



**3<sup>RD</sup> NATIONAL (ONLINE)  
JUDGMENT WRITING COMPETITION  
BY THE LAW COMMUNICANTS**

**REGISTRATION DATES**

**3rd September – 14th October 2023**

**Last Submission Date – 28th October 2023**

**Result Announcement – 16th November 2023**

## **RULES AND REGULATIONS ALONG WITH THE PROPOSITION**

The objective of this competition is for the students to approach a factual matrix from the point of view of a judge, apply the law and render a judgment. The student shall be expected to think like a judge and reach a well-reasoned conclusion. The detailed rules and Regulations of the Competition are produced below:

### **· GENERAL RULES FOR THE COMPETITION:**

#### **1. ELIGIBILITY:**

- a) The Competition shall be open for the students currently pursuing their Bachelor's Degree in law i.e., a 3-Year LL.B. course or a 5-Year LL.B. course from any recognized university/school in India.
- b) Individual participation as well as participation in a team of two i.e. co-authorship is allowed.
- c) There is no restriction on the number of entries from any college or university.
- d) The participants shall be provided with a factual scenario/proposition and would be required to write a judgment based on the same.
- e) The participants shall write a single opinion. Multiple opinions are not allowed.

#### **2. DISCRETION TO BE EXERCISED BY THE ORGANISING COMMITTEE (OC):**

- a) The OC shall have the exclusive authority to interpret these rules in the interests of fairness and equality. Any circumstance not covered by these rules shall be decided by the OC. Decisions made by the OC in this regard will be made in the interests of fairness and equality.
- b) All such decisions of the OC shall be final and binding.

#### **3. THE FORMAT OF THE JUDGMENT:**

#### **4. THE 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: (e.g., ABC v. Union of India).
- Advocates appearing on behalf of the Parties

**\*Note that any hypothetical name, for this point, could suffice.**

- Date of Delivery of Judgement

***Such fillers should not reveal the identity of the participants. Such a revelation would lead to immediate disqualification***

#### **5.THE BODY:**

- Precise Facts of the Case
- Jurisdiction
- Issues to be determined
- Arguments of the Two Parties
- Relevant Legislations
- Analysis of the Arguments, Evidence, and Conclusion based on the relevant facts

#### **6.THE CONCLUSION:**

- The Decision of the Court based on the Analysis of the Law and Circumstances.
- Reasons for the Decision
- Statement of the Court on awarding of the Sentence.
- The date on which the Judgement was written and read in Open Court

#### **7. SUBMISSION GUIDELINES:**

- The language of the Judgment shall be in English only.
- The Judgement shall have a maximum length of 14 Pages.
- The Judgement should be submitted in the Microsoft Word file (doc./docx. format).
- The font used in all parts of the judgment must be in Times New Roman.
- The Font size for the main text must be 12 with 1.5 line spacing and Justified.
- The Font Size for the footnotes must be 10 with 1.0 line spacing and Left Aligned.
- The citation methodology to be followed for the footnotes is Bluebook (20th Ed.).
- The page number must be mentioned at the bottom center of each page.

#### **8. 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 final decision for the same shall be at the discretion of the OC.

#### **9. EVALUATION CRITERIA:**

a) Every draft will be marked with a maximum of one hundred (100) marks by each judge based on the criteria mentioned in the Rules.

b) The marks distribution for the judgment shall be as follows:

<b>S. NO.</b>	<b>CRITERION</b>	<b>MARKS</b>
<b>1</b>	Adherence to Rules & Enumeration of Facts and Identification of Issues	20
<b>2</b>	Statement of Contentions of both parties	15
<b>3</b>	Citing of Relevant Laws viz. case-law, statutes, and opinions of jurists	20

4	Format, Presentation, Style, Clarity, Appearance, and Overall Impression	20
5	Critical analysis, Analytical Reasoning, and Conclusion	25
6	Total	100

c) The penalties shall be enforced as hereunder:

S. NO.	DESCRIPTION	RANGE
1	Incorrect line formatting & line spacing in the manuscript or footnotes	0.5 marks per instance; up to 2 marks.
2	Absence of Page no. in a footer & Improper submission of Manuscript	2 marks each
3	Exceeding Word Limit	1 mark for every page
4	Plagiarism	1 mark per instance
5	Delay in submission per hour [max. 48 hours]	0.5 marks per hour

#### 10. PRIZES FOR THE COMPETITION:

a) The author/s of the **Top 5 Judgements** will receive a *Certificate of Merit*.

b) Additionally, the author/s of the **Top 3 Judgements** will also receive a *cash prize* as per the following scheme:

- The author/s of the **Best Judgement** will receive a cash prize of Rs. **5,000/-**
- The author/s of the **2<sup>nd</sup> Best Judgement** will receive a cash prize of Rs. **3,000/-**

- The author/s of the **3<sup>rd</sup> Best Judgement** will receive a cash prize of Rs. **2000/-**

c) All the participants will receive a *Certificate of Participation*.

#### **11. REGISTRATION DETAILS:**

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

Google Form - <https://forms.gle/AVVH2hwQaYPwh1NY7>

b) Registration fee is as follows:

- *Individual Registration: Rs. 499/-*
- *Team Registration: Rs. 699/-*

c) The *Mode of Payment shall be UPI* only attached with the Google Form for registration.

**Note:** Participants shall upload a screenshot of the payment made and Transaction ID, in the registration form given.

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

g) Each participant/team shall upload the final draft of their Judgement to the submission form only sent to them via email.

#### **12. A LIST OF IMPORTANT DATES:**

- Release of Problem: 3rd September 2023.
- Last date of Registration: 14<sup>th</sup> October 2023.
- Last date for the Submission of Clarifications: 14<sup>th</sup> October 2023.
- Last date for Judgement Submission: 28<sup>th</sup> October 2023.
- Declaration of the Results: 16<sup>th</sup> November 2023.

## **THE PROPOSITION:**

A girl, Surbhi in Uttar Pradesh, fell in love with her friend, Mohsin and wanted to marry him but her uncle Rahul vehemently opposed her marriage with Mohsin. However, an attempt was made to settle the issue with the help of police.

During the settlement talk which was slated to be held in police Station, Surbhi took out a blade and inflicted deep injury on her left hand with a view to commit suicide. She was rushed to the hospital where, even during first aid treatment, she repeatedly threatened to commit suicide.

The Police lodged F.I.R and booked her for attempting to commit suicide , i.e., section 309 of Indian Penal Code. Later Surbhi filed a petition before the Allahabad High court (Lucknow Bench) and prayed for declaring attempt to commit suicide i.e., section 309 of Indian Penal Code as unconstitutional and quashing of the F.I.R as a consequence.

Relying on the Constitutional Bench decision of the Hon'ble Supreme Court in Smt. Gian Kaur v/s State of Punjab A.I.R. 1996 S.C. 946 the High Court dismissed her petition. Later she went in appeal to the Supreme Court against the decision of the High Court praying for declaration of Attempt to Suicide as unconstitutional for being inconsistent with "Right to life with dignity" which Art 21 speaks of and eventually quashing of criminal proceeding in the interest of doing complete justice under Art 142.

According to the appellant a lady attempting to commit suicide is in such a frame of mind that she cannot think normally. She suffers from mental stress to an extent that she inflicts extreme hurt on self in a suicide bid. Instead of inflicting additional punishment for Attempt to Suicide she must be provided medical and emotional support by counselling as her act is in reality "a cry for help and not for punishment". Further it was stated by the appellant that it was the duty of the police to maintain the law and order as it was extremely impossible to get a blade in the police custody and to inflict an injury so as to kill herself.

Criminalizing attempted suicide violates Article 21 in following three grounds;

i. Article 21 has conferred a positive right to live which carries with its negative right not to live. In this situation it has been first stated that the fundamental rights are to be read together with Article 19 and 21 taking into prime consideration. That the freedom of speech and expression includes freedom not to speak and remain silent. Similarly, right to live should include right not to live, i.e., right to die.

ii. Analysing National Crime Report Bureau it has been noticed that various cause that leads people to commit suicide are mental diseases and imbalances, unbearable physical ailments, affliction by socially dreaded diseases, decrepit physical condition disabling the person from taking normal care of his body and performing the normal chores, the loss of all senses or of desire for the pleasure of any of the senses, extremely cruel or unbearable conditions of life making it painful to live, a sense of shame or disgrace or a need to defend one's honour or a sheer loss of interest in life or disenchantment with it, or a sense of fulfillment of the purpose for which one was born with nothing more left to do or to be achieved and a genuine urge to quit the world at the proper moment. That such a person who has already been penalized in his life has nothing to be penalized further, and criminalization of attempted suicide is nothing but a vague and unreasonable additional punishment for such a person.

iii. That different form of suicide has been followed in our country and the same is included in various religions for long time. Sati, Samadhi, johar, atmarpana are to name a few. Also, it has been observed that saints and savants, social, political and religious leaders have immolated themselves in the past and do so even today by one method or the other. Further, the Constitutionality of section 309 has been assailed as being violative of Article 21 which protects life and personal liberty Refuting the above argument Govt.

Advocate argued that Attempt to Suicide is not attached with the vice of unconstitutionality on the ground of its being violative of Art. 21, "Right to life" protected under this Art. is a natural right which by no stretch of imagination can include the right to end life i.e., to commit suicide which is unnatural. According to the contentions made by the govt. advocate, The 'right to life' including the right to live with human dignity would mean the existence of such a right up to the end of natural life. This also includes the right to a dignified life up to the point of death including a dignified procedure of death. In other words, this may include the right of a dying man to also die with dignity when his life is ebbing out. But the 'right to die' with dignity at the end of life is not to be confused or equaled with the 'right to die' an unnatural death curtailing the natural span of life. The freedom must be balanced against the state's interest in preserving the sanctity of human life, as well as by other interest that the state considers important.

The basic moral question that arises is whether by legalizing a person's right to die, we will degrade a human being's life and stop respecting human life. No one can deny that there is nothing more precious than the gift of life which every human being enjoys. Why then should man decide when his life should end? Most religious people believe that life is sacred and one should not waste time in planning about their death but planning about how to enjoy life.

Terminating life is not an answer to pain. All along life's journey man will suffer pain whether it is physical or mental or emotional or psychological. Will legalization of right to die be done to relieve oneself from the physical pain only? A person weakened by illness may not be in a position to review his decision to kill himself. Decision to die by coming under some financial or social obligation is also very dangerous. Somewhere down the line we may end up violating the right to life while legalizing the right to death. Also, introduction of Right to Die may safeguard illogical, unscientific religious dogmas such as Santhara or 'Sallekhana', which peoples in Jain religion practices to end their life voluntarily by going fast onto death, which is inhuman, and is punishable under section 309 IPC and the abetment of such an act is punishable in section 306 IPC.

Decide as per the Law and any new findings of case law as per your knowledge.