



2ND TAL NATIONAL [ONLINE] JUDGEMENT & MEMORIAL WRITING COMPETITION, 2021

BROCHURE

**Organized by:
The Advocates League**

Knowledge Partner:



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1. ABOUT THE ORGANIZATION:

The Advocates League [TAL] is an ISSN approved Journal & a legal research initiative whose work is mainly dedicated to legal research and publication. It also hosts several events which include Certificate courses, Competitions, Workshops and Webinars. The Advocates League has a team of students and alumni of various law colleges and universities of the country. It is blessed to have well-reputed Professors and practicing advocates as members of its 'Editorial Board'. With a dedicated team and mission to bring meaningful reform in legal education, the team commits itself to excellence. TAL also aims to provide better legal aid so that it can emancipate individuals from all kinds of hindrance in seeking access to justice.

2. ABOUT THE COMPETITIONS:

The art of drafting is a precious and invaluable skill to learn for any student of law. Memorial drafting helps gain insight on the technical aspects of law, framing of issues, structuring of Arguments and seeking the relief before the Hon'ble Court. Without research most submissions of any counsel would be hot air. A well-written submission, a logically built-up argument is easier for a judge to understand. Judges are more likely to pick up counsel's line of argument and, approve of the submissions.

The concept of Judgement Writing has been prevalent for quite some time in the legal fraternity. The objective of the event participants will be to envisage a given situation from the perspective of a Judge, apply the law and render a suitable Judgement. A participant is encouraged to think like a Judge and reach a well-reasoned and innovative conclusion.

3. GENERAL RULES OF THE COMPETITION

3.1 Definitions :

a) **Competition** refers to 2nd TAL National (Online) Judgement and Memorial Writing Competition, 2021.

b) **Memorial** refers to the written arguments submitted, on behalf of both the parties (Petitioner and Respondent both).

c) **Judgement** refers to the findings on facts based on judicial precedents and law submitted from the side of Participants for Judgement Writing Competition.

c) **Organizing Committee (“OC”)** means the committee, including any authorized persons, appointed for the administration and conduct of the competition and of all events leading to the competition.

d) **Unique Participation Code** refers to the unique code allotted to each participant for the purpose of this Competition by the OC.

e) For Memorial Writing ‘Parties’ refer to the parties to the dispute as identified by the Case Study as Petitioner and Respondent. For Judgement Drafting Competition, the ‘parties’ refer to the parties to the case.

f) **Proposition** refers to the hypothetical problem which has been drafted and published for use in the Competition.

Note: [*The Proposition for both the Competitions i.e., Judgement Writing Competition and Memorial Drafting Competition would be same.*]

g) **Plagiarism** refers to the representation of someone else’s ideas or words mentioned in books, articles or any other sources as one’s own;

3.2 Discretion of OC :

a) The OC shall have the exclusive authority to interpret these rules in the interests of fairness and equality.

b) Any circumstance not covered by these rules shall be adjudged by the OC. Decisions made by the OC in this regard will be adjudicated in the interests of fairness and equality.

c) All such decisions of the OC shall be final and binding.

3.3 Language :

The competition shall be conducted in English language only.

3.4 Eligibility :

Any student pursuing B.A.LL. B/ LL. B or any equivalent law degree course (UG/ PG) in any institution recognized by Bar Council of India shall be eligible to participate in the competition.

3.5 Clarifications :

- a) All requests for clarifications to the problem must only be emailed to competitions.tal@gmail.com. The last date for request for clarifications is June 22, 2021. No further clarifications shall be entertained after this date.

4 MEMORIAL DRAFTING COMPETITION

4.1 General :

- a) Each participant/team must prepare one memorial each, one from the side of Petitioner and the other, the Respondent.
- b) All Memorials must be in English.

4.2 Submission of the Memorial :

- a) All participants/teams are required to upload one copy of each Memorial in PDF format (only); through a google form and the form link shall be provided in the email along with the Unique Participant Code.
- b) Participants must ensure that the memorials have the Unique Participant Code in the cover page. [*Example:* For the Petitioner-**TAL-JMW-000-P** and for Respondent: **TAL-JMW-000-R**].
- c) The last date of submission will be on June 30, 2021.
- d) It is the responsibility of the participant to ensure that there are no technical problems with the attached files. Amongst other reasons, delays connected to technology, infrastructure, equipment and conflicting schedules will not be condoned.
- e) In case of any issues related with memorial submissions the team must inform OC via e-mail.

4.3 Memorial Structure:

a) Each Memorial shall contain the following sections in the following order:

1. Front Page (Must Include: Name of the Court, Title of the Competition, Name of the Case, Title of the Memorial, the Colour for Petitioner would be Blue and for Respondent Red)
2. Table of Contents
3. List of Abbreviations
4. List of Sources/Authorities
5. Statement of Relevant Facts
6. Statement of Jurisdiction
7. Statement of Issues
8. Summary of Arguments
9. Arguments Advanced
10. Prayer/ Relief Sought

b) The page limit is 15 pages for Arguments Advanced for each side. The participants must ensure that the Arguments Advanced in the memorials shall not exceed 15 pages.

c) All the authorities cited in the Memorials shall follow the 20th edition of The Bluebook method of Citation.

d) Cover page

The Cover page of each Memorial shall contain the following:

1. Unique Participation Code (top right corner) followed by "P" for 'Petitioner' or "R" for Respondent. (e.g., TAL-JMW-000-P or TAL-JMW-000-R)
2. Name of the Court before which the dispute is brought;

3. Name and Year of the Competition;
4. Cause Title; and
5. Party on behalf of which the Memorial is presented.

e) Font and Spacing

1. All parts of the Memorial shall be typed on A4 sized paper/format, with the following mandatory formatting specifications
2. The text of all parts of the Memorial must be in Times New Roman, size 12 font and double-spaced.
3. Headings and sub-headings throughout the Memorials may be in a different font size, underlined and/ or highlighted.
4. Footnotes must be single-spaced, Times New Roman, size 10 font.

f) Index of Authorities

1. All authorities cited in the Memorial shall be included in the Index of Authorities.
2. All the authorities cited in the Memorials shall follow the 20th edition of The Bluebook System of Citation.

4.4 Anonymity of memorials :

'Plagiarism' means the use of some other person's ideas, work or writing without giving them due credit. The teams shall not adhere to plagiarism. Any form of plagiarism is prohibited. The organizing committee can impose a penalty of 10 points for the violation.

The name of the participant or the institution they represent shall not be mentioned on any part of the memorial, if found shall amount to disqualification. Only the allotted Participation Code is to be mentioned where required.

4.5 Evaluation of memorials:

a) Each Memorial shall be assessed individually and independently by two (2) judges. Judges shall be from legal fraternity (either professors from esteemed institutions or an Advocate).

b) An average of both the petitioner and respondent side memorial will be taken to decide the winner of the competition.

c) Every Memorial will be marked on a maximum of one hundred (100) marks by each judge on the basis of criteria mentioned in the Rules. The marks distribution for the Memorial shall be as follows:

Sl. No.	Criterion	Marking
1.	Application of Law to Facts	20
2.	Use of Authorities and Precedents	10
3.	Reasoning	10
4.	Understanding of Law and procedure	10
5.	Writing Skills	10
6.	Articulation of Issues and Arguments	20
7.	Jurisdiction	10
8.	Presentation	10
	Total	100

5 JUDGEMENT WRITING COMPETITION

5.1 Format of the Judgement :

a) Cover Page: This page should consist of the following essentials:

- Unique Participation Code (top right corner)
- Name of the Competition
- Name of the Court
- Case Number
- Name of the Parties: (for e.g., ABC v. Union of India).
- Advocates appearing on the behalf of the Parties

**Note: Any hypothetical name, for the purposes of this point, could suffice.*

- Presiding Officer

- Date of Delivery of Judgement

b) Body:

- Precise Facts of the Case
- Issues to be determined
- Arguments of the two Parties
- Statements of the Witnesses and Evidence Produced (if any)
- Analysis of the Arguments, Evidence and Conclusion based on the relevant facts.

c) Conclusion:

- Decision of the court based on the analysis of the law and evidence
- Reasons for the decision.
- Statement of the court on awarding of the remedy/order/Sentence.
- The Judgement was written and read over in open court on Date.

d) The Judgement must be submitted as follows:

- i. Language- English
- ii. Page limit – Max. 15 Page.
- iii. Format – PDF
- iv. Font – Times New Roman
- v. Font size- 12 for text, 10 for footnotes
- vi. Page numbers – bottom center
- vii. The citation methodology to be followed is Bluebook (20th Ed.)

5.2 Anonymity :

Each team shall be provided with a unique participation code upon registration. The identity of the teams shall not be disclosed at any stage; such disclosure shall invite penalties including disqualification. The decision for the same shall be at the discretion of the Organizing Committee.

5.3 Evaluation Criteria :

- a) Each Judgement shall be assessed individually and independently by two (2) judges. Judges shall be from legal fraternity (either professors from esteemed institutions or an Advocate).

- b) Every draft will be marked on a maximum of one hundred (100) marks by each judge on the basis of criteria mentioned in the Rules.
- c) The marks distribution for the judgement shall be as follows:

Sl. No.	Criterion	Marks
1.	Enumeration of Facts and Identification of Issues	15
2.	Statement of contentions	20
3.	Citing of relevant laws viz. case-law, statutes and opinions of jurists	20
4.	Format, presentation, style, clarity, appearance, and over-all impression	20
5.	Critical analysis, analytical reasoning and conclusion	25
	Total	100

6 PERKS OF THE COMPTITION

6.1 Memorial Drafting Competition :

- The author/s of best Memorial will get a cash prize of Rs. 1700/-, Certificate of Merit and 1 month Subscription of SCC Online.
- The author/s of 2nd best memorial will get a cash prize of Rs. 1200/-, Certificate of Merit and 1 month Subscription of SCC Online.
- The author/s of top 5 memorials will only be given Certificate of Merit.
- All the participants will get a Certificate of Participation.

**Note: Only 1 subscription shall be provided to a team/ participant in different winning category.*

6.2 Judgement Writing Competition :

- The author/s of best Judgement Draft will get a cash prize of Rs. 1300/-, Certificate of Merit and 1 month Subscription of SCC Online.

- The author/s of 2nd best Judgement writing will get a cash prize of Rs. 800/-, Certificate of Merit and 1 month Subscription of SCC Online.
- The author/s of top 5 Judgement Draft will only be given Certificate of Merit; and
- All the participants will get a Certificate of Participation.

**Note: Only 1 subscription shall be provided to a team/ participant in different winning category.*

7 REGISTRATION

a) This is an individual as well as team event (maximum of 2 members). Each individual/ team shall register for the competition by filling the online registration form along with the payment of fees.

Form: The registration shall be done through a Google form: <https://theadvocatesleague.in/notifications/view/TAL-2JMWC-R97tK8.html>

b) Registration fee is as follows:

(i) Memorial Writing Competition

Individual Registration: Rs. 250/- and Team Registration: Rs. 400/-

(ii) Judgement Writing Competition

Individual Registration: Rs. 200/- and Team Registration: Rs. 300/-

(iii) Registration fees for the participants taking part in both the competitions

Individual Registration: Rs. 300/- and Team Registration: Rs. 600/-

The payment will be made through UPI/ Paytm / Google pay in favour of Mr. Mehul Chaudhary.

- For Google pay/Phone pe: +91 9079372188
- UPI ID: mehulchoudhary138@okhdfcbank



Participants shall upload a screenshot of the payment made, in the registration form given.

c) A Participation Code shall be assigned to each participant/team by the OC after the completion of the registration process.

- d) Each participant/team shall upload their memorials and final draft of Judgement to the respective submission form only.

8. LIST OF IMPORTANT DATES

- Release of Problem: May 25, 2021
- Last date of Registration: June 22, 2021
- Last date of Submission: June 30, 2021
- Results: July 10, 2021

9. CONTACT

- a. Anubhav Mishra: +91 8299808025
- b. Anupama Vernekar: +91 99202 61705
- c. E-mail: competitions.tal@gmail.com

10. PROPOSITION

UNDISPUTED FACTS

1. Hind is a small developing country where the freedom of speech and expression is guaranteed as a fundamental right under the Constitution of Hind. Zangistan is the neighbouring country of Hind. However, in last few months there have been various instances where freedom of speech and expression has come under the scanner in Hind.

2. Mr. Umar Gulab filed a criminal case on 8-Feb-2020 under section 124A of HPC (Hind Penal Code) against Sarojni Mehta, an actor-politician who is a member of the Hind National Party, the largest opposition party for her comment on social media “Home Minister Uday Shah said that ‘going to Zangistan is like going to hell’, but in reality it is nothing like that. People there are just like us and there is

no difference. They treated us very well.” On the receipt of the complaint, summons was issued against Sarojni Mehta. Sarojni filed anticipatory bail before the court but the same was refused. Sarojni Mehta being aggrieved by these challenged the constitutionality of Sections 124A of the IPC stating it to be violative of Article 19(1) (a) of the Constitution of Hind before the Supreme Court of Hind.

3. Intamnesty International, an NGO, conducted a campaign named “Broken Families of Kujrat” (Kujrat being a state of Hind) where they talked about the human rights violations by Hind Army on the people of Kujrat and invited the victims of these violations to speak. During the debate the Hind Peoples Party (HPP, which is the ruling party) was heavily criticized for its inaction. Moreover at the end of the program the debate got heated and there were heard some anti-Hind slogans.

4. Independent Students Union (ISU) held protests on 10-April-2020 on the hanging of Shoaib Khan convicted of terror attack on the parliament of Hind in the campus of Shivaji University for which the permission was refused by the University. Anti-Hind Slogans and slogans to overthrow the government were raised in the event. A complaint was filed against Anurag Yadav the President of ISU for the charges of Sedition. The disciplinary committee of the university investigated the matter to find that were the slogans was raised by a group of outsiders wearing masks.

5. During investigation video came out in which certain students of ISU were there in the protest and raising slogans. But, ISU president Anurag Yadav cannot be seen in the video as per the report of the disciplinary committee. The university served show cause notices to 14

students but they refused to accept the committee report. Some of the students had been arrested for sedition for allegedly shouting anti-Hind slogans during the protest. The Swatantra University then rusticated them and withdrew their hostel facilities, among other punishments. Students of Independent Students Union urge that there was nothing ant-national about it; we raised slogans about our freedom. These are the kind of slogans that we have always used in all our protests. The freedom that we were talking about is freedom of expression”.

6. All Hind Student Organization (AHSO) a student body associated with Hind Peoples Party (HPP), was responsible for filing the complaint on 12-October-2020 against Intamnesty International and Anurag Yadav under section 124A of the IPC. After this, investigation was done by crime branch who found out that fund was given to members of ISU by a terror group of Zangistan. But, the identities of the members are still not found. Pointing to the FIR being filed after seven months of the incident, ISU said that the All Hind Student Organization (AHSO) a student body associated with Hind Peoples Party (HPP), just as all its other promises, was "not serious" and using the issue now as a political tool. "If the government was really serious about the case and maintained that we did indulge in anti-national activities, then why did it take seven months to file the FIR, that too just before the polls".

7. National Crime Records Bureau in its report stated that in 2019 as many as 87 cases of sedition were filed leading to the arrest of 61 people and there has been an alarming increase in the cases in 2019. In 2020 as many as 57 cases have been filed.

Sarojni Mehta, Intamnesty Interntaional and Anurag Yadav filed a PIL challenging the validity of Section 124A as being violative of Article 19(1)(a) and Article 21.

As all the above issues concerns interpretation of Article 19(1) (a), 19(2) and 21 of Hind Constitution it was placed before a Special Bench of the Supreme Court of Hind to decide.

- Participants are free to decide the issues. The number of issues shall not exceed 5.
- Laws of Hind are in *pari-materia* to the laws of India.

[Note: The Problem for both the Competitions i.e., Judgement Writing Competition and Memorial Writing Competition would be same.]***