



To,
The Registrar/Director/Principal/Convener

Dear Sir/Ma'am

School of Law, Sharda University takes a great honour in extending an invitation to your revered institution to participate in its annual mootng event, the **2nd Anand Swaroop Gupta Memorial National Moot Court Competition 2017**, to be held from 5th-7th April 2017.

The competition aims at providing a first-hand exposure to the practical aspects of the legal profession to the students participating in the event.

We request you for an active participation of your institution in the competition. Please find enclosed herewith the requisite details of the event.

Thanking you,

Yours Sincerely,

Prof. (Dr.) Vijay Gupta
Vice Chancellor
Sharda University, Greater Noida

Prof. (Dr.) Pradeep Kulshrestha
Professor-in-charge, School of Law
Convener.
2nd Anand Swaroop Gupta Memorial
National Moot Court Competition.

2nd Anand Swaroop Gupta Memorial National Moot Court Competition (05TH - 07TH April 2017)

RULES AND REGULATIONS

COMPETITION FORMAT:

The Competition is structured as per the following format-

- A) Draw of lot: Each team will be provided with a Team Code. After the draw of lots, each Team will be assigned a side (appellant/respondent). Fixtures of the teams will be pre-determined based on the team codes
- B) Preliminary Round
- C) Semi Final Round
- D) Final Round.

ELIGIBILITY:

- Students of 3 year and 5 year law degree courses from any University are eligible to apply for registration of team.
- However only one team shall be allowed to participate from one University/College

TEAM COMPOSITION:

- Each team shall consist only of three members (two speakers & one Researcher)
- Any change of the names of the team member shall be informed in writing to that effect, by the Dean/Director/Head of the Department of School /Department/College of Law.
- Once the competition commences, the team composition cannot be changed under any circumstances whatsoever. Inability of any team member to participate shall lead to disqualification of the team from the Competition
- However the researcher may be allowed to argue instead of a speaker with prior permission of the judge.



PARTICIPATION AND REGISTRATION PROCEDURE:

REGISTRATION:

Teams shall register by making payment in any of these two ways:

- The teams interested to participate can deposit the fees directly into the bank A/C mentioned below. After the submission of fees, participant team must confirm their participation by sending an email to solsshardauniversitymcs@gmail.com along with duly filled registration form and scanned copy of bank transaction receipt on or before 15th March, 2017. The bank details are as follows:

Name of Account Holder: **“Sharda University School of Law”**
Accountno. **912010034705440**
IFSC: **UTIB0000624**
Bank Name & Address: Axis bank Ltd., Alpha Commercial Belt, Gr.Noida.

- The participant team can deposit the fees by way of demand draft (DD) made in favour of **“Sharda University School of law”** payable at Greater Noida.
- On receipt of e-mail regarding such participation, a team code shall be generated and a conformity mail, together with the team code, will be sent to the applicants by 20th March 2017. Thereafter, the teams shall refer themselves through the allotted team code, in any future correspondence with the organizers of the competition.
- The Teams shall send their memorial (soft copy) on or before 24th march 2017 and Six hard copy (06) should reach the organizers by 31st March 2017 on the address given below- Dean Office, 3rd floor, School of Law (SOL Building), Sharda University, Greater Noida (U.P) 201306 .The envelope containing the Memorials must clearly mention **“2nd Anand Swaroop Gupta Memorial National Moot Court Competition 2017”** on top.
- The memorials so sent shall clearly mention the word **“P”** for memorial on behalf of the Petitioner, and the word **“R”** for memorials on behalf of the respondent, followed by the team code for both the instances.

GUIDELINE FOR MEMORIALS:

The following guidelines for the memorials must be strictly followed-

- Team has to prepare memorials for both the sides.
- Participant team is required to frame issues on their own, based on Moot Problem.
- The content of the hard copies must be the same as of soft copies. Non compliance with this rule shall lead to disqualification.

- The memorial have to be submitted on A4 size paper, printed on only one side and must contain the following section-
 - ✓ The Cover Page of the memorial must state the Cause Title
 - ✓ Table of Contents
 - ✓ List of Abbreviations
 - ✓ Index of Authorities
 - ✓ Statement of Jurisdiction
 - ✓ Statement of Facts
 - ✓ Summary of Arguments
 - ✓ Argument Advanced
 - ✓ Prayer
 - ✓ Bibliography

- The memorials must be printed in Times New Roman, Size 12, Line Spacing 1.5 and Headings should be 14. The font of the Foot notes should be Times New Roman, Size 10, Line Spacing 1.0
- Memorials should have 1 inch margin on all the sides of each page.
- Pages should be numbered at the bottom in the middle.
- Memorials should be neatly bound.
- The memorials should not contain any photographs/sketches/exhibits/Affidavits etc.
- The Memorial as a whole should not exceed 35 pages including cover page.
- The Petitioner memorial cover page shall be in **BLUE** coloured A4 size paper and the respondent memorial cover page in **RED** coloured A4 sized paper.
- The team should not disclose identity of their institution anywhere in the memorial. Violation of this rule will result in disqualification.
- The team have to use 19th edition bluebook citation method throughout the memorial.

- All the memorials received within time schedule will be evaluated by the memorial evaluation committee (MEC) to be constituted by Dean, SOL, Sharda University.
- The evaluation will be done on the following parameters:

Knowledge of Facts and Law	25 marks
Proper and Articulate Analysis	15 marks
Depth and Use of Research	15 marks
Organization and Presentation	15 marks
Grammar and Language	10 marks
Novelty of Arguments	15 marks
Clarity of Thought and Originality	10 marks
Grand Total	100 marks

- Evaluation done by the MEC shall be final and binding.

PROCEDURE AND MARKING OF COURT ROUNDS

- Each team will get a total of 30 minutes to present its case. The division of time per speaker is left to the discretion of the team. This includes the time for rebuttal.
- The argument should be confined to the issues presented in the memorial.
- The researcher needs to be present with the speaker during all the rounds.
- Maximum scores for the court rounds will be 100 marks per speaker and court rounds will be judged on the following parameters:

Knowledge of Law	20 marks
Application of Law to Facts	20 marks
Ingenuity and ability to answer questions	20 marks
Style, Poise, courtesy and Demeanour	20 marks
Time Management	10 marks
Organization	10 marks
Grand Total	100 marks

SCOUTING

- Teams shall not be allowed to observe the presentation of other teams, scouting is strictly prohibited.

DRESS CODE

- Inside the courtroom the participants shall be in formals
 - ✓ Female(s): White Salwar and Kurta/ White Shirt & Black Trouser, black tie along with Black Blazer and Black Shoes.
 - ✓ Male(s): White Shirt & Black Trouser, Black Tie along with Black Blazer and Black Shoes.

FINALITY OF DECISION

- The decision of judges with regard to outcome of rounds shall be final

QUERIES AND CLARIFICATIONS

- In case of any questions related to moot problem or clarifications regarding the competition, feel free to contact via email at solsshardauniversitymcs@gmail.com

IMPORTANT DATES

23 th January 2017	Release of Moot Proposition
15 th March 2017	Last Date for registration of teams
20 th March 2017	Last Date for clarifications(if any)
24 th March 2017	Last Date for submitting soft copy of Memorial
31 st March 2017	Last Date of receiving hard copy of Memorial
5 th April 2017	Registration, Inaugural Session and Researcher test
6 th April 2017	Preliminary round
7 th April 2017	Semi Finals, Finals and Valedictory Session
8 th April 2017	Agra Trip

Note:-

- Moot Problem can be downloaded from University website as well (www.sharda.ac.in)
- Teams are allowed to frame their own issues on the basis of Moot Court Problem.

MOOT PROPOSITION

Before the Hon'ble High Court of

In the matter of:

Baba Satyanand v. Silbil Magazine

with

Silbil Magazine v. Baba Satyanand

with

Amarchand v. Silbil Magazine

Baba Satyanand is a well-known religious leader and preacher in India. With his teachings he has established himself as a public figure and his influence is so strong that his followers have started a new sect, namely 'Satyas', following his teachings. So he became the religious leader of the newly created sect, to which a large group of people now follow. Out of his numerous teachings and mantras to live life purely and religiously, one prominent teaching is 'not to touch the liquor', which is a prime reason for his popularity among many people and especially women. Because of all this, Satyanand Baba is not only worshipped as God but he also has a large sect following him, through his all ways and means.

Silbil is a magazine, which publishes the stories, poems, cartoons and sketches, all based on the fictional nature of work primarily. Among other things, it also publishes a parody column, whereby it publishes the mocking cartoons and sketches or relevant descriptions of contemporary nature. But, while publishing the parody for contemporary figures or events, it uses the element of factual truth and modifies accordingly to suit the parody content or situation. In the course of publication, it also uses the disclaimer to show the innocent use of humor.

In the same course, Silbil magazine in its August 2015 issue, published the parody column, containing the description of Baba Satyanand campaigning in an advertisement of liquor brand, as a parody to his teaching of non-consumption of liquor. It used the picture of Baba Satyanand holding liquor bottle in his hand and describing to his pupil about its importance and 'first-hand experience'. Like always, the parody column had the disclaimer of it being used for humor purpose merely. But the followers of Baba Satyanand didn't find it proper and they began protesting against Silbil Magazine. It became a matter of grave concern and reputation for the whole sect of Satyanand Baba's

followers. Following which, a nation-wide meeting of followers of the ‘Satyas’ were called to decide the course of action on Silbil Magazine. On September 7, 2015, a meeting was held in Delhi, where the members of sects attending the meeting were provided with the photocopy of the concerned parody column of the Silbil magazine to discuss the issue of course of action to be decided by the followers. The meeting of followers was covered by the media and newspapers widely. On the next day, it was decided by the followers to approach court to take legal action against Silbil Magazine.

Consequently, Baba Satyanand himself filed a suit for damages and compensation for defamation against Silbil Magazine on the charges pertaining to Defamation and personal distress. He sought a compensation of Rs. 1 crore and demanded the stopping of the circulation of the Silbil Magazine’s August issue. The Silbil Magazine took the defence of innocent humor and reiterated its freedom to publish the same under freedom of press. The District court held Silbil not liable for defamation on the ground of innocent humour and did not order to stop the circulation of the issue of Silbil Magazine. However, the court found the element of mental distress and held Silbil liable for it and awarded a compensation of Rs. 30 Lacs. Unsatisfied with the decision of the district court, Satyanand Baba appealed to the High Court.

Another appeal was filed by Silbil magazine in which it contested the impugned order. During the pendency of the appeals, a follower of Baba Satyanand, Mr. Amarchand, filed another suit for permanent injunction and damages against Silbil magazine. In this suit, Amarchand pleaded for compensation for mental distress caused to the Satyas community due to the insult to their godly figure i.e. Baba Satyanand, and also due to false propagation of the importance of Liquor which, in fact, is prohibited in the community. The court dismissed the suit. Amarchand also went in appeal to the High Court.

Finding the subject matter of the three appeals to be similar, the High court clubbed the three appeals and it is posted for final hearings on the broad issues pertaining to personal distress and defamation. Argue on behalf of Baba Satyanand and Amarchand collectively on one side and Silbil magazine on the other.



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For any query mail us at-

solsshardauniversitymcs@gmail.com