Date: 18/08/2014

To,

All Principals,
Law Colleges,
Affiliated Law Colleges, Savitribai Phule Pune University,
Pune - 411007

Subject: Regarding Late Justice P.B. Gajendragadkar Intercollegiate Moot Court Competition, 2014.

Dear Sir/Madam,

I am happy to inform that the Department of Law is conducting the Late Justice P.B. Gajendragadkar Intercollegiate Moot Court Competition, 2014 on September 15, 2014. Herewith the problems, rules and regulations are enclosed. Kindly send a team from your college as per the deadlines stated in the enclosed document.

Thanking you,

Yours Faithfully

Prof. Dr. D.S. Ukey
Head
Department of Law

Head
Department of Law
University of Pune
Pune-411007.
LATE JUSTICE P.B. GAJENDRAGADKAR INTERCOLLEGIATE MOOT COURT

COMPETITION 2014

NASREEN SHAH VERSUS UNION OF INDIA

15TH SEPTEMBER 2014
The Petitioner herein, Ms. Nasreen Shah, like crores of other citizens of this Country is a user of the internet and of social networking sites such as Friendsbook. The Petitioner is an author and social-activist who posted a comment and cartoon on 20th July 2012 on a social networking site, namely Friendsbook. The post was related to a prominent political leader of a national party, National People’s Party (NPP). In wake of the comments and picture posted by the Petitioner concerning the leader of NPP, the Party activists of NPP filed an FIR on 21st of July 2012 against the Petitioner in the city of Udaygiri, Maharashtra.

The FIR was filed under Section 66A of the Information Technology Act (IT Act), 2000, which provides for a cognizable offence. Taking cognizance of the FIR the police arrested the petitioner and later released her on bail. On 25th July 2012, again in another incident, two Air India employees, were arrested by the Police in Maharashtra under *inter alia* Sec. 66 A of the IT Act, for putting up a content on Friendsbook against a trade union leader and some politicians and were held in custody for 12 days.

Aggrieved by the action of the police against the petitioner and other similar incident, the Petitioner has filed the present Writ Petition under Article 32 of the Constitution of India by way of a Public Interest Litigation (PIL) on 7th August 2012 seeking the Section 66A of the IT Act and certain provisions of the Information Technology (Intermediaries Guidelines) Rules, 2011 as unconstitutional, as violative of fundamental rights guaranteed under the Constitution.

In the light of the above facts the petitioner raised the legal issue as to whether the vague description of various acts constituting an offence under Section 66A of the IT Act, without any definition or prescription of standards, is violative of the fundamental freedoms guaranteed by the Constitution.
ANNEXURE I
RULES

1. The Competition will commence at 10.00 a.m on Monday, the 15th September 2014. Participants should report at the Department of Law, Savitribai Phule Pune University, at 9.00 a.m., before the commencement of the Competition.

2. There is no entry or registration fee. **This competition is restricted to only the students from the affiliated Law colleges of Savitribai Phule Pune University.**

3. No T.A, D.A will be paid to the participants.

4. There will be only one round of competition with one moot problem.

5. Each college is required to send a team (consisting of 2 students) one for the Petitioner and one for the respondent. **The names of the team members (bonafide students) should be communicated in writing (i.e. registration form) by the Principal, on or before 5th September, 2014. No entry will be accepted thereafter. Registration form (Scan copy) or email shall be sent to nishikantcm@gmail.com**

6. The order of presentation will be on the basis of lots drawn before the time of commencement of the competition. The arguing team is not to reveal the name of the college either while arguing or on the written submission.

7. There shall be three prizes.
   
   **I.** The Best team getting highest number of marks will be declared as the Winner Team and will be awarded the rolling trophy.

   **II.** The students of this team will be given individual mementos and the certificate of ranking.

   **III.** Best Student Advocate securing highest individual marks will get ‘the Best Student Advocate’ Award (memento).

   **IV.** The students of the team securing Second position will be given individual mementos and certificate of ranking.

   **V.** The students of the team securing Third position will be given individual mementos and certificate of ranking.

8. All the participants will be given certificate of participation.
9. At a time only the team which is arguing will be present in the court. All the other participants will be seated at a place marked by the coordinator of the competition.

10. Each team is to argue for the total 16 minutes i.e. 6+6 minutes for the argument and 2+2 minutes for each student to answer the queries asked by the judges. The question shall be asked by the judges at the end of the argument.

11. The court will consist of two judges.

12. Student participants are advised to wear black coats.

13. The student must carry with them the photo identity card duly signed by authorised Signatory / Principal.

14. Necessary books and reports for reference must be brought by the Participants.

15. Argument shall be in English only.

16. Each participating team shall submit two copies of the written submission each for the Petitioner and the respondent i.e. 4 copies of the written submission, on or before 10th September 2014.

17. The marks will be assigned to each team in the manner shown below: Total Marks: 100

<table>
<thead>
<tr>
<th>Written Submission</th>
<th>20 Marks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Substance in argument</td>
<td>40 Marks</td>
</tr>
<tr>
<td>Advocacy Skill</td>
<td>20 Marks</td>
</tr>
<tr>
<td>General Impression + Court Manners</td>
<td>20 Marks</td>
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<tr>
<td>and behavior</td>
<td></td>
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</tbody>
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**TOTAL MARKS** 100 Marks

18. The competition will take place at the Department of Law, Opposite to PUMBA, Savitribai Phule Pune University.

19. The decision of the judges will be final in regard to the result of the competition and no complaints in this regard will be entertained.
20. All communication regarding the competition is addressed to:

    The Head,
    Department of Law,
    Savitribai Phule Pune University, Pune – 411007.
    Office Ph. 020- 25601304.

21. The Co-ordinator for the competition is Dr. Naresh Waghmare,

    Assistant Professor, Department of Law, Savitribai Phule Pune University.

    Email —nvwaghmare@unipune.ac.in.

    Mobile No. - 9326030479.

In respect of any dispute, the decision of the University authority shall be final.

22. The result of the competition and prize distribution will be on the same day.
ANNEXURE II

Registration Form

Savitribai Phule University of Pune
Department of Law

Late Justice P.B Gajendragadkar Memorial
Intercollegiate Moot Court Competition, 2014

1. Name of the College:

2. Address:

   Email:

   Contact No.

3. Names and Signature of the Mooters:

   Petitioner: Mr./Ms

   Mobile No.

   Respondent: Mr./Ms.

   Mobile No.

4. Name of the Teacher (In-charge- Moot Court) : Mobile No.

5. Any other Information:

   Name & Signature of the Principal