



# THE ICFAI UNIVERSITY, DEHRADUN

ICFAI LAW SCHOOL

PRESENTS

## **1<sup>ST</sup> VIRTUAL NATIONAL MOOT COURT COMPETITION 2020**

20th-22nd November, 2020



## Invitation Letter



ICFAI Law School, Dehradun is pleased to announce its 1<sup>st</sup>National Virtual Moot Court Competition to be held from **20<sup>th</sup> to 22<sup>nd</sup> November, 2020**. This competition is organized in synchronization with the vision and objective of the ICFAI University i.e. acquiring domain knowledge, developing professional skills and its application in the practical world. The competition strives to give a platform to the budding lawyers of our country to imbibe the analytical skills in the real time situations. The ultimate aim is to engage with students and allow them to have the firsthand experience of the complexities of law.

With immense pleasure, we take this opportunity to invite your esteemed University/Institute for active participation in the Moot Court Competition. We would be delighted to have your competitive presence at our event. A copy of detailed rules and regulations is attached herewith for your kind reference.

It would be an honor to have participation from your esteemed institute. Thanking you in anticipation.

We are looking forward for your involvement in the event.

Thanking you,

Warm regards

ICFAI LAW SCHOOL, Dehradun

### **ABOUT THE UNIVERSITY**

The ICFAI University, Dehradun, Uttarakhand (hereinafter referred to as the University) was established under the ICFAI University Act 2003 (Act No.16 of 2003) passed by the Uttaranchal Legislative Assembly and assented to by the Governor on July 08, 2003.

The ICFAI University secured **44<sup>th</sup> rank in the World Universities with Real Impact (WURI) Rankings 2020 released** by United Nations Institute for Training and Research. ICFAI is the only non- governmental institution among two Indian Universities in this list. The University has also been awarded with the certificate for **E- Learning Excellence of Academic Digitization (e-LEAD)**.

### **About ICFAI Law School, Dehradun**

ICFAI Law School (formerly known as Faculty of Law), a constituent of the ICFAI University, Dehradun is established with the objective of developing a new generation of legal professionals through the comprehensive and contemporary body of knowledge integrating law with Management/Humanities. The Bar Council of India has accorded its approval for imparting three year and five-year Law Courses at ICFAI University, Dehradun, Uttarakhand and award degrees in law. The ICFAI Law School, Dehradun offers B.B.A, LL. B(Hons.) and B.A, LL. B (Hons.) integrated five-year courses, One Year LL.M in Corporate and Constitution laws, Ph.D. full time and part time programs. The ICFAI Law School, Dehradun is the **6<sup>th</sup> Ranking Law School of Super Excellence and 1<sup>st</sup> Ranking Law School in Uttarakhand according to CSR GHRDC Law School Rankings 2020**. It also secured **26<sup>th</sup> rank among top Law Universities/ Institutions including NLUs in MDRA Rankings 2020** conducted by India Today.

**Patron-in-chief:**

**Prof. (Dr.) Muddu Vinay**

(Vice Chancellor)

(The ICFAI University, Dehradun)

**Patron**

**Brig. Rajiv Sethi (Retd.)**

(Registrar)

(The ICFAI University, Dehradun)

**Prof. (Dr.) Yugal Kishore**

(Dean, ICFAI Law School, Dehradun)

**Mrs. Monica Kharola**

(Academic Coordinator)

(ICFAI Law School, Dehradun)

**Organizing Committee**

**Mr. Suneel Kumar**

(Faculty Advisor)

**Dr. Avnish Bhatt**

(Faculty Convenor)

**Faculty Members:**

Mr.Saurabh Siddharth, Ms. Prachi Mishra, Ms. Monika Kothiyal, Mr. Vishal Bera



### **Important Dates**

Commencement of Registration	<b>21<sup>ST</sup> October, 2020</b>
Last Date of Registration	<b>8<sup>th</sup> November, 2020</b>
Last Date of Clarifications of the Moot Proposition	<b>10<sup>th</sup> November, 2020</b>
Last Date of Submission of Memorial	<b>15<sup>th</sup> November, 2020</b>
Researcher's Test	<b>19<sup>th</sup> November, 2020</b>
Preliminary Round	<b>20<sup>th</sup> November, 2020</b>
Quarter Final and Semi Final Rounds	<b>21<sup>st</sup> November, 2020</b>
Final Rounds	<b>22<sup>nd</sup> November, 2020</b>

**VENUE:**

ONLINE VIDEO CONFERENCING

**ELIGIBILITY:**

Undergraduate Student pursuing a law program or equivalent from the recognized University, approved by Bar Council of India

**REGISTRATION:**

**No Registration fee**

**REGISTRATION LINK:**

<https://forms.gle/egVdRaupbqWEXm3X7>

### **Rules and Regulations for the Competition**

- The decision of the authorities regarding the application and interpretation of the competition rules shall be conclusive and final for the purpose of solving any discrepancies and disputes before, during or after the competition.
- **Language and Communication**: The official language of the competition is English, to be strictly followed. Communication in any other international, national or regional language during the competition shall not be permitted.
- **Team Composition**: The team composition, for the competition, shall comprise of either two members (being designated as Speakers) OR three members (two of them shall be designated as Speakers and one Researcher).
- **Eligibility**:
  - a. There will be a capping of **32 teams** for the Competition.
  - b. Participants are restricted to bona-fide law students either enrolled in the 3-year LL. B course or the 5-year integrated law course.
  - c. Only 1 team per institute/college is allowed.
  - d. Teams are required to send the scanned copy of ID card issued by their institute with the registration form.
  - e. No team shall contradict the composition mentioned above.
  - f. No faculty member, coach, or a designated observer will be allowed to accompany the team.
  - g. No cross teams i.e. members of different universities, shall be allowed.
- **Memorial**:

The following requirements for memorial must be strictly followed. Non-conformities will be penalized:

- a. Each Team participating in the Competition must prepare a memorial on behalf of the Petitioner/Applicant and on the behalf of the Defendant/Respondent.

- b. The cover page of the memorial for the Petitioner shall be in **Blue**, and the Respondent shall be in **Red**.
- c. Each team must send its memorial via e-mail to the Organizing Committee at [icfaivirtualmootcourt@iudehradun.edu.in](mailto:icfaivirtualmootcourt@iudehradun.edu.in) latest by **15<sup>th</sup> November, 2020**.  
Please note that NO HARD COPIES ARE TO BE SUBMITTED.
- d. Once the memorial has been submitted, no revision, supplements, or addition will be allowed.
- e. Any memorial submitted after the deadline shall be subject to penalty for late submission.
- f. The Memorial must contain the following parts only:
  - i. Cover Page;
  - ii. Table of Contents;
  - iii. Index of Authorities;
  - iv. Statement of Jurisdiction;
  - v. Question Presented;
  - vi. Statement of Facts;
  - vii. Summary of Pleadings;
  - viii. Pleadings (including Conclusion/Prayer for Relief).

**NOTE: The Table of Contents must be hyper-linked for the ready reference of the Judges.**

- **Formatting Specifications**

- a. For Main Text:

- i. Font type: Times New Roman
- ii. Font size: 12
- iii. Line spacing: 1.5
- iv. Body of text: Justified



b. For Heading

- i. Font type: Times New Roman
- ii. size: 14

c. For Cover Page

- i. Font type: Times New Roman
- ii. Font size: 16

d. For Footnotes

- i. Font type: Times New Roman
- ii. Font size: 10
- iii. Line spacing: 1.0

e. The arguments with appropriate citations shall be contained in the pleadings. The teams shall follow the 20<sup>th</sup> edition of the Bluebook mode of citation.

f. The written submission/memorial should not exceed the maximum limit of 35 pages (excluding cover page and table of contents). The pleadings(argument advanced) shall not exceed 20 pages.

g. Memorials must have a one-inch margin on all side of each page.

h. **Team Code**: The team code must be ascribed on the top right corner of the cover page. The Written Submission shall nowhere mention any particulars of the team, except the Team Code. There must be no mention of Name, Contact number, Email id, University name etc.

- **Draw of Lots**:

Before the commencement of the event, the side on which the Team will be arguing shall be decided by a draw of lots. The link for the same shall be sent to the participants. The Teams will be e-mailed the soft copy of their opponent's Written Submission prior to the oral rounds.

- **Clarifications**:

Participating team may ask for clarifications to the official moot proposition by sending an email to [icfaivirtualmootcourt@iudehradun.edu.in](mailto:icfaivirtualmootcourt@iudehradun.edu.in) latest by 10<sup>th</sup> November 2020



(23:59 hrs. IST). **Note:** Any clarification via any other medium will not be entertained and shall not be taken into consideration.

- **Court Room Communications:** Written communication during the Oral Round shall be limited to electronic written communication among team members via “Chat-box” or “Conversation” features on the app. No other verbal/non-verbal communication may take place.

- **Structure of the Competition:**

The Competition shall consist of four Rounds:

- a. The Preliminary Round; & Researcher’s Test
- b. Quarter Finals
- c. The Semi Finals; and
- d. The Final.

**Researcher’s Test:** Researcher’s Test would be conducted online on **19<sup>th</sup> November, 2020**. The designated Researcher would be allowed to take the test.

**Preliminary Rounds:**

- i. The preliminary rounds will be held on **20<sup>th</sup> November, 2020** via video conferencing. In the preliminary rounds, each Team shall argue only once.
- ii. No team shall be provided any information regarding the identity of their opponent teams or any other team under any circumstances.
- iii. Oral session of the preliminary round of competition consists of **80 minutes** of oral pleadings including rebuttals and sur rebuttals.
- iv. Both the parties are each allotted **40 minutes** including rebuttals and sur rebuttals.

**Quarter Final Round:**

- i. The Quarter Finals would be conducted on 21st November, 2020 via video-conferencing.

- ii. The Quarter Finals round of competition consists of 80 minutes of oral pleadings including rebuttals and sur rebuttals.
- iii. Both the Parties are each allotted 40 minutes including rebuttals and sur rebuttals.

#### **Semi-Final Round:**

- i. The Semi-Finals would be conducted on **21<sup>st</sup> November, 2020** via video-conferencing.
- ii. The semi-final round of competition consists of **80 minutes** of oral pleadings including rebuttals & sur rebuttals.
- iii. Both the Parties are each allotted **40 minutes** including rebuttals and sur rebuttals.

#### **Final Round:**

- i. The Finals would be conducted on **22<sup>nd</sup> November, 2020** via video-conferencing.
- ii. The Final Round of competition consists of **90 minutes** of oral pleadings including rebuttals & sur rebuttals.
- iii. Both the parties are allotted **45 minutes each** including rebuttals and sur rebuttals.

#### **• Evaluation Criteria:**

##### **a. Memorial:**

<b>S. No.</b>	<b>Parameters</b>	<b>Marks Allotted</b>
1.	Knowledge of Law and Facts	20
2.	Interpretation and application of Law to Facts	20
3.	Extent and use of research	20
4.	Adherence to the norms regarding Grammar, Style and Citation of sources	20
5.	Clarity and Organization	20



**b. Speaker:**

S. No.	Criteria	Penalty
1.	Knowledge of Law	20
2.	Application of Law to Facts	20
3.	Ability to answer questions	20
4.	Style, Courtesy and Demeanor	15
5.	Time Management	10
6.	Co-ordination and Team Work	10
7.	Adequacy of Prayer	05

**c. Penalty:**

S. No.	Criteria	Penalty
1.	Delay in Submission of Memorial	1 point per day
2.	Resubmission of Memorial	5 points
3.	Formatting violations	1 point per each failure which may extend to 5 points
4.	Failure to adhere to the particulars of the memorial	1 point per failure
5.	Breach of Violation of Anonymity of Teams	1 point
6.	Failure to adhere to the Court Room Etiquettes	2 points per failure

**Dress Code:** Participants should attend the proceedings of the court in “**Formal Attire**”.

**Court room Etiquettes:**

- a. Student counsel may introduce him/herself to the court in the usual manner and may also state their names. Further all team members shall refrain from identifying a team's college at any time and in any manner, including, but not limited to, wearing any identifying items (such as college clothing, ties, badges, patches, or pins) or carrying/showing material.
- b. The participants are expected to behave in a dignified manner and not cause any unnecessary inconvenience to the organizers. Deference to the Judges of the Moot Court Competition is expected to be maintained on the virtual Court room.
- c. The Organizers reserve the right to take appropriate action for any unethical, unprofessional or immoral conduct.

- **Miscellaneous**

- a. The Organizing Committee reserves the right to amend, modify, change or repeal any of the competition rules at any stage.
- b. The Organizing Committee shall communicate any changes made in the competition rules to the Participating Teams.
- c. The decision of the Organizing Committee of the event shall be final in all matters concerning the competition.
- d. Participants are not allowed to Video tapping and Audio recording the oral proceedings without the permission of the organizers.
- e. The Organizers shall not be responsible for any loss or slow Internet Connection during the Competition. We request all the participants to arrange a sound Internet Connection.



### **MOOT PROPOSITION**

1. Klindia, a Democratic Republic state is situated in Asia and surrounded by Rhina, Rakiztan, Ranglawesh and Rankar. Having reputation of being world's 2nd place in terms of population (1.3 Billion) after Rhina (2Billion) and being globalized and liberalized in 1772. The terms of Klindia with Rhina were never good.
2. In year 2017, Rhina developed a virus for its research purposes and named it SOVID-17. Somehow, the virus made its way out and spread in the city Rushan, a city near borders of Klindia. Soon, this virus caused to be pandemic in Klindia and hospitals witnessed daily casualties. There was complete lockdown of 20 weeks. Only prevention in form of wearing masks, social distancing and strong immunity was the possible efforts in lack of vaccine. In lack of economic activity, many lost their jobs. The lockdown came as surprise to everyone. There were strict timings for opening and closing of grocery shops, vegetable shops etc. Except medicine shops, all shops were ordered to shut down.
3. Mr. Ramesh had two children, a girl named Rakshi of 10 years and Raksham of 14 years. Both children were allergic to milk related food and on 20<sup>th</sup> October, they developed the allergy. Mr. Ramesh took them to a nearby hospital named Ken Hospital which denied to see the patients on pretext that all doctors are busy and only SOVID-17 related admissions are going on. Both children had no options but to resort to home remedies, they got rashes on their skin, specifically on their hands. Further, on next day, the rashes escalated to tissue ruptures. Mr. Ramesh wanted to contact any hospital available but to no avail. The children developed a severe infection on their hands.
4. Mr. Ramesh made a contact with the Hope Insurance Company to claim and seek assistance as he was regularly paying the premiums for family protection. The Insurance Company demanded the bills & prescriptions for settlement. Mr. Ramesh had bills from local medical store but not prescription. Feeling hopeless, he sought medical advice from a teleconsultation app DocDekho from which he found a glittering profile of a doctor. He prescribed some ointments which became more fatal to his children. After paying Rs. 500 for tele-consultation he felt cheated. On 23<sup>rd</sup> October 2017, he lodged an

FIR for fraud happened to him because of the app which was in Playstore. The children were treated by a special group of army doctors in an Army Hospital when Chief Minister heard his problem but certain nerves damage was irreversible.

5. Mr. Ramesh, a branch manager in Kling Bank (Village Rusur-New Selhi state) was detected by Dr. Keni from Rusur's govt. hospital testing camp as SOVID-17 positive on 25<sup>th</sup> October, 2017, as the bank decided to test its employees who are in regular touch with public. Mr. Ramesh was skeptical about results as he had no symptoms. He went to a private hospital named TAIMS (New Selhi) for a detailed RT-PCR test and was found negative. The Regional Manager of Kling Bank issued a circular that all employees who are tested positive shall have to go for 7 days institutional quarantine and 14 days home quarantine.
6. Mr. Ramesh was the only one who was detected positive, in fact in whole village. He requested the regional manager to let him join the bank but to no avail. He lodged an FIR on 26<sup>th</sup> October, 2017 against Dr. Keni on account of false report of SOVID-17. As media came to know about it, Rez TV News channel interviewed SOVID warrior Dr. Keni and came to know that most of them who are tested positive are asymptomatic and test results vary. The village hospital does not have adequate infrastructure for using Rs. 3000 RT-PCR test, so it can only do simple swab test. Rez TV news channel investigated further and came to know that Mr. Ramesh on occasions has also bribed some traffic constable while he was riding his scooter without helmet and required papers. News channel highlighted the news that how Mr. Ramesh is in habit of corruption and lodged FIR while not cooperating with quarantine guidelines of unlock IV.
7. The investigation officer Mr. Bali did no further progress on the case as he found no merits and had no expertise on such issues. On 27<sup>th</sup> October, 2017 Mr. Bali in his police van took Mr. Ramesh to a nearby Quarantine center to rest for 7 days. The quarantine center was a govt. school in New Selhi, densely populated and had just one washroom. Mr. Ramesh came into contact with few SOVID positive patients and developed the symptoms, having severe breathing issues. Rez Tv flashed headlines while showing his video- "If you don't cooperate, you may develop symptoms and your evil inside dies



gradually.” Ramesh survived the institutional quarantine after having put on ventilators for 2 days.

8. On 1<sup>st</sup> November 2017, he escaped from the institution, fearing that he may die due to poor hygiene there. On the very same day Mr. Bali arrested him under Epidemic Diseases Act, 1897, several sections of the Indian Penal Code, 1860 (IPC) and the Disaster Management Act, 2005. The bail was denied initially but later on, he was released on bail after 15 days, on bonds. Neighbors behaved so rudely as if he was a criminal. His wife Moujunita was sent back home from the groceries shop while she being wife of the SOVID 17 affected patient. Mr. Ramesh, his wife Moujunita remained 2 days without ration and food, surviving only on water. However, he was sent rice and wheat by state govt. authorities later at his doorstep. He reached bank to join on 18<sup>th</sup> November 2017, and was allotted a corner most seat shielded with plastics and sanitizers although it was not necessary. Outside his cabin, a big poster was attached, having displayed in bold, ex-SOVID patient, and keep distance.
9. Rez Tv appreciated this social distancing move and congratulated the Employer. The documents, files and everything sent to his desk was sanitized. On the very same day, he reached an NGO Raksham (New Selhi) and narrated his story. Every day, he was harassed by some media anchors, asking about his experiences in quarantine center and how he bribed the private hospital to get negative reports. The name of private hospital TAIMS was already being dragged by Rez Tv. The Hospital owner along with his advocate held a meeting with Mr. Ramesh and the NGO and sent a legal notice to Rez TV but to no avail.
10. NGO collected the data by 2<sup>nd</sup> December, 2017 and was shocked to know that such situations are quite common and notified Mr. Ramesh about it. Now the NGO wishes to represent Ramesh in Supreme Court against state govt. and such media channels.

**Note:- All laws in Klindia is Pari Materia with India**

**- New Selhi is Capital of Klindia**

**Awards:**

- a. Winner Team
- b. Runner Up Team
- c. Best Speaker
- d. Best Researcher

Exciting cash prizes will be awarded to achievers.

Certificate of Participation will be provided to each participant.

**Contact Details:**

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**NOTE:** Participants are requested not to call any Student Organizers in order to seek any Clarifications regarding Moot Proposition.