



ILS LAW COLLEGE, PUNE
CENTRE FOR PUBLIC LAW

7TH ILS NATIONAL ALTERNATE JUDGMENT WRITING COMPETITION
2019-2020

JUDGMENT WRITING MANUAL

A. Why this Judgment?

The main objective underlying the selection of this judgment is to grapple with the significant question of the incidents of Art. 16(4) of the Constitution of India.

Should a concession like relaxation in upper age limit or substitute questions for blind people in place of the questions based on maths, etc. be interpreted as equivalent to reservation? Is it possible to argue that concessions like these can be covered Arts. 15(3) and 15(4)? Should these concessions be treated as enabling measures or reasonable accommodations? Should the conception of equality guaranteed in Arts. 14-16 be interpreted by treating these articles as an integrated whole or should the analysis of public employment matters be necessarily confined to the discipline of Art. 16? Can the principle of equal protection of law be narrowed down in its scope to Art. 16 by treating all ancillary benefits as reservations? Should any person having availed any concessions would necessarily lose his identity?

Questions like these and other like questions are to be formulated by the contestants is expected to be the subject matter of the competition.

B. Guidelines

1. The participants are neither encouraged nor expected to substantially reproduce the original judgment of the Court or the Case Note provided for the Competition and is expected to invest individual effort.
2. Rehearsing the reasoning of the Supreme Court in a different language does not mean alternate judgment. The crux of alternate judgment lies in either questioning the reasoning of the court or even have issues with its conclusion.
3. Contestants may end up writing an entirely new judgment in terms of reasoning and result or they may end writing a judgment with results similar to the court or with different reasoning.
4. While writing the alternate judgment, importance is also attached to the reference material i.e. what material the court has referred and what material has been referred by the contestant. If the contestant uses the same material as the court, the alternate judgment may not look creative and impressive.
5. Although the general judgment, post the date of judgment also.
6. Focus of the contestants has to be on law.
7. Since the judgments have to be authored by students, they are not expected to be substitutes of judges, rather they have to speak to the minds of the judges who have authored the judgment. Rather, the contestants are expected to be the very judges authoring the judgment as if the case was argued before them.