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UFYLC - RANKA

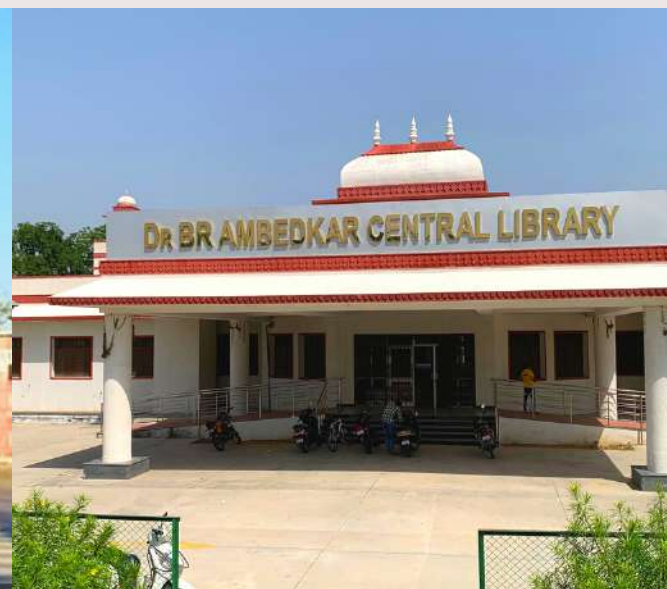
NATIONAL MOOT COURT
COMPETITION

09 - 11 DECEMBER
2023

UNIVERSITY OF RAJASTHAN, JAIPUR

UNIVERSITY OF RAJASTHAN

The University of Rajasthan boasts the esteemed distinction of being the first institution of higher learning within the region of Rajasthan. Its inception transpired as Rajputana University on the auspicious date of January 8th, 1947. This venerable institution has enjoyed continuous recognition since its inception, operating under the auspices of sections 2(f) and 12 B of the UGC Act of 1956.



Moreover, it has garnered the distinguished status of a University with Potential for Excellence (UPE). In the year 2018, the University achieved a notable ranking, falling within the range of 101 to 150 in the university category as per the esteemed National Institutional Ranking Framework (NIRF), overseen by the Ministry of Human Resource Development, Government of India. Additionally, it has the honor of being bestowed with an "A Grade" accreditation by the esteemed National Assessment and Accreditation Council (NAAC).

UNIVERSITY FIVE YEAR LAW COLLEGE

University Five Year Law College, nestled within the venerable halls of the University of Rajasthan in Jaipur, is a bastion of legal scholarship and excellence. Committed to the profound pursuit of jurisprudential knowledge, it boasts a distinguished faculty and a vibrant academic culture.

At its core, the institution focuses on nurturing a deep understanding of the legal domain. The college's illustrious faculty, including erudite legal scholars and seasoned practitioners, instill critical thinking and legal acumen in students.



What sets this college apart is its dedication to academic excellence and innovation. It hosts annual moot court competitions, providing students with a platform for honing advocacy skills and gaining courtroom experience. Additionally, it hosts seminars, symposia, and workshops where national and international legal experts unravel contemporary legal complexities. The institution also emphasizes holistic development, offering extensive legal resources and a serene campus conducive to learning.

ABOUT THE RANKA CHARITABLE TRUST

The Trust was set up by Late Dr. N. M. Ranka, Senior Advocate in the year 1960 Major activities undertaken by the Trust are as follows:

To promote the GANDHIAN PHILOSOPHY and to motivate the citizens, students, teachers, judicial officers, lawyers and litigants, the Trust has Installed 4 statues of Mahatma Gandhi all over India at various premises including at High Courts of Rajasthan, Orissa, Kerala, Karnataka & Gauhati, District Courts, Central Jails, Universites and Colleges.

The Trust has adopted the Government Upper Primary School, Ramnagariya, Jaipur wherein approximately around 200 students from the lowest strata of society are getting free education with boarding facilities. The Trust in order to promote tax education and awareness, gives RANKA BEST TAX CONFERENCE AWARD under the banner of All India Federation of Tax Practitioners, Mumbai to deserving Tax Bar Associations.

The Trust is publishing books. Such books are freely distributed all over India. Till now more than 25,000 copies have been distributed. The Trust has pioneered the Moot Court Competitions in Jaipur and more than 20 competitions have been organized in collaboration with University Five Year Law College, University Law College and many other recognised institutions.

The trust also provides scholarship to needy students and provides free medicines and food to poor patients from time to time. The Trust also grants donation to like minded Trusts carrying out works of philanthropy, education, old age homes, etc.

**Smt. Urmila N. Ranka
{Chairperson}**

Ranka Public Charitable Trust

**Hon'ble Mr. Justice J.K. Ranka
{Vice Chairman}**

Ranka Public Charitable Trust

**Mr. Siddharth Ranka
{Secretary}**

Ranka Public Charitable Trust

INVITATION

With great delight, the Five Year Law College at the University of Rajasthan is thrilled to unveil the 11th UFYLC Ranka National Moot Court Competition, 2023, slated for the dates of 09 - 11 December, 2023. On this prestigious occasion, we cordially extend an invitation to your esteemed institution to partake in this formidable legal contest, granting us the honor of hosting your esteemed team. Our unwavering commitment is to craft an environment steeped in intellectual exhilaration, offering a platform to cultivate the art of advocacy through lifelike courtroom simulations. We eagerly anticipate a favorable response.

Best Regards,

Dr. Akhil Kumar, Director UFYLC

Dr. Sandeep Singh, Deputy Director, UFYLC

Dr. Ghanshyam Bera , Deputy Director, UFYLC

ABOUT THE COMPETITION

The Ranka National Moot Court Competition, graciously hosted by the venerable University Five Year Law College in Jaipur, stands as a resounding tribute to the profound vision of the Ranka Public Charitable Trust, established in the year 1980 under the distinguished leadership of Late Dr. N.M. Ranka, a Senior Advocate of great renown, this trust blazed a trail by introducing the concept of Moot Court Competitions to the legal landscape of Rajasthan.

It is with immense pleasure and pride that we announce the forthcoming 11th Ranka National Moot Court Competition in the year 2023. This event is a testament to the enduring commitment of the Ranka Public Charitable Trust to nurture and promote legal excellence within the region. We are honored to acknowledge the invaluable contribution of Justice J.K. Ranka, a retired Judge of the Rajasthan High Court, who serves as the Vice Chairman of the Ranka Public Charitable Trust, and continues to be an unwavering beacon of guidance and support for this noble endeavor.

CHIEF GUESTS ON THE DAIS FOR THE PREVIOUS MOOT COURT COMPETITIONS



Hon'ble Mr. Justice Dipak Misra
Former Chief Justice of India



Hon'ble Mr. Justice Anil R. Dave
Former Judge of Supreme Court of India



Hon'ble Mr. Justice Vineet Saran
Former Judge, Supreme Court of India
Chief Guest, 10th Fylc Ranka Moot Court

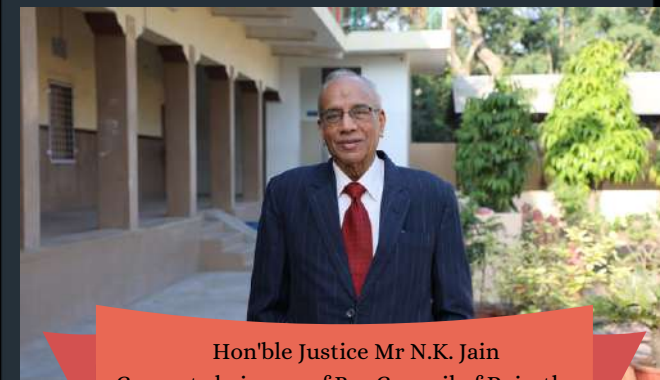
DIGNITARIES IN PREVIOUS RANKA MOOT COURT COMPETITIONS



Hon'ble Justice Mr. Ajay Rastogi
Judge Supreme Court of India
Former Chief Justice; Tripura & Rajasthan High Court
Guest, 9th Fylc Ranka Moot Court



Hon'ble Justice Mr. MN Bhandari
Former Chief Justice of Madras High Court
Currently serving as the Chairman, Appellate Tribunal
under SAFEM Act, 1976



Hon'ble Justice Mr N.K. Jain
Current chairman of Bar Council of Rajasthan

GLIMPSES FROM PREVIOUS EVENTS AT UFYLC



9th FYLC RANKA MOOT COURT



10th FYLC RANKA MOOT COURT- ONLINE



UFYLC ICMCC, 2023



INTRA COLLEGE SPORTS MEET



**Senior Advocate Mr. NM Ranka
6th FYLC RANKA Moot Court**



**Avani Lekhara
FELICITATION PROGRAM**

REGISTRATIONS

• In this edition of the competition, registration will be open to one team per institute to participate in the competition. Interested teams are required to register for the Competition by filling out a registration form.

Registration link: <https://forms.gle/EMZyQs278xdwtiY7>

• While filling out the Registration Form, the teams have to choose a primary contact person. All communications concerning the Competition will be sent by e-mail to the nominated contact person. The nominated contact person shall be responsible to convey all the information to the team.

• All the teams shall be required to make a payment of INR 5500/- before 30th October, 2023 (11 :59 P.M. IST) in order to register.

• The fee for the competition shall be paid to the bank account/UPI/QR Code mentioned below. After payment of the fee, the candidate/team must ensure that the screenshot is taken. The screenshot shall be used for verification purposes. All the participating institutions have to confirm participation by attaching the screenshot of the payment receipt in the google form.

PAYMENT DETAILS

Account Holder Name: Director, University Five Year Law College, UOR, Jaipur

Account no.: 20270110000281

IFSC Code: UCBA0002027

Bank Address: UCO Bank, Rajasthan University Campus, Jaipur.

• The teams after registration will receive a confirmation mail from the Organising Committee for confirmation of the slot for the competition.

• The teams shall be provided a unique team code which shall be used in the preparation of the memorial as stated above. Teams shall only be addressed by this code in the oral rounds.

• No change in the names of the participants shall be permitted after the receipt of the Registration Form, except at the sole discretion of the Organizers.

• Teams should clearly mention the participants name, contact number, Including year/semester of study.

IMPORTANT DATES

- 1** Release of Moot Problem 7th October, 2023
- 2** Opening date of Registration 7th October, 2023
- 3** Closing date of Registration 20th November, 2023
- 4** Last date of seeking Clarifications 2th November, 2023
- 5** Release of Clarification 5th November, 2023
- 6** Last date of Memorial Soft Copy Submission 30th November, 2023
- 7** Last date of Memorial Hard Copy Submission 4th December, 2023
- 8** Oral Rounds 9th-11th December, 2023





AWARDS

WINNING TEAM AWARD

- The winning team will receive a trophy, certificate of excellence and a cash prize of **15,000/-**.

RUNNERS-UP AWARD

- The 1st runners up will get a trophy, certificate of excellence and a cash prize of **11,000/-**.

BEST STUDENT ADVOCATE

- Best student Advocate (Appellant) will get a trophy and cash prize of **4000/-**
- Best Student Advocate (Respondent) will get a trophy and cash prize of **4000/-**. This prize will be awarded on the basis of marks acquired in the preliminary round.

BEST STUDENT RESEARCHER

- Best Student Researcher will get trophy and cash prize of **4000/-**-This award will be on the basis of Researcher test marks.

BEST MEMORIAL AWARD

- Best Memorial award will get a trophy and cash prize of **6000/-**.
- Certificate for participation will be given to all the participants.

MOOT PROPOSITION

In the picturesque town of Phoenix, there lies a serene lake named Crystal Waters, renowned for its sparkling, clear water and the lush greenery surrounding it. The lake has served as the primary source of drinking water for the town's residents for generations. However, recent developments have cast a shadow of concern over the lake's health and its vital role in providing clean water. Crystal Waters has been suffering from pollution caused by the discharge of untreated sewage into its waters, originating from a nearby industrial zone. The lake's once-pristine waters have turned murky, and the residents are increasingly worried about the potential health risks posed by the contamination. The polluted lake has far-reaching consequences, including the threat of waterborne diseases and the loss of a significant natural resource. The contaminated water in Crystal Waters poses severe health risk to the residents who rely on it for drinking and other domestic purposes, resultantly increasing the patients suffering from the bodily deformities and other related water borne diseases. Mr. K who has been residing in the town since last 20 years was diagnosed with Giardiasis caused as a result of consumption of contaminated water. Phoenix has been testament to many such cases recently and the same has been due to excessive contamination of Crystal Waters. Not only that, the polluted lake ecosystem is witnessing a decline in aquatic life and biodiversity due to the sewage contamination.

Issue 1

Complicating matters, a vibrant and religiously significant festival, the “Phoenix Fest,” is scheduled to take place along the shores of Crystal Waters. Though Phoenix is abode to the residents of different faiths but the dominant population belongs to a particular religious community “AB”. The Phoenix Fest is a yearly celebration of the birth of the head of the AB community, wherein the celebrations are marked with the chants, music, art, food in the devotion of the birth of AB’s religious head. The festival tradition involves the sacrifice of trees and other offerings, typically through burning, and offering them to the Crystal Waters. It is pertinent to state that the holding of the said festival is a part of essential religious practice of the AB community. The festival plays a significant role in preserving and promoting the faith of the AB community. The event also brings in tourism revenue and supports local businesses, contributing to the town's economic growth.

The event Committee asserts that they have secured all the necessary permits and have adhered to the guidelines to ensure minimal environmental impact. They contend that the celebrations bring happiness and honour AB Community’s faith at the same time promoting town's economic development. Consequently, Phoenix is divided between those who prioritize environmental protection and those strongly advocating AB Community’s right to freedom of religion.

The XYZ NGO has filed a PIL before the National Green Tribunal for the conservation of the Phoenix Lake and for stopping the event from taking place around the vicinity of the lake, which was permitted. Consequently, the decision of the NGT was challenged before the Hon'ble High Court which uphold the decision of the NGT. The same was assailed before the Hon'ble Supreme Court by way of a Special Leave Petition (SLP).

Issue 2

A Company known as “Inveraray” is located in close proximity to the Crystal Waters and is primarily engaged in the production of distilled water. Subsequently, any residual water or wastewater is discharged into the aforementioned river. The discharge includes various types of harmful chemicals that contaminate the water. A tribe known as the “KHIRI tribe” has been worshipping the Crystal Waters for the past 50 years, as per their holy books and customs and has also been using the water from the said river for their worship. The Crystal Waters hold profound religious significance for them. In an auction organized by the government, Inveraray have purchased 10,000 acres of land and have established a plant to produce distilled water from the Crystal Waters. An NGO named the “GHI” has filed a case against Inveraray in the National Green Tribunal, alleging that the company is discharging waste exceeding the government-prescribed limits into the Crystal Waters, thereby contaminating it. Subsequently, the KHIRI Tribe has also filed a Writ Petition against “Inveraray” seeking to halt the company's trade practices resulting in the contamination of Crystal Waters water and pollution of environment. Both the National Green Tribunal and the High Court restrained the “Inveraray” from using the water of Crystal Waters for their trade purposes and from polluting the water land. “Inveraray” has incurred substantial losses due to the decisions rendered by the High Court. Consequently, “Inveraray” has filed a Special Leave Petition (SLP) in the Supreme Court of India. The Company has named GHI and the KHIRI Tribe as its respondents. Meanwhile, the respondents contend in favour of upholding the decision of the National Green Tribunal and the High Court based on environmental and religious considerations, and they seek the dismissal of the SLP filed by the petitioner in the Supreme Court.

The Hon'ble Supreme Court clubbed both the Petitions.

Issues Raised

- A. Whether the Special Leave Petitions (SLPs) filed by the respective NGOs are Maintainable.
- B. Whether the Right to environment (Right derived from a Fundamental right) will prevail over Fundamental Rights i.e., Right to Freedom of Religion/ Right to carry on Trade, Profession and Occupation and vice versa.

GOVERNING LAW

The instant issue shall be governed by, and be construed in accordance with the Laws of Republic of India.

CHIEF PATRON

PROF. ALPANA KATEJA, HON'BLE VICE CHANCELLOR, UNIVERSITY OF RAJASTHAN, JAIPUR

PATRON (UFYLC RANKA MOOT COURT COMPETITION)

**MS. URMILLA RANKA, CHAIRPERSON, RANKA PUBLIC CHARITABLE TRUST
HON'BLE JUSTICE MR. J.K. RANKA, FORMER JUDGE RAJASTHAN HIGH COURT**

DIRECTOR, UNIVERSITY FIVE YEAR LAW COLLEGE

DR. AKHIL KUMAR

DEPUTY DIRECTOR, UNIVERSITY FIVE YEAR LAW COLLEGE

DR. SANDEEP SINGH

DR. GHANSHYAM BERA

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FACULTY CO-ORDINATORS

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MS. RAKHI SHARMA

STUDENT CONVENOR

MS. MOXITA VERMA

STUDENT CO- CONVENORS

MR. APOORV SHARMA

MR. KULDEEP VISHNOI

MR. LOKIK HARIT

MEMBERS, ORGANISING COMMITTEE

MS. SHELLY BOHRA

DR. PRIYANKA JOSHI

DR. JUHI PAWA

MS. POOJA SAXENA

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