



INTRA MOOT COURT COMPETITION 2019

August, 26th – 27th, 2019
(Monday & Tuesday)

VENUE:

IDEAL INSTITUTE OF MANAGEMENT AND TECHNOLOGY

(An ISO 9001:2008 Certified Institution)

(GGS Indraprastha University)

(NAAC Accredited University)

16-X, Karkardooma Institutional Area, Delhi-110092

RULES GOVERNING INTRA MOOT COURT COMPETITION, 2019

The rules will be titled as '**Rules for the Intra Moot Court Competition-2019**'. In case of any discrepancy / doubt, decision made by Moot Court Committee shall be final. The Committee reserves all rights to prescribe / modify rules, procedure and overall layout of competition in such manner as will be proper to conduct competition in better and more efficient manner.

Article 1: Aim and Objectives

"If good lawyering skills are essential for an advocate, then mooting during law school is the greatest asset that a student can inculcate".

This competition will help the law students to hone their skills in lawyering proficiency, court etiquettes & professional ethics.

ARTICLE 2: ORGANIZATION

The organization of the competition will take place under overall supervision and control of the Ideal Institute of Management and Technology.

ARTICLE 3: ELIGIBILITY FOR PARTICIPATION

- 1) The competition is open to all law students of **2nd, 3rd, 4th and 5th year**.
- 2) Each team shall comprise of three members. A team comprising of only two members, both of them to be designated as speakers, may be allowed by the organizing Committee if there exist any exceptional situation. Team comprising of three members, at least one member must be designated as Moot Researcher.

NOTE – In order to participate in any National Moot Court Competition in 2019-2020 it is compulsory to take part in this Intra Moot Court Competition, 2019. No team from Ideal Institute of Management and Technology is allowed to take part in any National Moot Court Competition if they don't participate in the Intra Moot Court Competition, 2019.

ARTICLE 4: CLARIFICATIONS OR QUERIES

With a purpose to sort out any complication or doubt, teams may request for clarifications by writing an email at intramoot123@gmail.com or may telephonically contact to the persons designated as Coordinator and conveners for Intra Moot Court Competition 2019.

For Clarification or Queries you may Contact:

- **Divanshu Kashyap** - +91 9971753420
- **Tushar Mehra** - +91 9717471680
- **Vipul Thakral** - +91 8950222526

ARTICLE 5: PLACE AND DATE CLAUSE

The **INTRA MOOT COURT COMPETITION, 2019** shall be held on **22nd and 23rd August 2019** (Thursday & Friday) at Ideal Institute of Management and Technology.

ARTICLE 6: DRESS CODE

- I. Female(s):** White Salwar and Kurta or White Shirt and Black pants along with Black Coat and Black Shoes.
- II. Male(s):** White shirt, Black Trousers, Black Tie along with Black Coat and Black Boots.

ARTICLE 7: LANGUAGE

Medium of oral pleading and script to write memorials during competition shall be **English** Language only.

ARTICLE 8: TEAM COMPOSITION

- a) Each team shall comprise of 3 members.
- b) There shall be 2 speakers and 1 researcher designated in each team. Teams shall declare all speakers and researcher at the time when they file nominations for registration.
- c) Each team will be assigned a specific code.

ARTICLE 9: ROUNDS

1. There shall be four rounds of argument(s) namely a Preliminary, Quarter-final, Semi- final and Final round. The Quarterfinals and Semi Finals shall be knockout round(s). Lots picked by the teams before each round will decide their side of the arguments.
2. Orientation & Desk registration of Teams shall take place on **22nd August 2019**.
3. Preliminary round(s) will be held on **22nd August 2019**.
4. Top eight teams will qualify for the Quarter Finals, and the same shall be held on **22nd August 2019**.
5. The qualification to the knockout stage (Quarterfinals) will be based on Win Points.
6. In case of a tie, teams with the highest aggregate of scores in the preliminaries (inclusive of memorial marks).
7. Top four teams will qualify for the Semi-finals that would be held on **23rd August 2019**.
8. The Finals will be held on **23rd August 2019**.
9. A written test of **1-hour** duration to assess the mooting research skills of Moot Researcher will be conducted on **23rd August 2019**.

ARTICLE 10: MEMORIALS

The following requirements for memorials must be strictly followed. Any non-compliance shall attract penalties.

- 1) Each team must prepare memorials for both sides to the dispute (Appellant and Respondent).
- 2) Once the memorials have been submitted, no revisions, supplements, or additions will be allowed.
- 3) No submission in soft copy of the Memorial shall be accepted after **10th August 2019**. The submission of soft copy must be in PDF format.
- 4) The Registered teams shall carry 3 printed copies (for each side "For and Against") on the day of the Competition.
- 5) The soft copy file pertaining to the memorials in pdf format shall be named as 'P(TC)' for the Petitioner's Memorial and 'R(TC)' for the Respondent's Memorial. (Here, TC means the

allotted Team Code)

- 6) No Submission in Hard Copy shall be accepted after **16th August 2019**. The total no of Hard copies required is 3, printed back to back (for each side “For and Against”).
- 7) The cover page of the memorials sent for both the soft and hard copies shall clearly mention the word “P” for memorials on behalf of the Petitioner, and the word “R” for memorials on behalf of the Respondent, followed by the team code for both the instances, such being clearly inscribed on the top right hand corner of the cover page of the memorial for the Petitioner and Respondent. For example, if a team had been assigned a code of 10, the memorials sent by such team shall have “P10” and “R10” clearly marked on the top right-hand corner of the cover page of the respective memorials.
- 8) The cover page of the petitioner's memorial shall be printed on Blue color A4 size paper, and the cover page of the respondent's memorial shall be printed on Red color A4 size paper.
- 9) Late submissions beyond the stipulated date will attract 1-point penalty for each day of delay

Format of Memorials

The memorials have to be submitted on A4 size paper and must only contain the following sections in the order stated below:

1. Cover Page-	1 page
2. Table of Content -	1 page
3. List of Abbreviations-	2 pages (Maximum)
4. Index of Authorities-	2 pages (Maximum)
5. Statement of Facts-	2 pages (Maximum)
6. Statement of Jurisdiction -	1 page
7. Issues Raised-	1 page
8. Summary of Arguments -	2 pages (Maximum)
9. Arguments Advanced-	20 pages (Maximum)
10. Prayer-	1 page

Font Size

- Font: The font of the body of the memorial shall be Times New Roman, size 12 and 1.5 line spacing.
- Font: The font of the foot notes shall be Times New Roman, size 10 and 1.0 line spacing.
- Memorials must be suitably bound.
- Memorials must have one-inch margin on all sides of each page.
- Page numbering should be at the bottom middle of each page.
- The teams have to use the citation method as stated in the 20th Edition of the Harvard Blue Book for citation throughout the memorial, with strict adherence.

Note:

Memorial must not contain any Photograph, sketches, schedules, graphs and maps. Violation of this provision shall result in penalties including disqualification. The Administrator’s decision shall be final.

ARTICLE 11: EVALUATION OF MEMORIAL

- I) Every memorial will be marked on a total of 100 marks and the team memorial marks will be the average of the total of both sides.
- II) The following shall be the marking scheme:

S. No	Marking Scheme	Marks Allotted
1.	Knowledge of Facts and Law	20
2.	Proper and Articulate Analysis	20
3.	Extent and Use of research	20
4.	Clarity and Organization	20
5.	Correct Format and Citation	10
6.	Grammar and Style	10
	Grand Total	100

- **Performance of Moot Researchers shall be evaluated on the basis of Written Test scheduled to be held on 23rd August 2019.**

ARTICLE 12: ORAL ROUNDS

In each oral round a team will be represented by two speakers who present arguments. The researcher will not participate in the arguments but will be seated along with the speakers.

I. PRELIMINARY AND QUARTER FINAL ROUND

- Each team will get a total of **30 minutes** to present their case. The time includes questioning by judges.
- The division of time is at the discretion of the team members, subject to a **maximum of 18 minutes per speaker**. Division of time should be informed to the Court Assistants / Clerks before the beginning of the rounds.
- The oral arguments need not be confined to the issues presented in the memorials.
- Passing of notes to the speakers by the researcher during the rounds is allowed.
- Rebuttal and Sur-rebuttal are allowed at the discretion of the Judges. A **maximum of 5 minutes may be allowed for rebuttal or surrebuttal**.
- Sur-surrebuttal is not allowed under any circumstance.
- Judges may at their discretion, extend the time allotted for the oral arguments up to a maximum of 10 minutes.
- Maximum scores for the oral rounds shall be 100 points per speaker per Judge.
- In case any opponent team fails to appear in an oral round, the round shall be conducted ex-parte and the scoring shall be done as if the defaulter team had been presenting and arguing.
- All teams are expected to carry with themselves any case law and authorities which they intend to refer to.

II. SEMI-FINAL & FINAL ROUNDS

- Each team will get a total of **45 minutes** to present their case.
- The division of time is at the discretion of the team members, subject to a **maximum of 25 minutes per speaker**. Division of time should be informed to the Court Assistants / Clerks before the beginning of the rounds.
- Rebuttal and Sur-rebuttal are allowed at the discretion of the Judges. However, it should not exceed 10 Minutes in Semi-Final Rounds and Final Round.

- The oral arguments need not be confined to the issues presented in the memorials.

NOTE – The timings of the rounds may be subject to change.

ARTICLE 13: SCOUTING

Teams will not be allowed to observe the oral rounds of any other teams. Scouting is strictly prohibited.

- Scouting by any of the teams will result in disqualification.
- Any team can file a written complaint with the organizing committee, regarding a case of scouting. The organizing committee and faculty in charge decision will be final.
- The researchers shall sit with the speakers at the time of the orals and shall not attend the court sessions of any other team participating in the competition.

ARTICLE 14: SCORING

The Marking scheme for the evaluation of the oral arguments shall be the following: -

S. No	Marking Scheme	Marks Allotted
1.	Knowledge of Facts and Law	25
2.	Logic and Reasoning to apply the Legal Principles	20
3.	Ingenuity & Ability to answer questions	20
4.	Time Management and Organization	15
5.	Court Etiquettes/ Deference to the court	10
6.	Persuasiveness	10
	Grand Total	100

ARTICLE 15: AWARDS, PRIZES AND CERTIFICATIONS

- | | |
|-------------------------------------|------------------------------|
| 1) Best Team Award: | Certificate of Merit. |
| 2) Second Best Team Award: | Certificate of Merit. |
| 3) Best Mooter Award: | Certificate of Merit. |
| 4) Second Best Mooter Award: | Certificate of Merit. |
| 5) Best Researcher Award: | Certificate of Merit. |
| 6) Best Memorial Award: | Certificate of Merit. |

Note: In addition to Awards under above-mentioned categories, Certificates, as token of appreciation, shall be distributed to all members of participating teams and all the volunteers.

ARTICLE 16: ANNOUNCEMENT OF RESULTS

- I)** The results of the Preliminary rounds shall be announced shortly after the completion of both the rounds.
- II)** The results of the Semi Final Round(s) shall be announced shortly after the completion of each of the rounds.
- III)** The winners of the competition will be finalized immediately after Final round and their names will be announced during the **Valedictory Ceremony** on **23rd August 2019** (Friday).

ARTICLE 17: REGISTRATION AND FEE

I. General

Teams must confirm their participation latest by **05th August 2019**. Registration process comprises of filling up of the google registration form the link of which will be provided to every law student.

- i) Prior information regarding change in composition of team must be communicated in advance via mail before or on **08th August 2019**.

ARTICLE 18: DISPUTES

- (a) The participants in the competition shall abide by the spirit of the competition and shall Endeavour to conduct activity according to best of their ability and co-operation.
- (b) In case of any dispute or difficulty arising out of or during the course of the competition, the organizing committee shall have the sole and absolute authority to remove such difficulty and resolve the dispute.
- (c) The marks given by the judges will be final and binding to both the teams for which the organizing committee is not answerable.

ARTICLE 19: DISCLAIMER

The Moot Court Competition is based on a purely fictitious problem, whereby the characters & the incidents or the course of events in the problem are completely imaginary and the same has no relation to any person living or dead or any past/present real-life incident. The Moot Court problem is made solely for the purpose to train the law students of India for the Bar.

NOTE:

- I. All the rules are only inclusive and not exhaustive for the competition.
- II. Rules should be strictly adhered to. Any deviation would take seriously and may tantamount to disqualification/ deduction of points.
- III. In case of any discrepancy / doubt, decision reached by the organizing committee shall be final. Organizing committee reserves all rights to prescribe/ modify rules, procedure and overall layout of competition in such manner as will be proper to conduct competition in better and more efficient manner.
- IV. Imposition of penalties including disqualification rests solely with the organizers in case of failure to comply with the rule(s) and deadline(s).

MOOT PROPOSITION

Mohit Srivastava and Vritika are both residents of Dwelhi, a State in Indiana. Indiana is a country located in subcontinent of Asia with a glorious and rich heritage where multifarious religious groups co-exist. The country of Indiana consists of 29 States and 7 union territories in which Dwelhi is one of the States. The social, legal and cultural conditions of Indiana are *pari materia* to that of India.

Mohit and Vritika used to work at “Today My Trip Pvt. Ltd.”, Dwelhi. The duo met during the first meeting of the company. They both worked for the marketing team and somehow they exchanged their phone numbers and started talking afterwards on regular basis and developed a healthy relationship. After working in the company for more than 10 months Mohit left the job. Vritika soon left the job too. Afterwards, they both started working together at “Voyageworldblog Pvt. Ltd.”, Dwelhi.

After joining the new company, viz. “Voyageworldblog Pvt. Ltd.”, Dwelhi. They both were happy and enjoying the company of each other. On one fine day Mohit proposed Vritika in the office itself and Vritika accepted his proposal too. After the proposal they both started hanging together frequently. On 25.02.2019, Mohit informed Vritika that today is his birthday. They had a long conversation over the phone and they decided to celebrate it together at “Hurugram”. Vritika went to meet Mohit at the Central Gate metro station and then they both went to Hurugram. They checked into “7 wonders Guest House” situated at Hurugram to cut the cake on the occasion of his birthday.

On the occasion of his birthday, Mohit assured Vritika that he wanted to marry her and on that ground he solicited sexual favours from Vritika. Vritika relying upon the veracity of Mohit’s assurance to marry her consented for the sexual intercourse. After this incident they did not meet for 4-5 days. Afterwards, Mohit went to Tranglore for 2 months. Vritika called him on his cell phone and learnt from Mohit’s brother that, “Mohit is already married and has a son. However, the wife and son do not reside with him”.

On 02.05.2019, Mohit met Vritika at Silk Nagar and confirmed that he is married and his marriage is registered as per the provisions of The Hindu Marriage Act, 1955, and he also affirmed the existence of the child begotten out of the wedlock and he sought pardon from Vritika for the concealment of this material information. On 20.06.2019, when Vritika went for her routine medical checkup there she was informed by her doctor that she is pregnant and this information was expeditiously forwarded to Mohit. Latter after receiving this information assured former that his subsisting marriage has been irretrievably broken down and sooner or later he would obtain divorce from his wife and then he would marry former.

Days went by but Mohit never paid any attention to the messages sent by Vritika. She tried her best to communicate but all of her efforts went in vain. Vritika after making all

futile attempts decided to lodge an F.I.R. against Mohit and subsequently lodged an F.I.R. under Section 376 and Section 493 of IPC.

The Police on the basis of their investigation framed the charge sheet and submitted it to the Court. On the basis of the charge sheet, trial was conducted in the Court of the District and Session Judge. The Court Convicted Mohit under Section 376 and Section 417 of IPC. Thereafter, Mohit filed an appeal against the decision of the Court of the District and Session Judge, in the Dwelhi High Court. The Hon'ble High Court of Dwelhi acquitted Mohit under Section 376 of IPC and convicted him only under Section 417 of IPC. Being aggrieved with the decision of the Hon'ble High Court of Dwelhi, Vritika filed the Special leave petition under Article 136 of Constitution of Indiana. The case is pending for adjudication before the Hon'ble Supreme Court of Indiana. Prepare memorials and argue from both sides.

Notes:

1. Any attempt to contact the author in relation to Moot Proposition shall lead to the disqualification of the team.
2. The Laws, case laws and Constitutional provisions of Indiana are analogous to the ones in India.
3. The Proposition is neither intended to nor does it attempt to resemble any incident or any person, living or dead. Any such resemblance is purely Coincidental. The proposition is a fictitious factual account prepared for the purpose of the present competition only and it does not attempt to influence or predict the outcome of any matter whatsoever.
4. Petitions to be drafted on behalf of both the Appellant and the Respondent, and oral arguments to be limited and based on the above information.

For further information email us at **intramoot123@gmail.com** or contact:

- Divanshu Kashyap - +91 9971753420**
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