



लखनऊ विश्वविद्यालय
University of Lucknow
(Accredited A++ by NAAC)



LUCKNOW UNIVERSITY MOOT COURT ASSOCIATION

presents

3rd DR. R. U. SINGH NATIONAL MEMORIAL DRAFTING & JUDGEMENT WRITING COMPETITION 2024

LAST DATE OF REGISTRATION

20th August, 2024

LAST DATE OF SUBMISSION

4th September, 2024

REGISTRATION FEES

600 INR - Single Author
800 INR - Co-Author

MODE OF COMPETITION

Online

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about



UNIVERSITY OF LUCKNOW

FOUNDED IN 1867, LUCKNOW UNIVERSITY IS ONE OF THE OLDEST INSTITUTIONS OF INDIAN HIGHER EDUCATION. IT IS AFFILIATED TO UNIVERSITY GRANTS COMMISSION; ASSOCIATION OF COMMONWEALTH UNIVERSITIES (ACU); ASSOCIATION OF INDIAN UNIVERSITIES (AIU); DISTANCE EDUCATION COUNCIL (DEC); NATIONAL ASSESSMENT AND ACCREDITATION COUNCIL (NAAC); NATIONAL COUNCIL OF TEACHER EDUCATION (NCTE) AND BAR COUNCIL OF INDIA (BCI). THE UNIVERSITY OF LUCKNOW HAS BEEN AWARDED THE A++ GRADE BY THE NATIONAL ASSESSMENT AND ACCREDITATION COUNCIL (NAAC) IN JULY, 2022.

about



FACULTY OF LAW, UNIVERSITY OF LUCKNOW

THE FACULTY OF LAW, UNIVERSITY OF LUCKNOW IS A PIONEER LEGAL INSTITUTION OF INDIA. IT WAS ESTABLISHED IN 1921 WITH THREE TEACHERS. MR. JAG MOHAN NATH CHAK WAS ITS FIRST DEAN. THE REAL ARCHITECT WAS PROF. R. U. SINGH WHO WITH GREAT ZEAL AND ENTHUSIASM ORGANISED TEACHING AND RESEARCH IN THE FACULTY IN THE SYSTEMATIC WAY. He HELD OFFICE OF THE DEAN, FACULTY OF LAW TILL 1956.

He ALSO STRUCTURED THE LAW FACULTY OF DELHI UNIVERSITY AND LAW SCHOOL, B.H.U. ITS ALUMNI INCLUDE DR. AVTAR SINGH, THE WELL KNOWN AUTHORITY ON CONTRACT LAW DR. A.T.MARKOS, FORMER DIRECTOR OF INDIAN LAW INSTITUTE; DR SHANKER DAYAL SHARMA, FORMER PRESIDENT OF INDIA; SHRI RAM KRISHNA HEGDE, FORMER CHIEF MINISTER OF KARNATAKA.

THE NEW CAMPUS ALSO HAS ITS, PUBLIC HEALTH AND DEMOCRACY, ENGINEERING AND IMS DEPARTMENTS WHICH CONSISTS OF MORE THAN 1400 STUDENTS. THE CAMPUS IS A SELF CONTAINED UNIT TO PROVIDE ALL INFRASTRUCTURAL FACILITIES TO TEACHERS AS WELL AS STUDENTS. CURRENTLY FACULTY OF LAW, UNIVERSITY OF LUCKNOW RANKS AT NUMBER 10TH POSITION IN ALL OVER INDIA.



about



LUCKNOW UNIVERSITY MOOT COURT ASSOCIATION

The Lucknow University Moot Court Association was formulated in the year 2012 with the purpose of inculcating practical acumen and skill involved in the legal profession by conduction of moot court competitions which stimulates real life court conditions and requires the participating teams to act as opposing counsels. It has been active ever since and has successfully conducted 11 Inter-semester Moot Court Competitions , 5 Inter-Collegiate Moot Court Competitions , 4 National Moot Court Competitions , 1 International Moot Court Competition, National Judgment Writing Competition, Client-Counselling competition, National Seminars , Memorial drafting competitions and various academic competitions .

about

DR. R. U. SINGH

Dr. Ram Ugrah Singh, is the chief architect of Indian Legal Education system. He completed his LL.B. and M.A. from the University of Allahabad in 1927. He structured the Faculty of Law, the University of Lucknow with great zeal and enthusiasm. He held the position of Dean of the Faculty of Law until 1956. He also shaped the Law Faculty of Delhi and Banaras Hindu University (BHU).

The distinction goes to him for drafting the Constitution of Nepal. The University of Lucknow has named its law library after him “Dr. R.U. Singh Law Library”. He introduced subjects like Public International Law, Company Law, Legal History, Legal Remedies, Taxation, Labour Law in Faculty of Law, University of Lucknow. He also started two law journals, “The Federalist” and “The Indian Law.”

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JUDGEMENT WRITING PROPOSITION

Background

The State of Suplex City, one of the largest and most populous states in the Union of Indiana, passed a series of progressive bills aimed at overhauling the educational and healthcare systems. These bills, the "Suplex City Educational Reforms Act, 2023" and the "Suplex City Healthcare Accessibility Act, 2023," were passed by the State Legislature with significant majorities. The Educational Reforms Act aimed to introduce a standardized curriculum across all schools in the state, promote the use of technology in classrooms, and ensure compulsory education up to the age of 18. The Healthcare Accessibility Act focused on increasing the number of primary health centres in rural areas, subsidizing essential medicines, and mandating health insurance for all residents of the state.

Governor's Actions

The Governor of Suplex City, appointed by the President of Indiana, received the bills for assent on April 15, 2024. Instead of giving assent or withholding it, the Governor reserved the bills for the consideration of the President, citing concerns over their constitutionality and potential conflicts with central laws. The Governor's decision was influenced by representations from various central agencies and a few state opposition leaders who argued that the bills would undermine the authority of central institutions and disrupt the uniformity of national policies.

President's Decision

The President, after consulting with the Union Cabinet, withheld assent to both bills on June 1, 2024. The reasons provided were primarily that the bills infringed upon the powers of the Union Government and were inconsistent with existing national policies and laws. Specifically, it was argued that the standardized curriculum proposed in the Educational Reforms Act would conflict with the National Education Policy, and the Healthcare Accessibility Act's provisions on health insurance would overlap with the central government's Ayushman Bharat scheme, potentially causing administrative and financial complications.

State Government's Reaction

The State Government of Suplex City challenged the President's decision, arguing that the Governor's act of reserving the bills and the subsequent withholding of assent by the President were unconstitutional. The State contended that the Governor's role is largely ceremonial and that the withholding of assent was politically motivated. The State emphasized that the legislative assembly, being the representative body of the people, had the right to frame laws on subjects within its jurisdiction as per the State List in the Seventh Schedule of the Constitution.

Union Government's Stance

The Union Government defended the Governor's and President's actions, arguing that the bills indeed conflicted with central laws and that the Governor acted within his constitutional mandate. The Union emphasized that the Governor has a duty to ensure that state legislation conforms to the Constitution and does not encroach upon the domain of the Union. It was further argued that the President's decision to withhold assent was based on a thorough examination of the bills' implications on national policies and the federal structure.

Political and Social Repercussions

The decision to withhold assent led to widespread protests in Suplex City, with the ruling party accusing the Union Government of undermining state autonomy. Educational institutions and healthcare organizations expressed concerns over the delay in the implementation of much-needed reforms. The opposition parties in the state supported the Union's stance, arguing that the bills were rushed through the legislature without adequate consultation and that they would have had adverse effects on the state's economy and governance.

Judicial Intervention

In light of the escalating tensions and the constitutional questions involved, the State Government of Suplex City filed a writ petition in the Supreme Court of India, seeking a judicial review of the Governor's and President's actions. The petition argued that the constitutional provisions regarding the Governor's role were being misinterpreted and that the state's legislative competence was being unduly restricted.

Issues for Consideration

- Whether the Governor's act of reserving the bills for the President's consideration was constitutional and within the scope of his duties under the Indian Constitution?
- Whether the President's withholding of assent to the bills was justified and in accordance with the principles of federalism and cooperative governance?
- What is the extent of the Governor's discretion in giving or withholding assent to state legislature bills under the Indian Constitution?
- To what extent can the Union Government intervene in the legislative processes of a state through the office of the Governor?
- Whether the withholding of assent by the President was a politically motivated act, and if so, what are the constitutional remedies available to the state?
- What is the role of judicial review in resolving disputes between the state and union governments regarding legislative assent?
- How do the principles of federalism and state autonomy interact with the constitutional powers vested in the Governor and the President in matters of legislative assent?

- Whether the legislative subjects of the bills in question fall within the domain of the State List or Concurrent List, and the implications thereof on the constitutionality of the Governor's and President's actions?

ARGUMENTS

For the Petitioner (State of Suplex City)

- **Constitutional Overreach** : The Governor's reservation of the bills was an overreach of authority and an affront to the principles of state autonomy. The role of the Governor is to act on the advice of the Council of Ministers, and the reservation of bills for presidential consideration should be an exception rather than the rule.
- **Political Motivation** : Political Motivation: The President's decision to withhold assent was political influenced and undermined the democratic mandate of the State Legislature. The action taken by the Governor and the President were driven by political considerations rather than constitutional principles.
- **Legislative Competence** : Legislative Competence: The Suplex City Educational Reforms Act, 2023, and the Suplex City Healthcare Accessibility Act, 2023, were within the legislative competence of the state as per the State List in the Seventh Schedule of the Constitution. The state has the authority to make laws on subjects like education and public health.
- **Principles of Federalism** : Principles of Federalism: The intervention by the Union Government through the Governor's office violates the federal structure of the Constitution. The autonomy of the states must be respected to maintain the balance of power in the federal system.
- **Judicial Precedent** : Judicial Precedents: Citing various judicial precedents, the petitioner will argue that the Governor's discretion is not absolute and must be exercised judiciously, keeping in mind the elected government's mandate and the principles of democratic governance.

For the Respondent (Union of Indiana)

- **Constitutional Duty** : The Governor acted within his constitutional powers to ensure that the bills did not conflict with national laws. The reservation of the bills for presidential consideration was a necessary step to maintain the constitutional balance and avoid potential conflicts.
- **Supremacy of Union Laws** : The President's withholding of assent was a legitimate exercise of constitutional powers to maintain the supremacy of Union laws. The bills in question had provisions that conflicted with central laws and policies, justifying the President's decision.
- **Guardianship Role** : The Governor has a duty to safeguard the Constitution and ensure that state legislation is not in conflict with central laws. The role of the Governor includes acting as a guardian of the Constitution and ensuring that state actions do not undermine national interests.
- **Federalism and Cooperation** : The principles of federalism and cooperative governance require that state laws do not disrupt the uniformity of national policies. The Union Government's intervention was necessary to prevent the implementation of potentially unconstitutional laws.
- **Consultative Process** : The President's decision was based on a thorough consultative process with the Union Cabinet and other relevant authorities, ensuring that all aspects of the bills were carefully considered before withholding assent.

Legal Provisions and Precedents

- **Articles 200 and 201 of the Constitution of Indiana** : These articles detail the Governor's powers regarding the assent to bills and the reservation of bills for the President's consideration. Article 200 provides that when a bill is presented to the Governor after being passed by the Legislature, the Governor may assent to it, withhold assent, or reserve it for the consideration of the President. Article 201 provides that when a bill is reserved for the President's consideration, the President may either assent to the bill or withhold assent.

- **Seventh Schedule of the Constitution** : This schedule outlines the division of powers case between the Union and the States, detailing the Union List, State List, and Concurrent List. The allocation of subjects like education and public health to the State List is a key point of contention in this case.
- **Judicial Precedent** : Various Supreme Court judgments have interpreted the role of the Governor and the President in the legislative process, including cases like *Shamsher Singh v. State of Punjab* (1974), which emphasized the Governor's role as a constitutional head acting on the advice of the Council of Ministers, and *State of Rajasthan v. Union of India* (1977), which dealt with the scope of judicial review in matters of state and central government relations.
- **Doctrine of Basic Structure** : The petitioner may argue that the actions of the Governor and the President violate the basic structure of the Constitution, particularly the principles of federalism and democratic governance, as established in landmark cases like *Kesavananda Bharati v. State of Kerala* (1973).

Prayer :

The Petitioner, State of Suplex City, humbly prays that this Hon'ble Court may be pleased to :

- Declare that the Governor's act of reserving the bills for the President's consideration was unconstitutional.
- Declare that the President's withholding of assent to the bills was unjustified.
- Direct the Governor to give assent to the "Suplex City Educational Reforms Act, 2023" and the "Suplex City Healthcare Accessibility Act, 2023."
- Pass any other order or direction as this Hon'ble Court may deem fit and proper in the interest of justice.

The respondents pray for the rejection of the petition and denial of any relief along with imposition of costs.

Note: All the laws of the Union of Indiana are parimateria to the Laws of Union of India.



Judgement Writing Competition

Rules & Regulations

General Rules :

The following are the detailed rules and regulations of this Competition. Any deviation from the same shall result in immediate disqualification. Further, the University of Lucknow, Uttar Pradesh has full right reserved to modify and cancel any rules as it deems fit to the situation at any time in due course of the competition and the decision of the Organizing Committee (hereinafter referred as "O.C.") shall stand final.

Eligibility :

1. All students pursuing 3 year or 5-year L.L.B. course or an L.L.M. courses from a recognized Law School, University or Institution in India shall be eligible to participate.
2. Students from the Faculty of Law, University of Lucknow , are also eligible to participate.
3. Single author or Co-Authorship up to 2 authors shall be permitted. Authors may belong to the same or different Law School, University or Institution in India.
4. There is no restriction on the number of entries from any Law School, University or Institution in India.
5. A team of single or two authors will be considered eligible to participate only if the registration is completed on or before 20th August, 2024 (23:59 Hours IST).
6. The participants shall write a single opinion. Multiple opinions are not allowed

Registration :

1. Teams are required to complete the registration on or before 20th August, 2024, (23:59 Hours IST).
2. The Registration Fee is Rs. 600/- for single author and Rs. 800/- for co authorship. The registration fee payable for the Competition must be paid latest by 20th August, 2024.
3. Date of payment along with the Screenshot have to be inserted in the registration form and only then will the registration be deemed to be complete.
4. The Registration for the competition shall be done by filling up the Google form available.
5. Registration fees once paid are neither refundable nor non-transferable.
6. Any change in authorship will not be entertained after submission of the registration form unless the Organizing Committee notices an exceptional circumstance.

Submission Guidelines :

1. The soft copy of Judgment should be mailed to the e-mail of the Organising Committee : mcc.lucknowuniv@gmail.com
2. The manuscript submitted must be an original work of the author(s) and must not have been submitted or published elsewhere. Any sort of plagiarism shall amount to penalty.
3. Word Limit is 3500-5000 words (exclusive of footnotes).
4. The manuscript must not disclose the identity of the author(s)(e.g. name, institution, etc.)
5. The cover page of the manuscript shall mention the team code at the top right corner.
6. The manuscript shall be submitted in MS Word format & PDF format both. The name of the file shall be like the example, where '01' is the allotted team code. For example: JudgementSubmission01.docx; JudgementSubmission01.pdf.
7. SUBMISSION DEADLINE: 4th September 2024 (23:59 Hours IST) and no submission will be accepted after 4th September 2024 (23:59 Hours IST) with penalties as below:
 - For every Six hours of delay in submission from the prescribed time of submission, one mark shall be deducted. Max. up to 4 (Four marks).

Formatting Guidelines :

1. The language for writing the judgement shall be in ENGLISH only.
2. The author(s) shall strictly adhere to the 19th Bluebook Citation. Any citation found contrary shall amount to penalty.
3. The manuscript shall be in A4 Layout with 1.5 line spacing, Margin-1 and justified.
4. Headings: Times New Roman, Size – 14, Bold.
5. Main body: Times New Roman, Size – 12.
6. Footnotes: Times New Roman, Size – 10, Line Spacing 1.5 and justified.
7. Page numbers – bottom centre
8. The first page of Judgement must contain Team Code, Name of the Court, Title, Number of the Case, Date of Delivery of Judgement, Nature of the Case (Civil/Criminal/Writ).



Clarification relating to the proposition :

All queries & clarification regarding the proposition must be E-mailed to the Organizing Committee on- mcc.lucknowuniv@gmail.com before or by 22nd August, 2024 (23:59 Hours IST). No further clarifications shall be entertained after this date.

Criteria	Marks
Arrangements of facts	10 Marks
Issues Framed	20 Marks
Marshalling of facts and evidence	25 Marks
Appreciation of evidence	25 Marks
Ratio Decidendi	10 Marks
Obiter Dicta	10 Marks
Total	100 Marks

Penalties :

Deduction of Marks in terms of Penalties will be from the total Marks obtained by the participants.

Sr.No	Parameter	Reduction
01	Plagiarism Content	Upto 10%= 0 Marks. 11- 20%= 04 Marks. 21-30%= 6 Marks. Above 30%= Disqualified for the competition without refund of registration fee
02	Incorrect formatting guidelines	Upto 2 Marks
03	Incorrect citation	Upto 2 Marks



04	Incorrect naming of Manuscript file	Upto 4 Marks
05	Late submission of manuscript	Upto 4 Marks
06	Exceeding words Limits Penalties	5001-5500= 2 Marks 5501-6000= 4 Marks Above 6000 = Disqualified for the Competition

Cash Prize :

- ✓ Cash prize of Rs. 6000 and Certificate of Merit shall be awarded to the Winner.
- ✓ Cash prize of Rs. 4000 and Certificate of Merit shall be awarded to the First Runner-up.
- ✓ Cash prize of Rs. 2500 and Certificate of Merit shall be awarded to the Second Runner-up.
- ✓ E-Certificate of Participation for all the participants.

Miscellaneous :

1. Implementation and interpretation of rules regarding the practice and procedures, the final decision lies with the Organizing Committee.
2. If any one of the members of a team is notified or informed of any detail of information concerning the Competition, it shall be deemed as if the said team as a whole has been duly notified or informed.
3. The Proposition is neither intended to nor does it attempt to resemble any incident or any person, living or dead. Any such resemblance is purely coincidental. The Proposition is a fictitious factual account prepared for the purposes of the present Competition only and it does not attempt to influence or predict the outcome of any matter whatsoever.
4. The copyright in the Judgements submitted by the teams shall vest jointly with Faculty of Law, University of Lucknow the acceptance of such vesting is a precondition to participation in the Competition. The Rules governing the conduct of the Competition should be strictly adhered to. Any deviation thereof attract penalties or disqualification at the sole discretion of the Organizing Committee.
5. The Organizing Committee reserves the right to amend, alter, vary or change, in any manner whatsoever, the Rules governing the Competition, which would be communicated to the teams within a reasonable period of time.
6. The Chairperson of the Organizing Committee of, Faculty of Law, University of Lucknow shall be the final arbiter for these Rules and any such decision made by him on any issue/dispute arising in relation to the Competition shall be final and binding on all concerned.

MEMORIAL DRAFTING PROPOSITION

1. Indiana is the second most populous country in the world with a diverse demographic profile. As of 2023, Indiana's population is estimated to be over 1.4 billion. The country has witnessed rapid population growth over the past century, leading to significant demographic changes. The population growth rate has, however, been declining in service in recent years due to increased access to education and family planning services.
2. Indiana is home to numerous ethnic groups and over 1,600 spoke languages. This linguistic diversity necessitates a multi-lingual approach in governance and public services. The religious composition of Indiana is predominantly Hindu (around 80%), followed by Islam (14%), Christianity (2.3%), Sikhism (1.7%), and other religions. This religious diversity plays a significant role in the country's cultural and social dynamics.
3. Its population is characterized by a complex tapestry of ethnic, linguistic and religious groups. This diversity has necessitated various social welfare measures and affirmative action policies to address historical injustices and socio-economic disparities.
4. One of the most significant policies in this regard is the reservation system. The reservation policy in Indiana is a form of affirmative action designed to address historical injustices and socio-economic disparities faced by certain communities. It provides reserved seats in education, employment, and political representation for Scheduled Castes (SCs), Scheduled Tribes (STs), and Other Backward Classes (OBCs).
5. The roots of the reservation policy can be traced back to pre-independence Indiana. The Great Kingdom colonial administration introduced affirmative action measure too address the socio-economic inequalities faced by lower castes. Post Independence, the Indiana Constitution institutionalized these measures to promote social justice and equality.
6. The primary aim of the reservation policy is to promote social justice and equality. It has provided opportunities for historically disadvantaged communities to access education, employment, and political representation. This has contributed to the socio-economic upliftment of these communities and reduced caste-based disparities.



7. Reservation in educational institutions has enabled students from SC, ST, and OBC communities to access higher education. This has resulted in increased literacy rates and improved educational outcomes among these communities. However, there are concerns about the quality of education and the preparedness of students benefiting from reservations.
8. Reservations in public sector employment have facilitated the entry of SCs, STs and OBCs into government jobs. This has improved their socio-economic status and reduced income inequality. However, there are criticisms that the policy may lead to inefficiencies and reduced meritocracy in the public sector.
9. Reserved seats in the Parliament, State Legislatures and Local Bodies have ensured the political representation of SCs and STs. This has enabled these communities to have a voice in the legislative process and influence policy affecting their welfare. However, the effectiveness of this representation in bringing about substantial change remains a subject of debate.
10. The reservation policy is enshrined in various articles of the Indian Constitution. Articles 15(4) and 16(4) allow the state to make special provisions for the advancement of SCs, STs, and OBCs in education and employment. Article 330 and 332 provide for reserved seats in the Parliament and State Legislatures.
11. Over the years, the reservation policy has undergone significant changes. The Mandal Commission report (1980) recommended 27% reservation for OBCs in addition to the existing 22.5% for SCs and STs. This led to widespread protests but was eventually implemented in 1992 following the Indra Sawhney judgement, which upheld the reservation but capped it at 50%.
12. In 2019, the Indian government introduced a 10% reservation for Economically Weaker Sections (EWS) in the general category through the 103rd Constitutional Amendment Act. This move aimed to address economic disadvantages irrespective of caste but has sparked debates on its impact on the overall reservation framework.
13. This reservation policy has also led to social tensions and backlash from communities not benefiting from reservations. There have been demands for reservations from other communities, leading to agitations and protests. The introduction of EWS reservation has further complicated the dynamics, with arguments both for and against it.

14. The reservation policy has faced numerous legal challenges, particularly concerning the 50% cap on reservations established by the Indra Sawhney judgment. Various states have sought to exceed this cap based on socio-economic conditions, leading to judicial scrutiny.

15. The constitutionality of the EWS reservation was challenged and upheld by the Hon'ble Supreme Court of India in Janhit Abhiyan v. Union of India. The Court held that EWS reservation addresses a significant gap by providing for economically disadvantaged individuals, promoting social equity. The 103rd Constitutional Amendment Act is within the legislative competence of the Parliament and does not violate the basic structure of the Constitution. The 50% cap established in the Indra Sawhney judgment is not an absolute rule and can be re-evaluated in light of changing socio-economic realities. The cap should be flexible to accommodate the needs of diverse and disadvantaged communities. A review petition has been filed in the Hon'ble Supreme Court against the same order.

16. In 2023, the Government of Bodor conducted a comprehensive caste survey to gather data on the socio-economic conditions of various communities within the state. The survey revealed significant disparities among different castes, prompting discussions on the need to revise reservation policies based on empirical data. Relying on the caste survey, the State of Bodor introduced another class of people known as Extremely Backward Class and granted them additional reservation of 15 percent taking the total tally to 65 percent in Bodor.

17. Several states, including Maharashtra and Michigan, have provided reservations exceeding the 50% cap, citing the judgment in EWS case. This has led to legal challenges and debates about the necessity and constitutionality of such measures.

18. Janhit Abhiyan NGO files another writ petition in the court challenging the additional reservation given in State of Bodor, Maharashtra and Michigan. Their point of contentions are as follows:

- The 50% cap established by the Indra Sawhney judgment is a constitutional mandate that ensures a balance between affirmative action and meritocracy.
- The introduction of EWS reservations, while addressing economic disparities, disrupts the existing balance and needs a re-evaluation. Economic criteria alone should not be a basis for reservations, as the primary aim of reservations is to address social and educational backwardness.
- States exceeding the 50% cap undermine the uniformity and consistency of the reservation system across the country. Such measures should be declared unconstitutional unless justified by extraordinary circumstances.
- The findings of the Bodor Caste Survey should be carefully integrated into the reservation policy without breaching the 50% ceiling to maintain social harmony and legal consistency.

19. The Union and the State Government defended the move citing social and economic upliftment. Their defence is as under:

- The socio-economic realities of India necessitate a re-evaluation of the 50% cap to ensure comprehensive social justice.
- EWS reservations address a significant gap by including economically disadvantaged individuals from all communities, thus promoting equity.
- The Bodor Caste Survey provides critical data that justify the need for flexible reservation policies beyond the 50% cap to address deep-rooted caste inequities.

20. The issues before the Constitutional Bench of the Hon'ble Supreme Court of India are as follows:

- Whether the 103rd Constitutional Amendment Act, introducing the EWS reservation, violates the basic structure of the Constitution by breaching the 50% cap on reservations.
- Whether the principles established in the Indra Sawhney judgment, particularly the 50% cap, should be re-evaluated in light of contemporary socio-economic data.
- Whether states can provide reservations exceeding the 50% cap based on specific socio-economic conditions and empirical data.
- How the findings of the Bodor Caste Survey should influence the formulation and implementation of reservation policies.
- How to balance the need for affirmative action to uplift disadvantaged communities with the constitutional principle of equality and administrative efficiency.

Note: All the laws of the Union of India and Bodor are parimateria to the Laws of Union of India and State of Bihar.



Memorial Drafting Rules & Regulations

1. Students pursuing the 3 or 5 years of the LL.B. Degree from any recognized Law School / College/ University in India are eligible to participate.
 - Students from the Faculty of Law, University of Lucknow are also eligible to participate.
2. The participants can participate as an individual or a team of 2 members only.
3. The official language of the competition shall be English.
4. The registration fee is INR 600 for individual participation and INR 800 for Team participation.
5. The clarification shall be released by August 23, 2024
6. The team shall not disclose their identity anywhere in their written Memorials and instead should use the code allotted.
7. The Participating team shall be allotted a team code upon registration.
8. Non-compliance with rule 6 shall result in immediate disqualification of the participant/ team.
9. The decision of the Organizing Committee in this regard shall be final.

Memorial :

1. Each team shall prepare two memorial , one for the Petitioner and other for Respondent.
2. One(1) soft copy (only in MS Word.doc./ .docx format) must be mailed to mcc.lucknowuniv@gmail.com latest by 4th September, 2024 (23:59 Hours IST) with the subject " Memorials for the Team Code_".
3. The file names of the electronic copies of the Memorials must contain only the team code and the side being represented in the following format :
e.g. (for Team Code 13) 13P or 13R, 'P' being for Petitioner Memorial and 'R' being for Respondent Memorial and so forth.
- 4 The memorial for each side should be submitted as one single file and not in multiple files. Any violation of the rule shall invite penalty in accordance with rule.

Format of Memorial

1. The Memorial shall necessarily consist of following sections only :
 - (a) Cover Page
 - (b) Table of Contents
 - (c) List of Abbreviation
 - (d) List of Authorities (with page number where the authority has been cited)
 - (e) Statement of Jurisdiction
 - (f) Statement of Facts (not exceeding 2 pages)



- (l) Arguments Advanced (not exceeding 20 pages)
(j) Prayer (not exceeding 1 page)
2. Each memorial shall only have the following information on its cover page :
- A. The team code on the upper right corner of the cover page.
 - B. The name and place of the Forum.
 - C. The relevant legal provision under which it is prepared.
 - D. Name of the parties and their status on whose behalf the memorial is prepared.
3. Teams shall cite authorities in the Memorial using footnotes following the Harvard Bluebook 19th Edition. Explanatory or illustrative footnotes are not allowed.
4. The Memorial shall have the following mandatory formatting specifications :
- A. The team code on the upper right corner of the cover page.
 - B. The name and place of the Forum.
 - C. The relevant legal provision under which it is prepared.
 - D. Margins : 1 inch on each side.
5. The following colour scheme shall be followed for the Cover page of the memorial :
- Petitioner : **Blue**
 - Respondent : **Red**
6. Penalties :
- A. Late submission - 1 mark per memorial will be deducted every 1 hour after the submission deadline is crossed.
Submissions would not be allowed 18 hours after the deadline has been crossed.
 - B. Wrong file name - deduction of 1 mark per memorial.
 - C. Failure to submit memorial together in one mail - deduction of 1 mark per memorial.
 - D. Exceeding page limits - deduction of 1 mark per exceeding page.
 - E. Failure to include the above mentioned sections under rules in the Memorial - deduction of 3 marks per section.
 - F. Failure to include the required information on cover page - deduction of 1 mark per violation.
 - G. Failure to use the correct colour - deduction of 2 marks per memorial.

Miscellaneous :

1. Implementation and interpretation of rules regarding the practice and procedures, the final decision lies with the Organizing Committee.
2. If any one of the members of a team is notified or informed of any detail of information concerning the Competition, it shall be deemed as if the said team as a whole has been duly notified or informed.
3. The Proposition is neither intended to nor does it attempt to resemble any incident or any person, living or dead. Any such resemblance is purely coincidental. The Proposition is a fictitious factual account prepared for the purposes of the present Competition only and it does not attempt to influence or predict the outcome of any matter whatsoever.
4. The copyright in the Memorial submitted by the teams shall vest jointly with Faculty of Law, University of Lucknow the acceptance of such vesting is a precondition to participation in the Competition. The Rules governing the conduct of the Competition should be strictly adhered to. Any deviation thereof attract penalties or disqualification at the sole discretion of the Organizing Committee.
5. The Organizing Committee reserves the right to amend, alter, vary or change, in any manner whatsoever, the Rules governing the Competition, which would be communicated to the teams within a reasonable period of time.
6. The Chairperson of the Organizing Committee of, Faculty of Law, University of Lucknow shall be the final arbiter for these Rules and any such decision made by him on any issue/dispute arising in relation to the Competition shall be final and binding on all concerned.
7. The Organizing Committee, as the memorial mentioned above, refers to the Moot Court Association of the Faculty of Law , University of Lucknow.
8. There is no limit on the number of participants from a particular institution.

Awards :

- ✓ *Cash prize of Rs. 6000 and Certificate of Merit shall be awarded to the Winner.*
- ✓ *Cash prize of Rs. 4000 and Certificate of Merit shall be awarded to the First Runner-up.*
- ✓ *Cash prize of Rs. 2500 and Certificate of Merit shall be awarded to the Second Runner-up.*
- ✓ *E-Certificate of Participation for all the participants.*



OFFICIAL DATE SCHEDULE FOR BOTH COMPETITIONS

Event	Date
Commencement of online registration	6th August, 2024
Last date of registration	20th August, 2024
Last date of submission	4th September, 2024

Note:

If anybody registers for both the competition then he/she shall pay -
Single Author - 1200/-
Co-Author - 1600/-

Registration Link

[click here to register.](#)

The above link is used for registration.

Email your queries

Email - mcc.lucknowuniv@gmail.com

Contact Details

Aditya Gautam - [+91 63954 12052](tel:+916395412052) Kumari Anushka - [+91 92639 04232](tel:+919263904232)

Deepak Tiwari - [+91 96706 95000](tel:+919670695000) Varsha Singh - [+91 73374 86982](tel:+917337486982)

Payment Details

- (A) Mode of payment- Gpay/phonepe/paytm
(B) The registration fees to be paid to the following :

Name - **DEEPAK TIWARI**

UPI NO.- 9670695000

A/C NO. - 47130100003181

Bank Name - BANK OF BARODA

IFSC CODE: BARBOKUTGON

(fifth character is zero)

- (C) QR code :

