



**9<sup>TH</sup> R.C. CHOPRA MEMORIAL  
NATIONAL MOOT COURT  
COMPETITION, 2021**

**ST. SOLDIER LAW COLLEGE, JALANDHAR**

**25-26 March, 2021**

**COMPETITION RULEBOOK**

St. Soldier Law College (SSLC),  
Jalandhar, 144011 (**Punjab**)  
Phones:-09815158269, 0181-2690088

Website:- [www.stsoldiergroup.in](http://www.stsoldiergroup.in);  
E-mail:-[stsoldiermootcourtsociety@gmail.com](mailto:stsoldiermootcourtsociety@gmail.com)

## **ABOUT THE SOCIETY**

The St. Soldier Law Students' Society for Professional Pursuits (SLSP) has been formed and registered by the Students of the College and the Management of the Institute in the Year 2018. The main aspiration of the Society is to develop the interest of law students by encouraging and assisting them to develop legal acumen and apply thinking, research, drafting, advocacy and judgment skills; lead law students to be men of stature, personality, reputation, unquestionable integrity, good character and sturdy independence; regulate mootings, debating, drafting, quiz, sports and cultural activities in the institute, in a just and fair manner while fascinating such activities in the best possible way. The 9<sup>th</sup> R.C. Chopra Memorial National Moot Court Competition, 2021 will be the 3<sup>rd</sup> National Moot Court organized by this Society. The previous six editions of the R.C. Chopra National Moots were organized successfully by the St. Soldier Moot Club which is now a part of St. Soldier Law Students' Society for Professional Pursuits (SLSP).

## **MESSAGE FROM THE SOCIETY**

Moot Court is a simulated form of Oral Argument which is similar to an argument made before a court. The previous eight versions of R.C. Chopra National Moot Court Competition had been a great success; over 32 teams had participated last year. This year's problem is primarily focused to enable the students to collate their knowledge, aptitude, skill, cleverness and persuasive ability in concentration to present the arguments in support of their case. We look forward to host your team in this **9<sup>th</sup> RC CHOPRA MEMORIAL MOOT COURT COMPETITION, 2021** to make it a successful event.

**BEST REGARDS,**

St. Soldier Law Students' Society for Professional Pursuits (SLSP)

<b>Chief Patron</b>	Sh. Anil Chopra, Chairman (St. Soldier Group of Institutes)
<b>Patron</b>	Sangeeta Chopra (St. Soldier Group of Institutes)
<b>President</b>	Prof. (Dr.) S C Sharma, Director
<b>Vice President</b>	Simi Thind, Principal
<b>Secretary</b>	Parminder Pindu, Assistant Professor of Law

This brochure comprises of:

1. The Moot Problem,
2. The Rules and Regulations,
3. The Registration Form

The Teams shall duly fill the Registration form and send us the scanned copy of the same latest by 25<sup>th</sup> Feb, 2021, via email ([stsoldiermootcourtsociety@gmail.com](mailto:stsoldiermootcourtsociety@gmail.com))

### **CONTACT DETAILS FACULTY COORDINATORS**

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## **Moot Proposition**

1. Besakih is a Hill located in the Balinese District of the State of West Java of Country Indonesia, and the site of the most important Hindu temple dedicated to presiding Deity Ayyappan Sannidhanam. Besakih Temple has its own 'Purana' which stated that He is an 'Eternal Celibate.' For the Purpose of Law He is considered a Juristic Person. The main peculiarity about Besakih is that the near totality of its pilgrims are men. As a consequence, the temple and its premises are configured as an all-male space, and the pilgrimage is configured as a masculinity-defining practice.
2. Lord Ayyappan's believers considered that to restrict a female between 10 to 50 Years (women in fertile age) from accessing the temple at any point in time is an 'Essential Religion Practice'.
3. In 1965, the State of West Java passed an Act and allowed discriminatory access if mandated by religious custom. This resulted in legal backing to a discriminatory practice which was earlier followed as a custom.
4. On 24-9-1990 a Public Interest Litigation was filed by an elderly male devotee before the State that few young women were seen trekking Besakih Hills and offering prayers at the Besakih Shrine. It was alleged in the PIL
  - a. That women performing prayers at Besakih is contrary to the customs and usages followed by the temple.
  - b. That special treatment is being given to wives of V.I.Ps visiting the temple as they are allowed to worship in the temple which is banned.
  - c. It also specify an instance of the first rice-feeding ceremony of the grand-daughter of the former Commissioner (Female) conducted at Besakih Temple in the presence of her daughter, the mother of the child, and other relatives including other women, attached with a photograph which appeared in the Jakarta Newspaper dated 19-8-1990.

5. In 1991, the West Java High Court, endorsed the ban imposed by the Temple Board to prevent women (aged 10-50 years) to trek the hill and enter the shrine, upon the following considerations-
  - it existed from time immemorial, the prohibition was an integral part of the Hindu religion;
  - it did not violate the Constitutional Principles of non-discrimination (Art. 15), Freedom of Religion (Art.25) and Right of religious denominations to manage their religious affairs (Art. 26),
  - The 1965 Act Passed by the West Java State.
6. According to the West Java High Court, It was not discriminatory, since it concerned not all women as a group, but just a part of them (*i.e.* age between 10-50).
7. In 2005 some women started raising their voice against this discriminatory practice. They even went to the temple to worship, but were threatened and irated with dire consequences if they tried to surpass the custom.
8. In 2006, a Women NGO named SERUNI, presented a petition in The Supreme Court of Indonesiana to lift the ban and argued that the practice was a violation of their Constitutional Rights and questioned the validity of provisions of the West Java Act, 1965.

**The Hon’ble Supreme Court has decided to hear the petition on issues as outlined below:-**

1. Whether this exclusionary practice amounts to “discrimination”, thereby resulting in violation of the Fundamental Rights of the Constitution?
2. Whether such practice of excluding women constitutes an “Essential Religious Practice” and whether a religious institution can assert a claim in that regard under the umbrella of right to manage its own affairs in the matters of religion?
3. Whether Ayyappa Temple has a denominational character, if so, is it permissible on the part of a ‘religious denomination’ managed by a statutory board and

financed under the Constitution out of the Consolidated Fund of West Java to indulge in such practices violating constitutional principles/morality?

4. Whether provisions of the West Java Act, 1965 permits 'religious denomination' to ban entry of women between the ages of 10 to 50 years?
5. Whether Rules of the West Java Act, 1965 is ultra vires the West Java Act, 1965 and, if treated intra vires, whether it will be violative of provisions of the Constitution?"

**Argue the Case from both sides.**

**Note:- All the Statutes Should be used for the preparation of the Memorial should be based on Indian Statutes**

1. West Java Act, 1965 as Kerala Hindu Places of Public Worship Rules Act,1965
2. Constitution of Indonesian as The Constitution of India, 1950
3. All other relevant laws

# RULES & REGULATIONS

## 1. VENUE OF THE COMPETITION

- i. The 9<sup>th</sup> R.C. Chopra Memorial National Moot Court Competition 2021 is scheduled for **25-26 March, 2021**
- ii. The venue for the event is St. Soldier Law College, St. Soldier Educational Complex, Jalandhar-Amritsar Bye pass (NH-1), Near National Institute of Technology, Lidhran, Jalandhar, 144011

## 2. ELEGIBILITY CRITERIA AND TEAM COMPOSITION

- i. The competition is open for bona fide students pursuing LL.B Three Year and 5 Years Law Courses.
- ii. Each team shall comprise of **Three (3) members ONLY**, out of which two (2) will be speakers and one (1) researcher.
- iii. Arguments shall be in English Language Only.
- iv. Teams are barred from disclosing the identity of their institution during the course of proceedings in the Court Rooms. Any disclosure of team identities shall invite penalties including disqualification.
- v. Each team shall be provided with the **Team Code** by the organizing Committee which shall be mentioned on the front page of the memorials.

## 3. REGISTRATION

- i. The Registration form and Payment details must be submitted online by **25<sup>th</sup> Feb, 2021** ([stsoldiermootcourtsociety@gmail.com](mailto:stsoldiermootcourtsociety@gmail.com))
- ii. **Hard Copy** of the **Registration Form, Travel Form along with Memorials** must reach before 10<sup>th</sup> March, 2021.
- iii. A registration fee of **Rs. 1500/-** shall be sent by way of Phonepe/Google Pay/Paytm or Demand Draft drawn in favour of “St. Soldier Law College”, payable at Jalandhar along with the registration form. *The registration fee shall be non-refundable and non-transferable.*
- iv. No change in the names of the participants shall be permitted after the receipt of the Registration Form.
- v. Teams should clearly mention the names of all participants in the team, including course, year/semester of study and contact Details.

vi. No team would be facilitated with the certificates during the competition. The same shall be provided only in the Valedictory Ceremony.

#### 4. DRESS CODE

Inside the court room the participants shall follow the below mentioned dress code:

- i. **Females:** White Kurta, Black Salwar and Black Dupatta or White Shirt and Black Trousers along with the Black Coat and Tie.
- ii. **Males:** White Shirt, Black Trousers, Black Tie along with Black Coat and Black Shoes.

#### 5. COMPETITION STRUCTURE

##### 5.1. MEMORIALS

##### 5.1.1. Guidelines for written Submission

- i. All teams must submit the soft copy of their Memorials/written Submission for **both sides AND must SEND two (2) Hard Copies** of their typed Memorials for both sides. **(Petitioner and Respondent Two (2) copies each side)**. Also, the teams shall bring along One (1) Hard copy of their typed Memorials for both sides. **(FOR YOUR OWN USE)**
- ii. Participants are allowed to frame additional issues/sub issues other than those provided in the moot proposition, if desired.
- iii. The Memorials must fulfill all the following specifications;

a	Cover page / Cause title
b	Index
c	Index of Authorities
d	Statement of Jurisdiction
e	Synopsis of Facts
f	Statement of Issues
g	Summary of Arguments / Pleadings
h	Body of Arguments/ Pleadings
i	Conclusion / Prayer

- iii. The memorials shall not be in more than forty (40) pages and the Arguments shall not exceed more than twenty five (25) pages.

- iv. The Memorials shall be typed on A4 size page in Font type: Times New Roman, Font size: 12, 1.5 line spacing & 1 inch margin on each side. Blue Book pattern shall be followed.
- v. The Cover Page of the Memorials must follow the following color scheme-
  - **Blue for the Petitioner and;**
  - **Red for the Respondent.**
- vi. The Memorials must be **spiral bound ONLY**. The Team Code must be Mentioned on the top right side of the memorial.
- vii. The memorials exchange will be for Quarter Finals, Semi-Finals & Finals.
- viii. The Memorials must not contain any Annexures/ Photographs / Sketches/ Exhibits / Affidavits etc., but the teams can have their own Compendium during the arguments.
- ix. Memorials which do not comply with the above mentioned specifications will be penalized.
- x. Identification of any type on the memorials shall invite disqualification.
- xi. One soft copy of memorials of each side **(in PDF format)** must reach the organizers latest by **5<sup>th</sup> March, 2021**.
- xii. Two (2) hard copies of each of the memorials must reach the organizers by **10<sup>th</sup> March, 2021** at the below mentioned address. Do mention **“9<sup>th</sup> R.C. Chopra Memorial Moot Court Competition, 2021”** at the top of the envelope separately.

Prof. (Dr.) S. C. Sharma [Director, St. Soldier Law College]

#56 – GF, Saraswati Vihar, Kapurthala Road Jalandhar, Punjab-144008

09815158269, 0181-2258269

### 5.1.2. Marking Norms for Memorials

Memorial from each side shall carry total of hundred (100) marks. The following shall be the criteria for marking the memorials:

a	Knowledge of Facts	10 marks
b	Knowledge of Law	10 Marks
c	Proper and Articulate Analysis	10 Marks
d	Evidence of Original Thought	10 Marks

e	Grammar and Style	10 Marks
f	Correct Format and Citation	10 Marks
g	Extent and Use of Research	20 Marks
h	Clarity and Organization	20 Marks
	Total	100 Marks

- i. A penalty of Five (5) marks for each side of memorial shall be entailed on each day's default in submissions of memorials, however, no memorial shall be accepted after **10<sup>th</sup> March, 2021** it shall be subjected to disqualification.
- ii. One soft copy of memorials of each side (**in PDF format**) must reach the organizers latest by **10<sup>th</sup> March, 2021** on **stsoldiermootcourtsociety@gmail.com**.
- iii. Two (2) hard copies of each of the Memorials, Registration Form and Travel Form shall reach the organizers by 10<sup>th</sup> March, 2021, in order to avoid the penalty of two (2) marks

## 5.2. MARKING FORMULA FOR THE ARGUMENTS

Each Speaker shall be marked on a total of 100 marks by each Bench Judge. The following will be the Marking Criteria and the Marks allocated to each speaker by each Judge in all Rounds:

a	Appreciation and Application of Facts.	(10) Marks
b	Identification and Articulation of Issues	(10) Marks
c	Application of legal principles	(10) Marks
d	Use of authorities and precedents	(15) Marks
e	Response to questions	(30) Marks
f	Presentation skills	(15) Marks
g	Clarity of thoughts and logical structure of Arguments	(10) Marks
	Total	100 Marks

## 5.3. GUIDELINES OF ALL ROUNDS

- (i) In Competition total 32 teams shall be competing. All the rounds shall be on Knock Out basis.
- (ii) There shall be total **FIVE ROUNDS** spread over a period of 2 days *i.e.* 25-26 March, 2021. (3 rounds on 25<sup>th</sup> and later 2 rounds on 26<sup>th</sup> March,2021)

- a. *Preliminary Round* (comprising of 32 teams)
- b. *Pre-Quarter Round* (comprising of 16 teams)
- c. *Quarter Finals*, (comprising of 08 teams)
- d. *Semi- Finals and* (amongst of 04 teams)
- e. *Grand Finale* (between 02 teams)

### **5.3.1. SPECIFICATIONS FOR ALL THE ROUNDS**

The criteria of marking shall be the aggregate total of the marks of both the speakers added with overall performance of the teams.

#### **5.3.2. PRELIMINARY ROUND**

- a. There will be two sitting in Preliminary Round. Each team will be arguing from the side of Petitioner as well as Respondent.
- b. The decision of the Court will be based on the aggregate marks obtained by the team in both sitting.

#### **5.3.3. TIME SCHEME FOR ROUNDS PRELIMINARY ROUNDS**

**During each sitting allotment of time for the team**

- i. Each team shall be given a total of 20 minutes (maximum) to present their case.
- ii. Each speaker should speak for a Maximum 8 minutes.
- iii. One speaker shall not take more than 10 minutes of the total time.
- iv. The maximum time for Rebuttals and Sur-Rebuttals is 5 minutes.

#### **5.3.4. PRE-QUARTER FINALS AND QUARTER FINALS**

- i. Each team shall be given a total of 30 minutes (maximum) to present their case.
- ii. Each speaker should speak for a minimum 10 minutes
- iii. One speaker shall not take more than 17 minutes of the total time.
- iv. The maximum time for Rebuttals and Sur-Rebuttals is 5 minutes.

#### **5.3.5. SEMI FINAL ROUNDS AND FINAL ROUND**

- i. Each team will get a total of 45 minutes to present their case.
- ii. Each speaker should speak for a minimum of 15 minutes.
- iii. One speaker shall not take more than 25 minutes of the total time.
- iv. The maximum time for Rebuttals and Sur-Rebuttals is 7 minutes.

#### **5.3.6. MAXIMUM TIME ALLOTTED**

- i. The maximum time provided would include the time that each team may wish to reserve for their rebuttal/sur-rebuttal.

- ii. At the commencement of each session, the team shall notify the Court Officer/Court Clerk regarding the division of time between the 2 speakers (including rebuttal/sur- rebuttal).

### **5.3.7. ORAL SUBMISSIONS**

- i. Each team shall comprise of two (2) speakers, as has been specified earlier.
- ii. Court language shall be English.
- iii. At the commencement of each session of Oral Submissions, each team shall notify the Court Officer as to the division of time between the 2 speakers.
- iv. If any speaker continues to speak after the completion of his/her time, he/she shall entail penalty, which shall be upon the discretion of the judges.
- v. The final decision as to the time structure and the right to rejoinder/ sur-joinder will be that of the Bench Judges.
- vi. During the course of oral submissions the participants cannot submit to then court any material containing pictorial representation whatsoever. Further the participants will not be permitted to make any audio/visual representation nor will they be allowed to use personal computers, laptops and any other technical or mechanical device during their oral submissions.
- vii. Speakers shall not be allowed to pass annexures to the judges; instead the teams may make a compendium of annexure that shall be given to the judges before the start of the proceedings.
- viii. If at any instance, a submission is made with any material in violation to the above clause and if any picture, sketches, photos, cartoons, caricatures, audio film, video film, projector- slide or a computer generated image is submitted or presented to the court, the teams shall be disqualified from the competition forthwith.
- ix. During the course of the Oral Submissions speaker shall neither reveal his/her identify nor the identity of their University / College by any means whatsoever.

### **5.3.8. GRNAD FINALE**

- i. It shall be presided over by a bench of sitting/retired High Court Judges.
- ii. The results of the final round shall lead to the selection of:
  - The Winning Team,
  - The Runners Up Team, and
  - The Best Student Advocate

## 6. AWARDS

A	Winning Team	11,000/- (Eleven Thousand Only) and Certificate
B	Runners Up Team	5,100/- (Five Thousand One Hundred Only) and Certificate
C	Best Student Advocate	2,100/- (Two Thousand One Hundred Only) and Certificate
D	Best Researcher	2,100/- (Two Thousand One Hundred Only) and Certificate
E	Certificate of Participation	All the Participants

**NB: - Best Researcher Award shall be based on the score in memorials.**

## 7. ACCOMMODATION

- i. Accommodation will be provided to the Team at their own Cost. Accommodation fee 1500- per Team will be paid through online or on the spot to the organizer.
- ii. Travel form will be sent to the Registered Team afterward.
- iii. Only the participants would be provided accommodation for the period of the Competition in the premises of the Institute.
- iv. Please note that separate accommodation will be provided for girls and boys. However, they may sit together for team work in the library/café of the institute.
- v. You are advised to check the weather conditions of Jalandhar before leaving from your native places.

## 8. INTERPRETATION OF THE RULES

1. The decision of the organizers as regards the interpretation of rules or any other matter related to the competition shall be final.
2. If there is any situation, which is not contemplated in the rules, the organizer's decision on the same shall be final.
3. The organizers reserve the right to vary, alter, modify, or repeal any of the above rules, if so required, as they may deem appropriate at any time; however, with proper announcement.
4. Any dispute arising in the MOOT COURT ROOMS during the rounds would be at

the discretion of the MOOT COORDINATORS.

5. In any kind of the conflict, the decision of the Director, St. Soldier Law College, Jalandhar would be final but the matter must be reported immediately after the same arises.

**IMPORTANT DATES**

1.	Registration Opens	30 <sup>th</sup> December, 2020
2.	Registration (Registration form) ( <b>Soft Copy via. Email: stsoldiermootcourtsociety@gmail.com</b> ) <b>NB: Confirmation of Team Selection after e-mail received</b>	25 <sup>th</sup> Feb., 2021
3.	Registration (Registration form along with a DD of Rs. 1500/- ) (Hard Copy)	10 <sup>th</sup> March, 2021
4.	Submission of Memorial (in PDF format) and Travel Form (in PDF format) (Soft Copy via E- Mail)	5 <sup>th</sup> March, 2021
5.	Submission of Registration Form, Memorial and Travel Form(Hard Copy)	10 <sup>th</sup> March, 2021
6.	Inauguration, draw of lots, Preliminary Round, Pre-Quarter Finals and Quarter Finals	25 <sup>th</sup> March, 2021
7.	Semi-Finals, Grand Finale and Valedictory Program	26 <sup>th</sup> March, 2021

**Contact Numbers-**

**Faculty coordinators'**      **Ms. Simi Thind, (8146301820)**  
**Ms. Parminder Pindu (9915357353)**  
**Ms. Sandeep Rani (7009426822)**

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