



BISHOP COTTON WOMEN'S CHRISTIAN LAW COLLEGE, BENGALURU

Affiliated to Karnataka State Law University | Recognized by Govt. of Karnataka |

Approved by the Bar Council of India

#19, III Cross, C.S.I. Compound, Mission Road, Bengaluru-560027

Ph.:080-22121898, 22485542 | E-mail : mootcourtcommittee@bcwclc.edu.in |

Website : www.bcwclc.edu.in

Under the aegis of IQAC



9TH NATIONAL MOOT COURT COMPETITION

Constitutional Law

DATE: 14TH-16TH JUNE , 2024

"PRUDENTIA CONSCIENTIA INGENIUM OCCURSUS"

(WISDOM, KNOWLEDGE AND TALENT MEET)

**EMPOWER WOMEN - EMPOWER INDIA
NEC DEXTRORSUM NEC SINISTRORSUM**

Est. 2002

www.bcwclc.edu.in

 @bcwclc_bengaluru

 Bcwclc Bengaluru

ABOUT BISHOP COTTON WOMEN'S CHRISTIAN LAW COLLEGE

Bishop Cotton Women's Christian Law College is one of the prestigious Institutions of Law/Legal Education in India offering five year integrated undergraduate B.B.A., LL.B. (5 years) and LL.B. (3 years) degree programme in Law and has grown enormously over the past 22 years. Bishop Cotton Women's Christian Law College is the only Law College in Karnataka imparting legal education exclusively for women to instill the values of the cause of women more in the minds of young girls and to empower them. This exclusive institution for legal education was inaugurated on 14th July 2002. The College is recognized by the Government of Karnataka approved by the Bar Council of India and is affiliated to the Karnataka State Law University, Hubballi. The College is managed by the Board of Management of Karnataka Central Diocese, Church of South India. In keeping with the cultural heritage, students in this college are instilled with human values through various programmes conducted in Bishop Cotton Women's Christian Law College. Students are trained to work hard, stick to discipline, aim to achieve the highest and march on to conquer the whole world as good leaders.

Bishop Cotton Women's Christian Law College is the right place for those who aspire for a versatile experience, wide knowledge and good scholarship. Bishop Cotton Women's Christian Law College has been steering the wheel in the direction of success empowering young women to soar to greater heights into the space of progress. Young girls step into the College with dreams, ideas and aspirations. They are nurtured and nourished in the womb of this Institution. Currently the College has about 280 students on its rolls. Our students are blessed with talent and skill in abundance, with brilliance brewing in their lives. They are chiseled to fine shape to be models of change through the flames that light the torch of justice. Our efforts are always coupled with positive convictions as we brave the challenges that face us. As we march into our 22nd year of excellence, we welcome all to be a part of our journey in paving the way for excellence. The institution is committed to providing the best nurturing environment for our students to learn, grow and strive towards achieving their goals.

To achieve and fulfil its vision and mission the College has established various Committees, Clubs & Cells like the Student Welfare Committee, Legal Services Clinic, Moot Court Club, National Service Scheme, Mediation Cell, Human Rights Cell, Women and Child Cell, Research and Development Cell, Anti-Ragging Cell, Girl Student Grievance Redressal Cell, Youth Red Cross Cell, Fine Arts Club, Environmental Club, Social Service Club, Kannada Club, and Deborah Club. The College organizes various events like International and National Conferences, Seminars, Workshops, Moot Court Competitions, Lecture series and the Cultural, Legal, & Management Fest (INTEGRATO), which help in developing the curricular and co-curricular activities thus enhancing the quality of education.

MISSION STATEMENT

- 1.Venturing to make a difference in the legal fraternity and the society at large.**
- 2.Addressing the social issues to bring a change in the society and to empower women.**
- 3.Imparting knowledge and values in depth to be the standard and excellent citizens.**

VISION STATEMENT

- 1.To sensitize the students to be a change in the legal fraternity and uphold justice in all circumstances.**
- 2.To endeavor for the holistic betterment of the women and children, needy and the community at large.**
- 3.To practice and uphold the values of integrity, commitment and all virtues and attempt great things for God expecting nothing.**

ABOUT THE MOOT COURT CLUB

Bishop Cotton Women’s Christian Law College has been a pioneer in grooming modern day legal professionals since its inception in 2002. The Moot Court Club of Bishop Cotton Women's Christian Law College has been active since the inception of the college. Moot Court Club is established with the idea of encouraging and facilitating students for Moot Court Competitions. Our competition has been growing in prestige and quality with each passing year to uphold standards of excellence. The Moot Court Club conducts Intra Moot Court Competition in the beginning of every academic year to screen the students for the panel which represents our college in various moot court competition organized other institutions throughout the country. It inculcates in the students the important skills such as Research Methodology, Legal Drafting, Articulation of Arguments and the method of dealing with specific problems on legal principles. Students participate in various Moot Court Competitions by other Institutions all over the country and bring laurels to college. The Moot Court Club of Bishop Cotton Women's Christian Law College has also organized moots in collaboration with Surana & Surana .

MOOT PROPOSITION

1. The Republic of Hindiyana, is a Federal Democratic Republic country having the largest population in the world. The country gained Independence in the year 1947 almost after 200 years of colonial rule and upon attaining Sovereignty enacted their Constitution in the year 1950. The country is governed by its Constitution and ensures freedom of speech and expression as a Fundamental Right along with clauses of reasonable restrictions. The preamble of the country declares it as a Sovereign, Socialist, Secular, Democratic, Republic and ensures Justice, Liberty, Equality and Fraternity for its citizens.

2. The Constitution of Hindiyana provides for a parliamentary form of government which is federal in structure with certain unitary features and also ensures Fundamental Rights to its citizens. The country since its inception in the year 1947 was majorly ruled by two parties- The Democratic party and the Republican party but since the last two consecutive general elections Republican Party has regained its majority and is in power.

3. The Constitution of Hindiyana has various features that are borrowed from other countries, apart from this the country retains certain colonial laws even after decades of its Independence, some of these laws are often criticised as draconian due to its conflicts with Fundamental Rights.

4. After Independence, The Republic of Hindiyana had to face external aggression from its neighbouring country which escalated into a war, leading to a declaration of the First National emergency in the country. During this time and after the First National emergency in the country there were certain uprisings and secessionist movements in the Southern part of Hindiyana.

5. Followed by such separatist movement the then ruling government decided that preventive detention provisions are necessary to deter any future anti-national movements and this led to the enactment of Unlawful Activities (Prevention) Act 1967 (hereinafter UAPA 1967) which gave power for the law enforcement agencies to arrest and detain a person without any judicial scrutiny. The imposition of UAPA resulted in serious debates across the country as many felt that the law is anti-democratic and is against Rule of Law and Due Process of law. Later in the year 1973 the government of Hindiyana added UAPA 1967 under Schedule Nine of the Constitution.

MOOT PROPOSITION

6. The year 2019 saw a massive civil unrest in the State of the Mahipur, the police arrested and detained as many as 550 individuals under UAPA, many amongst these detainees were arrested on the ground that they were members of an organisation which carries out 'unlawful acts' and some of them were arrested for their social media post against the ruling party of the state. Against this arbitrary action of the State, advocate Angamba one of the prominent Human Right Activists of the State filed a petition in the Supreme Court stating that UAPA violates due process of law and is to be abrogated, he also challenged the addition of UAPA under Schedule Nine of the Constitution.

7. In the month of July 2019 UAPA had undergone two amendments, the National Investigation Agencies were given total authority to conduct any investigation without taking the consent of the State governments and the Central government was given the authority to add the name of any person to the list of terrorist without following any due process of law. Later in the month of December 2019, the state of Dihar witnessed a communal clash between two prominent religious communities over a religious procession which later escalated to communal tension leading to major violence and also an incident of rape and killing of a young girl who belonged to a minority community. The matter was reported worldwide and a journalist from the nearby State of Joa was arrested while taking the interview of the girl's family, this drew criticism from media as well as from various sectors of the public as the arrest was a blatant violation of the Fundamental Rights guaranteed by the Constitution. A PIL was filed against the arrest of the journalist, by his close aid and along with this there was also a plea that the new amendment is against the concept of federal characteristics of the country since Public Order falls under State list.

8. A year later the Editor-in-Chief of one of the leading news portals based at the capital city of the Republic of Hindiyana was taken into custody by the police on an allegation that the news portal received money for its Pro-Mepalis propaganda, against this, the news portal filed a petition in Supreme court. The office premises of the news portal was searched, the Editor-in-Chief of the Portal was taken into custody and the police also seized the digital devices of the employees. The Editor-in-Chief of the portal was booked under section 35 of the amended provision of UAPA and later his name was included in Schedule IV of the Act. A petition was filed by the news portal challenging the Constitutional validity of the Amendment on the grounds of it posing a threat to the Constitutional values guaranteed to every citizen of the country and claimed that the provision is manifestly arbitrary and forms as an antithesis to the right to equality.

The Supreme Court of The Republic of Hindiyana, while admitting the PIL clubbed all the above petitions and posted the matter for hearing.

MOOT PROPOSITION



Issues Raised

- 1. Whether the amended provision of UAPA 1967 is Constitutionally valid?**
- 2. Whether the decision to include Unlawful Activities (Prevention) Act 1967 in Schedule IX of The Republic of Hindiyana is valid and does the law protect the legitimate interest of the government?**
- 3. Whether the arrest and detention of the petitioners infringes upon the freedom of Speech and Expression?**
- 4. Whether the power granted to Central Government under the new Amendment of 2019, encroach upon the domain of State's hierarchy as 'Public order' is a State subject?**

Disclaimer :

1. All aspects of the moot problem are fictitious in nature and bear no validity to the facts.
2. The Laws of The Republic of Hindiyana are in pari materia with the laws of India.

RULES AND REGULATIONS

1.ELIGIBILITY CRITERIA

1.1. The Competition is open to all students presently pursuing LL.B. courses (5 years or 3 years) from any Institution/College/University recognized by the Bar Council of India.

1.2. Students enrolled in postgraduate or diploma programmes shall not be eligible to participate in this Competition.

1.3. The Team shall comprise of three members of which two shall be designated as Speakers and the third member shall be the Researcher.

2.REGISTRATION AND CONFIRMATION

2.1. Each Team shall register itself by sending a duly filled in Registration Form along with the required Demand Draft of Rs.3,500/- (Rupees Three Thousand Five Hundred only) drawn in favor of “BISHOP COTTON WOMEN’S CHRISTIAN LAW COLLEGE, BENGALURU”.

2.2. The scanned copy of the Registration Form shall be sent to mootcourtcommittee@bcwcl.edu.in by 13th May 2024, and a hard copy of the form shall reach the Organizers by 16th May 2024, via Registered Post with Acknowledgement Due. The confirmation of accommodation need be made by outstation teams by 16th May 2024, failing which the teams need to make their own arrangements.

2.3. Once registered, the registration fee shall neither be refunded nor waived. Only 16 Teams on the basis of first come first serve shall be registered. However, the Organizers shall reserve the discretion to increase the number of teams.

2.4. Organizers will confirm registration of the teams via-e-mail.

3.DRESS CODE

3.1. Male Participants shall wear a full suit – comprising of a black formal blazer and trousers, full sleeved white shirt and formal footwear.

3.2. Female Participants shall wear Western or Indian formals with blazers and formal footwear.

4.MISCELLANEOUS

4.1. The Teams shall take the facts of the Moot Problem as final and no clarifications concerning the same shall be entertained.

4.2. Language for this competition shall be in English (for all rounds).

4.3. The registered participants shall maintain discipline throughout the Competition. Any breach of the same may lead to disqualification of the team from the competition. The decision of the organizers in this regard shall be final.

RULES AND REGULATIONS

5.MEMORIAL

5.1. Each Team shall prepare Memorials in support of both the Petitioner/ Appellant and the Respondent. Soft Copies of the Memorials shall be in pdf format titled “Team Code- P/A” (for the Petitioner/Appellant) and “Team Code- R” (for the Respondent) which shall be mailed to mootcourtcommittee@bcwclc.edu.in not later than 11:59 pm on 3rd June 2024, beyond which no Memorials shall be entertained. Clarifications regarding the moot proposition must be mailed to mootcourtcommittee@bcwclc.edu.in which will be entertained only until 11:59 pm on of 17th May 2024, the same shall be released on the 20th May 2024.

5.2. Each participating Team shall be allotted a ‘Team Code’ by the Organizers, which shall be mentioned on the Cover Page of the Memorials of the Petitioner/Appellant and Respondent. For example, if the assigned Team Code is 99, the Team shall title the Memorial as “99-P/A” and “99-R” respectively.

5.3. Two (2) Hard copies of each of the Memorials of the Petitioner/Appellant and the Respondent shall reach the Organizers not later than 7th of June 2024, beyond which no Memorials shall be entertained.

5.4. In Addition, Six (6) Hard Copies of each of the Memorials for both the sides shall be submitted on 14th June 2024, at the time of orientation.

5.5. The Hard Copies of the Memorials shall bear a cover page in conformity with the following scheme: Petitioner/ Appellant- Blue; Respondent- Red.

5.6. Teams shall cite authorities in the Memorials using footnotes following the Harvard Bluebook (20th Edition).

5.7. Once the Memorials are submitted, no additions, modifications, supplements, etc., shall be entertained.

5.8. The Cover Page of each Memorial shall contain the following information:

- a) The Team Code in the upper right hand corner shall be in compliance with Rule 5.2**
- b) Name of the Court resolving the dispute;**
- c) Year of the Competition;**
- d) Name of the Case; and**
- e) The party for which the Memorial has been prepared.**

5.9. The Memorials shall contain the following: Cover Page; Table of Contents; Table of Cases; List of Abbreviations; Index of Authorities (only Statutes, International Instruments or Constitutional Law); Statement of Jurisdiction; Statement of Facts (not exceeding 2 pages); Issues Raised; Summary of Arguments (not exceeding 2 pages); Arguments Advanced (not exceeding 20 pages); Prayer (not exceeding 1 page); Bibliography (list of Books and Articles) and Webliography (URLs and Websites).

5.10. All the contents of the Memorial (including the preliminary pages) shall be typed on ‘A4 sheets’. The Font shall be “Times New Roman” and in addition, the Participants shall adhere to the following specifications: Font Size: 12; Line Spacing: 1.5; Headings: 14; Body of Text: Justified.

5.11. For Footnotes, the formatting specifications are: Font type: Times New Roman; Font Size: 10; Single Spacing; Paragraph Spacing: 0; and the Body of the Text: Justified.

5.12. The fixtures shall be determined by the draw of lots and there shall be exchange of Memorials between the respective opposing Teams, prior to the Quarter-Final, Semi-final and Final Rounds.

RULES AND REGULATIONS

6.ANONYMITY OF TEAMS

6.1. The Teams shall not reveal their identity throughout the Competition in any form, except by means of the Team Code allotted to them.

6.2. The Memorials and materials presented to the Bench shall not reveal the identity of the Team in any form and should not bear the logo, name etc., of the Institution/College/University represented.

7.PENALTY

7.1. Any Memorial violating any of the above mentioned specifications shall be penalized according to the scheme as follows :

SL.NO	SCHEME OF DEDUCTION	MARKS DEDUCTED
1	Failure to comply with Rule 5.4	1 mark per side
2	Failure to comply with Rule 5.5	1 mark per violation
3	Failure to comply with Rule 5.7	1 mark per violation
4	Failure to comply with Rule 5.8, 5.9 and 5.10	1 mark per violation up to a maximum deduction of 5 marks
5	Failure to comply with Rule 6	1 mark for every disclosure of identity

7.2. Any decision of the Organizers regarding the deductions shall be final and the same is not open to challenge.

RULES AND REGULATIONS



8. PRELIMINARY ROUNDS :

8.1. Each Team shall argue twice in the Preliminary Rounds, once for Petitioner/ Appellant and once for the Respondent.

8.2. Oral Arguments: Each Preliminary Round shall consist of Sixty (60) minutes of arguments.

8.3. Each Team shall allocate its 30 minutes between the two Speakers, each Speaker having 15 minutes.

8.4. The top 8 teams based on their scores shall advance to the Quarter-Final Rounds.

8.5. In case of a tie, the team's Memorial marks shall be added to the scores of the Oral Rounds and consequently, the Team with higher marks shall progress to the Quarter-Final Rounds.

8.6. If the tie persists then it shall be broken by flipping of a coin.

8.7. The detailed breakup of marking criteria are as follows:

RULES AND REGULATIONS

SL. NO	CRITERIA	MARKS
1	KNOWLEDGE OF FACTS	10
2	ADVOCACY SKILLS AND COURT MANNERS	10
3	KNOWLEDGE OF LAW ,PRECEDENTS AND LEGAL PRINCIPLES	10
4	ARTICULATION, ANALYSIS AND PRESENTATION OF ARGUMENTS	15
5	INTERPRETATION AND APPLICATION OF LAW	10
6	PERSUASIVENESS AND REASONING	10
7	ABILITY TO ANSWER QUESTION	10
8	TIME MANAGEMENT AND ORGANISATION	10
9	INGENUITY AND WIT	10
10	OVERALL IMPRESSION	05

RULES AND REGULATIONS



9. QUARTER-FINAL ROUNDS

9.1. The timing rules governing the Preliminary Rounds shall be applicable to the Quarter-Final Rounds.

9.2. The marking criteria of these rounds shall be as per Rule 8.7.

9.3. By means of knock-out, Four (4) teams shall advance to the Semi-Final Rounds.

10. SEMI-FINAL ROUNDS

10.1. Each Semi-Final Round shall consist of 90 minutes of arguments.

10.2. Each Team shall get a total time of 45 minutes to present their arguments.

10.3. Each Speaker shall get a maximum of 22.5 minutes to present the case, which shall include the time for rebuttal/surrebuttal, as the case may be, and the same may be allowed at the judges' discretion.

10.4. The marking criteria of the Semi-Final Rounds shall be as per Rule 8.7.

10.5. By means of knock-out, Two (2) teams shall advance to the Final Round.

11. FINAL ROUND

11.1. The timing rules governing the Semi-Final Rounds shall be applicable to the Final Round and the marking criteria shall be as per Rule 8.7.

12. PRIZES

- **Champion Team**
- **Runners-Up**
- **Best Memorial**
- **Best Student Counsel (Male)**
- **Best Student Counsel (Female)**
- **Promising Advocate Award**

RULES AND REGULATIONS

13. FOOD AND ACCOMMODATION

13.1. The Participants (2 Speakers and 1 Researcher) will be provided food on all days of the Competition. Accommodation will be provided only to the Participants coming from outside Bengaluru, from 14th June, 2024 - 16th June, 2024, till 9 p.m. The confirmation of accommodation should be made by outstation Teams while submitting the provisional Online Registration Form on 13th May 2024, failing which the Teams need to make their own arrangements.

13.2. Teams arriving by flight, train or bus shall arrange their own transportation to the Venue of the Competition.

13.3. The Organizers shall not bear travel expenses of the Participants.

13.4. The Campus and the Place of Accommodation is not only eco-friendly but also compliant with Swachh Bharat initiative undertaken by the Government of India. Thus, the Participants shall cooperate with the Organizers in keeping the Place of Accommodation and Campus clean at all times by discarding wastes in appropriate dustbins.

13.5. The Place of Accommodation, Venue of the Competition, as well as any fixtures or furniture belonging to the Organizing Institution shall not be polluted, destroyed or damaged by the Participants and any breach in this regard shall attract penalty as decided by the Organizers.

REGISTRATION DETAILS

REGISTRATION FEES MAY BE TRANSFERRED ONLINE TO THE FOLLOWING DETAILS

ACCOUNT NAME	BISHOP COTTON WOMEN'S CHRISTIAN LAW COLLEGE
ACCOUNT NUMBER	410202010013086
BANK NAME	UNION BANK OF INDIA
IFSC CODE	UBIN0541028

IMPORTANT DATES

SL.NO	PARTICULARS	DATES
1.	LAST DATE FOR PROVISIONAL ONLINE REGISTRATION. REQUEST FOR ACCOMMODATION BY OUTSTATION TEAMS NEED TO BE MADE, FAILING WHICH THE PARTICIPANTS NEED TO MAKE THEIR OWN ARRANGEMENTS	13/05/2024
2.	LAST DATE FOR SUBMISSION OF THE FILLED IN REGISTRATION FORM (HARD COPY)	16/05/2024
3.	LAST DATE FOR ONLINE SUBMISSION OF SOFT COPIES OF THE MEMORIALS	3/06/2024
4.	LAST DATE FOR SUBMISSIONS OF TWO HARDCOPIES OF EACH SIDE OF THE MEMORIALS ALONG WITH DULY FILLED TRAVEL FORMS	7/06/2024
5.	INAUGURATION OF 9TH BCWCLC NATIONAL MOOT COURT COMPETITION	14/06/2024
6.	PRELIMINARY ROUNDS AND QUARTER FINAL ROUND OF THE MOOT COURT COMPETITION	15/06/2024
7.	SEMI-FINAL ROUND, FINAL ROUND AND VALEDICTORY FUNCTION	16/06/2024

BISHOP COTTON WOMEN'S CHRISTIAN LAW COLLEGE, BENGALURU.

9TH NATIONAL MOOT COURT COMPETITION, 2024

14th- 16th June, 2024

REGISTRATION FORM

Institution Details -

Name of the College / University –

Address –

City –

State –

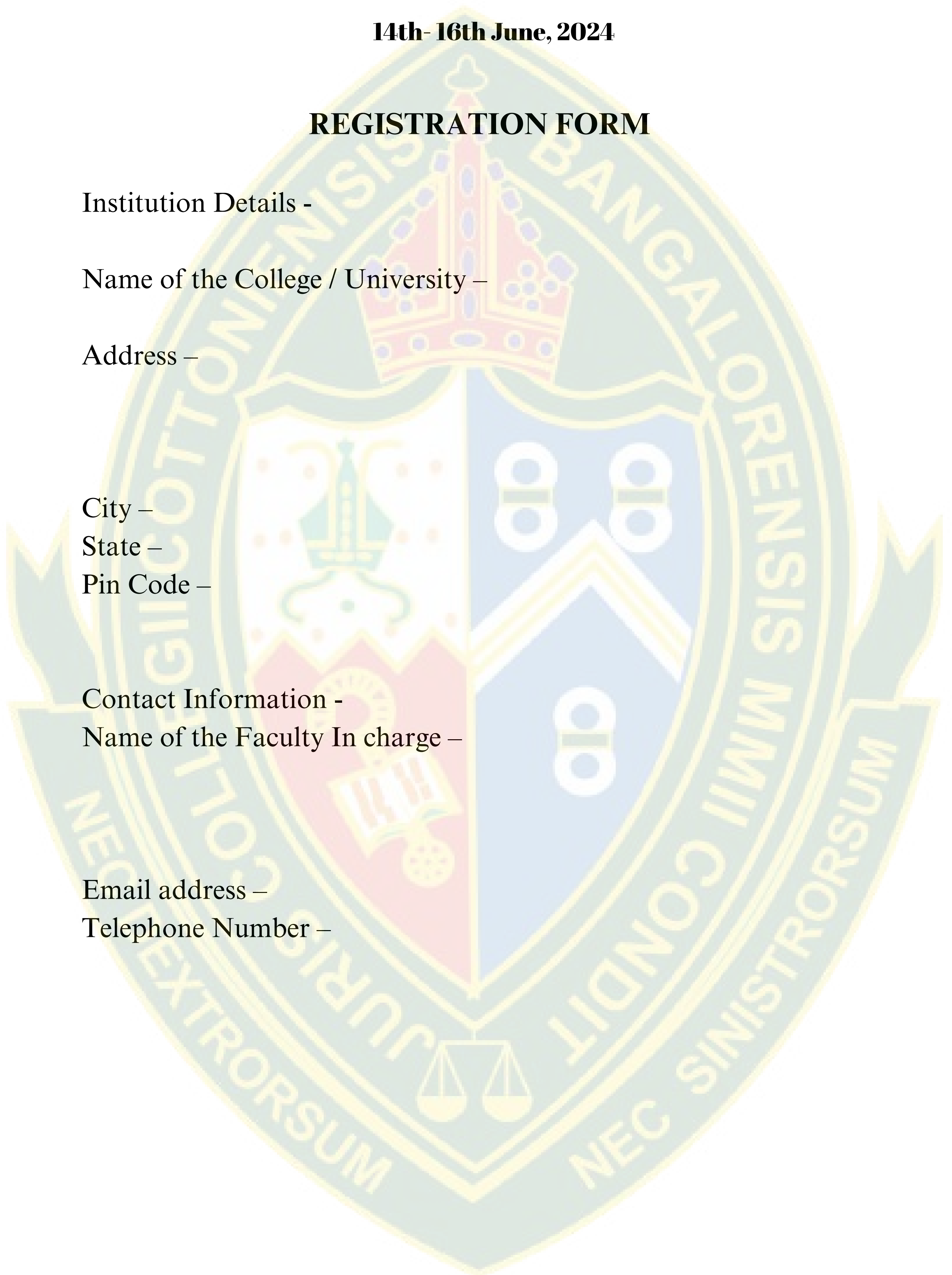
Pin Code –

Contact Information -

Name of the Faculty In charge –

Email address –

Telephone Number –



TEAM DETAILS

Name - Speaker 1

Semester / Year / Course –

Email Address –

Phone No –

Gender

Name - Speaker 2

Semester / Year / Course –

Email Address –

Phone No –

Gender

Name - Reseacher

Semester / Year / Course –

Email Address –

Phone No –

Gender

Accommodation Required Yes/No (For Outstation Teams only)

Seal and Signature of the Head/Dean/Director of the Institution.

TRAVEL PLAN

(Applicable to outstation teams only)

1. Name of the Institution –

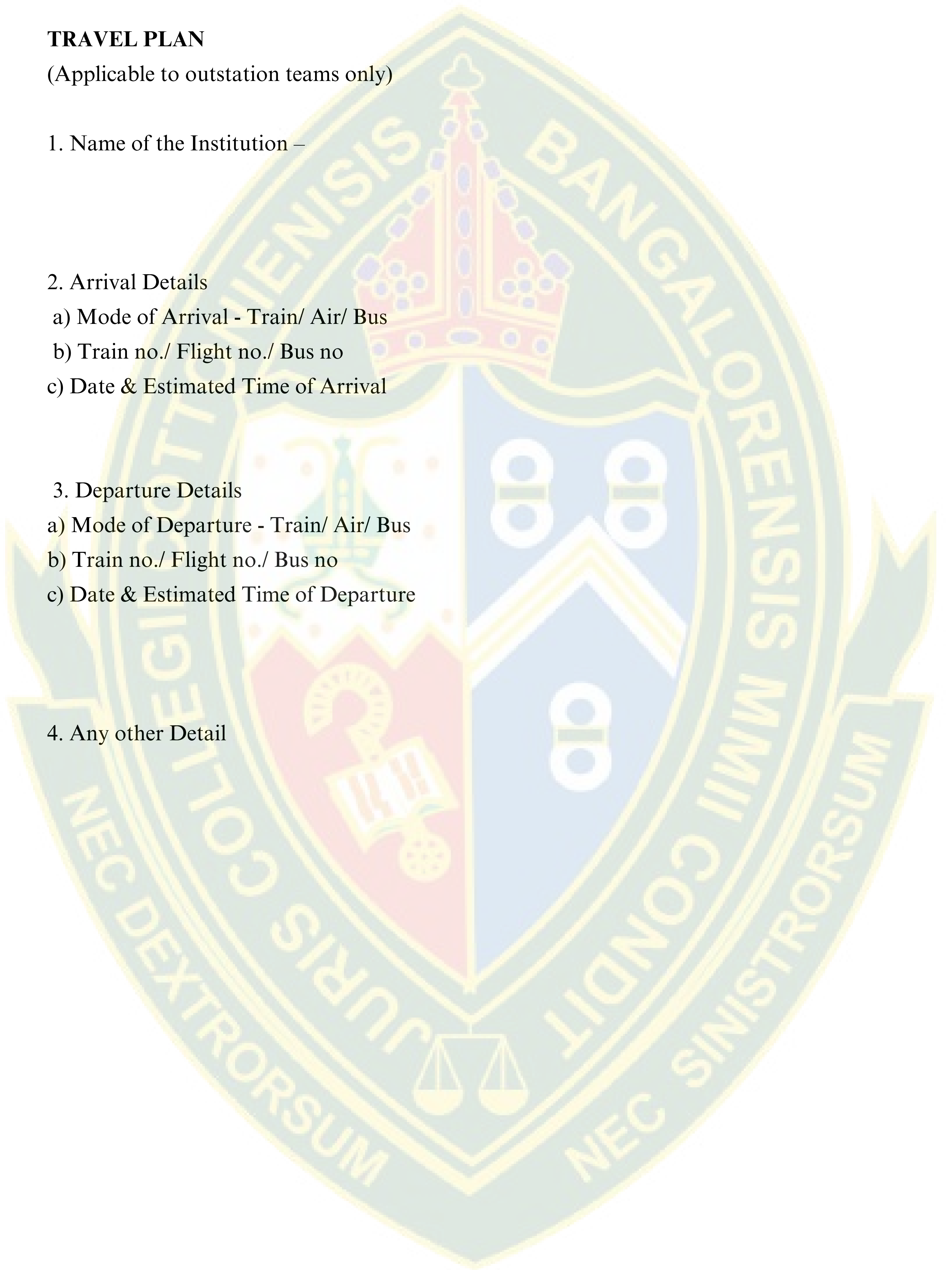
2. Arrival Details

- a) Mode of Arrival - Train/ Air/ Bus
- b) Train no./ Flight no./ Bus no
- c) Date & Estimated Time of Arrival

3. Departure Details

- a) Mode of Departure - Train/ Air/ Bus
- b) Train no./ Flight no./ Bus no
- c) Date & Estimated Time of Departure

4. Any other Detail



CONTACT DETAILS

POSTAL ADDRESS

Bishop Cotton Women's Christian Law College

The BCWCLC Moot Court Society, Organizing Committee,
#19, 3rd Cross C.S.I Compound, Mission Road, Bengaluru -560027

Telephone No: +918022121898

FACULTY CONVENORS

Ms. Shiny K.P +919845145803

Dr. Jyothi K.M +919844341699

Ms. Monica Sabatani +917899333179

STUDENT CONVENORS

Ms. Grace Deebthee John +919309834807

Ms. Haarini. K +917548811311

Ms. Ayushi Jovita D'souza +918105839047

Ms. Christina +919880487777

Ms. Advika Nayana Bhonsle +918310298703

BEST WISHES

BOARD OF MANAGEMENT, PRINCIPAL, STAFF AND STUDENTS