



**Jagannath
University**
Jaipur | RAJASTHAN



FACULTY OF LAW

NATIONAL MOOT COURT COMPETITION

15th - 17th April, 2023

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INVITATION

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

Subject: Invitation for the National Moot Court Competition at Jagan Nath University, Jaipur.

Respected Sir/Ma'am,

Greetings from Jagan Nath University!

It is with immense pleasure that Faculty of Law, Jagan Nath University, Jaipur, announces the conduct of National Moot Court Competition, 2023, which is scheduled to be held from April 15-17, 2023. We take this opportunity to invite your esteemed institution for participation in the competition and provide us the privilege of hosting the participating teams.

We look forward for a positive response.

In case of any queries regarding the competition, you may please write at

mcc@jagannathuniversity.org

Warm regards

Prof. (Dr.) S.P.S. Shekhawat
Head & Dean
Faculty of Law
Jagan Nath University





About the Event

In these times, while we are combating the crisis that has precariously driven us to the edge of our existence, we at the Faculty of Law, Jagan Nath University are committed to a show of cooperative and collective resilience. We have planned to organize the National Moot Court Competition on April 15-17, 2023, to provide an opportunity where aspiring lawyers can enhance their legal proficiencies and mooting skills with a unique concept. We are looking for the participation of law students enrolled in the 5-Year (integrated programme) and 3 years LLB programme with the aim to inspire, promote, and inculcate drafting & writing techniques, oratory skills, and research skills. The competition strives to give a platform to the budding lawyers to imbibe analytical skills in real-time situations. The aim is to engage students and allow them to have first-hand experience with the complexities of the law.





About the University

Jagan Nath University, Jaipur has been established by Act No. 19 of 2008 of the Rajasthan State Legislature and approved by the University Grants Commission under the UGC Act, 1956. The University has been accredited by National Assessment and Accreditation Council (NAAC) with an "A" grade in 2022 and is also a member of the Association of Indian Universities (AIU). The University has also acquired a distinctive status in agriculture education of having been accredited by ICAR for its B.Sc. (Hons.) Agriculture program. The University is running various UG, PG and Ph.D. programmes in the disciplines of Law, Engineering & Technology, Management & Commerce, Architecture, Agriculture, Education, Pharmacy, Life & Allied Sciences etc. All the professional courses are run with the approval of regulatory bodies i.e. the Bar Council of India, Council of Architecture, the National Council for Teacher Education, the Pharmacy Council of India, etc. The university has a vast campus spread over 50 acres of land with all modern educational facilities at Chaksu and a 10.5-acres campus at Sitapura, Jaipur





About the Faculty of Law

The Faculty of Law has been envisioned to cater for a world class legal education comprising of a perfect blend of academic, clinical, professional as well as socially utilitarian education. The faculty, with a clear understanding of the professional requirements in the legal arena in the contemporary times, has a well-balanced curriculum to be delivered to the students so as to make them profession centric and worthy of living up to the expectations of the much demanding legal profession. The faculty is adorned with qualified and efficient faculty members, handpicked through rigorous processes of screening and selections. The faculty provides a conducive atmosphere around its faculty to ensure progressive academic fervour and an orientation towards research and consultancy. The faculty promotes exponential academic growth of teachers and students through seminars, conferences, workshops and trainings.





The faculty hosts numerous co-curricular, extra-curricular and cultural activities periodically to chisel the personalities of the students. These include moot sessions, client counseling sessions, mock trials, Parliamentary debates, various competition and specifically tailored programmes to commemorate occasions like Hindi Diwas, Law Day, Human Rights Day etc. The faculty has connections with members of the Bar, members of the Law Firms and members of Judiciary to provide the best professional exposure and to cater for the Internship requirements of the students. It also has a close-knit Placement Committee to ensure a decent placement of its students. The Faculty of Law ensures a balanced focus on academics, professional virtues, social, cultural and moral values produce legal professionals with compassion and humility. Faculty of Law aspires to be a world acclaimed Center of Professional Excellence dedicated to the noble cause of law and justice. We aim at preparing versatile lawyers and legal professionals to help the society in delivering them their basic rights and dues.



MOOT PROPOSITION

State of Hannah

Vs.

Kalvin Showl



Kalvin Showl, 30 years old smart, the handsome drummer was doing a show at Hannah on 8.2.2020. While he was performing, a girl named Anny, 16 years old jumped onto the stage and hugged Calvin and then was given a paper on which her phone number was written. While the guards were taking her down, she made a gesture, 'to call' to Calvin.

On 15.2.2020 Calvin, 'Just Up' to Anny for asking her on a date at the coffee shop at 4.30 evening of the same day. She came there and had a coffee with Calvin. She was very excited and felt very special as a celebrity asked her on a date.

After that, they started meeting frequently at hotels, bars, and coffee shops. On 17.4.2020 Anny took Calvin to her home for meeting her father, Mr. John. On the same evening, her father asked her to leave this guy, he is not a good guy. But Anny refused to do so. She said, "he is my boyfriend, and I can't live without him". Then after things were good among them and Anny was very happy with all this. On 30.8.2020 Anny suddenly entered the house and went to her room and forcibly shut down the door of the room. Her mother and father got panicked. Her mother knocked on the door and requested one hour to open the door.



After that, she unlocked the door and her mother alone entered the room and tried to ask Anny about her mood. On asking, Anny started crying and told her mother that Calvin use to torture her, he used to beat her with belts, shoes, and anything which come in front of him. Sometimes he also put the burning cigarette on her privates.

Her mother got shocked and counselled Anny, 'Calvin is not a good guy, just leave him'. Anny was listening to her mother carefully but did not say even a single word. On 3rd day of this incident, she again went to Calvin to meet him. On coming home back, her mother slapped Anny and locked her in a room, and said, "If you come out of the room, I'll Kill you". After that, she went to a psychiatrist for an appointment for Anny. But on the same night, she ran away from the window of the room on the second floor of the house.

Her mother and father tried to search for her but failed to find her. Both of them came back home and Mr. John said to his wife, "let her live her life".

On 18.9.2020 Mr. John and his wife were having breakfast and reading the newspaper. Mr. John received a phone call from Hannaha Police Station, SHO told him, "A dead body was found in 6 pieces near the railway track".

Mr. John immediately went to the police station and recognized the body of Anny. Police registered an FIR under 302 MPC and sent the body for Post Mortem.

On the very next morning 'Sky High', an NGO started a protest demanding a CBI inquiry and the death penalty for Calvin.



On 22.9.2020 postmortem report came which stated, Anny was gang rapped and cut into pieces with a sharp edge weapon. Many bruises, struggle marks, and rashes were found on the body. Some old injury scars were also seen on her body and she had consumed alcohol before her death.

SHO, Hannaha police station Mr. Richard arrested Calvin from Vella (another city 800 km away from Hannaha). Court granted 4 days of police custody. On 23.9.2020 Calvin confessed in police custody that- "I want to get rid of her. So, I harassed her". On 24.9.2020 after the continuous protest from NGO, the case was transferred to the CBI.

CBI officer Ms. Hella started an investigation. During her investigation, she examined many people and submitted a detailed report which was considered by COS;

1. Calvin was suffering from a mental disorder, he got violent over petty issues. He used to torture Anny many times even severely. Calvin's Doctor had also confirmed the fact.
2. The watchmen of Calvin's house told that on the night of 17.9.2020, there was a party going on in the house of Calvin in which 4 male friends of Calvin and Anny were present. And he also told that many girls use to come to the house but Anny use to come frequently.
3. Anny's sister Banny had told that in starting Anny was very happy but later on Calvin started to torture her badly, he was also dating some other girls. Two days before her death, she called me and said, "I want to leave Calvin, he is a bad guy".



Court of Session after hearing the matter found Calvin guilty of Rape and Murder Under sections 376 and 302 of Montana Penal Code and convicted with death penalty.

An appeal was filed before the High Court on 15.9.2022. High Court after the hearing changed the judgement and on the ground of insanity acquitted Calvin.

Now an appeal has been filed before the Supreme court of Montana against the judgement of the High Court and the appeal is listed for hearing on 15.4.2023.

Legal Issues; (these two are must and the third issue will be the choice of parties)

1. Whether insanity can be a ground for defense under rape and murder of a minor?
2. Whether the confession made in Police Custody is a substantial piece of evidence or not?

Note;

1. Participants are requested to argue on the side of the Petitioner as well as on the side of the Respondents before the "Hon'ble Supreme Court of Montana" about the above case and further elucidate the arguments with appropriate case laws and inputs.
2. The laws of Montana are pari material with laws of the India. The Hon'ble Supreme Court of Montana considers the leading common law precedents as being highly persuasive. Hence, all the relevant ancient, and modern, texts of Indian laws may be referred to for arguing the case.
3. This Moot Problem has been formulated solely for this competition for furthering the academic exercise only.



RULES AND REGULATIONS



Article 1 – Team Composition

1. Each team shall consist of minimum 2 and maximum of 3 members. This number cannot be modified under any circumstances. In case only Two Members are participating then speaker-1 and 2 can participate then neither of them is allowed to give researcher test.
2. In case 3 members are participating then there shall be 2 Speakers and 1 Researcher in each team.
3. Each team will have a team code. Teams should not disclose their identity or that of their institution or city, etc., under any circumstances during competition and such disclosure shall invite penalties including disqualification from the Competition directly. The decision for the same shall be at the discretion of the Organizers.

Article 2 – Date and Venue

The said competition shall be held from 15-17 April, 2023 at the Faculty of Law, Jagan Nath University, Sitapura Industrial Area, Near Chokhi Dhani, Jaipur, Rajasthan 302022.

Article 3 – Dress Code

1. Male: Advocate's attire (black blazer, black trouser, black formal shoes and white formal shirt with black tie) is compulsory. Participants are expected to make their own arrangements regarding the same. Not abiding by the said rule can lead to direct disqualification and the Organizing Committee will have complete discretion regarding the same.





2. Female: Advocate's attire (black blazer, black trouser, black formal belly and white formal shirt with black tie) is compulsory. Participants are expected to make their own arrangements regarding the same. Not abiding by the said rule can lead to direct disqualification and the Organizing Committee will have complete discretion regarding the same.

Article 4 – Eligibility Criteria

1. Students pursuing any three-year or five-year integrated course of the LL.B. degree from any recognized Law college/ University in India by UGC/BCI are eligible to participate.
2. Participant shall carry their college Identity card for the purpose of identification during the said competition.

Article 5 – Registration Fees

Registration Fee: Rs. 3000/- (Rupees Three Thousand Only)

Registration link - <http://bit.ly/JU-NMCC-2023>

Refer QR Code for payment



(Receipt of online payment should be attached with the Registration Form)

(The registration amount is inclusive of Registration Fees, Food & Accommodation)

1. All the teams will be provided with a Team Code once after the confirmation of Registration with confirmation of Payment has been completed.
2. Teams shall register with the host institution by **17.03.2023** before sending the Registration Form and Payment Receipt. Forms will only be accepted if the host has confirmed the registration formalities.



3. Teams from each participating college are required to send a scanned copy of their duly filled-in registration form along with the Payment Receipt/ Screenshot for registration via email to mcc@jagannathuniversity.org and send the hard copy of the Registration form along with Payment Receipt at **“Faculty of Law, Jagan Nath University, Sitapura Campus, Near Chokhi Dhani, Jaipur, Rajasthan - 302022”** latest by 17.03.2023 Each college must ensure that the subject of the mail reads “Registration for National Moot Court Competition, 2023”. Forms received after the deadline shall not be considered.

4. Memorial Submission by soft copy on 30.03.2023

5. Memorial Submission by hard copy on 05.04.2023.

6. No pickup drop services will be provided by the host college.

Article 6 – Language

The said competition shall be in ENGLISH LANGUAGE only. Use of vernacular language by the participants during the said competition is prohibited.

Article 7 – Guidelines for Memorials

Written Submissions Structure: The Written Submissions must contain the following contents:

1. Cover Page
2. Table of Contents
3. List of Abbreviations
4. Index of Authorities
5. Statement of Jurisdiction
6. Statement of Facts
7. Issues Raised
8. Summary of Arguments
9. Arguments Advanced
10. Prayer



Team Code: The team code must be affixed at the top right corner of the cover page. The code must be succeeded by the side for which the written submission is prepared.

Margin: The Written submission must maintain an equal margin of 1 inch on all sides. Non-compliance will result in a penalty of 1 mark per each side of Written Submissions. Font, size and line spacing: The text font should be Times New Roman or Garamond, size 12 and must be in 1.5 line spacing. Non-compliance will result in a penalty of 0.5 marks per incorrect format of font, size and line spacing with a maximum of 2 marks per page of the Written Submissions.

Footnotes: The footnotes must be in Times New Roman or Garamond font, size 10 and singly spaced. There should be double line spacing between two footnotes.

The Bluebook: A Uniform System of Citation (20th Edition) should be followed in the written submission throughout. Non-compliance will result in a penalty of 1 mark per page. Substantive/Speaking footnotes are strictly prohibited. Non-compliance will result in a penalty of 1 mark per substantive citation.

Header and Footer: The font used for the header/footer, if any, shall be Times New Roman or Garamond, size 10, 1 spacing. Non-compliance will result in a penalty of 1 mark per page of the Written Submissions.

Page Limit: The memorial shall not exceed from 40 Pages and minimum shall be 25 pages. No annexures, photographs, exhibits, etc. should be added to the written submission. The written submission shall be marked on a scale of 100 marks.

Article 8 – Scouting

1. Teams will not be allowed to observe the oral rounds of any other teams. Scouting is strictly prohibited. Scouting by any of the teams shall result in disqualification, as per the discretion of organizers.



2. Any participating team can file a written complaint to the Organizers, regarding the incident of scouting. The Organizers decision shall be final.

3. The researchers will sit with the speakers at the time of orals and shall not attend the rounds of any other team participating in the said competition.

Article 9 – Rounds

Registration for the Preliminary rounds and draw of lots will be held on 15.04.2023. The Preliminary rounds will be held on 15.04.2023 comprising of Two (2) Rounds for each Team. In the Preliminary rounds, each team shall appear from both petitioner and respondent sides.

Eight teams shall qualify for the Quarter finals.

The Quarter finals round will be held on 16.04.2023 The Semifinals round will be held on 16.04.2023.

The Final round will be held on 17.04.2023.

Article 10 – Oral Rounds

In the Preliminary and Quarter final rounds the time slot for each round shall be as follows:

Opening Statement on behalf of Petitioner	5 minutes
Opening Statement on behalf of the Respondent	5 minutes
Arguments by Petitioner	10 minutes
Arguments by Respondent	10 minutes
Prayer from Petitioner	5 minutes
Prayer from Respondent	5 minutes

Therefore, the Petitioner will get a total of 25 minutes and the Respondent will get a total of 25 minutes in the Preliminary rounds. Each speaker shall have to argue at least on one issue. This rule shall apply to the Two (2) rounds comprising the Preliminary round. Each Speaker shall deliver either the opening statement or the final argument in each round.



In the Semi finals and Final round, the time slot shall be as follows-

Opening Statement on behalf of Petitioner	5 minutes
Opening Statement on behalf of the Respondent	5 minutes
Arguments by Petitioner	15 minutes
Arguments by Respondent	15 minutes
Prayer from Petitioner	5 minutes
Prayer from Respondent	5 minutes

Article 11 – Judging Criteria

Parameters for judging are:

1. Knowledge of facts.
2. Logic and clarity in reasoning.
3. Persuasiveness and deference to court.
4. Proper, articulate and systematic analysis of the issues arising out of facts.
5. Understanding of the laws and procedure.
6. Ingenuity (ability to argue by analogy from related aspects of law) or knowledge of the relevant provisions relating to penal laws.

Note

Both the teams must be aware about the appellate procedure followed by the courts. The first 8 teams who scores highest marks and win both the preliminary rounds shall be selected for the Quarter Finals.

If no 8 teams win in both the preliminary round 1 and preliminary round 2, the aggregate scores in both the rounds (i.e. an aggregate of marks given by all the judges) shall be considered and the top scorers teams shall be selected for Quarters. The teams with the highest aggregate marks by all the judges in their respective rounds shall qualify for Semi-Finals. The same scheme shall apply for finals.



Article 12 – Awards

1. Winner - Rs. 21,000 + 1 yr. complimentary (academic) subscription of SCC web edition of worth 81,000 to all members.
2. 1st Runner Up - Rs. 11,000/-
3. Best Speaker - Rs. 5,000/-
4. Best Researcher - Rs. 5,000/-

Article 13 – Certificates

Certificates will be awarded only to the participants during the valedictory ceremony and under no circumstances they will be provided to any of the participants absent during the ceremony. In the event that the participants fail to collect their certificates, no mail will be sent by the host institution acknowledging their participation.

Article 14 – Accommodation and Meals

1. The registration fees of Rs.3000/- is inclusive of Registration Amount & Accommodation. The accommodation shall not be provided by the host Institution in any case before 14 April 11:59 AM and after 18 April 11:59 AM., 2023.
2. Respective team who wishes to arrive a day before the event begins or leave a day after the event ends, needs to submit a regular accommodation amount for adjustment.

Note: Drinking and Smoking is strictly prohibited at the place of accommodation & on university premises and Non-compliance of this rule will lead to disqualification and the host institution can institute action against the team found violating this rule and impose heavy penalty.

Article 15 - General Rules

Each team must prepare memorials for both sides.

Once the memorials have been submitted, no revision, supplements or additions will be allowed.

One advance softcopy in PDF format must reach the organizers latest by 30.03.2023 on mcc@jagannathuniversity.org.

12 Hard Copies (6 copies from each side) of the memorials should reach the organizers latest by 05.04.2023 at the aforementioned address.



Article 16 – Miscellaneous

Case laws that the parties wish to rely on at the time of final arguments shall be submitted in three copies in the form of a compendium (one for the judges, one for the other side and one for itself). The source of Judgements should be from a verified database like SCC Online, Manupatra etc.

Opening statement of the petitioner shall be from facts and the issues raised. It shall be necessary to point out the supporting material from the factsheet herewith provided to sustain the arguments. As far as the respondent is concerned, the opening address shall require them to point out the allegations against them.

Judges are at liberty to ask questions to the participants on relevant points of law that may arise as per the fact sheet arising during the conduction of proceedings, in order to test the participant's knowledge of the relevant provisions relating to penal laws.

The last date for seeking clarification with respect to the said competition is 17.03.2023 Clarifications can only be sought via email at mcc@jagannathuniversity.org



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Jagan Nath University

PATRON

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QUERIES AND CLARIFICATIONS

In case of any queries and clarification regarding the competition, feel free to contact: Competition E-Mail: mcc@jagannathuniversity.org

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