CELEBRATION OF 70TH CONSTITUTION DAY: 2019 - 2020

CONSTITUTION DAY MOOT COURT COMPETITION, 2020
(16th March, 2020 - 18th March, 2020)

RULES AND REGULATIONS

SCHOOL OF LAW
UNIVERSITY OF KASHMIR
**Aim:**
Written and oral advocacy are two basic skills required for an advocate. Moot courts develop not only these legal skills but also other skills such as legal analysis, reasoning, research and time management. The aim of moot court is to build confidence among the young law students and help them improve their research, drafting, and communication skills. This competition, like its predecessors, aims at preparing the students for practical legal milieu. Moreover, keeping in mind the fact that it is almost 70 years since the Constitution of India came into force, the focus of this competition shall be on the Constitution itself with particular focus on celebrating the fundamental duties.

**Short Title**
These rules and regulations shall be called Constitution Day Moot Court Competition Rules, 2020 and may be referred to as CDMCC Rules or Competition Rules or Rules.

**Main Provisions**

1. The Constitution Day Moot Court Competition, 2020 shall be held from 16th March, 2020 to 18th March, 2020 at School of Law, University of Kashmir, Hazratbal, Srinagar, Kashmir – 190006.

2. The administrator of the competition shall be the School of Law, University of Kashmir, Hazratbal.

3. The competition shall be conducted in accordance with the rules mentioned hereunder. For the purposes of this competition, it shall be presumed that all participants have read and submitted to these rules. The participants are required to comply with the rules and procedures prescribed herein.

4. For clarification/s on Moot Problem, the team can email their questions in a word document (.docx) to hyabbas@uok.edu.in.
5. Important Dates:

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>10th February, 2020</td>
<td>Release of Moot Proposition, Rules &amp; Regulations and Registration Forms</td>
</tr>
<tr>
<td>20th February, 2020</td>
<td>Last Date for the Receipt of Soft Copy of the Registration Form. The Soft Copy must be mailed to <a href="mailto:hyabbas@uok.edu.in">hyabbas@uok.edu.in</a>.</td>
</tr>
<tr>
<td>27th February, 2020</td>
<td>Last Date for the Receipt of the Hard Copies of the Registration Form. Complete Forms must be Posted to the Following Address:</td>
</tr>
<tr>
<td></td>
<td>Address: Hakim Yasir Abbas</td>
</tr>
<tr>
<td></td>
<td>Assistant Professor</td>
</tr>
<tr>
<td></td>
<td>School of Law, University of Kashmir, Hazratbal, Srinagar</td>
</tr>
<tr>
<td></td>
<td>Jammu and Kashmir 190006 Mobile Number: 9541246096</td>
</tr>
<tr>
<td></td>
<td>Teams travelling to Kashmir via flight are advised not to book their tickets until their registration is complete.</td>
</tr>
<tr>
<td>28th February, 2020</td>
<td>Issue of Team Identification Number [TIN]</td>
</tr>
<tr>
<td>28th February, 2020</td>
<td>Last date for receiving clarifications about the moot proposition.</td>
</tr>
<tr>
<td>29th February, 2020</td>
<td>Release of clarification to the teams</td>
</tr>
<tr>
<td>10th March, 2020</td>
<td>The last date for the receipt of soft copies of the memorials.</td>
</tr>
<tr>
<td></td>
<td>The teams are required to bring five set of hard copies of their memorials (five applicant and five respondent) along with them.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Dates of Competition</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>16th March, 2020</td>
<td>Registration + Inaugural Ceremony + Exchange of Memorials</td>
</tr>
<tr>
<td>18th March, 2020</td>
<td>Semi Final + Exchange of Memorials for Final Round + Final Round + Valedictory Ceremony (including certificate distribution)</td>
</tr>
</tbody>
</table>

(Dates and timings are subject to change. The organisers shall not be responsible/liable for any loss caused due to such change).
5. **Eligibility for Participation:**

   Students duly enrolled and pursuing LLB or BALLB course from any university within the Union Territory of Jammu and Kashmir and recognised by the Bar Council of India.

6. **Team Composition:**

   Each team shall comprise of three (3) members (two speakers and one researcher). No change in team composition shall be permitted once the registration of the team has been confirmed by the organisers. No additional/observer member shall be entitled to hospitality or certificate.

   Provided that, in case of any contingency or emergency, the researcher may substitute the speaker with prior permission of the organisers.

7. **Registration and Fees:**

   i. Only two teams per institution will be allowed to register in the competition. However, the host institution may allow three teams to participate in the event.

   ii. Team members shall clearly fill up the form with correct spelling of each team member’s name and other details, as may be required in the registration form. The names entered in the form will be used for all official purposes such as issuing of certificates etc.

   iii. A soft copy of the duly filled and signed registration form must be emailed to hyabbas@uok.edu.in latest by 20th February. And a hard copy of the same must be sent to the below mentioned address through registered post latest by 27th February, 2020

       Address:

       Hakim Yasir Abbas
       Assistant Professor
       School of Law, University of Kashmir,
       Hazratbal, Srinagar
       Jammu and Kashmir
       190006
       9596049501

   iv. The registration fees for the event is Rs. 2000/- for each team which will be paid in cash at the registration desk on 16th March, 2020.

   v. The official language, for all purposes of the competition, shall be English only.
8. **Team Identification Number (TIN):**

Each team shall be allotted a ‘Team Identification Number’ and the teams shall only use the TIN for their identification at any time after the same has been issued. The teams are not allowed to disclose their identity in any manner, other than by referring to their TIN. The TIN shall be used for completing registration formalities and in the memorial submissions.

9. **Written Submissions:**

i. All Written Submissions must comply with the requirements mentioned in this part of the Rules. The teams are required to carefully read and understand the rules mentioned in this part. Any failure to abide by these requirements shall be penalised accordingly.

ii. Hard copies of the memorials for each side must be brought along by the teams and must be submitted at the time of the registration on 16th March, 2020. Each document should be submitted after labelling the header for each page with TIN_A for the Applicant side and TIN_R for the Respondent side.

Example:
For TIN allotted as ‘SLKU15’:

1) SLKU15_A —— (Applicant side),
2) SLKU15_R —— (Respondent side).

iii. The hard copies of the Memorials must bear a cover page in conformity with the following scheme:

**Applicant: Blue**

**Respondent: Red**

iv. The memorials must not contain any disclosure about the team such as name(s) of members of the team or associated organisation, any mark, character, text or any other form of identification mark in any part of the memorial. Such act will attract penalty provision as per these rules and the organisers reserve the right to disqualify the team from the competition upon such act.

v. The memorial must necessarily consist of the following sections and no other section is allowed:

a. Cover Page, which shall necessarily and only have the following details:
   * Team Identification Number [TIN] on the top right corner of the cover.
vi. Memorials must strictly adhere to the following general requirements:

   a. All Memorials must be printed in Black and White on standard A4 white paper ONLY.

   b. The font used must ONLY be Times New Roman, Size 12, with double line spacing.

   c. The font used in the footnotes must ONLY be Times New Roman, Size 10, with double line spacing. However, the space between consecutive lines of a single footnote may be single spaced, subject to uniformity throughout the memorial.

   d. Speaking footnotes are not allowed.

   e. The Harvard Blue Book Style of footnoting (19th Edition) must be followed as far as practicable. As far as possible, footnoting must be uniform throughout the memorial.

   f. Each page of the memorial must have a margin of one inch (1”) on all sides. No text must be placed within this margin of the page, other than the page number and the TIN.
g. The Written Submission (main pleading) shall not exceed 8000 words including footnotes.

h. The organisers shall reserve the right to not evaluate submissions which are not in conformity with the aforementioned rules.

i. No amendments whatsoever shall be permitted to be made to the memorial after the online submission has been made.

j. The teams are advised to bring their compendiums/white paper book. However, same should not in any manner disclose the identity of the participating teams or institutions.

vii. Evaluation of Memorials:

Memorials shall be evaluated on the following criteria:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Marks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application and appreciation of facts of the proposition</td>
<td>20</td>
</tr>
<tr>
<td>Identification, structuring and presentation of issues</td>
<td>20</td>
</tr>
<tr>
<td>Ingenuity and logical reasoning</td>
<td>20</td>
</tr>
<tr>
<td>Application of legal principles, authorities and precedents</td>
<td>20</td>
</tr>
<tr>
<td>Lucidity, coherence and written composition of pleadings</td>
<td>10</td>
</tr>
<tr>
<td>Proper footnoting and formatting</td>
<td>10</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

Applicable penalties shall be deducted from each of the memorials after each memorial has been evaluated. The penalties deducted shall, in no condition, cause the marks to be reduced below two-fifth (2/5) of the maximum marks.

10. Researcher’s Test:

The Researcher’s Test shall be conducted at the venue on 17th March, 2020 before the start of the Preliminary Rounds to adjudge the Best Researcher.

11. Oral Submissions:

i. The language of the Court shall be English only.

ii. The time limit for the oral submissions shall be as per the respective rounds for each team.

iii. This shall include the submissions of both the speakers from the team and the time reserved for rebuttal/sur-rebuttal.
iv. The sur-rebuttal shall be limited to the rebuttals made by the opposing team.

v. The time split between the speakers must be communicated to the bailiff prior to the commencement of each Round.

vi. Teams should adhere to the time restrictions to avoid imposition of penalties. In an event where the judges are of the opinion that a certain exigency does require an extension of time, they may extend the cumulative speaking time for a team by a maximum of five (5) minutes.

vii. There shall be no communication, oral, written or in any other manner whatsoever, between team members seated on the table and the speaker. However, the Researcher is allowed to pass chits to the speaker in an orderly manner without disturbing the decorum of the Court.

12. Evaluation of Oral Submissions:

The following scale shall be used to evaluate the teams –

- Logical structuring and reasoning
- Ingenuity and originality
- Marshalling of facts
- Articulation of issues
- Presentation skills and communication ability
- Response to questions posed
- Application of legal principles
- Use of authorities and precedents
- Court etiquettes
- Covering all the areas of the problem
- Effective rebuttals

13. Structure of the Rounds: The Oral round shall comprise of:

A. Preliminary Rounds
B. Semi-Final Rounds
C. Final Round

A. Preliminary Rounds
a. There shall be two Preliminary Rounds. Every team shall be given the opportunity to argue from each side in the Preliminary Rounds the schedule for which shall be determined by a draw of lots.

b. Each team will be given a total of 30 minutes to present their case which includes rebuttal and sur-rebuttal.

c. The division of time between the speakers is at the discretion of the team members, subject to a maximum of 18 minutes for any one speaker. Each team shall indicate to the court-clerk/bailiff the allocation of its 30 minutes.

d. The scheme of evaluation for the preliminary round will be as follows:

   Total Marks – Five Hundred [Memorial + Round 1 + Round 2]

Division –

<table>
<thead>
<tr>
<th>Category</th>
<th>Total Marks</th>
<th>Scheme of Division</th>
</tr>
</thead>
<tbody>
<tr>
<td>Memorial</td>
<td>100</td>
<td>Not Applicable</td>
</tr>
<tr>
<td>Round 1</td>
<td>200</td>
<td>Speaker 1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>100 Judge 1 - 50</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Judge 2 - 50</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Speaker 2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>100 Judge 1 - 50</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Judge 2 - 50</td>
</tr>
<tr>
<td>Round 2</td>
<td>200</td>
<td>Speaker 1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>100 Judge 1 - 50</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Judge 2 - 50</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Speaker 2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>100 Judge 1 - 50</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Judge 2 - 50</td>
</tr>
<tr>
<td>Total</td>
<td>500</td>
<td></td>
</tr>
</tbody>
</table>

e. In case of a tie, the team with the higher memorial score will be considered as the winner of that round.

f. The team which wins both the preliminary rounds automatically qualifies for the semi-final rounds.

However, in case there are more than four teams who have won both the rounds, the qualification will be decided on the basis of the total marks scored by such teams [Memorial + Round 1 + Round 2].
Moreover, in case the teams who have won both the rounds are less than four, the qualifying teams from among those who have one win will be decided on the basis of the total marks scored by such teams [Memorial + Round 1 + Round 2].

B. Semi- Final Rounds.
   i. The side to be represented by the team shall be determined by a draw of lots.
   ii. Qualifying team shall argue only for one side in the Semi Finals. Each team shall get a total of 40 minutes to present their case. This time will include rebuttal and sur-rebuttal.
   iii. The division of time between the speakers is the discretion of the team members, subject to a maximum of 22 minutes for any one speaker. Each team shall indicate to the court–clerk the time allocation.
   iv. The Scheme of Evaluation for the Semi Finals will be as follows:
      Total Marks – Three Hundred [300]
      Division –

<table>
<thead>
<tr>
<th>Total Marks</th>
<th>Division</th>
</tr>
</thead>
<tbody>
<tr>
<td>300</td>
<td>Speaker 1 150</td>
</tr>
<tr>
<td></td>
<td>Judge 1 - 50</td>
</tr>
<tr>
<td></td>
<td>Judge 2 - 50</td>
</tr>
<tr>
<td></td>
<td>Judge 3 - 50</td>
</tr>
<tr>
<td></td>
<td>Speaker 2 150</td>
</tr>
<tr>
<td></td>
<td>Judge 1 - 50</td>
</tr>
<tr>
<td></td>
<td>Judge 2 - 50</td>
</tr>
<tr>
<td></td>
<td>Judge 3 - 50</td>
</tr>
</tbody>
</table>

   e. In case of a tie, the team with the higher memorial score will be considered as the winner of that round.
   v. On the basis of knock out, 2 teams shall advance to the Finals.

In case of a tie in any round (other than the Preliminary Rounds), the teams shall advance to the next round on the basis of highest memorial score.

D. Final Round
   i. The side to be represented by the team shall be determined by a draw of lots.
ii. Each team shall get a total of 45 minutes to present their case. This time will include rebuttal and sur-rebuttal.

iii. The division of the time is the discretion of the team members, subject to a maximum of 25 minutes for any one speaker. Each team shall indicate to the court–clerk the time allocation.

14. Exchange of Memorials:
   i. There shall be an exchange of memorials between the respective opposing teams in accordance with the fixtures as determined by a draw of lots, prior to all the Rounds of the Competition.
   ii. The teams are prohibited from making any marks on the exchanged Memorials.
   iii. The teams are prohibited from making any copies of the exchanged Memorials
   iv. At the conclusion of their respective Rounds, the teams are required to return the exchanged Memorials to the Bailiffs of the Court.

15. Penalties:
   i. Penalty shall be imposed on the Memorials subject to Rule 9(vii).
   ii. Failure to include all sections of the memorial [as mentioned in Rule 9(v)] or the inclusion of an un-enumerated section, shall be penalized with two (2) marks with each of such section.
   iii. Failure to include necessary information on the cover page of the memorial [as provided under Rule 9(v)(a)], or the use of a colour on the cover page contrary to the scheme mentioned under Rule 9(iii) shall be penalized with two (2) marks for each error
   iv. Disclosure of identity of team or the associated institution will result in disqualification.
   v. Incorrect Margins [as per Rule 9(vi)(f)] shall be penalized with Two (2) marks, being a onetime penalty only.
   vi. Exceeding total words in the memorial [as mentioned under Rule 9(6)(g)] shall be penalized with One (1) mark for 500 extra words.
   vii. Improperly prepared structure/format of any of sections mentioned under the Rules shall be penalized with Two (2) marks, being a onetime penalty only.
viii. Delay in Appearance/Presentation:
   a. If a team scheduled to participate in the oral submissions of a Round does not appear for ten (10) minutes after the scheduled commencement of such Round, the other team shall have to make oral submissions ex-parte.
   b. The criteria of rebuttals shall not be considered for evaluation in such cases, in place of which, an average for the same would be given on the basis of the marks scored by such team on the other criteria.

ix. Scouting:
   a. Scouting by the speakers, researcher or any other person affiliated with a team will lead to immediate disqualification of such team.
   b. Scouting shall be deemed to have happened if any person affiliated with a team is found:
      • Witnessing, hearing, observing, etc. the oral submissions in a Round, except where the Round is one in which the team to which he/she is affiliated is participating in; or
      • Reading a memorial of a team except where:
         ○ It is of the team to which he/she is affiliated; or
         ○ The memorials have been obtained on account of an exchange of memorials prior to a round of the team to which he/she is affiliated.

x. Any memorial found with plagiarism shall be subject to deduction up to three-fourth (3/4) of marks awarded towards memorials, based on the extent of plagiarism.

xi. The organisers reserve the right to amend/alter any rules necessary for the conduct of the International Moot Court Competition and any contravention to any rules shall incur the penalty of Two (2) marks.

16. Accommodation and Travel:
   i. Teams from outside the Kashmir Valley will be provided accommodation by the organisers. Participants will have to make travelling arrangements at their own/their institutional expenditure.
   ii. Accommodation will be provided for the participating teams starting from 15th March, 2020 to 19th March, 2020. Any extra guest shall not be entertained by the organisers.
17. **Code of Conduct:**

i. The copyright in the memorials submitted by the teams shall vest with the School of Law, University of Kashmir. The acceptance of such vesting is a precondition to participation in the competition.

ii. Participants are required to observe a proper dress code i.e. advocate’s uniform (except the gown and the band).

iii. The court will follow its own rules of procedure within the frame work of accepted norms of judicial practice. On question of doubt or dispute in the manner of procedure or facts, the decision of the court shall be final.

iv. Every team must maintain dignity and decorum in the court room. Inappropriate behaviour in the court room or blatant disregard for the procedures will result in instant disqualification or defaulting team will be incurred the reduction penalty of 05 points, as per the decision of the presiding judges.

v. No participant will be allowed to enter the “control room” and any breach of this provision shall result in the immediate disqualification of the team.

vi. Any participating team member having any grievances, queries or complaints shall communicate the same at hyabbas@uok.edu.in. Any such representation made to a person except the designated email id shall not be entertained.
NAME OF THE INSTITUTION: ____________________________________________________________
(TO BE FILLED IN BLOCK LETTERS)

ADDRESS:
________________________________________________________________________________
________________________________________________________________________________

TEAM DETAILS:-
Speaker 1:
Name: ____________________________________________
Gender: __________________________________________
Phone number: __________________________________
E-Mail Address: __________________________________

Speaker 2:
Name: __________________________________________
Gender: __________________________________________
Phone number: __________________________________
E-Mail Address: __________________________________

Researcher:
Name: __________________________________________
Gender: __________________________________________
Phone number: __________________________________
E-Mail Address: __________________________________

Declaration
This is to declare as follows:
a. That we have read the rules and regulations of the competition.
b. That we will abide by these rules and regulations.
c. That we will not hold the organisers responsible/liable in case of any loss suffered due to change in date/time of the Constitution Day Moot Court Competition, 2020.

Signature of Speaker 1

Signature of Speaker 2

Signature of Researcher

Date: ________________________  Place: ________________________

Signature of the Head of the Institution

Seal of the Head of the Institution
Moot Proposition

Bounded by lofty mountains and enamoured with gushy waters, Cashmeer is a beautiful valley with its distinct and chiselled culture wherein people cherish their centuries old traditions. The people of the valley have a rich culture of dresses (including Pheran a long woollen gown to shield cold, Khraav—a wooden footgear to ply through marshy roads, etc.) dialects and special foods like Wazwan (a multicourse meal in its cuisine prepared from meat with scores of variants), Kahwa (an aromatic and condiment-filled green tea served hot) and Batteh (boiled rice usually consumed with wazwan and other curries serving as the staple food for the region). For these obvious reasons, rice is largely cultivated in the fields of the Cashmeer quite visible as one traverses from the upper Himalayas to the plains of the valley.

Structurally, Cashmeer is a vast territory within the republic of Bindiya, wherein all the laws and the legal system are pari materia to that of the republic of India. The mountains surrounding Cashmeer are laced with gargantuan glaciers parcelling out pristine waters to the plains of the valley of which Shahar is the biggest city. Till a century ago, Shahar had a unique ecological set up nestled between mountains making the geomorphic set up of Cashmere makes it quite vulnerable to floods. Flash floods are often witnessed in the valley with the latest being in 2014 which left the city of Shahar inundated for almost four weeks and destroying a property worth thousands of crores. It is also a stark fact that enriched with quintessential ecology Shahar, until a few decades ago, was a paradigm of nature’s bosom. However, unplanned urbanisation, encroachments and administrative indifference has taken a heavy toll on its fragile eco-system with almost 22 wetlands having been lost by the city to urbanisation only since 1970. Experts say that most of the water bodies in Vehlum river, the largest of Cashmeer flowing through the City, are “gasping for breath” due to official apathy and encroachments.

On the outskirts of Shahar, Lokarsar is a wetland, situated at an altitude of 1584m which, till a few decades ago, was known as the “Queen of Wetlands”. It served as an important refuge for migratory waterfowls, shorebirds and trans-Himalayan species during winters. The wetland also acted as a major flood absorption basin. Owing to its immense ecological value, Lokarsar had been declared as “Conservation Reserve” under the Wildlife Protection Act of Bindiya. It was also declared as a Ramsar Site in 2005 under the Ramsar Convention of which Bindiya is a signatory.

In absence of any conservation measures from the responsible authorities, over the last couple of decades, Lokarsar has been pushed on the verge of extinction. A study carried out by the Department of Earth Sciences, University of Cashmeer (hereinafter UC), paints a grim picture of Lokarsar revealing that the wetland area has shrunk from 18.75 Sq. Km in 1969 to 12.8 Sq. Km in 2019. The news reports from the leading dailies of the city portray even a more horrific picture with claims that the wetland, which earlier spread over a sprawling 13.5 Sq. Km, has been reduced to a meagre 5 Sq. Km. Hefty sums have been allotted by the Ministry of Environment and Forests for the sedulous efforts to be directed by the Territory Government towards the conservation of the
wetland which have been going on, all but not more than a snail’s pace. The government officials, however, contend that almost 40 per cent of the total area of Lokarsar has shrunk due to siltation from Doodhwanga stream, a tributary of Vehlum that passes through it frothing and crashing its way over rocks to form a milky white foam— a study undertaken by an NGO. It is also undisputable that the clumsy efforts of authorities gave way to public encroachments with around 10 hectares of the area surrounding the wetland being converted into paddy fields. The situation has become more paradoxical in the wake of recent residential colonies being established around the Wetland by the authorities without taking any measures of environmental impact assessment.

Recently, a study was undertaken by the Centre of Research Studies UC which published a report titled, “Comparative Studies on Ecology of Lokarsar wetland Cashmeer-Past and Present” presenting a worrisome picture of the wetland. The report attributed incessant silt deposition as a major threat to Lokarsar which, recently, has led to the disappearance of viable species like Nelumbium nucifera, Euryale ferox, etc. The report further mentions that the number of macrophytic species in the wetland has plummeted from 85, in 1985, to 24, in 2007. Concomitantly, the meteorological data recorded during the past century suggests a rising trend in both mean maximum and minimum temperatures of Shahar with mean maximum temperature having risen from 19.8 Degree Celsius to 20.32 Degree Celsius during 1980 to 2018.

Koor is a student of law in her early semesters of the course who has been disquieted by the unprecedented ecological imbalance witnessed by her motherland Cashmeer. She hails from Mudgam, an ecologically rich area, located on the peripheries of Shahar and which used to receive much of its drinking water from Doodhwanga stream—a bounty which has now been dishevelled by the interplay of many factors discussed aforesaid. She loves to stride out in the chilling and bone-whirling winter season of Shahar to fathom long distances and visit abundance of species of migratory birds and often attunes her ears with their mellifluous tweets and musical chirpings which, nevertheless, are dwindling day by day. Over the years, she has been participating in the programmes and workshops related to environmental themes and discourses. Recently, she was quite perturbed by reading a news item about the constitution of a panel by the Territory Government to demarcate the boundaries of the Lokarsar wetland. The official communique stated, “The administration has expressed concern over the annihilation caused to Lokarsar wetland due to the vagaries of the weather and human intervention”. Koor, along with SHEEN (Sagacious Hands for Environmentally Enfeebled Noobs), a clairvoyant NGO involved in environmental activism, filed a PIL in the Supreme Court of Bindiya expressing remonstrance on the sluggishness of the authorities to protect the wetland making the Union of Bindiya, Lokarsar Basera (a purported colony being developed by the government through landfilling around the area wherein a few inhabitants have started to settle) and Territory of Cashmeer as respondents. The PIL was admitted whereupon notices were served to the respondents to file a time-bound reply. The respondents filed their replies with following highlights:
• The Governments contended that efforts are on to protect the site although environment is a subject falling under the Part IV of the Constitution. Hence, non-justiciable.

• The *Basera* residents claimed their right of food, justifying paddy cultivation, and rights under Articles 14, 19 and 21 of the Constitution.

• The Territory Government contended that “forests” and “protection of wildlife” is a subject falling under the concurrent list. Therefore, the burden has to be shared between the two governments substantially financed by the Union Government. Contrarily, the Union of Bindiya submitted rival contentions that the aforesaid subjects were shifted to the concurrent list by the Constitution (Forty–second Amendment) Act, 1976 and, therefore, the responsibility, primarily, lies on the Territory Government as it previously was an entry in the State List.

• SHEEN submitted that imperious rights of environment, speech and expression and life and liberty needed to be protected coupled with the statutory duties of the authorities to take effective steps.

The Hon’ble Court, thinking that the issue is intertwined in various rights of the rival parties, has slated 16, 17 and 18 March 2020 for arguments upon the issues involved in the matter of Koor through SHEEN v Union of Bindiya and others.

**Note:** The teams are at a liberty to frame their own issues (not exceeding four) which, to their wisdom and acumen, are of prominence. PIL has been filed and admitted under article 32 of the Constitution of Bindiya the admissibility of which, therefore, is not in question. In addition to the provisions of the aforementioned Constitution in its Part III and Part IV and the rest, the participating students/teams are suggested that incidental statutory provisions must also be perused, involved and argued upon while keeping the Constitutional issues a central theme.