

FAIRFIELD INSTITUTE OF MANAGEMENT AND
TECHNOLOGY
SCHOOL OF LAW
10th INTRA COLLEGE MOOT COURT COMPETITION

IMPORTANT DATES

<u>DATE</u>	<u>EVENT</u>
1 st February,2018	Release of Moot Problem
6 th February,2018	Submission of Registration Form
9 th February,2018	Release of Clarifications, if any.
12 Febraury,2018	Allotment of Team Codes
26 th February, 2018	Submission of Memorials Soft Copy
28 th February, 2018	Submission of Memorials Hard Copy
8 th March,2018	Inaugural Ceremony Draw of Lots Researchers test
9 th March ,2018	Preliminary Round Draw of Lots Exchange of Memorials Quarter Finals Draw of Lots Exchange of Memorials
10 th March, 2018	Semi Finals Draw of Lots Exchange of Memorials Finals Valedictory Ceremony

RULES AND REGULATIONS

General Rules:

1. **“Participating Team”** means the team which has registered itself for the Competition as per the Rules given below.
2. All the Rules are only inclusive and not exhaustive for the competition.
3. Rules should be strictly adhered to. Any deviation there from would attract disqualification or other penalties mentioned subsequently.
4. All decisions by the Organizers in case of any disputes/ doubts etc. will be final. The Organizers may make such rules and procedures at any point of time, as they deem fit. Imposition of penalties including disqualification rests solely with the Organizers in case of failure to comply with the rule(s) and deadline(s).

I. Date and Venue:

The 10th Intra-College Moot Court Competition 2018 shall be held from **8th -10th March, 2018** at Fairfield- School of Law.

II. Language:

The official working language of the Moot Court Competition shall be English.

III. Eligibility:

The competition is open for all the bonafide students of Fairfield- School of Law of all semesters.

IV. Dress Code:

During all the Days of the competition the participants shall be in Formal Wear only.

- i) Male participants are required to wear a Full Formal Suit i.e. Black Trousers, White Shirt, Black Tie, Black Coat and Black Formal Shoes.
- ii) Female participants are required to wear a Full Formal Suit i.e. Black Trousers, White Shirt, Black Coat and Black Formal Shoes or Indian Formal Dress i.e. White Salwar Suit Along With Black Coat And Black Bellies.

V. Team Composition:

- i. Each team shall consist of 3 members. This number cannot be modified under any circumstances. There shall be 2 speakers and 1 researcher.
- ii. Teams shall identify the speakers and researcher during registration. No extra member or observer shall be allowed.
- iii. Any additional member of any Participating Team shall not be entitled for hospitality or for any award. Such member or observer shall not be allowed to watch any of the rounds of the competition.
- iv. Each team will have a Team Code.
- v. Teams shall not disclose their identity except in the registration form. Any such disclosure shall invite strict penalty including disqualification. The decision for the same shall be at the discretion of the Organizers.

VI. Registration:

- i) The Participants are required to submit a duly filled registration form along with the Passport Size Photographs latest by **6th February, 2018**. (Forms shall be available on the website of Fairfield Institute of Management and Technology).
- ii) No forms received after the deadline shall be considered for registration.
- iii) Every Participating Team will be allotted a team code which will be communicated through Notice Board.

VII. Allotment Of Team Codes:

- i) Each Team shall be allotted a Team Code on **12th February, 2018**.

IX. Rounds:

- i. There shall be two Preliminary Rounds, a quarter-final round, a semi-final round and a final round. Lots picked by the teams will decide the side of the arguments in Preliminary, Quarter-Finals, Semi-Finals & Final Rounds.
- ii. Orientation & draw of lots shall take place on **8th March, 2018**.
- iii. There shall be two preliminary rounds wherein every Participating Team shall be required to argue once from each side.

- iv. Top sixteen teams will qualify for the Quarter- Finals at the end of the Preliminary Rounds. The first eight teams will be selected on the basis of their oral scores in the Preliminary Rounds plus the scores in the memorials.
- v. Scores in the researchers' test will be used in order to resolve a tie.

X. Researcher's Test:

A Researcher Test shall also be conducted for adjudicating the "Best Researcher" on **8th March, 2018**. The Speakers shall not be eligible to participate in the test.

XI. Memorials:

The following requirements for memorials must be strictly followed and any noncompliance of the same shall attract penalties.

- i. Each team must prepare memorials for both the sides.
- ii. The Memorials shall be consistent with the Indian Law Institute format.
- iii. Once the Memorials have been submitted, no revisions, supplements or additions will be allowed.
- iv. The last date for submitting the Memorials (for both Appellant and Respondent sides) in soft copy is **26th February, 2018** latest by **11:59 pm (23:59 Hours)**. **Email id to be disclosed soon**. The Memorials so submitted shall be judged for the "Best Memorial" Award.
- vi. **Eight (8)** copies from each side of the memorials (excluding copies for use by the team) should be submitted latest by **28th March, 2018**.
- vii. First 40 Memorials which shall be submitted will be allowed to argue for further rounds.
- viii. It shall be the sole responsibility of the respective Participating Teams to ensure that the correct number of copies of the Memorials is submitted to the Organizers within the prescribed deadline.

X. Format of Memorials.

- a) **Cover Page:** The cover page of the memorial must state the following:
 - Team Code on upper Left-hand side corner.
 - The case title

- Color of the cover page must be:
Blue in case of Petitioner/Appellant
Red in case of Defendant/Respondent.
 - The Party for which the Memorial has been prepared.
- b) **The table of contents.**
 - c) **The index of authorities.**
 - d) **The statement of jurisdiction.**
 - e) **The statement of facts.**
 - f) **The statement of issues.**
 - g) **The summary of arguments.**
 - h) **The arguments advanced/ body of arguments.**
 - i) **The prayer**

XI. Memorial general format:

- **Spacing:** 1.5 Line Spacing
- **Margins:** One inch margin on all sides of each page.
- **Font:** The font for the body of the memorial shall be Times New Roman, size 12.
The font for the footnotes shall be Times New Roman, size 10, line spacing 1.0.
- Memorials must be spiral bound only.
- Page numbering should be at the bottom middle of each page.
- The memorials must not contain any annexure / photographs / sketches/ exhibits / affidavits, etc.
- Teams shall cite authorities in their Memorials by way of a uniform style of citation.
- The maximum number of pages in each Memorial should not exceed 30 pages and minimum of 15 pages.
- The Memorials shall not, in any way, disclose any fact pertaining to the identity of the Participating Team or its Members so represented.

XI. Marking of Memorials

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

S. No.	Criteria	Marks Allotted
1.	Knowledge of Facts and Law	20
2.	Analysis, Organization and Clarity	20
3.	Extent and Use of Authority	20
4.	Correct Format and Citation	15
5.	Originality in Presentation/ Drafting	15
6.	Grammar and Style	10
	GRAND TOTAL	100

XIV. Evaluation of Oral Submissions:

The Marking Scheme for the evaluation of the oral arguments shall be done in the following manner:

S. No.	Criteria	Marks Allotted
1.	Knowledge of Facts and Law	20
2.	Logic and Reasoning to apply the Legal Principles	20
3.	Ingenuity & Ability to answer questions	20
4.	Time Management and organization	20
5.	Court Etiquettes/ Deference to the court	10
6.	Persuasiveness	10
	GRAND TOTAL	100

XV. PRELIMINARY ROUNDS:

- ❖ There shall be one Preliminary Round on **9th March, 2018** and every team shall be given the opportunity to argue for one side.
- ❖ Each team shall get a Total Time of **15 Minutes** to present their case. Any extension of time beyond the specified period shall be subject to the discretion of the judges.
- ❖ The Division of time between the speakers is the discretion of the team members, subject to a maximum of 8 minutes for one speaker.

XVI. QUARTER FINALS:

- ❖ The Quarter Finals Round will be held on **9th March, 2018**. At the end of the Preliminary Round, the **Top 16 Teams** will qualify for the Quarter Finals.
- ❖ Each team shall get a Total Time of **15 minutes** to present their case and **5 minutes** for 'rebuttal' and 'Sur-rebuttal'. Any extension of time beyond the specified period shall be subject to the discretion of the judges.
- ❖ The division of time between the speakers is the discretion of the team members, subject to a maximum of **7.5 minutes** for one speaker.

XVII. SEMI-FINALS:

- ❖ The Semi-Finals will be held on **10th March, 2018**. The Semi-Finals shall be a Knock-Out Round. At the end of the Quarter Round, the **Top 4 Teams** will qualify for the Semi-Finals
- ❖ Each team shall get a total of **25 minutes** to present their case and **5 minutes** for 'rebuttal' and 'Sur-rebuttal'. Any extension of time beyond the specified period shall be subject to the discretion of the judges.
- ❖ The division of time between the speakers in the discretion of the team members, subject to a maximum of 12.5 minutes for one speaker.

XVIII. FINALS:

- ❖ The Final Round will be held after the Semi-Finals on **10th March, 2018**. At the end of the Semi- Finals Round, the **Top 2 Teams** will qualify for the Finals. Any

extension of time beyond the specified period shall be subject to the discretion of the judges.

- ❖ Each team shall get a total of **30 minutes** to present their case and **10 minutes** for ‘rebuttal’ and ‘Sur-rebuttal’.
- ❖ The division of time between the speakers is the discretion of the team members, subject to a maximum of **15 minutes** for one speaker.

XIX.Awards:

- ❖ Winner Award
- ❖ Runner up Award
- ❖ Best Speaker
- ❖ Best Memorial
- ❖ Best Researcher

XX. FOR CLARIFICATIONS, PLEASE CONTACT:

- ✓ Naman Shukla : namanshukla2009@gmail.com
- ✓ Ankita Kalra: kalraankita96@gmail.com

NOTE: For more information about the Competition visit the website <http://www.fimt-ggsipu.org/>

FIMT INTRA MOOT COURT COMPETITION,2018

Moot Proposition

Disclaimer: All the names used, and events described in this proposition are fictitious. The Motive of this Moot Court is to provide Wide Horizon to the students and not to hurt sentiments of any Judicial Pronouncement. This is a National Debatable Issue which can be discussed in any medium and hence there is no Legal Infringement in any way.

SOL and Another v. Union of Bharatvarsh

1. The Republic of Bharatvarsh is a Sovereign, Socialist, Secular, Democratic Republic which got its Independence from Queen's Land on 1stDecember, 1947. The Constitution of Bharatvarsh guarantees to all its citizens Justice, Equality, Liberty and Fraternity. Republic of Bharatvarsh has its Independent and Autonomous Election Commission, the Judiciary of Bharatvarsh is also Autonomous and Independent in its own sphere. The Higher Judiciary is made the Guardian and Interpreter of the Bharatvarsh Constitution. Hence, the Power of Judicial Review lies with the Higher Judiciary.
2. That the Government of Bharatvarsh formulated a policy named 'Lokaadhar' for profiling of its citizens and to provide them a card called Lokaadhar Card on 28 January 2009. The Lokaadhar Card was meant to Identify Citizens for various benefits given by the Government. It was also meant to save the duplicity of Identities. One of the objectives of Lokaadhar was to Identify Illegal Immigrants in the country and to deport them to their respective countries. The main aim of this policy was to check the leakage in Government schemes and to prevent Corruption happening in Public Distribution System and other subsidy providing schemes of the government. Basically, the viewpoint behind this policy is '*Zero Tolerance for Corruption*'.

3. That the duplicity of election cards will also be checked through Lokaadhar Cards- which are based on latest Cyber Technology. Tax collection of the government will also increase with the linking of Lokaadhar cards with PAN Card and Bank Accounts. These would be the future initiatives of the Government. The Policy document of the Government clearly indicated all the above stated objectives.
4. That as per Government Notification issued on 12th October, 2009, Lokaadhar Policy is also aimed at eliminating all forms of terrorism by finishing off sleeping modules and local support base of terrorists in the country. Terror finance will be curbed through Lokaadhar and Hawala transactions and foreign contributions to suspect NGOs can be checked by making payments, salaries and other financial transactions online and linking them with Lokaadhar system.
5. That Lokaadhar {Targeted Delivery of Financial and other subsidies, benefits and services} Act, 2016 was enacted by the government making it mandatory linking of Lokaadhar cards with PAN Card and Bank Accounts.
6. Society of Law (SOL), A Legal Society, has approached the Hon'ble Supreme Court of Bharatvarsh, through a Writ Petition, against the Republic of Bharatvarsh, contending that the Collection of the Biometric Data for Lokaadhar Card, violates the Right to Privacy of the Citizens. For obtaining the Lokaadhar Card, applicant has to provide his Biometric Data. The Petitioner contends that this is a violation of Article 21 of the Constitution of Bharatvarsh which grants "Right to Privacy" as a Fundamental Right, which is evident in various decisions of the Apex Court and therefore, the Lokaadhar Card Scheme should be declared Unconstitutional.
7. That the SOL claimed Lokaadhar Act, 2016 as violative of Right to Privacy guaranteed by the Constitution of Bharatvarsh. He contended that the data collected by government is

not safe and it can be leaked to private entities very easily threatening the life and liberty of the citizens.

8. In another Writ filed by REGUS, a NGO working on the issues regarding Civil and Political Rights of Citizens, before the Hon'ble Supreme Court, has contended that the Lokaadhar Card is made mandatory by the Government to avail benefits under various Social Welfare Schemes. The petitioner alleged that non-availability of Lokaadhar Card denies the citizens the access to the benefits under various Social Welfare Schemes, which is clear violation of Fundamental Right to Equality as guaranteed by the Constitution of Bharatvarsh. Furthermore, the NGO has contended that by denying citizens access to scheme defeats the basic purpose of welfare state enshrined under the Directive Principles of State Policies given in Constitution of Bharatvarsh.

The Hon'ble Supreme Court taking into consideration the gravity of the same, decided to hear the matters jointly on 8 March 2017 and the notice was issued to the Republic of Bharatvarsh in this regard.

The main issues for consideration are: -

- I. Whether the Writ Petition is Maintainable?
- II. Whether the Lokaadhar{Targeted Delivery of Financial and other subsidies, benefits and services} Act, 2016 is Unconstitutional and violates the provisions of Part III of the Constitution of Bharatvarsh?
- III. Other ancillary issue, If any

Note: The Constitution and other laws of Union of Bharatvarsh are same as those of Republic of India. Considering various aspects of the case matrix, arguments are to be put forward from the side of both the Petitioner and the Respondent.

INTRA MOOT COURT COMPETITION
REGISTRATION FORM

Instruction: All participating teams are requested to Fill in the details in Capital Letters.

SPEAKER I: Name _____
Enrolment ID: _____
Course / Semester/ Section: _____
Gender: _____
Mobile Number: +91 _____
Email ID: _____

SPEAKER II: Name _____
Enrolment ID: _____
Course / Semester/ Section: _____
Gender: _____
Mobile Number: +91 _____
Email ID: _____

RESEARCHER: Name _____
Enrolment ID: _____
Course / Semester/ Section: _____
Gender: _____
Mobile Number: +91 _____
Email ID: _____

***Terms and Condition**

1. *Please put your signatures as per the team configuration.*
2. *Write your names properly as it will be same on certificate.*
3. *No change of team will be entertained.*
4. *No alteration will be entertained*

I Speaker

II Speaker

Researcher