

SHRI SHARDA BHAVAN EDUCATION SOCIETY NANDED'S

**NARAYANRAO CHAVAN LAW COLLEGE,
NANDED,
MAHARASHTRA**



Late Kusumtai Chavan

Memorial



6TH

NATIONAL MOOT COURT COMPETITION
(40TH YEAR OF MOOT COURT COMPETITION)

Saturday, 23rd February 2019

Establishment Year: 1970
Post Box No. 201

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Shri Sharda Bhavan Education Society's
NARAYANRAO CHAVAN LAW COLLEGE, NANDED

(Affiliated to Swami Ramanand Teerth Marathwada University, Nanded)
(NAAC Re-accredited B++)

E.Mail nclcnanded@yahoo.com Website- www.nclcnanded.in

President Hon'ble Shri Ashokrao Chavan B.Sc.,M.B.A.	Secretary Shri D.P.Savant B.Sc. (Hons)	Principal Dr. Khakare Vikas LL.M., Ph.D.
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Ref.No.:-

Date:-

To,
The Principal,

**Sub.: Late Kusumtai Chavan Memorial 6th National Moot Court Competition,
to be held on Saturday, 23rd February 2019.**

Sir,

Shri Sharda Bhavan Education Society's Narayanrao Chavan Law College, Nanded in its endeavour to enhance legal skills & augment knowledge of law, yearly organizes Moot Court Competition. This is the 40th year of Moot Court Competition & Since 2014 the college has decided to make it a much bigger event & since then this will be the 6th National Level Moot court Competition, which is ever known for adopting new practices. The last version of the competition has seen participation by 28 teams across India, won by Christ University, Bangalore.

It gives us immense pleasure to invite your esteemed institution to participate in Late Kusumtai Chavan Memorial 6th National Moot Court Competition to be held on 23rd February 2019 in our college.

We request you to send a team of 03 students for participation in above captioned competition. The Registration Form along with the moot problem and rules is enclosed herewith. Kindly ensure that duly filled Registration form reaches us on or before 25th January 2019 along with Registration Fee by way of Demand Draft in the name of The Principal, Narayanrao Chavan Law College, Nanded, so as to facilitate us to make necessary arrangements.

Your participation would be our privilege. For any information or clarification please write us or call us.

Thank you.

Yours faithfully,

Dr. V.S. Khakare
Principal

Encl.:

1. Moot Problem
2. Rules of Competition.
3. Registration Form.

Shri Sharda Bhavan Education Society's
NARAYANRAO CHAVAN LAW COLLEGE, NANDED

**Late Kusumtai Chavan Memorial
6th National Moot Court Competition**

Saturday, 23rd February 2019

Moot Problem

**Smiling Angels
Versus
Union of Indiana & Others.**

Children are supremely national asset. They grow as per the surrounding, environment & training provided to them. Childhood is the most adorable part of life. Children are born and brought up under the feathers of their parents. Sometimes pampered, over protected, sometimes neglected for their own selfish motives. With the rapid growth in telecommunication devices, children are grasping new activities very easily. This result's into many children's participation in reality shows. Almost all television channels have started broadcasting various kinds of reality shows like dancing, acting, creative artist, acrobatics, knowledge based questions & other skill based performances, wherein children are participants.

There are many instances where, a child gets popularity at an early age, which results he becoming bread earner for his family. Some are now ruling the music industry, and few others have started conducting dance classes. "Navin" a child of 6 years of age have won the national competition of singing. "Swara" a child of 10 years of age won the best performer award in acrobatic. "Fredric" a child at the age of 8 years of age could won the best performer award in dance reality show. "Salim" a child of 12 years of age have attracted the world's attention by showing his talent in quiz competition, and won the competition by defeating his elder co participants. In many dance reality show, the children have shown their talent by performing such an act, which was even not possible to their partner having more than 18 years of age. Acknowledging this, many parents have started sending their children for participation in such events. Thus participation of children in reality shows has by now become a booming career. Therefore, last decade have seen tremendous changes in the widespread era of competition on television channels.

Meanwhile, several news were published in newspapers & on so many news channels, social media, reporting, burn and other injuries to children during live events, death of a child during acrobatic and areal performance, death of a child by falling during a dance reality show, suicide of a child because of heavy stress, frustration or depression due to failure in competition. Many reports says, that excessive burden of preparation for such reality show & competition is adversely affecting the children in their overall development. Many a times, children are practising for their respective events day and night, without bothering for foods,

adequate sleep, studies etc. & is resulting into malnutrition. Few stunts in dancing shows, have caused permanent disablement to the children.

Feeling affected and concern with the death of children in such events, the petitioner Smiling Angels an NGO, working for the cause of overall development of child, have filed a Public Interest Litigation, before the supreme court of Indiana, directing the respondent to frame a policy, and to declare such act as barbaric and inhuman and thus prayed for stopping of such reality show, consisting a child as a participant. It is also stated in the petition that, conducting these kinds of reality shows are adversely affecting a child's mental, physical & psychological strength, and also violating the constitutional goal to provide free and compulsory education. Thus prayed that, the respondent have failed in its duty to safeguard best interest of child, and thus has violated the fundamental rights of child guaranteed under the constitution of Indiana.

The respondent, have issued guidelines in that regard, to all media house and all the organizers, for not conducting such competitions. Feeling aggrieved with these guidelines, few media house, which are known for conducting dance reality show for children, have file intervention petition and submitted to the court, that before conducting such competition, the organizers have sought permission from the guardian of the child, and a guardian is the best judge of the future of his child. Moreover it states that, such kind of reality shows gives an opportunity to these children to explore their talents and provides platform for the same. Thus claimed that, if such an order is issued, this will result in violation of rights of media as provided by the constitution of Indiana under Article 19 (1) (a) read with article 21 of the constitution, as also will violate the fundamental rights of liberty of parents to choose a pattern of living for their children.

The petition has by now kept for hearing and final disposal on 23rd February 2019 on following issues:

ISSUES

1. Does organizing reality shows, allowing participation of children therein is a fundamental right of the media house?
2. Does participating in such reality show, is a fundamental right of child?
3. Does Respondent failed in its duty to safeguard the best interest of child?
4. Whether such reality shows shall be banned?

Note:

- Arguments should be strictly limited up to the issues framed.
- The Laws of Indiana are Mutatis Mutandis to the Laws of India.
- All the characters, events, names, places used in the moot problem are fictitious and having no resemblance with any living, non-living, recently dead person and have framed only for the purpose of this moot court competition. If it seems to be resembling, that shall be construed as a mere coincidence.

Shri Sharda Bhavan Education Society's
NARAYANRAO CHAVAN LAW COLLEGE, NANDED
Late Kusumtai Chavan Memorial
6th National Moot Court Competition
Saturday, 23rd February 2019

Rules for the Competition

A. Eligibility & Registration:

1. Team from Law Colleges all over India, recognized by Bar Council of India will be eligible to participate in the competition.
2. The members of each team should comprise of three members consisting of two Speakers and one researcher. One college is allowed to send only one entry.
3. The members of each team should be under graduate law students either pursuing 3 Years or 5 Years law course.
4. Each team shall pay Registration Fees of Rs.3000/- by Demand Draft drawn in the name of **The Principal, Narayanrao Chavan Law College, Nanded, payable at Nanded.**
5. The teams must register on or before 25th January 2019, by sending a scanned copy of Registration Form alongwith Scanned copy of Demand Draft and a covering letter at mootnclcn@gmail.com. The original hard copy of the registration form alongwith demand draft and covering letter shall be sent along with the memorials.

B. Date & Venue:-

1. Date of Competition : 23rd February 2019, Saturday.
2. Venue : Narayanrao Chavan Law College,
VIP Road, Nanded-431602(Maharashtra)

C. Rules for the Competition:-

1. The dress code for the participants shall be white dress with black coat and a black tie.
2. The competition shall be in English only.
3. The participants shall have to prepare & argue the case as if they are appearing before the Hon'ble Supreme Court.
4. All the participating teams will be expected to carry with them any case law & authorities which they intend to refer.
5. The decision of the judges as to assessment of oral submissions & written memorials shall be final & no dispute shall be entertained in this regard.
6. The total marks of each individual speaker shall be computed by addition of memorial marks & oral submission marks. The marks will be the aggregate of the marks given by both the judges to each participant.
7. The Competition will be conducted before division bench. Depending upon the number of entries received the number of courts will be formed.

8. The competition shall be conducted in 2 rounds, i.e. Preliminary Round and Final Round.
9. In the preliminary rounds all the teams has to argue the case from both sides i.e. Petitioner & Respondent, in the same court which will be allotted to them before start of the competition. In the preliminary round, each speaker shall argue against its own companion speaker.
10. Each speaker shall be given a maximum of 08 minutes (7+1) for oral submission in the preliminary rounds. There will be a warning bell after 07 minutes & a final bell after completion of 08 minutes of commencement of arguments by the participant. If the speaker exceeds time more than time given, except with the permission of the judges, the team would be liable for negative marking. Since both the Speaker of a team is arguing against each other belonging to the same institution, no time for rebuttal or Sur-rebuttal is permitted.
11. Each team shall be assessed out of 400 marks during oral submissions. 50 marks for each memorial will be separately added in order to count the merit. The marks will be calculated as 100 marks to each Mooter by each judge of the bench. The marks collectively scored by both the speakers along with the marks scored for memorial shall be computed for the purpose of qualifying for the final round.
12. Two highest scorer teams from each court shall qualify for the final rounds.

RULES FOR FINAL ROUND

13. Final round shall be presided over by a full bench.
14. Two winning teams from each court in preliminary rounds shall be advanced to the final round and team scoring highest mark in the final round will be adjudged as winner team.
15. The allotment of sides of arguments and the opponent team in the final round shall be decided by draw of lots, to be taken place at the end of preliminary round. (Please note that, considering the time constraint no exchange of memorial is advanced during the competition).
16. Immediately after drawing lots, the final round shall commence.
17. In the final round each team will argue as a team and compete against another team.
18. The two speakers representing a University/College will argue from the same side dividing the arguments between themselves. Each team will be allotted with a 15 minutes time to complete the argument including rebuttal if any, of which the division of time will be communicated to the concerned court officer prior to the commencement of arguments. No Speaker can exceed 9 minutes time, of the 15 minutes. Final round shall be assessed out of 600 marks. Scoring 100 marks to each speaker by each judge of bench.

D. Memorials:-

1. Five copies of the memorials from each side (Total 10), in prescribed format are required to be submitted on or before 15th February, 2019. Late submission would be liable for negative marking of 2 points per day up to 20th February 2019. Memorials shall not be accepted thereafter and team shall be disqualified from the competition.
2. Memorials shall be strictly in the format given below-
 - a. Title Page (1 Page)
 - b. Table of Contents (1 Page)
 - c. Index of Authorities along with Bibliography (1 or 2 Pages)
 - d. Statement of Jurisdiction (1 Page)
 - e. Statements of Facts (1 or 2 Pages)
 - f. Statement of Issues. (1 Page)
 - g. Summary of Arguments. (1 or 2 Pages)
 - h. The Arguments Advanced (15 Pages)
 - i. Prayer Clause (1 Page)
3. Memorials should be typed & stapled with paper cover, in Green colour for Petitioner and Pink colour for Respondent.
4. Typing of memorial should be as per specifications given below-
 - a. Paper Size - A4 not more than 70 GSM
 - b. Font Size - 12
 - c. Font Type - Times New Roman
 - d. Line Spacing - 1.5
 - e. Margins - 1 Inch on each side.

Specifications for foot notes are given below:

- a. Font Size - 10
 - b. Font Type - Times New Roman
 - c. Spacing - 1
5. Memorials once submitted shall not be returned back to the participants in any case nor shall any amendment be allowed after submission of the memorials.
 6. Teams are required to carry their own copies of memorials for the reference during competition. Organizers are not bound to help teams in such case by providing the copies of memorials submitted.
 7. The format of the memorials should be strictly followed.

E. Marking criteria for memorials

1. Memorial from each side shall carry total of 50 marks in preliminary rounds.
2. The following shall be the criteria for marking memorials.

Sr. No.	Marking criteria	Marks allocated
1	Articulate use of facts & Law	10
2	Originality of thought & Proper analysis	10
3	Grammar and Format	10
4	Extent of citation in research	10
5	Clarity and organisation	10
	Total:	50

F. Marking criteria for arguments

1. Each speaker will be marked out of 100 marks by each bench judge.
2. The following will be the marking criteria and the marks allocated to each speaker by each judge in the round:

Sr. No.	Marking criteria	Marks allocated
1	Appreciation and application of facts	15
2	Substance in arguments	25
3	Skills of advocacy	25
4	General Impression, Court Manners, answer to court questions and behaviour.	35
	Total:	100

G. Prizes:

1. Best Team - Trophy and Certificate
2. Runner up Team - Trophy and Certificate
3. Best Advocate/Mooter - Trophy and Certificate
4. Runner up Mooter - Trophy and Certificate
5. 2 Consolation Prizes (Individual) - Trophy and Certificate
6. Best Memorials - Trophy and Certificate

Certificates of participation shall be given to all the participants after the competition is over.

H. Other Rules:

2. All participants are expected to maintain the decorum in the court during the competition & are expected to conduct themselves in a manner befitting the legal profession.
3. The organizer's decision regarding the interpretation of rules or any other matter related to the competition will be final.
4. If there is any situation which is not contemplated in the rules, the organizer's decision on the same shall be final.

I. Miscellaneous:

1. Travelling allowance of the participants shall be borne by the respective institution.
2. Accommodation will be provided on advance request for outstation participants subject to payment of Rs. 1000/- per day to be paid along with registration fees (maximum for three persons only). Additional members accompanying the team shall have to make their own arrangements for accommodation.
3. Food shall be provided to the participants only during the competition.
4. Participants should inform the organizing committee, well in advance, as to their travelling schedule as well as date & time of arrival.
5. The details along with the rules of competition, Moot Problem, Registration Form and any future information, including the amendments if any, in the competition shall be communicated to the participating teams.

6. The result of the competition & prize distribution shall be on the same day i.e. on 23rd February 2019.

J. How to Reach Nanded

- By Railway - Hazur Sahib Nanded Railway Station (NED)
By Air - Shri Guru Gobind Singhji Airport Nanded (NDC)
By Road - Nanded

K. Important Dates

1. Date of Registration - On or before 25th January, 2019
2. Submission of Memorials - On or before 15th February, 2019
3. Date of Competition - 23rd February 2019
4. Prize Distribution - 23rd February 2019

Co-ordinator - **Dr. Amol B. Karwa**, Assistant Professor - 09404900900

Co-coordinator - **Dr. Mangalsingh S. Bisen**, Assistant Professor

(Note: In case of any query please contact preferably between 12.00 Noon to 5.00 P.M.)

**Late Kusumtai Chavan Memorial
6th National Moot Court Competition
23rd February 2019**

REGISTRATION FORM

Name of the Institute :- _____

Address of the Institute:- _____

Institute Email :- _____

Description of D.D. :- No. _____ Bank _____ Date _____

Accommodation :- Required / Not required

1.	Name of the Speaker 1		Photo
	Class		
	Address		
	Contact No.		

2.	Name of the Speaker 2		Photo
	Class		
	Address		
	Contact No.		

3.	Name of the Researcher		Photo
	Class		
	Address		
	Contact No.		

* Photographs should be signed by the Mooter and attested by the Principal/ Head of the concerned Institution. Further, the Principal/ Head shall certify that the two mooters and researcher are bonafide students of the Institution.

Signature and Seal of the Principal /
Head of the Institution