



**K.R. MANGALAM UNIVERSITY**  
THE COMPLETE WORLD OF EDUCATION

## **Moot Court Committee School of Legal Studies**

In Collaboration With



organizes

# **Inter-University Moot Court Competition 2022**

Registration Link: [shorturl.at/knuJZ](https://shorturl.at/knuJZ)

**29<sup>th</sup> – 30<sup>th</sup> November 2022**



# INVITATION

## School of Legal Studies, K.R. Mangalam University Inter-University Moot Court Competition, 2022

Dear Sir/ Madam,

Greetings!

The K. R. Mangalam University, Gurgaon is gearing up to organize Inter-University Moot Court Competition, 2022. It gives me immense pleasure in most genially inviting your revered institution to participate in Inter-University Moot Court Competition, 2022 being tabulated by School of Legal Studies, K R Mangalam University, in its campus, Gurgaon, Haryana on 29th November 2022– 30th November 2022 (**Tuesday-Wednesday**).

The Competition seeks to promote interest in the area of Law by especially focusing on Surrogacy Laws, Right to Life, and other laws. The competition will indeed be an ideal forum to bring together some of the most stimulating and ingenious young minds, and thus we will together witness their mastery of advocacy and research to be adjudged by oracle in the legal field. We, therefore, expect the teams from paramount Law Schools from all across India to participate.

We look forward to welcoming your team cordially to K R Mangalam University!

**Dr. Inderpreet Kaur**  
School Co-ordinator  
School of Legal Studies

## About the University

K. R. Mangalam University is a pioneering institution of higher education in Haryana, established in 2013 under the Haryana Private University Act and is empowered to award degrees as specified by UGC under Section 2f of the UGC Act, 1956. KRMU is driven by shared purpose to make the world better through education, research and innovation. It is spread over 26 acres nestled in Aravalli hills, the fully residential green campus offers an idyllic and intellectually vibrant environment. About 120 faculty members more than 1800 students are indulged in making the world a better place along with KRMU.

## About School of Legal Studies

School of Legal studies is part of prestigious KRMU, one of the top universities in the country. School of Legal Studies (SOLS) is backed by the most distinguished and diverse faculty along with the top-of-the-line faculties in order to provide best opportunities for education and research. Our medium of instruction includes lectures, problem-based learning, seminars, informal group discussion, moot court competition, research project and a range of experimental methods. This blended study approach of ours helps us to continue pushing the boundaries of education of curriculum and make us one of the best law colleges in Delhi.

## About Moot Court Committee, School of Legal Studies

Moot Court committee in School of Legal Studies, K.R. Mangalam University works under the direction of faculty coordinators. The main objective of Moot Court Committee is to provide all students of SOLS the chance to develop their research, oral advocacy, legal drafting, and other crucial abilities and to make them understand the professional ethics and mannerism which are needed in the court.

## About the Moot Court Competition

National Moot Court Competition is a national level competition organized by the School of Legal Studies. It brings together students from different law schools of the country to compete in fast-paced and challenging professional environment. It aims at giving exposure to law students on important issues arising in contemporary socio-economic and legal environment.



## MOOT PROPOSITION

The boom in surrogacy in Union of Indistan commenced twelve years ago. Foreign nationals preferred Indistan as a convenient place for surrogacy. This was a result of the inexpensive procedure available at Indistan. The absence of legislation for surrogacy resulted in the use of agreements to regulate the terms and conditions of the surrogacy, with the aid of hospitals. There were few, like the Jeeva Hospital and Research Centre (JHRC) that were reliable in their care and treatment of parties involved in the surrogacy agreement.

JHRC is situated in the state of Delta, Indistan, is a world-renowned In Vitro Fertilization (IVF) centre with clientele from across the globe. Their services are stated to be state of the art and have a high success rate, as opposed to other fertility centers within and outside of Indistan. The Chairman of JHRC, Dr. Sharma is a specialist in the field of human embryology. She also trains and grooms surrogate mothers, and has close ties with the local adoption agency, where prospective parents want to connect with the surrogate mother of local adoption agency.

The laws of India are in pari materia to the Union of Indistan.

In the present case, Mr. Rohan Joshi and Mrs. Tamanta Joshi were married in 2011 in Indistan, in a traditional Hindu wedding and have been living in the state of Alpha since 2013. However, they ended up with a divorce in the COVID year of 2020. The loneliness during quarantine and lack of companionship hit him hard during that period. Hence, he is now desirous of having a child through the process of surrogacy.

Mr. Rohan Joshi, 35, has his family's support to become a parent via the procedure. He applied for surrogacy in the middle of the year 2021. Without further delay, Mr. Rohan Joshi signed the agreement with the JHRC in the October of 2021 and the procedure of surrogacy initiated. The surrogate mother had completed a series of initial steps of surrogacy and the process of embryo transfer was due in the month of February of 2022. However, he was unaware of the changes brought about in the **Assisted Reproductive Technology (Regulation) Act, 2021 and Surrogacy (Regulation) Act, 2021** (Now referred to as Act), enforced in January 2022. Under the new law passed (Surrogacy (Regulation) Act, 2021) to regulate the massive surrogacy industry, he is ineligible. Under the law banning commercial surrogacy, single men and women, live-in couples, and same-sex couples are excluded. Due to the sudden implementation of the Act, the JHRC terminated the process of this surrogacy in the middle. Furthermore, they even refused to refund the amount claiming that they had already initiated the process and that the initial stage consumed a huge investment.

Outraged, Mr. Manoj filed a petition against the Act claiming that this Act, although implemented with the intention of protecting the rights of surrogate mothers and to ban the commercial surrogacy in India, completely ignored and discriminated against the other section of the society. It violates his right to reproduction under Article 21.

Following this, an LGBTQ couple, who were also desirous of a child through surrogacy, filed a petition against this Act claiming that the aforementioned Act is highly discriminatory against the whole LGBTQ community depriving them from making a family. The right to parenthood for people of the LGBTQ+ community is not recognised or accommodated by present enactment or even society.

Ever since the law was passed, Indistanians who work with infertile couples had predicted a challenge in the courts on the grounds that the law is discriminatory against Indistanians who are not heterosexual and married.

The High Court of Alpha has clubbed all the related petitions. The points of consideration are:-

# **RULES & REGULATIONS**

These rules shall be the official rules for Moot Court Competition to be held on 29th November 2022– 30th November 2022 (**Tuesday-Wednesday**).

All the participating teams must adhere to the following rules in every circumstance.

## **1. Competition Committee and Forum**

- Moot Court Committee will be the Competition committee for the purpose of this competition.
- In case of any dispute or difficulty arising out of or during the course of the competition, the Competition Committee shall have the sole and absolute authority to remove such difficulty and resolve the dispute.
- The Competition committee's decision as regards the interpretation of these rules or any other matters related to the Moot Court competition shall be final and binding. If there is any situation, which is not covered by these rules, the decision of the Competition committee shall be final.
- The Competition committee reserves the right to amend, modify or repeal any of the rules if so required and as they deem appropriate. Participating teams shall receive adequate notice of any/all such amendments or modifications to the rules.
- The Competition committee shall not be held responsible for any loss or non-delivery of the Memorials.

## **2. Interpretation Clause & Eligibility**

Interpretation Clause:

The following terms shall have the corresponding meanings unless otherwise specified.

- “Bench Memorandum” means the memorandum of Laws and authorities concerning the Moot Proposition.
- “Compendium” means the Compiled Research Material.
- “Competition Rules” means the Official Rules and Regulations of the Competition as amended from time to time.
- “Memorials” means the Written Submissions of a team, submitted pursuant to these rules.
- “Moot Court Committee ” (Hereinafter M.C.C.) for the purpose of this Moot Court Competiton.

- “Competition” means the Committee as for the administration and conduct of the Competition, including any other authorized person, and of all events leading to the Competition.
- “Oral Pleading” means the pleading before a Panel as explained under “Evaluation Criteria for Written Submission”.
- “Panel” mean the Adjudicators of an Oral Pleading Session collectively.
- “Participant” means any member of the Participating Team.
- “Penalty” means the consequence of a rule violation, whether disqualification or the deduction of points.
- “Petitioner” means the side of the Team which argues on behalf of the Applicant at any given point in the Competition.
- “Rebuttals” refer to the set of Arguments/challenges that the Applicant shall raise at the end of the main pleadings of all the Orators. This shall be replied to in the appropriate manner by the Respondent.
- “Researcher” means that member of the Team who is not a speaker.
- “Respondent” means the side of the Team which argues on behalf of the Respondent at any given point in the Competition.
- “Speaker” means the designated speaker of the Team.
- “Team Code” means the code allocated to a Team through a draw of lots.

#### **Eligibility:**

Students enrolled in a full-time or part-time law programme at the time of the competition are eligible to compete in the Competition. Institution can send more than one team.

#### **Date and Venue:**

The competition shall be held on **29th November 2022– 30th November 2022 (Tuesday-Wednesday)**.

Venue: Block A, Moot Court Hall, KR Mangalam University.

### **3. Team Composition**

- A team consisting of three members that satisfies the eligibility criteria can participate.
- Each team shall comprise of two speakers and one Researcher.
- Only the speakers are allowed to present and argue. The researcher will not be given a chance to speak unless specifically allowed by the Judges.
- No team member may be replaced after the team’s memorial has been received by the Competition Committee, except with the express written consent of the Competition Committee, which will require a showing of good cause.

### **4. Registration**

- Teams are requested to complete their registration by 26th November 2022 (Saturday).
- Registration Link: [shorturl.at/knuJZ](http://shorturl.at/knuJZ)
- The registration fees is **INR 3000 (per team)** which shall be paid through the payment details

given below:

## Payment details:

- The Participation fee will be paid by Online Mode.
- The details of Online Payment are as follows

**Bank Name : ICICI BANK**

**Account Name: K. R. MANGALAM UNIVERSITY**

**IFSC: ICIC0000911**

**Account No.: 091101000622**

OR



Fee Payment Via UPI

Please note, after NEFT/RTGS/IMPS, kindly provide following details by mail to [sols.events@krmangalam.edu.in](mailto:sols.events@krmangalam.edu.in).

- The registration shall be done by filling up registration form.
- Registration form link: [shorturl.at/knuJZ](https://shorturl.at/knuJZ)
- Once the final registration is done Teams will get the conformation email and their Team Codes also.

## 5. Rounds

- The competition shall be of three rounds namely Preliminary, Semi-Finals and Final rounds.
- The top 4 scoring and winning team from the Preliminary round will qualify for the semi-finals.
- Following shall be the rules for Oral Presentation in each round:

### 5.1 Preliminary Rounds

- There shall be one Preliminary round for each team.
- Matching of each team shall be done by the Draw of Lots.
- Each team will be allotted 15 minutes for the arguments.
- The division of time is at the discretion of the team members.
- If any speaker continues to speak after the completion of the allocated time, the additional time which he or she speak for will be deducted from the time allocated to his or her co-speaker, as the case may be. However, no speaker shall be allowed to present his arguments beyond the maximum time.
- Each speaker must introduce himself or herself to the court using only his identification code.
- A team shall be credited with a win in the Preliminary Rounds if their Round Total (score of both speakers + marks allotted to memorial) is greater than the opposing team.



- Out of the winning teams from preliminary rounds the 4 top scoring teams will be selected for the semi-final.
- In case of tie, scores of the speakers will be considered.
- In case the tie still persists then the Judges will decide the final winner.

## **5.2 Semi- Final**

- Total of four teams from the preliminary round will qualify for the Semi-Final round.
- Matching of each team shall be done by the Draw of Lots.
- Each team will be allotted 15 minutes for the arguments.
- The Semi-Final Round will consist of One (1) Mooting Session and will also be a “Knock- out” Round where the winner of each Semi-Final Round pairings will advance to the Final Round.
- A team shall be credited with a win in the Semi-Final Round if their Round Total (score of both speakers) is greater than the opposing team. (Marks allotted to Memorial will not be considered in the Round Total).
- In case of tie in Semi-Final Round, then the judges will decide the final winner.

## **5.3 Final**

- Winners of each Semi-Final round will qualify for the final round.
- Each team will be allotted 45 minutes for the arguments including time for Rebuttal.
- In case of tie in Semi-Final Round, then the judges will decide the final winner.

## **5.4 Ex- Parte Proceedings**

- At the outset, if a team fails to appear within 15 minutes of the scheduled time (in any of the three rounds) or in case of odd number of teams (in preliminary round), then the oral round of the attending party may proceed Ex-Parte.
- In case failure of appearance of teams within the stipulated time period, the attending party shall be declared winner.

## **6. Memorials**

- Each participating team shall prepare both memorials and counter memorials, in English.
- All teams have to submit their copies to organizers in soft copy before the deadline specified by the organizing committee. Failure to do so will result in disqualification from the competition.
- Memorials from each side should not contain more than 25 pages (which constitutes summary of facts & arguments, arguments advanced and prayer).
- The memorial shall consist of following:
  - i. Cover Page
  - ii. Table of Contents
  - iii. Index of Authorities



- iv. Statement of Jurisdiction
  - v. Summary of Issues raised/questions presented.
  - vi. Summary of Arguments/Pleadings (1or 2 Page)
  - vii. Arguments Advanced/Pleadings
  - viii. Prayer for Relief (1 Page)
  - ix. Annexure (optional)
- The following sections DO NOT count towards the word limit:
    - i. Front and back cover pages
    - ii. Table of contents
    - iii. Index of authority
    - iv. Statement of jurisdiction
    - v. Summary of facts
    - vi. Questions presented
    - vii. Signature block
    - viii. Appropriate appendices
  - All citations must adhere to the Blue Book 20th Edition and fulfil the following requirements:
  - For main text:
    - i. Font Type: Times New Roman
    - ii. Font Size: 12
    - iii. Line Spacing: 1.5

Body of text: Justified

- For Heading:
  - i. Font Type: Times New Roman
  - ii. Font Size: 14
- For Cover Page:
  - i. Font Type: Times New Roman
  - ii. Font Size: 16
- Memorial cover page shall follow the following Colour Scheme:
  - i. Petitioner/ Appellants-Blue
  - ii. Respondent- Red
- Team Code: The team code must be ascribed on the top right corner of the cover page.

**Note: Memorials that do not follow the above-mentioned specifications shall be penalized by Negative Marking.**

## 6.1 Service of Memorial

- The soft copy of the memorial shall also be sent through e-mail on sols.events@krmangalam.edu.in on or before 26th November 2022 (Saturday).
- The memorial should be sent as an email attachment in PDF-file.
- The Teams are required to submit 5 hard copies of the memorial for each side on or before the last day. Delay would entail a penalty of 2 points per day.
- Subject of the email should be “Memorial submission team code”. Please name the memorial using your team’s Code and “A” for Appellant or “R” for Respondent. For example, if you are assigned team number MC01 the file name should be MC01A.doc or MC01R.doc.

## 6.2 Anonymity

- Each team will be awarded a code number after registration and that number alone shall be marked on the memorials.
- Identity of the team or the names of the participants must not be revealed in the Memorial in any manner whatsoever and all teams must send the Memorial with a covering letter specifying the name and contact details of the Team Members and their designated Team Code.
- Name of the school/University shall not be mentioned on any compendium or material to be presented to the bench. Failure to compliance will lead to disqualification of such compendium or material from presentation.

## 7. Scoring

Following schematics will be followed in the competition for the scoring of the teams:

### 7.1 Scoring of oral arguments

Each speaker shall be marked on total of 100 marks by each Bench Judge. The following will be the Marking Criteria and the Marks Allocated to each category:

S. No.	Marking Criteria	Marking Criteria
1	Understanding of Law and Procedure	30
2	Application of Facts	20
3	Ingenuity and Ability to Answer Questions	15
4	Use of Authority	05
5	Organization and Flow of Arguments	10
6	Reference to Memorials	10
7	Advocacy Skills, Court Craft and Demeanour	10
	Total	100

Note: Marks allotted by the Judges shall be final.

### 7.2 Scoring of Memorial

The following will be the Marking Criteria and the Marks allocated to each category:

S. No.	Marking Criteria	Marking Criteria
1	Knowledge of Law and Extent of Research	30
2	Proper and Articulate Analysis, Clarity and Organization	25
3	Knowledge of Facts	15
4	Evidence of Original Thought	10
5	Grammar and Style	10
6	Correct Format and Citation	10
	Total	100

## 8. Awards

- Award for Winning Team: Trophy, Cash Prize and Certificate
- Award for Runners-up Team: Trophy and certificate
- Best Memorial: Trophy and certificate
- Best Speaker: Trophy and certificate
- Participation Certificates will be provided for all the participants

## 9. Dress Code

- **Female Participants:** Black & white salwar- kurta, saree, or pant/ suit or western formals, formal footwear
- **Male Participants:** White shirt with black tie, black trousers, black coat, white socks and black shoes

## 10. Important dates

Participants are required to adhere with the deadlines. Following important dates shall be kept in mind:

1. Last date for Registration 26th November 2022 (Saturday).
2. Last date for Submission of Memorial (soft copy): 26th November 2022 (Saturday).
3. Preliminary Round- 29th November 2022.
4. Semi Final Round- 30th November 2022.
5. Final Round- 30th November 2022.

## 11. Accommodation

Accommodation will be provided only on the days of the competition.

## 12. Miscellaneous

- All participants are expected to maintain the decorum in the court during the competition and are expected to conduct themselves in a manner befitting the legal profession.
- The Competition committee reserves the right, to take appropriate action for any unethical, unprofessional, and wrongful conduct during the entire period of the Moot Court competition.
- Upon completion of the competition, the competition committee reserves the exclusive right to use the memorials submitted to them, as they deem appropriate.
- Team found attempting to approach and influencing Judges/Organizers/Administrator shall be disqualified.

## **ORGANIZING COMMITTEE**

### **CHIEF PATRON**

**Prof. Dinesh Singh**, Chancellor, KRMU

### **PATRON**

**Prof. C. S Dubey**, Vice-Chancellor, KRMU

**Prof. P. Tripathi**, Pro-Vice Chancellor, KRMU

### **SCHOOL COORDINATOR**

**Dr. Inderpreet Kaur**, SOLS, KRMU

### **FACULTY COORDINATORS**

**Dr. Megha Garg**, SOLS, KRMU

**Ms. Gargi Singh**, SOLS, KRMU

### **STUDENT COORDINATORS**

**Mr. Nishchay** (Ph. 7079907924)

**Ms. Nupur** (Ph. 9315975762)