

CHANKYA NATIONAL LAW UNIVERSITY



PATNA

IN COLLABORATION WITH

M.C.E. SOCIETY'S



A.K.K. NEW LAW ACADEMY, PUNE

Is organizing

**1ST P.A. INAMDAR INTERNATIONAL MOOT
COURT COMPETITION, 2016
(1ST APRIL TO 3RD APRIL, 2016)**

CLARIFICATIONS

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1ST P.A. INAMDAR INTERNATIONAL MOOT COURT COMPETITION, 2016

CLARIFICATIONS

1. DO WE HAVE TO ARGUE FOR BOTH THE WRIT PETITIONS?

The two writ petitions have been tagged together by the Supreme Court and shall be heard together.

2. DO WE HAVE TO MAKE MEMORIALS FROM ALL THE FOUR SIDES AND ARGUE FOR THE SAME? OR SINCE, THE TWO PETITIONS HAVE NOT BEEN CLUBBED TOGETHER, WHETHER EACH PETITION HAS TO BE DEALT IN A SET OF 2 DIFFERENT MEMORIALS - EQUALLING TO 4 (2 PETITIONERS, 2-RESPONDENTS),OR TO BE DRAFTED IN THE SAME MEMORIAL ITSELF (1 MEMORIAL FOR PETITIONER AND 1 MEMORIAL RESPONDENT.

The petitioners have to submit a common memorandum covering issues arising in both the Writ Petitions and the same applies to the respondents as well.

3. IS PALSTIYA RELIGION ANALOGOUS TO ISLAM OR CHRISTIANITY RELIGION IN INDIA?

4. IS SHRAN COMMUNITY ANALOGOUS TO HINDU RELIGION IN INDIA?

The practice of wearing headscarves is followed by most of the Palshtiyan women. However based on their studies of the religious texts, Palshtiyan scholars are divided on the issue whether or not the practice of wearing headscarves is an integral part of the Palshtiyan religion.

The query no. 3 and 4 need not be answered in light of the above clarification. No further facts have to be assumed. It is open to the teams to discuss practices of other religions and the judicial reasoning on the same, if any.

5. IS TIBO RAHAN & ORS. V UNION OF MAP SAME AS TANVI SARWAL V CBSE& ORS?

The query does not have any bearing on the moot proposition.

6. IS MEB ANALOGOUS TO CBSE?

The functions of MEB are analogues to that of CBSE in India.

7. IS MEB IS A STATUTORY BODY?

MEB falls under the definition of 'state' as per Article 12 of the Constitution of Malp.

8. IS "CHIEF JUSTICE OF INDIA" STATED IN PARA 17 AND 23 SUPPOSED TO BE READ AS "CHIEF JUSTICE OF MALP"?

"Chief Justice of India" should be read as "Chief Justice of Malp"

And also

"Constitution of India" should be read as "Constitution of Malp"

"Chief Justice of India" should be read as "Chief Justice of Malp"

9. SINCE, IT'S A WRIT PETITION, IS IT VALID ENOUGH TO BEING IN MORE GROUNDS. ALSO, DOES IT INDICATE TOWARDS ASSUMPTIONS OF CERTAIN FACTS?

Since this is a moot court event, the memorials which the participating teams are required to submit shall be treated as the "Writ Petition" or the "Reply filed by the Respondent(s) to the Writ Petition" by the Petitioner(s) and Respondent(s) respectively.

No facts other than those mentioned in the moot proposition along with the clarifications are to be assumed. The term "raise additional grounds" refers only to legal grounds.

10. WHETHER THE PARTICIPANTS WOULD RESTRICT THEMSELVES TO THE GIVEN FACTS IN THE PROPOSITION OR THEY HAVE THE CHOICE TO DELVE INTO ANY PARTICULAR RELIGION PREVALENT AND WHICH HAS A SIMILAR SITUATION IN INDIA.

General Clarification:

The practice of wearing headscarves is followed by most of the Palshtiyan women. However based on their studies of the religious texts, Palshtiyan scholars are divided on the issue whether or not the practice of wearing headscarves is an integral part of the Palshtiyan religion.

In relation to the query:

Participants have to restrict themselves to the facts mentioned in the moot proposition along with the clarifications. However it's open to them to discuss practices of other religions and the judicial reasoning on the same, if any.