



DIRECTORATE OF LEGAL STUDIES
TAMIL NADU STATE MOOT COMMITTEE
ORGANISES
STATE LEVEL ENGLISH MOOT COMPETITION, 2024



02nd - 04th FEBRUARY, 2024

Organised by

GOVERNMENT LAW COLLEGE, SALEM



OFFICIAL INVITE

Dear Sir/Madam,

Greetings from Government Law College, Salem,

Under the guidance of Directorate of Legal Studies, Chennai and Tamil Nadu State Moot Committee, it gives us immense pleasure in organising the State Level English Moot Court Competition, 2024 at Government Law College, Salem which is scheduled from 2nd February to 4th February, 2024. The proposition for this moot will be based on the Environmental law. We take this opportunity to invite your esteemed institution to participate in the competition and extend to us the privilege of hosting your team. It will be our endeavour to create an atmosphere of invigorating intellectual challenges and the opportunity to learn court craft through simulated experiences in the competition. We look forward to a positive response.

The Rules of the competition, Moot Proposition, Schedule, Registration Form, Travel and Accommodation request details are enclosed herewith.

Interested institutions are requested to register provisionally of their participation through google forms.

Regards,
Principal
Government Law College, Salem

About Directorate of Legal Studies, Chennai

The Directorate of Legal Studies is the Premier Legal Institution which brought vital changes in the set-up of Legal Education in the state of Tamil Nadu. It was established in the year 1953 with the twin objectives of administration of Law Colleges and improving the standard of Legal Education in the state of Tamil Nadu by framing new policies and rules. The creation of this Department paved the way for getting an advance Legal Education to poor and downtrodden people in the State of Tamil Nadu with the sustained support of the Government of Tamil Nadu, The Judiciary, The Bar council of India, University Grants Commission and the Bar Council of Tamil Nadu, the Department has been able to scale greater height in terms of qualitative as well as quantitative Legal Education in the State. It has a vision of establishing new Law Colleges in different parts of the State of Tamil Nadu so as to cater to the needs of the Bar, Bench and the society.

About Government Law College, Salem

The name of Government Law College, Salem is steadily embarking its way to be added in the Hall of Fame in the history of Legal Education in Tamil Nadu and stepping stones of success. Our Law College works on its motto, 'Excellence always in Legal Education'. The study of Law at Government Law College, Salem would equip the students to enrich themselves to give better service to the people with wisdom which will help them to prepare for legal excellence and leadership. College is committed to provide best legal education under the guidance of dedicated team of Law Faculty and successful legal practitioners who will help in enriching students for achieving professional excellence for fostering justice for the common people. Our Institution offers five-year integrated B.A.LL.B and three-year LL.B Courses where the students will also undergo internships, Moot Courts Simulation and Negotiation exercises every year to get acquainted with the actual functioning of the Courts and Tribunals. Our emphasis is on innovative learning which we achieve by unique teaching and value imparting style, it encompasses the conceptual inputs and hand-on approach legal issues. Now, we take immense pleasure to organise the State Level English Moot Court competition, 2024.

TAMILNADU STATE MOOT COMMITTEE

PATRON

Prof. (Dr.) J. Vijayalakshmi

Director of Legal Studies, Chennai.

CHAIRMAN

Prof. (Dr.) N. Kayalvizhi,

Principal,

Chennai Dr. Ambedkar Government Law College, Pattaraiperumpudur.

ADDL. CO-ORDINATORS

Dr. S. Durga Lakshmi

Principal (FAC), Government Law College, Salem.

Dr. N. Ramapiran Ranjith Singh,

Principal (FAC), Government Law College, Karaikudi.

MEMBERS

Dr. P. Sivathas,

Principal (FAC),
Government Law College,
Dharmapuri.

Thiru. X. Inbasekaran,

Assistant Professor,
Government Law College,
Thiruchirapalli.

Dr. B. Muthu Kumar,

Assistant Professor,
Government Law college,
Ramanathapuram.

Tmt. V. Vijayashri,

Assistant Professor,
Chennai Dr. Ambedkar
Government Law College,
Pudupakkam.

Thiru. M. Pranov Vishnu Arjun

Assistant Professor,
Government Law College,
Coimbatore.

Dr. V. Ramya,

Assistant Professor,
Government Law College,
Vellore.

IMPORTANT DATES

Release of Moot Proposition	04.01.2024
Last date for Registration via Google Form https://forms.gle/UZusotfsuuMJWMEcA	12.01.2024
Last date for seeking clarification	12.01.2024
Release of clarifications	13.01.2024
Last date for submission of soft copy of the memorials	23.01.2024
Date of Competition	02-04 February, 2024

RULE BOOK

1. DEFINITIONS

- A. **Advanced Round** refers to the Quarter-finals, Semi-finals, and Final rounds of the Competition.
- B. **Clarifications** refer to the clarifications and corrections to the Moot Problem/Rules issued by the Organising Committee.
- C. **Competition** refers to the State Level Moot Court Competition to be conducted by the Government Law College, Salem.
- D. **Compendium** means the compilation of cases and authorities cited by the participant during the oral rounds.
- E. **Clarifications** refers to any clarifications issued by the organisers pursuant to the moot proposition.
- F. **Memorial** refers to the written arguments (Hard / Soft Copies) submitted, on behalf of both the Parties, in accordance with the Rules by each team. Memorials may also be referred as “Written Submissions”.
- G. **Oral Rounds** refer to a team pleading submitted orally by both the Speakers before the Judge(s) on behalf of either one of the Parties, allotted by the Organizing Committee through lot or Fixture system.
- H. **Organizing Committee** (“OC”) means the State Moot Committee for the purpose of supervision of the State Moot Court Competition and the Government Law College, Salem for conducting the competition.
- I. **Participants** means the Speakers and the Researcher of the participating team.
- J. **Participating team** means the team, which has registered itself for the competition.
- K. **Plagiarism** means and includes,
1. Representation of someone’s ideas or words mentioned in books, articles or any other sources as one’s own;
 2. To present the content as new and original, which is derived substantially from an existing source;
 3. Copying words or ideas from someone else without giving due credit or acknowledgment;
 4. Changing words but copying the sentence structure of a source without giving the credit;
 5. Copying so many words or ideas from a source that it makes up the majority of a Memorial;
 6. Taking printout of someone’s memorials and submitting it as one’s memorial.
- L. **Rebuttal** refers to the counter/arguments presented by the Petitioner in response to the Respondent’s submission, at the end of the main pleadings of all the Speakers.
- M. **Researcher** refers to that member of a participating team specifically mentioned at the time of registration, if it necessitates the researcher will be given a chance to be a speaker at the discretion of the Organizing Committee.
- N. **Researcher’s Test** refers to the written test conducted during the Competition.
- O. **Rules** refer to the rules postulated in this document and any other Regulations, Instructions and Guidelines issued by the Organizing Committee may from time-to-time.
- P. **Speaker** refers to that member of the team who will make oral pleadings before the Judges

in the Oral Rounds.

Q. **Sur-rebuttal** refers to counter argument presented by the Respondent to the rebuttal.

R. **Team Code** refers to the unique code allotted to each participating team for the purpose of this Competition by the Organizing Committee.

2. PARTICIPATION AND ELIGIBILITY

- 2.1 All the educational institution imparting legal education in the State of Tamil Nadu are eligible to nominate their undergraduate students pursuing 3 years/5-year law degree courses for participation in the State level Moot Court Competition.
- 2.2 All the team members must be students pursuing their 3years / 5years Bachelor's degree in law. The year of study must be mentioned while registering for the competition along with the copy of the college ID card and a Bonafide certificate signed and sealed by the Head of the Institution.
- 2.3 **No Registration Fee** for a team to participate in the State level Moot Court Competition.
- 2.4 Only one team is eligible to participate representing the institutions. Soliciting in any form with regard to team allotment will strictly lead to disqualification from the competition.
- 2.5 A team code will be allotted to each team by the moot organizers. The same shall be the identity for all the correspondence.
- 2.6 Provisional registration is permitted from the date of the announcement of the competition as mentioned in the event scheduled.
- 2.7 The Registration shall be done by sending Hard and Soft Copies of the Registration forms to the Organizing Committee.
- 2.8 Once the Registration form submitted the acknowledge mail will be sent within two working days by the Organizing Committee to the respective teams.
- 2.9 The team comprising of 3 members is mandatory. While registering for the competition, it is mandatory to nominate two speakers and one researcher. The Committee will not entertain any change in the nomenclature of Speaker-1, Speaker-2 and Researcher as nomination by the Participating team at the time of Provisional Registration, except under extraordinary circumstances at the discretion of the Organizing Committee.
- 2.10 All Team members and Faculty-in-charge are advised to regularly check the official website / E-mail of the organizing committee for any updates on the competition.

3. LANGUAGE

The State Moot Court Competition will be held in **English** Language only.

4. STRUCTURE OF THE MOOT

- 4.1 The Competition will consist of Preliminary Rounds, Quarter final Rounds, Semi-Final Rounds and Final Round. The top 8 teams from the preliminary rounds on the basis of the total marks scored shall qualify to participate in the Quarter Finals. Winners of the Quarter-

Finals will proceed to Semi- Finals. Winners in the Semi-finals will qualify for the Final Round.

- 4.2 Teams shall argue cases against each other. For the said purpose, fixture for the competition will be decided by draw of lots prior to each round of the competition.
- 4.3 The moot will be held through offline / physical mode only except in extra-ordinary circumstance warranting, holding of Moot through Online mode at the discretion of the organizing committee.

5. RESEARCHER'S TEST

- 5.1 Participation in the **Researcher's Test is mandatory** for all teams and failure to participate may result in disqualification of the team.
- 5.2 The researcher nominated by the institution through the registration form will be allowed to write the researcher's test.
- 5.3 The duration of the Researcher's Test shall be **ONE hour** and may include both multiple choice as well as subjective questions. The number of questions, type, etc., shall be at the discretion of the Organizing Committee.
- 5.4 The objective of the Researcher's Test is to test the knowledge of the law involved as well as the factual details of the Moot Problem and the application of the relevant law to the circumstances in the Moot Problem.
- 5.5 Researcher's Test shall not be conducted in the open book format i.e., notes, bare acts, books or any other material or electronic aid shall not be permitted during the test.
- 5.6 Based on the score in the Researcher's Test the Best Researcher will be selected.

6. PRELIMINARY ROUND

- 6.1 The procedures of the preliminary rounds begin with the draw of lots on the day fixed by the Organizing Committee.
- 6.2 Each team will be given **30 minutes** to present their oral pleadings and no additional time shall be provided. The team can reserve **2 minutes** for Rebuttal and Sur-Rebuttal each from their allotted 30 minutes. The time reservation shall be made before the commencement of each round. The same must be notified to the court officials nominated by the organizing committee.
- 6.3 In the preliminary rounds there shall be two rounds fixed on the basis of the lot picked by each team.
- 6.4 Fixture will be in such a way that in the preliminary rounds each team will argue on both the side against different teams.
- 6.5 Each Speaker in the team shall be assessed separately and the consolidated score with the marks of the memorial shall be the score of the team for preliminary rounds only.
- 6.6 The individual scores of the speakers in both the preliminary rounds excluding the

memorial marks shall be the deciding marks for selecting the Best Speakers of the Moot Competition.

7. QUARTER - FINAL ROUNDS

- 7.1 Top 8 teams on the basis of the marks obtained in both the preliminary rounds together with the memorial marks shall qualify for the Quarter final rounds.
- 7.2 The Quarter final shall be a **knock out round**, where the side for pleading shall be determined on the basis of draw of lots or Fixtures.
- 7.3 Each team will get a minimum of **40 minutes** to argue from the allotted side, including **3 minutes** time that shall be reserved for Rebuttal and Sur-Rebuttal each.
- 7.4 The time reserved for Rebuttal and Sur-rebuttal shall be before the commencement of the rounds. The same must be notified to the court officials nominated by the organizing committee.
- 7.5 Time-extension for a maximum of 2 minutes may be granted to each team at the discretion of the Judges.

8. SEMI - FINAL ROUNDS

- 8.1 The winning teams of the quarter finals will qualify for the semi-final rounds.
- 8.2 The semi-final shall be a **knock out round**, where the side for pleading shall be determined on the basis of draw of lots or Fixtures.
- 8.3 Each team will get a minimum of **40 minutes** to argue from the allotted side, including **3 minutes** time that shall be reserved for Rebuttal and Sur-rebuttal for each team.
- 8.4 Time-extension for a maximum of 3 minutes may be granted to each team at the discretion of the Judges.

9. FINAL ROUND

- 9.1 The winning teams of the Semi Final Rounds shall qualify for the Final round.
- 9.2 The side for pleading shall be determined on the basis of draw of lots or Fixtures.
- 9.3 Each team will get a minimum of 40 minutes to argue, with an additional 5 minutes for Rebuttal and Sur-rebuttal for each team.
- 9.4 Time-extension for a maximum of 5 minutes may be granted to each team at the discretion of the Judges.
- 9.5 In case of tie the memorial marks shall be considered.

10. PROHIBITION OF SCOUTING / ELECTRONIC GADGETS

Scouting in any form and the use of electronic gadgets during the oral pleadings are strictly prohibited and if any team indulges in such act shall be terminated from the competition.

11. DRESS CODE

The participants shall adhere to the following dress code while in the court rooms:

11.1 **Gentle women:** White Salwar /Kurta with Black Bottoms or White Shirt and Black Trousers along with a Black Blazer and Black Shoes.

11.2 **Gentlemen:** White Shirt, Black Trousers, a Black Tie, a Black Blazer / Coat and Black Shoes.

12. NON-DISCLOSURE CLAUSES

The Name of the Institution shall not be revealed and the team has to refer themselves with the team code throughout the competition. Team must not reveal the identity of their institution to the Judges at any time during any round. All instances of such disclosure shall be treated as Disqualification of the team.

13. CLARIFICATIONS

Teams may request for corrections and clarifications in the moot problem by submitting a written request to the email ID provided by the Organizing Committee on or before the date mentioned in the official notification. All the clarifications will be collated and the response will be provided vide a E-mail on the date as specified by the Organizing committee to all the participating Colleges. No further clarifications shall be entertained after the said date.

14. DECLARATION OF RESULTS

The declaration of results for each round will be declared within a maximum time limit of One hour. The results declared by the organizing committee shall be final and binding.

15. SUBMISSION OF MEMORIALS

15.1 Each team participating in the event must prepare memorials on behalf of the Petitioner / Appellant / Applicant / Plaintiff side and Respondent / Opposite Party / Defendant / Other side.

15.2 The cover page of the memorials shall be **BLUE COLOUR** in the case of Petitioner / Appellant / Applicant / Plaintiff side and **RED COLOUR** in the case of Respondent / Opposite Party / Defendant / Other side memorial.

15.3 Team code shall be printed in the Top Right corner of the cover page.

15.4 And the team code shall not be reflected anywhere other than the cover page of the respective memorials.

15.5 The soft copy of the memorials in PDF and word format shall be submitted to the E-mail ID of the organizing committee as mentioned brochure.

15.6 The soft copy of the memorial forwarded within the deadline to the email of the organizing committee shall be **FINAL AND BINDING**. The same shall not be altered, changed for any reason at any point of time.

- 15.7 The **FIVE HARD COPIES** of the memorials for each side shall be soft bounded & submitted in person to the organizing committee on the date specified by the organizing committee. Participants are advised to carry extra copies of their Memorials for their own use. In event the hard copies submitted to the Organizing Committee shall not be returned to the teams concerned.
- 15.8 The Soft copy and the Hard copy of the memorial submitted shall be the same and identical in all aspects. If any change is found, then the memorial shall be rejected and no marks shall be awarded.
- 15.9 After the deadline for memorial submission, the memorials that are forwarded to the E-mail ID will be subject to a **penalty of 2 marks for each day of delay.**

16. MEMORIAL FORMATTING

- 16.1 All parts of each Memorial must be contained in a single file.
- 16.2 Memorials shall be submitted only in PDF format. Memorials that do not confirm to this Rule shall not be accepted.
- 16.3 All pages of the Memorial must be in A4 size, with margins of at least one inch on all four sides.
- 16.4 The Memorial shall be in **typewritten**. The following content specifications shall be strictly adhered to:

Language: English

Body Font & Size: Times New Roman, 12

Line Spacing: 1.5 [The spacing need not be followed for the Cover Page, Tabular Column, Header or Footer]

Footnotes: Font & Size: Times New Roman, 10, Line Spacing: 1.0
Paragraph Spacing: None

Substantive Footnoting is strictly prohibited

Alignment (Body & Footnotes): Justified

Citation Method: The Bluebook / Harvard Law Review, 20th Edition / ILI / A uniform system of citation.

- 16.5 Memorials submitted for the competition will be subject to plagiarism check.
- 16.6 The Memorandums shall not contain any Annexure / Appendices, Photographs, Sketches, Exhibits, Affidavits, etc.

17. MEMORIAL STRUCTURE

Each Memorial shall not exceed 35 pages (A4 size), inclusive of cover page and shall contain the following sections:

- i. Cover Page (shall include, Cause Title, Forum/Court, designation as Petitioner or Respondent Memorial).

- ii. Table of Contents
- iii. Index of Authorities
- iv. Statement of Jurisdiction (strictly restrict to 1 page)
- v. Summary / Statement of Facts (strictly restrict to 1 page; argumentative Statement of Facts shall be penalized)
- vi. Issues Raised
- vii. Summary of Arguments / Pleadings
- viii. Arguments Advanced / Written Pleadings
- ix. Prayer

18.COMPENDIUM

- 18.1 All relevant case laws and statutory material to be passed on to the Judges during the Oral Rounds shall be submitted in the form of a Compendium to the organizing committee during the submission of the hard copies of the memorial.
- 18.2 The teams have to keep a hand copy of the compendium for their reference during argument before the judges. In event the compendium submitted to the Organizing Committee shall not be returned to the teams concerned.
- 18.3 Participants shall ensure that anonymity is not violated in the compendium.
- 18.4 If any mark, name, seal, symbol or logo of the institution / college is present, participants must ensure that the same is properly shaded to maintain anonymity. Violation of anonymity shall result in immediate disqualification.

19.ASSESSMENT OF MEMORIALS

The memorials shall be assessed out of 100 marks, by a team of experts nominated by the organizing committee on the pre-determined criterion, as specified here under:

Content	Marks
Clarity of Facts	15
Incorporation of Facts into the arguments	20
Use of Authorities / Precedents	20
Knowledge and interpretation of applicable laws	20
Grammar and Style of presentation	10
Originality	10
Appropriate Relief Prayed	05
TOTAL	100

20.ASSESSMENT OF ORAL SUBMISSIONS

Team performance of the orators shall be judged in all rounds on the basis of following criterion;

Content	Marks
Knowledge of Facts	10
Knowledge of the applicable law	10
Interpretation of facts and Law	20
Argumentative Skills	15
Clarity of Thoughts and Expression	15
Courtroom Conduct	10
Ability to response to the questions	10
Overall presentation style, poise and demeanor	10
TOTAL	100

21.AWARDS AND HONOURS

- 21.1 **CERTIFICATE OF MERIT:** The winner of the Final Round shall be declared as the “Winner” of the competition and shall be awarded a certificate of merit and winner trophy.
- 21.2 **RUNNER UP:** The other team that made it to the Final Round shall be declared “Runners up” and shall be awarded a certificate of merit and runner trophy.
- 21.3 **BEST SPEAKER:** Best Speaker (separately for Male and Female) shall be determined on the basis of the highest average marks obtained individually in the preliminary rounds excluding the memorial marks and shall be awarded a certificate of merit and a best speaker trophy.
- 21.4 **BEST MEMORIAL:** Best Memorial shall be determined on the basis of the highest marks obtained in the memorial, and shall be awarded a certificate of merit and trophy.
- 21.5 **BEST RESEARCHER:** Best Researcher shall be determined on the basis of the highest marks obtained in the in the Researcher Test, and shall be awarded a certificate of merit and trophy.
- 21.6 **CERTIFICATE OF PARTICIPATION:** Every participating team shall be awarded a “Certificate of Participation”. “No Certificate of Participation” shall be granted to those teams who failed to submit the memorials in accordance to the rules.

22.ACCOMMODATION, FOOD AND TRAVEL ALLOWANCE

- 22.1 Accommodation (on sharing basis) to the participating team members of Government Law Colleges will be provided by the Organizing Committee on the request of the teams.
- 22.2 No additional member shall be accommodated under any circumstances.
- 22.3 The accommodation shall be subject to the conditions imposed by the Organizing committee.
- 22.4 Food and snacks shall be provided for the participating team members at the venue of the competition.
- 22.5 The registered team members of Government Law Colleges alone will be provided with travel allowance on the basis of actual by submitting travel tickets of the bus or train from the studying institution to the venue of the Moot competition.
- 22.6 In case of train travel the maximum permissible limit for travel allowance is Second Class Sleeper.
- 22.7 In case of the bus travel the maximum permissible limit for travel allowance is Tamil Nadu State Transport Corporation sleeper coach.
- 22.8 The travel allowance for the return journey is as that of the onward journey.
- 22.9 The local transit from the place of accommodation to the venue of the Moot competition will be arranged, if necessary, by the Organizing Committee on the timing fixed by them. The teams shall adhere to the timings of the organizing committee, failure on which teams have to make their own arrangements.

23.CODE OF CONDUCT:

- 23.1 No team members shall indulge themselves in any act of misconduct which is unbecoming of a student.
- 23.2 No team members shall indulge in any misconduct in or outside the premises and precincts of the venue including the place of accommodation and transits.
- 23.3 The acts or omissions of any team members undermining the credibility of judges or that of the competition is also misconduct.
- 23.4 Any behaviour of indiscipline with the organizing committee or any other staff member or student volunteer of the venue, damage to the property or good will of the institution shall be dealt with strictly.
- 23.5 No team shall ask for feedback immediately on completion of any round. Any attempt to approach the framer of the moot problem or judges of the competition, prior to the competition shall lead to the appropriate action by the Organizing Committee.
- 23.6 Any form of scouting during the Competition is strictly prohibited and shall entail to disqualification of the team.
- 23.7 Committing of any misconduct by any of the team members shall lead to immediate disqualification of the team. The organizing committee shall recommend to the

appropriate authority for disciplinary action.

24.RULES FOR VIRTUAL MODE

Only during Extraordinary circumstances when the offline moot is not possible, Organizing Committee can prefer virtual mode with the prior permission from the Tamil Nadu State Moot Court Committee. The rules and regulations for the virtual mode will be issued at that time of the competition.

25.MISCELLANEOUS PROVISIONS

- 25.1 In case of any dispute arising out of the interpretation of the Rules, or otherwise, the decision of the Organizing Committee shall be final and binding.
- 25.2 The State Level Moot Court Competition, 2024 shall be conducted as per the above-mentioned Rules. However, the Organizing Committee has powers to amend, vary, alter, and modify the Rules in the event of any exigencies. The same shall be Final and binding upon the Participating Teams. Further, the decision of the Organizing Committee of concerning the conduct of the Competition is final and the same shall be binding upon the Participating Team.

STATE MOOT COURT COMPETITION, 2024

Organized by

GOVERNMENT LAW COLLEGE, SALEM

MOOT PROPOSITION

1. The Union of Bharatham (“Bharatham”), is a country in South Asia is the seventh largest in area and most populous in the world with rich heritage, art and architecture, culture and traditions, the country is also endowed with rich biological diversity consisting of mountains, forests, rivers, lakes, plains, plateau and diverse flora and fauna exclusively endemic. In recent decades, Bharatham has become a major player in the global technological industry, with a thriving IT sector and a growing number of startups. Despite its diversity, Bharatham emphasizes “Unity in Diversity”, reflecting the coexistence of different cultures and communities.
2. Bharatham which was under the clutches of the foreign empire for nearly two centuries got their independence in 1947. The country has adopted its Constitution in 1950 with a sovereign, socialist, secular, democratic and republic nature of polity. The vision of the founding fathers of the Constitution of Bharatham were imbibed in the Preamble, the Fundamental Rights, and the Directive Principles. The Supreme Court being the final interpreter of the Constitution has in many instances applied its interpretative techniques the Court has not only protected the Fundamental Rights of the people but also enlarged the scope of the Fundamental Rights.
3. Bharatham’s GDP growth has been phenomenal over the years which has emerged as the fastest growing major economy in the world now and is expected to be one of the top three economic superpowers in near future. The growth of Bharatham’s economy is mainly attributed to its robust infrastructure development like Ports, Highways, IT sectors, Foreign Direct Investment, Automobiles, Car, Textile industries and so on. Though the economy is growing rapidly, the nation is reeling with huge imports due to strong domestic consumption.
4. In Bharatham, since Vedic time the main motto of social life is “to live in harmony with nature” which taught the lesson of coexistence between man and his environment. In line with these old traditional values and the obligations from international conventions and principles,

the nation has enacted various laws to protect and improve its environment thereby ensuring that the present and future generations will be benefitted.

5. National Highways in Bharatham constituted around 2.7% of Bharatham's total road network, but carried about 40% of road traffic as of 2020. Ministry of Road Transport and Highways is the nodal Ministry primarily responsible for development and maintenance of National Highways. Construction of National Highways has been at faster pace since 2014 in which around 1,44,000 kms of National Highways has been constructed till 2022.
6. Thainadu is a southern state in the Bharatham where its eastern part being fertile coastal plains houses number of industrial establishments, the western and southern part is agriculture dependent with scattered industrial development. Its coastal line extends upto 1,076 kms which is the third longest coastline in the Union of Bharatham. The State is home to a rich variety of flora and fauna. The Western Ghats and Eastern Ghats in Thainadu harbor diverse ecosystems, including many endemic faunas and floras. The recent study by the "Save the Forest" an NGO reported that there are around 73 species of plant that are endemic to the Eastern and the Western Ghats stretches.
7. *Silverster* and *Puhar* are the two cities with very high avenues of growth majorly contribute to the economy of the State of Thainadu. In 2021, the Union Government has proposed a "Greenfield Expressway Corridor Project" connecting the City of Silverster with the Capital City of Thainadu, Puhar which reduces the travelling time by three hours which otherwise would take eight hours for the same. The Government has identified the project as an exemplary project, with the inculcation of latest technologies in the road transportation, enhanced connectivity to economic centers, multi-modal logistic parks and with the assistance from Jalan's International Funding Agency, JASCA. The total length of the project is of 263 kms and the cost of the project would be Rs.15, 000 Crores.
8. The "*Idukkal Reserve Forest*" is a major biodiversity region in the State of Thainadu. As per the study conducted by "The Nature" an NGO, number of threatened species of flora and fauna are identified here. The proposed Greenfield Expressway Corridor Project which traverses through various forests and private lands for the length of 72 kms also passes through "Idukkal Reserve Forest" for the length of 45 kms, which has a notable Elephant Corridor in it. The "Shengen Tribe" who are the natives of Idukkal region has been enjoying the indigenous rights of the Idukkal forest since time immemorial. The livelihood of the Shengen Tribe also mostly revolves around the Idukkal Reserve Forest by pasturing, collecting and selling minor forest produces, etc., On knowing that the proposed Highway project has been

- passing through the Idukkal Reserve Forest, the Shengen Tribe raised their concerns and conducted various mass movements. The Government pacified the Tribes on assuring that their interest in the forest will be protected and secured before commencing the project. Later, the Government acquired the land and the tribal people were dislocated from their place.
9. The Highway project passes through the villages namely “Kodi”, “Kaadai”, “Kadambu” covering a stretch of 55 kms which lies on the coast near to the city of Puhar, which is an important hub for connecting various highways from the southern part of Thainadu. In those 10 kms of the Greenfield Expressway Corridor Project fall on CRZ IB and CRZ II areas. The remaining stretch of lands through which the highway project runs is incontrovertible.
 10. On 2nd October, 2022 the Union Minister for Transport and Highways has laid the foundation stone for the construction of this project, and commenced the construction at a faster pace. The Shengen Tribe lost the confidence in the Government and gathered to raise their concerns against the Government. In January 2023, “*The Democrat*”, an NGO who works on the welfare of the Scheduled Tribes filed a petition before the Hon’ble High Court of Thainadu for the violation of their fundamental rights guaranteed under the Constitution of Bharatham. The same has been dismissed by the Court, aggrieved by this decision the NGO approaches the Hon’ble Supreme Court.
 11. Upon completion of nearly 50% of the construction work by September 2023, based on the notification by the Ministry of Environment, Forest and Climate Change which gives one time remedy for the violators to apply for the post facto clearances, the Government has applied for the post facto clearances for the Expressway Project. On October 2023, Varshi, a law college student who is an environment activist approached the Hon’ble National Green Tribunal (NGT) to grant an interim stay on the project for not obtaining the requisite environment clearance and the CRZ clearance. Hon’ble NGT by January 2024 dismissed the petition. Aggrieved by the decision of NGT, Varshi has approached the Hon’ble Supreme Court.
 12. The Hon’ble Supreme Court has merged both the petitions and listed the cases to hear the following issues for final hearing today.

ISSUES:

1. Whether the acquisition of land of the tribal people for the said project and the construction of the highway through the Idukkal Reserve Forest violate the Fundamental Rights of the Shengen Tribe?
2. Whether the said construction of Greenfield Expressway Corridor Project without requisite environmental clearance and later applying for the post facto clearance is justiciable?
3. Whether construction of Greenfield Expressway Corridor Project is in violation of Coastal Regulation Zone Notification and later on claiming exemption under post facto clearance is valid?

NOTE:

- The Constitution and the Laws of Bharatham are in *pari materia* with that of the Constitution and the Laws of India.
- The Laws of Thainadu are in *pari materia* with that of the State of Tamil Nadu.
- Bharatham is a signatory to all Multilateral Environment Agreements in which India is a party to.
- Teams are allowed to frame additional issues and sub issues, if any.

STATE LEVEL ENGLISH MOOT COURT COMPETITION

GOVERNMENT LAW COLLEGE SALEM

02nd - 04th FEBRUARY, 2024

NAME OF THE INSTITUTION	
E-MAIL ID OF THE INSTITUTION	
NAME OF THE FACULTY-IN-CHARGE	
MOBILE NO. OF THE FACULTY-IN-CHARGE	

	SPEAKER 1	SPEAKER 2	RESEARCHER
NAME			
COURSE & YEAR			
MOBILE NO			
E-MAIL ID			
ACCOMMODATION	YES / NO	YES / NO	YES / NO
PASSPORT SIZE PHOTO	Affix passport size photo	Affix passport size photo	Affix passport size photo
NO. OF MALE		NO. OF FEMALE	

DECLARATION

We, affirm that all the information provided in the registration form is true. Further, we declare that the institution and its team members will abide by all the rules and regulations as notified throughout the period of competition.

SIGNATURE			
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SIGNATURE
FACULTY COORDINATOR

SIGNATURE AND SEAL
HEAD OF THE INSTITUTION

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