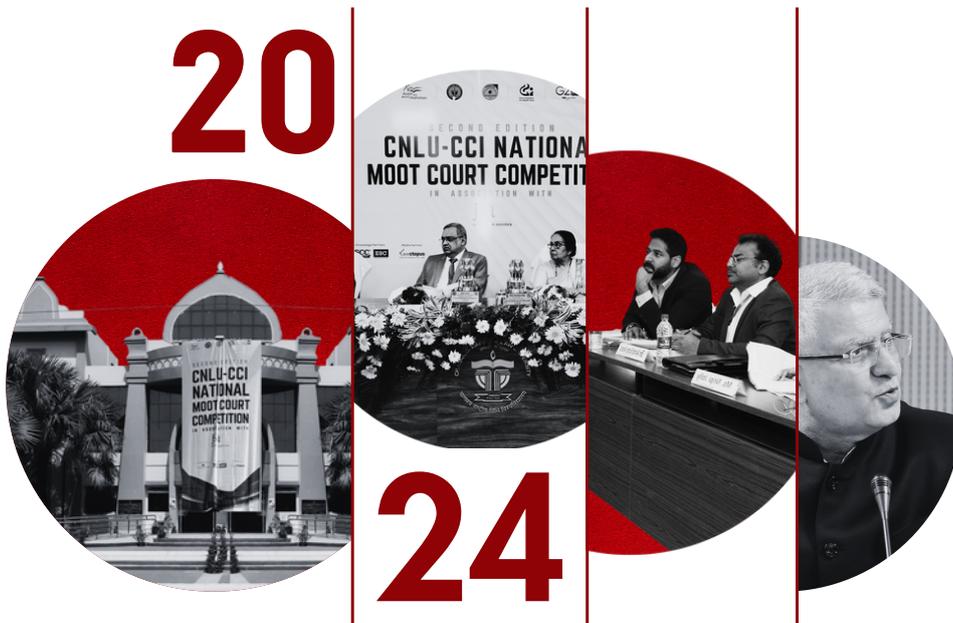




# JUSTICE U. P. SINGH MEMORIAL 3<sup>RD</sup> CNLU-CCI NATIONAL MOOT COURT COMPETITION

IN ASSOCIATION WITH



## MOOT PROPOSITION & RULEBOOK

Skills Partner



Knowledge Partner



Internship Collaborator



Research Partner



Media Partner



# About the Proposition Drafters

The **Centre for Competition Law and Economics (CCLE)** is a research organization registered under Section 8 of the Companies Act, 2013, working in the field of competition jurisprudence and economics seeking their advancement through research and other related activities. The Centre publishes research reports, academic articles, conducts training activities and assists litigating parties at different competition fora across the country to advocate consistent interpretation of the Indian competition law. The Centre regularly collaborates with universities and other non-profit organizations to organize seminars, conferences and workshops for the relevant stakeholders to generate capacity in the said field based on mutual interest.





# Problem Statement

1. Wellington is a developing country based in the South Asian region. The total population of the country is around 1.4 billion and is the seventh largest nation in the world by area. Wellington has a written constitution and practices a federal form of government.
2. The laws of Wellington are *pari materia* with the laws of India. The government of Wellington is proactive in making laws and policies and regularly participates at various international fora to keep itself abreast with the latest trend in economic policymaking.
3. Wellington enacted its Competition Act in 2002 and recently passed the Competition Amendment Act in 2023 after fourteen years of implementation of the parent law. Wellington further enacted the Consumer Protection Act in 2019 replacing the erstwhile law of 1986 to keep up with the latest trends in the law like product liability, *suo moto* action by the consumer authority, unfair contracts and so on and so forth. Wellington Parliament further passed the Digital Personal Data Protection ('**DPDP**') Act in 2023, however its government is yet to enforce the same till date.
4. The Competition Commission of Wellington ('**CCW**') including other Wellington Courts treat decisions of the Competition Commission of India as well as other decisions of Indian courts on the Indian Competition Act, 2002, along with other laws as having high persuasive value. The CCW also regards the competition regulators of the European Union and the United States highly and relies on the precedent from these jurisdictions as well.
5. In the last 10 years, the internet penetration in Wellington has swelled up. By 2024, approximately 45% of its total population can now access the internet. Most of this access is made through smartphones. Given the penetration rate, the Wellington government has introduced a host of policies like 'Startup Wellington', 'Digital Wellington' and so on and so forth to promote startup and entrepreneurship culture in the country.
6. **BeeLine LLC** is a Delaware limited liability company. The company started its business as a 'gaming platform' and currently offers smartphone operating system ('**OS**') 'Invertus', search engine 'BeeLine', mobile application store 'FunStore', online-video hosting platform ('**OVHP**') 'Spiral' and advertisement technology as some of its premier services across the world.



7. As per a report published by TechSavvy Media in 2022, BeeLine has the following market share in the identified segments:

**SEGMENT: OS IN SMARTPHONES**

S. No.	Company	Market share (in %)
1.	Invertus (owned by 'BeeLine')	91
2.	Orange	5
3.	Nest	2
4.	BlueWater	1
5.	Others	1

**SEGMENT: SEARCH ENGINE**

S. No.	Company	Market share (in %)
1.	BeeLine	95
2.	WorldSearch	2
3.	NetR	2
4.	MeshLoop	1
5.	Others	1

**SEGMENT: APP STORE**

S. No.	Company	Market share (in %)
1.	FunStore (owned by BeeLine)	82
2.	'O' store (owned by Orange)	13
3.	m-Wellington store (publicly owned)	3
4.	Others	2

**SEGMENT: OVHP**

S. No.	Company	Market share (in %)
1.	Spiral (owned by BeeLine)	93
2.	Cameo	5
3.	OnTheGo	1
4.	Others	1



8. BeeLine offers a bundle of 10 proprietary mobile application services packaged as 'BeeLine Mobile Services (BMS)' on most of the 'Invertus' smartphone devices available in the market. The BMS includes the 'FunStore' app store, BeeLine maps, Bmail and 'Spiral' and a host of other services. The BMS is pre-installed on the devices and the users cannot uninstall it regardless of their own usage and requirement. Simultaneously, these 10 proprietary apps cannot be installed outside the 'Invertus' ecosystem by the end-users should they want to avail them separately. BeeLine LLC also doesn't allow the users to install any other competing app store in its devices.
9. 'BeeLine' and 'BeeLine Chrome' are the default search engine and search browser respectively on all the 'Invertus' smartphone devices available in the market.
10. As part of its business model, BeeLine has signed multiple agreements at various levels of the supply-chain with companies, content creators and end-users in the tech space. The company monetises its services either on a pay-per-use basis, or charges a commission on every transaction happening on its platform. For instance, 'MadeForEachOther Private Limited' is a company which provides matchmaking services to the users in Wellington through a mobile application listed on FunStore. BeeLine LLC, by virtue of being the owner of FunStore, charges a commission rate of 20% on every subscription being sold by MadeForEachOther through its FunStore app.
11. On the end-user side, the company does not charge an upfront fee for its services but collects the user-data and reserves the right to process it as per the declared policy. In the case of online-video hosting platform (OVHP) services, the company shares revenues with the content creators as per an agreement depending on the viewership and the number of subscribers.
12. Over a period of time, the company has acquired significant market share up to 90% in multiple markets of search engine, smartphone OS, mobile application store, video-streaming platform and AdTech. The company is considered almost an inevitable partner when it comes to conducting business in the tech space.
13. BeeLine Inc. has been rated to be the most innovative digital technology company across the globe by multiple news portals in the last few years and is one of the sought-after companies to work for across the world.
14. 'DeliveringDelight Pvt Ltd.' is another company offering online food delivery services in the municipal limits of Wellington. DeliveringDelight has got various food restaurants listed on its platform and operates through a mobile application listed on various app stores like 'FunStore', 'Orange' etc. The end users could



- place an order using the DeliveringDelight mobile app which is then delivered by delivery partners on board by the company.
15. The price for a certain dish offered by a restaurant partner and listed on DeliveringDelight is different online and offline. For instance, the listed price of 'Veg Pasta' offered by 'Little Europe' which is a prominent Italian restaurant on the menu is 300 in the local currency. However, the same dish when offered by 'Little Europe's on 'Delivering Delight' costs 380 in the local currency.
  16. DeliveringDelight charges a 'delivery fee' on every order placed on its platform depending on the distance of delivery. DeliveringDelight further makes a host of offers to the users where this 'delivery fee' could be waived off subject to fulfilment of certain conditions. For instance, DeliveringDelight offers free delivery to every new user registration on the first order placed. DeliveringDelight further offers free delivery to the users if the total order value exceeds 800 in the local currency.
  17. Citizens for Digital Governance (CDG) is a non-profit organisation registered under the Societies Act working in the space of digital governance. The members of CDG are regular users of various products offered by BeeLine LLC like BeeLine search engine, 'Bmail', 'Spiral', BeeLine maps and so on and so forth. Some members of CDG are also app makers and users of competing products like 'Orange' OS and smartphones, 'Easyplay' mailbox, 'Cameo' OVHP and 'compass' maps.
  18. CDG regularly organises campaigns and workshops to generate awareness on various aspects of digital governance and how the businesses of digital tech companies might affect the users and society at large.
  19. CDG has filed a complaint at the competition authority alleging the following:
    - a. BeeLine obtains the end-user consent on collection of data through dubious policies.
    - b. Most of this information is personal in nature thereby violating their right to privacy.
    - c. It has also come to the knowledge of members of CDG that the company has engaged in selling of the user-data to various third-parties so that targeted advertisements could be shown to them.
    - d. The inability of the consumers to uninstall the redundant apps made part of the BMS suite by BeeLine LLC is anathema to the provisions of the Act. Such a conduct not only results in direct restriction of consumer choice but severely limits the user experience. Such applications consume unnecessary space on the smartphone thereby resulting in inefficiency effects.
    - e. On the contrary, BeeLine's conduct to disallow the users to 'sideload' such proprietary apps from app stores other than FunStore further suggests that BeeLine wants to control the Invertus ecosystem.



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- f. The Commission may further issue an inquiry against smartphone makers/ Original Equipment Manufacturers (OEMs) as such entities have played a role of 'hand in glove' with BeeLine when it comes to imposing restrictive conditions on the end users related to proprietary apps of BMS.
- g. The revenue sharing agreement as per which app makers are required to pay a commission of 20% to BeeLine on each transaction is too hefty and abusive under the Act. Such a charge takes a toll on the meagre revenues of the app makers which would have been otherwise dedicated to undertake innovation in the tech space. This inability to undertake innovation by app makers due to the High commission rate inevitably affects the consumers as they are offered inferior products.
- h. BeeLine harnesses the 'status quo bias' to boost the consumption of its services among the users. For instance, the default search engine on Invertus smartphone devices is kept as BeeLine. This prompts the consumers to keep using it without giving them a viable alternative in the 'search engine's market.
- i. There is larger consumer-harm which may be happening through the restrictive effect of commercial arrangements of BeeLine thereby hindering innovation in the product space
20. CDG has simultaneously filed a petition with the Central Consumer Protection Authority (CCPA) to take an action against BeeLine LLC under the Consumer Protection Act, 2019 for engaging in unfair trade practices and deficiency in services. CDG has made full disclosure before the CCPA that it has filed a case before the competition authority on overlapping facts.
21. CDG has further filed a writ petition before one of the High Courts of Wellington alleging that the conduct of BeeLine LLC violates individual privacy of its members in contravention of Article 21 of the Wellington Constitution. BeeLine LLC collects personal information of its users and sells it to third-party advertisers so that they can sell targeted ads. This results in immense harm to the members of CDG. The Association has made full disclosure to the High Court that it has already filed information with the competition authority and the CCPA on overlapping facts.
22. CCW has forwarded a copy of the information filed by CDG to BeeLine LLC within 15 days. BeeLine LLC has taken some preliminary objections to the admission of suit at the competition authority including:
- CCW may not be the correct forum to look into personal data sharing and end-consumer disputes.
  - 'Invertus' may be only one of the many smartphone operating systems ('OS') available in the market. Some of the other prominent competing operating ecosystems include 'Orange', 'Nest', 'BlueWater' and 'Bingo'. Therefore, the entire smartphone market should be considered as a 'relevant market' and not just Invertus ecosystem.
  - BeeLine LLC has no dominance in the given RM.
  - The app makers should, instead, be booked under section 3 of the Act as they have clearly formed a 'cartel' in its pursuit of paying a lesser fee to BeeLine for using its product. It is submitted that users



- trust 'FunStore' more than the individual app makers with their data when it comes to maintaining safety standards. As such, any reduction in the minimal commission rate being charged by BeeLine for its services would dry its revenues thereby severely impacting its ability to innovate.
- e. BeeLine LLC motto is to provide most efficient services to its consumers with least costs involved. For instance, most of the services availed by the users like mailbox, navigation services are not only of the highest standards but are also available free of cost. Even with business entities, the revenue being charged on a commission basis is minimal in nature. This revenue is required by BeeLine LLC to continuously innovate and improve its products.
  - f. BeeLine LLC softwares are a continuous target for hackers across the globe. As such, it has to maintain high security needs for its products. This sometimes results in imposition of restrictive conditions on the users and businesses.
23. The CCW passed an order under section 26(1) of the Act holding BeeLine LLC in prima facie contravention of the Act and directing the DG to conduct an in-depth investigation into the matter.
24. The DG after considering various factual and legal aspects submitted its report to the CCW holding BeeLine LLC in contravention of section 4 of the Act.
25. The matter is now placed before the CCW for final arguments. The CCW has framed the following broad issues for determination before itself:
- a. Whether the Competition Commission of Wellington ('**CCW**') has jurisdiction to look into the issues of data privacy and consumer disputes?
  - b. Whether BeeLine Inc.'s conduct, including the non-removable installation of a bundle of proprietary apps, alleged misuse of user data, and the imposition of a 20% commission on app transactions, constitutes an abuse of dominance in the 'relevant markets' and is in violation of competition laws?
  - c. Whether BeeLine's practices, including the non-removable installation of a bundle of proprietary apps, alleged misuse of user data, and the imposition of a 20% commission on app transactions, are in violation of consumer protection laws, specifically deficiencies in services, and constitute unfair trade practices?
  - d. Whether the sharing of user data by BeeLine LLC with third parties without obtaining express consent from the users is in violation of the Digital Personal Data Protection ('**DPDP**') Act?

**Note:**

- (i) **The counsels have to represent CDG and BeeLine LLC respectively.**
- (ii) **The counsel for the parties may feel free to cite precedents from foreign jurisdictions to support their case.**



# Moot Rules

**Short Title:** This moot court competition shall be called the "*CNLU-CCI National Moot Court Competition, 2024*".

## 1. DEFINITIONS

Unless otherwise stated following shall be construed herein under as—

**1.1. Competition:** The Competition refers to all the aspects of the "*CNLU-CCI National Moot Court Competition, 2024*".

**1.2. Organising Committee:** It shall mean the Centre for Advanced Research on Corporate and Insolvency Law (CARCIL) of the Chanakya National Law University, Patna.

**1.3. Participating Team:** It means the team which has registered itself for the competition as per the rules of registration.

**1.4. Participating Institution:** It shall be presumed to be the parent institution of the participating team.

**1.5. Court Master:** The "Court Master" shall be an officer of the Court. The officer shall be entrusted with the duties of smooth functioning of the Court. Such an officer shall be the medium of communication between the Organising Committee and the Court during the competition.

**1.6. Dispute Resolution Committee:** The appellate committee in certain issues shall be referred to as "*Dispute Resolution Committee (DRC)*". The decision of the DRC shall be final. No further appeal is allowed from any order of the DRC.

**1.7. Memorial:** It means the written arguments submitted by the team, on behalf of both parties, according to the Rules of the Competition by each team.

**1.8. Oral Rounds:** It refers to the competition rounds during which the teams orally submit their pleadings in front of the judges on behalf of one of the parties against another team representing the opposing party.



**1.9. Memorial Evaluation Committee:** The committee entrusted with the evaluation of memorials in the competition shall be referred to as the "Memorial Evaluation Committee". The committee shall submit the feedback-cum-score sheet to the Organising Committee after scrutinising the memorial of the teams.

**1.10. Rules:** It means "*CNLU-CCI National Moot Court Competition, 2024 Rules*".

## 2. GENERAL

**2.1. Dates:** The Competition shall be shall take place in a hybrid manner, the Preliminary & Quarter-Final rounds shall take place on March 22, 2024 & March 23, 2024 and the Semi-Final & Final Rounds shall take place physically at the CNLU Campus on April 6, 2024.

**2.2. Eligibility:** All students enrolled in a three (3) year LL.B. programme or a five (5) year integrated law programme shall be eligible to participate in the Competition. A maximum of two teams per institution shall be eligible to participate. In the event of multiple registrations from the same College/University/Law School, the Team which submits a letter by the Head/Dean of the Institution/Moot Court Committee, authorizing them to participate on behalf of the College or Law School shall be eligible to register. Students enrolled in post-graduate or diploma courses are not eligible to participate.

**2.3. Dress Code:** The dress code to be adhered to for the duration of the competition is:

**2.3.1. Girls:** White Salwar Kurta or Black Pant/Skirt and White Shirt with Blazer.

**2.3.2. Boys:** White Shirt, Black Trousers with Tie and Black Blazer.

**2.4. Language:** All oral and written submissions are required to be made in English, which shall be the official language of the Competition.

**2.5. Structure of the Competition:** The competition will be held in rounds viz., Preliminary Round 1, Preliminary Round 2, Quarterfinal Round, Semifinal Round, Final Round. Each round consists of written submission (Memorial) and oral pleadings (Oral Round). For the purpose of this competition, each team shall submit memorials on the behalf of Petitioner as well as Respondent.

**2.6. Team Composition:**

**2.6.1.** Each team shall consist of a maximum of three (3) members and a minimum of two (2) members out of which two members must be designated as Speakers and one as Researcher. In the case of teams with two members, both the members will be designated as speakers.



- 2.6.2. Teams shall specify name and order of the speakers and researcher at the time of registration and this cannot be changed later at any time during the competition.
- 2.6.3. Substitution of any team member or alteration of team composition is not allowed after the date of Final Registration except in extenuating circumstances and only with the permission of the Organising Committee.

## 3. REGISTRATION

### 3.1. Mode and Date of Registration:

- 3.1.1. In this edition of the competition, the registration will be restricted to only **40 teams** on a first come–first serve basis. Interested teams are required to register for the Competition by filling out a registration form. Following is the link to the form: <https://forms.gle/ETw2srnZ188gP3ce6>.
- 3.1.2. While filling out the Provisional Registration Form, the teams have to choose a primary contact person, i.e., the Convenor/President of the Moot Court Committee of the registering institution. All communications concerning the Competition will be sent by e-mail to the *nominated contact person*. The nominated contact person shall be responsible to convey all the information to the team.
- 3.1.3. Teams shall make a payment of INR 4,500/- (Four Thousand & Five Hundred Only) to confirm their participation the oral rounds.
- 3.1.4. The 4 teams that make it through to the Physical Advanced rounds shall make an additional payment of INR 1500/- (One Thousand Five Hundred Rupees Only) *per person* for accomodation, on the details listed below:

Name as in Bank Account: CHANAKYA NATIONAL LAW UNIVERSITY

Name of the Bank: STATE BANK OF INDIA

Branch Name: MITHAPUR, PATNA

Bank Account Number: 40831092400

IFSC Code: SBIN0015996

QR Code:





**3.1.5.** The fee for the competition shall be paid to the bank account/UPI/QR Code mentioned above. After payment of the fee, the candidate/team must ensure that the screenshot is taken. The screenshot shall be used for verification purposes. All the participating institutions have to confirm participation by attaching the screenshot of the payment receipt in the google form on or before the last date of registration.

**3.1.6.** The registration fees will only be refunded before the last date of registration. In case of withdrawal kindly mail on or before the last date of registration.

### **3.2. Mode and Date of Registration:**

**3.2.1.** The teams after registration will receive a confirmation mail from the Organising Committee for confirmation of the slot for the competition. In the event this email is not received by the registered team, it may contemporaneously send an email with its registration details to [cnlucci@cnlu.ac.in](mailto:cnlucci@cnlu.ac.in).

**3.2.2.** The teams shall be provided a unique team code which shall be used in the preparation of the memorial as stated in the rule 3.3.1. Teams shall only be addressed by this code in the oral rounds.

### **3.3. Code of Conduct:**

**3.3.1.** Each team will be designated with a unique team code after the registration.

**3.3.2.** Teams shall not disclose their identity or that of their institution or city etc.

**3.3.3.** Such disclosure shall invite penalties including disqualification. The decision for the same shall be at the discretion of the administrator.

**3.3.4.** All participants are expected to maintain the decorum in the Court during the competition and are expected to conduct themselves in a manner befitting the legal profession.

## **4. FORMAT OF THE COMPETITION**

**4.1. Rounds:** The Competition is divided into–

**4.1.1.** Preliminary Rounds;

**4.1.2.** Quarter-Final Rounds;

**4.1.3.** Semi-Final Rounds; and

**4.1.4.** Final Round.

The Preliminary & Quarter-Final Rounds shall be conducted **online** via **Zoom**. Thereafter, the Semi-Final & Final Rounds shall take place **physically** at the **CNLU Campus**.



**4.2. Draw of lots:** The side to be represented (Petitioner/Respondent) shall be decided by draw of lots at different stages during the competition.

**4.3. Preliminary Rounds:**

**4.3.1.** Each team shall argue from both sides in the Preliminary Rounds.

**4.3.2.** No team shall argue the same side twice in the Preliminary Rounds.

**4.4. Scoring in the Preliminary Rounds:**

**4.1.1.** The qualification of teams to the Advanced Rounds shall be determined based on the win or loss of the team in each preliminary round.

**4.1.2.** The win or loss of a team shall be determined based on aggregate score. The team with a higher aggregate score shall win the round.

**4.1.3.** The aggregate score of a team shall be computed as the total of—

**4.4.3.1.** The score of Speaker 1;

**4.4.3.2.** The score of Speaker 2; and

**4.4.3.3.** The score of the Memorial.

**4.5. Arrangement of Ranking:** The teams in the Preliminary Rounds shall be ranked based on the following criterion—

**4.5.1.** The teams shall be first differentiated on their win-loss record after the Preliminary Rounds;

**4.5.2.** If there is a tie, the team with the higher aggregate score will be allotted the higher rank;

**4.5.3.** If the tie subsists, the team with the higher memorial score will be allotted a higher rank;

**4.5.4.** If the tie subsists, the team with the higher aggregate speaker score will be allotted the higher rank;

**4.5.5.** If the tie still subsists, the team with the highest individual speaker score out of speakers of tied teams will be allotted the higher rank;

**4.5.6.** If the tie still subsists, then the rank shall be determined by the toss of a coin.

**4.6. Results of Preliminary Rounds:** The results of the Preliminary Rounds shall be declared soon after the conclusion of both the Preliminary Rounds. The top eight teams as per the criterion laid down under Rule 4.5 will qualify for the Advanced Rounds.

**4.7. Advanced Rounds:** The Quarter-Finals, Semi-Finals, and Finals shall constitute the Advanced Rounds of the Competition.



#### 4.7.1. Quarter-Finals:

- 4.7.1.1. The top eight teams from the Preliminary Rounds will qualify for the quarter-finals.
- 4.7.1.2. The team shall argue only once in the quarter-finals. The side for the quarter-finals shall be decided by way of the draw of lots.
- 4.7.1.3. The quarter-finals shall be a knock-out round.
- 4.7.1.4. The win-loss shall be decided based on the aggregate speaker score. No memorial score will be added in the quarter-final. The win-loss shall be determined based on the score so computed.

#### 4.7.2. Semi-Finals:

- 4.7.2.1. Four teams from the Quarter-Final Round shall qualify for the Semi-Finals.
- 4.7.2.2. The team shall argue only one side in the Semi-Finals. The side of the team shall be decided by way of the draw of lots.
- 4.7.2.3. The Semi-Final shall be a knock-out round.
- 4.7.2.4. The win-loss shall be decided based on the aggregate speaker score. No memorial score will be added in the semi-final. The win-loss shall be determined based on the score so computed. The team with a higher aggregate score shall proceed to the final round.

**4.7.3. Finals:** In the final round, the win-loss shall be decided based on the aggregate speaker score. No memorial score will be added in the final round. The win-loss shall be determined based on the score so computed.

## 5. MEMORIAL

**5.1.** All rules laid down henceforth regarding the submission and formatting of the memorial have to be strictly adhered to. Non-adherence to the same will attract penalties as described later in this section.

**5.2.** The contestants may raise grounds of challenges or issues other than those mentioned in the Statement of Facts.

#### 5.3. General Rules & Submission:

- 5.3.1. All teams are directed to submit two memorials — on behalf of both — Petitioner and Respondent.
- 5.3.2. All teams must submit the soft copies of their memorial for the petitioner and respondent, in both PDF and DOCX format, no later than 11:59 P.M. IST on the date of submission, at



[cnlucci@cnlu.ac.in](mailto:cnlucci@cnlu.ac.in). Violation of this deadline shall be penalised. Teams are requested to ensure that soft copies vide e-mail are sent well in time and that the attachments can be viewed.

- 5.3.3.** The subject of the mail must be written as "*Submission Team Code TC-X*" (for instance, if the Team Code is 01, subject will be *Submission Team Code TC-01*) and addressed to [cnlucci@cnlu.ac.in](mailto:cnlucci@cnlu.ac.in). The files shall be named in accordance with the team codes provided. For instance, if the Team Code is 01, the memorial for the petitioner shall be named P01 and for appellants A01 and the memorial for the respondent shall be named R01.
- 5.3.4.** It is to be noted that apart from the mention of team codes on the file name and cover page, there shall be no mention of anything related to the team on the memorial. The names of the participants or their College, University, or Law School shall not be mentioned anywhere on the e-mail or the Memorial.
- 5.3.5.** The cover page for the Petitioner/Appellant shall be BLUE, while that of the Respondent shall be RED.
- 5.3.6.** Kindly note that in case of multiple submissions by the teams, the one submitted last shall only be considered for evaluation.

#### **5.4. Formatting of the Memorial:**

- 5.4.1.** The Body of Arguments should not exceed 30 pages in total. The entire memorial including the cover page should not exceed 45 pages.
- 5.4.2.** The font of the body of the Memorial must be Times New Roman, size 12, with 1.5 line spacing, and the font size of footnotes, must be size 10 with single line spacing. Use of endnotes is not permitted. Headings and Titles must also have font size 12.
- 5.4.3.** All teams are required to follow the 21st edition of the Bluebook style of citation.
- 5.4.4.** A margin of 1 inch should be left on all sides of the pages. The pagination must be done at the bottom of the page.

**5.5. Structure of the Memorial:** The memorial must be structured as instructed below—

- Cover Page: Blue for Petitioner/Appellant and Red for Respondent, which must contain:
  - Team Code in the upper right corner. The teams must use "A" for Appellant, P for "Petitioner" and R for "Respondent." For example: if the Team Code is 01, the memorial for the petitioner shall be named "P01" and for appellants "A01" and the memorial for the respondent shall be named "R01".
  - The year of the competition.
  - The name of the case.
  - The party for which the written submission has been prepared.
  - Name of the forum resolving the dispute.
- Table of Contents
- List of Abbreviations
- Index of Authorities
- Statement of Jurisdiction
- Statement of Facts
- Issues Raised
- Summary of Arguments
- Pleadings/Arguments Advanced
- Prayer

**5.6. Evaluation:** The maximum score for each memorial shall be 100 marks. The scores shall be announced after the Preliminary Rounds. The memorials shall be evaluated on the following criteria:

<b>S. NO.</b>	<b>PARAMETERS</b>	<b>SCORING</b>
<b>1.</b>	Application of Facts	20
<b>2.</b>	Reasoning & Understanding of Law and Procedure	25
<b>3.</b>	Knowledge, Interpretation and Application of Law	20
<b>4.</b>	Use of Authorities and Precedents	20
<b>5.</b>	Presentation and Formatting	15
	<b>Total</b>	<b>100</b>



**5.7. Penalties:** The teams in the Preliminary Rounds shall be ranked based on the following criterion—

- 5.7.1. Delay in submission:** A penalty of 1 mark per hour per side shall be imposed in case of delay in submission of soft copy of memorial. A team submitting its memorial beyond 24 hours after the deadline shall be disqualified.
- 5.7.2. Exceeding the prescribed page limit:** 1 mark shall be deducted per extra page.
- 5.7.3. Failure to include all the sections:** 5 marks shall be deducted per section not included.
- 5.7.4. Failure to follow guidelines for the cover section:** Up to 5 marks shall be deducted per memorial with a cover page not adhering to the instructions.
- 5.7.5. Incorrect font, size, margins, citation style, or spacing:** 1 mark shall be deducted per violation, maximum of 10 marks shall be deducted per side.
- 5.7.6. Speaking footnote:** 0.5 marks shall be deducted per footnote.
- 5.7.7. Disclosure of identity:** Disclosure of identity of teams or the institution represented by them shall lead to disqualification of the team.
- 5.7.8. Plagiarism in Memorials beyond 20%** will lead to disqualification of the team.

## 6. ORAL ROUNDS

### 6.1. General Rules:

- 6.1.1.** The oral rounds for the Preliminary & Quarter-Final Rounds will be conducted in online mode through the **Zoom** platform. The meeting links and guidelines for the same shall be sent to the participants via email.
- 6.1.2.** The oral rounds shall comprise preliminary rounds, quarter-finals, semi-finals, and final rounds.
- 6.1.3.** In each oral round, a team will be represented by two speakers who will present arguments. The researcher will not participate in the argument but will be present along with the speakers during rounds.
- 6.1.4.** There shall be no oral communication between team members and the speaker delivering oral submissions.
- 6.1.5.** Teams shall not be permitted to use ANY other electronic device, besides the device through which they are presenting their oral rounds to the judges, while their rounds are in session, and violation of this rule may lead to the disqualification of the team.



- 6.1.6.** The time split between the speakers must be communicated to the Court Clerks before the commencement of each round.
- 6.1.7.** The teams shall not disclose to the judges, in any manner whatsoever, for the entire duration of the rounds, either their own individual identities or the identity of the institution that they represent.
- 6.1.8.** Only **one** speaker from each team shall be permitted to rebut/sur-rebut, as the case may be, with prior permission of the Judges.
- 6.1.9.** The scope of the Petitioner's rebuttal shall be limited to responding to the Respondent's primary oral pleadings, and the scope of the Respondent's sur-rebuttal shall be limited to responding to the Petitioner's rebuttal. If the Petitioner waives the rebuttal, there shall be no sur-rebuttal. No legal issues which were not addressed in the primary pleadings may be raised in the rebuttal or sur-rebuttal.
- 6.1.10.** The order of the pleadings in each Round at all levels of the Competition shall be:  
Petitioner 1 — Petitioner 2 — Respondent 1 — Respondent 2 — Rebuttal (Petitioner 1 or 2)  
— Sur-rebuttal (Respondent 1 or 2).

## **6.2. Preliminary & Quarter-Final Rounds:**

- 6.2.1.** Each team will get forty (40) minutes to present their case including rebuttals and sur-rebuttals. The time includes the time taken in questioning by the judges.
- 6.2.2.** The division of time is at the discretion of the team members, subject to a maximum of twenty-five (25) minutes per speaker.

## **6.3. Semi-Final & Final Rounds:**

- 6.3.1.** Each team will get fifty (50) minutes to present their case including rebuttals and sur-rebuttals. The time includes questioning by the judges.  
The division of time is at the discretion of the team members, subject to a maximum of
- 6.3.2.** twenty-five (25) minutes per speaker.

## **6.5. Scoring:**

<b>S. NO.</b>	<b>PARAMETERS</b>	<b>PERCENTAGE OF MARKS</b>
<b>1.</b>	Knowledge of Law	30
<b>2.</b>	Application of Law to Facts	25




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3.	Ingenuity and Ability to Answer Questions	30
4.	Time Management and Organisation	5
5.	Style, Advocacy Skills, Court Craft & Demeanour	10
	<b>Total</b>	<b>100</b>

## 7. RESEARCHER'S TEST

One researcher from each team shall be eligible to take the researcher's test, the evaluation of which will decide the best researcher award. Researcher's test will be a online proctored test with application based questions relating to the moot proposition.

## 8. DELAY IN APPEARANCE/PRESENTATION

- 8.1. The oral round shall be conducted over an online video conferencing platform, Zoom, the link for which shall be shared with the team members, not less than 30 minutes prior to the oral pleadings.
- 8.2. Participants shall be admitted into the Zoom by the courtroom coordinators before their round. The participants are not allowed to join the meeting before or after their allotted time slot.
- 8.3. If a team, scheduled to participate in the oral submissions of a round, does not appear for 10 minutes after the commencement of the allotted time slot of such round, the other team shall have to make oral submissions ex-parte. It shall be at the pure discretion of the Organising Committee on whether to allow or disallow a team to present their oral submissions in case it does not appear within 10 minutes after the scheduled commencement of the round.
- 8.4. The participants are required to keep their cameras enabled for the entire duration of the rounds. It must be ensured that the visibility of a participant in the virtual round is up to their torso, including their shoulders and hands. The participants must ensure that they are seated in a noise-free area with minimum disturbances.



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- 8.5.** Before the commencement of each round, an audio check will be done for the speakers, and in case of any issues, they are expected to communicate the same immediately using the Chat option.
  - 8.6.** In case of issues related to network connectivity or any other technical issue, the participants are expected to contact and communicate with the Organising Committee or the courtroom coordinator within 5 minutes for resolving issues.
  - 8.7.** Use of any unfair means and violation of these instructions is strictly prohibited. The Organising Committee shall be the final arbiter in case of any conflicts/issues raised during the conduct of the moot court competition.

## 9. SCOUTING

- 9.1.** Scouting by the speakers, researcher, or any other person affiliated with a team will lead to the immediate disqualification of such a team.
- 9.2.** Scouting shall be deemed to have happened if any person affiliated with a team is found:
  - 9.2.1.** Witnessing, hearing, observing, etc. the oral submissions in a round, except where the round is one in which the team to which he/she is affiliated is participating; or
  - 9.2.2.** Reading a memorandum of a team except where:
    - 9.2.2.1.** It is of the team to which he/she is affiliated; or
    - 9.2.2.2.** The memoranda have been obtained on account of an exchange of memoranda prior to a round of the team to which he/she is affiliated.

## 10. DISPUTE RESOLUTION

In case of any dispute regarding the interpretation or understanding of any matter concerning the competition, the decision of the Organising Committee shall be final and binding on all those concerned.



## 11. MISCELLANEOUS

- 11.1. If any one of the members of a team is notified or informed of any detail or information concerning the Competition, it shall be deemed as if the said team as a whole has been duly notified or informed.
- 11.2. Any reference to time will be construed as a reference to Indian Standard Time.
- 11.3. Chanakya National Law University, Patna will share copyright for the memoranda submitted by the teams. The acceptance of such vesting is a precondition for participation in the competition.
- 11.4. If any unplanned or unexpected contingencies arise, the Organising Committee will address them and the Organising Committee's judgement in this regard shall be final. Acceptance of the Organising Committee's decisions is a precondition for participation in the Competition.
- 11.5. The Proposition is not meant to resemble any incident or person, alive or dead, and it makes no attempt to do so. Any resemblance between the two is simply accidental. The Proposition is a made-up factual narrative created solely for the purpose of the Competition, and it makes no attempt to influence or anticipate the conclusion of any topic.
- 11.6. Any attempt to contact the Problem Drafter or any member from their team in relation to the moot would lead to immediate disqualification.
- 11.7. Teams must raise a conflict of interest and inform the Organising Committee if they find themselves associated with any judge viz. as an intern, etc. at any point of the competition.
- 11.8. In the event of inability of a Semi-Final qualifying team to make it to the CNLU, Patna Campus for the physical rounds for any reason, the team with with the next highest scores in the Quarter-Finals shall be invited to participate physically in the Semi-Final & Final Rounds.

JUSTICE U.P. SINGH MEMORIAL

**CNLU-CCI NATIONAL  
MOOT COURT COMPETITION**

# Contact Information

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