



Nehru Memorial Law PG College
Hanumangarh Town, Rajasthan

Phone No.: 01552-222663

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Email Address: nmlpgc@rediffmail.com/nmlcmootcourt2015@gmail.com

Nehru Memorial Law College National Moot Court Competition 2015
6th-7th November, 2015

Ref. No. NMLC/NMC/___

Date: 18.07.2015

Subject: Invitation to Participate in "Nehru Memorial Law College National Moot Court Competition 2015 on 6th-7th November, 2015."

Dear Sir/Madam;

We are immensely pleased to inform you that **Nehru Memorial Law PG College** is hosting **National Moot Court Competition on 6th-7th November, 2015** with a view to provide law students an exposure to contemporary socio-legal issues in the dispensation of justice. We cordially invite the law students of your institution to participate in the competition. Copies of the Registration form, Travel plan, Rules and Regulations and the Moot Proposition are appended herewith.

The winner team shall be awarded a trophy. In addition to the trophy, there shall be cash prizes:

First Prize (Winner Team)	Rs 3,100/-	Best Memorial	Rs 1,500/-
Second Prize (Runner-up Team)	Rs 2,100/-	Best Mooter	Rs 1,100/-

The **NM Law PG College** will provide free boarding and lodging for out stationed participants. We would appreciate if you kindly confirm the participation of your institution latest by **30th September, 2015** by sending us the duly filled in registration form along with registration fee of Rs 1000/- in the form of a Demand Draft/Cheque drawn in the favour of "**The Principal NM Law PG College payable at Hanumangarh Town, Rajasthan**".

For any other clarification/information, you may contact the following (between 9:30 A.M- 3:00 P.M):

Dr. K. B. Ojha	+91 9530203557	Dr. Brajesh Agarwal	+91 9414445584
Mr. Mohammad Imran	+91 9759108093	Dr. Faizanur Rahman	+91 8348333999

We are looking forward to the meaningful participation of your institution.

Warm regards,

Prof. (Dr.) V. Tayal

Director-National Moot Court Competition 2015
Principal
Nehru Memorial Law PG College
Hanumangarh Town (Rajasthan)-335513

About the Institution

The Nehru Memorial Law PG College, Hanumangarh Town (Rajasthan) was established in the year 1980 by the Management, RashtriyaShikshanSansthanSamittee with due permission from the State Government since then this institution is imparting legal education with excellence. The College is permanently affiliated to Maharaja Ganga Singh University, formerly University of Bikaner, Bikaner and was the first of its kind to be an independent Law College in the state of Rajasthan. The institution was established with the aim of imparting legal education and preparing the student to be excellent in legal profession. Later by introducing Post Graduate classes and legal research, this institution has become an excellent legal institution with research facilities i.e. Research Centre in the field of law. The college has touched the new heights of glory under the dynamic leadership of Prof. V. Tayal, Former Vice-Chancellor, University of Bikaner, Bikaner and Principal, Nehru Memorial Law PG College, Hanumangarh Town (Raj.). This college has the credit to produce many administrative officers and judicial officers' alongwith high profile lawyers of the higher courts of the country and noted academicians. The college provides a platform for a sound balance of academic learning, recreational atmosphere and infrastructural support for the students' alongwith cultural awareness, continuing endeavors of innovative teaching learning methods, self-learning through individual and collective projects, well researched and documented dissertations and importantly learning through group-discussions, periodicals tests, seminars, conferences, court visits, moot courts, legal aid camps and legal literacy camps. College publishes a National Journal (Bhatner Socio-Legal Journal). All these are distinct and unique features of this college which evolved it as the region's premier institute.

About Hanumangarh

Carved out from Sriganganagar district and formally created on 12th day of July, 1994 as 31st district of Rajasthan State. Hanumangarh district situated at 29° 5' to 30° 6' north and 74° 3' to 75°3' east and shares its boundaries with Haryana state in the east, Sriganganagar district in the west, Punjab state in the North and Churu district in the South. The geographical area of the district is 9656.09 Sq. Km.

There are many heritage sites in and around Hanumangarh. The archeological locations around the district have many historical terra cotta utensils and ancient coins displayed. There are many such locations which can be seen in the neighboring areas and are very suitable for tourists having keen interest in history. The remains found at Kalibanga (Pilibanga) in 1951 reveal that this area was a part of nearly 5000 years old Indus Valley civilization. The fossils of human skeleton, unknown scripts, stamps, coins, utensils, jewellery, toys, statues, wells, bathrooms, fort, streets, markets etc., found in excavation tell the story of well developed life style of our ancestors. Besides Kalibanga, more than 100 other places are also there in the district where evidences of this old civilization have been found. The remains found at these places have been kept at Museum at Kalibanga and National Museum at New Delhi.

Earlier, Hanumangarh was known as Bhatner. In year 1805, Soorat Singh of Bikaner captured Bhatner after defeating Bhaties and as the day of his victory was Tuesday (known as the day of god Hanuman), he named Bhatner as Hanumangarh. Hanumangarh city guide is incomplete without a mention of the Fort 'BhatnerDurg', one of the oldest and strongest Forts in India, Sila Mata Temple, Bhadrakali Temple and Brahmani Mata Temple.

Climate

The climate of the district is semi-dry, extremely hot during the summer and extremely cold during winter. The maximum average temperature remains 18° to 48°C and minimum average is 2° to 28°C. The average rainfall during the year is 225 to 300 mm. The best season to visit Hanumangarh is the winter season. The temperature remains comfortable and is apt for sightseeing. The best months to visit are October, November, December and March.

Accessibility

Hanumangarh is well connected with most of the metropolitan cities of the country by Rail and Road.

Air

The nearest Airport from Hanumangarh is Chandigarh and Amritsar Airport, roughly five and half hour and four and half hours respectively drive from the city. Both the Airports are well connected to the major cities like New Delhi, Bangalore, Mumbai, Goa, Ahmedabad, Jaipur and Leh.

Road

One can reach Hanumangarh, Rajasthan by Road very easily since a network of National Highways and State Highways roads covers the state extensively. It is 240 km from Ludhiana, 355 km from Delhi, 361 km from Chandigarh, 400 km from Jaipur, 527 km from Jodhpur, 554 km from Jaisalmer and 677 km from Udaipur through Rajasthan State Road Transport Corporation (RSRTC). While state road transport corporations do not have sleeper buses, private bus operators and bus travel companies operate AC sleeper bus services to major cities across the country. So, most of the tourists prefer to travel by road.

Railway

The town has its own Railway Station called as Hanumangarh Railway Station. Both Meter Gauge and Broad Gauge lines pass through this station. There is a Diamond-Railway-Crossing. It is well connected with other cities like Jalore, Jaipur and Agra. Few trains such as DliJsm Express, GhyBmeBkn Express, HwBme Link Express and KlkBme Express are available from Delhi, Kalka, Haridwar and Guwahati for Hanumangarh District.

About Nehru Memorial Law College National Moot Court Competition 2015

Nehru Memorial Law PG College apart from imparting quality legal education; it has always been an objective of the college to work in holistic way. In order to achieving excellence in the field of Legal Education, we intend to cross the barriers of traditional learning methodology with an aim of giving maximum exposure to law students and encouraging transformation in the thinking process from ordinary to the superlative. As a step towards this we have commenced a National Moot Court Competition.

Here we are making an attempt to set up a common platform for all the legal students for their overall development to become an advocate. Such competition will give Competitors gain valuable experience and training in written and oral appellate advocacy. Furthermore, the experience competitor's gain is not limited to appellate practice. The legal research, analysis, writing and oral advocacy skills competitors polish during the competition are valuable in a wide range of practice areas and make competitors more marketable to legal employers with this basic object, we are organizing National Moot Court Competition 2015.

Nehru Memorial Law College National Moot Court Competition 2015

Rules and Regulations

1. Theme and Date

The problem for the **Nehru Memorial Law College National Moot Court Competition 2015** involves issues pertaining to **Family Law**. The competition shall be held from **6th-7th November, 2015** at the **Nehru Memorial Law PG College, Hanumangarh Town, Rajasthan-335513**

2. Language

The competition shall be conducted in **English Language** only.

3. Eligibility

The Competition shall be open for students who are pursuing three or five-year LL.B. Degree Course and LL.M. Degree Course students are also eligible to participate in the competition

4. Team Composition

A Team shall be ordinarily composed of three (3) members, with two Oralists and one Researcher. This team composition cannot be altered under any circumstances A two-member team comprising of only two Oralists with no Researcher will also be permitted. A minimum of two members will thus be required for each team. Teams wishing to bring additional members as observers shall be required to intimate the Committee at the earliest but the same shall however not be eligible for a certificate. All stated persons must produce their ID also.

5. Registration

- (i) Teams must confirm participation by sending the scanned copy of the duly filled registration form to nmlcmootcourt2015@gmail.com with the subject as "**Registration Form for Nehru Memorial Law College National Moot Court Competition 2015**" latest by **20th September, 2015**.
- (ii) Registration fee for the moot is **Rs.1000 per team** (only one team per Department or one team per college). The payment will have to be made in the form of a demand draft/Cheque in favour of '**The Principal, NM Law PG College, HanumangarhTown**'
- (iii) The duly filled registration form and demand draft have to be sent, latest by **30th September, 2015**, to the following address:

Nehru Memorial Law PG College, Hanumangarh Town, Rajasthan-335513

6. Competition Rounds

- (i) The Competition is two day event.
- (ii) The Competition shall comprise three rounds as under:

a. Preliminary Round:

- The Preliminary Round shall be conducted in one part. Each team shall be required to argue for either the Petitioner or the Respondent in the preliminary round.
- The four teams scoring the maximum aggregate marks from each Court Room in the Preliminary rounds shall qualify for the semi-final round.

b. Semi-final Round:

- Of the four teams qualifying for the semi-finals, the side which each team represents shall be decided by drawing of lots.
- The winning team from each Court Room shall proceed to the final round.

c. Final Round:

- The sides for which the teams qualifying for the finals will be required to argue shall be decided by drawing of lots. The Final will be held on **7th November, 2015**.
 - The team scoring highest marks in the final round shall be declared the winner.
- (iii) The decision of the Judges shall be final and binding.
- (iv) Score sheets shall be displayed on the **Nehru Memorial Law PG College Notice Board** after each round.

7. Submissions

- (i) Each team shall be assigned a Code (Unique Registration Number-URN) upon registration.
- (ii) There shall be Preliminary Round, Semi Final and a Final Round.

8. Memorials

- (i) Teams have to submit memorials for both the parties to the dispute.
- (ii) Softcopies of the memorials are to be mailed at nmlcmootcourt2015@gmail.com with subject as **"Memorial Submission for the Nehru Memorial Law College National Moot Court Competition 2015"** The last date for submission of softcopy and hardcopy of the memorial is **15th October, 2015**.
- (iii) **Five (5)** copies each of the memorials for both the sides (excluding copies for use by the team) shall be submitted by the teams during registration on the first date of the Competition i.e. **6th November, 2015 between 9:00AM to 10: 00 AM in the Campus of Nehru Memorial Law PG College**.
- (iv) Content of the hard copy must be same as that of the soft copy, failing which team will be penalized and may even be disqualified.
- (v) Memorials shall be judged on the following criteria:

Criteria	Marks Allotted
Knowledge of Facts	15
Proper and Articulate Analysis	20
Extent and use of Research	20
Grammar, Style and Coherency	20
Formatting and Citation of Sources	15
Total	100

- (vi) Identity of the institute must not be revealed/ disclosed in any manner in the memorials or the compendium (if any).
- (vii) A uniform style of citation should be followed in the memorial throughout. Teams are advised to use **The Bluebook: A Uniform System of Citation (19th Ed.)**. Footnotes shall contain only the citation, and shall not contain comments or quotes. The teams may submit a compendium of cases and other materials referred to in the memorials, to the court clerk, at the time of the rounds. Such a compendium is not to be submitted at the time of registration on **6th November, 2015**.
- (viii) All memorials submitted must conform with the following general requirements and a team will attract negative marking for failure to keep within the limitation as described below:
- Memorials must be printed on A-4 paper with black ink and must be neatly bound.
 - The font of the body of the Memorial must be Times New Roman, size 12, with double line spacing. The size of footnotes must be in Times New Roman font size 10 with line spacing of 1.5.
 - Each page must have a margin of at least an inch on all sides. The memorials should not be covered with a plastic cover or be spiral bound or combed bound. They should either be stitched or stapled properly. Use of butter paper, plastic sheets, spiral binding etc. is strictly prohibited.

- The **Cover Page** of the memo from the **first side (Petitioner) should be in Blue and from the second side (Respondent) should be in Red.**

- (ix) If two Memorials are found to be substantially similar and, upon consultation with the Judge(s), it is concluded that unethical practices may have been followed, penalties may be imposed and/or the concerned team(s) may be liable to be disqualified.
- (x) Memorials once submitted shall be deemed to be final.
- (xi) Memorials submitted shall not be returned.

9. Format of Memorials:

The Memorial should not exceed 25 typed pages and shall consist of the following parts:

- (i) Cover Page
- (ii) Table of Contents
- (iii) Index of Authorities
- (iv) Statement of Jurisdiction
- (v) Statement of Facts
- (vi) Statement of Issues
- (vii) Summary of Arguments
- (viii) Arguments Advanced
- (ix) Prayer

10. Oral Rounds

- (i) The duration for the oral rounds for the Preliminary Round shall be 30 minutes for each team, with the maximum time allowed for one speaker being 20 minutes.
- (ii) The duration for the oral rounds for the Semi Final and Final Rounds shall be 45 minutes, with the maximum time allowed for one speaker being 25 minutes. However, this duration may be changed to 30 minutes per team.
- (iii) At the commencement of oral submissions in every session, each team shall intimate the designated Court Officer of the time that it wishes to reserve for its Speakers and rejoinder/surrejoinder.
- (iv) A maximum of five minutes may be reserved for the rejoinder/surrejoinder. Only one member of the team may speak during this period. The Researcher shall not be allowed to argue at any time during the Competition.
- (v) One minute before the completion of the allocated time for each Speaker, a warning sign shall be displayed to signal the Speaker to conclude arguments. On completion of the allocated time for each Speaker, a 'Time Over' sign shall be displayed and the Speaker shall be required to stop. The Judges may, however, at their sole discretion, allow the Speaker to continue beyond the allocated time provided that in the preliminary round, the time extension granted by the Judges may not exceed more than two minutes for each Speaker.
- (vi) The final decision as to the time structure and the right to rejoinder/surrejoinder shall be that of the Judges.
- (vii) All teams shall be expected to carry any case laws and authorities that they intend to refer to during the course of oral submissions. All such documents pertaining to case law and authorities shall be circulated to the Judges only through the designated Court Officer. Participants are prohibited from directly approaching the Judges during the competition rounds.
- (viii) All the extra material pertaining to case law and authorities shall also be provided to the opponent teams at the time of circulating the same to the Judges. Teams are directed to arrange for requisite number of copies of all such extra material.
- (ix) During the course of oral submissions, the participants cannot submit any material containing pictorial representation to the Court. Furthermore, the participants shall neither be permitted to use any

audio/visual representation nor will they be allowed to use personal computers, laptops and any other technical or mechanical devices.

- (x) A team submitting any material in violation of the foregoing, and/or submitting or presenting to the Court any picture, sketch, photo, cartoon, caricature, audio film, videofilm, projector slide or computer generated image, shall be disqualified from the competition forthwith.
- (xi) Compilation of judgments or any other research material in addition to that mentioned in the Memorial may be submitted at the time of oral arguments by the participants.

11. Oral Submission (Evaluation)

- (i) Each Speaker shall be marked on a total of 100 marks. The total scores of the team shall be evaluated on the basis of aggregate marks obtained by both the Speakers of the team.
- (ii) Scoring criteria is given below:

Criteria	Marks Allotted
Knowledge and Application of Facts	10
Knowledge and Application of Pertinent Laws	20
Application of Relevant Case Laws	20
Style, Poise, Courtesy and Demeanour	15
Flow of Arguments and Organisation	15
Proficiency and Adeptness in Answering Questions	20
Total	100

- (iii) To ensure uniformity in the marking system, all Judges shall be provided with a marking guideline.

12. Dress Code

Inside the Court Room the participants shall be in Formal Wears only.

- (i) **Female(s):** White Salwar and Kurta or White Shirt and Black trouser along with Black Blazer and Black Shoes.
- (ii) **Male(s):** White Shirt, Black Trousers, Black Tie along with Black Blazer and Black Shoes.

13. Restriction for Assistance to Teams

- (i) The research, pleadings and format of Written Submission/Memorial for the Competition must be the exclusive product of the participating team members. Faculty members, coaches and team advisors of the participating team may only render general assistance to the team.
- (ii) No advice, whatsoever, may be taken from any member of another Team or any Coach/ Faculty/ Advisor of another Team during the continuance of the competition.

14. Award

Two team prizes, one prize for the best memorial and individual prize for the Best speaker will be awarded. The two speakers and the researcher will be awarded certificates of participation. The winner team shall be awarded a trophy. In addition to the trophy, there shall be cash prizes:

First Prize (Winner Team)	Rs 3,100/-	Best Memorial	Rs 1,500/-
Second Prize (Runner up Team)	Rs 2,100/-	Best Mooter	Rs 1,100/-

15. Accommodation/Transportation

- (i) Accommodation will be provided to all the teams.

- (ii) For any additional members of any team the host College will not be responsible for his/her accommodation.
- (iii) Conveyance will be provided to all the teams from the Station on their arrival to the accommodation.
- (iv) Food for all the days of the competition will be provided to all the teams.
- (v) Teams must send a scanned copy of the travel details form to nmlcmootcourt2015@gmail.com with subject as "**Travel Details for Nehru Memorial National Moot Court Competition 2015**". This should be sent no later than **25th October, 2015**.

16. Miscellaneous:

- (i) Participants shall use only their URN numbers for identification purposes. No electronic device, including (but not limited to), laptops, tablet computers, mobile phones etc. may be used by any member of the teams during the course of the round, including when the opposite team is addressing arguments. Teams are therefore advised to ensure that the delivery of their oral arguments is not dependent on electronic devices.
- (ii) Teams shall not be allowed to observe the orals of another team. **Scouting is strictly prohibited.** Scouting by any team shall entail instant disqualification
- (iii) The student counsels shall not state their names during the oral rounds, and must use the team Code. All team members must refrain from disclosing the identity of their institution at any time and in any manner, during the oral rounds. Non-compliance with this Rule will result in immediate disqualification of the team.
- (iv) The Rules shall be strictly adhered to. The organizers reserve the right to disqualify teams for deviating from the Rules. The Organizers will resolve any contingencies that may arise and will be the final arbiters regarding any doubts/grievances. The decision taken by the Organizers shall be final. These Rules are not exhaustive.
- (v) All the participants are expected to maintain decorum in the Court during the Competition and to conduct themselves in a manner befitting the legal profession throughout the Competition, both within and outside of the Court rooms.
- (vi) The Organisers reserve the right to cancel/postpone/reschedule the Competition in the event of any unforeseen circumstances.
- (vii) The Organisers reserve the right to vary, alter, modify or repeal any of the abovementioned rules, if so required, and as they may deem appropriate.
- (viii) Acceptance of the abovementioned rules is a precondition to participation in the Competition

17. Interpretation of Rules

- (i) The interpretation placed upon these Rules by the Organizers shall be conclusive. The decision of the Organizer regarding the application of these Rules shall be final.
- (ii) All the rules are only inclusive and not exhaustive for the competition.
- (iii) Rules should be strictly adhered to. Any deviation wherefrom would attract disqualification.

18. Queries and Clarifications

In case of any questions related to problem or clarifications regarding the competition, feel free to contact the following:

E-Mail Id: nmlcmootcourt2015@gmail.com

Dr. K. B. Ojha	+91 9530203557	Dr. Brajesh Agarwal	+91 9414445584
Mr. Mohammad Imran	+91 9759108093	Dr. Faizanur Rahman	+91 8348333999

Prof. V. Tayal
Director

Dr. V. Mathur
Convener

MOOT PROBLEM

Mr. Neyaz, aged 25 Years working as a clerk in a Commercial Bank at Hanumangarh, Rajasthan fell in love with Miss Ashwarya, aged 22 years. They desired to marry. But the proposal of Marriage was not acceptable to the parents of Neyaz, as the girl being Hindu. In order to solemnize the marriage with Neyaz, Ashwarya converted herself to Islam and changed her name as Fatima. Their marriage was solemnized as per Muslim personal law on 2-1-2007.

However, after the marriage, Mr. Neyaz began to ill-treat her demanding a huge amount of dowry from Fatima's parents. Neyaz's parents also joined hands with him to ill treat Fatima. Finally, Mr. Neyaz on 1-8-2007 left Fatima at her parents' home for want of dowry, knowing pretty well that she is pregnant. On 15-2-2008, Smt. Fatima gave birth to a female child at her home. The birth of child was communicated to Mr. Neyaz. But Mr. Neyaz refused to receive the child and Fatima as his desire for dowry has not been satisfied by her parents owing to their poor financial position.

Smt. Fatima filed a petition for maintenance to herself and to her child under section 125 Cr.P.C in Hanumangarh Family Court on 25-12-2009. She claimed maintenance of Rs.15,000/- per month as her husband Mr. Neyaz is earning salary of Rs.30,000/- per month. The respondent Mr. Neyaz denied all the allegations and asserted that she has been living with her parents on her own free will and thus deserted him since 1-8-2007.

While the maintenance petition was pending before the Family Court, Mr. Neyaz pronounced irrevocable Talaq on 2-3-2010 to dissolve his marriage with Fatima. Mr. Neyaz contended that under the provisions of the Muslim Women (Protection of Rights on Divorce) Act, 1986, he is no more liable to pay any maintenance to Fatima and her child after Talaq. However, the Family Court, Hanumangarh, directed the respondent Mr. Neyaz to pay Rs.9, 000/- per month for maintenance to Fatima and her child from the date of petition till the completion of "Iddat Period".

Smt. Fatima, aggrieved by the decision of the Family Court, preferred an appeal to the High Court of Rajasthan claiming maintenance beyond "Iddat Period". The High Court of Rajasthan also confirmed the decision of the Family Court. Therefore Smt. Fatima preferred an appeal to the Supreme Court with special leave of the Apex Court, challenging the decision of the High Court of Rajasthan.

Nehru Memorial Law College National Moot Court Competition 2015

On

6th- 7th November, 2015

REGISTRATION FORM

A. Name of Participating Law School/College/University:

Address for Communication:

Telephone No.:

E-mail Address:

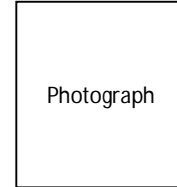
B. Details of Participants

1. Name of Mooter: _____

Class: _____

Mobile No.: _____

Email Id: _____

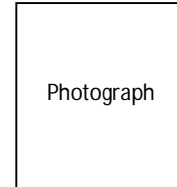


2. Name of Mooter: _____

Class: _____

Mobile No.: _____

Email Id: _____

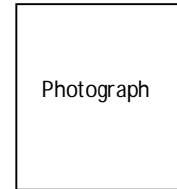


3. Name of Researcher: _____

Class: _____

Mobile No.: _____

Email Id: _____



C. Demand Draft Cheque

DD/Cheque No. _____ dated _____ on _____ Bank

D. Expected Travel Plan:

Arrival:

Date:

Time:

Departure:

Date:

Time:

It is certified that the Mooters and Researcher above named are the bonafide students of the Law School/College/University.

Date:

Place:

Signature of Principal

Seal of the Institution

For Office Use Only

Registration No.