

SUSHILA DEVI MEMORIAL MOOT COURT COMPETITION – 2011

Rules for the Semi- Final Round of the Competition

WRITTEN SUBMISSIONS

1. Each team shall submit 5 copies of memorials.
2. The research memorials must conform to the following general requirements, failing which team may attract negative marking:-
 - (i) The cover page of the memorials for the Petitioner and the Respondents shall be blue and red in colour respectively.
 - (ii) Memorial must not contain more than 30 pages.
 - (iii) Memorials must be printed on white A-4 size paper.
 - (iv) The fonts of the main body of the memorials must be in Times New Roman, size 12 and spacing 1.5.
 - (v) The foot notes, if any, must be given uniformly in Times New Roman, font size 10 in single spacing.
 - (vi) Each page of the memorial must have margin of at least 1 inch on all sides excluding its page number.
 - (vii) Identity of the teams or names of the participants should not be revealed in the memorial in any manner whatsoever, other than its code no. Such revelation, may, at the discretion of the organizers, invite penalties including disqualifications.
6. The memorial shall consist of the following:-
 - I. Cover page.
 - II. Table of contents.
 - III. List of abbreviation.
 - IV. Index of authorities.
 - V. Statement of jurisdiction.
 - VI. Genesis of the case.
 - VII. Issues raised.
 - VIII. Arguments advanced.
 - IX. Summary of arguments.
 - X. Prayer.
7. Marking criteria for written submission:-
 - I. Memorial

ORAL SUBMISSION BEFORE COURT

1. Each team shall comprise three members consisting of two mooters and one researcher.
2. The dress code shall be college winter uniform.
3. Each team shall be allotted a code number which shall be the identity of the team during competition.
4. Team members are not permitted to disclose their personal identity other than their respective team code during arguments or otherwise. Such disclosure may, at the discretion of the organizers, invite penalties including disqualifications.
5. Each team shall be permitted to present its arguments before the bench of judges through its speakers.
6. Official language of the competition shall be English.
7. No team shall be permitted to address the court for a duration exceeding 20 minutes excluding time taken by the judges in asking questions.
8. Any extension of the prescribed time shall be at the sole discretion of the judges and no complain and / or appeal regarding the same will be entertained.
9. Rebuttal is not permitted.
10. Passing notes or papers to the speakers at the podium is permitted.
11. Each team is to prepare arguments on behalf of both the parties. However, their presentation shall depend on draw of lot in their favour.

12. **Marking Criteria for Oral Submission:-**

S. No. Marking Criteria	Marks Allocated
I. Knowledge of law	20
II. Application of law to the facts	20
III. Perusal of memorial	20
IV. Organization and flow of arguments	15
V. Ingenuity and ability to answer the questions	15
VI. Court etiquettes	10
Total	100

13. The Principal, Law College Dehradun in consultation with the Chairperson, Moot Court Society of the college shall be responsible to resolve any dispute or misunderstanding that may arise during the competition and the decision so taken shall be final.
14. All the rules governing the competition are inclusive and not conclusive.
15. The decision of Judges shall be final and binding.

Sushila Devi Memorial Moot Court Competition-2011

Moot Problem

1. Mr. Manjit Singh Verma, President of Uttarakhand Joint Action Committee produced a film named 'Uttarakhand Aandolan ki Yadein', based on movement led by people of Uttarakhand under the aegis of Uttarakhand Joint Action Committee for the creation of a separate state of Uttarakhand. The producer himself was from one of the hard core agitators who fought from the forefront in creation of separate Uttarakhand state. He applied for a 'U' certificate for this film but all his efforts went in vain and finally the film was awarded an 'A' certificate.
2. The Chief Minister of Uttarakhand released the first print of the film in a state level programme organized by the Uttarakhand Joint Action Committee in Parade ground of Dehradun. The Union Minister for Information and Broadcasting graced the occasion as chief guest. Speaking on the occasion, the Chief Minister praised the producer of the film and said that the film had been successful in reminding the memories of a historical movement by the people of Uttarakhand. The creation of the separate state of Uttarakhand is the result of a mass public movement in which people in large numbers, right from top officials down to the shepherds, participated. During this movement the agitators witnessed the extreme limit of police atrocities and barbarism. 2nd October, 1994 was a black day in the history of Uttarakhand. It is on this day that the agitators were marching to Delhi for demonstration at Red Fort to protest against the atrocities. They were forcefully stopped at Rampur Tiraha near Muzzafarnagar and were subjected to lathi-charge, police firing and rape. As the Country celebrated the birthdays of Mahatma Gandhi and Lal Bahadur Sashtri, mass deaths in police firing and the rape cases by police force were being reported on the same day.
3. 'Muzzafarnagar-Kand' was compared to 'Jallianwala Bagh-Kand' of the history, whereas the rape cases were an additional part. 'Muzzafarnagar-Kand' threw the state in turmoil. Several top politicians and government officials in particular, high ranking police officers were held responsible for this incident. This created hatred for responsible officials and their departments among the public which resulted in creating a strong platform for furtherance of the demand of a separate Uttarakhand state, which finally came into being on the 9th of November, 2000. While addressing, the gathering the Union Minister for Information and Broadcasting publicly announced that the film should definitely be telecasted on Doordarshan.

4. Mr. Manjit Singh Verma presented the film to Doordarshan for its telecast. The Doordarshan refused to telecast the film on the grounds (i) the content of the film were obsolete, (ii) it was irrelevant having remote relation with contemporary ethos, (iii) it lacked moderation and restraint, (iv) regional forces and some political parties were inclined to encash the issue for political gain, (v) the film was likely to create further unrest in the already charged atmosphere, (vi) the film violently criticised the action of state during agitation and in particular during Muzzafarnagar-Kand and it was not permissible under guidelines.
5. Meanwhile, on 9th November, 2010, Doordarshan telecasted a film produced by the Information and Broadcasting Department of Uttarakhand named 'Uttarakhand Andolan ki Haqiqat.' As per the reporting in the local newspapers, this film produced by the state was a counter strategy for the film produced by Mr. Verma and was an endeavor of the state to clean their image and absolve their guilt in the eyes of the commoner.
6. A delegation of Uttarakhand Action Committee under the leadership of Mr. Manjit Singh Verma, met the Minister of Information and Broadcasting, Government of India and presented him a memorandum stating that the film 'Uttarakhand Andolan ki Haqiqat' was far from reality. They requested the minister to order Doordarshan to telecast 'Uttarakhand Aandolan ki Yaadein' so as to clear the confusion deliberately created in the minds of viewers by the film 'Uttarakhand Andolan ki Haqiqat.' The delegation was again refused on similar grounds as were put forwarded by Doordarshan on the previous request.
7. Uttarakhand Joint Action Committee consequently filed a writ petition under Article 32 of Constitution of India claiming violation of their fundamental rights guaranteed under various articles of the Constitution of India. They inter-alia challenged the validity of the provisions providing for pre-censorship of film under the Cinematograph Act, 1952.

The writ has been set for hearing in the Supreme Court of India.

The mooters shall prepare brief for the petitioner, namely, Mr. Manjit Singh Verma, President, Uttarakhand Joint Action Committee and also for the respondents that is Union of India.

DR. (POONAM RAWAT)
Chairperson, Moot Court Society, LCD