

2nd NATIONAL LEVEL MOOT COURT COMPETITION



SOUNDARYA
COLLEGE OF LAW

ORGANIZED

BY

THE MOOT COURT SOCIETY OF SOUNDARYA COLLEGE OF LAW



DATE:- 25th to 27th July 2024

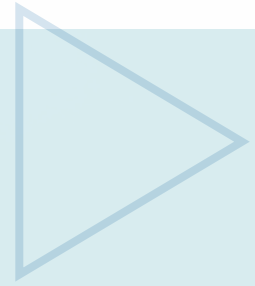
LAST DATE FOR REGISTRATION

**VENUE:-
SOUNDARYA COLLEGE OF LAW**

12th July 2024



About Soundarya Group of Institutions



Soundarya Educational Trust took its humble birth in the year 1993. The Trust has a reputed and respected history in providing exceptional and phenomenal educational outcome. Our versatile and immensely talented students and faculties are our strength and we give them the best platform to execute and exhibit all their talents to the fullest potential. Soundarya Group of Institution has two campuses where in quality education is given from Montessori to Higher Education.

We strongly believe in implementing lawyering skills in our students that is required to make them tough for the roads ahead and at the same time remain wise and humane. We understand that our students have different levels of learning because they come from varied backgrounds and special care is taken to encourage each one of them. Our faculties are also dynamic and highly qualified academicians who have a greater passion for imparting knowledge and being mentors. Through research and collaboration, we aim at fostering skills required for meeting the global challenges and increasing employability. As the saying goes "If everyone is moving together, then success takes care of itself," it is indeed a great team work here and we invite you to be a part of this success.

About Soundarya College of Law

Soundarya College of Law, a premier institution of Soundarya Educational Trust was established in 2017 and it is laudable that we are offering 5 years integrated B.A. LL.B., 5 years integrated B.Com. LL.B., and 3 years LL. B courses. The college strives to impart comprehensive legal education. The face of legal education in India has changed tremendously after globalisation and liberalisation. This change has motivated the younger generation to take up law passionately and at the same time focus on employability skills. Keeping these perceptions in mind Soundarya College of Law was established.



About Soundarya College of Law Moot Court Society

The Moot Court Society

The Moot Court Society of Soundarya College of Law is an active and vibrant student run society under the guidance of our faculty coordinators who have put immense efforts in undertaking various moot court activities and sending our teams to various National and International Level Moot Court Competitions.

The intent and objective of the society is to provide an opportunity to the students by encouraging and assisting them to develop their advocacy skills, research skills, oral advocacy skills and legal acumen. Furthermore, our society works towards sharpening the minds of students and assist them to be better lawyers to face the real-world situations not only by facilitating their participation but also by organising National and International Moot Court Competitions.

2nd National Level Moot Competition

The Moot Court Society of Soundarya College of Law, Bengaluru takes immense pleasure to announce and organise the 2nd National Level Moot Court Competition, 2024 from 25th to 27th July 2024. This Moot Court Competition aims to enhance legal drafting techniques, oratory skills and high-focus research acumen in law students which will equip them with the requisite skills for their future as advocates. The aim of this Moot Court competition is to engage with students and allow them to have a first-hand experience of the complexities and practicalities of law.

AWARDS & CERTIFICATES

- Winning Team - INR 30,000/-
- 1st Runner Up - INR 20,000/-
- Best Mooter - INR 5,000/-
- Best Researcher - INR 5000/-
- Best Memorial - INR 5000/-

A certificate of participation shall be awarded over to all the participants after the completion of the moot court competition which will stand testament to their efforts and participation in the competition.

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Sl. No	Event	Date
01	Release of moot proposition	13th June 2024
02	Last Date for Provisional Registration with Payment	12th July 2024
03	Confirmation of Registration and Participation	15th July 2024
04	Registration Deadline (closure of online google application form)	15th July 2024
05	Submission of Registration Form (Hard Copy)	16th July 2024
06	Last date for Memorial Submission (Soft Copy)	17th July 2024
07	Last date for Memorial submission (Hard copy)	19th July 2024
08	Formal Registration	24th July 2024
09	Inaugural Ceremony	24th July 2024
10	Draw of Lots and Exchange of Memorials	24th July 2024
11	Researcher Test	25th July 2024
12	Preliminary Rounds	25th July 2024
13	Quarter Finals	26th July 2024
14	Semi Finals	26th July 2024
15	Finals	27th July 2024
16	Valedictory Ceremony	27th July 2024



GENERAL REGULATIONS

- Date: 25th to 27th July 2024
- Teams: Each participating team shall comprise a minimum of two (2) members and a maximum of three (3) wherein two (2) members, shall be designated as speakers and one (1) member as researcher (optional).
- Official language: The official language for the moot court competition shall be English.
- Queries and clarifications shall be responded and communicated through email only.

Eligibility criteria

- All participating students must be enrolled in an undergraduate i.e., 3 Year / 5 year law programme conducted by any college or university.
- Only one team will be allowed to register per college in this competition.

Dress code: -

- Gentlemen: Western formals, i.e., Black blazer, white shirt, black trousers and tie.
- Ladies: Indian formals i.e., Salwar-kurta (black / white) or western formals i.e., Black Blazer, white shirt, black trousers and tie.

Allotment of team codes: -

- After the completion of main registration, the organizing committee shall respond to each registered team, with a unique team code, which shall be used to identify the teams during the competition.
- Team code allotted to every team should be quoted in any and every further Communication with the organizing committee.
- The team codes shall remain unchanged till the conclusion of the competition.

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REGISTRATION DETAILS: -

- 1) All the participating institutions have to confirm their participation by completing the following steps:
 - a) Filling the google form ([link given in this brochure](#)) with the documents to be uploaded prior to 12th July 2024.
 - b) By sending the hard copy of the duly filled registration form along with enclosures which must reach the organisers by 16th July 2024 via Speed Post / Courier.

FEES AND PAYMENT: -

- 1) The Participating Teams are required to pay INR 3,000/- as registration fees.
- 2) The details for online payment is given in this brochure.
- 3) The registration link would be closed on 12th July 2024
- 4) Non-payment of registration fees shall result in cancellation of registration of the participating team.

REGISTRATION AND FEES

The registration fees of Rs.3,000/- must be paid on/before 12th July 2024

- Amount shall be transferred to:-
 - Account Name: - The Principal, Soundarya College of Law
 - Bank Name: - Axis Bank
 - Account Number: - 918010111919890
 - IFSC Code: - UTIB0002926
 - Branch: - 8th Mile Tumkur Road, Bangalore



Faculty Coordinators: -

- 1) Mr. Shivakumargouda Patil
Assistant Professor
Mobile No.: - 9986789076

- 2) Ms. Pranitha Pai
Assistant Professor
Mobile No.: - 8800940368

Student Coordinators:

- Ranjitha S. 5th Year B.Com. LL.B.
- Beeresh 5th Year B.Com. LL.B.
- Shwetha J. 5th Year B.Com. LL.B.
- Shivani Singh 5th Year B.Com. LL.B.
- Chandana R. 5th Year B.A. LL.B.
- Yashaswini 3rd Year LL.B.
- Priyashree 4th Year B.Com. LL.B.
- Bhanupriya 4th Year B.A. LL.B.
- Rupini Nag 2nd Year LL.B.
- Rudresh D. 2nd Year LL.B.

How to reach us:-

Nearest Railway Station: Yeshwantpur Railway Station 31 min (12.6 km)

Nearest Airport: Kempegowda International Airport, Bengaluru 57 min (39.2 km)

Nearest Bus Station: Kempegowda Bus Station, Majestic 39 min (16.7 km)

Nearest Metro Station: Nagasandra Metro Station

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Moot Court Problem¹

Association for Quality in Academics (AQUA), Vidyāpura

v.

Principal Secretary, Department of Education, Government of Sukrita Nādu

Sukrita Nadu was created as a state in the Union of India after consolidating the areas in which Sukrita was the spoken language of people through reorganization of states on the basis of language. The state is known for well developed urban centres which have become education hubs. Due to quality education imparted by the competitive private institutions, schooling in these centres was in high demand. The children of affluent people who could afford paying fees of these private institutions were getting quality education while the students of poor parents were consigned to government schools wherein the medium of instruction was Sukrita as against English. The Right of Children to Free and Compulsory Education Act, 2009 which was enacted by the Parliament of India was adopted by the State of Sukrita Nadu and it formulated the Sukrita Nadu Right of Children to Free and Compulsory Education Rules, 2012. Under the Act, at least twenty-five per cent of the seats (RTE quota) in private schools were to be reserved for children belonging to weaker section and disadvantaged group in the neighbourhood and provide free and compulsory education. As a part of this arrangement, the fees of students admitted in RTE quota was to be reimbursed to the private schools by the government. This development was a dream come true to the poor parents and they were so happy that their children also got good education. The introduction of 25% of the seats in neighbourhood private schools led to decline in enrolment of students in government schools and government aided schools and some of the schools were on the brink of closure. At the same time the RTE quota imposed a burden of around rupees 2000 crores per annum by way of reimbursement fees to private institutions.

Sukrita Bhasha Rakshana Manch is a private organization, which has the support of all well decorated literatures, it is an organization which has always stood for preserving and protecting Sukrita language whenever they perceived threat to it. It had played a pivotal role during the linguistic reorganization of states. This organization was moved by the steep decline in enrolment of students in government and government aided schools; it felt that there is a threat to the survival of Sukrit language in its own state. It initiated "Save Sukrit Abhiyan" and called for a state level bundh to save the government schools and government aided schools on 2-10-2023. The bundh was total. It also led to destruction of public property in large scale as it almost became movement of common people who had given a place of pride in their hearts to their mother tongue. These events led to appointment of a commission under the Chairpersonship of Smt. Candika, a former judge of the Supreme Court.

1. This Moot Court Problem is prepared by Dr.C.S.Patil, Research Director, Karnataka Institute for Law and Parliamentary Reform, Bengaluru; former Professor and Dean, Karnataka State Law University, Hubballi exclusively for the National Moot Court Competition organized by the Soundarya College of Law, Bengaluru.



Justice Candika Commission submitted its report on 10th January 2024. The principal recommendations of the Commission inter alia are; (1) The state government should initiate immediate steps to save the government schools and government aided schools. (2) The prodigious amount of money which the government gives to the private schools by way of reimbursement of RTE students fees can be used to tone up and upgrade government schools and aided schools to enhance the quality of education.

Acting on the basis of Justice Candika Commission report the Government of Sukrita Nadu amended the Sukrita Nadu Right of Children to Free and Compulsory Education Rules, 2012 to the effect that a child could be admitted to a private school only when there are no government schools or government aided schools in the neighbourhood. This was done by inserting the following proviso to Rule 4;

“Provided that no unaided school falling under such clause (iv) of clause (n) of Section 2 of the Act shall be identified for the purpose of admission of disadvantaged group or weaker section, where government school and aided schools are available within the neighbourhood.”

The amendment was brought into force with effect from 5th February 2024. As a result of this the 25% of the seats which were earlier available in all the private schools got restricted to only few schools where the government schools and government aided schools were not available in the neighbourhood. The number of RTE seats got drastically reduced and in urban centres it almost came to zero. This was a boon to the private schools located in urban centres as they felt relieved of the 25% RTE quota students as it was leading to lot of problems from disparity in the learning levels of students to taking reimbursement of fees from the government.

Association for Quality in Academics (AQUA), is an NGO situated in Vidyapura, the capital of Sukrita Nadu and was campaigning for the cause of access to quality education to the children of downtrodden and poor families. It was striving from year to year to secure admissions to those children in private schools so that they get the benefits of schooling on par with children of affluent families. It felt that these amendments have focused only on accessibility and not on quality. In its opinion, accessibility without quality is of no relevance and consequently defeats the very fundamental right guaranteed under Art.21A of the Constitution. It has challenged the amended rules before the High Court of Sukrita Nadu alleging violation of fundamental rights under the Constitution of India and rights under the Right of Children to Free and Compulsory Education Act, 2009. It is contended on behalf of AQUA that:

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- (i)The amended rules are in violation of the fundamental right to free and compulsory education under Art.21A of the Constitution.
- (ii)The amended rules are in violation of the Fundamental Right to Equality under Art.14 of the Constitution.
- (iii)The amended rules are ultravires the Constitution and the Right of Children to Free and Compulsory Education Act, 2009.

The State of Sukrita Nadu has refuted all the contentions arguing that there is no fundamental right conferred under Art.21A of the Constitution, that the rules framed are reasonable and not in violation of Art.14 and the State is well within its powers to amend the rules.

Note: The Sukrita Nadu Right of Children to Free & Compulsory Education Rules, 2012 are same as the Karnataka Right of Children to Free & Compulsory Education Rules, 2012

Disclaimer:

The facts mentioned in the present case are fictitious and have been drafted solely for the purpose of the moot court competition. The facts, names, locations, and dates bear no resemblance to any person, event or happening whether dead or alive. Any resemblance, if found is purely coincidental.



Registration Form
(To Be Filled In Block Letters)

Institution Details	
Name of the Institution / University	
Address: -	
Contact No of the Institution: -	
Faculty Coordinator:-	
Designation:-	
Email – ID:-	

SEAL AND SIGNATURE OF THE HEAD OF THE INSTITUTION / UNIVERSITY

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PARTICIPANTS DETAILS		
MOOTER – I		PLEASE PASTE A SELF ATTESTED RECENT PASSPORT SIZE PHOTOGRAPH
Name		
Gender		
Semester And Course		
Contact No		
Email Id		

MOOTER – II		PLEASE PASTE A SELF ATTESTED RECENT PASSPORT SIZE PHOTOGRAPH
Name		
Gender		
Semester And Course		
Contact No		
Email Id		

RESEARCHER		PLEASE PASTE A SELF ATTESTED RECENT PASSPORT SIZE PHOTOGRAPH
Name		
Gender		
Semester And Course		
Contact No		
Email Id		



REGISTRATION FEE DETAILS

TRANSACTION ID / DD /NEFT / UPI ID :-	
MODE OF PAYMENT	
AMOUNT PAID	
PAYMENT ATTACHMENT LINK	
DATE & TIME :-	

DECLARATION

We, hereby declare that the institution and its team members will abide by all the rules of the competition set by the organizers and as notified to us from time to time throughout the period of the competition.

We also declare and confirm that all the information provided to the organizers in the registration form is true and accurate to the best of our knowledge.

In case of non-compliance or violation of any rules or regulations on our part, the organizing body shall reserve the right to cancel our registration/candidature.

Signature of Mooter -I

Signature of Mooter -II

Signature of Researcher

Seal and Signature of the
Head of The Institution/ Department

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<u>TRAVEL DETAILS</u>		
01	Name of the Institution & Address	
02	Name of the Participants	1. 2. 3.
03	Primary Contact Number of the Faculty	
04	Alternative Student Contact Number	
05	Email – ID:	
06	Mode of Transport	
07	Date & Time of Arrival	
08	Date & Time of Departure	

Signature of Mooter -I

Signature of Mooter -II

Signature of Researcher

Seal and Signature of
The Head of The Institution/ Department



Rules & Regulations Of The Moot Court Competition Memorials

1. The requirement for memorials as detailed under this section must be strictly followed and any non-compliance of the same will attract penalties in the form of deduction of marks.
2. Each team must prepare memorials for both the sides to the dispute (Petitioner and Respondent).
3. The last date for submitting the Memorials (for both Petitioner and Respondent sides) in soft copy is 17th July 2024 prior to 12-00 am and the Memorials submitted within the deadline shall be considered and judged for the "Best Memorial" Award.
4. Once the Memorials have been submitted, no revisions, supplements or additions to the Memorials will be accepted.
5. The soft copy of the Memorials shall be sent via e-mail to: sclmcs@soundaryainstitutions.in with subject line "Memorial Submission – Team Code". The Soft Copy should be sent in Microsoft Office Word Format [.doc or .docx]. Attachments should be titled as <Team code > <PET> for Petitioner side and as <Team code> <RES> for Respondent side. e.g. SCLMCC002 PET and SCLMCC002 RES.
6. No soft copy submissions shall be accepted in any case after 12-00 am (23:59Hours) of 17th July 2024 to sclmcs@soundaryainstitutions.in
7. Six (6) hard copies of each of the memorials for Petitioner & Respondent shall be sent to the organizers to ensure that it reaches prior to 19th July 2024 via speed post / courier.
8. The participating teams should bring additional copies of memorials for Petitioner and Respondent for their use during the competition.
9. If the Organizers observe any differences in the soft copy and hard copy of the Memorials, the same may lead to disqualification of such team.
10. It shall be the sole responsibility of the respective Participating Teams to ensure that the correct number of soft and hard copies of the Memorials are submitted to the Organizers within the prescribed deadlines.

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11. Format Of Memorials: -

i. Cover Page: The cover page of the memorial must state the following:

- Team Code on upper Left-hand side corner.
- The Case Titles
- Colour of the cover page must be:
 - Blue in case of Petitioner
 - Red in case of Respondent

ii. The Table of Contents.

iii. The Index of Authorities.

iv. The Statement of Jurisdiction.

v. The Statement of Facts

vi. The Statement of Issues.

vii. The Summary of Arguments

viii. The Arguments Advanced/ Body of Arguments

ix. The Prayer

Main Text

- Font type: Times New Roman
- Font Size: 12
- Line Spacing: 1.5
- Margins: 1 inch on each side

Foot notes

- Font type: Times New Roman
- Font Size: 10
- Line Spacing: 1



12. Memorials must be SPIRAL BOUND only.
13. Page numbering should be at the bottom middle of each page.
14. The memorials must not contain any annexure / photographs / sketches / exhibits/ affidavits, etc.
15. The mode of citation must be according to 21st Edition Bluebook.
16. Teams shall cite authorities in their Memorials by following a uniform style of citation for case laws.
17. The Memorials shall not, in any way, disclose any fact pertaining to the identity of the Participating Team, its Members, or the Institution/College/University so represented.

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Marking Of Memorials: -

Every Memorial shall be marked on a total of 100 marks and the team memorial marks will be the average of the total of both sides. The following shall be the marking scheme:

Sl . No	Criteria	Marks
A.	Knowledge of Facts and Law	30
B.	Analysis, Organization and Clarity	25
C.	Extent and Use of Authority	20
D.	Correct Format and Citation	15
E.	Grammar and Style	10
	Total	100

Maximum of 20 marks shall be deducted for any instances of plagiarism detected in the memorials depending on the level of similarities.



RESEARCHER TEST:-

A Researcher Test shall also be conducted for adjudicating the "Best Researcher" in which Speakers shall not be eligible to participate in the test.

However, in case of a team of 2 members, one of the speakers shall be eligible to appear for the Researcher Test and that shall be notified to the Organizers at the time of Formal Registration.

Scoring: - The Marking Scheme for the evaluation of the oral arguments shall be the following:

Sl . No	Criteria	Marks
A.	Knowledge of Facts and Law	20
B.	Logic and Reasoning to apply the Legal Principles	20
C.	Ability to answer questions	20
D.	Time Management and organization	20
E.	Court Etiquettes/ Deference to the court	10
F.	Persuasiveness	10
	Grand Total	100

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Rules For Researcher Test:-

In case of a two-member team, one member from the team will be allowed to take the Researcher test who shall be identified during the formal registration on 24th July 2024.

The test shall contain questions related to the moot problem and the relevant law.

The researcher test shall be conducted in offline/physical mode only.

In tabulation of result for the researcher's test the total marks obtained by the researcher plus fifty percent of the memorial score will be considered. In case of a tie, the researcher with the higher memorial score will be allotted higher rank.

If the tie subsists, the researcher belonging to the team with the higher aggregate score will be allotted higher rank. If the tie still subsists, then the rank shall be determined by toss.

Oral Rounds: -

In each oral round, a team shall be represented by two speakers to present the arguments. The researcher shall not participate in the arguments but is required to be present during the Oral Rounds.

Preliminary Rounds :-

Each team will be given a total of 30 minutes to present their case. The time includes questioning by judges. The division of time is left on the discretion of the team members, subject to a maximum of 18 minutes per speaker. Division of time should be informed to the Court Assistants/Clerks at the beginning of the round. The oral arguments need to be confined to the issues presented in the memorials. Passing of notes to the speakers by the researcher during the rounds is allowed. A maximum of 5 minutes may be reserved for rebuttal and sur-rebuttal. Judges may at their discretion, extend the time allotted for the oral arguments. In the Preliminary Rounds, each Team shall argue once as a Petitioner and once as a Respondent. All teams are expected to carry any case law and authorities with themselves which they intend to refer to.

Quarterfinal, Semi-Final & Final Rounds :-

- The quarter-finals, semi -finals, and Final rounds will be held on a knock out basis
- The time limit in the Quarterfinals and the Semi-finals is 40 minutes for each team.
- In the Finals, each team will get a total of 50 minutes to present each side of the case. Total 100 minutes.
- The division of time is left on the discretion of the team members, subject to a maximum of 30 minutes per speaker. Division of time should be informed to the Court Assistants/Clerks before the beginning of the rounds. The oral arguments need to be confined to the issues presented in the memorials. Side, the Participating Team will be arguing for, will be decided by a draw of lot.



Scouting:

- Scouting is strictly prohibited. Teams found scouting will be disqualified immediately.
- If any team does not appear after 10 minutes after the commencement of any round as per the scheduled time, the team which did not appear shall be deemed to have given a walkover and the opponent team shall be declared as winners of the round.
- The Committee reserves the right to take decisions on any matter not mentioned in the Competition Rules. Any such decision taken by the Committee shall be final and binding on all the team.
- Any form of recording of the oral pleadings shall not be permitted.

Anonymity: -

The names of the team members, faculty co-ordinator, institution, state or city shall not be on any portion of the Memorial. The Team Number is a substitute for the team's institutional affiliation.

Note: All participants shall refrain from wearing, using or carrying any form of identifiable items, such as badges, blazers, pins, books/bag with a college/university/library logo or seal or any other identifiable material.

Announcement Of Results: -

- a) The results of the Preliminary rounds shall be announced shortly after the completion of both the rounds.
- b) The results of the Quarter-final and Semi-final Round shall be announced shortly after the completion of each round.
- c) The winners of the competition will be announced during the valedictory ceremony on 27th July 2024.

Miscellaneous :-

- Participants are required to maintain proper decorum in the court during the competition.
- The organizers and administrators reserve the right to take appropriate action for any unethical, unprofessional or immoral conduct throughout the course of the competition.
- The organizers and administrators reserve the right to vary, alter, modify or repeal any of the above rules if so required and as they deem appropriate.
- All official communications will be made to the email submitted by them at the time of Registration.



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FOR CLARIFICATIONS CONTACT

THE PRINCIPAL

Soundarya College Of Law
Soundaryanagara, Sidedahalli,
Nagasandra Post, Bangalore – 560073

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+917760933289
+919986789076

Email id:- sclmcs@soundaryainstitutions.in