



VELS



INSTITUTE OF SCIENCE, TECHNOLOGY & ADVANCED STUDIES (VISTAS)

(Deemed to be University Estd. u/s 3 of the UGC Act, 1956)

PALLAVARAM - CHENNAI

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5th Thiru. Isari Velan Memorial National Moot Court Competition

23rd, 24TH & 25TH FEBRUARY 2023

MOOT PROPOSITION & RULE BOOK

VELS MOOT SOCIETY,

School of Law,

Vels Institute of Science, Technology and Advanced Studies (VISTAS),

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MOOT PROPOSITION

Zindica is a country in the Asian continent. It is a Sovereign, Socialist, Secular, Democratic, Republic nation with a population of over 1.5 billion. The country has the lengthiest written Constitution in the world and follows a federal structure of governance with a Union Government at the Centre and State Governments at state levels for each of its 28 states and Union Territories. Zindica provides for protection of rights and duties of its citizen through its Constitution and is a diversified nation.

Zindica has nearly 562 medical colleges, CEET (Common Eligibility cum Entrance Test) came to existence in 2014, and these medical colleges, provide nearly 50,000-80,000 seats for the MBBS (Bachelor of Medicine, Bachelor of Surgery) course. According to the National Medical Council of Zindica (NMCZ), altogether they provide 86,649 seats.

From 2018 to 2021, 7.8 lakh students in Zindica cleared the Common Eligibility cum Entrance Test (CEET) for admission into various medical college in the country. For these 7+ lakh students, who cleared the CEET, there were just 80,000-odd medical college seats alone, in both government and private institutions combined, throughout country. WHO, prescribes the doctor patient ratio as 1:1000, whereas the doctor patient ratio is 1:1655 in Zindica. This ratio clearly shows the deficit of MBBS doctors in the country of Zindica.

Due to these reasons, many of the Zindican medical aspirants were left with the only option to opt for foreign universities to realize their medical dreams. Nearly 23,000 of Zindican students enrolled in various universities in the country of China, 18,000, in the universities of the country Ukraine, over 16,000 in the universities of the country of Russia etc., according to the official data of The Ministry of Education of Zindica.

In the year 2020, the world witnessed the worst pandemic of the century with the outbreak of the corona virus, and to curb the menace of the virus, many countries were forced to impose lockdowns. These lockdowns being a severe restriction on the free movement of the people, it thereby interrupted the entire education and business systems across the globe, and the country of Zindica was also not an exception.

Thousands of medical students had to return to their home country due to pandemic and strict COVID-19 restrictions and lockdowns. This resulted in making them unable to complete their clinical training at these respective

countries of their study. The National Medical Commission (NMC) of Zindica, has made it mandatory, to get a license to practice as a medical professional in Zindica, which requires a mandatory clinical practice by them in these respective countries of their graduation. In the absence of this license, these students will be considered ineligible to appear for Foreign Medical Graduate Examination (FMGE) in Zindica, which permits them to carry on their medical profession as a doctor in the country of Zindica.

Due to the pandemic, students from different parts of Zindica, who were pursuing their studies abroad, especially in China, Ukraine, Russia were forced to come back to Zindica before completion of their course. These students have approached the Government of Zindica for continuing their medical education which was not considered by the Zindican Government. The students have approached the Supreme Court of Zindica to get an order allowing them to pursue remainder of their studies in Zindica.

Earlier the Hon'ble Supreme Court of Zindica in its order permitted 2015-20 batch students to undergo clinical training in Zindica, and those students got provisional registration also. To increase the standards of medical examination and to ensure quality medical services to its citizens, the government has changed its policy, and so is refusing to extend similar benefit to the students of the year 2016-21, batch.

Aggrieved by this, the medical students who came back to Zindica, without undergoing clinical training abroad has approached this Hon'ble Court.

Issues:

1. Denying the opportunity to pursue the studies in Zindica, whether violating the right provided under Art. 21 of the Constitution?
2. Insisting mandatory clinical practice abroad to the candidates who studied abroad in order to get eligibility to appear for Foreign Medical Graduate Exam in Zindica, whether violative of Art. 14 of the Constitution?
3. Making compulsory the Common Eligibility test for the candidates to seek admission to the MBBS course, whether violative of the rights guaranteed under the Constitution of Zindica?

Note:

1. *The Constitution of Zindica is in parimateria to the Constitution of India.*
2. *All the legislations of Republic of Zindica are in parimateria to the legislations of Union of India.*

The Counsels will be having liberty to identify and raise additional issues apart from the issues suggested above.

ABOUT THIRU. ISARI VELAN MEMORIAL NATIONAL MOOT COMPETITION

Thiru. Isari Velan Memorial National Moot Court Competition (IVMNMCC) is an annual all India moot court competition organized by the School of Law, Vels Institute of Science, Technology and Advanced Studies (VISTAS), Chennai. The competition is one of the most sought-after mooting events among the Law schools in the city of Chennai. It started in the year 2019 and this year will be its fifth edition. The past IVMNMC competitions have been graced by eminent Jurists and Judges namely Hon'ble Mr. Justice Kurian Joseph (Retd.), Former Judge, Supreme Court of India, Hon'ble Mr. Justice R. Subramanian, Judge, High Court of Madras, Hon'ble Mr. Justice M.S. Ramesh, Judge, High Court of Madras, Hon'ble Mr. Justice M. Nirmal Kumar, Judge, High Court of Madras, Hon'ble Mr. Justice G.R. Swaminathan, Judge, High Court of Madras, Hon'ble Mr. Justice G.K. Ilanthiraiyan, Judge, High Court of Madras and Hon'ble Mr. Justice D. Bharatha Chakravarthy, Judge, High Court of Madras.

Rules & Regulations

These rules shall be referred to as ‘5th Thiru. Isari Velan Memorial National Moot Court Competition Rules, 2023.’

1. DATE AND VENUE

The 5th Thiru. Isari Velan Memorial National Moot Court Competition will be held virtually between 23rd, 24th and 25th February 2023 through Google Meet.

2. LANGUAGE

The official language of the Competition shall be English and all oral and written submissions must be made only in English.

3. TEAM ELIGIBILITY AND COMPOSITION

- 3.1. The Competition is open only for students pursuing LL.B three-year / five-year Law programme in India in the current academic year.
- 3.2. The participating institution must be recognized by the Bar Council of India.
- 3.3. Each team shall consist of a *minimum of two or maximum of three members*. No team shall consist of more than three members.
- 3.4. In a three-member team, two participants shall be designated as speakers and one as the researcher.
- 3.5. A maximum of two teams per institution will be allowed to participate in the competition.

4. REGISTRATION

- 4.1. Participating teams must fill the provisional registration form in the below mentioned link <https://forms.gle/zhTZ6bNVXPbTQJJgZ>
- 4.2. Upon provisional registration, an email with the link to final registration form containing the details of the Registration Fees Paid will be sent to the id of the student participant mentioned in the provisional registration form.
- 4.3. Before filling up the final registration form, participating teams shall have paid the registration fee.
- 4.4. Upon verification from the side of the organizers of the receipt of the said fees, the Head of the Institution of the participating team and any one of the participant will be notified

through an email about their successful registration. The said email will also contain the **Team Code** and the link of Whatsapp Official Group of the competition.

4.5. Each participating team shall pay a **registration fee of Rs. 1,000/-**

4.6. The registration fee shall be paid through **NEFT / IMPS** as per the details given below:

Registration Fee Payment Details

Account Name: Vels Institute of Science, Technology and Advanced Studies (VISTAS)

Bank: Axis Bank, Madipakkam Branch, Chennai

A/C Number: 911010014364240

IFSC Code: UTIB0000083

Branch Code: 083

MICR: 600211007

Address: No. 2, Medavakkam High Road, Madippakkam, Chennai – 600 091.

Note: UTR / Ref. No of screenshot of payment must be uploaded in final registration form for completing the process of registration. While transacting the registration fee, ensure that you enter as MOOT COURT COMPETITION in the Comment / Remarks column in the bank payment app.

4.7. The provisional registration window opens on **19.12.2022** and closes on **10.2.2023**.

4.8. The last date for payment of the registration fee and confirmation of participation is **10.2.2023**.

4.9. Any change in the team composition should be intimated to the Organizers before the commencement of the event.

4.10. The registration fee once paid will not be refunded.

5. MEMORIALS

5.1. Each team shall prepare Memorials for both sides (1 for petitioner and 1 for respondent).

5.2. Petitioner's Memorial Submission shall have a **blue** cover page, and Respondent's Memorial Submission shall have a **red** cover page.

5.3. The team code allotted to all teams must be indicated at the top right corner of the memorials.

5.4. Memorials must 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 of the participating team.

5.5. A penalty of 1 mark will be levied in memorial marks for the team that uses the wrong cover for the memorials.

5.6. The memorials shall conform to the below standards:

5.6.1. Memorials should be typed in MS Word.

5.6.2. The font and size of the text used in all parts of the written submissions (except the covers) must be in Times New Roman, size 12 with 1.5 line spacing.

5.6.3. Footnotes must be in Calibri, size 10, and single spaced.

5.7. The maximum number of pages in each Memorial shall not exceed 40 pages.

5.8. The Memorials must be submitted through email (ivmmc@velsuniv.ac.in) in a pdf format on or before 15th February 2023. Late submission of memorials will attract a penalty of 1 mark from the memorial mark.

5.9. Memorial Structure

5.9.1. **Cover Page:** The cover page of the memorial must contain the following:

- Team Code on upper Right-hand side corner
- The Case Title
- The Party for which the Memorial has been prepared
- Colour of the cover page must be Blue in case of Petitioner/Appellant and Red in case of Defendant/ Respondent

5.9.2. **The Memorial** should contain

- The Table of Content
- The Index of Authorities
- The Statement of Jurisdiction
- The Statement of Facts
- The Statement of Issues
- The Summary of Arguments
- The Arguments Advanced
- The Prayer

6. STRUCTURE OF THE ORAL ROUNDS

The oral rounds shall comprise of:

6.1. Preliminary Round:

6.1.1. There will be two preliminary rounds (One for Petitioner and one for Respondent side).

- 6.1.2. Teams will argue on the opted side in the first preliminary round which will be determined by way of draw of lots and for the opposite side in the second preliminary round.
- 6.1.3. Each team will get 30 minutes to present their case which includes the time for 'rebuttal' and 'sur-rebuttal'.
- 6.1.4. The division of time between the speakers is the discretion of the team members, subject to a maximum of 15 minutes for one speaker.
- 6.1.5. Before the commencement of each round, each team shall indicate to the 'court officer' as to how they wish to allocate their 30 minutes.
- 6.1.6. The top 8 teams who will be qualified for Quarter-Final round will be decided based on the total win points in both the preliminary rounds.
- 6.1.7. In case of a tie, the teams having **higher scores** in the oral rounds (**Excluding Memorial Scores**) will proceed to the Quarterfinals. If the tie continues, the team having the highest **speaker score** will be considered as being selected for the quarter-finals.

6.2. Quarter-Final Round:

- 6.2.1. The teams will argue for the opted side determined by way of draw of lots.
- 6.2.2. This will be a **Knockout Round**.
- 6.2.3. Each team will get 30 minutes to present their case, which includes the time for rebuttal and sur-rebuttal.
- 6.2.4. The division of time between the speakers is the discretion of the team members, subject to a maximum of 15 minutes for one speaker.
- 6.2.5. Each team shall indicate to the 'court officer' as to how it wishes to allocate its 30 minutes.
- 6.2.6. Selection for the next round will be on **Knockout** basis. Four teams will advance to the semi-final round.

6.3. Semi-Final Round:

- 6.3.1. The teams will argue for the opted side determined by way of draw of lots.
- 6.3.2. This will be a **Knockout Round**.
- 6.3.3. Each team will get a total of 40 minutes to present their case, which includes the time for rebuttal and sur-rebuttal.

- 6.3.4. The division of time between the speakers is the discretion of the team members, subject to a maximum of 20 minutes for one speaker.
- 6.3.5. Each team shall indicate to the 'court officer' as to how it wishes to allocate its 40 minutes.
- 6.3.6. Selection for the next round will be on **Knockout** basis. Two teams will advance to the final round.

6.4. Final Round:

- 6.4.1. The teams will argue for the opted side determined by way of draw of lots.
- 6.4.2. Each team will get a total of 40 minutes to present their case, which includes the time for rebuttal and sur-rebuttal.
- 6.4.3. The division of time between the speakers is the discretion of the team members, subject to a maximum of 20 minutes for one speaker.
- 6.4.4. Each team shall indicate to the 'court officer' as to how it wishes to allocate its 40 minutes.
- 6.4.5. The winner will be decided on **Knockout** basis.

7. AWARDS

The awards will be announced in the Valedictory function on 25th February 2023.

The following awards will be awarded in the competition:

- | | | |
|--------------------------|---|--|
| ❖ Best Team | - | Prize Money of Rs. 25,000/- (Team Prize) |
| ❖ Runners Up Team | - | Prize Money of Rs. 15,000/- (Team Prize) |
| ❖ Best Memorial | - | Prize Money of Rs. 9,000/- (Team Prize) |
| ❖ Best Speaker | - | Prize Money of Rs. 5,000/- (Individual Prize) |

Certificate of Merit will be given to all the teams qualifying for Quarter-Final rounds and beyond. Certificate of participation will be given to all the participating teams. Certificates will be sent through post.

Note: Cash Prize will be sent through NEFT / IMPS transaction only to the bank account of the primary contact person of the team. Hence, teams are supposed to identify the primary person of contact.

8. DRESS CODE

The official Dress Code for the Competition shall be:

Gentlemen: White Shirt, Black Trousers, Black Blazer, Black tie, and Black Formal shoes.

Ladies: White Shirt, Black Trousers / Salwar (White and Black), Black Blazer, and Black Formal shoes.

9. CLARIFICATION

Clarifications on the Moot Proposition shall be sought by sending an e-mail to ivmmc@velsuniv.ac.in on or before 30th January 2023(11:59 PM IST). Clarification requests sent after this date shall not be entertained.

10. DISPUTES

All disputes relating to the 4th Thiru. Isari Velan Memorial National Moot Court Competition, 2022 shall be referred to the **Organizing Committee** before the end of the competition. In all matters of complaints or disputes, the decision of the Organizing Committee shall be final. If any dispute arises with respect to any round, the decision of the judges in that round shall be final.

11. GENERAL RULES

- 11.1. It is not mandatory to submit a compendium, but if you do so, it is mandatory to do so only in a pdf format.
- 11.2. If a team scheduled to take part in a Round does not appear within 10 minutes of the scheduled time, the other team present shall be allowed to submit 'ex-parte'
- 11.3. Participants must maintain the decorum in the court hall during the competition and are expected to properly conduct themselves in a manner befitting the legal profession. Scouting, in any form, will lead to the instant disqualification of the team.
- 11.4. All participants must attend the inauguration and valedictory function without fail.
- 11.5. Teams must not disclose their identity, viz, the name of their institution, city, etc. or any other information whatsoever to anybody, except in the registration form. Such an act would result in disqualification of the team subject to the discretion of the Organizers.
- 11.6. The copyright over the memorials submitted by the participants, shall vest solely and rightfully with School of Law, VISTAS, Chennai.

12. ONLINE PROCEEDINGS

The 5th Thiru.Isari Velan Memorial National Moot Court Competition, 2023 will be held virtually through Google Meet app. Participants must ensure that they have a stable internet connection with good audio and video facilities. They shall be permitted to use the screen share feature for making their submissions. At the time when one participant is speaking, others are expected to keep their microphones on mute.

KEY DATES

Opening of Provisional Registration Window	19.12.2022
Last date for Registration and Payment of Registration Fee	10.2.2023 (11:59 PM IST)
Submission of Memorials	15.2.2023 (11:59 PM IST)
Inauguration (Virtual)	23.2.2023
Preliminary Rounds (Virtual)	24.2.2023
Quarter-final Rounds (Virtual)	24.2.2023
Semi-final Rounds (Virtual)	25.2.2023
Final Rounds (Virtual)	25.2.2023
Valedictory Function (Virtual)	25.2.2023

Contact Us

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