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**THE 1ST CHANDIGARH UNIVERSITY NATIONAL MOOT COURT COMPETITION MARCH 18-19, 2016**

**ORGANIZED BY**

**UNIVERSITY INSTITUTE OF LEGAL STUDIES**

**CHANDIGARH UNIVERSITY**

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**MOOT PROPOSITION**

Napasia is a country in the North Southern Part of Asia. It is situated on the North Side of Indianas. Napasia was a monarchial State up to 2005. Thereupon citizen of Napasia has changed the form of Government by way of referendum. The citizen of Napasia has constituted the Constituent Assembly through the Electoral Poll in which the Napasia People Party (NPP) got the majority.

Napasia is now governed according to the Constitution of Napasia which came into effect on September 20, 2007, replacing the Interim Constitution of 2002. The Constitution was drafted by the Second Constituent Assembly following the failure of the First Constituent Assembly to produce a constitution in its mandated period. The constitution was endorsed by over 84% of the total lawmakers. Out of 598 Constituent Assembly members, 507 voted in favor of the constitution while 25 voted against and 66 others did not take part in the election process.

The promulgation of the new constitution was immediately followed by virtual blockade of all checkpoints at Napasia-Indianas border. Various Human Rights Activists and some ethnic groups in lowland Napasia have accused the Constitution of being gender discriminatory especially in regards to citizenship provisions. They allege new constitution makes it difficult for women to pass on citizenship to their children as compared to men.

Similarly, Nadhesi and indigenous population view that the new constitution fails to address the demands of marginalized communities and support status-quo of the ruling groups. They are protesting mainly over the federal delineation of new states as proposed in the constitution fearing existing demarcation could affect their political representation. With the protest ongoing since August 15, 2007 or earlier, at least 45 people, including 8 security, personal and one Indiana's National, have been killed. Human Rights Watch has criticized the Napasia Government as well as the protesters for violation of human rights during the protest. Additionally, there is controversy over Napasian citizenship rules, which Napasia deems to protect the state from being overwhelmed by Indiana immigrants, and which Indianas claims discriminates against Nadhesis of Indianas origins, the draft constitution and final constitution that passed differ on this issue.

Nadhesis, is basically an ethnic group in the southern plains of Napasia who have close historical ties to Indianas. The new constitution has citizenship provisions that give lower status to children born to a ¬Napasian citizen and a foreign national, discriminating against Nadhesis who often marry across the border. The constitution also reserves fewer seats under the new proportional representation rules than expected, which many Nadhesis feel will further diminish their power in national politics. The Nadhesis also feel slighted by the borders of the federal provinces, which do not give them a majority in any province.

The Nadhesi people have denied the ‘Adult Franchise’ in the New Constitution of Napasia to adhere the adult franchise, Nadhesi approached the High Court by way of Public Interest Litigation but their petition was rejected. Thereafter they filed an appeal before the Supreme Court of Napasia against the order of the High Court.

Citizen Provisions in Constitution of Napasia 2007

(1) The persons who have acquired citizenship of Napasia at the commencement of this Constitution and the persons who are eligible to acquire citizenship of Napasia under this Part shall be deemed to be the citizens of Napasia.

(2) The following persons who have their permanent domicile in Napasia shall be deemed to be citizens of Napasia by descent:-

(a) A person who has acquired the citizenship of Napasia by descent before the commencement of this constitution.

(b) Any person whose father or mother was a citizen of Napasia at the birth of such a person.

(3) A child of a citizen who has acquired citizenship of Napasia by birth before the commencement of this Constitution shall, if his/her father and mother both are the citizens of Napasia, shall be entitled to Napasian citizenship by descent upon his/her attaining the age of majority.

(4) Every child found in the Napasian whereabouts of whose paternity and maternity is not known shall, until the mother or father is traced, be deemed a citizen of Napasian by descent.

(5) A person born to a Napasian citizen mother and having his/her domicile in Napasia but whose father is not traced, shall be conferred the Napasian citizenship by descent.

Provided that in case his/her father is found to be a foreigner, the citizenship of such a person shall be converted to naturalized citizenship according to the Federal law.

(6) If a foreign woman married to a Napasian citizen so wishes, she may acquire naturalized citizenship of Napasia as provided for in a Federal law.

(7) Notwithstanding anything contained elsewhere in this Article, in case of a person born to Napasian woman citizen married to a foreign citizen, he/she may acquire naturalized citizenship of Napasia as provided for by a Federal law if he/she is having the permanent domicile in Napasia and he/she has not acquired citizenship of the foreign country.

Provided that if his/her father and mother both are the citizen of Napasia at the time of acquisition of the citizenship, he/she, if born in Napasia, may acquire citizenship by descent.

(8) Except provided for in this Article, Government of Napasia may confer naturalized citizenship of Napasia according to Federal law.

(9) Government of Napasia may confer honorary citizenship according to Federal law.

(10) In case any area is annexed into Napasia by mergers, the persons having domicile in such area shall be citizens of Napasia subject to a Federal law.

**PARTICIPATION AND REGISTRATION PROCEDURE**

* The teams, interested to participate shall send their memorials to *director.uils@cumail.in*, *uils.ankita@cumail.in****,*** *puja.jaiswal@cumail.in* for the problem allotted, by 4:00 P.M (16:00 hrs IST) on 25th February, 2016.
* The **memorials** so sent shall clearly mention the words “P” for memorials on behalf of the petitioner, and the words “R” for memorials on behalf of the respondent.
* The memorials shall be subject to evaluation by a committee constituted for this purpose, and on the basis of that the best memorial will be selected.
* The teams shall be required to send in the duly filled registration form, available at or attached to the information brochure send to the University / Law School along with **non-refundable fee of Rs. 3000/- (Three Thousand only)** by a demand draft drawn in favour of Chandigarh Educational Trust University Institute of Legal Studies, payable at Mohali.
* The scanned copy of the filled in registration form and demand draft should be sent to *director.uils@cumail.in**uils.ankita@cumail.in****,*** *puja.jaiswal@cumail.in* by 15th February, 2016, while the filled in registration form, as well as the original demand draft shall be submitted by the participating teams to the organizers on their arrival for the Competition.
* The teams must ensure that the name of the institution as well as names of the members of the team are clearly mentioned on the reverse of the demand draft.

**AWARDS**

1.) Winning Team Award: The winning team will receive a trophy and a cash prize of **Rs. 1,00,000/- (RUPEES ONE LAKH ONLY).**

2.) Runners-Up Team Award: The runners up team will receive a trophy and a cash prize of **Rs. 50,000/- (RUPEES FIFTY THOUSAND ONLY).**

2nd RUNNERS UP- The 2nd Runners Up shall be awarded a cash price of **Rs. 25,000/- (RUPEES TWENTY FIVE THOUSAND ONLY).**

3.) Best Student Advocate/Counsel-The Best Student Advocate/Counsel, shall be awarded a cash price of **Rs. 10,000/- (RUPEES TEN THOUSAND ONLY).**

4.) Best Memorial/Written Submission- The team making the best Written Submission/Memorial, shall be awarded a cash price of **Rs. 10,000/- (RUPEES TEN THOUSAND ONLY).**

 **RULES FOR MEMORIAL:**

The following guidelines for the memorial must be strictly followed. Non compliance will entail penalties as provided below: 

1. Teams have to prepare memorials for both the sides. 
2. The teams must send in advance a soft copy of their memorial for evaluation, by 4:00 P.M. on 25th February, 2016, to *director.uils@cumail.in****,*** *uils.ankita@cumail.in****,*** *puja.jaiswal@cumail.in*. No mails shall be accepted in any circumstance after the aforementioned time. 
3. The content of the hard copies must be the same as the soft copy. Non compliance with this rule will lead to disqualification of that team. 
4. The memorials have to be submitted on A4 size paper, printed on only one side, and must contain the following sections:
5. Cover Page;
6. Table of Contents;
7. Index of Authorities;
8. Statement of Jurisdiction;
9. Statement of Facts;
10. Statement of Issues;
11. Summary of Arguments;
12. Arguments Advanced;
13. Prayer.
14. The memorials must be printed in Times New Roman 12 font size with double spacing. The footnotes must be in Time New Roman 10 font size with 1.5 spacing. 
15. The Arguments Advanced should not exceed 15 pages. 
16. The memorial as a whole should not exceed 30 pages including the cover page. 
17. The memorials should not be covered with a plastic cover or be spiral bound or combed bound. They should either be stitched or stapled properly. 
18. The teams should not disclose the identity of their institution anywhere on the memorial. Violation of this rule will result in disqualification. 
19. The memorials should have a margin measuring one inch on all sides of each page. 
20. The numbering should be on the bottom-center of each page. 
21. The petitioner’s memorial cover page shall be printed on blue colour A4 size paper, and the respondent’s memorial on red colour A4 size paper. 
22. The teams may submit a Compendium of cases and other materials referred to in the memorials at the time of Registration.
23. The Compendium should not disclose the identity of the institution anywhere. 
24. Latest Blue Book Citation should be followed throughout the memorial. 
25. Footnotes shall contain only the citation. There shall be no speaking footnotes in the memorial. 
26. The maximum scores for the memorials shall be 100 marks.
27. The memorials shall be evaluated on the following criteria:
* Knowledge of law and fact - 30 Marks
* Proper and Articulate Analysis - 20 Marks
* Extent and Use of Research - 20 Marks
* Clarity and Organization - 20 Marks
* Grammar and Style - 10 Marks
1. Non compliance with the above criteria shall result in a penalty of 2 marks per missing section.

**RULES FOR ORAL ROUNDS: **

1. Each team will get a total of 60 minutes to present their case. This time will include rebuttal and sub-rebuttal time.
2. Any team exceeding the allotted time shall be penalized. The penalty shall be of one mark (1 mark) for every two minutes exceeded. 
3. The division of time per speaker is left to the discretion of the team subject to a minimum of 10 minutes per speaker. 
4. The oral arguments should be confined to the issues presented in the memorial. 
5. The researcher shall be present with the speakers during the oral rounds. 
6. Maximum scores for the oral rounds shall be 100 points per speaker. 
7. The oral rounds shall be judged on the following criteria:
* Knowledge of Law – 20 Points
* Application of Law to Facts – 20 Points
* Ingenuity and Ability to Answer to Questions – 20 Points
* Style, Poise, Courtesy and Demeanor – 20 Points
* Time Management – 10 Points
* Organization – 10 Points

**CLARIFICATIONS**

All clarifications regarding the Moot Problem should be sent to *uils.ankita@cumail.in* No question / clarification over phone / any means other than e-mail shall be entertained.

**TIME LINE FOR THE COMPETITION**

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| S.NO | CONTENT | DATE AND TIME |
|  | Registration for the competition, by email at director.uils@cumail.in, puja.jaiswal@cumail.in, uils.ankita@cumail.in  | 05th February, 2016 |
|  | Submission of scanned copy of duly filled registration form, demand draft of Rs. 3000/- (Rupees Three Thousand only) | 15th February, 2016 |
|  | Confirmation of registration/participation | 17th February, 2016 |
|  | Memorial Submission | 25th February, 2016 by 4:00 p.m. |
|  | Inaugural function/draw of lots/exchange of memorials, etc | 18th March, 2016 |
|  | Round-I (Preliminary & Quarter-Final Rounds) | 18th March, 2016 |
|  | Round-II (Semi-Final & Final Rounds) | 19th March, 2016 |
|  | Prize Distribution/Valedictory Function | 19th March, 2016 |

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**REGISTRATION FORM**

**(TO BE FILLED IN BLOCK LETTERS)**

**THE 1ST CHANDIGARH UNIVERSITY NATIONAL MOOT COURT COMPETITION**

**MARCH 18-19, 2016**

**Organized By**

**University Institute Of Legal Studies, Chandigarh University, Gharuan**

**Name Of The Institution ..............................................................................................**

**…………………………………………………………………………………………………...**

**Address............................................................................................................................................................................................................................................................................................**

**Contact no. :...................................................**

**E- mail:...............................................................**

**CONTACT PERSON (Preferably Faculty- In- Charge for Moot Court of Respective Institution)**

**Name :........................................................................................................................................ Designation...............................................................................................................................**

**Contact no :...................................................**

**E- mail:...............................................................**

**TEAM DETAILS**

**TEAM MEMBERS**

|  |
| --- |
| **Affix self attested photo** |

**SPEAKER 1**

**Full name :................................................................**

**Semester :............................................................... ..**

**Gender :......................................................................**

 **Contact no :............................................ ………. .**

**Signature…………………………………………**

**E- mail :........................................................................**

**SPEAKER 2**

|  |
| --- |
| **Affix self attested photo** |

**Full name :...............................................................**

**Semester :................................................... ……….**

**Gender :......................................................................**

**Contact no :............................................ ………...**

**E- mail :.......................................................................**

**Signature………………………………………….**

|  |
| --- |
| **Affix self attested photo** |

 **RESEARCHER**

**Full name :...............................................................**

**Semester :................................................... ……….**

**Gender :......................................................................**

**Contact no :............................................ ………...**

**E- mail :.......................................................................**

**Signature………………………………………….**

 **DEMAND DRAFT DETAILS**

**D.D. No :........................................................... Date....................................................**

**Drawn On Bank :.........................................................................................................**

**Amount:........................................................................................................................**

**(Please mention the name of the institution on the reverse side of the original demand draft)**

**DETAILS OF THE HEAD OF THE INSTITUTION**

**Name :.....................................................................................................**

**E-mail Id :..............................................................................................**

**Contact no. :...........................................................................................**

**SIGNATURE and SEAL**

 **(HEAD OF THE INSTITUTION)**

**Organizing committee**

**Chief Patron**

s. Satnam Singh Sandhu

Chancellor, Chandigarh University

**Patron**

Prof. (Dr.) R. S. Bawa

Vice Chancellor, Chandigarh University

**Co-Patron**

Prof. (Dr.) B. S. Sohi

Pro-Vice Chancellor, Chandigarh University

**National Coordinator**

Prof. (Dr.) J. P. Yadav

Director, UILS, Chandigarh University

**Faculty Coordinator**

Dr. Puja Jaiswal

Assistant Professor, UILS, Chandigarh University

Ms. Ankita Bali

Assistant Professor, UILS, Chandigarh University

**Student Coordinators**

Mr. Vijay Pal

Ms. Charu Madan

**Student Co-Coordinators**

Mr. Sukhwinder Singh

Ms. Gurakshdeep Kaur

Mr. Abhishek Kumar

Mr. Karamveer Singh