



# ILS Law College, Pune

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Pune, Maharashtra - 411004

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## **REMEMBERING PROF. S. P SATHE**

## **THE 15<sup>TH</sup> NATIONAL MOOT COURT**

## **COMPETITION**

## **2021**

7<sup>TH</sup> MAY to 9<sup>th</sup> May 2021 | ILS Law College, Pune

**BROCHURE**

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## **I. INDIAN LAW SOCIETY**

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The Indian Law Society was established in 1923 as a Public Charitable Trust registered under the Societies Registration Act. It is a non-profit organization established with the sole purpose of imparting legal education. The Society is a voluntary association of persons, who came together with a pledge to launch courses on law, formal and informal, where law and legal doctrines are taught with social utility, purpose, impact and social relevance. The founder members of the Indian Law Society were the legal luminaries like Sir Narayanrao Chandavarkar, Shri J. R. Nanasaheb Gharpure, Diwan Bahadur and P. B. Shingane. Indian Law Society established ILS Law College in 1924, with a view of facilitating infrastructure essential for the study of law. Establishment of the Law College by the Indian Law Society was indeed a pivotal moment in Indian Legal Education as the College exemplified academic excellence, social relevance, and professional competence. Imaginative realignment of written law or the hard law with a view to reorient them with the Indian social milieu has always been the strength of the Indian Law Society.

## **II. ILS LAW COLLEGE, PUNE**

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Established in 1924, ILS Law College is one of the oldest law schools in India and has been playing a pioneering role in legal education and scholarship in the country. Ninety-seven years since its establishment, the Law College has acquired the reputation of being a premier institution imparting quality legal education. Since its inception, ILS Law College has produced some of the most highly regarded contributors in the field of law. Three Chief Justices of the Supreme Court, Justice P. B. Gajendragadkar, Justice Y. V. Chandrachud, Justice E. S. Venkataramaiah, Former Governor of Maharashtra K. M. Reddy, Former Defence & Finance Minister and First Chief Minister of Maharashtra Y. B. Chavan, Former Minister of Commerce, Mohan Dharia, Former Chief Ministers of Maharashtra, Sushil Kumar Shinde and Vilasrao Deshmukh, all received legal education from ILS Law College. With its illustrious history and heritage, the institution has contributed immensely to the growth of legal profession and has upheld its tradition of producing meritorious legal scholars who dedicate themselves to public service and reform. The generations of distinguished legal luminaries who have been nurtured by this unique institution have made a seminal contribution globally to the evolution of the esteemed field of Law.

### **III. REMEMBERING PROFESSOR S. P. SATHE**

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Professor S. P. Sathe Foundation, set up by the Indian Law Society, organizes “Remembering S.P. Sathe event that consists of Public memorial lecture, Moot Court Competition, and Conference at ILS Law College, Pune on a specific theme with a view to commemorate his contribution to Indian Jurisprudence and Social Action and to encourage academic pursuit of law students.

Professor Satyaranjan Purushottam Sathe was a distinguished legal luminary and a renowned academician in the judicial universe of India. He held various positions in Universities and Law Institutes of repute. Professor S.P. Sathe had a long association with the Indian Law Society. He was the Principal of ILS Law College from 1976 to 1991. He was also the Secretary of the Indian Law Society until 2002. He was the Founder Director of the Institute of Advanced Legal Studies. He was also the President of the Maharashtra People’s Union for Civil Liberties, and a Vice President of the National PUCL. Professor S. P. Sathe has been an authority on Constitutional Law, within the country and abroad. He contributed extensively to the field of legal education. His work on ‘Judicial Activism is appreciated worldwide. More than 100 articles written by him were published in national and international legal periodicals, magazines and journals. Books to his credit are, ‘Administrative Law’, ‘Judicial Activism in India: Transgressing Borders and Enforcing Limits’, and ‘Right to Know’. He also wrote in Marathi. He contributed to the Marathi Vishwakosh published by the Government of Maharashtra. He was invited to deliver lectures, and to participate in seminars as a resource person to different law Universities, institutions within and outside India. Known for his humility, Professor Sathe endeared himself to his colleagues and students alike. His commitment to Rights and Liberties of the people was deep and abiding.

#### IV. THEME OF THE MOOT COURT COMPETITION

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The theme of this year's moot proposition is '**Role of Forensic Science and Technology in Criminal Justice System: Challenges and Threats**'.

Technological revolution has brought a paradigm shift in the fields of forensic science. DNA profiling, lie detector tests, narcoanalysis are some of the most obvious and striking examples of such merger of scientific discovery, technological advancement and forensic application in criminal justice delivery system. There is an increased resort to the application of new technological advancements in forensic science to criminal investigation. The benefits are many folds; but primarily it has the potential to strongly increase the speed and efficacy of criminal investigation. While on the other hand the application of forensic tools has led to moral, legal and physical abuse of individuals. Use of forensic tools in criminal justice system raises serious issues of privacy rights and violation of human rights.

Essentially forensic science has to operate in a legal context. There are constitutional and other legal constraints on how a criminal investigation can be carried out. It also raises concerns about reliability and relevance of scientific evidence in criminal trials. Therefore it is necessary set out the rules regarding validity, reliability, admissibility and acceptability of scientific and digital evidence in criminal trials.

## V. MOOT PROPOSITION<sup>1</sup>

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### **MOOT PROBLEM**

1. Anamika Singhanian (Age 20 yrs), a fashion designing student in her second year of UG program, was living alone in an apartment at the plush Boulevard Royale Apartments – Pune. Gaurav Sharma (Age 21 yrs.), a student of the same college in his penultimate year, is a tech enthusiast. He had an infatuation for Anamika since the time she joined college. He usually stalked many girls on Instagram, Snapchat etc. Gaurav was usually accompanied by Saurav Gupta (Age 20 yrs.) and Mayank Malhotra (Age 20 yrs.) who were engineering students in the same city, on their clubbing, house parties, road trips etc. Saurav and Mayank belonged to political families. Saurav's mother namely Kamini Gupta is a local MLA in Pune city and Mayank's father namely Rakesh Malhotra is local party president of a political party.
2. On 01/01/2020 Gaurav contacted Anamika on Instagram and both exchanged numbers upon few hours of friendly conversation and decided to arrange a house party at Anamika's apartment. Accordingly, Gaurav, Saurav, Mayank and Nikita Sachdeva who used to reside nearby and is a close friend of Anamika gathered for the party on 25<sup>th</sup> January 2020. That Saurav and Mayank clicked some unsolicited photographs of Anamika and Nikita. Everyone left the place in the early morning hours of 26<sup>th</sup> January 2020. Nikita told Anamika in the afternoon on 26<sup>th</sup> January that 'she felt like Saurav and Mayank violated Anamika's privacy by touching her inappropriately while dancing' and suggested her to go live and knock out Gaurav's friends online for their misdeeds.
3. Furious Anamika went live on Instagram through her account on the same day i.e. 26<sup>th</sup> January 2020 at around 4 pm and narrated that she was harassed by Gaurav, Mayank and Saurav on the night of 25<sup>th</sup> January 2020 with all other details etc. That live session was seen by 150 friends of her including Gaurav and his friends.
4. The said Insta-Live session caused major embarrassment to families of Saurav and Mayank. The video got viral on social media and media started questioning Saurav's mother who is sitting MLA of the city. The incident brought huge humiliation for

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<sup>1</sup> The moot proposition is drafted by Mr. Vipul Dushing. (Alumni of ILS Law College, Pune and Advocate, District and Sessions Court, Pune.)

Mayank's father as well. They both denied any such involvement of their children and asked to initiate appropriate measures in that regard.

5. On 26<sup>th</sup> January 2020 at around 8 pm, Anamika received a text from Gaurav's cell phone number asking her to meet him at a secluded place outside the city. Thereafter Anamika went missing and on information provided by Nikita Sachdeva in this regard to Anamika's father namely Viren Singhania, they approached South House Police Station Pune and lodged a missing report and shared their suspicion on Gaurav Sharma. When South House Police Personnel reached Gaurav Sharma's home at around 2 am on 27<sup>th</sup> January 2020, he was found dead. His father Saumitra Sharma was immediately contacted and informed about the unfortunate event.
6. A report to that effect was registered at South House Police Station and necessary Inquest Panchanama was carried out with report of death by hanging and his body was forwarded for post mortem. Police recorded statements of various witnesses and seized the said video of Insta-Live Session by Anamika. Separate Teams of Detection Branch attached to Pune Police were deployed for investigation in the present matter.
7. That the Detection Squad of Pune Police nabbed 2 persons namely Daulat Ram (Age 30 years) and Naval Kishor (Age 27 yrs) from hotel namely Blue Sky Lodging in Panvel on the basis of secret information received in relation to an illegal arms case. The investigation further revealed their complicity in present case.
8. That accordingly a FIR was registered at South House Police Station on 25<sup>th</sup> February 2020 for offences punishable under S 302, 354, 354-C, 201, 120B r/w S 3(25) of Arms Act against Daulat Ram, Naval Kishor. Investigation was carried out in this aspect.
9. That thereafter, when investigating agency interrogated Daulat Ram extensively in his police custody remand, he consented to confess the crime on 2<sup>nd</sup> March 2020. Accordingly, Daulat Ram was produced before Magistrate and his confession was record on 3<sup>rd</sup> March 2020. That sum and substance of his confession is attached herewith. The confession was later on retracted by Daulat Ram stating coercion at the behest of the investigating agency. Accused Daulat ram and Naval Kishor gave memorandum statement and a panchanama was made in this regard. The investigating agencies were able to recover certain incriminating material from spot of the incidence as well.
10. That the investigation with respect to call details and number revealed that the number through which calls were made to Daulat Ram was registered in the name of



Kamlesh Sahu who was driver of Kamini Gupta. Accordingly a search operation was initiated to arrest Kamlesh Sahu, Kamini Gupta, Saurav Gupta, Mayank Malhotra and his father Rakesh Malhotra to assess and figure out their role and involvement in the said crime. Detection Squad Unit nabbed Accused Kamlesh Sahu, Kamini Gupta, Saurav Gupta, Mayank Malhotra and his father Rakesh Malhotra from various places and were taken into custody.

11. The miscellaneous parts of head in a decomposed state along with blood-mixed soil from the spot of incidence were dispatched for DNA profiling after taking necessary approvals in this regard. The incriminating articles including their mobile phones received from the Accused Naval Kishor, Daulat Ram as well as from spot of incidence including mobile phones of Kamlesh Sahu, Kamini Gupta, Rakesh Malhotra were forwarded to forensic analysis and necessary Call Details Records, Subscriber Details Records were procured from their telecom operators. A certificate under S 65-B of Indian Evidence Act was not filed in support of said CDR. The investigating agencies also recorded statements of certain eye witnesses however no TIP was conducted in this regard.
12. Accordingly a detailed charge sheet was filed by investigating agency attached to South House Police Station before the Ld Magistrate Court. That as the offence alleged were exclusively triable by Sessions Court, the case was committed to Sessions Court Pune for trial.
13. Accordingly charges were framed against following Accused:
  - i) Naval Kishor, ii) Daulat Ram, iii) Kamlesh Sahu, iv) Kamini Gupta,
  - v) Rakesh Malhotra, vi) Saurav Gupta, vii) Mayank Malhotraunder Sections 302, 354, 201, 120B of Indian Penal Code r/w S 3(25) of Arms Act and the trial commenced at the Hon'ble Sessions Court of Pune.
14. In order to bring home the guilt of Accused, the prosecution in and all examined 14 Prosecution Witnesses.
15. Details of material brought up on record and relied by prosecution to prove its case beyond reasonable doubt before the Trial Court :

Exhibit	Details	Particulars
1	FIR	Lodged by Viren Singhania
2	Spot Panchanama	<ul style="list-style-type: none"> <li>• Panch Gurudev Pande Examined.</li> <li>• Two KF 7.65 mm pistol empty without primer caps recovered from spot.</li> <li>• Fw – Forensic Analysis</li> </ul>
3	Inquest Panchanama	<ul style="list-style-type: none"> <li>• Deceased Gaurav Sharma – Death by Hanging.</li> </ul>
4	Confession of Accused Daulat Ram	<ul style="list-style-type: none"> <li>• Recorded before Ld Magistrate</li> <li>• Retracted by Accused.</li> <li>• Refer Annexure A</li> </ul>
5	Memorandum Panchanama of Accused Daulat Ram (Under S 27 of IEA)	<ul style="list-style-type: none"> <li>• Panch Sahebrao Kale examined.</li> <li>• Mobile Phone, Cash amount of INR 4 lacs recovered.</li> <li>• Bloodstained Clothes recovered.</li> <li>• Fwd. - Forensic Analysis.</li> </ul>
6	Memorandum Panchanama of Accused Naval Kishor (Under S 27 of IEA)	<ul style="list-style-type: none"> <li>• Panch Gurudev Pande examined.</li> <li>• Mobile Phone, 2 miscellaneous body parts of Anamika, one country made pistol with magazine having crude marking and No 7.65 Round, made in USA Pistol, and his blood-stained clothes seized.</li> <li>• Fwd. - Forensic analysis.</li> </ul>
7	Memorandum Panchanama of Accused Kamlesh Sahu (Under S 27 of IEA)	<ul style="list-style-type: none"> <li>• Panch Nivrutti Kadam examined.</li> <li>• Spot where the mobile phone of Gaurav was thrown detected.</li> </ul>
8.	PM Report of Gaurav Sharma.	<ul style="list-style-type: none"> <li>• Medical Expert examined.</li> </ul>
9.	Ballistic Report	<ul style="list-style-type: none"> <li>• Refer Annexure B</li> </ul>
10.	DNA Report	<ul style="list-style-type: none"> <li>• Refer Annexure C</li> </ul>

11.	CA Report	<ul style="list-style-type: none"> <li>• Refer Annexure D</li> </ul>
12.	Call Details Records Subscriber Details Record	<ul style="list-style-type: none"> <li>• CDR, SDR of Kamlesh Sahu, Kamini Gupta and Rakesh Malhotra proved through Nodal Officer.</li> </ul>
13.	Insta-Live Video of Anamika Singhania	<ul style="list-style-type: none"> <li>• Video seized through Nikita Sachdeva by panchanama.</li> <li>• 65-B Certificate not attached.</li> <li>• Hash value determined.</li> <li>• Regarded as Dying Declaration (As per S 32 of IEA)</li> </ul>

16. That the statements of Accused were recorded under S 313 of Code Of Criminal Procedure where the defence taken by Accused is of Total Denial.

17. That the Sessions Court Pune by regarding Exhibit 13 as dying declaration of deceased and also a cogent material to substantiate motive behind the crime relied on the same. That the medical opinion, retracted confession of Accused corroborated by independent witnesses and material was held reliable. That the conspiracy was held to be proved on the basis of CDR and SDR Records. Medical Opinion and DNA Report also were relied upon by the Sessions Court. As the case does fall within the categories of rarest of rare cases taking into consideration the modus and brutality involved, death penalty of imposed by Sessions Court Pune to all the Accused.

18. That a Criminal Confirmation Case along with Appeal is pending before Hon'ble Bombay High Court for adjudication.

## ANNEXURE A

### Confession of Accused Daulat Ram (S 164 of Cr.P.C.)

#### BEFORE HONORABLE JMFC COURT PUNE AT PUNE

1. That the Accused Daulat Ram is produced before me by Police Constable attached with South House Police Station.
2. I have informed Accused that he is no longer in police custody.
3. I have satisfied that there is no policemen in the Court or in any place from where the proceedings could be heard or seen.
4. After satisfaction that the Accused is making the statement voluntarily and of his own free will , I have recorded as follows :

*“ I Daulat Ram state that On 26<sup>th</sup> January 2020, Naval Kishore received a call from one mobile number 5443234543 who asked him to eliminate 2 persons from Pune and told that he would receive 10 lacs for the job. He also stated that the person on call warned him not to involve too many persons. Upon accepting the offer by Naval Kishor, he asked me to receive advance amount in cash in Hotel Blue Sky Panvel at around 8 pm and was asked to immediately come to Pune. Accordingly, myself and Naval Kishor came to Pune. As directed by the person on call, we went to the home of Gaurav Sharma where Naval Kishor strangled him by means of a nylon rope. Thereafter we were asked by the person on call to come to outskirts of Pune where Anamika was already kept inside a blue coloured van. Naval Kishor shot Anamika in head and thereafter cut her body by means of chopper knife and disposed of the body parts by throwing them at different place. Thereafter we called on the said number and informed that the job is done. We had still not received the remaining payment and were continuously calling on the said number and accordingly on one day we were asked to receive the remaining amount in Hotel Blue Sky where we got arrested.”*

I Certify that the above confession was recorded in my presence and hearing and the record contains a full and true account of the statement made by Accused.

Sd-  
JMFC Pune.

## **ANNEXURE B**

### **Ballistic Report**

Directorate of Forensic Science Laboratory

State of Maharashtra – Home Department

Kalina, Santacruz (East), Mumbai.

Examination Report

South House Police Station

State vs Naval Kishor

u/s 302, 354, 354-C, 201, 120B of IPC

r/w S 3(25) of Arms Act.

1. Description of Articles –

Exh 1 - One country made pistol with magazine having crude marking and No 7.65 Round, made in USA Pistol.

Exh 2 – One KF 7.65 mm pistol empty without primer cap.

Exh 3 – One KF 7.65 mm pistol empty without primer cap.

2. Results of Analysis –

Exh 1 is a country made pistol in working condition. It is capable of chambering and firing 7.65 mm pistol cartridges. Residue of fired ammunition nitrate were detected in Exh 1 which shows that it was used for firing prior to its receipt in the laboratory. The empties at Exh 2 and 3 are the fired 7.65 mm pistol cartridge cases without primer cap as received hence unsuitable for Ballistic Comparison. No further opinion can be reached.

Sd-

Dr Vasant Chandak

(Asst Chemical Analyser to Govt)

## **ANNEXURE C**

### **DNA Report**

Regional Forensic Science Laboratory

State of Maharashtra

Ganeshkhind, Pune.

Examination Report

South House Police Station

State vs Naval Kishor

u/s 302, 354, 354-C, 201, 120B of IPC

r/w S 3(25) of Arms Act.

#### **1. Description of Articles :**

Exh 1 – Blood in vials put in a cardboard box labelled Sample No 1.

Exh 2 – Hair in vials put in a cardboard box labelled Sample No 2.

Exh 3 - Blood in vials put in a cardboard box labelled Viren Singhania.

Exh 4 - Hair in vials put in a cardboard box labelled Viren Singhania.

#### **2. Results of Analysis :**

The DNA extracted from Exh 1 and 2 with that of Exh 3 and 4 is genetically identical.

#### **3. Interpretation :**

For all the genetic systems analysed with PCR Viren Singhania matched the Obligate Paternal alleles present in Sample No 1 and 2.

#### **4. Opinion :**

Sample No 1 and 2 are the miscellaneous body parts of deceased daughter Anamika Singhania who is concluded to be biological offspring of Viren Singhania.

Sd-

Dr Vinay Kulkarni

(Asst Chemical Analyser to Govt)

## **ANNEXURE D**

### **Chemical Analysis Report**

Regional Forensic Science Laboratory

State of Maharashtra

Ganeshkhind, Pune.

Examination Report

South House Police Station

State vs Naval Kishor

u/s 302, 354, 354-C, 201, 120B of IPC

r/w S 3(25) of Arms Act.

#### **1. Description of Articles :**

Exh 1: Blood Sample of miscellaneous body part recovered during investigation.

Exh 2: Blood Sample of Accused Naval Kishor.

Exh 3: Blue Color T-Shirt of Accused Naval Kishor stained with blood.

Exh 4: Black Color Pant of Accused Naval Kishor stained with blood.

Exh 5: Blood Sample of Accused Daulat Ram

Exh 6: Red Color T-Shirt of Accused Daulat Ram stained with blood.

Exh 7: Black Color Pant of Accused Daulat Ram stained with blood.

Exh 8: Blood Mix soil seized from spot.

#### **2. Results of Analysis :**

Exh 1 is found to be human blood having 'O +ve' Blood Group. Blood found on Exh 3, 4 6, and 7 is found to be Human however ABO grouping results are inconclusive. Opinion about Exh 8 is inconclusive.

Sd-

Dr Rajesh Mahadik

(Asst Chemical Analyser to Govt)

## VI. RULES

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### A. **PART I: GENERAL**

#### **INTRODUCTION:**

*Remembering Prof. S. P. Sathe: The 15<sup>th</sup> National Moot Court Competition* is convened through online mode from 7<sup>th</sup> May to 9<sup>th</sup> May 2021 at the ILS Law College, Pune.

#### **PARTICIPATION AND ELIGIBILITY:**

##### ***a) Team Member Eligibility:***

Students enrolled in a full-time bachelors (three year or five year) law programme at the time of the competition are eligible to compete in the Competition. Each College/Law School or University may enter one team only.

##### ***b) Team Composition:***

A team shall be composed of either:

- Two Members: both speakers,

***OR***

- Three Members: two speakers and one researcher.

##### ***c) Number of Participating Teams:***

- Maximum **Twenty-four** (24) teams shall participate in the Competition, on the basis of first come-first serve basis, including the team of ILS Law College, Pune.
- In case there is an odd number of participating teams, ILS Law College, Pune will nominate a non-competing dummy team that will not proceed beyond preliminary rounds.



- Team members must carry current identity-cards issued to them by their institution. Team members shall not reveal their identity or their institution's identity in any manner whatsoever during the competition, or in the memorials, and not even at the request of judges, failing which the team will be disqualified.

*d) Official Language:*

The official language of the Competition is English. All Competition Rounds including the written submissions (Memorials) will be in English.

*e) Dress Code:*

The teams are expected to follow a strict dress code of **western (only shirt and trousers) or Indian formals**

*f) Clarifications to The Competition Module:*

Teams may submit written requests for clarifications regarding the Module, comprising the Competition Case and the Rules. Teams may submit requests for clarifications by email to [spsathemoot@ilslaw.in](mailto:spsathemoot@ilslaw.in) on or before **10<sup>th</sup> April, 2021**.

The consolidated document of clarifications will be released on **17<sup>th</sup> April, 2021**.

## **B. PART II: REGISTRATION**

### **REGISTRATION PROCESS:**

#### ***a. The Registration Would Be Done in Two Stages:***

**Stage 1: Provisional Registration:** The teams shall provisionally register by filling a Google form **1<sup>st</sup> April, 2021** onwards.

**Stage 2: Final Registration:** The teams who have provisionally registered shall complete final registration by submitting a scanned copy of registration form and payment receipt on or before **16<sup>th</sup> April, 2021**. The teams shall send the hard copies of the registration form and payment receipt on or before **20<sup>th</sup> April, 2021**, to:

**The Coordinator**

**Remembering S. P. Sathe National Moot**

**Court Competition 2019-2020**

**C/o The Principal, ILS Law College,**

**Law College Road, Pune 411004**

**(Tel No. 020-25656775)**

#### ***b. The teams shall register in the following TWO steps:***

##### **Step 1: Online registration and payment of registration fees**

- Log on to the online registration portal of ILS Law College.
- Fill the requisite online details
- Pay the registration fees online and print the receipt.

##### **Step 2: Filling up the registration form attached to the brochure and emailing the scanned copy along with the receipt**

- Print and duly fill the registration form **attached to the brochure**.
- Scan the duly filled form and email it to **spsathemoot@ilslaw.in**

- c. No change in the names of the participants shall be permitted after the receipt of the Registration Form, except at the sole discretion of the Organisers.
- d. All teams shall be assigned a “Team Code” by the Organisers on validation of their Registration Form and receipt of online payment of registration fees.
- e. Thereafter the teams shall use their designated “Team Code” for all correspondence with the Organisers.
- f. The same team code must be used by the teams during the submission of Memorials and during all the Rounds of the Competition.

#### **REGISTRATION CHARGES:**

- Registration fee inclusive of GST (Non-refundable):  
**INR 1000/- (One Thousand only)**
- Registration fee shall be paid online on the registration portal of ILS Law College available at [www.ilslaw.edu](http://www.ilslaw.edu)
- The scanned copy of the receipt of online payment of registration fees shall be submitted along with duly filled up registration form by email to: **spsathemoot@ilslaw.in** by **16<sup>th</sup> April 2021 for Final Registration.**

#### **C. PART III: FORMAT OF THE COMPETITION**

##### **ROUNDS:**

The competition will comprise of four rounds in total.

##### **1) Preliminary rounds:**

In the preliminary rounds, each team will present arguments for both sides in different courts.

##### **2) Quarter-Final rounds:**

Eight teams will proceed to the quarter-final rounds in four courts on the basis, firstly by total wins, secondly by total marks in the preliminary rounds, and lastly (in case of tie) by total marks of memorials of such teams

**3) Semi-Final rounds:**

Four teams who win in the Quarter-final round will proceed to the semi-final rounds in two courts.

**4) Final Round:**

The winner from each of the two courts in the semi-final round will proceed to the final round.

**PROCEEDINGS:**

- 1) In the preliminary, quarter-final and semi-final rounds, each team will have **30 minutes** for argument. Each team member shall argue for at least **12 minutes**.
- 2) In the final round, each team will have **45 minutes** for arguments, and each team member shall argue for at least **20 minutes**. This time includes the time for rebuttals or sur-rebuttals. Only one speaker can speak in rebuttal or sur-rebuttal.
- 3) Each team and its members shall be seated in the virtual court room through the proceedings of that court.
- 4) Any team member **shall not** visit /join any court room other than his own until that round is over.
- 5) Teams may use laptops during proceedings without interfering or disturbing the court proceedings.
- 6) Judges' decision on conduct of proceedings will be final in their respective court.

#### **D. PART IV: MEMORIALS**

##### **SUBMISSION OF MEMORIALS:**

- All memorial submissions must conform to the following general criteria. Teams will be penalized for failure to abide by these requirements.
- Soft copies of the memorials (as Microsoft Word file) must be e-mailed to [spsathemoot@ilslaw.in](mailto:spsathemoot@ilslaw.in) on or before **11.59 PM, on 27<sup>th</sup> April, 2021**.

##### **CONTENTS OF MEMORIALS:**

Memorials must contain the following:

Cover page stating -- Title of the Competition, Name of the Court, Name of the Case, Title of the document (viz. “Memorial for the \_\_\_”), and Team Code

Table of Contents

- Index of Authorities
- Statement of Jurisdiction
- Statement of Facts
- Issues
- Summary of Arguments
- Arguments
- Prayer.

##### **FORMAT OF MEMORIALS:**

###### ***1) SOFT COPIES:***

- Memorial for each side shall be a single document.
- The document file shall be named: “(TEAM CODE) \_Memorial for Petitioners” and “(TEAM CODE) \_Memorial for Respondents”.
- The subject of the mail submitting memorials shall be: “Memorial – Name of your institution”; e.g.: “Memorial – ABC College”.

- **Do not write the name of your institution on the memorials.**
- A memorial once submitted will be considered final, and cannot be revised.

#### **ADHERENCE OF MEMORIALS TO PRESCRIBED FORM AND CONTENT:**

- Memorials that do not comply with above specifications will suffer penalty points.
- Memorials of other team received during a round shall be returned to the Court-clerks immediately after the round is over. Teams shall not put any mark or matter on such memorial received.

#### **E. PART V: ADJUDICATION**

#### **MARKING CRITERIA**

##### **A) *PENALTY:***

<b>DESCRIPTION</b>	<b>PENALTY</b>
Failure to include all sections of the Memorials	5 marks for each section
Failure to include necessary information on the cover page of the memorandum, or use of a colour on the cover page contrary to the scheme provided.	2 marks each
Disclosure of identity of the team or of institution being represented (in Memorials)	5 marks – one time penalty
Delay in submission	1 mark per hour of delay

Use of incorrect font style, font size or line spacing	1 mark per violation, maximum of 10 marks per side
Incorrect Margins	2 marks - one time penalty
Excessive length of any section of the Memorials	5 marks for 200 extra words
Plagiarism in Memorials	10 – 25% 5 marks Beyond 26% memorial disqualified

**B) MEMORIALS:**

Each memorial will be marked as given below:

Sr.No.	Criteria	Marks
1	Proper and articulate analysis of issues arising out of facts	10
2	Understanding and ability to explain the legal principles clearly	10
3	Presentation and content of argument	10
4	Use of legal sources	10
5	Variation in approach	10
	<b>Maximum marks</b>	<b>50</b>
Less penalty points		
<b>Total marks for the memorial (50 minus penalty points)</b>		

**C) ORAL ROUNDS**

Each judge in each round will mark each team member according to criteria given below:

Criteria	Maximum Marks	
	Speaker 1	Speaker 2
Knowledge of facts and identifying issues	5	5
Knowledge, statement and understanding of legal provisions and principles	15	15
Knowledge, statement and understanding of legal provisions and principles	15	15
Arrangement, presentation and content of argument	10	10
Logical reasoning, clarity, brevity and ingenuity of arguments	10	10
General Presentation, Court Etiquettes, Advocacy Skills, Time Management	10	10
	<b>50</b>	<b>50</b>
<b>TOTAL</b>	<b>100</b>	

#### **D) AWARDS**

Prizes for the competition are as follows:

- Winning Team: Rolling Trophy, and a trophy to carry to the Institution.
- Runners-up team: A trophy
- Best and Second-Best Memorials
- Best and Second-Best Student Advocates of the Competition
- Best Speaker of the Finals
- Justice V. A. Naik Prize for the Best team from Maharashtra.
- Members of each team will receive certificate of participation.

#### **F. PART VI: MISCELLANEOUS**

#### **ORGANISERS' EXTRA-ORDINARY POWERS**



- All Participants are expected to maintain decorum in the Court during the competition and are expected to conduct themselves in a manner befitting the legal profession. The Organisers reserve the right to take appropriate action for any unethical, unprofessional or immoral conduct. [The Sexual harassment of Women at Workplace, (Prevention, Prohibition & Redressal) Act, 2013, and Anti-Ragging rules]
- The Organisers' decision as regards the interpretation of rules or any other matter related to the competition shall be final and binding.
- If there is any situation which is not contemplated in the rules, the Organisers' decision on the same shall be final and binding.
- The Organisers reserve the right to vary, alter, modify, or repeal any of the above rules without any prior notification, if so required and as they may deem appropriate.
- Any issue or matter concerning the Competition will be decided by the Conveners. Any grievance may be addressed to the Principal, ILS Law College, whose decision will be final.

## **DISCLAIMER**

The material in the Competition Case is not intended to and does not attempt to resemble any incident or any person living or dead. Material in the Competition Case is fictitious and any resemblance to any incident or person, if any, is not intended, but merely co-incidental.

## **VII. IMPORTANT DATES: TIMELINE OF THE COMPETITION**

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<b>RELEASE OF COMPETITION MODULE</b>	<b>1<sup>ST</sup> APRIL , 2021</b>
<b>ONLINE REGISTRATION OPENS (PRELIMINARY)</b>	<b>1<sup>ST</sup> APRIL, 2021</b>
<b>LAST DATE FOR FINAL REGISTRATION</b>	<b>16<sup>TH</sup> APRIL , 2021</b>
<b>LAST DATE FOR SEEKING CLARIFICATIONS TO THE MOOT PROPOSITION</b>	<b>10<sup>TH</sup> APRIL, 2021</b>
<b>RELEASE OF CLARIFICATIONS</b>	<b>17<sup>TH</sup> APRIL, 2021</b>
<b>SUBMISSION OF MEMORIALS (SOFT COPY)</b>	<b>27<sup>TH</sup> APRIL, 2021</b>
<b>INAUGURATION, DRAW OF LOTS, AND EXCHANGE OF MEMORIALS</b>	<b>7<sup>TH</sup> MAY 2021</b>
<b>PRELIMINARY ROUNDS</b>	<b>8<sup>TH</sup> MAY 2021</b>
<b>QUARTER-FINAL ROUNDS</b>	<b>8<sup>TH</sup> MAY 2021</b>
<b>SEMI-FINAL ROUNDS</b>	<b>9<sup>TH</sup> MAY , 2021</b>
<b>FINAL ROUND AND VALEDICTORY SESSION</b>	<b>9<sup>TH</sup> MAY , 2021</b>

## VIII. REGISTRATION FORM

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ILS LAW COLLEGE, PUNE

*Remembering Prof. S. P. Sathe*  
**THE 15<sup>th</sup> NATIONAL MOOT COURT COMPETITION 2021-2022**

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### PARTICIPATING INSTITUTION

Name: \_\_\_\_\_

\_\_\_\_\_

Address & contact details:

\_\_\_\_\_

\_\_\_\_\_

### PARTICIPANTS

Speaker 1 Name (Ms. /Mr.): \_\_\_\_\_

Phone: \_\_\_\_\_

Speaker 2 Name (Ms. /Mr.): \_\_\_\_\_

Phone: \_\_\_\_\_

Researcher Name (Ms. /Mr.): \_\_\_\_\_

Phone: \_\_\_\_\_

### FACULTY IN-CHARGE

Name: \_\_\_\_\_ Designation: \_\_\_\_\_

Contact Details: \_\_\_\_\_

PASTE  
PARTICIPANT'S  
PHOTOGRAPHS  
OVER HERE


**Participant's Signature**

\_\_\_\_\_

\_\_\_\_\_  
**Principal/HOD/Faculty In-charge**

\_\_\_\_\_

Date:

Place:

**Signature**

SEAL

## **IX. CONTACT**

### **Faculty Conveners:**

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