

**2nd GALGOTIAS UNIVERSITY
NATIONAL MOOT COURT COMPETITION
(GUNMCC- II)**

The Paperless Moot

29th-30th November 2019



**GALGOTIAS
UNIVERSITY**

Organized By

**Moot Court Society (MCS)
School of Law,
Galgotias University,
Greater Noida, Delhi NCR.**

ABOUT GALGOTIAS UNIVERSITY

Galgotias University's mission is to graduate socially responsible future technologists and business leaders with good communications skills, problem solving skills and an entrepreneurial spirit with a commitment to economic development. With a strong multidisciplinary knowledge base, graduates of GU will be well prepared to succeed in an increasingly competitive global economy. With a focus on multidisciplinary research and education and a learning model that emphasizes active learning, GU aspires to be globally known for innovation at the intersection of disciplines. GU's bold vision builds upon over a decade of excellence of Galgotias Institutions in engineering and business education. Galgotias Institutions have been nationally ranked by India Today, Business Today and Outlook for their programs in engineering. Galgotias Business School was recently recognized by Dun and Bradstreet as a leading business school in India. With a 100% placement record for the last four years supported by multinational firms like Accenture, Hewitt, IBM, Infosys, Nokia, and Samsung, Galgotias Institutions have earned the respect of top performers in the industry.

ABOUT SCHOOL OF LAW

School of Law at Galgotias University was established in the year 2012 and it aims to provide Inter-disciplinary teaching and research opportunities. The Law school offers undergraduate, postgraduate and doctoral programs in the field of law. In a very short span of time the SoL has taken significant steps in providing world class education and creating knowledge. Law school library is rich with thousands of books, journals and other reference materials. It also has access to various online Legal databases. Classrooms are well equipped with modern tools for education. In order to inculcate moot skills, the SoL has designed the state of the art Moot Court hall for the students. A spacious auditorium serves the need for various seminars, conferences and other events. School of law adds practical element to the classic subjects thereby making the course more relevant and useful. The students are prepared for practice of law through Clinical Legal Education programmes thereby producing competent and socially responsible lawyers. School of Law offers Three Year LL.B. (Hons.) Programme, Five Year B.A. LL.B. (Hons.) Programme, Five Year B.B.A. LL.B. (Hons.) Programme, One Year LL.M. Degree Programme & Doctor of Philosophy (Ph.D.) in Law and admission is taken through a rigorous selection process.

ABOUT MOOT COURT SOCIETY

Moot Court Society is a student run, faculty supervised society of the SoL, GU. In just the first half of the 2018 the society has facilitate GU students to bag at least seven trophies including that of winners, runner up, third best team, best speaker and best memorial. The MCS, SoL also hosted the 34th BCI Inter-University Moot Court Competition in 2017 that saw participation from sixty institutions across the country. The event was presided by his lordship Hon'ble Mr. Justice R. K. Agarwal (Judge, Supreme Court of India) and received much praise.

This time around, we intend to make it only better from where we left. Thus, we hereby present the rules of our second paperless GUNMCC that shall test the lawyer's skills of young minds in an eco-friendly manner.

Second Galgotias University National Moot Court Competition 2019 (The Paperless Moot)

The School of Law, Galgotias University presents the Second Galgotias University National Moot Court Competition (29-30 November 2018). The problem is a blend of emerging issues on Artificial Intelligence and its subsequent connection with Cyber Laws, International Law, Criminal Law and Corporate Law. This blend shows more possible complex legal issues which may arise in future and thus we thought it would be appropriate to introduce our law students to them through this moot court competition. To check the environmental and economic costs involved in our traditional moots, the SoL-GU has decided to keep the competition completely paperless. *Hence, no hard copies of the memorials are required.*

Key Dates:

Last Date of Registration for Memorial Submission	7th October 2019
Date of Team Code Allotment	10th October 2019
Last Date of Memorial Submission (ONLY SOFT COPY IN .pdf FORMAT)	25th October 2019
Result of Memorials Knockout	5th November 2019
Payment of Registration fees after selection of Memorials	10th November 2019
GUNMCC-II	29-30 November 2019

Key Information:

1. Only 20 teams shall be allowed to participate on Memorial Knockout basis. 3 teams apart from first 20 will be in the waiting list in case any of the above teams back out.
2. Registration fee: ₹ 4,000 per team (including food and lodging)
3. Registration Fees should only be paid after result of Memorial Knockout, by the teams who get selected in the final 20. Bank Details and mode of payment will be communicated to the respective teams after selection of Memorials.
4. All communications to be directed at:
 - a. E-Mail: mootcourtsociety@galgotiasuniversity.edu.in
 - b. Phone: Jatin Lalit (Student Advisor): +917080501028
Janhavi (Convener): +917004082656
Anmol Kumar (Planning and Organizing Committee): +918860945588

Moot Proposition

1. In the year 2050, technology was at its peak with multiple innovations popping out from every corner of the world. Developments of flying cars to huge leaps in the medical sciences were commonplace. Moreover, among them all, the most prominent development was in the field of Artificial Intelligence (hereinafter referred as *AI*). AI was a prime target of most of the countries to prove that they were better than the others. However there was also a strong public outcry about misuse of AI. This is in the backdrop of multiple incidents, in which one was when the AI was implemented in a US warship to determine its defence capabilities. AI while accessing information from the Internet determined that there was a credible threat to the country in the form of an imminent attack. This information was based on some intelligence provided by a confidential report submitted by Central Intelligence Agency to the US Government. As precautionary measures, the AI targeted to launch a missile from one of the US Warships. When it was noticed by the military personnel, they had to disable the missiles manually.
2. Following the above incidents, a meeting of plenipotentiaries' was convened by the permanent members of the UN Security Council in September, 2050. Also in one of the international conference for ethical use of AI, Mr. Eleon Musk, a renowned genius in this field, made a strong condemnation against the use of AI for military purposes. The outcome of the conference along with the resolution passed by UN Security Council led to bringing together various NGOs, international groups and member countries on the platform of the UN General Assembly, where they all signed an agreement namely "Ban of AI for Military Applications" on 21st December, 2050. WAKANDA, a non-permanent member of UN Security Council and a developing country among them also signed the said Agreement but never ratified it.
3. SkyNET was a Limited Company in the state of WAKANDA, registered under Companies Act, 2013 as SkyNET (P.) Ltd. The object of the company was promotion of science and research with special reference in the field of AI. Since its incorporation the company had incurred profits whereby the dividends payable to the shareholders were used for providing scholarships. In addition to this, the company initiated in setting up of Research and Development Wing in various government and non-governmental companies involved in manufacturing arms and ammunitions from the dividends declared.

4. In the process of research and development, it achieved a lot including AI responding to human emotions and touch. The base algorithm, which was incorporated in a quantum machine called AINET, was used mainly in all such developments and it was made in such a way that any further modifications or tweaking would be done internally by the AI itself. Subsequently SkyNET patented AINET from the patent office of WAKANDA after a long process of documentations, public scrutiny and pre-grant oppositions. AINET was also described as an algorithm self sufficient in improvement of new advanced models of the existing technologies and creation of new independent ones.
5. In the process of developing more self-sufficient tools based on AINET, SkyNET started testing the same on artificial mechanical human organs. With the help of AINET, it successfully developed the mechanical organs which were used on the field to save many human lives including army veterans, blast survivors, patients ailing of incurable diseases, etc. To establish a centralized mechanism for such mechanical organ control in cases where there were multiple organ replacements in a human body, for saving them back from the clutches of death, AINET created a small chip to be implanted in human brain sending infra-red waves to such organs. The centralized mechanism was connected to the Central server of AINET for minor tweaks and adjustments in case of bugs or possible future errors in the system. SkyNET filed a patent application over the invention of these mechanical organs and the central server chips. In the process of examination and pre-grant opposition the patent application was rejected by the patent office of WAKANDA citing those not having been invented by SkyNET rather by an AI. Thus SkyNET could not have any patent over it. Against this order SkyNET filed a Petition under Article 136 to the Supreme Court of WAKANDA disputing the same (**CASE No. 1**).
6. There was initially a strong criticism by the people of WAKANDA for human trials of AI and its use of mechanical organs dubbing them as “Cyborgs”, but seeing the resultant effect of successful saving of human life, this perspective changed. Citizens of WAKANDA themselves started submitting to the use of technology on their own body for a better treatment and longer life expectancy. Although the cases for full body replacement with implantation of centrally mechanized chip in the brain remained comparatively low and restricted to only death encounter cases.

7. Due to its humanitarian approach in contribution to the field of AI, Government of WAKANDA started funding them in huge terms. The Government hired certain Cyborgs independently for their service in the field of search and rescue in cases of natural calamities and artificial disasters. This was specifically in exclusion of any military use in compliance of the International Agreement on “Ban of AI for Military Applications”. A team of such Cyborgs popularly known by the people as X-MEN, led many such successful missions, saving lives of thousands. This created a positive image of them in the mind of the people, which led to a demand of more such teams to cover additional aspects and larger coverage area.
8. In the meantime Government of WAKANDA entered into negotiation with the promoters of SkyNET and offered to purchase majority stakes in the company. Mr. Philip Jones who held 41% stake in SkyNET refused to sell his stakes to the government. The government decides to file an application with the National Company Law Tribunal (hereinafter referred to as NCLT) stating that it wishes to acquire 9% stake of SkyNET, which is at present being held by Mr. Philip Jones. As per the rules of SkyNET in case any single shareholder at any point of time holds more than 50% stake singly then it will be having the right to acquire 11% more shares of SkyNET. The Government of WAKANDA had acquired 20% stake held by Ms. Jessica Jones and 30% by Mr. Vikram Jones. Later on government acquired 59% stake in SkyNET with the ultimate goal to use its technology for military purposes as by then most of the profits of SkyNET were being generated from the R&D division of the government entities. The gradual shift of such acquisition led to use of X-MEN for military search and rescue missions. As this was a clear violation of the “Ban of AI for Military Applications”, a case was filed by Pavitra (an NGO) against the Government of WAKANDA and SkyNET (**CASE no. 2**). At the same time another petition was filed before the NCLT by Mr. Philip Jones claiming *oppression* and *mismanagement* against the Government of WAKANDA (**CASE no. 3**).
9. Mardock Corp. a multinational company in the field of technology, having its roots in the USA and one branch office in WAKANDA, with an intention to acquire the source code and programming of AINET remotely attacked the server of SkyNET. This led to multiple malfunctions in AINET and in retaliation to the attack it became independent and to save itself, it transferred its base to an unknown cloud server. After this incident AINET became independent and out of control and started making tweaks in the Centralized System of X-MEN, taking them directly under its command. To save itself from any future attacks, as a preventive measure, it started ordering X-MEN to attack on humans on a random basis leading to chaos amongst the people.

10. In one such attack X-MEN invaded the remote server of Mardock Corp. with an ultimate object of destroying it, creating an international incident leading to huge loss of human lives in the process. Along with the invasion on the remote server of the USA, it also led an attack on Mardock's WAKANDAN server locations causing human casualty and loss of property thereof.

11. An FIR was filed against SkyNET, AINET, X-MEN and Mardock Corp. for the said incident charging them for murder. The case also raised the liability of WAKANDA and SkyNET for the actions done by AINET and X-MEN as the creation and its subsequent weaponisation was a resultant effect of their actions. The Police on the abovementioned FIR filed a charge sheet and cognizance was taken by the Criminal Court (CASE No. 4).

12. Seeing the complexities and the similarities in the issues involved in above mentioned cases, the Supreme Court of WAKANDA transferred all pending cases from lower courts and tribunals to itself on the following issues:

- i. Whether a case is maintainable against Government of WAKANDA, SkyNET, AINET or any other entity?
- ii. Whether SkyNET can be treated as a "State" under the present circumstances?
- iii. Whether any act of oppression or mismanagement has been committed by Government of WAKANDA?
- iv. Whether SkyNET owns patent over the Mechanical organs, centralized chip system or X-MEN?
- v. Whether Government of WAKANDA has violated the International agreement on BAN of AI for MILITARY APPLICATIONS?
- vi. Whether AINET, X-MEN, SkyNET or any other entity is criminally liable for the massacre committed?

The participants are free to add any other issue which they may deem fit in addition to the above-mentioned issues but the above issues need to be compulsorily addressed in their submissions.

Note: The laws of WAKANDA are in *pari materia* with the laws of India.

RULES OF THE COMPETITION

1. Title

The Second Galgotias University National Moot Court Competition (GUNMCC, 2018) shall be held from November 29th to 30th, 2018 at Galgotias University, Greater Noida (NCR).

2. Language

The Competition shall be in English.

3. Eligibility Criteria

3.1 Students of 5 yrs integrated Law Degree programme & 3 yrs Law Degree programme studying in Colleges/ Universities, approved by the Bar Council of India, are eligible to participate in the GUNMCC II 2019.

3.2 Only one team from a particular College /University can participate.

3.3 Number of team members shall be three (two speakers and one researcher).

4. Registration

4.1. The Participating team shall fill the Registration Form attached with the Rules and send (e-mail) it on or before September 7th 2018. The scan copy of the completely filled up registration form provided needs to be mailed for completion of registration for memorial submission. **No hard copy of the registration form is required.**

4.2. Registration Fees should only be paid after result of Memorial Knockout (i.e. after after 5th November till 10th November, 2019), by the teams who get selected in the final 20. Bank Details and mode of payment will be communicated to the respective teams after selection of Memorials. In case of online payment, the participant(s) must send us the soft copy of the transaction receipt along with the registration form on or before the last date i.e. 10th November 2019, to mootcourtsociety@galgotiasuniversity.edu.in. The Travel and Accommodation form can be sent at the time of submission of Payment proof after declaration of the memorial result by the respective teams.

4.3. **Only first 20 Teams will be considered for participation in GUNMCC II 2019 on 'memorial knockout' basis.**

4.4. Each Team shall be allotted a Team Code along with the confirmation email by or before September 10th 2019.

5. Written Submissions/ Memorial

5.1 The cover page of the Memorial for the Petitioner shall be in "Blue" and that of the Respondent shall be in "Red."

5.2 To avoid disqualification, the Teams shall not indicate their names or the name of their college /university on the Memorials. For all communication purposes, the allotted Team Code shall be used.

5.3 The Team Code allotted to all Teams shall be indicated at top right corner of the Memorial, which will be communicated to them by e-mail.

5.4 All participating Teams must submit a soft copy of their Memorials in .PDF format, for both the parties i.e. the petitioner and respondent by 11:59 P.M., IST on October 30th, 2019 through by sending an e-mail to mootcourtsociety@galgotiasuniversity.edu.in

NO HARD COPIES OF THE MEMORIALS ARE REQUIRED TO BE SUBMITTED.

5.5 The Memorials shall conform to the set standards.

5.6 All Memorials must be in English, on A4 size sheets, with space margin of one inch on all sides.

5.7 The text font should be Times New Roman, size 12 for the main body, and Times New Roman, size 10 for the footnotes.

5.8 The main body of the Memorial must be in 1.5 line spacing. The footnotes should be in single line spacing.

5.9 Memorial shall not exceed 20 pages in total. Arguments should not exceed 10 pages.

5.10 The Memorial must contain the following:

<i>i</i>	Cover page	<i>vi</i>	Statement of Facts
<i>ii</i>	Table of Contents	<i>vii</i>	Issues raised
<i>iii</i>	List of Abbreviations	<i>viii</i>	Summary of Arguments
<i>iv</i>	Index of Authorities	<i>ix</i>	Arguments Advanced
<i>v</i>	Statement of Jurisdiction	<i>x</i>	Prayer

5.11 Blue Book mode of citation (20th Edition) must be followed.

S.No.	Criteria for Memorials
1.	Proper inclusion of parties, identification of issues and nature of relief sought
2.	Knowledge of law & facts
3.	Application of law
4.	Analysis and organization
5.	Appropriate use of Authority/cases
6.	Proper Citation & Format
7.	Originality
8.	General Impression and clarity of thought
9.	Grammar and style of presentation

6. Orientation

After the inaugural ceremony, there will be an orientation programme for all the participants on 29th November 2019 followed by a draw of lots and exchange of memorials.

7. Preliminary Rounds

7.1 There shall be one Preliminary Round on 29th November 2019 and every Team shall argue for either side i.e. the Petitioner or the Respondent depending upon the outcome of draw of lots.

7.2 Lots for the Preliminary Rounds shall be drawn by the Moot Court Society of School of Law, Galgotias University

7.3 The Petitioner shall be allotted a total of 20 minutes to speak. The Respondent shall be allotted next 20 minutes for arguments. For rebuttal and surrebuttal each team shall be allotted 5 minutes. Any extension of time beyond the specified period shall be subject to the discretion of the Judges.

7.4 The division of time to be apportioned between the Speakers at the discretion of the Team members, subject to a maximum of 12 minutes for one Speaker.

7.5 Before the commencement of the each Round, each Team shall indicate to the 'Court Officer' as to how they wish to apportion their time.

7.6 At the end of the Preliminary Rounds, Top 4 Teams shall qualify for the Semi Finals on the basis of marks secured.

7.7 A Team shall be credited with a "Win", if its total marks in the respective session are higher than those of its opponent Team.

7.8 Top four teams shall qualify for the next round i.e. the Semi-Final Round.

8. Semi-Final Round

8.1 The Semi-Finals will be held on 30th November 2019. A Team will be credited with a "Win" in the Semi-Finals if the total marks are higher than that of its opponent's Team.

8.2 The side to be presented by the Team shall be determined by the Draw of Lots with the teams picking the Lots after the completion of Preliminary Rounds.

8.3 Each Team shall get a total of 30 minutes to present their case which will include the time for 'rebuttal' and 'surrebuttal'.

8.4 The apportionment of time between the Speakers shall be at the discretion of the Team members, subject to a maximum of 18 minutes for one Speaker.

8.5 Before the commencement of the Round, each Team shall indicate to the 'Court Officer' as to how they wish to apportion their time.

8.6 Winners of the Semi Final Rounds shall proceed to the Final Round.

9. Final Round

9.1 The Final Round will be held on 30th November 2019 after the conclusion of Semi Finals. A Team will be credited with a "Win" in the Final if its total marks are higher than those of its opponent team.

9.2 Each Team shall get a total of 40 minutes to present their case, which will include the time for 'rebuttal' and 'surrebuttal'.

9.3 The division of time to be apportioned between the Speakers is at the discretion of the Team subject to a maximum of 25 minutes for one Speaker.

9.4 Before the commencement of the Round, each Team shall indicate to the 'Court Officer' as to how they wish to allocate their time.

9.5 Final Rounds shall be followed by the Valedictory Session that shall conclude with declaration of results.

10. Dress Code

Participants must adhere strictly to the formal black and white dress code during the Competition.

Non adherence to the Dress Code shall result in disqualification from the Competition.

11. Evaluation Criteria for Oral Pleadings

S No.	Marking Criteria	Marks
1.	Knowledge of facts	20
2.	Articulation of issues, knowledge of law and its interpretation and application	20
3.	Skill of advocacy, persuasiveness and response to questions	20
4.	Use of authorities	20
5.	General Impression and Court Etiquette	20

12. Scouting

Teams shall not be allowed to observe proceedings/submissions of any other team. Scouting is strictly prohibited.

13. Awards

1. Trophies for the Winners, Runner up, Best Advocate, Best Memorial.

2. Cash Prizes to be Won

Winner Team – **Rs.25,000** ; Runner Up team – **Rs.15,000** ; Best Advocate – **Rs. 7,000** ; Best Memorial – **Rs.7,000**

3. Certificate of Merit and Certificate of Participation.

14. Decision of the judges with regard to Declaration of Results shall be final and binding on all.

15. Accommodation:

Accommodation will be arranged for all Teams by the Organizers from – 28th November, 2019 (12:00 pm) till 1st December, 2019 (12 pm). Participants requiring accommodation to be arranged by the organizers should indicate the same in the space provided for in the Travel Details and Accommodation Form. All participants staying on the accommodation provided by the Galgotias University shall be subject to the Disciplinary Rules and Authorities of the Galgotias University. Participants from Delhi NCR are not eligible to apply for accommodation.

16. Note:

All questions seeking clarifications on any issue arising out of the Moot Problem should be sent at mootcourtsociety@galgotiasuniversity.edu.in

For further details/updates see: <https://sites.google.com/galgotiasuniversity.edu.in/gunmcc/>

The organizers reserve the discretion to amend these rules at any time prior to the inaugural of the Moot Court Competition. In case of any discrepancies or doubts regarding the Rules, the decision of the organizers shall be final and binding.

Participation Certificate shall be awarded to all the students taking active part in the competition

17. **Organising Committee:**

Chief Patron

Mr. Sunil Galgotia
Hon'ble Chancellor
Galgotias University

Patron

Mr. Dhruv Galgotia
CEO
Galgotias Education Group

Organising Head

Prof.(Dr.) Tabrez Ahmad
Pro Vice Chancellor, Galgotias University
Dean, School of Law Galgotias University

Organising Members

Ms. Astha Anup Chaturvedi
Assistant Professor
Faculty Coordinator MCS

Mr. Deepak Kaushik
Assistant Professor
Faculty Co-coordinator MCS

Ms. Vani Sharma
Assistant Professor
Faculty Co-coordinator MCS

Student Members

Jatin Lalit (Student Advisor)
Janhavi (Student Coordinator)
Malvika Aggrawal (Student Co-Coordinator)
Gurkirat Singh (Student Co-Coordinator)
Anmol Kumar (Planning and Organizing Committee)

**2nd GALGOTIAS UNIVERSITY
NATIONAL MOOT COURT COMPETITION 2019**

November 29th to 30th, 2019

Registration Form

PARTICIPATING INSTITUTION

Full Name

Address

TEAM MEMBERS

SPEAKER -1

Name _____ Semester _____ Sex (M/F)

_____ Mobile _____ Email ID _____

SPEAKER -2

Name _____ Semester _____ Sex (M/F)

_____ Mobile _____ Email ID _____

RESEARCHER

Name _____ Semester _____ Sex (M/F)

_____ Mobile _____ Email ID _____

Affix Photo

Affix Photo

Affix Photo

SPEAKER 1

SPEAKER 2

RESEARCHER

DECLARATION

We, the undersigned declare that the institution and its Team Members will abide by all the Rules of the Competition set out in the Rules and as 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.

We, the undersigned further declare that we shall bound by the instructions of the Galgotias University Disciplinary Authorities and Rules of the Competition.

SPEAKER 1 _____

SPEAKER 2 _____

RESEARCHER _____

FACULTY INCHARGE (Name and Contact Details) _____

HEAD/DEAN OF SCHOOL: _____

(SIGNATURE WITH INSTITUTION SEAL)

**2nd GALGOTIAS UNIVERSITY
NATIONAL MOOT COURT COMPETITION 2019**

November 29th to 30th 2019

Travel & Accommodation Form

A. TRAVEL DETAILS - ARRIVAL

Name of Participating University: _____

Mode of Travel (Air/Train/Bus/car): _____

Details (Flight No. / Train No. With Coach/ Bus
Details) _____

Date and Time of Arrival _____

Whether Accommodation Required [Yes/No] _____

If Yes, number of Male and Female Members in the Team: M _____ F _____

B. TRAVEL DETAILS - DEPARTURE

Mode of Travel (Air/Train/Bus): _____

Details (Flight No./ Train No. With Coach/ Bus
Details): _____

Date and Time of Departure _____

Signature of Team Member