



# 3<sup>rd</sup> Jagannath Memorial National Moot Court Competition, 2021

On Criminal Law

Date – 12<sup>th</sup> March – 14<sup>th</sup> March

**RULE, PROPOSITION &  
PROGRAMME SCHEDULE**

**Organized By:**

**Moot Court Society, JIMS Engineering Management  
Technical Campus, School of Law**

**(Affiliated to GGSIP University & Approved to Bar Council of India)**

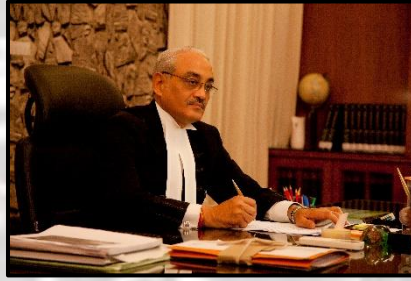
**Plot No. 48/4, Knowledge Park 3, Greater Noida, UP**



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## MESSAGES



Justice Swatanter Kumar (Retd.)

Former Judge, Supreme Court of India  
Former Chairperson, National Green Tribunal

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### MESSAGE

Moot Courts are a learning platform that provide young students of Law an opportunity to experience the proceedings and atmosphere of a court without being burdened by the pressure of the outcome. Moot Courts give the students the ability to envision and embody the basic principles of this noble profession that is to research, prepare, argue and articulate. Over the past several years, it has given me immense joy to see young students eschew their fears and assiduously work towards making presentations to uphold the proposition that they argue for.

**HON'BLE MR. JUSTICE SWATANTER KUMAR  
FORMER JUDGE, SUPREME COURT OF INDIA  
FORMER CHAIRPERSON, NATIONAL GREEN TRIBUNAL**



**SIDDHARTH MRIDUL**

JUDGE  
HIGH COURT OF DELHI

8A, TUGHLAK ROAD, NEW DELHI-110011  
TEL. : COURT : 23382169, FAX : 23383375 RES. : 21410817

**MESSAGE**

My warmest greeting to the management, staff and students of the JIMS School of Law, Greater Noida for conducting the 2<sup>nd</sup> Jagannath Memorial National Moot Court Competition.

Participation in moot court competitions can benefit every Law student. Competing in moot court competitions provides an opportunity for students to build advocacy skills, sharpen public speaking skills, and engage in legal analysis in a variety of areas of law. The skills are not only beneficial for future trial attorneys. The ability to speak persuasively and think on your feet is invaluable in all types of legal careers.

I wish all the participants a fruitful and enlightening experience.

  
**Siddharth Mridul**



**V.B. GUPTA**  
**(Former Judge, Delhi High Court &**  
**Former Judicial Member,**  
**National Consumer Dispute Redressal Commission, Delhi)**

**Dated 29<sup>th</sup> January, 2020**

**MESSAGE**

It gives me immense pleasure to learn that the JIMS School of Law, Greater Noida is organizing its 2<sup>nd</sup> Jagannath Memorial National Moot Court Competition from 14 to 16 February 2020.

A moot court competition provides opportunities to gain experience in advocacy, a valuable opportunity to hone both their written and oral advocacy skills in this competitive field. Simultaneously, such competitions encourage the students to pick up the finer threads of the legal profession especially, the discipline of respecting their adversaries.

I wish this event to be a great success and once again I congratulate all the participants and organizing committee members for their efforts. I hope that this event shall achieve its desired goals and extensively contribute in the knowledge and capacity building of all such concerned persons.

**(V.B. GUPTA)**

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Residence : B-59, Friends Colony (West), New Delhi-110065

Mobile : 9871300039, E-mail : vbgupta10@yahoo.co.in



Dated: 29.01.2020

JUSTICE Z.U KHAN  
FORMER JUDGE  
HIGH COURT, ALLAHABAD

#### ACKNOWLEDGEMENT

The theme circulated by the institute of JEMTEC is extremely burning, sensational and is topic of today. The beginning of 20<sup>th</sup> century can be regarded as civil rights movement. It was the father of nation, Mahatma Gandhi, who initiated this civil liberty movement and that gave it shape in early 20<sup>th</sup> Century.

This was the beginning and with great difficulties the people got realize that existence of rights is necessary for life.

The founding fathers loaded the Indian constitution with fundamental rights and other benevolent provisions befitting for each and every section of the community on the assumption that this is the people's democracy and people's will is sovereign and this is for the people.

The civil rights for which there is hue and cry all over the country can be examined with the provisions of the constitution in light of fundamental rights and duties. Life is not right alone but is coupled with duties. Because the rights are useless unless there is someone to obey and respect the duties.

We are very positive that country will maintain its impartiality and maintain its social and secular democratic status. Long live India. Jai Bharat.

**#Say No to Hate.**

**Yeh Hai Hindustan Mere Sapno ka Jehan**

**Aap Hindu, Main Musalman, Ye Isaai, Wo Sikh..... Yaar Chhodo.....**

**Ye Siyaasat hai, Chalo Kare Ishq.**

Thanking You,

Yours truly,

## MESSAGE FROM JUSTICE SHIV NARAYAN DHINGRA

The higher education sector is passing through a rapid transformation, both in India and across the world and experimenting in setting and achieving new standards of pedagogic quality in such a context is important. The conventional wisdom about the 'quality' of education, be it teaching, research, or co- and extra-curricular activities, the measures of performance have changed. Mere degree from a reputed institution is no longer sufficient for a successful career. The distinction between the real and the virtual is blurring. The 'classroom' is no longer confined to the physical space of the four walls of learning. The knowledge question has become a dynamic one, pushing all, ranging from young students to experienced professors, to make it a lifetime engagement and continuous upgrading of skills and understanding.



Moot Court is an integral aspect of law students' life and the lessons learnt by participating in Moot Court helps the student to stand tall in the real Court when they enter the profession. Moot Court is indispensable part of legal education and the participation in Moot court is a mandatory requirement of Bar Council of India (BCI) and I congratulate JIMS to be able to organise its 1st National Moot court competition with a remarkable participation of 36 teams from all over India.

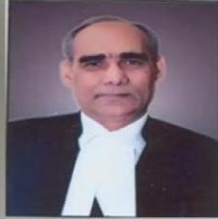
All the best!!

**Justice Shiv Narayan Dhingra**  
(Retd Judge, Delhi High Court)

*Dharnidhar Jha*

Senior Advocate

Former Judge, Allahabad and Patna High Court




MESSAGE

It is a matter of immense pleasure for me that JEMTEC School of Law, Greater Noida Campus, U.P., is organizing a Moot Court Competition by inviting 36 Law Schools across India which is to be held from the 15<sup>th</sup> of February 2019. The Moot Court Competitions are not the Competition fora to judge the legal acumen of law students rather they are organized to inculcate in them the art of developing of advocacy skills which may be handy for them in their respective careers at the Bar. Simultaneously, such competitions encourage the students to pick up the finer threads of the legal profession especially, the discipline of respecting their adversaries and treating them as friends outside the Courts.

Trust, the present exercise shall go a long way in inculcating the good values of legal professionals in the students taking part in it. I wish them the best in their lives.

Dated 9<sup>th</sup> February 2019

  
JUSTICE DHARNIDHAR JHA

Office: 434, LGE, Mathura Road, Jangpura, New Delhi-110014.  
Ph. - 91.11.40392044



डॉ० जी० नारायणा राजू  
सचिव  
Dr. G. Narayana Raju  
Secretary



भारत सरकार  
विधि और न्याय मंत्रालय  
विधायी विभाग  
GOVERNMENT OF INDIA  
MINISTRY OF LAW & JUSTICE  
LEGISLATIVE DEPARTMENT



07<sup>th</sup> February, 2019

#### MESSAGE

I am glad to know that the JIMS Engineering Management Technical Campus is organising the 1<sup>st</sup> Jagannath Memorial National Moot Court Competition. I congratulate the management, staff and students of the institution for the same.

Moot court competitions are an essential part of modern legal education system. They provide students an opportunity to test their theoretical legal knowledge in a practical way. The challenge to present both sides of the mock problem helps the students to delve into the intricacies of law and improve their advocacy skills. It also encourages the students to learn a particular legal issue from various dimensions, thereby giving them a comprehensive understanding of the issue. I believe the lessons learnt and skills acquired through such opportunities will hold the students in good stead when they enter the formal profession.

I wish all the participants a fruitful and enlightening experience. I am sure the event will be a success and wish the organisers the very best for all their future endeavours.

*Dr. Narayana Raju*  
(DR.G. NARAYANA RAJU)



Prof. Afzal Wani



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Ref. No. GGSIPU/USLLS/2020

MESSAGE

It is a great pleasure to know that the JEMTEC School of Law, Greater Noida (a prominent college of the Guru Gobind Singh Indraprastha University, New Delhi) is organizing its "2nd Jagannath Memorial National Moot Court Competition (JNMCC)" from 14<sup>th</sup> to 16th February 2020. It is an added advantage that the integrated Five Year Programme in Law is being run here in a rich ambiance of technology and management studies to produce highly skilled professionals for both litigation and industrial sectors. Kudos are due to the Faculty Members, Management and Students of the institute for striving well with concern to develop this into a National Institute of Excellence through continuous organization of professionally relevant programmes with zeal and zest. Attracting a good number of participating teams for the competition is reflective of their sincerity and prominence. The Moot Court Competition, covering the most important aspects of law, is sure to be a mile stone in honing the talent of the law students and in taking the institution to the next level of its journey towards brilliance. I wish the programme a great success with many other events to follow with distinction.

(Prof. M. Afzal Wani)  
Professor of Law and Former Member,  
Law Commission of India and Ex-Dean,  
University School of Law and Legal Studies,  
GGS Indraprastha University, Dwarka, Delhi-110078

## **A WORD FROM THE CHAIRMAN**



I am happy to learn that **3<sup>rd</sup> Jagannath Memorial National Moot Court Competition** will be held from **12<sup>th</sup>- 14<sup>th</sup> March, 2020**. I feel that the moot court activities are a pre-requisite for the Law students to pursue their future career and I am extremely happy that the student community is taking interest in promoting such activities. I am confident that it will be a grand success.

My best wishes to the organizing committee.

### **Dr. Amit Gupta**

Chairman

Jagannath International Management School

Approved by AICTE & Affiliated to GGS IP University

## **MESSAGE FROM DIRECTOR**



Mooting is about developing ones capacity to argue persuasively,convincing listeners to accept a particular position or point of view. It is Moot just a ability to argue, but also need to demonstrate a good understanding of the relevant law and how it should be applied. It is an important aspect of the co-curricular activities undertaken by the law school to inculcate finer nuances of courtroom happenings

amongst the budding law professionals.

JIMS-School of Law is organising 3<sup>rd</sup> JIMS National Moot Court Competition from 12<sup>th</sup> to 14<sup>th</sup> March, 2021. On behalf of the organising committee I wish all the participants an opportunity to enhance their legal insight enter into this competition with healthy spirit.

I wish this Event a huge success and heartily congratulate all the participants and organising committee members for their efforts.

**(Dr. R.K Raghuwanshi)**

**Director**

## MESSAGE FROM PRINCIPAL



It gives me great pleasure to announce that student's community of JEMTEC School of Law is organizing its 3<sup>rd</sup> **Jagannath Memorial National Moot Court Competition from 12<sup>th</sup> to 14<sup>th</sup> March, 2021**. We have received overwhelming participation from different Law schools all over the country. The students and faculty are totally involved in organizing the competition. As many as 40 Judges from Academics, Practicing lawyers, judges from Hon'ble High Court and Supreme Court have been invited to judge the Competition at various levels. Such competition will provide a platform for the students to interact with the members of the legal profession and also to prove their intellectual skill before eminent lawyers and jurists.

We are grateful to the management and sponsors who have contributed for organizing the competition. I am confident that the competition will prove to be a grand success. I congratulate the students and faculty members for their efforts and hard work.

**Prof. (Dr.) Pallavi Gupta**

(Principal, School of Law)

## MESSAGE FROM COORDINATOR



It's not how much you know, but what you do with what you know. And this Moot Court Hall is a place we've created for you. You truly belong here—right here, right now, with me. I believe you can do great things, and I am here to help you do them. Mooting is not the same as public speaking or debating, although it shares some common elements with these activities. It is a specialized application of the art of persuasive advocacy.

Moot court also develops art which will follow the student for the rest of his professional life. As "youth is not an achievement it is an opportunity", don't let it pass by.

I am glad that JEMTEC SCHOOL of LAW is organizing 3<sup>rd</sup> National Moot Court competition. I wish this excellent event will have not only great success but also fruitful for all of us.

**Sudhir Kr. Dwivedi**

(Assistant Professor)

# THE TEACHING FRATERNITY



# ADVISORY COMMITTEE

## CHIEF PATRON

**Dr. Amit Gupta**  
Chairman - JIMS Group

## PATRON

**Prof. (Dr.) R.K. Raghuwanshi**  
JEMTEC Campus Director

## EVENT PATRON

**Prof. (Dr.) Pallavi Gupta**  
Principal, JEMTEC School of Law

## EVENT COORDINATOR

**Mr. Sudhir Kumar Dwivedi**  
Assistant Professor  
Mob- 9013456805

## EVENT CO-COORDINATOR

**Ms. Divya Nandwani**  
Assistant Professor  
Mob- 9205135940

## ORGANIZING FACULTY MEMBER

**Ms. Akansha Ghose**  
Assistant Professor

**Ms. Akansha Gupta**  
Assistant Professor

**Mr. Gaurav Saha**  
Assistant Professor

**Ms. Diksha Sareen**  
Assistant Professor

## **ABOUT JIMS EDUCATIONAL GROUP**

The JIMS Educational Group has a legacy of over 25 years in quality education and creating industry-ready professionals. It is founded by Late Mr. Jagannath Gupta, an eminent philanthropist of his time. JIMS Group with its foresighted vision, sense of mission and passion is determined to have its presence felt by opening new campuses across India so, that no matter where a student is, geographical boundaries should not remain hindrance in obtaining the finest of education. The society has set up high quality educational institutions as: Jagannath International Management School, in Kalkaji, New Delhi, Jagannath International Management School, Vasant Kunj, New Delhi., Jagan Institute of Management Studies, Rohini, Jagannath Gupta Institute of Engineering & Technology, Jaipur (Rajasthan), Jagannath University, Jaipur, (Rajasthan), Jagannath University, Bahadurgarh, Haryana. Society has also established many school also in Noida, Gaziabad.

## **ABOUT THE JEMTEC, GREATER NOIDA**

JEMTEC Engineering & Management Technical Campus, Greater Noida was established in 2012, under the visionary planning and dynamic leadership of Dr. Amit Gupta, Chairman of the JIMS group. The Institute offers various degree programmes- B. Tech BBA, BCA, B. Ed, B. Com, BJMC and Law and has been ranked amongst premiere institutions for quality education in Delhi NCR. Institute is approved by AICTE, NCTE & BCI. The Institute has an excellent infrastructure in support of high quality teaching, learning and research activities.

## **ABOUT THE SCHOOL OF LAW**

JEMTEC School of Law, Greater Noida, is operating under the JIMS flagship in Delhi NCR and running B.A. LL.B& BBA LL.B 5 year integrated programme since 2014. The School of Law from its inception is committed to achieve excellence and highest academic standards in legal education.

JEMTEC School of Law is organizing its **3<sup>rd</sup> Jagannath Memorial National Moot Court Competition (JMNMCC)** from **12<sup>th</sup> to 14<sup>th</sup> March, 2021** via **Virtual Mode**. The Moot Proposition is based on Criminal Law and its interface with Healthcare Law. The Competition shall be open for '*bonafide*' students who are pursuing an integrated 5 year LL.B. Programme or 3 year LL.B Programme from an institute/university in India.



## About Moot Court Society

Moot Court Society at the JEMTEC, SCHOOL OF LAW has been playing a pivotal role in the training of students for clinical legal work as well as preparing them for enhancing Researching and Writing skills, which helps an individual to build his confidence in communicating and putting view in front of the people.

The MOOT COURT SOCIETY organizes various moot court competition like the Prestigious Jagannath Memorial Moot Court Competition annually wherein students from all over India from different law colleges and university participate.

Novices Senate Intra Moot Court Competition for the students of JEMTEC, SCHOOL OF LAW.

The moot court society help to develop the interests of students in the activity of mooting, understanding intricacies of legal research , acquire sufficient stronghold over the utilization of online legal database, organize research to crisp and clear legal proposition on the issue.

The moot court society motivates the students to participate in the different moot court competition& trial advocacy organized by different law colleges and university at National Level.

### OFFICE BEARERS:

- 1) Vishwajeet K. Ashish (Convener)
- 2) Kr. Kushal (Co-convener)
- 3) RajatGaba (Co-convener)
- 4) Aryan Pandey (Secretary)
- 5) DeepeshKakkar (Addl. Secretary)
- 6) Nikita Sharma (Joint Secretary)
- 7) Shivam Tiwary (Technical Advisor)

### MEMBERS:

- 1) Sharan Gupta
- 2) VaibhavJairath

- 3) FaighaNaz
- 4) ZainabKhan
- 5) ArunimKathuria
- 6) BhavyaVerma
- 7) Kumar Abhinandan
- 8) ParthSindhvani
- 9) Shobita Saran
- 10) Sakshi Sharma
- 11) Divya Bhushan
- 12) JahanviBhati

### CONTACT US:

[jimsnationalmootcourt@jagannath.org](mailto:jimsnationalmootcourt@jagannath.org)

[www.jimsgn.org](http://www.jimsgn.org)



## SCHEDULE

<b>S. No.</b>	<b>EVENTS</b>	<b>DATES</b>
<b>1</b>	Release of Moot Proposition along with Rules	22.01.2021
<b>2</b>	Last Date of Registration	20.02.2021
<b>3</b>	Last date of Clarification	23.02.2021
<b>4</b>	Last Date for Memorial Submission (Soft Copy)	27.02.2021
<b>5</b>	Inaugural Ceremony	12.03.2021
<b>6</b>	Researcher's Test	12.03.2021
<b>7</b>	Preliminary Rounds	13.03.2021
<b>8</b>	Quarter-Final	13.03.2021
<b>9</b>	Semi-Final	14.03.2021
<b>10</b>	Final Rounds	14.03.2021
<b>11</b>	Valedictory Ceremony	14.03.2021

## **RULES & REGULATIONS**

### **GENERAL**

**Date:** The 3rd Jagannath Memorial National Moot Court Competition shall be held **virtually** from **12th-14th March 2021**.

**Dress Code:** Participants are required to adhere to the following dress code at all times while being present in any Courtroom during the Competition.

**Ladies:** Western Formals (White formal Shirt and Black Pant, Black Blazer).

**Gentlemen:** Western Formals (White formal Shirt, Black Pant, Black Tie, Black Blazer).

### **THEME**

Theme of the Competition is Criminal Law and its interface with Healthcare Law.

### **LANGUAGE**

Communication for all official purposes for the virtual Moot Court Competition is English.

### **ELIGIBILITY**

The competition shall be open for *Bonafide* students who are pursuing a 5-year integrated LLB programme or 3-year LL.B programme from an Institute or University situated in India and recognised by the Bar Council of India.

### **TEAM COMPOSITION**

- Each team shall strictly consist of three members. There shall be two speakers and one researcher in each team and the names of such speakers and researchers shall be informed at the time of registration. No additional member or observer shall be allowed to represent any team.
- All participants shall bear with them at least one identity document for any probable verification during the mooting session(s).

- Each team shall be allotted a unique team code before the competition. During the competition, all teams shall be identified by the distinct team codes allotted to them. No Team shall disclose their identity or that of their institution or city etc. except to the organizers, when necessary Any such disclosure shall invite strict penalty including and not limited to disqualification, at the discretion of organizers.

### **REGISTRATION**

- Online registrations are open from **22<sup>nd</sup> Jan. 2020**. The last date for registration is **20<sup>th</sup> February 2021** at <https://forms.gle/XoPJLBW9t69TjE4n9>.
- Registration fees ₹4000/-
- The maximum number of teams who shall participate in the competition has been capped at 24. Registration shall be done on a first come first serve basis.

**\*\*NOTE: Registration shall be deemed final only after receipt of registration fees.**

- Teams shall pay the registration fees in the following account detail:  
**Account Name: JIMS ENGINEERING MANAGEMENT TEC CAMPUS**  
**Account No.: 01339460000403**  
**IFSC CODE: YESB0000133**  
**Bank: Yes Bank Pvt. Ltd.**  
**Branch: Surajpur, Kasna Road, Kasna, Pin-201310**
- The organizing committee has the exclusive right to decide in case of any dispute related to the registration. The decision of the organizing committee in such a case shall be final.

- Screenshot of the Payment to be uploaded on form for confirmation of Registration.

### **TECHNICAL RULES**

- All the rounds shall be conducted via video conferencing.

#### **\*\*Platform of video conferencing will be intimated to the participants beforehand.**

- All the participants of the team are expected to keep their videos on during the oral rounds.
- The link for the Inauguration, Draw of Lots, Valedictory session, and the Preliminary and Advanced rounds shall be sent to all the participants in advance.
- Participants have to ensure high speed 4G internet connection with good audio and video facilities. It is advisable for the participants to use laptops or desktop for the oral rounds.
- In case any participant disconnects during the round, the Court Clerk after waiting for 10 (ten) minutes, will proceed further with the Oral Round.
- The background of the participants should be preferably plain. The background/surroundings of the participants should not be or project either through signage, color, logo, emblem, infrastructure, or any other form of the display which would reveal the identity of the participants and/or the institution they represent.
- Utmost care shall be taken by the teams as regards to external sound or noise while the proceedings are on. During the oral round, proceedings ensure that the same is conducted from a noise-free room.
- At the time when the other participant is speaking, you are expected to keep your mic mute. In

case a participant is found disturbing the other pleader anyway, he/she may be disqualified.

### **ORAL PLEADING**

#### **1. GENERAL PROCEDURE**

- Each Preliminary Round and Quarter-final round of the Competition shall consist of Eighty (80) minutes of Oral Pleadings. Both the sides shall be allotted forty (40) minutes each.

Before the beginning of the Preliminary and Quarter Final Round, each Team shall indicate to the Court Clerk how it wishes to allocate its 40 minutes among

- its first Speaker,
- its second Speaker, and
- Rebuttal (by Petitioner/Appellant) or Sur-Rebuttal (by Respondent).

No single Speaker shall plead for more than twenty-five (25) minutes, including rebuttal or Sur-Rebuttal.

- Semi-Final rounds shall consist of hundred and twenty (120) Minutes of oral pleadings. Both the sides shall be allotted fifty-five (55) minutes each. Further, the time for Rebuttal and sur-rebuttal will be 5 minutes. (Total time of each team will be 55+5 minutes). No Sur-Sur Rebuttal is allowed.

The teams shall indicate their allocation of 55 minutes before the beginning of the Semi-final round. No speaker shall plead for more than 30 minutes during Semi-Final Round including Rebuttal or Sur-Rebuttal.

- The final round shall consist of hundred and thirty (130) Minutes of oral pleadings. Both the sides shall be allotted sixty (60) minutes each. Further, the time for Rebuttal and sur-rebuttal will be 5 minutes. (Total time of each team will be 60+5 minutes) No Sur-Sur Rebuttal is allowed.

The teams shall indicate their allocation of 60 minutes before the beginning of the Semi-final round. No speaker shall plead for more than 35 minutes during the Final Round including Rebuttal or Sur-Rebuttal.

- Extension of Time at Judges' Discretion- Judges may, at their discretion, extend total team oral arguments time maximum by 5 minutes.
- Order of Submission- The order of the oral submissions in each Round at all levels of the Competition shall be: Counsel (Petitioner/ Appellant) 1 --> Counsel (Petitioner / Appellant) 2 -> Counsel (Respondent) 1 --> Counsel (Respondent) 2 -> Rebuttal - Counsel (Petitioner/ Appellant 1 or 2) --> Sur-rebuttal - Counsel (Respondent 1 or 2).
- Ex Parte Procedure- In extreme circumstances, such as when a Team fails to connect for a scheduled Oral Round, the Court Clerk, after waiting for fifteen (15) minutes, may allow the Oral Round to proceed ex parte. In an ex parte proceeding, the attending Team resents its oral pleading, which is scored by the judges to the extent possible as if the absent Team had been present and arguing. In such a case, the Team that fails to connect for the scheduled Round forfeits all the points of the

Oral Round and gets disqualified from the competition.

- In case of an odd number of teams at the competition, the organizers shall have the discretion of having one team from the organizing institute for the purpose of even teams in the preliminary rounds and that team shall not be considered as a part of the competition.

In case the team from the organizing institute scores higher marks than the competing teams then also the next scoring team shall be given preference.

## **2. PRELIMINARY & QUARTER-FINAL ROUND**

- There will be two preliminary rounds of arguments per team, once for the applicant & another for the respondent.
- No team will face each other more than once in the preliminary rounds.
- Each team will face a different bench in their second round of arguments.
- Preliminary and Quarterfinals will be held on **13th March 2021**, the top eight teams from Preliminary Rounds will qualify for the Quarterfinals.
- The criteria for succeeding in these rounds will be based on aggregate marks of the team gained in the Rounds.

## **3. SEMI-FINAL ROUND**

The Semi-Final Rounds will be held on **14th March 2021** and will be knockout rounds. The pairing of Teams for the Semi-Final Rounds

shall be done by a draw of lots/power matchups.

#### 4. **FINAL ROUND**

The Final Rounds will be held on **14th March 2021** and will be knockout rounds. The pairing of Teams for the Final Rounds shall be done by a draw of lots/power matchups.

#### **RESEARCHER'S TEST**

- The Researcher's Test shall be conducted on **12th March 2021** via **online medium**.
- The Researcher's Test shall be in the format of both Multiple & Subjective questions with the questions based on the applicable law, precedents, and facts pertaining to the Moot Proposition.
- Participation in the Researcher's Test is mandatory for all the Teams and failure to participate may result in disqualification, subject to the discretion of the OC.
- The duration of the Researcher's Test will be 1 hour and it will be conducted through Google forms.
- Only the participant registered as researcher from each team shall be allowed to appear for the Researcher's test.
- The participant shall ensure complete integrity and shall not resort to unfair means while attempting the test. Any such attempt shall result in disqualification.

#### **MEMORIALS**

- All requirements have to be strictly followed. Non-adherence to the same shall result in disqualification, subject to the discretion of the organizers.
- Each team shall prepare Memorials for both sides to the dispute. i.e.

Petitioner/ Appellant and Respondent.

- The soft copies of the Memorial from each side shall reach the Organizers at [jimsnationalmootcourt@jagannath.org](mailto:jimsnationalmootcourt@jagannath.org) in pdf format latest by **22nd February 2021**. Attachments shall be titled as [TEAM CODE] [P/A] for Petitioner/ Appellant side and [TEAM CODE] [R] for Respondent side. e.g. 007 P/A and 007 R.
- No extension shall be granted to any team for memorial submission in any case.

#### **FORMAT OF MEMORIALS**

- **Cover Page:** The cover page of the memorial must state the following:  
Team Code on upper Right-hand side corner.
  - The Case Title
  - The Colour of the cover page must be Blue in case of Petitioner / Appellant and Red in case of Respondent.
  - The Party for which the Memorial has been prepared.
    - The Table of Content
    - List of Abbreviations
    - The Index of Authorities
    - The Statement of Jurisdiction
    - The Statement of Facts
    - The Statement of Issues
    - The Summary of Arguments
    - The Arguments Advanced
    - The Prayer

#### **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:** The font of the footnotes shall be Times New Roman, Size 10.
- 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 ILI Style of Citation or any other uniformed style of citation.
- The maximum number of pages in each Memorial shall not exceed 35

pages including 20 maximum pages for Written Submissions/Argument.

- The Memorials shall not, in any way, disclose any fact pertaining to the identity of the Participating Team, its Members, or the Institution /College / University represented.

## **SCORING**

- **EVALUATION OF ORAL ROUNDS:**  
Oral rounds shall be judged as per the following criteria:

<b>S.NO.</b>	<b>CRITERIA</b>	<b>MARKS</b>
01	Knowledge of Facts and Law	20
02	Application of law to facts	20
03	Ingenuity and ability to answer questions	15
04	Presentation Skills	15
05	Time Management and Organisation	10
06	Court Etiquettes	10
07	Logical coherency in Arguments	10
	<b>Grand Total</b>	100

- **EVALUATION OF MEMORIALS:**

Every Memorial will be marked on a total of 100 marks and the team's memorial marks will be the average of the total of both sides.

S.N.	MARKING SCHEME	MARKS ALLOTTED
01.	Knowledge of Facts & Law	15 Marks
02.	Extent & Use of Research	15 Marks
03.	Application of Law	15 Marks
04.	Drafting Skills	15 Marks
05.	Originality in Presentation	15 Marks
06.	Grammar, Style, and Coherency	15 Marks
07.	Original Thought	10 Marks
	<b>Grand Total</b>	<b>100</b>

## **SCOUTING**

- Teams will not be allowed to observe the oral rounds of any other teams. Scouting is strictly prohibited. Scouting by any of the team members shall result in disqualification.
- Any team can file a written complaint to the Organizers for the same. The Organizer's decision regarding scouting shall be final.

## **ANNOUNCEMENT OF RESULTS**

- The result of the Preliminary Rounds shall be announced shortly after the rounds.
- The result of the Quarter-Final Rounds shall be announced shortly after the round.
- The result of the Semi-Final Rounds shall be announced shortly after the conclusion of the round.
- The winners of the Competition shall be announced during the valedictory ceremony.

\*\* In addition to the above awards, e-certificates will be given to the winners. All participants will be awarded e-participation certificates. The awards ceremony shall be conducted virtually.

## **INTERPRETATION OF RULES AND REGULATIONS**

- All interpretation, as well as any waiver, consent or other decisions in the administration of the competition are at the complete discretion of the Organizers.
- Any decision made by the Organizers shall be final and binding on all the participating teams.

## **COPYRIGHT**

- The copyright with regard to the memorials submitted for the participation in the Competition is assigned by participants and shall vest completely and fully on the

Organizers. The participants shall certify the originality of the memorials and the materials used and shall be responsible for any claim or dispute arising out of further use and exhibition of these materials.

- The Organizers shall have the right to publicly display electronically or otherwise, distribute in any manner whatsoever and they shall not be responsible for any liability thereof and they shall not be responsible for any liability to any person for any loss caused by errors or omissions in this collection of information, or for the accuracy, completeness, or adequacy of the information contained in these materials.

## **CLARIFICATIONS**

- The moot proposition shall remain the way it is and no change shall be made whatsoever.
- The Organizers further reserve their right to alter, amend or add to the moot proposition and the same shall be intimated to the Registered Teams well in advance.
- Clarifications regarding matters other than the moot proposition may be sought from the Organizers.

**"NOTE: Complete and Final Technical Rules will be intimated to the participating teams at a later date."**

## **CONTACT DETAILS:**

For further information mail us to:

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6) Deepesh Kakkar – 9518186080

7) Nikita Sharma – 8130944194

8) Shivam Tiwary – 7739506771



# AWARDS AND E-CERTIFICATE

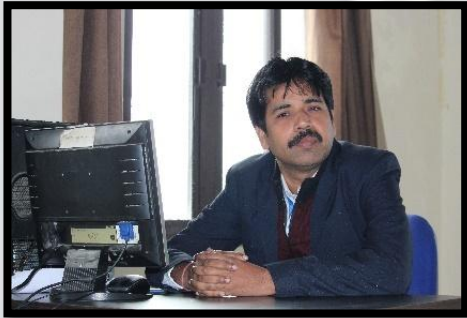
The following Awards shall be given away during the Valedictory & Prize Distribution:

- **Winning Team** (Rs. 31,000)
- **Runners-up** (Rs. 21,000)
- **Best Mooter** (Rs. 5,000)
- **Best Memorial** (Rs. 5,000)
- **Best Researcher** (Rs. 5,000)



# Moot Court Society, JEMTEC School of Law

## Faculty:



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(Coordinator)



**Ms. Divya Nandwani**  
(Co-Coordinator)



**Mr. Gaurav Saha**  
(Coordinator)



**Ms. Akansha Ghose**  
(Assistant Professor)



**Ms. Akansha Gupta**  
(Assistant Professor)

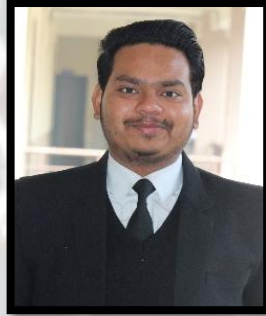


**Ms. Diksha Sareen**  
(Assistant Professor)

## Students Core Committee:



**Ms. Shavi Vats**  
(Student Advisor)



**Mr. Vishwajeet K. Ashish**  
(Convener)



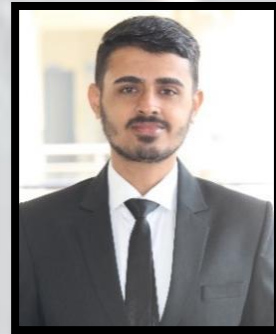
**Mr. Kumar Kushal**  
(Co-Convener)



**Mr. Rajat Gaba**  
(Co-Convener)



**Mr. Aryan Pandey**  
(Secretary)



**Mr. Deepesh Kakkar**  
(Addl. Secretary)

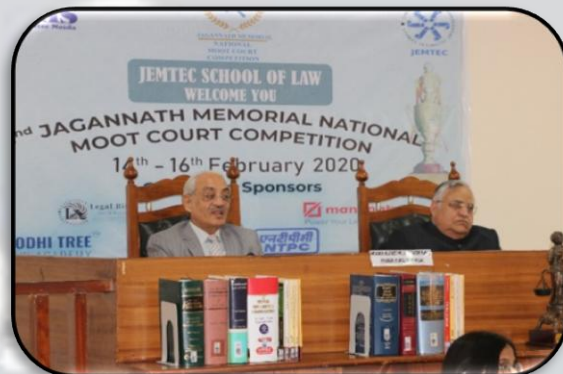


**Ms. Nikita Sharma**  
(Joint Secretary)



**Mr. Shivam Tiwary**  
(Technical Advisor)

# Some Glimpses of National Moot Court Competition





## MOOT PROPOSITION

The Film Industry and Motion picture Industry is at the boom even at the time when the world is suffering from pandemic. Introduction of new technological enhancement and upcoming talent made this industry a continuous working force and provide jobs as well as financial security to many by realising short motivational films to web series on fictional or on non-fictional Characters. A multibillion-dollar Industry which remains a power house and also a time utilization strategy for those under quarantine or even for those who are in home due to lockdown. Many inspirational serials and spiritual serials were also introduced by the world governments so that people feel motivated in difficult times and do not lose hope. Like every industry its development and profit earning consist of hard-work and dedication of many people some are on screen and some are off screen. These people actually work tirelessly to strengthen the roots of such kinds of industries. Saurashtra Film Industry is always considered as the booming film industry with almost 18000 films plus motion pictures produced, directed and released every year. This gives up the business of almost 18000 crores every year more than any film industry present in the outside world. The State of Saurashtra is divided into 29 states and 7 union territories out of which one state is named State of Awadh. Hilori is the city in State of Awadh which is famous for its film cities and known as the film and motion pictures paradise. Where lakhs of people come all over the world to become actors or actresses and even to get a job as supporting staff. There is always a requirement for a number of positions such as assistant director, technicians, accountants, lawyers etc. The State Government always has a disagreement with the Central Government stating that the Central Government always uses its investigation agencies to target its ministers, due to this conflict they have accorded general consent which allows the Central Investigation Office (“CIO”) to exercise its power and jurisdiction in the state. A boy named Raghav came all long from his native homeland (State of Uttar Niwas) to try his luck just like many other boys and girls. He started his career as a background dancer for many famous established actors. He got his first break in a web series called “Hell” where he came into the contact of Producer Rajeev Singh. He turned his life from a struggling actor to a well-established actor due to which he started getting movies offer and also many other big fame directors want to work with him meanwhile Rajeev introduced him to a girl name Suhani who is a famous model and part time actress and signed both of them in an upcoming movie name “My Girlfriend” from that movie Raghav and Suhani came closer and in media they are open about their relationship that they both are dating each other. Year after year passed meanwhile Suhani introduced Raghav with her two close friends Ajay and Atul who works as a supporting staff member in Rajeev Production House. All of them go together to big house parties and get into a very good relationship. Raghav and Suhani purchased a 4 BHK flat and started living together. The family of Raghav always complains that whenever they want to talk to Raghav through cell phone Suhani always remains beside him and sometimes even attends his calls and states that he is busy and can't talk to you right now. His elder sister and family become really very worried as he is going totally against the nature of Raghav who always gives utmost importance to the family. This keeps on going for so many years as Raghav is a very kind hearted person always donates lakhs of rupees in many charity functions soo this sudden change in nature of Raghav made his family to investigate further. They came to know that Suhani actually dictates him in every day schedule and even manages his bank accounts where lakhs of rupees were transferred either to her or to Ajay and Atul accounts. They even get to know that their only son started drinking alcohol and smoking cigarettes. On 23rd Feb. 2021 through a local newspaper, they came to know that there love, there only son has committed suicide. This news shocked the family, and also the film industry that such a kind hearted person is no more. The Awadh Police registered the case and started the investigation they send the actors body for Rama Jain Government Hospital for post-mortem (Autopsy) and started searching for the evidences to take out the real reason of suicide. Through investigation they came across Suhani Letters and no. of messages and also the number of bank receipts and many more evidences. They seized Raghav Laptop and Mobile phone for forensics. Family made allegations

against Suhani, Ajay, Atul and Rajeev that they have transferred large amounts of money from Raghav Account to their personal savings bank account, they were cheating and harassing their son which led him to take such a drastic step. Considering the situation and on the request of Awadh Police on 28th Feb 2021 Finance Directorate (FD) filed the money laundering case against Suhani, Ajay, Atul and Raghav under Prevention of Money Laundering Act, 2002. Awadh Police also filed the FIR against all 4 of them under various sections of Saurashtra Penal Code namely, Sec. 341, 342, 380,406, 420, 306. During investigation FD came across drug angle involved in the case so they requested Drug Check Bureau (DCB) to file a case against all four of them and on 1 st March, 2021 DCB registered the case under section 20, 22, 27 and 29 under NDPS Act, 1985. Suhani, Ajay, Atul and Rajeev were arrested by Awadh Police on 5 th March 2021 from different locations Suhani, Ajay and Atul from GCC International Airport Entrance Gate No. 4 and Rajeev from a Toll Plaza and were produced before the Judicial Magistrate. The Judicial Magistrate sent all four of them to 6 days police custody. The very next day they applied for bail in the Sessions Court that Awadh Police do not have any contrite evidence against them and they have been arrested because of media and public pressure on them. Sessions Court sets 8 th March 2021 to consider or not to consider the bail application. On 8 th March 2021 Sessions Court dismissed the bail application and sent all four of them to 14 days judicial custody. Meanwhile DCB also found out some drug plot in the said case and arrested Smith (Local Drug Dealer). On 10 March 2021 all four of them files a bail application in Hon'ble High Court of Awadh contending: 1. They were not given appropriate opportunity to present their case before the court. 2. All investigation agencies are working partially under immense pressure from the public as well as the media. 3. The court must grant us bail as there is no contrite evidence against us. 4. The court must stop media cover ups as they are flourishing in a number of stories in the market. And prayed before the court that the matter must be transferred to Awadh Police enquiry to CIO enquiry. After n number of grilling arguments from both the sides as the State Council keep on pressuring the court that matter is very sensitive and granting bail to the prime accused's is going to worsen the things, under so much of hustle and tussle High Court of Awadh came up with an order on 10th March 2021 that: "Bail cannot be granted under such sections and send all four of them to 6 days judicial custody altering 14 days Sessions Court order. The question of transferring the current matter to CIO doesn't arise. This court ordered DCB and FD to file a charge-sheet within 3 days' time span. As far as the issue of the media is concerned, we have full faith in them." Suhani, Ajay, Atul and Rajeev filed an appeal in the Hon'ble Supreme Court of Saurashtra against the order passed by High Court of Awadh contending as follows: \*The High Court had wrongfully tried the case and it was absolutely ultra vires for them to charge them in accordance with the Saurashtra Penal Code. \*The media must be stopped covering this matter as they are portraying them guilty in media trials which is causing immense mental pressure on them. \*DCB and FD failed to produce any contrite evidence against them so they must be granted protection from any kind of arrest from the following agencies. \*The following case must be transferred to CIO (Central Investigation Office) for investigation as the state and the following agencies were investigating this matter under partial approach. Admitting the appeal, the Hon'ble Supreme Court of Saurashtra fixed up 13th March 2021 to be the date of hearing.

**NOTE:** \*Laws of Saurashtra is PariMateria to Laws of India \*Participants may refer following legislations: 1. The Constitution of India, 2. Indian Penal Code, 1860 3. Narcotic Drugs and Psychotropic Substances Act, 1985 4. Code of Criminal Procedure, 1973 5. Prevention of Money Laundering Act, 2002 etc.\*All names, incidents, terminology referred in the moot proposition are purely fictitious and have been used for research and academic purposes only. The author/organising University is NOT responsible for any coincidental similarity discovered with any person living or dead. Also, the author/organising university DO NOT intend to/ attempt/ or attribute any remark, comment which could be possibly drawn from the interpretation of the incidents/laws mentioned herein. The proposition shall be valid till the completion of the competition only.



## **JIMS Engineering Management Technical Campus**

(Affiliated to GGSIP University & Approved by AICTE, NCTE & Bar Council of India, Delhi)

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