

JAGANNATH UNIVERSITY NATIONAL MOOT COURT COMPETITION 2017



JAGANNATH UNIVERSITY

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Welcome to Faculty of Law

In order to meet the challenges of globalization and liberalization and to develop an institution of excellence in legal education, Jagan Nath University established the Faculty of Law in the year 2009 offering BA.LLB and BBA.LLB 5 Year Integrated Courses. The Faculty also runs LL.M. One Year Course and Ph.D. programme as per UGC guidelines. The main object of the Faculty of Law is to inculcate amongst students a high degree of professionalism with a sense of responsibility towards the society. To acquaint the students and faculty with latest developments in the field of Law, the distinguish Professors, Judges and Advocates are regularly invited for special lectures.



FACULTY OF LAW

Jagannath University National Moot Court Competition-2017

To be held on 7-8th April, 2017

MOOT PROPOSITION IN THE DISTRICT & SESSION COURT

Mr. Satya Prakash was the Executive Editor of the magazine 'The Dawn' and was finding a suitable groom for his daughter Dhanlaxmi. When he got in close terms with Mr. Vishnu Pandey, a journalist who recently joined the magazine as a Junior Editor. The marriage was solemnized on 29th of December, 2007 observing all the customary rites. Mr. Prakash as a journalist with a reformatory stance was never in support of dowry and hence gave no gifts to her daughter on her marriage except some jewelry and a Rado watch to the son-in-law. Vishnu Pandey though a sincere journalist was not a punctual person and was in habit of arriving late in the office, which when reported to Mr. Prakash resulted in serious humiliation for Mr. Pandey and made a good office gossip for the day. At one such event on 9th January 2010 after being scolded by Mr. Prakash in front of the whole office staff, a livid Vishnu went to his father-in-law's chamber and in presence of his personal secretary Rafiq warned him that he is not ready to bear anymore such humiliations and if such a thing happens in future then Mr. Prakash must remember that his daughter is married to Vishnu and must be ready for his daughter to bear the after effects of it. When Mr. Pandey reached home in the evening he was really upset and when he saw his wife he started shouting on her for not getting a car from her paternal home, after which a quarrel followed. For months to come this became a routine affair that the two would quarrel on her for not bringing adequate dowry from her home, with Mr. Pandey being occasionally joined by his mother, Laxmi Devi and brother, Rohan. On 19th October, 2010, a distant relative of Laxmi Devi called Laxmi Devi and told her that they are getting lot of cash and a car in dowry. On day Dhanlaxmi broke a glass, which was predictably followed by Laxmi's anger and the anger crossed the limit of being just a verbal one when she slapped Dhanlaxmi. This became a routine business which even the neighbors were evident off. On one occasion Mrs. Sharma, who was a colony friend of Mrs. Laxmi told her that the whole colony now knew the way they were torturing Dhanlaxmi and also advised her to stop this and give her the due status in the family, which never proved to be fruitful. Dhanlaxmi never told any of all this to her family members but she did talk of this to a close friend since college days, Vijaylaxmi. On 05th of July, 2014 all the family members went out of the station to attend a wedding leaving behind only Dhanlaxmi and

Vishnu, and were scheduled to return the next day. Vishnu along with his two other friends Jayesh and Rahul came to house in the midnight and that too in a drunken condition, who even misbehaved with the apartment's security guard. For this he received serious scolding in front of his friends from Dhanlaxmi who was infuriated at his recklessness. When one of his friends tried to interrupt in between she warned him not to interfere in her personal life. Now Vishnu was seriously willing to take revenge of this sort of humiliation. All three of them went to the guest room where they started drinking again. Now in such anger they all started talking that they would rape her tonight as she definitely needs a lesson. When Vishnu went to Dhanlaxmi's room in the morning then he saw the gate was not closed and when he went inside he found Dhanlaxmi lying unconscious on the floor and immediately took her to the nearest hospital, where after gaining back her consciousness she told the doctors that while she was in deep sleep around 3:00 AM some people covered her face using a piece of cloth and she was raped for three times, but she was not able to recognize the culprit. This was reported to the police and a criminal complaint was lodged by the police officials against Vishnu and his two friends who were by then absconding. At 12:00 PM after conducting several tests and medical examinations the doctors informed her in-laws who were by now already at the hospital that she would not be able to live for more than an hour on account of the internal bleeding in the stomach and they can by turn go and talk to her. Laxmi and Rohan as soon as they entered the ICU started abusing her by saying that her allegations against Vishnu and his friends are false and in that moment of anger Laxmi kicked Dhanlaxmi's stomach for a several times. In her statement given to the police officials at 12:35 PM in presence of a judicial magistrate 1st class Dhanlaxmi told that she was raped thrice and she was not able to recognize the rapists and that even Laxmi attacked her a few minutes ago and kicked her stomach. At 12:49 PM Dhanlaxmi succumbed to her injuries. After that the police officials conducted an investigation in the matter and recorded several statements along with that of the doctors who were looking after Dhanlaxmi. On 30th March 2015 the police got hold of Rahul who accepted his role in rape and subsequently Vishnu and Jayesh were also arrested. Charges have been framed against Mr. Vishnu, Mr. Jayesh, Mr. Rahul, Mrs. Laxmi, Mr. Rohan under section –37, 323, 322, 326, 376, 302, 498(A), 304 (B), 506 rw. S. 34, s. 354, s. 299 of Indian Penal Code, S. 113A of Indian Evidence Act.

Now the case is listed before the Sessions Court for Final arguments.

Annexure of FIR is required for the problem And Medical report.

To,

The Principal/Head of Department

Sub: Jagannath University National Moot Court Competition-2017, to be held on 7-8th April 2017

Sir,

Jagannath University, Jaipur has been established by Act No. 19 of 2008 of the Rajasthan State Legislature and recognized by University Grants Commission under the UGC Act, 1956. The University has been accredited with Grade 'B' (Good) by National Assessment and Accreditation Council (NAAC) and is also a member of the Association of Indian Universities (AIU). The University is running various Under-graduates, Post-Graduate and Doctorate programs in Engineering & Technology, Management & Commerce, Law, Architecture, Agriculture, Life & Allied Sciences etc. All the professional and distance education courses are run with the approval of regulatory bodies i.e. Bar Council of India, Council of Architecture, Distance Education Council, etc. The University is an endeavour to enhance legal skills & augment knowledge of law, has resolved to organize an Inter Institute Moot Court Competition.

It gives us immense pleasure to invite the students from your esteemed institution to participate in **Jagan Nath University National Moot Court Competition-2017** to be held on 7-8th April, 2017 at our University.

We request you to kindly send one team of 03 students for participation in above captioned competition. The Registration Form along with the Moot problem and rules are enclosed herewith. Kindly ensure that duly filled registration form reaches us on or before 20th March, 2017, so as to facilitate participants making necessary arrangements.

Your participation would be our pleasure. For further information or clarification please feel free to write to us or call.

Thank you,

Yours faithfully,

(Prof. (Dr.) Mahendra Tiwari)

Dean, Faculty of Law

Encl.:

- 1. Moot Problem**
- 2. Registration form**
- 3. Rules for the competition**

FACULTY OF LAW

Jagannath University National Moot Court Competition-2017

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Registration Form

Name of the College :

Address of the College :

College E-mail/Website :

Accommodation : Required/Not required

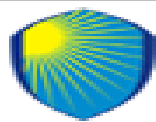
1.	Name of the Mooter		PHOTO
	Class		
	Address		
	Contact No.		

2.	Name of the Mooter		PHOTO
	Class		
	Address		
	Contact No.		

1.	Name of the Researcher		PHOTO
	Class		
	Address		
	Contact No.		

*Photographs should be signed by the Mooter and attested by the Principal/ Head of the concerned Institution. Further, the Principal/Head shall certify that the two mooters and researcher are bonafide students of the Institution.

Signature and Seal of Head of Department/Principal



FACULTY OF LAW

Jagannath University National Moot Court Competition-2017

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Rules for the Competition

A. Eligibility & Registration:

1. One Team from each Law College/Institute/University will be eligible to participate in the competition.
2. The members of each team shall be comprised of three members consisting of two mooters and one researcher, who will be amicus curie.
3. The members of team should be under graduate law students pursuing 5 Years law course.
4. The Registration fee for the competition shall be Rs. 1500/- (Rupees One Thousand Five Hundred Only) per team. Including accommodation.
5. The Registration fee shall be payable through Demand Draft and the scanned copy of the DD along with the duly filled registration form shall be sent to us at jumcc2nd@gmail.com; mahendra.tiwari@jagannathuniversity.org on or before 08th March, 2017.

(NOTE: The original DD and the Registration form (hard copy) shall reach to us on or before 15th March, 2017. The DD shall be made in the favour of 'JAGANNATH UNIVERSITY, JAIPUR' payable at 'JAIPUR' and the same shall be sent to "THE DEAN, FACULTY OF LAW, JAGANNATH UNIVERSITY, NH-12, TONK ROAD, CHAKSU BYPASS, JAIPUR, RAJASTHAN – 303901."

6. The registration of a team will be considered as complete, once the registration fee is paid and the registration form is e- mailed with all necessary details.
7. Registration fees are nonrefundable.
8. The team must register on or before **15th March 2017**, by sending hard copy of the registration form and registration fees.
9. The memorials shall be sent at the University's address **latest by 28th March 2017**.

B. Date & Venue :

1. Date of Competition : 7-8th April 2017

2. Venue : Moot Court Hall, Faculty of Law,

Jagan Nath University, Jaipur

C. Rules for the Competition :

1. The dress code for the participants shall be formal white shirt with black coat, Trousers and a black tie.
2. The Language of the competition shall be English only.
3. The participants shall have to prepare & argue the case from both sides as if they are appearing before the Honorable High Court.
4. Each team shall be given a total of 20 minutes for presenting their arguments which they can divide accordingly + 5 minutes for rebuttal and 5 minutes for queries from the judges.
5. All the participating teams are expected to carry with them case laws and index of authorities which they intend to refer.
6. The decision of the judges as to assessment of oral submission & written memorials shall be final & no dispute shall be entertained in this regard.
7. The competition shall run in 3 rounds, i.e. Preliminary, Semi Finals and the Finals.
8. Marks of the memorial shall be added at the time of tie.
9. Each team shall be assessed out of 250 marks each from Petitioner and Respondent. The four teams scoring the highest marks shall proceed further for Semi Final.
10. In the semifinal round, teams shall be awarded marks out of 500 and the best two teams shall proceed further for finals
11. Out of 750 marks in final round the team scoring highest shall be declared as the winner team.
12. In case of tie, marks of memorials of that team shall be added for tie-breaker in all the rounds.
13. However individual prizes will be awarded to the best Mooter, who may not have qualified for the finals, if his individual score in the preliminary round is highest than all the Speakers of qualified teams in the preliminary round.
14. Best Researched Memorial award shall be awarded to the team scoring highest marks in memorial.
15. Final round shall be presided over by a Larger Bench.
16. Marks shall be disclosed at the end of the competition.

D. Memorials :

1. **Three copies** of the memorials from each side (Total 6), in prescribed format are required to be submitted on or before **28th March, 2017**. Memorials shall not be accepted thereafter and the said team shall be Non eligible for the competition.
2. Memorials shall be in the following format-
 - a. Title page (1 page)
 - b. Table of contents (1 page)
 - c. Index of Authorities along with Bibliography (1 or 2 page)
 - d. Statement of Jurisdiction (1 page)
 - e. Statements of Facts (1 or 2 pages)
 - f. Statement of Issues (1 Page)
 - g. Summary of Arguments (1 or 2 pages)
 - h. The Arguments Advanced (15 page)
 - i. Prayer Clause (1 page)
3. Memorials should be typed & stapled with soft cover, in **blue** color for Petitioner and **Red** color for Respondent.
4. **Typing of memorial should be as per specifications given below :**
 - a. Paper size - A4 not more than 70 GSM
 - b. Font size - 12
 - c. Font Type - Times New Roman
 - d. Line Spacing - 1.5
 - e. Margins - 1 Inch on each side.

Specifications for foot notes are given below:

 1. Font size - 10
 2. Font Type - Times New Roman
 3. Spacing - 1
5. Memorials once submitted shall not be returned back to the participants in any case nor shall any amendment be allowed after submission of the memorials.
6. Teams are required to carry their own copies of memorials for the reference during competition. Organizers are not bound to help teams in such case by providing the copies of memorials submitted. Team may carry and use their own laptop during the proceeding such that it shall not interfere with the court proceeding. Wi-Fi facilities will be provided by the organizers. Teams shall carry their personal laptops at their own risk.
7. The format of the memorials should be strictly followed.

E. Marking criteria for memorials

1. Memorial from each side shall carry total of 50 marks in preliminary rounds.
2. The following shall be the criteria for marking memorials.

S.No.	Marking criteria	Marks allocated
1	Articulate use of facts	05
2	Use of Law	10
4	Originality of thought	10
5	Grammar and style	10
6	Correct format and citation	05
7	Use and extent of research	10
	Total	50

F. Marking criteria for arguments

1. Each Mooter will be marked out of 100 marks by each bench judge, and the researcher during oral submissions will be marked out of 50 marks by each judge.
2. The following will be the marking criteria for the Mooters.

S.No.	Marking criteria	Marks allocated
1	Appreciation and application of facts	10
2	Application of legal principles	10
3	Use of authorities and precedents	10
4	Presentation skills	10
5	Clarity of thoughts and logical structure of arguments	10
6	Poise and demeanour	10
7	Strategy	10
8	Knowledge of laws	10
9	Response to Court questions	20
	Total	100

G: Prizes:

1.	Winning Team	- Cash Prize of Rs. 5100/-, Trophy and Certificate
2.	Runner up Team	- Cash Prize of Rs. 3100/- , Trophy and Certificate
3.	Best Advocate/Mooter	- Trophy and Certificate
4.	Runner up Mooter	- Trophy and Certificate
5.	Best Memorials	- Trophy and Certificate

G. Other Rules :

1. Decorum befitting the legal profession should be strictly maintained.
2. Any dispute contemplated to the rules, organizer's decision shall be final.

H. Miscellaneous :

1. Travelling allowance of the participants shall be borne by the respective institution.
2. Accommodation will be provided from evening 06th April, 2017 till Morning 09th April 2017.
3. The itinerary of participants should be available with the organizing committee, well in advance.
4. The details along with the Rules of Competition, Moot Problem, Registration Form and any other information, including the amendments if any, in the competition shall be intimated well in advance and the same shall be uploaded on the University website: www.jagannathuniversity.org
5. Result of the competition & prize distribution shall be declared on 08th April 2017.

I. Important Dates :

- 1. Last Date of Registration - 15th March 2017**
- 2. Submission of Memorials - 28th March 2017**
- 3. Date of Competition - 7-8th April 2017**
- 4. Prize Distribution - 8th April 2017**

In case of any query please contact: (strictly between 12.00 Noon to 3.45pm)

Co- coordinator: Dr. NiteshSaraswat (+919828389503)

Co-coordinator : Mr. AbhishekBaplawat (+919928941751)

Student Coordinator-

- 1.Akshay Garg, BBALLB Semester-VIII
2. Anirban Das, BBALLB Semester-VIII
3. Shivang Soni Jalora, BALLB Semester-VI
4. Bhatendu Panwar, BALLB Semester-IV

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Dean

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