



# Dharmashastra

## National Law University, Jabalpur

(Established by the Madhya Pradesh Dharmashastra National Law University Act 2018)

# NHRC-DNLU NATIONAL MOOT COURT COMPETITION 2023

*In collaboration with*

राष्ट्रीय मानव अधिकार आयोग, भारत  
NATIONAL HUMAN RIGHTS  
COMMISSION, INDIA

10 - 12 February, 2023

Media  
Partner



Knowledge  
Partner





## About the University

Dharmashastra National Law University, Jabalpur (M.P.) was established in the year 2018, by Madhya Pradesh Dharmashastra National Law University Act 24 of 2018, with the object of advancing the cause of legal education and achieving excellence at imparting value-based legal education to undergraduate as well as postgraduate students. The University was unveiled by the noted legal luminaries, leaders and educationists in 2018 with a vision to be the center of excellence in legal education and research by disseminating quality education and training; nurturing vibrant legal culture through judicious practices and ethically responsible pursuits. The University aims to emerge as a unique institution for imparting legal education which is socially relevant and professionally competent.

The University seeks to impart and disseminate the knowledge of law and to promote the culture of research for the development and advancement of legal education. It also orients towards imparting specialized and systematic instructions and training to the law students, research scholars and officers performing administrative, quasi-administrative functions. The University aims not only to be knowledge driven institution but also a creativity and wisdom driven Institution, as a result of which, the University has etched its mark across the nation, and even beyond the national boundaries. To reflect a few achievements, the University has bagged remarkable positions in moot court competitions of international and national repute.

In addition to bearing the illustrious esteem of a National Law University, the University is empaneled with the Competition Commission of India as a part of "The Panel of Reputed Institutions having Expertise in Law, Economics, Finance and Management for Competitive Assessment of Economic Bills and Legislations" and is actively engaged to pursue and encourage innovative scholarship and research in Competition Law on national and international level, in addition to explicating the contemporary evolution of the academic and practical aspects of the concerned subject area.



राष्ट्रीय मानव अधिकार आयोग

NATIONAL HUMAN RIGHTS COMMISSION

## About National Human Rights Commission

The National Human Rights Commission (NHRC) of India is an independent body of the Indian government with the responsibility of advancing and protecting human rights. It is a statutory body recognised in the Indian Constitution that was founded in 1993 in accordance with the "Protection of Human Rights Act", which was amended in the year 2006 and further amended in the year 2019. The Paris Principles of Human Rights, adopted in 1991 for the promotion and preservation of human rights and supported by the United Nations at its General Assembly in 1993, served as the foundation for the creation of the National Human Rights Commission (NHRC). The act extends to the whole of India and was passed in conformity with the Paris principles adopted for the promotion and protection of human rights, which were endorsed by the General Assembly of the United Nations on December 20, 1993. Human rights, as defined in Section 2 of the said act, means the rights relating to life, liberty, equality, and dignity of the individual guaranteed by the Constitution or embodied in the International Covenants and enforceable by courts in India. In addition to investigating complaints of human rights violations or negligence in the prevention of such violations by public employees, the Commission also studies human rights treaties and international instruments and makes recommendations to the government for their effective implementation.



## About the Competition

With an objective to raise the standards of Clinical Legal Education in India, Dharmashastra National Law University, Jabalpur (DNLU) is delighted to announce the first edition of NHRC-DNLU National Moot Court Competition, 2023 in association with the National Human Rights Commission of India (NHRC). In order to provide the necessary free space to interpret and analyse legal provisions in the context of a given legal regime, while trying to solve a practical problem, this event has been devised with the aim to nurture and hone amongst law students, a better understanding and concern for the protection and promotion of Human Rights, while giving them an opportunity to deliberate before experts in the field, thus rigorously testing the legal acumen, research, and oratory skills of the participating teams. Extending the objective of dissemination of Human Rights awareness, and in light of current global issues, the moot proposition for the Competition will revolve around Technology Law and Humanitarian Law along with other related laws. Technology law focuses on intellectual property rights, a complex branch of the legal system that deals with disputes over who 'owns' intangible 'property', such as creative works, patents, copyrights, and trade secrets. Technology law helps to protect the creatives who come up with these ideas and also ensures rights concerning the distribution of their work. To promote the aspect of legal training for ensuring a wholesome legal education, it shall be expected from the participants to explore different dimensions of law and not restrict themselves only to the theme of the Competition. In the past, DNLU has successfully conducted two editions of its Flagship event GP Singh Memorial National Moot Court Competition in virtual mode, which witnessed significant participation of law students from across the country. Keeping up with the spirit of mooting, this year, we are delighted to organize another grand event in association with NHRC, on the premises of our campus, surrounded by the picturesque greenery of Jabalpur. We cordially invite your Law School/ University/ Institution/ College and likewise to participate in the Competition.



## Important Dates

<b>Commencement of Provisional Registration</b>	<b>30/11/2022</b>
<b>Release of Moot Problem and Rulebook</b>	<b>30/11/2022</b>
<b>Last Date of Registration and Payment for Round-I</b>	<b>18/12/2022</b>
<b>Last Date of Seeking Clarifications</b>	<b>18/12/2022</b>
<b>Release of Clarifications</b>	<b>25/12/2022</b>
<b>Submission of Memorial: Soft Copy</b>	<b>20/01/2023</b>
<b>Result of Memorial Qualification Round</b>	<b>26/01/2023</b>
<b>Commencement of Registration for Round-II</b>	<b>26/01/2023</b>
<b>Last Date of Registration and Payment for Round-II</b>	<b>29/01/2023</b>
<b>Submission of Memorial: Hard Copy</b>	<b>03/02/2023</b>
<b>Exchange of Memorial &amp; Researcher's Test</b>	<b>10/02/2023</b>
<b>Preliminary Rounds &amp; Semi- Final Round</b>	<b>11/02/2023</b>
<b>Finals &amp; Valedictory Ceremony</b>	<b>12/02/2023</b>



# Rules of the Competition

## I. INTRODUCTORY

**Short Title:** These Rules shall be called the NHRC - DNLU National Moot Competition Rules, 2023

**1. Definitions:** Unless otherwise stated following shall be construed hereinunder as:

- a. "Administrator" shall mean the DNLU Moot Court Committee;
- b. "Competition" means NHRC- DNLU Moot Court Competition, 2023;
- c. "Participating Team" means the team which has registered itself for the competition as per the rules of registration;
- d. "Round-I" means the Memorial Qualification Round;
- e. "Round-II" means the physical rounds to be held in the premises of the University;
- f. "Rules" means NHRC-DNLU National Moot Court Competition Rules, 2023;
- g. "Organizers" means the Dharmashastra National Law University, Jabalpur.

## II. GENERAL RULES

**2. Date:** The Competition shall be organized from 10th February to 12th February, 2023.

**3. Dress Code:** The participants shall adhere to the following dress code when present in any courtroom during the Competition.

**a. Ladies:** White Salwar and Kurta or White Shirt and Black Pant or Skirt along with Black Coat and Black Shoes; and

**b. Gentlemen:** White Shirt, Black Trousers and Black Tie, and Black Coat and Black Shoes.

**4. Language:** The language of the Competition shall be English.

## III. ELIGIBILITY AND TEAM COMPOSITION

**5. Eligibility:**

- a. The Competition shall be open to students who are:
  - i. Pursuing an integrated 5-year LL.B. programme in India; or
  - ii. Pursuing a 3-year LL.B. programme in India.
- b. An institution shall be entitled to send only one team to the Competition.

**6. Team Composition:** Each team shall constitute a minimum of two members and a maximum of three members. Under no condition shall a team consisting of more than 3 members be allowed to participate.



**7. Three-Member Team:** In the event, a team consists of three members then:

- a. Such team shall designate two of its members as speakers; and
- b. Such a team shall designate one member, who has not been designated as a speaker, as a researcher. The team must, amongst its members, identify the speakers and the researcher at the time of registration itself.

**8. Two-Member Team:** In the event, a team consists of two members then such a team shall designate both the members as speakers and no member in the team shall be allowed to be represented as a researcher and take the researcher's test.

**9. Change in Team Composition:** Any change in team composition must be intimated to the Administrator at the earliest. Any change must be accompanied by a registration form and an authority letter duly signed by the head of the institution. No change in team composition is allowed after the formal registration.

#### IV. REGISTRATION

**10.** Each institution must, first, provisionally register itself through its designated moot court society for the Competition by filling out the following google form:

<https://forms.gle/YWpJWLFxELX2AUUg8>

The **Moot Problem** of the Competition can be accessed from the link given below:

[https://drive.google.com/file/d/1uhWFxcncCBPje8GT\\_-h5saSmVDciP0we/view?usp=share\\_link](https://drive.google.com/file/d/1uhWFxcncCBPje8GT_-h5saSmVDciP0we/view?usp=share_link)

**11.** Only upon the confirmation of the provisional registration by the Administrators, each team shall register for the Competition by filling out the registration form before December 18, 2022. The registration form will be sent to the institution's moot court society once the said institution's provisional registration has been confirmed. The teams are strongly encouraged to complete the registration form at the earliest possible. Prior payment of the registration fee is required in order to submit the online registration form. In case a team fails to complete the final registration, the next team which completed the provisional registration shall be considered for the final registration.



12. While filling out the registration form, the teams have to choose a primary contact person. All communications concerning the Competition will be sent by e-mail to the nominated contact person. It is that person's responsibility to convey all relevant information and distribute all relevant material to the team.

13. All teams registering for the competition shall be charged with an initial fee of INR 1000/-. The teams shortlisted after the memorial selection round are further required to pay INR 3000/- to complete the final registration.

**14. Mode of Payment:** All the required transactions i.e., the registration fees and the fees required after qualifying the memorial selection round (Round-I) shall be paid online in the account mentioned below:

**Account Name: Dharmashastra National Law University A/c Moot**

**Court Committee Account Number: 519302010221761**

**IFSC Code: UBIN0551937**

**Branch: Union Bank of India, State Bar Council, High Court, Jabalpur**

**Note:** For Round-II, the teams who qualified in Round-I shall positively make the final payment on or before 29 January, 2023, failing which their slot for Round-II shall be forfeited. In such a case, the next team in line as per the rankings of Round-I shall be provided the failing team's spot in the physical round.

15. Allotment of Team Code: Every team which has successfully completed the Registration requisites under the Rules shall be allotted a unique code after the closure of the Registration for the Competition. Once allotted, every team must use the team code for any communication with the Organizers during the course of the Competition.

## V. FORMAT OF THE COMPETITION

**16. Format:** There shall be a qualification round (Round-I) which shall be on the basis of the memorials for both the sides. Twenty teams will then qualify for the Round-II.

**17. Physical Rounds:** The Round-II of the Competition will be held offline and is divided into:

- Preliminary Rounds,
- Semi-Final Rounds; and
- Final Rounds





**18. Draw of Lots:** The match-up of teams in Preliminary Rounds shall be determined on the basis of the draw of lots. The draw of lots shall take place on **February 10th, 2023**.

**19. Preliminary Rounds:**

- a. Each team shall argue from both sides in the Preliminary Rounds.
- b. No team shall argue the same side twice in the Preliminary Rounds.

**20. Scoring in the Preliminary Rounds:**

- The qualification of teams to the Advanced Rounds shall be determined on the basis of the win or loss of the team in each preliminary Round.
- Win or loss of a team shall be determined on the basis of the aggregate score. The team with the higher aggregate score shall win the round.
- The aggregate score of a team shall be computed as the total of –
  - Score of Speaker 1;
  - Score of Speaker 2; and
  - Half the score of the memorial.

**21. Arrangement of Ranking:** The teams in the Preliminary Rounds shall be ranked on the basis of the below-mentioned criteria:

- a. The teams shall be first differentiated on their win-loss record after the Preliminary Rounds;
- b. If there is a tie, the team with the higher aggregate score will be allotted the higher rank;
- c. If the tie subsists, the team with the higher speaker score will be allotted the higher rank;
- d. If the tie still subsists, the team with the highest individual speaker score out of speakers of tied teams will be allotted the higher rank;
- e. If the tie still subsists, the team with the higher memorial score will be allotted a higher rank;
- f. If the tie still subsists, then the rank shall be determined by the toss of coin.

**22. Results:** The results of the Preliminary Rounds shall be declared soon after the conclusion of both the Preliminary Rounds. The top four teams as per the criterion laid down under Rule 20 and Rule 21 will qualify for the Advanced Rounds.

**23. Advanced Rounds:** The semi-finals and finals shall constitute the Advanced Rounds of the Competition.



#### 24. Semi-finals:

- a. Top Four teams from the Preliminary Rounds shall qualify for the Semi-Finals.
- b. The team shall argue only one side in the semi-finals. The side of the team shall be decided by way of the draw of lots.
- c. The semi-final shall be a knock-out round.
- d. The win-loss shall be decided on the basis of the aggregate speaker score. No memorial score will be added in the semi-final. The win-loss shall be determined on the basis of the score so computed. The team with the higher aggregate score shall proceed to the final round.

25. **Finals:** In the final rounds, the win-loss shall be decided on the basis of the aggregate speaker score. No memorial score will be added in the finals. The win-loss shall be determined on the basis of the score so computed.

### VI. MEMORIALS

26. **Strict Adherence to Rules Regarding Memorials:** All requirements have to be strictly followed. Non-adherence to the same will attract penalty subject to the discretion of the organizers.

27. **Memorials to be Prepared from Both Sides:** Each team must prepare memorials for both sides of the dispute (Appellant/Petitioner and Respondent).

#### 28. Submission of Soft Copy and Hard Copy of Memorials:

##### a. Submission of Soft Copy:

- i. The soft copies of the memorial from each side should positively reach the Organizers at [mcc@mpdnlu.ac.in](mailto:mcc@mpdnlu.ac.in) in both PDF and Word format latest by **January 20, 2023, before 11:00 PM**.
- ii. Memorials shall be sent as an attachment with the mail in the form of single file for each side of memorial in PDF as well as Word format.
- iii. A penalty of 1 mark shall be levied in case the memorial is submitted in any other format or as a multiple file by the team.
- iv. The team submitting the soft copy 5 days after the last date of the submission of the soft copy of the memorial will be disqualified from the competition.
- v. A penalty of 1 mark per hour per side shall be deducted in case of delay in submission of soft copy of memorial.



### **b. Submission of Hard Copy:**

i. Three copies of memorial each for the applicant and the respondent in hard copy should reach the following address by Post, latest by **February 3rd, 2023, 5:00 pm.**

**Moot Court Committee, Dharmashastra National Law  
University, BRBRAITT, Ridge Road, South Civil Lines, Lekha  
Nagar, Jabalpur (482001)  
Contact No: Prateek Yadav: 9636232318**

ii. A penalty of 1 mark per day per side shall be deducted in case of delay in submission of hard copy of memorial.

### **29. General Conditions for Memorials:**

a. The memorials shall not contain any form of identification apart from the team code on the upper right corner of the cover page. If any such identification or mark, symbol, etc. which has the effect of identifying the team is found on the memorial, then it shall result in instant disqualification.

b. Appellant memorials are required to have a Blue cover and Respondent memorials are required to have a Red cover.

c. A penalty of 1 mark per side shall be levied in case the team uses the wrong cover page for each side of the memorial.

### **30. Guidelines for Formatting:**

**a. Memorial Structure:** The memorial must have the following pages only:

i. Cover Page – The cover page shall contain the case title, side of the memorial, year of competition, name of the forum and team Code in the top right corner.

ii. Table of Contents

iii. List of Abbreviations

iv. Index of Authorities

v. Statement of Jurisdiction

vi. Statement of Facts

vii. Issues Raised

viii. Summary of Arguments

ix. Pleadings/Arguments Advanced

x. Prayer



**b. Team Code:** The team code must be ascribed to the up-right corner of the cover page. The code must be preceded by the side for which the memorial is prepared. The teams must use “A” for Appellant, P for “Petitioner” and R for “Respondent.” For example: in case the Team Code is 100 the team must write “A- 100” in case of memorial for Appellant and “R-100” in case of memorial for Respondent.

**c. Main body:**

- i. Type: Times New Roman
- ii. Font Size: 12 points
- iii. Line Spacing: 1.5

**d. Footnotes:**

- i. Type: Times New Roman
- ii. Font Size: 10 points
- iii. Line Spacing: 1

e. Pagination: The pagination must be done at the bottom of the page.

f. Margin: A margin of 1 inch on all sides of the memorial should be left.

g. Citation Format: The 20th Edition of Bluebook system of citation should be followed throughout the memorial.

h. Page Limit: The memorial shall be a maximum of 30 including the cover page and Pleadings/Arguments Advanced shall be a maximum of 15 pages. No annexures, photographs, exhibits, etc, should be added to the memorial.

**31. Penalty:** A penalty of 1 mark per violation per side shall be levied in case of nonadherence with the aforementioned guidelines for formatting.

**32. Marking Criteria:**

MARKING CRITERIA	MARKS ALOTTED
Evidence of Original Thought	20
Knowledge of Law and Facts	20
Proper and Articulate Abnalysis	20
Correct Format and Citation	20
Extent and Use of Research	20
<b>TOTAL</b>	<b>100</b>



**33. Plagiarism:** In case the memorial of the Participant is found to be guilty of plagiarism, the Administrator may impose any sanction that they may deem fit, including disqualification from the Moot.

## VII. ORAL ROUNDS

### 34. Timings for the Oral Pleadings:

#### a. Preliminary Rounds and Quarter-Finals:

- i. Each team is allotted 30 minutes to present their oral arguments;
- ii. The timing can be divided between both the speakers according to the wishes of the team subject to a maximum of 17 minutes and a minimum of 13 minutes per speaker;
- iii. The time division has to be informed to the Court Manager/Clerk before the beginning of the oral arguments.
- iv. A maximum of 2 minutes may be reserved for rebuttal or surrebuttal which shall be at the discretion of the judges.
- v. The allotment of extra time shall be at the discretion of the judges.

#### b. Semi-Final and Final Rounds:

- i. Each team is allotted 60 minutes to present their oral arguments.
- ii. The timing can be divided between both the speakers according to the wishes of the team subject to a maximum of 35 minutes and a minimum of 25 minutes per speaker.
- iii. The time division has to be informed to the Court Manager/Clerk before the beginning of the oral arguments.
- iv. A maximum of 5 minutes may be reserved for rebuttal or surrebuttal which shall be given at the discretion of the judges.
- v. The allotment of extra time shall be at the discretion of the judges.

### 35. Marking Criteria for the Oral Rounds:



MARKING CRITERIA	MAXIMUM MARKS
Knowledge and Application of Laws & Facts	20
Ingenuity & Ability to Answer Questions	20
Style, Poise, Courtesy, & Demeanour	20
Organisation and Flow of Arguments	20
Reference to Memorial	20
<b>TOTAL</b>	<b>100</b>

### VIII. RESEARCHER'S TEST

#### Researcher's Test:

- The identified researcher during the formal registration shall take the researcher's test.
- In the case of a two-member team, no member of the team will be allowed to take the Researcher's test.
- The test shall contain questions related to the moot problem and the relevant law.
- It shall be an offline pen and paper-based test.
- In tabulation of results for the researchers' test the total marks obtained by the researcher plus fifty per cent of the memorial score will be considered. In case of a tie, the researcher with the higher memorial score will be allotted a higher rank. If the tie subsists, the research belonging to the team with the higher aggregate score will be allotted a higher rank. If the tie still subsists, then the rank shall be determined by a toss of coin.

### IX. AWARDS & PRIZES

37. **Awards:** The following awards shall be awarded in the Competition:

<b>BEST TEAM</b>	<b>Rs. 40,000/-</b>
<b>RUNNERS UP</b>	<b>Rs. 30,000/-</b>
<b>TEAM WITH BEST MEMORIAL-APPLICANT</b>	<b>Rs. 15,000/-</b>
<b>TEAM WITH BEST MEMORIAL- RESPONDENT</b>	<b>Rs. 15,000/-</b>
<b>BEST SPEAKER, MALE</b>	<b>Rs. 10,000/-</b>
<b>BEST SPEAKER, FEMALE</b>	<b>Rs. 10,000/-</b>
<b>BEST RESEARCHER</b>	<b>Rs. 10,000/-</b>

- Certificates of recognition shall be provided to all the teams qualifying for the oral rounds.
- Certificate of merit shall be provided to the top eight teams in the preliminary rounds.



- Certificate of participation shall be given to all the participating teams. The awards, certificates of merit, certificates of recognition and certificates of participation shall be announced during the valedictory ceremony to be conducted on February 12, 2023. The hard copy of the same shall be provided to the respective teams and prize money shall be deposited in the account details provided by the winners.

## X. PENALTIES

**38. Non – Disclosure of Identity:** Teams shall not disclose their identity, i.e., the name of their institution, city, etc. or any other information which has the effect of disclosing their identity and affiliation with a particular university or institution. Such disclosure shall result in disqualification subject to the discretion of the Organizers.

## XI. DISPUTE RESOLUTION

**39.** The Organizing Committee shall form a Dispute Resolution Committee for the resolution of any dispute pertaining to the manner of conduction of the moot or any other matter incidental thereto. The Dispute Resolution Committee shall become operational on receipt of an application of grievance, where post the dispute resolution process, the decision of such Committee shall be final and binding.

## XII. MISCELLANEOUS

**40. Copyright:** The copyright with regard to the memorials submitted for participation in the Competition is assigned by participants and shall also vest completely and fully with the Organizers. The participants shall certify the originality of the memorials and the materials used and shall be responsible for any claim or dispute arising out of further use and exhibition of these materials. The Organizers shall have the right to publicly display, distribute either electronically or otherwise 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 accuracy, completeness or adequacy of the information contained in these materials.

**41. Power to Amend or Alter Rules:** The rules mentioned herein are not exhaustive. The Organizers reserve the right to alter, amend or add to the rules mentioned herein at any point in time. All decisions made by Organizers in case of any disputes, doubts or related issues shall be final and binding. Imposition of all penalties including disqualification rests solely with the organizers in case of failure to comply with the rules mentioned herein.



**42. Disclaimer:** The problem is fictitious and any resemblance to any person, living or dead, or incident, past or present, is coincidental and not intended by the authors of the problem.

**43. Contact Details:** In case of any queries or clarifications regarding the competition feel free to mail your queries at [mcc@mpdnl.u.ac.in](mailto:mcc@mpdnl.u.ac.in).







# **PATRON**

**Prof. (Dr.) V. Nagaraj**  
Vice-Chancellor, DNLU, Jabalpur

## **Chief Advisor**

**Prof. (Dr.) Shailesh. N. Hadli**  
Registrar, DNLU, Jabalpur

## **Faculty Advisor**

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Associate Professor  
&  
Dean of Student Welfare, DNLU, Jabalpur

## **Faculty Coordinator**

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**Jatin Pandey**  
(Treasurer)

**Devansh Bain**  
(Deputy-Treasurer)

**Anushmita Dutta**  
(Head, Public Relations)

**Ashutosh Tiwari**  
(Head, Public Relations)

**Suryansh Pandey**  
(Deputy Public Relations)

**P. Shraddha Reddy**  
(Head, Logistics)

**Namrata Singh**  
(Deputy Logistics)

**Apoorva Singh Rathaur**  
(Deputy Logistics)



## MOOT COURT COMMITTEE