



# **SRMIST SCHOOL OF LAW PRESENTS**



**SRM**  
INSTITUTE OF SCIENCE & TECHNOLOGY  
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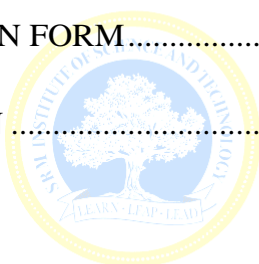
## **SRMIST NATIONAL MOOT COURT COMPETITION, 2022**

**8-9 APRIL 2022**



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**8<sup>th</sup> – 9<sup>th</sup> April**

**OFFICIAL INVITE**

We, SRM School of Law, take immense pleasure in inviting you to the VII SRMIST National Moot Court Competition, 2022 scheduled from 11<sup>th</sup> to 12<sup>th</sup> March, 2022 at our institution. This year the moot proposition is based on Constitutional Law. The rounds will be judged by sitting and retired High Court Judges, Legal Luminaries and Legal Experts to maintain the vigour and to get the best out of the teams. Interested institutions are requested to provisionally register their participation through email on or before 02 March 2022 and send their soft copies of registration form along with demand draft on or before 08 March 2022.



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**Prof. (Dr) C.A. GURUDATH**  
**DEAN**  
**SRM SCHOOL OF LAW**



**Moot Proposition**

1. The Republic of Indiana is a democratic nation with a population of over 1 billion. The nation has always been a hub for education and trade and has a literacy rate of over 75%. The number of people using the internet in Indiana on a daily basis is close to 45% of the entire population. With over 600 million active internet users, Indiana is the second largest online market in the world.
2. A majority of the population accesses the internet via their mobile phones. One aspect wherein Indiana shares the characteristics of other global internet users is its passion for social media.
3. During the course of the pandemic the world saw a shift in habits where everyone leaned more towards the online platforms for entertainment and information. People from all walks of life started expressing more through online platforms. With the hike in use of OTT platforms and social media, more movies and series saw demand.
4. A similar trend was seen in news reporters and media houses shifting their focus towards the online format. However, there was always a looming threat of fake news and hate speech with this sudden shift in trend.
5. Reports Indiana is a registered non-profit news and opinion website which publishes in over 5 languages and has a far outreach in terms of subscribers.
6. In 2017, Reports Indiana published two articles which saw them appearing before the Supreme Court of Indiana on grounds of being anti nationalist. The Apex Court which initially asked the articles to be blocked from public platforms later lifted the injunction on the same when the order was challenged.
7. A few months later, the general elections happened in the Union of Indiana. ANP was re-elected as the majority party after the elections.
8. An investigative report was published by the same website which stated that turnover for a particular company increased 16,000 times over in the year following the election.
9. This article was not well received and Reports Indiana faced backlash mostly through online abuse and several defamation suits. The fundamental stand adopted by the portal in response to these suits was that its article had been a legitimate exercise of the freedom of expression in the public interest.



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10. During the COVID-19 pandemic the online portal published several articles which highlighted the administrative failures and humanitarian crisis in several parts of Indiana. Reports Indiana faced several hardships yet again in the form of lawsuits and brow beating tactics from the government by harsh implementation of several provisions of the Epidemic Diseases Act to pressurize the journalists.
11. Later it was found that there was no tangible evidence for any of these lawsuits and that it was a standard tactic that amounted to harassment through litigation.
12. Wafa Rana, a freelance journalist who has a considerable number of followers on all social media platforms, shared the video of mass cremations in the Union of Indiana during the pandemic. The video showed a drone footage of burial grounds which were running round the clock. Several newspapers and news channels around the world reshared this video.
13. Multiple FIRs were lodged against Wafa stating that the video was fabricated and the same was aimed at putting the Union of Indiana in a bad light in front of the world.
14. A day later there was no trace of the video on any of the platforms it was uploaded and the same was blocked by the platforms as demanded by the government. The government had exercised its powers under the Information Technology Act.
15. Reports Indiana published an article authored by its staff reporter Jai Shah titled 'An era of digital authoritarianism', criticizing the government's latest forms of press censorship and draconian measures to censor news online. The news reports made by him were criticizing the policies of the government. Jai Shah was arrested by the local police led by an encounter specialist- Rajit Sinha, without any summons, documents or court papers, physically assaulted him, dragged him by the hair into a police van and arrested him alleging money embezzlement and defamation. There was a serious public outrage and media outcry against the Government following his arrest.
16. Rajit Sinha, the police officer who was later arrested, confessed before the Enforcement Directorate that the former Home Minister and party leader Dinesh Gomukh wanted Jai Shah to be arrested in the case.
17. Among the matters taken up in the winter session of the parliament, the matter of fake news and hate against the government being spread through online platforms was discussed in length. In the view of increased number of news articles being shared on online platforms, the government deemed



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it necessary to regulate the same to prevent spreading of fake news. A draft bill has been proposed which aims at censoring content being shared in online platforms.

18. The draft provides for a board similar to the CBFC for censoring news content. The bill states the necessity for creation of such a board as the concept of news reporting has changed drastically over the years and especially during the time of the pandemic.
19. Further the bill provided for heavy penalties for violations of the rules which were set by the board. The board's functions were to examine whether any news article or video clipping was violative of any reasonable restrictions imposed on free speech.
20. The opposition in the house stated the danger behind introducing such a bill and highlighted the threat of the same posing as a major blow to press freedom. Further, the similarities with the Digital Security Act of Bangladesh were highlighted. The opposition made very strong remarks about the problems faced in Bangladesh owing to the introduction of this act.
21. The bill was met with a huge outcry by many factions of citizens. Journalists and media houses termed the same as the end of press freedom in Indiana.
22. The proposed bill came into force on 01.01.2022. Journalists Guild of Indiana, an NGO working for press freedom filed a petition before the Supreme Court of Indiana challenging the validity of the act. The petition stated that that there is a positive obligation on the State to ensure that the fundamental rights of the citizens are not infringed.
23. Further it highlighted the recent trends in defamation suits that fall under the category of strategic lawsuits against public participation and an inadequacy of legal provisions to ensure that there was no harassment of journalists.

### Note:

- **The Constitution of Republic of Indiana is *pari materia* to the Constitution of India**
- **All the legislations of Republic of Indiana are *pari materia* to the legislations of Republic of India**
- **The participants are free to frame their own issues and contentions keeping in mind the legal issues highlighted in the moot problem.**



**RULE BOOK**

**VII SRMIST NATIONAL MOOT COURT COMPETITION, 2022**

**RULES**

**1. OFFICIAL LANGUAGE**

The official language of the competition shall be English. All competition rounds, memoranda and compendiums must be in English.

**2. ELIGIBILITY**

All students enrolled in 3-year LLB programme or 5-year integrated LLB programme shall be eligible to participate in the ***VII SRMIST National Moot Court Competition, 2022***.

**3. TEAM COMPOSITION**

The team composition shall be as follows: 2 Speakers & 1 Researcher. The teams may choose to participate without a Researcher.

**4. GENERAL PROCEDURES**

- (a) The competition shall be held in virtual mode using Zoom App.
- (b) Oral presentations during the Moot must be made by two, and only two members, from each Team. Researchers shall not be present during oral rounds.
- (c) Prior to the commencement of the moot session, the Team arguing must indicate which Team Members will act as its first oralist and second oralist and how they wish to allocate the time among (a) its first oralist, (b) its second oralist, and (c) for rebuttal. Time allocated to but not used by one oralist cannot be used by the other oralist or saved for rebuttal or surrebuttal. Any Team Member may act as an oralist during any Moot of the Competition and need not always argue the same side.
- (d) Each oralist may communicate with the judges, and the judges may communicate with that oralist only during his or her allotted time. Only the oral communications with the judges described shall be permitted. In particular, the oralist is not permitted to share his or her screen or present any other text or written materials when the session is progressing. An oralist's name displayed at the bottom of their screen is permitted.
- (e) Two or more Team Members are permitted to stay together in the same court hall. No members of two different Teams are permitted to stay in the same court hall during the session.



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- (f) The oralist while delivering the submission shall arrange his or her camera to permit the judges to observe his or her face. All participants and observers of a Moot shall have their microphone muted unless they are making their oral presentation, or specifically asked to speak. Oralists may sit or stand when making their submissions.
- (g) Where a Team or a Team Member is experiencing any technical problems in joining an Online Moot or when the session is progressing, they must inform the administrator immediately of the problem and the reasons if any which is within their knowledge. Where a technical problem occurs during a Moot the Administrator shall exercise his or her discretion as to how to proceed.
- (h) Onus to maintain a courtroom like environment and ensure minimum disturbance during oral rounds lies upon every participating member.
- (i) Neither audio nor video recording of the whole or any part of an Online Moot is permitted by any Team or Observer. Teams are also barred from disclosing the identity of their institution during the course of proceedings in the Court Rooms. Any disclosure of team identities shall invite penalties including disqualification.

### **5. ORAL ROUNDS**

- (a) **Preliminary:** Each team will argue two Preliminary Rounds, once on behalf of each Party. The sixteen highest-ranking teams from the Preliminary Rounds will qualify for the Octa final Rounds. The advancement to Octa / quarter final will be decided as follows:
  - i. Win points
  - ii. Win points + Aggregate
  - iii. Win points + aggregate (in case of tie minus memorial marks)
- (b) **Octa / Quarter / Semi Finals:** The teams will be power protected. The highest-ranking team will argue against the lowest-ranking team. The highest-ranking teams will pick lots for choosing the side of argument.
- (c) The time limit is 30 minutes per team for Preliminary, Octa final, Quarter final and 45 minutes for Semi Finals and Final rounds respectively. The time covers oral arguments and rebuttal. The Octa, quarter and semifinal rounds are knockout rounds.
- (d) The Judges will not announce the results after each oral round. They may be requested to provide a short oral critique at the end of each round
- (e) The administrator(s) will announce the result shortly after the completion of all preliminary



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rounds. Results of the Octa Final / Quarter Final / Semi Final rounds will be announced shortly after the rounds. The final results and the winners of different categories of prizes will be announced only during the Valediction ceremony.

### (f) Assessment Criteria for Oral Rounds

The Oral Rounds will be marked on a scale of 100 marks as per the following criteria:

S. No:	Criterion	Maximum Marks
1	Recognition of issues	10
2	Identification of legal principles	15
3	Use of authorities	15
4	Appreciation and application of facts	15
5	Clarity, logic and structure of presentation	10
6	Response to questions	15
7	Authoritativeness and persuasiveness	10
8	Overall presentation, poise and demeanour	10
	<b>Total</b>	<b>100</b>

(g) For Best Student Advocate award points scored from preliminary rounds alone will be counted.

## 6. MEMORIALS

- Each registered team will submit one memorial on behalf of the petitioners and one memorial on behalf of the respondents
- Soft copies of the memorials must be submitted to [srm.nmcc@srmist.edu.in](mailto:srm.nmcc@srmist.edu.in) in no later than 23:59 Hours on 5<sup>th</sup> April 2022 with the subject of the email as “Memorial Submission”. All documents connected with the cases and other relevant materials to be used for the oral submission shall be attached with the memorials as “Appendix”. The memorial files should be in pdf format.
- Memorial Format**
  - The memorial shall not exceed 40 pages excluding the cover page and appendix.
  - The color of the binding sheet/ front page must be transparent and blue colour in case of petitioners and red in case of respondents.
  - Formatting of the contents of the memorial:
    - Main Text
      - Font Type: Times New Roman



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- b) Font Size: 12
  - c) 1.5 line Spacing
  - d) Margins: 1 inch on each side.
  - B. For Footnotes
    - a) Font Type: Times New Roman
    - b) Font Size: 10
    - c) Single (1) line spacing
  - iv. Teams shall cite authorities in the memorial with footnotes following a uniform system of citation.
  - v. Pages should be numbered at the bottom and spaced in middle of each page of the memorial.
- (d) Memorial Content**
- i. Cover Page
  - ii. Table of Contents
  - iii. List of Abbreviations
  - iv. Index of Authorities/List of References
  - v. Statement of Jurisdiction
  - vi. Statement of Facts (not exceeding 2 pages)
  - vii. Statement of Issues
  - viii. Summary of Arguments (not exceeding 3 pages)
  - ix. Arguments Advanced (not exceeding 25 pages)
  - x. Prayer (Not exceeding 1 page)
  - xi. Appendix
- (e) Additional details regarding the memorials**
- i. Teams are strictly prohibited from mentioning their personal details anywhere in the memorial.
  - ii. After submission of memorials, no revision, supplements or additions shall be allowed.
  - iii. Teams must strictly adhere to the mentioned structural format.
  - iv. The Title/Cover page shall include:
    - a. The name and place of the forum;
    - b. The relevant constitutional provision under which it is filed;
    - c. Name of the parties and their status;
    - d. Memorial Filed on Behalf of Petitioners/Respondents.
    - e. The criteria for evaluation of memorials are as follows:



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<b>S. No</b>	<b>Criteria</b>	<b>Marks</b>
1	Knowledge of facts and law	20
2	Extent of legal research	30
3	Proper and articulate analysis	30
4	Grammar and style	10
5	Format and citation techniques	10
	<b>Total</b>	<b>100</b>

(f) Late submissions will attract penalty of 1 point per memorial for each day of delay.

(g) All researchers are required to attend the Researcher's Test.

(h) The Researcher's test shall be out of 50 marks.

**7. REGISTRATION**

(a) Online registrations will be open from 7 February 2022. Teams must register online latest by 28 March 2022 at <https://forms.gle/86fKz8X53tOcqgAb7>. Participants will receive an approval as confirmation of their online registration & participation from time to time as and when they register.

(b) A scanned copy of the approval letter duly signed by any of the following: Faculty-in-charge of MCS/MCA, Registrar, Principal, Dean, Director, Chancellor or Vice-Chancellor on the letter head of the participating college/ institution / University is required to be uploaded during the online registration process. The letter must contain names, year/semester of study of the participants. Alternatively, teams may get the signature of any of the aforementioned persons under their official seal on the registration form itself appended below. Registrations without the registration form / approval letter from the college / institution / University as mentioned above is not valid.

(c) After completing the online registration, teams must ensure that duly filled in scanned form/letter is electronically mailed to [srm.nmcc@srmist.edu.in](mailto:srm.nmcc@srmist.edu.in) latest by 31 March 2022 with subject: 'Registration for VII Annual SRMIST National Moot Court Competition, 2022'.

(d) The registration fee for the competition is Rs. 2,500/- per team.

(e) The registration fee must be paid through NEFT payment mode and the scanned copy of the transaction receipt of the same be enclosed with the registration email mentioned in clause (c) above.

(f) The following are the details of the bank account for payment of the registration fee



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Name of the Bank and Branch:	INDIAN BANK, POTHERI
Account Name:	SRM SCHOOL OF LAW
Account Number:	6314094173
IFSC:	IDIB000S181

### **8. GENERAL CODE OF CONDUCT**

The teams shall strictly comply with the following rules of conduct:

- Teams are expected to behave in a dignified manner with other teams and the Judges/ Organizers/ Volunteers.
- Teams shall not attempt to approach or influence Judges/ Administrators/ Organisers in any manner whatsoever.
- All participants are expected to maintain the decorum of the court during the competition and are expected to behave themselves in a manner befitting the legal profession.
- The teams shall not engage in any form of unethical, unprofessional and wrongful conduct during the entire period of the competition.
- Participants shall not consume any drugs/ alcohol during the course of the Competition
- Any form of immoral activities or other activities prohibited by law time being in force as cybercrimes and the violation of the same shall be treated as highly serious and also invite sanctions including blacklisting of the team.

### **9. EXEMPLARY POWER CLAUSE**

In case of any dispute arising out of the interpretation of the Rules, or otherwise, the decision of the organisers shall be final and binding.



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**IMPORTANT DATES**

<b>Events</b>	<b>Dates</b>
Last Date for Provisional Registration	28 March 2022
Last Date for Submission of Receipt of Registration Fees & Scanned Form	31 March 2022
Last Date for seeking Clarification	03 April 2022
Release of Clarification	04 April 2022
Last Date for Submission of Softcopy of Memorandum	05 April 2022
Draw of Lots, Researcher's Test	07 April 2022
Inauguration, Prelims and Quarter Finals	08 April 2022
Semi-Finals, Finals and Valedictory	09 April 2022

**REGISTRATION LINK:** <https://forms.gle/86fKz8X53tQcqqAb7>



**AWARDS**

- **WINNERS: RS.30,000/-**
- **RUNNERS UP: RS.21,000/-**
- **BEST SPEAKER: RS.7,000/-**
- **BEST RESEARCHER: RS.7,000/-**
- **BEST MEMORANDUM: RS.7,000/-**



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**CONTACT INFORMATION**

**Prof. (Dr.) Dinkar V.R.**  
(Director, Moot Court)

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**CLARIFICATIONS**

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**Ms. Vidya Menon**  
(Asst. Coordinator)

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**REGISTRATION**

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**Ms. Parvathy K**

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**+91 9496068599**



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*VII SRMIST National Moot Court Competition, 2022*

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**REGISTRATION FORM**

DATE: \_\_\_\_\_

**INSTITUTION DETAILS**

**Name:**

**Address:**

**Contact No.:**

**E-mail ID:**

**School in Charge:**

**Designation:**

**PARTICIPANT'S DETAILS:**

**Name of Speaker 1:**

**Year and Course:**

**Contact No.:**

**Email ID:**

Affix Photos



**Name of Speaker 2:**

**Year and Course:**

**Contact No.:**

**Email ID:**

Affix Photo

**Name of Researcher:**

**Year and Course:**

**Contact No.:**

**Email ID:**

Affix Photo

**DEMAND DRAFT DETAILS**

**Name of the Bank:**

**Branch:**

**Demand Draft No.:**

**Date:**



**VII SRMIST National Moot Court Competition, 2022*****8<sup>th</sup> – 9<sup>th</sup> March*****DECLARATION**

We, affirm that all the information provided in the registration form is true. Further, we declare that the institution and its team members will abide by all the rules and regulations as notified throughout the period of competition.

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(Signature – Speaker 1)

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(Signature – Speaker 2)

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(Signature – Researcher)

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(Faculty – In – Charge)

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(Head of the institution with Seal)





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## **CHIEF PATRON**

**Dr. T.R. PAARIVENDHER**

Chancellor,  
SRM Institute of Science and Technology

## **PATRONS**

**Thiru. P. Ravi Pachamoothoo**

Chairman,  
SRM Institute of Science and Technology

**Dr. R.P. Sathyanarayanan**

President,  
SRM Institute of Science and Technology

**Dr. R.Shivakumar**

Vice President,  
SRM Institute of Science and Technology

## **CO-PATRONS**

**Prof. (Dr.) C. Muthamizhchelvan**

Vice Chancellor (i/c)  
SRM Institute of Science and Technology

**Prof. (Dr.) R. Balasubramanian**

Pro- Vice chancellor, (External affairs)  
SRM Institute of Science and Technology

**Prof. (Dr.) S. Ponnusamy**

Registrar, (i/c)  
SRM Institute of Science and Technology