

Guidelines For Formatting

- ♦ **Memorial Structure:** The memorial must have following pages only:
 - i. Cover Page - The cover page shall contain name of the Court on the top, then case title, title and year of competition (on the left side of the memorial) and team code on the top right corner.
 - ii. Table of Contents
 - iii. List of Abbreviations
 - iv. Index of Authorities
 - v. Statement of Jurisdiction
 - vi. Statement of Facts
 - vii. Issues Raised
 - viii. Summary of Arguments
 - ix. Pleadings /Arguments Advanced
 - x. Prayer
- ♦ **Team Code:** The team code must be ascribed on the top right corner of the cover page.
- ♦ **Content Specifications:** The following content specifications must be strictly adhered to:
 - i. Font and Size (General) - Times New Roman, 12 pts
 - ii. Line Spacing (General) - 1.5 lines
 - iii. Font and Size (Footnotes) - Times New Roman, 10 pts
 - iv. Line Spacing (Footnotes) - Single line
 - v. Page Margins - 1 inch on all sides
 - vi. The Hard Copies of the Memorial shall be printed on only one side.
 - vii. The citation should be uniform throughout the memorials.

Marking Criteria For Memorials

Marking Criteria	Marks Allotted
Evidence of Original Thought	20
Knowledge of Law and Facts	20
Proper and Articulate Analysis	20
Correct format and Citation	20
Extent and Use of Research	20
Total Marks	100



**CAREER POINT
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3rd NATIONAL MOOT COURT COMPETITION

6 -7 May, 2022

CAREER POINT UNIVERSITY
HAMIRPUR, HIMACHAL PRADESH

awctopus
Media Partner

**LAW
SCHOOL**
Knowledge partner



Message from the Desk of Dean & Principal



The Moot Court is an integral part of legal education. Since 2014 the Moot Court Society is working in the School of Legal Studies and Governance with the aim of training the young legal minds for analytical application of law. The Moot Court Society is headed by a faculty coordinator and has a team of student volunteers. It organizes intra moot court competition in every semester and National Moot Court once in an academic year.

The Moot Court Society worked untiringly even during the pandemic, a time when life had almost come to a standstill. It not only hosted online intra moot court competitions but also lived upto the tradition of organising National Moot Court Competition.

The meticulously drawn propositions reflect the sincerity of the team. The laws on which the propositions are based are different from the previous ones and are mainly relevant to the contemporary socio legal conditions.

I congratulate the Moot Court Society for its quest for excellence!

A handwritten signature in blue ink that reads "Anupam Manhas".

Dr. Anupam Manhas

Dean & Principal,
School of Legal Studies & Governance



About the competition:

School of Legal Studies & Governance cordially invites law colleges and universities to participate in 3rd National Moot Court Competition 2022. The two-day event is being organised on 6-7 May, 2022. This competition aims at benefitting the young law students by developing their drafting and advocacy skills. It is a right time to test one's knowledge, oration, communication skills, drafting and mooted skills.



About the University:

The Career Point University has been established under the Government of Himachal Pradesh vide Act number 12 of 2012 under Section 2(f) of the UGC Act, 1956. Located in the rural area of Himachal Pradesh, the university has five schools and fourteen departments. School of Legal Studies and Governance has been started in 2014 after the approval of Bar Council of India. Presently the School is offering B.A.LLB i.e. five year integrated law course and post-graduation in law i.e. LL.M. and Ph. D in law. A team of dedicated, qualified and experienced faculty is nurturing the young minds to excel in the law field.

Important Dates

S.No	Event	Date
1.	Last Date of Registration	3 May, 2022
2.	Last Date of Submission of Memorials	5 May, 2022
3.	Preliminary Rounds	6 May, 2022
4.	Semi Finals and Finals	7 May, 2022

Registration

All the participating institutions have to ensure their participation by fulfilling the online registration form. Single team (consisting of two mooters and one researcher) has to register combinedly by clicking on the below link: <https://forms.gle/MreC5cgoJgXoyFEb9>. Registration will be regarded as confirmed only on the payment of registration fee.

Payment details

The participation fee is payable by the participant through Online Payment (NEFT/IMPS). Kindly keep the copy of transaction safely and mention the same in registration form. The fee once paid is non-refundable.

Fee	INR 3,500/- (Indian Rupees Three Thousand Five Hundred)
Bank	Punjab National Bank
Branch Details	Kharwar
Name of Payee	Chairman Conferences Career Point University, Hamirpur, Himachal Pradesh.
Bank Account No.	2993000101041956
IFSC	PUNB0299300



Submission of Memorials

Soft copy all memorials must be mailed at lawdept@cpuh.edu.in before 3, May 2022. One hard copy has to be submitted through post which must reach by 5 May, 2022. The memorial must be prepared as per the guidelines attached with propositions. Deviation from guidelines will result into deduction of marks.

Awards and Prizes

The National Moot Court Competition will acknowledge the following with award and prizes:

- Winning team of final round will be awarded with trophy and a cash prize of INR 10,000 /-
- Runner-up team of final round will be awarded with trophy and a cash prize of INR 5,000 /-
- Best mooter will be awarded with trophy and a certificate
- Best researcher will be awarded with trophy and a certificate
- Best memorial team will be awarded with a trophies and certificates.
- All the participants will be awarded with the certificate of participation.

Beside this, Lawctopus (knowledge & media partner) will give following awards to the winning and runner up teams:

Lawctopus Law School

- 100 per cent waiver in one course for the members of the Winning team (3 coupons). The team has to avail the offer within 3 months.
- 50 per cent waiver in one course for the members of the runner up team (3 coupons). The team has to avail the offer within 3 months.

Accommodation and Food

Accommodations and food will be provided by the organizers during the days of competition to the participating team members. Accommodations will be provided on share basis in university hostel. There shall be separate accommodation for boys and girls.

Note: No travelling allowance is to be paid by the organiser.

Contact us

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Moot Proposition

Hubana is a free nation with 10 states and 3 Union Territories. Hubana is a small and beautiful State which is rich in natural resources. Hubana adopted its constitution on 25 March, 1952. Hubana is a neighbouring state of India. Both the nations are on friendly terms with each other. Almost all the provisions of constitution of Hubana has been adopted from Constitution of India, 1950. Hubana Constitution of 1965 adopted an express provision under Article 6AA that all the provisions and interpretations of Indian Constitution shall apply to Hubana also. North Rising is one of the State of Hubana. North Rising State has become the part of Hubana in 1980. North Rising has beautiful geographical area and rich in natural resources. However, from the very beginning the State of North Rising faced a lot of violence on the name of religious diversity. The insurgency has been a regular feature of this State. That's why the Central government of Hubana is not able to develop the North Rising in the same manner as the other States. The people living in North Rising has less acceptability for the government of Hubana. There has been constant demand by some regional political parties operating in North Rising to confer it a status of independent State. On the other hand, government of Hubana used to spend a major portion of funds on the development and security of North rising. Hence the State of North Rising for so many years conferred the special status under Article 370 of the Constitution.

With the change in central government of Hubana in the year 2018 some major changes were introduced in the administration of North Rising. The Union Ministry by an order dated 20.6.2021 imposed restrictions on internet and phone and mobile services. The internet services, landline connectivity were all discontinued in State, with restrictions on movement also being imposed in some areas. On 21.6.2021 a constitutional order 116 was issued by the President of Hubana, applying all provisions of the Constitution of Hubana to the State of North Rising and modifying Article 367 in its application to the State of North Rising. In the light of the prevailing circumstances on the same day the district magistrate

apprehending breach of peace imposed restrictions on movement and public gatherings by virtue of powers vested under Section 144 Cr.P.C. (same as Criminal Procedure Code, 1973 of India).

The petitioner has been owner of famous newspaper North Rising Times. The North Rising Times has been a famous newspaper published in English Language since 1980. The North Rising has been number one newspaper in North Rising from the last five years and even awarded with various national awards. Due to aforesaid restrictions the petitioner claims that the movement of journalist was severely restricted and on 21.6.2021 the North Rising Times, North Rising edition could not be distributed. Even after 21.6.2021 the newspaper press had remained closed till 07.07.2021 due the restrictions imposed in the state. There were restrictions in movement, internet, telephone services etc. which are required for proper working of newspaper printing and circulation.

Mr. Akbar Shah, the owner and Chief editor of North Rising Times filed a writ petition before the Supreme Court of Hubana under Article 32 of the Constitution for the enforcement of his fundamental and legal rights under Article 21 and Article 19(1) (a), (d), (g). Beside the infringement of his fundamental rights the petitioner also bears huge financial loss.

The petitioner has submitted that since 21.6.2021 he was unable to publish the North Rising edition of North rising times due to the restrictions imposed. The petitioner sought the issuance of an appropriate directions directing respondents to immediately restore all modes of communication including mobile internet and landline services throughout State of North Rising in order to provide an enabling environment for the media to practice its professions. The restrictions passed on movement were also not apt and direct invasion on freedom of press and mass media.

Following question of laws has been raised before the Supreme Court of Hubana:

- 1) Whether there is violation of right to life of petitioner?
- 2) Whether there is infringement of fundamental

right of petitioner under Article 19 (1)(a) of the constitution?

- 3) Whether there is infringement of fundamental right of petitioner under Article 19 (1)(d) of the constitution?
- 4) Whether there is infringement of fundamental right of petitioner under Article 19 (1)(g) of the constitution?

- 5) Whether petitioner is entitled to exemplary compensation for the loss suffered?

Disclaimer: The moot court problem is not intended to and does not attempt to resemble any incident, organization or any person living or dead. All the situations in the moot proposition are fictitious and any resemblance is merely coincidental.

Rules and Guidelines

Structure of the Competition

The Competition will be structured as per the following format:

- ♦ Preliminary Rounds
- ♦ Semi Final Rounds
- ♦ Final Round

Language

The language of the Competition shall be English.

Eligibility

- ♦ Students pursuing 5 years BALLB/LLB course are eligible to participate in this competition

Team Composition

- ♦ The team composition, for the competition, shall comprise of three members (two of them shall be designated as Speakers and one Researcher).
- ♦ The Researcher may be permitted to argue as Speaker in case of illness or any unforeseen event, but the permission of the Moot Court Convener in such case shall be mandatory.

Code of Conduct

- ♦ Each team shall be assigned alpha numerical codes for the competition and the same shall be the sole source of identity of the respective teams throughout the competition.
- ♦ Intake / use / mere possession of any prohibited substance (like cigarette / alcohol / narcotic substance) is strictly prohibited during the stay throughout the competition, non-compliance with which may lead to immediate disqualification.

Dress Code

The participants shall adhere to following dress code when present in any court room during the

Competition:

- ♦ **Girls:** White salwar and kurta or white shirt and black trousers along with black coat and black shoes.
- ♦ **Boys:** White shirt, black trousers and black tie along with black coat and black shoes.

Memorials

- ♦ All memorials submitted for all purposes of the Competition shall strictly adhere to the rules of the Competition. Each Team participating in the Competition must prepare one Memorial on behalf of Petitioner(s)/ Appellant(s) and one on behalf of the Respondent(s). Further each team has to submit one hard copy of the Memorial from each side. Non-compliance will entail a penalty of 3 Marks per copy not submitted. Hard copy of the memorial must reach the organizers latest by 3 May, 2022 failing which, the same shall not be considered and would lead to disqualification.
- ♦ Petitioner's memorials are required to have a Blue cover and Respondent's memorials are required to have a Red cover. The memorials shall not contain any form of identification apart from the team code. If any such identification or mark, symbol, etc. which has the effect of identifying the team is found on the memorial, then it shall result in instant disqualification. A penalty of 1 Mark shall be levied in case the memorial is submitted in any other format or as a multiple file by the team. The hard copy of memorial must be exact replica of the soft copy submitted with the Organizers. Any difference in the same will result in disqualification from the Competition.