



Sinhgad Technical Education Society's
Sinhgad Law College,
Ambegaon (Bk.), Pune.

(Approved by Bar Council of India, Recognized by Govt. of Maharashtra & Affiliated to
Savitribai Phule Pune University, Pune)
(Accredited by NAAC with 'B' Grade)

FIFTH SMT. KASHIBAI NVALE NATIONAL MOOT COURT COMPETITION, 2019

Moot Problem

Union of Indiva is a Democratic country. Democratic Reformers Association is a group of certain Professionals working in this country which has large network throughout the country. In this Association many Doctors, Lawyers, Cine Artists, Engineers, Writers are working together for social cause and social problems. They have framed WhatsApp groups and Facebook Communities and other social media groups through which they share thoughts and different initiatives taken by their group. People from different places have joined their group. There are different kinds of discussions on the group. The office bearers of the Association always request other members to add people of different communities in the said Association. Members meet with each other and post discussions on WhatsApp and other Social media group about the decisions taken by the government which includes giving reservations and curtailing the reservations for certain communities. The discussion started aggressive arguments about the government and many members expressed their critical views about the government. Few people who were the members of the existing Ruling party protested against this on WhatsApp group and other Social media group. Furious arguments were shared on WhatsApp group and other social media group. Some people brought these arguments to the notice of Ruling party members and thus it reached up to some of the ministers. An urgent cabinet meeting was called and a resolution was passed for banning these kinds of activities in the country. Certain Police complaints were made against the members of the Democratic Reformers Association. Some members of this group were arrested by the police stating that they are disseminating false information about the government and its policies with the aim of instigating people against the government. There were also violent protests against the resolution by the opposition party. Members found to have propagated such information were charged under section 124-A of Indiva Penal Code. Their Anticipatory Bail Applications were rejected by Trial Court and High Court. The Home Ministry of the country passed order in exercise of the powers conferred by the Information Technology Act, which talks about Monitoring and Decryption of Information. The

Government also authorized its Security and Intelligence Agencies for the purposes of interception; monitoring and decryption of any information generated, transmitted, received or stored in any computer resource. The Democratic Reformers Association argued that it is the ultimate assault on fundamental rights and the right to privacy. This kind of order is violation of right to privacy which is a fundamental right.

In this background, Democratic Reformers Association has filed a petition by challenging the constitutional validity of the order passed by the Home Ministry of Indiva, Section 124-A of Indiva Penal Code, and against the order of rejection of bail applications before the Hon'ble Supreme Court of Indiva.

Note-1)The participants to the competition have to frame the issues and make submissions by presuming that the laws of Indiva are *pari materia* to the Laws of India.

2) All the Participants have to prepare the arguments from both the sides.



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Organizes

FIFTH SMT. KASHIBAI NVALE NATIONAL MOOT COURT COMPETITION, 2019

Inauguration on

Saturday, 23rd February, 2019

ABOUT SINHGAD TECHNICAL EDUCATION SOCIETY:

Sinhgad Technical Education Society was established with an objective to provide quality education from school to post-graduation programme in all disciplines. At present, Sinhgad Technical Education Society and its associates are running 117 institutions, housed in fully developed campus, imparting education to approximately 70,000 students. The locations of these campuses are in pollution-free, lush green and picturesque environment conducive to learning. All campuses have excellent hostel facilities and other student's amenities like well-equipped Central Library, Internet Facilities, Auditoriums, Seminar Halls, Open-air Theatre, ATM Centers, Clinics, and Market for essential commodities, Banks etc.

ABOUT SINHGAD LAW COLLEGE, PUNE:

Sinhgad Law College is situated in the spacious location at Ambegaon (Bk.), STES Ambegaon Campus, Pune, a pollution free and lovable place, providing congenial environment, conducive to all round development of the students.

Sinhgad Law College was established in the year 2003 under the dynamic leadership of Prof. M.N. Navale. The college offers career in legal studies through LL.B. (Three Years) and B.A. LL.B. / B.S.L., LL.B. (Five Years) courses. The College also runs the other specialized courses like Diploma in Labour Laws and Labour Welfare, Diploma in Taxation Laws and Certificate Course in Forensic and Medical Jurisprudence. There is well qualified Teaching Staff, well-equipped Library, separate Computer Laboratory and other infra-structural facilities conducive for learning and development.

Our commitment is to impart quality education through highly qualified and experienced lecturers along with clinical educational inputs through Moot Courts, Debates, Legal Literacy Camps and Research activities.

With a view to provide practical experience and to inculcate lawyering skills among the students, Sinhgad Law College is organizing the Moot Court Competition on Saturday, 23rd February, 2019 in the memory of Smt. Kashibai Navale, the source of inspiration behind entire Sinhgad Institutes.

RULES FOR MOOT COURT COMPETITION:

- 1. Title:** The Moot Court Competition will be called as **‘Fifth Smt. Kashibai Navale National Moot Court Competition, 2019’**.
- 2. Date:** The Competition will be held on Saturday, 23rd February, 2019.
- 3. Venue:** The Competition will be held within the premises of Sinhgad Law College, Ambegaon (Bk), Pune.
- 4. Registration:** Teams must register on or before Saturday, **1st February, 2019**.
 - i) The hard copies of the registration form and Demand Draft must be submitted to Sinhgad Law College, Pune on or before 1st Feb 2019 before 5.00 PM.
 - ii) The formal registration of the teams will be done on 22nd February, 2019 between 5.00 pm to 6.00 pm. Spot registration will not be allowed.
- 5. Registration Fees:** The registration fees will be **Rs. 2000 per team** which comprises of two members i.e. two speakers.
- 6. Mode of Payment:** Registration fees can be paid through Demand Draft drawn on any Nationalized Bank. DD must be drawn in favour of **‘Sinhgad Law College’, payable at Pune**. Fee includes registration, breakfast, and lunch. Fees should be paid on or before **1st February, 2019**.
- 7. Language:** The official language of the Competition is English. The memorials as well as oral submissions have to be made in English language only.
- 8. Eligibility:** The Competition is open for the students pursuing FIVE YEAR LL.B. program or THREE YEAR LL.B. program from any law college recognized by their respective universities and by Bar Council of India. The students must have a valid identity card of the concerned college of academic year 2018-2019.
- 9. Team Composition:**
 - i) Each team must consist of two members.
 - ii) Any additional member will not be entitled to any local hospitality or award or prize or certificate in the competition.
 - iii) If any member of the team is found to resorting to unfair means, the team shall stand disqualified from the competition at any stage.
- 10. Accommodation:** The teams from outside Pune district will be provided with overnight accommodation at their request. The Teams are requested to communicate to us their travel and accommodation plans along with the registration form. Participants to whom accommodation is provided, they should report to coordinator on 22nd February 2019 before 3.00 pm. This accommodation facility is for the duration of the event so participant should leave accommodation place before 7.30 pm on 24th February, 2019.
- 11. Dress Code:** The participating members are required to be formally dressed in black and white.

12. Structure of the Competition:

- i) **Formal Registration:** It will be done on 22nd February, 2019 between 05.00 pm to 06.00 pm.
- ii) **Drawing of lots:** Drawing of lots will be done on 22nd February, 2019 from 06.00 pm to 07.00 pm wherein the teams will get their opponent teams, their court room in which preliminary round will be held and also will get the memorials of the opponent team. Both the speakers of the team will present from one side only and the side will be allotted to them at the time of drawing of lots through chits.
- iii) **Inauguration:** The formal commencement of the Competition shall commence with the inauguration on 23rd February, 2019 at 09.00 am
- iv) **Rounds:** The Competition will be held in three rounds as under:
 - a. Preliminary Round
 - b. Semi Final Round
 - c. Final Round
- v) **Memorials:**
 - a) Memorials must be submitted in five copies for each side (appellant & respondent).
 - b) Color Code: **Red** Cover for **Appellant**, **Blue** Cover for **Respondent**.
 - c) Typed on A4 size paper with one side printing, Font: Times New Roman, Font Size: 12, Spacing 1.5, Footnote Font: Times New Roman, & Font Size: 10.
 - d) Memorials must contain: I Title page, II Table of Contents, III Statement of Fact, IV Statement of Jurisdiction, V Statement of Issues, VI Arguments Advanced, VII Prayer, VIII Bibliography
 - e) Last date for submission of memorials is **11th February, 2019** before 5.00 pm.
 - f) Once you submit your memorials it will not be returned to you by Organizer.
- vi) **Time:** Each team at all the rounds will get 20 minutes to speak (10 minutes each speaker), 5 minutes for rebuttal and 5 minutes for Judge's questions. Thus, in all, each team will get 30 minutes. If the team is not interested in doing rebuttals then five minutes reserved for rebuttals can be used up at the time of initial submission itself.
- vii) **Preliminary Round:**
 - a. The Preliminary Round will start sharp at 10.00 am.
 - b. The Preliminary Round will be held simultaneously in different Court Rooms and in each court room there will be two judges.
 - c. One team from one court room scoring highest marks in preliminary round will be selected and will go for the semi Final Round. So there will be eight teams in the semi Final Round but two teams should not from same court room.
- viii) **Semi Final Round**
 - a. There will be eight teams who had scored highest in preliminary round, will participate in the semi Final Round.
 - b. Moot court problem will be same for semi final round.
 - c. The Semi final Round will be held simultaneously in different Court Rooms and in each Court room there will be two judges.

- d. One team from one court room scoring highest marks in Semi Final round will be selected and will go for the Final Round. So there will be two teams in the Final Round but two teams should not from same court room.

ix) **Final Round:**

- a. There will be two teams but not from same court, who had scored highest in Semi final round, will participate in the Final Round.
b. Final round will be conducted in the moot court hall and there will be three judges.
c. Moot court problem will be same for final round.

13. Assessment Criteria: The decision of the judges will be final and no disputes will be entertained with respect to it. The following will be the Marking Criteria and the marks will be given to each speaker by the judges in each round.

Sr. No.	Marking Criteria	Marks Allocated for pre round	Marks Allocated for Semi Final & Final round
1	Knowledge of Facts	16	20
2	Application of Legal Principles	16	20
3	Use of Authorities and Precedents	16	20
4	Response to Judge's Questions	16	20
5	Presentation skills	16	20
6	Memorial of Both Side (appellant/respondent)	20	
	Total	100	100

14. Awards:

- a. **First:** Rs 15,000 Cash + Trophy + Certificate
b. **Second:** Rs 10,000 Cash + Trophy + Certificate
c. **Best Memorial:** 3,000 Cash + Trophy + Certificate
d. **Best Speaker:** 3,000 Cash + Trophy + Certificate
e. All participants will be given a Participation Certificate.

15. Contact Details:

- a. **Postal Address:** Sinhgad Law College, S. No. 10/1, S.T.E.S. Ambegaon Campus, Ambegaon (Bk.), Pune – 411041.
b. **Email Id:** principal_slc@sinhgad.edu **Website:** www.sinhgad.edu
c. **Phone:** 020-24350595 **Fax:** 020-24350595
d. **Contact Persons:** Mr. Nitin Bhandare (Co-ordinator) Mob no. 9850648148
Mr. Sarosh Krishnan (Student Co-ordinator) Mob no. 8698488181
Mr. George Thomas (Student Co-ordinator) Mob no. 9594315664
Ms. Prachi Mahato (Student Co-ordinator) Mob no. 9284653313

I) Registration Form And II) Moot Court Problem

Note: The decision of the organizers of this moot court competition, regarding any dispute will be final.

CHIEF PATRONS

Prof. M.N. Navale
Founder President, STES, Pune

Dr. (Mrs.) Sunanda M. Navale
Founder Secretary, STES, Pune

Mr. Rohit M. Navale
Vice-President (HR), STES, Pune

Mrs. Rachana Navale - Ashtekar
Vice-President (Admin.), STES, Pune

CONVENER

Dr. Arunachalam Chettiar
Principal, Sinhgad Law College, Pune

CO-ORDINATOR

Mr. Nitin Bhandare, Asst. Professor
Mob: 9850648148

ASST. CO-ORDINATOR

Mrs. Manjusha A. Mudgalkar, Asst. Professor

VENUE

Sinhgad Technical Education Society's
Sinhgad Law College,
S.No.10/1, Ambegaon (Bk.), Pune-411 041

Phone No: 020-24350595

Fax No: 020-24350595

Date: 23rd February, 2019

Time: 07:30 a.m.

ANNEXURE I

**FIFTH SMT. KASHIBAI NAVALE NATIONAL MOOT COURT COMPETITION
2019 REGISTRATION FORM**

1. **Name of the Institution:** _____

2. **Address of the Institution:** _____

3. **Email Id & Contact details of the Institution:** _____

4. **Details of Payment**

DD

DD Number	Amount	Date	Name of Drawer Bank

5. **Details of Team Members:**

	Name	Contact No	Email Id	Class	Photo
Speaker No. 1					
Speaker No. 2					

Seal and Signature of the Head of the Institution