



Marathwada Legal & General Education Society's

Estd. 1956

Manikchand Pahade Law College

NAAC Re-Accredited with 'B+' Grade (2019)
ISO 9001 : 2015

Dr. C. M. Rao,

B. Com, M.L. Ph. D.

Principal

Ref. No. MPLCA/ 2023-24/

Date: 07-12-2023

To,

The Registrar /Director / HOD / Principal,

Respected Sir / Madam,

It gives us immense pleasure to invite your institution to participate in the **XXIV National Moot Court Competition - 2024** scheduled on **27th & 28th January 2024 at M. P. Law College, Chhatrapati Sambhajinagar (Aurangabad) Maharashtra.**

We kindly request you to confirm the participation of your institution by registering at the earliest before the scheduled date.

We kindly request you to advise your college team to read rules of the competition carefully.

With warm regards,

Dr. Anju Singh
Coordinator

Dr. A. N. Kottapalle
IQAC Coordinator

Mr. S. N. Morey
Vice Principal

Dr. C. M. Rao
Principal
M.P. LAW COLLEGE
Aurangabad

Encl.:-

1. Rules of the Moot Court Competition
2. Problem No. 1 for the Preliminary and Semi-Final round and Problem No.2 for Final Round respectively



Glimpses of XXIII National Moot Court Competition 2023 Preliminary, Semi and Final Round





Marathwada Legal & General Education Society's

Manikchand Pahade Law College

Chhatrapati Sambhajanagar

Re-Accredited by NAAC with '**B+**' Grade (2019)

XXIV National Moot Court Competition-2024

27th & 28th January 2024



RULES OF THE COMPETITION



GENERAL RULES

1. Each team shall comprise of 3 (Three) participants **only** (Mooter 1, Mooter 2 and Researcher) and it must not be less or more than 03 participants.
2. Competition is restricted to bonafide regular students of Law School / College/ University. All participants must be students of either from LL.B. 3 years or 5 years degree course.
3. The participants will have to bear the travelling and all other incidental expenses.
4. Free lodging will be provided to the team of three participants only on the days of the competition i.e. **26th January from 5.00 PM to 28th January 2024 up to 5.00 PM** and breakfast & lunch will be provided on the days of Competition i.e. **27th and 28th January 2024**. The Participants should follow disciplinary rules at the accommodation where they will be boarded.
5. Only one team can register from a particular Law School / College/ University.
6. The dress code shall be as prescribed for Advocates.
7. The home team will be eligible for competing in this competition as the moot problems have been framed by others.
8. The language of the competition shall be English only.
9. All the Participating teams shall have to submit soft copies & hard copies of their memorials of all rounds in due time & non-compliance of it shall disqualify team.



REGISTRATION & SELECTION PROCEDURE

10. Provisional Registration shall be done on or before **31st December 2023**.
11. Final registration shall be completed on or before **05th January 2024** along with duly signed **authority letter** certifying your eligibility & participation from your Institution.
12. All Participating teams shall have to complete their registration process within prescribed time and participants shall send the soft copies of Registration form, Travel plans and Memorials on the following e-mail id :
mpcmmootproblem@gmail.com
13. Participants will be officially communicated about their selection in due course on registered email of participants.
14. All selected teams shall be allotted a unique team code & every member of team shall be allotted a unique code which will be individually communicated on registered email of participants.
15. Once the code is allotted, every team must use only team code for any further communication with the organizers.

16. Each Team shall have to pay registration fee of **Rs. 3000.00** (Three Thousand Rupees only) online on following details.

A/c NAME	MANIKCHAND PAHADE LAW COLLEGE
Bank Name	CENTRAL BANK OF INDIA, AURANGABAD
A/c No.	1289605997
IFSC Code	CBIN0280678

PHASES OF THE COMPETITION

17. The competition shall have **Three Rounds** (i.e. Preliminary, Semi Final and Final), the Preliminary and Semi Final rounds shall be held on **27th January 2024 at 9.00 am** and **3.00pm** onwards respectively and Final round shall be held on **28th January 2024** from **10.00 am** onwards.
18. There shall be same problem for Preliminary and Semi Final round, however for Final round participants shall have different problem.
19. In all the rounds there shall be direct performance of petitioner of a team against respondent of another team in allotted Court rooms according to lots drawn.
20. There shall be exchange of memorials of each round on previous day of the Preliminary and final round and few hours before for semi-final round.
21. Every speaker shall be ready well in advance for his/her performance to maintain time & discipline of the Court.

PRELIMINARY ROUND

22. The Preliminary round shall be conducted on **Saturday 27th January 2024 from 09:00 am** onwards in different Court rooms by allotting individual performances by way of drawing lots.
23. **Two Speakers i.e petitioner & respondent of a team shall be arguing in different Court rooms.**
24. The **SIX teams** scoring highest marks in the preliminary round shall be qualified for the **SEMI FINAL** round.
25. **In case of a tie between 2 teams in score of marks both the teams shall be qualified for semi-final round.**

SEMI FINAL ROUND

26. The Semi Final round shall be conducted on **27th January, 2024 from 3.00 pm** onwards in **TWO Court Halls** allotting individual performances by way of drawing of lots.
27. The **THREE teams** scoring highest marks in Semi Final Round shall be qualified for the Final Round.
28. **In case of a tie between 2 teams in score of marks, Preliminary and Semi Final rounds Marks shall be added and team scoring highest mark shall be qualified for final round.**

FINAL ROUND

29. The Final round shall be conducted on **Sunday 28th January 2024 from 10:00 am** onwards in single Court room by allotting individual performances by way of drawing lots.

Note: In case of a tie between 2 teams in score of marks, Preliminary, Semi Final and Final rounds Marks shall be added and team scoring highest mark shall be qualified for final round.

MEMORIALS

30. All Participating teams shall have to submit soft copies as well as hard copies of their written memorials / submissions of both rounds for both sides on or before due date mentioned hereinafter.
31. All teams shall submit typed / computerized memorials fulfilling the following specifications.
32. The memorials shall be typed on **A-4 size paper** with 1 inch margin on all the sides in the **"Times New Roman" font size 12 with 1.5 line spacing** & the font size of footnotes/endnotes shall **be 10**.
33. The memorials should not exceed **25 pages** (not including cover page) & the cover page must contain Team Code in bold with upper case at the upper right side corner.
34. The memorials shall neither contain name of the student, name of the college/university nor any form of identification in the form of symbol, mark etc. apart from Team Code.
35. The cover page shall be coloured differently i.e. *Grey for Petitioner and Blue for the Respondent. Use of chart paper instead of plastic sheets or transparencies, would be highly appreciated. For binding use cotton thread stitches instead of spiral binding.*
36. Memorials not following the above specifications shall be disqualified.
37. Every team shall send **3 (three)** hard copies of memorials for each side of both rounds along with Compendium, if any, so as to reach the organizing college on the following address as per the scheduled prescribed at the end.

**The Principal,
Manikchand Pahade Law College,
Samarth Nagar, Chh. Sambhajinagar Aurangabad – 431 001 (M.S.)**

38. Participants shall send the soft copies of Memorials on the following e-mail id as per the schedule prescribed at the end:

mp lcmootproblem@gmail.com

ORAL SUBMISSIONS (ARGUMENTS)

39. Oral Submissions of Preliminary round shall be conducted in 05 different Court rooms in accordance with lots drawn & oral submissions of Semi Final round shall be conducted in two court rooms & Final round shall be conducted in a single court room in accordance with lots drawn.
40. The Speakers shall take note that in their respective court rooms only performing speakers shall be allowed to enter and once performance is over they can remain in the court room. However they are not supposed to remain in their court room before their performances.
41. In Preliminary round the 2 speakers of the same team shall be allotted different court room.
42. Every Speaker shall have **15 minutes time** to present his/her oral submissions and additionally **05 minutes** for rebuttal. **Rebuttal is mandatory for each Speaker.**
43. No Speaker shall be allowed to address the court for more than the prescribed time without due permission of the Court.
44. No additional documentation shall be allowed & any information which has to be provided to the Court should be submitted beforehand to the organizers as Compendium.

ASSESSMENT CRITERIA

The Assessment criteria of Participants & team shall be as under...

Knowledge and application of law	25
Presentation and perusal of facts	10
Answer to court queries	15
Advocacy / Court Etiquettes	25
Written Memorials / Drafting	15
Rebuttal	10
TOTAL MARKS:	100

MISCELLANEOUS

45. All the participants are expected to maintain the decorum of the court during the competition and are expected to observe themselves in a manner befitting the legal profession.
46. The organizers reserve the right to take appropriate action for any unethical, unprofessional and immoral conduct.
47. **The organizer's decision as regards the interpretation of rules or any other matter relating to the competition shall be final.**
48. **If there is any situation, which is not contemplated in the rules, the organizers decision shall be final.**
49. For any query or clarification feel free to contact persons given hereinafter



PRIZES

The teams & participants shall be awarded cash prizes along with trophies as follows...

- I) **Winner Team cash prize of Rs. 7000/- from college and Late Adv. Shri. Sudhakar Rao Deshmukh Trophy.**
- II) **Runner up Team cash prize of Rs. 5000/- from college and Late Adv. Shri. Sudhakar Rao Deshmukh Trophy.**
- III) **Individual Prizes & Trophies.**
 - ❖ **Late Adv. Shri L. N. Sirsamkar- Best Petitioner from final round cash prize of Rs. 2000/- and Trophy.**
 - ❖ **Best Respondent from final round cash prize of Rs. 2000/- and Trophy from college.**
 - ❖ **Late Adv. Shri. Sudhakar Rao Deshmukh Trophy for Best Mooter in all rounds**
 - ❖ **Ghate Foundation, Aurangabad - Best Mooter Trophy for Preliminary Round.**
 - ❖ **Best Memorial Prize for Final Round from the College**

DATES TO REMEMBER - SCHEDULE OF COMPETITION

Sr. No.	Event	Date
1.	Registration opening	07 th December 2023
2.	Last date for provisional registration	31 st December 2023
3.	Last date for final registration & Submission of soft copies of registration form	05 th January 2024
4.	Submission of soft copies of memorials	10 th January 2024
5.	Submission of hard copies of memorials along with Compendium, if any	15 th January 2024
6.	Orientation of the event	26 th January 2024
7.	Date of Preliminary and Semi Final Round	27 th January 2024
8.	Date of Final Round	28 th January 2024
9.	Valedictory function and prize distribution	28 th January 2024

Contact details


Teacher Coordinators

Dr. Anju Singh - 9503104751
Ms. Amrita Kaur Johar - 8329271830

Student Coordinators

1. Ms. Nupur Paliwal - 9422200678 (Student Convener of Moot Court Association)
2. Mr. Eeshan Maktedaar - 8668917909 (Student Co-Convener of Moot Court Association)




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M.P. LAW COLLEGE
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XXIV National Moot Court Competition-2024

27th January 2024

Moot Problem for Preliminary and Semi Final Round

A and Ors. Vs. State of Taharashtra and Ors.

1. Union of Bharata is a country that occupies the greater part of South Asia. Its government is a constitutional republic that represents a highly diverse population consisting of thousands of ethnic groups and hundreds of languages. Union of Bharata remains one of the most ethnically diverse countries in the world. Apart from its many religions and sects, Bharata is home to innumerable castes and tribes, as well as to more than a dozen major and hundreds of minor linguistic groups from several language families unrelated to one another.
2. Mayura was a reputed doctor and a social worker who was residing in Aura city located in Taharashtra state of Union of Bharata. She was a feminist lady who always used to raise her voice against domestic violence, female foeticide and other problems of women. She was also associated with various NGOs who were working for women's rights. She was working in City Hospital, Aura. One night while she was returning from hospital at around 11.30 pm one man suddenly came in front of her car. As he suddenly came in front of her car she stopped her car. The man looked in tension and was crying. He desperately asked for help. Upon asking the reason, he said that he along with his pregnant wife met with an accident and his wife is lying in pain at some distant place. Upon knowing the situation, Mayura tried to call her hospital for ambulance but had no range therefore, could not connect. Upon request of the man she quickly went with the man to help his wife.
3. On her way, she realized that her medical kit was inside the car, so she returned for taking the same and on return, she found that her four-wheeler tyre was punctured. All of a sudden, man, who had asked for help came towards her and threatened her by stating that if she doesn't stop encouraging women to file complaint of domestic violence she will repent. She got scared and slapped him, to which the man became angry and then dragged Mayura to a distant place.
4. On 23.8.2023 i.e. the next day, a body was found at an underpass on the same national highway by a farmer around 5.30 a.m. He informed the village sarpanch, who alerted the local police. After investigation, it was found that the dead body was of Mayura who was dragged

for few kms. During investigation police came to know that she was given electric shocks. Her body had knife injuries on several parts and her face was severely damaged which made it horrifying.

5. The Police started various investigation procedures and discovered a CCTV camera which was placed near the highway for traffic control. However, the wire of the CCTV camera was cut in pieces. By opening the recorded footage of the CCTV camera which was recorded before cutting of the wire, the Police saw one face where the recording timing showed around 11:30 P.M. based on which, they came to know that there was a man who had sought help of Mayura and it was seen in the footage that she went with him. After this the footage was not recorded. Therefore, they had started searching for man who had sought her help. On 20-8-2023, based on its investigation, the Police arrested, Ninja. After investigation and statements of people who are connected with Ninja, police came to know that he had committed three more brutal murders of women who were protecting rights of domestic violence victims. Police came to know that he is a victim of false domestic cases and therefore, to take revenge he had murdered his wife and other three women who were helping her.
6. In the meantime, as soon as the news became viral, people all over the country started protesting and the news became trending all over Social Media and people demanded Justice for Mayura and other three deceased. People from various political background as well as Film Industry and Media houses demanded speedy Justice and #KillTheSerialKiller became viral all over the Country and the Government took initiative for a speedy disposal of the case.
7. On 4-11-2023, the Police presented the four accused in front of the local Magistrate and requested for a 7 days remand for further investigation. On 10-11-2023, the Media flashed the news that Ninja had been shot dead by the Police while he was being taken to the Court. The Investigation In-Charge in the Interview stated that
8. Ninja was not psychologically ill and was acting to do so only to save himself from the punishment. On the day of incident, Ninja snatched the revolver from the Constables while he was being taken to the Court, jumped out of the Police Van and fired two rounds in the air. The Police claimed that they found no other ways and had to shoot down Ninja otherwise he would have fled.
9. The killing of the accused in the alleged encounter was hailed by a section of people, the families of the deceased and human rights groups alleged that the police took law into their hands, terming this as extra-judicial killing. Family of the accused claimed that he was having psychological problem because of false cases lodged by his wife. In the police press conference that followed, questions as to how accused managed to get hold of the pistols in

the presence of 10 armed police officers went unasked.

10. 'A' one of the family members of the Accused also alleged that the police officers have framed the murder scene as they had threatened the family when they went to the police station. The family informed the reporters that the police officers angrily made the statement to the family that the accused stand no chance of being saved from death as the entire Nation was against his act.
11. As soon as the News became viral, the entire Country rejoiced and supported the action of the Police and the same was called an "Act of Bravery" by various Political Leaders. But, an NGO named as 'MANAVADHIKAR BHACHAO FOUNDATION' filed a Petition before the Hon'ble High Court of Taharashtra. The Hon'ble High Court of Taharashtra after hearing all the arguments of the case held "The Police had no other option but to shoot the accused failing to which he would have fled and which would have triggered mass and widespread agitation throughout the Nation and the Role of the Police would have been in question. Therefore, the Court finds the Act of the Police as an Act of Bravery and sudden reflex to counter the situation which arose in front of them."
12. 'A' who was not a party in the petition of High Court, have approached the Supreme Court, seeking registration of murder case against the police officers involved. Alleging that the accused was psychologically ill and was killed in a stage-managed gunfight, the families filed a writ petition under the provisions of Article 32 of the Constitution that enables an individual to seek redressal for the violation of their fundamental rights.
13. The NGO, after the Judgment by the Hon'ble High Court, approached the Hon'ble Supreme Court on the contention of violation of Human Rights as well as the violation of Fundamental Rights guaranteed under the Constitution of Republic of Bharata. Both the petitions have been clubbed by the Hon'ble Supreme Court of Union of Bharata and stands pending before the Hon'ble Supreme Court of Bharata.

Note:

I. Laws of Union of Bharata are in pari materia with the laws of India.

II. Participants are at liberty to frame the issues

III. The Moot Proposition is purely a work of fiction and created solely for the purpose of the Moot Court Competition. The characters, institutions, organizations and events depicted in this Moot Proposition are purely fictional. Any similarity or resemblance to actual persons or actual events is purely coincidental and unintentional. The Moot Proposition does not intend to defame/denigrate/hurt the sentiments of any person(s), institution, community, group or class of persons.



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XXIV National Moot Court Competition-2024

28th January 2024

Moot Problem for Final Round

XOX Party and Ors. Vs. Union of Cintra

- **ELECTORAL BONDS**

In 2017 in the country of Cintra, the Finance Minister Alex Hudson has introduced an amendment in the Finance Act. The amendment has exempted political parties from requirement to record donations received through electoral bonds.

- **WHAT ARE ELECTORAL BONDS?**

An electoral bond is an instrument in the nature of a promissory note or bearer bond which can be purchased by any individual, company, firm or association of persons provided the person or body is a citizen of Cintra or incorporated or established in Cintra.

The bonds, which are in multiple denominations of Rs 1 thousand, 10 thousand, 1 lakh, 10 lakh and 1 crore and these bonds can be purchased by any Indian citizen of any entities incorporated or established in Cintra.

- **HOW THESE BONDS ARE BOUGHT?**

These bonds can be bought from authorized branches of State Bank of Cintra and the donor is required to pay the amount save rupees 10 lakh through a check or digital mechanism, no cash. After purchase the donor can then give this bond to the party or parties of their choice.

The political parties can then choose to encash such bonds within 15 days of receiving them and fund their electoral expense.

This entire process ensures that these bonds are completely anonymous, that does not carry the identity of the buyer or payee.

- **FACTS: -**

Electoral bonds were introduced through the Finance Act, 2017, which in turn amended three other statutes - the RBI Act, the Income Tax Act and the Representation of the People Act - to enable the introduction of such bonds.

The Representation of the People Act amendment, exempts political parties from requirement to record donations received through electoral bonds in their contributions reports to the election commission.

The amendment in Foreign Contribution Regulation Act allows foreign companies owning majority stakes in Indian companies to donate to political parties. Similarly, the Income Tax amendment allow anonymous donations up to Rupees 20,000 and exempts donors from providing their names and pan details, so the conclusion of the scheme is that political parties are not required to maintain any record of the donations and the identity of the donor is completely confidential and airtight. The scheme also ensures that the authorize bank too will not disclose any information about purchaser of the bonds.

- **PETITION AGAINST OPACITY OF ELECTORAL BONDS: -**

On 17 September 2017 petitions were filed in the Supreme Court of Cintra by XOX party and some NGOs of Cintra.

They raised objection that the amendment gives opacity to the political funding introduced by electoral bonds it contends that the electoral bonds are designed to keep the identity of the donors, secret from Company auditors, Income tax authorities, Election commission and mainly from public at large who are the voters and it also contends opacity and permits foreign influence in Government policies.

On similar lines other petition contains that the amendment, jeopardise the very foundation of Cintrian democracy submitting that, “Confluence of uncapped corporate resources funding political parties can only lead to private corporate interests taking precedence over the needs and rights of the people of State in policy considerations”, it means that the amendments are contrary to the recommendation of Election commission and Law commission.

Additionally, the petitions also question the passing of Finance Act as Money bill by State Sabha, because the Money bill is always introduced in People Sabha.

Note:

- I. Laws of Union of Cintra are in pari materia with the laws of India.*
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XXIV National Moot Court Competition-2024

27th & 28th January 2024

Registration Form

Name & Address of Participating Institution:-

Phone No.

E-mail ID

Name of the Mooter - 1 :-

Class

Address

Mobile No.

E-mail ID

Passport

Size

Photograph

Name of the Mooter - 2 :-

Class

Address

Mobile No.

E-mail ID

Passport

Size

Photograph

Name of the Researcher :-

Class

Address

Mobile No.

E-mail ID

Passport

Size

Photograph

Particulars of Demand Draft

D.D. No. _____ Date _____

Bank Name _____ Branch _____

Mooter	Preliminary Round	Final Round
Mooter 1	Petitioner / Respondent	Petitioner / Respondent
Mooter 2	Petitioner / Respondent	Petitioner / Respondent

(Strike out unnecessary fields.)

Signature and Seal of Head of the
Institution.



TRAVEL PLANS

Name of the participating Institution :- _____

☺ Arriving on date :-

Mode of travel : railways/airways/roadways _____

Train name : _____

Flight name : _____

Bus/travels name : _____

Reaching at time : _____

☹ Departure on date :-

Mode of travel : railways/airways/roadways _____

Train name : _____

Flight name : _____

Bus/travels name : _____

Reaching at time : _____

**Signature and Seal of Head of the
Institution**