



Bharath
INSTITUTE OF HIGHER EDUCATION AND RESEARCH
(Declared as Deemed - to - be University under Section 3 of UGC Act, 1956)



Bharath INSTITUTE OF LAW
(School of Law)

1st NATIONAL MOOT COURT COMPETITION

31st MARCH – 02nd APRIL, 2023

BHARATH INSTITUTE OF LAW

(SCHOOL OF LAW)

173, AGHARAM ROAD, SELAIYUR, CHENNAI -600 073,

TAMIL NADU.



ABOUT BIHER



Bharath Institute of Science and Technology (BIST) has started with Sri Lakshmi Ammal Educational Trust as the first Self-financing Engineering College in Tamil Nadu in 1984 by Dr. S. Jagathrakshakan. The trust then established Sree Balaji Dental College and Hospital in 1989. Sree Balaji Dental College and Hospital was the first recognized Deemed to be University by MHRD in July 2002, u/s 3 of UGC Act 1956 and placed under the purview of new trust of Bharath Institute of Higher Education and Research (BIHER). The Bharath Institute of Science and Technology (BIST) and other institutions (below) were then brought under the ambit of Bharath Institute of Higher Education and Research (BIHER).

Thus, Bharath Institute of Higher Education and Research (BIHER) is providing multi-stream, multi-cultural and high quality education to nearly 10,000 students from all around the world. It is functioning in a sprawling area of 603 acres of land with 1.3 crore sq.ft buildings located in 6 Campuses both in Tamil Nadu and Puduchery with the State of the art infrastructure facilities. There is a panel of well-qualified faculty members to guide and teach various UG and PG programmes .



ABOUT BIL

Bharath Institute of Law (BIL) enters Indian legal education domain with the promise of new vistas of learning at comparatively comfortable cost. The Globalization scenario connects the world by associating with modern institutions and attracts Indian youth to study abroad. The road to superior and competitive higher standards has set by IITs, IIMs in the field of engineering and technology.

The experiment for qualitatively enriched legal education came up effectively in the National law schools to a greater extent. BIL, a variant of legal education, is a modern species of its own kind and looks forward to bring in a wholesome environment blended with professional learning and training in advocacy. It has aimed in mastering legal methods and inner depth of the conceptual knowledge thoroughly to focus on research. Fine tuning is immense necessity at this stage. BIL plans to introduce a number of advanced centres of specialisation exclusively to concentrate on research. Students will be able to go through all these courses in the portals of the Institute to avail and attain distinction.

Creating them a space and identity, Bharath will endeavor to build its infrastructure suitable for all types of learning which enhances the transition of a complete lawyer true to its sense.

The primary objective of the Bharath Institute of Law is to evolve and impart the quality legal education. Recent activities has demonstrated in the promotion of clinical legal education to the continuing need of the society. The law universities have to take a serious and proactive stance to this form of pedagogic instruction for a better future.

On the wake of this scenario, our respected Dean Prof (Dr). Gopal, a visionary with practical insight has made mandatory to impart clinical legal education along with the class room based education . This has become the leaping step to enshrine the philosophy of legal education along with ethical values.



GENERAL RULES

- **“Organizers”** means the Moot Court Committee, Bharath Institute of Law, BIHER.
- **“Competition”** means the 1st National Moot Court Competition, 2023.
- **“Participating Team”** means the team which has registered themselves 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.

DATE & VENUE OF THE COMPETITION

The 1st National Moot Court Competition, 2023 shall be held from 31/03/ 2023 to 01/04/2023 and the venue for the same shall be, Bharath Institute of Law, Bharath University, Chennai.

REGISTRATION

- The Registration Fee is INR 4,000/- With Accommodation which shall be payable through IMPS/NEFT/NET BANKING/ GPAY OR PHONEPE BANK TRANSFER.



ACCOUNT DETAILS

NAME OF THE ACCOUNT: BHARATH INSTITUTE OF LAW

ACCOUNT NO: 4557002100001887

IFSC CODE: PUNB0455700

BRANCH: BIHER TAMBARAM.

- **The confirmation of the names at the time of online registration shall be treated as final and no change of name shall be allowed thereafter, except if it is found to be necessary at the sole discretion of Organizers.**
- **The Registration Fee is non-refundable and no claim for refund of fee shall be entertained at any stage.**

Registration link: [BIL NATIONAL MOOT](#)

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 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 are duly enrolled and 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 respectively. 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 total of 26 teams from different institutions will be participating in the competition on first come first serve basis and **ONLY TWO TEAMS** are allowed to register for the Competition from same institution.

MEMORIAL

1. Each team participating in the Competition must prepare a Written Submission on behalf of the Petitioner/Appellant 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 1 soft copy of the memorandum via mail in both PDF and Word format, latest by 20/03/ 2023, 11:59 P.M. The memorials shall be mailed to the Official Email – bilmootcourtassociation@gmail.com 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 – BIL01”**. 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 **“BIL01P” AND “BIL01R”**, **“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. 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 the parties**
- 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 the right to refuse acceptance of any memorial which is in violation of any 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, the font shall be Times New Roman font size, shall be 10 with line spacing of 1.0.
10. Page numbering shall be at center 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/Appellant 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 **4 hard copies** for each petitioner and respondent side shall physically reach the university by the **24/03/ 2023**. (To Address : The Dean, Bharath Institute of Law, Agharam Road, Selaiyur, Chennai - 600 073.)
15. Submission of the Memorials after the specified deadline shall result in a deduction of two (2) marks each day. Failure of submission of memorial would result in disqualification of the team from the competition.
16. Every Memorial will be marked on a total of 100 marks. The following are the criteria for the evaluation.



S.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

17. Maximum marks for the oral rounds shall be 100 marks per speaker per judge. The decision of the Judges with regard to the outcome of the rounds shall be final. The oral rounds shall be evaluated out of 100 marks and the basis for evaluation shall be as follows:

S.NO	CRITERIA	MARKS
1	Knowledge of facts and Law	20
2	Application of Law to Facts	20
3	Ingenuity and Ability to Answer	20
4	Court Manners	20
5	Time Management	10
6	Coordination	10



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 debarring participants from mooting in 1st Bharath National Moot Court Competition 2023. The Organizing Committee in consultation with the memorial judges will take a final decision regarding determination of cases of plagiarism.

CONDONATION OF DELAY

Deduction of marks for late submission of hard copies of the Memorials, 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 required information on the cover page 1 Mark per violation**
- 5. 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 Round:** Each team will have to present both the sides i.e., Petitioner/Appellant 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 Round:** 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 4 winning teams from the quarter finals shall proceed to 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

- 1. There shall be an exchange of memorials between the respective opponent participating teams and would be placed after the draw of lots in all the rounds of the competition.**
- 2. 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.**
- 3. 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 01/04/2023 for 50 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 case of a tie, VIVA round will be conducted 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 31/04/ 2023 (4.00pm) to 02/04/2023 (1.00pm).

Travel Details: Teams are requested to inform the Organizers about their travel plan (Date and Time of Arrival) through the official Mail Id: bilmootcourtassociation@gmail.com. Subject of the mail shall be "Travel Plan – Team Code"

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.



MOOT PROPOSITION

1. The Republic of Bhoomi is a peaceful country with similar laws and customs as applicable in the country of India. Mr. Vel Murugan, is an industrialist in the field of textiles and is counted among the richest in the country of Bhoomi. Rajesh is the second child of Mr. Vel Murugan. They hail from district of Aruvi in the State of Kandigai and Rajesh is a student of one of the prestigious institute of Bhoomi.

2. Varshini is the youngest daughter of Mr. Moorthy and he is also an industrialist in the field of textiles and a tough competitor to Mr. Vel Murugan. Despite the rivalry in the business field, Mr. Vel Murugan and Mr. Moorthy, have known each other for more than 30 years and their families share a good bond.

3. Varshini, had completed her under graduation and moved to Aruvi district to pursue her higher education. Since Varshini's university was close to Mr. Vel Murugan's residence, Varshini moved in with Mr. Vel Murugan's family with her family's consent.

4. During Varshini's stay in Vel Murugan's family, she became close with Rajesh, and fell in love with him and they started to spend time together with each other. Varshini started to bunk her classes in order to spend time with Rajesh as she was obsessively in love with him.

5. Varshini was irregular in her studies and the college Professors noticed her changed behaviour of talking alone to a wall and screaming with weird sounds, hence they informed the same incident to Rajesh. Considering the welfare of Varshini, he took her to a psychiatrist who diagnosed her with early stage of Obsessive Compulsive Disorder (OCD) and prescribed her medications for the same and advised her that non adherence of medication will lead to serious mental illness.

6. They both kept their relationship a secret from their families fearing that their families might oppose their relationship. Varshini's friend Venba is the only one who was aware of their relationship and supported them. They both were in a physical relationship and Rajesh promised Varshini that he would marry her after her graduation.

7. Since Varshini did not attend her classes regularly, the university sent a letter to Varshini's family stating that Varshini is not eligible to attend the exam due to lack of attendance. Mr. Moorthy was shocked by the news and contacted Mr. Vel Murugan's family, but they assured him that Varshini was regularly attending the university.



MOOT PROPOSITION

8. Mr. Moorthy being sceptical of Varshini's conduct came to Aruvi to find out the truth. When they arrived at Mr. Vel Murugan's residence, they caught Varshini and Rajesh being in a physical relationship and concluded that she was irregular for her classes due to her relationship with Rajesh. Their relationship brought a shock to both the families.

9. Varshini was made to discontinue her studies and was forced to move in with her parents at her hometown, Nagur. Varshini's parents started searching for a groom despite her disapproval. At first, Varshini resisted the marriage proposals, but later she agreed to marry the groom of her parent's choice as she was left with no other option.

10. After a couple of years, Rajesh moved on assuming Varshini turned a new leaf in her life and hence he married Sangeetha. At the same time, Varshini got divorced from her husband and moved in with Venba in Aruvi. When Varshini enquired about Rajesh, Venba told her that Rajesh got married six months ago to Sangeetha. Varshini insisted on meeting Rajesh and Sangeetha to wish them on their new beginning and hence Venba agreed to take Varshini to Rajesh's residence.

11. On 08.08.2022 Venba and Varshini met Rajesh and Sangeetha, Rajesh was shocked at Varshini's arrival and managed to introduce her as his old friend. Varshini gifted the couple a wall clock. Rajesh invited Varshini and Venba for dinner. During dinner, Rajesh enquired Varshini about her mental illness and she informed him about her divorce, and he comforted her. After dinner, Varshini and Venba returned home.

12. One week later, on 15.08.2022 Rajesh was on a business trip to Mudichur and Sangeetha received an online message from an anonymous number which stated as: "Sangeetha your happiness will not last long, divorce your husband if not your photos will be published on porn sites. Have fun with the photos." By the time she read the message she received certain photos from the same number which contained photographs of Sangeetha in different poses, while sleeping; changing her clothes etc. Some of which were half-nude photographs. Sangeetha was shocked to see the photos of her private life.

13. On 18.08.2022 at about 9:30 PM Sangeetha received a phone call and a male voice repeated the same words as were written in the message and added that "Sangeetha you might have received your photos, divorce your husband if not you'll die soon." Horrified Sangeetha hung up the phone and as soon as her husband returned home at 10.00 PM from the trip, she intimated him about the happenings.



MOOT PROPOSITION

14. Sangeetha and Rajesh decided to lodge a complaint, at D3 Aruvi Police Station. Police took action on the information provided by Sangeetha and started an investigation. The investigating Officer found that the call received by Sangeetha was from a Public Telephone Booth located at Mudichur. Even police were clueless regarding how the personal photographs of Sangeetha were clicked and couldn't find any trace as who shared such photos.

15. During the course of the investigation, the couple found out that they were expecting a baby. In order to celebrate Sangeetha's pregnancy and to boost her mood, on 21.08.2022 Rajesh arranged a small get-together which comprised of their acquaintances including Varshini and Venba.

16. When the party was about to start everyone in the party got a notification of Sangeetha's intimate pictures. Frightened Rajesh tried reaching Sangeetha but she was nowhere to be found. Everyone including Rajesh started searching for her and he found Sangeetha's broken bangles near the pool and when he reached the swimming pool, he found her drowned in the pool unconsciously. Rajesh rescued Sangeetha and admitted her to the hospital. Fortunately, Sangeetha was alive. Since she was pregnant, Sangeetha was kept in ICU for medical observation until she regained consciousness.

17. A week later Sangeetha regained her consciousness, when police came to collect the statement, Sangeetha couldn't recollect much and she remembered that Varshini called her near the pool and pushed her into the pool.

18. The cyber cell along with police started investigating the unresolved mystery of Sangeetha's bedroom photographs. On investigation it was found that the anonymous number from which Sangeetha received the photographs belonged to Varshini but there was no clue about the phone call with male voice.

19. Police arrested Varshini and during the investigation she hysterically laughed and made a statement that "since Sangeetha passed away, she need not have to share Rajesh with anybody" unbeknownst the fact that Sangeetha was alive.



MOOT PROPOSITION

20. During the investigation, the police revealed to Varshini that Sangeetha was alive and showed the intimate photos and questioned her, Varshini was enraged by the fact that Sangeetha was still alive and yelled that “No, Rajesh belongs to me” and further stated that “It was me who fixed the camera in wall clock and published Sangeetha’s intimate photos to ruin her reputation and since Sangeetha’s reputation is ruined, Rajesh will come back to me”. The Police recorded Varshini’s statement and also found a camera in the wall clock of Rajesh’s bedroom.

21. Venba intimated Varshini’s arrest to her parents. Varshini’s parents reached Aruvi and Stated that Varshini has been undergoing treatment for Obsessive Compulsive Disorder (OCD) for a couple of years.

22. During the course of trial at the Sessions court, Varshini denied charges of attempt to murder, and accepted her obsession towards Rajesh. And further added that she never had intention to harm Sangeeta as she is pregnant. When she was further interrogated, she stated that in a drunken state Rajesh expressed his feelings for her during the small get together and the statement was confirmed by Venba. She admitted that her obsession for him triggered due to this statement of Rajesh “I Still Love you as I did before 2 years”.

23. After collecting evidence, on 30.08.2022, the police filed charges under Section 307, 500, 506 & 509 of The Bhoomi Penal Code and Section 66 E, 67 & 67A of The Information Technology Act against Varshini.

24. Varshini pleaded insanity as a defence but the Session Court rejected her plea and sentenced Varshini to 10 years imprisonment and imposed a fine of Rs. 50,000. Aggrieved by the Conviction of sessions court Varshini appealed to the High Court of Kandigai.

NOTE:

- Students are at liberty to frame issues.
- The laws applicable are *Pari materia* with the Indian Laws.
- This Proposition is absolutely fictitious.



AWARDS

- 1. Winning Team: Cash Prize of INR 10,000/- + Trophy + Certificate**
- 2. Runner up Team: Cash Prize of INR 8,000/- + Trophy + Certificate**
- 3. Best Memorial: Cash Prize of INR 5,000/- + Trophy + Certificate**
- 4. Best Speaker: Cash Prize of INR 5,000/- + Trophy + Certificate**
- 5. Best Researcher: Cash Prize of INR 5,000/- + Trophy + Certificate**
- 6. A certificate of Participation shall be provided to all the participants.**

IMPORTANT DATES (TENTATIVE)

- 1. Commencement of Provisional Registration –26/01/ 2023.**
- 2. Last date for Registrations and Payment 18/03/ 2023.**
- 3. Last date to seek Clarifications – 19/03/ 2023 till 5:00 P.M.**
- 4. Release of Clarifications – 19/03/ 2023.**
- 5. Deadline for Memorial Submission (Soft Copies) – 20/03/ 2023.**
- 6. Deadline for Memorial Submission (Hard Copies) – 24/03/ 2023.**
- 7. Oral Rounds (Prelims & Quarters) and Researcher's Test – 01/04/ 2023.**
- 8. Oral Rounds (Semi-finals & finals) - 02/04/2023**
- 9. All Queries must be addressed to the official mail Id (Subject of the mail – Query & Team Code) or the Co-ordinators.**

CONTACT INFORMATION

OFFICIAL MAIL ID : bilmootcourtassociation@gmail.com

Faculty Co-ordinators:

- 1. Mrs. Vijayalakshmi S (Assistant Professor) - 9840976188.**
- 2. Ms. Jaya Saranya S (Assistant Professor) - 9884036666.**
- 3. Ms. Lavanya S (Assistant Professor) - 9629761424.**
- 4. Ms. Liji Shamilin V S (Assistant Professor) - 9764251455.**
- 5. Mr. Anbarasu Mahadevan (Assistant Professor) - 9884667086.**



Student Co-ordinators:

- 1. Ms. Arshiya Banu R - 6383130938**
- 2. Mr. Arunkumar N – 7094551906**
- 3. Mr. Gokul B – 7339573344**
- 4. Ms. Muffliha Sadaf A – 9342186892.**

