



ANAND LAW COLLEGE
&
ANAND COLLEGE OF LEGAL STUDIES
(Managed by Shri Ramkrishna Seva Mandal)

5th NATIONAL MOOT COURT COMPETITION
(HYBRID MODE)

12th & 13th March
2022



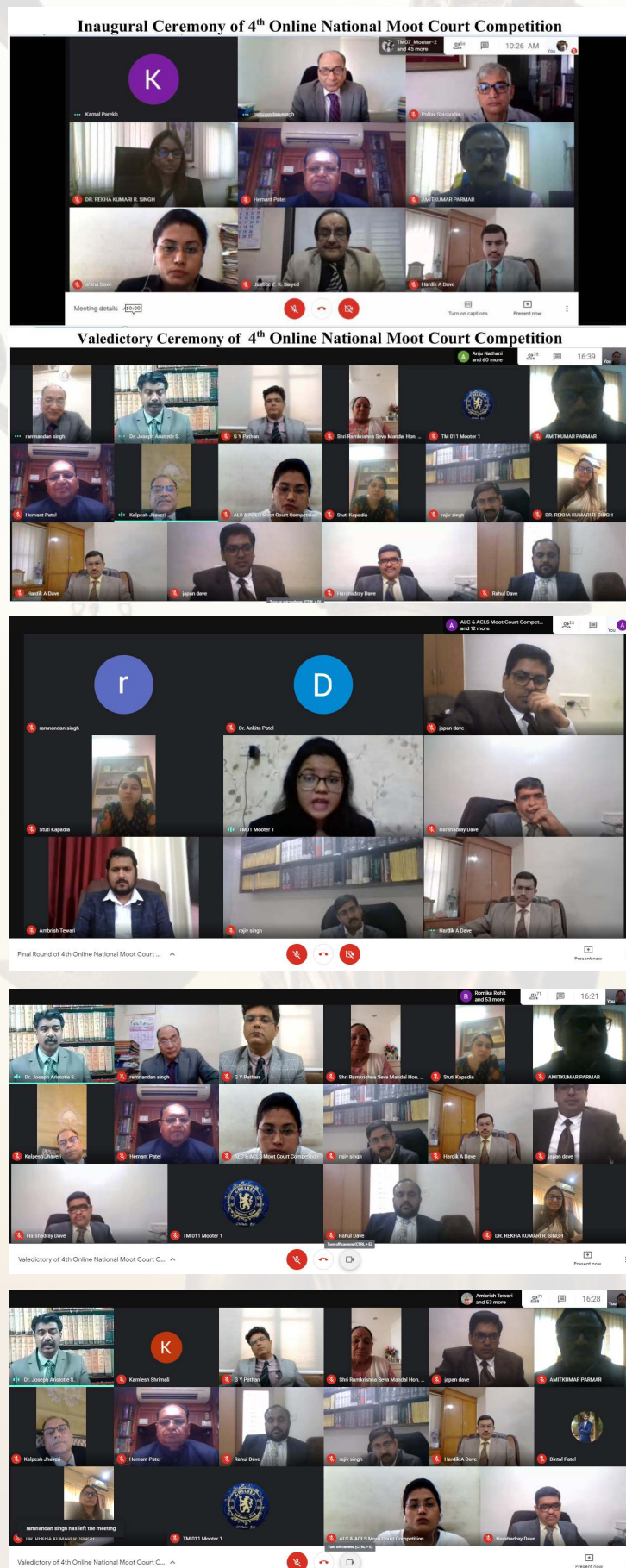
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5th NATIONAL MOOT COURT COMPETITION, 2022 (HYBRID MODE)

Glimpse of National Moot Court Competition (2019-20)



Glimpse of Online National Moot Court Competition (2020-21)



MOOT PROPOSITION

1. Indica is a developing country where numerous MNCs have invested and undertaken several developmental projects. Owing to the ongoing development activities, emission of micro pollutants has increased the level of air and land pollution manifold.
2. Delica is a union territory in Indica and has been labeled as one of the most highly polluted cities. It has a wide capital investment by various investors and is well acclaimed for prestigious educational institutions, monuments and massive infrastructure. This in turn has turned Delica as a favorite, among tourist destinations in Indica.
3. Although, the Honorable apex court has reiterated that; the right to life guaranteed under Article 21 of the Indican Constitution is inclusive of the right of citizens, to live in a pollution free environment in its various judgments yet, Article 19 of Indican Constitution provides for the right to practice any business and profession. Since Indica is a developing nation, the land and resources are supplied to the investors at comparatively low rate who have invested in developing trade. This has led to increased employment opportunities, development of the state that has led to overall development of the country.
4. The ground water level of Delica is decreasing at a higher rate due to its unsustainable usage in various developmental projects undertaken in medical, educational, and other fields. Since Delica has limited resources with multiple uses, the standard of living of the residents is decreasing day by day. Hence, due to decline in air quality, the govt. of Delica has levied additional taxes on residents for providing them with caution equipment like air masks. The government distributed only two masks for each family.
5. Amroza a social activist, was awarded by the president of USA, and honored by International Union for Conservation of Nature. She is an avid supporter of people's right to get clean environment and the need to preserve the environment. Her works and activism made a positive impact on the society. The society is very much dependent on the activities undertaken and works initiated by Amroza in order to prevent further degradation of environment. She is also a member of United Nations Environment Program. Her social activism lately yielded successful results by ban on use of plastic bag in "Panama". She runs an NGO "Hare Paryavaran Ka Nirman" established for Indican population. The NGO is regulated by the Indican laws and keeps a check on the working machinery of Indica. The NGO is renowned for taking strict action against the policies that are not environment friendly. She has through her NGO, succeeded in making a large portion of population aware of their environment rights and the benefits of living in a safe and fresh environment. She is one of the most popular and favourite figures to have garnered support from various countries.
6. According to the report, submitted by the "Hare Paryavaran Ka Nirman" NGO, 3096 people died because of increasing pollution level in Delica every year. And 2091 healthy people suffered from lowered immunity levels owing to diseases caused by environmental pollutants and consumption of contaminated water by the residents. The maximum numbers of deaths are because of air pollution and supply of contaminated water.
7. "Vinu Pal University" the most prestigious and critically acclaimed educational institution in Delica, attracts students from all over the globe to enroll in various professional courses offered by the university and its affiliated colleges. A large portion of students taking admission from USA, Canada, UK, Australia etc. to secure job security offered by the companies pursuing their degree from this University. The rapid increase of industrial establishments has

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led to increase the air pollution. The air quality of Delica has worsened and residents are facing health problems making it almost impossible to continue living there. Due to rising health concerns, the students from many colleges and universities decided to peacefully protest against the govt.'s failure to provide a safe and healthy environment, thereby expressing their concern to protect the environment from further depletion. But the passing of Citizenship Amendment Act 2019, by the government of Indica, further aggravated the public's dissent with the govt. action. Those in favour of the Act also protested the opposition. The peaceful protest turned violent as the mob was taken over by some miscreants, who damaged public property, assaulted and groped several female protestors and engaged in criminal acts. The chaos provided perfect opportunity for both left and right political parties, to get a clean chit from the accusations of abetment to cause riots and waging war against the government.

8. According to the report issued by the police department, the violent activities and protests were initiated by the public to express their dissent with the Citizenship Amendment Act, 2019. The report submitted by the department of police also postulates that the residents of Indica indulged in violent activities due to misconception and misinterpretation about the Act.
9. According to the report submitted by the Criminal Investigation Department, the violent activities were initiated and instigated by the members of the opposition political. It also reveals that half the protestors are unaware about the Act and the real reason as to why they are protesting. It is just a façade to gain publicity. The protest has resulted in damage of property worth rupees 30 crore, belonging to the government of Indica in the states of Delica, Ghaciaban and other states of Indica.
10. The report submitted by the Delica Pollution

Control Committee postulates that the protestors resorted to violent means to express their dissent by setting public transports and property on fire. Both public as well as private property were damaged. This fire led to an increment of the Delica pollution index by 200 points. Also, large amount of water, approx. 2,00,309 Litres was used for extinguishing the fire and to disperse the angry mob.

11. Mr. Waytt Maddox, a student of Vinu Pal University, from Australia started facing breathing problems, on 5 January, 2020. After taking light medicines he consulted a doctor and on 6 January 2020, Mr Waytt Maddox underwent some "pulmonary function tests" recommended by the doctor. The reports of the tests stated that Mr. Waytt Maddox was suffering from lung cancer due to inhaling air contaminated by "microscopic pollutants". Also, his body was found deficient in minerals because of consumption of contaminated water insufficient in vital nutrients. The cancer caused an infection that led his lungs to collapse. He underwent a surgery and lung transplantation, whereby his brother Mr. Soyuz (another student of same university) donated his lung. During the surgery, Mr. Soyuz died because he was unable to recover from the infection caused by the micro particles present in air during surgery.
12. The Delica police upon investigation found many people guilty for causing riots. According to the police investigation, some Indican students of Vinu Pal University were also involved in the riots and its abetment. Upon further investigation, it was found that Mr. MetoxVens (a foreign national) was a part of the riots through his passive support via whatsapp chat, that led to cancellation of his visa and was asked to deport back to his country. Also Mr. Waytt Maddox, a student of Vinu Pal University, citizen of Australia, was found to be involved in provoking violent reaction of the people

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through Snap chat to reflect the mob's anger against the amendment act passed by the Govt. of Indica. His visa was also cancelled but owing to his critical situation post surgery, he was allowed to stay in Indica for his recovery.

13. A petition was filed by the NGO "Hare Paryavaran Ka Nirman" under Article 32 of the Constitution of Indica, seeking remedy for the losses incurred by the residents due to the pollution caused by gaseous emissions from industries, during festivities and also for the physical injuries and mental trauma suffered by the students, who were peacefully rallying which resulted in riots by the mob. Another petition was filed by the Principal of Vinu Pal University, for claiming the losses owing to rapid decline in admission of foreign students because of the degraded air quality and scarcity of water in Delica. Another petition was filed by Mr. Waytt Maddox under Article 32 of the Indican Constitution, claiming his right to stay in Indica for completing his education and seeking permission, to allow Mr. MetoxVens to return to Indica for pursuing his education. The apex court has clubbed all the petitions, decided to hear the matters together.

14. A letter was sent to the bench in which the problems and perceptions were explained by an individual.

Note:

1. Indica is a country like India and its laws/rules/regulations are pari passu to that of India.
2. Delica is a union territory like Delhi and its laws/rules/regulations are paripassu to that of Delhi.

Disclaimer:

This is a work of fiction. Names, characters, businesses, places, events, locales, and incidents are either the products of the author's imagination or used in a fictitious manner. Any resemblance to actual persons, living or dead, or actual events is purely coincidental. This moot problem is imaginary and for academic purpose only.

5th NATIONAL MOOT COURT COMPETITION (HYBRID MODE)

12th & 13th March, 2022

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Key Dates	Key Events
1st January, 2022	Release of Moot Problem and Rule Book for Anand Law College & Anand College of Legal Studies Moot Court Competition(Hybrid Mode) 2021-22
1st January, 2022	Commencement of Registration (Google Form) https://forms.gle/UYyXgxCpKQy2pB7s8
10th February, 2022	Last date for Registration
12th February, 2022	Last date for seeking clarifications
25th February, 2022	Last Date for Submission of Memorials (soft copy) PDF Format (the link for the Google Form shall be shared with the registered participants after last date of registration)
4th March, 2022	Researcher's Test
7th March, 2022	Preliminary Rounds
12th March, 2022	Quarter Final Round
13th March, 2022	Semi-Finals & Final Round

Aims & Purpose

The Anand Law College & Anand College of Legal Studies jointly organize the **5th National Moot Court Competition, 2022 (Hybrid Mode)** to enable students to familiarize themselves with the law and practice of the National Law.

Definitions

Definitions: Unless otherwise stated, the following shall be construed as under:

- **“Administrator”** shall mean the Anand Law College & Anand College of Legal Studies.
- **“Clarification”** shall mean any questions, inquiries or doubts sent by a registered team to the organizers seeking any factual clarification in the Moot Court problem. The

clarifications, if any, provided by the college shall be considered as if it were a part of the moot Proposition and shall have no individual significance.

- **“Competition”** means the 5th National Moot Court Competition (Hybrid Mode), 2021-22.
- **“Institution”** means any recognized Law School/College or University.
- **“Participating Team”** means the team which has registered itself for the competition as per the rules for registration.
- **“Participating Institution”** shall be presumed to be the parent Institution of the participating teams.

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- **“Organizer”** means the Anand Law College & Anand College of Legal Studies, Anand, GUJARAT.
- **“Rebuttals”** refer to those arguments / questions that the Complainant may raise to the end of the main pleadings of all the Orators. This shall be replied to in the appropriate manner by the Respondent. (Applicable for only Semi final and Final Rounds).
- **“Written Submission”** means written submission of memorandum by any team.

General Rules

Dress Code : The participants shall adhere to following dress code when present in any virtual court room during the Competition.

Female(s) : Black colored salwar or trouser, white colored kurta or shirt & suit (black)

Male(s) : White shirt with tie and black colored trouser / suit (black)

Eligibility and Team Composition

Eligibility : All students currently enrolled in three year or five-year LL.B. in any Law School/College/University in India, are eligible to participate in the Competition.

Any recognized Institution/College/University shall be entitled to send only one team to the Competition.

Team Composition

Each team shall be comprised of maximum 3 members, i.e. **2 Mooter(s)/ and 1 Researcher**. This number cannot be modified under any circumstances. Teams shall identify such speakers and researcher during registration.

Under no condition shall a team consisting more than 3 members be allowed to participate.

Anonymity of Teams

Teams shall not disclose their identity or that of their institution or city at any time before or during the competition.

The Written Submissions shall not reveal the identity of the team in any form and should not bear the logo, name etc. of the University represented.

Any material presented to the Panel should be devoid of any identification marks/seal of the Team. If any such mark/seal exists, it must be rendered unrecognizable.

Such disclosure shall invite penalties including disqualification. The decision for the same shall be at the discretion of the Organizer. Such decision shall be final.

Language

The competition shall be held in **English** only.

Mode of Competition

The competition shall be held in the Hybrid Mode. However, in view of global pandemic, mode of competition may be changed based on the circumstances prevailing at the time of the competition across India. In such case, the organizing institutions may change the mode of conducting competition from offline to online mode then revised rules of the competition will be communicated to the participants.

Preliminary Round	Online Mode
Quarter Final, Semi-Final and Final Round	Physical Attendance is Preferable/Online Mode

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Registration

- a. Teams must register themselves latest by **10th February, 2022**. Registration Form duly filled by participants of the concerned college should be uploaded to
<https://forms.gle/UYyXgx CpKQy2pB7s8>
- b. It is compulsory for all the participating teams to attach the permission letter including consent from their College / Institution/ University. The permission letter should be on the Letter head of the Institution issuing it and shall include the Names of each 5th National Moot Court Competition, 2022(Hybrid mode) participants and their course with semester. Kindly upload the Pdf copy of the permission letter in the registration link. No form shall be accepted, in case the permission letter is not uploaded in the registration link.
- c. Each participating team shall pay a notional entry fee of Rs.1200.00 (One Thousand Two Hundred only) by way of an Online Transfer in the account. The Barcode for the Payment is as follows:

Barcode for Payment :



The registration fee details (Screenshot/Receipt etc) should be uploaded through this link:

<https://forms.gle/UYyXgx CpKQy2pB7s8>

- d. **The registration fee shall be non-refundable.**
- e. Any change in team composition will not be entertained after the registration. In case of any unforeseen contingency where it becomes imperative to change the team composition, the participating team shall send an application through mail to the Administrator, mentioning the compelling reason for the change. However, the change in the composition shall be done at the discretion of the Administrator.

Researchers' Test

The Researchers' Test shall be conducted before the starting of the Competition that is, **4th March, 2022**. The duration of the test shall be forty-five (45) minutes only.

No other time-slot or extra time would be provided to any team in any circumstances.

The test shall consist of objective questions based on General Principles of the Statement of Facts, matter(s) of Law involved in the Moot and General Principles of National and International Law. The Researchers' Test shall test the knowledge of the laws involved as well as the factual details of the Moot Problem and the application of the relevant laws to the circumstances in the Moot Problem.

ONLY the Researcher as mentioned in the Registration Form is eligible to take the online researcher test.

Format of the Competition and Oral Arguments

The Competition is divided into 4 rounds :

1. Preliminary Rounds
2. Quarter Final Round
3. Semi-Final Round
4. Final Round

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- a. Inaugural ceremony, will be held on 7th March, 2022 (Monday).
 - b. There will be one preliminary round on 7th March 2022 (Monday).
 - c. Top Eight teams will qualify for Quarter-finals which will be held on 12th March, 2022 (Saturday)
 - d. Top Four teams will qualify for Semi-finals which will be held on 13th March, 2022 (Sunday)
 - e. Top Two teams will qualify for final which will be held on 13th March, 2022 (Sunday)
- The time split between the speakers must be communicated to the Court Bailiff/clerk prior to the commencement of each Round. Once so informed, these timings shall not be changed.
 - Teams shall not disclose, in any manner what so ever for the entire duration of the Rounds, either their own individual identities or the identity of the institution that they represent, even if asked by the judges and should therefore, join the session using their team code and speaker code only.
 - Team scores shall not be disclosed after every round. Teams must not make any attempt to gather any such information, until notified by the Organizing Committee.
 - Absence of any team or failure of any team to login to any of the oral submissions round on the required time will render disqualification of the team for that round. In such a case, their opponent shall make their oral submissions exparte and calculations shall be made accordingly.
 - The oral arguments should be confined to the issues presented in the memorial. Discrepancy shall not be permitted.
 - Evaluation shall be done on the basis of the following criteria :

Particulars	Marks
Written Memorials	30
Oral arguments	40
Time adherence	15
Overall performance	15
Total	100

- Any team which violates any of the Rules with respect to the Oral Pleading Sessions may be penalized. The decision of the Bench shall be final in this regard.

Preliminary Rounds

- There will be only one round in the Preliminary Round. The round is an Audio-video recording round. The qualification to the Semi-finals round shall be based on the Audio-video recording. Each orator will send the recording of 5 minutes so each team has to send two recordings, one from orator 1 and another from orator 2. The recording will be from any one side that will be decided on the bases of draw of lots. The video has to be uploaded on Google Drive. Top eight teams with highest aggregate score of both the Oralists shall advance to the quarter-finals. The Teams qualified for the Quarter Final Round will be on different parameters which includes body Language, Command on Language, Factual clarity, Legal Provisions and Authorities cited.

Quarter Final Rounds (Physical Attendance is Preferable/Online Mode)

- Eight (08) teams from the Preliminary Round shall qualify for the Quarter-final Round.
- The quarter-finals shall be a knock-out round.
- The team shall argue only once in the quarter-finals. The side on behalf of which the team

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shall argue for the quarter-finals shall be decided by way of draw of lots prior to the Quarter-final round.

- Each team shall be allotted a total of 20 minutes to present their oral arguments.
- The timing can be divided between both the speakers accordingly, subject to a maximum of 12 minutes and minimum of 08 minutes per speaker.
- The time division has to be informed to the Court Manager/Clerk before the beginning of the oral arguments.
- A maximum of 05 minutes may be reserved per team for rebuttal and sur-rebuttal which shall be at the discretion of the judges which shall be exclusive of the above time-limits.
- The allotment of extra time shall be at the discretion of the judges.
- The evaluation criteria for the Quarter-final round shall be as follows :

Particulars	Marks
Written Memorials	30
Oral Arguments	40
Time adherence	15
Overall performance	15
Total	100

Semi-Final Rounds (Physical Attendance is Preferable/Online Mode) :

- Four (04) teams from the Quarter-Final Round shall qualify for the Semi-Finals.
- Semi-Final Round shall be a knock-out round.
- The team shall argue only one side in the semi-finals. The side of the team shall be decided by way of draw of lots.
- Each team shall be allotted total of 30 minutes to present their oral arguments.
- The timing can be divided between both the

speakers according to the wish of the team subject to a maximum of 17 minutes and minimum of 13 minutes per speaker.

- A maximum of 5 minutes can be reserved per team for rebuttals and sur-rebuttals which shall be at the discretion of the judges which shall be exclusive of the above time-limits.
- Evaluation in the Semi-final round shall be done on the following basis :

Particulars	Marks
Application of Law	25
Advocacy and Presentation	20
Answer to Court Question	20
Interpretation and use of facts	15
Time adherence	10
Overall performance	10
Total	100

Finals (Physical Attendance is Preferable/Online Mode) :

- In the final round, the win-loss shall be decided based on the aggregate score. No memorial score will be added in the finals.
- Each team will be allotted a total of 40 minutes to present their oral arguments.
- The timing can be divided between both the speakers according to the wishes of the team subject to a maximum of 25 minutes and minimum 15 minutes per speaker.
- The time division has to be informed to the Court Manager/Clerk before the beginning of the oral arguments.
- A maximum of 5 minutes may be reserved for rebuttal or sur-rebuttal which shall be given at the discretion of the judges which shall be exclusive of the above time-limits in both semi-final and final rounds.
- Evaluation in the Final round shall be done in the following manner :

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Particulars	Marks
Application of Law	20
Advocacy and Presentation	15
Court Etiquettes	10
Answer to Court Question	15
Interpretation and use of facts	10
Research Relevant to the case	10
Time adherence	10
Overall performance	10
Total	100

Rules for Written Submission/Memorials Valuation

The following requirements for memorials must be strictly followed

- a) Each Team is required to prepare a Memorial for both, the Petitioner and the Respondent of the Case. It is to be noted with caution that the forum selected by the team shall remain same both for the Petitioner and the Respondent.
- b) Soft copy of the memorials, one from the Appellant and other from the Respondent in PDF format must be uploaded on Google Form, the link for which shall be sent after final registration. Another soft copy of the memorials shall be emailed to aclsmccompetition@gmail.com with the subject "Memorials for Team Code". The file names of the electronic copies of the Memorials must contain only the team code and the side being represented in the following format: e.g. (for Team Code TM01) TM01(A) or TM01(R).
- c) Each Memorial shall be presented in the following order:
 1. Front cover
 2. Table of contents
 3. List of abbreviations
 4. Index of authorities (list of sources)
 5. Statement of facts

6. Issues
7. Summary of arguments
8. Arguments in advance
9. Submissions/Prayer
10. Optional: Annex (max two (2) pages); and
11. Back cover

d) Memorial Format

1. Each team must submit its Memorial in pdf format.
2. Each team must submit its Memorials in size 12 Times New Roman font style and footnotes in size 10 Times New Roman font style.
3. Each page must have a margin of at least 1.25 cm on every side of the text.
4. Memorials must be continuously page-numbered, excluding the front- cover.

e) Spacing

1. The text of the Memorial must be 1.5 spaced and footnotes must be single spaced.
2. Headings and sub-headings of more than one line in length must be single spaced.

Front Cover Requirements

The front cover must contain the following information :

1. Team code
2. Title of the Competition
3. Title of the case
3. The following color schemes shall be followed for the Cover Page of the Written Submission :
 - A) Petitioner- **BLUE**
 - B) Respondent- **RED**
4. Each team must **omit** the following references in their Memorials:
 1. The names of team members;

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2. The name of its university/Institute/College.

f) Page Limit

Each Memorial must not exceed 25 pages, in which the advanced arguments should not exceed more than 15 pages.

There is no page-limit on minimum pages.

g) Penalties [Memorials]

Late Submission	3 marks per memorial every 12 hours after the deadline of submission. Disqualification beyond 48 hours.
Wrong file name	1 mark per memorial
Failure to submit Memorial as one File	1 mark per Memorial
Exceeding page limits	1 mark per exceeding page
Failure to include the sections in the Memorial	3 marks per section
Failure to include the required information on the cover page	1 mark per violation
Failure to use the correct colour coding	2 marks per Memorial

The Breaker

In the event of tie between the marks of two teams, following criteria shall be considered in order of their mentioning;

1. Preliminary Round

- Memorial Marks
- Application of legal principles

2. Quarter-finals

- Memorial marks
- Response to the queries of the Court

3. Semi-finals

- Memorial marks
- Response to the queries of the Court

Virtual Platform Rules

- The participants must ensure that they have a strong internet connection with good audio and video facilities. The organizers shall not be held responsible for any glitches arising out of poor network or other technical issues. However, the organizers may provide a reasonable time (about 4 to 5 minutes) to come back to a Virtual Court Room if a participant is logged out because of poor network connectivity. The discretion to wait any longer will be with the judge(s).
- The participants (speakers) must ensure that any noise or audio other than the voice of the participant should not disturb the other participants during the online oral rounds. At the time when one participant is speaking, others are expected to keep their microphones on mute.
- The Participants are expected to be seated in a quiet room free from any echo and isolated from any form of disturbance by any other person.
- The Participants should make sure that the

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Background is plain and sober which does not disturb the judges. The participants should prefer a White background.

- During the course of the Oral Submissions no speaker shall reveal his/her identity or the identity of his/her college/university by any means whatsoever. Thus, all participants must join the session using their team code and speaker code. In the event any participant reveals his/ her identity or the identity of his/ her college/ university, the team shall be marked negatively as deemed appropriate by the judges.
- All participants should be online on time which is mentioned in the invitation link mail.

Categories of the Awards

The following awards will be given after the Final Round: a) Winning Team: Rs. 5000/- , Trophy and Certificate

- b) Runner-up Team - Rs. 2500/- ,Trophy and Certificate
- c) Best Counsel/Mooter - Rs.1500 /- ,Trophy and Certificate
- d) Best Memorial - Rs.1500 /- ,Trophy and Certificate
- e) Best Researcher - Rs.1500 /- , Trophy and Certificate
- f) Consolation Prize - E-Certificate

Complaint Procedure

If a Team believes that an infraction of the Rules has occurred during Preliminary Round, Quarter-Final Round, Semi-Final Round and Final Round the Team may notify the Court Officer in writing within five (5) minutes of the conclusion of that Round.

Miscellaneous

1. The scouting of any type will amount to disqualification of the team from the

competition.

2. The organizers reserve all the rights to change any of the above rules if so require and as they deem appropriate.
3. All communications regarding the competition are to be addressed to aclsmccpetition@gmail.com

5th NATIONAL MOOT COURT COMPETITION (HYBRID MODE)

12th & 13th March, 2022

For any Queries Participants are Welcomed to Call

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