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THE 5th VIRTUAL MOOT COURT COMPETITION, 2024 **CONDUCTED BY: THOMAS GEORGE & ASSOCIATES,** **HYDERABAD**

CLARIFICATIONS

Please note all the clarifications have been answered in **bold**.

1. It is mentioned in the proposition as 'state governments initiated demolition activities'. We understand that there are various state governments conducting demolition under various municipal laws. Do we need to consider the municipal law of any particular state, if so which state, or are we permitted to incorporate various municipal laws of more than one state?
You are free to incorporate actions, law of 'n' number of state governments and even the Central Government if any as applicable to the issues in the Proposition.
2. **For this Moot Court Competition, it is to be assumed that the recent Judgment of the Supreme Court regarding Bulldozer Justice in Writ Petition (Civil) No. 295 of 2022, Writ Petition (Criminal) No. 162 of 2022 and Writ Petition (Civil) No. 328 of 2022 *In Re: Directions in the***

matter of demolition of structures has not been passed and the same is pending.

3. It is specified as: 'under the pretext of protecting encroachment of areas around the lakes and water bodies.' the areas categorised as Full Tank Level, Buffer Zones etc. Is there a specific standard of any particular state that we are supposed to adhere to? Or are we permitted to incorporate rules related to the same, of various states?

Examples of the recent demolition activities in the State of Telangana can be looked into regarding the query. Furthermore, laws and actions of various states can be considered. The example of the State of Telangana is to be noted only as an example as to the queries raised and the participants are at liberty to use any law in the country pertaining to any state that speaks on the said aspect regarding which the present Moot Court is being conducted.

4. Regarding the rules of the competition, we would also like to get a clarification on the criteria to select the Best Researcher, i.e. whether a researcher's test or interview shall be conducted for the same.

The Researcher Test for all participants irrespective of the fact whether they qualified from Preliminary to Quarter-finals rounds will be conducted on 14/12/2024 after the Quarter-Final rounds at 06:00

PM. The format of this Researcher Test would be in the format of a quiz. Each researcher would be added in a different breakout rooms and similar set of questions would be asked to all the researchers. For instance, 28 teams would consist of 28 researchers. Each researcher would be added in a different breakout room and the same question would be asked to all the researchers. If the researcher answers the question correctly, the researcher would receive 1 point and if the very 1st question itself is not answered by the researcher, then, the researcher would be disqualified and would not be asked any further questions. In the similar manner, all the researchers that answered the 1st question correctly would be asked the 2nd question. Again, the researchers who failed to answer the 2nd question would be disqualified and would not be asked any further questions. In this manner, questions will be put forth and the researcher with the maximum number of points would win the award of Best Researcher. If the participants are still confused a message may be put forth to the Moot-Co-ordinators and we shall send a voice note if need be.

5. In the facts stated, it has been mentioned that the demolition activities were conducted "overnight" in cases involving alleged criminals as well as those residing near natural water bodies. However, the issues framed by the

Hon'ble Supreme Court in the proposition reference demolitions conducted "with or without notice."

To clarify:

- a. Were notices issued prior to the demolitions in any of the cases mentioned, or were they purely conducted without notice?
- b. If notices were issued in some instances, could you kindly confirm the circumstances or details regarding their issuance?

The judgement of the Hon'ble Supreme Court is to be assumed as not passed as already mentioned *supra*. For this Moot Proposition, the situation would entail houses being demolished after issuance of notices as well as houses being demolished without notices. The actual scenario in various states in India can be considered for the purpose of understanding the gravity of the situation which will assist participants understanding the Moot Proposition in a better and effective manner.

6. Time Allocation for Speakers: Could you please confirm whether each speaker from a team is required to speak for 15 minutes, or if the total speaking time for both speakers combined is 15 minutes?

Each speaker can speak for 15 minutes, thus, the total time allotted for a team is 30 minutes. It is ideal for participants to divide the time equally.

7. Government Defense Strategies: Is it permissible for the government to use arguments related to compensation and rehabilitation as part of their defense strategy in this moot court competition?

No answer required.

8. Notice Before Demolition: Does the problem statement allow arguments regarding whether prior notice was given before the demolition? If so, could you please clarify the scope for addressing this issue?

Already answered *supra*.

9. Were the people whose houses were demolished to protect the water bodies given compensation?

The same to be researched from the actual happenings in various states in India.

10. Was there any provision for rehabilitation and resettlement for the displaced?

The same to be researched from the actual happenings in various states in India.

11. Is the summary of arguments excluded from the 6 pages along with the index, index of authorities, the facts of the case, issues raised, and prayer?

Memorials shall not exceed 6 A4 size pages of MS Word docx.

However, index, index of authorities, facts of the case, issues framed, summary of arguments and prayer shall not be included while

counting 6 pages. The Memorial is to be sent as PDF attachments only.

Marks would be deducted for exceeding page limit.

12. Is there any Researcher's test?

Already answered *supra*.

13. Is the action of bulldozer justice an executive action or is there a statute permitting it?

The same to be researched upon.

14. With respect to the first issue, is it just illegal constructions that are being demolished or any construction?

It can be argued upon as the issue is regarding demolition of the houses of alleged criminals. The issue is not regarding legal construction or

illegal construction, however, it is regarding whether such actions can be initiated by the governments when there are criminal laws in force for punishing criminal activities.

15. Is the demolition of houses encroaching water bodies authorised by a statute?

The same to be researched upon.

16. What is the duration of the notice period given to the citizens owning the properties before demolitions?

The same to be researched upon.

17. What would the schedule be and how would memorial exchange take place?

The Schedule is attached in the table below.

18. Would there be any memorial qualifying round for the Teams to participate in the prelims rounds?

No. All the teams registered can participate in the preliminary rounds.

19. What is the timing of the rounds?

Kindly check schedule attached in the table below.

20. **The date for submission of Memorials is 05/12/2024 by 11:59 PM**

21. How would the researchers' test take place and when?

This question has been already answered supra.

22. Will Researcher score be considered for the qualifications?

No. The researcher score will only be considered for the award of Best Researcher.

23. Do we need to submit a compendium, or can we just share it during the rounds?

You need not submit the compendium, however, you can share screen of the same during the rounds.

24. Is there any researcher test? How are the researchers getting evaluated for best researcher?

Already answered *supra*.

25. Is the Demolition taking place towards any particular religion or community people?

It is for the participants to research and see if there are any patterns.

26. Is there a test for a researcher, if yes when?

Already answered *supra*.

27. In the proposition, the term illegal act is mentioned in Paragraph 3. It would be great if the purview of the term could be briefed, as in whether to stick on to any particular law or statute regarding its definition or whether we could incorporate the general definitions given in various statutes and principles.

The participants can be creative and act accordingly.

28. Whether Paragraph 7 is applicable to the first issue or it depends on the presumption of the team?

The participants can be creative and act accordingly.

SCHEDULE

Sl. No.	EVENT	DATE & TIME
1.	Memorial Submission in the form of PDF through email only	05/12/2024 on or before the 11:59 PM
2.	Exchange of Memorials	13/12/2024 and 06:00PM by email
3.	Inauguration & Rounds of the Competition	14/12/2024 & 15/12/2024
4.	Inaugural Ceremony	14/12/2024 at 09:00AM (Participants to enter the meeting link by 08:45AM)
5.	Preliminary Rounds	14/12/2024 commencing from 10:00 AM
6.	Quarter-final Rounds	14/12/2024 from 02:30PM
7.	Researcher Test (for all participants whether qualified or not from	14/12/2024 from 06:00PM

	Preliminary rounds to Quarter-final rounds)	
8.	Semi-final rounds	15/12/2024 10:00 AM
9.	Final rounds and Valedictory ceremony	15/12/2024 02:30 PM and only after conclusion of the Final Rounds

ALL STUDENTS TO JOIN THE LINKS 15 MINUTES PRIOR TO THE SCHEDULED TIME. NO EXTENSION OF TIME WOULD BE PROVIDED ON THE DATE OF THE COMPETITION FOR JOINING THE MEETING LINKS LATE. REQUEST PARTICIPANTS TO JOIN THE INAUGURAL CEREMONY AND VALEDICTORY CEREMONY WITHOUT FAIL.