



Lex

Explore

1st National

Moot Court Competition

Lex Explore

**1st NATIONAL MOOT COURT
COMPETITION, 2023**

Date:

12th to 14th February, 2023

Mode:

Google Meet

Organised by:

Lex Explore



➤ About Lex Explore

Lex Explore is an Open Access, Peer Reviewed, Quarterly & Multidisciplinary legal Journal which provides an online platform to all the academicians, research scholars, lawyers and the law students who are genuinely interested to excel in the field of law.

Lex Explore provides its platform to promote quality and advance research, articles, case commentaries and various works by the genuine thinkers which helps in bringing a positive change in the legal field. **Lex Explore** not only focuses on socio-legal issues but also it touches all the field of law where changes are necessary & help to explore every matter which fall in the ambit of law.

Lex Explore is highly dedicated to bring positive changes in the society at large by motivating the young law students & help them to bring out their revolutionary voices through their research, articles or case commentaries to bring an extraordinary change.

“A small change counted to bring bigger difference”

➤ Message from the Founder

One of the most significant aspect of Legal Education is to inculcate the skill of Mooting among the students. Mooting imparts some of the most effective abilities such as research, legal writings, critical thinking, communication and argumentative skill to turn the case in their favour. I truly believe that law students should start developing these abilities from their very 1st year of Law school.

From February 12th to 14th , Lex Explore will host the “1st National Moot Court Competition, 2023 (Virtual). The aim of this competition is to mould law students personalities in such a way that are require for their overall career growth.

Lex Explore is fortunate enough to provide a platform to law students by organising this competition and every law students should take advantage of the same as it gives them a real experience. Our team will ensure the competition in the best possible manner.

Sanjeev Kumar Singh
CS - ICSI
BBA.LL.B – GNSU

➤ About Lex Explore 1st National Moot Court Competition

Lex Explore proudly announces its **1st National Moot Court Competition, 2023 from 12th to 14th February, 2023**. It is one of the finest mediums for future legal counsels to engage comprehensively in intricate deliberations to frame their arguments in context with the proposition and learn the art of advocacy to polish their skills.

The competition strives to give a platform to the budding lawyers of our country to imbibe analytical skills in real-time situations. The aim is to engage with students and allow them to have the first-hand experience of the complexities of the law.



➤ Moot Proposition

1. Mr Chhotelal kumar and Kiran kumari marriage was solemnised on 01/01/2020 as per Hindu ceremonies. Chhotelal kumar was an engineer and Kiran kumari was a reputed doctor. Kiran kumari was the daughter of a prominent politician of the country. Since the day of matrimonial ties Chhotelal Kumar and Kiran kumari matrimonial life was in doldrums. Kiran kumari stayed for 20 days in her matrimonial home and returned to her parents' home and told them that her husband is demanding dowry, a luxury car. Her father gave rupees 10 Lakhs and sent her back to matrimonial home.
2. Chhotelal kumar again demanded rupees 50 lakhs for purchasing a plot. On 5th August, 2020 Chhotelal kumar took his wife and left her in her parents' house and told them that Kiran kumari

could get back to matrimonial home only upon the payment of Rs. 50 lakhs. After few days Chhotelal kumar had a change of heart and he brought the wife back to his home and also apologised her and promised to keep her happy.

3. On 10th September, 2022 Kiran Kumari went to her father and told him that Chhotelal kumar is asking rupees 60 lakhs. Kiran's father gave her rupees 30 lakhs and promised to give the remaining balance soon and sent back Kiran to her matrimonial home.
4. On 15th October, 2022 at about 9:00 am Kiran kumari died of strangulation due to suicide at her matrimonial home.
5. Father of Kiran kumari lodged a FIR to police that his daughter was murder by Chhotelal Kumar because of dowry. The police registered the fir, held the inquest over the dead body and sent the same for post-mortem.
6. As the dead body was highly decomposed, the Doctors referred the same to the Head of the Department of Forensic Medicine, Medical College. The Head of the Department of Forensic Medicine examined the body and found a ligature mark around the neck and on dissection of the ligature mark he found that ecchy mosis were present, trachea was congested and was containing bloody froth. He also found a contusion over the chin. The Doctor also found several other contusions on the hands, axilla and other parts of the body. He opined that the death was due to strangulation. After completion of the investigation, the charge sheet was filed under Section 304B of the Indian Penal Code, 1860 against Chhotelal kumar. During investigation, police recovered a diary written by Kiran wherein she had narrated how her husband use to make demands for dowry. The plea of the accused was one of denial and he stated that when he returned from his office in the evening and entered the room, he found the deceased hanging from the hook in the ceiling. He got nervous and thus could not intimate the police. He took the plea of alibi and adduced the evidence to show that he was in office during the time of offence
7. The trial court having examined the evidence of the material witnesses held that this is a case of strangulation and therefore the death was unnatural and that there was demand for dowry and there was cruelty on the part of the accused and accordingly convicted him under Sections 304-B and 498-A I.P.C and awarded sentence of imprisonment for life for the offence punishable under Section 304-B I.P.C. The learned trial court, considered the diary as the dying declaration. The trial court did not go into the plea of alibi. On appeal the Hon'ble High Court agreed with the conclusions reached by the trial court and dismissed the appeal.
8. Chhotelal kumar filed a Special Leave Petition to Supreme Court under Article 136 of the Constitution of Indiva.
9. The Supreme Court decided to hear the petition and framed the following questions for consideration.

- I. Whether the Special Leave Petition filed by Chhotelal is maintainable?
- II. Whether the diary written by Kiran kumara can be considered as a piece of dying declaration?
- III. Whether the judgement of Learned Trial Court and Hon'ble High Court is erroneous?
- IV. Whether section 304B & Section 498A of IPC, 1860 is unconstitutional?

Apart from the above mentioned issues, the participants are free to include or exclude any other issue that they deem fit.

Note - The laws are pari materia to the laws enforced in India.

➤ Rule Book

➤ RULES AND REGULATIONS

The Organising Committee of the **Lex Explore 1st National Moot Court Competition** will have exclusive authority to interpret the rules in the interest of just and fair competition.

The definitions placed below by the Organising Committee shall be final and the decision of the Organising Committee regarding the applicability of these rules will be final.

These rules may be called the **Lex Explore 1st National Moot Court Competition, 2023**.

➤ DEFINITIONS

- ✚ 'Bench' refers to the members duly invited by the institute, to adjudge any of the rounds, collectively.
- ✚ 'Clarifications' means any questions, queries, or doubts sent by the registered teams to the organisers, within the given deadline.
- ✚ 'Competition' means the **Lex Explore 1st National Moot Court Competition, 2023**.
- ✚ 'Speaker' refers to a participant who presents oral arguments in any given round.
- ✚ 'Penalty' refers to the deductions imposed on the memorandum scores of participating institutions/teams.
- ✚ 'Participating Institution' shall be presumed to be the institution of the participating teams.
- ✚ 'Moot Problem' means a set of facts published by the **Lex Explore** for moot court competition.
- ✚ 'Rebuttals' refer to those arguments /questions that the Complainant may raise at the end of the main pleadings of all the Orators.
- ✚ 'Sur-rebuttal' refers to the defense presented by the Respondent to the rebuttals
- ✚ 'Organiser' means Lex Explore.

- ✚ ‘**Court Room**’ shall refer to the online platform where the orals will take place.
- ✚ ‘**Scouting**’ means a person observing the Oral Rounds of a team other than the team such person is associated with.
- ✚ ‘**Team Code**’ refers to the code allocated to a participating institution by the organising committee after completion of the Registration.

➤ **KEY DATES**

Commencement of Registration	05-12-2022
Last date of seeking clarification (if any)	05-02-2023
Last date of Registration	03-02-2023
Last date for submission of memorials (online)	05-02-2023
Inaugural ceremony & Orientation	12-02-2023
Preliminary Round	12-02-2023
Quarter-final Round	13-02-2023
Semi – Final Round	13-02-2023
Final Round	14-02-2023
Valedictory ceremony & Prize Distribution	14-02-2023

➤ **LANGUAGE**

The official language of the competition shall be **British English** only.

➤ **ELIGIBILITY**

- ✚ Law students enrolled in 3 years LLB programme and 5 years integrated programme from any college/institution/university recognised by BCI across the country.
- ✚ Maximum of 03 (Three) teams can participate from one college/institution/university.

➤ **TEAM COMPOSITION**

- ✚ The team shall comprise of either two members (being designated as Speakers and one of the speakers shall be designated as Researcher) OR three members (two of them shall be designated as Speakers and one of them shall be designated as Researcher).

- ✦ No team will be allowed to substitute any of its members after a team has filled & submitted the Registration form, except with the permission of the organisers.

NOTE:

No faculty member, coach, or a designated observer will be allowed to join the team through video – conferencing during the competition.

➤ **DRESS CODE**

- ✦ The participating teams must adhere to the following dress code during the orals of **Lex Explore 1st National Moot Court Competition, 2023.**
- ✦ **Male-** White shirt, black trousers, black tie, black coat, and black shoes.
- ✦ **Female-** White salwar and kurta or white shirt and black trousers along with a blackcoat and black shoes.

➤ **REGISTRATION PROCEDURE**

- ✦ Online registrations are open from 5th December, 2022. The teams must register online with payment by 3rd February, 2023.
- ✦ The registration shall be done by filling up the registration form available at: <https://forms.gle/fpApVToGkoXduLoP6>. The registration shall be considered complete only when the '**Registration Fee**' has been paid successfully and the registration form is duly filled with all the credentials.
- ✦ The participants will receive an official approval mail from organising committee carrying the '**Team Code**' after 15th January, 2023. The teams shall quote this team code in all further communications with the organising committee.
- ✦ Registration fee once paid is non-refundable.
- ✦ The registration fee for the competition is **1500.00 (One Thousand Five Hundred) INR.**

➤ **PAYMENT PAGE**

Bank Details

Beneficiary Name (Account Holder Name) – Sanjeev Kumar Singh

Bank Name – Paytm Payment Bank

Account Number – 917564817645

IFSC Code – PYTM0123456

For UPI – UPI ID – sk7564817645@paytm

Scan the QR code to make Payment



Scan this QR or send money to 7564817645
from any app. Money will reach in Sanjeev
Kumar Singh's bank account.

Note – After Payment, Kindly upload the screenshot of the payment during registration and do enter the referral/UTR number of the payment.

➤ **CORRECTION AND CLARIFICATIONS**

- ✚ The teams may request for correction and clarification regarding the moot proposition as per the date given in the important dates, section. Such requests shall be sent at contactlexexplore@gmail.com or through other mode of communication. (Communicating directly to members of **Registration & Public Relation Committee** whose contacts has been

given below)

➤ MEMORIAL SUBMISSION

- ✚ All memorials submitted for all purposes of the Competition shall firmly comply with the rules of the Competition. Each participating team must prepare two written submissions, one for each Petitioner/Applicant(s) as well as Respondent(s) side.
- ✚ Petitioner/Applicant(s) memorials are required to have a **Blue Cover** and Respondent(s) memorials are required to have **Red Cover**.
- ✚ Only soft copies of memorials shall be submitted in either .pdf or .doc/.docx format latest by 11:59:59 PM on 05th February, 2023. Late submission shall be penalized (10 mark per day) and no memorial shall be accepted after one day from the specified date.
- ✚ The memorial shall be uploaded on the official portal created after the registration (**It will be notified via whatsApp group**).
- ✚ The organising committee will not be responsible for delay and default.

➤ MEMORIAL CONTENT

The memorial must contain the following pages only: -

- ✚ Cover Page – The cover page shall contain the Case Title, Side of the Memorial,
- ✚ Year of the Competition, Name of the Court, and Team Code on the top right corner.
- ✚ Table of Contents
- ✚ Index of Authorities
- ✚ Statement of Jurisdiction
- ✚ Statement of Facts
- ✚ Issues Raised
- ✚ Summary of Arguments
- ✚ Arguments Advanced (15-17 Page Max)
- ✚ Prayer

➤ GUIDELINES FOR MEMORIAL FORMATTING

The following content specifications must be strictly followed: -

- ✚ The Memorial shall be typed on an A4 size page and all the pages of the memorial should have a page number at the bottom.
- ✚ Font & Size (General) – Times New Roman, 12 pts. Line Spacing (General) – 1.5 lines.
- ✚ Font & Size (Footnotes) – Times New Roman, 10 pts.
- ✚ Line Spacing (Footnotes) – Single Lines
- ✚ Page Margin – 1 inch on all sides.

All the citations and footnotes must be in compliance with the 20th Edition of Bluebook.

➤ **ANONYMITY OF TEAMS**

- ✚ Teams shall not reveal their identity in any form, except by means of the **Team Code** allotted to them during the Competition.
- ✚ The Written Submission shall not reveal the identity of the team in any form and should not bear the logo, name, etc. of the University represented.
- ✚ Any violation of the above rules shall attract severe penalty or disqualification as determined by the organising committee. The decision of the organising committee in this regard shall be final and binding on the participating team.

➤ **MEMORIAL MARKING CRITERIA**

Marking Criteria	Total Marks Allotted
Coherent and Precise Articulation	30
Knowledge of Laws and Facts	25
The extent of Legal Research	25
Grammar and Style	10
Format and Citation	10
Total	100

➤ **ORAL ROUNDS OF COMPETITION**

➤ **General:**

- ✚ The competition shall consist of Preliminary Round, Quarter-Final Round, Semi-Final Round, and the Final Round.

➤ **Preliminary Round:**

- ✚ The rounds shall be conducted virtually by way of video-conferencing; the details of the platform will be given to the teams before the competition. The Meeting ID, Password, and Link will be communicated to the teams via email/WhatsApp.
- ✚ Each team shall argue once from the side allotted to them through the Draw of Lots, which shall be notified to the teams one day prior to the round.

- ✚ Each team shall strictly get a total time of 30 minutes to present their case. This time will include rebuttal and sur-rebuttal time [if permitted by the judge(s)]. The time distribution per speaker is left at the discretion of the team's subject to a minimum of 10 minutes per speaker and no more than 15 minutes per speaker. Rebuttals can be allocated a time of a maximum of 5 minutes.
- ✚ At the beginning of the preliminary rounds, the teams shall specify the time distribution for their rebuttals of each speaker to the moderator. The rebuttal round proceeding shall be initiated once the moderator informs the team about the commencement of the time limit.
- ✚ Strict adherence to court manners shall be observed by all the participants.

➤ **Quarter -Final Round:**

- ✚ The top 8 teams with the highest score in the Preliminary Rounds shall proceed to the Quarter-Finals. The match-up of teams in Quarter Final Rounds shall be determined on the basis of draw of lots.
- ✚ In case of a tie in scores calculated, the team with the higher score in the Written Submission (Memorials) shall proceed to this round.
- ✚ Each team shall strictly get a total time of 30 minutes to argue, which will include rebuttal and sur-rebuttal time [if permitted by the judge(s)]. Extension of time maybe permissible at the discretion of judges.
- ✚ At the beginning of the quarterfinal round the teams shall specify the time distribution for each speaker and rebuttal to the moderator. The rebuttal round proceeding shall be initiated once the moderator informs the team about the commencement of the time limit.
- ✚ Strict adherence to court manners shall be observed by all the participants.
- ✚ Quarter-final round is a Knock-out Round.

➤ **Semi-Final Round:**

- ✚ The top 4 teams of the Quarter Final Rounds shall be declared for qualified for the Semi-Final Rounds. The match-up of the teams in Semi-Final Rounds shall be decided on the basis of the draw of lots.
- ✚ Each team shall get a total time of 40 minutes to argue, which will include rebuttal and sur-rebuttal time (if permitted by the judges). The division of time per speaker is left to the discretion of the teams.
- ✚ A time-extension for a maximum of 2 minutes may be granted to each team at the discretion of the Judge.
- ✚ Strict adherence to court manners shall be observed by all the participants.

➤ **Final Round:**

- ✚ The top two teams from the Semi-Final Round shall qualify for the final round.
- ✚ Each team shall get a total time of 50 minutes to which will include rebuttal and sur-rebuttal time [if permitted by the judge(s)]. The division of time per speaker is left to the discretion of the teams.
- ✚ A time-extension for a maximum of 5 minutes may be granted to each team at the discretion of the Judge.
- ✚ Strict adherence to court manners shall be observed by all the participants.

➤ **ORAL ROUNDS MARKING CRITERIA**

Marking Criteria	Total Marks Allotted
Application of Law to Facts	20
Use of Authorities	20
Responsiveness to Questions	20
Effective rebuttals and sur-rebuttals	10
Adequacy of Prayer	10
Court Mannerism	10
Time Management	10
Total	100

➤ **GENERAL CODE OF CONDUCT**

- ✚ Considering the Virtual National Moot Competition conducting virtually. The following code of conduct must be kept in mind.
- ✚ Virtual Platform: **Zoom/Google Meet**
- ✚ The teams must ensure that they have a strong internet connection (along with good audio and video facilities) for the smooth running of the competition. In case any participant or team is logged out due to connection issues, reasonable time may be given to the respective participant or team to join in.

- ✚ The participants must ensure that no background disturbance is disconcerting the flow of moot court competition. Hence, it is recommended for the participants to be seated / situated in a quiet room.
- ✚ Teams entering/indulging in any kind of misconduct, or violating the afore-mentioned rules and regulations will lead them to disqualification.
- ✚ The Memorial marks shall not be included to decide the results of oral rounds, however, in case of a tie in Preliminary, Quarter Finals, Semi-Final, and Finals, the marks of the memorial shall be the basis of deciding the winner.
- ✚ The decision of the judges with regards to the oral rounds shall be final.

➤ **SCOUTING**

Scouting is strictly prohibited. Scouting by any team shall entail instant disqualification.

➤ **MISCELLANEOUS RULES**

- ✚ The Organising Committee reserves the right to amend, modify, change or repeal any of the competition rules at any stage. The Organising Committee shall convey any changes made in the competition rules to the Participating Teams.
- ✚ If a team is of the perspective that violation of the rules of the competition has taken place at any stage of the competition, the team (s) shall inform within half an hour after the completion of the round to Organising Committee.
- ✚ Team(s) under no circumstances shall approach the judges with any complaints.
- ✚ The Organisers shall not be responsible for any loss or slow or unstable Internet Connection during the Competition. We request all the participants to have a stable Internet Connection.

➤ **AWARDS**

- ✚ **Winning Team** – Cash Prize of Rs – 7,000/- + Trophy + Certificate
- ✚ **Runner – Up Team** – Cash Prize of Rs – 6,000/- + Trophy + Certificate
- ✚ **Best Memorial** - Cash Prize of Rs 3,500/- + Trophy + Certificate
- ✚ **Best Speaker** - Cash Prize of Rs 2,100/- + Trophy + Certificate
- ✚ **Best Researcher** - Cash Prize of Rs 2,100/- + Trophy + Certificate
- ✚ **Certificate of Appreciation shall be provided to all the participants.**

➤ NATIONAL MOOT COURT ORGANISING COMMITTEE 2023

Competition Convenor		Competition Co-Convenor	
Sanjeev Kumar Singh CS - ICSI		Md. Arif Imam BBA.LL.B – NSL, GNSU	
Competition Co-Convenor			
Saba Khan BA.LL.B – Sambhunath Institute of Law Contact No - +91 8303960184			
Registration & Public Relations Committee			
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Promotion Committee			
Rimjhim Sharma Contact No: +91 7633074684		Kishan Contact No: +91 8789361019	



LEX



Is Organizing

**LEX EXPLORE 1st National Moot Court Competition
(Virtual)**

SCAN QR Code For Registration



Commencement of Registration - 5th Decembe, 2022

Last date of registration 03 February, 2023

**Our Website:-
www.lexexplore.online**

**For any query feel free to mail us at
contactlexexplore@gmail.com**

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