

BROCHURE



RNB Global University

**RNB GLOBAL CITY, GANGANAGAR ROAD, BIKANER,
RAJASTHAN PIN-334601**

is organizing

STATE LEVEL MOOT COURT COMPETITION

[FROM 17th NOVEMBER TO 18th NOVEMBER 2017]

Awards

Winner Team: Rs. 21,000 + Trophy + Certificate

Runner Up Team: Rs. 11,000 + Trophy + Certificate

Best Memorial: Rs. 3100

Best Researcher: Rs. 2100 + Trophy + Certificate

Best Speaker (Male): Rs. 2100 + Trophy + Certificate

Best Speaker (Female): Rs. 2100 + Trophy + Certificate

Participation Certificates to every participant.

**Facilities of food & accommodation will be provided
for all the team participants.**

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AIMS AND OBJECTIVES

The principal objective of the **STATE LEVEL MOOT COURT COMPETITION** is to develop and increase legal awareness and interest in the minds of law learners. A further objective is to sharpen the academic excellence in the student community concerning the rights of the people at large regarding getting safe and nutritious food in protecting their right to health. The competition also aims to provide a platform for law students to exhibit their argumentation skill which forms a core part of advocacy.

SCHEDULE

EVENT	DATE
LAST DATE OF RECEIPT OF REGISTRATION FORM AND FEES	30 th OCTOBER 2017 (11:59 P.M.)
LAST DATE OF SUBMITTING SOFT COPY OF MEMORIALS	30 th OCTOBER 2017 (11:59 P.M.)
LAST DATE OF SUBMITTING HARD COPIES OF MEMORIALS	5 th NOVEMBER 2017 (5:00 P.M.)
DATES OF EVENT	17 th NOVEMBER TO 18 th NOVEMBER, 2017

MOOT PROPOSITION

India is a country with rich diversity in terms of human resources covering the people from many religions, communities, castes having different culture and food habits. The Constitution of India recognized the right to equality, freedom of religion, cultural and educational rights, right to freedom along with guaranteeing right to life and personal liberty.

The Parliament of India passed a legislation known as The Food Safety and Standards Act, 2006 to ensure the right to access to safe, wholesome and hygienic food as a part of right to life. 'Shaakahaar' is a registered association of restaurants and food business operators which has got affected by the making of this Act. It is running its chain of restaurants and food business in Northern India. It challenged the constitutional validity of various provisions of FSSA, Rules and Regulations framed there under being violative of Articles 14, 19 and 21 of the Constitution. The Counsel on behalf of the petitioner association challenged the provisions of this Act as ultra-vires of the Constitution:

1. The Act confers arbitrary powers on various authorities. The provisions conferring powers are vague and violate the spirit of Articles 14, 19 (1) (g), 21 and 300-A of the Constitution of India.
2. The business of the petitioners is adversely affected by implementation of the Act.
3. The provisions under Sections 31 and 36 of the FSSA, imposing restriction of license, are vague and arbitrary.
4. The appointment of a person of rank of Sub Divisional Officer, as the Designated Officer, to issue a license, for carrying on of the food business, is arbitrary and unreasonable. Neither he is a technical officer nor he has knowledge or a technical know-how about the food business or about the food industries.
5. The expression 'petty manufacturer' has not been defined under the interpretation clause while Section 31(2) of the FSSA exempts the 'petty manufacturer' from the requirement of license. So, this vacuum makes the enforceability of Section 31 (2) as vague and impracticable. Even the FSS (Licensing and Regulation of Food Business) Regulation, 2011 are vague and impracticable.
6. The use of expression 'public interest,' in case the Designated Officer is satisfied to reject the application for issuing a license under Section 31(4) confers the unguided and unbridled powers against the spirit of Articles 14, 19 (1) (g) and 21 of the Constitution. It imposes an unreasonable restriction and therefore should be declared unconstitutional.

7. The scope of powers given to the Designated Officer under Section 32, 33, 34, 35 and 36 of the FSSA is too wide. The Designated Officer is empowered to issue improvement notices, prohibition orders, emergency prohibition notices and the orders to be passed under Sections 32, 33, 34, 35 and 36 of the Act, without issuing a show cause- notice, is against the principles of natural justice. The Designated Officer also possesses the power to cancel the food business license and prohibit the sale of any articles of food the description of which is found to be in contravention of the Rules and Regulations.
8. The power given to Food Safety Officer, to enter and inspect any place where the food articles are manufactured, stored for sale or for manufacturing and the compliance of the rules and to take action on the spot, was challenged being contrary to the principles of natural justice, therefore, illegal and unconstitutional.
9. The validity of Section 39 of the FSSA was challenged as it penalizes a complainant in case his complaint against the Food Safety Officer is not proved or if a complainant fails to prove the mal-practices adopted by the Food Safety Officer. Such a provision protects the illegalities and excesses of a Food Safety Officer.
10. The provision concerning witnesses at the time of search, seizure, investigation and prosecution, under Section 41 of the Act, requires witnesses at the time of search. These witnesses are not necessarily to be the inhabitants of the locality. These are unbridled and unrestricted powers of the Food Safety Officer concerned.
11. Penalties imposable under various Sections, such as Sections 50, 51, 52 and 53, are totally illegal and arbitrary.

The matter has been listed before the Hon'ble Supreme Court of India and you are required to argue the case from both the sides.

(For the purpose of reference, the Rules, Regulations framed under FSSA can be used.)

This Moot proposition has been formulated solely for the purpose of this competition for furthering the academic exercise.

PARTICULARS OF TEAM MEMBERS

1. SPEAKER 1

NAME

YEAR/SEMESTER

CONTACT

EMAIL ID

SIGNATURE

Latest
Photograph

Attested by
the Head of
the Institution

2. SPEAKER 2

NAME

YEAR/SEMESTER

CONTACT

EMAIL ID

SIGNATURE

Latest
Photograph

Attested by
the Head of
the Institution

3. RESEARCHER

NAME

YEAR/SEMESTER

CONTACT

EMAIL ID

SIGNATURE

Latest
Photograph

Attested by
the Head of
the Institution

PAYMENT DETAILS

(DEMAND DRAFT DRAWN IN FAVOUR OF "RNB GLOBAL UNIVERSITY" PAYABLE AT Bikaner)

MODE OF PAYMENT (Tick Mark) DD NEFT RTGS OTHER

IF OTHER (Please Specify)

DD/NEFT/RTGS NUMBER

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BANK DETAIL

BRANCH

DATE

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SEAL AND SIGNATURE OF HEAD OF THE INSTITUTION

Bank Details

Name of A/c Holder:

RNB GLOBAL UNIVERSITY, payable at Bikaner,

A/c No: 61276471798

Bank: SBI

IFSC Code: SBIN0031725

TRAVEL DETAILS

DETAILS OF INSTITUTION

CITY

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PARTICIPANT 1

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MOBILE NO. 1

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MOBILE NO. 2

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PARTICIPANT 2

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MOBILE NO. 1

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MOBILE NO. 2

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PARTICIPANT 3

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MOBILE NO. 1

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MOBILE NO. 2

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WHETHER ACCOMMODATION REQUIRED (Tick Mark)

YES

NO

ARRIVAL DETAIL

DATE OF ARRIVAL TIME

MODE OF ARRIVAL (Tick Mark) FLIGHT TRAIN BUS

FLIGHT/TRAIN/BUS NAME

FLIGHT/TRAIN/BUS NUMBER

PLACE OF ARRIVAL (Tick Mark) AIRPORT RLY STN BUS STAND

DEPARTURE DETAIL

DATE OF DEPARTURE TIME

MODE OF DEPARTURE (Tick Mark) FLIGHT TRAIN BUS

FLIGHT/TRAIN/BUS NAME

FLIGHT/TRAIN/BUS NUMBER

PLACE OF DEPARTURE (Tick Mark) AIRPORT RLY STN BUS STAND

SEAL AND SIGNATURE OF HEAD OF THE INSTITUTION

UNDERTAKING

I/WE do hereby declare that I/we have read and understood all the above-mentioned information and agree to:

- Maintain proper discipline during the competition;
- Abide by all the rules, regulations and marking criteria;
- Bind ourselves in considering the decision of judges as final in matter of evaluation.

SEAL AND SIGNATURE OF HEAD OF THE INSTITUTION

RULE BOOK

I. AIMS AND OBJECTIVE

The principal objective of the STATE LEVEL MOOT COURT COMPETITION is to develop academic excellence in the student community and enhance their advocacy skills in a friendly competitive environment.

II. DATE AND VENUE

The STATE LEVEL MOOT COURT COMPETITION will be held from 17th NOVEMBER to 18th NOVEMBER 2017 at RNB Global University, RNB Global City, Ganganagar Road, Bikaner, Rajasthan 334601

III. DRESS CODE

Inside the Court Room the participants shall be in Formal Attire:

Girls: White Salwar Kurta or Black Pant and White Shirt with Black Tie along with Black Shoes and Black Blazer

Boys: White Shirt, Black Trousers with Tie, Black Blazers and Black Shoes

IV. LANGUAGE

The language for the Moot Court Competition shall be English. However, the participants can put forth their argument both in English and Hindi

V. ELIGIBILITY

Only law colleges/university/institutions (Government or private) situated in the state of Rajasthan are eligible to participate in this competition. Participants must carry their id card and all other necessary documents to justify their bona fide attachments student with their concerned institutions.

Each team is required to pay the registration fee of Rs. 1000/- in favour of RNB Global University.

VI. TEAM COMPOSITION

- a. Each participating institution/college shall send only one team. Each team shall consist of 3 members out of which two members must be designated as Counsel and One as Researcher. This Number cannot be modified in any case.
- b. Teams shall specify such counsels with their orders and Researchers at the time of registration and this cannot be changed later during the time of competition.

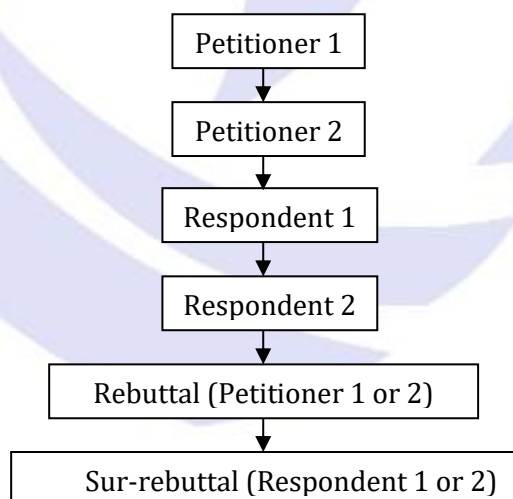
- c. In no case the team shall consist of more or less than three participants, that is, 2 Mooters and 1 Researcher. The travelling expenses of the participants shall be met by their respective institution.

VII. ROUNDS

- a. The Rounds will be held in three stages, that is Preliminary, Semi-Final and Final.
- b. The side to be represented (petitioner/respondent) shall be decided by draw of lots at different Stages during the competition
- c. Orientation and draw of lots will be on 17th November 2017.
- d. On 17th November 2017 at 10 AM there will be the inauguration followed by the preliminary rounds.
- e. Top 4 teams will qualify to the semi- finals which will be held on 18th November 2017.
- f. The qualification to the knockout stage (Semi- Finals) will be based on the win points. In case of tie, teams with the highest aggregate of scores in the preliminaries (Inclusive of Memorial) will qualify to the Semi- Finals.
- g. The Semi Final will be a knock-out round which will be evaluated only on the basis of oral arguments.
- h. The Final will be held on 18th November 2017.

VIII. ORAL ROUNDS

- a. 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 seated along with the speaker during argument.
- b. Passing of any notes (oral or written) to the speaker by researcher is permitted to the minimal extent. However, for doing so the Court mannerism must be followed. Otherwise, there will be negative marking for the same.
- c. The order of the pleadings in each Round at all levels of the Competition shall be:



Preliminary Round

- a. Each team will get Thirty (30) minutes to present their case including rebuttals and Sur-rebuttals. *The time excludes questioning by judges.*

- b. The division of time is at the discretion of the team members, subject to maximum of 18 Minutes per speaker. The division of time must be informed to the court officers/ clerks before the beginning of rounds.
- c. Oral rounds need not to be confined to the issue presented in the memorial.
- d. The Team member delivering rebuttal or sur-rebuttal must be one of the two team members who argued during the team's main argument, the team need not indicate prior to rebuttal or sur- rebuttal which of its two eligible members will offer rebuttal or sur- rebuttal.
- e. A team's oral pleadings shall not in any way be limited to the scope of the team's memorial. 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.

Semi- Final Round

- a. Each team will get Forty five (45) minutes to present their case including rebuttals and sur-rebuttals. *The time excludes questioning by judges.*
- b. The division of time is at the discretion of the team members, subject to maximum of 25 Minutes per speaker. The division of time must be informed to the court officers/ clerks before the beginning of rounds.

Rest of the rules for this round will be same as of the preliminary round.

Final Round

- a. Each team will get Forty-five (45) minutes to present their case including rebuttals and sur-rebuttals. *The time excludes questioning by judges.*
- b. The division of time is at the discretion of the team members, subject to maximum of 25 Minutes per speaker. The division of time must be informed to the court officers/ clerks before the beginning of rounds.
- c. Oral round need not to be confined to the issue presented in the memorial.
- d. Rest of the rules for this round will be same as of the semi- final round.

IX. REGISTRATION

- a. All participating institutions have to intimate participation '**provisionally**' by sending an email to mcc2017@rnbglobal.edu.in by 25th October 2017 (11.59 P.M.).
- b. Teams shall post the hard copies of the filled registration form along with the **original draft/online payment details of Rs. 1000/-** by 30th October 2017 to Registrar, RNB Global University, RNB Global City, Ganganagar Road, Bikaner, Rajasthan 334601
- c. The draft should be drawn in the favour of RNB GLOBAL UNIVERSITY Payable at BIKANER. **Registration fees of Rs. 1000/-** can also be deposited online in the account of university. Account detail is:

Name of A/c Holder:
RNB GLOBAL UNIVERSITY, payable at Bikaner,
A/c No: 61276471798
Bank: SBI
IFSC Code: SBIN0031725

- d. No subsequent change in the team composition shall be permitted unless any unavoidable circumstance demand so.
- e. We have planned to entertain a maximum of 16 teams only. In case the number of participating teams falls lesser than 8, the Moot Court Competition may not be held, and in such an event, the registration fee of all the registered teams will be returned. Decision in this regard is the sole prerogative of the Organizing Committee.

X. CODE OF CONDUCT

- a. Each team will be designated a team code after the registration.
- b. Teams shall not disclose their identity or name of their institution or city etc.
- c. Such disclosure shall invite penalties including disqualification. The decision for the same shall be at the discretion of the Organizing Committee.
- d. 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.

XI. MEMORIALS

- a. Each team must prepare memorials from both the sides to the case.
- b. Once the memorials have been submitted, no revision, supplements or addition will be allowed.
- c. Soft copy of the memorials from both the sides must be sent through the email to mcc2017@rnbglobal.edu.in , latest by 11:59 p.m. on 30th October 2017.
- d. Each team shall submit six (6) hard copies of the Memorials, and one copy on CD shall be submitted to the Organizing Committee, of the RNB GLOBAL UNIVERSITY, Bikaner, Rajasthan latest by 5th November 2017.
- e. Late submission of memorial will attract (-1) point penalty for each delay for each memorial.
- f. Memorials have to be submitted on typed A 4 size paper printed on one side and must contain:
 - Cover Page
 - Table of Contents
 - Index of Authorities
 - Statement of Jurisdiction
 - Statement of Facts (2 page only and submission of argumentative statement of facts will attract penalty)
 - Statement of issues
 - Summary of Arguments
 - Arguments Advanced (15 Page)
 - Prayer
- g. The argument must not exceed fifteen (15) pages.
- h. Memorials should be in **spiral binding only**. Use of **cellophane/ plastic sheets** will not be allowed.
- i. Page numbering should be at the bottom middle of each page.
- j. Sides must be mentioned in the memorial in the header.
- k. Paper Cover must be placed on brief with relevant information.
- l. The memorial from petitioner's side must be having blue coloured cover page and Red in case of respondents. All hard copies of memorials have to be printed in A4 size paper.
- m. The cover page must state the following

- Name of the Court
 - Name and year of the Competition
 - Cause Title
 - Identify Brief (i.e. “Memorial for the Appropriate Side of the Case)
- n. The font size in memorial is 12 for the main text and 10 for foot note. Double spacing for body and single spacing for footnotes with double spacing between two-foot notes has to be followed.

XII. CITATION FORMAT

The Memorials shall use *Standard Indian Legal Citation*, for formatting of all cited authorities.

Speaking Footnotes or endnotes are not allowed.

XIII. DISQUALIFICATION AND PENALTIES ARTICLE

Cheating, Intimidation and Misconduct

- a. Cheating or using of unfair means of any kind is strictly prohibited and if found to be indulged in, shall result in disqualification of the team.
- b. Intimidation in any form is prohibited, and if found to be indulged in, shall result in disqualification of the entire team.
- c. Misconduct, whether behavioural or otherwise, is not allowed, and if found to be indulged in, shall result in disqualification of the entire team.

Court Manners (Oral Arguments)

- a. Any form of communication found to be between the Bar table and any person other than those on the Bench is prohibited, and if indulged in, will result in a penalty point.
- b. Submission of any written material other than the memorials, compendium and any other documents related to the proposition in hand to the Bench prior to, during or after the oral arguments, is not allowed, and if found to be indulged, in will result in a penalty point.
- c. Failure to deliver an oral argument shall be considered to be a disqualification.

XIV. SCOUTING

- a. Speakers, a reserve or persons affiliated with the team, will not be permitted to observe the arguments in any court room in which the team is not one of the contesting teams whilst the team is still in the competition. Scouting by any team will result in disqualification.
- b. Any team can file written complaint with the Organizing Committee, regarding a case of scouting and this committee’s decision will be final and binding.
- c. The researcher will be seated with the speakers at the time of arguments and shall not attend the court session of other teams participating in the competition.

XV. MARKING CRITERIA

Oral Round (For Mooters)

The judges would assign marks to each individual speaker out of Hundred (100) marks. The team score would be the average of the total marks for oral presentations of the 2 speakers out of Hundred (100) marks. The following shall be the Marking Criterion and the Marks allocated to each category

1. Knowledge of Law (30)

Excellent (25- 30 pts); Very Good (21- 24 pts); Good (16- 20 pts); Average (10- 15 pts); Poor (Below 10 pts.)

2. Application of Law to Facts (25)

Excellent (21-25 pts); Very Good (18-20 pts); Good (15-17 pts); Average (10- 14 pts); Poor (Below 10 pts.)

3. Ingenuity and Ability to Answer Questions (30)

Excellent (25- 30 pts); Very Good (21-24 pts); Good (16-20 pts); Average (10- 15 pts); Poor (Below 10 pts.)

4. Style, Poise, Courtesy and Demeanour (10)

Excellent (9- 10 pts); Very Good (7- 8 pts); Good (5 -6 pts); Average (3 -4 pts); Poor (Below 3 pts.)

5. Time Management and Organization (5)

Excellent (5 pts); Very Good (4 pts); Good (3 pts); Average (2 pts); Poor (1 pt.)

For Best Memorial

The memorials shall be assessed by a Committee of Judges and every memorial will be marked out of total Hundred (100) marks and the Team Memorial will have the average total of both the sides (Petitioner/Respondent). The Marking Criteria and the Marks Allocated to each Category are listed:

- Knowledge of facts and law (Max 20pts).
- Presentation and Organization (Max 20pts)
- Depth and use of research (Max 20pts)
- Clarity of thought &Originality (Max 20pts)
- Citation of sources (Max 10pts)
- Grammar and Style (Max 10pts)

For Best Researcher:

Best Researcher will be decided based on following:

- RESEARCHER INTERVIEW

- There will be an interview to select the best and second-best researcher of the moot court competition.
- For the Best and Second-Best Researcher, the judging criteria shall be inclusive of the marks secured for the memorials added to the average of marks they secure during the interview.

XVI. AWARDS

- **Winner Team: Rs. 21,000 + Trophy + Certificate**
- **Runner Up Team: Rs. 11,000 + Trophy + Certificate**
- **Best Memorial: Rs. 3100**
- **Best Speaker (Male): Rs. 2100 + Trophy + Certificate**
- **Best Speaker (Female): Rs. 2100 + Trophy + Certificate**
- **Best Researcher: Rs. 2100 + Trophy +Certificate**

Note: The Cheque of the Prize Money to the Winner Team will be given in the name of Institution concerned.

XVII. ANNOUNCEMENT OF RESULTS

- a. The results of the preliminary round shall be announced shortly after the rounds on 17th November 2017.
- b. The results of the Semi- Finals shall be announced shortly after the rounds on 18th November 2017.
- c. The Winners of the competition will be announced during the Award Ceremony (Valedictory Function) on 18th November 2017.

XVIII. ANONYMITY

- a. Student counsel may introduce him/herself to the court in the usual manner and may also state their names. However, the team's law college, affiliation may not be mentioned at any time before award ceremony.
- b. Further all team member, coaches, advisors and observers shall refrain from identifying team's school/college at any time in any manner including, but limited to, wearing any identifying items, such as, badges, blazers, or pins carrying identifying material (such as books with college logo or seal)

XIX. COPYRIGHT

- a. The copyright over the memorial submitted for the participation in the competition is assigned by the participant and also vest and fully in the RNB Global University. The participant shall certify in writing the originality of the material contained therein and shall be responsible for any claim or dispute arising out the further use and exhibition of these materials.
- b. Further use and exhibition of these material, electronically or otherwise, shall be the exclusive right of the RNB Global University and they shall not be responsible for any liability to any person for any loss caused by errors or omission in the collection

of information, or for accuracy, completeness, or adequacy of the information contained in these materials.

- c. Distribution of these materials on affiliated websites such as RNBGU's Website <https://www.rnbglobal.edu.in/> does not consent to the any use for commercial redistribution either via internet or using some other form of hypertext distribution. Links to the collection or individual pages in it are welcome.

XX. ACCOMMODATION AND FOOD

The team of Three (3) participants shall be provided accommodation by the University for the duration of the competition only. Any additional member other than the registered team member shall not be entertained during the competition. Only outstation participants shall be provided accommodation. In case there is/are any female participant in any team, they will be accommodated in girls hostel. Otherwise, accommodation will be provided on "One Team in One Room" basis.

ALL RIGHTS RESERVED TO THE ORGANIZER.

ABOUT US

ABOUT BIKANER

Bikaner is a city in the north Indian state of Rajasthan, east of the border with Pakistan. It's surrounded by the Thar Desert. The city is known for the 16th-century Junagarh Fort, a huge complex of ornate buildings and halls. Within the fort, the Prachina Museum displays traditional textiles and royal portraits. Nearby, the Karni Mata Temple is home to many rats considered sacred by Hindu devotees.

ABOUT RNB GLOBAL UNIVERSITY (RNBGU)

RNB Global University in Bikaner has been established by the Ram Bajaj Foundation, who have made their foray into the educational arena through this zero profit venture. The University has been approved vide Act No. 20 of the Legislative Assembly of Rajasthan. The University has also been approved by the University Grants Commission (UGC) and the maiden academic batch of the University had already commenced since June 2015. The University is spread on a 300-acre campus and offers courses in various disciplines. All the degrees and certificates issued by the University have been approved by the UGC.

ABOUT SCHOOL OF LAW, RNBGU

The School of Law is a Department of RNB GLOBAL University which is recognized under Section 2(f) of the UGC Act, 1956. The Law School of the University is functioning under the patronage of Dr. Hans Raj Arora, the senior professor and the Convenor in the SCHOOL OF LAW, RNBGU and of Dr. Satya Deo Singh Tanwar, another Professor therein. The School of Law offers courses namely BBA, LL.B., BA, LL.B. and LL.B.