



MOOT COURT SOCIETY,
School of Law,
Galgotias University

Organizes :-

INTRAMURALS 2022

(25th February 2022 – 26th February 2022)



Important Information

- Participation in intramurals is allowed for students of all years including 1st year, although to bring parity 1st year marking and ranking will be prepared separately.
- Participation in intramural is mandatory for all students who wants to participate in any National or International Moot Court Competition representing School of Law, Galgotias University. The preference for any moot in future will be based on the ranking of Intramurals, 2022 till the next intramural is being conducted.
- There is no Registration Fees for intramurals, but any team backing out after registration can be reprimanded by barring there partition in any future moot.
- E-certificates will be provided to Winning Team, Runner-up Team, Best Speaker, Best Researcher, Best Memorial and for Participation separately.
- Online Registration link <https://forms.gle/wEb4ZwSseVVEjgFg9>.
- Submission of 1 hard copy of the memorial from each side in **Room A-408** and soft copy of the same be mailed to mootcourtsociety@galgotiasuniversity.edu.in.
- Draw of lots to decide the petitioners or respondents on **24th February, 2022** in the **Moot Court Hall**. One representative from each team can come for draw of lots.
- For any further clarification please contact the MCS Student Office Bearers and Core Committee Student Members.

Important Dates

Release of Problem	25 th January, 2022
Last Date of Registration (online)	5 th February, 2022
Last Date of Memorial Submission (both hard and soft copy)	21 st February, 2022
Intramural Preliminary Rounds and Researchers Test	25 th February, 2022
Intramural Semi-Finals and Final Round	26 th February, 2022

MOOT PROPOSITION

1. The United Republic of Shikharabad ("Shikharabad") is a developing parliamentary democracy with a population of 30 million and a gross domestic product of \$960 billion. It has a quasi-federal structure with a unitary bias. Shikharabad has 21 provinces which all have their own respective provincial governments. The Union Government of Shikharabad coordinates with the provincial Government. Its capital city, Digboi, is located in the heart of Shikharabad's geography and is well known for its Oil reserves. The principal contributor to its GDP is the tertiary sector, centred in Shikharabad's financial capital Bharatpur. Shikharabad follows common law.
2. Mr. Bhavya Kohli is a businessman having considerable influence and petroleum business in Shikharabad's capital city Digboi. Mr Kohli has, over the years, with his hard work, earned considerable respect in the society and thus, his company Kohli Oil and Co. is one of the most established companies in Shikharabad's economy. Mr Kohli's company primarily earns profits by exporting his products from Digboi to other provinces of Shikharabad and other neighbouring countries. Mr Kohli is also a human rights activist and has in many previous instances aided NGO's and people in humanitarian aid.
3. In January 2021, there were reports about the spread of a transmissible virus in the province of Juhan in the People's Republic of Lina. On 10th February, the World Health Organization (hereinafter, abbreviated as 'WHO') issued a declaration on the recent spread of the novel virus and named it the COVID-19 virus. The estimated basic reproduction rate of the virus was determined to be 1.2 to 1.4 and the incubation period to be 7 to 14 days. Experts at several of the research facilities studying the virus also determined that human-to-human transmission was possible during the incubation period, and that infected individuals who never developed symptoms were capable of spreading the virus to others.
4. As the COVID-19 virus started spreading across various continents, various nations started implementing border closures preventing inter and intra-state travel. Shikharabad was one such state. The WHO, however, produced and highlighted many

scientific reports which prohibited the usage of travel restrictions. These reports pointed to the conclusion that border closures were ineffective in controlling the spread of infectious diseases. The WHO strongly recommended against usage of inter-state as well as intra-state travel restrictions.

5. On 1st March, 2021 the Government of Shikharabad carried out an intensive risk assessment and came to the conclusion that Shikharabad should immediately prevent inter-state as well as intra-state travel. The bar on intra-state travel meant that any person who would be residing in one of Shikharabad's 21 provinces at the time of implementation of the lockdown, could not travel to any other province. Accordingly, a regulation was promulgated on 2nd March, 2021, the relevant part of which has been stated below:

Section 1: *The intra-state travel of all persons in the territory of Shikharabad is prohibited with immediate effect.*

Section 2: *Notwithstanding Sec. 1, intra-state travel shall only be allowed for such health and essential services, to be notified by the Union Government from time to time.*

Section 3: *Violation of provisions of this regulation, or any rules passed subsequently by the competent authority will lead to compulsory enforced quarantine in a Government-sponsored quarantine facility for two weeks, repeated offenders will be required to pay for such facilities at the rate to be decided by the competent authority.*

Section 4: *The regulation shall remain in effect, until the Central Government deems it necessary to be in effect.*

6. The promulgated regulation was brought into effect from 5th March, 2021 and was executed very stringently. Various legal luminaries and associations condemned the usage of such restrictions to counter the spread of the COVID-19 virus. Subsequently, there were online protests and signing campaigns where people expressed their dissent against the Government.
7. Owing to such restrictions on travel, Mr. Bhavya Kohli's company suffered severe losses amounting to \$50 million. An infuriated Mr. Kohli decided to take the matter to the Court and filed a PIL challenging the constitutional validity of the

Regulation dated 2nd March. After filing the PIL, Mr. Kohli tweeted on 15th April, 2021 from his twitter handle:

This Government is only worried about its own well-being.

This is a serious violation of several rights of various sections of our citizens under Article 19 of the Constitution. Look at me for instance. I am suffering losses because of such illogical regulations. The Regulations are baseless and are also not supported by SCIENCE!? And shockingly, there is no Sun-Set Clause!?

The WHO has openly asked nations not to implement prohibition of intra-state travel. This Government is not even worried about our international image.

#DeathofDemocracy #ArbitraryGovernment #Euro2021 #Kyachalrahahai?

8. Wherein, Agriculture contributes only 30% to the GDP of Shikharabad, it employs more than 75% of the workforce. It has been a longstanding electoral promise of Prime Minister Ujjwala Udit Misra to “liberate the country from the clutches of Agrarian Mentality”. It is a widely acknowledged secret that the Son in Law of the PM is the CEO of Agro-Industrial Pvt. Ltd., the largest food processing company in the Country. To fulfil her electoral promise, the PM spearheaded the Drafting of “The Farmers Welfare Bill”, the operating clauses of the Bill read as under:

Section 1: *All such legislations, dealing with the subject matter of this Bill, enacted by the Parliament or any State Legislature, stands repealed after the notification of this Bill.*

Section 2: *On Notification of this Bill, there shall be no limit on hoarding of any item including, wheat, rice, cereals, oils, barley, sugarcane, potato, and/or any other food grain/item as notified by the Central Government from time to time.*

Section 3: *On Notification, all APMCs operating within the States shall stand disbanded, the Central Government shall not provide any monetary support to such APMCs.*

Section 4: *On Notification, Inter State as well as Inter Country trade in Food Grains/Items shall be open to any interested party, Central Government and State Governments shall not impose any restriction on such trade.*

9. Around the same time, with Lockdown restrictions in place, on 13th April, 2021 the Government of Shikharabad introduced “The Farmers Welfare Bill, 2021” in the House of Janta (The Lower House in Parliament), the Government managed to pass the Bill in the Lower House comfortably. On the next day, amidst widespread opposition, it was introduced in the House of Netas (The Upper House). Citing violation of Lockdown restrictions (under Sec. 3), several leaders of the Opposition were compulsorily quarantined in Government sponsored Quarantine Centres on the same day as the voting was supposed to take place in the House of Netas. Owing to absence of such leaders of opposition, the Government managed to pass the Bill in the Upper House as well, and was notified on 15th April, 2021.

Sensing a violation of their Rights, farmers from across the Country started blockading the Capital City of Digboi, and on 15th April 2021, all such protesting farmers were forcibly quarantined at Government Sponsored Facilities. Ms. Chitravandini Singh, the leader of the farmer’s protest filed a PIL in the Supreme Court on 16th April, 2021, challenging the validity of the Farmers Welfare Act, 2021, as well as the Lockdown Regulations.

10. The Court registry clubbed these two petitions together since these involved similar questions of law, and the Court decided to hear the petitions together. In the initial hearing on 20th April, 2021, Notices were issued, and the matter was admitted.
11. Now, the matter is listed on 20th July, 2021, for final hearing and disposal.

Since the matter has already been admitted, the maintainability of the petition would **not** be heard. At this stage, the matter would only be heard on its merits.

The Constitution of Shikharabad is *pari materia* to The Constitution of India. Arguments should only be made on the merits of the provisions and facts as provided in the Moot Proposition.

Apart from these, only the Constitution can be invoked.

GUIDELINES FOR WRITTEN SUBMISSIONS

1. Submission of Written submissions: All Written submissions must conform to the following general requirements. Participants will be penalized for failure to abide by these requirements.

Each participant team shall prepare the Written submissions from both side i.e Petitioner Side and Respondent Side. Each Participant participating in the Competition must submit 2 hard copies (printed black print on a white background) and one soft copy (to be emailed to Moot Court Society, the software used should be Microsoft Word 2007 or above or compatible software, entries in PDF format will not be accepted) of both sides.

The Written Submissions in soft copy must be identical to the hard copy of the Written Submission. Participants that fail to mail Written Submissions on time will be deemed to be disqualified. Equipment failure or problems, including computer disk failure, will not be considered an excuse for improper formatting or late mailing of Written Submissions. Participants must send soft copy of the Written Submissions to **mootcourtsociety@galgotiasuniversity.edu.in**.

Once submitted to the MCS, Written Submissions may not be altered. If pages are inadvertently left out in the collating process, the MCS may allow a Participant to correct the deficiency.

2. Format of Written submissions: Written Submissions must be typed and reproduced on white standard A4 paper (21 x 29 3/4 centimetres) except for the covers, where coloured paper must be used. The font and size of the text of all parts of the Written submission (except the cover page), must be in Times New Roman 12-point. Footnotes may be in Font size 10. The text of all parts of each Written submission must have one and a half spacing, except that (a) the text of footnotes and headings may be single-spaced, but there must be double-spacing between separate footnotes, and between each heading and the body-text of the Written submission and (b) quotations to sources outside of the Written submission of 50 words or more in any part of the Written submission shall be block quoted (i.e. right and left indented) and may be single-spaced.

3. Description of the Written Submission

3.1 Parts of the Written Submission: The Written Submission shall consist of the following parts-

- i. Table of Contents;
- ii. Index of Authorities;
- iii. Statement of Jurisdiction;
- iv. Statement of Facts;
- v. Questions Presented;
- vi. Summary of Pleadings;
- vii. Pleadings
- viii Prayer

3.2 Legal Argument Limited to Pleadings Section: Substantive, affirmative legal argument or legal interpretation of the facts of the Moot Problem may only be presented in the “Pleadings” section of the written submission, including the conclusion/prayer for relief (except insofar as such argument may be summarised in the “Summary of Pleadings” or anticipated in the “Questions Presented”). Participants which include arguments or legal interpretation in any other part of the written submission shall be penalised.

3.3 Index of Authorities: Each Written Submission shall include an “Index of Authorities.” The Index of Authorities shall contain a list of all legal authorities cited in any section of the Written Submission. This list shall include a description of each authority adequate to allow a reasonable reader to identify and locate the authority in a publication of general circulation.

3.4 Statement of the Facts: Each Written Submission shall include a full “Statement of the Facts.” The Statement of the Facts shall be limited to the stipulated facts and necessary inferences from the problem and any clarifications to the same. The Statement of the Facts must not include unsupported facts, distortions of stated facts, argumentative statements, or legal conclusions.

3.5 Summary of the Pleadings: Each Written Submission shall include a “Summary of the Pleadings.” The Summary of the Pleadings shall consist of a substantive summary of the

“Pleadings” section of the Written Submission in paragraph form, rather than a simple reproduction of the headings contained in the Pleadings section.

3.6 Pleadings & Prayer: The pleadings shall contain the substantive arguments with appropriate citations. The participants must endeavour to follow a bluebook citation (20th Ed.) method. The prayer shall be the effective remedies requested in the pleadings.

4. Length: The “Pleadings” section of the Written Submission, including footnotes or endnotes which refer to the “Pleadings” section of the Written Submission, and the Prayer may have no more than 15 pages.

5. Margins: Each page of the Written submissions (regardless of content) shall have margins of at least one inch, or two point six (2.6) centimetres, on all sides, excluding page numbers.

6. Covers

6.1. Different-coloured Covers: The colours of the Written Submission are to be as follows: **Blue** for Petitioner and **Red** for Respondent.

6.2. Information Contained on Cover of Written submission: Each Written submission should bear on its cover the following, and only the following: (a) the Participant Number (to be allotted before submission date); (b) the name of the court; (c) the name of the parties; (d) the nature of the case (Civil/ Criminal/ Writ/ SLP etc.); and (e) the title of the document (i.e., “Written submission for Respondent” or “Written submission for Petitioner”).

7. Plagiarism

Any kind of plagiarism or copying of the contents of the memorials amongst the participants, shall directly lead to disqualification of the participant.

9. Scoring of Memorials

The memorials will be judged on a maximum of 100 marks. The score for the researchers will be doubled. The memorials will be judged on the following criteria's:

a) Recognition of issues: complete and correct recognition and weighing of issues. (10 Marks)

- b) Correct primary and alternative submissions. (10 Marks)
- c) Identification of legal principles. (20 Marks)
- d) Quality and extent of research: Use of relevant case law, academic writings etc. (20 Marks)
- e) Appreciation and application of facts. (10 Marks)
- f) Logical structure and clarity of thought. (10 Marks)
- g) Ingenuity. (10 Marks)
- h) Overall Impression-: Formatting, citations etc. (10 Marks)

10. Oral Rounds:

The Oral pleadings shall be in English only. There will be no deviation from this language requirement. Every Speaker will be given 8 mins to present his case including the time to answer the question asked by the judges. However the time can be extended on the discretion of the Judges. The oral rounds will be adjudged on a score of 200. These rules are subject to change as per the decision of Moot Court Society.

MCS Core Committee

Faculty Body

1. Mr. Deepak Kaushik, Asst. Prof. SOL (**Faculty Coordinator**)
2. Mr. Robin Jaiswal, Asst. Prof. SOL (**Faculty Co-Coordinator**)
3. Mrs. Roopali Shekhawat, Asst. Prof. SOL (**Faculty Co-Coordinator**)

Student Office Bearers

1. Shivi Dwivedi, BA LLB Semester-8 (**Student Coordinator**)
2. Ujjwal Lohat, BBA LLB Semester-8 (**Student Co-Coordinator**)

Core Committee Members

1. Marisha Mishra, BBA LLB Semester-8
2. Vinamra Mathur, BBA LLB Semester-8
3. Vaibhav Tyagi, BA LLB Semester-8
4. Prabhjot Singh, BA LLB Semester-8
5. Siddhant Bhardwaj, BBA LLB Semester-8
6. Kratika gupta BBA LLB Semester-6
7. Astuti Verma, BBA LLB Semester-6
8. Ayushi Singh, BBA LLB Semester-6
9. Nilaksh Dubey, BBA LLB Semester-6
10. Jayesh Sharma, BBA LLB Semester-6
11. Vatan Tripathi, BBA LLB Semester-6
12. Kunwar Prarup Yash, BBA LLB Semester-6
13. Devansh Kaushik, BBA LLB Semester-4
14. Ayana Yadav, BA LLB Semester-4
15. Ardiman Singh BA LLB Semester-4
16. Ishan Anand, BA LLB Semester-4
17. Sonendra Singh, BA LLB Semester -4