

Queries & Clarifications:

We have recently received queries from teams, who have sought a clarification on the Moot Problem as under:

- Q1. Does Stan have an Extradition Treaty with Brittany similar to how India and the United Kingdom have? Does Stan fall into Category 2 B territories like India does with the UK in terms extradition laws?
- A1. Please refer to the Moot Problem. It is clarified that Stan's legal system is in *pari materia* with that of India.**
- Q2. Was Varsha presented before a district court judge for preliminary and extradition hearing before she was extradited?
- A2. No clarification is needed. Please refer to the Moot Problem.**
- Q3. Did Varsha exercise her right to appeal against extradition in the UK itself against extradition?
- A3. No clarification is needed. Please refer to the Moot Problem.**
- Q4. Is the name of the Novels written by Varsha - a.) Given by her to be The Sedition Novels or b.) A name that is coined by the general public and the real name of the novels is different?
- A4. No clarification is needed. Please refer to the Moot Problem.**
- Q5. The problem simply mentions "Extraordinary Jurisdiction" of the Supreme Court, is it referring to SLP under Article 136 or Writ Petition under Article 32?
- A5. The Supreme Court is sitting *en banc*. No further clarification is needed.**
- Q6. Clarification in Paragraph 41, last sentence.
Should the words 'Government of Brittany' be replaced by the 'Government of Stan'?
- A6. No.**
- Q7. "44. Varsha took a startling defence at the stage of arraignment. While she claimed that nothing that was written or said by her was seditious, and that the film was adapted from her novels but was the product of an independent scriptwriting process, she now offered information that the 'The Chronicles of Shavar' as well as the announcements of the desalination technology were both attempts to drive up the share price of Snoopy. She claimed that her shares and that of her husband were being held in trust by members of the ruling party in Stan and that the shares had been sold in apparent contravention of the Brittany securities law. The trial was kept in abeyance on a request by the prosecution,

which cited a need to conduct further investigation basis these revelations and determine whether these were part of an overarching conspiracy against the Republic of Stan."

The majority of our doubt concerns to the following question:

What is the implication of Varsha's statement that the shares were being held in trust by the ruling party in Stan and how does it contribute to a suspicion of an overarching conspiracy against the Republic of Stan?

A7. No clarification is needed.

Q8. Paragraph 4 mentions that " It (Eastern Province) has historically sourced its waters from areas that presently come under **Province A** and **Province E**". Even Paragraph 29 states that " Politicians from the Eastern Province, fearing that riots in **Province A and E** may lead to disruption in water supplies...". Both of these statements state the fact that Eastern Province receives its water supply from Province A and E. However, there seems to be a typographical error in Paragraph 4 wherein it mentions "The Eastern Province remains hugely dependent on daily fresh water supplies from **Province A** and **Province D**". It is believed that Province E is mistakenly mentioned as Province D in Paragraph 4. However, we would like to seek a clarification just to be double sure.

A8. No clarification is needed. Teams are welcome to use any perceived ambiguity to their advantage.

Q9. It has been stated in the Statement of facts paragraph no. 4 that The Eastern Province has historically sourced its waters from areas that presently come under **Province A and Province E**. After securing independence, Eastern Province agreed to join the union of provinces and formed the Republic of Stan, partly with a view to ensuring water security for its citizens. The Eastern Province remains hugely dependent on daily fresh water supplies from **Province A and Province D**.

My query is At present from Which Province The Eastern Province get water supplies?

A9. No clarification is needed. Teams are welcome to use any perceived ambiguity to their advantage.

Q10. And in the Statement of Facts para no.11 As Stan permits **dual nationality**, Varsha is also a **citizen of Brittany** and lives in Brittany City for a few months every year.

Where is Brittany Situated? within Stan or within Eastern Province?

A10. No clarification is needed.

Q11. Paragraph 37 mentions that Varsha has been accused of sedition, waging war against the Union, and criminal conspiracy. Paragraph 47 mentions that Varsha was held guilty of the first offence, but is silent on the latter 2 offences. Has the Supreme Court ruled on the issues of waging war against the Union and criminal conspiracy?

A11. No clarification is needed.

Q12. Can the India-UK Extradition Treaty be taken as a treaty between Stan-Brittany, given the laws of Stan are *pari materia* to India?

A12. No clarification is needed.

Q13. Para 47 says, "*the Court announced that Varsha was guilty of the offence punishable under Section 124-A of the Stan Penal Code.*" If possible we wanted to clarify if Varsha here is punished with death penalty and the "*mitigating circumstances*" that the court has given time for implies circumstances to mitigate the death sentence?

A13. No clarification is needed.

Q14. Para 37 mentions that the FIR is registered under section 124A.., simultaneously being accused of waging war against the union and criminal conspiracy. We were hoping to seek clarification on whether Varsha is charged with all three offenses or only with section 124A?

A14. No clarification is needed.

Q15. Is Brittany a part of the Continent?

A15. No clarification is needed. Teams are welcome to use any perceived ambiguity to their advantage.

Q16. Para 24 says, "*Unbeknownst to almost everyone save the film crew, the screenplay had changed the storyline.*" Is Varsha a part of this film crew?

A16. No clarification is needed. Teams are welcome to use any perceived ambiguity to their advantage.

Q17. Is Varsha a citizen of both Brittany and Stan or whether she is a national of both the countries?

A17. No clarification is needed.

Q18. In the memorial, is it required to include the entire statement of fact or the participating teams are allowed to narrow the statement of facts down on the team's accord?

A18. Teams are invited to read the Rules of the Competition carefully and make appropriate decisions with respect to the contents of their Memorials.

Q19. Does the extradition treaty between Stan and Brittany *pari materia* with that of Britain and India?

A19. No fresh clarification is needed. Please see earlier clarifications issued.

Q20. In point 10, it is stated that Most laws, especially penal laws, remain almost in *pari materia* with Indian law.

Does laws other than penal laws are also *pari materia* other than the different laws mentioned in the moot problem?

A20. No clarification is needed. Teams are welcome to use any perceived ambiguity to their advantage.

Q21. In point 42, it is stated that Varsha was taken into custody. For how many days was she in the custody?

A21. No clarification is needed.

Q22. In point 47, it is stated that the sentencing stood over for 2 months. Was Varsha to be kept in custody for that 2 months or can it be extended?

A22. No clarification is needed.

Q23. In point 44, Varsha claimed that the ‘The Chronicles of Shavar’ as well as the announcements of the desalination technology were both attempts to drive up the share price of Snoopy. She claimed that her shares and that of her husband were being held in trust by members of the ruling party in Stan and that the shares had been sold in apparent contravention of the Brittany securities law.

In point 47, the court observed that no link was uncovered about Snoopy’s shares and members of the ruling party in Stan. But the court was silent on the other claim of Varsha that the shares had been sold in apparent contravention of the Brittany securities law.

Can it be considered that the claim about the sale of shares was correct as the court didn’t give any observation on the same?

A23. No clarification is needed. Teams are welcome to use any perceived ambiguity to their advantage.

Q24. According to para 42, what are the contents of the extradition agreement between Stan and Brittany dated 14th August, 2022.

A24. No clarification is needed.

Q25. Para 40 of the moot proposition states that the extradition is to answer charges u FIR 17/2022, please clarify whether the FIR only concerns charges under section 124A with regards to sedition or charges as to waging war against state and criminal conspiracy is also included as mentioned in paragraph 37?

A25. No clarification is needed.

Q26. PARA 38 mentions the court of the chief metropolitan magistrate as the court issuing non bailable warrants.

PARA 47 mentions that ‘the court in Province B’ announced that Varsha was guilty of sedition.

Are these two courts the same?

(i.e - Court of Chief Metropolitan Magistrate, B City, Province B)

A26. No clarification is needed.

Q27. As regards the statement mentioned in Para 8 that says, “We wanted the Eastern Province, not the provincials”; does the term ‘provincials’ refer to the *rest of the provinces* or the *people of the Eastern Province*?

A27. No clarification is needed.

Q28. W.r.t. the last line of Para 22, what made Varsha have a meet with the Continental negotiating team responsible for talks with the Republic of Stan?

A28. No clarification is needed.

Q29. W.r.t. the last line of Para 22, what are the ‘talks’ (between the Continental negotiating team and the Republic of Stan) all about?

A29. No clarification is needed.

Q30. W.r.t. to the last line of Para 40, does the sale of shares concern the 79% stake?

A30. No clarification is needed.

Q31. W.r.t. to the Para 42 of the Moot Prop, what is the relevance of the extradition agreement?

A31. No clarification is needed.

Q32. Was the extradition agreement (mentioned in Para 42) put in writing?

A32. No clarification is needed.

Q33. W.r.t. the last line of the Para 42 of the Moot Prop, why wasn't Varsha allowed to meet the representatives from the Brittany Embassy during her detention? In other words, there's some elaboration needed as to the 'meeting rights' of the detained person.

A33. No clarification is needed.

Q34. There's a mention of a 'fresh memo' being filed against Varsha in Para 46. What does the term *specifically* imply in the present scenario?

A34. No clarification is needed.

Q35. 'The Court in Province B' refers to what court as per the hierarchy?

A35. No clarification is needed.

Q36. In Para 22, it is written-"In April 2021, she had sold the rights to the Seditious Novels to a popular film production company" and in Para 21, it is written," A few months later, in February 2022, a mammoth film production entitled 'The Chronicles of Shavar' was announced." Is the film production company to whom Varsha has sold her novels right the same company that is making the film 'Chronicles of Shavar'?

A36. No clarification is needed.

Q37. In Para 23, it is written, "Prior to the release of 'The Chronicles of Shavar,' the film's producers successfully blocked all attempts by the Central Government and several Provincial Governments (including the Eastern Province) to preview the film – over and above all censorship requirements." This statement is open to two interpretations: i. That the Central Government and Provincial Governments were trying to preview the film and overriding their power even when the censorship requirements were fulfilled or ii. The film producers did not allow the film's preview and did not follow the censorship requirements. Which interpretation stands correct?

A37. No clarification is needed.

Q38. In Para 24, it is written "Unbeknownst to almost everyone save the film crew, the screenplay had changed the storyline". Were censors also unaware of the change in the storyline?

A38. No clarification is needed.

Q39. In Para 21, it is mentioned that the Consortium of Businessmen from Brittany was financing Chronicles of Shavar. In Para 35, it is written," reports emerged from Brittany that a group of businessmen promoting a hedge fund, called HedgeFund, had offered to buy Snoopy for USD 750 billion." Are these groups of businessmen in both paragraphs the same?

A39. No clarification is needed.

Q40. Is Brittany a member of the Continent?

A40. No clarification is needed.

Q41. Has Varsha sold all rights of the novel to the film production company or any specific rights only where Varsha continues to possess some rights of the novel?

A41. No clarification is needed.

Q42. Is 'The Brittany State Pension Fund' a public entity?

A42. No clarification is needed.

Q43. In Para 37, it is written, " She was accused of sedition, waging war against the Union and criminal conspiracy." However, the FIR was reported only under Sec 124 of the Stan Penal Code. Thus, the other accusations of waging war against the Union and criminal conspiracy were just accusations by the general public at large or does it have any legal implications as well?

A43. No clarification is needed.

Q44. Has the certificate been granted for this SLP?

A44. No clarification is needed.

Q45. As per Para 42, the extradition agreement (dated 14 August 2022) allowed for Varsha to be extradited to Stan.

a) Was extradition agreement executed on the same date itself?

b) In addition to this did Varsha got the right to Appeal the same?

A45. No clarification is needed.

Q46. Has the certificate been granted for this SLP?

A46. No clarification is needed.

Q47. Is the researcher allowed to carry compendium for the Preliminary and Final Rounds of the Competition?

A47. No Compendium/Supplementary Volume is required for the judges during the course of Oral Rounds.

Q48. Are we allowed to make arguments that are not mentioned in the memorial? And if we do so, will it attract negative marking?

A48. Please read the Competition Rules carefully.

Q49. Since the dates for the final rounds are changed, will the deadline to submit soft copy of memorials be extended too?

A49. Any decision on extension of deadlines will be communicated to the teams.

Q50. It is not mentioned which Court of Province B announced that Varsha is guilty. So we wanted clarification whether it was a district sessions court, High Court or any other court.

A50. No clarification is needed.