

ENVISION 2018

LEGAL EVENTS

I. Moot Court Competition

1. ELIGIBILITY

Students enrolled in a full-time or part-time law programme at the time of the competition are eligible to compete in the Competition. Each College/Law School or University may enter one team ONLY.

2. TEAM COMPOSITION

A team consisting of three members that satisfies the eligibility Criteria can participate. Each team shall comprise of two speakers and one Researcher. A team of two speakers may also be allowed.

3. ROUNDS

The competition shall be of three rounds namely Preliminary, Semi-Finals and Final rounds. Following shall be the rules for Oral Presentation in each round.

3.1. PRELIMINARY ROUNDS-

There shall be one Preliminary round each team shall argue for both sides. Matching of each team shall be done by the Draw of Lots. Each team will be allotted **20 minutes** for the arguments (each speaker to speak for not less than 5 minutes) and in total 15 minutes and 5 minutes for Rebuttal and Sur-rebuttal. The division of time is at the discretion of the team members. The division of time must be communicated to the court clerks before commencing arguments.

If any speaker continues to speak after the completion of the allocated time, the additional time which he or she speak for will be deducted from the time allocated to his or her co-speaker, as the case may be. However, no speaker shall be allowed to present his arguments beyond the maximum time.

Each speaker must introduce himself or herself to the court using only his identification code and team code given to him/her at the time of memorial submission.

3.2. SEMI-FINAL

Total of four teams from the preliminary round will qualify for the Semi-Final round. Matching of each team shall be done by the Draw of Lots. Each team will be allotted **20 minutes** for the arguments (each speaker to speak for not less than 5 minutes) and in total 15 minutes and 5 minutes for Rebuttal and Sur-rebuttal. The Semi-Final Round will consist of One (1) Mooting Session and will also be a "Knock-out" Round where the winner of each Semi-Final Round pairings will advance to the Final Round.

In case of tie, total scores allotted in Understanding of Law and Procedure will be considered to decide the winner.

1.3 FINAL

Winners of each Semi-Final round will qualify for the final round. Each team will be allotted **30 minutes** for the arguments (each speaker to speak for not less than 10 minutes) and in total 25 minutes and 5 minutes for Rebuttal and Sur-rebuttal. The time may be exceeded at the discretion of judges.

4. EX-PARTE PROCEEDING

At the outset, if a team fails to appear within 15 minutes of the scheduled time (in any of the three rounds) or in case of odd number of teams, then the oral round of the attending party may proceed Ex parte. In case failure of appearance of teams within stipulated time period, the attending party is Respondent, the party will be declared winner.

5. MEMORIALS

- (i) Each participating team shall prepare both memorials in English.
- (ii) All teams are to submit their copies to organizers in hard copy to before the deadline specified by the organizing committee. Failure to do so will result in disqualification from the competition.
- (iii) Memorials from each side should not contain more than **30 pages** (which constitutes summary of facts & arguments, arguments advanced and prayer) and there is no limit for minimum pages.
- (iv) All citations must adhere to Blue Book 19th Edition and fulfil the following requirements: - Font type Times New Roman Font size 12 Footnotes Font type Times New Roman Footnotes Font 10. Memorials that do not follow the above mentioned specifications will be subject to marks deduction.
- (v) Memorial cover page shall follow the following Colour Scheme:
Prosecution- Red and Defence– Blue
- (vi) All participants must submit FOUR (4) copies of the Memorial for both sides.
- (vii) The soft copy of the memorial shall also be sent through e-mail given below latest by 24th August before 5:00 pm. The memorial should be sent as an email attachment in Word format/ PDF-file.
- (viii) Subject of the email shall “Memorial for “team code”. Please name the memorial using your team’s Code and “P” for Prosecution or “D” for Defence. For example, if you are assigned team number 555 the file name should be 555P.doc or 555D.doc.
- (ix) The submission of hard copies should be done latest by 29th August 2018 to the Organisers.

5.2. ANONYMITY

Each team will be awarded a code number after registration and that number alone shall be marked on the memorials. Identity of the team or the names of the participants must not be

revealed in the Memorial in any manner whatsoever. Name of the school/University shall not be mentioned on any compendium or material to be presented the bench. Failure to compliance will lead to disqualification of such compendium or material from presentation.

6. SCORING

Following schematics will be followed in the competition for the scoring of the teams.

6.1. SCORING OF ORAL ARGUMENTS

Each speaker shall be marked on total of 100 marks by each Bench Judge. The following will be the Marking Criteria and the Marks Allocated to each category:

1. Understanding of Law and Procedure – 30 marks
 2. Application of Facts – 20 marks
 3. Ingenuity and Ability to Answer Questions – 20 marks
 4. Reference to Memorials - 20 marks
 5. Advocacy Skills, Court Craft and Demeanour – 10 marks
- Total 100 Marks and marks allotted by the judges shall be final.

6.2. SCORING OF MEMORIAL

1. Knowledge of Law and Extent of Research – 30 marks
 2. Proper and Articulate Analysis, Clarity and Organization – 20 marks
 3. Knowledge of Facts – 20 marks
 4. Evidence of Original Thought and grammar – 20 marks
 5. Correct Format and Citation -10 marks
- Total 100 Marks and marks allotted by the judges shall be final.

7 DRESS CODE shall be strict formal wear.

Ladies- Black and white salwar/sari or pant/suit with black tie and black coat.

Gentlemen- White shirt with black tie, black trousers, black coat and black shoes.

8 MISCELLANEOUS

All participants are expected to maintain the decorum in the court during the competition and are expected to conduct themselves in a manner befitting the legal profession. The Competition committee reserves the right, at its sole discretion, to take appropriate action for any unethical, unprofessional and wrongful conduct during the entire period of the Moot Court competition. Upon completion of the competition, the competition committee reserves

the exclusive right to use the memorials submitted to them, as they deem appropriate. Participating teams should carry with them required study or reference materials for their own use during the oral rounds of competition. Team found attempting to approach and influencing Judges/Administrators/Organizers shall be disqualified. No member of any team will be permitted to hear the arguments in any court rooms in which that team is one of the contesting teams whilst that team is still in the competition.

Rules are subject to change by the organisers.

9 IMPORTANT DATES

Last date for registration (soft copy) – 10 August 2018

Last date for registration (hard copy) – 13 August 2018

Last date for seeking of clarification – 18 August 2018

Last date for submission of memorials (soft copy) – 24th August 2018

Last date for submission of memorials (hard copy) – 29th August 2018

10 AWARDS

There shall be a winner of the Competition and other awards and prizes may be declared during the prize distribution of the Competition.

11 REGISTRATION AND FEES

Registration fees for the competition is Rs. 4500 including the fees for accommodation to be paid through Account transfer Account no. 6660180022 Account name- ENVISION 2K18 IFSC Code – IDIB000C132 the receipt of the same shall be sent to Jyotsna Hauta on whatsapp Mobile no.- 7018945188 and Filled Registration form shall be sent via Email to bineetsingh86@gmail.com

The registration fees must be paid on/before 10th August 2018.

12 ACCOMODATION

1. The accommodation for all the participating teams shall be provided from 12 noon of 28th August 2018 till 12 noon of the 30th August 2018.
2. Travel of the teams from outstation and to/from venue of the Competition must be at team's own expense.
3. The maximum of three members are allowed to participate in the Competition. No team coaches shall be allowed to accompany the teams or to witness their rounds.
4. The participating teams are requested to carry their own set of lock and keys for the accommodation.

5. No internet facility shall be provided to the teams at their respective accommodation.
6. The teams coming by their own conveyance shall not be allowed to park their vehicle on the campus. Such team shall be required to park their vehicle outside the campus only.
7. Himachal Pradesh University is a no smoking campus. No participating team shall indulge in smoking, drinking or any other objectionable activities. Indulgence in such activities shall invite disciplinary action and instant disqualification.

13 CONTACT –

Registration form (soft copy) and Soft copy of memorials must be sent to-
bineetsingh86@gmail.com

For any moot court related enquiry –

Bineet Singh – 8628829824

Yug Singhal - 7009500258

For any accommodation/travel related enquiry –

Rakshak Gupta – 8146038908

Envision 2018 Moot Problem

Shreya and Suraj are residing in Hiranchal where the penal laws are similar to the penal laws of India. Shreya is a student of class XI studies in Girls higher Secondary School, Bhulli, while Suraj is a student of Commerce in nearby Government college for boys. Shreya got attracted to Suraj. One day she called him to meet her in a restaurant after her classes. Suraj went to the restaurant where he was proposed by Shreya. Suraj got impressed and they started meeting regularly after class. Shreya was noticed many times in her school uniform by her relatives roaming around with Suraj. Rani, the mother of Shreya was told by her brother that the neighbours are talking about her daughter so she should stop her from meeting the boy. Rani shared this information with her husband Dule Ram. They tried to stop her and convince Suraj that it is harming their reputation in society. Despite that Shreya did not stop and called Suraj to create pressure on his parents to get engaged. On May 10, 2014 parents of Suraj came to meet Rani and Dule Ram and compelled them to engage their daughter Shreya aged 17 years to Suraj aged 20 years. Firstly, they refused but later when Shreya insisted, they kept engagement ceremony on June 10, 2014 in Town Hall. During ceremony sister of Suraj who was junior of Shreya told her mother that Shreya does not run good reputation in School and her habits are objectionable. On June 16, 2014 mother of Suraj came to meet Rani and had altercation with her. She blamed Shreya for her bad character. Rani got offended and sent message to Suraj's mother that this engagement was not acceptable to her. After about a week, Rani went to purchase household items from market. When she came back, she found her daughter missing from home. She enquired from neighbour Rupa about her daughter. She told her, "Suraj came to her house and had a talk with her. Thereafter, Suraj went to the market. After sometimes, Shreya followed him to the market". Rani informed Dule Ram about the missing daughter. Dule Ram reached his house and started searching for Shreya. He asked the shopkeeper who was uncle of Suraj. Shopkeeper replied that he had seen Suraj and Shreya going towards Bus Stand. Dule Ram went to bus stand but there was no clue about Shreya and Suraj. He also contacted parents of Suraj but could not trace his daughter.

On June 25, 2014 father of the girl filed a complaint in Bhareri police station about the missing daughter blaming Suraj and his family. When Suraj had the knowledge of the complaint, he surrendered in Chail police station on June 29, 2014. Mother of Suraj got annoyed and sent Shreya to her father telling her not to come again. Police recorded

statements of both of them and sent them for medical examination. Their clothes were sent to forensic lab. Shreya in her statement did not blame Suraj for any of the acts during these days. She admitted that Suraj never forced her to do anything against her consent. She admitted that she had called Suraj to her house. She convinced him to get married to her without informing her parents as she knew that her parents will not permit her to get married to him. She confessed that Suraj was innocent as this was planned by her only. She had threatened him of dire consequences on his refusal. Suraj accepted her offer only after he was convinced by Shreya that she was not minor. Suraj disclosed that they are in love with each other and got married in Radha Krishan Temple which is 25 Kms. away from his house. Before performing rituals, Suraj had called his parents and friends and informed about their marriage. They reached temple after the Hindu religious rites and customs were over. Mother of Suraj scolded Shreya and refused to take her to her house. After Suraj insisted, Shreya was allowed to stay with Suraj by his mother. In investigation, it was found that Suraj had slept with Shreya. Suraj was arrested and charged for kidnapping and rape. Before Trial Court, Suraj requested to conduct ossification test of Shreya. The doctor suggested the age of Shreya as 18yrs. +_ 6months. During trial before court on October 25, 2018 it was disclosed by Suraj that on October 21, 2018 Shreya had eloped with her neighbour Karan. They got married and are staying in Karan's house.

After hearing the arguments, the learned trial court arrived at the conclusion that charges of kidnapping and rape against the Suraj were fully proved beyond any reasonable doubt. Trial Court held that the Shreya was less than 18 years of age on the date of the incident and her consent was immaterial. Trial Court convicted Suraj of the commission of offence punishable under section 363 and 376 of HPC and sentenced him as under:

1. Suraj has to undergo three years imprisonment for offence punishable under section 363 of HPC with fine of Rs.6,000/- and in default of payment of fine, to undergo simple imprisonment for a period of two months.
2. Suraj was to undergo rigorous imprisonment for a period of seven years for the commission of offence punishable under section 376 of HPC and to pay a fine of Rs.1,00,000/- and in case of default he would have to undergo additional simple imprisonment for a period of one year.
3. All the sentences were ordered to run concurrently.

Aggrieved by the judgment of Trial court, Suraj has filed this appeal in High Court of Hiranahal.

Note – HPC (Hiranachal Penal Code) is *pari materia* to Indian Penal Code, 1860.

**ENVISION 2018 MOOT COURT COMPETITION
REGISTRATION FORM**

1. Name of the Institution:
2. Address of the Institution:
3. Name and designation of the faculty-in-charge:
4. Phone no. Of faculty-in-charge:
5. Institution email:
6. Team details- (Affix a photo of each participant alongside name)
 - (i) Name of Speaker 1:

Course:

Contact and email:
 - (ii) Name of Speaker 2:

Course:

Contact And email:
 - (iii) Researcher:

Course:

Contact And email:
- 7 Sign and seal of the Head of the Institution

