



# 10TH MAHAMANA MALAVIYA

National Moot Court Competition 2023  
24th - 26th March 2023



# 10TH MAHAMANA MALAVIYA

## National Moot Court Competition 2023



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### ABOUT 10th MMNMCC 2023



### **Organised by Faculty of Law, BHU**

Banaras Hindu University is an internationally reputed temple of learning, situated in the holy city of Varanasi. This creative and innovative university was founded by the great nationalist leader, Pandit Madan Mohan Malviya, in 1916 with the cooperation of great personalities like Dr Annie Besant, who perceived it as the University of India. Banaras Hindu University was created under the Parliamentary Legislation - the B.H.U. Act 1915. The Law School is one of the earliest faculties established in the Banaras Hindu University.

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The legal luminaries like Sir Ras Behari Ghosh and Sir Tej Bahadur Sapru, were the earlier Deans. The Law School has developed a holistic approach towards understanding law and justice from a multi-disciplinary perspective through its various courses. It offers various academic programmes to generate especially skilled global legal professionals. The Faculty of Law, BHU has a hundred year old history which is incomparable to any traditional institution in this country. This fine law institution has produced great legal luminaries in the past and continues to produce the world's greatest minds to serve in the legal field.

### PATRON

PROF. SUDHIR K. JAIN  
(HON'BLE VICE CHANCELLOR, BHU)

### ORGANISING COMMITTEE

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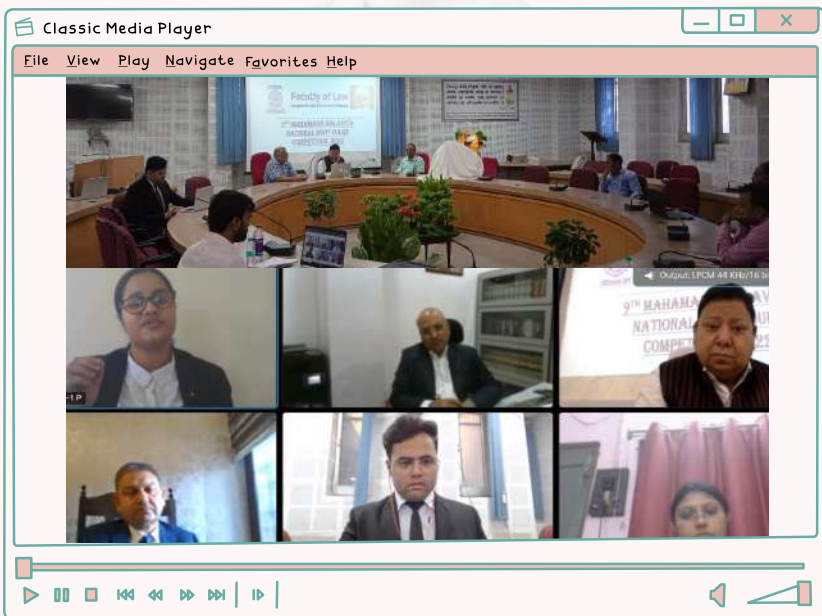
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### 9th MMNCC 2022- Glimpse

The ninth edition of Mahamana Malaviya National Moot Court Competition 2022 was organised by the Faculty of Law, BHU from 1-3 April 2022 wherein 24 teams from across the country argued on the given moot proposition over the course of two days. The moot proposition dealt with the provisions of IT Act and Constitutional Law. The competition was divided into preliminary, quarter final, semi final and final rounds, with each round being judged by eminent professors, lawyers and judges. The final round was judged by Retd. Justice Pradeep Srivastava, Justice Siddharth and Justice Krishan Pahal.



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### List of teams participated in 9th MMNMCC 2022

- Amity University, Patna
- Manav Rachna University, Faridabad, Delhi
- Kalinga Institute of Industrial Technology(KIIT), School of Law, Bhubneshwar Odisha
- Marathwada Mitra Mandal's Shankarrao Chavan Law College, Pune
- Dr. B. R. Ambedkar National Law University, Sonapat, Haryana
- University of Allahabad, UP
- Army Institute of Law, Mohali, Punjab
- Bennett University, Noida
- National Law University and Judicial Academy, Assam
- Ramaiah College of Law, Bangalore
- KLE Society's Law College, Bangalore
- Symbiosis Law School, Pune
- JECRC University, Bidhani, Rajasthan
- RV Institute of Legal Studies, Bangalore
- Central University of South Bihar, Bihar
- Kerala Law Academy Law College, Kerala
- Christ(Deemed to be University), Delhi
- Symbiosis Law School, Noida
- Government Law College, Ernakulam, Kochi
- VM Salgaocar college of Law, Tiswadi, Goa
- VIT Chennai, Tamil Nadu
- University Institute of Legal Studies, Panjab University, Punjab
- The Tamil Nadu DR Ambedkar Law University, Tamil Nadu



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### MOOT PROBLEM

1. Republic of Tatoonie is a federal democratic republic located near the equator in the African continent. Tatoonie is a lower-middle income country with a high population density. Extremely hot and arid climate, frequent sand storms, and large-scale use of fossil fuels have significantly affected the air quality of Tatoonie. The Air Quality Index (AQI) of all parts of Tatoonie hovers above the severe category for most parts of the year. Numerous health studies have linked the critically bad quality of air to respiratory problems such as chronic obstructive pulmonary disease, asthma and lung cancer in the inhabitants of Tatoonie. The average impact exerted by the bad quality of air on the GDP of Tatoonie is estimated to be the tune of 50 billion USD annually.
2. Kyber Crystal' is a naturally occurring substance native to Tatoonie. A unique chemical property named as 'force' enables Kyber Crystal to purify air in proximity of the crystal by virtue of a process called Negative Air Ionization (NAI). The crystal has been traditionally known to the people of Tatoonie and its air purifying quality has been elaborately discussed in the ancient texts of Tatoonie. However, the air purifying effect of Kyber Crystal is limited in terms of the area it can cover. Therefore, Kyber Cystal is only used in homes and other closed premises for air purification, in conjunction with unsophisticated systems of ventilation. Many attempts have been made to amplify the effect of the crystal and distillate the 'force' that gives Kyber Crystal its unique qualities but without any success.
3. Jedi Corporation is a multinational company based in Coruscant, a country in Western Europe. Jedi Corp. is a knowledge-based company with the highest R&D expenditure in the world on green technology for the last five decades. It has several path-breaking innovations to its name and it holds one of the largest patent portfolios of environmental devices. Dr. Anakin Skywalker is a

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scientist of Tatooine nationality working in Jedi Corp.'s Research and Development unit in Coruscant. The team led by Dr. Anakin discovered the Beta Crystalline Form (BCF) of Kyber Crystal which they monikered as 'Super Kyber Crystal'. After the discovery, Jedi Corp. put out the following press release:

*"We would like to congratulate Dr. Skywalker and his team for their ground breaking discovery of 'Beta Crystalline Form of Kyber Crystal'. The unique molecular structure of Beta Crystalline Form enables it to use the 'force' more efficiently than the Alpha Crystalline Form of Kyber Crystal which was already known. Super Kyber Crystal can purify air over large open areas which was not possible hitherto. This discovery is a landmark moment not only for us at Jedi Corp. but for all the people around the world who are suffering because of polluted air. Jedi Corp. will ensure that this technology reaches those nations across the globe which are most severely hit by air pollution by working in active collaboration with their governments."*

4. To efficiently discharge its intended function, Super Kyber Crystal has to be used inside a device called 'Lightsaber'. Lightsaber containing Super Kyber Crystal uses the 'force' to filter the air. Applications for grant of patent for the invention were filed in multiple jurisdictions. An application for patent for a 'An Air Filtration Device Based on Beta Crystalline Form of Kyber Crystal' also filed in the Tatooine Patent Office (TPO) on 30th March, 2010.
5. The First Examination Report was issued by the TPO on 23rd September, 2011, an excerpt from which is attached as Annexure 1. A Reply to the First Examination Report dated 4th November, 2011 was submitted by Jedi Corp., an excerpt from which is attached as Annexure 2. A hearing was conducted and thereafter, the patent was granted on 22nd October, 2012 as TA 22101996.



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6. Palpatine Galactic Empires is an environmental products company based in Tatooine. Since its inception, Palpatine GE has worked relentlessly towards mitigating the impact of bad quality of air in Tatooine and it has introduced a series of products based on Kyber Crystal. Palpatine GE has a dedicated R&D unit 'Darth Sidious' which studies and seeks to find out new ways of utilising air purification properties of Kyber Crystal. Upon coming across patent no. TA 22101996 of Jedi Corp., Darth Sidious filed a post grant opposition against the said patent. However, the said opposition was dismissed for non-prosecution, because of non-adherence with the timelines provided under the Patent Rules, 2003.
7. In the year 2020 upon coming to Tatooine, Dr. Anakin Skywalker came to know that the air quality of Tatooine has been constantly degrading and none of the environmental products of Jedi Corp., including Lightsaber, are available in Tatooine. The reason for the same was the exclusionary effect of Jedi's patented environmental inventions which were exclusively manufactured for and exported to the markets of high-income countries.
8. Dr. Anakin decided to leave his employment at Coruscant and stay in Tatooine for working for the welfare of his country. He joined Palpatine GE and started working in its R&D unit, Darth Sidious for developing technology that would help in averting the environmental catastrophe. After two years of extensive research, Palpatine GE introduced a device under the name 'Darksaber' that could be used to purify air over large areas including open spaces. The press release issued by Palpatine GE reads as under:

*"It is with immense pleasure we give to Tatooine, for the first time, an air purification device that can be used for open public places. Darksaber is a state-of-the-art air filtration device that works on Negative Air Ionisation technology. Despite best efforts by various foreign companies to prevent us from developing this device, our team at Darth Sidious has*

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*worked tirelessly to avert the impending environmental catastrophe. If asked for, we are willing to sell 'Darksaber' to the Government of Tatooine as also share its technology with them for the greater good of Tatooine."*

9. An application for grant of patent for a 'Device for Air Purification Containing Kyber Crsytal' was also filed by Palpatine GE in the TPO in the year 2021. In 2022, the Government of Tatooine invited bids for procurement of air filtration systems capable of being installed at open public places. After consideration of bids, the said tender was awarded to Palpatine GE. Upon gaining knowledge of Palpatine GE's product, a cease-and-desist notice was sent by Jedi Corp. to Palpatine GE. In the said notice, Jedi Corp. alleged that Darksaber substantially performs the same function as Lightsaber in substantially the same manner to substantially yield the same result thereby infringing the patent of Jedi Corp. and sought Palpatine GE to cease the manufacturing, selling, and distribution of Darksaber. In reply to the said notice, Palpatine GE claimed that there was no infringement of patent no. TA 22101996 as the working mechanism of Darksaber was entirely different from that of Lightsaber. The reply contended that Darksaber uses Kyber Crystal which is in public domain and no exclusivity could be claimed by Jedi Corp. over it. The reply further stated that the patent no. TA 22101996 was invalid. Jedi Corp. sent another notice to Dr. Anakin Skywalker accusing him of sharing the proprietary information of the Jedi Corp. with Palpatine GE.
10. In these circumstances, Jedi Corp. has filed a quia timet action before the High Court of Kashi, seeking a decree of permanent injunction restraining Palpatine GE from manufacturing, selling, or otherwise dealing with 'Kyber Crystals', 'Super Kyber Crystals' and 'Darksaber' as would infringe patent no. TA 22101996. Jedi Corp. has also impleaded the Government of Tatooine as a Defendant in the suit. In response to the quia timet action, Palpatine GE has filed a counter claim seeking revocation of Jedi Corp.'s patent. A suit has

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also been filed by Jedi Corp. against Dr. Skywalker seeking restraint on use of its confidential information, technical know-how, trade secrets, and unfair competition.

11. Both the matters are listed before the Court for hearing of interim injunction applications of the Plaintiff under Order XXXIX Rules 1 & 2 Code of Civil Procedure, 1908 which would remain operational during the pendency of both the matters.

### **Notes / Clarifications**

- The laws of Tatoonie and Republic of India are in pari materia.
- The High Court of Kashi has original jurisdiction to entertain suits.



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### ANNEXURE-1

**Government of Tatoonie  
Patent Office  
Intellectual Property Building**

Date: 23rd September, 2011

To,  
Patent Agent of Jedi Corp.,  
B-6/10, Assi Ghat, Opp. BHU Gate,  
Kashi- 221005, Tatoonie.

#### **Sub: First Examination Report**

Application Number: 100/TPO/2010

Date of Filing: 30th March, 2010

Date of Publication: 5th May, 2010

Date of Request for Examination: 21st December, 2012

With reference to RQ No. 927/RQ-TPO/2009 dated 30th March, 2010, in the above-mentioned application for grant of patent, examination has been conducted under Section 12 and 13 of the Patents Act 1970. The following objection(s) are hereby communicated:

**(Omitted)**

#### **Objection 3-**

13. The subject matter as described and claimed in claims 1-9 of the patent application is a device consisting of a Kyber Crystal and an apparatus including a sophisticated vent network for routing unfiltered air into and purified air away from the force-field of the crystal. The function of the subject invention is based on Negative Air Ionization technology which is used to bring down the level of Particulate Matter in the air. The application discloses the process of preparing the beta crystalline form of Kyber Crystal as also its uses in air filtration.

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14. The Applicant claims that it has surprisingly found a substance which it describes as the beta crystalline form of Kyber Crsytal, which under certain conditions has been found to be having certain advantageous properties. It is stated that the beta crystalline form is better processable, better storable, and more thermodynamically stable. However, the application in question does not disclose any new property or new use of beta crystalline form and the apparatus attached thereto. Nowhere in the application in question is there any averment to the effect that the beta crystalline form has any therapeutic qualities which are not possessed by alpha crystalline form. There is no significant difference in properties with regard to 'efficacy' between the invention claimed and the known substance. The air purification function of Kyber Crystal is commonly known in Tatoonie, and it has been traditionally used in air filtration systems. Each form of a known substance has some unique beneficial properties. However, not every improvement, benefit, and advancement are relevant for the purpose of analysis under section 3(d). To be an invention within the meaning of the Patent Act, 1970, only the difference in properties with regard to 'efficacy' would be relevant.
15. In order to satisfy the requirement of section 3(d), the Applicant needed to prove that beta crystalline form of Kyber Crystal exhibits 'enhanced efficacy' over the known substance. But no empirical/ research data has been provided by the Applicant to show and establish that beta crystalline form has higher 'force-availability', which is the property within the Kyber Crystal responsible for intended / desired effect, in comparison to the alpha crystalline form. Thus, beta crystalline form of kyber crystal cannot be patented as per section 3(d) of the Patent Act, 1970. In view thereof, the entire device / system / apparatus which is entirely based upon the said substance can also not be patented.

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**(Omitted)**

16. You are request to file a response to the objection(s) taken in the present examination report latest by 10th November, 2011.

Controller of Patents,  
Tatooine Patent Office





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### ANNEXURE-2

*S.K. Attorneys at Law*  
*B-6/10, Assi Ghat, Opp. BHU Gate,*  
*Kashi, 221005, Tatoonie.*

Tel: 91-152-2322141 & 91-152-1207431 Fax: 91-152-1372423

Email: lawcosomos@skattorneys.com

website: www.lawcosmos.com

100/TPO/2010; RMD/AMS/RMD/IP:201901287340

4th November, 2011

The Controller of Patents  
The Patent Office  
Kashi, Tatoonie

Dear Ma'am,

**Re: Jedi High Council Corporation**  
**Tatoonie Patent Application No. 100/TPO/2010**  
**Filed on: 30th March, 2010**

Reference is made to the First Examination Report (hereinafter 'FER') dated 23rd September, 2011 regarding the above identified patent application. The Applicant submits herewith the under mentioned documents and presents the following reply:

**(Omitted)**

### **3. Objection as to non-patentability u/s 3(d)**

18. The Ld. Controller has objected to claims 1-9 on the ground of non-patentability under section 3(d) of the Patent Act, 1970. The applicant humbly resists the objection and submits that the Ld. Controller has erred in concluding that the subject matter of the application is not patentable. Section 3(d) does not apply to the present case. The invention of beta crystalline form of Kyber

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Crystal is not a mere discovery of a new form of a known substance but an invention with an inventive step involving human intervention. Beta crystalline form of Kyber Crystal is superior to its alpha crystalline form which was known hitherto.

19. As mentioned in the patent specification, the beta crystalline form has better potency than the alpha crystalline form. Moreover, the beta crystalline form is far more suitable for the preparation and formation of air purification systems. This fact should be taken into consideration by the Id. Controller while deciding on the efficacy of the subject substance.
20. The Id. Controller has further not taken into consideration the fact that there is no empirical study proving or establishing the efficacy of Kyber Crystal per se. Vague assertions and averments about a substance known in traditional knowledge with 'unknown' efficacy cannot form the basis of objection of non-patentability under section 3(d) of the Patent Act, 1970.
21. Without prejudice to anything abovesaid, the Applicant humbly submits that the Applicant has not filed the present application for claiming patent over the beta crystalline form of Kyber Crystal but rather, the Applicant claims patent over a device consisting of an elaborate apparatus of which the beta crystalline form of Kyber Crystal is merely one component. The subject invention consists of the said Kyber Crystal, vents and amplifiers. The device amplifies and multiplies the 'force-field' of the crystal which enables it to cover a larger area. It is the humble submission of the Applicant that for the purposes of examination, Id. Controller ought to consider the subject invention as a whole.
22. In view of the above, the learned Controller is respectfully requested to withdraw the objections raised in the FER. All remaining requirements have been duly noted and complied with.

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23. In any event, before taking any adverse decision on this case, the Controller is respectfully requested to give an opportunity to the Applicant to be officially heard in this matter.

*\*This hypothetical moot proposition is prepared by Mr. Shivam Kaushik, Judicial Law Clerk to Justice Prathiba M. Singh, Delhi High Court, India. Any attempt to contact the above-mentioned person by any member of any participating team shall lead to disqualification.*



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### RULES AND REGULATIONS

#### GENERAL:

1. Administration: The '10th Mahamana Malaviya National Moot Court Competition, 2023' is to be organized by the Faculty of Law, Banaras Hindu University, Varanasi.
2. Date: The Competition shall be held from the **24th of March 2023 to the 26th of March 2023** at the Law School (Faculty of Law), Banaras Hindu University, Varanasi, Uttar Pradesh - 221005.
3. Language: The official language for the Competition shall be English.
4. Structure of the Competition: The Competition shall consist of the following
  - a. Memorial Selection Round,
  - b. Researcher's Test,
  - c. Two Preliminary Rounds, and
  - d. Three Advanced Rounds, viz. Quarter-Finals, Semi-Finals, and Finals.
5. Dress Code: All the participants shall adhere to the following dress code for the competition:
  - Ladies: Black and White Western or Indian Formals
  - Gentlemen: Black and White Western Formals

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### PARTICIPATION AND ELIGIBILITY:

#### Eligibility:

Students pursuing either a 3-Year or a 5-Year LL.B. degree in the Academic Year 2022-2023 at any recognized Law School/College/University in India are eligible to participate. Each participating institution shall send only one team to the Competition. Team members must be bonafide students of the institution they are representing.

### RULES AND REGULATIONS:

1. Once registered (after Final Registrations), a Team will not be permitted to vary their composition in any manner.
2. Team Composition: The participating team shall comprise a minimum of two (2) and a maximum of three (3) members. In a team of two (2) members, both the members shall be designated as 'Speakers' and one of the two Speakers shall be considered as 'Researcher' (which is to be notified at the time of Final Registration). In a team of three (3) members, two members shall be designated as 'Speakers' and the third member of the team shall be designated as a 'Researcher'. The Organizing Committee reserves the right to bar any team from participating in the Competition.

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### REGISTRATION:

1. All the teams willing to participate in the '10th Mahamana Malaviya National Moot Court Competition, 2023' must express their willingness for the same by sending a mail latest by **20th January 2023, 11:59 PM IST** to [mccfacultyoflawbhu@gmail.com](mailto:mccfacultyoflawbhu@gmail.com). This shall be considered as **provisional registration** of the participating institution. Accordingly, each participating team shall be provided a team code.
2. All the provisionally registered teams will have to submit their memorials (for Petitioner and Respondent) latest by **15th February 2023, 11:59 PM IST**.
3. A list of the top 24 teams based on their memorial scores will be permitted to proceed with the final registration. Teams shall be intimated of the same by **26th February 2023, 11:59 PM IST**.
4. Teams qualifying for the final registration shall have to deposit a participating fee of INR 5,000 latest by **2nd March 2023, 11:59 PM IST**. The details of payment method will be intimated along with the result of memorial evaluation on 26th February.
5. In case any of the shortlisted 24 teams fails to make the payment by the above-mentioned date, it will automatically forfeit its claim to participate in the competition. In case of forfeiture by one or more teams, the subsequent waitlisted teams will be informed and given an opportunity to complete their registration after the submission of the fee within a stipulated time allocated to them in this regard.
6. The **final registration** will be deemed complete only once the soft copy of payment receipt along with the registration form is duly mailed to [mccfacultyoflawbhu@gmail.com](mailto:mccfacultyoflawbhu@gmail.com) and the confirmation of the same will be sent to the teams.
7. In case of any dispute, discrepancy, differences, etc., the final



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discretion shall vest with the Organising Committee of the 10th Mahamana Malaviya National Moot Court Competition, 2023 and its decision shall be final and binding. Furthermore, the Organising Committee also reserves the right to cancel the registration of any team at any stage in case of misconduct, incapacity or for any other improper act or likewise.

### **MEMORIAL SUBMISSION:**

1. Each team participating in the Competition must prepare one Memorial on behalf of Petitioner(s)/Appellant(s)/Applicant(s) and one on behalf of the Respondent(s)/Defendant(s).
2. Each team must send the soft copies of each side of the Memorials (One (1) in MS Word .doc/.docx format and One (1) in .pdf format) for evaluation by **February 15, 2023** before 11:59 P.M. to [mccfacultyoflawbhu@gmail.com](mailto:mccfacultyoflawbhu@gmail.com) with the subject "[Team Code] Memorial for Appellants and Respondents". All the files shall be sent in one mail only. The file names of the electronic copies of the Memorials must contain only the Team Code and the side is represented in the following format: e.g., (for Team Code: 10) 10-P or 10-R, 'P' being for "Petitioner" Memorial and 'R' for "Respondent" Memorial and so forth.
3. Soft copy of Memorials submitted beyond the deadline of **15th February 2023** before 11:59 P.M. shall incur a penalty of 02 Marks for each day of delay till **17th February 2023** before 11:59 P.M. Any soft copy of the Memorials received after 17th February 2023 will be subjected to **immediate disqualification** thereafter.
4. Further, each shortlisted team for the preliminary rounds shall submit Six (6) Hard Copies for each side of the Memorial by **March 12th, 2023**.
5. The method for evaluation of the submitted memorials has been laid down below.

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### MEMORIAL FORMAT:

1. All the pages of the Memorial must be of A4 Size with an equal margin of 1-inch on each side. The text font for the 'Main Body' must be Times New Roman, Size 12, with 1.5 Line Spacing. The alignment should be justified. The text font for the 'Footnotes' must be Times New Roman, Size 10, with 1.0 Line Spacing. Character Spacing should not be condensed in any manner.
2. Footnotes must not be explanatory in nature. An illustrative example of an acceptable footnote: A v. B, AIR 1973 SC 22, 23-24 [hereinafter X]. An illustrative example of an unacceptable footnote: A v. B, AIR 1973 SC 22, 2324 [hereinafter X] (holding that the Right to Information Act was in fact against the express provisions of Art. 14 of the Constitution of India).
3. Teams shall cite authorities in the Memorial using footnotes following the Harvard Bluebook 19th Edition and the footnoting must be uniform throughout the Memorial.
4. The Memorials shall be 'Spiral Bound'. The following colour scheme shall be followed for the Cover Page of the Memorial:

Petitioner(s)/Appellant(s)/Applicant(s): **Blue**

Defendant(s)/Respondent(s): **Red**

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### MEMORIAL CONTENT:

- A. The Memorials shall necessarily consist of only the following sections:
1. Cover Page;
  2. Table of Contents;
  3. List of Abbreviations;
  4. Index of Authorities (with Page Number where the authority has been cited);
  5. Statement of Jurisdiction;
  6. Statement of Facts (not exceeding 2 Pages);
  7. Arguments Presented (Statement of Issues);
  8. Summary of Arguments (not exceeding 2 Pages);
  9. Arguments Advanced (not exceeding 20 Pages);
  10. Prayer (not exceeding 1 Page).
- B. Each Memorial shall have the following and **only** the following on its cover page:
1. The Team Code on the upper right-hand corner of the Cover Page;
  2. The Name and Place of the Forum;
  3. The relevant legal provision under which it is filed;
  4. Name of parties and their status;
  5. Memorial Filed on Behalf of \_\_\_\_\_.

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### EVALUATION:

The maximum score for each Memorial shall be 100 Marks. The memorials shall be evaluated on the following criteria:

|                                       |          |
|---------------------------------------|----------|
| <b>Knowledge of Law and Facts</b>     | 30 Marks |
| <b>Proper and Articulate Analysis</b> | 30 Marks |
| <b>Extent and Use of Research</b>     | 20 Marks |
| <b>Clarity and Organization</b>       | 10 Marks |
| <b>Language and Expression</b>        | 10 Marks |

### PENALTIES:

Non observance or violation of the above-mentioned rules by any team in respect of the Memorials will lead to the following penalties –

|  |                            |
|--|----------------------------|
| <b>Late Submission</b>   | 02 Marks each day          |
| <b>Exceeding Page Limit</b>  | 01 Mark per exceeding page |
| <b>Failure to include the required information on the Cover Page</b> | 01 Mark per violation      |

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**Failure to comply with Footnote standards, Font Size, Font Style, Line Spacing, Margins**

0.10 Marks per violation

**Failure to use correct Colour Coding**

02 Marks per Memorial

### **STRUCTURE OF THE COMPETITION:**

#### **A. Researcher's Test:**

The Researcher's Test shall be conducted on **March 24, 2023** from 05:00 pm to 06:00 pm. Every Team member designated as Researcher has to be present at the time of the Researcher's Test. The test shall contain questions related to the Moot Proposition and the relevant laws applicable.

#### **B. Oral Round Procedures:**

##### **B.1. General Procedures-**

The teams have to report at the registration-desk on **March 24, 2023** at 3:00 pm. The draw-of-lots and the exchange of memorials shall be done after reporting of the teams at the registration-desk on March 24, 2023. There shall be two Preliminary Rounds, a Quarter-Final Round, a Semi-Final Round and a Final Round. If the number of teams participating is less than twelve, there shall be no Quarter-Final Round.

Prior to the beginning of the Oral Rounds, each Team shall intimate the Court Officers how it wishes to allocate their time. For instance, during the Preliminary Rounds, the teams need to inform the Court Officers as to how they are going to allocate their 20 minutes among (a) its First Speaker, (b) its Second Speaker, and (c) Rebuttals. Two (2) members, and not more than Two (2) members,

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from each Team, shall make Oral Pleadings during the Rounds.

### **B.2. Procedure for Oral Submissions-**

Each team will get a total of 20 minutes (in Preliminary and Quarter-Final Rounds) and 30 minutes (in Semi-Finals and Final Rounds), to present their case. This time will include rebuttals subject to the discretion of the Judges.

The Applicants/Petitioners/Appellants shall submit their arguments first, followed by the Respondents. Thereafter, the Applicant(s)/ Petitioner(s)/Appellant(s) shall have the option of submitting their rebuttals. The Respondent(s)/Defendant(s) may also be permitted for the sur-rebuttal subject to the discretion of the Judges.

The division of time per speaker is left to the discretion of the team, subject to a minimum of 8 minutes and maximum of 12 minutes including rebuttals per speaker (in Preliminary and Quarter-Final Rounds) and minimum of 12 minutes and maximum of 18 minutes including rebuttals per speaker (in Semi-Final and Final Rounds).

Rebuttals can be assigned a time period of a maximum 2 minutes (in Preliminary and Quarter-Final Rounds) and 3 minutes (in Semi-Final and Final Rounds). The oral arguments should be strictly confined to the issues presented in the memorial. The researcher may sit with the speakers during the oral rounds. Maximum scores for the oral rounds shall be 100 points per speaker per judge. The speakers can provide the copies of the compendium, only if the same is permitted by the judges in their respective courtrooms.



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The oral rounds shall be judged on the following criteria:

**Knowledge of Law** 20 Marks

**Application of Facts** 20 Marks

**Ingenuity and Ability to Answer Questions** 20 Marks

**Style, Poise, Courtesy, and Demeanour** 20 Marks

**Time Management** 10 Marks

**Organisation** 10 Marks

### C. Preliminary Rounds:

The Preliminary Rounds are scheduled to take place on **March 25, 2023.**

There shall be two (2) Preliminary Rounds. All the selected Teams will be participating in the Preliminary Rounds. The Bench constituted for the Preliminary Rounds shall consist of at least two Judges. No Teams shall face the same Bench more than once in the Preliminary Rounds. The Teams will argue on behalf of each side during the Preliminary Rounds. No two teams shall face each other more than once in the Preliminary Rounds.

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Teams with two straight wins in the Preliminary Rounds would advance to the next round. Teams with less than two wins may also advance to the next round on the basis of cumulative team scores in both the Preliminary Rounds. The memorial scores shall be used as tie-breaker should such need arise.

### D. Quarter Finals:

The Quarter-Final Rounds are scheduled to take place on **25th March 2023**.

Total of Eight (8) Teams shall proceed to the Quarter-Final Rounds from the Preliminary Rounds, which shall comprise of four (4) fixtures. In the Quarter-Final Rounds, each Team shall argue from the side decided on the basis of draw of lots. The Quarter-Final Rounds shall be in the nature of knock-outs, i.e., the team with the lesser score shall be eliminated. The Winning Teams in each of the four Quarter-Final matches shall advance to the Semi-Final Rounds.

### E. Semi-Finals:

The Semi-Final Rounds are scheduled to take place on **March 26, 2023**.

The Winning Teams in each of the Quarter-Finals shall compete according to the draw of lots. In the event that Quarter-Finals have not been held, top four Teams shall directly proceed to the Semi-Final Rounds. Teams with two straight wins in the Preliminary Rounds would directly advance to the Semi-Finals. Teams with less than two wins may also advance to the Semi-Finals on the basis of cumulative team scores in both the Preliminary Rounds. The memorial scores shall be used as tie-breaker should such need arise. The Winning Team from each of the two Semi-Final Rounds shall advance to the Final Round.

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### F. Finals:

The Final Round is scheduled to take place on **March 26, 2023**.

For the Final Round, the Teams shall argue on the side as decided by the draw of lots. The Winner of the Final Round (i.e., the team obtaining a Higher Score) shall be adjudged as the 'Winner of the Competition'.

NOTE: Use of any Electronic Gadgets is strictly prohibited during the course of Researcher's Test and Oral Rounds. Non-Compliance with the Rules shall lead to immediate disqualification.

### G. Scouting:

Teams shall not be allowed to observe the Oral Rounds of another team unless they have been officially knocked-out of the Competition. Scouting is strictly prohibited. Scouting by any team shall entail instant disqualification.

### H. Adherence to Anonymity:

1. During the Oral Rounds, participating teams are not supposed to state their names or the names of the Institution to which they belong and instead must use the Team Code allotted to them.
2. The team shall not disclose their identity anywhere in their written Memorials and instead should use the Code allotted.
3. Failure to comply with any of the conditions stipulated above shall result in immediate disqualification of the team. The decision of the Organizing Secretary in this regard would be final.

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### I. Awards:

Monetary and other prizes shall be given in the following categories:

1. Winner
2. Runners Up
3. Best Speaker
4. Best Memorial
5. Best Researcher

### J. Local Hospitality:

Accommodation shall be provided to all teams by the Organisers from the **afternoon of March 24, 2023** to the **evening of March 26, 2023**. Food and Transportation to and from the venue shall be provided to all the teams for the aforementioned duration and it shall be strictly limited to 03 Members per team.

### K. Clarifications Regarding the Rules and Registration for the Competition:

All clarifications regarding the Moot Proposition should only be sent to [mccfacultyoflawbhu@gmail.com](mailto:mccfacultyoflawbhu@gmail.com) by **28th January, 2023**. A full list of clarifications shall be sent to all the teams by **31st January, 2023**.

Any other clarifications: -

- Arpit Saxena, Student Member, Moot Court Committee (Mobile Number-9079979095)
- Shruti Lal, Student Member, Moot Court Committee (Mobile Number-8922805078)

# 10TH MAHAMANA MALAVIYA

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## OFFICIAL TIMELINE

|  |                     |
|--|---------------------|
| <b>Last Date of Provisional Registration</b> | 20th January, 2023  |
| <b>Last Date to Seek Clarification</b>       | 28th January, 2023  |
| <b>Clarification of Moot Problem</b>         | 31st January, 2023  |
| <b>Memorial Submission</b>                   | 15th February, 2023 |
| <b>Memorial Results</b>                      | 26th February, 2023 |
| <b>Last date for Final Registration</b>      | 2nd March, 2023     |
| <b>Submission of Hard Copy of Memorial</b>   | 12th March, 2023    |
| <b>Draw of Lots, Researchers Test</b>        | 24th March, 2023    |
| <b>Preliminary and Quarter Finals</b>        | 25th March, 2023    |
| <b>Semi Final, Final &amp; Valedictory</b>   | 26h March, 2023     |

# 10TH MAHAMANA MALAVIYA

National Moot Court Competition 2023



## REGISTRATION FORM

Serial No: \_\_\_\_\_

(For Office use only)

Name and Address of the Institution: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Contact No: \_\_\_\_\_

Email ID: \_\_\_\_\_

Details of Participants:

| Participants | Name | Gender | Mobile No. | Email ID |
|--------------|------|--------|------------|----------|
| Speaker 1    |      |        |            |          |
| Speaker 2    |      |        |            |          |
| Researcher   |      |        |            |          |



# 10TH MAHAMANA MALAVIYA

## National Moot Court Competition 2023



Photographs:

| Participants | Speaker 1 | Speaker 2 | Researcher |
|--------------|-----------|-----------|------------|
| Photograph   |           |           |            |
| Signature    |           |           |            |

### Declaration:

We hereby declare that the institution and its team members will abide by all the rules of the competition set by the organisers. We also confirm that all the information provided by us in this registration form is true and accurate to the best of our knowledge. In case of non-compliance or violation of any rule or regulation on our part, the organising body shall reserve the right to cancel our registration.

Date:

Signature and Seal  
Head of Institution