



**Sinhgad Institutes**

**SINHGAD TECHNICAL EDUCATION SOCIETY'S.**

# **SINHGAD LAW COLLEGE**

Approved by Bar Council of India, Recognized by Govt. of Maharashtra and

Affiliated to Savitribai Phule Pune University

Accredited by NAAC with 'B' Grade

(Regd. No. MAH/7199-93/Pune dt. 6/7/93 & F-8282/Pune dt. 12/8/93)

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**Prof. M. N. Navale**

M.E. (Elec.), MIE, MBA  
FOUNDER - PRESIDENT

**Dr. (Mrs.) Sunanda M. Navale**

B.A., MPM, Ph.D.  
FOUNDER - SECRETARY

**Dr. Arunachalam Chettiar**

B.Sc. (Maths), LL.M., Ph.D.(Law)  
PRINCIPAL

No SLC/2019-20/0237

Date: 16.12.2019

To,  
The Principal  
Law College.

Subject: Invitation to participate in National Level "Sixth Smt. Kashibai Navale Moot Court Competition, 2020"


Sir/Madam

It gives me great pleasure to invite your esteemed Law College/ School for participation in National Level Sixth Smt. Kashibai Navale Moot Court Competition organized by Sinhgad Law College, Pune. We had got tremendous response for last five year competition which held in this college. I thank you for your cooperation in this regard.

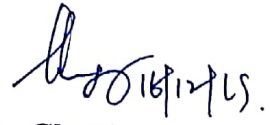
We request you to send a team of two students for participating in the above competition. The Moot Court Competition will be held on Friday & Saturday, 21<sup>st</sup> & 22<sup>nd</sup> February 2020. The problem and the set of Rules, important dates schedule are attached herewith. Participation of your esteemed College would be our pleasure. We therefore, request you to send the confirmation letter along with duly filled application form enclosed as early as possible.

For further information or clarification feel free to write us or call Mr. Shivshankar Kalshetti, Asst. Professor, Mobile No. 7769921210.

With regards,

  
Shri. Shivshankar Kalshetti  
Coordinator



  
Dr. Chettiar Arunachalam  
PRINCIPAL  
SINHGAD LAW COLLEGE  
PUNE - 411 041.



Sinhgad Technical Education Society's

**Sinhgad Law College,**

Ambegaon (Bk.), Pune.

(Approved by Bar Council of India, Recognized

by Govt. of Maharashtra & Affiliated to

Savitribai Phule Pune University, Pune)

(Accredited by NAAC with 'B' Grade)

Organizes

## **6<sup>th</sup> NATIONAL SMT. KASHIBAI NAVALE MOOT COURT COMPETITION, 2020**

On

Friday & Saturday, 21<sup>st</sup> & 22<sup>nd</sup> February, 2020

### **IMPORTANT DATES**

Last date for Registration of Teams

24-Jan-2020 Up to 5.00 pm

Last date for seeking clarifications about Moot

Problem or Rules

24-Jan-2020 Up to 5.00 pm

Last date for submission of hard copy of

Memorial

10-Feb-2020 Up to 5.00 pm



## **ABOUT SINHGAD TECHNICAL EDUCATION SOCIETY:**

Sinhgad Technical Education Society was established with an objective to provide quality education from school to post-graduation programme in all disciplines. At present, Sinhgad Technical Education Society and its associates are running 85 institutions, housed in fully developed campus, imparting education to approximately 70,000 students. The locations of these campuses are in pollution-free, lush green and picturesque environment conducive to learning. All campuses have excellent hostel facilities and other student's amenities like well-equipped Central Library, Internet Facilities, Auditoriums, Seminar Halls, Open-air Theatre, ATM Centre, Clinics, and Market for essential commodities, Banks etc.

## **ABOUT SINHGAD LAW COLLEGE, PUNE:**

Sinhgad Law College is situated in the spacious location at Ambegaon (Bk.), STES Ambegaon Campus, Pune a pollution free and lovable place, providing congenial environment, conducive to all round development of the students.

Sinhgad Law College was established in the year 2003 under the dynamic leadership of Prof. M. N. Navale. The college offers career in legal studies through LL.B. (Three Years) and B.A. LL.B. / B.S.L., LL.B. (Five Years) courses. The College also runs the other specialized courses like Diploma in Labour Laws and Labour Welfare, Diploma in Taxation Laws and Certificate Course in Forensic and Medical Jurisprudence. There is well qualified Teaching Staff, well-equipped Library, separate Computer Laboratory and other infra-structural facilities conducive for learning and development.

Our commitment is to impart quality legal education through highly qualified and experienced lecturers along with clinical educational inputs through Moot Courts, Debates, Legal Literacy Camps and Research activities.

With a view to provide practical experience

and to inculcate lawyering skills among the students, Sinhgad Law College is organizing the National Moot Court Competition on Friday & Saturday, 21<sup>st</sup> & 22<sup>nd</sup> February, 2020 in the memory of Smt. Kashibai Navale, the source of inspiration behind entire Sinhgad Institutes.

## **RULES FOR MOOT COURT COMPETITION:**

1. **Title:** This Competition will be call as '6<sup>th</sup> National Smt. Kashibai Navale Moot Court Competition, 2020'.
2. **Date:** The Competition will be held on Friday & Saturday, 21<sup>st</sup> & 22<sup>nd</sup> February, 2020 as per schedule.
3. **Venue:** The Competition will be held within the premises of Sinhgad Law College, Ambegaon (Bk.), Pune.
4. **Registration:** Teams can register on or before Friday, 24<sup>th</sup> January, 2020.
  - i) Registration fee can be paid through NEFT (details on registration form) or Cash in administrative office of Sinhgad Law College, Pune. After payment of registration fee, Soft copy in PDF of registration form and transaction details needs to send on WhatsApp no 7769921210. The hard copies of the registration form must be submitted on 21<sup>th</sup> Feb 2020.
  - ii) The formal registration of the teams will be done on 21<sup>st</sup> February 2020 between 2.00 pm to 3.30 pm. Spot registration will not be allowed.
5. **Registration Fees:** The registration fees will be **Rs. 2000 per team** which comprises of two members i.e. two speakers.
6. **Mode of Payment:** Registration fees can be paid in cash or NEFT (details on registration form). This Fee includes registration, breakfast and lunch on the date of competition i.e. 22<sup>nd</sup> February.
7. **Language:** The official language of the Competition is English. The memorials as well as oral submissions have to be made in English language only.



8. **Eligibility:** The Competition is open for the students pursuing FIVE YEAR LL.B. programme or THREE YEAR LL.B. programme from any law college recognized by their respective universities and approved by Bar Council of India. The students must have a valid identity card of the concerned college of academic year 2019-2020.

9. **Team Composition:**

- i) Each team must consist of two members.
- ii) Any additional member will not be entitled to any local hospitality or award or prize or certificate in the competition.
- iii) If any member of the team is found to resorting to unfair means, the team shall stand disqualified from the competition at any stage.

10. **Accommodation:** The teams are requested to communicate to us your travel and accommodation plans along with the registration form. The teams from outside Pune district will be provided with overnight accommodation at their request subject to availability of room in Sinhgad Hostels in Vadgaon Campus. Participants should bear nominal guest hostel fee for one day i.e. approximately Rs. 500 per candidate without food. Participants to whom accommodation is provided, they should report to co-coordinator on 21<sup>st</sup> February 2020.

11. **Dress Code:** As per prescribed by Bar Council of India.

12. **Structure of the Competition:**

- i) **Formal Registration:** It will be done on the first day of the competition i.e. 21<sup>st</sup> February, 2020 between 2.00 pm to 3.30 pm.
- ii) **Drawing of lots:** Drawing of lots will be done on 21<sup>st</sup> February, 2020 from 3.30 pm to 5.30 pm wherein the teams will get their opponent teams, their court room in which preliminary round will be held and also will get the memorials of the opponent team. Both the speakers of the team will present from one side

only and the side will be allotted to them at the time of drawing of lots through chits.

iii) **Inauguration:** The formal commencement of the competition shall with Inauguration on 22<sup>nd</sup> February, 2020 at 11.30 am.

iv) **Rounds:** The Competition will be held in three rounds as under:

- a. Preliminary Round
- b. Semi Final Round
- c. Final Round

v) **Memorials:**

a) Memorials must be submitted in five copies for each side (appellant & respondent).

b) Color Code: **Blue** Cover for **Appellant**, **Red** Cover for **Respondent**.

c) Typed on A4 size paper with one side printing, Font: Times New Roman, Font Size: 12, Spacing 1.5, Footnote Font: Times New Roman, & Font Size: 10.

d) Memorials must contain: I Title page, II Table of Contents, III Statement of Fact, IV Statement of Jurisdiction, V Statement of Issues, VI Arguments Advanced VII Prayer, VIII Bibliography/ Webliography.

e) Last date for submission of memorials is 10<sup>th</sup> February, 2020 before 5.00 pm.

f) Once you submit your memorials it will not be returned to you by Organizer.

vi) **Time:** Each team at all the rounds will get 20 minutes to speak (10 minutes each speaker), 5 minutes for rebuttal and 5 minutes for Judge's questions. Thus, in all, each team will get 30 minutes. If the team is not interested in doing rebuttals then five minutes reserved for rebuttals can be used up at the time of initial submission itself.

vii) **Preliminary Round:**

a. The Preliminary Round will start sharp at 9.00 am.

b. The Preliminary Round will be held simultaneously in different court rooms and in each court room there will be two judges.

c. One team from one court room who scoring highest marks in preliminary round will be selected and will go for the semi Final Round. So there will be eight teams in the semi Final Round but two teams should not from same court room. The result will be communicated to only qualified teams.

viii) **Semi Final Round:**

a. Semi Final Round will start at 12.30 noon.

b. Moot court problem will be same for semi final round.

c. The Semi final Round will be held simultaneously in different Court Rooms and in each Court Room there will be two judges.

d. One team from one court room who scoring highest marks in Semi Final round will be selected and will go for the Final Round. So there will be two teams in the Final Round but two teams should not from same court room.

e. Third prize will be given to team who secure highest marks in rest six teams who did not qualify for final round.

ix) **Final Round:**

a. Final round will start at 3.30 pm.

b. There will be two teams but not from same court, who had scored highest in Semi final round, will participate in the Final Round.

c. Final round will be conducted in the moot court hall and there will be three judges.

d. Moot court problem will be same for final round.

Whoever team secure third position as per marks in semifinal round will be considered for third prize.

13 **Assessment Criteria:** The decision of the judges will be final and no disputes will be entertained with respect to it. The following will be the Marking Criteria and the marks will be given to each speaker by the judges in each round.

**Note: The decision of the organizers of this moot court competition, regarding any dispute will be final.**

Sr. No.	Marking Criteria	Marks Allocated for Pre Round	Marks Allocated for Semi Final & Final Round
1	Knowledge of Facts	08	10
2	Logic and Reasoning	08	10
3	Organization and Clarity	08	10
4	Proper and articulate analysis of the issues arising out of facts	08	10
5	Application of Legal Principles	08	10
6	Ability to explain clearly the legal principles	08	10
7	Use of Authorities and Precedents	08	10
8	Response to Judge's Questions	08	10
9	Presentation skills	08	10
10	Originality in analysis, presentation and written submissions	08	10
11	Memorial of Both Side (appellant/respondent)	20	---
	<b>Total</b>	<b>100</b>	<b>100</b>

### 13. Awards:

**First:** sR21000 Cash + Trophy + Certificate

**Second:** sR15000 Cash + Trophy + Certificate

**Third:** sR10000 Cash + Trophy + Certificate

**Best Memorial:** sR3000 + Cash Trophy + Certificate

All participants will be given a Participation Certificate.

### 14. Contact Details:

a. **Postal Address:** Sinhgad Law College, S. No. 10/1, S.T.E.S. Ambegaon Campus, Ambegaon (Bk.), Pune – 411041.

b. **Email Id:** principal\_slc@sinhgad.edu

**Website:** www.sinhgad.edu

c. **Phone:** 020-24350595

**Fax:** 020-24350595

d. **Contact Person:** Mr. Shivshankar Kalshetti (Co-ordinator) Mob no. 7769921210

### 15. Annexure: Registration Form

## SCHEDULE OF PROGRAMME OF MOOT COURT COMPETITION, 2020

1	21-Feb-20	2.00 to 3.30 pm	Formal Registration of Teams
2		3.30 to 5.30 pm	Drawing of Lots & Exchange of Memorial
3	22-Feb-20	8.00 to 9.00 am	Breakfast & Tea at Sinhgad Law College
4		9.00 to 11.00 am	Preliminary Round of Competition
5		11.30 to 11.30 am	Inauguration by Guest
6		11.30 to 12.00	Tea Break
7		12.00 to 2.00 pm	Semi Final Round of Competition
8		2.00 to 3.00 pm	Lunch Break
9		3.30 to 4.30 pm	Final Rounds at Moot Court Hall, Sinhgad Law
10		4.30 to 4.45 pm	Tea Break
11		4.45 to 5.15 pm	Prize Distribution & Valedictory Session

### CHIEF PATRONS

Prof. M. N. Navale  
Founder President, STES, Pune

Dr. (Mrs.) Sunanda M. Navale  
Founder Secretary, STES, Pune

Mr. Rohit M. Navale  
Vice-President (HR), STES, Pune

Mrs. Rachana Navale - Ashtekar  
Vice-President (Admin.), STES, Pune

### CONVENER

Dr. Chettiar Arunachalam  
Principal, Sinhgad Law College, Pune

### CO-ORDINATOR

Mr. Shivshankar G. Kalshetti, Asst. Professor  
Mob: 7769921210

### ASST. CO-ORDINATOR

Mrs. Manjusha A. Mudgalkar, Asst. Professor  
Mob: 9420177275

### MOOT COURT SOCIETY

Mr. Sarosh Krishnan 8698488181  
Ms. Pranali Mulik 9146457527

**6<sup>th</sup> NATIONAL SMT. KASHIBAI NAWALE  
MOOT COURT COMPETITION, 2020**  
On Friday & Saturday, 21<sup>st</sup> & 22<sup>nd</sup> February, 2020

### Moot Problem

### **Sonal Ubale Vs State of Saurashtra**

State of Saurashtra is democratic country and same state share border with Pakrashtra, Afghanirashtra and Banglarashtra. The constitutions of Pakrashtra, Afghanirashtra and Banglarashtra provide for a specific state religion. As a result, many persons belonging to minority like Hindu, Sikh, Buddhist, Jain, Parsi and Christian communities have faced persecution on grounds of religion in those countries. Some of them also have fears about such persecution in their day-to-day life where right to practice, profess and propagate their religion has been obstructed and restricted. Many such persons have fled to Saurashtra to seek shelter and continued to stay in Saurashtra even if their travel documents have expired or they have incomplete or no documents.

The Citizenship Act, 1955 (57 of 1955) was enacted to provide for the acquisition and determination of State of Saurashtra. The Citizenship Act, 1955 provides various ways in which citizenship may be acquired. It provides for citizenship by birth, descent, registration, naturalisation and by incorporation of territory into Saurashtra. In addition, it regulates the registration of Overseas Citizen of Saurashtra Cardholders (OCIs), and their rights. An OCI is entitled to some benefits such as a multiple-entry, multi-purpose lifelong visa to visit Saurashtra. The Act prohibits illegal migrants from acquiring Saurashtra citizenship. It defines an illegal migrant as a foreigner: (i) who enters Saurashtra without a valid passport or travel documents, or (ii) stays beyond the permitted time. The Central Government exempted migrants from the adverse penal consequences of the Passport (Entry into Saurashtra) Act, 1920 and the Foreigners Act, 1946 and rules or orders made there under. Subsequently,

the Central Government also made them eligible for long term visa to stay in Saurashtra.

Now, it is proposed to make migrants eligible for Saurashtra Citizenship. The illegal migrants who have entered into India up to the cut of date of 31.12.2014 need a special regime to govern their citizenship matters.

State of Saurashtra passed THE CITIZENSHIP (AMENDMENT) ACT, 2019, An Act further to amend the Citizenship Act, 1955. BE it enacted by Parliament of the Republic of Saurashtra as follows:—

1. (1) This Act may be called the Citizenship (Amendment) Act, 2019.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In the Citizenship Act, 1955 (hereinafter referred to as the principal Act), in section 2, in sub-section (1), in clause (b), the following proviso shall be inserted, namely:—

"Provided that any person belonging to Hindu, Sikh, Buddhist, Jain, Parsi or Christian community from Pakrashtra, Afghanirashtra or Banglarashtra, who entered into Saurashtra on or before the 31st day of December, 2014 and who has been exempted by the Central Government by or under clause (c) of sub-section (2) of section 3 of the Passport (Entry into Saurashtra) Act, 1920 or from the application of the provisions of the Foreigners Act, 1946 or any rule or order made there under, shall not be treated as illegal migrant for the purposes of this Act;"

3. After section 6A of the principal Act, the following section shall be inserted, namely:—

'6B. (1) The Central Government or an authority specified by it in this behalf may, subject to such conditions, restrictions and manner as may be prescribed, on an application made in this behalf, grant a certificate of registration or certificate of naturalisation to a person referred to in the proviso

to clause (b) of sub-section (1) of section 2.

(2) Subject to fulfilment of the conditions specified in section 5 or the qualifications for naturalisation under the provisions of the Third Schedule, a person granted the certificate of registration or certificate of naturalisation under sub-section (1) shall be deemed to be a citizen of Saurashtra from the date of his entry into Saurashtra.

(3) On and from the date of commencement of the Citizenship (Amendment) Act, 2019, any proceeding pending against a person under this section in respect of illegal migration or citizenship shall stand abated on conferment of citizenship to him: Provided that such person shall not be disqualified for making application for citizenship under this section on the ground that the proceeding is pending against him and the Central Government or authority specified by it in this behalf shall not reject his application on that ground if he is otherwise found qualified for grant of citizenship under this section: Provided further that the person who makes the application for citizenship under this section shall not be deprived of his rights and privileges to which he was entitled on the date of receipt of his application on the ground of making such application.

(4) Nothing in this section shall apply to tribal area of State of Saurashtra as included in the Sixth Schedule to the Constitution and the area covered under "The Inner Line" notified under the Bengal Eastern Frontier Regulation, 1873.'

4. In section 7D of the principal Act,— (i) after clause (d), the following clause shall be inserted, namely:— "(da) the Overseas Citizen of State of Saurashtra Cardholder has violated any of the provisions of this Act or provisions of any other law for time being in force as may be specified by the Central Government in the notification published in the Official Gazette; or";

(ii) after clause (f), the following proviso shall be inserted, namely:— "Provided that no order under this section shall be passed unless the Overseas Citizen of India Cardholder has been given a

reasonable opportunity of being heard.".

5. In section 18 of the principal Act, in sub-section (2), after clause (ee), the following clause shall be inserted, namely:— "(ee) the conditions, restrictions and manner for granting certificate of registration or certificate of naturalisation under sub-section (1) of section 6B;"

6. In the Third Schedule to the principal Act, in clause (d), the following proviso shall be inserted, namely:— 'Provided that for the person belonging to Hindu, Sikh, Buddhist, Jain, Parsi or Christian community in Pakrashtra, Afghanirashtra and Banglarashtra, the aggregate period of residence or service of Government in Saurashtra as required under this clause shall be read as "not less than five years" in place of "not less than eleven years".'

Ms Sonal Ubale is practicing lawyer in Supreme Court of the State of Saurashtra and is member of NGO who work for welfare of refugees and migrant. Who file case before Supreme Court to challenge constitutional validity on the ground that THE CITIZENSHIP (AMENDMENT) ACT, 2019 violates to spirit and text of written constitution of State of Saurashtra, this Act differentiating on grounds of religion is a violation of Article 14, 21 and other provisions of constitution of State of Saurashtra and Also it gives wide discretion to government to cancel OCI registration, etc. This case was admitted and posted for final hearing before Supreme Court of State of Saurashtra.

**Note: All Indian Laws are applicable to above Moot Problem. Participants can frame any three suitable and relevant issues for final hearing/arguments before Supreme Court.**

**6<sup>th</sup> NATIONAL SMT. KASHIBAI NAVALE MOOT COURT COMPETITION, 2020**

**REGISTRATION FORM**

**Name of the Institution:** \_\_\_\_\_

**Address of the Institution:** \_\_\_\_\_

**Email Id & Contact details of the Institution:** \_\_\_\_\_

**Details of Payment:**

Transaction ID	Amount	Date	Name of Bank
	<b>2000/-</b> (for registration)		
	<b>1000/-</b> (for accommodation per team one night)		

**Note:-** Registration fees can be paid in cash in administrative office of college or NEFT details Account Name:- Sinhgad Law College, Pune Account Type:- Current Account Number 17120100001779 Bank Name:- Thane Janata Sahakari Bank Branch:- J. M. Road IFSC Code:- TJSB0000017

**Details of Team Members:**

Speaker No.	Name	Contact No	Email Id	Class	Photo
1					
2					

\_\_\_\_\_  
**Seal and Signature of the Head of the Institution**