



5th Surana & Surana and K.L.E. Law College
National Constitutional Moot Court Competition



CLARIFICATIONS

- 1. Paragraph no. 5 mentions that Parliament has amended Entry 34 of List II, which deals with betting and Gambling. After the amendment the said entry is now read as "Betting and Gambling are subjected to the provisions of List I". The statement is not clear and it has many interpretations.**

Read the Amendment as follows : - a. "34. Betting and gambling subject to the provisions of entry 1 of List III."

- 2. In the moot proposition in paragraph 12, it is stated that the State approached the Supreme Court while in paragraph 13 it is stated that the S.C. clubbed the petitions of SOG and Nvideon gamers. Hence with respect to the review petition who approached the SC?**

The petition was originally filed before the High Court of Harit Pradesh by the Nvideon Games and the appeal was preferred by the State of Harit Pradesh in the Supreme Court.

- 3. Does the society of online gamers include game makers or players?**

No clarification required.

- 4. Whether the special amendment procedure under article 368 (2) was followed? And whether the amendment was ratified by state legislatures?**

No clarification required.

- 5. Issue III is ambiguous. Please clarify who the parties involved in issue III are. Nvideon games, the online gaming platform didn't approach the Supreme Court so how the petitions are getting clubbed?**

Refer to clarification no. 2.

- 6. What was the specific repugnancy in the state act wrt to the central act?**

No clarification required.

- 7. In Issue 1 it is written that whether the constitution 106th amendment done in 2021 instead of 106th amendment there is 105th amendment which took place in 2021 and 106th amendment was took place in 2006 and no content is available in net as well as in our bare act or books so we request you to check the matter and clear our doubts regarding this whether is correct or their is a printing mistake.**



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The Constitution 106 Amendment Act came into force in the year 2021. It is mistakenly mentioned as 2022 in para 8 of the moot proposition.

8. Is the state act pari materia to Karnataka Police Act?

No clarification required.

9. Para 8 of the moot proposition states 106th Amendment Act, 2022, is it the same as the Constitutional 106th amendment act 2021 or different from that?

Refer to clarification no. 7

10. The date and month of enactment of "The Regulation of the Online Gaming Act, 2022" (the Central Act) is not mentioned in the proposition.

No clarification required.

11. Does the society of online gamers include game makers or players? -

No clarification required.

12. In the first line of the 12th point, does the word "approach" refer to the case appealing against the order of the high court or is it a separate petition to get the judgement by the Supreme Court reviewed?

No clarification required.

We have not been provided with the provisions of the State Act by Harit Pradesh which will be required in order to argue the repugnancy of the Central Act with the State Act as has been put forth to us in the third issue of the moot problem.

No clarification required.

13. Since it has been mentioned in the last point that both the petitions have been clubbed, is it necessary to assume that the petitioners of the previous case will still be the petitioners? Since depending on the jurisdiction used in the third issue, the petitioner and respondent might vary from the previous parties during the case in high court.

Refer to clarification no. 2.

14. The 106th Constitutional Amendment Act, 2021 is not provided with the proposition and hence we request you to kindly provide us with the same since the word "inter alia" is mentioned in the paragraph 5 line 3.

Challenge of the 106th Amendment shall be restricted to the one mentioned in Para 5 for the purpose of this Moot Proposition.