



Important Dates

23-Sep-2019 :- For
Registration of Team and
Clarifications about
problem

07-Oct-2019:- For
Submission of Memorial

Dr. D. Y. Patil Law College

Dr. D. Y. Patil Unitech Society's
Dr. D. Y. Patil Law College
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Dr. D. Y. Patil Unitech Society's
DR. D. Y. PATIL LAW COLLEGE, PIMPRI, PUNE-18
(Approved by Bar Council of India, Recognized by Govt. of Maharashtra &
Affiliated to Savitribai Phule Pune University, Pune)

Organizes
1st NATIONAL Dr. D. Y. PATIL MOOT COURT COMPETITION, 2019

Inaugural Ceremony at the auspicious hand
Hon'ble Justice Shri. S. B. Deshmukh, Former Justice of Bombay High Court
On Saturday, 19th October, 2019 at 11.15 a.m.

About Dr. D. Y. Patil Unitech Society formerly known as Dr. D. Y. Patil Vidya Pratishtan:

Dr. D. Y. Patil Unitech was established in the year 1990 with the aim of providing education of all fields. Thus spreading education to the deserving students and thereby helping them to realize their dreams of career with help of professional courses. The educational complex of Unitech society at Pune covers total 75 acres of land at Pimpri & Tathwade. The educational complex at Pune consists 63 institutions.

At its Pimpri educational complex the Unitech society has created excellent facilities for education in various fields such as Architecture, Engineering, Medical, Dental Ayurved, Homeopathy, Nursing, Physiotherapy, Law, Management and Pharmacy and Agricultural Marketing and Agri - Business Management etc. It provides world - class education to more than 15000 National and International students.

The location of the campus is in pollution-free, lush green and picturesque environment conducive to learning. Excellent hostel facilities and other student's amenities like well-equipped Central Library, Internet Facilities, Auditoriums, Seminar Halls, Open-air Theatre, ATM Centre, Clinics, and Market for essential commodities, Banks etc. are provided at campus.

About Dr. D. Y. Patil Law College:

Dr. D. Y. Patil Law College was established in the year 2001 and it is a distinguished Law college affiliated to the University of Pune. Sheltered in huge well architecture premises along with multiple institutes, the college has a unique academic atmosphere chiefly characterized by interdisciplinary scholarly interaction and healthy competitive spirit and enthusiasm to excel in various curricular activities.

Dr. D. Y. Patil Law College is imparting knowledge and learning in legal disciplines to meet global challenges of 21st century. Within a very short span of time the college has gained recognition for preparing and grooming the students at under-graduate level into academically meritorious students and professionally efficient scholars.

There is well qualified Teaching Staff, well-equipped Library, separate Computer Laboratory and other infra-structural facilities conducive for learning and development. Our commitment is to impart quality legal education through highly qualified and experienced lecturers along with clinical educational inputs through Moot Courts, Debates, Legal Literacy Camps and Research activities. With a view to provide practical experience and to inculcate lawyering skills among the students, Dr. D. Y. Patil Law College is organizing the 1st National Level Moot Court Competition on Saturday, 19th October, 2019.

RULES FOR MOOT COURT COMPETITION:

1. **Title:** The Moot Court Competition will be called as '1st National Dr. D. Y. Patil Moot Court Competition, 2019'.
2. **Date:** The Competition will be held on Saturday, 19th October, 2019 as per schedule.
3. **Venue:** The Competition will be held within the premises of Dr. D. Y. Patil Law College, Pimpri.
4. **Registration:** Teams must register on or before Monday, 23rd September, 2019.
 - i) The hard copies of the registration form and Cash / receipt of online transfer must be submitted to administrative office of Dr. D. Y. Patil Law College, Pimpri on or before 23rd September 2019 before 3.00 PM.
 - ii) The formal registration of the teams will be done on 19th October 2019 between 8.00 am to 9.00 am. Spot registration will not be allowed.
5. **Registration Fees:** The registration fees will be **Rs. 1500/- per team** which comprises of two members i.e. two speakers.
6. **Mode of Payment:** Registration fees can be paid in cash or through online in the account of Name:- Shivshankar G Kalshetti, A/C No:- 50100244058790 IFSC code:- HDFC0001794. Fee includes registration, breakfast and lunch on the date of competition i.e. 19th October. Fees should be paid on or before 23rd September, 2019.
7. **Language:** The official language of the Competition is English. The memorials as well as oral submissions have to be made in English language only.
8. **Eligibility:** The Competition is open for the students pursuing FIVE YEAR LL.B. programme or THREE YEAR LL.B. programme from any Law College recognized by their respective universities and approved by Bar Council of India. The students must have a valid identity card of the concerned college of academic year 2019-2020.

1st NATIONAL Dr. D. Y. PATIL MOOT COURT COMPETITION, 2019

9. **Team Composition:**
 - i) Each team must consist of two members.
 - ii) Any additional member will not be entitled to any local hospitality or award or prize or certificate in the competition.
 - iii) If any member of the team is found to resorting to unfair means, the team shall stand disqualified from the competition at any stage.
10. **Accommodation:** The teams are requested to communicate to us yours travel and accommodation plans along with the registration form. The teams from outside Pimpri Pune will be provided with overnight accommodation at their request subject to availability of room in Hostels in Pimpri Campus. Participants should bear nominal guest hostel fee for one day i.e. approximately Rs. 1000/- per candidate without food. Participants to whom accommodation is provided, they should report to co-coordinator on 18th October 2019.
11. **Dress Code:** The participating members are required to be formally dressed in black and white.
12. **Structure of the Competition:**
 - i) **Formal Registration:** It will be done on the day of the competition i.e. 19th October, 2019 between 8.00 am to 9.00 am.
 - ii) **Drawing of lots:** Drawing of lots will be done on 19th October, 2019 from 8.30 am to 9.00 am wherein the teams will get their opponent teams, their court room in Which preliminary round will be held and also will get the memorials of the opponent team. Both the speakers of the team will present from one side only and the side will be allotted to them at the time of drawing of lots through chits.
 - iii) **Inauguration:** The formal commencement of the competition shall commence with the inauguration on 19th October, 2019 at 11.15 am.
 - iv) **Rounds:** The Competition will be held in three rounds as under:

- a. Preliminary Round
 - b. Semi Final Round
 - c. Final Round
- v) **Memorials:**
- a) Memorials must be submitted in five copies for each side (appellant & respondent).
 - b) Color Code: **Blue** Cover for **Appellant**, **Red** Cover for **Respondent**.
 - c) Typed on A4 size paper with one side printing, Font: Times New Roman, Font Size: 12, Spacing 1.5, Footnote Font: Times New Roman, & Font Size: 10.
 - d) Memorials must contain: I Title page, II Table of Contents, III Statement of Fact, IV Statement of Jurisdiction, V Statement of Issues, VI Arguments Advanced VII Prayer, VIII Bibliography/ Webliography.
 - e) Last date for submission of memorials is **07th October, 2019** before 3.00 pm.
 - f) Once you submit your memorials it will not be returned to you by Organizer.
- vi) **Time:** Each team at all the rounds will get 20 minutes to speak (10 minutes each speaker), 5 minutes for rebuttal and 5 minutes for Judge's questions. Thus, in all, each team will get 30 minutes. If the team is not interested in doing rebuttals then five minutes reserved for rebuttals can be used up at the time of initial submission itself.
- vii) **Preliminary Round:**
- a. The Preliminary Round will start sharp at 9.00 am.
 - b. The Preliminary Round will be held simultaneously in different Court rooms and in each Court room there will be two judges.
 - c. One team from one court room who scoring highest marks in preliminary round will be selected and will go for the semi Final Round. So there will be four teams in the semi Final Round but two teams should not from same court room.
- ## 1st NATIONAL Dr. D. Y. PATIL MOOT COURT COMPETITION, 2019
- viii) **Semi Final Round:**
- a. Semi Final Round will start at 12.00 noon.
 - b. Moot court problem will be same for semi final round.
 - c. The Semi final Round will be held simultaneously in different Court Rooms and in each Court Room there will be two judges.
 - d. One team from one court room who scoring highest marks in Semi Final round will be selected and will go for the Final Round. So there will be two teams in the Final Round but two teams should not from same court room.
- ix) **Final Round:**
- a. Final round will start at 2.00 pm.
 - b. There will be two teams but not from same court, who had scored highest in Semi final round, will participate in the Final Round.
 - c. Final round will be conducted in the moot court hall and there will be three judges.
 - d. Moot court problem will be same for final round.
 - e. Whoever team secure third position as per marks in semifinal round will be Consider for third prize.

13. Assessment Criteria: The decision of the judges will be final and no disputes will be entertained with respect to it. The following will be the Marking Criteria and the marks will be given to each speaker by the judges in each round.

Sr. No.	Marking Criteria	Marks Allocated for Pre Round	Marks Allocated for Semi Final & Final Round

1	Knowledge of Facts	16	20
2	Application of Legal Principles	16	20
3	Use of Authorities and Precedents	16	20
4	Response to Judge's Questions	16	20
5	Presentation skills	16	20
6	Memorial of Both Sides (appellant/respondent)	20	---
	Total	100	100

14. Awards:

- First:** Rs 15000 Cash + Trophy + Certificate
- Second:** Rs 11000 Cash + Trophy + Certificate
- Third:** Rs 7000 Cash + Trophy + Certificate
- Best Memorial:** Rs 1000 Cash + Trophy + Certificate
- All participants will be given a Participation Certificate.**

15. Contact Details:

- Postal Address:** Behind YCM hospital, Sant Tukaram Nagar, Pimpri, Pune-411 018.
- Email Id:** principal.law@dypvp.edu.in **Website:** law.dypvp.edu.in
- Phone:** +91 20 27805896/ 7498543933
- Contact Person:** Mr. Shivshankar Kalshetti (Co-ordinator) Mob no. 7769921210
Dr. Vijeta V Chaudhary (Asst. Co-ordinator) Mob no. 9527511786

1st NATIONAL Dr. D. Y. PATIL MOOT COURT COMPETITION, 2019

16. Annexure:

- Registration Form And ii) Moot Court Problem

Note: The decision of the organizers of this moot court competition, regarding any dispute will be final.

IMPORTANT DATES

Sr. No.	Date	Time	Events
1	23-Sep-2019	Up to 3.00 pm	Last date for Registration of Teams.
2	23-Sep-2019	Up to 3.00 pm	Last date for seeking clarifications in the Moot Problem or Rules, if any.
3	07-Oct-2019	Up to 3.00 pm	Last date for submission of hard copy of Memorial and Compendium.

SCHEDULE OF PROGRAMME OF MOOT COURT COMPETITION, 2019

1	19-Oct-2019	8.00 to 9.00 am	Formal Registration of Teams
2	19-Oct-2019	8.30 to 9.00 am	Drawing of Lots & Exchange of Memorial
3	19-Oct-2019	8.00 to 9.00 am	Breakfast & Tea at Dr. D. Y. Patil Law College
4	19-Oct-2019	9.00 to 11.00 am	Preliminary Round of Competition
5	19-Oct-2019	11.15 to 11.45 am	Inauguration by Hon'ble Former Justice Shri. S. B. Deshmukh , Bombay High Court, Mumbai

6	19-Oct-2019	11.45 to 12.00 noon	Tea Break
7	19-Oct-2019	12.00 to 1.00 pm	Semi Final Round of Competition
8	19-Oct-2019	1.00 to 2.00 pm	Lunch Break
9	19-Oct-2019	2.00 to 3.00 pm	Final Rounds at Moot Court Hall, Dr. D. Y. Patil Law College, Pimpri.
10	19-Oct-2019	3.00 to 3.15 pm	Tea Break
11	19-Oct-2019	3.15 to 4.00 pm	Prize Distribution & Valedictory Session

CHIEF PATRONS

Hon. Dr. P. D. Patil

Chairman, Dr. D. Y. Patil Unitech Society, Pune.

Mrs. B. P. Patil

Vice Chairman, Dr. D. Y. Patil Unitech Society, Pune.

Hon. Dr. Somnath Patil

Secretary, Dr. D. Y. Patil Unitech Society, Pimpri, Pune.

Dr. Mrs. Smita Jadhav

Trustee, Dr. D. Y. Patil Unitech Society, Pimpri, Pune.

Dr. Yashraj Patil

Treasurer, Dr. D. Y. Patil Unitech Society, Pimpri, Pune.

1st NATIONAL Dr. D. Y. PATIL MOOT COURT COMPETITION, 2019

CONVENER

Dr. Ujwala Shinde

Principal, Dr. D. Y. Patil Law College, Pimpri, Pune.

CO-ORDINATOR

Mr. Shivshankar G. Kalshetti, Asst. Professor

Mob: 7769921210

ASST. CO-ORDINATOR

Dr. Vijeta V. Chaudhary, Asst. Professor

Mob: 9527511786

VENUE

Dr. D. Y. Patil Unitech Society's

Dr. D. Y. Patil Law College

Behind YCM hospital,

Sant Tukaram Nagar, Pimpri, Pune – 411018

Maharashtra, India.

**Dr. D. Y. Patil Unitech Society's
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REGISTRATION FORM

1. **Name of the Institution:** _____

2. **Address of the Institution:** _____

3. **Email Id & Contact details of the Institution/ co-ordinator:** _____

4. **Details of Payment**

Online Payment

Cash

Transaction id	Amount	Date of transfer	Name of Transferee Bank
	1500/-		

1st NATIONAL Dr. D. Y. PATIL MOOT COURT COMPETITION, 2019

5. **Details of Team Members:**

	Name	Contact No	Email Id	Class	Photo
Speaker No. 1					
Speaker No. 2					

Seal and Signature of the Head of the Institution

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DR. D. Y. PATIL LAW COLLEGE, PIMPRI, PUNE-18
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Moot Court Problem
Amir Khan v Union of Indiana & others

State of Indiana is a union of states which is a democratic country. In this state of Indiana, 28 states & 7 union territories are enjoying status as members of Union. The Constitution of state of Indiana provides for distribution of legislative powers between the States and the Union. This Constitution provides for special status to some states due to certain condition prevailed at relevant time. In the year 1952, Delhi agreement was signed between Union Government of Indiana and constitutional assembly of the state of Kashmira, both ratified that state of Kashmira will exercise residuary power. In the year 1975, Indira-Sheikh pact provided that the State of Kashmira should be governed by Art 370 of Constitution of Indiana which gave special status to Kashmira.

There was constant demand for creation of Union Territory of Ladakha by the people of Ladakha region which is part of old State of Kashmira. Further, keeping in view the prevailing internal security situation, fuelled by cross border terrorism in the old State of Kashmira, a separate Union Territory for Kashmira with legislature and Ladakha is being created by union government and the special status given to Kashmira was withdrawn and brought on equal footing like other states. When president rule is in force in state of Kashmira, President of Indiana published a constitutional order via gazette of Indiana GSR551 (E) 272 of dated 05.08.2019 by exercising power conferred by clause (1) of Article 370 of Constitution of Indiana.

1st NATIONAL Dr. D. Y. PATIL MOOT COURT COMPETITION, 2019

This government order amended article 367 of Constitution of Indiana. In this case union government acted on the report of governor in absence of legislative assembly advice which is pure administrative function. After this government order, union government took preventive precaution in state of Kashmira.

Petitioner is a member of NGO (people union for democratic rights) which works for overall development of domicile of State of Kashmira. Petitioner moves this court because of prevailing conditions in State of Kashmira. How the bifurcation of state can be made under president rule? How Art 370 of Constitution of Indiana can be invoked to amend Art 367 of Constitution of Indiana which changes true spirit & text of Art 370? How state legislative assembly can take position of Constituent Assembly? Petitioner believes that current restrictions in State of Kashmira are violating of fundamental rights of people in old State of Kashmira.

That's why Petitioner files this case, Writ Petition under Article 32 of the Constitution of Indiana by way of a Public Interest Litigation (PIL) for quashing GSR 551 (E) the Constitution (application to Kashmira) Order 2019, 272 dated 05.08.2019 in the interest of people of Kashmira whose rights are violated including fundamental rights, to enjoy special status as a domicile of State of Kashmira. This case was admitted and posted for final hearing before court.

Note:- All Laws applicable to State of Jammu and Kashmir & Indian Laws applicable to this moot problem. Participants are free to frame relevant issues for argument.