

**ICFAI
LAW
SCHOOL**



**1st VIRTUAL NATIONAL
MOOT COURT COMPETITION
2021**

SEPTEMBER 17-19, 2021

ABOUT THE ICFAI UNIVERSITY, JAIPUR

The ICFAI University, Jaipur is established under The ICFAI University, Jaipur Act, 2011 enacted by Rajasthan Legislative Assembly. The University believes in creating and disseminating knowledge and skills in core and frontier areas through innovative educational programs, research, consulting & publishing and developing a new cadre of citizens with a high level of competence and deep sense of ethics and commitment to the code of professional conduct.

The mission of the university is to offer world class, innovative, career oriented professional post graduate and under graduate programs through inclusive technology aided pedagogies to equip students with the requisite professional and life skills as well as social sensitivity and high sense of ethics.



ICFAI LAW SCHOOL

The ICFAI Law School, a constituent of the ICFAI University, Jaipur was established in the year 2015 with an objective to deliver qualitative legal education to the new generation of legal professionals. The Law School is committed to shape a new cadre of legal professionals through a comprehensive and contemporary body of integrated knowledge of Law with Management and Humanities through rigorous education and research programs. Presently, the Law School accommodates the vibrant bunch of students from all over the country and an enriched intellectual capital in the form of highly dedicated team of faculty members.

The Law School endeavors to achieve an all-round development of students by emphasizing on various extra-curricular activities and assigns a significant role to moot courts. By following the standards of absolute impartiality, transparency and efficiency, it strives to not only organize but also motivate the students to participate in the moot court competitions.



OBJECTIVE OF THE COMPETITION

The 1st ICFAI Law School National Virtual Moot Court Competition, 2021 is designed for aspiring lawyers to utilize their research and analytical skills and to employ their legal acumen. It is one of the most efficient sources from where students can get the education and imbibe all the qualities and skill that a lawyer requires. In a nutshell, the competition seeks to bring forth the 'virtus legalis' in each student.

The proposition of the memorandum has been designed in the light of the same and it focuses on diverse areas of on Constitutional Law.

AIM AND PURPOSE

The 1st ICFAI Law School National Virtual Moot Court Competition, 2021 has been conceived with the aim of creating opportunities to learn the development of jurisprudence on emerging trends in the domain of transformative constitutionalism. It has been designed with a vision to enrich the knowledge of aspiring lawyers in keeping with the mission to actively bridge law and governance through legal education while developing all the proficient skills in research, writing and advocacy.

SCHEDULE

S.NO.	PARTICULARS	DATE
1.	Commencement of Registration	20 July, 2021
2.	Last date for Registration	05 September, 2021
3.	Last date to seek Clarifications	06 September, 2021
4.	Release of Clarifications	07 September, 2021
5.	Submission of Memorandum and Compendium	12 September, 2021
6.	Inaugural Ceremony & Draw of Lots	17 September, 2021
7.	Oral Rounds - Prelims and Quarter Finals	18 September, 2021
8.	Semi Final Rounds, Final Round & Valedictory Ceremony	19 September, 2021

MOOT PROPOSITION

In 2019, the world was hit by a global pandemic named Covid-19 which resulted in lakhs of deaths all across the globe. On the recommendation of WHO, to prevent the contagious disease, various guidelines were issued in all the countries severely affected which included inter alia the wearing of a mask, washing of hands and using hand sanitizer frequently, maintaining a distance of 6 feet (popularly known as social distancing). As the number of cases rapidly increased worldwide, several countries imposed a national lockdown wherein all the economic, educational and social activities except the few of emergency nature, were completely restricted to avoid any kind of mass movement and public gatherings. People were advised to stay home and come out only in case of an emergency.

An Asian Country named Indiana which was severely affected during Covid-19 first wave during March 2020- July 2020, also had imposed strict national lockdown, despite which a lot of people had lost their lives. In 2021, the second wave of Covid-19 massively hit Indiana which was even more dangerous because the virus had mutated to a different variant and was now severely affecting lungs due to which comparatively more people were getting infected and were dying. The medical infrastructure had completely collapsed as there were no beds, ventilators, oxygen cylinders, or even basic medical facilities after few weeks. Several states of Indiana had completely imposed lockdown in their respective states.

Amid all the chaos and national crisis, general elections to elect members of the Legislative Assembly of Purva Pradesh, one of the states of Indiana, were scheduled during the peak of the second wave. But no guidelines for preventing the Covid-19 were issued by the State of Purva Pradesh. Consequently, all the contesting political parties conducted huge election campaigns, calling for thousands and thousands of people and appealed to vote in their favour. During the campaign, no norms of social distancing, wearing masks, etc. were followed. Due to this, within few days of the election campaign, there was a spike in the number of Covid cases across the state of Purva Pradesh.

The results were announced on 2nd June 2021 and soon after that violence erupted on a large scale in the state. It was alleged by the major opposition party that their leaders, workers and supporters were the prime victims of such post-poll violence. It was also alleged that many citizens had to leave their native place and had to take refuge in the nearby state of Prag Pradesh to save their lives. They presented some pieces of evidence showing that such violence had created a greater impact on economic activities, demographic balance and communal harmony in the state and had resulted in the situation of lawlessness which led to the internal displacement of the people. Whereas it was alleged by the winning party that such violence was sponsored by the major opposition party, which was having government at the Centre to create instability in the state for creating the grounds of imposition of State Emergency. On the other side, a popular face, Mr. Bisham Singh, of the Liberal Democratic Party (LDP) who lost the election from his constituency was chosen to be the Chief Minister of the State of Purva Pradesh by LDP.

An NGO named Pravah Chakra, visited the violence-affected areas on 10th June 2021 for conducting a preliminary survey and prepare a report but were allegedly attacked by the locals. The NGO filed a Public Interest Litigation in the Supreme Court against such violence.

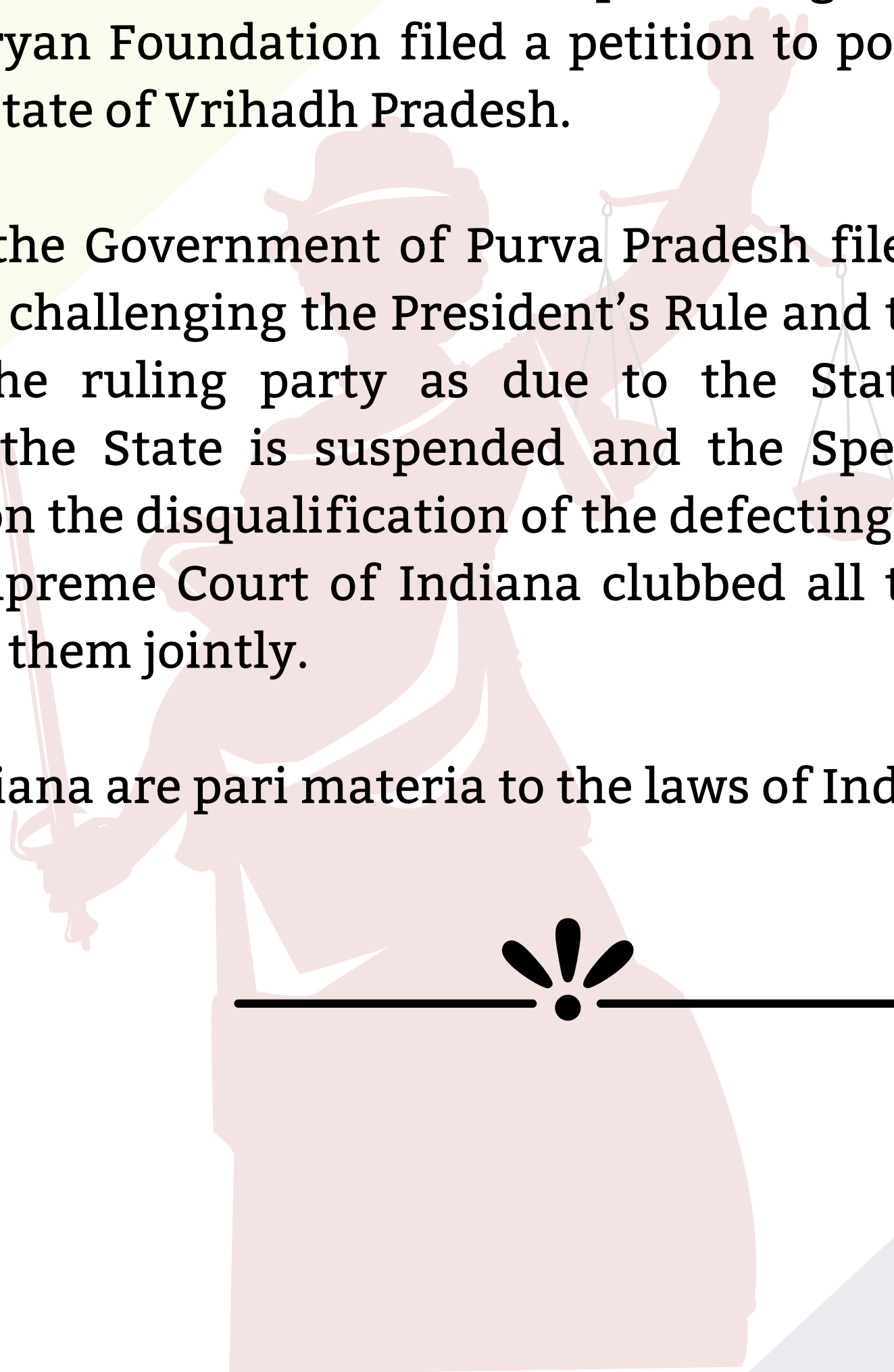
Purva Pradesh Vidhan Sabha consists of 250 seats, out of which 130 seats were secured by LDP and 112 seats were secured by Rashtra Hith Dal (RHD), the major opposition party. On 18th June 2021, Bisham Singh took oath as the Chief Minister of Purva Pradesh and his government came into power. But even after having a regular government, the law-and-order situation in the state continued to suffer while the ruling and major opposition parties were still playing the blame game. Subsequently, having regard to the massive outrage and violence, the President of India imposed President's Rule in Purva Pradesh on 30th June 2021. During the President's rule, 15 members of LDP joined RHD. Due to this, the LDP's ability to form government became questionable.

In the meantime, Vidhan Sabha elections for the State of Vrihadh Pradesh were also scheduled to take place in September 2021 while a similar situation of Pandemic has been prevailing in the state. Another NGO named Aryan Foundation filed a petition to postpone the election process in the State of Vrihadh Pradesh.

Consequently, the Government of Purva Pradesh filed a petition in the Supreme Court challenging the President's Rule and the defection of the members of the ruling party as due to the State Emergency, the Legislature of the State is suspended and the Speaker of the House cannot decide on the disqualification of the defecting members.

The Hon'ble Supreme Court of Indiana clubbed all these petitions and decided to hear them jointly.

The laws of Indiana are pari materia to the laws of India.



RULES AND REGULATION S

GENERAL INFORMATION

1. These are the rules for the first virtual national moot court competition organized by ICFA Law School, The ICFAI University, Jaipur.
2. The moot court competition will be held from 17th September, 2021 to 19th September, 2021.
3. The Organising Committee (OC) shall function as the point of contact, and any changes in the Rules of the Competition shall be notified by mail to all participating teams.
4. The Competition shall be conducted in accordance with the rules mentioned hereunder. Participants are required to comply with the rules and procedures prescribed herein.
5. The official e-mail for all correspondence concerning the Competition is iuj.mc@iujaipur.edu.in

LANGUAGE

The official language for the Moot Court Competition shall be English only.

ELIGIBILITY

Students of three-year or five-year integrated law degree or of post graduate law courses from any University/ Law School/ College/ Department are eligible to participate in the Competition. Multiple teams can participate from the same University/ Law School/ College/ Department.

ATTIRE

- a)Male Participants: Black Trousers, White Shirt, Black Blazer, Black neck tie and Black formal shoes;
- b)Female Participants: Black Trousers/Skirt, White Shirt, Black Blazer, Black neck tie and Black formal shoes (or) White Salwar Kameez, Black Blazer and Black Formal shoes.

TEAM COMPOSITION

1. Each Team may consist either two members, comprising two speakers or three members, comprising two speakers and one researcher.
2. Any alteration in the status of the team members, whether as a speaker or researcher, must be informed through mail to iuj.mc@iujaipur.edu.in.
3. If any team is willing to alter the team composition, can do so by intimating the organizing committee via e-mail ten days before the competition. Any such requests after the given time shall not be entertained except in case of unprecedented circumstances. The inability of any team member to participate in accordance with the rules of this Competition shall lead to immediate disqualification of the Team from the Competition.

PARTICIPATION AND REGISTRATION PROCEDURE

1. The teams interested in participating are required to confirm their participation by filling up the Google form. To register: **CLICK HERE**
2. The last date of registration is September 05, 2021 (11:59 P.M.).
3. A confirmatory e-mail, together with the team code, shall be sent to such a Team on September 07, 2021. Thereafter, all the registered teams shall identify and refer themselves using the allotted team code only for all further correspondence with the organizing committee.

REGISTRATION FEE

Each Participating Team is required to pay INR 1000/- (One Thousand Indian Rupees) towards Registration via online account transfer.

PAYMENT MECHANISM

The Registration Fee is required to be transferred to the below mentioned Bank Account:

Account No. -020205004134

Type of account- Current

Name of account-THE ICFAI UNIVERSITY JAIPUR

Name of bank-ICICI BANK

Bank Branch-Johri Bazar

IFSC Code-ICIC0000315

MEMORIALS

1. All memorials submitted for the purposes of the Competition shall strictly adhere to the rules as stated below.

2. Each Team is required to prepare Written Submissions for both sides, i.e., the Applicant(s)/Appellant(s)/Petitioner(s) and the Respondent(s) of the case.

3. A Written Submission shall be identified solely by the Team Code assigned to the Team. The Written Submissions shall not, in any way, disclose any fact pertaining to the Identity of the Team its members (not limited to the name of the participants), or the Institution/College/University represented by the Team.

4. The memorials must contain the following sections in the order as stated below-

- a. Cover Page
- b. Table of Contents
- c. Index of Authorities
- d. List of Abbreviations
- e. Statement of Jurisdiction
- f. Statement of Facts
- g. Statement of Issues
- h. Summary of Arguments
- i. Arguments Advanced (25 pages)
- j. Prayer (1 page)

5. The memorials should not exceed 40 pages, including the cover page. Non-compliance with the above criteria shall result in a penalty of two marks per missing section.

6. The Cover Page of a Written Submission must contain the following information:

- i) The Team Code in the upper right-hand
- ii) The name and year of the Competition
- iii) Cause Title
- iv) The party on behalf of whom Written Submission has been made
- v) Name of the forum resolving the dispute

7. The Written Submission (including the preliminary pages and excluding the cover page) shall adhere to the following mandatory specifications:

- a. Paper size: A4
- b. Font type: Times New Roman
- c. Font size: 12
- d. Line spacing: 1.5
- e. Indent: Justified
- f. Margin: 1 inch on all sides
- g. For footnotes, the formatting specifications are:
 - Font type: Times New Roman
 - Font size: 10
 - Line spacing: 1
 - Paragraph spacing: 0
 - No additional space between 2 footnotes
 - Body of text: Justified

8. The teams shall follow 20th edition of the Harvard Blue Book, for citation throughout the memorial, with strict adherence.

9. The cover page of the soft copies of the Memorandums shall comply with the following colour scheme:

Applicant(s)/Appellant(s)/Petitioner(s) – **Blue** (in any shade)

Respondent(s) – **Red** (in any shade)

10. Each Team shall send a soft copy of the Written Submissions, via electronic mail, on or before September 12, 2021, by 11:59 P.M. to iuj.mc@iujaipur.edu.in. The Written Submissions must be made in soft copies only.

11. Each Team has to send two (2) separate file attachments: One as Memorandum *on behalf of* the Applicant(s)/ Appellant(s)/ Petitioner(s) and one as Memorandum *on behalf of* the Respondent(s) in PDF.

12. The PDF files should be named according to the Team Code and the side for which the Written Submission is prepared. [For instance, Team 01 will name its Written Submission for the Applicant(s)/ Appellant(s)/Petitioner(s) as 01A and Written Submission for the Respondent(s) as 01R.] Use of any other format (example, "Team 01A" or "Team 01R") will be negatively marked.

13. Two separate mails have to be sent with subject as prescribed:-

- **For Memorandum Submission:** Memorandum Submission - Team Code
- **For Compendium Submission:** Compendium Submission - Team Code

14. The maximum score for the memorials shall be 100 marks. The memorials shall be evaluated on the following criteria:

CRITERIA	POINTS
Knowledge of Law and Facts	25 Marks
Proper and Articulate Analysis	25 Marks
Extent and Use of Research	25 Marks
Clarity and Organization	15 Marks
Grammar and Style	10 Marks

COMPENDIUM

1. It is compulsory for every participating team to submit a compendium consisting of all the case laws along with the memorandum.
2. The last date for submission of compendium is September 12, 2021.
3. Compendium shall be presented by the way of screen sharing only with permission of the judge(s).

STRUCTURE OF THE COMPETITION

1. The Competition shall be conducted for three days from 17th September, 2021 to 19th September, 2021.
2. The timeline of the event is attached herein above.
3. The Competition shall consist of the following Oral Pleading Sessions:
 - a. The Preliminary Rounds
 - b. The Quarter Final Rounds
 - c. The Semi-Final Rounds
 - d. The Final Round
4. The Teams participating in a Round will be provided with a soft copy of the opposing Team's Written Submission prior to the Oral Pleading Session.

PRELIMINARY ROUND

1. To determine the Order of participation in the event's preliminary rounds, all the registered teams shall participate in a draw of lots to be conducted for that purpose. Such a draw of lots shall take place on September 17, 2021, immediately after the inaugural function. The exchange of memorials and orientation of the teams shall be conducted immediately after the draw of lots.
2. For the preliminary rounds, each Team shall argue twice: once on behalf of Petitioner and once on behalf of Respondent (Prelims-I and Prelims-II round).
3. No two teams shall face each other more than once in the preliminary rounds.
4. In determining the scores in the preliminary rounds, memorial scores will be added to the oral scores.

QUARTER-FINALS, SEMI-FINALS AND FINALS

1. The top eight teams of the preliminary rounds shall qualify for the Quarter-final rounds.
2. From the Quarter-final rounds, winning teams from each round shall proceed to the subsequent stages of the Competition on a knock-out basis, as per the formula stated below-
 - I. Quarter-finals = Preliminary Round Oral Scores + Memorial Scores
 - II. Semi- finals = Quarter-finals round oral scores
 - III. Final Round= Semi-Finals round oral scores

TECHNICAL RULES

1. The Competition will be conducted using online live video conferencing platform. The details of the platform shall be shared with the teams via mail.
2. To ensure the smooth functioning of the competition, in adherence to the rules of Social Distancing and Government Guidelines, all participants will participate from their respective places.
3. Invitation link of the meetings including the link to join the courtroom shall be sent to participants on their respective Email IDs submitted by them in Registration Form and through WhatsApp prior to each round.
4. The Participants are expected to be seated in a quiet space free from any echo and isolated from any form of disturbances.
5. The Participants must make sure that the Background is plain and sober which does not disturb the judges. Preference will be given to a White background.
6. The participants should make necessary preparations before entering the meeting room i.e., downloading the required Application and ensuring that their device is compliant to the terms mentioned.
7. The participants should only use their team code as their username while joining the meeting room.

8. All participants shall join at least five (5) minutes prior to the commencement of their round. In case any team fails to join the Court Room within five (5) minutes of its commencement, the opposite team shall proceed ex -parte.

9. During the ongoing proceedings the participants must keep their video on throughout its duration.

10. When a speaker is making his/her submissions, other participants shall keep their microphones on mute. In case a participant is found disturbing the other participant in any way, he/she may be disqualified.

11. No additional documentation or screen sharing will be allowed and any information which has to be provided to the court should be submitted beforehand along with the Compendium and the Memorial.

12. In case internet connection of Speaker 1 is lost or if that Speaker faces any other difficulty in connecting, a time limit of ten (10) minutes shall be given to that speaker to reconnect. After ten (10) minutes, Speaker 2 will take over to put forth his arguments. If Speaker 1 fails to reconnect, the team shall be marked on the basis of arguments put forth by Speaker 2 and Speaker 1 only if he has put forth any arguments before disconnection.

13. The Organizers shall not be responsible for any loss due to slow or non -functional Internet Connection during the Competition.

14. In any case whatsoever, the decision of the Organizing Committee shall be final and binding.

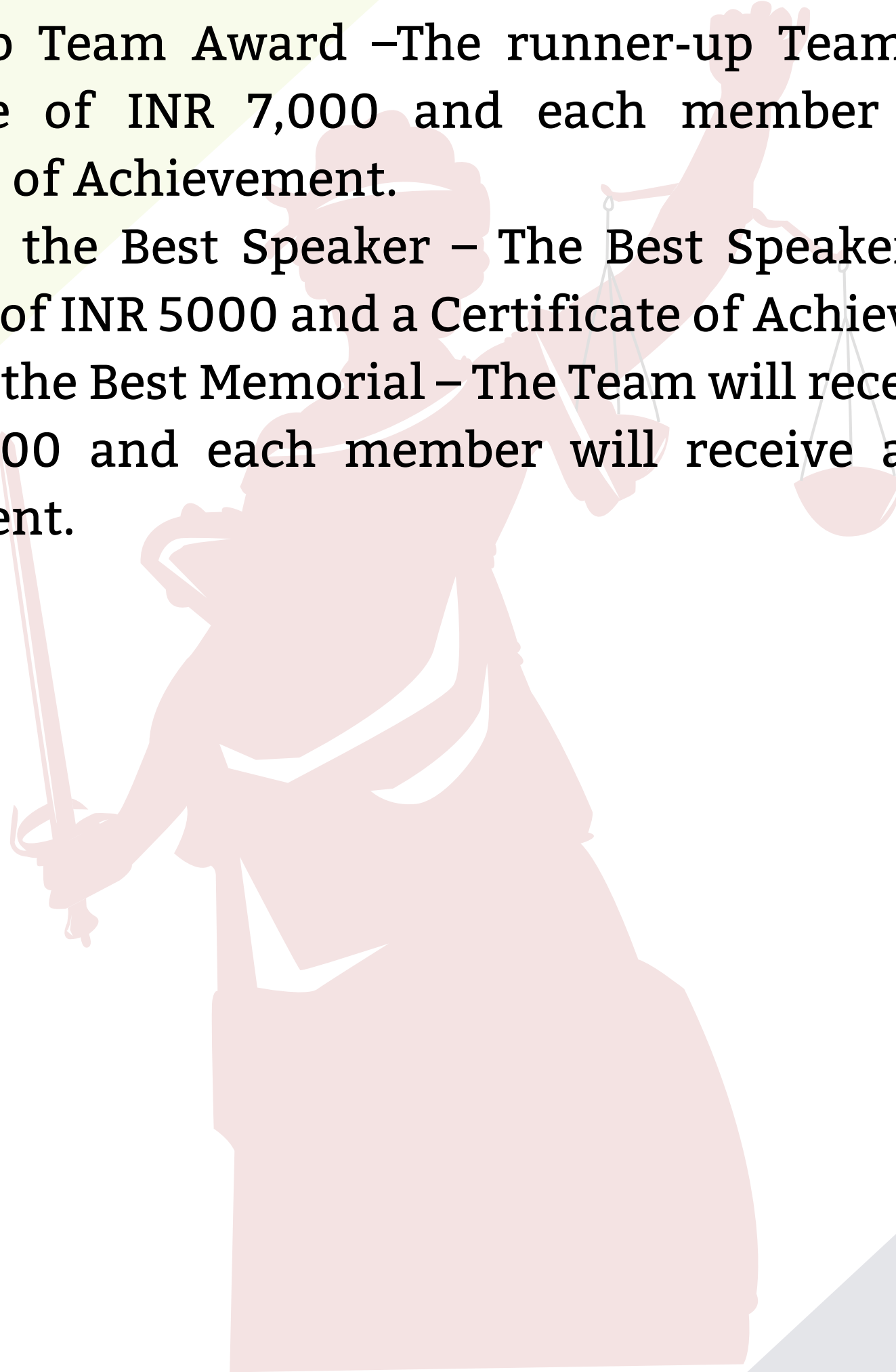
RESULTS

1.The results shall be announced shortly after each round. The decision of the judges in the rounds shall be final. For all purposes and in any dispute, the decision of the Organizing Committee of the Competition shall be final and binding.

2.The result of final round shall be announced at the valedictory ceremony, to be held on September 19, 2021.

AWARDS

- **Winning Team Award** – The winning Team will receive a cash prize of INR 10,000 and each member will receive a Certificate of Achievement.
- **Runner-Up Team Award** –The runner-up Team will receive a cash prize of INR 7,000 and each member will receive a Certificate of Achievement.
- **Award for the Best Speaker** – The Best Speaker will receive a cash prize of INR 5000 and a Certificate of Achievement.
- **Award for the Best Memorial** – The Team will receive a cash prize of INR 5000 and each member will receive a Certificate of Achievement.



FAQs FOR THE COMPETITION

1. What if a team member, precisely any Speaker, gets disconnected while the Court is in session?

Answer: In any such case, the teams are requested to inform the respective court room officer, and with the further consent of the organizing committee, the aggrieved team member shall be given 10 minutes to re-join the meeting.

2. Once the submissions are made by both the teams, are participants allowed to ask for valuable feedback from the bench?

Answer: It depends upon the sole discretion of the bench.

3. Can any other person apart from the team join the session as a spectator?

Answer: No, any outside person who is not a participant except the OC member will be allowed to join the session. Every participant will be permitted to enter the courtroom only with their respective team codes.

4. While in the court room, can a team interact with the opposing team?

Answer: No, teams are not allowed to interact with each other during the competition.

NOTE: Any query pertaining to the competition shall be sent to iuj.mc@iujaipur.edu.in by September 6, 2021. Questions submitted / clarification sought through any other means other than by e-mail shall not be entertained. A consolidated response for all questions and clarifications shall be mailed to all the participating teams on September 7, 2021.



Patron

Prof. (Dr.) H.P. Singh, VSM
President, The ICFAI University, Jaipur

Organizing Secretary

Dr. Arun Kumar Singh
Associate Dean, ICFAI law School, The ICFAI University, Jaipur

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