



UNIVERSITY OF NORTH BENGAL

NATIONAL MOOT COURT COMPETITION

2025



ORGANISED BY :

**DEPARTMENT OF LAW,
UNIVERSITY OF NORTH
BENGAL**

**DATES : 20th & 21st
MARCH 2025**

ABOUT

THE DEPARTMENT

The Department of Law is prominently situated on Asian Highway 2 between Bagdogra and Siliguri in the District of Darjeeling. The distance from Bagdogra is six kilometres and from Siliguri, it is seven kilometres. The Department has its own campus in the South Block of the University opposite the main campus of the University of North Bengal. The sprawling campus of the University enjoys the pristine beauty of the eastern Himalayas and is the intellectual hub of North Bengal. Siliguri is an important subdivision of the district and commercial capital of North Bengal. Located at the foothills of the eastern Himalayas, Siliguri is the gateway to north-eastern India and countries like Bhutan and Nepal. It shares a huge and porous international border with Bangladesh, Nepal and Bhutan. It is well connected with all major cities of India by air and rail.

The Department of Law was formerly known as the North Bengal University Law College and was established as such in the year 1974. It was upgraded as the Department of Law in the year 2000. Presently the Department offers B.A. LL.B. [Honours] 5-year integrated course, LL.M. course, M.Phil and Ph.D. The intake at the LL.B. level is one hundred and fifteen, and the LL.M. course which was started in 1993 has forty-one seats. The criteria of admission both at B.A.LL.B.[Honours] under CBCS mode and LL.M. under CBCS mode are on merit. The Department has a rich Ph.D. programme. It was started in 1999 and since then 50 Ph.D. degrees have been awarded. Presently there are about sixteen scholars engaged in doctoral research under various faculty members of the Department according to the UGC regulations. The Department attracts scholars and students from all over India, especially from Sikkim, Assam, Tripura, Arunachal Pradesh, Uttar Pradesh and Orissa. It also attracts students from Bhutan, Nepal and Bangladesh. The Department was jointly selected by the British Council, Delhi, University of Warwick, U.K. and the National Law School of India University to carry out the 'Human Rights Outreach Project'. It was also a partner institution with CEERA, National Law School of India University for carrying out environment education for forest personnel, Tea Garden personnel and judicial officers.

The Department has published Booklets on Human Rights, and Environment Legislation in Bengali and Nepali. It has a Legal Aid Clinic in collaboration with the State Legal Services Authorities. It runs a very successful NSS programme. The Centre for Child Rights, in partnership with UNICEF and in collaboration with the Legal Aid Committee, conducts outreach programs focusing on child rights and child welfare. Apart from that, it is noteworthy that the Department of Law also established a 'Centre for Cyber Law and Cyber Security' in 2018. The Department has been organising multiple Regional, National and International Seminars / Conferences / Workshops / Symposiums etc. at regular intervals. The Department also undertakes a number of Research Projects sponsored by different National and International bodies on a regular basis. Moreover, it has collaborated with renowned national and international institutions.

The Department's publication cell is very active. It brings out the Indian Journal of Law and Justice (IJLJ-ISSN:09763570), double blinded peer reviewed, UGC care listed, SCOPUS and HeinOnline Indexed bi-annual journal. The Journal can be accessed on its official website: ijlj.nbu.ac.in. The Cell has presently undertaken a venture to publish the research projects undertaken by the Department and outstanding research work done by the students.



ABOUT

THE MOOT COURT SOCIETY

The Moot Court Society of the Department of Law, University of North Bengal was set up in 2018. The objective of this Moot Court Society is to provide the students an opportunity to develop their advocacy skills. Participation in the Moot Court Competition enhances research skills of a student and also prepares a student to respond to an unfavorable situation. It also helps in building confidence in a law student. Mooting gives a practical courtroom experience to a law student.

The Moot Court Society has been organising the following competition in order to encourage the students of the Department of Law, University of North Bengal:

1. Intra-Departmental Client Counselling Competition
2. Intra-Departmental Moot Court Competition
3. Intra-Departmental Mock Trial Competition
4. Inter-Departmental Client Counselling Competition
5. Inter-Departmental Moot Court Competition
6. Inter-Departmental Mock Trial Competition.

ABOUT

THE COMPETITION

The National Moot Court Competition organised by the Department of Law, University of North Bengal is a prestigious event that is designed to enhance the advocacy and legal skills of the participating students. This competition stands as a flagship event for the Department, showcasing a commitment to legal education and practical experience in a simulated courtroom environment. The competition typically involves complex legal problems that require participants to engage in in-depth legal research, develop persuasive arguments, and present their cases in a manner akin to real court proceedings. This not only helps in honing their legal skills but also prepares them for real-life legal challenges. Participants from various law schools compete, making it a significant event for networking and showcasing talent on a national platform.



Members of the ORGANISING COMMITTEE

A. Advisory Committee :

- Prof. (Dr.) Rathin Bandyopadhyay
- Ms. Purna Lepcha
- Ms. Neelam Lama

B. Director of The National Moot Court Competition :

- Dr. Sujit Kumar Biswas, Head, Department of Law, University of North Bengal.

D. Co-ordination Committee :

- Dr. Dipankar Debnath (Convenor)
- Mr. Subhajit Bhattacharjee (Joint Convenor)

E. Technical Committee :

- Dr. Sangeeta Mandal Biswas
- Dr. Sanyukta Moitra
- Dr. Soma Dey Sarkar
- Dr. Chandrani Chatterjee

F. Student Co-ordinators :

- Dr. Sanjay Dutta
- Ms. Taniya Basu Majumdar
- Dr. Shubhajeet Shome
- Dr. Suparna Bandyopadhyay
- Ms. Ashima Rai

MOOT

PROPOSITION

Indica is a country in South Asia, with varied landscapes, inhabited by persons of various faiths, cultures, languages, religions, and creeds. Indica stands out as the most populous country in the world and is the seventh-largest country in the world. Indica has adopted and given itself a federal democratic, secular, and socialist republic. Its Constitution also guarantees fundamental rights to minorities and linguistic rights and bestows its citizens with cultural rights along with other fundamental and political rights. The Constitution of Indica is *pari materia* with the Constitution of India.

Indica is divided into 28 states and 8 Union Territories, and the majority of these states were divided on linguistic lines. Each of the states preserves and promotes multiple cultural disciplines, and the majority of citizens in Indica follow the religion of Indus. Indus is one of the most complex belief systems in the world, dating its origin to almost 5000 years ago. Unlike other religions, it has no singular founder, religious text, or a unitary belief system. It has within its fold multiple sects and various forms of worship that celebrate its social and cultural union.

Indica attained independence in the year 1947, and one of the foremost and progressive post-independence legislations was to codify the laws relating to marriage, inheritance, adoption, and maintenance of the Indus. When the marriage laws were being codified in 1955, the then-government faced a lot of popular ire and anger from Indus religious conservatives. It prohibited polygamous relationships and introduced the concept of divorce.

Interestingly, from its inception till date, considering the multifarious belief system of the Indus community, the legislature deliberately refrained/desisted from prescribing any particular form of marriage in the Indus Marriage Act, 1955. It is pertinent to mention that there are eight forms of marriage within the Indus belief system. The Act only prescribed pre-conditions for Indus marriage, and with regard to the ceremonies for Indus marriage, it stated: ‘An Indus marriage may be solemnized in accordance with the customary rites and ceremonies of either party thereto.’

Anmol Singh and Payal Gupta are citizens of Indica, and both are Indus by faith and work as commercial pilots with a leading domestic airline company in Indica. They both were born and brought up in Dastor, the capital city of Indica, and their place of work was also in Dastor. They met each other in their office and fell in love. Thereafter, they married by following a simple ring ceremony with an exchange of garlands and thereafter registered their marriage in accordance with the Indus Marriage Act on February 2, 2020. On the day of the registration of marriage, they kept a joint reception for their friends, family members, and acquaintances, all of them being introduced to the newlywed couple, and both of them embarked on a new course of life.

However, within two years of their marriage, trouble started brewing in their matrimonial life, and on February 14, 2022, the couple started living separately. On April 15, 2022, Anmol was informed that Payal was pregnant. Anmol could not believe this because, from September 2021, though Anmol and Payal were living under the same roof, he did not have any physical relation with Payal.

Anmol came to know that Payal had become romantically inclined toward a fellow colleague, namely Bicky Asthana. When Anmol confronted Payal regarding her liaison, at first, she denied it, but soon after, a fight and verbal abuse erupted between them. This tumultuous matrimonial relationship continued till the month of February until the couple separated.

In the meantime, the situation worsened between the estranged couple, and Payal gave birth to a baby boy on November 23, 2022. Anmol filed a case against Payal in April 2023 for divorce on the ground of cruelty in the Family Court of Dastor. He also filed a petition before the High Court of Dastor challenging the paternity of the baby boy, alleging Bicky Asthana to be the biological father of the newborn boy. Before the hearing in the High Court could begin, the Family Court granted divorce to Anmol, and Payal challenged the same before the High Court of Dastor.

Both the appeal against the divorce granted by the Family Court and the case relating to the paternity of the newborn baby boy were taken up conjointly by the concerned High Court. The High Court, though, upheld the divorce granted by the Family Court, but it did not provide relief with regard to the paternity test, citing the doctrine of conclusive proof and principles of self-incrimination as enshrined in the Constitution. Payal, being aggrieved that the High Court upheld the order of divorce, preferred a Special Leave Petition to the Supreme Court of Indica, and Anmol, having been refused an order for a DNA test of the newborn baby, also preferred a Special Leave Petition before the Supreme Court of Indica.

The Supreme Court of Indica admitted both the Special Leave Petitions and fixed them for a conjoint hearing. The two-judge bench of the Apex Court, on hearing the two appeals, not only overturned the decree of divorce passed by the lower court but also declared the marriage registered on February 2, 2020, as null and void on the ground that no proper ceremony was followed by the litigating parties. The Court also stated that as the legislative intent is to adhere to the doctrine of conclusive proof and principles of self-incrimination, the Court, though aware of the advancement in forensic science and medicine, did not wish to order a paternity test of the newborn. In the matter of Indus marriage ceremonies, the Court inter alia emphasised that “SAPTAPADI” is a sine qua non of a valid Indus marriage.

Following the judgment, there was consternation among human rights activists, feminist groups, legal academics, indigenous groups, politicians, and other progressive unions of activists regarding the judgment delivered by the Apex Court. The judgment was criticised for judicial overreach into the realms of the legislature and for grouping socio-cultural rights under a single straightjacket formula, ignoring the diversity in the belief system of Indus.

Moreover, the judgment was also criticised for its dogmatic stance regarding paternity tests and for using the conclusive proof and principles of self-incrimination as an excuse for non-acceptance of progressive medical evidence. Sensing trouble, the Supreme Court of Indica initiated a curative petition suo motu, employing its plenary powers and issuing notice to all relevant parties, including the Union Government of Indica.

The Supreme Court of Indica's five-judge bench sat down to decide upon the following issues:

- 1. Is it within the judicial competence to prescribe a particular mode of marriage under the Indus Marriage Act, 1955?**
- 2. Is it proper to negate the principle of self-incrimination and conclusive proof with regard to the legitimacy of the child, as enshrined in the law of evidence in Indica?**
- 3. In light of the aforementioned decisions, should the judgments handed out to Anmol Singh and Payal Gupta be revisited?**

The entire moot proposition is a work of fiction, and any resemblance to actual events or persons is purely a matter of coincidence.

All laws applicable in Indus are the same as and identical to the laws applicable in India

RULEBOOK :

Preliminary selection of the teams shall be made on the basis of the marks allotted in the memorials.

(i) FORMAT OF THE COMPETITION :

The National Moot Court Competition shall comprise of the following rounds after the publication of the results of the preliminary round :

- a. Quarter-Final Rounds
- b. Semi-Final Rounds
- b. Final Round.



(ii) LANGUAGE :

The language of the competition will be English, and all participants are required to communicate and present their work using English .

(iii) ELIGIBILITY CRITERIA :

Students pursuing 3 years / 5 years undergraduate LL.B. degree course are eligible to participate in this competition. More than one team can participate from each institution.

(iv) TEAM COMPOSITION :

The composition of the participating teams shall be:

Each team shall consist of three (3) members. Two would be designated as Speakers and one as a Researcher.

The Researcher may be permitted to argue as a speaker only in case of illness or any unforeseen event, but a written permission of the Moot Court Convener in such case shall be mandatory.

(v) DRESS CODE :

All the participants must comply with the dress code stipulated by the Bar Council of India, New Delhi during the competition.:

1. Girls: Black salwar and white kurta or white shirt and black trousers along with black coat and black shoes;

2. Boys: White shirt, black trousers and black tie along with black coat and black shoes.

Note: (a) The participating teams shall also adhere to the above-mentioned dress code while attending the inaugural and valedictory ceremonies of the Competition.

(b) The aforesaid uniform must not bear any sign, identification mark or logo of any institution, college or university and violation of same shall cause immediate disqualification.

PARTICIPATION AND REGISTRATION :

- a. Teams should register provisionally by sending a mail to mcs.nbu.2019@gmail.com by 1st February 2025 with the subject “Registration for National Moot Court Competition 2025” through an authorised official e-mail id.
- b. On receiving the mail, the participants will be notified of the Team Code upon confirmation of their participation.
- c. A soft copy of the duly filled-in Registration form shall be mailed to mcs.nbu.2019@gmail.com.
- d. On reporting at the Department of Law, University of North Bengal during the Competition, each team has to pay the registration fee (as mentioned in the Registration fee clause) along with the hard copy of the Registration Form (the scanned copy of the Registration form has to be sent on or before 1st February 2025 via mail to mcs.nbu.2019@gmail.com as a provisional registration).
- e. No change in the names of the participants shall be permitted unless the same has been communicated to the organisers a week prior to the event in exceptional circumstances only after due proof has been attached.

f. No certificates shall be provided at the time of Registration. The same shall be provided after the Valedictory Ceremony scheduled on 21st March 2025. No certificates/mementos shall be sent via post and no request for sending certificates and mementos through post shall be entertained.

REGISTRATION LINK :

The participants are required to fill-up the given google form, providing their registration details and team profiles.

<https://forms.gle/vqb95cajPfrTpWy49>



MEMORIAL SUBMISSION :

The following requirements for the memorial must be strictly followed by the participants:

a. All the memorials submitted for all purposes of the Competition shall strictly adhere to the Rules of the Competition. Each Team participating in the Competition must prepare one Memorial on behalf of the Petitioner(s) /Appellant(s) and one on behalf of the Respondent(s). Further, each team has to submit 6 hard copies of the Memorials from each side. Non- compliance will entail a penalty of 1 point per copy.

b. Petitioner(s)/Appellant(s) memorials are required to have a Blue cover and Respondent(s) memorials are required to have a Red cover. The memorials shall not contain any form of identification apart from the team code. 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. 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. The hard copy of the memorial must be the exact replica of the soft copy submitted to the Organisers.

Any difference in the same will result in disqualification from the Competition.

GUIDELINES FOR FORMATTING MEMORIALS :

A. STRUCTURE OF A MEMORIAL :

The memorials must contain the following:

- a. A Cover Page;
- b. Table of Contents;
- c. Index of Authorities;
- d. Statement of Jurisdiction;
- e. Statement of Facts (Argumentative statement of facts would attract penalties);
- f. Issues raised;
- g. Questions of Law /Summary of Arguments;
- h. Arguments Advanced;
- i. Prayer.

Appendix (Optional); Exhibits (Optional).

B. TEAM CODE :

The Team Code must be ascribed on the top right corner of the cover page. Team Codes shall be intimated to participants through e-mail on or before 14th February 2025.

c. Each Team must send a soft copy of their memorials in PDF format only, for evaluation by 24th February 2025 on or before 11:59 PM to mcs.nbu.2019@gmail.com with the subject “Memorials for National Moot Court Competition, Department of Law, and University of North Bengal”. The hard copies of the memorials (6 copies for each side) have to be sent to the following address on or before 1st March 2025. No extensions will be granted with respect to this deadline.

d. Address to which hard copies of memorials are to be sent via speed post/courier/etc.:

To,
The Head of the Department,
Department of Law, University of North Bengal
Raja Rammohunpur, P.O.: N.B.U.
District: Darjeeling, Pin Code: 734013, West Bengal.



C. CONTENT SPECIFICATION :

The following content specifications must be strictly adhered to :

- a. Font and Size: Times New Roman, 12 pts.
- b. Line Spacing: 1.5 lines.
- c. Footnotes: Follow Blue Book 20th Edition.
- d. Page Margins: 1 inch on all sides

The Hard Copies of the Memorials shall be printed on only one side. The citation should be in compliance with the 20th edition of Bluebook format.

Speaking footnotes or End notes is discouraged.

It is to be noted that the display of any sign, identification mark, or logo of any institution, college, or university in the memorial or in any other document is strictly prohibited and violation of same shall cause immediate disqualification.

MARKING SCHEME :

The marking scheme provides a well-rounded evaluation of participants' legal and courtroom skills. Memorial, worth 20 points, assesses the quality and clarity of written submissions, while discerning of facts (15 points) focuses on identifying and analyzing case facts. Understanding procedures of laws is valued at 20 points, emphasizing procedural knowledge, and use of authorities and precedents (5 points) highlights the ability to back arguments with relevant legal references.

Oral skills and presentation carry significant weight. Response to articulation questions, worth 25 points, evaluates the ability to answer logically and confidently. Advocacy skills, court craft, and courtroom demeanor (15 points) focus on professionalism, argument delivery, and courtroom decorum. These criterias , totaling 100 points, ensure a holistic assessment of legal aptitude and presentation skills.



<u>AREA OF SCORING</u>	<u>POINTS</u>
Memorial	20
Discerning of Facts	15
Understanding Legal Procedures	20
Use of Authorities and Precedents	05
Response to Questions & Articulation	25
Advocacy Skills & Court Room Demeanour	15
TOTAL :	100

PROVISIONAL TIME FOR ORAL ROUNDS :

The oral rounds will comprise the quarter-finals, semi-finals, and the final round.

I. TIME ALLOTTED FOR EACH ROUND :

Each team will be allotted a total of 30 minutes to present their case during the quarter-finals, semi-finals, and the final round. No single speaker shall utilise more than 15 minutes of the allotted time.

Additionally, each team will have 5 minutes for rebuttal and, if necessary, 5 minutes for sur-rebuttal, both of which will be included within the 30-minute time limit.

All rounds, including the quarter-finals, semi-finals, and finals, will be conducted in a knock-out format.

II. MAXIMUM TIME ALLOTTED

The maximum time provided would include the time that each team may want to reserve for their rebuttal. At the commencement of each sessions the team shall notify the Court Officer as to the division of time between the two Speakers (including rebuttal).

SCOUTING :

Teams shall not be allowed to observe the orals of another team, unless they have been officially knocked-out of the competition. Scouting is strictly prohibited. Scouting by any team shall entail instant disqualification.

ACCOMMODATION AND TRAVEL :

- No accommodation and travel facilities shall be provided.
- Food (i.e. Breakfast and Lunch for 20th & 21st March 2025) shall be provided to all the teams by the organisers.
- The teams after reaching Siliguri must report at the Department of Law, University of North Bengal.

REGISTRATION FEE :

- a) Registration fee per team is fixed at Rs. 3000/-.
- b) Registration shall be made on the date of the competition i.e., on 20th March 2025.
- c) Registration fees must be paid at the registration desk at the Department of Law, University of North Bengal in cash.
- d) Registration fee includes registration kits, breakfast and lunch for the course of two days.
- d) No online or other mode of payment shall be entertained.



MISCELLANEOUS :

a. If any one of the members of a team is notified or informed of any detail of information concerning the Competition, it shall be deemed as if the said team as a whole has been duly notified or informed.

b. The copyright in the memorials submitted by the teams shall vest with the Department of Law, University of North Bengal. The acceptance of such vesting is a pre-condition to the participation in the Competition.

c. In case of any doubt in the understanding or interpretation of any matter concerning the Competition, the decision of the Organising Committee shall be final and binding.

d. The organisers shall resolve unanticipated or unexpected contingencies, if any, and the decision of the Organising Committee in this regard shall be final.

The acceptance of any such decisions of the Organising Committee is a pre-condition to the participation in the Competition.

e. The organisers reserve the right to use, amend, alter, vary or change, in any manner whatsoever, the Rules governing the Competition, which would be communicated to the teams within a reasonable period of time.

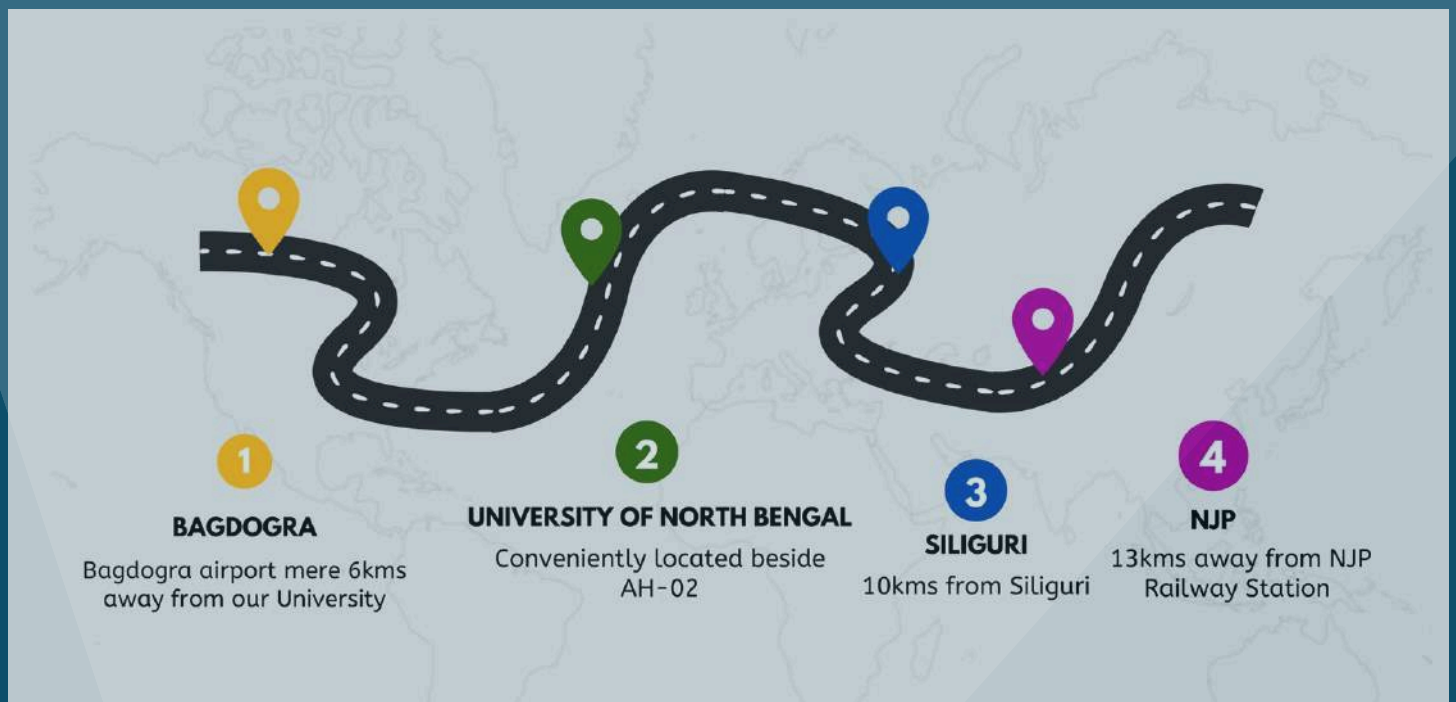
CONTACT DETAILS :

Any query relating to the National Moot Court Competition, 2025 or relating to travel and accommodation shall be asked by sending mail to mcs.nbu.2019@gmail.com.

The participants are free to contact the following teaching coordinators, if required.

Faculty Coordinators:

- a) Dr. Dipankar Debnath - 9932906953
- b) Mr. Subhajit Bhattacharjee - 9933576879



LIST OF IMPORTANT DATES :

Last date of provisional registration	1 st February 2025
Last date of Seeking Clarification	6 th February 2025
Date of Releasing Common Clarification	12 th February 2025
Date of Intimation of Team Codes	14 th February 2025
Last Date of Sending the soft copies of Memorials	24 th February 2025
Last Date on which the Hard Copies of Memorials must reach the Department of Law	1 st March 2025
Date of Announcement of Result regarding memorials	7 th March 2025
Date of Competition	20 th & 21 st March 2025

