



SHARDA
UNIVERSITY
Beyond Boundaries

SCHOOL OF
LAW

SCC[®]
ONLINE

Present

1st Anand Swaroop Gupta Memorial VIRTUAL

National MOOT COURT Competition 2020

27-29 May, 2020

SHARDA UNIVERSITY

THE HOST

Established through an act of State Legislature of Uttar Pradesh (14 of 2009), Sharda University offers over 216 UGC recognised degrees in various disciplines. It's a part of the renowned Sharda Group with operations in areas like Education, Healthcare and IT.

Being the only global university in India with students from 85+ countries, and academic partnerships with 250+ Universities across the world-USA, UK, Italy, Canada, Russia, Slovenia, et al, the University offers a truly international learning environment.



SHARDA UNIVERSITY, UZBEKISTAN

THE FIRST INDEPENDENT PRIVATE UNIVERSITY IN ANDIJAN, UZBEKISTAN UNDER THE PRESIDENTIAL DECREE

Sharda University Uzbekistan has been established in line with Sharda's commitment to offer world class education to everyone. It is the first independent private university in Uzbekistan that is being envisioned as the gateway for students from Eurasia. In the next few years, the University is to become the epicentre of future-focused education in various disciplines including Engineering, Management, Medical, Dental, Law, Architecture, Design, Basic Sciences, Journalism & Mass Communication, Computer Applications, Nursing, Biotechnology, Food & Technology, Pharmacy, Physiotherapy, Paramedical, Education, Languages, Animation, Agriculture, Visual Arts and Stem Cell & Cancer Biology.



THE WORLD IS HERE... WHERE ARE YOU?

SCHOOL OF LAW

Established with an aim of developing top lawyers, School of Law has evolved into one of the leading Law Schools in Delhi NCR. The School's teaching standards and research quality consistently receive high ratings, and it maintains a strong research culture with all faculty actively researching in their preferred areas. The learning environment is one of support and personal development leading to well- rounded and highly employable graduates. The School has a well-qualified, experienced and dedicated faculty who are committed to the cause of quality legal education.

The faculty includes prominent scholars of economics, philosophy, and history, as well as leading specialists in every area of law. In addition, guest lecturers like distinguished judges, eminent jurists, policy makers, high ranking civil servants & public figures apart from top lawyers help to make Sharda Law School one of the leading ones in Delhi-NCR.



LEGACY OF WINNING AWARDS

- School of Law was awarded as **"The Best Law School in Northern India Award 2019"**.
- School of Law has been awarded 3rd Rank in the category of Promising & 11th Rank in the Northern Region by Global Human Resource Development Centre, New Delhi, 2017.
- School of Law was awarded as the 'Best Law School in Delhi-NCR' by the Brand Academy in India Excellence Summit-2017. School of Law awarded 2nd Rank in the category of promising and 7th rank in the Northern region by Global Human Resource Development Centre, New Delhi, 2016.
- School of Law was awarded as 'The Best Emerging College of Law' by Education India, 2013-14.



AWARDED
**BEST LAW SCHOOL
IN DELHI-NCR**
BY NATIONAL EDUCATION
EXCELLENCE AWARDS 2017



Invitation


The Director/Vice-Chancellor/Dean/Head/Principal

1st Anand Swaroop Gupta Memorial
V I R T U A L
National MOOT COURT Competition 2020


*Respected Sir/Ma'am,
Greetings!*

*It is with immense pleasure that the School of Law,
Sharda University, presents the **1st Anand Swaroop Gupta
Memorial National Virtual Moot Court Competition, 2020**
to be held from **May 27th to 29th, 2020**. We take this occasion
to invite your esteemed institution to participate in the virtual
moot court competition.*

*It will be our endeavor to create an atmosphere of invigorating
intellectual challenges and the opportunity to learn court craft
through simulated experiences in the competition. We look
forward to a positive response.*



*Warm regards,
Prof. (Dr.) Pradeep Kulshreshtha,
Dean, School of law, Sharda University*



GLIMPSE FROM PREVIOUS

ANAND SWAROOP GUPTA MEMORIAL NATIONAL MOOT COURT COMPETITION



Hon'ble Mr. Justice Dipak Misra, Chief Justice of India, Chief Guest of the Inaugural Session of 4th Anand Swaroop Gupta Memorial National Moot Court Competition, 2019



Hon'ble Mr. Justice Swatanter Kumar, Chief Guest in the Valedictory Ceremony of 4th Anand Swaroop Gupta Memorial National Moot Court Competition 2019



Hon'ble Shri. Justice A. K. Sikri, Judge, Supreme Court of India, Chief Guest, in the Valedictory Seminar 3rd Anand Swaroop Gupta Memorial National Moot Court Competition, 2018



Hon'ble Shri. Ram Jethmalani, Senior Advocate, Chief Guest in the Inaugural Session, 3rd Anand Swaroop Gupta Memorial National Moot Court Competition, 2018



Hon'ble Shri. Salman Khurshid, Senior Advocate, Chief Guest in the Valedictory Session in 2nd Anand Swaroop Gupta Memorial National Moot Court Competition, 2017



Hon'ble Mr. Justice P. C. Pant Judge Supreme Court of India, Chief Guest in the Valedictory Session in 1st Anand Swaroop Gupta Memorial National Moot Court Competition, 2016

LUMINARIES CORNER



“ Sharda University through its team has done well to mould future law professionals. ”

Hon'ble Mr. Justice Dipak Misra

Former, Chief Justice Supreme Court of India

“ I happened to visit Sharda University & am impressed by its faculty and their friendly nature towards students. ”

Hon'ble Mr. Justice A. K. Sikri

Former Judge, Supreme Court of India



“ It is a wonderful to be in the campus & talking to Law students who are going to shoulder the responsibility of legal and judicial institutions. ”

Hon'ble Mr. Justice Pradeep K. Srivastava

Judge, High Court of Allahabad .



LUMINARIES CORNER

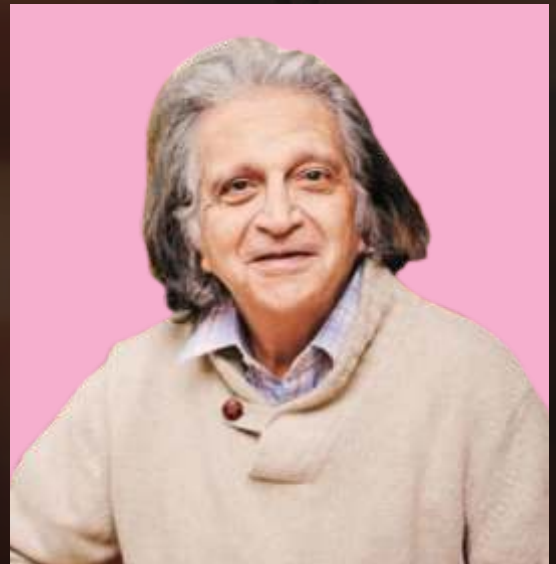


“The Moot Court Competition was organized very well.”

Hon'ble Mr. Justice Swatanter Kumar
Former Chairperson, National Green Tribunal

“A great and happy visit to Law School, which has risen to new academic height.”

Padam Shree Prof. (Dr.) Upendra Baxi
Emeritus Professor, University of Warwick, UK



“I am very convinced with the Moot Court Topic and the arguments of the team.”

Hon'ble Shri Ram Jethmalani



1st

ANAND SWAROOP GUPTA MEMORIAL VIRTUAL NATIONAL MOOT COURT COMPETITION, 2020

MOOT PROPOSITION

1. The Republic of Antopia, is a country in the centre of South Asia. It is among one of the largest countries in terms of its area and has a population of over a billion people. Due to its size, the Republic of Antopia has a wide variety of local languages and cultures practiced by its citizens. Having earned its independence from the British Empire in 1960, it quickly developed both economically and politically, soon becoming an important international trading hub and regional power. Despite the same there was huge economic inequality within Antopia.
2. The Antopian Peoples Party (APP), came to power in the 2014 elections, riding on a wave of nationalistic and pro majority sentiments. APP repeatedly attempted to bring in laws and regulations to monitor internet and other mediums to track those who were against the policies adopted by them, particularly members of civil society. In the year 2016, the iCard (Targeted Delivery of Financial and other Subsidies, Benefits and Services) Act, 2016, was enacted which called for a single identity card to be created which contained the biometric data of all its citizens for easy tracking and identification of individuals. The APP Government wanted the iCard to be enforced and linked to all aspects of its citizen's lives allowing for a database of the citizens financial, medical, and personal information, for the purposes of granting or transferring different benefits, whenever required. Multiple civil society organizations, however, opposed this move and challenged its validity on the basis that it infringes the right to privacy of the citizens of Antopia. While the Supreme Court of Antopia (SCA) ultimately upheld the iCard Act of 2016 as constitutional, it also upheld the Right to Privacy of the citizens and directed that the iCard could not be forcefully linked to any private information or used for any case apart of delivery of Government subsidies.
3. In 2016 Life Communications, a conglomerate in Antopia, launched a sim card with free high speed internet service. This development allowed more and more people to access the internet and online communication and networking services including EyeFace, MemoGram, TwitPeep and TextUp. However as access to internet became more common, the police in different states of the Republic of Antopia started coming across numerous cases of people being lynched or assaulted due to misinformation being spread via social media or communication platforms. Platforms like TextUp, EyeFace, and TwitPeep etc allowed pictures and videos to become viral and reach thousands of people in a matter of minutes. After multiple cases of innocent people being lynched because of fake news on TextUp, EyeFace etc by anti-social individuals to target members of the particular community in Antopia, the civil society group called Rights & Justice filled a case before the High Court of Tricity, the largest state of Antopia, demanding that all social media and instant communication platforms, including but not limited to EyeFace, TwitPeep, and TextUp be tracked and monitored.
4. Before this matter could be heard properly two more cases were filed on similar lines before the High Court of Joran (HCJ), and the High Court of East Rajlok (HCER). An NGO, Save Children who had filled the case before the HCJ contended that both EyeFace and TextUp are heavily used for child pornography and sex trafficking, and urged that a direction may be given to the State to trace and monitor all internet platforms and a stringent action be taken against the violators. An individual Mr. Chaurasia had filled the case before the HCER requesting for a writ of Mandamus to be issued to direct the State Government to order all citizens to link their social media accounts to iCards. In all three cases, preliminary directions were issued to the State and Central Governments by these High Courts to regulate and monitor the social media channels and also to EyeFace, TextUp, and TwitPeep to immediately delete the accounts of the individuals involved in such acts.
5. Against this order, the EyeFace, TextUp, and TwitPeep along with some other social media companies approached the Supreme Court to question the legality of the order on the premises of guarantee of freedom of expression and accordingly contended that writ of certiorari may be issued by the Supreme Court against the order of the High Courts.
6. Fearing that the High Courts may direct the state and central government to take necessary steps to link iCards with social media accounts, during the hearing before the Supreme Court, an NGO who had earlier opposed the forceful imposition of iCards on the citizens, intervened and opposed what they claimed was a veiled attack on the privacy of individuals on social media on the grounds that there were already rules in place for allowing Investigation Agencies to request for information from the social media companies, and any further access of private information would allow the Government to misuse the data and target dissidents and organizations which may have been critical of it.
7. After a preliminary hearing, the Supreme Court drew up the following issues for the final arguments.
 1. Whether the judicial order passed by the High Courts is amenable to be corrected by a writ of certiorari.
 2. Whether there is any right to privacy under the Constitution.
 3. Whether State has the power to enforce linking iCards with social media accounts.
 4. Any other ancillary issue, if any.

Note: The Laws, reports and recommendations of Republic of Antopia are to be presumed *pari-materia* to the laws of India.

1st

ANAND SWAROOP GUPTA MEMORIAL VIRTUAL NATIONAL MOOT COURT COMPETITION, 2020

MOOT RULES

ABOUT THE ORGANIZERS

Sharda University has over the years become one of the leading centres of education, research and innovation in Delhi NCR region. Established through an Act of State Legislature of Uttar Pradesh (14 of 2009), Sharda University offers 216 UGC recognized degrees in programmes like Engineering, Management, Medical, Dental, Integrated Law, Architecture, Design, Journalism & Mass Communication, Computer Applications, Basic Sciences, Nursing, Biotechnology, Food & Technology, Pharmacy, Physiotherapy, Paramedical, Education, Languages, Animation and Visual Arts.

Being the only global university in India with students from 80+ countries, and academic partnerships with 130+ universities across the world – the USA, the UK, Italy, Canada, Russia, Slovenia, et al, the University offers a truly international learning environment.

That's why it says, **"The World is Here, Where are You?"**

ABOUT THE MOOT

School of Law, Sharda University is organizing the 1st Anand Swaroop Gupta Memorial Virtual National Moot Court Competition from **27 to 29 May, 2020**.

The Moot Problem is based on Constitutional Law.

ADMINISTRATION & GENERAL RULES /COMPETITION GUIDELINES

1. General Rules:

- a. **"Organizers"** means the Moot Court Committee, School of Law, Sharda University
- b. **"Competition"** means the 1st Anand Swaroop Gupta Memorial National Virtual Moot Court Competition, 2020
- c. **"Participating Team"** means the team which has registered itself for the competition as per the rules given below.
- d. **"Participating College/Institution/University"** shall be presumed to be the parent institution of the participating team.
- e. **"Participants"** means the speakers and the researcher of the Participating Team.
- f. The rules of the Moot Court shall be strictly adhered to. Any deviation there from them would attract disqualification or other penalties as decided by the Organizers.
- g. Decision taken by the Organizers in case of any doubt, dispute, disqualification etc shall be final.

2. Date and Venue of the Competition:

The 1st Anand Swaroop Gupta Memorial National Virtual Moot Court Competition shall be held from **27 to 29 May 2020**.

Venue: Google Meet URL shall be shared with the participants at the appropriate time.

3. Eligibility:

The Competition is open to bona-fide undergraduate students of recognized Colleges/Institutions/Universities who are currently pursuing their Bachelors Degree in Law i.e. 3 year LLB or 5 year Integrated or Honors' LLB Programme with all combinations on a regular basis.

4. Team Composition:

- Each team shall comprise of a maximum of 3 members and a minimum of 2 members consisting of either 2 speakers and 1 researcher or 2 speakers only. The number cannot be modified under any circumstances.
- Teams shall identify the speakers and researcher at the time of Registration. No extra member or observer shall be allowed. Also, no deviation from the chosen names shall be allowed.
- Not more than One Team from the same Institution shall be allowed to participate in the competition.

5. Registration:

- Teams are required to complete their Registration by 15 May, 2020 by 23:59 IST.
- The Registration Fee is INR 1000 which shall be payable through Online Transition Mode and shall be made in favour of Sharda University, School of Law.
- Payment Details: A/C HOLDER'S NAME: **Sharda University School of Law**, ACCOUNT NUMBER: **912010034705440**, IFSC CODE: **UTIB0000624**
BANK NAME & ADDRESS: **Axis Bank Ltd.**, Alpha Commercial Belt, Greater Noida.
- The Registration shall be done by filling up the Application Form available on Google Form:

https://docs.google.com/forms/d/e/1FAIpQLSe_kzzCvIUe9LJPdzK56uCla67vTySWmdwgCZI_0TZKclJ-cg/viewform?vc=0&c=0&w=1

- After registering on the Google Form, the teams are required to send one Email Approval through their Moot Court Faculty Coordinator/Dean/Principle with the details of the participating team.
- Once the Registration form is filled, Email Approval from the Faculty Coordinator is received and Fee is paid, the teams shall receive the confirmation of their provisional Registration from the Sharda Moot Court Society.
- The Registration shall be deemed complete only when Registration form is duly filled, Email Approval is received and Registration fee is paid. The teams must send the Screen shot of their Online Transaction Fee through email to asgvmvccc@gmail.com
- Once the final registration is done Teams will get the confirmation email and their Team Codes also.

6. Contact Information:

Email: asgvmvccc@gmail.com

Phone Nos:

Dr. Irfan Rasool Najar, Assistant Professor, SUSOL,
Convener, Moot Court

Mob: **9573112185**

Pranjal Chaturvedi, Student Coordinator, Moot Court
Mob: **9198504738**

7. Rules Regarding Moot Memorial:

a) Submission Guidelines:

- Teams are required to submit a memorial from each side i.e. from the side of Petitioner/Appellant and from the side of Defendant/Respondent.
- Teams are required to send the memorial via email to Sharda Moot Court Committee (SMCC) at asgvmvccc@gmail.com latest by **15 May, 2020 by 23:59 PM**. Only soft copy needs to be submitted.
- Late submission penalty will be there in case of late submission of memorial.

b) Format of Memorial:

Each memorial shall have the following details;

- Cover Page
- Table of Contents
- List of Abbreviations
- Index of Authorities
- Statement of Jurisdiction
- Statement of Facts
- Issues Raised
- Summary of Arguments
- Written Submissions
- Prayer

c) Cover Page:

The following details should be there on the cover page and nothing else:

- Team code on the top right hand corner of the cover page
- Name and place of the forum
- Name of the parties and their status
- Memorial submitted to ...
- Memorial filed and appearing on behalf of ...

The following content specification must be adhered to:

- ### e) *Evaluation of Memorials*

1	Presentation of Facts	10 marks
2	Ingenuity and Logical Reasoning	20 marks
3	Interpretation of Law	20 marks
4	Extent and use of Authority	20 marks
5	Relief Sought	10 marks
6	Format and Citation	10 marks
7	Quality of Language	5 marks
8	Adherence to the Guidelines	5 marks

Late submission, if any, of soft copy of the memorials may be permitted by the Organizing Committee in exceptional circumstances on case to case basis upon prior request of the participants subject to **deduction of 2 marks** per day for late submission of the hard copies and subject to a **maximum limit of 2 days** after which it won't be accepted.

g) Exchange of Memorials:

8. Language:

9. Dress Code:

- ### 10. Identification of Participating Team:

- ## 11. Anonymity

Participants shall not disclose their names and the identity of their respective college/institution/organization at any time before the award of the ceremony. The individual code and the team code shall be the sole source of identity of the respective teams throughout the competition. Any disclosure against this rule shall invite penalty including disqualification.

12. Inauguration and Draw of Lots

The formal inauguration of **The 1st Anand Swaroop Gupta Memorial National Virtual Moot Court Competition, 2020** shall be held on 27 May 2020.

13. Structure Of The Competition

- Preliminary Round
- Semi Finals Round
- Final

Preliminary Round:

In the Preliminary Round, the teams shall be given the opportunity to argue from both the sides. In this round the teams shall be chosen on the basis of their score. Each team shall be given only 20 minutes to present their case. On the basis of score, four teams shall be selected for Semi Finals Round.

Semi Finals:

In the Semis the decision shall be on the basis on 'knockout'. Accordingly, two teams shall reach to the Final. Each team shall be given 30 minutes to argue their part including rebuttals.

Final:

Each team shall be allotted 30 minutes to present their case including the rebuttals.

Important Note:

- All three stages of the competition shall be held via Video-conferencing on **Google Meet (URL shall be shared at the appropriate time)**.
- The division of time is left to the discretion of the team members subject to the maximum of 12 minutes for one speaker in the Preliminary round, 20 minutes in Semi Finals and 20 Minutes in the Final.
- In case any speaker continues to speak after the allotted maximum time, the additional time that has been used, will be deducted from the time allotted to the other speaker and there will be some penalty marks also as per the discretion of the Judges.

14. Evaluation of the Oral Presentation

Evaluation of oral Round shall be adjudged on the following criteria;

1	Organizing and presentation of facts	10 marks
2	Application of legal principles	20 marks
3	Depth of Research	10 marks
4	Originality in Presentation	10 marks
5	Articulation of Issues	10 marks
6	Response to questions posed	20 marks
7	Use of authorities and precedents	10 marks
8	Court etiquettes	10 marks

15. Important Dates

	Events	Dates
1.	Final Registration through Google Form, Receiving of Screen shot or receipt of fee paid.	15 May 2020
2.	Last date for seeking clarification regarding Moot Problem	16 May 2020
3.	Release of Clarification	17 May 2020
4.	Submission of Written Memorial (Soft Copy)	19 May 2020
5.	Inauguration, Draw of Lots for Preliminary Round	27 May 2020
6.	Preliminary Round	27 May 2020
7.	Result of Preliminary Round, Draw of Lots and Exchange of Memorials for Semi Finals	28 May 2020
8.	Semi-Finals and Final	29 May 2020

CHIEF PATRONS

1. HON'BLE **SHRI P. K. GUPTA**
Chancellor, Sharda University
2. HON'BLE **SHRI Y. K. GUPTA**
Pro-Chancellor, Sharda University
3. HON'BLE **SHRI PRASHANT GUPTA**
Executive Director, Sharda University

PATRON

Prof. (Dr.) Sibaram Khara
Vice Chancellor (Officiating), Sharda University

MOOT COURT COMPETITION PATRONS

1. **Shri. P. K. Malhotra**
Distinguished Prof, SOL, Sharda University
2. **Prof. (Dr.) Pradeep Kulshrestha**
Dean, SOL, Sharda University

MOOT COURT CONVENOR

Dr. Irfan Rasool Najar

MOOT COURT CO-CONVENORS

Mr. Namit K. Srivastava
Mr. H. K. Tiwari
Ms. Harpreet Kaur
Ms. Vasudha Misra

ORGANIZING COMMITTEE

Prof. (Dr.) Pradeep Kulshrestha
Dr. Irfan Rasool Najar
Mr. Namit K. Srivastava
Mr. H. K. Tiwari
Ms. Harpreet Kaur
Ms. Vasudha Misra

STUDENT CO-ORDINATORS

Mr. Pranjal Chaturvedi
Ms. Aishwarya

COLLABORATIONS

SCC Online

WINNERS OF PREVIOUS

ANAND SWAROOP GUPTA MEMORIAL NATIONAL MOOT COURT COMPETITION



Winner team of 4th Anand Swaroop Gupta Memorial National Moot Court Competition, 2019



Winner team of 3rd Anand Swaroop Gupta Memorial
National Moot Court Competition, 2018



Winner team of 2nd Anand Swaroop Gupta Memorial
National Moot Court Competition, 2017



Winner team of 1st Anand Swaroop Gupta Memorial National Moot Court Competition, 2016

PRIZE MONEY

1. Winner **Rs. 15,000**

2. Runner Up **Rs. 10,000**


3. Best Memorial **Rs. 5,000**

*In addition to the cash prize Free SCC Online subscription amount worth **Rs. 1 lakh** shall be given.*

Certificates will be provided to each participant, the Winner shall get a separate certificate.

ACADEMIC PARTNER



 **0120-4060210/11**
+91-8800933447



SHARDA UNIVERSITY CAMPUS

Plot No. 32, 34, Knowledge Park-III, Greater Noida (Delhi-NCR)