



SANDIP
UNIVERSITY
— UGC Recognised —

SCHOOL OF
LAW

PANDIT SHRI. NITYANAND JHA
NATIONAL MOOT COURT COMPETITION,
2023 (2nd Edition)

Organized

by

SCHOOL OF LAW,

SANDIP UNIVERSITY, NASHIK



Date **24th - 26th Nov, 2023**

Theme:

CONSTITUTIONAL LAW

Last Date for Provisional

Registration : **4th November**



ABOUT SANDIP UNIVERSITY



Sandip University is a thriving hub of 21st century higher education. It is a UGC-approved University in India, located in Nashik, Maharashtra. The University is set in a picturesque lush green Wi-Fi enabled campus spanning across 250+ acres and is home to cutting-edge infrastructure for a holistic student experience. At Sandip University, students have access to world class facilities including well-maintained hostels, hygienic canteens, high-tech classrooms, saloon, gymnasium, swimming-pool, on-campus ambulance, and 24x7 security facilities. As a top private university in Maharashtra, Sandip University attuned to the pulse of global educational standards, and so provides students with an education that takes them places. Students at Sandip University have access to Value Addition and Global Certification Programs at no extra cost to gain industry-synced skills and training. We provide students with 100% placement assistance through a dedicated placement cell. The placement cell also trains students through mock interviews and helps them build a dynamic resume. Sandip University prepares students of today to become leaders of tomorrow on the global stage.



ABOUT SCHOOL OF LAW



School of Law, Sandip University has been established to achieve world -class legal education in the state and the country. In the path to attain excellence, it is always endeavouring to create a legacy of leadership, professional acumen and excellence. The School of Law Sandip University has been established in 2016. SOL offers PhD, LL.M. in Constitutional and Administration Law, Corporate and Commercial Law and Criminal Law, B.A., LL.B.(Hons.), B.B.A., LL.B.(Hons.), LL.B. (Hons.). SOL is poised to create the finest legal professionals in the Country. SOL plays an active part in student's lives by providing a comprehensive and contemporary body of integrated knowledge, educational practices and research programs. With the support of profound academicians, superlative top management, and industry contacts with lawyers and corporates, the team is confident of making a mark in this prestigious profession.

The prime objective of the School of Law is to provide dedicated educational facilities to the students while transforming them into the lawmakers and leaders of tomorrow. SOL is affiliated to Sandip University and is approved by the Bar Council of India. The methods of teaching in the Law School include lecture discussions, case law analysis, moot court training, project assignment and placement programmes. In addition, the School organizes seminars on contemporary legal issues, workshops on legal etiquettes and trains students for Intra and National Moot Court Competitions and in legal research and legal writing. We in the School of Law Sandip University believe in giving the best to society.



CHAIRMAN, SANDIP UNIVERSITY



“I do not need any cheerleaders at my moot court. And I cannot imagine walking into that Court without the preparation of a few vicious moot courts; it is critical to the development of my thinking.”

— Patricia Millett

We in Sandip University believe in sending out the students for adventurous world that is full of Competition and Practicality. With the advent of technology, boundaries have become meaningless and solidarity has become a prime agenda for all pioneers and incidents of the globe affecting all. We believe in developing holistic skill sets in all our students and for them to be effectively prepared to take on any practical challenge which is posed to them. We consistently endeavour to transform every student into a future-ready legal professional of tomorrow. Sandip University, at present being one of Maharashtra's leading Private Educational Institutions guaranteeing excellence in education to students of Pan India, established with the aim of being the globally recognised for excellence in legal education through a combination of passion and compassion to mould students into world class lawyers capable of affecting social, economic and political development by fortifying the legal system. We strive to achieve and be successful in achieving this goal, which has commenced with the birth of our fine institution, and has become extremely vital in today's scenario given the pace at which the Law is evolving.

As the Chairman of Sandip University, Nashik, I take this opportunity to invite your esteemed University/Institute/College to be part of our First Edition of Shri. Nityanand Jha National Moot Court Competition 2022 and take away the same values and skills that transform lawyers into agents of social change.

Dr. Sandip N. Jha,
Chairman, Sandip University



VICE-CHANCELLOR, SANDIP UNIVERSITY

Message from Sandip University recognises that India needs personnel having legal services with the goal of making it efficient and fully equipped to deliver in the changing scenario and increased expectations. Legal employers, particularly Large Law Firms, love students who have participated in moot court. Moot Courts help student's perfecting the analytical, research, and writing skills that practicing attorneys must have. Practical training and emphasis are the new trend set for a socio-economic leader. Legal professionals need to be well communicated and aware of the etiquettes to be used in a Court room and hence no better platform then Moot Court Competitions.

It delights me to cordially welcome you all to the Campus of Sandip University for a enriching and thriving experience of First Edition of Shri. Nityanand Jha National Moot Court Competition 2022.

I wish you all an exciting and rewarding mooting experience.

Prof. (Dr.) Rajendra Sinha,
Vice Chancellor,
Sandip University



DEAN, SCHOOL OF LAW

Welcome to Sandip family. The Sandip School of law Nashik is established in the year 2016 under the aegis of sandip university/ sandip foundation, since then we are thriving to impart a value based legal education.

I am proud to share that sandip law school will have history of producing some of the best legal encephalon of this country. Our focus is on overall personality development of the students and to have them a sound understating of the legal system as well as to produce socially committed legal professionals.

We perceive that the theoretical and the practical knowledge of law are complimentary rather than conflicting, hence we put more emphasis on clinical/research based legal education, wherein we used to organised various visits to Police station , central jail, cyber cell, to various courts and tribunals, moots debates , internship at various corporate / legal sector. To stimulate this budding lawyers sandip law school always make an efforts to have the guest lectures series of the eminent legal personalities on various legal topics.

You are always welcome to reach out my faculties and students about their experiences in this legal journey and I promised this school will provide you the best exposure and inculcate the best quality of legal education in this glorified world.



Prof. (Dr.) G. S. Rajpal,
Dean,
School Of Law
Sandip University, Nashik.

SCHEDULE

Commencement of Registration	25th September
Release of Moot Problem	25th September
Last Date of Final Registration	3rd November
Receiving of Hard Copy of Provisional Registration Form, Accommodation Form/ Authorization letter, Original Demand Draft/ Online Receipt/NEFT	10th November
Last Date for Seeking Clarifications Submission of Soft Copies of Memorials	10th November
Submission of Hard Copies of Memorials Commencement of event	15th November

MOOT PROBLEM

The Union of Indica is a union of states comprising of 16 states and 4 union territories. Situated on its eastern side is a state called "Maniland," where two ethnic communities are currently engaged in violent clashes. Maniland has a population of 30 lakhs, consisting of people from various tribes and ethnic backgrounds. Maniland existed as a princely state but in 1949 it acceded to Union of Indica. Currently mainland is experiencing violent clashes between people belonging to Miko and Keitei ethnicity. Keitei form the largest and dominant ethnic group of Maniland and they settled in valley regions of Maniland. The Keitei ethnic group represents about 53% of Manilands population and sizable population has settles in other neighbouring states of Indica. On the other hand Miko ethnic people are settled in hill area of Maniland and its population is divided into various tribes and some 50 tribes of Miko community are recognised as scheduled tribe which gives them special privilege in relation to government jobs, education and land acquisition.

Keitei community has been classified as other backward class in 1991 and few people belonging to Keitei community also has the status of schedule caste but people belonging to Keitei community claim that before the accession of Mainland Keitei people were recognised as scheduled tribe but after merger they have lost this recognition.

A writ was filed in 2012 before Maniland high court demanding that Keitei should also considered as schedule tribes as they also occupy hill areas and are socially backward. Since then there have been various movements demanding Schedule Tribe status for Keitei People in state of Maniland. Other than this it is allege that Miko people are illegal immigrants who take refuge in India and enjoy the benefits of being scheduled tribe.

In April 2023 the High Court of Maniland of issued a mandamus directing state government to send recommendation to union government that Keitei people should also be considered as schedule tribe.

The High Court of Maniland agreed with the submissions of the petitioners, that the State was violating the right to equality and right to life with dignity enshrined under Article 14 and 21 of the Constitution of Indica, as in the case of other tribes of the State, the respondent State had recommended the inclusion in the list of Schedule Tribe, without any hesitation, but in the case of the Keitei community, which is one of the major tribe of Maniland, the recommendations were not made by the respondent.

The Court said that the petitioners and other Unions have been fighting for long years for inclusion of the Keitei community in the tribe list of Maniland. Since then there have been clashes between these two ethnic groups. More than 200 people have lost their lives in these clashes and more than 250000 people are displaced in state of Maniland. The media is ignoring this issue and it is alleged that state government is provoking these clashes in order to have political gain. Other than this Union of Indica is also blamed for its inaction in this particular matter.

Now a PIL has been filed before supreme court of Indica in which following issues are involved-

1. Whether order given by High court of Maniland directing state government to give recommendation to union government that Keitei be included in list of Schedule Tribes is valid?
2. Whether there was any judicial overreach exercised by the High Court of Maniland?
3. Can union of Indica be held liable for its inaction in this particular matter?

Note: -

- a. All the laws of the Union of Indica are Pari-Materia to that of the Republic of India.
- b. The parties are not allowed/allowed to frame/add any further issues.
- c. This is a work of fiction. Names, characters, business, events and incidents are the products of the drafter's imagination. Any resemblance to actual persons, living or dead, or actual events is purely coincidental.

PANDIT SHRI. NITYANAND JHA NATIONAL MOOT COURT COMPETITION 2023 - 2nd Edition

Rules:

GENERAL RULES

- “Organizers” means the Moot Court Committee, School of Law, Sandip University
- “Competition” means the 1st National Moot Court Competition, 2023.
- “Participating Team” means the team which has registered itself for the competition as per the rules given below.
- “Participating College/Institution/University” shall be presumed to be the parent institution of the participating team.
- “Participants” means the speakers and the researcher of the Participating Team.
- The rules of the Moot Court shall be strictly adhered to and any deviation there from them would attract disqualification or other penalties as decided by the Organizers.
- Decision taken by Organizers in case of any doubt, dispute, disqualification etc. shall be final

LANGUAGE

- The official language for the Moot Court Competition shall be English only.

DRESS CODE

- Inside the Court Room, participants shall be in formal wear only. However, robes or collar bands are not allowed.
- Female participants are required to wear either a full suit comprising of black formal blazer and trousers, full sleeved white shirts or white kurta, black bottom wear, black blazer/overcoat with formal footwear.
- Male participants are required to wear a full suit comprising of black formal blazer and trousers, full sleeved white shirts, black tie and formal footwear

ELIGIBILITY

- The Competition shall be open for the students who duly enrolled and are pursuing an integrated 5 years or 3 years Law Program in India from an institution recognized by the Bar Council of India.

TEAM COMPOSITION

- Each team shall consist of two speakers and one researcher. Teams are to notify which members are the respective speakers and researcher. No change of speaker to researcher or vice -versa shall be permitted except upon application to the Organizing Committee. Kindly note that ONLY ONE TEAM is allowed to register for the Competition from one University.

MEMORIAL

1. Each team participating in the Competition must prepare a Written Submission on behalf of the Petitioner/Applicant/Petitioner and on the behalf of the Defendant/Respondent.

2. A Written Submission shall be identified solely by the Team Code assigned to the team. The Written Submission shall not, in any way, disclose any fact pertaining to the identity of the team or members.

3. Each team must send its memorandum via mail in PDF format, latest by 10th November 2023, 11:59 P.M. along with 1 soft copy, the memorials shall be mailed on the Official Email with the subject of the mail being "Memorial Submission- Team Code". Example – Subject of mail for memorial submission of Team Code 01 shall be "Memorial Submission – NJ01. In case the subject is not as prescribed, memorials shall be deemed to have not been received and the Organizers shall not be responsible for any delay and default.

4. The file names of the electronic copies of the memorial must contain only the team code and the side being represented in the following format. a. E.g.: For team code 01 it shall be "NJ01P" AND "NJ01R", P being for "Petitioner" memorial and "R" for "Respondent" memorial and so forth.

5. The Memorials Submission shall consist of the following mandatory heads:

- i. Cover Page
- ii. Table of Contents
- iii. List of Abbreviations (in Alphabetical order)
- iv. Index of Authorities (with page number of authorities cited)
- v. Statement of Jurisdiction
- vi. Statement of Facts (not exceeding 2 pages)
- vii. Statement of Issues
- viii. Summary of Arguments
- ix. Arguments Advanced
- x. The Prayer

6. The Cover page shall include:

- i. Team code in the upper right -hand corner.
- ii. The name and place of the Jurisdiction
- iii. The relevant provision under which case is filed
- iv. Name of parties and status
- v. The side for which written submission has been prepared
- vi. Memorial filed on behalf of ...
- vii. It is further clarified that the Organizing Committee reserves the right to refuse acceptance of any memorial which is in violation of any of the norms.

7. The memorial as a whole shall not exceed 50 pages including the cover page. Noncompliance shall result in a penalty of 1 point for every additional page.

8. The Memorials shall be typed on A4 size paper having one-inch margin on all the sides.
9. The font shall be Times New Roman, font size being 12 and line spacing shall be 1.5. For footnotes, font size shall be 10 with line spacing of 1.0.
10. Page numbering shall be at bottom of each page.
11. Participants must follow the Bluebook 20th edition style of citation.
12. The Cover Page of the Memorial for the Petitioner/Applicant must be BLUE, while for the Defendant/Respondent's Memorial, it must be RED. The colour of the cover page shall compulsorily be Red and Blue (as the case may be) and no other variant of the colour shall be used.
13. Once the written submissions have been submitted, no revisions, supplements, or additions will be allowed.
14. Submission of 3 hard copies each petitioner and respondent shall physically reach the university by the **15th of November 2023**.
15. Submission of the Memorials after the specified deadline shall result in a deduction of three (3) marks each day. Failure of submission of memorial would result in disqualification of the team from the competition.
16. Each team shall be provided with the copy of the written submission of the opponent team at least 20 minutes prior to the respective rounds.
17. The Organizers of this Competition shall be permitted to use all the Memorials for any reporting or compilation without further permission. The Submission would be deemed to be permission. Moreover, the copyright in the prize -winning Memorials would be vested with the Organizers.
18. Every Memorial will be marked on a total of 100 marks.

The following is the criteria for evaluation of memorials:

SR. NO.	CRITERIA	MARKS
1	Knowledge of facts and Law	20
2	Quality and Extent of Research	20
3	Recognition of Issues and Structure of Arguments	20
4	Proper and Articulate Analysis	20
5	Overall Presentation (Clarity, Style, Grammar, Language, Structure, Format, Citations and Plagiarism)	20

19. Maximum marks for the oral rounds shall be 100 marks per speaker per judge. The oral rounds shall be evaluated out of 100 marks and the basis for evaluation shall be as follows:

- Knowledge and Use of Facts
- Use of Authorities
- Responsiveness to Questions
- Effective Rebuttals and Sur-Rebuttals (if any)
- Adequacy of Prayer
- Court Mannerism
- Time Management

The decision of the judges with regard to the outcome of the rounds shall be final.

PLAGIARISM

Participants must refrain from using same language or copying from other's memorials and other sources. Even use of publicly available information must be accompanied by proper citations. These rules shall apply to all parts of the memorial and not just the Pleadings and Prayer. Failure to comply with this rule may result in the guilty participants being debarred from mooting in 1st Shri Nityanand Jha National Moot Court Competition 2022. The Organizing Committee in consultation with the memorial judges will take a final decision regarding determination of cases of plagiarism and penal measures for such action.

CONDONATION OF DELAY

Deduction of marks for late submission of hard copies of the Memorials.

Late submission, if any, of hard copies 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. Note: Participants are requested to strictly adhere to the rules concerning time limit for submission of the memorials.

PENALTIES

1. Wrong File Name - 1 Mark per Memorial
 2. Failure to submit Memorial as one File - 1 Mark per Memorial
 3. Exceeding Page Limits 1 Mark per exceeding page
 4. Failure to include the section in the Memorial 3 Marks per section
 5. Failure to include the required information on the cover page 1 Mark per violation
- Failure to use the correct colour coding 2 Marks per Memorial

STRUCTURE OF THE COMPETITION

The Moot court Competition shall comprise of following rounds:

1. Preliminary Rounds: Each team will have to present both the sides i.e., Petitioner/Plaintiff or Respondent/ Defendant in this round. The top eight (8) teams, based on the cumulative score of memorials and preliminary rounds shall qualify for the quarterfinals.
2. Quarterfinal Rounds: The top eight (8) teams from the Preliminary Round shall proceed to the quarterfinals. This will be a knockout round; hence winners will be decided on the basis of courtroom win. The draw of lots will take place after this round.
3. Semi - Final Round: The winning 4 teams from the quarter finals shall proceed in this round. This round will again follow the knockout rule. The draw of lots will again take place after the competition of this round.
4. Final Round: The winner from each Courtroom fixture i.e., 2 teams from the semi -final round shall proceed to this round.

EXCHANGE OF MEMORIALS

- There shall be an exchange of memorials between the respective opponent participating teams as would be placed after the draw of lots in all the rounds of the competition.
- The teams are prohibited from making any marks on the memorials thus exchanged. They are also prohibited from making copies of such memorials in any form.
- The teams shall return the exchanged memorials to the Court Officer of the respective rounds.

RESEARCHERS' TEST

A written test will be conducted to decide the 'Best Researcher' on 13th October 2022 for 100 marks. The duration of the test is 30 minutes. Questions for the Researchers' Test will be framed on the basis of the Moot Problem. The test is open only for the researchers of the Participating Teams. In the event where there are only two members in a Team, any one member can appear for the test. In case of a tie, the scores given for the memorial will be considered to decide the Best Researcher.

SCOUTING

Scouting is strictly prohibited. Scouting by the speakers, researcher or any other person affiliated with a team will lead to instant disqualification of such a team. Scouting is found to have committed if any person affiliated with the oral submission of any team other than it is participating or reading the memorial of a team except its own or the memorial obtained on account of exchange of memorials.

MISCELLANEOUS

- **Accommodation and Food:** Food and accommodation shall be arranged for all the teams in the University Campus from 13th to 15th October 2022.
- **Travel Details:** Teams are requested to inform the Organizers about their travel plan by filling the form provided in the brochure along with the Registration form. Any changes in the given plan should be intimated to the Organizers well in advance.
- **Discipline:** Laptops and Mobile Phones are not allowed when the court is in session. Participants are expected to maintain discipline while on campus. Incidents of eve teasing or any kind of misbehaviour will be taken seriously, and the teams will be disqualified from further participation. The participants shall not stray around once they report to the College for participation in the Competition. Smoking and drinking is strictly prohibited on the college campus.
- **Interpretation of Guidelines:** All interpretations are at the complete discretion of the Organizers & the Institution. The decision so made shall be final and binding on all participating teams.
- **Clarifications:** Communications regarding any clarification may be sought through email or through contact numbers given below:
Email: mcasol@sandipuniversity.com



MOOT COURT PRICE MONEY

First place

INR 21,000

Runners Up

INR 15,000

Best Researcher

INR 5,000

Best Speaker

INR 5,000

Best Memorial

INR 5,000



MOOT COURT FACULTY CONVENOR



Mrs. Dhanya John
Faculty Convenor
Moot Court Association
School Of Law , Sandip University

MOOT COURT STUDENT CONVENOR



Ms. Aastha Sharma
Convenor
Moot Court Association
School Of Law , Sandip University



Mr. Anurag Kalwale
Co- convenor
Moot Court Association
School Of Law , Sandip University

**SCHOOL OF LAW, SANDIP UNIVERSITY MAHIRAVANI, TRIMBAK
ROAD, NASHIK – 422 213**

Website: <http://www.sandipuniversity.com>



Email: mcasol@sandipuniversity.com



Ph: 8152025787 / 6265483951 / 9139107807