



**6TH INDRAPRASTHA NATIONAL
MOOT COURT COMPETITION-2018**

15th -17th February 2018

University School of Law and Legal Studies

Guru Gobind Singh Indraprastha University

Sector 16-C, Dwarka

New Delhi

Moot Proposition

1. Adnan Raman was a successful story. An ambitious, but reserved, person at heart Adnan never left an opportunity to learn and to improve his skill sets. As his property business expanded Adnan felt the need to have a person skilled at public relations and communications.

 2. He roped in his long-time friend Arnab Dhanoa, a small time businessman, as a partner to help him in his ventures. Seeking to consolidate his financial position and looking at Adnan's business acumen Arnab jumped at the chance to join Adnan. An affable person, fond of outdoor activities, especially shooting, Arnab was an extrovert who made friends easily and came handy to woo and sway the clients, as well as to liaise with the local authorities when needed.

 3. As the business swelled, Arnab became more influential with each passing season. Building upon his partnership in RealTa Enterprises, Arnab used his affable nature to build numerous contacts and established himself in the local politics. He soon became independent of his income from RealTa Enterprises and started investing in the various other ventures in and around NCR. Arnab's lifestyle started to mirror that of Adnan's.

 4. Egged on by his newly found confidantes Arnab soon started disassociating from RealTa Estates and concentrated on building his own businesses. As his businesses clashed with the interests of RealTa Enterprises the relationship between Adnan and Arnab soon became strained and eventually broke. In January 2014 Arnab left RealTa Enterprises and Adnan continued to operate RealTa Enterprises. However, despite their rival interests both Adnan and Arnab remained cordial and were seen as icons of the real estate businesses in NCR.
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5. In July 2015 Adnan and his family of 5 – wife, three sons and one daughter were brutally murdered in their bungalow in the outskirts of New Delhi. The house had been ransacked and most valuables were looted. An analysis of the CCTV footage revealed that the same had been tampered with by the assailants. The house being bereft of servants, domestic helps, and the security guard on the date of the incident, no eyewitnesses could be located. The murders caused a sensation in NCR. Arnab personally led a campaign to obtain justice for Adnan and his family and was at the forefront of every protest and every debate.

6. The subsequent highly scrutinized investigation revealed zero leads. Neither was anyone identified as a possible suspect nor were the weapons recovered. The servants, domestic helps and the security guard were repeatedly interrogated but all had sound alibis. All that the investigation revealed was that all the victims were shot at multiple times from a close range from two sophisticated imported handguns. The wounds suggested that the assailants were professionals and were expert marksmen. As per the empty cartridges found at the spot the said weapons were highly sophisticated, imported, were of a calibre not commonly found in India.

7. In a nutshell, by September 2015 the local investigation authorities concluded that the murders were conducted by two armed professionals, using imported weapons, who gained a friendly entry into the house and shot at the family of six in a professional manner, multiple times, to ensure that no one survived. Thereafter, the house was looted and the assailants absconded. This led the local authorities to believe that Adnan Raman was targeted due to his riches and that it was a robbery gone wrong. The case being bereft of clues went cold, the media's scrutiny dissipated and the

case was classified as blind murder case. Investigation stopped and the file was deemed to be closed for want of proof.

8. Amit Chopra @ Mistry was a small time crook operating in the suburbs of the Navi Mumbai, Maharashtra. Amit started to trade in stolen items and eventually started to commit theft in high profile showrooms in and around Navi Mumbai.
9. During this time he developed a reputation for being a remorseless person, a cold individual who would go to any extent to see his theft successful. However, in 2015, just as Amit started to establish a foothold in Navi Mumbai he was arrested by the Mumbai Police for one of his several high profile robberies. During the trial Amit was detained in the notorious Hazari Bagh Jail of Maharashtra.
10. During his time in the Hazari Bagh Jail Amit came across several unsavoury characters-hardened and experienced criminals, cold blooded murderers to name a few. He developed a close friendship with one Raghav Raje @ Master. Raghav was a professional hit-man well known, and dreaded, in the business circles of Mumbai and Pune. The consummate ease with which he planned and executed the murders of his targets led him to be called by his alias 'Master'. Although there were several cases of murder, attempt to commit murder, extortion and grievous hurt against him, Raghav was being detained committing extortion and was expecting to be released on bail.
11. Raghav greatly influenced Amit, and given Amit's remorseless nature, he was a natural fit for the role of Raghav's aide-de-camp in his future string of murders and hit jobs. Raghav taught Amit the various aspects of committing

murders, extortion and schooled him to be even more ruthless and cold. The duo planned to operate together after getting released on bail - Master donning the role of a strategist and Mistry, his apprentice, executing the works with consummate skill and passion.

12. Once on bail Master and Mistry struck terror in the minds and hearts of businessmen *pan* India. The duo became infamous for targeting businessmen and their families for the smallest of sums in order to spread terror and fear in the business circles and took a distinct sadistic pleasure in torturing the young children of the businessmen. Known as 'M&M' they soon became sought after in certain industrial and social circles – engaged by companies, firms, individuals to eliminate, or otherwise intimidate, their rivals.

13. Master, being a cunning strategist, ensured that his schemes for murder and or other offences were flawless with nothing being traced back to either him or Mistry, whereas Mistry, now being a professional remorseless hitman, ensured that not only was the 'job' well done but also that no clue remained which could lead back to him or the Master. For this end, Mistry did not hesitate to kill any chance witnesses – be they young children or old people. The duo used to plan and scheme meticulously, often taking weeks to conduct reconnaissance, and used to discuss the actions multiple times in order to have flawless 'job' and a clean get-away.

14. There was but an intense pressure on the law enforcing agencies in India to apprehend the duo, and as the influence of 'M&M' increased so did the surveillance and the intensity of policing.

15. Even despite the said policing, the 'M&M' were wanted for 32 counts of murders and 65 counts of extortion and were suspected of 17 counts murders and 89 counts of extortion. It was horrific to note that out of 32

murders, 15 murders were of small children between the ages of 4 years to 11 years, whereas out of suspected 17 murders 9 were of small children between the ages of 4 years to 11 years.

16. Despite the intense policing, it was only during a random check of the motor vehicles on a busy Monday morning that the Delhi Police came across Mistry. Pulled over for over speeding, despite Mistry's instructions to remain calm and feign innocence the Mistry's driver Rashid, being fearful of being arrested with Mistry, panicked and proceeded to rush the car away whilst ramming the police barrier and grievously injuring a policeman.
17. The chase that followed saw several policemen and innocent bystanders being injured, and eventually, cornered, it was at the point of the gun that Mistry and Rashid surrendered. A search of Mistry' person, and his car, led the police to discover *inter alia* several weapons and a mobile phone. The said articles were seized and sent for forensic analysis at the Forensic Science Laboratory, Delhi. Mistry, being wanted for murders committed in complicity with Master, was promptly arrested and remanded to the Tihar Jail, Delhi pending trials for the said offences. Rashid was also arrested and detained pending investigation into his role with respect to the activities of the duo.
18. However, as the weeks rolled by the investigations in each and every murder case soon came to a grinding halt. Mistry proved to be a tough nut to crack even for the most experienced interrogators. He held a firm belief that all the 'jobs' were conducted flawlessly and that there was nothing that could be traced back to either him or Master: it was only a matter of time that he shall be released on bail and all that the Delhi Police had against him was illegal possession of weapons.

19. The forensic analysis of the weapons and the mobile phone also proved to be fruitless – none of them led back to the scenes of the various murders that 'M&M' were suspected of have committed. The investigators had a clear apprehension that 'M&M' may have the last laugh after all.
20. Faced with the non cooperation of Mistry, evasion by Master, the unhelpful forensic results, and the intense media criticism at the said setbacks the investigators focussed on the interrogation of Rashid. Believing him to be a weak link several efforts were made to glean every last bit of information that Rashid knew about 'M&M'. Although nothing substantial was retrieved from Rashid, the police did come across information about several places in and around NCR that Mistry used to frequent.
21. Of a particular interest amongst these places was a rather posh house owned by Mistry in an up-market locale of New Delhi. Subsequent raids conducted at the said house led the police to discover a hidden cache containing a sophisticated imported handgun of a calibre not commonly found in India along with several rounds of ammunition for the same. Desperate for a breakthrough the police duly seized the same and sent for the usual forensic analysis.
22. The case against 'M&M' weakened by the day and it was a commonly held belief that Mistry would soon be granted bail. However, it was the forensic test report of the sophisticated imported handgun that completely changed the course of the narrative.
23. The said report did not match the gun with any murders that the 'M&M' were suspected of. Instead it matched the empty cartridges found at the murder scene of Adnan Raman and his family. The fingerprints on the said
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gun matched with those of Mistry. Sensing an opportunity the investigating authorities focussed their attention in the pending, unsolved case of the murders of Adnan Raman and his family.

24. Fresh investigations into the said murders were conducted keeping in mind the distinct possibility that the same have been committed by either Mistry or by the 'M&M' jointly. The mobile phone seized from Mistry was again examined keeping in mind the aforesaid, and amongst the hundreds of numbers belonging to various businessmen the police found the personal number of Arnab Dhanoa. The police developed a narrative wherein Arnab Dhanoa, instead of being a victim of extortion by "M&M", was actually a client who procured the murders of Adnan Raman and his family from either Mistry or the 'M&M'. The police kept the narrative and the report a secret, and confronted Mistry with the same.

25. Mistry was astounded to learn that the police had recovered his prized handgun, the very same gun with which he had committed the first of his murders. However, what came a body blow was the fact that somehow, in the middle of rush of committing a murder for the first time, Mistry had apparently forgotten to pick all the empty cartridges from the scene despite been repeatedly told by Master to be careful and attentive. The same empty cartridges were now threatening to be a nail in the coffin for Mistry, with the final nail being his fingerprints on the gun. The fact that Master would walk free nonetheless rankled him even more: Master had been calm and cool all along the 'job'. Brooding over his predicament and the sudden change in fortunes Mistry considered his options, and the once formidable, aloof Mistry increasingly became easily irritated, rash and unsettled.

26. The morning of 10th September 2017 saw India being outraged at the statements made at a televised police press conference held by the Delhi Police. The Delhi Police claimed to have solved 50 cases of murder *pan* India and 154 cases of extortion.

27. The police also claimed to have solved the 50th case *i.e.* the infamous case of the murders of Adnan Raman and his family. The perpetrators were none other than Master in collusion with, to the biggest shock of all, none other than Arnab Dhanoa. The police further claimed that Mistry had offered to turn an approver against Master and Arnab Dhanoa in the case of the murders of Adnan Raman and his family. Mistry had further offered to testify against Master in the remaining 49 cases of murder committed by Mistry and Master jointly and also the said 154 counts of extortion. For his invaluable assistance in solving the said cases Mistry was being pardoned as per the law. The police then read out excerpts from the testimony of Mistry as given to the authorities regarding the case of the murders of Adnan Raman and his family or the '50th Case' as the case subsequently came to be known.

28. The aforesaid conference created an instant sensation and outrage. On the basis of the said statement of Mistry the investigating authorities finally had a foothold to lawfully move against both Arnab Dhanoa and Master. Within hours non-bailable warrants were issued against the said persons. Raids were conducted at various properties and locations in an effort to trace and capture them. Mistry again proved to be of an invaluable help since he was instrumental in disclosing the secret hideouts and safe places of Master.

29. However, Master successfully evaded the police, and Arnab Dhanoa, using his contacts, was presumed to have gone underground. As the said non-bailable warrants started to return unexecuted the investigating officer in the 50th Case filed an application under Section 82 Cr.PC in the court against Master and Arnab Dhanoa seeking the said duo to be declared as 'absconder'.

30. It is the practice of the courts in New Delhi that the Courts have the ultimate discretion whilst declaring a person an 'absconder' without formally issuing a proclamation to the effect in the newspapers. Also, the said discretion was usually being exercised without the recording of any reasons: indeed the language of the said section supported this practice and was used as a shield while exercising such discretion.

31. The Ld. Trial Judge, on the putting up of such applications by the investigating officer in the 50th Case was pleased to declare Master as an 'absconder'. The Ld. Judge deferred declaring Arnab Dhanoa as an 'absconder' and decided to have a proclamation issued in the newspapers under Section 82 Cr.PC.

32. On the basis of these orders proceedings under Section 83 Cr.PC were initiated against Master whereas the proclamation w.r.t Arnab Dhanoa was published by the leading newspapers in India and gave him the stipulated time to appear before the court. Surprisingly, Arnab Dhanoa surrendered before the Court before the expiry of the said stipulation. Master, on the other hand, remained evasive and eluded capture.

33. In October 2017 Arnab Dhanoa moved a Special Leave Petition before the Hon'ble Supreme Court of India against the order of the Ld. Trial Judge granting pardon to Mistry and made the following submissions:

- i. That the right to live in a safe and lawfully protected society was inherent in the Article 21 of the Constitution of India;
- ii. That the act of pardon was unconstitutional, being violative of Article 21 of the Constitution of India since it, in essence, released a cold blooded, remorseless killer back into the society for the sake of capturing his equally cold blooded killer partner, and one alleged conspirator, even though the duo equally participated in all offences alleged against them;
- iii. That Mistry was not an accomplice in the offences jointly planned and committed by 'M&M'- Mistry was in fact a principal, just like Master- and, thus, the act of granting pardon did violence to the Section 306 Cr.PC wherein the pardon was to be granted to an 'accomplice' only;
- iv. That the language of Section 306 Cr.PC "*...to every other person concerned, whether as principal or abettor, in the commission thereof.*" was clear that there was distinct difference between the 'principal' and the 'abettor' i.e. an 'accomplice';
- v. That the word 'accomplice' was to be read as a person having a role lesser in magnitude than that of the 'principal';
- vi. That the Parliament could never have intended to have created a loophole for one 'principal' to escape at the expense of the other 'principal';
- vii. That such a situation was not envisaged by the Parliament, and, thus, the Hon'ble Court ought to interpret the language restrictively.

34. Amazingly, Master, claiming himself to be an innocent man who had been falsely implicated by Mistry to secure a pardon, also filed Special Leave Petition before the Hon'ble Supreme Court against the act of pardon to Mistry on grounds identical to those preferred by Arnab Dhanoo. However, in addition to the said grounds Master also made the following submissions:

- i. That the order declaring Master as an 'absconder' was unconstitutional, being violative of Article 14 of the Constitution of India;
- ii. That Master and Arnab Dhanoo were presumed to be innocent until proven guilty, and as such constituted one class for the purposes of Article 14;
- iii. That there was no intelligible differentia to discriminate between Master and Arnab Dhanoo w.r.t the provisions of Section 82;
- iv. That the language of Section 82(2)(iii) "*...the Court may also, if it thinks fit, direct a copy of the proclamation to be published in a daily newspaper...*" could not be interpreted to mean that the Court was absolved from the responsibility to give reasons for *not* directing the publication of the proclamation in the newspapers;
- v. That the publication of proclamation for Arnab Dhanoo gave him an unfair protection of law whereas the same was denied to Master;
- vi. That the Hon'ble Court should interpret 'may' as 'shall' for such situations wherein there are more than one accused;
- vii. That the Hon'ble Court should interpret the Section 82(2)(iii) Cr.PC in a manner that the Court is bound to give reasons while exercising discretion, or refusing to so exercise, under the said Section;

35. The Hon'ble Court was pleased to admit the Special Leave Petitions filed by Arnab Dhanoo and Master and issued notice to the Government of National Capital Territory of Delhi (GNCTD) as well as to Mistry.

36. However, the said debate had split the society into differing camps – one camp supported the act of pardon for the sole purpose of ending the menace of 'M&M' for once and for all whereas the other partially opposed it: punishment was sought for all, with a reward for the person making the disclosure. This camp filed an Interlocutory Application through an NGO called as Centre Civil Society (hereinafter 'CCS') in the Special Leave Petitions filed as foresaid and made the following submissions:

- i. That the act of pardon is unconstitutional, it being violative of Article 21 of the Constitution of India;
- ii. That Mistry was not an 'accomplice', rather he too was a 'principal';
- iii. That the Parliament could not have intended to free a 'principal' in order to catch a 'principal';
- iv. That there ought not to be an absolute pardon at all in situations such as these;
- v. That such a situation being not envisaged by the Parliament, the Hon'ble must interpret the Section 306 Cr.PC to adequately tackle the same;
- vi. That an interpretation which is harmonious with the need to have a safe society and the need to reward the person making the disclosure ought to be adopted;
- vii. That there must be a punishment for the Mistry in such a situation; that the reward could be that his disclosure shall be considered as protecting him from the death penalty;

37. The Hon'ble Supreme Court was pleased to issue notice on the said Interlocutory Application to Master, Arnab Dhanoa, GNCTD as well as Mistry. The GNCTD appeared in the said SLP's and, supported by Mistry *in toto*, made the following submissions:

- i. That the act of pardon is constitutional, lawful, and proper;
- ii. That the scheme of Section 306 Cr.PC was well settled by a catena of decisions;
- iii. That it was in collective interest of the society that the best evidence against the offenders be procured to allow for the conviction of the same, and that this was in tune with the right to a safe society under Article 21 of the Constitution of India;
- iv. That the language of Section 306 Cr.PC "*...to every other person concerned, whether as principal or abettor, in the commission thereof.*" was clear that the person making the disclosure could either be a 'principal' or 'abettor';
- v. That the order of the Ld. Trial Judge declaring Master as an 'absconder' was legal, and proper;
- vi. That the said order was in tune with the provisions of Section 82 Cr.PC; the Court was not obliged to have the Proclamation published in the newspapers; that as per the Section 82(2)(iii) there was no obligation to record the reasons while exercising, or refusing to exercise the discretion under Section 82(2)(iii);
- vii. That there was no violation of any rights of Master by the said order; that no prejudice was caused to him as he could appear before the Trial Court and have the proceedings under Section 83 Cr.PC stopped;
- viii. That Master had ample time to appear before the Hon'ble Court, and since he is evading the police, he cannot claim

the benefit of Section 82(2)(iii) to escape the proceedings under Section 83 Cr.PC; that he has not approached the Hon'ble Court with clean hands;

- ix. That there was no need for a publication now as Master has already appeared before the Hon'ble Court;
- x. That CCS had no locus in the instant matter, the same being a criminal matter and, thus, being a matter between the State and the Accused only;
- xi. That the Hon'ble Court could not re-write the Section 306 by means of interpretation and that the same could be done only an amendment to the law.

38. Master and Arnab Dhanoa also filed rejoinders rebutting CCS and stated, additionally, that CCS had no locus as it was a matter between the State and the Accused. They also claimed that the Hon'ble Court would be '*legislating*' if it re-wrote the Section 306 by means of an interpretation.

39. The Hon'ble Supreme Court of India, recognizing the unique situation at hand, and noting the divided opinion of the society, was pleased to club together the SLP's and listed the matter for final arguments. The Hon'ble Supreme Court made it clear that the Hon'ble Court shall consider all aspects of the applicable and relevant law, afresh but shall take note of the precedents nonetheless.

40. The 50th Case, also titled, for the sake of convenience, as 'Raghav Raje & Arnab Dhanoa v. The GNCTD, Mistry & CCS' is listed for final arguments before the Hon'ble Supreme Court of India. The Participants are expected to restrain themselves to the submissions made. They are further expected to argue on all the submissions, and for all the Parties.



RULES AND REGULATIONS

The following Rules shall be called the 6th Indraprastha Moot Court Competition, 2018.

Wherein,

- **Organizers** mean the University School of Law & Legal Studies, GGS Indraprastha University.
- **Competition** means the 6th Indraprastha Moot Court Competition, 2018.
- **Participating Team/ Institution** means the team that has registered itself for the competition as per the rules.
- **Venue** means University School of Law & Legal Studies, GGS Indraprastha University, Sec-16-C, Dwarka,, New Delhi-110078.

The Rules mentioned herewith are not exhaustive. The Rules shall be strictly adhered to, any deviation from the same shall result in immediate disqualification, unless exempted by the Organizers. All decisions made by the Organizers in case of any disputes, doubts or other problems of such nature, shall be final and binding on the participating teams. The Organizers further reserve the right to alter, amend or add Rules herein at any point of time. Imposition of penalties is exclusively the right of the Organizers, in case the Rules are not adhered to by the Participating teams.

I. GENERAL:

1. **Date:** The Competition shall be held from 15th February 2018 to 17th February 2018 at the University School of Law & Legal Studies, GGS Indraprastha University, New Delhi.
2. **Dress Code:** Participants are required to adhere to the following dress code while present in any court room during the Competition.

- i. *Ladies*: White Salwar and Kurta or White shirt and black pant/black skirt along with black coat and black shoes.
- ii. *Gentlemen*: White shirt, black trousers, black tie along with black coat and black shoes.

II. THEME:

1. The moot proposition for the 6th Indraprastha National Moot Court Competition 2018 is based on Criminal Law.

III. LANGUAGE:

1. The official language for the Competition shall be English only.

IV. ELIGIBILITY:

1. The Competition shall be open for '*bona fide*' students who are pursuing an integrated 5 year B.A. LL.B. Programme or 3 year LL.B Programme in India. Such institution must be recognized by the Bar Council of India.

V. TEAM COMPOSITION:

1. Each team shall consist of a minimum of two members or maximum of three members. There shall be no circumstance whatsoever that a team consisting of more than 3 members be allowed to participate. No observer/additional member can be part of a team in any capacity.
 - i. In case of a *three-member team*, there shall be two speakers and 1 researcher in the team.
 - ii. In case of a *two-member team*, there shall be two speakers only who shall not be eligible for the researcher's test.
 2. The teams shall identify such speakers and researcher during registration.
 3. Teams shall not disclose their identity whatsoever, i.e. the name of their institution, city, etc. or any other information which has the effect of disclosing their identity and affiliation with a particular university or institution, except in the registration form. Such disclosure shall result in disqualification subject to the discretion of the Organizers.
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4. Each team shall be allotted a team code and each participant shall be given an individual code. Teams shall not disclose their identity or that of their institution or city etc. Any such disclosure shall invite strict penalty including disqualification. The decision for the same shall be at the discretion of the Organizers.

VI. REGISTRATION:

1. All participating institutions have to confirm participation by sending an email to mcs.uslls@gmail.com along with Demand Draft by 15th December 2017 latest by 1600 hrs.
2. Teams shall post the hard copies of the filled registration form along with a draft of Rs 5000/- by 15th December 2017 (1600 hrs) to
**Dr. Upma Gautam (Moot Court Convenor),
University School of Law & Legal Studies,
GGS Indraprastha University,
Sec-16-C, Dwarka,
New Delhi- 110078.**
3. The draft of Rs.5000/- shall be drawn in favour of “Registrar, GGSIPU”, payable at New Delhi.
4. Formal registration of the teams shall be done on 15th February 2018 at the venue at 1600 hrs.
5. Any change in the team composition should be intimated to the Organizers before the Formal Registration.
6. No forms received after the deadline shall be considered for registration.

VII. SUBMISSIONS :

1. Each team shall be assigned a code upon registration.
2. There shall be two preliminary rounds, a quarter final, a Semi Final and a Final.

VIII. ORAL PLEADINGS :

1. General Procedures

- i. Each Oral Round of the Competition shall consist of Ninety (90) minutes of oral pleadings. Petitioner and Respondent shall be allotted forty-five (45) minutes each.
- ii. Two (2) members, and no more than two (2) members, from each Team shall make oral presentations during the round.
- iii. Prior to the beginning of the Oral Round, each Team shall indicate to the Court Clerk how it wishes to allocate its 45 minutes among (a) its first Speaker, (b) its second Speaker, and (c) rebuttal (for Petitioner) or sur-rebuttal (for Respondent). No single Speaker shall plead more than twenty-five (25) minutes, including rebuttal or sur-rebuttal.
- iv. *Extension of Time at Judges' Discretion*- Judges may, at their discretion, extend total Team oral argument time beyond the forty-five (45) minute allocation, up to an additional five (5) minutes per Team. Speakers asked to further expand upon arguments may, in this instance, appear for more than the twenty-five (25) minute individual limit.
- v. *Order of Submission*- The order of the oral submissions in each Round at all levels of the Competition shall be:

Petitioner 1 --> Petitioner 2 --> Respondent 1 --> Respondent 2 --> Rebuttal (Petitioner 1 or 2) --> Sur-rebuttal (Respondent 1 or 2).

- vi. Each Team may reserve up to five (5) minutes for rebuttal or sur-rebuttal.
- vii. *Ex Parte Procedure*- In extreme circumstances, such as when a Team fails to appear for a scheduled Oral Round, the CC, after waiting 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 appear for the scheduled Round forfeits all six (6) points of the Oral Round.

viii. *Competition Communications*- Oral communications during the Oral Round shall be strictly limited to the following. Any Team, which engages in communications not listed in this Rule, shall be penalized.

- Oral Courtroom Communication between Counsel and Judges -Each Speaker designated to present oral pleadings may communicate with the judges, and the judges may communicate with that Speaker, during the Speaker's allotted time. In addition, in extraordinary circumstances, the judges may communicate directly with either Team's counsel table (for example, to clarify the spelling of a Speaker's name or to request that a Team remain quiet during its opponent's oral presentation).
- Oral Courtroom Communication and Activity at Counsel Table- Every courtesy shall be given to Speakers during oral argument. Communication at the counsel table shall be in writing to prevent disruption, and Teams shall avoid all unnecessary noise, outbursts, or other inappropriate behaviour, which distracts from the argument in progress. Any Penalties imposed under this Rule shall be deducted from the Oral Scores of both Speakers of the offending Team.
- Written Courtroom Communication-Written communication during the Oral Round shall be limited to (a) written communication among a Team's members seated at the counsel table, and (b) a Team member at counsel table handing a document to an Speaker when that Speaker has been questioned about such document during the course of his or her argument or (c) a written note to assist the Speaker in answering an issue raised by the judges. No other written communication may take place among the Speaker, Team members seated at counsel table, spectators or Team members not present at the counsel table. There is no prohibition on the teams handing over supporting documentation to the judges, but the same should be done through the clerk.

ix. *Anonymity of Teams in Courtrooms*- Teams shall be identified by Team Number and the side of the dispute they represent only. However, Team members may provide their individual names to judges for purposes of conducting courtroom discussions. Participants shall not disclose the identity of their Team through

direct or indirect means, including statements to judges, name tags or other signifiers, the placement of folders, files, library books or other materials bearing the name or logo of the school on the counsel table, and the wearing of pins or clothing revealing the identity of their school.

2. Draw of lots

- i. The draw of lots shall take place after the inauguration on 15th February, 2018.
- ii. To ensure unbiased selection, teams shall be subjected to drawing of lots for the Preliminary Rounds.
- iii. Half of the total number of participating teams shall be called upon to draw lots to select their opposition.
- iv. In no circumstance shall any change be entertained after such selection.

3. Preliminary & Quarter Final Rounds

- i. The Preliminary & Quarter Final Rounds are scheduled to take place on 16th February, 2018.
- ii. Teams shall be subjected to two preliminary rounds.
- iii. The teams shall be arguing on each side during the Preliminary Rounds.
- iv. The total of each round shall determine selection to the Semi-final Rounds.
- v. No two teams shall face each other more than once in the preliminary rounds.

4. Semi-final Rounds

- i. The Semi-final rounds are scheduled to take place on 17th February, 2018 .
- ii. The top-four scoring teams shall compete according to the draw of lots.
- iii. The Semi-final rounds shall be in the nature of knock-outs, i.e., the team with the lesser score shall be evicted.
- iv. The two teams that emerge victorious shall succeed to the Final rounds.

5. Final Rounds

- i. The Final rounds are scheduled to take place on 17th February, 2018.
- ii. The teams shall argue on the side decided by the draw of lots.
- iii. The team obtaining a higher score shall be adjudged victorious.

6. Oral rounds

- i. Oral rounds shall be judged as per the following criteria:
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<u>S. NO.</u>	<u>CRITERIA</u>	<u>MARKS</u>
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
	Grand Total	100 Marks

IX. RESEARCHER'S TEST:

1. The Researcher's Test shall be conducted on 15th February 2017..
2. The registered researcher during the formal registration shall take the researcher's test.
3. There shall be no such test for the teams comprising of only two members.
4. The test shall contain questions related to the moot proposition and the law applicable.

X. MEMORIALS:

1. All requirements have to be strictly followed. Non-adherence to the same shall result in disqualification subject to the discretion of the organizers.
2. Each team shall prepare memorials for both the sides to the dispute. eg. Petitioner and Respondent.
3. The soft copies along with the hard copies of the memorial from each side shall reach the Organizers on mcs.uslls@gmail.com in pdf or doc or docx format latest by 15th January, 2018 before 1700 hrs.eg. Attachments shall be titled as [TEAM CODE] [P] for Petitioner side and [TEAM CODE] [R] for Respondent side. e.g. 007P and 007R.

4. Submissions made after by 15th January, 2018 before 1700 hrs shall entail a negative penalty of 2 marks from each side per day.
5. No memorial will be accepted after 22nd January, 2018.
6. Ten Copies i.e. hard copy of the memorial from each side should reach the Organizers on this address by 15th January, 2018 to

**Dr. Upma Gautam (Moot Court Convenor),
University School of Law & Legal Studies,
GGS Indraprastha University,
Sec-16-C, Dwarka,
New Delhi- 110078.**

7. Format of Memorials.

i. *Cover Page*: The cover page of the memorial must state the following:

- Team Code on upper Left-hand side corner.
- The Case Title
- Color of the cover page must be
 - Blue in case of Petitioner.
 - Red in case of Respondent.
- The Party for which the Memorial has been prepared.

- ii. *The Table of Content.*
- iii. *The Index of Authorities.*
- iv. *The Statement of Jurisdiction.*
- v. *The Statement of Facts.*
- vi. *The Statement of Issues.*
- vii. *The Summary of Arguments.*
- viii. *The Arguments Advanced.*
- ix. *The Prayer.*

8. Memorial General Format:

- i. *Spacing*: 1.5 Line Spacing
- ii. *Margins*: One-inch margin on all sides of each page.
- iii. *Font*: The font for the body of the memorial shall be Times New Roman, Size 12.
- iv. *The Font for the footnotes*: The font of the footnotes shall be Times New Roman, Size 10.

Roman, Size10.

9. Memorials must be spiral bound only.
10. Page numbering should be at the bottom middle of each page.
11. The memorials must not contain any annexure/photographs/sketches/exhibits/affidavits etc.
12. Teams shall cite authorities in their Memorials by way of Blue Book (19th Edition) Style of Citation.
13. The maximum number of pages in each Memorial shall not exceed 35 pages including 20 maximum pages for Written Submissions/ Arguments Advanced.
14. The Memorials shall not, in anyway, disclose any fact pertaining to the identity of the Participating Team, its Members, or the Institution/College/University represented.
15. Marking Scheme of the Memorials:

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

<u>S.NO.</u>	<u>MARKING SCHEME</u>	<u>MARKS ALLOTTED</u>
01.	Knowledge of Facts & Law	20 Marks
02.	Extent & Use of Research	20 Marks
03.	Drafting Skills	15 Marks
04.	Originality in Presentation	15 Marks
05.	Grammar, Style and Coherency	10 Marks
06.	Grammar and Style	10 Marks
07.	Original Thought	10 Marks
	Grand Total	100 Marks

XI. SCOUTING:

1. Teams shall not be allowed to observe the Oral Rounds of any other teams whatsoever.
2. Scouting is strictly prohibited as per the Rules of the Competition.

3. Scouting by any of the teams shall entail instant disqualification.
4. Any team can file a written complaint to the Organizers for the same. The Organizer's decision regarding scouting shall be final.

XII. ANNOUNCEMENT OF RESULTS:

1. The results of the preliminary rounds shall be announced shortly after the rounds.
2. The winners of the semi-final rounds shall be announced shortly after the conclusion of the rounds.
3. The winners of the final round shall be announced during the valedictory ceremony.

XIII. AWARDS AND CERTIFICATES :

1. Winning Team Award: INR 25,000.
2. Runners-up Award: INR 15,000.
3. Best Student Advocate (Male): INR 5,000.
4. Best Student Advocate (Female): INR 5,000.
5. Best Memorial: INR 5,000.
6. Best Researcher: INR 5,000.
7. Certificates for participation will be given to all the participants.
8. Separate Certificates will be provided to the Semi-Finalists.
9. All Certificates and awards will be presented to the participants only at the Valedictory Ceremony on 17th February, 2018.The participants are advised to finalize their travel plan accordingly.
10. The certificates will not be provided to any participant who is not present at the Valedictory Ceremony and the same will not be sent by post/courier to participant under any circumstances whatsoever.

XIV. COPYRIGHT:

1. 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.

2. The Organizers shall have the right to publicly display, distribute in any manner whatsoever and they shall not be responsible for any liability thereof.

XV. DISCLAIMER:

The proposition is fictitious and any resemblance to any person, living or dead, or incident, past or present, is coincidental and not intended by the authors of the proposition.

XVI. CLARIFICATIONS:

1. The moot proposition shall remain the way it is and no change shall be made whatsoever.
2. 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.
3. No queries or requests for clarifications will be entertained whatsoever.
4. Clarifications regarding matters other than the moot proposition may be sought from the Organizers.

XVII. ANONYMITY:

1. The Speakers shall not state their names during the oral rounds, and must use the Team Code.
2. All team members must refrain from disclosing the identity of their institution at any time and in any manner, during the oral rounds.
3. Non-compliance with this Rule will result in immediate disqualification of the team.

XVIII. ACCOMMODATION& FOOD:

1. Accommodation and Food will be provided to all the teams by the Organizers.
2. Accommodation and Food will be provided from 15th February, 2018 (1200 Hrs) till 18th February, 2018 (1200 Hrs).
3. Conveyance will be provided to all the teams (except NCR teams) from the Metro Station Sector 14 Dwarka on their arrival to the accommodation. Please note that this will only be done from 0600 hrs, 15th February, 2018. So teams are advised to plan their

travel accordingly.

4. Conveyance shall be provided for dropping the teams to the Sector 14 Metro Station Dwarka .Sector 14 Metro Station is well connected to Rajiv Chowk, Airport, Railway Station and other metro lines. GGSIP University is at the distance of 1.5 Km from Sector 14 Metro Station. Teams must send their travelling details by 20th Januray, 2018.

XIX. CONTACT DETAILS:

In case any queries or clarifications regarding the competition, the teams may contact:

Dean, USLLS	Prof. Kanwal D.P. Singh	011-25302572
Moot Court Convenor	Dr. Upma Gautam	+91-9899053039
Moot Court Expert Member	Prof. A.P. Singh	+91-8860303226
Moot Court Expert Member	Dr. Lisa P. Lukose	+91-9818663503
Student Convenor	Mr. Harmeet Grover	+91-8800184922
Student Co-Convenor	Mr. Rejoy Basu	+91-8826607694
Student Member	Ms. Tejasvita Dhawan	+91-7838313171
Student Member	Mr. Nitish Rai Parwani	+91-9818713444
Student Member	Ms. Megha Mukherjee	+91- 8459048123

Or mail their queries at mcs.uslls@gmail.com .

6th INDRAPRASTHA NATIONAL MOOT COURT

COMPETITION, 2018

SCHEDULE

S. No.	DATES	EVENTS
1.	RELEASE OF NOTIFICATION	9 th November , 2017
2.	RELEASE OF MOOT PROPOSITION ALONG WITH RULES	9 th November , 2017
3.	LAST DATE FOR SUBMISSION OF REGISTRATION FORMS ALONG WITH THE DEMAND DRAFT (SOFT COPY)	15 th December 2017 (1700 hrs)
4.	LAST DATE FOR SUBMISSION OF REGISTRATION FORMS ALONG WITH THE DEMAND DRAFT (HARD COPY)	15 th December 2017 (1700 hrs)
5.	LAST DATE FOR MEMORIAL SUBMISSION (SOFT COPY)	15 th January 2018 (1700 hrs)
6.	LAST DATE FOR MEMORIAL SUBMISSION (HARD COPY)	15 th January 2018 (1700 Hrs.)
7.	LAST DATE FOR MEMORIAL SUBMISSION (With Negative Marking)	22 nd January 2018 (1700 hrs)
8.	6 th INDRAPRASTHA NATIONAL MOOT COURT COMPETITION, 2018	15 th -17 th February 2018

6th INDRAPRASTHA NATIONAL MOOT COURT COMPETITION, 2018



REGISTRATION FORM

Participating College/University

Name: _____

Address: _____

Faculty In-charge: _____

Designation: _____

E-Mail ID: _____

Contact No.: _____

Team Members

Speaker 1:

Name: _____

Semester _____ Sex: _____

E-Mail ID: _____

Contact No.: _____

**Self-Attested
Photograph**

Speaker 2:

Name: _____

Semester: _____ Sex: _____

E-Mail ID : _____

Contact No.: _____

**Self-Attested
Photograph**

Researcher:

Name: _____

Semester: _____ Sex: _____

E-Mail ID: _____

Contact No.: _____

**Self-Attested
Photograph**

Contact Person (A member of the team to whom all communication related to the competition shall be made):

Name: _____

E-Mail ID: _____

Contact No.: _____

Demand Draft Details

Demand Draft No. : _____

Name of the Bank: _____

Date of Issue : _____

Declaration

We, the undersigned participating college/university and its team members will abide by all the rules of the competition notified to us from time to time throughout the period of the competition. We also declare and confirm that all the information provided in the registration form is true and accurate.

Speaker 1: _____

Speaker 2: _____

Researcher: _____

Faculty In-Charge: _____

Head/Dean/VC of the participating college/university

(Signature & Seal)

6th INDRAPRASTHA NATIONAL MOOT COURT COMPETITION, 2018



TRAVEL FORM

Name of the Participating College/University: _____

Number and Names of Team Members: _____

E-Mail ID: _____

Contact No.: _____

Accommodation needed: Yes/ No

Arrival Details

Date and time of Arrival: _____

Place of Arrival: _____

Name of Flight/Train/Bus _____

Flight/Train/Bus number: _____

Departure details

Date and time of Departure: _____

Place of Departure: _____

Name of Flight/Train/Bus: _____

Flight/Train/Bus Number: _____

Note: The nearest metro station to the university is Dwarka Sector-14 Metro Station, and the conveyance from only this metro station to the university and vice versa will be provided by the university

