb 2019** if accommodation is needed.
3. The organizers will not be responsible for providing accommodation or transfer to any other accompanying person with the team.
4. The organizers will not be responsible for providing or arranging transport or accommodation for teams arriving prior to **-8<sup>th</sup> & going after 10<sup>th</sup> Feb 2019**.
5. **Participating Teams are requested to reserve their Train tickets well in advance and make their travel comfortable.**

**COMPETITION ROUNDS:** (subject to change)

- 1) There shall be two preliminary round including quarterfinal of arguments per team, one from each side.
- 2) There shall be semi- final round of four teams as per the rank they got in the quarterfinals.
- 3) Final Round.

**MEMORIALS**

- 1) Each team shall submit memorials / written submissions for both sides, Appellant /petitioner in Blue colure & Respondent in Red.
- 2) Each team shall submit typed memorials containing the following as per number of pages mentioned in brackets.
  - a) Cover page containing cause title (1).
  - b) Index (1)
  - c) Index of authorities (1-2)
  - d) Statement of Facts (2)
  - e) Summary of Arguments (1-2)
  - f) Body of Arguments (7)
  - g) Conclusion/ Prayer (1/2-1)
- 3) The teams shall strictly observe the size of memorial.
- 4) The memorial shall be typed on A4 size page in Font type: Times New Roman Font size; 12, double spacing and 1 inch margin on each side.
- 5) Each team is required to submit six copies of memorial and compilation (if any) for each side. The hard copies of the memorials six copies each from both the sides in both cases must be reached to the address: **Principal, S.S.Maniyar Law College, IMR Campus, Jalgaon, North Maharashtra, 425001** on or before **28<sup>th</sup> Jan, 2019**. **Late submission will affect the marks for memorials.** The soft copy of the memorial shall also be sent through e-mail to the organizers.



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**ORAL SUBMISSIONS**

Each team shall get a total of 30 minutes to present their case during the preliminary / quarterfinal / semi -final rounds and in final round.

1. The division of time is at the discretion of the team members, subject to a maximum of 15 minutes per speaker during the preliminary / quarter –final / semi – final rounds and 15 minutes per speaker during the final round.
2. The division of time must be communicated to the organizers at the orientation and to the court officer before commencing arguments.
3. There shall be warning bell three (3) minutes before the competition of the allocated time for each speaker and there shall be a final bell on the completion of the allocated time.
4. If any speaker continues to speak after the completion of the allocated time, the additional time which he or she speaks for will be deducted from the time allocated to his or her co-speaker, as the case may be. However, no speaker shall be allowed to present his argument beyond the maximum time.
5. Each speaker must introduce himself or herself to the court using only his identification code and team code given to him at the time of orientation.

**SCORING FOR MEMORIALS**

1. The marking criteria for memorials shall be as provided herein under.

<b>Criteria</b>	<b>Marks Allotted</b>
Adhering to specifications on memorial	10
Substance of memorial (including legal research)	40
Presentation skills	20
Application of facts to the law	20
General Organization	10
<b>Total</b>	<b>100</b>



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**SCORING FOR ORAL SUBMISSIONS**

- Each speaker will be marked on a total of 100 marks per judge in each round aggregating to 200 marks.
- The team score shall be the total marks awarded to both speakers.
- The marking criteria for oral submissions shall be as provided herein under.

<b>Criteria</b>	<b>Marks Allotted</b>
Knowledge and Application of law	10
Answer to Court Questions	40
Advocacy/ Presentation	20
Perusal of facts	20
Perusal of Memorials in the Course of Oral Submissions	10
<b>Total</b>	<b>100</b>

**JUDGES**

Judges for the competition will be selected by the organizing committee

**SCOUTING**

- (a) No member of any team will be permitted to hear the arguments in any court rooms in which that team is one of the contesting teams whilst that team is still in the competition. They shall remain present in the lounge provided for them.
- (b) No member of any team shall interact with any person except fellow participants and the organizers
- (c) Any team found in the violation of the above-mentioned rule shall be disqualified forthwith.
- (d) Team found attempting to approach and influence judges Administrators or organizers shall be disqualified

**MISCELLANEOUS**

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.

- (a) The organizers reserve the right to take appropriate action for any unethical, unprofessional and immoral conduct.
- (b) The dress code for the Participant shall be as prescribed for the Advocate.





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**INTERPRETATION OF RULES**

- (a) The organizing committee's decision as regards the interpretation of rules or any other matter related to the competition will be final.
- (b) If there is any situation, which is not contemplated in the rules, the organizing committee's decision on the same shall be final.
- (c) The organizers reserve the right to vary, alter, modify, or repeal any of the above rules if so required and as they deem appropriate.

**DISPUTES**

- (a) The teams seeking participation or participating in the competition shall honour and respect the spirit of the competition and endeavour to conduct by themselves accordingly.
- (b) In case of any dispute or difficulty arising out of or during the course of the competition, the organizing committee shall have the sole and absolute authority to remove such difficulty and resolve the dispute.

**FORCE MAJURE**

The organizers reserve absolute right to cancel, defer or postpone indefinitely, the competition in the event of the accruing of any such incident or accident, natural or man caused.

**DISCLAIMER**

- (a) Notwithstanding anything stated in the rules, the competition is the sole and overall responsibility of the organizers.
- (b) The organizers shall not be responsible for any dispute arising out of the team selection process in the colleges.
- (c) All material in the moot problem is fictitious and any resemblance to any incident or person, if any, is not intentional, but merely coincidental.

**The Organizers will award the following prizes:**

<b>PRIZES</b>		
1	Winners	Cash Prize of Rs.3000/, Dr. Annasaheb G.D. Bendale Memorial ever rolling Trophy to the team and Certificate
2	Runner up	Cash Prize of Rs. 2000/, Ever Rolling Trophy and Certificate.
3	Best Male Student Advocate	Cash Prize of Rs. 1000/- (Individual) and Certificate
4	Best Female Student Advocate	Cash Prize of Rs. 1000/- and Certificate
5	Best Memorial	Cash Prize of Rs. 1000/- and Certificate



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**UNDER TAKING**

The Winners and runners up are required to sign an undertaking with regard to make the trophies available back to the organizers of the competition within the stipulated time prior to the next competition.

**Relevant Dates to be remembered**

- 1) Last date for Receipt of registration with Fee: 20<sup>th</sup> Jan 2019.
- 2) Last Date for Submission of Memorial: 28<sup>th</sup> Jan 2019.
- 3) The details of arrival of each team must be communicated to the organizers – 3<sup>rd</sup> Jan 2019.
- 4) Orientation to participants at venue - 8<sup>th</sup> Feb 2019 (7.00 P.M)
- 5) Events: 9<sup>th</sup> & 10<sup>th</sup> Feb 2019 i.e. Saturday & Sunday.

**CONTACTS:**

***Dr. Vijeta Singh,***

Assistant Professor,

Chief Co-ordinator

Ph.+91 9823341326, Offi. +91 257-2239523

E-mail:- 1. vijetalaw@gmail.com

***Mr. Niranjan Dhake***

Student Co-ordinator

+91 9423485833

2.ssmc70@gmail.com



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**REGISTRATION FORM**

Name of Speaker -01		<b>Photo</b>
Class		
Address		
Phone and E-mail		

Name of Speaker -02		<b>Photo</b>
Class		
Address		
Phone and E-mail		

Name of Researcher		<b>Photo</b>
Class		
Address		
Phone and E-mail		



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**Certificate**

This is to certify that the Mooters and researcher, above named are the bona fide students duly enrolled in this college / institution.

Signature and Seal

*Principal / Head the Institution.*

Photographs should be signed by the Speaker and attested by the Principal / Head of the concerned institution.