



UTTARANCHAL
UNIVERSITY

LAW COLLEGE DEHRADUN
faculty of Uttaranchal University
3rd NATIONAL MOOT COURT COMPETITION
on Constitutional Law
5 - 7 October 2018



Moot Court Society
Law College Dehradun, Uttaranchal University
Dehradun, 248007, Uttarakhand, India



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2018



MOOT CLARIFICATIONS

Sr.	CLARIFICATION SOUGHT	CLARIFICATION GIVEN
1	With respect to para 11 and 12 of the moot proposition. Para 11 states that the 'woman laden parliament inserted a provision' and then para 12 states 'their desire transpired into reality'. Hence, should it be perceived that the amendment to Article 19 (2) was passed?	Yes
2	The moot problem says that in 2005 Rashtriya Janata Party came to power. Can it be inferred that Rashtriya Janata Party retained this power in every general election which took place every five year till date.	The facts provide sufficient information so as to make necessary inference.
3	With respect to para 12 of the moot proposition, the para states- they 'also raised demand for appointment of women in all important constitutional and Public Offices. Their desire transpired into reality and women started acquiring all-important Public Offices.' Henceforth, should it be construed that a law for the appointment of women in all important constitutional and public offices was passed?	
4	Whether the phrase "Serves the motive of any foreign power" as mentioned in Issue 3 of the MOOT Proposition means breach of national security.	
5	Paragraph 14 of the Moot Proposition, in reference to Mrs. Fatima Ghansari, states that "She also made a written complaint to the Speaker making various revelations about her accusations". Kindly provide more details regarding the said revelations, in specific, if she mentioned communal riots breaking out due to the hate speeches delivered by the women MPs of the ruling party, in her complaint to the Speaker.	
6	Whether "orthodox religious men of the ruling party" in Para 14 of the moot problem means MPs of the ruling party.	
7	Whether the 3 arrested ladies (as in the last part of the Moot problem) were informed about the cause of arrest.	Yes

8	For the purposes of documentation and preparation of Memorials, what are the names of the Petitioners/Parties filing the petition before the Supreme Court of India or in other words, what are they to be referred as for the etymology of the case, accordingly?	No clarification required.	
9	What is the authenticity and credibility of the sting operations conducted by Zebra Post?		
10	What is the authenticity of the “credible evidence” (Para 19) against the Three? Is it confirmed that the “credible evidence” as possessed by the agency is not forged or futile or fake?		
11	What do we mean by the term “enemy State”, does it necessarily have to be a Nation State?		
12	Please shed some light on the authenticity and credibility of the “surveys and studies” as mentioned in Paragraph 18 of the Moot Proposition.		
13	What kind of criminal cases have been instituted against Mrs. Garima Dhall, Mrs. Yamini Paul and Mrs. Mannat Raichandani?		
14	In Paragraph 14 of the Moot Proposition, what is the contextual reference/meaning of the term "Hindu Agenda"?		
15	What does the term “important public office” mean?		
16	In Paragraph 14 of the Moot Proposition, what is the contextual reference/meaning of the term "vital state secrets"?		
17	What is the ranking of India out of the total ranking of 193 countries?		
18	Does the term “vowed to and abide by and implement all mandate” • insinuates absolute binding effect?		
19	In Paragraph 14 of the Moot Proposition, what is the contextual reference/meaning of the term "traditional Social fabric of the Indian Society"?		
20	Whether "the law" in Issue 3 refers to the constitutional law in particular or to any law that may arise out of any statutory law?		Law generally.

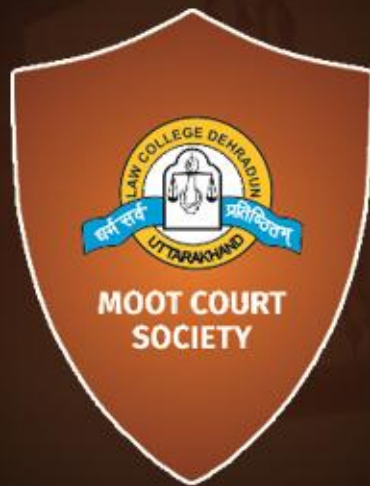
21	Is it mandatory to frame an issue of maintainability in the given case?	No
22	Whether Ms. Fatima Ghansari belongs to the minority community or not?	It is too obvious to clarify.
23	What is the party affiliation of Ms Fatima Ghansari? Also whether she belongs to the majority or minority community of the State of Indica?	She is an independent member of Parliament (Lower House). <i>Also, see clarification above.</i>
24	Whether any notifications, guidelines, or Law Commission Reports applicable/issued in India will also be applicable/be considered as issued in the state of Indica?	Yes
25	Whether any convention or treaty signed or ratified by the country India, will also be considered to be signed or ratified respectively by the State of Indica?	Yes
26	What is the number of women members of the parliament?	Majority at present.
27	Whether the issues already provided in the moot proposition can be clubbed or amended in any manner, or do they have to be interpreted in strict sense?	Issues are to be interpreted strictly, however, minor amendments can be made and they can also be clubbed together.
28	How did the women desire for acquiring all important public offices turned into a reality? Was there any legal enforcement behind it? Or was it just incidental?	Refer to clarification 1.

29	Paragraph 14, Line 9 of the Moot Proposition states the following, "...under the guise of the proviso inserted by the amendment made to Article 19(2)...." Kindly clarify, if this refers to the amendment made through the 1st Amendment Act, 1951. If so, it would be helpful if it could be explained that which "proviso" added as an amendment to Article 19(2) is being referred to?	No
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Note from the Authors:

No legal problem has a single correct answer, a Moot Proposition has to balance the interest of both parties and therefore many voids are intentionally left for the teams to decipher and fill. Sometimes the teams will find themselves in a desert, but, they must, as future lawyers who'll be solving complex legal problems of our nation, come out with legal, logical, scientific and socially acceptable solutions. Certain aspects of the problem may be hypothetical and seem unreal which will have no real consequence and will leave both parties without an answer, this we do to test your thinking, creativity, and philosophical vision and to prepare you to meet future day challenges. Conventional problems are easy to solve, but, problems like these are fun to solve and argue.

We wish you Good Luck!



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