



Remembering  
**PADMA BHUSHAN PROF. (DR.) N. R. MADHAVA MENON**



# 6<sup>th</sup> PROF. N. R. MADHAVA MENON SAARCLAW MOOTING COMPETITION 2020-21 INDIA ROUND

30<sup>th</sup> October to 1<sup>st</sup> November, 2020

## RULES, PROPOSITION & PROGRAMME SCHEDULE

Organized by :

**LLOYD LAW COLLEGE**

Greater Noida (U.P.)

with technical support from

**MILAT**

**MENON INSTITUTE OF LEGAL ADVOCACY TRAINING**

&

**SILF**

**SOCIETY OF INDIAN LAW FIRMS**





## REMEMBERING OUR MENTOR- PROF. N.R. MADHAVA MENON

Prof. N. R. Madhava Menon is remembered with utmost reverence whenever there is any reference to legal education in India. An outstanding jurist, reformist, educationalist, institution builder and an architect of modern legal education system in India - Prof. Menon brought a revolution in Indian legal education system through his perseverance. With a vision to bring legal education in the country at par with the international benchmark, he elevated its standard to remarkable heights. His missionary zeal led to radical transformation in the entire legal pedagogical framework and rightly earned him the epithet of '*Father of Modern Legal Education in India*'. Prof. Menon metamorphosed the landscape of professional legal education in India by introducing a path-breaking modification in the classroom curriculum and introduced Five Year Integrated curriculum in Law.

Prof. Menon remained a learner of 'law' throughout of his life like any other student. His emphasis on teaching and learning of 'functional' aspect of 'law' rather 'theoretical' aspect led him to innovate various new tools of class- room teaching and curriculum in legal education including moot courts, students' legal aid services at law school level, field/court visits, mock trials, debates, etc. As a Fulbright scholar from American Council of Learned Societies, Prof. Menon learnt about the uses of clinical methodology in legal skills and explored the interface between law and social science research. The clinical legal education in SAARC region is his contribution.

It was our good fortune to have worked and developed under the legendary tutelage of Prof. Menon. He was our mentor, guru and guiding star. When we proposed to embark on SAARC level moot court competition in his name as a tribute to his contribution, with much reluctance he gave his consent. However, each edition organised at Lloyd Law College, gave him satisfaction as it helped in honing the professional skills of the students, moulding them into socially committed lawyers. His steadfast faith in the transparency and fairness of the competition was the sole reason why he clubbed the selection process of Best Law Students Award with this Moot Court Competition. Akin to a prophet he foresaw that the 5<sup>th</sup> Edition of the Moot would only find his blessings and the founding members will have to carry the legacy forward. He stressed on continuous training with specialised contexts in various streams of law would be of great importance in converting a professional into a gem.

I am happy that we - MILAT, LLOYD, SILF and SAARCLAW- are leaving no stone unturned to transform Prof Menon's mission and vision into reality. Let us continue our journey together to immortalize his unique vision.

**Prof (Dr.) S. Sivakumar**

Honorary SAARCLAW Mooting Administrator

## From President's Desk

I am delighted to note that Lloyd Law College, Greater Noida, has been successful of our philosophy of creating quality lawyers with skills and creative leadership to make them competitive in legal profession. The College is one of the premier legal education institutions in the country and is frequently ranked among the top tier law colleges in India and is one of the first preferences for legal aspirants. Our vision, to produce excellent legal professionals, rooted in principles of justice with great human values, has been achieved with our students joining the profession as lawyers, both in bar and bench by securing placement in reputed law firms in India and abroad and also by their selection as judges by clearing various state judicial services examination.

At Lloyd, great importance is given to professional skill development through activities such as moot courts, debates, seminars etc. We support and enable excellence for every single student in each and every aspect of their personal and professional growth. Our students have won many prestigious competitions both in India and abroad bringing laurels to the College. Lloyd Law College, with Menon Institute of Legal Advocacy Training (MILAT) and Society of Indian Law Firms (SILF) has been organizing the Prof. N. R. Madhava Menon SAARCLAW Mooting Competition, Law Student's Conference and South Asian Colloquium, since 2014 and the competition is entering its Sixth edition in 2020-21. The Competition is organized at two stages, 'India Round' and 'SAARC Round'- along with the 'Law Students Conference' and South Asian Colloquium. The SAARC round and Law Students Conference will witness participation from SAARC countries. This year, the India round of the competition, will be held from 30th October, 2020 to 1st November, 2020.

This competition provides an excellent platform for the law students from SAARC region to exchange ideas, learn from experts and acquire new skills. These valuable interactions would be great assets to them in their professional advancement and personal success. I convey my best wishes to all the participants for achieving success in their professional career. I am sure that with the sincere efforts and hard work put in by the faculty, students and staff in organizing this competition, it is going to be a grand success. I wish all the best for the success of the competition.

**Manohar Thairani**

President, Lloyd Law College /  
Secretary, MILAT

## **Naming the Competition and the Conference**

The reform brought about in Indian legal education by the pioneering efforts of Prof. N. R. Madhava Menon during the last three decades through the Five-Year Integrated B.A. LL.B programme under the National Law School experiment is the inspiration for Lloyd Law College in sponsoring the moot competition and conference in his name. Even after his retirement from active service, Prof. Menon continued to contribute to legal education and professional development through Menon Institute of Legal Advocacy Training (MILAT) and M.K. Nambyar Academy for Continuing Legal Education. Lloyd Law College is proud to be associated with MILAT and SILF in launching the moot event for the benefit of law students from South Asian countries.

## **About Lloyd Law College**

Lloyd Law College was established under the aegis of Satlila Charitable Society (SCS) in the year 2003. The college is affiliated to Chaudhary Charan Singh University, Meerut and is approved by the Bar Council of India. It imparts two professional degree programmes, namely, five year integrated B.A.LL.B and the three year LL.B. The college is located in Knowledge Park-II, Greater Noida, India. The campus is spread over five acres of lush green area, with excellent infrastructure, moot court rooms, fully-air conditioned classrooms with smart-boards and a state of the art library. Highly qualified, dedicated and experienced faculty is one of the strengths of Lloyd Law College. Lloyd Law College has been engaged in many international and national collaborations and organizes various curricular activities like international and national moot competitions, seminars, workshops *etc.* The recent educational institutions surveys have placed the college in top league of institutional rankings. The college was awarded the SILF-MILAT Institutional Excellence Award 2018.

## **Report of the Fifth Prof. N. R. Madhava Menon SAARCLAW Mooting Competition & Law Students Conference, 2019-20**

### **India Round – 2019**

The India round of the Fifth Prof. N. R. Madhava Menon SAARCLAW Mooting Competition and Law Students Conference, 2019-20 was held from 18<sup>th</sup> to 20<sup>th</sup> October, 2019 to select qualifying teams from India to participate in the SAARC round. It saw an overwhelming participation from 52 teams across India representing national law universities, central & state universities and other leading law colleges. The competition was inaugurated by the gracious hands of Hon'ble Mrs. Justice R. Bhanumathi, Judge, Supreme Court of India. The top colleges that qualified for the SAARC round were:-

1. VIT School of Law, Vellore, Tamilnadu
2. ICFAI Law School, The ICFAI University, Jaipur
3. SOEL, Tamil Nadu Dr. Ambedkar Law University
4. National Law University And Judicial Academy Assam
5. Sastra Deemed University, Tamilnadu
6. Institute of Law, Nirma University, Ahmedabad, Gujarat
7. National University of Study & Research in Law, Ranchi

### **SAARC Round 2019-20**

The SAARC round of the Fifth Prof. N. R. Madhava Menon SAARCLAW Mooting Competition and Law Students Conference, 2019-20 was held from 21<sup>st</sup> to 24<sup>th</sup> February, 2020. A national administrator representing each SAARC country was present to witness the conduct of the competition. 18 teams from leading universities from SAARC nations participated in the competition. The final round was judged by five sitting judges of higher courts from SAARC nations. The bench comprised of Hon'ble Mr. Justice S. Thuraiaraja, Judge, Supreme Court of Sri Lanka, Hon'ble Mr. Justice Zafar Ahmed, Judge, High Court Division, Bangladesh Supreme Court, Hon'ble Mr. Justice Hari Prasad Phuyal, Judge, Supreme Court of Nepal, Hon'ble Ms. Justice Rekha Palli, Judge, Delhi High Court and Hon'ble Ms. Justice Prathiba M Singh, Judge, Delhi High Court.

The winners of the SAARC round after stimulating and robust rounds were:

- \* National Law University and Judicial Academy, Assam (Winner)
- \* University of Dhaka, Bangladesh (Runner-up)

### **SAARC Law Students Conference 2019-20**

The SAARC Law Students Conference was held from 21<sup>st</sup> to 24<sup>th</sup> February, 2020 at Lloyd Law College. It was an exercise aimed at promoting research, writing and presentation skills of the law students from SAARC countries. The conference witnessed participation from 18 teams from India, Afghanistan, Nepal, Bangladesh and Sri Lanka. Research papers were submitted by the presenters on the theme "*Commonwealth Comparative Constitutional and Public Law.*"

The Best Presenter and the Best Presenter (Runner-up) respectively were:

- \* Ms. Sachitri, Faculty of Law Colombo, Sri Lanka
- \* Ms. Disha Kumar, SASTRA Deemed University, Tamil Nadu

**RULES AND REGULATIONS OF SIXTH PROF. N. R.  
MADHAVA MENON SAARCLAW MOOTING COMPETITION  
2020-21, INDIA ROUND**

ARTICLE 1: Objective of the competition

1. The Sixth Prof. N. R. Madhava Menon SAARCLAW Mooting Competition, 2020-21 aims at honing legal advocacy skills among law students of SAARC countries.
2. The Sixth Prof. N. R. Madhava Menon SAARCLAW Mooting Competition, 2020-21 shall consist of two stages: - the India round and the SAARC round; both to be held via Online video Conferencing medium, ZOOM cloudmeetings.\*
3. The India round will be held from 30th October 2020 to 1st November 2020.
4. Only seven teams from the India round shall qualify to represent India in the SAARC round.

ARTICLE 2: The India Round

1. The India round will be held via Online video Conferencing medium, ZOOM cloud meetings\* from 30th October 2020 to 1st November 2020 among student teams from the top law schools/colleges/universities imparting legal education in India.
2. The India round will comprise of two stages, i.e., arguments from both sides (petitioner and respondent).
3. For the purpose of the virtual rounds, there shall be a memorial selection round taking place. Top 60 teams securing highest marks in the memorials shall proceed to the oral rounds.\*
4. The top seven scoring teams in the India round will qualify for the SAARC round to represent India.
5. Each participating team in the India round shall argue the case from both the petitioner and the respondent sides in two stages respectively and in one round only. No derogation from this rule is permissible.
6. There shall be a committee of judges for each court selected from a

panel of judges constituted for that purpose.

#### ARTICLE 3: Team Composition and Eligibility

1. Each team shall consist of two counsels and one researcher in the India round. Each of whom:-
  - i) Must be born on or after 1st January, 1990;and
  - ii) As on 5th September 2020 is a bona-fide undergraduate law student (for the year 2020-2021 till June 2021) of the Three Year Program or Five Year Program from an institution duly recognized by the Bar Council of India; and
  - iii) Has not been admitted to the practice of law in any jurisdiction.
2. In no case any team shall consist of more than three participants, that is, two(2) counsels and one (1) researcher. Their number cannot be increased under any circumstances.
3. Each college or institution shall send only one team of such eligible participants.

#### ARTICLE 4: Registration

1. Online registration for the Sixth Prof. N. R. Madhava Menon SAARCLAW Mooting Competition & Law Students Conference 2020-21, India round shall be done at-
2. The initial registration fee for the India round is Rs. 1,500 (for 3 participants). Registration fee once paid shall be non-refundable.\*
3. The teams qualifying to the oral rounds shall pay an extra amount of Rs. 1,000 for confirming their participation in the oral rounds.\*
4. All teams participating in the India round shall register themselves through payment of the registration fee either by credit card or debit card or e-transfer (NEFT) and subsequent e-mail of soft copy of registration form and proof of payment, to be sent to - profmenonmooting@lloydlawcollege.edu.in & cc to-account@lloydlawcollege.edu.in, akhilesh@lloydlawcollege.edu.in
5. No subsequent change in the team composition shall be permitted.
6. E-transfer of the registration fee can be done using NEFT, in favor



of-"LLOYD LAW COLLEGE", Account number- 3976002100005500, Bank- Punjab National Bank Branch- Sarita Vihar, New Delhi IFSC Code- PUNB0397600

7. After completion of the registration process, the team shall receive a confirmation mail containing with User ID and password using which they can login into their mootng accounts.\*

#### ARTICLE 5: The Moot Proposition

1. The moot proposition for the India round can be downloaded from [https://saarcmooting.lloydlawcollege.edu.in/saarcmoot/saarcmoot\\_6.html](https://saarcmooting.lloydlawcollege.edu.in/saarcmoot/saarcmoot_6.html).
2. All queries and clarifications for the moot problem shall be sent via e-mail to [profmenonmooting@lloydlawcollege.edu.in](mailto:profmenonmooting@lloydlawcollege.edu.in)
3. No queries and clarifications for the moot problem shall be entertained after 12th September 2020.
4. The clarifications on the moot problem will be declared at [https://saarcmooting.lloydlawcollege.edu.in/saarcmoot/saarcmoot\\_6.html](https://saarcmooting.lloydlawcollege.edu.in/saarcmoot/saarcmoot_6.html) by notification on the mootng account for everyone's perusal without disclosure of the identity of the teams.\*

#### ARTICLE 6: Memorials

1. Each team shall submit soft copies of the memorials (in PDF only) to the organizing committee, Sixth Prof. N. R. Madhava Menon SAARCLAW Mooting Competition & Law Students Conference 2020-21, Lloyd Law College, on or before by 11:59 P.M. IST via uploading them into the specific columns created for this purpose on their mootng accounts.\*
2. The title of the mail must be "MEMORIAL - TEAM CODE". For example, incase team code 01 submits its memorial; the subject of the mail shall be "MEMORIAL-01".
3. The memorials shall be named as "TEAM CODE - SIDE". For example, the name of the petitioner memorial of team code 01 must be "01-P" and similarly the one from respondent must be named as "01-R".\*

4. Memorials must be submitted on the standard international A/4 size page in font type: Times New Roman, font size: 12, double spacing. The font style of the footnote should also be Times New Roman, font size: 10 and should be single spaced. Quotations from sources outside of the memorial of fifty (50) words or more in any part of the memorial shall be block quoted (i.e., right and left indented) and must be single spaced.
5. The citation should be in compliance with the Bluebook 20th edition. Speaking footnotes or endnotes are not allowed.
6. No indication shall be made for identifying the Institution/College/ University of the participant. Each team will be awarded a TEAM CODE which shall be the identity of the team during the competition. This TEAM CODE shall be marked on the title page of memorials.
7. The petitioner and respondent memorials must be differentiated by 'blue cover' and 'red cover respectively.
8. Memorials for both sides should contain the following:
  - a) Title page
  - b) Table of contents
  - c) Index of authorities
  - d) Statement of jurisdiction
  - e) Statement of facts
  - f) Summary of arguments/pleadings
  - g) Arguments supported by authorities
  - h) Conclusion/Prayer
9. The Title Page shall include:
  - a) The name of the court
  - b) The year of the competition
  - c) The name of the case
  - d) The title of the document (i.e., "Memorial for the Respondent" or "Memorial for the Petitioner")
  - e) Teamcode
10. The memorial shall not be more than thirty (30) pages. The following contents are inclusive within the stipulated page limit:

- a) Pleadings
- b) Conclusions
- c) Annexure, if any
- d) Appendices and footnotes

Any issue or pleading, not discussed within the above mentioned contents of the memorial shall not be included in any other section of the memorial.

11. The following shall not be included in the limit of thirty (30) pages set out for the memorial:
  - a) Title of page
  - b) Table of contents
  - c) Index of authorities
  - d) Statement of jurisdiction
  - e) Statement of facts
  - f) Issues presented
  - g) Summary of pleadings
12. Statement of Facts: The statement of the facts shall be limited to the facts as stipulated as well as the necessary inferences drawn from the proposition. The statement of facts must not include unsupported facts, distortions of stated facts, argumentative statements, or legal conclusions. An excessive statement of facts shall be a 'nondiscretionary memorial penalty', and such violation may be taken into account by the judges while evaluating the written submission.
13. Summary of Pleadings: The summary of the pleadings shall consist of a substantive summary of the 'Pleadings', rather than a simple reproduction of the headings contained in the pleadings section. An excessive summary of pleadings shall be a 'non- discretionary memorial penalty', while a summary of pleadings which is otherwise improper shall not be subjected to a memorial penalty, but such violation may be taken into account by the judges while evaluating the written submission.
14. The teams may submit authorities supporting their contentions referred to in the memorials at the time of oral presentation at the

discretion of Bench/judges. For the sake of clarity, it is further explained that this is not a matter of right of the oralists but purely at the discretion of Bench/judges. No dispute shall be entertained on this clause.

#### ARTICLE 7: Assessment of the Memorials

The memorials shall be assessed by a committee of judges and every memorial will be marked out of total hundred (100) marks and the team memorial will have the average total of both the sides (petitioner/respondent). The marking criteria and the marks allocated to each category have been listed below: shall be the marking criteria and the marks allocated to each category:

Evaluation Criteria		
1	Knowledge of facts and law	Maximum: 20 marks
2	Proper and articulate analysis	Maximum: 20 marks
3	Extent and use of research	Maximum: 20 marks
4	Clarity and Organization	Maximum: 20 marks
5	Citation of sources	Maximum: 10 marks
6	Grammar and Style	Maximum: 10 marks

#### ARTICLE 8: Oral Presentations

1. Each oral round shall consist of sixty (60) minutes of oral pleadings. Each team petitioner/respondent shall be allotted thirty (30) minutes.
2. Two (2) members from each team shall make oral presentations during the round. Prior to the beginning of the oral round, each team shall indicate to the bailiff as to how the team wishes to allocate its 30 minutes among:
  - a) Its first oralist,
  - b) Its second oralist, and
  - c) Rebuttal (for the petitioner) or sur-rebuttal (for the respondent).
3. No single oralist shall plead for more than twenty (20) minutes,

including rebuttal or sur-rebuttal. Any team member may act as an oralist during any round of the competition. In exceptional circumstances, the Bench shall have the discretion to permit a single oralist to argue beyond twenty (20) minutes limit.

4. The order of the pleadings in each round at all levels of the competition shall be:

**Petitioner 1** ⇨ **Petitioner 2** ⇨ **Respondent 1** ⇨ **Respondent 2** ⇨  
**Rebuttal (Petitioner 1 or 2)** ⇨ **Surrebuttal (Respondent 1 or 2)**

5. Each team may reserve up to five (5) minutes of rebuttal or sur-rebuttal. As a gesture of courtesy to the Bench, the participating teams should announce whether they intend to reserve any time for rebuttal or sur-rebuttal at the beginning of their oral arguments and how much time they intend to reserve. Failure to announce it will not waive the right to rebuttal or sur-rebuttal. Only one team member may deliver the rebuttal or Sur-rebuttal. Although the team member delivering rebuttal or sur-rebuttal must be one of the two team members who argued during the team's main argument, the team need not indicate prior to rebuttal or sur-rebuttal which of its two eligible members will offer rebuttal or sur-rebuttal.
6. A team's oral pleadings shall not in any way be limited to the scope of the team's memorial. The scope of the petitioner's rebuttal shall be limited to responding to the respondent's primary oral pleadings, and the scope of the respondent's sur-rebuttal shall be limited to responding to the petitioner's rebuttal. If the petitioner waives the rebuttal, there shall be no sur-rebuttal. No legal issues which were not addressed in the primary pleadings may be raised in the rebuttal or sur-rebuttal.

#### ARTICLE 9: Marking Criteria for the Oral Presentations

1. The judges would assign marks to each individual speaker out of hundred (100) marks. The team score would be the aggregate of the total marks for oral presentations of the 2 speakers. The following shall be the marking criteria and the marks allocated to each category:

## Oral Presentation Evaluation Criteria

		Excellent	Very Good	Good	Adequate	Poor
1	Knowledge of Law (30)	27-30 marks	24-27 marks	21-24 marks	19-21 marks	15-19 marks
2	Application of Law to Facts(25)	23-25 marks	21-23 marks	19-21 marks	16-19 marks	15-16 marks
3	Ingenuity and Ability to Answer Questions(30)	27-30 marks	24-27 marks	21-24 marks	19-21 marks	15-19 marks
4	Style Poise, Courtesy and Demeanour (10)	09-10 marks	08-09 marks	07-08 marks	05-07 marks	04-05 marks
5	Time	05 marks	04 marks	03 marks	02 marks	01 marks

### ARTICLE 10: Dispute

- Any dispute about the moot court competition shall be referred to the dispute resolution committee, comprising of the chairperson, member secretary, and the two members before the end of the competition. In all matters of complaints or disputes, the decision of the dispute resolution committee shall be final.

### ARTICLE 11: Code of Conduct

- The language for the moot court competition shall be English.
- 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.
- Scouting: Oralists and researchers, will not be permitted to hear the arguments in any court room in which the team is not one of the contesting teams whilst the team is still in the competition.

### ARTICLE 12: Awards for India Round

- The top seven teams in the India round shall qualify for participation in the SAARC round of the Sixth Prof. N. R. Madhava Menon SAARCLAW Mooting Competition.
- The top seven teams shall be awarded with Rs. 15000 cash prize along with E- certificates of qualification to the SAARC round.\*
- There will be separate E-certificates for Best Memorial and a Second Best Memorial.
- The two best law student awardees (one female and one male) will be chosen from the selected students in their final years who are

participants in the India round of the Sixth Prof. N. R. Madhava Menon SAARCLAW Mooting Competition by the jury (constituted under an MOU between SILF-MILAT and Penn State University, USA). The law schools participating are to note that though they are free to choose their teams from any of the LL.B classes, only those who are completing Law degree in 2021 and finding a place in the top ten (10) teams in the India round of the Sixth Prof. N. R. Madhava Menon SAARCLAW Mooting Competition will be shortlisted for the consideration by the Jury to select the Best Law Student of the Year Awardee to receive a fellowship of \$50000 USD from Penn State University, School of Law, USA to pursue LLM. (For the purpose of clarification, it is to be noted that both the oralists and the researcher will be considered for the selection of the Best Law students Award and Fellowship. However, the qualifying teams' oralists should remain as oralists; and the researcher should remain as participants in the Students Conference, 2021 to present papers in the SAARC round. No deviation from this rule shall be permitted).

\*In case the minimum number of final year students is not met through top ten teams, the selection committee reserves the right to call upon final year students from other teams.

#### ARTICLE 13: General Section

1. The duration of each court shall not exceed one hour.
2. Depending upon the number of participating teams, the competition may be held in two or more stages - however it shall comprise only one round, i.e., Elimination round.
3. The number of qualifying teams for the SAARC round may be increased or decreased (not less than five (5) in any case) subject to the number of participating teams.
4. Team numbers and the side to be represented (petitioner/respondent) shall be decided by draw of lots at different stages during the competition. The scheme of competition thus drawn out shall be notified to the participating teams.
5. The organizers reserve the right to make any necessary alterations in

respect to the side to be taken by the competing teams, in case it becomes absolutely necessary due to withdrawal of any team/teams at the last minute, or if the competing teams had no opportunity to argue the other side of the problem.

6. Each team is expected to be ready with written briefs and oral arguments to argue from either side of the case. The court will follow its own procedure within the accepted norms and judicial practice, and in case of doubt or dispute in the matter of procedure or facts, the decision of the presiding member of the committee of judges of each court shall be final.

#### ARTICLE 14: Memorial Selection Round

1. In a situation where the number of participating teams exceeds 60, there shall be a memorial selection round. And the top 60 teams securing highest marks in memorials shall be eligible to participate in the oral rounds. This number may be increased at the discretion of the Organizing Committee.\*

#### ARTICLE 15: Rules for Oral Participation

1. A buffer time of 10 minutes shall be granted to each team in case of any issues faced due to internet connectivity.\*
2. It would be the responsibility of every team to ensure stable internet connection. The audio and video of every member of the team shall be clear. In a situation where a team fails to secure stable connection in the buffer time of 10 minutes allocated to them, they may be disqualified.\*
3. Every member of a team shall be provided with a separate code and they must join the meeting only with that name. No member of the team shall join the meeting from any other name except the one allocated to them. Joining the meeting from any other name would be considered as disclosure of identity and may lead to disqualification.\*
4. The organizers shall not be responsible for any internet connectivity issues faced.



## **ANNEXURE ON DISQUALIFICATION AND PENALTY**

### **ARTICLE A1: Aims**

1. The present Annexure on Disqualifications and Penalties forms an integral part of the Official Rules of the Sixth Prof. N. R. Madhava Menon SAARCLAW Competition 2020-21, India round.
2. The aim of the Annexure on Disqualifications and Penalties is to ensure a fair and objective contest in the Sixth Prof. N. R. Madhava Menon SAARCLAW Competition 2020-21, India round by providing guidelines for ensuring compliance with the relevant provisions of the Official Rules.

### **ARTICLE A2: Unfair Means, Intimidation and Misconduct**

1. Cheating or using of unfair means of any kind is strictly prohibited and if indulged in, shall result in disqualification of the team.
2. Intimidation in any form is prohibited and if indulged in, shall result in disqualification of the team.
3. Misconduct, whether behavioral or otherwise, is not allowed and if indulged in, shall result in disqualification of the team.

### **ARTICLE A3: Court Manners (Oral Arguments)**

1. Any form of communication between the Bar Table and any person other than those on the Bench is prohibited, and if indulged in, will result in a penalty point.
2. Failure to deliver an oral argument shall be considered in entirety, a disqualification.
3. It shall be the discretion of the organizing committee to decide on any violation of the provisions of Articles 6, 7 or 8 of the Rules and Regulations during the round and whether that violation entails a penalty point. If a participating team, member of the Bench or the time keeper wishes to claim a violation of Articles 6, 7 or 8, the Bench shall inform the organizing committee of the claim made and shall not consider it as a part of their deliberations unless directed to do so by the organizing committee.

#### ARTICLE A4: Submission and Formatting of the Memorials

1. Delay in the submission of the memorials, use of incorrect font or font size, use of font of inconsistent size, or improper line spacing, failure to include all parts of the memorial, or inclusion of an unremunerated part, substantive legal argument outside of approved sections of memorial, improperly formatted index of authorities, excessive length, failure to include necessary information on the memorial cover, inclusion of any identifying mark, character or text in the memorial shall result in imposition of penalties.

#### ARTICLE A5: Dress Code

1. Strict adherence to the dress code is required. The teams are required to be properly attired for the round. The participants are required to wear black trousers / skirts and white shirt, black blazers and black neck tie. In situation where a participant cannot make these available, he/she shall wear a formal dress.\*

#### ARTICLE A6: Non-compliance with the Rules of the Organizing Committee

1. The participants are required to comply with the rules formulated by the organizing committee at all times during the Sixth Prof. N. R. Madhava Menon SAARCLAW Competition 2020-21, India round.
2. Total points collected by a team shall be reduced by the penalty points imposed for the violation of rules specified by the organizing committee for each round in which the violation took place.
3. Each penalty point shall be imposed for each violation. One penalty point imposed shall reduce one mark from the score of the team. However, the total number of penalty points awarded against one team shall not surpass 10points.
4. If the number of penalties increases from ten (10) in numbers, the team can be debarred from the competition. An opportunity of being heard by the organizing committee can be offered to the team on request. The committee reserves the right to decide whether to debar

that particular team from further participation in the competition or reduce the marks from the total score obtained by that team.

\*This provision shall be operative only for virtual mode of competition and shall stand dismissed instantaneously on the completion of virtual mode competition.

### IMPORTANT DATES FOR INDIA ROUND

Release of Pre-invite to universities/institutions	5 <sup>th</sup> September 2020
Release of Registration Form	6 <sup>th</sup> September 2020
Release of India Round Moot Proposition	6 <sup>th</sup> September 2020
Last date entertain clarifications	12 <sup>th</sup> September 2020
Release of clarification of Moot Problem	19 <sup>th</sup> September 2020
Submission of Memorial	10 <sup>th</sup> October 2020
Result of Memorial qualification Round	15 <sup>th</sup> October 2020
Final Registration of Selected memorials	20 <sup>th</sup> October 2020
Final Memorial Submission	25 <sup>th</sup> October 2020
India Round-I	31 <sup>st</sup> October 2020
India Round-II	1 <sup>st</sup> November 2020

Mentor  
**Padma Shri Prof. N.R. Madhava Menon**

FOUNDING COMMITTEE

Hon. SAARCLAW Mooting Administrator  
**Prof. (Dr.) S. Sivakumar**  
Professor, Indian Law Institute, New Delhi /  
Former Member, Law Commission of India /  
Chairman, MILAT

Chairperson  
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## **Moot Proposition for India Round**

This moot proposition has been authored by Mr. Ravi Prakash, Academic Administrator-Prof. N.R. Madhava Menon SAARCLAW Mooting Competition and Advocate on Record, Supreme Court of India for the India round of the Sixth Prof. N.R. Madhava Menon SAARCLAW Mooting Competition 2020-21. This moot proposition has been formulated solely for the purpose of this competition furthering the academic exercise. The copyright in the moot problem vests exclusively with Prof. N.R. Madhava Menon SAARCLAW Mooting Competition and the same shall not be used by any Institution, Organization, University or College without the written permission from Prof. N.R. Madhava Menon SAARCLAW Mooting Competition.

### **MOOT PROPOSITION**

- [1] The Constitution of Indistan establishes the ‘Republic of Indistan’ as a union of states of which federalism is one of the basic features. The Constitution of Indistan establishes the Supreme Court of Indistan; which is the final interpreter of the Constitution of Indistan and is considered as the custodian of basic civil rights and liberties of its citizens. The Supreme Court of Indistan has not only devised new methods and secured justice to its citizens but also has a rich legacy of contributing some of the over arching principles to do complete justice under Articles 142 and 144 of its Constitution. The constitutional, legal and policy framework of the Republic of Indistan are pari materia to the Republic of India.
- [2] The State of A&P in the Republic of Indistan has the highest literacy rate in the country and is full of minerals and natural resources. The State of A&P is considered to be the citadel of democratic process where media and press are vigil enough to bring forth and report every incident, news without fear and favour. It is one of the states in the Republic of Indistan where the highest number of cases are reported to the police. Even though a part of the youth in the state is driven by an extreme attitude towards the political ideologies, it does not cause any fear, oppression and subjugation in general. However, it has witnessed an increase in the

crime of homicide based on political ideologies as a matter of revenge and for settling the political scores.

[3] One of the leading political analysts and veteran journalists recently carried out a series of write up about the prevailing state of affair in the State of A&P. Some of the scathing and sordid story captured about revengeful political incidents leading to loss of life and liberty is as under:

*“\*\*\* at every opportunity, there will be murders, and every murder is an opportunity. This is the state of affair in the State of A&P where (political) ideologies are worth killing for and rivalries are often settled by spilling blood. The dominant political parties/ faction/ groups in the state of A&P have just mastered the art of ‘killing’ as a political tool. The fact remains that no political party/ faction/ groups can claim higher moral grounds as the number of deaths in the State of A&P reveals an upward trend of these killings.*

*\*\*\**

*Amidst all these, the ‘State Police’ of the State of A&P is the real victim as the constitutional mechanism of Indistan entrusts it with the pivotal function of maintaining ‘law and order’, ‘public order’ to have an orderly society based on the Rule of Law. More often, after an initial accusation of partial and unfair investigation by the State Police (which is often accused of being played in the hands of ruling political party), the family members of the victim or political PILs reach the High Court of A&P to transfer the investigation to the Central Bureau of Investigation (CBI) seeking a fair and independent investigation for the higher cause i.e. ‘justice’.*

*\*\*\**

*Even transfer of investigation (either at early stage or belated stage) to the CBI is celebrated as a real victory and political mileage is scored. However, in this discourse, the federal principle (essentially maintaining ‘public order’ & ‘police’) is sacrificed, morale of state police officials investigating such crimes is bargained and justice to the victim is lost somewhere mid-way. This chain of abuse of judicial*



*process in the name of life, liberty and dignity must be broken to end the politics of murder.”*

[4] The CBI derives power to investigate from the Delhi Special Police Establishment Act, 1946 (DSPE Act). Section 2 of the DSPE Act vests DSPE with jurisdiction to investigate offences in the Union Territories only. However, the jurisdiction can be extended by the Central Government to other areas including Railway areas and States under Section 5(1) of the DSPE Act, provided the State Government accords consent under Section 6 of the DSPE Act.

[5] The Constitution bench of the Supreme Court of Indistan through its decision in the case of State of West Bengal vs. Committee for Protection of Democratic Rights as reported in (2010) 3 SCC 571 held as under:-

*“In the final analysis, our answer to the question referred is that a direction by the High Court, in exercise of its jurisdiction under Article 226 of the Constitution, to CBI to investigate a cognizable offence alleged to have been committed within the territory of a State without the consent of that State will neither impinge upon the federal structure of the Constitution nor violate the doctrine of separation of power and shall be valid in law.”*

[6] One of the leading lawyers of the Republic of Indistan (who was also the leader of the opposition in Lok Sabha in the year 2010) i.e. Mr. X, criticised the judgment and the dictum which laid down the basis for power of constitutional courts to order investigation by the CBI in the case of State of West Bengal vs. Committee for Protection of Democratic Rights as reported in (2010) 3 SCC 571 as under:-

*“Separation of power requires that every institution works in its own spheres. And if every institution works in its own sphere, it has to lay down the Lakshman Rekha of its own jurisdiction. An attempt to encroach upon the Lakshman Rekha is neither coming from governments (the executive) nor from the legislature. Some serious side stepping is coming from the judicial institution itself. And certainly, this is one of such instance, where courts have carved out the power to order CBI investigation in exercise of jurisdiction*

*under Article 32 and 226 of the Constitution respectively, besides monitoring some investigations themselves.”*

- [7] In the year 2014, after the general elections in the Republic of Indistan, the political party to which Mr. X belonged, came into power and formed the government. After completion of the first term, again in the year 2019, the same political party came into power and formed the government.
- [8] However, post- result of general elections in the year 2019, the State/s which were ruled by other political parties started withdrawing their consent under Section 6 of the DSPE Act. Some of the state leaders criticised the Central Government of misusing the CBI for political vendetta.
- [9] In the beginning of the year 2020, an incident got reported widely in the media which took place in State of A&P. The opposition party in the State of A&P was holding cadre camp in every district of the State. On 11.01.2020, few youths in the age of 20s decided to return to their homes from one such district camp i.e. district Ellis Bridge. Enroute, two of them stopped in a village to meet their friend. In the evening, around 5:45 PM, two of them were done to death on the outskirts of the village by unknown assailants. A first information statement was lodged by a villager and on its basis FIR No. 47/ 2020 was lodged under Sections 143, 147, 148, 341, 326, 201, 212, 120B, 118 and 302 r/w Section 149 of the IPC.
- [10] On 12.01.2020, the District Police Chief, Ellis Bridge constituted a Special Investigation Team (SIT) comprising of five members for investigation of the said crime (including one expert from the Cyber Cell). On 15.01.2020 the case was transferred to the Crime Branch of State Police and it was re-registered as Crime No.07/CB/ 2020 of Crime Branch, Ellis Bridge.
- [11] Within a week time, as many as 11 accused persons were arrested and the weapon i.e. swords and iron pipes were recovered from a distant well (around 5 kms. away from the scene of crime). The investigation was progressing under the direct supervision of the Superintendent of Police,

Ellis Bridge. The recovered weapons were sent for forensic analysis to the State Forensic Science Lab as per procedure and in accordance with law. One of the accused had a history of drug peddling and narcotics substances were recovered from him and the preliminary investigation did not rule out the drugs/ narcotics angle in the twin murders. Upon coming into light, the Narcotics Control Bureau of Indistan as constituted by the Central Government started its limited investigation into the unfortunate incident of 11.01.2020.

[12] Media reports in the State of A&P continuously highlighted the unfortunate incident of 11.01.2020 highlighting motive i.e. political murder/ settling political scores, a tacit involvement of the ruling political party in the killings, saving the real perpetrator of crime due to their political affiliation and also accused police of perfunctory investigation. The continuous reporting, debates, interviews and systematic leak of chats over social media, posts over social media and unchartered conspiracy theories behind murders as projected by local media also attracted criticism of media trial. The Press Council of Indistan condemned the disproportionate coverage and reporting of the news for more than a month and reminded them of the journalistic values and ethos.

[13] However, after the lapse of two months, the family members of the victims approached the Hon'ble High Court of A&P when the investigation by SIT was underway after the reregistration of the crime. The apprehension of the writ petitioners was that since the accused got allegiance to the main ruling political party in the State, there would be no free and fair investigation. One of the specific prayers of the writ petitioner was to transfer the investigation to the CBI to have an independent and fair investigation as envisaged under the Constitution of Indistan.

[14] On 16.03.2020, the State Government of A&P withdrew its consent under Section 6 of the DSPE Act. By this time, five other states have withdrawn their consent under the said provision and two different states have given a conditional consent i.e. to review the consent on a case to

case basis.

[15] The SIT meanwhile filed the report under Section 173 of the Criminal Procedure Code, 1973 (Cr.P.C.) before the trial court on 12.03.2020 alongwith a list of 201 witnesses to be examined in the case.

[16] Before the Hon'ble High Court of A&P in the writ petition, the state produced the final report as prepared under Section 173 of the Cr.P.C. and also contended that the Cr.P.C. prescribes a procedure for scrutiny by trained judicial minds at every stage of a criminal trial. The writ jurisdiction cannot be invoked for appreciation of evidence and based on news report about political biasness. It further informed the Hon'ble High Court about the Government Order dated 16.03.2020.

[17] The single judge bench of the High Court of A&P, considering the facts and circumstances of the case, allowed the writ petition and transferred the investigation to the CBI with immediate effect vide its order dated 11.05.2020. The operative para of the decision of the Hon'ble single judge in the writ petition reads as under:

*“In this case, the deceased persons were the members of the opposition political party and the accused persons were the members of the ruling political party in the State of A&P. The circumstances already pointed out by this court would impel this court to hold that the investigation in this case was sham. This court is satisfied that the chargesheet filed on the strength of the said investigation cannot lead to a fair trial. All the accused persons were leaders of the ruling party in the state. Therefore, the credibility and confidence of the petitioners in the investigation had been lost, particularly when the deceased persons belong to the other political party. The state as represented by the prosecution also makes no allegation that the petitioners have any design behind the prayer for transfer of investigation to the CBI. Considering the facts and circumstances of the case, this court has strong reservations about the impartiality and fairness in the investigation by the State Police because of the political fallout. The final report which is filed by the State Police is set aside. The superintendent of*

*the CBI shall take over and continue the investigation forthwith, in accordance with law. The State Police Chief for A&P is directed to provide all support and facility to the CBI, for facilitating proper and effective investigation.”*

[18] The State of A&P preferred LPA before the Division Bench of the Hon’ble High Court challenging the direction issued by the single judge, which was listed for hearing. The division bench of the High Court passed the following order dated 17.05.2020

*“Heard.*

*Notice issued to the parties.*

*Status quo.*

*Ld. Counsel accepts notice for Writ Petitioners as they stand before the Court on*

*caveat.*

*Parties to complete pleadings by 27.05.2020.”*

*List for final hearing from 01.06.2020.”*

[19] The division bench of the High Court vide its judgment and order dated 01.07.2020, accepted the final report which has been submitted by the State Police, however, passed a direction to the CBI to overtake the further investigation, if required, to instill confidence in investigations and to provide credibility. The operative paragraph of the division bench decision reads as under:-

*“Thus, it remains a fact that the Special Investigation Team has submitted a final report under Section 173(2) of the Cr.P.C. which cannot be interfered with in a proceeding by the writ court. However, to secure a fair trial, a fair and impartial investigation is pre requisite. Hence, it would be open for this court to order further investigation in the facts and circumstances.*

*The moot question to be considered hereafter is whether the ‘further investigation’ can be entrusted to the same agency or it should be handed down to the CBI. The learned counsel of the CBI states that the CBI is prepared to do its duty, if directed by this court. The case diary in the crime in question is yet to be transferred to the CBI due*

*to the status quo direction.*

*We are also aware of the fact that the State Government has withdrawn its consent under Section 6 of the DSPE Act with effect from 16.03.2020. But this does not bar us to pass a direction in terms of decision of the Hon'ble Supreme Court in the case of State of West Bengal vs. Committee for Protection of Democratic Rights as reported in (2010) 3 SCC 571.*

*We hold that the case be transferred to the CBI for further investigation and the CBI may file a supplementary report in terms of the provisions under Section 173(8), Cr.P.C. This shall be done as expeditiously as possible. The trial court shall proceed as per law upon receipt of the supplementary report. The impugned judgment passed in the writ petition stands modified to the above extent.”*

[20] Aggrieved by the order passed by the High Court, the State of A&P filed a petition for special leave to appeal before the Hon'ble Supreme Court of Indistan making Union of India as the first respondent. The Supreme Court granted leave on 08.08.2020 and took note of the contentions urged by the learned counsels for the parties. The State of A&P also contended to revisit the dictum of the Supreme Court in the case of Kazi Lhendup Dorji vs. Central Bureau of Investigation reported in 1994 Supp (2) SCC 116. The division bench of the Supreme Court directed that the papers of the case be placed before the Hon'ble Chief Justice of India for passing appropriate orders for placing the matter before a larger bench. When the matter came up for consideration before a 5judge constitution bench, headed by the Hon'ble Chief Justice of Indistan on the judicial side, it heard the learned advocates at length and passed the following reference order on 17.08.2020 as annexed in APPENDIX A.

[21] Pursuant to the reference order dated 17.08.2020, the petition has been listed for hearing on 30.10.2020 and 01.11.2020.

\*\*\*

## APPENDIX - A

The judgement of the court was delivered by –

The Hon'ble Justice ABC, J. – The present petition has been placed before us by a reference order of this Hon'ble Court dated 08.08.2020.

[2] Heard the learned counsel for the parties at length. The Attorney General submitted that the issues raised in the petition have already been settled by a constitution bench decision of this court and the direction passed by the High Court in appeal is within the four walls of the law laid down by this Hon'ble Court. He fairly submits that in the year 2010 he was standing in the shoes of the petitioner before this court. However, having said so, he has full respect and regard for the decision of this Hon'ble Court in the case of State of West Bengal vs. Committee for Protection of Democratic Rights as reported in (2010) 3 SCC 571.

[3] The learned counsel appearing for the State of A&P drew attention of this Hon'ble Court to numerous principles like federalism under the Constitution of India, separation of power, power of writ courts in criminal trials and investigations. She mainly relies on the dictum laid down by a 9 judge bench decision in the case of S.R. Bommai vs. Union of India reported in (1994) 3 SCC 1 (as per Justice P. B. Sawant) which is as under:-

*“98. In this connection, we may also refer to what Dr Ambedkar \*\*\*. He has emphasised there that notwithstanding the fact that there are many provisions in the Constitution whereunder the Centre has been given powers to override the States, our Constitution is a federal Constitution. It means that the States are sovereign in the field which is left to them. They have a plenary authority to make any law for the peace, order and good Government of the State.”*

[4] She further submits that federalism as a constitutional principle has been declared as one of the basic features of the Constitution of India. She submits that this Hon'ble Court in State of West Bengal vs. Committee for Protection of Democratic Rights as reported in (2010) 3 SCC 571 makes a reference of to the cases such as State of Rajasthan vs. Union of India reported in (1977) 3 SCC 592, S. R. Bommai vs. Union of

India reported in (1994) 3 SCC 1 and *Kuldip Nayar vs. Union of India* reported in (2006) 7 SCC 1 but does not deal with them in proper perspectives.

[5] This Court, in *S.R. Bommai vs. Union of India* (as per Justice P. B. Sawant) reported in (1994) 3 SCC 1 observes as under:-

*“106. Thus, the federal principle, social pluralism and pluralist democracy which form the basic structure of our Constitution demand that the judicial review of the Proclamation issued under Article 356(1) is not only an imperative necessity but is a stringent duty and the exercise of power under the said provision is confined strictly for the purpose and to the circumstances mentioned therein and for none else.”*

[6] Further, Justice K. Ramaswami in his concurring opinion, in *S.R. Bommai* (supra) has observed as under:-

*“247. Federalism envisaged in the Constitution of India is a basic feature in which the Union of India is permanent within the territorial limits set in Article 1 of the Constitution and is indestructible. The State is the creature of the Constitution and the law made by Articles 2 to 4 with no territorial integrity, but a permanent entity with its boundaries alterable by a law made by Parliament. Neither the relative importance of the legislative entries in Schedule VII, Lists I and II of the Constitution, nor the fiscal control by the Union per se are decisive to conclude that the Constitution is unitary. The respective legislative powers are traceable to Articles 245 to 254 of the Constitution. The State qua the Constitution is federal in structure and independent in its exercise of legislative and executive power. However, being the creature of the Constitution the State has no right to secede or claim sovereignty. Qua the Union, State is quasi-federal. Both are coordinating institutions and ought to exercise their respective powers with adjustment, understanding and accommodation to render socio-economic and political justice to the people, to preserve and elongate the constitutional goals including*



*secularism.”*

[7] In another decision in the case of ITC Ltd. vs. Agricultural Produce Market Committee & Ors. reported in (2002) 9 SCC 232, this Court ruled thus: -

*“The Constitution of India deserves to be interpreted, language permitting, in a manner that it does not whittle down the powers of the State Legislature and preserves the federalism while also upholding the Central supremacy as contemplated by some of its articles.”*

[8] The present petition which has been referred by a division bench of this court vide order dated 08.08.2020, which reads as under:

*“The learned counsel appearing for the petitioner, referred to ‘Rules of Court’ under Article 145(3) of the Constitution and has submitted that as the case involves a substantial question of law as to the interpretation of the Constitution, besides it requires the re consideration of the dictum laid down by this Hon’ble Court in the case of State of West Bengal vs. Committee for Protection of Democratic Rights as reported in (2010) 3 SCC 571. He further submits that the direction issued in the present judgment undermines the principle of ‘federalism’, disturbs the delicate balance of Centre- State with respect to ‘police’, ‘law & order’ and ‘public order’ which the scheme of the Constitution seeks to establish. He further stressed that limited sovereignty (legislative) of the states vis-à-vis List II of the Seventh Schedule is further disturbed as it offends the constitutional scheme as reflected under Entry 80 of the List I of the Seventh Schedule.”*

[9] In Sambhu Nath Sarkar vs. State of West Bengal & Ors. reported in (1973) 1 SCC 856, it was held that the Court would review its earlier decisions if it is satisfied with its error or of the baneful effect such a decision would have on the general interest of the public or if it is inconsistent with the legal philosophy of the Constitution, as such perpetuation would be harmful to public interests.

[10] Another learned member of the Bar submitted that no provision, words,

expression of the Constitution exists in isolation or stand alone. It is an exercise in continuum, a living and organic Constitution, which is signified by transformation and in turn being transformed by other provisions, words and phrases in the Constitution as held in the case of GVK. Industries Limited & Anr. vs. Income Tax Officer & Anr. reported in, (2011) 4 SCC 36. The observations made are extracted hereunder:

*“37. In interpreting any law, including the Constitution, the text of the provision under consideration would be the primary source for discerning the meanings that inhere in the enactment. However, in light of the serious issues it would always be prudent, as a matter of constitutional necessity, to widen the search for the true meaning, purport and ambit of the provision under consideration. No provision, and indeed no word or expression, of the Constitution exists in isolation—they are necessarily related to, transforming and in turn being transformed by, other provisions, words and phrases in the Constitution.”*

[11] The dictum as laid down by this Hon’ble Court in Kazi Lhendup Dorji vs. Central Bureau of Investigation reported in 1994 Supp (2) SCC 116 also requires re-consideration as it limits the power of the State Government to revoke its consent with a retrospective date. It is submitted that when a legislature has power to make law with retrospective effect, the executive must possess the power to withdraw the consent under Section 6 of the DSPE Act from a retrospective date, if the same executive resolution is approved by the state legislature. There is a force in the contention that the other branches of the ‘State’ also have a duty to expound the Constitution as they also carry out functions in furtherance of the constitutional objectives.

[12] We have already indicated the broad issue of reference to be considered by the larger bench to be constituted in due course.

[13] The interpretation and contours of the core principles of constitutionalism often christened as ‘basic feature of the Constitution’ must co-exist and must not be subverted in any manner. The present petition raises a matter of immense public importance, and correct

interpretation of binding precedents. Though we have full respect for the principle of stare decisis, at the same time, the Court cannot be a silent spectator and shut eyes to dwindling federal autonomy and apparent encroachment subverting the scheme of the Constitution. We cannot revisit the dictum given in the case of State of West Bengal vs. Committee for Protection of Democratic Rights as reported in (2010) 3 SCC 571 being a bench of coordinate strength. We request the Hon'ble Chief Justice of Indistan to place the matter before a bench comprising of 7 judges or more as considered appropriate.

[14] Ordered accordingly.

(..... CJI).

(.....J).

(.....J).

(.....J).

(.....J).

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**Report of Previous Editions of**  
**Prof. N. R. Madhava Menon Saarclaw Mooting Competition**

**THE FOURTH PROF. N. R. MADHAVA MENON SAARCLAW MOOTING COMPETITION, LAW STUDENTS CONFERENCE AND COLLOQUIUM 2018-19**

The India round of the Fourth Prof. N. R. Madhava Menon SAARCLAW Mooting Competition and South Asian Colloquium 2018-19, was inaugurated by Hon'ble Mr. Justice Rajendra Menon, Chief Justice, High Court of Delhi, in the presence of Prof. (Dr) N. R. Madhava Menon on 27th October, 2018. Hon'ble Mr. Justice R.K. Agrawal, President, National Consumer Dispute Redressal Commission was the Chief Guest in the Valedictory ceremony. Fifty-two law schools across the country, competed to qualify as seven best teams and to represent India in the SAARC round. In the SAARC round, Hon'ble Mr. Justice Arun Mishra, Judge, Supreme Court of India, graced the inaugural session as the Chief Guest and Hon'ble Ms. Justice Indira Banerjee, Judge, Supreme Court of India graced the Valedictory session as the Chief Guest. Hon'ble Mr. Justice Priyantha Jayawardena, Judge, Supreme Court of Sri Lanka, Hon'ble Ms. Justice Sapana Pradhan Malla, Judge, Supreme Court of Nepal and Hon'ble (Dr.) Justice Syed Refaat Ahmed, Judge, High Court Division, Supreme Court of Bangladesh judged the final round along with Indian High Court Judges. The event also witnessed the active participation from various SAARCLAW officials and dignitaries from the SAARC countries and was personally guided and monitored by Prof. (Dr.) N.R. Madhava Menon.

**THIRD PROF. N. R. MADHAVA MENON SAARCLAW MOOTING COMPETITION, LAW STUDENTS CONFERENCE AND SOUTH-ASIAN COLLOQUIUM 2017-18**

The India round of the Third Prof. N.R. Madhava Menon SAARC Mooting Competition and Law Students Conference, was inaugurated at the gracious hands of Hon'ble Mr. Justice Deepak Gupta, Judge, Supreme Court of India, in the presence of Prof. N. R. Madhava Menon on 28th October, 2017. Thereafter, Fourty law schools from India competed to find a place in the five qualifying teams and to represent India in SAARC Rounds, which was held from 16th to 18th February, 2018. Hon'ble Mr. Justice Kurian Joseph, Judge Supreme Court of India, inaugurated the SAARC round of the competition and Hon'ble Mr. Justice Anil Kumar Sinha, Judge, Supreme Court of Nepal was the Guest of Honour at the event on February 17th at Lloyd Law College, Greater Noida. Hon'ble Mr. Justice Buwaneka Aluwihare, Judge Supreme Court of Sri Lanka, also graced the occasion. Hon'ble Mr. Justice Adarsh Kumar Goel, Judge, Supreme

Court of India was the Chief Guest at the valedictory ceremony. School of Excellence in Law, Chennai, India won the competition, while University of Colombo, Sri Lanka emerged as the runner-up.

**THE SECOND PROF. N. R. MADHAVA MENON SAARCLAW MOOTING COMPETITION & LAW STUDENTS CONFERENCE, 2016-17**

The India Round of the Second Prof. N. R. Madhava Menon SAARC Mooting Competition and Law Students Conference, 2016-17 was held from 3rd to 4th December, 2016 to select five qualifying teams from India to participate in the SAARC Round. It saw participation from twenty eight teams from almost all states in India representing National Law Universities, Central & State Universities and other leading law colleges. The competition was inaugurated by the gracious hands of Hon'ble Mr. Justice Madan Bhimarao Lokur, Judge, Supreme Court of India in presence of Prof. N. R. Madhava Menon. Second Prof. N. R. Madhava Menon SAARC Mooting Competition & Law Students Conference 2016-17 was held from 10th to 12th February 2017, we received an overwhelming response from law schools in SAARC countries with 16 teams' registrations. SASTRA University from India won the competition, while Kathmandu Law School, Nepal emerged as the runner-up.

**THE FIRST PROF. N. R. MADHAVA MENON SAARCLAW MOOTING COMPETITION & LAW STUDENTS CONFERENCE, 2015-16**

The India round of the first Prof. N. R. Madhava Menon SAARCLAW Mooting Competition and Law Students Conference, 2015-16 was inaugurated by Hon'ble Mr. Justice Anil R. Dave, Judge, Supreme Court of India, in the presence of Prof. (Dr) N. R. Madhava Menon on 9th January, 2016. Twenty-eight law schools across the country competed to qualify as five best teams and to represent India in the SAARC round. The SAARC round of the competition was judged by Hon'ble Mr. Justice Jayant Nath, Hon'ble Mr. Justice Najmi Waziri, Hon'ble Mr. Justice Vibhu Bakhru, Hon'ble Mr. Justice I. S. Mehta and Hon'ble Ms. Justice Sangita Dhingra Sehgal. The winner & runner-up team of the SAARC Round were Gujarat National Law University and Kerala Law Academy, Trivandrum respectively.



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