



AMITY  
UNIVERSITY  
— MUMBAI —

Amity Law School, Mumbai

ORGANISES

3<sup>rd</sup> NATIONAL  
**MOOT COURT**  
COMPETITION

19<sup>th</sup> October - 2<sup>nd</sup> November 2023

Hybrid Mode

Venue: Amity University, Mumbai  
Mumbai - Pune Expressway, Bhatan,  
Post – Somathne, Panvel, Mumbai



## INVITATION

It gives us immense pleasure to announce that Amity Law School, Amity University Mumbai is organizing the 3rd National Moot Court Competition in the month of October and November 2023. We are delighted to invite your esteemed institution to participate in this competition. The competition will be conducted in hybrid mode, with the Preliminary Round being held online while Quarter Final, Semi Final and the Final Rounds being held Offline in the campus.

Amity University Mumbai (AUM) is a part of Amity Universe and has been established under the support of Ritnand Balved Education Foundation (RBEF), a non-profit educational trust under which all Amity Institutions are running at home and overseas. Amity Law School is a part of Amity University Mumbai, Maharashtra, and is one of the leading legal education institutions in the country and has been successfully conducting seminars, conferences, various intellectually challenging events, and seminars. The various programs in Amity Law School seek to promote multi-disciplinary analysis of socio-legal problems.

By the patronage of Hon'ble Vice Chancellor & President, Dr. Aseem Chauhan and under the direction of the Hon'ble Vice Chancellor Prof. (Dr.) A.W. Santhosh Kumar, Amity Law School, Mumbai is organizing this 3rd Edition of the National Moot Court Competition. The topic of the Moot Court revolves around Narcotic drugs, encompassing substances like heroin, cocaine, and opioids. These substances can engender addiction, leading individuals to wrestle not only with physical ailments but also emotional and mental trials, reverberating through families and communities. The complexities of legality further weave a tapestry of criminal activities and legal dilemmas that impact us collectively. Legal frameworks play a pivotal role in curbing the illegal drug trade. Collaborative efforts between law enforcement, policymakers, and international entities can disrupt supply chains and mitigate harm. Communities must stand as bastions of support, offering resources for those striving to overcome addiction. Creating safe spaces and promoting inclusivity can facilitate the reintegration of individuals into society. By acknowledging the pivotal role of legal frameworks and the need for collaboration, Amity University, Mumbai proposes a national-level Moot Court Competition reflecting on the same wherein we can foster a society that champions justice, compassion, and recovery.

Let us envision a world where the legal aspect is not a hindrance but a foundation for collective progress, a world where the power of unity triumphs over adversity.

We warmly invite your esteemed institution to participate in this National Moot Court Competition. Let's collectively foster an atmosphere of eloquent parley.

Thank you.

Regards,  
Moot Court Society  
Amity Law School, AUM

## ABOUT AMITY UNIVERSITY

Amity University Mumbai with its future-ready, sprawling campus, an outstanding learning infrastructure and over a kilometer long frontage on the Mumbai-Pune Expressway offers a 360-degree career transformational set-up. With its state-of-the-art infrastructure, the campus facilitates all-round growth of students. It also houses world-class sports facilities. Amity University Campus has been designed by a globally renowned US architect who has previously designed Boston and California State University.

## ABOUT AMITY LAW SCHOOL

Amity Law School stands as a distinguished institution in the realm of legal education within the nation. The school holds the prestigious affiliation from Bar Council of India and offers a diverse range of integrated courses, spanning five years each, including B.A. LL.B. (Hons.), B.B.A. LL.B. (Hons.), B.Com. LL.B. (Hons.), as well as standalone LL.B. (3 years), LL.M. (1 year), and Ph.D. programs. These academic endeavors are meticulously structured to foster a multidisciplinary exploration of socio-legal issues, incorporating innovative teaching methodologies.

Moreover, the institution actively fosters scholarly engagement by hosting seminars addressing contemporary legal challenges. Complementing this, the school integrates practical exposure through clinical courses and empowers students with proficiencies in legal research, adept legal writing, and para legal services. This comprehensive approach underscores Amity Law School's commitment to cultivating not only legal expertise but also holistic legal understanding.



## ABOUT THE MOOT COURT

Moot Court serves as the legal school's laboratory, where theoretical understanding meets real-world scenarios for testing. It equips students with hands-on skills vital for resolving legal complexities, offering practical insights. Amity Law School thrives on a vibrant mooting tradition, emphasizing its pivotal role as an essential pursuit for its students. With the successful execution of two National Moot Court Competitions and numerous Intra Moot Court Competitions, Amity Law School is a testament to this thriving culture. The esteemed National Moot Court Competition organized by Amity University, Mumbai stands as unifying platform, inviting legal enthusiasts from across the nation to converge and share their fervor.



## AMITY UNIVERSITY 3rd NATIONAL MOOT COURT COMPETITION

Amity Law School, Amity University Mumbai, known for its commitment to legal excellence, sets the stage for this intellectual symposium. A legacy of legal sagacity and dynamism, this institution has consistently demonstrated its dedication to the advancement of legal education.

This year, Amity Law School is poised to host its 3rd Edition of National Moot Court Competition, inviting legal enthusiasts from across India to showcase their advocacy and research prowess. This platform, akin to a legal arena, beckons participants to employ their best advocacy skills and delve into the intricacies of legal research.

The essence of this competition is to challenge participants and nurture their skills in advocacy and research. It acts as a testing ground where participants not only showcase their mettle but also enhance their proficiency in articulating viewpoints and comprehensively dissecting legal matters. The competition embodies the principle of 'Festina lente' - progressing steadily yet surely.

Commencing from 19th October 2023, the inauguration marks the prelude to an advanced intellectual deliberation. Consecutively, on 20th October 2023, the Preliminary Round commences.

This event isn't just about competing; it's about meeting fellow legal aficionados and learning together. Participants, amidst spirited debates and scholarly exchanges, are encouraged to transcend conventional perspectives and embrace innovative legal ideas.

## OBJECTIVES

- To develop a platform for students to practice public speaking in a formal setting.
- To demonstrate how to locate relevant legal sources, analyze case law, and integrate legal principles into their arguments.
- To help the participants understand legal ethics and the importance of ethical behaviour in the practice of law.
- To provide a valuable experience to the participants interested in pursuing a career in litigation or other legal fields involving courtroom appearances.



## ABOUT THE MOOT COURT SOCIETY

The Moot Court Society assumes the role of the student committee entrusted with the oversight and facilitation of all matters pertaining to mooting activities at Amity Law School (ALS).

The Moot Court Committee of Amity Law School operates as a student-led entity working in tandem with the administrative body to organize a range of endeavors. Annually, the Committee conducts two types of competitions, namely the Intra-Departmental and National and International Moot Court Competitions. In preceding instances, the committee has demonstrated its competency by hosting two successful National Moot Court Competitions alongside numerous Intra Departmental Moot Court Competitions.

The Moot Court Society of Amity Law School proactively conducts a series of Internal Moot Court Competitions, facilitated through the involvement of both the faculty and the student body, thus affording students the opportunity to partake in external Moot Court engagements conducted at both the national and international levels. Central to its purpose, the Moot Court Society stands as a dedicated entity, offering students a platform to nurture and elevate their prowess in advocacy and the resolution of disputes.

## COMPETITION GUIDELINES

- The competition is open for students who are pursuing LL.B. three-year/five-year courses during the current academic year.
- Only one team is permitted to participate from each Institution.
- Each team shall consist of either two or three members. In the case of two members, each member shall be Speaker 1 and Speaker 2 respectively and one of them shall act as the Researcher. In a team consisting of three members, two members shall be designated as 'Speakers,' and the third member shall be designated as 'Researcher'.
- All the participating teams must confirm participation by filling in a Registration Form on or before 12th October 2023.
- As per the rules, each team upon completion of registration shall be allotted a unique Team Code for the competition. Each team must use the Team Code for further communication with the organizers during the course of the competition. The teams are forbidden from revealing their identity.
- Any change in team composition must be intimated to r.bharat@s.amity.edu. Such a change must be accompanied by a freshly filled registration form.
- Participants will receive a confirmation email upon successful registration.
- The participating teams are required to pay Rs. 3,500 + GST as registration fees. This fee shall be inclusive of Food and Accommodation for the qualifying teams. Fees once paid shall not be refunded.
- For further information, kindly refer to the Rules and Regulations Document.





## STRUCTURE OF THE COMPETITION

The Competition shall be conducted in the following manner in four rounds:

1. Preliminary Round
2. Quarter-Final Round
3. Semi-Final Round
4. Final Round

**Preliminary Round:** The Preliminary Round will be held on 20th October 2023 in an Online Mode. All the participating teams will compete in the Preliminary Round which will be conducted in two phases, i.e., Preliminary Round 1 and Preliminary Round 2. Among these, 8 of the best teams will be selected for the Quarter Final Round.

**Quarter Final Round:** The Quarter Final Round shall be conducted on 1st November 2023 in Offline Mode. The best eight teams will be competing against each other to come in the Top 4 and hence enter the Semi-Final Round.

**Semi-Final Round:** The Top 4 teams will be qualifying for the Semi-Final Round to be conducted on 2nd November 2023 in Offline Mode and compete against each other to be in the Top 2 best teams.

**Final Round:** The Final Round will be conducted on 2nd November 2023 in the Offline Mode. After competing, the team with the highest score will be announced as the Best Team.

## MOOT PROPOSITION

Amar Das, Samar Das, Firanteen Bai and Joseph D'souza were tried for the offences u/s 8(c) read with section 18(c), 20(b)(ii), 25 & 29 of the Narcotic Drugs & Psychotropic Substances Act 1985. In the trial conducted before the Special Court Chhattispur (CP) the accused Amar Das and Samar Das were convicted and sentenced u/s 8(c) read with section 18(c) read with 31(1) of NDPS Act 1985 and Joseph D'souza was convicted and sentence u/s 20(b)(ii) of NDPS Act 1985, Firanteen Bai was acquitted.

Amar Das and Samar Das were sentenced to rigorous imprisonment for 10 years and fine of Rs. 1,00,000/- u/s 18(c) of NDPS Act 1985 and in default in payment of fine they were ordered to undergo further rigorous imprisonment of 6 months. On the other hand, Joseph D'souza was sentenced to rigorous imprisonment for 10 years and fine of INR 1,00,000/- u/s 20(b) (ii) r/w section 31(1) of the NDPS Act, 1985. The case of the prosecution before the Special Court was as under:

1. On 8th January 2015 Amar Das and Samar Das, was on their way to Chhattispur from Gurpur driving white colored Foyota Tortuner with registration number CP 10 CZ 2345. They were accompanied by Joseph D'souza, travelling in the same vehicle. The said vehicle was signaled to stop at a Police Naka near Taibandh Bypass on Gurpur-Chhattispur Road at about 7:30 pm on 8th January 2015. Police team at Naka duty comprised Sub-Inspector Happoo Singh, Head Constable Vijay Rathore, Constable Pritam Singh and Constable Dilip Singh of Anamka Police Station, Chhattispur.
2. Constable Dilip Singh asked Amar Das and Samar Das to come out of the vehicle and open its rear door for search. Amar Das and Samar Das mildly resisted and said to Dilip Singh that they may be allowed to proceed as they are in hurry to attend a family emergency work in Chhattispur. Dilip Singh reported the matter to Sub-Inspector Happoo Singh, who himself proceeded





towards the vehicle along with Head Constable Vijay Rathore. Sub-Inspector Happoo Singh told Amar Das and Samar Das that the vehicle was needed to be searched and Amar Das and Samar Das had to open the rear door of the vehicle. Amar Das alighted from the vehicle along with Samar Das and opened the rear door of the vehicle. Search of the vehicle was conducted by Head Constable Vijay Rathore in the presence of Sub-Inspector Happoo Singh.

3. A handbag was lying in the boot of the vehicle. Sub-Inspector Happoo Singh asked Pritam Singh to open the bag. To this Amar Das and Samar Das said that bag contained nothing else but clothes. They should be allowed to go as they were already late, and they needed to attend to some family emergency work. The police party became suspicious about the contents of the bag due to apparent hesitation of Amar Das and Samar Das. Sub-Inspector called on phone one Deena Nath a resident of nearby village Kalholi and also requested one Sardul Singh, who was on his way to Lobad in his Marzuki Tola Car bearing Registration No. CP 10 AB 0007 and was stopped at Naka, at that time. Both Deena Nath and Sardul Singh were asked by Sub-Inspector Happoo Singh to witness the search of bag found in the vehicle of Amar Das and Samar Das.
4. On search of the bag two polythene packets were found containing substances like opium of about 1 Kg each. In the meantime, Amar Das and Samar Das slipped away from the spot and could not be found by the police party. However, Joseph D'souza was detained by Sub-Inspector Happoo Singh and a search was made from his possession in his backpack 5 Kg. of contraband Ganja was recovered. A recovery memo of three packets of the contraband substance were prepared which was signed by Deena Nath and Sardul Singh as independent witnesses.

Joseph D'souza told police that he was accompanying Amar Das and Samar Das from Lobad. He said he knew nothing about the narcotic found in the vehicle under seizure and the Narcotic in the backpack which belong to Samar Das. Personal search of Joseph D'souza was made by Head Constable Vijay Rathore after telling the Accused Joseph D'souza that "Do you agree to be searched here otherwise we will take you to the Gazetted Officer or the Magistrate?" Joseph D'souza submitted himself for search to Head Constable Vijay Rathore without saying anything. During the search, apart from the personal belongings, Ganja like substance of about 5 Kg knotted in a piece of polythene was found from the backpack of Joseph D'souza. The search memo was prepared and signed by independent witnesses Deena Nath and Sardul Singh and also by Sub-Inspector Happoo Singh and Head Constable Vijay Rathore with respect to recovery of the contraband from the person of Joseph D'souza.

5. The Foyota Tortuner vehicle CP 10 CZ 2345 and the recovered material were taken to Police Station Anamka along with Joseph D'souza in custody. Registration documents taken out of the vehicle revealed that Foyota Tortuner CP 10 CZ 2345 was owned by Firanteen Bai resident of House No. 789, Green Enclave Chhattispur.
6. The quantity of the Narcotic Substance (Opium) recovered from the bag placed in the Foyota Tortuner CP 10 CZ 2345 (two packets) and also the polyethylene bag recovered on personal search of Joseph D'souza were weighed separately, which weighed 1000 Gms, 1000 Gms and 5 Kg respectively. The matter was reported to Station House Officer of the Police Station Anamka, Chhattispur, Inspector Joginder Singh.



7. An FIR No. 1234/15 was registered at Police Station Anamka Chhattispur u/s. 8 (c) read with Ss. 18 (c), 20(b)(ii), 25 and 29 of the Narcotic Drugs and Psychotropic Act, 1985 against Amar Das and Samar Das, Joseph D'souza and Firanteen Bai, on 9th January 2015 at 10:00 am. Investigation of the case was entrusted to Sub Inspector Hoshiar Singh of Police Station Anamka Chhattispur by Inspector Joginder Singh. Accused Amar Das and Samar Das were arrested from their house No. 789, Green Avenue Chhattispur in the evening of 9th January 2015. Three sealed samples from each packet were sent to Forensic Science Lab Chhattispur on 26th January 2015. During the investigation the following facts were revealed by the Investigation officer.
- a) Amar Das and Samar Das along with their family members viz. Dipika (wife), Ranveer aged 10 years and Anil aged 8 years (sons), of Amar Das and Samar Das were out to Delhi from 28th December 2014 to 07th January 2015 travelling in the Foyota Tortuner Car CP 10 CZ 2345. Amar Das and Samar Das and their family members came back to Chhattispur on the evening of 07th January 2015. The Foyota Tortuner was owned by Mrs. Firanteen Bai mother of Amar Das and Samar Das.
  - b) Amar Das and Samar Das did not have any settled way of life, that is, there was no established business, profession, or job. However, they were leading comfortable and luxurious life, residing in house No. 789, Green Avenue, Chhattispur, owned by them.
  - c) Amar Das and Samar Das went to Lobad to Chhattispur visit the house of Joseph D'souza in the afternoon of 08th January 2015 in Foyota Tortuner vehicle No. CP 10 CZ 2345.
  - d) On the way back from Lobad to Chhattispur Joseph D'souza accompanied Amar Das and Samar Das. Joseph D'souza had agreed to sell off the consignment of opium Ganja brought from Delhi by Amar Das. Amar Das and Samar Das delivered a sample of the opium & Ganja to Joseph D'souza during the return journey to Chhattispur from Lobad on 8th January 2015.



- e) Two packets of Opium weighing total 2000 grams were recovered from the vehicle Foyota Tortuner Registration no. CP 10 CZ 2345 owned by Firanteen Bai and in the possession of Amar Das and Samar Das during search at Police Naka at Gurpur-Chhattispur Road, on 8th January 2015. 5 Kg of Ganja was recovered during personal search of Joseph D'souza. The FSL report of testing of the samples of the contraband seized stated it to be Opium & Ganja respectively.
- f) Police Report also revealed that Joseph D'souza had earlier been convicted for selling opium in 2005. He was sentenced to rigorous imprisonment for 5 years and a fine of Rs. 50000/- under Section 18 (c) of the NDPS Act, 1985.
- g) The police filed Challan u/s 173 Cr. P.C. on 05th March 2015 against Amar Das and Samar Das, Joseph D'souza and Firanteen Bai accused for the offences u/s 8 (c) read with Ss. 18 (c), 20(b)(ii), 25 and S. 29 of the NDPS Act, 1985.

- 8. Amar Das and Samar Das, Accused No. 1 & 2 and Joseph D'souza, Accused No. 3, remained in custody during investigation. However, Firanteen Bai, Accused No. 4, was on bail. On submission of Police Report u/s 173 Cr. P.C., copies of the documents were delivered to the accused. The trial court framed charges against all accused u/s 8 (c) r/w Ss. 18 (b), 20(b)(ii), 25 and 29 of the NDPS Act, 1985. All the accused did not plead guilty and abjured their guilt and they faced trial.
- 9. During trial, the Prosecution examined Deena Nath (PW-1), Sardul Singh (PW-2), Sub Inspector Happoo Singh (PW-3), Head Constable Vijay Rathore (PW-4) and Hoshiar Singh as Investigating Officer (PW-5). Prosecution also tendered into evidence the Reports of Forensic Science Lab as Ex, P-1, P-2 and P-3 confirming substance in the two samples as Opium & one sample as Ganja. The ownership proof of vehicle CP 10 CZ 2345 as owned by Firanteen Bai, Accused No. 4, was presented as Ex P-4. The prosecution also submitted the copy of the judgment of the Court regarding conviction of Joseph D'souza u/s 8 (c) r/w S. 18 (c) the NDPS Act, in 2005, but it was not marked. Opportunity to cross examine all the witnesses was given to the defence. The statements of all the accused were recorded u/s 313 of the Code of Criminal Procedure, 1973. In reply to the questions by the court, all the accused denied the prosecution version and pleaded false implication. The court also put questions to Accused No. 3 Joseph D'souza about his previous conviction, which he denied. Defence put up its case by cross examining prosecution witnesses, examining defence witnesses and producing documents as under.

**10.** That all the accused were falsely implicated by the police. It was denied that there was any search or seizure by police at Naka duty on 8th January 2015.

**11.** It was pleaded that accused No. 1 & 2 Amar Das and Samar Das had a dispute regarding boundary wall of his house No. 789, Green Avenue, Chhattispur with one Hawala Das. Amar Das and Samar Das went on trip to Delhi with their family, during school vacations of Amar Das children, from 28th December 2014 to 7th January 2015, taking benefit of the absence of Amar Das and Samar Das, Hawala Das encroached upon part of the land of the house owned by Amar Das and Samar Das, by constructing a wall. Harnam Singh (DW-2), a neighbour of Amar Das and Samar Das, deposed before the court about said encroachment.

**12.** Amar Das and Samar Das went to Police Station Anamka Chhattispur on 8th January 2015 at about 10:00 am to lodge complaint against Hawala Das for the said

encroachment of their land Amar Das and Samar Das met Inspector Joginder Singh, Station House Officer of Police Station Anamka Chhattispur to lodge his complaint against Hawala Das. Inspector Joginder Singh marked their complaint to Sub-Inspector Happoo Singh. A copy of the complaint was submitted to the court.

**13.** When Amar Das and Samar Das contacted Sub Inspector Happoo Singh at 11 am on 8th January 2015, Sub-Inspector Happoo Singh told Amar Das and Samar Das that he was busy in some other matter and Amar Das and Samar Das could see them in the evening, and at that time he would be at Naka Duty on Gurpur -Chhattispur Road.

**14.** Thereafter Amar Das and Samar Das went to the house of Joseph D'souza, his brother-in-law, at Lobad. Amar Das and Samar Das asked Joseph D'souza to accompany them to Chhattispur as they got dispute with Hawala Das and they needed his help. On their return journey from Lobad to Chhattispur at about





7:00 pm on 8th January 2015, Amar Das and Samar Das and Joseph D'souza halted at Police Naka on Chhattispur-Gurpur Road, to see Sub-Inspector Happoo Singh regarding Amar Das and Samar Das's complaint against Hawala Das.

- 15.** Defence pleaded that the Sub-Inspector Happoo Singh was out to favour Hawala Das as he was an influential person with political links. Both Amar Das and Samar Das along with Joseph D'souza were taken to Police Station Anamka Chhattispur along with their vehicle and were put in the lock up. Thereafter accused in the present case were falsely implicated for the offences under NDPS Act.
- 16.** Sardul Singh (DW-1) deposed before the trial court that he had not witnessed any search or seizure at police Naka on Chhattispur-Gurpur Road on 8th January 2015. But police got his signatures on some papers, on 9th January 2015 by calling him at Police Station Anamka, Chhattispur. He did not know what was written on those papers.
- 17.** Defence also pleaded before the trial court

that Deena Nath was a gambler and a stooge of police. He remained witness in many cases at the behest of the Police, as and when required by Police.

- 18.** The trial court, after considering all the material on record convicted Amar Das and Samar Das Accused No. 1 & 2 u/s 8(c) read with S. 18 (c) of NDPS Act. Joseph D'souza was sentenced with Rigorous Imprisonment of 10 years and a fine of Rs. One lac and in default of payment of fine a further rigorous imprisonment of six months under section 18(c) of NDPS Act, 1985. Accused No. 3 Joseph D'souza was sentenced to Rigorous Imprisonment of 10 years and a fine of Rs. One lac under sections 20(b)(ii) read with section 31 (1) of the NDPS Act, 1985. In default of payment of fine Joseph D'souza was to undergo a further term of rigorous imprisonment for one year. Accused No. 4 Firanteen Bai however was acquitted of the charges.
- 19.** Appeal is preferred by both Amar Das and Samar Das and Joseph D'souza Appellants before the Hon'ble Rai Pradesh (RP) High Court. In the grounds of appeal, the

Appellants pleaded that the trial court has failed to rightly appreciate the facts of the case where the prosecution has utterly failed to prove the offences against them. The appellants further pleaded that they had been falsely implicated in the case. The procedure alleged to be adopted in search and seizure does not stand the scrutiny of law, and it also does not satisfy the safeguards provided under S. 50 of the NDPS Act, 1985. It is also alleged that the trial court has taken the factum of previous conviction of Appellant Joseph D'souza without framing charges for that and proper evidence on record.

- Argue the case on behalf of Appellants and Respondent.

**Note:**

- \* Team Must Frame Their 3 Issues.
- \* Teams are not allowed to assume any additional information/ documents other than what has been provided.

**Disclaimer:**

This moot problem is a purely hypothetical scenario created for the purpose of Criminal Moot Competition (ALS). The characters, events, and legal issues depicted in this problem are entirely fictional and do not represent real individuals, cases, or situations. Any resemblance to actual persons, living or dead, or to real legal cases is purely coincidental.

- This moot problem has been crafted by Amity Law School, Amity University Mumbai, and is subject to copyright protection. Reproduction, distribution, or any form of unauthorized use without proper consent is strictly prohibited.
- Participants are advised to informed that the scoresheet and evaluation of this moot problem are final. No objections, disputes, or appeals regarding the scoring, judging, or assessment of this problem will be entertained. The organizers' decisions in this regard are conclusive.



## SCHEDULE

The Third Edition of the National Moot Court Competition shall be conducted in hybrid mode in October-November 2023. The following is the date schedule for the same:

### Date Schedule for 3rd Amity Law School National Moot Court Competition

| Particular  | Data (tentative)    | Mode        |
|---|---------------------|-------------|
| Release of Moot Proposition                                   | 15th September 2023 | Online      |
| Release of Rules and Regulations                              | 15th September 2023 | Online      |
| Commencement of Registration                                  | 15th September 2023 | Online      |
| Last date for Registration                                    | 12th October 2023   | Online      |
| Last date to seek clarifications of Proposition               | 10th October 2023   | Online      |
| Release of Clarifications of Proposition                      | 12th October 2023   | Online      |
| Last date for submission of Memorials                         | 15th October 2023   | Online      |
| Inaugural Function  | 19th October 2023   | Hybrid Mode |
| Draw of Lots and Memorial Exchange                            | 19th October 2023   | Online      |
| Researcher's Test   | 19th October 2023   | Online      |
| Preliminary Round   | 20th October 2023   | Online      |
| Declaration of results of Preliminary Round                   | 20th October 2023   | Online      |
| Quarter Final Round   | 1st November 2023   | Offline     |
| Semi Finals   | 2nd November 2023   | Offline     |
| Declaration of results of Semi Final Round                    | 2nd November 2023   | Offline     |
| Final Round   | 2nd November 2023   | Offline     |
| Declaration of Result of Final round and Valedictory Ceremony | 2nd November 2023   | Offline     |

## AWARDS

**TOTAL CASH PRIZE: Rs. 1,00,000/-**

**WINNER**

CASH PRIZE: Rs. 50,000  
TROPHY  
CERTIFICATE OF EXCELLENCE

**RUNNER UP**

CASH PRIZE: Rs. 20,000  
TROPHY  
CERTIFICATE OF EXCELLENCE

**BEST SPEAKER**

CASH PRIZE: Rs. 10,000  
TROPHY  
CERTIFICATE OF EXCELLENCE

**BEST RESEARCHER**

CASH PRIZE: Rs. 10,000  
TROPHY  
CERTIFICATE OF EXCELLENCE

**BEST MEMORIAL**

CASH PRIZE: Rs. 10,000  
TROPHY  
CERTIFICATE OF EXCELLENCE

*\*Certificate of Participation will be provided to all the participants*



## **ORGANIZING COMMITTEE**

### **PATRONS**

**Dr. Aseem Chauhan**

Hon'ble Chancellor & President,  
Amity University Mumbai

**Prof. (Dr.) A. W. Santhosh Kumar**

Hon'ble Vice-Chancellor,  
Amity University Mumbai

### **CONVENER**

**Prof. (Dr.) Vijay Singh Dahima**

(Dy. Pro Vice-Chancellor, Head I/C Amity Law School,  
Amity University Mumbai)

### **FACULTY COORDINATOR**

**Ms. Ravina Parihar**

(Asst. Professor, Amity Law School)

### **STUDENT CONVENORS**

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**Ms. CHRISTIENA BIBU**

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# AMITY LAW SCHOOL, 3rd NATIONAL MOOT COURT COMPETITION GENERAL RULES AND COMPETITION GUIDELINES

## I. DATE & VENUE

The 3rd Amity Law School National Moot Court Competition 2023 shall be held in two phases in hybrid mode.

### Phase 1: Preliminary Rounds (VIRTUAL MODE)

Date: 20th October 2023

Meeting Link shall be sent across to the participants later prior to the competition.

### Phase 2: Quarter-Final Round, Semi-Final Round & Final Round (OFFLINE MODE)

Date: 1st & 2nd November 2023

Venue: Amity University, Mumbai Campus

| Particular  | Data (tentative)    | Mode        |
|---|---------------------|-------------|
| Release of Moot Proposition                                   | 15th September 2023 | Online      |
| Release of Rules and Regulations                              | 15th September 2023 | Online      |
| Commencement of Registration                                  | 15th September 2023 | Online      |
| Last date for Registration                                    | 12th October 2023   | Online      |
| Last date to seek clarifications of Preposition               | 10th October 2023   | Online      |
| Release of Clarifications of Proposition                      | 12th October 2023   | Online      |
| Last date for submission of Memorials                         | 15th October 2023   | Online      |
| Inaugural Function  | 19th October 2023   | Hybrid Mode |
| Draw of Lots and Memorial Exchange                            | 19th October 2023   | Online      |
| Researcher's Tes  | 19th October 2023   | Online      |
| Preliminary Round   | 20th October 2023   | Online      |
| Declaration of results of Preliminary Round                   | 20th October 2023   | Online      |
| Quarter Final Round   | 1st November 2023   | Offline     |
| Semi Finals   | 2nd November 2023   | Offline     |
| Declaration of results of Semi Final Round                    | 2nd November 2023   | Offline     |
| Final Round   | 2nd November 2023   | Offline     |
| Declaration of Result of Final round and Valedictory Ceremony | 2nd November 2023   | Offline     |

## **II. ELIGIBILITY**

1. The competition is open to bona-fide undergraduate students from recognized colleges/institutions/universities in India pursuing an integrated 5-year L.L.B (B.A./BBA/B.Com LL.B) or 3-year L.L.B program.
2. Each College /University to Institution shall be represented only by one team.
3. The organizing committee shall accept registrations on a first-come first-serve basis.

## **III. TEAM COMPOSITION**

1. Each participating team may either consist of Two (2) or Three (3) members in the following manner:
  - a. Speaker 1
  - b. Speaker 2
  - c. Researcher
2. In a team of Two (2), one of the speakers shall be the Researcher. In such a case, the participating team must mention the same during the Registration Process.
3. All members of the team must belong to the same College/University.
4. In case the team is accompanied by Observers (including Parents, Guardians and Faculty Members of the concerned Institution), such person(s) shall not be provided with accommodation facilities.
5. Once registered, a team will not be permitted to vary the composition of the team in any manner (change of members/roles). Changes may be accepted in exceptional circumstances at the discretion of the organizing committee if due reason is shown for the same.

## **IV. EXTERNAL ASSISTANCE**

1. Each participating team must research and prepare the memorial without the assistance of non-members.
2. Participating teams may receive general advice from faculty advisors. However, such advice shall be restricted to general guidance on the concerned area of law.
3. If it comes to the attention of the organizing committee that external assistance has been sought by any of the participants, the team will be disqualified.

## **V. LANGUAGE**

The official language of the competition shall be English. All document submissions (memorial/compendium) and oral rounds shall strictly be in English.

## **VI. DRESS CODE**

1. The participants shall be in formal courtroom attire throughout the competition.
  - Male participants: White shirt, Black Blazer, Black Trousers and Black Tie.
  - Female participants: White shirt/Kurta, Black Blazer and Black Trousers.
2. Participants are not allowed to wear robes or collar bands.

## **VII. REGISTRATION**

### **1. Registration Procedure**

- a. Teams are required to complete the provisional registration by 12th October 2023 by 23:59 IST.
- b. The participating teams are required to complete the provisional registration by filling out the application available on: [www.amity.edu/mumbai/nmcc2023](http://www.amity.edu/mumbai/nmcc2023)
- c. Upon completion of the provisional registration, each team will get a provisional confirmation email from the organizing committee. Kindly send a mail to [r.bharat@s.amity.edu](mailto:r.bharat@s.amity.edu) if you do not receive the confirmation mail within 2 days.
- d. For completion of the registration process, the teams shall send the following documents to [r.bharat@s.amity.edu](mailto:r.bharat@s.amity.edu) latest by 12th October 2023 23:59 IST:
  - i. No-Objection Certificate (NOC) from the respective institution.
  - ii. Bonafide Certificate from Moot Court Faculty Coordinator/Dean/ Head of Institute.
  - iii. Screenshot of payment which includes Transaction ID and Date of Payment.
- e. The organizing committee will confirm the registration once all documents are submitted.

### **2. Registration Fees**

- a. Each team shall make a payment of INR 3,500 + GST as the Registration Fee to participate in the competition. Accommodation shall be provided to the teams that have qualified for Quarter Final Round.
- b. Registration will not be considered without payment of the applicable fee.

## **VIII. ANONYMITY OF TEAMS**

- a. Each team will be assigned a unique team code after completion of the registration process. Teams shall only use their team code for identification purposes.
- b. Names of the participants or the name of the college/ institute/ university should not appear on or within any of the written submissions. Signature pages are prohibited.
- c. No team shall indulge in any activity which discloses their identity or details of their college/ institution/ university in any manner. Disclosure of identity shall cause the team to be disqualified.

## **IX. CLARIFICATION OF THE PROPOSITION**

- a. Teams may seek clarification of the Moot Proposition. All requests for clarifications shall be emailed to [r.bharat@s.amity.edu](mailto:r.bharat@s.amity.edu) with the subject, 'Clarification on Moot Proposition' latest by 10th October 2023.
- b. The request for clarification shall only pertain to the facts of the case and not related to the substantive arguments.
- c. All clarifications issued by the organizing committee shall be communicated to the participants via e-mail and all clarifications shall be part of the Moot Proposition as and when it is issued.

## **X. MEMORIAL**

### **1. General:**

- a. Each team shall prepare a memorial from each side i.e., the Petitioner(s) and the Respondent(s).
- b. The copies of the memorials must bear cover page in conformity with the following scheme:
  - i. Blue- Petitioner/ Appellant
  - ii. Red- Respondent
- c. Teams are not permitted to raise arguments in the oral rounds that are not present in the memorial.
- d. The memorials must not contain any identification mark or symbol apart from the team code. Any such mark or symbol will lead to disqualification of the team.
- e. Compendium may be submitted by the participating teams during the competition. However, it is not required for the participating teams to send the document of the Compendium along with the Memorials. The participants may make use of such Compendium during the Oral Rounds.

### **2. Submission of Memorial:**

- a. All teams shall send a soft copy of the memorial for each side in PDF format, via e-mail latest by 15th October 2023 23:59 IST to r.bharat@s.amity.edu with 'Memorial TC-XX' as the subject. A penalty of 1 mark per hour per side shall be deducted in case of delay in the submission of the soft copy of the memorial submission.
- b. Each memorial shall be named in the following manner:
  - i. Memorial on behalf of Petitioner(s)- TC-XX P (replace XX with your team code)
  - ii. Memorial on behalf of Respondent(s)- TC-XX R (replace XX with your team code)
- c. No changes shall be made to the memorials once the softcopy is submitted.
- d. The teams that qualify for the Quarter Final Round must submit three hard copies of memorials (each of Petitioner and Respondent) on the day of Quarter Final Round (1st November 2023).

### **3. Format of Memorial:**

- a. Each memorial must consist of the following details:
  - i. Cover Page - Team code shall be specified on the top right-corner of the cover page. Memorials without team code will not be evaluated.
  - ii. Table of Contents
  - iii. List of Abbreviations
  - iv. Index of Authorities
  - v. Statement of Jurisdiction: Must not exceed one page.
  - vi. Statement of Facts: Must not exceed two pages.
  - vii. Issues Raised: Must not exceed one page.
  - viii. Summary of Arguments: Must not exceed two pages.
  - ix. Arguments Advanced: Must not exceed 24 pages.
  - x. Prayer: Must not exceed one page.

**Non-compliance of the page limit shall result in deduction of one mark per page.**

b. The following specifications shall be adhered to:

|       |                           |                                 |
|-------|---------------------------|---------------------------------|
| i.    | Language                  | English                         |
| ii.   | Font and Size (Body)      | Times New Roman, 12             |
| iii.  | Line Spacing (Body)       | 1.5                             |
| iv.   | Font and size (Footnotes) | Times New Roman, 10             |
| v.    | Line Spacing (Footnotes)  | 1                               |
| vi.   | Page Margins              | 1 inch                          |
| vii.  | Page Size                 | A4                              |
| viii. | Alignment                 | Justified                       |
| ix.   | Citation Style            | Harvard Bluebook (20th Edition) |

## **XI. EXCHANGE OF MEMORIALS**

There will be an exchange of memorials amongst the respective competing teams after the Draw of Lots for each round. The memorials shall be sent to the respective teams via e-mail for the Preliminary Rounds. For the advanced rounds, hard copies of the memorials will be exchanged.

## **XII. JUDGING CRITERIA FOR MEMORIAL**

Memorials will be judged by a special jury panel based on the following criteria:

|    |   |          |
|----|---|----------|
| 1. | Knowledge of Facts                                  | 10 marks |
| 2. | Knowledge of Law                                    | 10 marks |
| 3. | Proper and Articulate Analysis                      | 20 marks |
| 4. | Extent and Use of Research                          | 20 marks |
| 5. | Clarity and Organization                            | 20 marks |
| 6. | Style, Formatting, Grammar, and Citation of Sources | 20 marks |

### **XIII. RESEARCHER'S TEST**

1. The Researcher of each participating team shall give a Researcher's Test which shall be conducted in online mode on 19th October 2023.
2. The Researcher's Test will comprise of 30 objective questions based on the applicable laws, precedents and facts pertaining to the Moot Proposition.
3. The duration shall be 30 minutes.
4. Each question carries 1 mark each. There shall be no negative marking.
5. The researcher's test will be in proctored mode. The Researchers must log in at the provided time on a single device with their microphones and cameras switched on and must be clearly visible to the proctor. Non-compliance of which shall lead to disqualification.
6. The score of the Researcher's Test shall be considered for determining the 'Best Researcher'.
7. The winner of the test shall be determined by the highest score attained.
8. In case of a tie, higher rank will be awarded to the student scoring more marks in the written submission of the Memorials.

### **XIV. PROCEDURE FOR ORAL ROUNDS**

#### **1. General:**

- a. The Oral Rounds shall have four levels – Preliminary Rounds, Quarter-Final, Semi-Final and Final Round.
- b. The competition will be held in two phases-
  - i. Phase I: Preliminary Round and Researchers test (ONLINE)
  - ii. Phase II: Quarter Final, Semi-Final, and Final Round (OFFLINE).
- c. The researcher shall sit with the speakers during the oral rounds and at no point shall the researcher be allowed to speak or address the bench unless asked by the bench.
- d. Researchers may pass notes to the Speakers during the rounds.
- e. All teams may submit a compendium which includes any case laws and authorities to which they intend to refer.
- f. The oral arguments should not extend beyond the issues in memorials.
- g. In case of a tie, the team with the highest score for the Memorial is deemed to be the winner.
- h. The Best Speaker Award shall be determined based on the individual aggregate score of the speakers taken only from the Preliminary Rounds. Individual Aggregate Score shall be determined as the sum of the marks scored by the speaker in both the preliminary rounds.
- i. Any additional rules/ guidelines / specifications shall be communicated by the team ushers to the respective teams.

## **2. Preliminary Round:**

- a. Every team shall argue twice in the Preliminary Rounds, once for the Petitioner and once for the Respondent.
- b. Each team shall get a total of 20 minutes for pleading including the rebuttal and surrebuttal.
- c. The division of time among the speakers shall be at the discretion of the team.
- d. One speaker shall plead for not less than 8 minutes.
- e. In case any opponent team fails to appear in the oral round within 10 minutes of the scheduled time, the round shall be conducted ex-parte and the scoring shall be done as if the defaulter team had been presenting and arguing.
- f. The top eight teams as per the aggregate score of the preliminary rounds will qualify for the Quarter-Final Round.
- g. The link and guidelines for the virtual rounds shall be sent across prior to the prelims.

## **3. Quarterfinals:**

- a. Eight teams will be selected for Quarterfinals.
- b. Each team shall get a total of 30 minutes for pleading including the rebuttal and surrebuttal.
- c. The division of time among the speakers shall be at the discretion of the team. However, one speaker shall not plead for less than 12 minutes.
- d. The Quarter-Final round will be decided on a knockout basis.

## **4. Semi-Finals:**

- a. The four teams securing the win against the opponents in the Quarterfinal shall be eligible for the Semi-Finals.
- b. Each team shall get a total of 30 minutes for pleading including the rebuttal and surrebuttal.
- c. The division of time among the speakers shall be at the discretion of the team. However, one speaker shall not plead for less than 12 minutes.
- d. The Semi Final will be decided on a knockout basis.

## **5. Final Round:**

- a. The two teams securing the win against the opponent in the Semi-Finals shall be eligible for the Final Round.
- b. Each team will get a total of 40 minutes for pleading including the rebuttal and surrebuttal.
- c. The division of time among the speakers shall be at the discretion of the team. However, one speaker shall not plead for less than 15 minutes.



## **XV. REBUTTAL & SURREBUTTAL**

1. Before the beginning of the rounds, the Speakers of the team shall inform the Court Masters regarding the allocation of time between both the Speakers and the time reserved for rebuttal.
2. Once informed, the time shall not change. However, Judges, at their discretion, may extend the time up to five minutes per team.
3. Rebuttal and surrebuttal time shall not exceed:
  - a. 2 minutes, in the case of Preliminary Round
  - b. 5 minutes, in the case of Quarter Final, Semi-Final and the Final Rounds.

## **XVI. JUDGING CRITERIA FOR ORAL ROUNDS**

Oral Rounds shall be judged based on the following criteria:

|    |  |          |
|----|--|----------|
| 1. | Knowledge/ Interpretation of Law         | 20 marks |
| 2. | Application of laws to the Facts         | 20 marks |
| 3. | Ingenuity and Ability to Answer          | 20 marks |
| 4. | Style, Poise, Courtesy and Demeanor      | 20 marks |
| 5. | Compliance with Rules and Specifications | 20 marks |

## **XVII. SCOUTING**

Oral Rounds shall be judged based on the following criteria:

1. Scouting by any person on behalf of any team should be brought to the notice of the Organizing Committee immediately, without disturbing the round in progress.
2. Scouting includes reading a memorial of a team except where it is of the team to which he/ she is affiliated, or the memorial has been obtained on account of an exchange of memorial before a round.
3. Participants shall not be allowed to observe the oral rounds of another team except during the Final Round.
4. Any team found scouting shall be disqualified.

## **XVIII. AWARDS**

The awards are as follows:

|                 |   |
|-----------------|---|
| Winners         | INR 50,000/- + Trophy + Certificate of Excellence |
| First Runner-up | INR 20,000/- + Trophy + Certificate of Excellence |
| Best Speaker    | INR 10,000/- + Trophy + Certificate of Excellence |
| Best Researcher | INR 10,000/- + Trophy + Certificate of Excellence |
| Best Memorial   | INR 10,000/- + Trophy + Certificate of Excellence |

\*Certificate of Participation shall be provided to all Teams.

## **XIX. MISCELLANEOUS**

1. All queries relating to the problem, scores, etc. may be directed via email to christiena.bibu@s.amity.edu and r.bharat@s.amity.edu .
2. Any reference to the identity of a team's institution or individual team members, either during oral arguments or in the Memorial may lead to disqualification of the team, which shall be at the sole discretion of the Organizing Committee.
3. If a team believes that a violation of any of the rules has taken place at any stage of the Competition, the teams shall within 30 minutes of the completion of the round wherein a violation has allegedly occurred, register a complaint with the Organizing Committee. No team or its members shall approach the Judges with any complaints under any circumstance.
4. The rules shall be strictly adhered to. The Organizing Committee reserves the right to disqualify teams for deviating from the rules. The Organizing Committee will resolve any contingencies that may arise.
5. The decision of the Organizing Committee shall be final and binding.
6. These Rules are not exhaustive.

## **CONTACT DETAILS**

### **Student Conveners:**

**a. Raghav Bharat R:** +91 9387358666 (r.bharat@s.amity.edu )

**b. Christiena Bibu:** +91 9542777123 (christiena.bibu@s.amity.edu )