



KLE Society's

KLE COLLEGE OF LAW

SPARKLE

1ST NATIONAL LAW FEST 2019

National Debate Competition

26th February 2019

National Seminar

27th February 2019

National Mootcourt Competition

1st to 3rd March 2019

Venue

KLE College of Law,
Kalamboli, Navi Mumbai





KLE GROUP OF INSTITUTIONS

“The Shiva in Me Salutes the Shiva in you”. Namaste!

Karnataka Lingayat Education Society emphasizes on the sound mind and healthy body for spiritual Enlightenment and social transformation. The “Saptarshis” (Seven Saints) namely M. R. Sakhare, S.S. Basavanal, B.S. Hanchinal, H.F. Kattimani, B.B. Mamadapur, P.R. Chikodi and V.V. Patil determined to serve and sacrifice their life for the upliftment of the community through education which is one of the essential constituent of life. Thus sown the seed on 13th November 1916 in the form of Anglo- Vernacular School. The society is growing unstoppably thereafter from strength to strength. At present 250 educational institution in the diverse faculties like Arts, Science, Commerce, Medicine, Engineering, Dental, Pharmacy, Architecture, Law, Nursing, Ayurveda, Management, Information Technology and Computer Science are catering the service from KG to PG including research. All institutions spread from unknown rural area to well known cities are at par excellence in infrastructure with high quality education which are accepted with wide acclaim by members of society and approved by NAAC/ Universities/NBA etc.

OUR PATRONS

Dr. Prabhakar Kore, (MP), Chairman KLE Society.

Shri. Mahantesh Kavatagimath, Chairman GB KLE College of Law.

Dr. S. N. Shetti, Director Administration KLE College Of Science, Commerce and Law, Navi Mumbai.

Dr. J. M. Mallikarjunaiah, Director, KLE Law Academy (Principal, KLE Law Collage, Bengaluru).

CHAIRMAN MESSAGE

The quest for knowledge, insight and wisdom is part and parcel of life. The more we learn, the more we realize that we do not know. A revelation of how much we don't know will continue to motivate us towards learning. In praise of constant learning, Henry Ford, quoted – “Anyone who stops learning is old, whether at 20 or 80. Anyone who keeps learning stays young.” Great learning must be accompanied by willingness to listen to others. This is important and should not be glossed over. Times are changing. People are beginning to realize the importance of ideas and the power of thinking and learning. We need inspiration, not just information. We need passion, not pettiness. We need courage, not cowardice. We reach our destination with discipline and deep thinking, not with dalliance and diversion. The discipline of action, although it may give rise to mistakes sometimes, is far preferable to safe and stationary living. Discipline, KLE has discovered, has an intrinsic ability to be self-perpetuating. This discipline is the secret of holistic approach of KLE. Be a proud partner of KLE family. Lastly with quotes of William A Ward, I advise young and beautiful minds: “PLAN PURPOSEFULLY, PREPARE PRAYERFULLY, PROCEED POSITIVELY, PURSUE



Dr. Prabhakar Kore
(Member Of Parliament)



**Shri. Mahantesh
Kavatagimath**
(Governing Body Chairman)

GOVERNING BODY CHAIRMAN MESSAGE

The success of an organization is deeply rooted in its ability to keep pace with the rapidly evolving demands of time. The KLE Society which was established as an Anglo Vernacular School in 1916 has traversed a long distance over time and space. Our ability to accommodate change, adapt and evolve arises in the nobility of the philosophy of the founding fathers, “The Saptarishis” and their benevolent patrons who devoted their lives to the betterment of society at large. The success of an organization is deeply rooted in its ability to keep pace with the rapidly evolving demands of time. The KLE Society which was established as an Anglo Vernacular School in 1916 has traversed a long distance over time and space. Our ability to accommodate change, adapt and evolve arises in the nobility of the philosophy of the founding fathers, “The Saptarishis” and their benevolent patrons who devoted their lives to the betterment of society at

large. We take great pride in the fact that over the ten decades of our existence, we have transcended the barriers of geography, method, technology and systems and have evolved into an organization of global repute. While touching new highs in excellence in education and healthcare, the organization still continues its effort to retain, sustain and expand on its expansive rural presence and commitments in order to take the best of facilities, infrastructure and method to the doorsteps of the poor and needy. This true spirit of service, the essence of KLE Society which has seen us traverse a century and in all humility has enabled us recommit ourselves to a greater purpose and effectiveness as we take guard to embrace the challenges of the 21st Century.

KLE SOCIETY'S LAW ACADEMY

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| <ul style="list-style-type: none"> ◇ G.K. Law College, Hubli ◇ B.V. Bellad Law College, Belgaum ◇ K.L.E. Society's Law College, Chikodi | <ul style="list-style-type: none"> ◇ S.A. Manvi Law College, Gadag ◇ K.L.E SOCIETY's Law College, Bengaluru ◇ K.L.E. Society's K.L.E College of Law, Mumbai |
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The six Law Colleges of the KLE Society have come together under one umbrella called KLE Society's Law Academy.

The College which is nearer to Mumbai city, started during the academic year 2016-2017 under the aegis of the Karnataka Lingayat Education Society.

The Trust started the institution with a cherished ambition to impart legal education, in Navi Mumbai, which is in fact very important step towards spreading legal awareness and empowering the society. The college is affiliated to University of Mumbai, and recognized by Bar Council of India, New Delhi.

KLE College of Law offers, Three Year LL.B. & Five Year B.L.S LL.B. Program Affiliated to University of Mumbai and Approved by Bar Council of India.

NATIONAL DEBATE COMPETITION, 2019

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| <ul style="list-style-type: none"> ◇ Date: 26.02.2019 ◇ Theme of Debate: Judicial Interference in Religion and Custom. | <ul style="list-style-type: none"> ◇ Registration Fees: Rs. 500/- ◇ 1st prize Memento + Rs. 11,000/- cash ◇ 2nd prize Memento + Rs. 5,000/- cash |
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Rules For Debate Competition

- ◇ Each college can send two participants to speak on any one of the proposition, one each for and against the proposition.
- ◇ **Reporting and registration time : 8.30am.**
- ◇ Every participant will be given five minutes.
- ◇ The Participants shall not mention the name of their college.
- ◇ The language for the competition will be English.
- ◇ A warning bell shall be rung at the end of fourth minute and then final bell shall be rung. If the participants continue further the participant will get negative marks.
- ◇ The Judges decision shall be final.
- ◇ The participant shall be judged on the evaluation criteria of 10 marks each.

Evaluation Criteria

- ◇ Contents of the Speech
- ◇ Body Language
- ◇ Understanding of subject
- ◇ Clarity in thought and Presentation
- ◇ Communication and oratory skill

For assistance, please contact:

1. Mrs. Gaurija Wyawahare

Assistant Professor,
KLE College of Law, Navi Mumbai.
Ph No. + 91 9594424446.

2. Mrs. Madhavi Khule

Assistant Professor,
KLE College of Law, Navi Mumbai.
Ph No. + 91 7021079951.
Email Id: semcon.klekalamboli@gmail.com

No accommodation shall be provided to the participants.

NATIONAL SEMINAR, 2019

National Seminar On Recent Trends In Development Of Constitutional Law In India. Seminar Date: 27th February 2019

The Constitution of India is the supreme law. The Constitution reflects the character of a nation. It is the document that enshrines the duties and responsibilities of the citizens and the government; it defines the relation between the state and its subject and also the relation between one state with another. The legal system of India reflects the rules of the society. Whenever there is a change in the society, the change in the law also occurs simultaneously. It is well said that the law changes with the changing condition of the nation. The laws are revised, amended and introduced according to the roles of the people of the nation. Constitution has to be the reflection of the society and the relationship between it's citizens.

The main focus of this seminar is on the challenges which we are facing with the environmental pollution and the need for stronger regulatory mechanism in environmental laws, the recent issues of Sabarimala, Shani Shingnapur, Haji Ali Dargah and triple talaq ordinance and the role played by the judiciary within the ambit of the constitutional laws. The issues of Jammu and Kashmir and the North East States with reference to temporary, transitional and special provisions as provided in the Indian Constitution. Reservation of seats for women in the Lower and Upper House of the Parliament, the demand for the same is pending since long time. Farmer's distress and unemployment and the various provisions of the Constitution required to be revisited. The other challenges in the society vis-a-vis the Constitutional challenges needs a detailed introspection in the day to day life of the citizens. This seminar aims to bring together leading academic scientists, researchers and research scholars to exchange and share their experiences and research results on all aspects of law and Constitution. It also provides a premier interdisciplinary platform for researchers, practitioners and educators to present and discuss the most recent innovations, trends and concerns as well as practical challenges encountered and solutions adopted in the fields of law and specially the Indian Constitution.

Call For Papers

The Seminar invites research papers from academicians, industry experts, students of law or those related to the field. The papers must be accompanied by an abstract (of not more than 250 words) and must apply research skills such as a specific research methodology, research questions, hypothesis and objectives of the research.

The aim of the Seminar is to promote the exchange of knowledge and views of students, academicians, practicing professionals, social activists, and individuals in their areas of interest relating to constitutional laws. It will provide a platform for sharing knowledge, practices and perspectives from distinct academic communities and professionals.

Research papers on the sub-themes to be covered in different technical sessions. Interested participants may submit soft copy of the abstracts and full papers to the organizing committee at the following email address: semcon.klekalamboli@gmail.com

KLE College of Law extends a warm invitation to participants to present papers on any one of the following sub-themes:

- ❖ **Constitution and Environmental Laws.**
- ❖ **Constitution, Personal Laws and Religion.**
- ❖ **Constitutional Amendments.**
- ❖ **Temporary, Transitional and Special Provisions under the Indian Constitution.**
- ❖ **Constitution and Gender Equality.**
- ❖ **Constitution and Women Reservation in State Assemblies, Lower House and Upper House.**
- ❖ **Constitution and Farmer's Distress and Unemployment.**
- ❖ **Constitution and Independence of Judiciary.**

The abstracts would be peer reviewed by the organising committee and only shortlisted abstracts would be invited to submit final papers. The final paper should be submitted after the intimation of acceptance of abstract. The final submission shall be concluded within the prescribed deadline.



Publication Opportunity:

All papers accepted for the seminar shall be published in the form of a book.

Who Can Participate:

Lawyers, Academicians, Research Scholars, Students, Social Activists, NGO Personnel

Abstract Submissions & Guidelines:

- ◇ Abstract of the paper shall not be accepted after the last date of submission.
 - ◇ Participants / Paper Presenters have to register after the acceptance of abstract with payment of required fees.
 - ◇ Registration is mandatory for participation. Only registered participants will be allowed to take part in the seminar.
 - ◇ Only the registered participants will be provided a paper presentation or participation certificate, seminar kit, lunch and tea as the case may be.
 - ◇ Co-authors have to register separately.
 - ◇ No TA/DA will be paid by the college.
 - ◇ There will be no change in paper as well as the name of author/co-author after acceptance of the paper.
 - ◇ Abstracts should be based only on any of the suggested themes for the seminar and allied themes.
 - ◇ The seminar conveners reserves the right to accept and reject abstracts for inclusion in the seminar.
 - ◇ Paper presenters must register as the seminar participants before their papers can be scheduled in the seminar.
 - ◇ Maximum 2 authors can be permitted as Co-authors.
 - ◇ In case of co-authorship all the authors are required to pay the registration fee for the seminar separately.
 - ◇ In case of co-authorship, at least one author must attend the Seminar to present the paper, in case the paper is selected for the seminar.
- Note: The registration fee includes seminar kit, lunch, high tea, entry to all technical session and certificate. No accommodation will be provided by the organisers.

Abstract Format

- ◇ **Main Text:** Times New Roman, Font Size 12 & Line spacing 1.5, Justified.
- ◇ **Footnote:** Times New Roman, Font Size 10 & Line spacing 1, Justified.

- ◇ 1-inch margins on all the four sides.
- ◇ **Paper size:** A4
- ◇ All submissions should be in MS Word format only.

Final Paper Submissions Guidelines:

- ◇ The final paper should be submitted only after the intimation of acceptance of abstract is received from the organiser.
- ◇ The final submission shall be concluded within the given deadline.
- ◇ Information once submitted will be frozen and no change of any kind e.g. author/co-author name, title etc. will not be permitted.
- ◇ The word limit of the final paper should be up to 3000 words, including the footnotes.
- ◇ Abstract should not be included in final paper.
- ◇ The citation style must conform to 'The Bluebook: A Uniform System of Citation, 19th Edition.' As a starting point, authors can refer the abridged version of Bluebook (19th ed.) Citation Format Guidelines.

The Final Paper Submissions Format:

- ◇ Paper size: A4.
- ◇ Margins: 1 inch on all the four size.
- ◇ Main Title: Times New Roman, Bold, Font Size 14 & Line spacing 1.5, center aligned.
- ◇ Sub Titles (inside the paper): Times New Roman, Bold, Font Size 12 & Line spacing 1.5, Justified.
- ◇ Main Text : Times New Roman, Font Size 12 & Line spacing 1.5, Justified.
- ◇ Footnote : Times New Roman, Font Size 10 & Line spacing 1, Justified.
- ◇ Paper should start with the title (centre aligned),
 - ◆ Name(s) of author & co-author (if any) (right aligned) marked with details as footnote number 1 for author and footnote note number 2 for co-author (if any). Please do not use “*” or “**” for footnotes referring to author or co-author details respectively as it will be changed into foot note number 1 or 2 during final edit and ultimately it will change all your references.
 - ◆ A brief bio to be mentioned in the said footnote mentioning current position and small background, phone number and email id of the author(s).

Registration Details, Dates & Fees

Abstract submission* last date	250 words	13th January 2019
Notification of selected Abstracts		15th January 2019
Last date for submission* of full paper	3000words max.	2nd February 2019
Notification of selected final paper		5th February 2019
Last date for registration & payment of requisite fees	To be eligible for publication in edited Book	14th February 2019
Last date for registration & payment of requisite fees	Without publication & only presentation	17th February 2019
Seminar date		27th February 2019

Reporting and registration time : 8.30am. *Registrations & Submissions after 15th February 2019 will not be considered for publication as a chapter in the edited book and will only be allowed for presentation in the national seminar.

Participation Fees

Students (under graduate/post graduate)	Rs 1,000 (per participant)
Academicians, Professionals & Research Scholars	Rs 2,000 (per participant)
Paper submission in Absentia	Rs. 2,500/- (per participant)
Industry Professionals	Rs. 3,000/- (per participant)

Mode Of Payment & Details

The participation fee payable by each of the participants shall be through demand draft drawn in favour of **“KLE College of Law”** payable at Mumbai. Please ensure that the details of demand draft be mentioned in the registration form while making the final submission. Your demand draft should reach us by SPEED POST/PERSONALLY before 14th February 2019 (for publication) at the address given below.

To,

The Principal

KLE College of Law

4th Floor, Plot No 29, Sector 01, Kalamboli,
Navi Mumbai, Maharashtra 410 218.

Organising Team

SEMINAR CHAIR

Shri. Dinkar Gitte

Principal, KLE College of Law

ORGANISING SECRETARY

Dr. Mohammed Salim Khan

Assistant Professor, KLE College of Law -
9322446010

Memebers

Mrs. Madhavi Khule

Assistant Professor, KLE College of Law
9022638659

Mrs. Merija Rajan

Assistant Professor, KLE College of Law
8850824139

Mrs. Gaurija Wyawahare

Assistant Professor, KLE College of Law
9594424446

NATIONAL MOOT COURT COMPETITION, 2019

The KLE College of Law National Moot has been conceived with the aim of creating opportunities for learning the development of jurisprudence on emerging trends in the legal field besides developing cutting edge skills in research, writing and advocacy.



I. Rounds Of The Competition

The competition will have the following rounds

Preliminary Rounds

Quarter Final Round

Semi Final Round

Final Round

The first 30 Teams who have registered shall only be allowed to participate in the event.
Quarter Final Round – Best of 8 (Cumulative highest marks of both the preliminary rounds taken together + memorial marks)
Quarter Final & Semi Final Round – (Knockout rounds)

II. Language

The language of the competition will be English.

III. Eligibility

- ◇ Students pursuing 3 year/ 5 year undergraduate LL.B. degree course are eligible to participate in this competition.
- ◇ Only one team can participate from each institution.

IV. Team Composition

- ◇ Each team should consist of 3 members. This number cannot be modified under any circumstances.
- ◇ There shall be 2 speakers and 1 researcher designated for each team. The researcher shall be allowed to argue with prior permission of the court and convener of the moot court committee in case of illness of the designated speaker.
- ◇ Each team will be provided a team code during orientation. Teams should not disclose the identity of their institution; such disclosure shall invite penalties including disqualification. The decision for the same shall be at the discretion of the Convener of the Moot Court Committee.

V. Dress Code

The participants shall adhere to following dress code when present in any court room during the competition.

Girls: Black salwar and white kurta or white shirt and black trousers along with black blazer and black shoes.

Boys: White shirt, black trousers and black tie along with black blazer and black shoes.

Note: The participating teams shall also adhere to the above mentioned dress code while attending the inaugural and valedictory ceremonies of the competition.

VI. Participation & Registration

- ◇ Teams should register provisionally via mail at mootcourt.klelawnm@gmail.com by 10th February, 2019.
- ◇ Team should register provisionally by sending e-mail to mootcourt.klelawnm@gmail.com with the subject "Registration for National Moot Court Competition, 2019".

- ◇ On receiving the mail the participants will be notified the team code upon confirmation of the participation.
- ◇ A soft copy of duly filled in registration form shall be mailed at mootcourt.klelawnm@gmail.com
- ◇ Registrations without the scanned copy of the approval letter from the college/institution/university or duly attested registration form will not be valid
- ◇ The registration fees of Rs. 3000/- to be paid in the form of DD drawn in favor of "**KLE College of Law**", should be sent to the college on or before 15th February 2019.
- ◇ On reporting at the College on the first day of the competition each team has to hand over the hard copy of the Registration Form (the scanned copy of the Registration form has to be sent on or before 10th February, 2019 via mail to mootcourt.klelawnm@gmail.com as a provisional registration).
- ◇ No change in the names of the participants shall be permitted unless the same has been communicated to the organizers a week prior to the event in exceptional circumstances only after due proof has been attached.
- ◇ No certificates shall be provided at the time of the Registration. The same shall be provided only after the valedictory ceremony on 3rd March, 2019. No certificates shall be couriered/ posted.

VII. Memorial

The following requirements for memorial must be strictly followed by the participants-

- ◇ Each team must prepare memorials for both parties to the dispute (Petitioners and Respondent).
- ◇ One advance hard copy of the memorials (both Applicant & Respondent) must reach the host institution (KLE College of Law) for evaluation by 17th February 2019 latest by 5.30 p.m. Soft copy of the memorials in word format must be mailed to mootcourt.klelawnm@gmail.com. Late submission will be penalized by one point each memorial for every day of delay after due date. No excuses in respect of delayed courier services will be entertained. The remaining 5 copies may be submitted during orientation at 4.30 p.m. on 1st March 2019.

- ◇ Once the memorials have been submitted, no revisions / supplements / additions will be allowed.
- ◇ The memorials have to be submitted on typed A4 size paper printed on one side and must contain:
 - ◆ The table of contents.
 - ◆ The index of authorities.
 - ◆ The statement of jurisdiction.
 - ◆ The statement of facts (1 page only and argumentative statement of facts would attract penalties).
 - ◆ The statement of issues.
 - ◆ The summary of arguments (not more than 1 page).
 - ◆ The arguments advanced (not more than 15 pages).
 - ◆ The prayer.
- ◇ The font size should be 12 (doubles space) and for footnotes it should be 10 (single space).
- ◇ The memorials should be spiral bound or stitched. Any other form of binding shall not be accepted.
- ◇ The memorial must have a margin measuring one inch on all sides of each page.
- ◇ The page numbering should be on the top right side of each page.
- ◇ Covers must be placed on briefs as follows:

Petitioner: Blue Colour; Respondent: Red Colour.

Use of Cellophane sheets over the covers or inside will be penalized.

- ◇ The cover page of the memorial must state the following.
 - ◆ The cause title.
 - ◆ Identify brief as Petitioners / Respondents as is applicable.
- ◇ Identity of the institution shall not be revealed anywhere in the memorial. Violation of this provision shall result in penalties including disqualification. The Convener Moot Court Committee decision shall be final.

VIII. Oral Rounds

There will be two preliminary rounds of arguments, a quarterfinal, a semi-final and a final round.

Preliminary Round & Quarterfinals.

- ◆ Each team will get a total of 30 minutes to present their case. This time will include rebuttal and sur-rebuttal time.

- ◆ The division of time is at the discretion of the team members, subject to a maximum of 15 minutes per speaker. Division of time shall be informed to the court officer before arguments begin.
- ◆ The oral arguments need not be confined to the issues presented in the memorials.
- ◆ Passing of notes to the speakers by the researcher during the rounds is allowed.
- ◆ The researcher shall sit with the speakers at the time of the orals.

Semi Final & Final

- ◇ Each team will get 45 minutes to present their case that will include rebuttal and sur-rebuttal time.
- ◇ The division of time is at the discretion of the team, with a maximum of 25 minutes per speaker.
- ◇ The oral arguments need not be confined to the issues presented in the memorials.
- ◇ The researcher shall sit with the speakers at the time of the orals.

IX. Scoring Criteria

Orals

The parameters for judging the oral presentation on a scale of 1 – 100 points are:

- ◇ Knowledge of facts.
- ◇ Logic and reasoning.
- ◇ Organisation and clarity.
- ◇ Persuasiveness.
- ◇ Deference to the Court .
- ◇ Proper and articulate analysis of the issues arising out of facts.
- ◇ Understanding of the legal principles directly applicable to the issues.
- ◇ Ability to explain clearly the legal principles in general keeping to the time allotted.
- ◇ Knowledge and use of legal sources and authorities and general principles of national law.
- ◇ Ingenuity (ability to argue by analogy from related aspects of law)

Written Submissions (Memorials)

- ◇ The memorials shall be marked on a scale of 1-100 points each.
- ◇ Any revisions, supplements or additions to the memorials after submission shall attract severe penalties subject to the discretion of the National Convener.

- ◇ Award of the points shall be based on the following parameters:
 - ◆ Neatness, legibility, no typographical errors or format errors.
 - ◆ Logical progression of ideas.
 - ◆ Effective use of headings to outline arguments.
 - ◆ Understanding essential legal issues presented.
 - ◆ Focus on essential (not collateral) issues.
 - ◆ Clear, concise and unambiguous writing style.
 - ◆ Forceful and persuasive presentation.
 - ◆ Integration of facts into legal argument.
 - ◆ Understanding of strengths and weaknesses of case.
 - ◆ Discussion of viable alternative arguments.
 - ◆ Understanding and analysis of authority.
 - ◆ Proper use of citations and citation form.
 - ◆ Effective use of authority to support arguments.
 - ◆ Ability to distinguish adverse cases.
- ◇ Non- compliance of the rules mentioned in Clause VII above shall attract severe penalties.

X. Awards

Winner	Trophy + Rs. 21,000/-
Runner up	Trophy + Rs. 11,000/-
Best Memorial	Trophy
Best Student Advocate	Trophy

All participants will be issued participation certificate.

XI. Preliminary Rounds And Quarter Final Rounds

- ◇ There will be two preliminary rounds of arguments per team, once for applicant & another for respondent.
- ◇ No team will face each other more than once in the preliminary rounds.
- ◇ Each team will face a different bench in their second round of arguments in the Preliminary round.
- ◇ Preliminary round will be held on 2nd March 2019.
- ◇ Top eight teams from the Preliminary Rounds will advance to Quarter final rounds that will be decided on the basis of the cumulative scores of both rounds + memorial marks.
- ◇ Memorial marks will be added to the scores of both the preliminary rounds only.
- ◇ Quarter finals / Semi Finals and Finals will be held

on 3rd March 2019(Saturday),

- ◇ There will be an orientation Program for all the participants on 1st March 2019 (Friday) followed by a draw of lots & exchange of memorials at 4.30 p.m. Team codes and side will be allotted.
- ◇ The oral arguments need not be confined to the issues presented in the memorials

XII. Quarter Final / Semi Final / Final Round

Lots will decide the side of the arguments in Quarterfinals, Semi finals & Finals. Quarterfinals will take place on 3rd March 2019 (Sunday) at 9.00a.m (may be preponed to Saturday 2nd March 2019 if time permits) followed by the Semi finals 10.30 a.m. The Finals will be held at 2.00 p.m. The Quarterfinal / Semi final are knockout rounds.

XIII. Results (Announcement)

Results will be announced within 30 minutes after the completion of the preliminary / quarter / semi final rounds. The Final result and the winners of the various categories will be announced only during the valediction / prize distribution ceremony.

XIV. Maximum Time Allotted

The maximum time provided would include the time that each team may want to reserve for their rebuttal. At the commencement of each session the team shall notify the Court Officer as to the division of time between the 2 speakers (including rebuttal)

XV. Scouting

Teams will not be allowed to observe the orals of any other teams. Scouting is strictly prohibited. Scouting by any of the team members shall result in disqualification.

XVI. Anonymity

- ◇ Student counsel may introduce her/himself to the court in the usual manner and may also state her/his names. However, the team's college / institution affiliation may not be mentioned at any time before the awards ceremony.
- ◇ Further, all team members, and observers shall refrain from identifying a team's school at any time and in any manner, including, but not

limited to, wearing any identifying items, such as school clothing, ties, patches, or pins or carrying identifying material (such as a books with a college logo, or college seal).

XVII. Copy Right

- ◇ The copyright over the memorials submitted for participation in the competition is assigned by participants and shall also vest completely and fully in KLE College of Law, Navi Mumbai. The participants shall certify in writing the originality of materials contained therein and shall be responsible for any claim or dispute arising out of the further use and exhibition of these materials.
- ◇ Further use and exhibition of these materials, electronically or otherwise, shall be the exclusive right of KLE College of Law, Navi Mumbai and they shall not be responsible for any liability to any person for any loss caused by errors or omissions in this collection of information, or for the accuracy, completeness, or adequacy of the information contained in these materials.
- ◇ Distribution of these materials on affiliated websites does not constitute consent to any use of this material for commercial redistribution either via the internet or using some other form of hypertext distribution. Links to the collection or individual pages in it are welcome.

XVIII. Accommodation And Travel

- ◇ Accommodation and food shall be provided to the outstation teams by the organizers from (evening) 1st March, 2019 to (Morning) 3rd March, 2019.
- ◇ Teams willing to stay beyond or before the dates of the moot, as specified, will have to pay the hotel charges on actual basis.
- ◇ The interested students are required, to inform the Organizing Committee about the arrival of the team so as to enable them to make necessary arrangements. Under no circumstances the Organizers shall provide accommodation to any other person accompanying the team.
- ◇ The team after reaching Mumbai / Navi Mumbai must report at the College. After reporting as a team the College will make necessary arrangements for accommodation of the team.

- ◇ The teams belonging to Mumbai, Thane and Navi Mumbai shall not be provided accommodation.

XIX. Organising Committee

An organizing committee for smooth holding of National Moot Court Competition is constituted of the following persons-

- ◇ Principal Dinkar Gitte (Principal, KLE College of Law, Kalamboli, Navi Mumbai and Convener of the National Moot Court Competition).
- ◇ Prof. (Dr.) Mohammed Salim Khan (Member).
- ◇ Prof. Mrs. Merija Rajan (Member).
- ◇ Prof. Mrs. Gaurija Wyawahare (Member)
- ◇ Prof. Mrs. Madhavi Khule (Member)

XX. Clarifications

Any clarifications for the competition can be sought from:

Regarding Queries on Case / Submission of Memorials / Accommodation / Transport / etc.

Dr. Mohammed Salim Khan

Assistant Professor,
KLE College of Law, Navi Mumbai,
Ph No. + 91 9322446010
E-mail id- mootcourt.klelawnm@gmail.com

Mrs. Merija Rajan

Assistant Professor,
KLE College of Law, Navi Mumbai,
Ph No. + 91 8850824139
E-mail id- mootcourt.klelawnm@gmail.com

MOOT PROBLEM

Before the Hon'ble Federal Court of Neverland Mr. Tarish Soor v/s Republic of Neverland

Neverland is a country situated in South East Asia. Since ancient times, Neverland had been a melting pot of diverse cultures and ethnicity. In the 1800s, the Empire of Louche came and colonised Neverland and ruled for nearly 100 years. In the late 1920s, the freedom struggle started in Neverland. Mr. Lang Fi, an advocate, under the banner of Unite for Freedom spearheaded the freedom struggle. In 1956, Neverland got independence from Empire of Louche and the Constituent Assembly was formed under the chairmanship of Mr. Macob Jathew to form the Constitution of Neverland. In the year 1960, the Constitution of Neverland came into force. The Constitution of Neverland was *pari materia* to Constitution of India.

In 2015, in the thirteenth General Elections of Neverland brought Mr. Eddie Tiger, a conservative right leader and chairman of Iron Fist Party came into power with astounding majority. Under the leadership of Mr. Eddie, the Union Government started to implement a surveillance plan that rivals the Orwellian state. In January 2016, the Government started its plan through a mandatory centralized identity card (ID card), which was based on biometric details. In October 2016, the government through a notification made ID card compulsory for availing any governmental benefits and in November 2016, ID card was made mandatory for opening any kind of financial accounts.

Civil Society, an NGO, filed an PIL in the Federal Court of Neverland challenging the government notification making ID card mandatory for availing any governmental benefit. Eleven judges bench of the Federal Court of Neverland in February 2017 ruled that ID card which collects biometric details of citizens is violative of right to privacy enshrined in Article 21 of the Constitution of Neverland.

In April 2017, the Union Government promulgated an order authorising the following governmental agencies to monitor, intercept and decrypt information which is transmitted, generated, stored in or received by any computer:

- ◇ Intelligence Bureau
- ◇ Intelligence Bureau
- ◇ Narcotics Control Bureau
- ◇ Enforcement Directorate
- ◇ Central Board of Direct Taxes
- ◇ Directorate of Revenue Intelligence
- ◇ Central Bureau of Investigation
- ◇ Central Investigation Agency
- ◇ Cabinet Secretariat (RAW)
- ◇ Commissioner of Police, National Capital Neverland
- ◇ Neverland Space and Research Organization

Under the order, an individual who fails to assist these government agencies with technical assistance or extend all facilities can face up to seven years of imprisonment or be liable to be fined.

Mr. Tarish Soor, a leading critic of the Union Government, fearing that the Governmental agencies may intercept his data filed an PIL before the Federal Court challenging the notification and seeking an order for ensuring that none of his information which is transmitted, generated, stored in or received by any computer would be intercepted by any of the agencies mentioned in the governmental notification. The Union Government argued that the PIL lacks merits and warrants an immediate dismissal. Further the Government argued that the notification was issued in pursuance of powers stipulated in Section 69 of the Information Technology Act, 2000.

The Federal Court has posted the matter for hearing with the following issues framed:

- ◇ Whether the PIL is maintainable?
- ◇ Whether the Governmental Order authorising the governmental agencies to monitor, intercept and decrypt information is violative of right to privacy?
- ◇ Whether the Governmental Order is violative of Article 14 of the Constitution of Neverland?

NOTE:- The laws of Neverland are *pari materia* to the laws of India.

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For Further Clarification Please Contact Us

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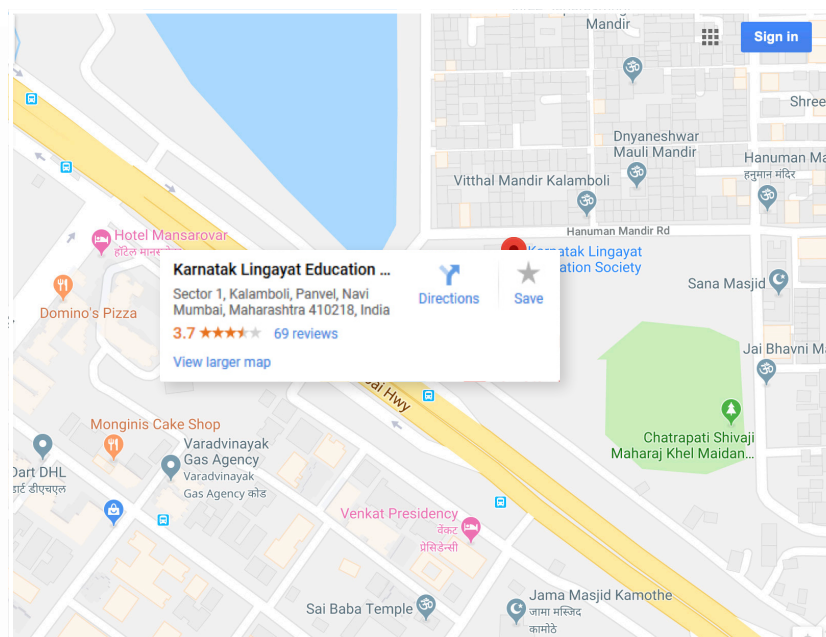
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KLE COLLEGE OF LAW MAP



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KLE Society's

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SPEAKER 2					
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Date: _____

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